

**ORDINANCE NO. 01-10**

**ROLL CALL**

<b>VOTING</b>	<b>YES</b>	<b>NO</b>
<b>MAYOR G. WAYNE ANDERSEN</b> <i>(votes only in case of tie)</i>		
<b>ROD DART</b> <i>Councilmember</i>	<b>X</b>	
<b>RICHARD M. DAVIS</b> <i>Councilmember</i>	<b>X</b>	
<b>STEVE LEIFSON</b> <i>Councilmember</i>	<b>X</b>	
<b>JENS P. NIELSON</b> <i>Councilmember</i>	<b>X</b>	
<b>KEIR A. SCOUBES</b> <i>Councilmember</i>	<b>x</b>	

I MOVE this ordinance be adopted: Councilman Davis

I SECOND the foregoing motion Councilman Dart

**ORDINANCE No. 01-10**

**AN ORDINANCE REMOVING ASSISTED LIVING FACILITIES FOR THE ELDERLY FROM THE DESIGN AND SEPARATION REQUIREMENTS OF TITLE 15**

WHEREAS, Spanish Fork City has adopted zoning regulations which set design and separation standards for various types of treatment care facilities, including assisted living facilities for elderly persons; and

WHEREAS, experience with other assisted living facilities for elderly persons indicate they are compatible with residential neighborhoods, and therefore do not require the same design and separation requirements; and

WHEREAS, there is an increased demand for assisted living facilities for the elderly; and

WHEREAS, a public hearing was held before the Spanish Fork Planning Commission on Wednesday the 6<sup>th</sup> day of January, 2010, where public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday the 19<sup>th</sup> day of January, 2010, where 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 15.3.24.010(E)(1) is hereby amended to eliminate assisted living facilities for elderly persons from the design and separation requirements as follows:

**15.3.24.010 Treatment Facilities**

**(E) Design and Separation**

1. All residential facilities for persons with a disability, residential treatment center, and supervisory care facility must meet these requirements.
2. [no change].
3. [no change].

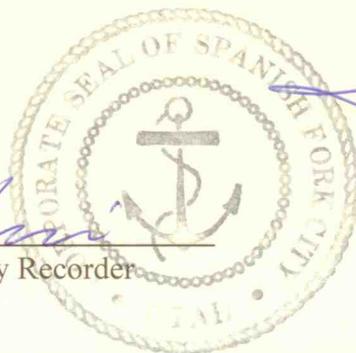
II.

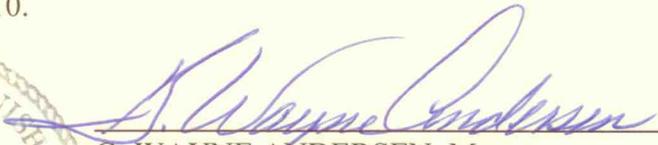
This Ordinance shall take effect 20 days passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 19th day of January, 2010.

ATTEST:

  
Kimberly Robinson, City Recorder



  
G. WAYNE ANDERSEN, Mayor