

ORDINANCE NO. 04-01-2019

AN ORDINANCE ESTABLISHING TITLE 7, CHAPTER 1, SECTION 10 REGULATING THE PARKING OF LARGE VEHICLES AND EQUIPMENT IN RESIDENTIAL ZONES, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council has specific authority pursuant to Title 10, Chapter 9a Utah Code Ann. (1953 as amended) to adopt a zoning plan including an ordinance and map which divide the municipality into districts or zones and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; and

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

WHEREAS, the City of Santaquin is a fourth class city in the State of Utah and maintains a police force for the protection of the public's health, safety and welfare including the enforcement of laws for the preservation of life and property; and

WHEREAS, the parking of large vehicles and equipment on City streets and in the City's rights-of-way in residential zones has caused visibility issues, obstruction of the flow of traffic, safety concerns and damage to City infrastructure; and

WHEREAS, the City of Santaquin now desires the passage, by ordinance, of certain regulations regarding the parking of large vehicles and equipment on City Streets and in the City's rights-of-way within residential zones in the City of Santaquin;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANTAQUIN, UTAH AS FOLLOWS:

Section I. Section 7-1-10 of the Santaquin City Code is hereby enacted as set forth below.

7-1-10 Parking of large vehicles and equipment in residential zones.

- A. Streets With Curbing. No truck-trailer or other equipment with a Gross Vehicle Weight Rating (GVWR) of 16,000 lbs. or licensed for more than 16,000 lbs. gross, shall be allowed to be parked on public streets with curbing within any residential zone for a period of time in excess of two (2) hours.
- B. Streets Without Curbing. No truck-trailer or other equipment with a Gross Vehicle Weight Rating (GVWR) of 16,000 lbs., or licensed for more than

16,000 lbs. gross, shall be allowed to be parked on City owned property within any public right-of-way or, within ten (10) feet of the asphalt shoulder on privately owned property within the public right-of-way within any residential zone for a period of time in excess of two (2) hours.

- C. Nothing in this section shall prohibit the reasonable use of vehicles and equipment in connection with construction activities conducted pursuant to a building or construction permit issued by the City.

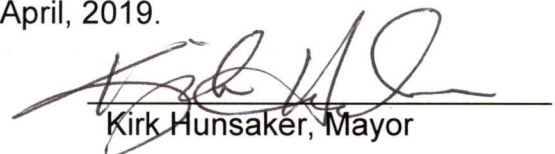
Section II. Contrary Provisions Repealed. Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

Section III. Codification, Inclusion in the Code, and Scrivener's Errors. It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

Section IV. Severability. If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section V. Posting and Effective Date. Prior to 5:00 p.m. on April 3, 2019, the City Recorder shall: (a) deposit a copy of this ordinance in the official records of the City; and (b) post a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on April 3, 2019.


PASSED AND ADOPTED this 2nd day of April, 2019.


Kirk Hunsaker, Mayor



Councilmember Elizabeth Montoya	Voted <u>Aye</u>
Councilmember Lynn Mecham	Voted <u>Absent</u>
Councilmember Keith Broadhead	Voted <u>Absent</u>
Councilmember Nick Miller	Voted <u>Aye</u>
Councilmember Chelsea Rowley	Voted <u>Aye</u>

ATTEST:


Susan Farnsworth, City Recorder