

**SPRING CITY MUNICIPLA CORPORATION
ORDINANCE 2020-01**

SPRING CITY CODE CORRECTIONS

WHEREAS, the Spring City Planning and Zoning Committee has proposed various ordinance modifications to clarify ambiguities, address problems and allow Spring City to more efficiently and effectively address land use issues, zoning and building permit requests, infrastructure expansions and extensions of water, sewer and power facilities and connections, and public hearings have been held by the Planning and Zoning Committee and City Council to review the proposed ordinance changes, and the City Council has considered the advisability of such modifications

WHEREAS, Spring City desires to adopt the following with the applicable attachments provided herein:

SECTION 1: ADOPTION of Spring City Code Titles 8, 9,10, 12 attached hereto as Exhibit "A" along with and including all City Maps and other attached documents, is hereby adopted in its entirety as provided in Exhibit "A" and incorporated herein by this reference.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith prior to the date of this Ordinance, are hereby repealed, subsumed, and replaced with the exhibit adopted herein.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

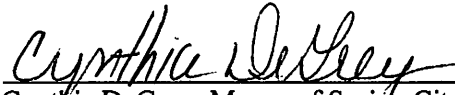
SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect immediately and after the required approval and publication according to law.


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

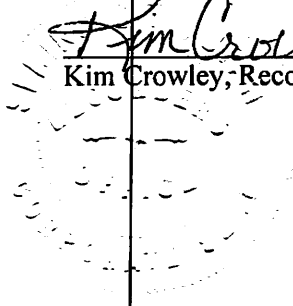
PASSED AND ADOPTED BY THE NAME OF MUNICIPALITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Mayor Cynthia DeGrey	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Chris Anderson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Craig Clark	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Cody Harmer	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Joe McGriff	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Paul Penrod	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Attest:


Cynthia DeGrey, Mayor of Spring City


Kim Crowley, Recorder of Spring City



- 1 [Title 8 UTILITIES](#)
- 2 [Chapter 8-1 WATER USE AND SERVICE](#)
- 3 [Chapter 8-2 DRINKING WATER SOURCE PROTECTION](#)
- 4 [Chapter 8-3 SEWER SERVICE REGULATIONS](#)
- 5 [Chapter 8-4 ELECTRICAL POWER](#)
- 6 [Chapter 8-5 BACKFLOW AND CROSS-CONNECTIONS](#)
- 7 [Chapter 8-6 UTILITY DEPOSITS AND RECONNECTION POLICY](#)

8

9 **Chapter 8-1 WATER USE AND SERVICE**

- 10 [8-1-1 WATER DEPARTMENT](#)
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- 29 [8-1-20 WILLFUL OR MALICIOUS DAMAGE](#)
- 30 [8-1-21 SERVICE OUTSIDE CITY LIMITS](#)

31

32 **8-1-1 WATER DEPARTMENT**

- 33 1. Creation: The Water Department of the City is hereby created. It shall administer the operation
- 34 and maintenance of the water system of the City.

- 35 2. Duties Of Superintendent: The superintendent of the water system shall manage and supervise
- 36 the City water system pursuant to the provisions of this chapter and pursuant to resolutions,
- 37 rules and regulations adopted by the City Council from time to time prescribing his powers and
- 38 duties and directing the manner and frequency with which he shall make reports to the Mayor
- 39 relating to the water system. All of the functions and activities of the superintendent shall be
- 40 carried on under the direction of the Mayor or Council member appointed by the Mayor. (Ord.
- 41 2007-02, 6-7-2007)

42 **8-1-2 INDIVIDUAL UNITS; CONNECTION REQUIRED**

43 A water connection shall be required for each individual unit, as established in the City. For the purpose
44 of this chapter, an "individual unit" is defined as a separate apartment, office, trailer house or other unit
45 for housing or for business, whether or not maintained in the same building as other households or
46 other businesses and each separate business or office or family shall be required to pay minimum rates
47 herein specified, together with the additional charge for water consumption in excess of the maximum
48 allowed under said minimum rate. (Ord. 2007-02, 6-7-2007)

49 **8-1-3 APPLICATIONS FOR CONNECTION, SERVICE**

- 50 1. Individual Connection: Any person, other than a subdivider or developer seeking multiple
51 connections, who desires or is required to secure a new connection to the City water system,
52 shall apply to the City Treasurer or other such person as the City Council may designate for each
53 connection, the form for which is on file in the office of the water department.
- 54 2. Connections By Subdividers: Whenever a subdivider or developer desires or is required to install
55 water connections and extensions for a subdivision or development, the subdivider or developer
56 shall enter into a written extension agreement which shall constitute an application for
57 permission to make the extensions and connections and an agreement specifying the terms and
58 conditions under which the water extensions and connections shall be made and the payments
59 that shall be required.
- 60 3. Service To Property Owner: Any person who desires or is required to secure water service when
61 such service is available from the City water system, shall apply to the City Treasurer or other
62 such person as designated by the City Council a written application and agreement for the
63 service, the form for which is on file in the office of the water department.
- 64 4. Nonowner Service Agreement: Applications for water service made by the tenant of an owner
65 must, in addition to the above requirements, be guaranteed by an agreement, the form for
66 which is on file in the office of the water department, signed by the owner of the premises or his
67 duly authorized agent. (Ord. 2007-02, 6-7-2007)

68 **8-1-4 RATES AND FEES**

- 69 1. Service Rates And Connection Fees: The rates, penalty fee for delinquency in payment,
70 connection fee, reservoir fee, inspection fee and other charges incidental to connection and
71 service from the City's utility system shall be fixed from time to time by resolution enacted by
72 the City Council. The City Council may from time to time promulgate rules for levying, billing,
73 guaranteeing and collecting charges for service and all other rules necessary for the
74 management and control of the utility system. Rates for service furnished shall be uniform with
75 respect to each class or classes of service established or that may hereafter be established.
- 76 2. Special Rates: The City Council may from time to time fix by agreement or resolution special
77 rates and conditions for users using exceptionally large amounts of water or power service or
78 making use of the water or power system under exceptional circumstances, upon such terms
79 and conditions as they may deem proper. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

80 **8-1-5 STATEMENT OF CHARGES; DELINQUENCY**

- 81 1. Statement: The person appointed by the Mayor or Superintendent of each utility department
82 shall furnish to each user, or mail to, or leave at his place of residence or usual place of business,
83 a written or printed statement stating thereon the amount of utility service charges assessed
84 against him once each month or at such other regular interval as the City Council shall direct. All
85 such statements will be sent by the fifth (5th) business day of each month, subject to State and
86 Federal holidays.
- 87 2. Delinquent Charges: All utility payments must be cash, check, money order, or credit/debit card
88 and received by the City Treasurer by four o'clock (4:00) P.M. on the twentieth (20th) of each
89 month. If the twentieth (20th) falls during non-business hours, the drop box will be collected on
90 the next business day and payments will be considered to be paid "on time". All past due
91 accounts will be subject to a late payment fee or interest as determined by the City Council by
92 resolution.
- 93 3. Failure To Pay: The billing statement shall specify the amount due for the utility service including
94 the place of payment and date due. If any person fails to pay the utility charges within thirty (30)
95 days of the date due, the person appointed by the Mayor or Superintendent of each utility
96 department shall give the customer notice in writing of intent to discontinue the service to the
97 customer unless the customer pays the bill in full by the first (1st) Wednesday following the next
98 scheduled City Council meeting at eleven o'clock (11:00) A.M. The option to appear before the
99 City Council for help in making reasonable payment plans should be explained in the
100 notification.
- 101 4. Shut Off Or Reestablishment Of Service: If the utility service is thereafter discontinued for failure
102 to make payment, then before utility service to the premises shall again be provided, all
103 delinquent charges, fees, and required security deposit, must have been paid to the City
104 Treasurer, or arrangements made for their payment in a manner satisfactory to the City. In the
105 event service is turned off for nonpayment of utility charges, then before the service to the
106 premises shall again be provided, the customer shall pay, in addition to all delinquent charges,
107 such extra charge for turning the utility services on and off as the City Council may have
108 established by resolution. Furthermore, in addition to such payments and penalties, a
109 delinquent customer may be required to make and file a new application and deposit if the
110 previous deposit has theretofore been applied to the payment of delinquent bills. The person
111 appointed by the Mayor is hereby authorized and empowered to enforce the payment of all
112 delinquent utility charges by an action at law in the name of the City.
- 113 5. Exception For Extreme Hardship: In cases of extreme hardship to the utility user, the City may
114 agree to arrangements to repay a utility bill over a period of time. Such an agreement shall be in
115 writing. If any terms in said agreement are violated, the agreement shall be terminated and of
116 no legal effect, and the City shall be entitled to discontinue service as provided herein. Further,
117 the City may from time to time in cases of hardship to the utility user employ the use of a
118 restrictor at the premises in connection with agreements to repay delinquent or past due utility
119 accounts.
- 120 6. Exceptions, Modifications: The only exceptions or modifications to the above procedure for
121 disconnection of services which shall be allowed are those presented to and approved by the
122 City Council meeting as a Governing Body. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

123 **8-1-6 USE WITHOUT PAYMENT PROHIBITED**

124 It shall be unlawful for any person by himself, family, servants or agents to utilize the City water system
125 without paying therefor, as herein provided, or without authority to open any fire hydrant, stopcock,
126 valve, or other fixtures attached to the water system supply. It shall be unlawful to injure, deface or
127 impair any part or appurtenance of the water or sewer system, or to cast anything into any reservoir or
128 tank belonging to the water system. (Ord. 2007-02, 6-7-2007)

129 **8-1-7 USE WITHOUT AUTHORITY; RESTRICTIONS**

- 130 1. Turning On Water After Being Turned Off Prohibited: It shall be unlawful for any person, after
131 the water has been turned off from the premises for nonpayment of water charges or other
132 violation of the ordinances, rules, regulations or resolutions pertaining to the water supply, to
133 turn on or allow the water to be turned on or used without authority from the Superintendent
134 or the person appointed by the Mayor.
- 135 2. Separate Connections: It shall be unlawful for two (2) or more families or service users to be
136 supplied from the same service pipe, connection or water meter unless special permission for
137 such combination usage has been granted by the City Council and the premises served are
138 owned by the same owner. In all such cases, a failure on the part of any one of the users to
139 comply with this Part shall warrant a withholding of a supply of water through the service
140 connections until compliance or payment has been made, and in any event, the property owner
141 shall be primarily liable to the City for all water service utilized on all such premises. Nothing
142 herein shall be deemed to preclude the power of the City to require separate pipes, connections
143 or meters at a subsequent time.
- 144 3. Unauthorized Users: It shall be unlawful for any water service user to permit any person from
145 other premises or any unauthorized person to use or obtain water service regularly from his
146 premises or water facilities, either outside or inside his premises.
- 147 4. Adjoining Premises: No consumer shall be permitted to conduct water pipes across lots or
148 buildings to adjoining premises without permission from the water Superintendent and subject
149 to such requirements relating to controls as may be imposed by him.
- 150 5. Visitors: Individuals visiting the premises of an authorized user in a recreational vehicle, not
151 including a mobile home, and continuing to live thereon during the period of visitation may
152 receive water service from the service pipes or facilities of the host during the visitation period
153 which shall not exceed fourteen (14) days. Continued use thereafter shall be deemed
154 unauthorized and violative of the provisions of this chapter relating to separate connections and
155 unauthorized use. (Ord. 2007-02, 6-7-2007)

156 **8-1-8 INSTALLATION OF WATER LINES**

- 157 1. Permit Required: It shall be unlawful for any person to excavate on any of the city rights of way
158 unless an application for excavation has been filed with and approved by the city. An approved
159 zoning permit may take the place of an excavation permit.
- 160 2. Application: Application for permits to make water connections or other alteration or for laying
161 or repairing lines connected directly or indirectly to the city water system in city rights of way

162 must be made in writing by a licensed plumber, his authorized agent, or by the owner of the
163 premises, who shall describe the nature of the work to be done for which the application is
164 made.

165 3. Determination Of Approval: The application shall be granted if the superintendent determines
166 that:
167

168 1. No Damage Will Be Caused: The connection, repair, alteration or installation will cause
169 no damage to the street or city right of way in which the water main is laid, or that it will
170 not be prejudicial to the interests of persons whose property has been or may
171 thereafter be connected to the water main.

172 2. Connection Conforms: The connection conforms to the ordinances, regulations,
173 specifications and standards of materials required by the city.

174 3. Line And Grade Designation: All connections, alterations or installations shall be to the
175 line and grade designated by the water superintendent.

176 4. Fees: Fees for permits or for inspection services shall be of such amounts as the city council shall
177 from time to time determine by resolution. (Ord. 2007-02, 6-7-2007)

178 **8-1-9 PIPE REQUIREMENTS**

179 1. Good Repair: All users of water service shall keep their service pipes and connections and other
180 apparatus in good repair and protected from frost at their own expense. No person, except
181 under the direction of the water superintendent, shall be allowed to dig into the street for the
182 purpose of laying, removing or repairing any service pipe.

183 2. Quality Of Service Pipe: All service and other pipe used in conjunction with the water service of
184 the city shall be of such material, quality and specifications as the city council may from time to
185 time by resolution provide, and shall be installed at such distances belowground as may be
186 specified by regulations relating to the water department. All work, alterations or extensions
187 affecting water pipes shall be subject to the acceptance of the water superintendent, and no
188 connections with any water mains shall be made without first obtaining a permit therefor from
189 the city recorder. (Ord. 2007-02, 6-7-2007)

190 **8-1-10 WATER MAINS EXTENDED**

191 1. Petition To City Council: Any person, including any subdivider, who desires to have the water
192 mains extended within the city, which extension shall be further than one hundred feet (100')
193 from the existing line, and is willing to advance the whole expense of such extension, may make
194 application to the city council by petition. The petition shall contain a description of such
195 proposed extension accompanied by a map showing the location of the proposed extension,
196 together with an offer to advance the whole expense thereof, which cost shall be verified by the
197 water superintendent. The city council may grant or deny the petition as in its discretion deems
198 best for the welfare of existing water users in the city.

- 199 2. Cost Determined: Upon the receipt of such petition and map and before the petition is granted,
200 the city council shall obtain from the water superintendent a certified statement showing the
201 whole cost or expense of making such extension.
- 202 3. Amount Deposited: If the city council grants the petition, the amount of the cost of making the
203 extension, as certified by the superintendent, shall be deposited with the city treasurer before
204 any work shall be done on such extensions. The deposit shall be made within thirty (30) days, or
205 such other time as the city council shall indicate, after the granting thereof.
- 206 4. Return Of Deposit: At the time the city council decides whether or not to grant petition for an
207 extension, it shall also decide whether or not any portion of the cost is to be refunded and the
208 manner and circumstances under which such refund shall be made or credited to the applicant,
209 his successors or representatives. Such determination shall be duly recorded in writing and a
210 copy thereof furnished to the applicant.
- 211 5. Forfeiture: In the event any deposit remains unclaimed for a period of five (5) years after the
212 depositor has discontinued water service, the deposit may be forfeited and then transferred to
213 the water utility fund.
- 214 6. Ownership Of Extension: Any such extension shall be deemed the property of the city. (Ord.
215 2007-02, 6-7-2007)

216 **8-1-11 SPRINKLING VEHICLES**

217 Vehicles for sprinkling shall be regulated and controlled by the water department through the
218 superintendent of the water department. (Ord. 2007-02, 6-7-2007)

219 **8-1-12 ACCESS BY DEPARTMENT**

220 The water superintendent and his agents shall at all ordinary hours have free access to any place
221 supplied with water service from the city system for the purpose of examining the apparatus and
222 ascertaining the amount of water service being used and the manner of its use. (Ord. 2007-02, 6-7-2007)

223 **8-1-13 USE FOR CERTAIN MACHINERY RESTRICTED**

224 No water shall be supplied from the pipes of the city water system for the purpose of driving motor,
225 syphon, turbine or other wheels, or any hydraulic engines or elevators, or for driving or propelling
226 machinery of any kind whatsoever, nor shall any license be granted or issued for any such purpose,
227 except by special permission of the city council. (Ord. 2007-02, 6-7-2007)

228 **8-1-14 SCARCITY OF WATER**

229 In time of scarcity of water, whenever it shall, in the judgment of the mayor and the city council, be
230 necessary, the mayor shall by proclamation limit the use of water to such extent as may be necessary. It
231 shall be unlawful for any person, his family, servants or agents, to violate any proclamation made by the
232 mayor in pursuance of this chapter. (Ord. 2007-02, 6-7-2007)

233 **8-1-15 WASTE OF WATER**

234 1. Prohibited Acts: It shall be unlawful for any water user to:
235

- 236 1. Waste water.
- 237 2. Allow it to be wasted by stops, taps, valves, leaky joints or pipes, or to allow tanks or
- 238 watering troughs to leak or overflow.
- 239 3. Wastefully run water from hydrants, faucets or stops, or through basins, water closets,
- 240 urinals, sinks or other apparatus.
- 241 4. Use the water for purposes other than for those which he has applied, or to use water in
- 242 violation of the rules and regulations for controlling the water supply.
- 243 2. Refer To City Council: Users of water from the City water system shall not permit water to
- 244 continue to run wastefully and without due effort to conserve water. If, in the judgment of the
- 245 water Superintendent or of any of the officers of the City, a user of City water engages in
- 246 practices which result in the needless waste of water and continues to do so after reasonable
- 247 notice to discontinue wastefulness has been given, the Superintendent, or any officer, may refer
- 248 the matter to the City Council.
- 249 3. Termination Of Service; Meeting: The City Council may thereupon consider terminating the right
- 250 of the individual to use culinary water. If it elects to consider the matter of termination, it shall
- 251 give notice to the water user of the intention to terminate his water connection at least five (5)
- 252 days prior to the meeting of the City Council at which termination of water service is to be
- 253 considered. The notice shall inform him of the time and place of the meeting and the charges
- 254 which lead to the consideration of the termination.
- 255 4. Appearance By Water User: A water user whose right to utilize City water is being reviewed shall
- 256 have opportunity to appear with or without counsel and present the reasons why his water
- 257 service should not be discontinued.
- 258 5. Determination: After due hearing, the City Council may arrive at a determination. If the
- 259 determination is to discontinue the wasteful water user's service connection, the City Council
- 260 shall notify him of the decision and of the period during which the service will remain
- 261 discontinued. (Ord. 2007-02, 6-7-2007)

262 **8-1-16 WATER METERS**

- 263 1. Number Of Meters; Dispute: Except as otherwise expressly permitted by this chapter, all
- 264 structures, dwelling units, establishments and persons using water from the City water system
- 265 must have such number of water meters connected to their water system as are necessary, in
- 266 the judgment of the Superintendent, to adequately measure use and determine water charges
- 267 to the respective users. (Ord. 2007-02, 6-7-2007)
- 268 1. Master Water Meter: When a water extension supplying more than one house or user is
- 269 connected to City water mains, the Public Works Director may require a master meter
- 270 to be installed near the point where the connection is to be made to the City main. This
- 271 installation will be at the expense of the persons served by such service and/or
- 272 extension according to the regular rates for meter installation. Responsible parties must
- 273 agree to pay all bills for water served through the meter at the applicable water rates.
- 274 (Ord. 2009-01, 2-5-2009, eff. 2-25-2009)

- 275 2. Meters Furnished By City: Meters will be furnished by the City upon application for a
276 connection, and upon payment of such connection fees and other costs as may be established
277 by the City Council from time to time by resolution.
- 278 3. Ownership; Disputes: Meters shall be deemed to be and remain the property of the City.
279 Whenever a dispute between the Superintendent and the property owner arises as to the
280 appropriate number of meters to be installed on any premises, the matter shall be heard and
281 determined by the City Council after due notice in writing to the parties involved. (Ord. 2007-02,
282 6-7-2007)
- 283 4. Meter Readings: The Superintendent shall cause meter readings to be taken regularly and shall
284 advise the person appointed by the Mayor thereof for the purpose of recording the necessary
285 billings for water/power service.
- 286 5. Tampering: Meters may be checked, inspected or adjusted at the discretion of the City, and they
287 shall not be adjusted or tampered with by the customer. Meter boxes shall not be opened for
288 the purpose of turning on or off water/power except by an authorized representative of the City
289 unless special permission is given by the City through its representatives to the customer to do
290 so.
- 291 6. Testing: If a customer submits a written request to the Superintendent to test his meter, the City
292 may, if under the circumstances it deems it advisable and in its discretion, order a test of the
293 meter measuring the water/power delivered to such customer. If such request is made within
294 twelve (12) months after the date of the last previous test, the customer may be required to pay
295 the cost of such test. If the meter is found in such test to record from ninety seven percent
296 (97%) to one hundred three percent (103%) of accuracy under methods of testing satisfactory to
297 the City Council, the meter shall be deemed to accurately measure the use of water/power.
- 298 7. Estimation In Case Of Failure: If the City's meters fail to register at any time, the water/power
299 delivered during the period of failure shall be estimated on the basis of previous consumption
300 during a period which is not questioned. In the event a meter is found to be recording less than
301 ninety seven percent (97%) or more than one hundred three percent (103%) of accuracy, the
302 City shall make such adjustments in the customer's previous bills as are just and fair under the
303 circumstances. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)
- 304 8. Damage By Customer: All damages or injury to the lines, meters or other materials of the City on
305 or near the customer's premises caused by any act or neglect of the customer shall, in the
306 discretion of the City, be repaired by and at the expense of the customer, and the customer shall
307 pay all costs and expenses, including reasonable attorney fees, which may arise or accrue to the
308 City through its efforts to repair the damage to the lines, meters or to other equipment of the
309 department or collect such costs from the customer.
- 310 9. Charges: The meter charges shall be in such amounts as established by resolution of the City
311 Council. (Ord. 2007-02, 6-7-2007)

312 **8-1-17 NONLIABILITY FOR DAMAGES**

313 The City shall not be held liable for any damage to a water service user by reason of stoppage or
314 interruption of his or her water supply service caused by fires, scarcity of water, accidents to the water
315 system or its mains, or which occurs as the result of maintenance and extension operations, or from any
316 other unavoidable cause. This chapter shall not be construed to extend the liability of the City beyond
317 that provided in the Governmental Immunity Act¹. (Ord. 2007-02, 6-7-2007)

318 ¹U.C.A. 63-30-1

319 **8-1-18 RIGHT OF ENTRY**

320 The department supervisor and other personnel of the department shall have the right to enter upon
321 any premises at all reasonable hours for the purpose of reading the meter thereon, or inspecting the
322 same, and for inspecting any and all utility lines and fixtures connected with the system and the service.
323 (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

324

325 **8-1-19 RESPONSIBILITY FOR DAMAGES; INTERRUPTION OF SERVICE**

326 All utility customers connected with the system shall be responsible for all damages to or loss of
327 property belonging to the City located on such consumer's premises unless occasioned by cause beyond
328 their control or by the negligence of the department. The department shall not be responsible for any
329 interruption or failure to supply utilities if such failure or interruption is without fault or neglect on the
330 part of the department. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

331

332 **8-1-20 WILLFUL OR MALICIOUS DAMAGE**

333 It shall be unlawful for any person to willfully or maliciously:

- 334 1. Cut or break any of the utility lines used in the City utility service system.
- 335 2. Cut, break or remove from its insulator any pipe or any part or attachment in use in said system.
- 336 3. Injure, molest or destroy any property or materials appertaining to said utility system.
- 337 4. Interfere with the use of or obstruct water flow of said system. (Ord. 2017-04, 9-7-2017, eff. 10-
338 1-2017)

339 **8-1-21 SERVICE OUTSIDE CITY LIMITS**

340 Spring City Council will set use for culinary water services outside City limits by resolution. Spring City
341 Council will review the City's options for culinary water services outside City limits from time to time, or
342 as the need arises for review due to scarcity of water, inadequate supply, inadequate storage, or other.
343 (Ord. 2007-02, 6-7-2007; amd. Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

344

345 **Chapter 8-2 DRINKING WATER SOURCE PROTECTION**

346 **8-2-1 TITLE**

347 **8-2-2 PURPOSE**

348 **8-2-3 DEFINITIONS**

349 [8-2-4 ADMINISTRATION](#)

350 [8-2-5 ZONE AREAS ESTABLISHED](#)

351 [8-2-6 PERMITTED USES](#)

352 [8-2-7 PROHIBITED USES](#)

353

354 [8-2-1 TITLE](#)

355 This chapter shall be known as the DRINKING WATER SOURCE PROTECTION ORDINANCE. (Ord. 1997-01,
356 6-5-1997, eff. 7-1-1997)

357 [8-2-2 PURPOSE](#)

358 The purpose of this chapter is to ensure the provision of a safe and sanitary drinking water supply for
359 the city by the establishment of drinking water source protection zones surrounding the wellheads for
360 all wells which are the supply sources for the city water system and by the designation and regulation of
361 property uses and conditions which may be maintained within such zones. (Ord. 1997-01, 6-5-1997, eff.
362 7-1-1997)

363 [8-2-3 DEFINITIONS](#)

364 When used in this chapter, the following words and phrases shall have the meanings given in this
365 section:

366

367 DESIGN STANDARD: A control which is implemented by a potential contamination source to prevent
368 discharges to the ground water. Spill protection is an example of a design standard.

369 LAND MANAGEMENT STRATEGIES: Zoning and nonzoning controls which include, but are not limited to,
370 the following: zoning and subdivision ordinances, site plan reviews, design and operating standards,
371 source prohibitions, purchase of property and development rights, public education programs, ground
372 water monitoring, household hazardous waste collection programs, water conservation programs,
373 memoranda of understanding, written contracts and agreements, and so forth.

374 POLLUTION SOURCE: Point source discharges of contaminants to ground water or potential discharges
375 of the liquid forms of "extremely hazardous substances", which are stored in containers in excess of
376 "applicable threshold planning quantities", as specified in SARA title III. Examples of possible pollution
377 sources include, but are not limited to, the following: storage facilities that store the liquid forms of
378 extremely hazardous substances, septic tanks, drain fields, class V underground injection wells, landfills,
379 open dumps, landfilling of sludge and septage, manure piles, salt piles, pit privies, and animal feeding
380 operations with more than ten (10) animal units. The following clarify the definition of pollution source:

- 381 1. Animal Feeding Operation: A lot or facility where the following conditions are met: animals have
382 been or will be stabled or confined and fed or maintained for a total of forty five (45) days or
383 more in any twelve (12) month period, and crops, vegetation forage growth, or post-harvest
384 residues are not sustained in the normal growing season over any portion of the lot or facility.
385 Two (2) or more animal feeding operations under common ownership are considered to be a
386 single feeding operation if they adjoin each other, if they use a common area, or if they use a
387 common system for the disposal of wastes.

388 2. Animal Unit: A unit of measurement for any animal feeding operation calculated by adding the
389 following numbers: the number of slaughter and feeder cattle multiplied by 1.0, plus the
390 number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing over fifty
391 five (55) pounds multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number
392 of horses multiplied by 2.0.

393 3. Extremely Hazardous Substances: Those substances which are identified in the section 302(EHS)
394 column of the title III list of lists - consolidated list of chemicals subject to reporting under SARA
395 title III (EPA 560/4-91-011).

396 POTENTIAL CONTAMINATION SOURCE: Any facility or site which employs an activity or procedure which
397 may potentially contaminate ground water. A pollution source is also a potential contamination source.

398 REGULATORY AGENCY: Any governmental agency with jurisdiction over hazardous waste, as defined
399 herein.

400 SANITARY LANDFILL: A disposal site where solid wastes, including putrescible wastes, or hazardous
401 wastes, are disposed of on land by placing earth cover thereon.

402 SEPTIC TANK/DRAIN FIELD SYSTEMS: A system which is comprised of a septic tank and a drain field
403 which accepts domestic wastewater from buildings or facilities for subsurface treatment and disposal.
404 By their design, septic tank/drain field system discharges cannot be controlled with design standards.

405 WELLHEAD: The upper terminal of a well, including adapters, ports, seals, valves and other attachments.
406 (Ord. 1997-01, 6-5-1997, eff. 7-1-1997)

407 8-2-4 ADMINISTRATION

408 The policies and procedures for administration of any source protection zone established under this
409 chapter, including without limitation those applicable to nonconforming uses, exceptions, enforcement
410 and penalties, shall be the same as provided in the existing zoning ordinance for the city, as the same is
411 presently enacted or may from time to time be amended. (Ord. 1997-01, 6-5-1997, eff. 7-1-1997)

412 8-2-5 ZONE AREAS ESTABLISHED

413 There is hereby established use districts to be known as zones one, two, three and four of the drinking
414 water source protection area, identified and described as follows:

- 415 1. Zone one is the area within a one hundred foot (100') radius from the wellhead.
- 416 2. Zone two is the area within a two hundred fifty (250) day ground water time of travel to the
417 wellhead, the boundary of the aquifer which supplies water to the ground water source, or the
418 ground water divide, whichever is closer.
- 419 3. Zone three (waiver criteria zone) is the area within a three (3) year ground water time of travel
420 to the wellhead or margin of the collection area, the boundary of the aquifer which supplies
421 water to the ground water source, or the ground water divide, whichever is closer.
- 422 4. Zone four is the area within a fifteen (15) year ground water time of travel to the wellhead, the
423 boundary of the aquifer which supplies water to the ground water source, or the ground water
424 divide, whichever is closer. (Ord. 1997-01, 6-5-1997, eff. 7-1-1997)

425 **8-2-6 PERMITTED USES**

426 The following uses shall be permitted within drinking water source protection zones:

- 427 1. Any use permitted within existing agricultural, single-family residential, multi-family residential
428 and commercial districts so long as uses conform to the rules and regulations of the regulatory
429 agencies.
- 430 2. Any other open land use where any building located on the property is incidental and accessory
431 to the primary open land use. (Ord. 1997-01, 6-5-1997, eff. 7-1-1997)

432 **8-2-7 PROHIBITED USES**

433 The following uses or conditions shall be and are hereby prohibited within drinking water sources
434 protection zones, whether or not such use or condition may otherwise be ordinarily included as a part of
435 a use permitted under SCMC 8-2-6.

- 436 1. Zone One: The location of any "pollution source" as defined herein.
- 437 2. Zone Two: The location of a pollution source unless its contaminated discharges can be
438 controlled with design standards.
- 439 3. Zones Three And Four: The location of a potential contamination source unless it can be
440 controlled through land management strategies. (Ord. 1997-01, 6-5-1997, eff. 7-1-1997)

441 **Chapter 8-3 SEWER SERVICE REGULATIONS**

442 **8-3-1 DEFINITIONS**

443 **8-3-2 USE REQUIRED**

444 **8-3-3 PRIVATE WASTEWATER DISPOSAL**

445 **8-3-4 SANITARY AND BUILDING SEWERS**

446 **8-3-5 ANNUAL REVIEW OF OPERATIONAL COSTS**

447 **8-3-6 USE OF PUBLIC SEWERS**

448 **8-3-7 DAMAGE TO FACILITIES**

449 **8-3-8 POWERS AND AUTHORITY OF INSPECTORS**

450 **8-3-9 COMPANY HELD HARMLESS FOR INJURY**

451 **8-3-10 HEARING BOARD FOR ARBITRATION**

452 **8-3-11 PENALTY**

453

454 **8-3-1 DEFINITIONS**

455 Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as
456 follows:

457

458 ADDENDUM: The document attached to ordinance 1990-9-1, on file in the office of the city recorder,
459 entitled service user charge system and incorporated herein by this reference as if fully set forth herein.

460 The service user charge system includes sections A through G.

461 BIOCHEMICAL OXYGEN DEMAND (BOD): The quantity of oxygen utilized in the biochemical oxidation of
462 organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade
463 (20°C), expressed in milligrams per liter.

464 BUILDING DRAIN: That part of the lowest horizontal piping of a drainage system which receives the
465 discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the
466 building sewer, beginning five feet (5') (1.5 meters) outside the inner face of the building wall.

467 BUILDING SEWER: The extension from the building drain to the public sewer or other place of disposal,
468 also called "house connection".

469 CESSPOOL: An underground reservoir for liquid waste (as household sewage).

470 COMBINED SEWER: A sewer intended to receive both wastewater and storm or surface water.

471 EASEMENT: An acquired legal right for the specific use of land owned by others.

472 FLOATABLE OIL: Oil, fat or grease in a physical state such that it will separate by gravity from wastewater
473 by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat
474 if it is properly pretreated and the wastewater does not interfere with the collection system.

475 GARBAGE: The animal and vegetable waste resulting from processes, trade or business, as distinct from
476 domestic or sanitary wastes.

477 HEARING BOARD: That board appointed according to the provision of SCMC 8-3-10.

478 INDUSTRIAL WASTES: The wastewater from industrial processes, trade or business, as distinct from
479 domestic or sanitary wastes.

480 MAY: Is permissive (see definition of "shall").

481 NATURAL OUTLET: Any outlet, including storm sewers and combined sewer overflows, into a
482 watercourse, pond, ditch, lake or other body of surface or ground water.

483 pH: The logarithm of the reciprocal of the hydrogen ions concentration. The concentration is the weight
484 of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a
485 hydrogen ion concentration of 10^{-7} .

486 PERSON: Any individual, firm, company, association, society, corporation or group.

487 PRIVY: A small building having a bench with holes through which the user may defecate or urinate.

488 PROPERLY SHREDDED GARBAGE: The wastes from the preparation, cooking and dispensing of food that
489 have been shredded to such a degree that all particles will be carried freely under the flow conditions
490 normally prevailing in public sewers, with no particle greater than one-half inch (1/2") (1.27
491 centimeters) in any dimension.

492 PUBLIC SEWER: A common sewer controlled by a governmental agency or public utility.

493 RESIDENTIAL FLOWS: The flow strengths and flow volume set out in the addendum attached to
494 ordinance 1990-9-1 on file in the office of the city recorder.

495 RESIDENTIAL, HEAVY AND LIGHT COMMERCIAL, AND INDUSTRIAL USERS: Any industrial or commercial
496 user who discharges waste into the system requiring higher than normal biochemical oxygen demand,
497 or greater than normal total suspended solids.

498 SANITARY SEWER: A sewer that carries liquid and water-carried wastes from residences, commercial
499 buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface
500 waters that are not admitted intentionally.

501 SEPTIC TANK: A tank in which the solid matter of continuous flowing sewage is disintegrated by bacteria.

502 SEWAGE: The spent water of a community. The preferred term is "wastewater" (see definition of
503 "wastewater").

504 SEWER: A pipe or conduit that carries wastewater or drainage water.

505 SHALL: Is mandatory (see definition of "may").

506 SLUG: Any discharge of water or wastewater which, in concentration of any given constituent or in
507 quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5)
508 times the average twenty four (24) hour concentration or flows during normal operation and shall
509 adversely affect the collection system and/or performance of the wastewater treatment works.

510 STORM DRAIN: A drain or sewer for conveying water, ground water, subsurface water or unpolluted
511 water from any source (sometimes termed "storm sewer").

512 SUPERINTENDENT: The superintendent of wastewater facilities, and/or of wastewater treatment works,
513 and/or of water pollution control of Spring City, or his authorized deputy, agent or representative.

514 SUSPENDED SOLIDS: Total suspended matter that either floats on the surface of, or is in suspension in
515 water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in
516 "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable
517 residue.

518 SYSTEM: The sewer, wastewater or combined wastewater and storm or surface water facilities of the
519 city.

520 UNPOLLUTED WATER: Water of quality equal to or better than the effluent criteria in effect or water
521 that would not cause violation of receiving water quality standards and would not be benefited by
522 discharge to the sanitary sewers and wastewater treatment facilities provided.

523 WASTEWATER: The spent water of a community. From the standpoint of source, it may be a
524 combination of the liquid and water-carried wastes from residences, commercial buildings, industrial
525 plants and institutions, together with any ground water, surface water and storm water that may be
526 present.

527 WASTEWATER FACILITIES: The structures, equipment and processes required to collect, carry away and
528 treat domestic and industrial wastes and dispose of the effluent.

529 WASTEWATER TREATMENT WORKS: An arrangement of devices and structures for treating wastewater,
530 industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or
531 "wastewater treatment plant" or "water pollution control plant".

532 WATERCOURSE: A natural or artificial channel for the passage of water either continuously or
533 intermittently. (Ord. 1990-9-1, 9-10-1990; amd. 2002 Code)

534 **8-3-2 USE REQUIRED**

535 1. Install Suitable Facilities: The owner of all houses, buildings or properties used for human
536 occupancy, employment, recreation or other purposes, situated within the city and abutting on
537 any street, alley, or right of way in which there is not located or may in the future be located a
538 public sanitary or combined sewer of the city is hereby required, at the owner's expense, to
539 install suitable sewer facilities therein, and to connect such facilities directly with the public
540 sewer in accordance with the provisions of this chapter, within sixty (60) days after date of
541 official notice to do so; provided, that said sewer is within three hundred feet (300') of the
542 owner's property line.

543 2. Unlawful Acts: It shall be unlawful:
544

545 1. For any person to place, deposit or permit to be deposited in any unsanitary manner on
546 public or private property within the city, or in any area under the jurisdiction of the
547 city, any human or animal excrement, garbage or other objectionable waste.

548 2. To discharge to any natural outlet within the city, or in any area under the jurisdiction of
549 the city, any sewage or other polluted waters, except where suitable treatment has
550 been provided in accordance with subsequent provisions of this chapter.

551 3. Except as hereinafter provided, to construct or maintain any privy, privy vault, septic
552 tank, cesspool or other facility intended or used for the disposal of wastewater. (Ord.
553 1990-9-1, 9-10-1990)

554 **8-3-3 PRIVATE WASTEWATER DISPOSAL**

555 1. Compliance With Provisions: Where a public sanitary or combined sewer is not available under
556 the provisions of SCMC 8-3-2 Part A, the building sewer shall be connected to a private
557 wastewater disposal system complying with the provisions of this section. (Ord. 1990-9-1, 9-10-
558 1990)

559 2. Permit Required; Fee: Before commencement of construction of a private wastewater disposal
560 system, the owner shall first obtain a written permit issued by the state board of health. The
561 application for such permit shall be made on a form furnished by the city, which the applicant
562 shall supplement by any plans, specifications and other information as are deemed necessary. A
563 permit and inspection fee shall be paid to the city at the time the application is filed. (Ord. 1990-
564 9-1, 9-10-1990; amd. 2002 Code)

565 3. Use Of System; Authorized When: Permission to use the system for a private wastewater
566 disposal system shall not become authorized until the installation is completed in compliance
567 with the approved plans applicable with all state and local codes and this chapter. Authorized
568 city employees shall be allowed to inspect the work at any stage of construction. The applicant
569 for the permit shall notify the city recorder when the work is ready for final inspection, and

570 before any underground portions are covered. The inspection shall be made within forty eight
571 (48) hours of the receipt of notice by the city recorder.

572 4. System Requirements: The type, capacities, location and layout of a private wastewater disposal
573 system shall comply with all recommendations of the department of public health of the state.
574 No permit shall be issued for any private wastewater disposal system employing subsurface soil
575 absorption facilities where the area of the lot is less than ten thousand (10,000) square feet. No
576 septic tank or cesspool shall be permitted to discharge to any natural outlet.

577 5. When Connection Required: At such time as a public sewer becomes available to a property
578 served by a private wastewater disposal system, as provided in SCMC 8-3-2 Part A, a direct
579 connection shall be made to the public sewer within sixty (60) days, in compliance with this
580 chapter, and the private disposal system shall be disconnected and made inoperable.

581 6. Maintenance By Owner: When a public sewer is not available, the owner shall operate and
582 maintain the private wastewater disposal facilities in a sanitary manner at all times, at no
583 expense to the city.

584 7. Additional Requirements: No statement contained in this section shall be construed to interfere
585 with any additional requirements that may be imposed by the Utah state department of health.
586 (Ord. 1990-9-1, 9-10-1990)

587 **8-3-4 SANITARY AND BUILDING SEWERS**

588 1. Permit Required: No unauthorized person shall uncover, make any connections with or opening
589 into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a
590 written permit from the City.

591 2. Types Of Permits: There shall be two (2) classes of sewer connection permits: 1) class I for
592 residential and light commercial services; and 2) class II for services to heavy commercial
593 establishments producing industrial wastes. Class I for residential and light commercial services
594 is defined to include users with less than four hundred (400) gallons of culinary water per day
595 and class II for heavy commercial establishments is defined to include users with over five
596 hundred (500) gallons of culinary water use per day.

597 3. Application; Fees:

598

599 1. Information Required: In either case, the owner or agent shall make application on a
600 form obtained from the City. The permit application shall be supplemented by any
601 plans, specifications or other information considered pertinent in the judgment of the
602 water and sewer Superintendent. (Ord. 1990-9-1, 9-10-1990)

603 2. Permit, Inspection Fee: A permit and inspection connection fee for a residential or light
604 commercial sewer permit and for an industrial or heavy commercial sewer permit with
605 culinary water usage greater than five hundred (500) gallons per day shall be in such
606 amounts as established by resolution of the City Council, and shall be paid to the City at
607 the time the application is filed.

- 608 3. Addendum: Attached to the ordinance codified herein as an addendum is a document
609 entitled "Service User Charge System", exhibit A. Exhibit A is incorporated by reference
610 and made a part of this chapter and a part of the ordinances of the City and its title shall
611 be known and it may be referred to as "exhibit A, charge system" or merely "exhibit A"
612 in any document, pleading or proceeding pertaining to the sewer or wastewater system
613 of the City. References to "exhibit A" shall be made only when there is an ambiguous
614 declaration or statement in this or any ordinance of the City and any resolutions or
615 proceedings affecting the City sewer and wastewater system.
- 616 4. Fixing Rates: The rates for connecting to and use on monthly or any other basis may be
617 fixed and amended by resolution or amending ordinance. (Ord. 1990-9-1, 9-10-1990;
618 amd. 2002 Code)
- 619 4. Costs Borne By Owner; Indemnification: All costs and expenses incidental to the installation and
620 connection of the building sewer shall be borne by the owner. The owner shall indemnify the
621 City from any loss or damage that may directly or indirectly be occasioned by the installation of
622 the building sewer.
- 623 5. Separate Building Sewer For Each Building; Exception: A separate and independent building
624 sewer shall be provided for every building; except where one building stands at the rear of
625 another on an interior lot and no private sewer is available or can be constructed to the rear
626 building through an adjoining alley, court, yard or driveway, the building sewer from the front
627 building may be extended to the rear building and the whole system will be considered as one
628 building sewer. The City does not and will not assume any obligation or responsibility for
629 damage caused by or resulting from any such single connection aforementioned.
- 630 6. Use Of Old Building Sewers: Old building sewers may be used in connection with new buildings
631 only when they are examined and tested by the water and sewer Superintendent and found to
632 meet all requirements of this chapter.
- 633 7. Size, Slope And Materials: The size, slope, alignment, materials or construction of all sanitary
634 sewers, including building sewers, and the methods to be used in excavating, placing of the pipe,
635 jointing, testing and backfilling the trench, shall all conform to the requirements of the building
636 and plumbing codes, or other applicable rules and regulations of the City and the State. In the
637 absence of these code provisions or in amplification thereof, the materials and procedures set
638 forth in appropriate specifications of the ASTM and WPCF manual of practice No. 9 shall apply.
- 639 8. Elevation: Whenever possible, the building sewer shall be brought from the building at an
640 elevation below the basement floor. In all buildings in which any building drain is too low to
641 permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be
642 lifted by an approved means and discharged to the building sewer. Where such means are
643 necessary, the owner shall be responsible for all installation, maintenance and operating costs
644 for their operation.
- 645 9. Disposal Of Polluted Surface Drainage: No person shall make connection of roof downspouts,
646 foundation drains, areaway drains or other sources of surface runoff or ground water to a
647 building sewer or building drain which in turn is connected directly or indirectly to a public

648 sanitary sewer unless such connection is approved by the City and the Utah State Department of
649 Health for purposes of disposal of polluted surface drainage.

650 10. Connection To Conform With Applicable Codes: The connection of the building sewer into the
651 public sewer shall conform to the requirements of the building and plumbing codes, or other
652 applicable rules and regulations of the City and the State, or the procedures set forth in
653 appropriate specifications of the ASTM and WPCF manual of practice No. 9. All such connections
654 shall be made gastight and watertight. Any deviation from the prescribed procedures and
655 materials must be approved by the City before installation.

656 11. Excavations: All excavations for building sewer installation shall be adequately guarded with
657 barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and
658 other public property disturbed in the course of the work shall be restored in a manner
659 satisfactory to the City.

660 12. Owner Liability For Payment Of Charges:

661

662 1. Irrespective of the occupant, user, tenant, co-tenant, permissive user or any other
663 person being in possession of the premises to which a connection is supplied or service
664 made available, the owner of the premises according to the records of the County
665 Recorder shall be legally responsible for the payment of all charges, fees, assessments
666 and any other obligation or liability of a user. If any delinquent sewer connection, sewer
667 user charge, repairs, maintenance or any other obligation is imposed against any
668 premises, property, buildings or structures, the obligation shall be deemed by the City as
669 a lien upon all of the real property on which any use is made from a sewer connection.
670 Water service to delinquent property shall be turned off by the City for failure to pay
671 said fee, assessment, charge or liability and will not be turned on again to those
672 premises where a delinquency occurs unless and until all liabilities to the City for sewer
673 service are paid in full.

674 2. All payments for utilities, whether water or sewer (and if added, electrical power), shall
675 be credited first to sewer assessments, fees or charges.

676 3. All regulations pertaining to payment of services shall follow those regulations as set out
677 in SCMC 8-1-5. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

678 13. Interest Charges: The Mayor and City Council may, at their discretion and in circumstances that
679 are equitable, impose interest at the highest legal rate (but not to exceed 1 1/2 percent per
680 month) on all past due accounts, either for connection fees, user charges, maintenance, repair
681 or any other charge which is provided for, imposed or authorized by this chapter.

682 14. Notification Of Rate: Each user will be notified, at least annually, in conjunction with a regular
683 bill, of the rate and that portion of the user charges which are attributable to wastewater
684 treatment services (O&M) vs. debt service. (Ord. 1990-9-1, 9-10-1990)

685 **8-3-5 ANNUAL REVIEW OF OPERATIONAL COSTS**

- 686 1. Required: The City shall review the total annual cost of operation and maintenance, long-term
687 debt service relating to the wastewater treatment works, as well as each user's wastewater
688 contribution percentage not less often than every year, and will revise the user charge system as
689 necessary to assure equity of the system established herein and to assure that sufficient funds
690 are obtained from the City's user charge system to: 1) adequately operate and maintain the
691 wastewater treatment works; and 2) cover said debt service. The City will apply excess revenues
692 collected from a class of users to the costs of operation and maintenance attributable to that
693 class for the next year, and adjust such rate accordingly.
- 694 2. Calculation: The addendum attached to the ordinance codified herein and entitled "City of
695 Spring City Service User Charge System" shall be used for calculating rates. The addendum shall
696 be used as a formula for calculating rates, fees and charges for connection, use and access to
697 the system. The addendum is adopted and made a part of this chapter. (Ord. 1990-9-1, 9-10-
698 1990; amd. 2002 Code)

699 **8-3-6 USE OF PUBLIC SEWERS**

- 700 1. Storm Water Discharge:
701
- 702 1. Prohibited: No person shall discharge or cause the discharge of any unpolluted waters
703 such as storm water, surface water, ground water, roof runoff, subsurface drainage or
704 cooling water to any sewer, except storm water runoff from limited areas, which storm
705 water may be polluted at times, may be discharged to the sanitary sewer by permission
706 of the city and Utah state department of health.
- 707 2. Exception: Storm water, other than that exempted under Part A,1, and all other
708 unpolluted drainage shall be discharged to such sewers as are specifically designated as
709 combined sewers or storm sewers, or to natural outlets approved by the city and the
710 Utah state department of health. Unpolluted industrial cooling water or process waters
711 shall also be discharged to a storm sewer, combined sewer or natural outlet.
- 712 2. Discharge Of Water Or Wastes: No person shall discharge or cause to be discharged any of the
713 following described water or wastes into any public sewers:
714
- 715 1. Flammables: Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive
716 liquid, solid or gas.
- 717 2. Toxic Or Poisonous Solids: Any waters containing toxic or poisonous solids, liquids or
718 other wastes, to contaminate or interrupt any sewage treatment process, constitute a
719 hazard in or have an adverse effect on the waters receiving any discharge from the
720 works.
- 721 3. pH Level: Any waters or wastes having a pH lower than 5.5, or having any other
722 corrosive property capable of causing damage or hazard to structures, equipment and
723 personnel of the wastewater works.

724 4. Solid Or Viscous Substances: Solid or viscous substances in quantities or of such size
725 capable of causing obstruction to the flow in sewers, or other interference with the
726 proper operation of the wastewater facilities such as, but not limited to, ashes, cinders,
727 sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground
728 garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes,
729 cups, milk containers, etc., either whole or ground by garbage grinders.

730
731 Each user which discharges any toxic pollutants which cause damage to the city
732 treatment works shall be liable to the city for such damage and for all expenses incurred
733 by the city in repairing those treatment works.

734 3. Restricted Water Or Wastes: The following described substances, materials, waters or waste
735 shall be limited in discharges to the city system to concentrations or quantities which will not
736 harm either the sewers, the sludge of the city system, the wastewater treatment process or
737 equipment, will not have an adverse effect on the receiving stream, or will not otherwise
738 endanger lives, public property or constitute a nuisance. The city may set limitations established
739 in the regulations below if such more severe limitations are necessary to meet the above
740 objectives. In setting these requirements, the city will give consideration to such factors as the
741 quantity of subject waste in relation to flows and velocities in the sewers, materials of
742 construction of the sewers, the wastewater treatment process employed, capacity of the
743 sewers, capacity of the wastewater treatment plant, and other pertinent factors. The limitations
744 or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary
745 sewer which shall not be violated without approval of the city are as follows:
746

- 747 1. High Temperature: Wastewater having a temperature higher than one hundred fifty
748 degrees Fahrenheit (150°F) (65 degrees Celsius).
- 749 2. Containing Oils: Wastewater containing more than twenty five milligrams (25 mg) per
750 liter of petroleum oil, nonbiodegradable cutting oils or products of mineral oil origin.
- 751 3. Floatable Oils: Wastewater from industrial plants containing floatable oils, fat or grease.
- 752 4. Unproperly Shredded Garbage: Any garbage that has not been "properly shredded", as
753 defined in SCMC 8-3-1. Garbage grinders may be connected to sanitary sewers from
754 homes, hotels, institutions, restaurants, hospitals, catering establishments or similar
755 places where garbage originates from the preparation of food in commercial kitchens
756 for the purpose of consumption on the premises.
- 757 5. Toxic Substances: Any waters or wastes containing iron, chromium, copper, zinc and
758 similar objectionable or toxic substances to such degree that any such material received
759 in the composite wastewater at the wastewater treatment works exceeds the limits
760 established by the state for such materials.
- 761 6. Odor-Producing Substances: Any waters or wastes containing odor-producing
762 substances exceeding limits which may be established by the state.

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765
7. Radioactive Wastes: Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established in compliance with applicable state or federal regulations.
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8. Discharge Of Slug: Quantities of flow, concentrations or both which constitute a "slug", as defined in SCMC 8-3-1.
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9. Substances Not Amenable To Treatment: Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment plan effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
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10. Interacting Water Or Wastes: Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
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4. Action May Be Taken By City:
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1. Discharge Of Waters Or Wastes Containing Unapproved Substances: If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Part C, and which are determined by the city to have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the city may:
- 787
1. Reject the wastes;
- 788
2. Require pretreatment to an acceptable condition for discharge to the public sewers;
- 789
3. Require control over the quantities and rates of discharge, and/or wastes not covered by existing taxes or sewer charges under the provisions of this chapter. If the city permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the city and the Utah state department of health;
- 790
791
792
793
794
4. A plot plan of sewers on the user's property showing sewer and pretreatment facility location;
- 795
796
5. Details of the wastewater pretreatment facilities;
- 797
6. Details of systems to prevent and control the losses of materials through spills to the city sewer.
- 798
799

- 800 2. Analysis; Determination: All measurements, tests and analysis of the characteristics of
801 waters and wastes to which reference is made in this chapter shall be determined in
802 accordance with the latest edition of the "Standard Methods for the Examination of
803 Water and Wastewater", published by the American public health association. Sampling
804 methods, location, times, durations and frequencies are to be determined on an
805 individual basis, subject to approval by the City. (Ord. 1990-9-1, 9-10-1990)
- 806 5. Interceptors May Be Necessary: Grease, oil and sand interceptors shall be provided when liquid
807 wastes containing floatable grease in excessive amounts as specified in Part C,3, or any
808 flammable wastes, sand or other harmful ingredients are introduced into public sewers; except
809 that such interceptors shall not be required for private living quarters or dwelling units. All
810 interceptors shall be of a type and capacity approved by the Utah state plumbing code, and shall
811 be located as to be readily and easily accessible for cleaning and inspection. In the maintaining
812 of these interceptors, the owner shall be responsible for the proper removal and disposal by
813 appropriate means of the captivated material and shall maintain records of the dates and means
814 of disposal, which are subject to review by the city. Any removal and hauling of the collected
815 materials not performed by owner's personnel must be performed by currently licensed waste
816 disposal firms. (Ord. 1990-9-1, 9-10-1990; amd. 2002 Code)
- 817 6. Maintenance Of Pretreatment Facilities: Where pretreatment or flow-equalization facilities are
818 provided or required for any waters or wastes, they shall be maintained continuously in
819 satisfactory and effective operation by the owner at his expense.
- 820 7. May Require Specific Structures: When determined necessary by the city, the owner of any
821 property serviced by a building sewer carrying industrial wastes shall install a suitable structure,
822 together with such necessary meters and other appurtenances in the building sewer, to
823 facilitate observation, sampling and measurement of the wastes. Such structures, when
824 required, shall be accessibly and safely located, and shall be constructed in accordance with
825 plans approved by the city. The structure shall be installed by the owner at his expense, and
826 shall be maintained by him so as to be safe and accessible at all times.
- 827 8. Information Needed To Determine Compliance: The city may require any user of sewer services
828 to provide information needed to determine compliance with this chapter. These requirements
829 may include:
830
- 831 1. Wastewaters discharge peak rate and volume over a specified time period.
- 832 2. Chemical analysis of wastewaters.
- 833 3. Information on raw materials, processes and products affecting wastewater volume and
834 quality.
- 835 4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials
836 important to sewer control.
- 837 9. Special Agreements: No statement contained in this chapter shall be construed as preventing
838 any special agreement or arrangement between the city and any industrial concern whereby an

839 industrial waste of unusual strength or character may be accepted by the city for treatment.
840 (Ord. 1990-9-1, 9-10-1990)

841 **8-3-7 DAMAGE TO FACILITIES**

842 No person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper
843 with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any persons
844 violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (Ord.
845 1990-9-1, 9-10-1990)

846 **8-3-8 POWERS AND AUTHORITY OF INSPECTORS**

847 1. Permission To Enter All Properties:
848

849 1. Duly authorized employees of the city bearing proper credentials and identification shall
850 be permitted to enter all properties for the purposes of inspection, observation,
851 measurement, sampling and testing pertinent to discharge to the community system in
852 accordance with the provisions of this chapter.

853 2. Duly authorized employees of the city bearing proper credentials and identification shall
854 be permitted to enter all private properties through which the city holds a duly
855 negotiated easement for the purpose of, but not limited to, inspection, observation,
856 measurement, sampling, repair and maintenance of any portion of the wastewater
857 facilities lying within said easement. All entry and subsequent work, if any, on said
858 easement, shall be done in full accordance with the terms of the duly negotiated
859 easement pertaining to the private property involved.

860 2. Obtain Information: Duly authorized city employees are authorized to obtain information
861 concerning industrial processes which have a direct bearing on the kind and source of discharge
862 to the wastewater collection system. Industrial users may withhold information when they have
863 established that the revelation of said information to the public might result in an advantage to
864 competitors. (Ord. 1990-9-1, 9-10-1990)

865 **8-3-9 COMPANY HELD HARMLESS FOR INJURY**

866 While performing the necessary work on private properties referred to SCMC 8-3-8 Part A,2, duly
867 authorized employees of the city shall observe all safety rules applicable to the premises established by
868 the company, and the company shall be held harmless for injury or death to the city employees, and the
869 city shall indemnify the company against loss or damage to its property by city employees and against
870 liability claims and demands for personal injury or property damage asserted against the company
871 growing out of the gauging and sampling operation, except as such may be caused by negligence or
872 failure of the company to maintain safe conditions as required in SCMC 8-3-6 Part G. (Ord. 1990-9-1, 9-
873 10-1990)

874 **8-3-10 HEARING BOARD FOR ARBITRATION**

875 A hearing board shall be appointed as needed for arbitration of differences between the city and sewer
876 users on matters concerning interpretation and execution of the provisions of this chapter by the city.

877 The board shall meet once every three (3) months unless their services are determined to be necessary
878 more often by the city engineer. One member shall be a representative of a local commercial enterprise.
879 One member shall be a residential user selected at large for their interest in accomplishing the
880 objectives of this chapter. As the board deems necessary and upon concurrence by the city, a qualified
881 attorney may be consulted by the board in regard to a specific case. (Ord. 1990-9-1, 9-10-1990)

882 **8-3-11 PENALTY**

- 883 1. Violation Of Chapter: Any person found to be violating any provision of this chapter shall be
884 served by the city with written notice stating the nature of the violation and providing a
885 reasonable time limit for the satisfactory correction thereof. The offender shall, within the
886 period of time stated in such notice, permanently cease all violations.
- 887 2. Continuance Of Violation: Any person who shall continue any violation beyond the time limit
888 provided for in Part A, shall be guilty of a class B misdemeanor and, upon conviction thereof,
889 shall be subject to penalty as provided in SCMC 1-4-1 for each violation. Each day in which any
890 such violation shall continue shall be deemed a separate offense.
- 891 3. Violator Liable For Expenses: Any person violating any of the provisions of this chapter shall
892 become liable to the city for any expense, loss or damage occasioned the city by reason of such
893 violation. (Ord. 1990-9-1, 9-10-1990; amd. 2002 Code)

894 **Chapter 8-4 ELECTRICAL POWER**

895 **8-4-1 ADMINISTRATION**

896 **8-4-2 APPLICATION FOR SERVICE**

897 **8-4-3 RATES AND FEES**

898 **8-4-4 STATEMENT OF CHARGES; DELINQUENCY; DISCONTINUANCE OF SERVICE**

899 **8-4-5 INSTALLATIONS; CODE COMPLIANCE**

900 **8-4-6 METERS**

901 **8-4-7 RIGHT OF ENTRY**

902 **8-4-8 RESPONSIBILITY FOR DAMAGES; INTERRUPTION OF SERVICE**

903 **8-4-9 WILLFUL OR MALICIOUS DAMAGE**

904 **8-4-10 PENALTY**

905

906 **8-4-1 ADMINISTRATION**

- 907 1. Department Created: There is hereby created the Power Department of the City. It shall be
908 known as the Power Department and shall be operated by the City Superintendent under the
909 supervision and control of the Mayor and City Council. All lines and apparatus for the
910 distribution of electrical power shall be the property of the City and shall be under the exclusive
911 control of the Mayor and City Council which may, from time to time, direct the construction of
912 extensions and such changes as are deemed necessary to provide the City and its inhabitants
913 with adequate electrical service.
- 914 2. Duties Of Superintendent: The Superintendent of the power system shall be appointed by the
915 Mayor with the approval of the City Council, and shall have charge of the distribution system

916 and all apparatus belonging to it. The Superintendent shall perform such duties as are or may
917 hereafter be imposed upon him by ordinance, order or resolution of the City Council. He shall
918 attend to the enforcement of this chapter and inspect and supervise the construction,
919 installation and repair of said electrical systems and require conformance with the provisions of
920 the Electrical Code adopted by the City. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

921 **8-4-2 APPLICATION FOR SERVICE**

922 1. Required:

923 1. Every person desiring to obtain electrical service from the City shall make application
924 therefor in writing, stating therein the location of the house or building desired to be
925 given such service, and stating whether or not it is a residence or place of business. The
926 applicant shall sign an agreement that he/she will be governed by the terms of this
927 chapter as it is now or may hereafter be amended, and by all rules and regulations that
928 are now or may hereafter be adopted by the City Council.

929 2. For any customer (new or existing) desiring to generate electrical power on their
930 premises, and where said power generation can in any way be fed back into the Spring
931 City power distribution system (such a system is known as an interconnected distributed
932 power generation system) they must make application with the City and comply with
933 Spring City resolution: Interconnected Distributed Power Generation Policy. A copy of
934 the policy and attachments that make up the application and approval process packet
935 can be obtained from the City office. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

936 2. Other Than Legal Owner; Contract:

937 1. In those cases where the party in whose name the utility account is opened or
938 registered is other than the legal property owner, the property owner and the party in
939 whose name the account is listed shall sign a joint and several contract in the form
940 below. If the property is transferred from one owner to another, all utility bills must be
941 paid before services are provided.

942
943 *In consideration of the acceptance of the application for utility services submitted by*
944 *_____ (tenant), I or we will pay for all utility services for any such tenant or any*
945 *other occupant of _____ premises in case such tenant or occupant fails to pay for*
946 *the same according to the ordinances, rules and regulations or resolutions enacted by*
947 *the City.*

948
949
950 *Dated this _____ day of _____, ____.*

951
952
953 _____

954 *Owner*

955

956 2. This contract must be signed and returned to the City within thirty (30) days or electrical
957 services may be discontinued. (Ord. 1982-01, 10-6-1982, eff. 10-6-1982)

958 **8-4-3 RATES AND FEES**

959 All regulations pertaining to payment of services shall follow those regulations as set out in SCMC 8-1-4.
960 (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

961 **8-4-4 STATEMENT OF CHARGES; DELINQUENCY; DISCONTINUANCE OF SERVICE**

962 All regulations pertaining to payment of services shall follow those regulations as set out in SCMC 8-1-5.
963 (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

964

965 **8-4-5 INSTALLATIONS; CODE COMPLIANCE**

966 1. Electrical Code: All persons causing any electrical work to be done within the City shall comply
967 with the Electrical Code adopted by the City and shall conform to the licensing and inspecting
968 ordinances now or hereafter adopted by the City. (Ord. 1982-01, 10-6-1982, eff. 10-6-1982)

969 2. Inspection And Approval: Electrical installations shall be subject to the inspection and approval
970 of the Superintendent before any building or structure in which said electrical wiring is installed
971 shall receive service through the City power and light system. (Ord. 2017-04, 9-7-2017, eff. 10-1-
972 2017)

973 **8-4-6 METERS**

974 1. Required; Installation:

975 1. The Power Department shall cause to be installed and maintained one meter for each
976 service user. Each service connection shall be built independently of all others. Extra
977 meters for the customer's convenience shall be supplied at the customer's expense. All
978 meters shall be tested periodically by the department.

979 2. Each dwelling place in a multiple-housing unit designed for two (2) or more dwellings
980 shall be provided with an independent service, unless the cutouts or meters are
981 grouped in a cabinet or closet opening into a public hallway so as to be readily
982 accessible at all times. (Ord. 1982-01, 10-6-1982, eff. 10-6-1982)

983 2. Ownership; Meter Readings, Tampering, Testing, Estimation In Case Of Failure, Damage By
984 Customer, Charges, And Disputes: All other regulations pertaining to meters shall follow those
985 regulations as set out in SCMC 8-1-16. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

986 **8-4-7 RIGHT OF ENTRY**

987 The Superintendent and other personnel of the department shall have the right to enter upon any
988 premises at all reasonable hours for the purpose of reading the meter thereon, or inspecting the same,
989 and for inspecting any and all wiring and fixtures, electrical apparatus and appliances connected with
990 the system and the service. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

991 **8-4-8 RESPONSIBILITY FOR DAMAGES; INTERRUPTION OF SERVICE**

992 All consumers of electricity connected with the system shall be responsible for all damages to or loss of
993 property belonging to the City located on such consumer's premises unless occasioned by cause beyond
994 their control or by the negligence of the department. The department shall not be responsible for any
995 interruption or failure to supply electricity if such failure or interruption is without fault or neglect on
996 the part of the department. (Ord. 1982-01, 10-6-1982, eff. 10-6-1982)

997 **8-4-9 WILLFUL OR MALICIOUS DAMAGE**

998 It shall be unlawful for any person to willfully or maliciously: (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

- 999 1. Cut, break or throw down any of the poles used in the City electric light system.
- 1000 2. Cut, break or remove from its insulator any wire in use in said system. (Ord. 1985-3, 3-6-1985;
1001 amd. 2002 Code)
- 1002 3. Willfully destroy the insulation of said system or any part thereof by the attachment of a ground
1003 wire or other contrivance. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)
- 1004 4. Intercept the transmission of electric current through wires of the system.
- 1005 5. Injure, molest or destroy any property or materials appertaining to said electric system.
- 1006 6. Interfere with the use of said system or obstruct or postpone the transmission of the electric
1007 current through the wires of said system or to procure or advise any such injury. (Ord. 1985-3, 3-
1008 6-1985; amd. 2002 Code)
- 1009 7. To, by any means or device, use or obtain any electric current except through a meter regularly
1010 installed and approved by the Superintendent. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

1011 **8-4-10 PENALTY**

1012 Any person who shall fail or neglect to comply with the provisions of this chapter or who shall violate
1013 any of the provisions shall be deemed guilty of a class B misdemeanor and, upon conviction, subject to
1014 penalty as provided in SCMC 1-4-1. (Ord. 1982-01, 10-6-1982, eff. 10-6-1982; amd. Ord. 1985-3, 3-6-
1015 1985; 2002 Code)

1016 **Chapter 8-5 BACKFLOW AND CROSS-CONNECTIONS**

1017 **8-5-1 GENERAL PURPOSES**

1018 **8-5-2 DEFINITIONS**

1019 **8-5-3 RESPONSIBILITIES**

1020 **8-5-4 REQUIREMENTS**

1021 **8-5-5 DISCONTINUANCE OF SERVICE**

1022 **8-5-6 WET CHARGED FIRE SUPPRESSION SYSTEMS**

1023

1024 **8-5-1 GENERAL PURPOSES**

1025 The purposes of this chapter are as follows:

- 1026 1. Protection Of Water Supply: To protect the safe drinking water supply of the city from the
1027 possibility of contamination or pollution by requiring compliance with state and local plumbing
1028 codes, health regulations, Utah division of water quality, EPA, OSHA and other applicable
1029 industry standards for water system safety within the consumer's internal distribution system or
1030 private water system. Compliance with these minimum safety codes will be considered
1031 reasonable vigilance for prevention of contaminants or pollutants which could backflow into the
1032 public drinking water systems; and
- 1033 2. Elimination Or Control Of Cross-Connections: To promote reasonable elimination or control of
1034 cross-connections in the plumbing fixtures and industrial piping system of the consumer, as
1035 required by state and local plumbing codes, health regulations, OSHA and other applicable
1036 industry standards to assure water system safety; and
- 1037 3. Administration Of Backflow Prevention: To provide for the administration of a continuing
1038 program of backflow prevention which will systematically and effectively prevent the
1039 contamination or pollution of all drinking water systems. (Ord. 94-1, 4-7-1994)

1040 **8-5-2 DEFINITIONS**

1041 As used in this chapter, the following terms shall have the meanings specified, unless a different
1042 meaning is clearly evident from the context:

1043 APPROVED BACKFLOW ASSEMBLY: Accepted by the Utah department of health, division of water
1044 quality, as meeting an applicable specification or as suitable for the proposed use.

1045 AUXILIARY WATER SUPPLY: Any water supply on or available to the premises other than the city
1046 purveyor's public water supply will be considered as an auxiliary water supply. These auxiliary waters
1047 may include water from another purveyor's public potable water supply or any natural source such as a
1048 well, spring, river, stream, harbor, etc., or "used waters" or "industrial fluids". These waters may be
1049 contaminated or polluted or they may be objectionable and constitute an unacceptable water source
1050 over which the city does not have authority for sanitary control.

1051 BACK PRESSURE: The flow of water or other liquids, mixtures or substances under pressure into the
1052 feeding distribution pipes of a potable water supply system from any sources other than the intended
1053 source.

1054 BACK SIPHONAGE: The flow of water or other liquids, mixtures or substances into the distribution pipes
1055 of a potable water supply system from any source other than the intended source, caused by the
1056 reduction of pressure in the potable water supply system.

1057 BACKFLOW: The reversal of the normal flow of water caused by either back pressure or back siphonage.

1058 BACKFLOW PREVENTION ASSEMBLY: An assembly or means designed to prevent backflow.
1059 Specifications for backflow prevention assemblies are contained within the Utah plumbing code chapter
1060 10 (appendix J), and the cross-connection control program for Utah.

1061 CONTAMINATION: A degradation of the quality of the potable water supply by nonpotable water,
1062 sewage, industrial fluids or waste liquids, compounds or other materials.

1063 CROSS-CONNECTION: Any physical connection or arrangement of piping or fixtures which may allow
1064 nonpotable water or industrial fluids or other material of questionable quality to come in contact with
1065 potable water inside a distribution system. This would include any temporary connections, such as swing
1066 connections, removable sections, 4-way plug valves, spools, dummy sections of pipe, swivel or change-
1067 over devices or sliding multi-port tubes or other plumbing arrangements.

1068 CROSS-CONNECTION, CONTAINMENT: The installation of an approved backflow assembly at the water
1069 service connection to any customer's premises where it is physically and economically infeasible to find
1070 and permanently eliminate or control all actual or potential cross-connections within the customer's
1071 water system; or, it shall mean the installation of an approved backflow prevention assembly on the
1072 service line leading to and supplying a portion of a customer's water system where there are actual or
1073 potential cross-connections which cannot be effectively eliminated or controlled at the point of the
1074 cross-connection (isolation).

1075 CROSS-CONNECTION, CONTROLLED: A connection between a potable water system and a nonpotable
1076 water system with an approved backflow prevention assembly properly installed and maintained so that
1077 it will continuously afford the protection commensurate with the degree of hazard.

1078 WATER PURVEYOR: The person designated to be in charge of the water department of Spring City is
1079 invested with the authority and responsibility for the implementation of an effective cross-connection
1080 control program and for the enforcement of the provisions of this chapter. (Ord. 94-1, 4-7-1994; amd.
1081 2002 Code)

1082 **8-5-3 RESPONSIBILITIES**

1083 1. City:
1084

1085 1. The city shall be responsible for the protection of the drinking water distribution system
1086 from foreseeable conditions leading to the possible contamination or pollution of the
1087 drinking water system due to the backflow of contaminants or pollutants into the
1088 drinking water supply.

1089 2. Drinking water system surveys or inspections of the consumer's water distribution
1090 system shall be conducted or caused to be conducted by individuals deemed qualified
1091 by and representing the city. Survey records shall indicate compliance with the
1092 aforementioned health and safety standards. All such records will be maintained by the
1093 city.

1094 3. The city shall notify in writing all consumers of the need for the periodic system survey
1095 to ensure compliance with existing applicable minimum health and safety standards.
1096 (Ord. 94-1, 4-7-1994)

1097 4. Selection of an approved backflow prevention assembly for containment control
1098 required at the service entrance shall be determined from the results of the system
1099 survey.

1100 2. Consumer: It shall be the responsibility of the consumer to:
1101

- 1102 1. Comply with this chapter as a term and condition of supply, and consumer's acceptance
1103 of service is admittance of his/her awareness.
- 1104 2. Assume all costs in the purchase, installation, test and maintenance of any backflow
1105 prevention device/assembly required to comply with this chapter.
- 1106 3. Water Purveyor:
1107
- 1108 1. The water purveyor responsibility to enforce the applicable sections of the plumbing
1109 code begins at the point of service (downstream or consumer side of the meter) and
1110 continues throughout the developed length of the consumer's water system.
- 1111 2. The water purveyor will review all plans to prevent cross-connections from being
1112 designed and built into any structure within its jurisdiction. If a cross-connection cannot
1113 be eliminated, it must be protected by the installation of an air gap or an approved
1114 backflow prevention device/assembly in accordance with the Utah plumbing code and
1115 be approved by the water purveyor.
- 1116 3. Water vacating the drinking water supply must do so by an approved air gap or
1117 approved mechanical backflow prevention assembly, properly installed and in
1118 accordance with the Utah plumbing code.
- 1119 4. Certified Backflow Assembly Technicians, Surveyors Or Repair Persons Responsibilities:
1120
- 1121 1. Whether employed by the consumer or a utility to survey, test, repair or maintain
1122 backflow prevention assemblies, the certified backflow technicians, surveyors or repair
1123 persons will have the following responsibilities:
1124
- 1125 1. Ensure that acceptable testing equipment and procedures are used for testing,
1126 repairing or overhauling backflow prevention assemblies.
- 1127 2. Make reports of such testing and/or repair to the consumer, water purveyor
1128 and the Utah division of drinking water/Utah division of water quality, and
1129 within the time frames prescribed by the city.
- 1130 3. The report shall include the list of materials or replacement parts used.
- 1131 4. Ensuring replacement parts are equal in quality to parts originally supplied by
1132 the manufacturer of the assembly being repaired.
- 1133 5. Not changing the design, material or operational characteristics of the assembly
1134 during testing, repair or maintenance.
- 1135 6. A certified technician shall perform all tests of the mechanical devices or
1136 assemblies and be responsible for the competence and accuracy of all tests and
1137 reports.

- 1138 7. Ensuring his license is current, the testing equipment being used is acceptable to
1139 the state, and is in proper operating condition.
- 1140 8. Be equipped with, and be competent to use, all necessary tools, gauges and
1141 other equipment necessary to properly test and maintain backflow prevent
1142 assemblies.
- 1143 9. The certified technician conducting the test must tag each double-check valve,
1144 pressure-vacuum breaker, reduced-pressure backflow assembly and high-
1145 hazard air gap, showing the serial number, date tested and by whom. The
1146 technician's license number must also be on this tag. (Ord. 94-1, 4-7-1994)
- 1147 2. In the case of a consumer requiring a commercially-available technician, any certified
1148 technician is authorized to make the test and report the results of that test to the
1149 consumer, water purveyor and the Utah division of drinking water/Utah division of
1150 water quality. If such a commercially-tested assembly is in need of repair, a licensed
1151 plumber shall make the actual repair. (Ord. 94-1, 4-7-1994; amd. 2002 Code)

1152 **8-5-4 REQUIREMENTS**

- 1153 1. Protection Of Water Supply: No water service connection to any premises shall be installed or
1154 maintained by the water purveyor unless the water supply is protected as required by state
1155 laws, regulations, codes and this chapter. Service of water to a consumer found to be in
1156 violation of this chapter shall be discontinued by the water purveyor after due process of
1157 written notification of violation and an appropriate time suspension for voluntary compliance, if:
1158
 - 1159 1. A backflow prevention assembly required by this chapter for control of backflow and
1160 cross-connections is not installed, tested and maintained; or
 - 1161 2. If it is found that a backflow prevention assembly has been removed or bypassed; or
 - 1162 3. If an unprotected cross-connection exists on the premises; or (Ord. 94-1, 4-7-1994)
 - 1163 4. If the periodic system survey has not been conducted.
1164 Services will not be restored until such conditions or defects are corrected and, if
1165 services have been disconnected, a reconnection fee in such amount as established by
1166 resolution of the city council is paid. (Ord. 94-1, 4-7-1994; amd. 2002 Code)
- 1167 2. Inspection Of Customer's System: The customer's system shall be open for inspection at all
1168 reasonable times to authorized representatives of the water purveyor to determine whether
1169 cross-connections or other structural or sanitary hazards, including violation of this chapter,
1170 exist and to audit the results of the required survey (SCMC 8-5-3 Part A,2).
- 1171 3. Installation Of Approved Prevention Assembly: Whenever the water purveyor deems a service
1172 connection's water usage contributes a sufficient hazard to the water supply, an approved
1173 backflow prevention assembly shall be installed on the service line of the identified consumer's
1174 water system, at or near the property line, or immediately inside the building being served; but,
1175 in all cases, before the first branch line leading off the service line.

- 1176 4. Type Of Protective Assembly: The type of protective assembly required under Part C shall
 1177 depend upon the degree of hazard which exists at the point of cross-connection (whether direct
 1178 or indirect) applicable to local and state requirements or resulting from the required survey.
- 1179 5. Previously-Approved Assemblies: All presently-installed backflow prevention assemblies which
 1180 do not meet the requirements of this section but were approved assemblies for the purposes
 1181 described herein at the time of installation and which have been properly maintained shall,
 1182 except for the inspection and maintenance requirements under Part F, be excluded from the
 1183 requirements of these rules so long as the city is assured that they will satisfactorily protect the
 1184 public water system. Whenever the existing assembly is moved from the present location or
 1185 requires more than minimum maintenance, or when the water purveyor finds that the
 1186 operation or maintenance of this assembly constitutes a hazard to health, the unit shall be
 1187 replaced by an approved backflow prevention assembly meeting the local and state
 1188 requirements.
- 1189 6. Inspection And Maintenance Requirements: It shall be the responsibility of the consumer at the
 1190 premises where backflow prevention assemblies are installed to have certified surveys and/or
 1191 inspections and operational tests made at least once per year at the consumer's expense. In
 1192 those instances where the water purveyor deems the hazard to be great, he may require
 1193 certified surveys and/or inspections and tests at a more frequent interval. It shall be the duty of
 1194 the water purveyor to see that these tests are made according to the standards set forth by the
 1195 state department of health, Utah division of drinking water/Utah division of water quality.
- 1196 7. Testing Backflow Prevention Assemblies: All backflow prevention assemblies shall be tested
 1197 within ten (10) working days of initial installation.
- 1198 8. Safety Hazards: No backflow prevention assembly shall be installed so as to create a safety
 1199 hazard. Example: installed over an electrical panel, steam pipes, boilers, pits or above ceiling
 1200 level. There shall be a minimum of twelve inches (12") of clearance around the device from all
 1201 piping, walls, floors, ceilings, etc. (Ord. 94-1, 4-7-1994)

1202 **8-5-5 DISCONTINUANCE OF SERVICE**

1203 If violations of this chapter exist or if there has not been any corrective action taken by the consumer
 1204 within ten (10) days of the written notification of deficiencies noted within the survey, then the water
 1205 official shall deny or immediately discontinue service to the premises by providing a physical break in
 1206 the service line until the customer has corrected the conditions in conformance with the state and city
 1207 statutes relating to plumbing, safe drinking water supplies and the regulations adopted pursuant
 1208 thereto. If water service is discontinued, there will be a reconnect fee assessed in such amount as
 1209 established by resolution of the city council. (Ord. 94-1, 4-7-1994; amd. 2002 Code)

1210 **8-5-6 WET CHARGED FIRE SUPPRESSION SYSTEMS**

- 1211 1. Protection Required: All wet charged fire suppression systems must be protected by an
 1212 approved backflow prevention assembly. The Utah plumbing code chapter 10, section 1003,
 1213 cross-connection control, states, "No person shall install any water-operated equipment or
 1214 mechanism or use any water treating chemical or substance, if it is found that such equipment,
 1215 mechanism, chemical or substance may cause pollution of the domestic water supply. Such

- 1216 equipment or mechanism may be permitted only when equipped with an approved backflow
 1217 prevention assembly".
- 1218 2. Chemical Injection Systems: Fire suppression systems utilizing chemical injection, other than
 1219 propylene glycol or pure glycerin (CP or USP 96.5 percent), shall be protected by an approved
 1220 reduced pressure zone principle assembly installed within its installation criteria as specified
 1221 within the Utah plumbing code chapter 10, appendix J.
- 1222 3. Double-Check Valve Assembly: All other wet charged fire suppression systems shall be protected
 1223 by an approved double-check valve assembly installed within its installation criteria as specified
 1224 within the Utah plumbing code chapter 10, appendix J.
- 1225 4. Previously-Installed Systems: If the wet charged fire suppression system was installed prior to
 1226 September 1, 1990, and the system does not utilize chemical injection, the retro fitting of an
 1227 approved double-check valve assembly in a vertical installation (normal water flow - upward
 1228 direction only) will be allowed. Systems installed after the September 1, 1990 date, must adhere
 1229 to the installation criteria specified within the Utah plumbing code chapter 10, appendix J.
- 1230 5. Time Limit For Completion: The goal for completion of all retro-fitting of existing unprotected
 1231 wet charged fire protection systems is September 1, 1994. Owners of currently-installed but
 1232 unprotected systems should move as rapidly as practical, given individual circumstances, to
 1233 install approved backflow prevention assemblies on their wet charged fire suppression systems
 1234 for the purpose of protecting public health and reducing individual liability. (Ord. 94-1, 4-7-1994)

1235 **Chapter 8-6 UTILITY DEPOSITS AND RECONNECTION POLICY**

1236 **8-6-1 DEPOSITS**

1237 **8-6-2 RECONNECTION POLICY**

1238

1239 **8-6-1 DEPOSITS**

- 1240 1. Required: A utility security deposit in such amount as established by resolution of the City
 1241 Council shall be required on all new utility services, which include, but are not limited to, water
 1242 and power. This deposit shall be made before services are connected.
- 1243 2. Regulations On Deposits:
- 1244 1. Homeowner: A utility security deposit will be held and used by the City for two (2) years;
 1245 or for as long as there is a consistent history of delinquent payments for utility services,
 1246 whichever is longer. A homeowner shall have a clean record for two (2) full years before
 1247 the utility security deposit is refunded or applied to the current utility bill.
- 1248 2. Renter: A utility security deposit will be held and used by the City until the renter leaves
 1249 the City and services are terminated. If the account is not paid in full upon termination
 1250 of services, the amount due shall be deducted from the deposit to clear the account
 1251 with the balance being refunded. (Ord. 95-02, 9-7-1995; amd. 2002 Code)
- 1252 3. Exceptions: The security deposit for new utility customers may be waved at the time of
 1253 account set up if they provide a statement or communication directly from their

1254 previous utility provider stating that they have not had a late payment consistently
1255 within the past immediate year.

1256 4. Delinquent Security: A customer whose utility services have been discontinued for
1257 failure to make payment may be required to make a new security deposit if the previous
1258 deposit has theretofore been applied to the payment of delinquent bills, or was not
1259 required in the first place. (Ord. 2017-04, 9-7-2017, eff. 10-1-2017)

1260 **8-6-2 RECONNECTION POLICY**

1261 1. Applicability: This policy shall apply to residences which were at one time occupied and
1262 connected to City utility services, but are now vacant and services have been disconnected for
1263 ~~more~~-less than one year. This policy shall apply only to those services which had at one time
1264 been provided to the residence by the City. The residence owner shall not be billed for hookup
1265 fees normally billed to new services, but rather for any and all actual costs associated with
1266 reestablishing such services. Impact fees may be applied as necessary.

1267 2. Included Costs: To reconnect the residence to City services, the owner shall be billed for the
1268 actual cost of reestablishing such services, including all costs for labor and materials necessary
1269 to make the service meet today's codes and the cost to replace existing equipment which is no
1270 longer functional. This shall include, but not be limited to, the cost for things such as backflow
1271 prevention for potable water systems, electrical transformer if required (even if a transformer
1272 which had serviced the residence has been removed by the City and used in another location),
1273 cost of use of new water meter if the existing meter is no longer in functional condition, etc.

1274 3. Field Employees; Cost: Cost for City field employees shall be billed at the current hourly rate,
1275 which will include the cost of their benefits. The City shall bill the owner for all field time
1276 necessary to install new equipment and/or inspect existing equipment, whether or not such
1277 equipment is deemed to be functional. (Document of 9-5-1996, eff. 9-5-1996; amd. 2002 Code)

1278

Spring City Utah
Title 9 Code Changes

1 **Title 9 BUILDING REGULATIONS**

2 **Chapter 9-1 BUILDING CODE AND REGULATIONS**

3 **Chapter 9-2 ABATEMENT OF DANGEROUS BUILDINGS**

4 **Chapter 9-3 MOVING BUILDINGS**

5

6 **Chapter 9-1 BUILDING CODE AND REGULATIONS**

7 **9-1-1 UNIFORM-INTERNATIONAL BUILDING CODE ADOPTED**

8 **9-1-2 ADMINISTRATION; ENFORCEMENT**

9 **9-1-3 BUILDING PERMITS**

10 **9-1-4 PENALTY**

11

12 **9-1-1 UNIFORM-INTERNATIONAL BUILDING CODE ADOPTED**

13 That certain document designated as the ~~uniform-international~~ building code, as published by the
14 International Conference of Building Officials (ICBO), current edition, be and the same is hereby adopted
15 as the code of the city for regulating the erection, construction, enlargement, alteration, repair, moving,
16 removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all
17 buildings or structures in the city, providing for issuance of permits and collection of fees therefor; and
18 each and all of the regulations, provisions, conditions and terms of such ~~uniform-international~~ building
19 code. (Ord. 83-1, 4-6-1983; amd. 2002 Code, amended x.x.2020)

20 **9-1-2 ADMINISTRATION; ENFORCEMENT**

21 The county building inspector or city council shall have the duty of administering and enforcing all
22 building regulations that may be adopted by the city council from time to time. Additionally, ~~the~~ the
23 county building inspector shall be charged with the inspection of all buildings, structures, ditches and
24 fences of whatever nature for the purpose of determining their safety and effect upon pedestrians and
25 vehicles, encroachment upon streets, sidewalks, adjoining property and other property. The county
26 building inspector shall require that plans and specifications for all new residential and commercial
27 buildings be prepared and designed by an engineer or architect. (Ord., 3-3-1976, amended x.x.2020)

28 **9-1-3 BUILDING PERMITS**

29 1. Required: No person shall commence the erection, construction or building of any commercial
30 or residential structure, building or edifice, nor ~~to~~ add to, enlarge, improve, repair, alter,
31 convert, extend or demolish any commercial or residential building or structure within the city
32 without first having applied to the city and having been granted a permit to do so by the county
33 building inspector ~~or~~ and city council, paying in advance all permit and inspection fees required
34 by and established by this chapter. All permits shall expire one year after the date of issuance.

35 2. Fees For Permit: A fee for each building permit shall be paid to the county building inspector ~~or~~
36 and city treasurer in such amount as established by resolution of the city council. (Ord., 3-3-
37 1976; amd. 2002 Code, amended x.x.2020)

38 **9-1-4 PENALTY**

Spring City Utah
Title 9 Code Changes

39 Any person who violates any provision of this chapter shall be guilty of a class B misdemeanor and, upon
40 conviction thereof, shall be subject to penalty as provided in SCMC 1-4-1. (Ord. 83-1, 4-6-1983; amd.
41 2002 Code)

42

43 **Chapter 9-2 ABATEMENT OF DANGEROUS BUILDINGS**

44 **9-2-1 ABATEMENT OF DANGEROUS BUILDINGS CODE ADOPTED**

45

46 **9-2-1 ABATEMENT OF DANGEROUS BUILDINGS CODE ADOPTED**

47 The ~~uniform-Uniform code Code~~ for the ~~abatement-Abatement~~ of ~~dangerous-Dangerous~~
48 ~~buildingsBuildings~~, printed as a code in book form and adopted by the International Conference of
49 Building Officials (providing for a just, equitable and practicable method whereby buildings or structures
50 which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general
51 public or their occupants, may be required to be repaired, vacated or demolished) is hereby adopted as
52 the abatement of dangerous buildings code for the city. A copy of the uniform code for the abatement
53 of dangerous buildings is on file and open for inspection and use by the public in the city office. (Ord.
54 1996-1, 6-6-1996)

55 **Chapter 9-3 MOVING BUILDINGS**

56 **9-3-1 PERMIT REQUIRED**

57 **9-3-2 APPLICATION FOR PERMIT**

58 **9-3-3 INFORMATION REQUIRED**

59 **9-3-4 FEE FOR PERMIT**

60 **9-3-5 ISSUANCE OF PERMIT**

61 **9-3-6 RULES AND REQUIREMENTS**

62 **9-3-7 REVOCATION OF PERMIT**

63 **9-3-8 EXEMPTIONS TO CHAPTER**

64 **9-3-9 PENALTY**

65

66 **9-3-1 PERMIT REQUIRED**

67 No person shall move any garage, house or other structure of similar size on or over any of the streets,
68 alleys or other property in the city without first having secured a permit to do so from the building
69 inspector. This section and chapter shall also apply to the moving of any object with a loaded height of
70 over fourteen and one-half feet (14 1/2') or width of over fourteen feet (14'); provided, that mobile
71 homes or other structures fourteen feet (14') in width are exempt if upper eaves or gutters protrude no
72 more than three inches (3") beyond fourteen feet (14') on each side. (2002 Code)

73 **9-3-2 APPLICATION FOR PERMIT**

74 Any person desiring or intending to move any such structure or object shall make written application for
75 such permit on a form furnished by the city recorder which shall set forth the kind, size and height of the
76 structure to be moved, the location from which, and to which, the same is to be moved, and the

Spring City Utah
Title 9 Code Changes

77 applicant shall agree to conform with the zoning title, building, electrical and all other pertinent city
78 ordinances. (2002 Code)

79 **9-3-3 INFORMATION REQUIRED**

80 Before a permit required by SCMC 9-3-1 is issued, the applicant shall supply the following:

- 81 1. Adequate Machinery: Assurance that he has adequate machinery, appliances and equipment for
82 the proper move.
- 83 2. Bond: Personal and property damage bond in the amount of five thousand dollars (\$5,000.00) as
84 protection to persons and property against damage by the moving operations, which bond shall
85 be approved by the city.
- 86 3. Cash Deposit: A cash deposit in such amount as established by resolution of the city council;
87 which deposit will be held to ensure payment of the following fees, which shall be in addition to
88 the permit fee hereinafter set forth: to cover the expenses of cutting wires and reuniting same
89 and moving and replacing poles. Any dispute arising as to the actual costs may be by either party
90 referred to the city council who shall investigate the same and decide as to the rights of the
91 parties.
- 92 4. Occupancy Fee: A fee per day, in such amount as established by resolution of the city council for
93 each and every day or part thereof, that the structure is occupying any street, alley or public
94 property while in transit. (2002 Code)

95 **9-3-4 FEE FOR PERMIT**

- 96 1. Established: In addition to the fees set forth in SCMC 9-3-3, the permit fee shall be paid for in
97 cash at the time the permit is issued and shall be in accordance with the rate established by
98 resolution of the city council.
- 99 2. Work Begun Prior To Obtaining Permit: Where work for which a permit is required by this
100 chapter is started or proceeded with prior to obtaining the permit, the fees above specified shall
101 be doubled, but the payment of such double fee shall not relieve any person from fully
102 complying with the requirements of this chapter.
- 103 3. Receipt Issued: It shall be the duty of the city recorder to issue an official receipt for all fees
104 received under this chapter, and to indicate on such receipt the purpose for which each amount
105 is collected. (2002 Code)

106 **9-3-5 ISSUANCE OF PERMIT**

107 When the required bond has been approved and the deposit required by SCMC 9-3-3 is made, and upon
108 payment of the permit fee prescribed in SCMC 9-3-4, the building inspector is hereby authorized to issue
109 to the applicant a permit granting him the right to move the structure or object described in his
110 application which will specify the route therefor as prescribed and approved by the building inspector.
111 (2002 Code)

112 **9-3-6 RULES AND REQUIREMENTS**

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Title 9 Code Changes

- 113 1. Route Approval: It shall be the duty of a permittee to move the structure for which a permit is
114 granted as expediently as possible and no deviation from the assigned route shall be made
115 except with the approval of the building inspector. The building inspector, before granting the
116 permit, shall be sure that the application and route for moving have been approved in writing by
117 the chief of the fire department, chief of police and the electric utility department head,
118 together with the local representatives of the telephone company, radio and television stations
119 and cable television office, who shall receive a copy of the route to be traversed shown thereon.
120 The moving permit shall disclose the time when moving operations will commence.
- 121 2. Cutting Wires; Removing Poles: If the cutting of wires or removing of poles is necessary for the
122 moving of any structure, the person desiring the same shall give the owner of such wires or
123 poles at least twenty four (24) hours' written notice of such desire. No one other than the owner
124 thereof, or the owner's agent or employee, shall cut, remove or injure any radio and television
125 transmitter, telephone, telegraph, electric light and power wires or poles or service lines in the
126 city during the process of moving of building.
- 127 3. Occupancy While In Transit Prohibited: No building or other object which is being moved upon
128 or over streets, alleys or property of the city shall be occupied while in transit.
- 129 4. Escort: No building or object covered by this chapter shall be moved upon city streets without
130 an escort provided by a licensed escort service holding a certificate of public convenience and
131 necessity from the state transportation commission.
- 132 5. Inspector; Fee: The permittee shall protect the street surface and trees as and if required by the
133 building inspector. If necessary, the building inspector will provide an inspector to oversee the
134 moving of such building for the protection of public property and other property located in the
135 city. The permittee shall pay for such additional service, in addition to the fees prescribed in
136 SCMC 9-3-3 and SCMC 9-3-4, a charge in such amount as established by resolution of the city
137 council for each day's service. (2002 Code)

138 **9-3-7 REVOCATION OF PERMIT**

139 The building inspector may revoke any permit granted under the terms of this chapter when it shall
140 become known to him that the permittee is in any manner whatsoever failing to comply with the terms
141 thereof. In the event of such revocation, any person to whom such permit was granted shall thereafter
142 be unlawfully operating without a permit and in violation of this chapter. (2002 Code)

143 **9-3-8 EXEMPTIONS TO CHAPTER**

144 The provisions of this chapter shall not apply to the movement of buildings or objects through the city
145 where both the origin and destination are outside the city limits and the movement is at all times on
146 state or federal highways. (2002 Code)

147 **9-3-9 PENALTY**

148 Any person violating any of the provisions of this chapter shall be guilty of a class B misdemeanor and,
149 upon conviction thereof, subject to penalty as provided in SCMC 1-4-1. (2002 Code)

150

1 **Title 10 ZONING REGULATIONS**

2 **Chapter 10-1 GENERAL PROVISIONS**

3 **Chapter 10-2 PLANNING AND ZONING COMMISSION**

4 **Chapter 10-3 BOARD OF ADJUSTMENT**

5 **Chapter 10-4 ZONING ADMINISTRATOR**

6 **Chapter 10-5 PLANS, MAP AND ZONES**

7 **Chapter 10-6 ZONES AND DISTRICTS**

8 **Chapter 10-7 REGULATIONS APPLICABLE TO ALL OR SEVERAL ZONES**

9 **Chapter 10-8 NONCONFORMING AND TEMPORARY USES**

10 **Chapter 10-9 MANUFACTURED AND MOBILE HOME PROVISIONS**

11 **Chapter 10-10 BEAUTIFICATION**

12 **Chapter 10-11 AMENDMENTS**

13

14 **Chapter 10-1 GENERAL PROVISIONS**

15 **10-1-1 TITLE**

16 **10-1-2 PURPOSE AND INTENT**

17 **10-1-3 DEFINITIONS**

18 **10-1-4 ZONING PERMIT REQUIRED**

19 **10-1-5 HISTORIC DISTRICT GUIDELINES**

20 **10-1-6 CONFORMANCE WITH UNIFORM BUILDING CODE**

21 **10-1-7 SITE PLAN REQUIRED**

22 **10-1-8 PERMIT FEES**

23 **10-1-9 BUILDING INSPECTOR AND DUTIES**

24 **10-1-10 FLOOD PRONE AREAS**

25 **10-1-11 SEVERABILITY**

26 **10-1-12 PENALTY**

27

28 **10-1-1 TITLE**

29 This title shall be known as the BUILDING, LAND USE AND ZONING REGULATIONS OF SPRING CITY and
30 may be so cited and pleaded. Said title shall be referred to herein as "this title" and the chapters and
31 sections hereinafter referred to shall be chapters and sections of this title. (Ord. 2005-01, 9-8-2005)

32 **10-1-2 PURPOSE AND INTENT**

33 This title and the regulations and restrictions contained therein are adopted and enacted for the
34 purpose of promoting the health, safety, convenience and general welfare of present and future
35 inhabitants of the city. Regulations set forth herein shall be construed to further the purposes of this
36 title; and:

- 37 1. To encourage and facilitate the orderly growth and development of the city;
- 38 2. To secure economy in city expenditures, to make adequate provisions for streets, water, parks
39 and related public facilities and services;

- 40 3. To increase the security and enjoyment of life and preserve and create a favorable environment
41 for the citizens and visitors of the city;
- 42 4. To secure public safety;
- 43 5. To stabilize and improve property values;
- 44 6. To enhance the economic and political well-being of the inhabitants of the city;
- 45 7. To promote the development of a wholesome, serviceable and attractive city through orderly
46 and optimal use of resources;
- 47 8. To encourage preservation of the city's historical heritage;
- 48 9. To conform with applicable state building regulations and to provisions of federally subsidized
49 flood insurance as authorized by the national flood insurance act of 1968. (Reference: Spring
50 City council resolution 3-3-1976.) (Ord. 2005-01, 9-8-2005)

51 **10-1-3 DEFINITIONS**

52 Unless otherwise specifically stated within the text of this title, the following definitions shall be those
53 referred to herein and shall be considered a part of this title:

54 ACCESSORY STRUCTURE: A detached subordinate building clearly incidental to and located upon the
55 same lot occupied by the main building. Unless an accessory structure meets applicable "conditional
56 use" requirements, it cannot be a dwelling. Accessory structures most commonly include, but are not
57 limited to, detached garages, storage sheds, storage containers, carports, greenhouses, gazebos,
58 pavilions, barns, coops, and the like. No accessory building or group of buildings in any residential zone
59 shall cover more than twenty five percent (25%) of the remaining yard. Accessory structures must
60 comply with existing setback ordinances [and zoning permit requirements](#).

61 APARTMENT: Any single-family dwelling or any apartment style single-family residence separate from or
62 attached to a commercial building which is used as rental property. For conditions and specifications of
63 an apartment see SCMC 10-6D-3.

64 ASSISTED LIVING: Assisted living dwellings are for persons in need of partial or constant medical or
65 physical care. Types of dwellings where such help is available are multiple-unit nursing home, senior
66 citizen, and/or multiple-unit assisted living dwellings.

67 BED AND BREAKFAST: A bed and breakfast (B&B) establishment is any single residence dwelling
68 equipped with and providing short term sleeping and meal accommodations for tourists or like traveling
69 persons. For conditions and specifications of a B&B see SCMC 10-6A-3.

70 [BUFFER ZONE: See SCMC Section 10-1-4 Paragraph 6.](#)

71 BUSINESS: Any and all activities engaged in for the purpose of gain or economic profit. This definition
72 shall include, but is not limited to, the sale of tangible personal property at retail or wholesale, the
73 manufacturing of goods or property and the rendering of personal services for others for a consideration
74 by persons engaged in any profession, trade, craft, business, occupation or other calling. The acts of
75 employees rendering service to employers shall not be included in the term business, unless otherwise
76 specifically provided.

77 COMMERCIAL BUSINESS: Any business enterprise conducted within any commercial zone. Commercial
78 businesses are only allowed in LC-1 light commercial zone, LI-1 light industrial zone, and RVP-1
79 recreational vehicle park zone (consult zoning regulations in this title for activities allowable in any
80 particular zone). With the exception of a B&B (see SCMC 10-6A-3) and home businesses (see SCMC 3-1-
81 13, "Home Businesses" for activities allowable in residential zones), no business enterprises shall be
82 allowed in any residential zone.

83 DOMESTIC EMPLOYEE: A person who provides household services to an individual or family. Examples
84 include, but are not limited to, caretakers, house sitters, maids, housekeepers, nurses, gardeners,
85 nannies and the like.

86 EMPLOYEE: Any persons employed by the operator, owner or manager of a place of business in any
87 capacity and also any salesperson, agent or independent contractor engaged in the operation of the
88 place of business in any capacity. The husband, wife, son, daughter, father and/or mother of the
89 operator, owner or manager of a place of business shall not be classified as an employee in the event
90 that said relative is working at the place of business.

91 GENERAL PLAN: The general plan recommended by the planning and zoning commission and adopted by
92 the city council (after appropriate public hearings) outlining the direction the physical as well as the
93 philosophical development of Spring City should attempt to follow.

94 GUESTHOUSE: Any single-family apartment style dwelling separate from but found on the same lot as an
95 existing residence. Such guesthouses are allowable in residential zones and, if new construction, are
96 limited to six hundred twenty five (625) square feet. If there are conversions of existing structures, this
97 size limitation may be waived. They may be constructed with bathroom and kitchen facilities but shall
98 not be used as rental apartments.

99 HISTORIC DISTRICT: An area located on the Main Street extending halfway through each block east to
100 west and from 5th Street North to 5th Street South. This district is not a usage zone but an "overlay" of
101 whatever usage zone may fall within.

102 HISTORIC STRUCTURE: Any structure ~~constructed prior to 1950~~ 50 years or older or any structure having
103 a historical significance such as monuments, bridges, cemeteries, etc.

104 HOME BUSINESS: Any business enterprise conducted within a dwelling or adjacent structures located on
105 the same premises and carried on by persons residing in the dwelling unit. Excepting farming or other
106 agricultural business enterprises, owners of all business enterprises in residential zones must obtain a
107 home business license and comply with the conditions of this title and SCMC 3-1 prior to operating any
108 such business. Such a business use shall be clearly incidental and secondary to the dwelling use and shall
109 not change the character of such dwelling or the residential neighborhood (see SCMC 3-1-13, "Home
110 Businesses" for activities allowable in residential zones).

111 HOME FOR DELINQUENT TEENAGERS: Any detention resident dwelling where two (2) or more
112 delinquent teenagers are placed as wards of the state or by order of the court system. Said detention
113 home, center, or dwelling shall not be allowed in any zone in Spring City.

114 MAJOR STRUCTURE: A dwelling (home), large barn, commercial building, public building or like
115 structure.

116 MANUFACTURED OR MODULAR HOME: A manufactured or modular unit home, unlike mobile homes,
117 does not have permanently attached axles for wheels and are designed for permanent foundations.
118 Only those manufactured after June 1976, meet the HUD standards and must have a certificate of the
119 same to be allowed in this city or county (see county codes). They have a minimum size requirement,
120 are required to be placed on a normal size building lot, they have a normal pitched roof, with a
121 permanent foundation, permanent utility hookups, and meet minimum health, fire, and safety codes.

122 MOBILE HOME: A transportable factory built housing unit. It generally has a flat roof, attached axles for
123 wheels, nonpermanent hookups for utilities, is not designed for a permanent foundation, and is small in
124 size (under 900 square feet). [Mobile homes are only allowed in the Mobile Home Zone R3.](#) Those built
125 prior to June 1976, do not meet HUD certified manufacturing standards and are not allowed in this
126 county (see county codes).

127 MODERATE INCOME HOUSING: Refers to residential dwellings for rent that moderate income families
128 can afford to rent. The state of Utah requires cities to make a percentage of such housing available to
129 residents.

130 NONCONFORMING USES: Occupancy or use of any building, structure, or land within the city prohibited
131 by provisions of this title, but which lawfully existed prior to the effective date hereof. This includes
132 residential, commercial, industrial, and public structures occupied or vacant at the time of adoption of
133 these provisions.

134 PLACE OF BUSINESS: Each separate location maintained or operated by any business licensee within the
135 city from which business activity is conducted or transacted.

136 RV PARK: This is an area established for temporary (a maximum of 30 consecutive days within any 90
137 day period) parking of recreational vehicles (RVs) which for this zone only (recreational vehicle park
138 zone) are defined as camper type trailers, motor homes, truckborne campers, or the like.

139 RECREATIONAL VEHICLES (RVs): Camp trailers, motor homes, pickup campers, boats and/or their
140 trailers, four-wheelers and/or their trailers, snowmobiles and/or their trailers, motorcycles and/or their
141 trailers, flatbed trailers, converted pickup bed trailers, camp wagons, buggies, carts, and all similar type
142 vehicles.

143 SPRING CITY RESIDENT: A resident of Spring City is anyone who owns or rents a home in Spring City and
144 resides full time.

145 SUBDIVISION: Any plot or parcel of land which is divided into two (2) or more plots or parcels of land
146 [having no less than 1.06 acres per parcel-\(see SCMC 10-2\).](#) [Lots containing less than 1.06 acres, unless](#)
147 [grandfathered, are unbuildable.](#)

148 TEMPORARY USE PERMIT: A permit required to engage in any temporary business enterprise or other
149 activity using public rights of way or conditional use of public or private property in any zone such as:
150 motion picture production permits, carnivals, circuses, fireworks displays or stands, Christmas tree lots,
151 promotional displays, political rallies or campaign headquarters, large (over 400 people) public
152 gatherings, temporary sales (excepting yard sales) vending on the street, sidewalk or any public right of
153 way (excepting lemonade stands or the like, run by children under 17 years of age), and the like. (See
154 also SCMC 10-8-2, "Temporary Uses".) Such a permit shall, among other information and conditions,

155 specify the time limit and place to be used. Such a temporary use permit shall be required for residents
156 of Spring City as well as any out of town business enterprises or activities.

157 VISIBILITY BARRIER: Any fence, or building, or any structure (of normal materials), or trees and bushes or
158 like shrubbery constructed or arranged for the purpose of hiding from public view any unsightly
159 materials, supplies, equipment, vehicles, etc. [Said visibility barriers must comply with the height and](#)
160 [setback requirements.](#)

161 ZONING MAP: The official map prepared, approved, and presented by the planning and zoning
162 commission and signed and adopted by the city council (after appropriate public hearings) which map
163 shall be posted in the city hall for public view as well as (a second copy) kept safe from tampering.
164 Thereon shall be exhibited public roadways and facilities, each zone with boundaries and titles, as well
165 as other pertinent information.

166 ZONING PLAN: The adopted zoning ordinance including the zoning map. (Ord. 2005-01, 9-8-2005; amd.
167 Ord. 2014-01, 5-15-2014)

168 **[10-1-4 ZONING PERMIT REQUIRED](#)**

169 No person shall commence the erection, construction or building of any structure, building or edifice,
170 nor add to, enlarge, alter, convert or extend any building or structure (minor repairs excepted, see Part
171 D) within the city, nor shall any person demolish any historic or major structure (see SCMC 10-1-3,
172 "Definitions") without first obtaining a zoning permit from the city, thus notifying the city of their intent
173 to do so. (Ord. 2005-01, 9-8-2005)

174 1. Rules and regulations for zoning permit approval shall be set forth by policy or resolution for the
175 approval of a zoning permit to expedite the request for the building or changes to the property
176 so as not to deter or limit the citizen or person requesting the approval of a zoning permit. If
177 there is no policy or resolution in place the zoning permit must be approved by the planning and
178 zoning commission, the zoning administrator, and city council. Payment in advance for permit
179 and inspection fees established by resolution of the city council must be made before a [building](#)
180 [zoning](#) permit can be purchased from the [county building inspector/city office](#). (Ord. 2014-01, 5-
181 15-2014)

182 2. In the case of a zoning permit within [a the](#) historic district, the permit must also be reviewed by
183 the historic preservation subcommittee so they can give advice and counsel upon matters
184 concerning historic style and preservation as well as available historic grants (see SCMC 10-6,
185 article H). Note: Although some changes may not require a zoning permit, when the property
186 falls within the historic district it would be a good idea for owner to consult with the historic
187 preservation subcommittee as a matter of course so that the subcommittee can advise on
188 matters of historic preservation.

189 3. Payment in advance for permit and inspection fees established by the city council must be made
190 before a building permit can be purchased from the county building inspector's [office](#). (Ord.
191 2005-01, 9-8-2005)

192 4. Provisions of this section shall not ordinarily apply to nominal changes or minor repairs
193 necessary for normal maintenance of the property such as roof or siding repairs, replacing of

194 windows, minor interior changes, painting, minor landscape changes, etc. [Renovation and](#)
195 [remodeling work requiring Planning and Zoning Commission review includes electrical,](#)
196 [mechanical plumbing and framing work.](#) (Note: Although some changes may not require a
197 zoning permit, when property falls within the historic district the owner may want to consult
198 with the historic preservation subcommittee concerning matters of historic style and
199 preservation.) Should there be issues or questions, the zoning administrator shall determine
200 whether or not a project is to be regarded as nominal or normal maintenance. If it is determined
201 that the project is normal maintenance, no zoning permit will be required. For accessory
202 structures under two hundred (200) square feet without services, a zoning permit is required
203 but the fee is waived. The permit is required to ensure that such structures comply with existing
204 setback ordinances as described in SCMC 10-6A-6. (Ord. 2014-01, 5-15-2014)

205 [5.](#) All issued permits shall expire if construction is not commenced within ninety (90) days and are
206 invalid ~~two-one (21)~~ years after the date of issuance. (Ord. 2005-01, 9-8-2005)

207 [5-6.](#) [A buffer zone exists around the perimeter of Spring City. This Buffer Zone extends one-half \(1/2\)](#)
208 [mile from the municipal boundary. Zoning permit applications in the Buffer Zone must be](#)
209 [reviewed by the Spring City Planning and Zoning Commission and submitted for review and](#)
210 [approval by Sanpete County. A Spring City Buffer Zone permit application includes the same](#)
211 [required information found in the Spring City Zoning Permit Application.](#)

212 [10-1-5 HISTORIC DISTRICT GUIDELINES](#)

213 All demolition, construction, alteration, or renovation (nominal changes or minor repairs excepted) to
214 properties within the historic district as provided in this title shall, so far as possible and practical, follow
215 the provisions set forth in this title pertaining to the historic district guidelines. The historic preservation
216 subcommittee serves as an advisory committee relative to any matters of historic preservation as well
217 as how to obtain historic grants. This committee should be contacted as early as possible in the process
218 of the project but at least fourteen (14) days prior to any such demolition, construction, alteration, or
219 renovation. (See SCMC 10-6, article H.) (Ord. 2005-01, 9-8-2005)

220 [10-1-6 CONFORMANCE WITH ~~UNIFORM~~INTERNATIONAL BUILDING CODE](#)

221 All construction, alteration, repair or renovation as provided in this title shall be in conformity with
222 provisions of the current edition of the ~~uniform building code~~[International Building Code including](#)
223 [appendices, as adopted under the Utah Uniform Building Standards Act. A copy of the most recent](#)
224 [edition of the Code shall be filed in the Spring City, City Hall office and be available for examination and](#)
225 [reference by interested persons.](#) ~~as adopted by the city council (copy on file).~~ (Ord. 2005-01, 9-8-2005)

226 [10-1-7 SITE PLAN REQUIRED](#)

227 A detailed site plan, drawn to scale, shall be filed with the zoning administrator, as part of any
228 application for a zoning permit. The site plan shall show, where pertinent:

- 229 1. Scale and north arrow.
- 230 2. Lot lines and dimensions.
- 231 3. Adjacent streets, roads, rights of way and easements.

- 232 4. Location of existing structures on subject property and adjoining properties, drawn to
233 approximate scale, including utility poles and fences.
- 234 5. Location of proposed construction and improvement, including landscape elements [with](#)
235 [setback dimensions from the property lines on all sides.](#)
- 236 6. Motor vehicle access, including parking stalls and sidewalk location.
- 237 7. Necessary explanatory notes.
- 238 8. Name, address and telephone number of builder and owner. (Ord. 2005-01, 9-8-2005)
- 239 9. A set of blueprints is required for structures over two hundred one (201) square feet. (Ord.
240 2014-01, 5-15-2014)

241 **[10-1-8 PERMIT FEES](#)**

242 Each zoning permit shall require payment of current and commensurate fees as established by
243 resolution of the city council. Said fees are based upon the ease or complexity of establishing water,
244 sewer and electrical connections to property or other fees as may be prescribed by the city council. A
245 building permit must be purchased from the county building inspector and all fees pertaining to said
246 permit are regulated and determined by the county building inspector's office. Any other fees incurred
247 by the city will be paid by the builder/developer. (Ord. 2005-01, 9-8-2005)

248 **[10-1-9 BUILDING INSPECTOR AND DUTIES](#)**

249 All building inspections shall be conducted by [Spring City and](#) the office of the county building inspector,
250 subject to all building regulations of the city and county. (Ord. 2005-01, 9-8-2005)

251 [Inspections required by the City prior to and during construction include: property corner staking to](#)
252 [show the lot boundaries, building corner staking including porches, and an inspection of footings](#)
253 [formwork before concrete is placed. Failure to have the required inspections done by a Planning and](#)
254 [Zoning Commission representative will result in a substantial penalty.](#)

255

256 **[10-1-10 FLOOD PRONE AREAS](#)**

257 1. New Construction; Substantial Improvements: The zoning administrator and county building
258 inspector shall review all building permit applications for new construction or substantial
259 improvements to determine whether proposed building sites will be reasonably safe from
260 flooding. If a proposed building site is in a location that has a potential flood hazard, any
261 proposed new construction or substantial improvement (including manufactured, modular and
262 mobile homes) must:

263

- 264 1. Be designed or modified and anchored to prevent flotation, collapse or lateral
265 movement of the structure;
- 266 2. Use construction materials and utility equipment that are resistant to flood damage;

- 267 3. Use construction methods and practices that will minimize flood damage;
- 268 4. Improve and/or secure water channels to prevent flooding or erosion in order to protect
- 269 proposed new or improved buildings.
- 270 2. Review Of Building Proposals: The ~~zoning administrator~~ [Planning and Zoning Commission](#) and
- 271 county building inspector shall review all building proposals to assure that:
- 272
- 273 1. All such proposals are consistent with the need to minimize flood damage;
- 274 2. All public utilities and facilities, such as sewer, gas, electrical and water systems are
- 275 located, elevated and constructed to minimize flood damage or eliminate flood damage;
- 276 3. Adequate drainage is provided so as to reduce exposure to flood hazards;
- 277 ~~3.4. Spring City will not be liable for damages resulting from flooding of any structure in the~~
- 278 City.
- 279 3. Replacement Of Systems: The county building inspector shall require new or replacement water
- 280 supply systems and/or sanitary sewage systems to be designed to minimize or eliminate
- 281 infiltration of floodwater and require on site waste disposal systems to be located so as to avoid
- 282 impairment or contamination during flooding. (Ord. 2005-01, 9-8-2005)

283 **10-1-11 SEVERABILITY**

284 It is hereby declared the intention of the city council that the sections, paragraphs, sentences, clauses

285 and phrases of this title are severable. Should any phrase, clause, sentence, paragraph or section of this

286 title be declared unconstitutional by the valid judgment or decree of any court of competent

287 jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences,

288 paragraphs and sections of this title, since the same would have been enacted by the city council

289 without the incorporation in this title of any such unconstitutional phrase, sentence, paragraph, or

290 section. (Ord. 2005-01, 9-8-2005)

291 **10-1-12 PENALTY**

292 Any person violating or causing the violation of any of the provisions of this title, shall be guilty of a ~~class~~

293 [Class C](#) misdemeanor and, upon conviction thereof, subject to punishment accordingly. In addition, any

294 violation is subject to revocation of the building permit and termination of the construction project

295 unless and until violation and/or construction deficiencies are rectified and any and all fines are paid.

296 (Ord. 2005-01, 9-8-2005)

297

298 **Chapter 10-2 PLANNING AND ZONING COMMISSION**

299 **10-2-1 ESTABLISHED; COMPOSITION; APPOINTMENT**

300 **10-2-2 TERMS OF OFFICE; VACANCIES; REMOVAL**

301 **10-2-3 ORGANIZATION; ADOPTION OF RULES; RECORDS**

302 **10-2-4 EMPLOYEES; EXPENDITURES**

303 [10-2-5 POWERS AND DUTIES](#)

304

305 [10-2-1 ESTABLISHED; COMPOSITION; APPOINTMENT](#)

306 Pursuant to authority granted in Utah Code Annotated section 10-9a-301, as amended, the City Council
307 hereby creates a Planning and Zoning Commission within and for the City to be known as the Spring City
308 Planning and Zoning Commission. The Planning and Zoning Commission shall consist of five (5) members
309 to be appointed by the Mayor, with the consent of the City Council. The Mayor and City Council shall
310 also select one member of the City Council to be the Planning and Zoning [Commission](#) liaison, whose
311 duties will be to keep both the City Council and Planning and Zoning Commission informed on current
312 projects, concerns, and needs of each organization. The liaison is a non-voting Council representative,
313 attending Planning and Zoning Commission meetings, assigned to assist in any discussions and research
314 that will support the decision-making of the Planning and Zoning Commission. There shall be ~~three (3)~~
315 [two \(2\)](#) alternates in place to replace a current member's term if necessary. The members shall be
316 selected without respect to political affiliations and shall serve without compensation, except for
317 reasonable expenses. [Attendance of three \(3\) or more Commission members at meetings constitutes a](#)
318 [quorum.](#) (Ord. 2017-01, 3-2-2017)

319 [10-2-2 TERMS OF OFFICE; VACANCIES; REMOVAL](#)

320 The term for the City Council member liaison to Mayor and Council for the Planning and Zoning
321 Commission shall correspond to his tenure in office. The terms for the appointive members shall be for
322 five (5) years and until their successors shall have been appointed; provided that the terms of the
323 members first appointed shall be arranged such that the term of two (2) members shall expire every
324 other year. Appointments made thereafter will be made for a full five (5) year term; those serving as
325 members have the opportunity to be reinstated for more than one (1) 5-year term. For vacancies
326 occurring other than through the expiration of terms, the Mayor, with the consent of the City Council,
327 shall appoint members for the remainder of the unexpired term. Members may be removed after public
328 hearing by a majority vote of the City Council. (Ord. 2014-01, 5-15-2014)

329 [10-2-3 ORGANIZATION; ADOPTION OF RULES; RECORDS](#)

330 The Planning and Zoning Commission shall elect from its membership a Chairperson and shall adopt
331 rules for its own organization and for the transaction of its business not in conflict with this chapter or
332 other ordinances. (Ord. 2005-02, 9-8-2005)

333 [10-2-4 EMPLOYEES; EXPENDITURES](#)

334 The Planning and Zoning Commission may appoint such employees and staff as it may deem necessary
335 for its work and may contract with City planners and other consultants, provided its expenditures, shall
336 be within the amounts appropriated for that purpose by the City Council. (Ord. 2005-02, 9-8-2005)

337 [10-2-5 POWERS AND DUTIES](#)

338 The Planning and Zoning Commission shall have such powers as may be necessary to enable it to
339 perform its functions and promote City planning as follows:

- 340 1. Preparation Of Comprehensive Plan: It shall be the function and duty of the Planning and Zoning
341 Commission, after holding public hearings, to make and adopt and certify to the City Council, a
342 Comprehensive Plan for the physical development of the City, including any areas outside of its
343 boundaries which, in the Planning and Zoning Commission's judgment, bear relation to the
344 planning of the City. Where the plan involves territory outside the boundaries of the City, action
345 shall be taken with the concurrence of the County or other municipal legislative bodies
346 concerned. The Comprehensive Plan, with the accompanying maps, plats, charts and descriptive
347 and explanatory matter, shall show the Planning and Zoning Commission's recommendations for
348 the said physical development and may include among other things, the general location and
349 extent of streets and other methods of circulation and transportation; the general location and
350 extent of public utilities for water, power, sanitation or other purposes; the general location and
351 extent of parks, playgrounds and drainage facilities; and the use of land, whether for residences,
352 commerce, industry, agriculture, flood channels or open space. The Planning and Zoning
353 Commission may from time to time amend, extend or add to the plan or carry any part or
354 subject matter into greater detail.
- 355 2. Prepare Reports And Recommendations; Entry Upon Land: The Planning and Zoning Commission
356 may make reports and recommendations relating to the plan and development of the City to
357 public officials and agencies, other organizations and citizens. It may recommend to the
358 executive or legislative officials, programs for public improvements and the financing thereof.
359 The Planning and Zoning Commission, its members and employees, in the performance of its
360 functions, may enter upon any land at reasonable times to make examinations and surveys and
361 place and maintain necessary monuments and markers thereon.
- 362 3. Regulations Governing Subdivision Of Land: It shall be the duty of the Planning and Zoning
363 Commission to prepare regulations governing the subdivision of land within the City or
364 amendments to such regulations and to submit said regulations or amendments to the City
365 Council for adoption.
- 366 4. Approve Subdivision Plans And Plats: It shall be the duty of the Planning and Zoning Commission
367 to review and approve all subdivision developments. No plat of a subdivision of land within the
368 City [or the Buffer Zone](#) shall be filed or recorded in the County Recorder's office until it shall
369 have been submitted to and approved by the Planning and Zoning Commission and such
370 approval entered in writing on the plat. The approval by the Planning and Zoning Commission
371 shall be in addition to the approval required from the City Council. The filing or recording of a
372 plat of a subdivision without such approval shall be null and void and the transfer or sale of lots
373 in any such unapproved subdivision shall be considered a violation of the subdivision ordinance
374 for each lot so transferred or sold.
- 375 5. Prepare Zoning Plan: The Planning and Zoning Commission, through its own initiative may, or by
376 order of the City Council shall, make and certify to the City Council a zoning plan, including both
377 the full text of the zoning regulations and maps, and representing the Planning and Zoning
378 Commission's recommendations for zoning the City.
- 379 6. Prepare Recommendations For Amendment To Zoning Regulations: The zoning regulations,
380 including the maps, may be amended from time to time by the City Council. However, all
381 proposed amendments shall be first submitted to the Planning and Zoning Commission for its

382 recommendation which shall be returned to the City Council for its consideration within thirty
383 (30) days.

384 7. ~~G.~~ Preparation Of A Multiyear Improvement Program: The Planning and Zoning Commission,
385 through its own initiative may, or by order of the City Council shall, make and recommend to the
386 City Council a Multiyear Improvement Program, which shall set forth an orderly program for the
387 acquisition of land, buildings and other facilities that are needed for City purposes.

388 8. ~~H.~~ Conduct Hearings ~~And~~ Meetings: The Planning and Zoning Commission may conduct
389 hearings and meetings with interested property owners, officials and citizens in the process of
390 carrying out the functions and duties of its office. (Ord. 2005-02, 9-8-2005)

391 **Chapter 10-3 BOARD OF ADJUSTMENT**

392 **10-3-1 APPOINTMENT; COMPOSITION; VACANCIES**

393 **10-3-2 ORGANIZATION; MEETINGS**

394 **10-3-3 POWERS AND DUTIES**

395 **10-3-4 APPEALS TO BOARD**

396 **10-3-5 JUDICIAL REVIEW; TIME LIMIT**

397

398 **10-3-1 APPOINTMENT; COMPOSITION; VACANCIES**

399 Pursuant to authority granted in U.C.A. 10-9a-701, as amended, the city council hereby creates a board
400 of adjustment within and for the city. Said board of adjustment shall consist of five (5) members, each to
401 be appointed for a term of five (5) years; provided, that the terms of the members appointed shall be
402 such that the term of one member shall expire each year. No member of the board of adjustment shall
403 be a member of the planning and zoning commission. Any member of the board of adjustment may be
404 removed for cause by the city council upon written charges and after public hearing, if such public
405 hearing is requested. Vacancies shall be filled for the unexpired term of any member whose term
406 becomes vacant. (Ord. 2005-03, 9-8-2005)

407 **10-3-2 ORGANIZATION; MEETINGS**

408 1. Required: The board of adjustment shall organize and elect a chairperson and adopt rules for its
409 proceedings. Meetings of the board shall be held at the call of the chairperson and at such other
410 times as the board may determine.

411 2. Oaths; Records: The chairperson or, in his absence, the acting chairperson, may administer
412 oaths and compel the attendance of witnesses. All meetings of the board shall be open to the
413 public. The board shall keep minutes of its proceedings, showing the vote of each member upon
414 each question and absentees or other failure to vote. Members may not abstain from voting
415 unless there is a conflict of interest in which case the member must abstain and reasons must be
416 given and recorded in the minutes indicating such facts. Records of its examinations and other
417 official actions shall be kept, all of which shall be immediately filed in the offices of the city and
418 shall be a public record. (Ord. 2005-03, 9-8-2005)

419 **10-3-3 POWERS AND DUTIES**

420 The board of adjustment shall have the following powers:

- 421 1. Appeal Of An Administrative Ruling: To hear and decide appeals where it is alleged that there is
422 error in any order, requirement, decision or determination made by the ~~zoning~~
423 ~~administrator~~City Council or other official responsible for the enforcement of this title.
- 424 2. Special Exception: To hear and decide appeals for approval of special exceptions to the terms of
425 this title. The board shall not authorize a special exception unless specifically granted authority
426 to do so under the terms of this title.
- 427 3. Variances: To authorize upon appeal such variance from the terms of this title as will not be
428 contrary to the public interest, where owing to special conditions a literal enforcement of the
429 provisions of this title will result in unnecessary hardship; provided, that the spirit of this title
430 shall be observed and substantial justice done. Before any variance may be authorized,
431 however, it shall be shown that all of the following apply:
432
- 433 1. The variance will not substantially affect the comprehensive plan of zoning in the city
434 and that ~~adherence to the strict letter of literal enforcement of~~ this title will cause
435 ~~difficulties and hardship~~unreasonable hardships, the imposition of which upon the
436 petitioner is unnecessary in order to carry out the general purpose of the plan. (Ord.
437 2005-03, 9-8-2005)
- 438 2. There are special circumstances attached to the property covered by the application
439 which do not generally apply to the other property in the same zone. (Ord. 2014-01, 5-
440 15-2014)
- 441 3. Because of said special circumstances, the property covered by the application is
442 deprived of privileges possessed by other properties in the same zone;
- 443 ~~3.4. and that the Granting~~ granting of the variance is essential to the enjoyment of a
444 substantial property right possessed by other property in the same zone.
- 445 4. Interpretation Of Text Or Map: To make, upon appeal, an interpretation of the zone map
446 regarding the location of zone boundary lines, or decide the meaning of disputed terms or
447 phrases within the text of this title.
- 448 5. Approval Of Building Permit Within Proposed Street On Official Map: To authorize upon appeal
449 the grant of a permit for a building or structure, or part thereof, within any mapped street
450 location in any case in which the board of adjustment, upon the evidence, finds:
451
- 452 1. The property of the appellant of which such mapped street location forms a part, will
453 not yield a reasonable return to the owner unless such permit be granted; or
- 454 2. Balancing of interest of the city in preserving the integrity of the official map and the
455 interest of the owner in the use and benefits of the property, the grant of such permit is
456 required by consideration of justice and equity.

- 457 6. Conditions Specified On Permit: In the event that the board of adjustment decides to authorize a
458 building permit, it shall have the power to specify the exact location, ground area, height and
459 other details and conditions of extent and character and also the duration of the building,
460 structure or part thereof to be permitted.
- 461 7. Power Of Board Limited: The powers and duties of the board are limited to the judicial and
462 administrative actions specifically authorized in this chapter. The board shall not have the
463 authority to amend this title, nor to act outside the rules governing the activities of the board as
464 set forth in this chapter and this title; and all decisions shall be made in such a way so as not to
465 destroy the intent and purpose of this zoning title. (Ord. 2005-03, 9-8-2005)

466 **10-3-4 APPEALS TO BOARD**

- 467 1. Authority: Any person, organization, corporation or unit or department of government which
468 has been aggrieved by a decision allegedly made in error by the ~~zoning administrator~~ [City](#)
469 [Council](#) or is requesting approval of a special exception, variance or other action upon which the
470 board is authorized to act, may do so by filing a formal request in writing with the board;
471 provided, any appeal from a decision made by the zoning administrator shall be made by filing
472 an application with the board within a period not to exceed forty five (45) days from the date of
473 the contested action.
- 474 2. Stay Of Proceedings Pending Appeal: An appeal stays all proceedings in furtherance of the action
475 appealed from, unless the ~~zoning administrator~~[City Council](#) certifies to the board of adjustment
476 after the notice of appeal shall have been filed with him, that by reason of facts stated in the
477 certificate a stay would, in his opinion, cause eminent peril of life or property. In such case,
478 proceedings shall not be stayed otherwise than by restraining order which may be granted by
479 the board of adjustment or by the district court on application and notice and on due cause
480 shown.
- 481 3. Notice Of Hearing Of Appeal; Right Of Appearance: The board of adjustment shall fix a
482 reasonable time for the hearing of the appeal, give public notice thereof as well as due notice to
483 the parties in interest, and shall decide the same within a reasonable time. Upon the hearing,
484 any party may appear in person or by agent or by attorney.
- 485 4. Decision On Appeal: In exercising the above mentioned powers, the board may, in conformity
486 with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify the order,
487 requirement, decision or determination appealed from and may make such order, requirement,
488 decision or determination as ought to be made, and to that end shall have all the powers of the
489 zoning administrator and such other powers as herein provided.
- 490 5. Vote Necessary For Reversal: The concurring vote of three (3) members of the board shall be
491 necessary to reverse any order, requirement or determination of any such administrative
492 official, or to decide in favor of the appellant on any matter upon which it is required to pass
493 under any such ordinance, or to effect any variation in the provision of such ordinance. (Ord.
494 2005-03, 9-8-2005)

495 **10-3-5 JUDICIAL REVIEW; TIME LIMIT**

496 The city or any person aggrieved by any decision of the board may have and maintain a plenary action
497 for relief therefrom in any court of competent jurisdiction, provided petition for such relief is presented
498 to the court within thirty (30) days after the filing of such decision in the office of the board. (Ord. 2005-
499 03, 9-8-2005)

500 **Chapter 10-4 ZONING ADMINISTRATOR**

501 **10-4-1 APPOINTMENT**

502 **10-4-2 POWERS AND DUTIES**

503

504 **10-4-1 APPOINTMENT**

505 There is hereby created the office of zoning administrator. Said administrator shall be appointed by the
506 mayor and approved by the city council. He/she shall serve for five (5) year terms at the end of which
507 he/she shall come up for review and possible reappointment. Said administrator is hereby charged with
508 the administration and enforcement of this title and other duties as set forth in SCMC 10-4-2. (Ord.
509 2005-04, 9-8-2005)

510 **10-4-2 POWERS AND DUTIES**

511 1. It shall be the duty of the zoning administrator:

512

513 1. To review all applications for building permits and certificates of zoning compliance.

514 2. To refuse to issue any permit unless the plans of and for the proposed erection,
515 construction or use fully conform to all regulations in effect within the city.

516 3. To implement and enforce the provisions of this title and, wherever violations occur, to
517 consult with the city attorney; to recommend citations to the city council, to post or
518 issue citations forthcoming from said council; to prepare exhibits, testimony and other
519 data which may be needed in such enforcement.

520 4. To render administrative decisions on those certain routine and uncontested matters as
521 are delegated to him by the city council, planning and zoning commission, or board of
522 adjustment and pursuant to established guidelines relating thereto.

523 2. The zoning administrator shall not have power to override or circumvent decisions and
524 judgments set forth by the planning and zoning commission, board of adjustment, or city
525 council. (Ord. 2005-04, 9-8-2005)

526 **Chapter 10-5 PLANS, MAP AND ZONES**

527 **10-5-1 GENERAL PLAN ADOPTION**

528 **10-5-2 CONFORMANCE TO GENERAL PLAN**

529 **10-5-3 MASTER STREET PLAN**

530 **10-5-4 ZONING PLAN**

531 **10-5-5 ESTABLISHMENT OF ZONES AND MAP**

532

533 **10-5-1 GENERAL PLAN ADOPTION**

534 As provided in SCMC 10-2-5 Part A, upon recommendation of the planning and zoning commission and
535 after conducting public hearings as required by state statute, it shall be the function and duty of the city
536 council to adopt a general plan for the physical development of the city, including other areas outside of
537 its boundaries which bear relation to the planning of the city. [In Spring City the general plan is known as](#)
538 [the Master Plan.](#) The general plan should be updated as needed, but at least every five (5) years, to
539 reflect recommendations for accomplishing coordinated, adjusted and harmonious development in the
540 city.

541 1. The general plan, created by the planning and zoning commission, endeavors to articulate the
542 wishes of the citizenry as expressed through past as well as the latest citywide public surveys
543 (see results of April 2002~~15~~ public opinion survey attached as appendix A and results of Spring
544 City historic district survey attached as appendix B to ordinance 2005-05). In broad terms, the
545 general plan seeks to maintain and to promote the unique historical heritage of Spring City with
546 its old Mormon village and homestead pattern while encouraging economic growth. It seeks to
547 maintain the low density residential development yet increase opportunities for citizens to
548 enjoy a small community lifestyle where social and economic benefits are available and
549 increased.

550 ~~2.~~ The history, demographics, proposed public facilities, plans, goals, and policies as expressed in
551 the 1984 comprehensive Spring City development plan [were updated in 2017.](#) ~~have remained~~
552 ~~virtually unchanged. With few exceptions the projections of said plan have proven to be very~~
553 ~~accurate and, aside from a somewhat accelerated rate, will almost certainly continue as~~
554 ~~predicted. For this reason the present plan shall bring forward and refer to the 1984 plan for~~
555 ~~details of such history, demographics, projections, goals, and policies.~~

556 ~~4.3.~~ Public opinion regarding the issues facing Spring City has indicated that the citizens want slow
557 residential growth yet feel a clear deficiency in the availability of commercial services. Although
558 development of light commercial retail products and services are highly favored, the citizens
559 want development of the same to occur on or near the Main Street of the city so as to build up
560 the city center and preserve the rural residential and agricultural character of the remainder of
561 the city. They are also emphatic that any and all growth or development, especially in the city
562 center, be compatible with the historical nature of the city. Congruent with this issue, the
563 populace is concerned with the weak economic and employment opportunities available to its
564 citizens. They would like to see development of some light industrial areas if placed outside the
565 bulk of the residential areas of the city where traffic and other possible nuisances, as well as
566 aesthetic scenic quality, are of low concern.

567 ~~5.4.~~ Of great concern to the citizens of Spring City is the availability of adequate water supplies. The
568 city council therefore, is making every effort to improve the sources of water. Among other
569 options, the city will look at the possibility of more wells and/or the development of mountain
570 springs as well as the responsibilities of the owners/developers relative to matters of water
571 supplies. (Ord. 2005-05, 9-8-2005)

572 ~~6-5.~~ Also of great concern is the present and future adequacy of the city sewer system. The city
573 council shall develop policies that will maintain and increase ample systems to handle sewer
574 waste.

575 ~~7-6.~~ Another matter of concern is the availability of law enforcement in Spring City. The city council
576 shall address this issue forthwith by preparation and implementation of a plan to acquire a full
577 time police force to increase protection for the city when the need arises for a full time police
578 force. (Ord. 2014-01, 5-15-2014)

579 ~~8-7.~~ There is also major concern regarding public nuisances such as trashy, unkempt residential
580 properties, inoperative cars, exterior storage or collections of products and goods on residential
581 properties, stray dogs, etc. The city council shall therefore establish a community beautification
582 committee to make recommendations to the city council on ordinance changes and
583 enforcement methods in dealing with such issues. (Ord. 2005-05, 9-8-2005)

584 ~~9-8.~~ One of the apprehensions expressed by the citizens of Spring City is the lack of housing choices
585 especially the unavailability of rental dwellings. The planning and zoning commission shall
586 therefore undertake to devise a plan to recommend to the city council as to rectification of this
587 situation while maintaining the low density housing desired by the majority of its residents.
588 (Ord. 2014-01, 5-15-2014)

589 ~~10-9.~~ In aid of accomplishing the above goals while maintaining the health, safety, and
590 welfare of its citizens, Spring City officials herein establish certain land use ordinances relating to
591 public facilities, public nuisances, aesthetics, historical, recreational facilities, educational and
592 cultural opportunities, as well as the establishment of commercial, industrial, agricultural,
593 residential, and other pertinent zones. (Ord. 2005-05, 9-8-2005)

594 10-5-2 CONFORMANCE TO GENERAL PLAN

595 All streets, parks, public buildings, public utility lines, or other public ways, whether publicly or privately
596 owned, shall be constructed in conformance with this title and the general plan. The acceptance,
597 widening, removal, extension, relocation, narrowing, vacating, abandonment, change of use, acquisition
598 of land, or sale or lease of any street or any other public way, property or structure, shall be subject to
599 the provisions of this title as well as review and approval by the ~~zoning administrator~~ Planning and
600 Zoning Commission and City Council. (Ord. 2005-05, 9-8-2005)

601 10-5-3 MASTER STREET PLAN

602 The master street plan is shown on the zoning map. Where city streets have not yet been dedicated,
603 they are indicated by dotted lines. These proposed streets will be dedicated to the city upon
604 development and/or subdivision. (Ord. 2005-05, 9-8-2005)

605 10-5-4 ZONING PLAN

606 The city council, after reviewing recommendations from the planning and zoning commission, shall
607 make and certify a zoning plan, including both the zoning ordinance and zoning map. The city council
608 may divide the city into zones of such number, shape, and area, and define the uses of said zones as
609 they may determine best promotes, facilitates, and utilizes corresponding land uses within the city, as
610 specified by the general plan. (Ord. 2005-05, 9-8-2005)

611 10-5-5 ESTABLISHMENT OF ZONES AND MAP

612 1. Planning And Zoning Commission: The planning and zoning commission may recommend to the
613 city council the division of the territory, over which said city council has jurisdiction, into zones
614 of a number, shape, and area that it considers appropriate to carry out the purposes of this title.
615

616 1. Within those zones the planning and zoning commission may recommend the
617 regulation, restriction, the erection, demolition, construction, reconstruction, alteration,
618 repair, or use of buildings and structures, and the use of land.

619 2. The planning and zoning commission shall ensure that the regulations are uniform for
620 each class or kind of building throughout each zone, but the regulations in one zone may
621 differ from those in other zones.

622 3. The planning and zoning commission shall also interpret, for purposes of clarification,
623 the meaning and intent of the particular use of the various zones.

624 2. Zones: In order to accomplish the purposes of this title, the city is hereby divided into zones in
625 accordance with said general plan, as herein set forth:
626

627 1. R-1 single-family residential agricultural zone;

628 2. R-3 mobile home park residential zone;

629 3. R-4 multiple residential assisted living zone;

630 4. LC-1 light commercial zone;

631 5. LI-1 light industrial zone;

632 6. PF-1 public facilities zone;

633 7. RVP-1 recreational vehicle park zone; and

634 8. HD historic district (this is not a zone; see SCMC 2-1 and SCMC 10-6, article H).

635 3. Considerations: In the preparation of this title, due and careful consideration was given, among
636 other things, to the suitability of land for particular uses, to existing and probable future
637 conditions within the city, and to the character of each of the several zones with an emphasis on
638 conservation of the value of buildings and lands, meeting the needs of the citizens, complying
639 with the majority of citizen desires as expressed in past surveys, and encouraging the most
640 appropriate use of lands to protect the health, safety, and general welfare of the citizens
641 throughout the city.

642 4. Map:
643

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645
646
1. The location and boundaries of each of the zones as contained herein are shown on the zoning map entitled "~~zoning~~ Zoning map Map of Spring City, Utah", and all boundaries, titles, notations and other data shown thereon are hereby adopted as part of this title.
 - 647
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649
 2. Where uncertainty exists as to the boundaries of zones as shown on city maps, the following shall apply:
 - 650
651
 1. Boundaries as approximately following the centerlines of streets, highways, or alleys shall be construed as moving with the centerline.
 - 652
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655
 2. Boundaries indicated as approximately following the right of way lines of streets, highways, or alleys shall be construed to follow such right of way lines, and in the event of a change in the right of way lines, shall be construed as moving with the right of way line.
 - 656
657
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659
 3. Boundaries indicated as approximately following the centerlines of streams, rivers, canals or other bodies of water, or flood control channels, shall be construed to follow such centerlines and in the event of the change of the centerline, it shall be construed as moving with the centerline.
 - 660
661
 4. Boundaries indicated as approximately following platted or lot lines shall be construed to follow such lot lines.
 - 662
663
 5. In case of any further uncertainty existing, the board of adjustment shall determine the location of such boundaries.
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668
 6. Boundaries of each of said zones are hereby established as described herein and shown on the zoning map, as amended from time to time, to conform to the actions of the city council, which map is on file in the city office, and all boundaries shown thereon are made by this reference as much a part of this title as though fully described and detailed herein.
 - 669
670
 7. Fence lines are not true and correct property lines.
 - ~~6-8. Surveys are required if property boundaries are questionable.~~
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 5. Zoning Changes: Proposals for zoning changes must be presented by owners/developers to the planning and zoning commission for review and approval. Should the planning and zoning commission approve the change they will make such recommendations, in writing, to the city council who will then schedule a public hearing. After consideration of all recommendations, the city council will vote to adopt or reject the change. Should the planning and zoning commission disapprove the proposal, such disapproval with recommendations shall be passed on, in writing, to the city council. In such case the applicant may appeal to the board of adjustment whose approval or disapproval ~~with of~~ recommendations shall be ~~made~~ expressed, in writing, to the city council who, after a public hearing (if one has not been held on this issue) and consideration of all recommendations, will vote to adopt or reject the change.

681 6. Official Authority: Within the scope of authority given them by the city council, the planning and
682 zoning commission ~~and the zoning administrator~~ shall be the official coalition authorized to
683 clarify and interpret any provision related to this chapter. It shall consider violations thereof,
684 issues of complaint, or other issues related to the planning and zoning of Spring City and shall
685 make recommendations to the city council for settlement of any and all planning and zoning
686 issues.

687 7. Appeals: Should any Spring City resident feel they have been unfairly affected by any decision of
688 the planning and zoning commission or the city council, they may appeal to the board of
689 adjustment. (Ord. 2005-05, 9-8-2005)

690 **Chapter 10-6 ZONES AND DISTRICTS**

691 **ARTICLE A R-1 SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL ZONE**

692 **ARTICLE B R-3 MOBILE HOME PARK RESIDENTIAL ZONE**

693 **ARTICLE C R-4 MULTIPLE RESIDENTIAL ASSISTED LIVING ZONE**

694 **ARTICLE D LC-1 LIGHT COMMERCIAL ZONE**

695 **ARTICLE E LI-1 LIGHT INDUSTRIAL ZONE**

696 **ARTICLE F PF-1 PUBLIC FACILITIES ZONE**

697 **ARTICLE G RVP-1 RECREATIONAL VEHICLE PARK ZONE**

698 **ARTICLE H HD HISTORIC DISTRICT**

699

700 **ARTICLE A R-1 SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL ZONE**

701 **10-6A-1 PURPOSE AND INTENT**

702 **10-6A-2 PERMITTED USES**

703 **10-6A-3 CONDITIONAL USES**

704 **10-6A-4 LOT AND DWELLING SIZE REQUIREMENTS**

705 **10-6A-5 ACCESS REQUIREMENTS**

706 **10-6A-6 LOCATION REQUIREMENTS**

707 **10-6A-7 HEIGHT REQUIREMENTS**

708 **10-6A-8 DRAINAGE REQUIREMENTS**

709 **10-6A-9 UTILITY REQUIREMENTS**

710 **10-6A-10 HISTORIC DISTRICT**

711

712 **10-6A-1 PURPOSE AND INTENT**

713 The R-1 zone in Spring City is hereafter designated single-family residential-agricultural zone. The
714 objective in establishing the R-1 zone is to provide a location within the city for a residential and
715 agricultural environment where the residents may engage in significant agricultural pursuits, including
716 the keeping of a reasonable and traditional number of animals. A minimum of vehicular traffic and quiet
717 residential conditions favorable to family living and the rearing of children shall prevail. This zone is
718 characterized by one-family dwellings on individual lots,
719 agricultural activities, parks, playgrounds, schools, and churches. This zone is also characterized by
720 attractive landscaped lots and open spaces with lawns, shrubs, crops, and gardens. Although not

721 mandatory, the restoration of old homestead style homes and lots in accordance with the old Mormon
722 village pattern, as set down when the city was first established, shall be encouraged. This zone may also,
723 on conditions, allow guesthouses (see SCMC 10-1-3, "Definitions") and bed and breakfasts (see
724 conditions below) but no apartments shall be allowed in this zone. Notice: In keeping with the general
725 plan to maintain a low density rural atmosphere within Spring City, duplex and multiple apartments
726 (excepting assisted living R-4) housing is not allowed in this or any other zone in Spring City. (Ord. 2005-
727 06, 9-8-2005)

728 **10-6A-2 PERMITTED USES**

729 The following buildings, structures, and uses of land shall be permitted upon compliance with the
730 standards and requirements as set forth in this title as well as the accepted building codes:

731
732 A normal number of household pets.

733
734 Barns, stables, corrals, pens, coops, and other structures for the care and keeping of domestic livestock.
735 Provided that accessory building structures such as hog barns and pens, chicken coops, cow and horse
736 sheds (not including corrals) and other like buildings for the close confinement housing of livestock shall
737 not be located closer than approximately fifty feet (50') to an existing residential dwelling on an adjacent
738 lot nor approximately thirty feet (30') to such residential dwelling on the same lot and shall not be a
739 nuisance to any neighbor.

740
741 Customary residential accessory structures.

742
743 Fences and walls between neighboring residences shall not be more than eight feet (8') in height and
744 shall not be constructed of abnormal or obnoxious materials such as worn out bed springs, used tires,
745 pallets, old garage doors, etc.. No fence, wall, shrub, or hedge shall be of a height or placement so as to
746 obstruct traffic visibility at any intersection. Subject to the city's nuisance regulations, visibility barriers
747 (fences, walls, shrubs, trees, etc.) may be required in some cases to hide unsightly equipment, materials,
748 or other stuffs found on properties in this zone. Subject to the requirements of SCMC 11-3-4 Part D
749 hazardous structures or areas may be required to be fenced.

750
751 Gardens, orchards and field crops.

752
753 Minor public facilities, parks, and playgrounds.

754
755 One-family ~~detached~~ individual dwellings of conventional construction, manufactured housing, not
756 mobile homes (see definition of "mobile home" in SCMC 10-6 article B, "R-3, Mobile Home Park
757 Residential Zone" and SCMC 10-1-3, "Definitions"), and restoration of old homes is encouraged.

758
759 Temporary signs, a maximum of two (2) in number, not exceeding six (6) square feet advertising the sale
760 of the premises or other temporary event. Such signs shall be located on private property.

761
762 The raising, care, and keeping of animals and fowl in an amount not exceeding a reasonable and
763 traditional number. (Ord. 2005-06, 9-8-2005)

764 [10-6A-3 CONDITIONAL USES](#)

765 The following buildings, structures, and uses of land shall be permitted upon the conditions set forth in
766 this title and after review and approval has been given by the designated reviewing agencies. The
767 planning and zoning commission shall review all conditional use proposals and shall approve,
768 disapprove, or approve with conditions. Owner may appeal to the board of adjustment should he/she
769 feel the planning and zoning commission was unfair. The following conditional uses shall not alter the
770 residential character of the surrounding neighborhood or zone.

771
772 [A. Bed and breakfasts.](#) Bed and breakfast (B&B) establishments shall be allowed in this zone. A "bed and
773 breakfast establishment" for purposes of this title shall be defined as a single residence dwelling
774 equipped with and providing short term sleeping and meal accommodations for tourists or like traveling
775 persons. Bed and breakfast establishments shall be allowed in accordance with the following conditions:

776 1. Excepting the food preparation, the limitation of area of primary residence, and other structures
777 allowed for use of business provisions, the B&B shall comply with all required conditions for a
778 home business use (see SCMC 3-1-13).

779 2. No B&B shall have more than ten (10) rooms available for such short term accommodations.

780 [3. B&B establishments shall comply with all state and local food handling requirements as well as](#)
781 [any ordinance governing hotels.](#)

782 [4. The Transient Room occupancy tax shall apply.](#)

783 [5. A home business license and state tax ID are required.](#)

784 ~~[3-6.](#)~~

785 [B. Short term rentals](#)

786 [C. Churches.](#) Upon feasibility and impact studies as well as review and approval of the planning and
787 zoning commission, churches may be allowed in this zone.

788
789 ~~___~~ [Construction-~~Unconventional-unconventional~~ construction.](#)

790 1. Construction, design, and materials shall not be obnoxious, repugnant, or completely out of
791 harmony with the surrounding residential structures.

792 2. Must be in compliance with all building codes.

793 [D. Guesthouses.](#) For purposes of this title, a "guesthouse" shall be defined as any single-family
794 apartment style dwelling separate from but found on the same lot as an existing residence. Such
795 guesthouses are allowable in residential zones and, if new construction, are limited to six hundred
796 twenty five (625) square feet. If they are conversions of existing structures, this size limitation may be
797 waived. They may be constructed with bathroom and kitchen facilities but shall not be used as rental
798 apartments. Such guesthouses are allowed in accordance with the following requirements:

799 1. This conditional use is not intended to circumvent the single-family dwelling or lot size
800 requirements as put forth in this title nor is it intended to authorize duplex housing. It is

801 intended to allow use of existing accessory structures such as log cabins and bungalow
802 structures, new log cabins and bungalow structures as accommodations for nonpaying guests or
803 domestic employees (see definition in SCMC 10-1-3).

804 2. Such guesthouse may not be sold separate from the main dwelling or commercial property.

805 3. Only one guesthouse shall be allowed per residential lot or commercial building.

806 4. New construction guesthouses shall be detached (excepting breezeways) from the main
807 residence or commercial building, and shall be limited to approximately six hundred twenty five
808 (625) square feet. Structures existing at the date of this title may be converted to guesthouses
809 without concern for this square footage requirement but may not be enlarged beyond the
810 approximate six hundred twenty five (625) square feet.

811 5. Owners of guesthouses shall provide adequate off street parking for guests. Exceptions may be
812 made if this requirement would change the historic character of the property.

813 6. Guesthouses shall be designed and constructed with materials that are comparable to and
814 compatible with the primary residence and other residences in the vicinity.

815 7. There shall be no separate utility service to the guesthouse.

816 8. The driveway serving the primary dwelling shall also serve the guesthouse.

817 E. Home business. Home businesses in accordance with SCMC 3-1-13, "Home Businesses". Note:
818 Although agriculture (farming) is a business that technically may be considered a home business, it does
819 not require a home business license.

820 F. Public school. Upon conditions, public and private school buildings and grounds, not necessarily to
821 include storage yards.

822 G. Recreational vehicles. Recreational vehicles (RVs), including camp trailers, motor homes, pickup
823 campers, boats and/or their trailers, four-wheelers and/or their trailers, snowmobiles and/or their
824 trailers, motorcycles and/or their trailers, flatbed trailers, and the like (see SCMC 10-1-3, "Definitions"),
825 may be stored in this zone in accordance with the following:

826 1. Notwithstanding any provisions contained herein, camper type RVs on private property only
827 (not public rights of way) may be used short term as guest accommodations for family reunions,
828 holiday visitors, and other similar uses.

829 2. RVs may be stored, displayed, sold, and serviced, but not used for living quarters in a sales lot in
830 accordance with existing commercial conditions (see SCMC 10-6 Article D, "LC-1 Light
831 Commercial Zone").

832 3. RVs may be stored and used in licensed recreational vehicle park zones (see SCMC 10-6 article
833 G, "RVP-1 Recreational Vehicle Park Zone").

834 4. RVs may be stored in approved and licensed mobile home parks provided that they are in an
835 area separate from that used as mobile home residences and upon review and approval of the
836 planning and zoning commission.

837 H. Storage containers. A zoning permit is required for storage containers but may be combined with a
838 zoning permit or an accessory structure permit may be obtained, if within the allowable two hundred
839 (200) square feet requirement for accessory structures. A maximum of two (2) storage containers not
840 exceeding fifty (50) feet in length are allowed on 1.06 acre or larger city lots or properties and will not
841 exceed thirty percent (30%) of the property. Lots smaller than 1.06 acres shall have no more than one
842 (1) storage container per lot. Storage containers are not allowed in the Main Street Historic
843 District~~historic district~~, unless it is for construction purposes. Said temporary storage containers shall
844 have time with the limit of six (6) months maximum from the date of zoning permit approval. All storage
845 containers are to ~~remain within~~ be compliant with the building construction standards.

846 I. Towers. Telecommunication or cellular towers or any other like towers shall not be permitted in this or
847 any other zone in the city if it is determined by the reviewing agencies that such tower will change the
848 character or detract from the aesthetic appearance of the zone or any neighboring zone.

849 J. Windmills. Wind powered electric generators and pumps (windmills) shall not change the residential
850 character of the neighborhood nor shall they detract from the aesthetic appearance of the
851 neighborhood. (Ord. 2014-01, 5-15-2014)

852 10-6A-4 LOT AND DWELLING SIZE REQUIREMENTS

- 853 1. Lot: The minimum lot area for a one-family dwelling shall be 1.06 acres or approximately forty
854 six thousand ten (46,010) square feet in area, unless otherwise grandfathered or split in
855 previous years where a lot size was smaller than the 1.06 acre requirement was allowed.
- 856 2. Dwelling: A residential dwelling shall be constructed in compliance with the uniform building
857 ~~code~~ International Building Code as herein provided. (Ord. 2014-01, 5-15-2014)

858 10-6A-5 ACCESS REQUIREMENTS

859 All residential dwellings shall have access from an established public roadway as specified in SCMC 11-3-
860 6. (Ord. 2005-06, 9-8-2005)

861 10-6A-6 LOCATION REQUIREMENTS

862 Each residential lot shall abut a public street for a minimum of two hundred fourteen feet (214') of
863 frontage, except in the case of lots previously subdivided smaller than or equal to 1.06 acres or lots that
864 have been previously split and are grandfathered. Residential dwellings must meet the following current
865 permitted requirements:

- 866 1. Residential dwellings on corner lots shall have a minimum setback of thirty feet (30') from both
867 property lines along public streets.
- 868 2. Residential dwellings shall have side yards of at least ten feet (10') from property lines not
869 adjacent to public streets.
- 870 3. Residential dwellings shall have a minimum rear yard of thirty feet (30'). (Note: A deck may
871 extend 12 feet into the rear setback.)
- 872 4. No accessory structure may be closer than thirty feet (30') of both property lines along public
873 streets for corner lots and no structure, landscaping, or other obstruction shall obscure the view

874 [of automobile drivers on corner lots. It is preferred that accessory structures shall be in the rear](#)
875 [yard, but they shall not be closer to the property line than the dwelling. Exceptions may be](#)
876 [made for decorative structures such as gazebos or pergolas.](#)

877 [5. Accessory structures shall have a setback from all residential dwellings of twelve feet \(12'\), ten](#)
878 [feet \(10'\) from side-yard property lines and thirty feet \(30'\) from property line corners of lots](#)
879 [facing a public street.](#)

880 [6. There shall be ten feet \(10'\) setbacks from irrigation lines and spouts.](#)

881 [7. Accessory structures that measure two hundred one \(201\) square feet and under will require a](#)
882 [zoning permit with no fee to ensure proper setbacks. Any structures two hundred one \(201\)](#)
883 [square feet and over will need to obtain a zoning permit. \(Ord. 2014-01, 5-15-2014\)](#)

884

885 ~~[Residential dwellings shall have side yards of at least ten feet \(10'\).](#)~~

886 No residential dwelling or accessory structure may be more than forty five feet (45') high or much larger
887 in size than other similar structures within the surrounding neighborhood. (Ord. 2005-06, 9-8-2005)

888 **10-6A-8 DRAINAGE REQUIREMENTS**

889 All water generated on the premises must be disposed of on the premises or by natural drainage and all
890 dwellings shall have a two percent (2%) grade drainage for a radius of twenty five feet (25') from each
891 structure and shall be designed to eliminate any flooding or pollution of adjacent properties. (Ord. 2005-
892 06, 9-8-2005)

893 **10-6A-9 UTILITY REQUIREMENTS**

894 All residential dwellings [whose closest property line is](#) within three hundred feet (300') of the ~~property~~
895 ~~line of the end of a~~ city sewer system [main line pipe](#), must hook up with said city sewer. Those over
896 three hundred feet (300') from the city sewer system must have an adequate septic system. These and
897 other utilities shall be provided for by owner/developer in accordance with the specifications in SCMC
898 11-3-1. All residential dwellings are required, at residents' expense, to have garbage collection services.
899 (Ord. 2005-06, 9-8-2005)

900 **10-6A-10 MAIN STREET HISTORIC DISTRICT**

901 Should any property in this zone fall within the [main street](#) historic district, before obtaining a building
902 permit, owners/developers are required to meet with the historic preservation subcommittee with their
903 plans to discuss the same and to obtain advice and information relative to historic guidelines that may
904 relate to their project as well as possible historic grants. It is advisable that owners/developers meet
905 with this subcommittee as early as possible in the initial planning stages of their project as any desired
906 changes to save money, obtain grants, enhance historic preservation, or improve historically compatible
907 styles may be more difficult in latter stages. Since this subcommittee is advisory only, they have no
908 authority to approve or disapprove owners'/developers' plans but owners/developers must obtain a
909 certificate of review slip from them to proceed through the permit to build process (see SCMC 2-1 and
910 SCMC 10-6, article H). (Ord. 2005-06, 9-8-2005)

911 [ARTICLE B R-3 MOBILE HOME PARK RESIDENTIAL ZONE](#)

912 [10-6B-1 PURPOSE AND INTENT](#)

913 [10-6B-2 PERMITTED USES](#)

914 [10-6B-3 CONDITIONAL USES](#)

915 [10-6B-4 LOT AND DWELLING SIZE REQUIREMENTS](#)

916 [10-6B-5 ACCESS REQUIREMENTS AND PARKING](#)

917 [10-6B-6 LOCATION REQUIREMENTS](#)

918 [10-6B-7 ACCESSORY STRUCTURES](#)

919 [10-6B-8 UTILITY REQUIREMENTS](#)

920 [10-6B-9 LANDSCAPING](#)

921

922 [10-6B-1 PURPOSE AND INTENT](#)

923 The R-3 zone in Spring City is hereafter designated mobile home park residential zone. A commercial
924 business license is required by owner to operate a mobile home park business within this zone. The
925 definition of a "mobile home", for the purposes of this title, shall be as follows: A mobile home is a
926 transportable factory built housing unit. It generally has a flat roof, nonpermanent hookups for utilities,
927 is not designed for a permanent foundation, and is small in size. Those built prior to June 1976 do not
928 meet HUD certified manufacturing standards. (This definition differs from that of a manufactured or
929 modular unit home in that they are manufactured after June 1976, and meet the HUD standards with a
930 certificate of the same. They have a minimum size requirement, are required to be placed on a normal
931 size building lot, they have a normal pitched roof, with a permanent foundation, permanent utility
932 hookups, and meet minimum health, fire, and safety codes.) The objective in establishing the R-3 zone is
933 to provide a location in the city where mobile home family dwellings can be placed which will provide
934 suitable residential conditions favorable to family living and the rearing of children for both the
935 occupants of the park and the surrounding residents. Any mobile home park in this zone shall be
936 characterized by attractive landscaping with lawns, shrubs, gardens, parks, and playgrounds which
937 owner of the park shall provide. This zone shall not be allowed within the historic district. (Ord. 2005-07,
938 9-8-2005)

939 [10-6B-2 PERMITTED USES](#)

940 The following buildings, structures, and uses of land shall be permitted upon compliance with the
941 standards and requirements as set forth in this title as well as the accepted building codes:

942

943 A normal number of household pets if allowed by the park owner.

944

945 Fences and walls between mobile home parks and neighboring residences shall not be more than eight
946 feet (8') in height and shall not be constructed of abnormal or obnoxious materials. No fence, wall,
947 shrub, or hedge shall be of a height or placement so as to obstruct traffic visibility. Subject to the city's
948 nuisance regulations, visibility barriers (fences, walls, shrubs, trees, etc.) may be required in some cases
949 to hide unsightly equipment, materials, or other stuffs found on properties in this zone. Subject to the
950 requirements of SCMC 11-3-4 hazardous structures or areas may be required to be fenced. Fences,
951 walls, and hedges between mobile home residences shall be no more than three feet (3') high and shall
952 not be constructed of abnormal or obnoxious materials.

953
954 Gardens and small orchards.
955
956 Minor public facilities, parks, and playgrounds.
957
958 Permanent sign by owner, a maximum of two (2) in number for the entire park, not to exceed twelve
959 (12) square feet for advertising the name of the park.
960
961 Single-family dwellings of conventional construction and manufactured housing, not mobile homes (see
962 definition of "mobile home" in SCMC 10-6B-1). All provisions and specifications of R-1 shall apply to any
963 single-family dwelling in this zone.
964
965 Single-family mobile home dwellings.
966
967 Temporary signs by owner or tenant, a maximum of two (2) in number, not exceeding six (6) square feet
968 advertising the sale of the premises. (Ord. 2005-07, 9-8-2005)
969
970

971 **10-6B-3 CONDITIONAL USES**

972 The following buildings, structures and uses of land shall be permitted upon the conditions set forth in
973 this title and after approval has been given by the designated reviewing agencies. The planning and
974 zoning commission shall review all conditional use proposals and shall approve, disapprove, or approve
975 with conditions. Owner may appeal to the board of adjustment should he/she feel the planning and
976 zoning commission was unfair. The following conditional uses shall not alter the residential character of
977 the surrounding neighborhood or zone:

978

979 Guesthouses, apartments, and bed and breakfasts shall not be allowed in this zone.

980

981 Home businesses in accordance with this code (see SCMC 3-1-13, "Home Businesses").

982

983 RVs may be stored but not occupied, in mobile home parks provided they are in an area separate from
984 that used as mobile homes and upon review and approval of the planning and zoning commission.

985

986 Small storage structure, if allowed by park owner, compatible with the design and motif of the park.
987 (Ord. 2005-07, 9-8-2005)

988 **10-6B-4 LOT AND DWELLING SIZE REQUIREMENTS**

989 1. Lot Area: There shall be no more than one mobile home per lot and such lots shall be a
990 minimum of one thousand two hundred fifty (1,250) square feet in area.

991 2. Dwelling: One-family mobile home dwelling's size shall be not less than three hundred (300)
992 square feet. (Ord. 2005-07, 9-8-2005)

993 **10-6B-5 ACCESS REQUIREMENTS AND PARKING**

994 All mobile home parks shall have adequate access from an established public roadway as specified in
995 SCMC 11-3-6 and must be kept clear at all times for emergency vehicles. Park owner/developer shall
996 provide roads and accesses to resident lots within the park. No mobile home lot shall have accesses
997 directly to public roadways. Owners/developers of any mobile home park shall provide adequate off
998 street parking at a rate of not less than two (2) vehicles per unit and shall provide, out of public view,
999 storage for RVs at a rate of two (2) vehicles per unit. (Ord. 2005-07, 9-8-2005)

1000 **10-6B-6 LOCATION REQUIREMENTS**

- 1001 1. Each mobile resident dwelling shall have no less than twenty five feet (25') of frontage on a park
1002 road and no lot shall have frontage on a public roadway.
- 1003 2. Mobile park lots shall have side yards of at least ten feet (10').
- 1004 3. Mobile park lots shall have a minimum rear yard of eight feet (8'). (Ord. 2005-07, 9-8-2005)
- 1005 4. No mobile resident dwelling shall be closer than twenty feet (20') from any property line. (Ord.
1006 2014-01, 5-15-2014)

1007 **10-6B-7 ACCESSORY STRUCTURES**

1008 No accessory structure may be closer than thirty feet (30') of any property line. Except lot size single-
1009 dwelling residences within the mobile home park built by conventional construction (not a mobile
1010 home) must comply with all the specifications, provisions and conditions as designated in SCMC 10-6
1011 article A. (Ord. 2014-01, 5-15-2014)

1012 **10-6B-8 UTILITY REQUIREMENTS**

- 1013 All mobile resident dwellings must be connected to the city sewer. All other utilities, including garbage
1014 disposal, shall be provided for by owner/developer in accordance with the specifications in SCMC 11-3-
1015 1. All residential dwellings are required, at residents' expense, to have adequate garbage collection
1016 services.
- 1017
- 1018 Adequate utilities, shower, laundry, and other typical accessory structures and facilities pertinent to the
1019 operation of mobile home parks are required. (Ord. 2005-07, 9-8-2005)

1020 **10-6B-9 LANDSCAPING**

1021 An adequate landscape proposal shall be presented by owner/developer to the planning and zoning
1022 commission for review and approval before construction, expansion, or rehabilitation of any mobile
1023 park. The planning and zoning commission may require visibility barriers where deemed desirable to
1024 maintain the character of the single-dwelling residential neighborhood. (Ord. 2005-07, 9-8-2005)

1025 **ARTICLE C R-4 MULTIPLE RESIDENTIAL ASSISTED LIVING ZONE**

1026 **10-6C-1 PURPOSE AND INTENT**

1027 **10-6C-2 PERMITTED USES**

1028 **10-6C-3 CONDITIONAL USES**

1029 **10-6C-4 LOT AND DWELLING SIZE REQUIREMENTS**

1030 **10-6C-5 ACCESS REQUIREMENTS AND PARKING**

1031 [10-6C-6 LOCATION REQUIREMENTS](#)

1032 [10-6C-7 ACCESSORY STRUCTURES](#)

1033 [10-6C-8 HEIGHT OF BUILDINGS](#)

1034 [10-6C-9 UTILITY REQUIREMENTS](#)

1035 [10-6C-10 LANDSCAPING](#)

1036 [10-6C-11 HISTORIC DISTRICT](#)

1037

1038 [10-6C-1 PURPOSE AND INTENT](#)

1039 The R-4 zone in Spring City is hereafter designated multiple residential assisted living zone. A
1040 commercial business license is required by owners of multiple residential assisted living businesses to
1041 operate within this zone. The objective in establishing the R-4 zone is to provide a location in the city
1042 where the commingling of single-family dwellings with multiple-unit nursing home, senior citizen,
1043 and/or multiple-unit assisted living dwellings can be placed which will be suitable not only to its
1044 occupants but the surrounding residents as well. For purposes of this title "assisted living" shall be
1045 defined as persons in need of partial or constant medical or physical care. This zone is characteristic of
1046 other quiet residential conditions favorable to family living. This zone is also characterized by attractive
1047 lawns, shrubs, trees, and other landscaping about the buildings and parking areas. Where single-family
1048 dwellings are found in this zone the same shall comply with all the conditions of the R-1 zone. (Note: At
1049 the date of this writing, there is no proposed R-4 zone, however, the provisions and specifications of the
1050 same are herein put forth.) Assisted living owners/developers shall present a feasible, well considered
1051 proposal, with satisfying designs and aesthetically pleasing buildings and grounds to the planning and
1052 zoning commission for review and approval. Their approval or disapproval recommendation shall then
1053 be submitted to the city council. Such proposal must be presented in a public hearing before city council
1054 can vote on any zoning change.

1055

1056 There shall be no row houses or apartment buildings in this or any other zone in Spring City.

1057

1058 There shall be no detention resident dwelling, "home for delinquent teenagers" as defined in SCMC 10-
1059 1-3, or like residence in this or any other zone in Spring City. (Ord. 2005-08, 9-8-2005)

1060 [10-6C-2 PERMITTED USES](#)

1061 The following buildings, structures, and uses of land shall be permitted upon compliance with the
1062 standards and requirements as set forth in this title as well as the accepted building codes:

1063 Customary accessory structures pertinent to multiple-unit assisted living operations.

1064

1065 Customary residential accessory structures.

1066

1067 Gardens and small orchards.

1068

1069 Nursing home and/or multiple-unit assisted living dwellings to a maximum of thirty (30) units in
1070 compliance with local, state, and federal specifications as well as the following provisions:

- 1071 1. Owners/developers of assisted living dwellings shall provide and maintain storage space,
 1072 lighting, garden area, and adequate off street parking space for its tenants, employees, and
 1073 visitors.
- 1074 2. Owners/developers of assisted living dwellings shall also provide an entertainment center where
 1075 tenants may socialize. Such entertainment center shall be an interior room large enough for
 1076 tenants to entertain families and other guests. It must have a piano, large TV, and game
 1077 facilities.
- 1078 3. Owners/developers shall also provide a fenced or otherwise enclosed and monitored exterior
 1079 garden type area where tenants may relax in good weather.
- 1080 4. Owners/developers of assisted living dwellings shall install and maintain attractive lawns,
 1081 shrubs, trees, and other landscaping (with watering system) around the buildings, parking areas,
 1082 and premises.

1083 Single-family dwellings of conventional construction and manufactured housing, not mobile homes (see
 1084 definition of "mobile home" in SCMC 10-6 article B, "R-3, Mobile Home Park Residential Zone"). All
 1085 provisions and specifications of the R-1 zone shall apply to any single-family dwelling in this zone. (Ord.
 1086 2005-08, 9-8-2005)

1087 **10-6C-3 CONDITIONAL USES**

1088 The planning and zoning commission shall review all conditional use proposals and shall approve,
 1089 disapprove, or approve with conditions. Owner may appeal to the board of adjustment should he/she
 1090 feel the planning and zoning commission was unfair. The following conditional uses shall not alter the
 1091 residential character of the surrounding neighborhood or zone:

1092 Assisted living multiple-unit dwellings up to a maximum of ~~fifty (50)~~ thirty (30) units.

1093 Guesthouses, apartments, and bed and breakfasts shall not be allowed in this zone.

1094 Healthcare centers upon feasibility and impact studies as well as review and approval of the planning
 1095 and zoning commission.

1096 Homes for not more than approximately eight (8) youths (not including detention homes for delinquent
 1097 teenagers, as defined in SCMC 10-1-3), foster care facilities, and orphanages upon feasibility and impact
 1098 studies as well as review and approval of the planning and zoning commission. Any such usage in this or
 1099 any other zone shall go through due process including a public hearing.

1100 Single-family dwelling found in this zone shall include all conditional uses put forth in the R-1 zone. (Ord.
 1101 2005-08, 9-8-2005)

1102 **10-6C-4 LOT AND DWELLING SIZE REQUIREMENTS**

- 1103 1. Single-family dwellings shall include all lot and dwelling sizes put forth in the R-1 zone.
- 1104 2. Assisted living multiple-unit dwellings shall not be permitted on less than approximately 1.06
 1105 acres. The dwelling and its accessory buildings shall not occupy more than fifty percent (50%) of
 1106 the lot allowing adequate off street parking which shall not occupy more than twenty five
 1107 percent (25%) of the lot allowing for garden and landscaped areas. (Ord. 2005-08, 9-8-2005)

1108 [10-6C-5 ACCESS REQUIREMENTS AND PARKING](#)

1109 Assisted living facilities shall have a minimum of two (2) accesses per 1.06 acre lots that shall be kept
1110 clear at all times for emergency vehicles. Owner/developer shall provide adequate off street parking for
1111 customers and staff. (Ord. 2005-08, 9-8-2005)

1112 [10-6C-6 LOCATION REQUIREMENTS](#)

1113 Each multiple residential assisted living complex lot shall abut a public street for a minimum of two
1114 hundred fourteen feet (214') of frontage. The main structure shall be of a style and design that is
1115 compatible with the surrounding neighborhood and shall not be less than thirty feet (30') from adjacent
1116 lots. Parking lots shall not be less than ten feet (10') from adjacent lots allowing for landscaping. The
1117 frontage setback shall be a minimum of thirty feet (30') from any street and intersection allowing for
1118 trees and other landscaping. All garbage and deliveries shall be behind the main structure and placed so
1119 as not to be a nuisance to any neighbor. Other setbacks shall be the same as those in a residential zone.
1120 (Ord. 2005-08, 9-8-2005)

1121 [10-6C-7 ACCESSORY STRUCTURES](#)

1122 Accessory structures shall not be less than ten feet (10') from adjacent lots and shall be compatible in
1123 design and aesthetics with the main structure. (Ord. 2005-08, 9-8-2005)

1124 [10-6C-8 HEIGHT OF BUILDINGS](#)

1125 No structure shall be more than two (2) stories plus a usable attic or more than forty five feet (45') high.
1126 (Ord. 2005-08, 9-8-2005)

1127 [10-6C-9 UTILITY REQUIREMENTS](#)

1128 All multiple residential assisted living dwellings must be connected to the city sewer. All other utilities,
1129 including garbage disposal, shall be provided for by owner/developer in accordance with the
1130 specifications in SCMC 11-3-1. All residential dwellings are required, at owners' expense, to have
1131 garbage collection services. (Ord. 2005-08, 9-8-2005)

1132 [10-6C-10 LANDSCAPING](#)

1133 An adequate landscape proposal shall be presented by owner/developer to the planning and zoning
1134 commission for review and approval before construction, expansion, or rehabilitation of any multiple
1135 residential assisted living dwelling. The planning and zoning commission may require visibility barriers
1136 where deemed desirable to maintain the character of abutting single dwelling residential
1137 neighborhoods. (Ord. 2005-08, 9-8-2005)

1138 [10-6C-11 HISTORIC DISTRICT](#)

1139 Should any property in this zone fall within the historic district, before obtaining a building permit,
1140 owners/developers are required to meet with the historic preservation subcommittee with their plans
1141 to discuss the same and to obtain advice and information relative to historic guidelines that may relate
1142 to their project as well as possible historic grants. It is advisable that owners/developers meet with this
1143 subcommittee as early as possible in the initial planning stages of their project as any desired changes to
1144 save money, obtain grants, enhance historic preservation, or improve historically compatible styles may

1145 be more difficult in latter stages. Since this subcommittee is advisory only, they have no authority to
1146 approve or disapprove owners'/developers' plans but owners/developers must obtain a certificate of
1147 review slip from them to proceed through the permit to build process. (See SCMC 2-1 and SCMC 10-6
1148 article H, "HD Historic District".) (Ord. 2005-08, 9-8-2005)

1149 **ARTICLE D LC-1 LIGHT COMMERCIAL ZONE**

1150 **10-6D-1 PURPOSE AND INTENT**

1151 **10-6D-2 PERMITTED USES**

1152 **10-6D-3 CONDITIONAL USES**

1153 **10-6D-4 LOT AND DWELLING SIZE REQUIREMENTS**

1154 **10-6D-5 ACCESS REQUIREMENTS**

1155 **10-6D-6 LOCATION REQUIREMENTS**

1156 **10-6D-7 ACCESSORY STRUCTURES**

1157 **10-6D-8 HEIGHT OF BUILDINGS**

1158 **10-6D-9 UTILITIES AND FACILITIES REQUIREMENTS**

1159 **10-6D-10 SIGNAGE AND LIGHTING**

1160 **10-6D-11 LANDSCAPING**

1161 **10-6D-12 HISTORIC DISTRICT**

1162

1163 **10-6D-1 PURPOSE AND INTENT**

1164 The LC-1 zone in Spring City is hereafter designated as the light commercial zone. The objective in
1165 establishing the LC-1 zone is to provide a choice of locations near the city center where light commercial
1166 businesses may prosper. A commercial business license is required to operate a business within this
1167 zone. This zone is calculated to rebuild the economic core of the community and is characterized by a
1168 mixture of commercial uses such as small retail stores, restaurants, craft stores, offices, and service
1169 oriented business providing products and services to the residents of the city and the traveling public.
1170 This zone is not intended nor shall it be a heavy commercial zone with large nationally franchised retail
1171 superstores and no provision is made to have such a zone within the city as it is the majority opinion of
1172 the citizens that large commercial endeavors are not in keeping with the personality of the small, low
1173 density, rural community they wish to promote. Neither is this zone intended to be for large
1174 manufacturing or industrial uses, construction company yards, or storage units or business
1175 establishments that require exterior storage of goods. All commercial and retail activities, therefore,
1176 shall be small in scope and appearance. This zone shall be characterized by clean, well kept shops
1177 providing products and services for the community. It shall also be characterized by aesthetically
1178 pleasing landscaped walkways, historical lighting, small inviting areas with park benches where shoppers
1179 may gather to relax, a minimal amount of visible electric and phone lines or poles, and advertising signs.
1180 Although the retail aspects of permitted businesses are basic in this zone, some light manufacturing may
1181 be an integral part of such business and may therefore, upon condition, be permitted in this zone. For
1182 that part of this zone that falls within the historic district (see SCMC 2-1 and SCMC 10-6 article H, "HD
1183 Historic District"), every attempt should be made to follow the historic guidelines. Before obtaining a
1184 building permit, all owners/developers within the historic district are required to meet with the historic
1185 preservation subcommittee for advice on all matters pertaining to historical preservation, historic
1186 building styles, and possible historic grants (see SCMC 10-6D-12, "Historic District"). Although some of

1187 this LC-1 zone may fall outside of the historic district, in regards to new construction or renovation, it is
1188 the policy of Spring City to encourage good style and design compatible in motif and materials with the
1189 historic architectural theme of the city. (Ord. 2014-01, 5-15-2014)

1190 **10-6D-2 PERMITTED USES**

1191 1. Although this zone is primarily intended for retail and commercial products and services, it shall
1192 also allow for the commingling of single-family dwellings in accordance with all R-1 zone
1193 conditions and requirements. All such single-family dwellings shall be of conventional
1194 construction or manufactured housing, not mobile homes (see definition of "mobile home" in
1195 SCMC 10-6 article B, "R-3 Mobile Home Park Residential Zone").

1196 2. General retail of goods and merchandising activities, and any processing or light manufacturing
1197 processes which are an integral part of, and incidental to, the activities of such businesses
1198 provided all such activities are customary and all storage of products are generally contained
1199 within a building. Activities that generate the following shall not be allowed in this zone:
1200

1201 1. Any hazardous, obnoxious odors, dust, fumes, vibrations, smoke, and/or excessive noise
1202 causing ventures.

1203 2. Any use which may conceivably produce a hazard to life or property or adversely affect
1204 an adjacent conforming use.

1205 3. Pornography shops, liquor stores, or any like business shall not be permitted in this or
1206 any other zone in Spring City (note: these and other like ventures are governed by state
1207 and federal laws). Any change of zoning to allow these ventures must go through due
1208 process including a public hearing.

1209 4. Any other such activities which would be inconsistent with the use of the land for
1210 residential or light commercial areas are not permitted in this zone.

1211 3. Types of business ventures and the like that are permitted are as follows:

1212
1213 Art oriented business such as art galleries, art studios, dance studios, jewelry shops, and other
1214 forms of handcraft shops.

1215 Banks or financial establishments.

1216 Communication firms such as radio and TV stations.

1217 Historic crafts such as small manufacturing woodworking, glass blowing, candle making,
1218 blacksmithing, printing shops, pottery shops, period clothing shops, antique shops, souvenir
1219 shops, jewelry shops, etc.

1220 Personal service establishments such as barber and beauty shops, shoe repair, laundry, and
1221 similar activities.

1222 Professional oriented businesses providing goods and services such as accounting offices,
1223 attorney offices, optometrists, dental offices, pharmacies, architects, real estate agencies,
1224 computer software companies, and insurance companies.

1225 Publishing houses, printing shops, copying shops, photo shops, and video shops.

1226 Recreational enterprises including, but not limited to, amusement establishments, lodge and

1227 social halls, recreation centers, reception centers, live and motion picture theaters, video and
1228 film production studios, and athletic clubs.
1229 Restaurants, bakery, catering services, ice cream parlor, and cafes.
1230 Small stores and shops such as book, grocery, candy, office supply, clothing stores, computer
1231 stores, camera stores, shoe stores, furniture stores, sporting goods stores, small department
1232 stores, fabric and textile stores, pet stores, music stores, art supplies stores, appliance sales,
1233 hardware stores, locksmith, gift shops, floral shops, bicycle shops, hobby and craft shops, etc.
1234

1235 4. All commercial business enterprises in this LC-1 zone that are adjacent to, across the street
1236 from, or near to residential properties shall, so far as possible, face away from said residential
1237 properties and/or they may be required to install a visibility barrier (see SCMC 10-1-3,
1238 "Definitions") such as a fence, hedges, or trees between that business, other business, parks,
1239 schools, residences, or other such properties. (See SCMC 10-6D-6, "Location Requirements".)

1240 5. All commercial business enterprises in this LC-1 zone shall store no trash, supplies, or any other
1241 unsightly materials where it may be easily seen by the public and all containers must be of a
1242 size, type, and quantity approved by the planning and zoning commission.

1243 6. Commercial business enterprises may be required to provide off street parking for customers as
1244 well as landscaping of the same. (Ord. 2014-01, 5-15-2014)

1245 **10-6D-3 CONDITIONAL USES**

1246 The following buildings, structures, and uses of land shall be permitted upon compliance with the
1247 conditions and requirements as set forth in this title as well as any designated reviewing agencies. The
1248 planning and zoning commission shall review all conditional use proposals and shall approve,
1249 disapprove, or approve with conditions. Owner may appeal to the board of adjustment should he/she
1250 feel the planning and zoning commission was unfair. The following conditional uses shall not alter the
1251 residential character of the surrounding neighborhood or zones:

1252
1253 Any use of public right of way (sidewalks, streets, parks, etc.), in this or any other zone, for display of
1254 goods, vending of merchandise, advertising, or any other business activities, shall require a temporary
1255 use permit (see SCMC 10-1-3, "Definitions", and SCMC 10-8-2, "Temporary Uses") specifying the time
1256 limit, area to be used, and any other conditions the city council may deem appropriate to set. This
1257 clause shall apply to all residents of Spring City as well as any out of town business enterprises.
1258

1259 Apartments. Although it is not intended that this clause should permit apartment buildings in this or any
1260 other zone in the city, single apartment dwellings shall be allowed upon the following conditions:

1261 1. Apartments shall be limited to no more than one unit per commercial building and shall have no
1262 more than two (2) bedrooms per unit.

1263 2. Apartments shall generally be in the upper story of the building over the retail or commercial
1264 space and shall not occupy more than fifty percent (50%) of the structure.

1265 3. Where practical, entrances to said apartments shall be to the rear of the building or when
1266 unpractical may be to the street but shall be unobtrusive and inconspicuous.

- 1267 4. Apartments shall not be sold separate from the main commercial building.
- 1268 5. Tenant parking shall be off street to the rear of the building if possible.
- 1269 6. To facilitate parking and access to retail space and/or the apartment, owners/developers may
1270 be required to provide right of way to the rear of any such building.
- 1271 Automotive, motorcycle, snowmobiles, RVs, recreational trailers, ATVs, and boat sales and service
1272 establishments (for both new and used units) upon the following conditions:
- 1273 1. All repair services shall be kept within buildings.
- 1274 2. There shall be no exterior storage of parts or equipment visible from the street and visibility
1275 barriers (see SCMC 10-1-3, "Definitions") may be required to protect neighbors from unsightly
1276 storage.
- 1277 3. There shall be off street parking for customers.
- 1278 4. There shall be no more than four (4) "for sale" vehicles displayed exterior in front of the
1279 premises (off street) at any given time.
- 1280 5. No vehicles, or parts of the same, or equipment, shall be stored exterior around any part of the
1281 building or premises within sight of any street or neighboring business or residence.
- 1282 6. No auto repair work is allowed on public rights of way.
- 1283 Automotive parts and accessories supply shops.
- 1284
- 1285 Carpenter and cabinet shops provided such operations are small, entirely interior, and do not generate
1286 excessive noise, vibrations, dust, or other deleterious effects.
- 1287
- 1288 Churches. Upon feasibility and impact studies as well as review and approval of the planning and zoning
1289 commission, churches may be allowed in this zone.
- 1290
- 1291 Funeral homes conditioned upon a favorable majority response from neighboring residents.
- 1292
- 1293 Hardware stores provided all supplies and equipment are inside a building.
- 1294
- 1295 Hotels and bed and breakfasts per establishment upon the following conditions:
- 1296 1. There shall be a maximum of ten (10) units or bedrooms in this zone.
- 1297 2. Customer parking shall be off street and, where practical, to the rear of the structure.
- 1298 3. There must be a favorable response from neighboring residents.
- 1299 4. Must be in compliance with all appropriate agencies.
- 1300 Private schools such as drama, art, martial arts, dance, trade, and other upon the following conditions:
- 1301 1. Classes shall generally be held inside of a building.

- 1302 2. Customer parking shall be off street and to the rear of the structure if practical.
- 1303 Shipping services, pick up and deliveries shall be made to the rear or alley of the building whenever
1304 possible.
- 1305
- 1306 Sign manufacturing and painting provided the operations are entirely interior.
- 1307
- 1308 Transportation venues such as taxi, touring, ambulance, ~~horses drawn~~ horse drawn carriages and bus
1309 services upon the following conditions:
- 1310 1. Offices and depot services only. Maintenance and storage of vehicles and equipment must be
1311 located in an LI-1 zone.
- 1312 2. There shall not be an unusual amount of traffic typical of a light commercial zone, especially
1313 through or by residential properties.
- 1314 3. There must be a favorable response from most neighboring residents.
- 1315 Veterinary clinics. (Ord. 2010-05, 10-6-2010; amd. Ord. 2014-01, 5-15-2014)

1316 **10-6D-4 LOT AND DWELLING SIZE REQUIREMENTS**

1317 ~~All size requirements shall be subject to review and approval by the planning and zoning commission.~~

1318 1. All single-family residential properties within this zone shall meet the same requirements as the R-1
1319 zone, including the lot size, setbacks and dwelling size requirements, unless such properties have
1320 already been divided smaller as of the date hereof. (Ord. 2010-05, 10-6-2010)

1321 2. Lots in this zone may be divided and sold separately for commercial use only. The owner/developer
1322 shall provide for utility access to adjacent lots and meet any other development provisions and
1323 specifications required by code and reviewing agencies such as the Planning and Zoning Commission and
1324 the City Council. Lot splits shall be subject to the approval, in writing, of the majority of any adjacent
1325 residential property owners. Commercial lots in this zone shall generally be restricted to a minimum of
1326 approximately thirty-five feet (35') and a maximum of approximately two hundred fifteen feet (215'). All
1327 commercial enterprises shall be restricted to a minimum lot area one thousand two hundred (1200)
1328 square feet and a maximum of 1.06 acres.

1329 3. The main building size shall not be less than three hundred (300) square feet. The maximum building
1330 size shall not be limited except as may be dictated by off street parking requirements, proper site
1331 utilization, historic preservation and harmony with surrounding residences.

1332 4. Guesthouses shall be allowed in this zone and shall conform to the conditions set forth in this title
1333 (see SCMC 10-6A-3). (Ord. 2014-01, 5-15-2014)

1334 **10-6D-5 ACCESS REQUIREMENTS**

1335 Where possible and unless entirely unpractical, rights of way (alleys) shall be established behind the
1336 commercial lots through the center of the block where unsightly activities may take place such as
1337 garbage pick up, deliveries, owner parking, etc. Approaches to the same may be through the block or to

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1338 the side of the particular commercial structure as required by the planning and zoning commission.
1339 (Ord. 2010-05, 10-6-2010)

1340 **10-6D-6 LOCATION REQUIREMENTS**

1341 So as not to encroach upon the neighboring residential zones, all business establishments within this
1342 zone shall have their front, access, and/or main entrance oriented so as to face (as far as is possible) the
1343 Main Street or city center (Center and Main) and not the adjacent or bordering residential zones. All
1344 business structures shall have an approximate three foot (3') setback from the sidewalk. This will allow
1345 for porches, steps and railings, landscaping planters, awnings, canopies, and overhangs which may
1346 extend over the sidewalk. All such overhangs must be nine feet (9') off the ground. Supports for such
1347 porches, steps and railings, planters, and overhangs may have zero setback from the sidewalk but must
1348 not present a hazard to foot traffic. A feasible well considered proposal for all such items must be
1349 submitted to the planning and zoning commission for review and approval. Rear and side setbacks from
1350 property lines shall be approved by the planning and zoning commission based upon need for vehicle
1351 accesses, utilities accesses, or other such requirements. (Ord. 2010-05, 10-6-2010) [All businesses must](#)
1352 [be ADA compliant and shall comply with State safety requirements.](#)

1353

1354 **10-6D-7 ACCESSORY STRUCTURES**

1355 Plans for and placement of accessory structures shall be submitted to the planning and zoning
1356 commission for review and approval as per the conditions and specifications of this title. (Ord. 2010-05,
1357 10-6-2010)

1358 **10-6D-8 HEIGHT OF BUILDINGS**

1359 Shall be limited to two (2) normal, approximately twelve feet (12'), stories and a usable attic. No
1360 structure shall be over forty five feet (45') high. (Ord. 2010-05, 10-6-2010)

1361 **10-6D-9 UTILITIES AND FACILITIES REQUIREMENTS**

1362 Some types of commercial enterprises such as restaurants, theaters, and some stores may be required
1363 to provide toilet facilities for their customers. All commercial establishments shall have such facilities for
1364 their employees. All buildings shall meet current building codes of the state and county for electrical,
1365 plumbing, and heating upon building, restoration, and/or renovation. All buildings in this zone must be
1366 connected to the city sewer. All other utilities, including garbage disposal, shall be provided for by the
1367 owner/developer in accordance with the specifications in SCMC 11-3-1. (Ord. 2010-05, 10-6-2010)

1368 **10-6D-10 SIGNAGE AND LIGHTING**

1369 Sign regulations are intended to provide standards for the installation of signs in a manner that will
1370 promote the general welfare of the community. This shall be accomplished by encouraging good,
1371 harmonious design and by establishing appropriate size and location requirements. Such signs shall
1372 allow businesses to identify themselves and the goods and/or services they offer. Signs in the LC-1 zone
1373 shall relate to the business conducted on the property and shall be subject to the following
1374 requirements:

- 1375 1. No business establishment shall have more than three (3) signs facing any street and the total
1376 area for all signs shall not exceed fifteen percent (15%) of the area of the face of the building to
1377 which they are attached or displayed.
- 1378 2. Signs may be placed directly on the building either parallel to the building or hanging
1379 perpendicular to the building. If hanging perpendicular over the sidewalk or public property,
1380 there must be a minimum of nine feet (9') from the lowest point of the sign to the ground.
- 1381 3. Signs attached to a building shall extend no more than three inches (3") from the face of the
1382 building unless the bottom of such sign is over eight feet (8') from ground level in which case it
1383 may extend up to fifteen inches (15") from the face of the building.
- 1384 4. If the sign is to be placed totally within the business property, a sign may be placed either
1385 parallel to or perpendicular to the building face hanging on either a single or double pylon type
1386 base. Pylons may not be larger than six inches (6") in diameter. Signs must be high enough not
1387 to cause visual obstruction for motor vehicle operation.
- 1388 5. If the sign is to be placed hanging over the public sidewalk, a single pylon must be used, placed
1389 on property of the business, and sign must hang a minimum of nine feet (9') from the lowest
1390 point of the sign to the ground.
- 1391 6. On buildings with porches or overhangs, the sign may be attached to the face thereof, or hang
1392 under, or be atop the overhang but shall not extend beyond the overhang. The overhang must
1393 be a minimum of nine feet (9') from the ground level where over the sidewalk and a minimum of
1394 eight feet (8') from ground level over the three foot (3') setback.
- 1395 7. The maximum width of any single sign shall not exceed ninety percent (90%) of the width of the
1396 wall to which the sign is attached or displayed.
- 1397 8. Freestanding or pylon signs are permitted if the building to which it relates is located more than
1398 fifteen feet (15') from the three foot (3') setback line. Such signs must be located behind the
1399 setback line and shall not exceed one square foot for each foot of building setback to a
1400 maximum of fifteen (15) square feet. Such signs shall not exceed five feet (5') in height if located
1401 on the ground and shall be at least five feet (5') and not more than ten feet (10') high if on
1402 pylons.
- 1403 9. Signs may be lighted only by a minimal of light and no sign shall be lighted by garish or brassy
1404 colored or flashing or intermittent illumination nor shall there be any lighting on any building
1405 which flashes or blinks so as to attract attention thereto. All lighting shall be subtle, diffused, or
1406 translucent (when within the sign) or completely shielded from view of vehicular traffic using
1407 the roadways which abut such business properties. Lighting must prevent light pollution.
1408 Lighting must not be excessive or obtrusive to the night vision of stars.
- 1409 10. Gasoline stations and similar automobile service or sales business may display the following
1410 signs which are deemed customary and necessary to their respective businesses: one
1411 freestanding or pylon sign not exceeding fifty four (54) square feet in area on each side; two (2)
1412 temporary signs not to exceed nine (9) square feet in area and shall be located inside the
1413 servicing area; small directional signs or lettering displayed over individual entrance doors or

1414 bays; customary lettering insignias which are a structural part of the gasoline pump, and a non-
1415 illuminated credit card sign.

1416 11. Plans for and placement of signboards or billboards shall be [reviewed by the historic](#)
1417 [preservation subcommittee](#) and submitted to the planning and zoning commission for review
1418 and approval as per the conditions and specifications of this title.

1419 12. All signs in this zone shall be erected in conformance with the sign provisions of the uniform
1420 building code.

1421 13. A temporary pennant, flag, or banner on business properties may be permitted without a permit
1422 in this zone for a period of not more than twenty (20) days within any three (3) month period.
1423 Such pennants, flags, or banners shall not be more than fifteen percent (15%) in area of the face
1424 of the building upon which they are displayed and must be kept in good repair.

1425 14. Club, school, and organizational banners may be draped across the roadway by permit of the
1426 city.

1427 15. Exterior lighting to light the premises or entryways shall be minimal, subtle, and diffused and
1428 shall not be garish or brassy nor shall there be any lighting on any building which flashes or
1429 blinks so as to attract attention thereto. The source thereof shall be shielded from view of
1430 vehicular traffic using the roadways which abut such business properties and neighboring
1431 establishments. Lighting must prevent light pollution. Lighting must not be excessive or
1432 obtrusive to the night vision of stars. Owner may obtain from the city offices, a temporary
1433 permit to employ search type lights or other obtrusive lighting for "grand openings" and special
1434 events to advertise the same for not more than three (3) consecutive nights and no more than
1435 three (3) events in any ninety (90) day period. (Ord. 2014-01, 5-15-2014)

1436 [10-6D-11 LANDSCAPING](#)

1437 An adequate landscape proposal shall be presented by the owner/developer to the planning and zoning
1438 commission for review and approval before construction or expansion of any commercial establishment.
1439 The planning and zoning commission may require visibility barriers where deemed desirable to maintain
1440 the character of a nearby single-dwelling residential neighborhood or residence. (Ord. 2010-05, 10-6-
1441 2010)

1442 [10-6D-12 HISTORIC DISTRICT](#)

1443 Should any property in this zone fall within the historic district, before obtaining a building permit,
1444 owners/developers are required to meet with the historic preservation subcommittee with their plans
1445 to discuss the same and to obtain advice and information relative to historic guidelines that may relate
1446 to their project as well as possible historic grants. It is advisable that owners/developers meet with this
1447 subcommittee as early as possible in the initial planning stages of their project as any desired changes to
1448 save money, obtain grants, enhance historic preservation, or improve historically compatible styles may
1449 be more difficult in latter stages. Since this subcommittee is advisory only, they have no authority to
1450 approve or disapprove owners'/developers' plans but owners/developers must obtain a certificate of
1451 review slip from them to proceed through the permit to build process (see SCMC 2-1 and SCMC 10-6
1452 article H, "HD Historic District"). (Ord. 2010-05, 10-6-2010)

1453 [ARTICLE E LI-1 LIGHT INDUSTRIAL ZONE](#)

1454 [10-6E-1 PURPOSE AND INTENT](#)

1455 [10-6E-2 PERMITTED USES](#)

1456 [10-6E-3 CONDITIONAL USES](#)

1457 [10-6E-4 ACCESS REQUIREMENTS](#)

1458 [10-6E-5 LOT AND DWELLING SIZE REQUIREMENTS](#)

1459 [10-6E-6 LOCATION REQUIREMENTS](#)

1460 [10-6E-7 ACCESSORY STRUCTURES](#)

1461 [10-6E-8 HEIGHT OF BUILDINGS](#)

1462 [10-6E-9 UTILITIES AND FACILITIES REQUIREMENTS](#)

1463 [10-6E-10 SIGNAGE](#)

1464 [10-6E-11 LANDSCAPING](#)

1465

1466 [10-6E-1 PURPOSE AND INTENT](#)

1467 The LI-1 zone in Spring City is hereafter designated as the light industrial zone. The objective in
1468 establishing the LI-1 zone is to provide a choice of sites within or near the city where light
1469 manufacturing, processing, warehousing, fabrication of goods and materials, construction companies,
1470 and other business enterprises not suitable for LC-1 or R-1 home businesses can be located. A
1471 commercial business license is required to operate a business within this zone. (Note: At the date of this
1472 writing, there is no proposed LI-1 zone as an appropriate area(s) is presently under study by the planning
1473 and zoning commission however, the specifications of the same are herein put forth.) Retail businesses
1474 may be located in this zone especially if such retail is incidental to the manufacturing or fabrication
1475 process. Any such business enterprises shall be under conditions to limit the generation of noise,
1476 vibration, smoke, odor, dust, fumes or hazardous conditions or situations. This zone is intended to
1477 promote the economic well being of the people and broaden the economic base of Spring City. It is not
1478 intended to be a heavy industrial zone (characterized by large nationally syndicated or franchised
1479 corporations) as it is the majority opinion of the citizens that large manufacturing and industrial
1480 endeavors within or near the city are not in keeping with the personality of the small community they
1481 wish to promote. This zone is characterized by a mixture of light industrial businesses that have in
1482 themselves a high degree of traffic and some exterior storage. Such businesses shall be located near a
1483 major transportation route so as not to traffic residential zones. This zone shall be located in an area
1484 where there will be a minimum conflict or deleterious effect on surrounding zones. To beautify the area,
1485 an abundance of visibility barriers such as fences and/or landscaping (trees, etc.) and maintenance of
1486 the same, to hide any unsightly storage of vehicles, equipment, and products, shall be required. This
1487 zone shall not be allowed within the historic district.

1488

1489 Some of the territory designated may consist of open land intended for future light industrial
1490 development. Accordingly, some of the territory will be used for agriculture or other open land uses
1491 until its industrial potential is realized. Residential and retail commercial developments and other
1492 activities which would be inconsistent with the use of the land for industrial purposes may be permitted
1493 in this zone but owners/developers shall be aware of the future impact when its latent industrial intent
1494 is accomplished. Any use for residential purposes shall follow all conditions and specifications set forth
1495 in an R-1 zone. (Ord. 2005-10, 9-8-2005)

1496 [10-6E-2 PERMITTED USES](#)

1497 The following buildings, structures and uses of land shall be permitted upon compliance with the
1498 standards and requirements set forth in this title as well as the accepted building codes. All activities
1499 shall be conducted in a manner that will not be deleterious to any neighboring business or bordering or
1500 adjacent zone use. All businesses in this zone shall not be overly large in size or scope and shall be in
1501 keeping with the small rural community the citizens of Spring City wish to promote. Heavy industrial
1502 ventures such as metal and other materials recycling plants, crematoriums, chemical processing plants,
1503 automotive or other equipment dismantling or recycling (junkyards), large foundries, or any other
1504 business enterprises that, by their nature, may grow into a heavy industrial use shall not be permitted in
1505 this zone. Further, this zone shall not allow any venture that generates an excessive amount of noise,
1506 vibration, smoke, odor, dust, fumes (such as processing or manufacturing dealing with large amounts of
1507 fiberglass and resins) which may be easily discernible beyond the limits of the zone boundary or any use
1508 which may conceivably produce a hazard to life or property, pollute the environment, or adversely
1509 affect adjacent conforming uses. The following business ventures or the like are permitted:

- 1510 Agricultural equipment and supply houses.
- 1511 Archery shop and range provided it is completely interior.
- 1512 Athletic club.
- 1513 Automotive and equipment body and motor repair shops.
- 1514 Automotive parts and accessories supply houses.
- 1515 Car wash.
- 1516 Carpenter and cabinet shop.
- 1517 Carpet and upholstery sales and service shops.
- 1518 Construction supplies, lumber, and materials (store and yards).
- 1519 Construction type contractors and trade companies (offices and yards).
- 1520 Creamery or butcher shop.
- 1521 Greenhouse and nursery.
- 1522 Gunsmith.
- 1523 Heating and air conditioning contractors (offices and yards).
- 1524 Icehouse.
- 1525 Landscape companies (offices and yards).
- 1526 Large appliance sales and repair shops.
- 1527 Lumberyards and hardware stores.
- 1528 Machine and fabrication shops.
- 1529 Monument manufacturing and sales.
- 1530 Recreational trailer sales (office and service shop).
- 1531 Riding stables or academies.
- 1532 Self-storage units.
- 1533 Single-family dwellings of conventional construction and manufactured housing, not mobile homes (see
1534 definition of "mobile home" in SCMC 10-6 article B, "R-3 Mobile Home Park Residential Zone"). All
1535 provisions and specifications of R-1 shall apply to any single-family dwelling in this zone.
- 1536 The light manufacturing, processing, fabrication, and warehousing of goods and materials.
- 1537 Trucking terminals.
- 1538 Vehicle, maintenance, and equipment shops and yards for transportation companies.

- 1539 Veterinary clinics (for small and large animals).
1540 Welding services shops, equipment and supply houses.
1541 (Ord. 2005-10, 9-8-2005; amd. Ord. 2014-01, 5-15-2014)
- 1542 **10-6E-3 CONDITIONAL USES**
- 1543 The following buildings, structures, and uses of land shall be permitted upon compliance with the
1544 standards and requirements as set forth in this title as well as the accepted building codes and
1545 designated reviewing agencies:
- 1546 Guesthouses, apartments, and bed and breakfasts shall not be allowed in this zone.
1547 Manufactured housing sales offices and show yard provided no more than four (4) units are on display
1548 at any given time.
1549 Paint shops conditioned upon compliance with state mandates including, but not limited to, paint
1550 booths with fume extractors.
1551 Trucking and heavy equipment (offices and yards) provided no more than twenty (20) vehicles are
1552 stored at any given time. (Ord. 2005-10, 9-8-2005)
- 1553 **10-6E-4 ACCESS REQUIREMENTS**
- 1554 Owners/developers of any industrial property or complex shall provide and maintain driveways, inner
1555 park roads, parking lots, and inner access rights of way to its divided lots as well as adjacent lots. Such
1556 driveways, parking lots, and inner roads shall allow the structures to be built facing away from any other
1557 zones (see SCMC 10-6E-6, "Location Requirements") and give place for landscaping (see landscaping
1558 requirements in SCMC 10-6E-11). (Ord. 2005-10, 9-8-2005)
- 1559 **10-6E-5 LOT AND DWELLING SIZE REQUIREMENTS**
- 1560 All business enterprises shall be restricted to a minimum lot area of one thousand (1,000) square feet
1561 and a maximum of 2.12 acres. Lots may be divided and sold separately for light industrial use only but
1562 the owner/developer shall provide for utility access to adjacent lots and meet any other development
1563 provisions and specifications required by code and reviewing agencies such as the planning and zoning
1564 commission, and/or the city council. (Ord. 2005-10, 9-8-2005)
- 1565 **10-6E-6 LOCATION REQUIREMENTS**
- 1566 So as not to encroach upon the neighboring residential zones, all business establishments within this
1567 zone shall have their front, access, and/or main entrance oriented so as to face away from any adjacent
1568 or bordering residential zone. All structures shall be set back a minimum of ten feet (10') from any
1569 street, fifty feet (50') from any abutting residential zone, one hundred feet (100') from any existing
1570 residential structure, and ten feet (10') from any other business lot. Multiple-unit industrial warehouse
1571 parks and complexes may have a maximum of five (5) units sharing common walls with an average unit
1572 size of not more than approximately one thousand eight hundred (1,800) square feet (not including
1573 yards) and shall have the same setbacks. Other setbacks may be required by the planning and zoning
1574 commission for vehicular accesses, utility accesses, or other such purpose. (Ord. 2005-10, 9-8-2005)
- 1575 **10-6E-7 ACCESSORY STRUCTURES**
- 1576 Any accessory structures shall have the same setback requirements. (Ord. 2005-10, 9-8-2005)

1577 **10-6E-8 HEIGHT OF BUILDINGS**

1578 Buildings shall be limited to two (2) normal (approximately 12 feet) stories and a usable attic to a
1579 maximum of forty five feet (45') high. (Ord. 2005-10, 9-8-2005)

1580 **10-6E-9 UTILITIES AND FACILITIES REQUIREMENTS**

1581 All buildings in this zone must be connected to the city sewer. All other utilities, including garbage
1582 disposal, shall be provided for by the owner/developer in accordance with the specifications in SCMC
1583 11-3-1. The owner/developer shall provide all utilities to his/her own lot as well as access to those
1584 utilities to adjacent lots (where appropriate) and meet any other development provisions and
1585 specifications required by code, the planning and zoning commission reviewing process, and/or the city.
1586 Some business ventures may be required to provide toilet facilities for their customers. All commercial
1587 establishments shall have such facilities for their employees. All buildings shall have adequate electrical,
1588 plumbing, and heating upon building, restoration, and/or renovation. All units are required, at residents'
1589 expense, to have garbage collection services. (Ord. 2005-10, 9-8-2005)

1590 **10-6E-10 SIGNAGE**

1591 Signs in this LI-1 zone shall relate to the business conducted on the property and shall be subject to the
1592 following requirements:

- 1593 1. No business establishment shall have any signs that may be easily viewed from any residential
1594 zone or street. There shall be no more than two (2) signs to the front of the business
1595 establishment and the total area for both signs shall not exceed fifteen percent (15%) of the
1596 area of the face of the building to which they are related.
- 1597 2. All signs attached to a building shall be flat signs and must be parallel to the face of the building
1598 wall.
- 1599 3. Signs attached to a building shall extend no more than three inches (3") from the face of the
1600 building unless the bottom of such sign is over eight feet (8') from ground level in which case it
1601 may extend up to fifteen inches (15") from the face of the building.
- 1602 4. The maximum width of any single sign shall not exceed ninety percent (90%) of the width of the
1603 wall to which the sign is attached or displayed.
- 1604 5. One of the two (2) allowed signs to the front of the building may be a freestanding or pylon sign
1605 and shall be located no more than fifteen feet (15') from the building to which it relates. Such
1606 signs shall not exceed five feet (5') in height if located on the ground and shall be at least five
1607 feet (5') and not more than ten feet (10') high if on pylons.
- 1608 6. No sign in this zone may be easily seen from any residential zone.
- 1609 7. No sign shall be lighted by garish or brassy colored or flashing or intermittent illumination nor
1610 shall there be any lighting on any building which flashes or blinks so as to attract attention
1611 thereto. All lighting shall be subtle, diffused, or translucent (when within the sign) or completely
1612 shielded from view of vehicular traffic using the roadways which abut such business properties.

- 1613 8. Small nonilluminated directional signs or lettering displayed over individual entrance doors or
1614 bays, instructional signs unique to some businesses, and credit card signs are allowed. (Ord.
1615 2005-10, 9-8-2005)
- 1616 9. Plans for and placement of signboards shall be submitted to the planning and zoning
1617 commission for review and approval as per the conditions and specifications of this title. (Ord.
1618 2014-01, 5-15-2014)
- 1619 10. A temporary pennant, flag, or banner on business properties may be permitted without a permit
1620 in this zone for a period of not more than twenty (20) days within any three (3) month period.
1621 Such pennants, flags, or banners shall not be more than fifteen percent (15%) in area of the face
1622 of the building upon which they are displayed and must be kept in good repair. (Ord. 2005-10, 9-
1623 8-2005)

1624 **10-6E-11 LANDSCAPING**

1625 An adequate landscape proposal shall be presented by the owner/developer to the planning and zoning
1626 commission for review and approval before construction or expansion of any commercial establishment.
1627 The planning and zoning commission may require visibility barriers where deemed desirable to maintain
1628 the character of nearby single dwelling residential neighborhood or residence. (Ord. 2005-10, 9-8-2005)
1629

1630 **ARTICLE F PF-1 PUBLIC FACILITIES ZONE**

1631 **10-6F-1 PURPOSE AND INTENT**

1632 **10-6F-2 PERMITTED USES**

1633 **10-6F-3 CONDITIONAL USES**

1634 **10-6F-4 LOT AND STRUCTURE SIZE REQUIREMENTS**

1635 **10-6F-5 ACCESS REQUIREMENTS**

1636 **10-6F-6 LOCATION REQUIREMENTS**

1637 **10-6F-7 LANDSCAPING**

1638 **10-6F-8 FENCING**

1639 **10-6F-9 HISTORIC DISTRICT**

1640

1641 **10-6F-1 PURPOSE AND INTENT**

1642 The PF-1 zone in Spring City is hereafter designated as the public facilities zone. The objective in
1643 establishing the PF-1 zone is to provide areas for the location and establishment of facilities which are
1644 maintained in public and quasi-public ownership and which utilizes relatively larger areas of land.
1645 Although churches and other like structures and grounds are privately owned, their use is generally so
1646 public that they are included in this zone and on the zoning map. This zone is intended to provide
1647 immediate recognition of such areas upon the official zoning map and to reduce the effect which such
1648 location of these facilities may have upon zoning in residential or commercial areas. Though some of
1649 these uses will be allowed in other zones to initially accommodate public facilities in appropriate areas
1650 without undue difficulty, it is intended that the PF-1 zone would then be applied to all such facilities for
1651 ease of recognition and accurate statistical indexing. This zone is characterized by proper landscaping
1652 around public facilities and/or visibility and sound barriers (such as fences, trees, or shrubbery) where

1653 facilities are not indigenous to the area or surrounding zones. Where practical, any such visibility and
1654 sound barriers shall have a historically compatible facade. (Ord. 2005-11, 9-8-2005)

1655 **10-6F-2 PERMITTED USES**

1656 Typical uses permitted in the PF-1 zone are:

1657

1658 City shops and yard areas.

1659 Government buildings and yards (all materials and equipment must be stored in buildings if within 300
1660 feet of any residence in an R-1 zone).

1661 Public parks (including swimming pools and recreation areas).

1662 Public schools.

1663 Public utilities facilities.

1664 Social centers.

1665 The setbacks for these permitted uses shall be normal and reasonable for the particular facility in
1666 question. There are no hospitals, airfields, rodeos, or racetracks presently approved in this or any other
1667 zone of Spring City. (Ord. 2005-11, 9-8-2005)

1668 **10-6F-3 CONDITIONAL USES**

1669 The planning and zoning commission shall review all conditional use proposals and shall approve,
1670 disapprove, or approve with conditions and owner/developer may appeal to the board of adjustment
1671 should he/she feel the planning and zoning commission was unfair. No conditional use shall alter the
1672 character of the surrounding neighborhood or zones.

1673

1674 Caretaker, watchman, and/or other similar employee residences as well as guesthouses and apartments
1675 may be permitted in this zone in accordance with all conditions set by the planning and zoning
1676 commission (see SCMC 10-6A-3 and SCMC 10-6D-3).

1677 Churches, hospitals, airfields, rodeos, racetracks, or other like uses may be permitted in or near the city
1678 after feasibility, environmental, social, other impact studies and the conditions raised and set as a result
1679 of such studies are met.

1680 Temporary construction and like offices and buildings (not more than 30 days past completion of
1681 construction). (Ord. 2005-11, 9-8-2005)

1682 **10-6F-4 LOT AND STRUCTURE SIZE REQUIREMENTS**

1683 Lot sizes shall vary widely depending upon the area required by the particular facilities on the premises.
1684 The buildings shall not be of a size or style that is obtrusive or incongruent with the abutting zones. All
1685 buildings and yards must be properly maintained. The height of all structures shall be limited to two (2)
1686 normal (approximately 12 feet) stories and a usable attic to a maximum of forty five feet (45') high. (Ord.
1687 2005-11, 9-8-2005)

1688 **10-6F-5 ACCESS REQUIREMENTS**

1689 Vehicular, utility, and other accesses may be permitted or required as the facility dictates. (Ord. 2005-
1690 11, 9-8-2005)

1691 **10-6F-6 LOCATION REQUIREMENTS**

1692 Setbacks shall vary according to the approximation and compatibility of the facility with its surrounding
1693 zones. (Ord. 2005-11, 9-8-2005)

1694 [10-6F-7 LANDSCAPING](#)

1695 An adequate landscape proposal shall be presented by the city before construction or expansion of any
1696 utilities area. Visibility barriers shall be employed where deemed desirable to maintain the character of
1697 nearby single dwelling residential neighborhood or residence. (Ord. 2005-11, 9-8-2005)

1698 [10-6F-8 FENCING](#)

1699 For security and safety reasons all properties with buildings or equipment storage shall be fenced.
1700 Although chainlink type fences are most practical for public utilities and facilities, where possible, use of
1701 the same should be kept to a minimum and then covered or disguised by shrubs or some other
1702 landscape foliage so as to be in keeping with the historic motif of the city. Except where motor traffic
1703 vision requirements restrict (such as corner locations), visibility barriers should be employed. (Ord.
1704 2005-11, 9-8-2005)

1705 [10-6F-9 HISTORIC DISTRICT](#)

1706 Should any property in this zone fall within the historic district city officials are required, before building,
1707 to meet with the historic preservation subcommittee with their plans to discuss the same and to obtain
1708 advice and information relative to historic guidelines that may relate to the project as well as possible
1709 historic grants. It is advisable that owners/developers meet with this subcommittee as early as possible
1710 in the initial planning stages of their project as any desired changes to save money, obtain grants,
1711 enhance historic preservation, or improve historically compatible styles may be more difficult in latter
1712 stages. Since this subcommittee is advisory only, they have no authority to approve or disapprove plans
1713 but city officials must obtain a certificate of review slip from them to proceed through the building
1714 process (see SCMC 2-1 and SCMC 10-6 article H). (Ord. 2005-11, 9-8-2005)

1715 [ARTICLE G RVP-1 RECREATIONAL VEHICLE PARK ZONE](#)

1716 [10-6G-1 PURPOSE AND INTENT](#)

1717 [10-6G-2 PERMITTED USES](#)

1718 [10-6G-3 CONDITIONAL USES](#)

1719 [10-6G-4 ACCESS REQUIREMENTS AND PARKING](#)

1720 [10-6G-5 LOCATION REQUIREMENTS](#)

1721 [10-6G-6 LOT AND SPACE SIZE REQUIREMENTS](#)

1722 [10-6G-7 ACCESSORY STRUCTURES](#)

1723 [10-6G-8 HEIGHT OF BUILDINGS](#)

1724 [10-6G-9 UTILITY REQUIREMENTS](#)

1725 [10-6G-10 GUARANTEES](#)

1726 [10-6G-11 LICENSES](#)

1727

1728 [10-6G-1 PURPOSE AND INTENT](#)

1729 The RVP-1 zone in Spring City is hereafter designated as the recreational vehicle park zone. A
1730 commercial business license is required to operate a business within this zone. (Note: At the date of this

1731 writing, there is no proposed RVP-1 zone however, the specifications of the same are herein put forth.)
1732 This provision is not intended to permit a mobile home permanent residential park. Such residents have
1733 their own zone (see SCMC 10-6 article B, "R-3 Mobile Home Park Residential Zone"). Although a
1734 recreational vehicle (RV) may take many forms (snowmobile, off road vehicles, watercraft, etc.) for the
1735 purposes of this zone and unless otherwise stated, "RVs" shall be defined as camper type trailers, motor
1736 homes, truck borne campers, or the like. This zone shall be characterized by clean, well kept recreational
1737 vehicle lots accompanied by adequate landscaping, attractive inner access roadways, and appealing
1738 accessory structures. This zone shall not be allowed within the historic district. (Ord. 2005-12, 9-8-2005)

1739 **10-6G-2 PERMITTED USES**

1740 Multiple recreational vehicle (RV) lots with provided utilities according to the provision specified herein.

- 1741 1. Lot Quantity: Without prior review and approval of the planning and zoning commission, no RV
1742 park shall have more than sixty (60) units (spaces) for rent for short term parking of RVs.
- 1743 2. Time Limit: Without prior review and approval of the planning and zoning commission,
1744 (excepting storage below) no RV shall be permitted to stay in any RV park longer than thirty (30)
1745 days within any consecutive ninety (90) day period.
- 1746 3. Storage: RVs of all types may be stored in RV parks in accordance with the following provisions:
1747
- 1748 1. Not more than ten (10) such vehicles may be stored exterior and must be stored out of
1749 view of the public in a place separate from those RVs used for short term camping.
1750 Visibility barriers may be required for such storage place.
- 1751 2. No such stored vehicle may be used for living purposes, short term or otherwise.
- 1752 3. No such vehicle may be parked on a public right of way except for temporary purposes
1753 such as loading and unloading and in no event for more than twenty four (24) hours.
- 1754 4. Such vehicle may not be stored closer than five feet (5') from any residence or other
1755 building.
- 1756 5. RVs may be displayed for sale only in accordance with existing commercial conditions
1757 (see LC-1 zone).
- 1758 4. Separate Sale: No lot or lots shall be sold separately.
- 1759 5. Flood Zone: RV parks may not be located within a flood zone.
- 1760 6. Development: Development of any RV park shall be entirely at the expense of the
1761 owner/developer and in general, and where practical, shall be treated by the city in accordance
1762 with the subdivision regulations of this code (see SCMC Title 11, "Subdivision Regulations").
- 1763 7. Tent Area: The owner/developer shall provide a grassy area not to exceed twenty percent (20%)
1764 of the total park area for short term tent camping which area may provide picnic tables and fire
1765 pits or like accommodations (note: all open fires must be in accordance with the open fire laws
1766 of the city, county, and state). (Ord. 2005-12, 9-8-2005)

1767 [10-6G-3 CONDITIONAL USES](#)

1768 Dump station. A sewer dump station may be made available by the park owner for public use but extra
1769 sewer fees and/or other conditions may be levied by the city council.

1770
1771 Guesthouses and B&Bs. Guesthouses and bed and breakfasts shall be allowed in this zone upon the
1772 conditions and specifications set for the same in this chapter (see SCMC 10-6A-3) but no apartments
1773 shall be allowed in this zone.

1774
1775 Home business. A home business in the conventionally constructed single residence in accordance with
1776 this title (see SCMC 3-1-13, "Home Businesses").

1777
1778 Manager residence. A single residence of conventional construction or manufactured housing (not
1779 mobile home) for the owner/manager/caretaker of the park may be constructed on the park grounds in
1780 accordance with the specifications of the R-1 zone (with the exception of the lot size restriction). Such
1781 residence shall be constructed in the park on a lot no smaller than one-fourth (1/4) acre. The conditional
1782 uses in the R-1 zone shall not be allowed in this zone.

1783
1784 Other commercial businesses. Upon review and approval of the planning and zoning commission, some
1785 other commercial businesses such as small stores, restaurants, recreational enterprises, and the like
1786 may be allowed in this zone so long as they are directly related to the park and do not detract or change
1787 the intent of the zone. (Ord. 2005-12, 9-8-2005)

1788 [10-6G-4 ACCESS REQUIREMENTS AND PARKING](#)

1789 All entrances and exits of an RV park shall be by forward motion only, shall not be through a residential
1790 zone, and shall not be closer than thirty feet (30') to an intersection. All inner park one-way roadways
1791 shall be at least twelve feet (12') in width, and all two-way roads at least twenty feet (20') in width, and
1792 all roadways shall be hard surfaced. No RV lot shall have access directly to any public road. The
1793 owner/developer shall provide adequate off street parking for its customers and staff. (Ord. 2005-12, 9-
1794 8-2005)

1795 [10-6G-5 LOCATION REQUIREMENTS](#)

1796 RV parks must generally be located adjacent to or in close proximity to a major traffic artery or highway.
1797 All vehicle spaces or pads shall be set back from property lines and roadways and inner access roadways
1798 at least twenty feet (20'). Off street and off inner access roadway parking spaces shall be provided for
1799 visitors at the rate of one such space for each five (5) RV lots in the recreational vehicle park. All such
1800 parking spaces shall have a minimum width of ten feet (10') and a minimum length of twenty feet (20')
1801 and may be grouped in appropriate locations. Storm drainage facilities shall be constructed to protect
1802 those who will reside in the park as well as adjacent property owners by ensuring rapid drainage and
1803 preventing accumulation of pools of water. (Ord. 2014-01, 5-15-2014)

1804 [10-6G-6 LOT AND SPACE SIZE REQUIREMENTS](#)

1805 Areas within the park shall be used according to the following:

- 1806 1. All areas within the park which are not hard surfaced, including the twenty foot (20') setback
1807 space, shall be landscaped (maintained and watered with sprinkling devices) with lawns, trees,
1808 and shrubs designed to provide privacy, noise containment, and beautification.
- 1809 2. The number of vehicle spaces shall be limited to twenty (20) units per acre. Without review and
1810 approval by the planning and zoning commission the total allotted spaces shall not exceed sixty
1811 (60).
- 1812 3. The spaces may be clustered, provided that the total number of units does not exceed the
1813 number permitted on one acre, multiplied by the number of acres in the development.
- 1814 4. The remaining land not contained in individual vehicle spaces, roads, or parking shall be set
1815 aside and developed as park, playground, or service areas for the common use and enjoyment
1816 of occupants of the park and visitors thereto.
- 1817 5. Each vehicle space shall be at least twenty feet (20') in width and at least thirty feet (30') in
1818 length for spaces planned to have the RV and towing vehicle parked side by side, and at least
1819 fifteen feet (15') in width and at least forty five feet (45') in length for spaces planned as drive-
1820 through spaces in which the towing vehicle parks in front of the RV vehicle. Drive-through
1821 spaces are recommended whenever the size and shape of the property permits this design.
1822 (Ord. 2005-12, 9-8-2005)

1823 **10-6G-7 ACCESSORY STRUCTURES**

1824 Service buildings and community centers shall be in compliance with all building codes. All service
1825 buildings shall not total more than approximately fifteen percent (15%) of the park's area and shall be
1826 compatible with the surrounding zones. Though not a requirement, it is recommended that the overall
1827 design of the park be in keeping with the historic old Mormon village motif of Spring City. All storage and
1828 solid waste receptacles must be housed in a closed structure compatible in design and construction to
1829 the character of the park's other structures. Storage structures shall not be provided for customers but
1830 be for owner use only. (Ord. 2005-12, 9-8-2005)

1831 **10-6G-8 HEIGHT OF BUILDINGS**

1832 No buildings or structures within the RV park shall be more than two (2) stories and a usable attic or
1833 forty five feet (45') high. (Ord. 2005-12, 9-8-2005)

1834 **10-6G-9 UTILITY REQUIREMENTS**

1835 Every RV park shall provide utility service consisting of connections for water, sewer, and electricity. All
1836 utility connections shall be located underground. All RV parks shall be connected to the city's sewer
1837 system, including any dump stations. All complexes are required, at owner's expense, to have adequate
1838 garbage collection services. (Ord. 2005-12, 9-8-2005)

1839 **10-6G-10 GUARANTEES**

1840 All developers of RV parks shall provide adequate and reasonable guarantees as determined by the
1841 planning and zoning commission for permanent retention of open space and for the continued
1842 maintenance of roadways, structures, facilities, and landscaping as set forth herein. (Ord. 2005-12, 9-8-
1843 2005)

1844 [10-6G-11 LICENSES](#)

1845 As with all other commercial business licenses in the city, the license to operate any RV park must be
1846 renewed each year. (Ord. 2005-12, 9-8-2005)

1847 [ARTICLE H HD HISTORIC DISTRICT](#)

1848 [10-6H-1 PURPOSE AND INTENT](#)

1849 [10-6H-2 PROPERTY OWNER REQUIREMENTS](#)

1850 [10-6H-3 GUIDELINES](#)

1851 [10-6H-4 GRANTS AND TAX CREDITS](#)

1852 [10-6H-5 NONAPPLICABLE ELEMENTS](#)

1853

1854 [10-6H-1 PURPOSE AND INTENT](#)

1855 The historic district in Spring City is hereby located on the Main Street extending halfway through each
1856 block east to west and from 5th Street North to 5th Street South. This district is not a usage zone but an
1857 "overlay" of whatever usage zone may fall within. It is generally overseen by the historic preservation
1858 subcommittee which is a subcommittee of the planning and zoning commission, formerly known as the
1859 historical preservation commission and Main Street subcommittee. This subcommittee is an advisory
1860 committee relative to matters of historic preservation within the community (see SCMC 2-2). The
1861 objective in establishing the historic district is to preserve and rebuild the center of Spring City's unique
1862 architectural heritage and to set uniform guidelines for new construction, restoration, and renovation of
1863 historic structures on the Main Street.

1864

1865 Because the historic old agricultural Mormon village atmosphere and preservation of the historic Main
1866 Street is desired by the majority of residents of Spring City (see results of April 2002 public opinion
1867 survey attached as appendix A and results of Spring City historic district survey attached as appendix B
1868 to ordinance 2005-13) these aesthetic features of the Main Street take on an economic value for the
1869 residents and property owners of Spring City. It is, therefore, in the best interest and general welfare of
1870 the community to protect and foster these values through discouragement of those architectural styles
1871 and those building materials which, by their nature, are foreign to the integrity of such historic values.
1872 Spring City is a nationally registered historic district and the Main Street in particular is hereby
1873 designated a historic district within the city and all land uses therein should not detract in design or
1874 function from the appearance thereof.

1875

1876 The historic district is characterized by historic restorations, reproduced, and/or replicated historic
1877 buildings. Therefore, the exteriors of all new structures as well as the exteriors of all renovations, so far
1878 as possible, ought to be aesthetically in keeping with the historic integrity of Spring City in their design,
1879 architecture, and materials. The same shall apply to accessory structures and fencing. The following
1880 guidelines are established to help Spring City grow and develop in ways which will help it keep its appeal
1881 for generations to come. Adhering to these guidelines will add value to property and contribute to the
1882 uniqueness and beauty of the entire community. (Ord. 2005-13, 9-8-2005)

1883 [10-6H-2 PROPERTY OWNER REQUIREMENTS](#)

1884 Prior to the issuance of a building permit for any new construction, demolition, restoration, renovation,
1885 building addition, or major change to structures (maintenance and minor alterations excepted) or
1886 grounds within the historic district, property owners wishing to make such changes are required to meet
1887 with the historic preservation subcommittee to present their plans. This subcommittee has no authority
1888 to approve or disapprove such plans. Their mission is to give advice and assistance on any matters
1889 pertaining to historic issues. It is the responsibility of the property owner to contact the historic
1890 preservation subcommittee (contact information can be obtained at the city offices) to make an
1891 appointment to meet. This subcommittee shall meet formally on average once a month but must meet
1892 within fourteen (14) days of a request by any property owner to review property owner's plans.
1893 Members of this committee may meet informally whenever needs arise and schedules permit. It is
1894 advisable that owners/developers meet with this subcommittee as early as possible in the initial
1895 planning stages of their project as any desired changes to save money, obtain grants, enhance historic
1896 preservation, or improve historically compatible styles may be more difficult in latter stages. At this
1897 meeting the property owner will be issued a written certificate of review slip that shall then be taken to
1898 the zoning administrator so the process may continue in the acquisition of a building permit. (Ord. 2005-
1899 13, 9-8-2005)

1900 [10-6H-3 GUIDELINES](#)

1901 For information and in order to create a more uniform implementation the following guidelines are
1902 offered. (Note: Because this is not a usage zone but a historical district, it is not appropriate to deal with
1903 use ordinances or building ordinances in this article. For provisions and parameters of building permits
1904 and use zones, one must appeal to the appropriate permitting agency (city and county) and refer to the
1905 particular zone in question. The historic preservation subcommittee shall defer all such issues to the
1906 appropriate agency or official.) The historic preservation subcommittee shall review the arrangement
1907 and design of all buildings, driveways, walks, open areas, and parking areas and make recommendations
1908 and give advice concerning the exterior historical aspects of the plan. The following guidelines shall be
1909 the basis of this subcommittee's recommendations (they may also refer to the ~~secretary~~ [Secretary](#) of the
1910 ~~interior~~ [Interior standards](#) ~~Standards~~ for ~~rehabilitation~~ [Rehabilitation](#)):

- 1911 1. In general, every effort should be taken to retain the integrity of any structure over fifty (50)
1912 years old which contributes to the historic district. Any anticipated alteration to such structure
1913 should not permanently destroy elements of the historic nature of the structure. Some
1914 examples of acceptable alterations and alterations which might destroy the historic nature of
1915 the structure are as follows:
1916
 - 1917 1. Offices and depot services only. Maintenance and storage of vehicles and equipment
1918 must be located in an LI-1 zone.
 - 1919 2. Enlarging or changing the window sizes and ratios (width to height) which require
1920 structural changes to exterior walls. Original windows should be repaired if possible. If
1921 replacement windows are required similar style and material should be retained.
 - 1922 3. Changing original roof pitches and adding dominant dormers are normally not in
1923 keeping with the historic nature of the structure. Skylights and dormers may be
1924 acceptable when installed in a section of roof not easily seen from the street (i.e., not on

- 1925 the front elevation of the structure). Wood and asphalt shingles are appropriate
 1926 replacement materials for most roofs in Spring City. Gutters and downspouts are
 1927 recommended.
- 1928 4. Changes of the type of historic wall materials of a structure should be avoided. Should a
 1929 change in materials be necessary, it should be made with another compatible historic
 1930 material. An example would be when a deteriorated adobe wall cannot be repaired; a
 1931 "historic" stucco plaster can be used. (Note: Additions most often were covered with
 1932 horizontal wood lap siding. Painting brick or stone is not recommended and lime based
 1933 mortars should be used rather than Portland cement based mortars when possible and
 1934 practical.) Removing soffit, wood trim, and fascias and replacing them with vinyl or
 1935 aluminum elements changes the historic nature of the structure. Stylistic trim features
 1936 such as gingerbread should only be added to a house built in the Victorian period,
 1937 approximately 1875 to 1910. (Note: Exterior shutters were not used in Spring City.)
- 1938 5. Additions to structures could be a detriment to the integrity of the structure if not done
 1939 properly. They were very common and are acceptable but such additions should be
 1940 distinguishable from the original structure in materials and should not overpower the
 1941 original structure. The addition should be built from historically compatible materials
 1942 and should help preserve the integrity of the original structure.
- 1943 6. Porches and doors should be either original or duplicated from historical photos
 1944 especially on primary facades. Original doors and porches can often be key elements to
 1945 defining the character of the structure and should represent the time period in which
 1946 the building was built.
- 1947 7. Accessory outbuildings, garages and barns should be preserved wherever possible as
 1948 they help interpret the entire site. These structures should be constructed of compatible
 1949 historic materials and not compete with the design of the primary structure.
- 1950 8. Historic site features such as wood, iron, and stone fences, landscaping, trees,
 1951 walkways, and driveways should be preserved wherever possible as they, along with the
 1952 open spaces and large lots help give the city a unique charm and appeal.
- 1953 9. It is difficult to design new construction in ways that will lend itself to the historic district
 1954 however the new structure does not have to look old to be compatible. Some of the
 1955 features that will be harmonious are:
 1956
- 1957 1. Building height should be similar to the surrounding buildings.
 - 1958 2. Building should sit on the site with similar setbacks and orientation, parallel to
 1959 the street.
 - 1960 3. The building's mass and scale should not compete with the surrounding
 1961 structures.

1962 4. The form of the building and the number of window and door openings should
1963 not compete with surrounding structures. (Note: The original builders in Spring
1964 City were concerned with symmetry when designing facades.)

1965 2. It would be advisable to discuss the design of any new structure with as many people as possible
1966 in order to achieve a design that will contribute to the historic district as a whole. (Ord. 2005-13,
1967 9-8-2005)

1968 [10-6H-4 GRANTS AND TAX CREDITS](#)

1969 Grants are available from federal, state, and local agencies (including a local historic support group,
1970 Friends of Historic Spring City) and tax credit programs are also available. These programs will require
1971 compliance to national standards of historic preservation. The historic preservation subcommittee will
1972 be happy to assist anyone wanting a historic grant or a tax credit. (Ord. 2005-13, 9-8-2005)

1973 [10-6H-5 NONAPPLICABLE ELEMENTS](#)

1974 Although the historic preservation subcommittee will be available to give advice on paint colors and
1975 work to be done on the interior of a building, this is not their primary function. Furthermore, acceptance
1976 of this subcommittee's advice and/or recommendations on any historic matter does not impose any
1977 special restrictions or requirements such as participating in the annual home tour or making the
1978 property open to special groups or inspections (except where grant or tax credits require official
1979 inspections). (Ord. 2005-13, 9-8-2005)

1980

1981 [Chapter 10-7 REGULATIONS APPLICABLE TO ALL OR SEVERAL ZONES](#)

1982 [10-7-1 ROW OR APARTMENT HOUSES](#)

1983 [10-7-2 DUPLEX HOUSES](#)

1984 [10-7-3 MOBILE HOMES](#)

1985 [10-7-4 TRAFFIC VISIBILITY](#)

1986

1987 [10-7-1 ROW OR APARTMENT HOUSES](#)

1988 According to Utah code, since Spring City is a small town, it is able to combine its demographics with
1989 other surrounding towns in regards to state requirements for low income housing. Accordingly, because
1990 of the great number of apartments available in these other towns (including the city of Ephraim) and
1991 pursuant to Spring City's general plan, specifically its desire to maintain low population density, no row
1992 or apartment houses shall be allowable within the city. Such dwellings may not be erected, sold, leased,
1993 or rented as individual units or apartment residences. (Ord. 2005-17, 9-8-2005)

1994 [10-7-2 DUPLEX HOUSES](#)

1995 In accordance with the above rationale, duplex houses shall not be allowed in Spring City. Accordingly,
1996 excepting the light commercial zone LC-1 (see SCMC 10-6, article D), no apartment shall be allowable in
1997 any zone in Spring City. Short term guesthouses may be allowed in some zones (see individual zones
1998 under SCMC 10-6, "Zones And Districts"). For definitions of apartment and guesthouses, see SCMC 10-1-
1999 3, "Definitions". (Ord. 2005-17, 9-8-2005)

2000 [10-7-3 MOBILE HOMES](#)

2001 In accordance with county building codes, mobile homes are not allowed in Spring City. Manufactured
2002 or modular homes, built in accordance with current building codes, are allowed in Spring City. For
2003 definitions of mobile homes and/or manufactured modular homes, see SCMC 10-1-3, "Definitions".
2004 (Ord. 2005-17, 9-8-2005)

2005 [10-7-4 TRAFFIC VISIBILITY](#)

2006 Except in light commercial zone LC-1, (see SCMC 10-6, article D) no corner lot shall have a fence,
2007 structure, or planting over three feet (3') in height above the curb line. (Ord. 2005-17, 9-8-2005)
2008

2009 [Chapter 10-8 NONCONFORMING AND TEMPORARY USES](#)

2010 [10-8-1 NONCONFORMING USES DEFINED; PROVISIONS](#)

2011 [10-8-2 TEMPORARY USES](#)

2012

2013 [10-8-1 NONCONFORMING USES DEFINED; PROVISIONS](#)

2014 A "nonconforming use" is occupancy or use of any building, structure or land within the city prohibited
2015 by provisions of this title, but which lawfully existed prior to the effective date hereof. This includes
2016 residential, commercial, industrial and public structures occupied or vacant at the time of adoption of
2017 these provisions.

2018 1. Discontinuance Of Nonconforming Use: Any such discontinuance of a nonconforming occupancy
2019 or use of any building, structure or land within the city, for a period of more than two (2) years,
2020 shall upon occupancy or use thereafter, conform to all provisions of the zone in which it is
2021 located and this title.

2022 2. Nonconforming Building Modifications To Conform To Code: Nonconformance of buildings in
2023 any zone may be continued for the period prescribed above, provided no additions,
2024 enlargements or structural alterations are made thereto. Any and all additions, enlargements, or
2025 structural alteration shall be made as prescribed by the uniform building code and the
2026 provisions of this title.

2027 3. Nonconforming Use Of Land: A nonconforming use of land lawfully existing prior to the effective
2028 date hereof may be continued, provided such nonconforming use shall not be expanded or
2029 extended into or upon adjacent or other land within the city.

2030 4. Abandonment Of Nonconforming Use: A nonconforming occupancy or use vacated or
2031 abandoned according to provisions of this title shall be succeeded by occupancy and use of
2032 buildings, structures and/or land consistent with provisions of this title.

2033 5. Continuation/Restoration Of Nonconforming Use: A nonconforming building or structure fully or
2034 partially destroyed by fire, explosion, natural catastrophe, or other casualty, may be restored
2035 and occupancy or use thereof continued, subject to provisions of this title.

2036 6. Detrimental Uses Not Permitted: No provisions of this chapter shall be construed to allow the
2037 continuance or restoration of any nonconforming use when, in the opinion of the board of
2038 adjustment and the county building inspector, it is deemed to be detrimental to the health,
2039 safety and welfare of the citizens of the city.

2040 7. Permitted Nonconforming Use: Structures (homes and auxiliary structures) erected prior to
2041 1940 shall be permitted nonconforming uses, subject to approval of the board of adjustment
2042 and the uniform building code. Structure should be restored to near original condition. (Ord.
2043 2005-17, 9-8-2005)

2044 **10-8-2 TEMPORARY USES**

2045 The following regulations are provided to accommodate those uses of land or existing structures in the
2046 city which are temporary in nature:

2047 1. Purpose; Permitted Uses: The purpose of a temporary use is to assure use of property consistent
2048 with the general health, safety and welfare of the city's citizens. Uses allowed on a temporary
2049 basis in accordance with provisions of this section may include, but are not limited to, the
2050 following: carnivals, concerts, circuses, fireworks stands, Christmas tree lots, flower stands,
2051 rummage sales, promotional displays, vehicles for temporary sales, and political rallies or
2052 campaign headquarters.

2053 2. Temporary Use Permit: Prior to the establishment of any of the above uses, or temporary uses
2054 similar thereto, a temporary use permit must be obtained from the zoning administrator (at city
2055 hall). Such permits shall, among other information and conditions, specify the time limit and
2056 place to be used. A temporary use permit shall be required for residents of Spring City as well as
2057 any out of town business enterprises or activities. In granting said permit, the zoning
2058 administrator shall make the following findings:
2059

2060 1. The conduct of the requested use will not have any detrimental effects on adjacent
2061 properties and will be in general harmony with surrounding uses.

2062 2. The requested use will not create excessive traffic hazards on public streets or property
2063 and that traffic control, if necessary, shall be provided at the expense of the applicant.

2064 3. The applicant shall have sufficient liability insurance for the requested use or event.

2065 4. The applicant shall provide, at his/her own expense, for the restoration of the site of
2066 said use to its original condition, including such cleanup, washing and replacement of
2067 facilities as may be necessary.

2068 5. Said use shall occupy the site for a short term period not to exceed the time specified on
2069 the permit.

2070 3. Fees And Deposits: A one time fee for administration, and a security and cleanup deposit may
2071 be required. These fees will be set by the city council and/or city administrators. Other
2072 conditions may be required by city officials prior to the granting of such permit.

2073 4. Temporary Nonconforming Use Of Private Property: For some uses of private property which
2074 are not normally allowed in a particular zone, if such use is deemed by the city council not to be
2075 detrimental to the particular zone and upon conditions set by them, a temporary use permit
2076 may be obtained on a short term basis. (Ord. 2005-17, 9-8-20)

2077 **Chapter 10-9 MANUFACTURED AND MOBILE HOME PROVISIONS**

2078 (See SCMC 10-6 Article B)
2079 (Rep. by Ord. 2005-07, 9-8-2005)

2080 **Chapter 10-10 BEAUTIFICATION**

2081 **10-10-1 PURPOSE**

2082 **10-10-2 DWELLING AND ACCESSORY STRUCTURES**

2083 **10-10-3 VACANT LOT MAINTENANCE**

2084 **10-10-4 DILAPIDATED AND UNSAFE STRUCTURES; ABANDONED WELLS**

2085 **10-10-5 REFUSE**

2086 **10-10-6 ANTIQUE AUTOMOBILE PROVISION**

2087 **10-10-7 PENALTY**

2088

2089 **10-10-1 PURPOSE**

2090 The purpose of this chapter is to establish standards for the improvement and beautification of
2091 buildings, structures, grounds and facilities within the city; to provide for a wholesome, attractive and
2092 beneficial living and working environment; to provide for the enhancement of property valuation and to
2093 promote the health, safety and general welfare of the city residents and property owners, including the
2094 right of any city resident or property owner to file a complaint in helping to assure compliance with
2095 provisions contained herein. (Ord. 93-5, 7-2-1998)

2096 **10-10-2 DWELLING AND ACCESSORY STRUCTURES**

2097 All dwellings located within the city shall be serviced by city water (or state department of health
2098 approved well), electric power, sewer, or when applicable, an approved septic system; shall have
2099 attractively maintained landscaped open spaces with lawns, shrubs, vegetable and flower gardens as
2100 residents may deem appropriate; and shall be maintained and repaired as to condition and appearance
2101 according to generally accepted and established community standards. (Ord. 93-5, 7-2-1998)

2102 **10-10-3 VACANT LOT MAINTENANCE**

2103 1. Required: Vacant land, properties and lots within the corporate boundaries of the city shall be
2104 maintained in accordance with surrounding properties. In particular, resident and absentee
2105 landholders and owners shall be required to keep properties free from noxious weeds and
2106 excessive growth that may pose a fire or other natural or environmental hazard to surrounding
2107 buildings, grounds, animal and/or human inhabitants.

2108 2. Complaints: The city council may, upon the filing of a complaint by any citizen, the county
2109 building inspector or member of the fire department, take appropriate steps to cut and/or clear
2110 and/or abate weeds on any vacant lot and, upon prior notification, levy a fine and/or attach an

2111 additional administrative charge to the tax assessment of said property to cover the cost of such
2112 abatement. This remedy of law also applies to SCMC 10-10-4 through SCMC 10-10-6. (Ord. 93-5,
2113 7-2-1998; amd. 2002 Code)

2114 **10-10-4 DILAPIDATED AND UNSAFE STRUCTURES; ABANDONED WELLS**

2115 It shall be unlawful to create or to maintain, or to fail to dismantle, tear down or eradicate, any structure
2116 or abandoned well which poses a hazard, or may be dangerous or detrimental to citizens of the city. Said
2117 nuisance shall, upon written notice of the county building inspector, chief of police or fire chief, be
2118 forthwith abated by the owner. (Ord. 93-5, 7-2-1998)

2119 **10-10-5 REFUSE**

2120 The storage, collection or placing of discarded material, building material, appliances or unlicensed
2121 motor vehicles or refuse is prohibited in all yards in any residential zone. The use of trailers for storage is
2122 prohibited. (Ord. 93-5, 7-2-1998)

2123 **10-10-6 ANTIQUE AUTOMOBILE PROVISION**

2124 Inoperable or unlicensed motor vehicles may be stored in lots in the residential zone if contained in a
2125 roofed structure or meet the following conditions:

- 2126 1. Antique Defined: The motor vehicle is defined as twenty (20) years or older and thus considered
2127 antique.
- 2128 2. Manner Of Parking: The vehicle must be parked in an orderly rather than haphazard manner in a
2129 remote portion of the lot.
- 2130 3. Agreement Of Adjoining Neighbors: Adjoining neighbors must sign a consent form agreeing to
2131 the storage of antique vehicles.
- 2132 4. Concealment: All stored vehicles must be well covered or otherwise concealed from public view
2133 in an appropriate manner. (Ord. 93-5, 7-2-1998)
- 2134 5. Permit Required; Fee: Vehicles stored in the open must obtain a yearly permit per vehicle from
2135 the city at a cost in such amount as established by resolution of the city council, with proceeds
2136 going toward the enforcement of this chapter. (Ord. 93-5, 7-2-1998; amd. 2002 Code)
- 2137 6. Square Foot Minimum: There is a fifteen thousand three hundred ninety one (15,391) square
2138 foot minimum required to store an antique automobile on a lot. Thus a regular 1.06 acre lot will
2139 permit a total of three (3) antique vehicles.
- 2140 7. Farm Machinery: Inoperable farm machinery or equipment may be kept on lots if it is regarded
2141 as antique (40 years old or older). (Ord. 93-5, 7-2-1998)

2142 **10-10-7 PENALTY**

2143 Any person, owner, principal or agent violating, causing or permitting the continuance of any hazardous
2144 or detrimental, or noxious or unsafe condition within or upon any buildings or land in the city shall be
2145 guilty of a class C misdemeanor and, upon conviction, subject to penalty as provided in SCMC 1-4-1. A
2146 city beautification committee consisting of the city council and no fewer than ten (10) other appointed

2147 citizens shall review violations and complaints. They will take legal action where appropriate in their
2148 judgment. (Ord. 93-5, 7-2-1998; amd. 2002 Code)

2149 [Chapter 10-11 AMENDMENTS](#)

2150 [10-11-1 PROCEDURE; APPLICATION](#)

2151

2152 [10-11-1 PROCEDURE; APPLICATION](#)

2153 Amendments to this title or the official zone map shall be upon recommendation from the planning
2154 commission, then subject to review and final approval or denial by the city council. Applications for
2155 amendment shall contain the following:

- 2156 1. Designation Of Amendment: Designation of the specific zone change or title amendment
2157 desired.
- 2158 2. Statement Of Reason And Justification: The reason and justification for such zone change or title
2159 amendment, and a statement setting forth the manner in which a proposed title amendment or
2160 zone change would further promote the objectives and purposes of this title.
- 2161 3. Legal Description: A complete and accurate legal description of the area proposed to be
2162 rezoned, or a draft of the proposed title amendment.
- 2163 4. Plat: An accurate plat, drawn to scale, showing all areas to be included within the proposed
2164 rezoning, designating the present zoning of the subject property and properties immediately
2165 adjacent thereto.
- 2166 5. List Of Property Owners: A list of all property owners within a radius of three hundred feet
2167 (300') of the boundaries of the property to be rezoned, as taken from the latest assessment
2168 polls prepared by the county assessor. (Ord. 93-5, 7-2-1998)
- 2169 6. Filing Fee: A nonrefundable filing fee of such amount as the city council may from time to time
2170 establish by resolution. (Ord. 93-5, 7-2-1998; amd. 2002 Code)
- 2171 7. Public Hearing; Decision: The city council, after fifteen (15) days' notice and at a public hearing,
2172 shall approve, modify and approve, or deny any amendment to this title or zone map. (Ord. 93-
2173 5, 7-2-1998)

2174

**SPRING CITY, UTAH
ORDINANCE CHANGES
Title 12 IMPACT FEE PAYMENT OBLIGATION**

Existing Statute:

12-2-5 TYPE OF DEVELOPMENT NOT AFFECTED

1. Prior Building Permits: Proposed development for which a building permit has been issued prior to the effective date of this title.
2. Previous Payment Of Impact Fees: No impact fees for a specific capital facility shall be due at a later stage of the development approval process if impact fees for that specific capital facility have been paid earlier and the applicable impact fee has not increased.
3. Public Facilities: Public facilities of the county, state, school district, special districts, municipalities or political subdivisions of the state of Utah or the federal government.
4. Replacement Residential Unit: Redevelopment or rehabilitation which replaces but which does not increase the number of residential dwelling units above that existing on the site prior to redevelopment or rehabilitation.
5. Replacement Nonresidential Development: Redevelopment or rehabilitation which replaces, but which does not increase the intensity of development above that existing on the site prior to redevelopment or rehabilitation nor changes the use to one which has a greater impact producing effect with respect to any capital facility than that existing on the site prior to redevelopment or rehabilitation.
6. Other: Any other use, development, project, structure, building, fence, sign or other activity which is not impact producing. (Ord. 2007-03, 6-7-2007)

Possible Amendments:

12-2-5 TYPE OF DEVELOPMENT NOT AFFECTED

- ~~1.~~ Prior Building Permits: Proposed development for which a building permit has been issued prior to the effective date of this title.
- ~~2.~~ Previous Payment Of Impact Fees: No impact fees for a specific capital facility shall be due at a later stage of the development approval process if impact fees for that specific capital facility have been paid earlier and the applicable impact fee has not increased.
- ~~3.~~ Public Facilities: Public facilities of the county, state, school district, special districts, municipalities or political subdivisions of the state of Utah or the federal government.
- ~~4.~~ Replacement Residential Unit: Redevelopment or rehabilitation which replaces but which does not increase the number of residential dwelling units above that existing on the site *prior* to redevelopment or rehabilitation.

~~5. Replacement Nonresidential Development: Redevelopment or rehabilitation which replaces, but which does not increase the intensity of development above that existing on the site prior to redevelopment or rehabilitation nor changes the use to one which has a greater impact producing effect with respect to any capital facility than that existing on the site prior to redevelopment or rehabilitation.~~

4. An impact fee will not be charged with respect to any real property that will not be benefitted by an appropriate project to which the impact fee relates, as reflected in the applicable impact fee study and analysis. For clarification, impact fees are allowed to pay for new capacity to serve new growth, or to mitigate the impact created by changes in the use of land that creates additional demand and need for public facilities. An impact fee is not a connection, hookup fee or a "buy in" fee. If the development activity does not create a new demand on the public system that did not exist on the date the impact fee was enacted, then the impact fee will not be charged for such development activity. In addition an impact fee will not be charged to: (i) cure deficiencies in a public facility serving existing development; (ii) raise the established level of service of a public facility serving existing development; (iii) recoup more than the City's costs actually incurred for excess capacity in an existing system improvement; or (iv) include an expense for overhead.

5. Other: Any other use, development, project, structure, building, fence, sign or other activity which is not impact producing. (Ord. 2007-03, 6-7-2007).