

CITY OF MOAB ORDINANCE 2026-07

AN ORDINANCE AMENDING THE TEXT OF THE MOAB MUNICIPAL CODE SECTION 12.08.060 TO UPDATE THE PROCESS BY WHICH THE CITY GRANTS EXEMPTIONS TO ITS REQUIREMENTS GOVERNING THE CONSTRUCTION OF SIDEWALKS, CURBS, AND GUTTERS

WHEREAS, Moab City (“City”) is a municipality and has authority to adopt land use regulations pursuant to Utah Code § 10-20-501 accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 20, Utah Code; and

WHEREAS, the Council deems it necessary to amend its land use ordinances to update the City’s procedures under Section 12.08.060 of the Moab Municipal Code, which govern the process by which the City grants exceptions to its requirements governing the construction of sidewalks, curbs, and gutters (collectively, the “**Proposed Action**”); and

WHEREAS, the Moab City Planning Commission held a public hearing on April 9th, 2026 to consider the Proposed Action in accordance with Utah Code §§ 10-20-205 and 10-20-502; and

WHEREAS, the Moab Planning Commission issued a positive recommendation to the City Council regarding the Proposed Action; and

WHEREAS, the City Council desires to enact the Proposed Action.


BE IT ORDAINED BY THE MOAB CITY COUNCIL as follows:

1. Amendment. Section 12.08.060 of the Moab Municipal Code is repealed in its entirety and replaced with the language set forth in **Exhibit A**.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
3. Direction to Staff. City staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance, including but not limited to making non-substantive edits to correct any scrivener’s, formatting, and numbering errors.
4. Effective Date. This Ordinance will take effect immediately pursuant to Utah Code § 10-3-712.

[execution on following page]


PASSED AND ADOPTED this 14 day of APRIL April 2026.

MOAB CITY COUNCIL



By: Joette Langianese, Mayor

ATTEST



Sommar Johnson, Recorder

(Complete as Applicable)

Date ordinance summary was posted to the Moab City website, the Utah Public Notice website, and in a public place within Moab City per Utah Code §10-3-711: APRIL 16, 2026

Effective date of ordinance: APRIL 16, 2026

**SUMMARY OF
MOAB CITY
ORDINANCE NO. 2026-07**

On April 14, 2026, the Moab City Council enacted Ordinance No.2026-07 amending Moab Municipal Code Section 12.080.060, updating the process by which the City grants exemptions to the City's requirements regarding the construction of sidewalks, curbs, and gutters.

MOAB CITY COUNCIL



By: Joette Langianese, Mayor

ATTEST



Sommar Johnson, Recorder

Voting:

Council Member Knuteson-Boyd voting AYE
Council Member Loftin voting AYE
Council Member Myers voting NAY
Council Member Taylor voting AYE
Council Member Topper voting AYE

A complete copy of Ordinance No. 2026-07 is available in the Moab City offices located at 217 E. Center Street, Moab, UT 84532.

EXHIBT A

Section 12.08.060 of the Moab Municipal Code is repealed in its entirety and replaced to read as follows:

12.08.060 Sidewalks, curbs and gutters required at time of construction.

A. Sidewalks, curbs and gutters, and street paving shall be installed along all street frontage of any building lot at the time of construction upon that lot unless the City Manager grants an exception under subsection (D) of this section.

B. The City Engineer shall determine the location and specifications for said sidewalks, curbs and gutters, and streets.

C. The property owner or their agent, servant, contractor, or employee shall complete all construction of streets, sidewalks, curbs and gutters at the time of final inspection by the building inspector unless the City Manager grants an exception under subsection (D) of this section.

D. If the lot frontage meets all the following criteria, the City Manager may grant an exception where the property owner pays a fee in lieu of construction. Those criteria are:

- 1. The frontage of the lot exceeds two hundred lineal feet;*
- 2. The lot is intended only for a single-household residence;*
- 3. The construction of the street, curb and gutter, and sidewalks is inconsistent with the street character; and*
- 4. The exception will not create, extend or perpetuate a half-paved street.*

E. The City Manager shall determine the fee in lieu of construction, which shall be an amount equal to a percentage, as specified in the Master Fee Schedule, Chapter 3.50 of the estimated cost of constructing two hundred lineal feet of the required improvements. Those funds shall be submitted by the property owner to the City for deposit into a street fund for future use to develop and repair sidewalks, curbs and gutters, pedestrian trails, and streets within the City. The City Engineer shall calculate the lineal foot costs for construction of the improvements by consulting licensed contractors in the area.

F. Notwithstanding subsection (D) of this section, the City Manager shall grant an exception to the requirements of this section and shall not require a fee in lieu of construction if the following criteria are satisfied:

- 1. The entire street where the lot or property is located is unpaved in its entirety;*

- 2. The City has not previously collected a fee in lieu or similar fee from other lot or property owners on the street to pay for the construction of sidewalks, curbs, and gutters on the street; and*
- 3. The street where the lot or property is located is not subject to a project the City has approved to pave or otherwise improve the street.*