

**AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH, AMENDING
TITLE 10 CHAPTER 6G2 OF THE LAVERKIN CITY CODE**

WHEREAS, the City Council of LaVerkin, deems it necessary and desirable for the preservation and protection of the public health, safety, and welfare of the residents of LaVerkin, Utah, to approve and adopt amendments to Title 10 Chapter 6G2 of the LaVerkin City Code,

BE IT HEREBY ORDAINED by the City Council of LaVerkin, Utah, that Title 10 Chapter 6G2-4 of the LaVerkin City Code is hereby amended in its entirety to read as follows:

10-6G2-4: Height Regulations

- A. Except as provided in subsections B and C below, no building or structure shall be erected to a height greater than thirty-five feet (35') as measured from its tallest side or point, except that facades, rooflines and other non-occupied building improvements or structures may be constructed to height of forty-five feet (45') inclusive of the underlying building structure. However, the City shall not impose or restrict the height of a building or structure in a manner that imposes a substantial hardship on the religious exercise of a person, including a religious assembly or institution, unless the City demonstrates that imposition of the burden on that person, assembly or institution: (i) is in furtherance of a compelling governmental interest, and (ii) is the least restrictive means of furthering that compelling governmental interest.
- B. Hotels, motels, inns, lodges or other tourist transient lodging facilities approved pursuant to a development agreement in accordance with Section 10-12-5 of this Code shall be erected to a height not to exceed fifty-five feet (55'), as measured from its tallest side or point, except that facades, rooflines, and flagpoles may be constructed to a maximum height of sixty-six feet (66'), inclusive of the underlying building.
- C. Notwithstanding the foregoing, a flag pole exceeding sixty-six feet (66') feet in height may be approved by the City Council on a case by case basis; provided that: (i) such flagpole is in compliance with Title 10-11-1 et. seq. of the LaVerkin City Code, and (ii) the terms and conditions of such approval are contained in a development agreement.

BE IT FURTHER ORDAINED that this Ordinance shall take effect at the earliest possible date allowed by law after publication and posting and shall supersede all other ordinances in conflict with the terms and conditions contained herein.

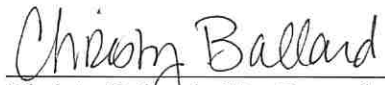
DATED this 6 day of March, 2024.

CITY OF LAVERKIN


Kelly B. Wilson, Mayor



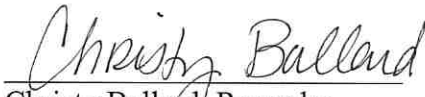
Attest:


Christy Ballard, City Recorder

The foregoing Ordinance was presented at a regular meeting of the LaVerkin City Council held in the LaVerkin City Council Chambers, located at 111 South Main Street, LaVerkin, Utah, on the 6 day of March, 2024, whereupon, a motion to adopt said Ordinance was made by Patricia Wise and seconded by Blair Gubler.

A roll call vote was then taken with the following results:

NAME	VOTE
<u>Darren Prince</u>	<u>Aye</u>
<u>Micah Gubler</u>	<u>Aye</u>
<u>Richard Hirschi</u>	<u>Aye</u>
<u>Patricia Wise</u>	<u>Aye</u>
<u>Blair Gubler</u>	<u>Aye</u>


Christy Ballard, Recorder