TOWN OF LEEDS | CHAPTER 24

Town Attorney Review & Ordinance Reconciliation Register

27 October 2026 | Companion to the corrected Planning Commission working draft | Not adopted law

Status: Corrections 1–7 are approved working-draft directions. Items below are unresolved legal, cross-code, or implementation questions. No legal conclusions are asserted until controlling enacted text and current Utah law are verified.

CRITICAL | Controlling law and legislative history

Affected provisions: Ch. 24; ordinance 2018-02

Obtain certified currently effective Chapter 24, all amendments (including Ordinance 2018-02), effective dates, and any inconsistent printed/online copies. Establish an exact enacted-code baseline before Council introduction.

CRITICAL | Title 9 enforcement alignment

Affected provisions: 24.10.3; 24.11.1–24.11.3

Compare enforcement officer authority, complaint investigation, warning service, ten-calendar-day cure, discretionary written extensions, emergency action, hearing-request deadlines, fines, repeat violations, and appeal rights. A cure extension must not alter a statutory appeal deadline.

CRITICAL | Appeal authority and deadlines

Affected provisions: 24.12

Verify designated land-use appeal authority (Board of Adjustment or hearing officer), administrative enforcement appeal process, business-license appeal process, service, filing deadlines, and judicial review. Confirm Commission cannot hear its own Tier 2 appeal.

CRITICAL | Tier 2 permitted-use authority

Affected provisions: 24.3.2; 24.8–24.9

Confirm Planning Commission is lawfully designated final land-use authority for objectively regulated Tier 2 permitted uses, and that required hearings, notice, processing and appeal rules are satisfied.

CRITICAL | Childcare and preschool

Affected provisions: 24.3 table; 24.4.6; 24.5; 24.6.3

Verify current Utah childcare definitions, statutory protections, number/counting rules, staff residency, operating hours, Sunday closure, outdoor play, floor-area cap, parking, and simultaneous customer-facing use restrictions. Five-child limit is a proposal, not confirmed legal threshold.

HIGH | Chapter 22 signage conforming amendment

Affected provisions: 24.5.5; Ch. 22 §§22.2.1.8, 22.14.2 Table 22-3

Draft exact changes reconciling no exterior home occupation advertising signs with residential business sign table and any CUP notation; determine protection for lawfully existing signs. Confirm current controlling sign text.

HIGH | Zoning and use tables

Affected provisions: 24.1.2; 24.3

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Verify permitted residential districts, general definitions, unlisted activities, conditional-use lists, former CUP uses, separately permitted principal uses, and any conflicting zoning schedules; prepare conforming amendments.

HIGH | Nonconforming and vested rights

Affected provisions: 24.4.2; 24.10; 24.13–24.14

Review protections for existing approvals, detached buildings, floor-area and operating limits, continuation, extension, transfer, discontinuance, abandonment, and evidentiary documentation; draft lawful savings and transition clauses.

HIGH | Land-use approval withdrawal

Affected provisions: 24.11.3

Verify narrow exceptional grounds, authority, findings, service, opportunity to respond and appeal for any independently lawful withdrawal. Do not add general Planning Commission suspension/revocation power.

HIGH | Business licensing and state exemptions

Affected provisions: 24.8.1; 24.10.2; 24.11.3

Coordinate application, annual licensing, questionnaires, fees, sanctions, exemptions and license appeal routes; ensure land-use approval is not treated as annually expiring.

HIGH | Home business statutory protections

Affected provisions: 24.1–24.10

Check current Utah statutory restrictions on municipal home-based business regulation and applicable exemptions before imposing licensing, inspections, customer, employee or activity restrictions.

HIGH | Floor area and eligible buildings

Affected provisions: 24.2.2; 24.4.1–24.4.4; 24.8.2

Confirm treatment of shared-use rooms, attached garages, one eligible existing detached building, lawful approvals, evidence of building size on effective date, and consistent 25%/500-square-foot calculation.

HIGH | Food production and home kitchens

Affected provisions: 24.3 table; 24.6.1

Verify state cottage-food, home-consumption and other food-business protections and licenses; assess six pickups/day against rolling two/60-min limit; define supplier-delivery counting week and resident catering trips.

HIGH | Parking and commercial vehicles

Affected provisions: 24.5.4; 24.7.1–24.7.4

Reconcile on-property customer parking and access with zoning/parking code; review 14,000-pound GVWR, cargo-box exclusion, 16-foot trailer, ground-level screening, temporary delivery exception, and permitted small equipment.

HIGH | Utility and septic capacity

Affected provisions: 24.7.5; 24.8.2

Ensure “ordinarily provided for residential use” is objective and administrable; verify authority of utilities, water/sewer/septic agencies, existing approvals, and permissible documentation.

HIGH | Materials, fire and building code

Affected provisions: 24.7.3

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Ask fire authority to review ordinary household quantities, flammables/solvents, hazardous thresholds, emergency access, and adopted fire/building standards. Avoid unsupported numeric thresholds.

MEDIUM | Complaint intake and inspections

Affected provisions: 24.10.3

Verify anonymous complaint intake, evidentiary standards, confidentiality, consent and lawful entry, investigation records and due process under Title 9 and state law.

MEDIUM | Residential impact standards

Affected provisions: 24.5.5

Review enforceability of "customary to residential neighborhood" noise and "unreasonably disturb" lighting/odor/dust/vibration standards and interaction with existing nuisance code.

MEDIUM | Activity tables and unresolved classifications

Affected provisions: 24.3; 24.6

Confirm garden produce, agricultural/agritourism framework, preschool classification, professional music, salons, repair, cleaning, contractors, and other uses against controlling Town code and state protections.

MEDIUM | Bed and breakfast/lodging

Affected provisions: 24.1.2; 24.14

Confirm lodging/short-term rental framework actually regulates B&B establishments before deleting their home-occupation treatment; draft any needed cross-code changes.

MEDIUM | Notice, forms and implementation

Affected provisions: 24.8–24.10

Verify checklist publication, completeness deadlines, fees, hearing notices, standard Tier 1/Tier 2 applications, operating plans, written decisions, change-request forms, annual questionnaires and amendment notices.

MEDIUM | Ordinance enactment package

Affected provisions: 24.14

Prepare explicit repeal/conforming provisions, severability, effective date, savings and transition language, cross-reference audit, and required legislative procedure.

MEDIUM | Comparative municipality review

Affected provisions: Policy record

Before final recommendation, verify currently adopted home occupation rules in St. George, Washington City, Hurricane, Ivins, Santa Clara, and Toquerville; distinguish legal requirements from local choices.

Decision status and next steps

Approved working-draft corrections 1–7: area cap and calculation; numbering references; rolling 60-minute customer rule; no exterior home occupation signs with Chapter 22 coordination; vehicles/trailers/materials/utilities; Tier 1 and Tier 2 application procedures; annual approval continuity and complaint verification. Section 24.10.4 retained unchanged.

Not yet approved as final legal text: Title 9 enforcement reconciliation; appeal authority and deadlines; childcare/preschool specifics; garden produce classification; Chapter 22 conforming amendment wording; all unresolved issues above.

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Recommended review sequence: (1) certified controlling code and Title 9; (2) appeal authority and Tier 2 delegation; (3) childcare and protected uses; (4) Chapter 22 signage and other zoning conforming amendments; (5) technical fire/utility/parking review; (6) final legislative package.

Source basis: uploaded October 26 Chapter 24 working draft (v2), October 26 review-items decision log (v2), and user-approved October 27 corrections. Statutory and enacted-code questions are flagged for verification rather than treated as settled.

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OCTOBER 27, 2026 — ATTORNEY REVIEW REGISTER UPDATE

Supplement to the original register. All issues below remain open until controlling enactments and Utah law are verified. Decisions refer to working-draft directions, not adopted law.

Priority	Affected sections	Question / direction
CRITICAL	24.11.1; Title 9	Mandatory written warning for ordinary first violations and ten-calendar-day cure: confirm compatibility with Title 9 enforcement discretion and emergency procedures.
CRITICAL	24.11.1; Title 9	Approved extension criteria with no fixed maximum: verify designated official, lawful service, separate appeal deadlines, documentation and whether extensions can defer formal enforcement.
HIGH	24.11.2; Title 9	Approved distinction among continuing, repeated and unrelated violations. Verify direct enforcement for repeated violations, evidentiary requirements, and whether Title 9 defines a lookback period.
CRITICAL	24.12; Ch. 3; Title 9	Retain appeal paragraphs A–E; verify designated land-use appeal authority, enforcement hearing process, licensing appeals and all filing deadlines.
HIGH	24.13; Utah Code §10-20-1003	Confirm nonconforming-use continuation on sale, same-building extension, lawful expansion, abandonment and acceptable evidence; distinguish land-use rights from resident-operator requirements.
HIGH	24.5.5; Ch. 22	No exterior home occupation signs is in draft; proposed approach to preserve unrelated business sign allowances was discussed but not expressly approved. Verify sign table and grandfathered signs.
CRITICAL	Ch. 24; Ordinance 2018-02	Obtain certified controlling text and amendments; this package is not an enacted-code redline.

Implementation: update the master ordinance only after exact conforming amendments and attorney conclusions are approved. Keep the draft, review register and reconciliation matrix synchronized.

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