



TOQUERVILLE CITY  
ORDINANCE.2016.10

SPECIAL ACCOMMODATION FOR TEMPORARY OCCUPANCY

AN ORDINANCE OF THE CITY COUNCIL OF TOQUERVILLE, UTAH AMENDING TITLE 10, CHAPTER 18A-2 CONFORMANCE WITH PERMIT REQUIREMENTS, ADDING SUBSECTION C SPECIAL ACCOMMODATION FOR TEMPORARY OCCUPANCY; AND MODIFY CURRENT CITATION SUBSECTION C REVIEW PROCESS OUTLINED, AS LETTER D.

WHEREAS, the Toquerville City Council has required an occupancy permit prior to property owners obtaining residency; and

WHEREAS, the Planning Commission, under direction of the City Council, deemed it necessary to amend said ordinance, facilitating balance to property owners and the property rights they possess to use their property in all lawful ways; and

WHEREAS, the modification of this ordinance has been evaluated as it relates to the health, safety, and general welfare of the City; the development of land in the City; the effect upon the surrounding neighborhood; and is in compliance with the Toquerville General Plan.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOQUERVILLE, UTAH as follows:

**10-18A-2: CONFORMANCE WITH PERMIT REQUIREMENTS:**

**C. Special Accommodation For Temporary Occupancy: The owner-builder of a single-family residence may request special accommodation from the City to live on the residential premises during the construction of the permanent dwelling. The building permittee may only request one (1) special accommodation/temporary living quarters. Such accommodation may include living in the following types of structures:**

- a. Mobile Home**
- b. Motor Home**
- c. Camper Trailer**

**In order to receive accommodation, the owner-builder must have submitted application for a building permit and paid all necessary fees, including all connection fees for utilities on the lot. This special accommodation will have a primary expiration date of six (6) months and be eligible for one (1), six (6) month extension, contingent upon progress towards completion of the single-family dwelling for occupancy. Temporary living quarters must be vacated and disconnected from all utilities prior to the issuance of a Certificate of Occupancy.**

**D. Review Process Outlined: Except for single-family dwellings, a building permit shall be issued only after a two (2) step review process: conceptual review and final review. Single-family dwellings require only a final review by the building department. (Ord. 2012.04, 1-18-2012)**

**E. REPEALER. This Ordinance shall repeal and supersede all prior ordinances and resolutions governing the same.**

**F. SAVINGS CLAUSE: If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.**

**G. EFFECTIVE DATE. This Ordinance shall take effect immediately upon approved by the City Council.**

PASSED AND APPROVED THIS 8<sup>th</sup> DAY OF December 2016.

Paul Heideman	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Keen Ellsworth	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Mark Fahrenkamp	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Brad Langston	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Ty Bringhurst	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

CITY OF TOQUERVILLE a Utah Municipal Corporation



M. Darrin LeFevre, Mayor

Date 12-8-2016

Attest:



Dana M. McKim, City Recorder