



KANAB
— UTAH —

Mayor

Nina Laycook

City Manager

Duane Huffman

Treasurer

RaeLene Johnson

City Council

James G. Sorenson

Cheryl Brown

Ed Meyer

Joe B. Wright

Kirt Carpenter

UPDATED
KANAB CITY COUNCIL
September 25, 2012
76 NORTH MAIN, KANAB, UTAH

- 5:00 P.M. Work Meeting with special guests the Kane County Commissioners to continue discussions on:
- Senior Citizen Center/Services
 - Recreation
 - Airport
 - Other Areas of Joint of Cooperation
- 6:30 P.M. Work Meeting
- Staff Report – City Manager
 - Council Member Reports
- 7:00 P.M. Presentation of framed copy of the Community Covenant Document - Sergeant Hyrum Durfee / Captain David Jones, Utah National Guard;
- 7: 05 P.M. Approval of minutes of previous meeting and accounts payable vouchers;
- 7:05 P.M. Public Comment Period – Members of the public are invited to address the Council. Participants are asked keep their comments to 3 minutes and follow rules of civility outlined in Kanab Ordinance 3-606;
- 7:20 P.M. Consider motion approving Voter Information Pamphlet formatting;
- 7:25 P.M. Consider approval of Ordinance 9-2-1 O, An Ordinance Amending Kanab City General Ordinance Section 11-362 Related to the Placement of Items on City Sidewalks;
- 7:35 P.M. Executive Session – Discussion of pending or reasonably imminent litigation

Times listed for each item on the agenda may be accelerated as time permits. If you are planning to attend this public meeting and due to a disability need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting, and we will try to provide whatever assistance may be required. Please contact RaeLene Johnson at the Kanab City offices.

– A Western Classic –

Kanab City Ordinance 9-2-12 O

An Ordinance Amending Kanab City General Ordinance Section 11-362 Related to
the Placement of Items on City Sidewalks

Whereas, Utah Code Annotated (UCA) 10-8-23 provides that Kanab City may regulate and control the use of sidewalks and all structures thereunder or thereover; and,

Whereas, the Kanab City Council is currently reviewing City ordinances related to sidewalks for revision; and,

Whereas, the Council desires to amend provisions related to the placement of items on sidewalks:

NOW THEREFORE,

BE IT HEREBY ORDAINED BY THE KANAB CITY COUNCIL the Kanab City
General Ordinance Section 11-362 is amended to state as follows:

Section 11-362 Placing Trash or Other Obstruction in Streets, Gutters, Sidewalks

A. It shall be unlawful for any person owning, occupying or having control of any premise to place, or permit to be placed upon or in the sidewalk, parking area, gutter, or on the half of the street next to such premise:

B. Any broken ware, glass, filth, rubbish, sweepings, refuse matter, ice, snow, garbage, ashes, tin cans or other like substances.

C. Any wagons, lumber, wood boxes, fencing, building material, dead trees, tree stumps, merchandise or other thing which shall obstruct such public street, gutter, parking area or sidewalk, or any part thereof, or the passage over and upon the same, or any part thereof, except as expressly authorized by ordinance, without the permission of the governing body first had and obtained.

~~D. No permanent or temporary structure, mechanism, device, or any other thing of any kind shall be placed on sidewalks, without first obtaining the written annual temporary permit from the Building Inspector which approval shall state the structure(s) permitted and the area to be used, such approval shall be granted only when:~~

- ~~1. The business owner has signed an agreement, containing an indemnification and hold harmless clause and which requires the business owner to assume all responsibility.~~

- ~~2. This agreement shall be backed up by the requirement that the business furnish the City with a Certificate of Insurance with limits of \$1,000,000 per occurrence. The Certificate of Insurance shall state that Kanab City, its elected officials, appointed officials, employees, volunteers and agents are additional insured on the business owners liability policy. The Certificate of Insurance and the agreement shall have a clause requiring the City to be notified if the insurance is going to be canceled at least seven days prior to cancellation.~~
- ~~3. The above stated agreement and Certificate of Insurance shall meet the approval by the Kanab City Attorney.~~
- ~~4. No structure shall be placed in such a manner as to leave less than a six foot (6) passageway for pedestrians or be placed on sidewalks beyond four (4) feet from the front line of the lot, or in such a manner as to create any hazard for pedestrians.~~

All former codes or parts thereof conflicting or inconsistent with provisions of this Ordinance or of the Code hereby adopted are hereby repealed.

The provisions of the code shall be severable, and if any provision thereof, of the application of such provision under any circumstance is held invalid, it shall not affect any other provisions of this code or the application in a different circumstance.

This ordinance shall be effective upon the required posting

Passed by the Kanab City Council this 24th day of September, 2012.

Nina Laycook, Mayor

Duane Huffman, Recorder