

**KAYSVILLE CITY
ORDINANCE 23-05-01**

**AN ORDINANCE AMENDING TITLE 17, CHAPTER 2, SECTION 2, AND
ENACTING TITLE 17, CHAPTER 5 OF THE KAYSVILLE CITY CODE
REGARDING WATER-WISE LANDSCAPING**

WHEREAS, Kaysville City desires to encourage water-wise landscaping and efficient use of culinary and secondary water;

WHEREAS, Kaysville City supports Weber Basin Water's efforts to conserve water resources; and

WHEREAS, the Kaysville City Council has determined that water-wise landscaping advances the public health, safety, and well-being of Kaysville City.

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

SECTION 1: **AMENDMENT** "17-2-2 Definitions" of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

17-2-2 Definitions

Accessory Use or Building - A use or building subordinate to the principal use of a building or principal use on the same lot, and serving a purpose customarily incidental to the use of the principal building or use. Garden sheds, greenhouses, storage shelters, and detached covered patios not equipped for use as living quarters are accessory buildings.

Agent or Owner - Any person who is legally authorized to act for the property owner.

Agriculture - The tilling of the soil, the raising of crops, horticulture and gardening, but not including the keeping or raising of farm animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, greenhouses, or similar uses.

Alley - A public right-of-way less than thirty feet (30') wide.

Amusement Arcade - A building or part of a building in which four (4) or more mechanical or electronic amusement devices are offered for use. **Animal Hospital** - A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Apartment, Efficiency - A dwelling unit in a multi-family building consisting of not more than one (1) habitable room, together with cooking and sanitary facilities.

Apartment Hotel - Any building which contains dwelling units and also satisfies the definition of a hotel.

Apartment House - See Dwelling, Multiple.

Assisted Living Facility

- a. Assisted Living Facility, Type I - A residential facility that provides assistance with activities of daily living and social care to two or more residents and which is licensed or certified by the Department of Health under [Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code](#).
- b. Assisted Living Facility, Type II - A residential facility with a home-like setting that provides an array of coordinated supportive personal and health care services available 24 hours per day to residents and which is licensed or certified by the Department of Health under [Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code](#).

Automobile or Trailer Sales Area - An open area used for display, sale or rental of new or used motor vehicles, trailers, or mobile homes in operable condition, and where no repair work is done.

Automobile Repair, Major - General repair, rebuilding or reconditioning of engines, motor vehicles or trailers, collision service, including body, frame, or fender repair, or over-all painting.

Automobile Repair, Minor - Upholstering, replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half (1 1/2) tons capacity, but not including other operations, named under Automobile Repair Major, or similar thereto as determined by the Building Inspector.

Automobile Service Station - A place where gasoline or other major fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services are performed to include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, and automobile washing, and not to include repairs performed of a minor or major type, except replacement of plugs, lights, fan belts, and other small parts.

Basement - A story whose floor is more than twelve (12) inches below the average level of the adjoining ground, but where no more than one-half (1/2) of its floor-to-ceiling height is below the average contact level of the adjoining ground (as distinguished from a "cellar").

Beer - Any product defined as beer in [Utah Code Section 32B-1-102](#).

Beginning of Construction - Demolition, elimination, and removal of an existing structure preparatory to new construction, or the incorporation of labor and materials in the foundation of a building or buildings.

Bioswale – A landscape feature that is usually an elongated depression in the land surface that is seasonally wet, is usually vegetated, and is normally without flowing water. Swales direct stormwater flows into drainage channels and allows stormwater to percolate into the ground.

Boarding or Lodging House - A dwelling or part thereof where meals and/or lodging are provided, for compensation, for three (3) or more non-transient persons, other than members of the resident family.

Breezeway - A building that is no less than three feet (3') and no greater than ten feet (10') in any horizontal dimension, is open on two sides and joins doorways of two separate buildings which are considered as one main building in any residential zone. The joined buildings shall comply with the setbacks and height requirements for the main building of the zone in which it is located. The combined area of the two buildings and breezeway shall not exceed forty percent (40%) of the lot area in which it is located.

Building - Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property.

Building Height - The vertical distance from grade plane to the average height of the highest roof structure.

Building, Main - A building in which is conducted the principal use of the building site on which it is situated. In any R-District, any dwelling shall be deemed to be a main building on the building site on which it is located.

Carport - A roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than two (2) sides.

Cellar - A room or space wholly under the surface of the ground, or having more than fifty percent (50%) of its floor to ceiling height under the average level of the adjoining ground.

Child - The child of a person other than the provider of child care.

Child Care - Continuous care and supervision of five (5) or more children under 14 years of age, in lieu of care ordinarily provided by parents in their own home, for less than 24 hours a day, for direct or indirect compensation.

Conditional Use - A land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

Condominium - The ownership of a single unit in a multi-unit project or structure together with

an undivided interest in common in the common areas and facilities of the property.

Court - An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

Coverage - The percent of the total site area covered by structures other than those excepted in this title.

Crop and Tree Farming - The raising for commercial purposes of any field crops or wholesale nursery or greenhouses including necessary buildings incidental to such crop, but not including a building for retail sales.

Dairy - A commercial establishment for the manufacture and packaging of dairy products.

Disability - A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.

Distance Between Residential Structures - The shortest distance between the vertical walls of two residential structures as herein defined.

District - A portion of the territory of Kaysville City within which certain uniform regulations and requirements of various combinations thereof apply under the provisions of this title. Includes "Zone" and "Zoning District."

Driveway - A private road, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which located.

Dwelling - Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent or trailer.

- a. Dwelling, Condominium - A dwelling whose ownership conforms with the definition of Condominium herein.
- b. Dwelling, Single-Family - A building designed for or used exclusively as a residence by one (1) family.
- c. Dwelling, Two-Family or Duplex - A building designed for or used exclusively as a residence by two (2) families, living independently of one another.
- d. Dwelling, Multiple - A building or portion thereof designed for or used exclusively as a residence by two (2) or more families, living independently of one another.
- e. Dwelling, Townhouse - An attached or semi-attached building containing a single dwelling unit and located on a parcel of land in one (1) ownership and having any yard or court in common.
- f. Dwelling, Twin Home - A building designed and used as a residency by two (2) families and for which each dwelling unit and its lot may be owned separately from the other dwelling unit and lot.

Dwelling Unit - One (1) room, or suite, or two (2) or more rooms, designed for or used by one (1) family for living and sleeping.

Family - An individual, or two (2) or more persons related by blood, marriage, adoption or guardianship, or a group of not more than five (5) persons who are not all so related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

Flag Lot - A lot which meets the minimum area requirement, but not the lot width or yard requirements of the zone in which it is located and is mostly behind another lot and has access to a street by way of a projection or "staff."

Front Lot Line - The boundary of a lot that coincides with the right-of-way line of the street on which the lot has frontage.

Garage, Private - A detached accessory building, or a portion of a main building, used, or intended to be used, for the storage of vehicles of persons occupying the main building on the lot.

Garage, Public - A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor vehicles.

General Plan - A document that a municipality adopts that sets forth general guidelines for proposed future development of the land within the municipality.

Grade - All walls approximately parallel to and not more than five (5) feet from a street line are to be considered as adjoining a street.

- a. For building adjoining one (1) street only, the elevation of the sidewalk at the center of that wall adjoining the street.
- b. For building adjoining more than one (1) street, the average of the elevations of the sidewalk at the centers of all walls adjoining streets.
- c. For buildings having no walls adjoining the street, the average elevation of the ground (finished surface) adjacent to the exterior walls of the building.

Hardscape - Durable landscape materials such as brick or concrete pavers, benches, artificial turf, walls, decorative rocks, mulch, curbing, planters, concrete, asphalt, or other like materials that are not of a vegetative nature. Hardscape does not include building or structure footprints, driveways, and sidewalks.

Home Occupation - A commercial or industrial activity conducted on a dwelling site and incidental and secondary to the dwelling use.

Hospital - An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Hotel - See Motor Hotel.

Junk Yard - The use of any lot, portion of lot, or tract of land for the long-term storage, keeping, or abandonment of automobiles, other vehicles, or machinery or parts thereof; provided, that this definition shall not be deemed to include such uses that are clearly accessory and incidental to any agricultural use permitted in the district.

Kenel - Any lot or premise on which four (4) or more dogs (or similar household pets) at least four (4) months old are kept.

Landscape - A combination of living vegetation and hardscape and may be a combination of turf, plant cover and xeriscape.

Landscaped Area - Improved areas of the property that make up landscape and may include hardscape. The landscaped area does not include non-irrigated natural areas that are intentionally left undeveloped.

Liquor - Any liquid defined as liquor in [Utah Code Section 32B-1-102](#).

Lodging House - See Boarding or Lodging House.

Lot - A piece or parcel of land having frontage on a public street, or approved private street, which may be occupied by a principal building or a group of such buildings and accessory buildings, together with such open spaces as required by this title, intended to be held in separate ownership or leasehold.

Lot, Corner - A lot abutting on two or more intersecting or intercepting streets.

Manufactured Home - A transportable factory built housing unit constructed on or after June 15, 1976, according to the National Manufactured Housing Construction and Safety Standards Act of 1974, in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

Manufactured Home Park - A parcel of land under single ownership on which two or more manufactured homes are located.

Manufactured Home Subdivision - A subdivision designed and intended for sale of lots for siting manufactured homes.

Mobile Home - A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the National Manufactured Housing Construction and Safety Standards Act of 1974.

Motor Hotel, Including Motel and Hotel - A building or group of buildings for the

accommodation of transient guests, comprising individual sleeping or living units.

Mulch - Any material such as rock, bark, or wood chips that is left loose and applied to the soil.

Natural Waterways - Those areas, varying in width, along streams, creeks, springs, gullies, or washes which are natural drainage channels as determined by the Building Inspector or City Engineer.

Non-Complying Structure - A structure that legally existed before its current land use designation; and because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations excluding those regulations which govern the use of land.

Non-Conforming Use - A use of land that legally existed before its current land use designation; has been maintained continuously since the time the land use ordinance governing the land changed; and because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

Nursing Care Facility - A health care facility, other than a general acute or specialty hospital, constructed, licensed, and operated to provide patient living accommodations, 24-hour staff availability, and at least two patient services and which is licensed or certified by the Department of Health under [Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code](#).

- a. Office, Professional - A place intended for the conduct of a recognized learned profession in most cases requiring a license, such as physician, dentist, chiropractor, lawyer, engineer, architect, accountant.
- b. Office, Business - A place intended for the conduct of the administrative function of a business enterprise and in which no goods or merchandise are stored or sold.

Park Strip - A typically narrow landscaped area located between the back-of-curb and sidewalk.

Parking Area, Private - An open space for the same uses as a private garage.

Parking Area, Public - An open area used for the parking of automobiles and available to the public whether for a fee, free, or as an accommodation for clients or customers.

Parking Space - A permanently-surfaced area of not less than one hundred eighty (180) square feet in area, either within a structure or in the open, excluding paved areas necessary for access under the provisions of this title, for the parking of a motor vehicle. (See [KCC 17-32](#), Off-Street Parking.)

Planned Residential Unit Development (PRUD) - A subdivision of land guided by an integrated design in which residential lots may have areas less than the minimum lot area of the

zone in which the subdivision is located, and other regulations, except use regulations, may be waived or varied to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed general requirements.

Public or Quasi-Public Use - An educational, recreational, religious, cultural, service, utility, or similar use primarily serving the public.

Public Utility - A public or quasi-public agency, or its structures and facilities, established to provide water, power, gas, sewer, storm drain, pressure irrigation, telecommunications and other public services, and who construct and maintain structures and facilities for their distribution, collection, transmission, storage or treatment.

Recreation, Commercial - Recreation facilities operated as a business and open to the general public for a fee.

Recreation, Private, Non-Commercial - Clubs or recreational facilities, operated by a non-profit organization and open only to bonafide members of such non-profit organization and their guests.

Recreation, Public - Publicly owned or operated recreation facilities.

Recreational Vehicle - A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational Vehicle Park - Any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Residential Child Care - Child care provided in the home of a provider.

Residential Density - The average number of dwelling units on one (1) acre of land in a given area. Net residential density is determined by dividing the total number of dwelling units in a defined area by the total acreage of all parcels of land within the area that is used exclusively for residential and accessory purposes. Gross residential density is determined by dividing the total number of dwelling units in a defined area by the total acreage of all land within the area.

Residential Facility for Persons with a Disability - A dwelling in which more than one person with a disability resides and which is licensed or certified by the Department of Human Services under [Title 62A, Chapter 2, Licensure of Programs and Facilities, of the Utah Code](#) or is licensed or certified by the Department of Health under [Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code](#).

Retail Sales - Establishments engaged in the selling or rental of goods or merchandise and in rendering services incidental to the sale of such goods.

Retail Services - Establishments providing services or entertainment, as opposed to products, including eating and drinking places; hotels and motels; finance, real estate, and insurance offices; personal services; theaters; amusement and recreation services; health, educational, and social services; museums; and galleries.

Sign - Any writing, pictorial representation, symbol, banner, lighting fixture, or any other figure of similar character of whatever material which is used to identify, announce, direct attention to or advertise, which is placed on the ground, on any bush, tree, rock, wall, post, fence, building, structure, vehicle, or any place whatsoever and which is visible from outside a building. The term "placed" shall include constructed, erected, posted, painted, printed, tacked, nailed, glued, stuck, carved, strung, or otherwise fastened, affixed, or made visible in any manner whatsoever. (For further definitions, consult [KCC 17-33](#), Signs.)

Site Plan - A description of the proposed development within the boundaries of the development site consisting of plans, drawings, and information.

Smart Automatic Irrigation Controller - An automatic timing device used to remotely control valves in the operation of an irrigation system using the internet to connect to a real time weather source or soil moisture sensor. Smart automatic irrigation controllers schedule irrigation events using either evapotranspiration or soil moisture data to control when and how long sprinklers or drip systems operate and will vary based on time of year and weather or soil moisture conditions.

Stable - A detached building for the keeping of horses.

Story - That portion of a building included between the surface of any floor and the floor or ceiling next above it.

- a. Story, Half-A partial story under a gable, hip, or gambrel, roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story; provided, however, that any partial story used for one (1) or more dwelling units shall be deemed a full story.
- b. Story, First - The lowest story or the ground story of any building, the floor of which is not more than twelve (12) inches below the finished grade level at the exterior walls of the building, except that any basement or cellar used for residential purposes shall be deemed the first story.

Street - Public rights-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.

Street, Private - A right-of-way or easement in private ownership, not dedicated or maintained as a public street, which affords the principal means of access to two (2) or more sites.

Structural Alterations - Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure - Anything constructed, the use of which requires fixed location on the ground, or

which is attached to something having a fixed location upon the ground, and which imposes an impervious material upon or above the ground.

Swimming Pool - A structure, whether indoors or outdoors, or whether above or below the ground, intended to be used to contain water, and which is of sufficient size, capacity, and depth for swimming.

Tank - A structure, whether indoors or outdoors, or whether above or below the ground, intended to be used to contain liquid, and which is of sufficient size, capacity, or depth for bathing, therapy, or other such use by one or more persons. Such definition shall include, but not be limited to, hot tubs, therapy tanks or pools, and similar structures.

Telecommunications Service - The providing or offering for rent, sale or lease, or in exchange for other value received, of the transmittal of voice, data, image, graphic and video programming information between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities, with or without benefit of any closed transmission medium.

Telecommunication Tower - A structure that holds transmitting or receiving devices used for telecommunications service, with any associated buildings, site improvements, and property.

Turf - A surface layer of earth containing grass species with full root structures that are maintained as mowed grass. Grass and lawn are considered turf.

Unified Control - A parcel of land under one ownership, or a group of parcels, the owners of which have agreed in writing to subject the development of their properties to a single control.

Xeriscape - A style of landscape design requiring little or no irrigation or other maintenance using plants that can survive on low or minimal water usage.

Yard, Front - An open space extending the full width of the lot measured between the front lot line and the closest main building, which open space is unoccupied and unobstructed from the ground upward except as specified elsewhere in this title.

Yard, Front, Depth - The shortest distance, measured horizontally, between any part of the main building, other than parts herein excepted, and the front lot line. Such depth shall be measured from the front lot line, provided, however, that if the proposed location of the right-of-way line of such street as adopted by Kaysville City in the Major Street Plan differs from that of the existing street, then the required front yard depth shall be measured from the right-of-way line of such street as adopted; or said building shall comply with official setback lines as adopted by the City.

Yard, Rear - An open space between a building and the rear lot line, unoccupied and unobstructed from the ground upward and extending across the full width of the lot, except as specified elsewhere in the title.

Yard, Rear, Depth - The shortest distance, measured horizontally, between any part of a main building, other than parts hereinafter excepted, and the rear lot line.

Yard, Side - An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this title. A side yard on the street side of a corner lot shall be known as an "exterior side yard."

Yard, Side, Width - The shortest distance, measured horizontally, between any part of a building, other than parts herein excepted, and the nearest side lot line. Such width shall be measured from the nearest side lot line and, in the case where the nearest side lot line is a side street lot line, from the right-of-way line of the existing street; provided, however, that if the proposed location of such street as adopted by Kaysville City in the Major Street Plan differs from that of the existing street, then the required side yard width shall be measured from the right-of-way of such street as adopted, or said building shall comply with any applicable official setback lines.

Zoning Map - The Zoning Map or Maps of Kaysville City, Utah, together with all amendments subsequently adopted.

SECTION 2: **AMENDMENT** "Chapter 5 (Reserved)" of the Kaysville City Code is hereby *amended* as follows:

AMENDMENT

Chapter 5 ~~(Reserved)~~ Water Efficient Landscape Standards

SECTION 3: **ADOPTION** "17-5-1 Purpose" of the Kaysville City Code is hereby *added* as follows:

ADOPTION

17-5-1 Purpose(*Added*)

The purpose of this chapter is to support the State of Utah, Weber Basin Water Conservancy District, secondary water providers and other water stakeholders in the responsible use of water. Kaysville city desires to protect currently allocated water resources for existing users and define appropriate uses for landscaping and watering practices. Adoption of these standards will provide residents with eligibility for reimbursement programs and incentives to retrofit existing landscaping with water wise landscaping.

The responsible use of water and corresponding landscaping regulations will allow the city to grow in patterns which are more sustainable. These efforts will protect the public's environmental, economic, recreational, and aesthetic resources by promoting efficient use of

water resources by reducing water waste and establishing guidelines for designing, installing, and maintaining water efficient landscapes throughout the city.

The City highly encourages all property owners to retrofit existing landscaping to come into compliance with all standards in this chapter.

SECTION 4: **ADOPTION** “17-5-2 Prohibited Watering Practices” of the Kaysville City Code is hereby *added* as follows:

ADOPTION

17-5-2 Prohibited Watering Practices(*Added*)

Wasteful use of water, including but not limited to the following, is prohibited on all properties within the city as regulated by KCC 9-4-1 Water.

1. Irrigating any landscape between the hours of 10:00 am and 6:00 pm.
2. Using culinary water for irrigation where irrigation water is available through an irrigation company or secondary water service district.
3. Washing sidewalks, driveways, parking areas, tennis courts, patios, or other hard surface areas except to alleviate immediate health or safety hazards.
4. Watering in violation of regulations and restrictions set forth during drought periods.

SECTION 5: **ADOPTION** “17-5-3 Applicability” of the Kaysville City Code is hereby *added* as follows:

ADOPTION

17-5-3 Applicability(*Added*)

The remaining sections of this chapter shall apply to:

1. All new landscapes in all zones of the city associated with construction of any new residential home, commercial or industrial structure, public facility, or mixed-use development.
2. Any existing residential, commercial, industrial, or mixed-use projects where the owner or developer proposes to modify the landscaped area by more than 50%.

SECTION 6: **ADOPTION** “17-5-4 Landscaping Standards” of the Kaysville City Code is hereby *added* as follows:

ADOPTION

17-5-4 Landscaping Standards(*Added*)

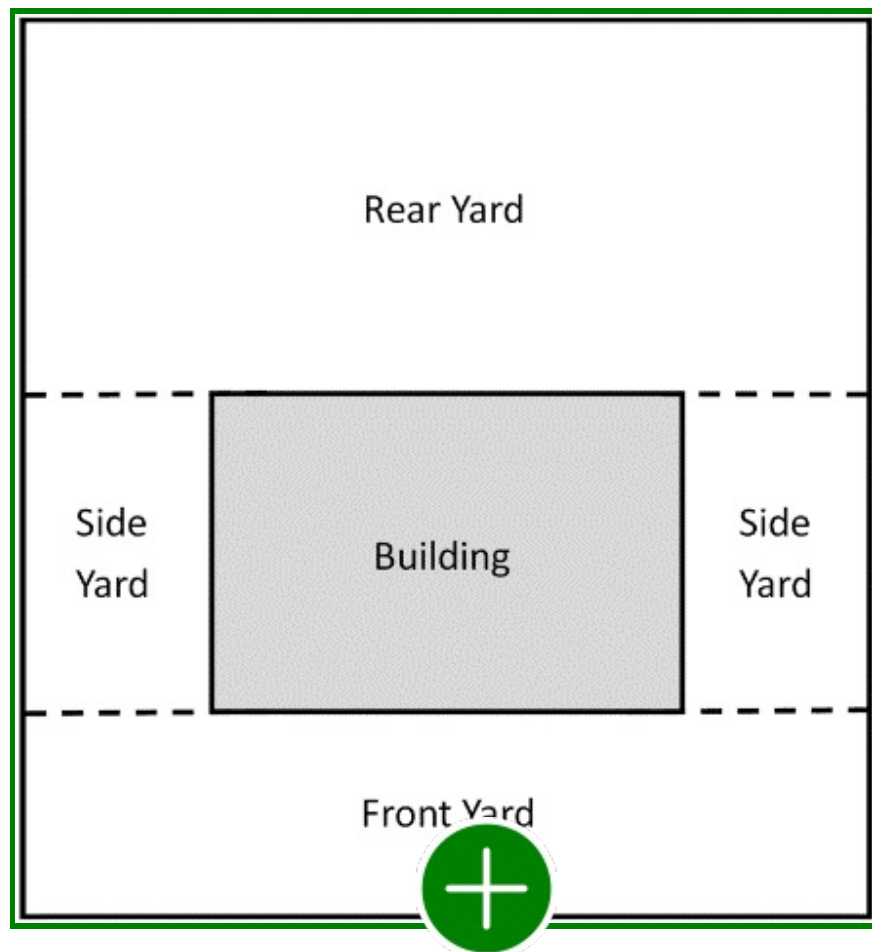
The following general standards apply:

1.

Turf, Grass or Lawn.

a. Turf, grass or lawn shall not be placed in:

- i. Any area with a width of less than 8 feet, including park strips.
- ii. Any area with a grade greater than 25%.
- iii. Parking lot landscaping.



- b. Residential developments shall not have more than 35% of the total combined area of the front and side yards landscaped with turf, grass or lawn.
- c. Commercial, industrial, institutional, multi-family developments and HOA common areas shall not have turf exceed 15% of the total landscaped.

- Designated active recreation areas are not included in this total.
- d. In areas where secondary water is not available, no more than 10% of the landscaped area shall be turf.
 - e. Developers and owners are encouraged to limit rear yard turf areas to a maximum of 35% of the total combined area.
2. **Plant Selection.** Plants shall be well-suited to the microclimate and soil conditions at the landscape site. Native and locally-adapted plants are acceptable. For irrigating efficiencies, plants with similar water needs shall be grouped together as much as reasonably practicable.
3. **Tree Selection.** Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance.
4. **Mulch.** All irrigated non-turf areas shall be covered with a minimum 3 inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. The City strongly recommends rock mulch over bark or wood. Non-porous material shall not be placed under the mulch.
5. **Bioswales.** Park strip areas may be utilized as bioswales, and are recommended in commercial, industrial and HOA common areas.

SECTION 7: **ADOPTION** “17-5-5 Irrigation Design Standards” of the Kaysville City Code is hereby *added* as follows:

ADOPTION

17-5-5 Irrigation Design Standards(*Added*)

The following irrigation design standards are strongly recommended for all landscape projects:

- 1. **Irrigation Controller.** Landscaped areas should utilize a WaterSense-labeled smart automatic irrigation controller, equipped with rain delay or rain shut-off capabilities.
- 2. **Irrigation valves** should irrigate landscapes with similar site, slope, soil conditions and plant materials with similar water needs.
- 3. **Drip irrigation** should be used for all non-turf areas and be equipped with pressure regulator and filter.
- 4. **Turf and non-turf areas** should be irrigated on separate valves.
- 5. **Drip emitters and sprinklers** should be placed on separate valves.

SECTION 8: **ADOPTION** “17-5-6 Owner's Association Restrictions” of the Kaysville City Code is hereby *added* as follows:

ADOPTION

17-5-6 Owner's Association Restrictions(*Added*)

Owner's Associations shall not adopt or enforce regulations which prohibit or restrict compliance with this chapter or other water conservation measures.

SECTION 9: **ADOPTION** “17-5-7 Enforcement And Penalties” of the Kaysville City Code is hereby *added* as follows:

ADOPTION

17-5-7 Enforcement And Penalties(*Added*)

The Community Development Director, or their designee, shall be authorized to enforce all provisions of this chapter in accordance with the Municipal Code.

SECTION 10: **REPEALER CLAUSE** If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 11: **SEVERABILITY CLAUSE** If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

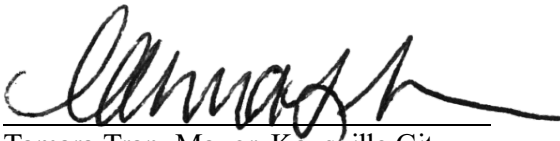
SECTION 12: **EFFECTIVE DATE** This Ordinance shall become effective shall become effective immediately upon passage.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL MAY 04, 2023.

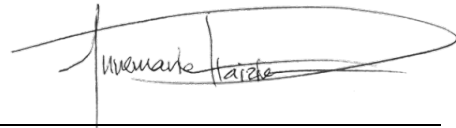
	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Blackham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Hunt	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Jackson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Council Member Oaks	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Tamara Tran, Mayor, Kaysville City



Annemarie Plaizier, City Recorder,
Kaysville City

