

ORDINANCE NO. 21-01

AN ORDINANCE OF THE NORTH LOGAN CITY COUNCIL
 MAKING CHANGES TO SPECIAL REQUIREMENTS FOR SOME HOME – BASED BUSINESSES

WHEREAS, the City Council of the City of North Logan, Utah, adopted and passed the Code of Revised Ordinances of the City of North Logan on March 16, 1989, which Code was published and effective on March 20, 1989; and

WHEREAS, said Code included Title 12 which is the City’s Land Use Ordinance, Title 8, which is the City’s Regulation of Business Ordinance; and

WHEREAS the City Council and the City’s Planning and Zoning Commission have determined there is need and good cause to amend the City’s Land Use Ordinance and the City’s Regulation of Business ordinance, to include special requirements for short-term rental units as a home-based business.

NOW, THEREFORE, pursuant to Section 12A-301 of Title 12 of North Logan City code and Section 10-9a-205 of the Utah Code, and after ten (10) days’ notice and a public hearing held January 23, 2019 by the Planning Commission as required, the City Council of the City of North Logan, Utah hereby adopts, passes and publishes the following:

BE IT ORDAINED by the City Council of the City of North Logan, Utah as follows:
 (highlighted portions added, crossed through items deleted)

SECTION I: Amend TITLE 12 LAND USE, modifying 12A-200 definitions, to modify the definition for Hotel or Motel, and include a definition for Short Term Rentals, and renumber the remaining definitions as appropriate.

79. Hotel or Motel. ~~Any building which is designed to cater to transient occupancy, offering temporary rooms which are used, rented or hired out to individuals or families. To be classified as a hotel or motel, an establishment must have at least six guest rooms and shall furnish services such as linens, maids and furnishings.~~ An establishment with the primary purpose of providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, telephone and desk service. Related ancillary uses may include, but not be limited to, conference and meeting rooms, restaurants, lounge, and recreational facilities.

156. Short Term Rental. The use, occupancy, rent or lease, for direct or indirect remuneration, of a structure or any portion thereof constructed for single-household or multi-household occupancy or of any other residential property for an effective term of thirty consecutive calendar days or less.

SECTION II: Amend TITLE 12 LAND USE, modifying 12C-1001 Permitted And Conditional Uses In Zone, to remove Bed & Breakfast Lodging from the use table and include Short Term Rentals.

Commercial Services, Retail, & Related Uses	R/S	A	RE	R1	R2	DT	CCA	CCC	MR8	MR7	MXG	RM	PR	CC	CG	MC	M2	RB	HO SP
Automobile Services								C			M				P	P			
Automobile Sales and								C			M				P	P			

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Services																			
Auto Recycling																			C
General Sales and Services (Building less than or equal to 50,000 square feet)						P	P	P			P			P	P	P			
General Sales and Services (Building in excess of 50,000 square feet)							C	C						P	P	P			
Heavy Sales & Services															C	P			
Rental Service Stores															P	P			
Commercial Parking Facility							C	C			M			C	C	P			
Mortuary or Crematorium							P	P			M		P	P	P	P			P
Professional Office/Services						P	P	P			M		P	P	P	P	P	C	C(b)
Wedding Chapels, Reception Centers						P	P	P			M				P				
Hotel or Motel						P	P	P			M				P	P	C		
Short Term Rental	P	P	P	P	P	P	P	P	P	P	P								P
Bed & Breakfast Lodging						P	P	P	€	€	M								
Food Service						P	P	P			M				P	P	C		
Restaurant With Liquor License						P	P	P			M				P				
Restaurant with On-Premise Beer Retailer License						P	P	P			M				P				
Facility with On-Premise Banquet						P	P	P											

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Restaurant with Limited Restaurant License for Alcohol Beverages						P	P	P				M					P				
Fireworks Stands								P									P	P			
Adults-Only Product or Service Business																		P			
Adult Oriented Businesses or Adult Business																		C(c)			

SECTION III: Amend TITLE 8 REGULATION OF BUSINESSES, modifying 8-505 Special Requirements For Some Home – Based Businesses to include requirements for Short Term Rentals.

8-505 Special Requirements for Some Home – Based Businesses

F. **Short Term Rentals.** "Short-term rental" The use, occupancy, rent or lease, for direct or indirect remuneration, of a structure or any portion thereof constructed for single-household or multi-household occupancy or of any other residential property for an effective term of thirty consecutive calendar days or less. All short term rental units must be inspected by the Building Department and issued a Home-Based Business license before being offered for rent. Each Short Term Rental must be inspected annually by the fire department for license renewal. All short-term rentals shall meet the following requirements.

1. **Application.** Applications for a short-term rental shall contain the location of the short term rental, the number of rooms available for rent, and the maximum number of persons the short-term rental will accommodate.
2. **Parking.** A minimum of one (1) off-street parking space shall be provided for each short-term rental in addition to any required spaces for the existing residential use. If the maximum number of persons that the short-term rental will accommodate is over three (3) persons, one (1) additional space shall be provided for every additional three (3) persons. Parking area and access to parking areas shall be maintained and available for use at all times.
3. **Noise and Occupancy Violations.** The owner of any short-term rental is responsible for regulating the occupancy of the short-term rental unit and noise created by the occupants. Violation of the North Logan City Noise Control Ordinance, violation of occupancy loads, failure to use designated off-street parking, illegal conduct, or any other abuse, which violates any law regarding use or occupancy of the premises, is grounds for revocation.
4. **Each Short Term Rental shall be inspected every other year by the fire department for license renewal. A copy of the current Fire Department Self-Inspection Worksheet for Home-Based Businesses and contact information for North Logan City and the Fire Department must be posted in a highly visible place within the dwelling or STR area.**

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5. Each applicant for a license under this Section is solely responsible for determining the applicability of any private covenants, conditions, and restrictions that may be applicable to short-term rentals, and granting of a license under this Section is not an indication of the absence of private covenants, conditions, and restrictions that may restrict or prohibit short-term rentals on the applicant's property.
6. Short Term Rental owners shall pay all taxes and fees relating to the STR, including without limitation the business license fees, property tax, sales tax, and the Utah transient room tax.
 - i. Proof of payment of all required taxes and fees shall be submitted by the applicant and verified by the Business License Official upon request and upon yearly renewal of the license.
 - ii. Copy of the appropriate sales tax license issued by the State of Utah shall be submitted and verified with the initial application for any Short Term Rental.


SECTION IV: CONFLICT. To the extent of any conflict between this ordinance and any other North Logan City ordinance(s) or regulation(s), the provisions of this Ordinance shall be controlling.

SECTION V: SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION VI: EFFECTIVE DATE. In the opinion of the City Council of North Logan, it is necessary that this ordinance take effect immediately; therefore, this Ordinance shall take effect immediately upon its passage and first posting as provided by law.

ADOPTED AND PASSED by the City Council of the City of North Logan, Utah, this 3rd day of February, 2021.

NORTH LOGAN CITY

By: 
Damon Cann, Mayor

ATTEST:



Scott Bennett, City Recorder

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CERTIFICATE OF DUE POSTING

I, Scott Bennett, City Recorder of North Logan, Utah, hereby certify that I caused to be posted the foregoing Ordinance No. 21- 01 on the 4th day of February, 2021, in the City of North Logan, Cache County, State of Utah, a copy of which is hereto attached, in each of three public places in the said City of North Logan, to-wit:

1. North Logan City Offices, 2076 North 1200 East
2. North Logan City Library, 475 East 2500 North
3. North Park Police Department, 575 East 2500 North

WITNESS my hand this 4th day of February, 2021.



Scott Bennett, City Recorder