

**ORDINANCE NO. 05-96**

ROLL CALL

VOTING	YES	NO
MAYOR MARIE W. HUFF <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	X	
MATTHEW D. BARBER <i>Councilmember</i>	X	
THORA L. SHAW <i>Councilmember</i>	X	
CLYDE A. SWENSON <i>Councilmember</i>	X	
REX WOODHOUSE <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Shaw

I SECOND the foregoing motion: Councilmember Woodhouse

ORDINANCE 05-96

ORDINANCE ADOPTING A MORATORIUM ON ACCESSORY BUILDINGS

WHEREAS, Spanish Fork City zoning ordinances allow accessory buildings near property lines which can be nearly as large as the principal building; and

WHEREAS, the Spanish Fork City general plan is currently under revision which will include changes to the zoning ordinance; and

WHEREAS, concern has been raised about the size of accessory buildings permitted under the current ordinance; and

WHEREAS, a building permit is required to erect an accessory building in excess of 120

square feet; and

WHEREAS, Utah Code Ann. §10-9-404 allows a moratorium for a period of time not to exceed six months in order to protect the health, welfare, and safety of the residents of the city; and

WHEREAS, a temporary zoning regulation, to limit accessory buildings until the general plan is completed, is a compelling, countervailing public interest;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

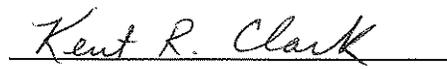
1. A moratorium is hereby placed on the construction of any accessory building which will require the issuance of a building permit.
2. This moratorium shall take effect immediately.
3. This moratorium shall be in effect for a period of six months or until the general plan and attendant zoning ordinances are implemented, whichever period of time is shorter.
4. This ordinance shall not be part of the Spanish Fork City Municipal Code.

PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, this 27th day of March, 1996.

DATED this 27th day of March, 1996.

  
MARIE W. HUFF, Mayor

ATTEST:

  
KENT R. CLARK, City Recorder



STATE OF UTAH                    )  
  : ss.  
COUNTY OF UTAH                )

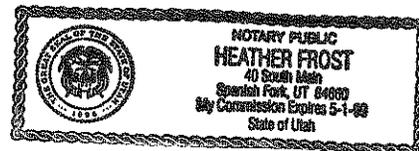
Kent R. Clark, being first duly sworn, deposes and says that he is the duly appointed and qualified recorder of Spanish Fork City, County of Utah, State of Utah; that as part of his duties to keep the minutes and ordinances of Spanish Fork City, that the attached ordinance is the same as the ordinance passed on the 27th day of Mar, 1996 by the Spanish Fork City Council.

Kent R. Clark  
KENT R. CLARK, CITY RECORDER

Subscribed and sworn to before me this 27th day of Mar, 1996.

Heather Frost  
NOTARY PUBLIC

FAORDBOOK\ORD05.96



# Proof of Publication

J. Lane Henderson being first duly sworn according to law, disposes and says that he is the *Publisher* of *THE SPANISH FORK PRESS*, a weekly newspaper, printed and published at Spanish Fork, Utah County, Utah, and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper.

for One consecutive weeks,  
the first publication on the 4th day  
of April 19 96  
and the last on the 4th day of  
April 19 96  
Jane Henderson

## ORDINANCE 05-96

### ORDINANCE ADOPTING A MORATORIUM ON ACCESSORY BUILDINGS

WHEREAS, Spanish Fork City zoning ordinances allow accessory buildings near property lines which can be nearly as large as the principal building; and  
WHEREAS, the Spanish Fork City general plan is currently under revision which will include changes to the zoning ordinance; and  
WHEREAS, concern has been raised about the size of accessory buildings permitted under the current ordinance; and  
WHEREAS, a building permit is required to erect an accessory building in excess of 120 square feet; and  
WHEREAS, Utah Code Ann. §10-9-404 allows a moratorium for a period of time not to exceed six months in order to protect the health, welfare, and safety of the residents of the city; and  
WHEREAS, a temporary zoning regulation, to limit accessory buildings until the general plan is

completed, is a compelling, countervailing public interest;  
NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

1. A moratorium is hereby placed on the construction of any accessory building which will require the issuance of a building permit.
  2. This moratorium shall take effect immediately.
  3. This moratorium shall be in effect for a period of six months or until the general plan and attendant zoning ordinances are implemented, whichever period of time is shorter.
  4. This ordinance shall not be part of the Spanish Fork City Municipal Code.
- PASSED AND ORDERED  
PUBLISHED BY THE  
SPANISH FORK CITY  
COUNCIL OF  
SPANISH FORK,  
UTAH, this 27th day  
of March, 1996.

DATED this 27th  
day of March, 1996.

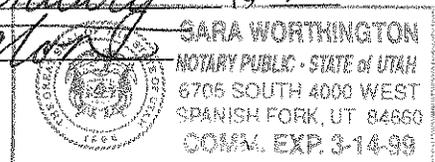
*Published Spanish  
Fork Press April 4,  
1996*

Subscribed and sworn to before me this

7th day of January 19 97

Sara

Notary Public



Residing at Spanish Fork, Utah

My Commission expires

3-14-99