

ORDINANCE NO. 22-97

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 Swenson

I SECOND the foregoing motion: Councilmember Woodhouse

ORDINANCE 22-97

AN ORDINANCE AMENDING THE ZONING REQUIREMENTS CONCERNING SEXUALLY ORIENTED BUSINESSES

WHEREAS, Spanish Fork City has adopted a sexually oriented business and employee licensing ordinance in order to be in compliance with federal law; and

WHEREAS, in conjunction with the licensing ordinance, amendments to the zoning ordinance to set forth requirements and conditions is necessary in order to protect the health, safety, and welfare of the residents; and

WHEREAS, such businesses should be kept out of residential or commercial zones; and

WHEREAS, Spanish Fork City has a light industrial zone North of Interstate 15 and State Road 6 (SR6) which would be an appropriate area to Zone for a sexually oriented business; and

WHEREAS, the community standard of Spanish Fork City would not tolerate sexually oriented businesses, therefore, it is appropriate that sexually oriented businesses be prohibited along Main Street or other main entrances into the City; and

WHEREAS, the Spanish Fork City Council has made a finding in the licensing ordinance that sexually oriented businesses and businesses which serve alcohol for on premises consumption are incompatible uses, it is appropriate to set distance requirements between such establishments; and

WHEREAS, it is also desirable to set distance requirements between schools and churches and such businesses and to require distance requirements between sexually oriented businesses themselves; and

WHEREAS, a public hearing was held before the Spanish Fork City Planning Commission on the 5th day of November, 1997, and the 3rd day of December, 1997, wherein public input was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on the 16th day of December, 1997, wherein additional public input was received;

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

I.

SECTION 17.20.110, I-1 LIGHT INDUSTRIAL ZONE, IS HEREBY AMENDED TO CREATE A NEW SUBPARAGRAPH (2) UNDER SUBPARAGRAPH (B) AS FOLLOWS:

17.20.110 I-1 Light Industrial

(B) Uses subject to conditions (as described in chapter 17.28.050):

1. [unchanged]

2. Sexually oriented businesses as defined in chapter 5.28 of the Spanish Fork Municipal Code.

II.

SECTION 17.28.050 OF THE SPANISH FORK CITY ZONING ORDINANCE IS
IS HEREBY AMENDED TO ADD SUBPARAGRAPH (K) AS FOLLOWS:

17.28.050 Uses subject to conditions.

(K) Sexually oriented businesses

Sexually oriented businesses are permitted only in the I-1 Light Industrial Zone north of 1600 North and West of Interstate 15 with the following restrictions:

1. They may not be located within 200 feet of Main Street or any other road which provides a major entry or gateway to Spanish Fork City;
2. They may not be located within 1000 feet of an establishment that is licensed to sell alcoholic beverages for consumption on the premises (measured from property line to property line);
3. They may not be located within 1000 feet of a church or school (measured from property line to property line);
4. They may not be located within 1000 feet of another sexually oriented business (measured from property line to property line).
5. Their hours of operation are limited to 8:00 a.m. until 1:00 a.m. the following morning, provided that they may not operate on Sundays.

III.

This Ordinance shall be effective immediately upon passage.

PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF
SPANISH FORK, UTAH, this 16th day of December, 1997.

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.

ORDINANCE 22-97
AMENDING THE
ZONING
REQUIREMENTS
CONCERNING
SEXUALLY ORIENTED
BUSINESSES

The Spanish Fork City Council has adopted Ordinance 22-97 which limits sexually oriented businesses to the Light Industrial (I-1) zone west of I-15 and north of 1600 North. A full copy of the ordinance is available at the Spanish Fork City Office, 40 South Main, Spanish Fork, Utah.

The Ordinance was PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, on the 16th day of December, 1997.

Published in the Spanish Fork Press on January 15, 1998.

for consecutive One weeks,

the first publication on the 15 day

of January 1998

and the last on the 15 day of

January 1998

Jane Henderson

Subscribed and sworn to before me this 15 day of January 1998

Sara Worthington
Notary Public

Residing at Spanish Fork, Utah - My Commission expires 3-14-99

