

RESOLUTION NO. PC-2026-0030

A RESOLUTION BY THE OREM CITY PLANNING COMMISSION
RECOMMENDING THE CITY COUNCIL AMEND THE TEXT OF
ARTICLE 22 OF THE OREM CITY CODE RELATING TO ZONING
CODE ENFORCEMENT

WHEREAS the Legal Department of Orem City requested the City amend Article 22 of the city code relating to zone code enforcement; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on July 15th, 2026; and

WHEREAS a notice of the Planning Commission public hearing for this Text Amendment application was posted in all required locations and within the timeline mandated by the State of Utah and by Orem City Code; and

WHEREAS the matter having been submitted and the Planning Commission having fully considered the request as it relates to the health, safety, and general welfare of the City; the orderly development of land in the City; the effect upon the surrounding neighborhood; the compliance of the request with all applicable City ordinances and the Orem General Plan, and the special conditions applicable to the request.

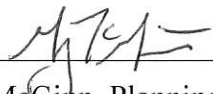
BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OREM, UTAH, as follows:

1. The Planning Commission finds this request will not negatively affect the health, safety, and general welfare of the City.
2. The Planning Commission hereby **recommends** the City Council amend Article 22 of Orem City Code relating to zoning code enforcement, as shown on Exhibit “A” which is attached hereto and incorporated herein by reference.
3. This resolution shall take effect immediately upon passage.
4. If any part of this resolution shall be declared invalid, such decision shall not affect the validity of the remainder of this resolution.
5. All other resolutions or policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED and APPROVED this 15th day of July 2026.


CITY OF OREM, by
Madeline Komen, Chairman

ATTEST:


Gary McGinn, Planning Commission Secretary

PLANNING COMMISSION
MEMBER

AYE NAY ABSTAIN ABSENT

Jeff Reeves	☒	☐	☐	☐
Susan Madsen	☒	☐	☐	☐
Darren Hawkins	☐	☒	☐	☐
Karl Radmall	☒	☐	☐	☐
Madeline Komen	☒	☐	☐	☐
Micah Ladle	☒	☐	☐	☐

EXHIBIT “A”

AMENDMENT TO VARIOUS SECTIONS IN CHAPTERS 11, 13, 16, 19, AND 22 OF THE OREM CITY CODE

Text in red are additions to the code

Highlighted text with strikethrough are eliminations from the code

11-1-3. Nuisance - Definition.

Pursuant to Utah Code § 10-8-60 this section defines nuisance by providing five general definitions of what constitutes a nuisance (subsection A), and then providing specific examples of situations, conduct or activities that constitute nuisances (subsection B). The purpose of the general definitions is to allow the City to classify an offending situation, conduct, or activity as a nuisance, even though the situation, conduct, or activity may not be listed as a nuisance in the specific examples. The first three general definitions are taken directly from Utah State law. The purpose of listing the specific examples is to identify some of the specific situations, conduct and activities that the City intends to abate as nuisances.

- A. **General Definitions of Nuisance.** Any activity that meets any one or more of the five definitions set forth below shall constitute a nuisance if it occurs within the City of Orem:

(Ord. No. O-2018-0027, Amended 8/28/2018; Ord. No. O-2021-0024, Amended 9/28/2021)

Nuisance as Defined in Utah Code 76B-6-1101

1. Anything which is injurious to health, indecent, offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

Nuisance as Defined in Utah Code 76-10-801.

2. Any item, thing, manner, or condition whatsoever that it is dangerous to human life or health or renders soil, air, water, or food impure or unwholesome.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

Nuisance as Defined in Utah Code 76-10-803

3. Unlawfully doing any act or omitting to perform any duty, which act or omission:
 - a. annoys, injures, or endangers the comfort, repose, health, or safety of three or more persons;
 - b. offends public decency;
 - c. unlawfully interferes with, obstructs, or tends to obstruct, or renders dangerous for passage, any lake, stream, canal, or basin, or any public park, square, street, or highway; or
 - d. in any way renders three or more persons insecure in life or the use of property.

An act which affects three or more persons in any of the ways specified in this subsection is still a nuisance regardless of the extent to which the annoyance or damage inflicted on individuals is unequal.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

Nuisance

4. A condition which:
 - a. wrongfully annoys, injures, or endangers the comfort, repose, health or safety of others; or
 - b. unlawfully interferes with, obstructs or tends to obstruct, or render dangerous for passage, any public park, square, street or highway, or any other public place; or
 - c. in any way renders other persons insecure in life, or in the use of property, and which affects the rights of an entire community or neighborhood, although the extent of the damage may be unequal.

Effective on: 8/28/2018

Specific Nuisances Listed in Subsection B.

5. Anything specifically listed as a nuisance in subsection (B), below.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-01-0001, Rep&ReEn, 01/09/2001; Ord. No. O-03-0012, Amended, 05/27/2003; Ord. No. O-06-0021, Amended 9/26/2006)

- B. **Nuisances Enumerated.** Every situation, conduct or activity listed below constitutes a nuisance and may be abated pursuant to this ordinance. The listed examples are not

exhaustive; a situation, conduct or activity not listed below, but coming within one of the general definitions of nuisance listed above, shall also constitute a nuisance. The first six listed nuisances are also listed as nuisances pursuant to Utah Code 78B-6-1107:

1. **Drug Houses.** Every building or premises where the unlawful sale, manufacture, service, storage, distribution, dispensing, or acquisition of any controlled substance, precursor, or analog specified in Title 57, Chapter 37 of the Utah Code (Utah Controlled Substances Act) occurs.
2. **Gambling.** Every building or premises where gambling is permitted to be played, conducted, or dealt upon as prohibited in Title 76, CHAPTER 10, Part 11 of the Utah Code (Gambling) which creates the conditions of a nuisance as defined in Section [11-1-3](#)(A)(1) of this ordinance.
3. **Gangs.** Every building or premises wherein criminal activity is committed in concert with two or more persons as provided in Section 76-3-203.1 of the Utah Code.
4. **Party Houses.** Every building or premises where parties occur frequently which create the conditions of a nuisance as defined in Section [11-1-3](#)(A)(1) of this ordinance. Some of the factors the City may examine in determining whether a party house exists include:
 - a. An increase in the number of emergency response calls due to parties being held;
 - b. Any pattern of activity that suggests that parties, creating a nuisance as defined by this ordinance, are taking place;
 - c. Any pattern of activity which diminishes the quiet enjoyment of those buildings and premises around the alleged party house or which cause the immediate neighbors to fear for their safety or the safety of their family members due to the party activity.
5. **Prostitution.** Every building or premises where prostitution or the promotion of prostitution is regularly carried on by one or more persons as provided in Title 76, CHAPTER 10, Part 13 (Prostitution) of the Utah Code.
6. **Weapons.** Every building or premises where a violation of Title 76, CHAPTER 10, Part 5 (Weapons) of the Utah Code occurs on the premises.
7. **Unsafe Condition.** A condition that unreasonably or unlawfully affects the health or safety of one or more persons.
8. **Fire Hazard.** A fire hazard.

9. **Noxious Emanations.** Emanation of noxious or unreasonable odors, fumes, gas, smoke, soot or cinders.
10. **Noxious Weeds.** Noxious weeds located on vacant lots or other property, along public sidewalks or the outer edge of any public street, or weeds in any other location which constitute a fire hazard. Weed abatement compliance on vacant lots shall be accomplished by discing, plowing, or mowing weeds within 4 inches of the ground and by removing the cut weeds.
11. **Refuse.** Keeping or storing of any refuse or waste matter which interferes with the reasonable enjoyment of nearby property.
12. **Stagnant Water.** Polluted or stagnant water which constitutes an unhealthy or unsafe condition.
13. **Improper Accumulations.** Accumulation of soil, litter, debris, plant trimmings, or trash, visible from the street or an adjoining property.
14. **Accumulation of Junk.** Accumulation of used or damaged lumber; junk; salvage materials; abandoned, discarded or unused furniture; stoves, sinks, toilets, cabinets, or other fixtures or equipment stored so as to be visible from a public street, alley, or adjoining property. However, nothing herein shall preclude the placement of stacked firewood for personal non-commercial use on the premises.
15. **Attractive Nuisances.** Any attractive nuisance dangerous to children and other persons including, but not limited to, abandoned, broken, or neglected household appliances, equipment and machinery, abandoned foundations or excavations, or improperly maintained or secured pools.
16. **Vegetation.** Dead, decayed, diseased, or hazardous trees, weeds, hedges, and overgrown or uncultivated vegetation which is in a hazardous condition, is an obstruction to pedestrian or vehicular traffic, **obstructs the visibility of a traffic control signal or traffic control device as those terms are defined in Utah Code § 41-6a-102 (as amended),** or which is likely to harbor rats, vermin or other pests.
17. **Dust.** Any Premises which causes excessive dust due to lack of landscaping, non-maintenance or other cause.
18. **Improper Storage.** The keeping, storing, depositing or accumulating on the premises or in the public right-of-way for an unreasonable period of time dirt, sand, gravel, concrete, or other similar materials, or maintenance of such material on public rights-of-way. Material stored as part of an active construction project shall not be considered a nuisance.

19. **Garbage Can.** The leaving of any garbage can or refuse container in the street, other than on collection day, for more than 24 hours after the collection day.
20. **Construction Equipment.** Construction equipment or machinery of any type or description parked or stored on property when it is readily visible from a public street, alley or adjoining property, except while excavation, construction or demolition operations covered by an active building permit are in progress on the subject property or an adjoining property, or where the property is zoned for the storage of construction equipment and/or machinery.
21. **Improper Sign.** Improper maintenance of a sign; or signs which advertise a business that is no longer extant on the property.
22. **Improper Parking or Storage.**
- a. Parking or storage of inoperative, unregistered, abandoned, wrecked, or dismantled vehicles, boats, trailers, or vehicle parts, including recreational vehicles, on a Premises or in the public right-of-way. Storage or parking that is specifically allowed by the City's zoning ordinance shall not be considered a nuisance. Except that one passenger vehicle may be parked on a Premises if it is unregistered; and except that one (1) inoperative vehicle may be parked in the driveway or gravel parking strip of a residential lot only if the vehicle does not have flat tires, is not suspended on blocks or jacks, has no body damage, and is not accumulating dust, dirt, or debris, and only if there are no visible junk, parts, or tools accumulated nearby.
 - b. Parking or storage of registered vehicles, trailers, or boats in violation of City ordinance.
23. **Hazardous Conditions.** Any wall, sign, fence, gate, hedge, or structure maintained in such condition of deterioration or disrepair as to constitute a hazard to persons or property.
24. **Graffiti.** Graffiti which remains on the exterior of any building, fence, sign, or other structure and is visible from a public street.
25. **Improper Maintenance.** Maintenance of **land**, buildings and/or structures in such condition as to be deemed **non-compliant with City Code** or defective or in a condition of deterioration or disrepair including, but not limited to:
- a. Any building or structure which is unfit for human habitation, or which is an unreasonable hazard to the health of people residing in the vicinity thereof, or which presents an unreasonable fire hazard in the vicinity where it is located; or

- b. Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of City ordinances, ~~or any use of land, buildings or premises in violation of City ordinances~~; or
- c. Any use of land, buildings, or premises in violation of City ordinances; or
- d. Buildings which are abandoned, partially destroyed, or left in an unreasonable state of partial construction for a period of six (6) months or longer. An unreasonable state of partial construction is defined as any unfinished building or structure where the appearance or condition of the building or structure does not meet the requirements for finished buildings or structures as required by applicable City ordinances or building codes. The building or structure shall not be considered to be a nuisance if it is under active construction; or
- e. Buildings having dry rot, warping, termite infestation, decay, excessive cracking, peeling, or chalking, as to render the building unsightly and/or in a state of disrepair; or
- f. Buildings with missing doors and/or windows containing broken glass and/or no glass at all where the window is of a type which normally contains glass; or
- g. Building exteriors, walls, fences, gates, driveways, sidewalks, walkways, signs or ornamentation, or alleys maintained in such condition as to render them unsightly and/or in a state of disrepair; ~~or~~
- h. Buildings or conditions that violate any building, electrical, plumbing, fire, housing, or other code adopted by the City;
- i. Home occupations operating in violation of City Code;
- j. Use of any trailer house, mobile home, recreational vehicle, camper trailer, or travel trailer or camper for human habitation in violation of Orem City Code § 22-18-8;
- k. Maintaining a storage container, moving container, or other similar structure on a lot in a residential zone in violation of Orem City Code § 22-6-8(D)(9);
- l. Failure to clear snow from sidewalk in compliance with Orem City Code § 16-1-6; or
- m. Storing anything on a vacant lot except as explicitly permitted under Orem City Code Appendix A or elsewhere in the City Code.

26. **City Code Nuisances.** Any violation of an Orem City Code section that expressly declares a specific situation, conduct, or activity to be a nuisance.
27. **Alcohol.** Every property or premises not licensed under applicable State law or City ordinance where any intoxicating liquors or alcohol are kept for unlawful use, sale, or distribution.
28. **Inappropriate Conduct.** Every property or premises where there exists an environment which causes, encourages or allows individuals or groups of individuals to commit one or more of the following acts on the property, premises or adjacent public place, including but not limited to:
- a. Illegally using or possessing any controlled substance, precursor, analog or possessing any item of drug paraphernalia.
 - b. Illegally consuming intoxicating liquor or alcohol;
 - c. Publicly urinating or defecating;
 - d. By physical action, intentionally causing or attempting to cause another person to reasonably fear imminent bodily injury or the commission of a criminal act upon their person or upon property in their immediate possession;
 - e. Engaging in acts of violence, including fighting amongst themselves;
 - f. Discharging a firearm or explosive in violation of City ordinance or State law;
 - g. Creating unreasonable noise which disturbs others;
 - h. Intentionally obstructing pedestrian or vehicular traffic; or
 - i. Soliciting acts of prostitution.
29. **Dangerous Conditions.** Any fence, wall, shed, deck, house, garage, building, structure or any part of any of the aforesaid; or any tree, pole, smokestack; or any excavation, hole, pit, basement, cellar, sidewalk, subspace, dock, or loading dock; or any lot, land, yard, premises or location which in its entirety, or in any part thereof, by reason of the condition in which the same is found or permitted to be or remain, shall or may endanger the health, safety, life, limb or property, or cause any hurt, harm, inconvenience, discomfort, damage or injury to any one or more individuals in the City, in any one or more of the following particulars:
- a. By reason of being a menace, threat and/or hazard to the general health and safety of the community.

- b. By reason of being a fire hazard.
- c. By reason of being unsafe for occupancy, or use on, in, upon, about or around the aforesaid property.
- d. By reason of lack of sufficient or adequate maintenance of the property, and/or being vacant, any of which depreciates the enjoyment and use of the property in the immediate vicinity to such an extent that it is harmful to the community in which such property is situated or such condition exists.

30. **Illegal Accessory Dwelling Units Apartments.** Any violation of the City's accessory dwelling unit apartment ordinance.

31. **Family.** Keeping or allowing people at a premise in violation of the City's single-family residence requirements.

32. **Parking on Landscaping.** Parking in an area required to be landscaped by City ordinance or parking within the front yard or within the side yard that is adjacent to a street, except on a paved driveway or gravel parking strip, which gravel parking strip must comply with Section 22-6-10(N). Front yard and side yard shall have the meaning as defined in Section 22-2-1.

33. **Banner Signs.** Keeping or allowing banner signs in violation of City ordinance.

34. **Required Landscaping.** Failure to install or maintain landscaping required by City ordinance.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-01-0001, Rep&ReEn, 01/09/2001; Ord. No. O-03-0012, Amended, 05/27/2003; Ord. No. O-06-0021, Amended 9/26/2006; Ord. No. 0-2018-0027, Amended 8/28/2018)

22-14-7. Conservation of values.

- A. The outside surface of buildings which are constructed of wood shall be coated with paint or other wood preservative within one year from the time such building is occupied or used.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

B. Any lot in any zone shall be improved and maintained as follows:

1. All required landscaping shall be completed within one (1) year of the date of the issuance of a final certificate of occupancy.
2. Driveways leading from a street to a parking lot, private garage, carport or other off-street parking space shall be a surface paved with asphalt, concrete or pavers except that the paved surface need not extend more than seventy feet (70') from the street right-of-way line. The paved surface shall be completed within one year from the date of the occupancy of the building. Parking on grass or landscaped areas of the front yard or side yard adjacent to a street in residential zones is prohibited. Exception: A driveway accessing Carterville Road must be paved for a distance of 25 feet from the existing edge of road asphalt and the full width of the driveway must be paved. A paved surface for a driveway accessing Carterville Road shall be considered compliant with this section if it does not itself generate any soil, rock or mud which may be tracked onto Carterville Road or storm water drainage system. The pavement method used must be approved by the Development Services Director prior to installation.
3. No trash or rubbish shall be allowed to accumulate on any lot in any zone. The space around buildings and structures shall be kept free from refuse and debris, and all waste shall be concealed from view from adjacent property.
4. It shall be unlawful to park, store, leave or to permit the parking, storing or leaving of any licensed or unlicensed motor vehicle of any kind or part thereof, which is in a wrecked, junked, partially dismantled, inoperative or abandoned condition, whether attended or not, upon any private property within the City limits for a period of time in excess of seventy-two (72) hours, except that two (2) or less such vehicles or parts thereof may be stored if within a building, or placed behind an opaque screening fence; and except that said vehicles and parts may be within a junk yard or automobile wrecking yard lawfully established pursuant to the provisions of this Chapter; and except that one (1) unregistered vehicle may be parked in the driveway or gravel parking strip of a residential lot; and except that one (1) inoperative vehicle may be parked in the driveway or gravel parking strip of a residential lot only if the vehicle does not have flat tires, is not suspended on blocks or jacks, has no body damage, and is not accumulating dust, dirt, or debris, and only if there are no visible junk, parts, or tools accumulated nearby.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-96-0002, Amended, 01/02/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-06-0033, Amended 11/14/2006; Ord. No. O-2013-0022, Amended 08/27/2013; Ord. No. O-2019-0013, Amended 5/13/2019; Ord. No. O-2023-0004, Amended 3/15/2023)

- C. The storage of merchandise, materials, partially or completely dismantled automobiles or salvage materials in any zone shall be enclosed in a sight-obscuring fence of not less than six (6) feet in height, and such storage shall not be placed in a greater height than the enclosing wall or fence. Where such storage qualified as a legal nonconforming use, the property owner and/or proprietor shall have a period of six (6) months from the date of notification of violation of this provision by the Zoning Administrator to amortize such storage and bring it into conformance with this section.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

22-6-10. Miscellaneous Regulations for Residential Zones.

A. Parking and Storage of Trucks, Trailers and Recreational Vehicles.

1. No truck, motor vehicle or commercial trailer which exceeds the rated capacity of one and one-half (1 1/2) tons shall be stored or parked on any lot or parcel within any residential zone, nor shall any construction, contracting or earth moving equipment, which is not being used for construction within the immediate area, be stored or parked on any lot or parcel in a residential zone. The provisions of this subsection shall not apply, however to recreational vehicles nor accessory vehicles to permitted agricultural uses.
2. **Motor vehicles, boats**~~Boats~~, boat trailers, recreational vehicles, or travel trailers may not be placed, kept, or maintained within the front yard areas **or within the side yard area adjacent to a street** of any residential zone, except on a paved driveway or gravel parking strip that complies with the requirements of Subsection N below. Boats, boat trailers, recreational vehicles and travel trailers shall not violate the clear vision area of a corner lot.

(Ord. No. 661, Revised 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001; Ord. No. O-2023-0004, Amended 3/15/2023)

16-1-4. Cutting back vegetation overhanging public right of way.

- A. Owners and occupants of real property abutting any public street, curb, gutter, or sidewalk shall keep trimmed or cut back all vegetation which overhangs or grows onto such street, curb, gutter or sidewalk and which impedes or interferes with pedestrian or vehicular traffic or obstructs the vision of drivers of vehicles **or obstructs the visibility of any traffic control signal or traffic control device as those terms are defined in Utah Code § 41-6a-102 (as amended)**. If any owner or occupant fails to do so within three (3) **business** days of receiving written notice from the City of a violation of this section, the City may cut back the vegetation and may charge the owner or occupant for the costs of doing so. **Any owner may appeal the warning by filing a Request for Administrative Hearing within three (3) business days with the City Recorder as outlined in Section 11-3-2(C). Failure to request an Administrative Hearing within three (3) business days of receiving the written warning shall constitute a waiver of the right to an Administrative Hearing and the right to an appeal. The written warning shall be considered received when posted on the front door of the primary building on the property or when an occupant of the property is personally served with the warning.**
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22-18-8. Trailer House.

- A. It shall be unlawful to place any trailer house, mobile home, **recreational vehicle, camper trailer, or travel trailer, camper, or any other vehicle** on any lot in the City and use the same for human habitation, except in compliance with one or more of the following conditions:
1. When **the** trailer house is placed in an approved mobile home park or travel trailer court.
 2. When a trailer house is located on a lot for a period of time not to exceed thirty (30) days in any one (1) calendar year, and is not connected to water and sewer service.
 3. When a trailer house is located on a lot on which a building is being constructed, subject to the following conditions:
 - a. A permit to construct a building on such lot has been obtained from the inspector.
 - b. The period of time that the trailer house is placed on the lot shall not exceed one (1) year.

- c. The trailer house shall be removed from the lot before the building is occupied.
- d. Water and sewer facilities shall comply with the requirements of the City-County Health Department.

(Ord. No. 661, Revised, 04/10/1990; O-01-0021, Amended, 06/12/2001)

- B. No permit shall be required for an unoccupied trailer house, except as may be required by other ordinances or laws, and the removal of wheels from the trailer house or the placing of the same upon a permanent foundation shall not exempt such trailer house from the requirements of this section.

(Ord. No. 661, Revised, 04/10/1990; O-01-0021, Amended, 06/12/2001)

22-6-8. Zone Development Standards.

D. Accessory Buildings/Structures.

1. Prohibited Locations.

- a. No accessory building/structure requiring a building permit shall be located closer than six feet (6') to the primary structure on the lot.
- b. No accessory building/structure may be constructed in a front yard unless the accessory building/structure is set back at least forty (40) feet from the front property line nor shall it be placed within a required side yard adjacent to a street, or within any public utility easement.
- c. In no case may an accessory building/structure extend beyond property lines.
- d. Concrete panel fences, (fence panels that do not require a solid footing) may be located within the public utility easement provided the property owner receives releases from the affected utility companies and agrees that any future modification of their fence required by those companies will be at the property owner's expense.

- 2. **Maximum Area Limitations.** The total footprint area of all accessory buildings/structures shall not exceed eight percent (8%) of the area of the parcel upon which they are located for single-family lots and twelve percent (12%) for multifamily developments. For the purpose of this section, structures located at or

below grade shall not be considered in determining the total amount of lot coverage of [accessory structures](#).

3. **Rear Yard Requirements.** An accessory building/structure may be constructed in a rear yard, or in a side setback that is not between the primary structure and the side property line, provided the accessory building/structure:
 - a. does not exceed eighteen feet (18') in height above grade if located in the required setback; and
 - b. does not exceed eighteen feet (18') in height, or the height of the primary structure (whichever is greater), if not located in the required setback.
4. **Side Yard Requirements.** Accessory buildings/structures may be constructed between the primary structure and the side property line which is not adjacent to a street if the accessory buildings/structures do not cover more than fifteen percent (15%) of the required side yard setback area; and
 - a. do not exceed eight feet (8') in height above grade if adjacent to a vacant or residential [use](#) and if located within the required side yard setback; or
 - b. do not exceed eighteen feet (18') in height or the height of the primary structure (whichever is greater), if adjacent to a nonresidential use or if not located in the required side yard setback.
5. **Architectural Controls.** If the total footprint area of an accessory building/structure exceeds 500 square feet or 50% of the footprint area of the primary structure (whichever is less), the accessory structure must:
 - a. be designed with residential styling, including:
 - i. a roof pitch which matches that of the primary structure, but not to be less than four feet of rise to twelve feet of run for single-family lots whereas multifamily developments may have flat roofs for carports; and
 - ii. exterior finishing materials similar to the exterior finishing materials used on the primary structure or primary structures on any surrounding residential property within a 300 foot radius; and
 - b. have design characteristics that are in harmony with existing residential buildings in the neighborhood; and
 - c. create no substantial adverse aesthetic or economic impacts on the neighborhood.

6. **Building Codes.** An accessory building/structure shall be constructed in accordance with the requirements of the International Building Codes.
7. **Use Limitations.** An accessory building/structure located in a residential zone shall not be designed or used as a [guest house](#) or a separate apartment unit.
8. **Restriction of Drainage.** Accessory buildings/structures shall be constructed in such a manner that water runoff from the accessory building/structure does not flow onto adjoining property.
9. **Prohibited Structures.** Shipping containers, semi-trailers, boxcars, PODS[®], **moving containers**, or similar structures may not be installed or maintained on a residential lot **except that moving containers may be placed on the driveway, not blocking the sidewalk, for up to 15 days for the purpose of moving in or out of a residential dwelling.**

(Ord. No. 661, Revised, 04/10/1990; Ord No. O-97-0040, Redp&ReEn 08/12/1997; Ord. No. O-99-0056, Amended 12/14/1999; Ord No. O-01-0021, Amended 6/12/2001; Ord. No. O-03-0014, Amended 06/24/2003; Ord No. O-05-0005, Amended 02/08/2005; Ord No. O-05-0013, Amended 05/10/2005; Ord. No. O-07-0023, Amended 03/27/2007 ; Ord. No. O-09-0015, Amended 06/23/2009; Ord. No. O-2011-0021, Amended 11/15/2011; Ord. No. O-2012-0007, Enacted 03/13/2012)

22-14-21. Regulations Governing Particular Uses.

- E. Vehicle Sales & Repair (NO PARKING ON STREETS)
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16-1-6. Clearing sidewalks.

- A. **Generally.** The owners, occupants, tenants, and lessees of all real property shall keep the public sidewalks, curbs, and gutters abutting the property free from debris, dirt, rocks, weeds, snow, and ice. **Snow and ice shall be removed from sidewalks within twenty-four (24) hours after any hail, snow, or sleet has ceased falling. Each day such sidewalk is not so cleared shall constitute a new violation.**

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-09-0023, Amended 10/27/2009)

- B. **Snow and ice.** Snow and ice removed from sidewalks, curbs, gutters and driveways may be placed in the street as long as such placement complies with Sections [16-1-3](#) and 23-2-3(A)(1) & (3), does not obstruct the vision of drivers, and does not cover or impede access to a fire hydrant, storm drain, sump, or inlet. Snow and ice in parking lots shall be contained on site and not be placed in the street.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-09-0023, Amended 10/27/2009)

(Ord. No. 661, Revised, 04/10/90)

19-3-11. Commercial Vehicle Parking and Storage.

It shall be unlawful for any business that sells, rents, repairs, modifies, or otherwise stores any vehicle to park or store, or to permit to be parked or stored, vehicles related to that business on any public highway, street, alley, City-owned parking lot, or government-owned property in the City of Orem or to store or park, or to permit to be parked or stored, vehicles related to any such business in such a way that the vehicles may impede access to any Police or Fire Department emergency vehicle responding to an emergency. Vehicles related to such a business include, but are not limited to, vehicles driven or used by employees, vehicle inventory, and vehicles waiting for repair, modification, or customer pick-up.

19-6-11. Criminal Violation.

- A. Notwithstanding any other provision herein to the contrary, it shall be a criminal Class C misdemeanor violation, ~~with exclusive original jurisdiction in the district court:~~
1. for a person to whom a Notice of Infraction has been issued to allow the subject action to go into default. A person who allows a Notice of Infraction to go into default shall be prosecuted for the underlying offense;
 2. for a registered owner to fail or refuse to respond to a Notice of Infraction issued pursuant to subsection [19-6-4](#); or

3. for a person to willfully fail or refuse to completely perform the public service agreed to pursuant to subsection 19-6-5(A)(3), Orem City Code.

(Ord. No. O-02-0010, Enacted, 02/05/2002)

- B. For purposes of this Article it shall be a rebuttable presumption that the Notice of Infraction and any other notices have been received by the addressee when mailed to the last known address via first class, United States mail.

(Ord. No. O-02-0010, Enacted, 02/05/2002)

13-1-6. Parking.

- A. It shall be unlawful to park any vehicle upon city-owned property in such a way as to block the roads provided and it shall be unlawful to park any vehicle other than in the public parking area.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-08-0013, Amended 07/08/2008)

- B. The use of the parking lot at the Fitness Center shall be limited to Fitness Center patrons, guests or invitees and authorized City employees. It shall be unlawful for all others to park in the lot.
 - C. It shall be unlawful to park any vehicle or trailer in the parking lot of a park during the closed curfew hours defined in Orem City Code § 13-1-11. This provision shall not apply to the following:
 1. City-owned vehicles;
 2. Vehicles owned by City employees performing their duties;
 3. Authorized vehicles participating in City events;
 4. Contractor vehicles facilitating construction or other services at the park; or
 5. Vehicles parked at the Orem City Center.
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19-5-3. Definitions.

Dwelling shall mean any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as a residence by one or more families, but not including hotels, motels, bed and breakfast establishments, or residential or commercial buildings which are required to have off-street parking spaces such as apartments, condominium complexes, accessory apartments, etc.

(Ord. No. O-01-0050, Enacted, 12/11/2001)

Motor vehicle shall include an automobile, truck, motorcycle or other motor-driven or self-propelled form of transportation intended primarily for use and operation on the highways, but shall not include motor vehicles longer than 20 feet.

(Ord. No. O-01-0050, Enacted, 12/11/2001)

Nonresident vehicle shall mean a [motor vehicle](#) not eligible to be issued a residential [parking permit](#), pursuant to the terms and conditions of this Article, for the specific area in which it is parked;

(Ord. No. O-01-0050, Enacted, 12/11/2001)

Parking permit shall mean the permit that is issued by the City and that is affixed to or displayed by a qualifying vehicle, as set forth in this Article.

(Ord. No. O-01-0050, Enacted, 12/11/2001)

Public Street shall have the same meaning as “Highway” in the state traffic code.

Residential area shall mean a contiguous or nearly contiguous area containing public streets and highways or parts thereof where residents dwell and upon which the City Council imposes parking limitations pursuant to the authority granted by this Article;

(Ord. No. O-01-0050, Enacted, 12/11/2001)

Residential permit parking area shall mean a [residential area](#) designated as herein provided wherein resident [motor vehicles](#) displaying a valid permit as described herein shall be exempt from parking restrictions established pursuant to this Article.

(Ord. No. O-01-0050, Enacted, 12/11/2001)

Resident vehicle shall mean a [motor vehicle](#) which is eligible to be issued a residential [parking permit](#) pursuant to the terms and conditions of this Article and which shall be exempt from parking time restrictions established pursuant to this Article.

(Ord. No. O-01-0050, Enacted, 12/11/2001)

Visitor permit means a [parking permit](#) issued to nonresidents pursuant to this Article or an ordinance enacted pursuant to authority granted herein, which shall exempt a [nonresident vehicle](#) from parking restrictions established pursuant to this Article.

(Ord. No. O-01-0050, Enacted, 12/11/2001)

19-3-5. Trailers.

It shall be unlawful to ~~park or keep~~ **store** any trailer, unattached camper, or boat on a public street. **A trailer, unattached camper, or boat may be temporarily parked on a public street for the purpose of loading and unloading** for a period of time ~~exceeding~~ **not to exceed** seventy-two (72) hours.

19-3-6. 72 hours.

It shall be unlawful to park any vehicle in the same location on a public street for a continuous period of time exceeding seventy-two (72) hours.

11-2-26. Civil Fines.

- A. If a Responsible Person fails to correct a violation by the deadline listed in an Administrative Summons, or an Administrative Order entered after a hearing, civil fines shall be paid to the City as follows:
 - 1. For any violation the civil fine shall be \$50.00 **per day for the first 60 days, \$100.00 per day for the next 60 days, and \$200 per day thereafter.**
 - 2. Each and every subsequent day of violation shall be a separate violation until the violation is corrected;
- B. Payment of any civil fine shall not excuse any failure to correct a violation or the reoccurrence of the violation, nor shall it bar further enforcement action by the City.
- C. Civil fines shall be paid to the City of Orem.

(Ord. No. O-2018-0027, Amended 8/28/2018; Ord. No. O-2021-0024, Amended 9/28/2021)

11-1-2. Definitions.

In the construction of this Chapter, the following words and phrases shall be defined as set forth in this Section:

(Ord. No. O-2018-0027, Amended 8/28/2018)

"Abate" means to repair, replace, remove, destroy, correct or otherwise remedy a condition which constitutes a nuisance by such means, in such a manner and to such an extent as the Enforcement Official determines is necessary in the interest of the general health, safety, and welfare of the community.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Administrative Citation" means a citation issued to a Responsible Person, which gives notice of a violation and the civil fine for such violation.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Administrative Hearing" means a hearing held pursuant to the procedures established by Article 11-3 of this Code.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Administrative Law Judge" means the person appointed by the City Manager or his designee to preside over Administrative Hearings.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Administrative Order" means an order issued by an Administrative Law Judge. The order may include an order to enter upon private property to abate a violation of this code or state statute, to pay civil fines, to reverse or modify decisions of City officials as provided elsewhere in this code or take any other action as authorized or required by this Chapter and applicable codes.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Administrative Summons" means a written notice that informs a Responsible Person fo code violations, order certain steps to correct the violations, demands appearance at an Administrative Hearing and sets forth a date and time for the hearing.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"City" means the City of Orem, or its representative.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"City Attorney" means the City Attorney or his designee.

(Ord. No. O-2018-0028, Amended 8/28/2018)

Effective on: 8/28/2018

"Completion Date" means the date by which the Responsible Person must abate a nuisance. The Completion Date is originally set by the Enforcement Official in the Voluntary Correction Agreement or in the Administrative Citation. The Administrative Law Judge may modify the Completion Date.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Dwelling Unit" shall mean one (1) or more rooms in a residential building or residential portion of a building that are arranged, designed, used, or intended for use as a complete, independent living facility for a single family and that includes permanent provisions for living, sleeping, eating, cooking and sanitation.

"Emergency" as used in this Article means a situation, which, in the opinion of the Enforcement Official , requires immediate action to prevent or eliminate an immediate threat to the health or safety of a person or property.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Enforcement Official" means any person authorized by the City to enforce violations of the Orem City Code, including, but not limited to Civilian Ordinance Enforcement Officers, police officers, building inspection officials, fire marshals, and animal control officers.

(Ord. No. O-2018-0027, Amended 8/29/2018; Ord. No. O-2021-0024, Amended 09/28/2021)

Effective on: 4/10/1990

"Family" shall have the same meaning as defined in Section [22-2-1](#)

"Habitual Nuisance" means any premises or property located within the City that generates repeated responses from law enforcement officials **or repeated administrative citations or administrative summonses from Enforcement Officials** because of nuisance related activities. Excluding calls for drug or party houses, any premises or property that generates three (3) or more calls **or administrative citations or summonses** for nuisance related activities within **an** **eighteen (18) a twenty-four (24)** month time period shall be deemed a "habitual nuisance." Any premises or property that generates two (2) or more calls **or administrative citations or summonses** for nuisance related activities within **an eighteen (18) a twenty-four (24)** month time period to abate any drug or party conditions as set forth in this chapter shall be deemed a "habitual nuisance."

"Illegal Rental" means any dwelling unit that is rented to persons constituting more than one family.

Effective on: 8/28/2018

"Imminent Life Safety Hazard" means any condition that creates a serious and immediate danger to life, property, health, or public safety.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Itemized Statement of Costs" means a written notice to a Responsible Person, itemizing the City's actual costs of abating a code violation, ordering payment of those costs and advising the Responsible Person of the right to contest the reasonableness of the costs at an Administrative Hearing.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Municipal Action " means an Administrative Summons, an Administrative Citation, an Itemized Statement of Costs, a Notice of Emergency Abatement or other notice of any other adverse municipal decision for which the right to an Administrative Hearing is specifically provided by ordinance.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Notice of Compliance" means a document or form approved by the Police Chief that indicates that a property complies with the requirements outlined in an Administrative Summons.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Notice of Emergency Abatement" means a written notice that informs a Responsible Person of emergency abatement actions taken by the City and provides an Itemized Statement of Costs for those actions.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Owner" means any person who, alone or with others, has title or interest in any building or premises, with or without accompanying actual possession thereof. For the purpose of giving notice, the term Owner also includes any person in physical possession of the building or premises.

"Police Chief" means the Police Chief or his designee.

Effective on: 8/28/2018

"Police Chief" means the Police Chief or his designee.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Premises" means a plot of ground, whether occupied or not.

"Property Owner" means the record owner of real property as shown on the records of the Utah County assessor.

(Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Public Place" means an area generally visible to public view and includes alleys, bridges, driveways, parking lots, parks, plazas, sidewalks, streets, and buildings open to the general public, including those that serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.

"Responsible Person" means the person(s) responsible for correcting or abating a nuisance pursuant to this ordinance. The Responsible Person includes the Property Owner and any person who causes or permits a nuisance to occur or remain upon property in the City, and includes but is not limited to the owner(s), lessor(s), lessee(s), or other person(s) entitled to control, use and/or occupy property where a nuisance occurs. In cases where there is more than one Responsible Persons, the City may proceed against one, some or all of them.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-01-0001, Rep&ReEn, 01/09/2001; Ord. No. O-03-0012, Amended, 05/27/2003; Ord. No. O-06-0021, Amended 9/26/2006; Ord. No. O-2010-0019, Amended 06/22/2010; Ord. No. O-2018-0027, Amended 8/28/2018)

Effective on: 8/28/2018

"Utah Code" - References to the Utah Code refer to the Code as amended in 2018.

(Ord. No. O-2018-0027, Amended 8/28/2018)