

ORDINANCE NO. 43-2024

AN ORDINANCE OF WEST HAVEN CITY, UTAH, AMENDING THE CITY CODE REGARDING SECTION 157.477 FOR ACCESSORY DWELLING UNITS; MAKING CERTAIN AND NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES.

Section 1. Recitals:

WHEREAS, West Haven City (herein “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with UCA § 10-3-707, the governing body of the city may revise, codify and compile from time to time and to publish in book, pamphlet or loose leaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions as it may deem best; and,

WHEREAS, West Haven City has adopted and promulgated city ordinances and rules in the City Code regarding Accessory Dwelling Units (“ADU”); and,

WHEREAS, the City Council finds that at this time certain changes to the City Code regarding Section 157.477 which requires that if a landowner has an ADU then they must apply for a business license every year; and,

WHEREAS, the City Council finds that it is not necessary for a landowner to have a business license if they have an ADU and finds this to be overly burdensome on the landowner; and

WHEREAS, the City Council finds that Section 157.477 of the City Code should be repealed in its entirety so that a City business license for an ADU is not required at all; and

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health, and welfare is at issue in this matter and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST HAVEN CITY, UTAH that:

The language in West Haven Code “**SECTION 157.477 – BUSINESS LICENSE**” regarding Accessory Dwelling Units and requiring business licenses shall be repealed in its entirety.

The foregoing Recitals are fully incorporated herein.

Section 2. Repealer of Conflicting Enactments:

All orders, ordinances, and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with the provisions of this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 3. Prior Ordinances and Resolutions:

The body and substance of any prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance shall be held or deemed to be or shall be invalid, inoperative, or unenforceable for any reason, such reason shall not render any other provision or provisions invalid, inoperative, or unenforceable to any extent whatever, this Ordinance being deemed to be the separate independent and severable act of the City Council of West Haven City.

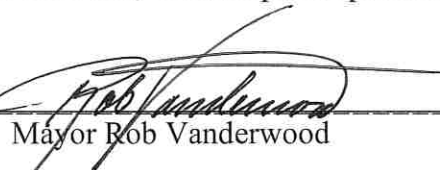
Section 5 - Date of Effect:

BE IT FURTHER ORDAINED this Ordinance will become effective on the 18th day of December 2024 and after publication or posting as required by law.

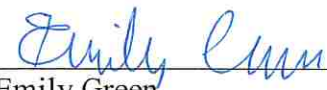
DATED the 18th day of December 2024.

WEST HAVEN, a municipal corporation

by:


Mayor Rob Vanderwood

Attested and Recorded


Emily Green



Mayor Rob Vanderwood	Yes	_____	No	_____	n/a
Councilmember Carrie Call	Yes	<u>x</u>	No	_____	
Councilmember Kim Dixon	Yes	<u>x</u>	No	_____	
Councilmember Nina Morse	Yes	<u>x</u>	No	_____	
Councilmember Ryan Saunders	Yes	<u>x</u>	No	_____	
Councilmember Ryan Swapp	Yes	<u>x</u>	No	_____	

RECORDER'S CERTIFICATION

STATE OF UTAH)
 : ss.
County of Weber)

I, EMILY GREEN, the City Recorder of West Haven, Utah, in compliance with UCA §10-3-713 and UCA §10-3-714 do hereby certify that the above and foregoing is a full and correct copy of **Ordinance No. 43-2024, entitled "AN ORDINANCE OF WEST HAVEN CITY, UTAH, AMENDING THE CITY CODE REGARDING SECTION 157.477 FOR ACCESSARY DWELLING UNITS; MAKING CERTAIN AND NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES,"** adopted and passed by the City Council of West Haven, Utah, at a regular meeting thereof on December 18, 2024 which appears of record in my office, with the date of posting or publication being Decedmbner 18, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 18th day of December 2024.



Emily Green
City Recorder



(city seal)