

ORDINANCE NO. 16-2

**AN ORDINANCE AMENDING THE BOULDER ZONING ORDINANCE
TO REMOVE MOBILE FOOD CONCESSIONS AS A LISTED LONG TERM
TEMPORARY USE**

WHEREAS, the Town and the public have an interest in further clarifying the Town's zoning ordinance and to make changes regarding use in the various zones;

WHEREAS, the Boulder Town Council finds that mobile food concessions may still be allowed, but that it should be removed from the listed long term temporary use definition; and

WHEREAS, the Boulder Town Council desires to have its written ordinances reflect such language in order to make said requirements easy to find;

NOW THEREFORE, be it ordained by the Boulder Town Council as follows:

1. That the Boulder Town Zoning Ordinance, **Section 604, Use Definitions**, is hereby amended as follows:

. . .

Long-term Temporary use: A use established for a maximum period of 120 days, such use being discontinued after the expiration of 120 days.

Long Term temporary uses may include:

Temporary signs, Farm or Produce stands; Temporary Commercial Sales such as ~~Mobile Food Concessions~~; Christmas Tree Lots, Fireworks Stands; Farmer's Markets; Construction Offices; Materials and/or Equipment Storage; Seasonal Activities such as Corn Mazes and Pumpkin Patches.

Other long term temporary uses will be allowed if approved by the enforcement officer. The enforcement officer is a member of the Town Council who is appointed by the mayor to serve that function. Any denial of permission from the enforcement officer may be appealed to the entire Town Council.

(Modified by Ord. #16-12- passed ~~01-07-16~~04-07-16).

. . .

2. That the town clerk or recorder is hereby ordered, in accordance with the requirements of Section 10-3-711, Utah Code Annotated, 1953, as amended, to do as follows:

A. Cause a copy of this ordinance to be deposited in the office of the town recorder; and

B. Either:

(b1) Cause a short summary of this ordinance to be published for at least one publication in _____, a newspaper of general circulation within Boulder Town;

or

(b2) Cause to be posted a complete copy of this ordinance in three (3) public places within Boulder Town.

APPROVED and **PASSED** this ____ day of _____, 2016.

ATTEST:

BOULDER TOWN

Judi Davis
Boulder Town Clerk

Bill Muse, Mayor

VOTE

Gladys LeFevre, Councilwoman _____
Peter Benson, Councilman _____
Steve Cox, Councilman _____
Farlan Behunin, Councilman _____

ADOPTION OF ORDINANCE AFFIDAVIT (MUNICIPAL)

STATE OF UTAH)
 : ss.
COUNTY OF GARFIELD)

I, the undersigned, the duly qualified and acting Town Clerk of Boulder Town, Garfield County, Utah, do hereby further certify, according to the records of said Town Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements of Section 10-3-711, Utah Code Annotated, 1953, as amended, by:

[] (a) Causing one (1) copy of this ordinance to be deposited in the office of the Town Recorder; and

Either

[] (b1) Causing a short summary of this ordinance to be published for at least one publication in _____, a newspaper of general circulation within Boulder Town;

or

[] (b2) Causing to be posted a complete copy of this ordinance in three (3) public places within Boulder Town.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of Boulder Town, Utah, this ____ day of _____, 2016.

[Seal]

Judi Davis
Boulder Town Clerk