

ORDINANCE NO. 2005-28

**AN ORDINANCE AMENDING SECTION 3-35, PREMISES OCCUPATION
AND SECTION 3-36, HOME OCCUPATION, OF THE UTAH COUNTY
LAND USE ORDINANCE**

THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:

Part I:

Utah County Land Use Ordinance, Section 3-35, Premises Occupation, is hereby amended to read as follows:

3-35: PREMISES OCCUPATION

The Zoning Administrator may grant a permit for a premises occupation provided the following conditions are met:

- A. A premises occupation is permitted in the zone.
- B. The premises occupation shall consist of the making of a product, the providing of a service or the representation or distribution of a product not made in the building. It is the intent that the sale of commodities on the premises be limited to items which are incidental to the service provided, i.e., a beautician who also sells hair care products to clientele.
- C. The total floor area of the accessory building must be less than nine hundred (900) square feet.
- D. One (1) motorized vehicle may be used in association with the premises occupation and shall not exceed one (1) ton rated capacity and one (1) trailer.
- E. The premises occupation shall be carried on only by members of the residing family. No person shall be employed to perform duties which are located on the premises that does not reside on the premises.
- F. There shall be no outside storage of materials or products in connection with the premises occupation.
- G. Signs are permitted subject to the provisions of Section 3-37 herein. Permitted trailers with advertising may not be stored in the open.
- H. As determined by the Zoning Administrator, the physical appearance, traffic,

and other activities in connection with the premises occupation are not contrary to the intent of the zone in which the premises occupation is located.

- I. The premises occupation shall maintain a valid Utah County Business License.

Part II:

The Utah County Land Use Ordinance, Section 3-36, Home Occupation, is hereby amended to read as follows:

3-36: HOME OCCUPATION

The Zoning Administrator may grant a permit for a home occupation provided the following conditions are met:

- A. A home occupation is permitted in the zone.
- B. The home occupation shall consist of the making of a product, the providing of a service or the representation or distribution of a product not made in the home. It is the intent that the sale of commodities in the home be limited to items which are incidental to the service provided, i.e., a beautician who also sells hair care products to clientele.
- C. No more than the equivalent of twenty-five percent (25%) of the combined ground floor area of the dwelling and attached garage is devoted to the home occupation.
- D. One (1) motorized vehicle may be used in association with the home occupation and shall not exceed one (1) ton rated capacity and one (1) trailer.
- E. The home occupation shall be carried on only by members of the residing family. No person shall be employed to perform duties which are located within the home that does not reside within the home.
- F. The home occupation does not involve the use of any accessory buildings, farm structures, or yard space for storage or activities outside of the dwelling not normally associated with residential use.
- G. The home occupation is incidental and secondary to the use of the dwelling for residential purposes and does not change the character of the building from that of a dwelling.
- H. Signs are permitted subject to the provisions of Section 3-37 herein. Permitted trailers with advertising may not be stored in the open.

- I. As determined by the Zoning Administrator, the physical appearance, traffic, and other activities in connection with the home occupation are not contrary to the intent of the zone in which the home occupation is located.
- J. The home occupation shall maintain a valid Utah County Business License.

Part III:

Insert pages reflecting the above amendments, including a title page which bears the enactment date of this ordinance, are hereby ordered to be filed in the three copies of the Utah County Land Use Ordinance which are on file with the Utah County Clerk-Auditor.

Part IV:

If any of the sections, sentences, clause or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdictions, such shall not affect or invalidate the remaining portion contained herein.

Part V:

This ordinance shall take effect 1) fifteen (15) days after it is passed, or 2) after it has been published, whichever date is later.

PASSED and ordered published this 1st day of November, 2005.

UTAH COUNTY COMMISSION

VOTE



Jerry D. Grover, Chair

Aye



Steve White, Commissioner

Aye



Larry A. Ellertson, Commissioner

Aye

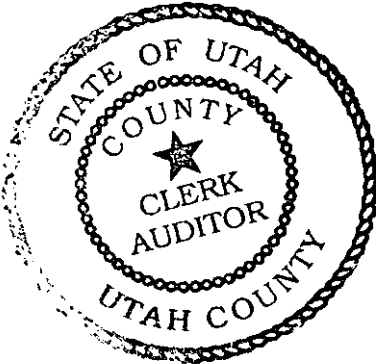
ATTEST:
KIM T. JACKSON
County Clerk-Auditor

APPROVED AS TO FORM:
KAY BRYSON
County Attorney

By: Linda Mickland
Deputy

By: [Signature]
Deputy

Date of Publication: Once only, as soon as possible



PROOF of PUBLICATION

from

The Daily Herald

STATE OF UTAH }
Utah County } SS

NOTICE
ORDINANCE NO. 2005-28, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH ON NOVEMBER 1, 2005, AMENDING SECTION 3-35, PREMISES OCCUPATION AND SECTION 3-36, HOME OCCUPATION, OF THE UTAH COUNTY LAND USE ORDINANCE.

A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE, COMMISSIONER JERRY D. GROVER, COMMISSIONER STEVE WHITE, AND COMMISSIONER LARRY A. ELLERTSON VOTED IN FAVOR OF THE ORDINANCE.
Legal Notice 200686 Published in The Daily Herald November 7, 2005

I, Alisha Christensen, being first duly s
depose and say that I am the Legal Billing
Clerk of the Daily Herald, a newspaper
of general circulation, published seven
times each week at Provo, Utah, County of
Utah; that the notice attached hereto,
200686-NOTICE ORDIN, and which
is a copy, was published in said newspaper
the first publication having been made on
the 7th day of November, 2005, and the
last on the 7th day of November, 2005;
that said notice was published in the
regular and entire issue of every number
of the paper during the period and times
of publication, and the same was
published in the newspaper proper
and not in the supplement.

Alisha J. Christensen

Subscribed and sworn before me
this 7th day of November, 2005.

Denise K. White Notary Public

Residence: Orem

My commission expires 2/20/07

