ORDINANCE NO. 13-99

ROLL CALL

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

I MOVE this ordinance be adopted: Councilmember Swenson
I SECOND the foregoing motion: Councilmember Shaw

ORDINANCE 13-99

AN ORDINANCE AMENDING THE ZONING ORDINANCE TO ALLOW ROCK CRUSHERS AS A CONDITIONAL USE PERMIT WITH A SURFACE MINING OVERLAY IN THE I-3 ZONE

WHEREAS, Spanish Fork City allows a surface mining overlay zone over the I-3 zone; and

WHEREAS, the I-3 zone is reserved for heavy industrial; and

WHEREAS, a rock crusher fits a heavy industrial use, but creates dust and noise which may extend beyond the zone; and

WHEREAS, by placing conditions on rock crushers in the I-3 zone, the needs of both industry and contiguous areas to the I-3 zone can be satisfied; and

WHEREAS, a public hearing was held before the Spanish Fork City Planning Commission on Wednesday the 2nd day of June, 1999 wherein public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday the 3rd day of August, 1999 wherein additional public comment was received;

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

I.

Spanish Fork City Municipal Code Section 17.20.130 is hereby amended by re-lettering letters B through G to be C through H and by adding a new paragraph B as follows:

B. Uses Subject to Conditional Use Permit (see Chapter 17.12.080):
1. Rock crusher only with Surface Mining Overlay (see 17.24.040)

II.

This Ordinance shall take effect 20 day after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 3 day of August, 1999.

Dale R. Barney
DALE R. BARNEY, Mayor

ATTEST:

Kent R. Clark
KENT R. CLARK, City Recorder

CORPORATE SEAL OF SPANISH FORK CITY
UTAH

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, resolutions, and ordinances of Spanish Fork City, that the attached ordinance is the same as the ordinance passed on the 3rd day of August, 1999, by the Spanish Fork City Council.

Kent R. Clark
KENT R. CLARK, City Recorder

Subscribed and sworn to before me this 3 day of August, 1999.

NOTARY PUBLIC
GINA PETERSON
40 South Main
Spanish Fork, UT 84660
My Commission Expires: 2-13-2000
State of Utah

Gina Peterson
NOTARY PUBLIC

F:\ORDBOOK\ORD13.99

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 10th day

of February 2000

and the last on the 10th day of

February 2000

J. Lane Henderson

ORDINANCE 13-99 AMENDING THE ZONING ORDINANCE TO ALLOW ROCK CRUSHERS AS A CONDITIONAL USE PERMIT WITH A SURFACE MINING OVERLAY IN THE I-3 ZONE

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B. Uses Subject to Conditional Use Permit (see Chapter 17.12.080):

1. Rock crusher only with Surface Mining Overlay (see 17.24.040)

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 3rd day of August, 1999.

Published in the Spanish Fork Press February 10, 2000.

Subscribed and sworn to before me this 17th day of February 2000

Sara Northington

Notary Public

SARA NORTHINGTON
NOTARY PUBLIC - STATE of UTAH
6705 SOUTH 4000 WEST
SP. FORK, UT 84660
COMM. EXP. 3-14-2003