

Code Change Considerations - 2015

1-5-5:E.2. Minimum Vote Required: The minimum number of yes votes required to pass any ordinance, resolution or to take any action by the city council, unless otherwise prescribed by law, shall be a majority of the members of the quorum, but shall never be less than three (3).

- a. Any ordinance, resolution or motion of the city council having fewer favorable votes than required herein shall be deemed defeated and invalid, except a meeting may be adjourned to a specific time by a majority vote of the city council even though such majority vote is less than that required herein.
- b. ~~A majority of the members of the city council, regardless of number, may fill any vacancy in the city council.~~

Letter 'a' of this section will be combined with number '2' (since 'b' will be removed).

1-5-6: ELECTRONIC MEETING; PROCEDURE

- A. Prior to or at the beginning of an electronic meeting, the mayor shall verify that property notice of the meeting was given pursuant to Utah Code Annotated, unless closed under said State Code.
- B. Prior to or at the beginning of the electronic meeting or portion of the electronic meeting in which nonpresent members will be participating, the Mayor shall confirm that the nonpresent members are connected via electronic means (i.e.: telephonic or telecommunications conference).
- C. The electronic connection shall be such that all members, both present and nonpresent, may hear the proceedings of the meeting, or portion of the meeting, in which they are participating.
- D. If voting is required, the Mayor shall require a roll call vote, so that the nonpresent members' votes may be counted.
- E. The Mayor shall require all participants in the electronic meeting to verbalize their statements and responses, so that the nonpresent members may hear them.
- F. The Mayor shall require that all visual aids and written materials not available to the nonpresent members be verbally described.

Insert the above as 1-5-6 and bump current 1-5-6 to 1-5-7.

1-6-6 CITY RECORDER AND CITY TREASURER

- A. Appointment: On or before the first Monday in February following a city election, the mayor, with the advice and consent of the city council, shall appoint a qualified person to each of the offices of city recorder and city treasurer.

- B. ~~Ex Officio Auditor: The city recorder is ex officio the city auditor and shall perform the duties of that office. (2005 Code)~~

Letter 'A' of this section will be combined with the heading (since 'B' will be removed).

- 3-1-8D. Any home businesses, services or activities that could become disruptive to the neighborhood.
- 3-2C-1 Definitions
CUSTOMER: A. ~~Subject to subsections B and C of this definition, the person who is obligated under a contract with a telecommunications provider to pay for telecommunications service received under the contract.~~
Remove A. Renumber B&C as A&B.
- B. For purposes of this article, "customer" means:
1. The person who is obligated under a contract with a telecommunications provider to pay for telecommunications service received under the contract; or
 2. If the end user is not the person described in subsection B1 of this definition, the end user of telecommunications service.
- C. "Customer" does not include a reseller:
1. Of telecommunications service; or
 2. For mobile telecommunications service, of a serving carrier under an agreement to serve the customer outside the telecommunications provider's licensed service area.
- 3-4-4 Definitions
ADULT MOTION PICTURE THEATER: A commercial establishment which:
- A. ~~Excludes minors from the showing of any two consecutive exhibitions (repeated showings of any single presentation shall not be considered a consecutive exhibition); or~~
- B. As its principal business, shows, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions which are primarily characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

ADULT THEATER: A theater, concert hall, auditorium, or similar commercial establishment which:

- A. Holds itself out as such a business; or
- B. Excludes minors from the showing of any two consecutive exhibitions (~~repeated performance of the same presentation shall not be considered a consecutive exhibition~~); or

5-2-1 ~~Adoptions~~ **Fostering:** The temporary sheltering of any lost, stray or otherwise homeless animal for a period of time not to exceed thirty (30) days. River Heights City recognizes the need for individuals to care for and shelter stray animals when this occurs. After the thirty (30) day period, all ordinances apply with regards to the vaccinations and licensing of the adopted animal(s). Adoptions that cause a household to exceed the legally permitted number of animals per household are subject to the approval of River Heights City and require a kennel conditional use permit. It is a violation of city ordinance to adopt animals for the express purpose of resale or profit. Adoptions are to proceed in cooperation with the River Heights City animal control officer. **(Omit definition of 'adoptions')**

5-2-3 A. Dog License Required:

1. All dogs must be licensed each year, except as otherwise provided herein, to a person eighteen (18) years of age or older. Any person owning, possessing or harboring any dog within the city shall obtain a license for such animal within thirty (30) days after the dog reaches the age of four (4) months, or within thirty (30) days of the acquisition of such dog or presence of such dog within the city. Initial licensing requires completing a standard form, which requests name, address and telephone number of the applicant and the breed, gender of the animal and whether it has been spayed or neutered. The form also asks for pertinent information regarding rabies vaccinations. ~~and a~~ Annual renewals require the presentation of a valid rabies certificate of vaccination at the time of application for a license. For a dog under the age of six (6) months, the city may accept certification from a licensed veterinarian that the owner has deposited funds for spaying or neutering. A spayed or neutered dog may be licensed at the reduced fee. Refer to current fee schedule held at the city office. Said initial license shall be effective for one year until March 1 of the following year and must be renewed annually thereafter.
2. License renewals ~~applications~~ must be submitted annually to the city. Proof of rabies vaccination and fees will be due March 1st and delinquent March 2nd of each year. Late applications will be charged a \$10 late fee per month for every month of delinquency. If dogs are not licensed, their owners will be in violation of the law and issued a citation. utilizing a standard form, which requests name, address and telephone number of the applicant and the breed, sex, color and age of the animal; the form also asks for pertinent information regarding rabies vaccinations. (moved to 1.) Refer to current fee schedule held at the city office. (moved to 1.)

3. ~~The licensing application, proof of rabies vaccination and fees will be due March 1st and delinquent March 2nd of each year. Late application will be charged a \$10 late fee per month for every month of delinquency. If dogs are not licensed, their owners will be in violation of the law and issued a citation.~~
(moved to #2, delete #3)

5-2-4:D.2. Notice provided for under this section shall be deemed to have been properly served when ~~the original law inspection report form or other~~ notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by certified mail to the last known address of the permit holder. A copy of such notice shall be filed with the records of the city. (Ord. 04-06-08, 6-8-2004)

5-2-5:H 12. When a pet or stray is found in any city park, except Stewart Hill Drive Park. (Add.)

5-2-6:A Rabies Vaccination Required For Dogs: The owner or person having the charge, care, custody and control of a dog four (4) months of age or over shall have said animal vaccinated within thirty (30) days after it reaches said age. Any person permitting any such animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for said vaccination. Unvaccinated dogs over four (4) months of age acquired by the owner or moved into the jurisdiction must be vaccinated thereafter ~~every twenty four (24) months with a modified virus rabies vaccine approved by the city.~~ as required by law. **(Currently, the rule is that rabies are due one year after original shot and every 3 years after that.)**

5-2-6B.2. Any unvaccinated animal may be reclaimed prior to disposal by payment of impound fees, bringing license current and by obtaining a rabies vaccination, if needed ~~within seventy two (72) hours of release.~~

5-3-3 **REGISTRATION**
~~Chickens shall not be kept on a residential lot or parcel unless person keeping chickens first registers with the City.~~
A. ~~_____ The registrant shall acknowledge the rules set forth in this section of the River Heights City Code and shall, as a condition of filing the registration, agree to comply with such rules.~~
B. ~~_____ The cost of filing a registration shall be as shown on the Consolidated Fee Schedule adopted by the City Council.~~
C. ~~_____ The registration shall be good for one (1) year and shall be renewed annually.~~
D. ~~_____ The City recommends that chicken owners have each of their chickens _____ vaccinated.~~

(Strike this sections since there is no procedure set up to register chickens.)

7-1-1: In Line Skating and Skateboarding **(move this section to 5-1B-1 Offences and Crimes)**

7-5-5:A Franchise Application: To obtain a franchise to construct, own, maintain or provide services through any system within the city, to obtain a renewal of a franchise granted pursuant to this chapter or to obtain the city approval of a transfer of a franchise, as provided subsection 7-5-7A2 of this chapter, granted pursuant to this chapter; an

application must be filed with the city ~~on the form attached to the ordinance codified herein as exhibit A~~, which is hereby incorporated by reference and on file in the city office. The application form may be changed by the mayor so long as such changes request information that is consistent with this chapter. Such application form, as amended, is incorporated by reference. (Ord. 2-98, 3-24-1998; amd. 2005 Code)

9-2-7 COLLECTION OF IMPACT FEES

The collection of impact fees shall be as follows:

- A. Except as set forth in subsection B of this section, the impact fees for all new development shall be calculated and collected in conjunction with the application for the Zoning Clearance Permit ~~first building permit or electrical permit, certificate of compliance or occupancy~~, or other permit subsequent to development plan approval for such development, whichever occurs first in time.
- B. For other uses not ~~ultimately~~ requiring a ~~building~~ Zoning Clearance Permit, ~~electrical permit, certificate of compliance or occupancy, or other permit subsequent to development plan approval~~, the fee shall be calculated and collected at the time of approval of the development plan. (Ord. 99-08, 8-10-1999)

9-3 Outdoor Lighting:

Need to add a section on LED lighting.
The whole chapter needs to be revised.

10-2-1 BUILDING HEIGHT

The vertical distance as measured from the highest point of the roof of the building, not including a chimney, vane, mechanical equipment screen, or un-inhabited building mechanical-electrical equipment space down to the point representative of the average finished grade of the land around the perimeter of the building.

10-12-1

Table 1, Land Use Chart

<u>Land Use Description</u>	<u>A</u>	<u>R1</u>	<u>C1</u>	<u>PR</u>	<u>PUD</u>	<u>MU</u>
Residential						
1. Dwelling, single family detached	P	P			P	C
2. Dwelling, single family attached					P	C
3. Dwelling, two family					P	C
4. Dwelling, Multi Family						P
5. Residential Facility for Elderly Persons	C	C	P		C	C
6. Residential Facility for Persons with a Disability	C	C	P		C	C
7. Secondary Residential Unit (may only be occupied by a <u>related</u> person)	P	P			P	C
8. Apartment (within owner occupied structure)	P	P	P			C
<u>9. Flag Lot</u>		<u>C</u>				<u>C</u>
Commercial and Retail Uses						
<u>80. Adult-Oriented Business</u>			<u>C</u>			

- 10-14-6:C. The property owner of the business licensed at the site, and entity responsible for the event are jointly responsible for ensuring there is adequate parking at the event site. ~~The use of public right-of-way for event parking is prohibited.~~ Parking arrangements may be made for use of adjoining or nearby parking areas within a 300 foot radius, but a copy of the agreements shall be in writing and filed with the city at least two working days prior to the event.
- 10-14-7:D. The use of undeveloped sites for parking or sales by temporary vendors shall be prohibited. ~~Temporary vendors may utilize undeveloped portions of appropriately zoned properties provided that the property owner creates an approved right-of-way access, a paved surface for the area, parking needed by the vendor, and landscaping. The city may approve the design and landscaping for temporary vending.~~
- 10-16-1:C. Screening Requirements: ~~Except in those zones where nonaccessory signs are permitted,~~ ~~a~~All signs shall display thereon only information pertaining to products or services sold on the premises. Community events or public information may be displayed on a temporary basis. No more than thirty percent (30%) of the sign area or message shall be used for this purpose.
- 10-15-6:A. Street trees shall be planted within the parkstrip along both sides of all streets every thirty (30) feet on center. If no parkstrip exists, trees shall be planted adjacent to the roadway edge, where a parkstrip would exist, if possible. Tree size and species shall be approved by the city.
- 10-15-12:B. Repair and Replacement of Landscaping:
1. Required landscape structures (examples include and are not limited to walls, fences, curbs, planters) shall be maintained in a structurally sound and aesthetically pleasing condition.
 2. The regular maintenance, repair, or replacement of any landscaping irrigation systems is required by this chapter.
 3. ~~Continuous maintenance of the site as a whole.~~
- 11-4-3:C.2.d. The street address for each lot as assigned by the subdivider and approved by the city.