

ORDINANCE 2012- ~~22~~

SHORT TITLE:

An ordinance enacting Chapter 14.21D WG – West Gateway Zone.

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER
CW 1	LAURA H. CABANILLA			✓		
CW 2	GARY GARRETT					excused
CD 1	GARY WINTERTON	✓		✓		
CD 2	RICHARD D. HEALEY			✓		
CD 3	HAL MILLER					excused
CD 4	KAY VAN BUREN			✓		
CD 5	STERLING BECK			✓		
TOTALS				5	0	2

This ordinance was passed by the Municipal Council of Provo City, on the 21 day
of Aug, 2012 on a roll call vote as described above. Signed this 21 day
of Aug, 2012.

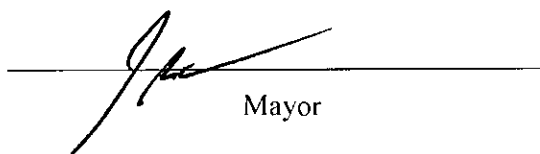


Chair

11

APPROVAL BY MAYOR

This ordinance is approved by me this 22 day of Aug 2012.



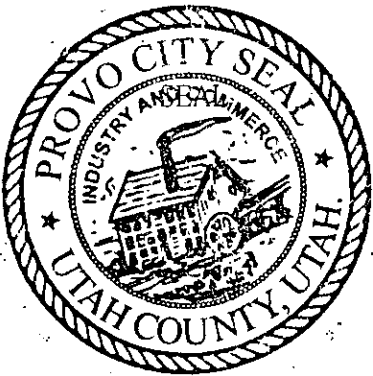
Mayor

ORDINANCE 2011-22

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 4 day of September 2012, with a short summary being published on the 31 day of August 2012, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2012-22.



Signed this 4 day of September 2012.

Janeve Skiss
City Recorder

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ORDINANCE 2012-22.

AN ORDINANCE ENACTING CHAPTER 14.21D. WG – WEST GATEWAY ZONE. *City Wide Impact* (12-0008OA)

WHEREAS, it is proposed that Chapter 14.21D. (WG – West Gateway Zone) be enacted to create a new commercial zone; and

WHEREAS, on June 27, 2012, the Planning Commission held a duly noticed public hearing to consider the proposal and after such hearing the Planning Commission recommended to the Municipal Council the ordinance be amended as proposed; and

WHEREAS, on July 17, 2012, the Municipal Council held a duly noticed public meeting to ascertain the facts regarding this matter, which facts and comments are found in the meeting record; and

WHEREAS, on August 21, 2012, the Municipal Council held a duly noticed public hearing to receive public comments and ascertain the facts regarding this matter, which facts and comments are found in the hearing record; and

WHEREAS, all persons for and against the proposed ordinance amendment were given an opportunity to be heard; and

WHEREAS, after considering the Planning Commission's recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) the Planning and Zoning Title of Provo City should be amended on the basis recommended by the Planning Commission and (ii) the ordinance amendment, as set forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Chapter 14.21D of the Provo City Code is hereby enacted as follows:

Chapter 14.21D. WG - West Gateway Zone

14.21D.010. Purpose and Objectives.

14.21D.020. Permitted Uses.

14.21D.030. Prior Created Lots.

14.21D.040. Lot Standards.

14.21D.050. Yard Requirements.

14.21D.060. Building Height.

14.21D.070. Transitional Development Standards

14.21D.080. Minimum Habitable Floor Depth.

14.21D.090. Projections.

- 48 14.21D.100. Distance Between Buildings.
- 49 14.21D.110. Project Plan Approval.
- 50 14.21D.120. Parking, Loading and Access.
- 51 14.21D.130. Landscaping and Recreational Amenities.
- 52 14.21D.140. Design Standards.
- 53 14.21D.150. Signs.
- 54 14.21D.160. Trash Storage and Location.
- 55 14.21D.170. Walls and Fences.
- 56 14.21D.180. Notice of Parking and Occupancy Restrictions.

57

58 **14.21D.010. Purpose and Objectives.**

59 The West Gateway (WG) zone is intended to accommodate restaurants, hotels and a variety of
 60 retail uses to service visitors as well as local residents. Properties in this primary entrance to Provo
 61 should be inviting, attractive, well-designed and maintained. This zone may accommodate large scale
 62 retail uses as well as smaller-scale downtown and visitor support type uses. The design criteria for the
 63 West Gateway is not as stringent as the Gateway zone to the east. Building location and architectural
 64 requirements have been lessened due to the different character of this area, as opposed to land further to
 65 the east.

66

67 **14.21D.020 Permitted Uses.**

68 (1) Those uses or categories of uses as listed herein, and no others, are permitted in the GW zone.

69 (2) All uses contained herein are listed by number as designated in the Standard Land Use Code,
 70 published and maintained by the Planning Commission. Specific uses are identified by a four digit
 71 number in which all digits are whole numbers. Classes or categories of such uses permitted within the
 72 zone are identified by a four digit number in which the last one or two digits are zeros.

73 (3) All such categories listed herein and all specific uses contained within them in the Standard
 74 Land Use Code will be permitted in the WG zone, subject to the limitations set forth.

75 (4) Property located within 100 feet of 100 North Street shall only be permitted to be developed
 76 with one-family residential uses, either attached or detached. No commercial uses are permitted within
 77 100 feet of 100 North Street.

78 (5) Permitted Principal Uses. The following principal uses and structures, and no others, are
 79 permitted in the WG zone:

80

81

<u>Use</u>	<u>Use</u>
<u>No.</u>	<u>Classification</u>
84 <u>1110</u>	<u>One-family dwelling, attached to commercial or other nonresidential use</u> <u>(detached only if existing as of July 7, 2009)</u>
86 <u>1120</u>	<u>Two-family dwelling, located above or behind commercial or other</u> <u>nonresidential use (detached only if existing as of July 7, 2009)</u>
88 <u>1130</u>	<u>Multiple family dwellings (three (3) or four (4) dwelling units), located above</u> <u>commercial or other nonresidential use</u>
90 <u>1241</u>	<u>Assisted living facility (subject to the locational and development standards as</u> <u>set forth in Section 14.34.470, Provo City Code)</u>
92 <u>1291</u>	<u>Residential facility for elderly persons (see Section 14.34.230, Provo City Code)</u>
93 <u>1292</u>	<u>Residential facility for persons with a disability (see Section 14.34.230, Provo</u> <u>City Code)</u>
95 <u>1511</u>	<u>Hotels</u>
96 <u>1512</u>	<u>Motels</u>
97 <u>1516</u>	<u>Bed and breakfast</u>

98	<u>4118</u>	<u>Railroad company office not located at terminal (office only, no storage of related vehicles or equipment in permitted)</u>
99		
100	<u>4218</u>	<u>Bus Company offices not located at terminal (office only, no storage of related vehicles or equipment is permitted)</u>
101		
102	<u>4318</u>	<u>Airline company offices not located at terminal (office only, no storage of related vehicles is permitted)</u>
103		
104	<u>4295</u>	<u>Parcel delivery and pickup service</u>
105	<u>4700</u>	<u>Communications (unless identified as a conditional use in Section 14.34.420)</u>
106	<u>4811</u>	<u>Electric transmission right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)</u>
107		
108	<u>4815</u>	<u>Electric utility company office (office only, no storage of related vehicles is permitted)</u>
109		
110	<u>4821</u>	<u>Gas pipeline right-of-way (identifies areas where the surface is devoted exclusively of the right-of-way of the activity)</u>
111		
112	<u>4825</u>	<u>Gas company office</u>
113	<u>4831</u>	<u>Water pipeline right-of-way (identifies areas where surface is devoted exclusively to the right-of-way of the activity)</u>
114		
115	<u>4835</u>	<u>Irrigation distribution channels</u>
116	<u>4837</u>	<u>Water utilities or irrigation company office</u>
117	<u>4841</u>	<u>Sewage pipeline right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)</u>
118		
119	<u>4853</u>	<u>Refuse disposal company office</u>
120	<u>4862</u>	<u>Gas and electric utility company office</u>
121	<u>4863</u>	<u>Water and electric utility company office</u>
122	<u>4864</u>	<u>Combination utilities right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)</u>
123		
124	<u>4873</u>	<u>Storm drain or right-of-way (predominantly covered pipes or boxes)</u>
125	<u>4923</u>	<u>Travel agencies</u>
126	<u>5220</u>	<u>Heating and plumbing equipment (no outside storage)</u>
127	<u>5230</u>	<u>Paint, glass, and wallpaper</u>
128	<u>5240</u>	<u>Electrical supplies</u>
129	<u>5251</u>	<u>Hardware</u>
130	<u>5254</u>	<u>Janitorial supplies</u>
131	<u>5255</u>	<u>Building maintenance supplies</u>
132	<u>5256</u>	<u>Swimming pool supplies</u>
133	<u>5311</u>	<u>Department Stores (including major and junior chain department stores)</u>
134	<u>5330</u>	<u>Variety stores</u>
135	<u>5340</u>	<u>Merchandise vending machine operators</u>
136	<u>5390</u>	<u>Retail trade - general merchandise</u>
137	<u>5400</u>	<u>Food stores (groceries, meats and fish, fruits and vegetables, candy, nuts, dairy products, bakeries, etc.)</u>
138		
139	<u>5594</u>	<u>Motor scooters or motorcycles</u>
140	<u>5600</u>	<u>Apparel and accessories</u>
141	<u>5700</u>	<u>Furniture, home furnishings, and equipment</u>
142	<u>5810</u>	<u>Eating places (restaurants)</u>
143	<u>5910</u>	<u>Drug and proprietary stores</u>
144	<u>5930</u>	<u>Antiques and secondhand merchandise (except 5935 Secondhand auto parts, 5938 Junk dealers and salvage, 5939 Secondhand stores)</u>
145		
146	<u>5940</u>	<u>Books, stationery, art, and hobby supplies</u>
147	<u>5950</u>	<u>Sporting goods, bicycles, and toys</u>
148	<u>5969</u>	<u>Garden supplies</u>

149	<u>5970</u>	<u>Jewelry</u>
150	<u>5990</u>	<u>Miscellaneous retail stores (includes florists, newspapers and magazines, photo</u>
151		<u>supplies, pet stores, and other similar retail stores) (except 5992 Cigars and</u>
152		<u>cigarettes)</u>
153	<u>6100</u>	<u>Banks, insurance, and real estate (except 6123 Pawnbrokers, and 6124 Bail</u>
154		<u>bonds, and 6129 Other credit services)</u>
155	<u>6200</u>	<u>Personal services - including laundry, photography, beauty and barber services,</u>
156		<u>clothing repair, etc. (except 6294 Escort services and 6295 Tattooing)</u>
157	<u>6300</u>	<u>Business services (office and retail sales only, except 6380 Auction services,</u>
158		<u>6394 Equipment rentals and 6397 Automobile rentals)</u>
159	<u>6370</u>	<u>Warehousing and storage when ancillary to a retail business _____</u>
160	<u>6420</u>	<u>Electrical appliance repair and service</u>
161	<u>6493</u>	<u>Watch and clock repair</u>
162	<u>6494</u>	<u>Reupholstering and furniture repair</u>
163	<u>6496</u>	<u>Locksmiths and key shops</u>
164	<u>6497</u>	<u>Gunsmiths</u>
165	<u>6498</u>	<u>Saw, knife, and tool sharpening</u>
166	<u>6499</u>	<u>Other repair services, NEC (except blacksmiths)</u>
167	<u>6500</u>	<u>Professional Services (except 6515 Behavior, drug and alcohol treatment and</u>
168		<u>6518 Blood banks)</u>
169	<u>6600</u>	<u>Contract construction services (office only)</u>
170	<u>6710</u>	<u>Executive, legislative, and judicial functions (no repair or maintenance facilities)</u>
171	<u>6720</u>	<u>Protective functions and related activities</u>
172	<u>6730</u>	<u>Postal services</u>
173	<u>6800</u>	<u>Educational services</u>
174	<u>6910</u>	<u>Religious activities</u>
175	<u>7398</u>	<u>Video rental shops</u>
176	<u>7399</u>	<u>Other amusements, NEC (bike rentals only)</u>
177	<u>7600</u>	<u>Park</u>

178
179 (6) Permitted Accessory Uses. Accessory uses and structures are permitted in the WG zone
180 provided they are incidental to, and do not substantially alter the character of the permitted principal use
181 or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

182 (a) Swimming pools and incidental bath houses subject to the standards of 14.34.210 -
183 Pools.

184 (b) Storage of materials used for construction of a building, including the contractor's
185 temporary office, provided that such use be located on the building site immediately adjacent thereto, and
186 provided further that such use shall be permitted only during the construction period and 30 days
187 thereafter.

188 (c) Vegetable and flower gardens.

189 (d) Home occupations subject to the regulations of Chapter 14.41 - Home Occupations.

190 (e) Household pets, provided that no more than two dogs and two cats six months of age
191 or older shall be kept at any residence or commercial establishment at any time. Nothing herein shall be
192 construed as authorizing the keeping of an animal capable of inflicting harm or discomfort or endangering
193 the health and safety of any person or property.

194 (7) Uses Within Buildings. All uses established in the WG zone shall be conducted entirely
195 within a fully-enclosed building except those uses deemed by the Planning Commission, through the
196 granting of a conditional use permit, to be customarily and appropriately conducted in the open. Uses
197 customarily deemed to be conducted in the open may include, but would not be limited to public
198 assembly, live entertainment, etc. Open storage within view of a public street or space is prohibited.

199 (8) Sidewalk cafes shall be permitted per the requirements of Section 14.34.480.

200 (9) Canopies and marquees shall be permitted per the requirements of Section 14.34.490, only
201 after a conditional use permit has been issued, and subject to the terms and conditions thereof:

202 (10) Conditional Uses. The following uses and structures are permitted in the WG zone only
203 after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

205	<u>4700</u>	<u>Communications (Subject to 14.34.420)</u>
206	<u>4814</u>	<u>Electricity regulating substations</u>
207	<u>4824</u>	<u>Gas pressure control stations</u>
208	<u>4834</u>	<u>Water storage as part of a utility system (covered including water storage</u> 209 <u>standpipes)</u>
210	<u>4836</u>	<u>Water pressure control stations and pumping plants</u>
211	<u>4844</u>	<u>Sewage pumping stations</u>
212	<u>5530</u>	<u>Gasoline service stations</u>

213
214 **14.21D.030. Prior Created Lots.**

215 Existing lots or parcels of land that do not meet the minimum lot standards found in Section
216 14.21D.050 may not obtain a building permit without approval of a conditional use permit. A conditional
217 use permit may only be issued if the proposed project meets the conditions outlines in Section
218 14.02.040(2), in addition to the following:

219 (1) The applicant has demonstrated that consolidation of property to meet the minimum lot
220 requirement is not feasible due to surrounding projects, developments or buildings;

221 (2) Requiring a development that meets the minimum lot requirements would result in a project
222 that would be inconsistent with the characteristics of the surrounding area or with the established pattern
223 of existing buildings; and

224 (3) The applicant has demonstrated that the property can be developed to comply with the
225 purpose and requirements of this title without further need of variances or exceptions.

226
227 **14.21D.040. Lot Standards.**

228 Lots within the WG zone shall be developed according to the following:

- | | | |
|-----|----------------------------------|---------------------------|
| 229 | <u>(1) Minimum Lot Area:</u> | <u>20,000 square feet</u> |
| 230 | <u>(2) Minimum Lot Width:</u> | <u>90 feet</u> |
| 231 | <u>(3) Minimum Lot Depth:</u> | <u>90 feet</u> |
| 232 | <u>(4) Minimum Lot Frontage:</u> | <u>90 feet</u> |
| 233 | <u>(5) Maximum Lot Coverage:</u> | <u>No requirement</u> |

234
235 **14.21D.050. Yard Requirements.**

236 Yards shall be provided according to the following:

- | | | |
|-----|-------------------------------|---|
| 237 | | <u>Minimum</u> |
| 238 | <u>(1) Front Yard:</u> | <u>10 feet</u> |
| 239 | <u>(2) Side Yard:</u> | <u>0 feet</u> |
| 240 | <u>(3) Street Side Yard:</u> | <u>10 feet</u> |
| 241 | <u>(4) Driveway Access:</u> | <u>16 feet (with a maximum of 40 feet)</u> |
| 242 | <u>(5) Rear:</u> | <u>20 feet</u> |
| 243 | <u>(6) Clear Vision Area:</u> | <u>See Section 14.34.100 - Clear Vision, Corner Lots.</u> |

244 (7) Courtyards: Front yards may be extended beyond maximum setback limitations, as specified
245 in 14.21D.150, for a public space upon recommendation by the Design Review Committee and the City
246 Engineer. In determining the appropriateness of the courtyard, the approving body shall make the
247 following findings in addition to the conditional use permit criteria:

- 248 (a) That the proposed courtyard will serve a legitimate public purpose;
249 (b) That the design of the courtyard enhances the public realm and will reasonably attract
250 activity throughout each day and not on a limited special event basis;

- 251 (c) That the courtyard is not raised more than two feet above street sidewalk grade;
252 (d) That the landscaping or other elements do not obscure more than 25% of the street
253 view into the setback; and
254 (e) That the minimum habitable floor area required by Section 14.21D.090 shall be
255 provided along the increased courtyard.

256
257 **14.21D.060. Building Height.**

258 Building height, measured from the top of the street curb, shall be determined by the following:

- 259 (1) Total Maximum Building Height: 50 feet
260 (2) Minimum Number of Building Stories: 1 story
261 (3) Maximum Number of Building Stories: 3 stories
262 (4) Maximum Story Height: 14 feet
263 (5) Maximum Parapet/Cornice Height: 5 feet
264 (6) Main Floor Elevation - Residential: 3 feet maximum above curb
265 (7) Main Floor Elevation - Commercial: 1 foot maximum above curb
266 (8) Roof mounted mechanical equipment shall be permitted so long as it is completely screened
267 behind an architectural feature of the primary structure.
268 (9) Section 14.34.090. Height Limitations and Exceptions - shall be adhered to within the WG zone.

269
270 **14.21D.070. Transitional Development Standards.**

271 (1) Buildings or portions of buildings in the WG zone located adjacent to properties in a RC, R1,
272 R2, or PRO-R zone shall be located 20 feet from the nearest property line of a residentially zoned
273 property. New development within this district shall adhere to the requirement for 14.34.300 Transitional
274 Development Standards for Uses Abutting Residential Zones.

275
276 **14.21D.080. Minimum Habitable Main Floor Depth.**

277 Each structure in the WG zone fronting a public street shall have a minimum habitable main floor
278 depth of 30 feet that is a non-residential use.

279
280 **14.21D.090. Projections.**

281 (1) The following structures may be erected on or project into a required yard provided it does not
282 obstruct a required driveway:

- 283 (a) Fences and walls in conformance with Provo City Code;
284 (b) Landscaping elements including trees, shrubs, and other planting materials;
285 (c) Necessary appurtenances for utility services with property-impact protection if located
286 adjacent to driveway areas.

287 (2) Buildings may project over required driveways provided that a minimum of 10 feet of
288 clearance is provided for vehicular access.

289 (3) Signs may project into a street right-of-way as permitted by Section 14.38.105 - Signs.

290 (4) Marquees and canopies may project into the street right-of-way under the provisions of
291 Section 14.34.490.

292
293 **14.21D.100. Distance Between Buildings.**

294 No requirement except as regulated by the provisions of the adopted version of the International
295 Building Code. Public street frontages shall not be dominated by parking lots. The distance between
296 buildings shall not exceed 85 feet.

297
298 **14.21D.110. Project Plan Approval.**

299 See Sections 15.03.300 and 15.03.310, Provo City Code.

300
301 **14.21D.120. Parking, Loading and Access.**

302 (1) Each lot or parcel in the WG zone shall provide automobile parking sufficient to meet the
303 requirements as set forth in Chapter 14.37, Provo City Code.

304 (2) Bicycle Parking. A minimum of one bicycle stall shall be required for every 2,000 square feet
305 of gross floor area. Bicycle stalls must be provided in an enclosed area in the primary structure or within
306 a parking structure on the property.

307 (3) Parking Design. Parking shall be designed to the requirements of Section 14.37.100.

308 (a) Surface parking shall be set back a minimum of 10 feet and not be provided between a
309 building and a public street, except for Convenience Stores with gas pumps as specified in Section
310 14.21D.150.

311
312 **14.21D.130. Landscaping.**

313 Landscaping shall be required for all yards and open areas not used for vehicular parking or
314 access and shall meet the requirements of Chapter 15.20, Provo City Code.

315
316 **14.21D.140. Design Standards.**

317 (1) The following design standards are required in the WG zone:

318 (a) All buildings are not required to be built to the street; however sufficient buildings
319 shall be built to the street to substantially hide parking areas interior to the development. Building placed
320 along the Center Street frontage shall have a minimum setback of ten (10) feet and a maximum setback of
321 twenty (20) feet. Due to unique access and delivery needs, Convenience Stores with gas pumps may
322 locate parking and gas pumps between a public street and the store, according to the following provisions:

323 i. The Convenience Store is at the intersection of arterial and collector streets;

324 ii. The Convenience Store has access to a traffic light; and

325 iii. The land parcel is a minimum of one (1) acre.

326 iv. Driveway accesses may exceed thirty (30) feet, with the approval of the Provo
327 City Public Works Department.

328 (b) Backs of buildings may face a public street; however the back facade will be treated
329 so it is not readily recognizable as a building rear. A minimum of 50% of the rear facade must be
330 dedicated to windows, door(s) or other facade treatments that suggest a building front. The door need not
331 be functional as a building entrance.

332 (c) Awnings or overhangs are encouraged to allow the rear facade facing a public street to
333 appear more as a front elevation.

334 (d) The exterior finished material on all buildings shall not consist of vinyl or metal
335 siding (including sheet or corrugated metal), plywood, particle board or other wood products not intended
336 as an architectural finish product, or manufactured stone.

337 (e) All windows and doors, with the exception of ground level shop fronts, shall be
338 square or vertical in proportion.

339 (f) Doors and windows that operate as sliders are prohibited on street frontages and
340 facades.

341 (g) Pitched roofs, if provided shall be symmetrically sloped no less than 5:12 on all
342 elevations facing a public street. Pitched roofs for residential porches and attached sheds may not be less
343 than 2:12. This provision should not be construed to prohibit flat roof designs.

344 (2) The standards set forth in Section 14.34.300 – Transitional Development Standards shall
345 apply in the WG zone.

346
347 **14.21D.150. Signs.**

348 Signs shall be regulated by 14.38.105 – Signs Permitted in the Downtown (DT) zones.

349
350 **14.21D.160. Trash Storage and Location.**

351 All trash storage areas shall be designed according to the standards of Section 14.34.080 – Trash
352 Storage except the following provisions shall prevail:

353 (1) Trash storage container enclosures shall not be located between a building and any
354 primary or secondary street right-of-way. A conditional use permit under the provisions of Section
355 14.34.080 cannot be issued to allow trash storage within a front or street side yard.

356 (2) Trash storage containers shall be located behind a principal building (accessed via a
357 driveway, alley or other internal block right-of-way). If this is not possible due to site constraints, trash
358 storage containers may be enclosed with a required habitable floor area on secondary streets, if:

359 (a) It is completely enclosed within the building;

360 (b) A 100% opaque, lockable garage door or other equivalent, that measures no more
361 than 10 feet in width and eight feet in height is provided.

362 **14.21D.170. Walls and Fences**

363 The following fence heights are permitted within the WG zone. Chain link fences are not
364 permitted in the WG zone.

365 (1) Front Yard: 3 feet

366 (2) Street Side Yard: 3 feet

367 (3) Side Yard: 6 feet

368 (4) Rear Yard: 6 feet

369 (5) A decorative masonry wall, at least six feet in height, shall be erected along all property
370 lines which lie adjacent to a R-1 or RC zone. In the case where there is mutual agreement between the
371 property owners of the commercial zone and the adjacent residential zone, the masonry wall requirement
372 may be modified to allow other suitable materials. A signed agreement must be submitted to the Planning
373 Commission or its designee, indicating this agreement. In the case where there is not mutual agreement,
374 the masonry wall will be required.

375 **14.21D.180. Notice of Parking and Occupancy Restrictions.**

376 (1) Prior to the issuance of a Certificate of Occupancy for new multiple residential dwelling units,
377 a permanent notice must be placed on the electrical box within each unit indicating the maximum
378 allowable occupancy of each unit based on the approved occupancy consistent with the recorded parking
379 and occupancy contract. This notice must be a six inch by six inch metal or plastic plate that is
380 permanently attached to the electrical box with minimum one half inch engraved letters.

381 (2) Upon submission of these documents, any violation to the restrictions and regulations noted
382 therein will be considered a misdemeanor offense and will be subject to criminal action as provided in
383 Section 1.03.010, Provo City Code.

384 **PART II:**

385 A. If a provision of this Ordinance 2012-22 conflicts with a provision of a previously
386 adopted ordinance concerning the same title, chapter, and/or section number amended herein, the
387 provision in this ordinance shall prevail.

388 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to
389 be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid,
390 the remainder of the ordinance shall not be affected thereby.

391 C. The Municipal Council hereby directs that the official copy of the Provo City Code be
392 updated to reflect the provisions enacted by this ordinance.

393 D. This ordinance shall take effect immediately after being posted or published as
394 required by law.

402

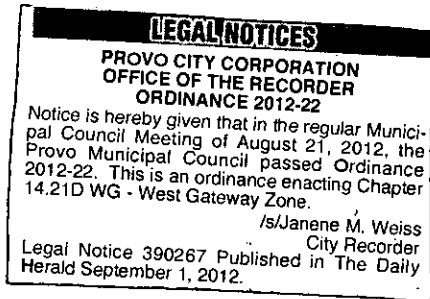
403 END OF ORDINANCE.

PROOF OF PUBLICATION

from

The Daily Herald

STATE OF UTAH } SS.
Utah County }



I, Lisa Llewelyn, being first duly sworn depose and say that I am the Legal Billing Clerk of the Daily Herald, a newspaper of general circulation, published seven times each week at Provo, Utah, County of Utah; that the notice attached hereto, 390267-ORDINANCE 2012-22, and which is a copy, was published in said newspaper, the first publication having been made on the 1st day of September, 2012, and the last on the 1st day of September, 2012; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and the same was published in the newspaper proper and not in the supplement.

Same was also published online at utahlegals.com, according to Section 45-1-101, Utah Code Annotated beginning on the first date of publication and for 30 days thereafter.

Lisa Llewelyn

Subscribed and sworn before me this 4th day of September, 2012.

Kelsey Palmer

Notary Public

Residence: Orem, Utah

My commission expires 07/13/2015

