

COTTONWOOD HEIGHTS

ORDINANCE NO. 407

AN ORDINANCE AMENDING SECTION 11.20.060 OF THE COTTONWOOD HEIGHTS CODE OF ORDINANCES CONCERNING PARKING RESTRICTIONS FOR CERTAIN VEHICLES

WHEREAS, effective 14 January 2005, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) adopted a code of ordinances (the “*Code*”) for the City; and

WHEREAS, the Council met in regular session on 16 January 2024 to consider, among other things, amending Section 11.20.060 of the Code concerning the parking/storage of certain vehicles and trailers in residential areas in the City; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to so amend Section 11.20.060 of the Code as proposed;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. **Adoption of Amended Section 11.20.060.** The Council hereby amends Section 11.20.060 (the “*Section*”) of the Code as shown on the attached exhibit, which shows deletions to the current Section ~~struck through~~ or otherwise shown as deletions, and additions to the current Section underlined or otherwise shown as additions.

Section 2. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this ordinance (this “*Ordinance*”), whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 3. **Severability.** It is hereby declared that all parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 4. **Repealer.** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

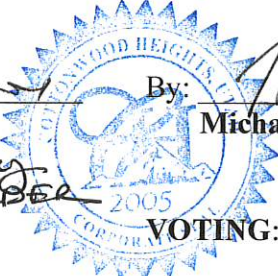
Section 5. **Effective Date.** This Ordinance, assigned no. 407, shall take effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City’s Recorder, or such later date as may be required by Utah statute.

PASSED AND APPROVED this 16th day of January 2024.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By: *N. Dreyer*
~~Paula Melgar, Recorder~~
Nari Dreyer, Deputy Recorder



By: *M. T. Weichers*
Michael T. Weichers, Mayor

VOTING:

Michael T. Weichers	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Matt Holton	Yea <input type="checkbox"/>	Nay <input checked="" type="checkbox"/>
Suzanne Hyland	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Shawn E. Newell	Yea <input type="checkbox"/>	Nay <input checked="" type="checkbox"/>
Ellen Birrell	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the Recorder's office this 16th day of January 2024.

POSTED this 18 day of January 2024.

EXHIBIT TO ORDINANCE NO. 407

11.20.060 Parking of agricultural vehicles, commercial vehicles, recreational vehicles, trailers and trucks.

A. Definitions. As used in this section:

1. "*Agricultural vehicle*" means a vehicle, whether or not self-propelled, that is primarily designed or used for agricultural purposes.

2. "*Commercial vehicle*" means a vehicle in excess of one-ton capacity of whatever make or type used for commercial purposes. The term "commercial vehicle" includes, without limitation, all so-called "semi" truck-tractors and "semi" truck-trailers.

3. "*Controlled vehicle*" means any vehicle and/or trailer described in subparts 1-2 and 4-7, inclusive, of this subsection 11.20.060(A).

4. "*Recreational vehicle*" means a vehicular unit other than a mobile home, primarily designed as a temporary dwelling for travel, recreational or vacation use, which is either self-propelled or pulled by another vehicle. Recreational vehicle also includes a boat, a snowmobile, a personal watercraft, an all-terrain vehicle, a travel trailer, a camping trailer, a motor home, and a fifth wheel trailer.

5. "*Trailer*" means any truck trailer or other trailer designed or adapted primarily for the transportation of materials, debris or property of whatever kind, including, without limitation, boats, personal watercraft, snowmobiles, all-terrain vehicles or motorcycles, whether occupied or empty.

6. "*Travel trailer,*" "*camping trailer,*" or "*fifth wheel trailer*" means a portable vehicle without motive power, whether occupied or empty, designed as a temporary dwelling for travel, recreational or vacation use that does not require a special highway movement permit when drawn by a self-propelled motor vehicle.

7. "*Truck*" means any truck-tractor, tractor-trailers, panel truck, pickup or other truck in excess of one-ton capacity.

B. Restrictions.

1. No person shall park any controlled vehicle on any public street adjacent to a lot or parcel containing a residential dwelling(s) or on any public street within a residential zone of the city for a period of time longer than two hours within any twenty-four hour period; provided, however, that a recreational vehicle may be parked on a public street fronting a residential dwelling occupied by the owner or user of that vehicle for a single parking span of up to 12 hours within any one-week period to allow time for the vehicle to be readied for use or readied for storage after use.

2. A controlled vehicle may be stored on the paved portion of the front, side or rear yard of a home on any residential lot, subject to the following conditions:

(a) Except for parking on a public street as provided in subsection 11.20.060(B)(1), in no case shall any portion of the controlled vehicle extend onto or over any part of the public right-of-way and/or public sidewalk.

(b) Controlled vehicles stored within the front yard of a lot in a residential zone must be operable and, if legally licensable, licensed and registered.

(c) Without the prior written approval of the city's development review committee (DRC) (as empanelled from time to time by the city's community development director), which shall primarily focus on any safety-related issues posed by parking or storing controlled vehicles

hereunder, controlled vehicles shall not be stored within the required side yard setback next to the street on corner lots.

(d) Controlled vehicles may not be stored on any lot in violation of applicable "clear view" or other nationally-recognized safety standards, as determined by the city's community development director in consultation with the city engineer.

(e) Any commercial vehicle, agricultural vehicle or truck stored within the front yard or side yard of a home on any residential lot must be in active use in connection with the occupant's primary trade or business conducted by such occupant at least 20 hours weekly.

(f) No more than a total of three controlled vehicles may be stored or parked on any residential lot that is one-half acre or smaller in size. Up to a total of two additional controlled vehicles may be stored or parked on residential lots larger than one-half acre in size at the rate of one additional controlled vehicles per one quarter-acre of additional lot size, so that, for example, a total of four controlled vehicles may be parked or stored on a residential lot that is .75 acre and up to 1.00 acre in size, and a total of five controlled vehicles may be parked or stored on a residential lot that is 1.00 acre or larger in size.

C. Exception. The prohibitions in this section shall not apply to controlled vehicles actively being used in the servicing of adjacent properties or streets.

D. Conflicting Ordinances. This section shall control and take precedence over any conflicting provisions in this code concerning parking or storage of controlled vehicles.