

ORDINANCE NO. 08-98

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	X	
LILLIAN J. SHEPHERD <i>Councilmember</i>	X	
THORA L. SHAW <i>Councilmember</i>	X	
CLYDE A. SWENSON <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Huff

I SECOND the foregoing motion: Councilmember Shepherd

ORDINANCE 08-98

AN ORDINANCE AMENDING THE ZONING REQUIREMENTS WITH RESPECT TO NONCONFORMING BUILDINGS, SITES, OR USES

WHEREAS, Spanish Fork City has enacted a Comprehensive Zoning Ordinance; and

WHEREAS, a section of Comprehensive Zoning Ordinance deals with nonconforming buildings, uses, and lots; and

WHEREAS, the goal of the zoning ordinance is to have all nonconforming buildings, uses, and lots become conforming over time; and

WHEREAS, in order to accomplish the goal of the zoning ordinance, certain guidelines are useful in order to determine when a nonconforming status has been abandoned; and

WHEREAS, a public hearing was held before the Planning Commission on Wednesday the 1st day of July, 1998 wherein public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on the 7th day of July, 1998, wherein additional public comment was received; and

WHEREAS, in order to protect the health, welfare and safety of the residents of the City, it is necessary to amend the Zoning Ordinance concerning the nonconforming uses;

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

SECTION I.

Section 17.04.050 (A) of the Spanish Fork Municipal Code is hereby amended by adding subparagraph 6 as follows:

(6). A nonconforming building, site, or use which ceases to be used for a period exceeding one year, or which is superseded by a conforming use, shall be deemed to have abandoned its nonconforming status and shall not be allowed to resume the nonconforming status.

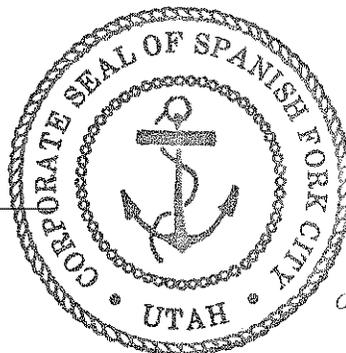
SECTION II:

PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, this 7th day of July, 1998.


DALE R. BARNEY, Mayor

ATTEST:


KENT R. CLARK, City Recorder



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 consecutive One weeks,
the first publication on the 30 day
of July 1998
and the last on the 30 day of
July 1998
Jane Henderson

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City Council as follows:
SECTION I
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the Spanish Fork Municipal
Code is hereby amended by
adding subparagraph 6 as
follows:
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building, site, or use which
ceases to be used for a period
exceeding one year, or which
is superseded by a conforming
use, shall be deemed to have
abandoned its nonconforming
status and shall not be
allowed to resume the
nonconforming status.
PASSED AND
ORDERED PUBLISHED BY
THE SPANISH FORK CITY
COUNCIL OF SPANISH
FORK, UTAH, this 7th day of
July, 1998.
Published in the Spanish Fork
Press July 30, 1998

Subscribed and sworn to before me this 30 day of July 1998
Sara Worthington



Notary Public

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