

Laketown, Utah

ORDINANCE 2024-03

AN ORDINANCE AMENDING TITLE 10 ZONING REGULATIONS OF THE LAKETOWN MUNICIPAL CODE, ESTABLISHING A NEW CHAPTER TO BE KNOWN AS “CHAPTER 13 - CONNEX-TYPE CONTAINERS” WHICH SHALL SET FORTH THE REGULATIONS APPLICABLE TO CONNEX-TYPE CONTAINERS WITHIN THE TOWN INCLUDING PROVISIONS FOR TEMPORARY USAGE; PROVIDING FOR REPEALER AND SEVERABILITY

WHEREAS, §10-9a-501 of Utah Code (as amended) authorizes a legislative body to weigh policy considerations and to enact land use regulations; and;

WHEREAS, pursuant to §10-8-84 of Utah Code (as amended) the legislative body may pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by this chapter, and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the municipality and its inhabitants, and for the protection of property in the municipality; and

WHEREAS, the Town recognizes the need for regulated land uses to ensure the safety, aesthetics, and functionality of the community, and has recognized that the indiscriminate placement and prolonged use of connex-type container(s) may have adverse effects on the appearance and infrastructure of the Town; and

WHEREAS, the Town acknowledges that there may be circumstances which necessitate the temporary use of connex-type containers; and

WHEREAS, the Planning Commission conducted a public hearing to review the proposed amendments on February 28, 2024, and made a positive recommendation to the Laketown Town Council for adoption; and

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation and has received pertinent information from the public hearing regarding this proposal; and

WHEREAS, upon making the necessary reviews, the Council finds it to be in the best interest of the health, safety, and welfare its citizens to make the proposed amendments to the Laketown Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Laketown, Utah:

SECTION 1: Repealer. If any provisions of the municipal code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 2: Amendment. Title 10 Zoning Regulations, Chapter 13, Connex-Type Containers is hereby enacted to read as follows:

10.13.1 Definitions

- A. "Connex-Type Containers" refers to shipping containers or similar structures primarily designed for the transport of goods and cargo.

10.13.2 Prohibition Of Connex-Type Containers

- A. It shall be unlawful for any person, business entity, or organization to permanently place or use connex-type containers within the boundaries of Laketown, except as provided for in Section 10.13.3 of the Town's Code.

10.13.3 Temporary Usage Of Connex-Type Containers

- A. Temporary usage of connex-type containers within Laketown shall be permitted for a maximum period of one (1) year from the date of placement.
- B. Prior to the placement of a connex-type container, the property owner or lessee shall obtain a permit from the Town Clerk.
- C. The permit shall specify the intended duration of use, not exceeding one (1) year.

10.13.4 Extensions

- A. Any extension of the temporary usage period beyond one (1) year shall be approved by the Planning and Zoning Commission.
- B. The property owner or lessee shall submit a written request for an extension to the Planning and Zoning Commission at least thirty (30) days prior to the expiration of the permitted one-year period.
- C. The Planning and Zoning Commission shall review the request for extension and may grant approval for an additional period of temporary usage, subject to any conditions deemed necessary to protect the interests of the community.

SECTION 3: Severability. If any section, subsection, sentence, clause, or phrase of this amendment is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this amendment.

SECTION 4: Effective Date. This ordinance, being necessary for the peace, health, and safety of the Town, shall become effective immediately upon posting.

****Signatures On Next Page****

PASSED AND ADOPTED by Laketown Town Council this ^{7th}~~February~~^{3rd} day of ~~February~~^{April}, 2024

Burdette N. Weston
BURDETTE WESTON, Mayor
Laketown Town

Attest:

Alice Jackson
ALICE JACKSON, Clerk
Laketown Town

Town Council Vote as Recorded: AYE NAY ABSTAIN ABSENT

Kris Hodges	<u>KH</u>	—	—	—
Thad Willis	<u>TW</u>	—	—	—
Delora Wight	<u>DW</u>	—	—	—
Brandon Willis	<u>BW</u>	—	—	—

RECORDED this 03 April 2024
PUBLISHED OR POSTED this 09 April 2024

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the Clerk of Laketown Town, hereby certifies that the foregoing Amendment was duly passed and published or posted at:

1. Laketown Town Office
2. Laketown United States Post Office
3. Dee's Super Service
4. Laketown Town Website

on the above referenced date.

Alice Jackson
ALICE JACKSON, Clerk
Laketown Town