

ORDINANCE NO. 15-07

**AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, REVISING AND AMENDING
TITLE 10, CHAPTER 14; MAKING NECESSARY LANGUAGE CHANGES TO THE CITY
CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE
FOR THOSE CHANGES.**

Section 1 - Recitals:

WHEREAS, SOUTH OGDEN City (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code (“UC”) §10-3-717, and UC §10-3-701, the governing body of the city may exercise all administrative and legislative powers by resolution or ordinance; and,

WHEREAS, the City Council finds that in conformance with UC §10-3-717, and UC §10-3-701, the governing body of the city has previously adopted a City Code which deals with residential facilities for disabled persons within certain zones for the city and related issues; and,

WHEREAS, the City Council finds that South Ogden City Code, at Title 10, Chapter 14 and their various sections deal with residential facilities for disabled persons within certain zones of the city and is based on and adopted in conformance with the authority granted to the City by UCA Title 10; and,

WHEREAS, the City Council finds that it is in the public interest to manage and regulate the procedures governing signage issues; and,

WHEREAS, the City Council finds that South Ogden City Code, at Title 10, Chapter 14 and their various sections should be amended by adding new language governing residential facilities for disabled persons uses and regulations for the city; and,

WHEREAS, the City Council finds that the requirements herein should be effective upon passage of this Ordinance; and,

WHEREAS, the City Council finds that the public safety, health and welfare is at issue and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, UTAH that

City Code, Title 10, Chapter 14, Be Changed And Amended To Read As Set
Out In **Attachment "A"**, Incorporated Fully Herein By This Reference.

Section 2 - Repealer of Conflicting Enactments:

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which are in conflict with this Ordinance, are, to the extent of such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.

Section 3 - Prior Ordinances and Resolutions:

The body and substance of any and all prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance shall be held or deemed or shall be invalid, inoperative or unenforceable such reason shall not have the effect of rendering any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed the separate independent and severable act of the City Council of South Ogden City.

Section 5 - Date of Effect

This Ordinance shall be effective on the 17th day of February, 2015, and after publication or posting as required by law.

DATED this 17th day of February, 2015

SOUTH OGDEN, a municipal corporation

by: _____
Mayor James F. Minster

Attested and recorded

Leesa Kapetanov
City Recorder

CHAPTER 14
REGULATIONS APPLICABLE TO ALL ZONES

10-14-1: APPLICABILITY:

The regulations hereinafter set forth in this chapter qualify or supplement, as the case may be, the zone regulations contained elsewhere in this title. (Ord. 673, 1-8-1980)

10-14-2: ADDITIONAL USE REGULATIONS:

The requirements of this title as to minimum site development standards shall not be construed to prevent the use for a single-family dwelling of any parcel of land in the event such parcel was held in separate ownership prior to May 15, 1964. (Ord. 673, 1-8-1980)

10-14-3: ADDITIONAL MAIN BUILDING REGULATIONS:

Every main building shall be located and maintained on a "lot", as defined in section [10-2-1](#) of this title, and every lot shall have the required frontage on a "street", as defined in section [10-2-1](#) of this title, or upon a right of way or access strip of not less than sixteen feet (16') wide as approved by the board of adjustment. (Ord. 673, 1-8-1980)

10-14-4: ADDITIONAL YARD REGULATIONS:

A. No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

B. On any lot under a separate ownership from adjacent lots and of record at the time of the initial enactment of the zoning ordinance codified herein, and such lot having a smaller width than required for the zone in which it is located, the following regulations shall apply:

1. For interior lots, each side yard may be equal to but not less than the same percentage of the required side yard width as the lot is of the required lot width; provided, that in no case shall the smaller of the two (2) side yards be less than five feet (5') or the larger less than eight feet (8').

2. On corner lots, each side yard may be equal to but not less than the same percentage of the required side yard width as the lot is of the required lot width; provided, that in no case shall the side yard on the street side be less than fifteen feet (15') in R-1-10, R-1-8, R-1-6, R-2 and R-3 zones, or less than ten feet (10') in R-4 and R-5 zones, and the other side yard shall be not less than five feet (5') in all residential zones.

C. On any interior lot where a private garage containing a sufficient number of parking spaces to meet the requirements of this title has a side yard equal to the minimum side yard required for a dwelling in the same zone, the width of the other side yard for the dwelling may be reduced to equal that of the minimum required side yard; and on any corner lot where such garage has such side yard, the rear yard of the dwelling may be reduced to fifteen feet (15'), provided the garage also has a rear yard of at least fifteen feet (15'). (Ord. 673, 1-8-1980)

D. Every part of a required yard shall be open to the sky and unobstructed except for:

1. The ordinary projections of sills, belt courses, cornices and other ornamental features, chimneys and flues, eave overhangs; and (Ord. 08-10, 3-18-2008, eff. 3-18-2008)

2. Open or lattice enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers which may project into a yard not more than five feet (5'); and

3. Accessory buildings in a rear yard; and (Ord. 808, 9-11-1990)

4. Accessory buildings shall be measured from edge of eave to eave or eave to property line.

5. Patios and uncovered decks. Decks may extend into the rear yard ten feet (10'). A deck that extends more than ten feet (10') into the rear yard and is more than three feet (3') above grade shall require a conditional use approval by the planning commission. Only adjoining property owners shall be notified of the conditional use hearing.

6. The side yard of a dwelling may be used for parking licensed vehicles; however, the side yard adjoining the street of a corner lot shall be landscaped within ten feet (10') of the property line. (Ord. 08-10, 3-18-2008, eff. 3-18-2008)

E. No accessory building nor group of accessory buildings in any residential zone shall cover more than twenty five percent (25%) of the rear yard.

F. No space needed to meet the width, yard, area, coverage, parking or other requirements of this title for a lot or building may be conveyed away from such lot or building, except as permitted by the board of adjustment, and any attempted conveyance or lease in violation hereof shall be void.

G. No parcel of land which has less than the minimum width and area requirements for the zone in which it is located may be cut off from a larger parcel of land for the purpose, whether immediate or future, of building or development as a lot, except by permit of the board of adjustment. (Ord. 673, 1-8-1980; amd. Ord. 808, 9-11-1990)

10-14-5: ADDITIONAL HEIGHT REGULATIONS:

A. Specified: Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights,

towers, steeples, flagpoles, chimneys, smokestacks and water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits prescribed in the zone height regulations, but no space above the height limit shall be allowed for the purpose of providing additional floor space, and no heights are permitted above the maximum allowed under airport area height provisions. (Ord. 673, 1-8-1980)

B. Minimum For Dwellings; Maximum For Accessory: No dwelling shall be erected to a height less than ten feet (10') and no accessory building in a residential zone shall be erected to a height greater than nineteen feet (19') and one story. For nonvehicle accessory buildings, the walls shall not exceed ten feet (10') high from the finished floor. For vehicle accessory buildings, the height of the eaves or cornice may be two feet (2') higher than the vehicle door but not to exceed fourteen feet (14'). (Ord. 06-05, 2-7-2006, eff. 2-7-2006)

10-14-6: ANIMALS AND FOWL:

No barn, coop, pen or corral shall be maintained closer than one hundred feet (100') to any street, twenty five feet (25') to any lot line and seventy five feet (75') to any dwelling on an adjacent lot. (Ord. 673, 1-8-1980)

10-14-7: BUILDING REGULATIONS:

Domestic water supply and sewage disposal shall comply with the Weber-Morgan county health department requirements in all applications for a building permit where either an approved supply of piped water under pressure, or a sewer, is not available. When a public sewer is not available, no building permit shall be issued for any lot less than twenty thousand (20,000) square feet in area, except by approval of the county board of health. (Ord. 673, 1-8-1980; amd. 2001 Code)

10-14-8: FENCE HEIGHT REGULATIONS:

A. Maximum Specified: No fence or other similar structure shall be erected in any required front yard of a dwelling to a height in excess of four feet (4'); nor shall any fence or other similar structure be erected in any side or rear yard to a height in excess of six feet (6').

B. Corner Lots: On corner lots, no fence or other similar structure shall be erected in any yard bordering a street or front yard of an adjoining lot to a height in excess of four feet (4'), except a six foot (6') high fence may be placed not less than ten feet (10') away from the property's side yard property line, with said fence not to extend further toward the front of the property than a point equal to the front line of the house. From the rear of the house to the front of the house a fence shall: (Ord. 08-10, 3-18-2008, eff. 3-18-2008)

1. Be made of a permanent material such as wrought iron or vinyl, excluding wood.
2. The stiles of the fence shall not be greater than three-fourths inch ($\frac{3}{4}$ ") wide.
3. The stiles of the fence shall be placed four inches (4") apart.

4. The fence shall be clear view. No vegetation or materials may obstruct the view at any time.

Provided, however, that the board of adjustment may grant special exceptions as provided for in subsection [10-4-6B](#) of this title, to allow fence types and fence heights of up to six feet (6') in height for public and semipublic buildings, including schools and churches, where in its opinion: 1) the fence height is necessary for protection or safety of persons or property; 2) no significant adverse effect will be suffered by any surrounding property; and 3) the requirements of section [10-14-14](#) of this chapter are maintained. (Ord. 06-06, 2-7-2006, eff. 2-7-2006)

C. Difference In Elevation: Where a fence is erected upon a retaining wall or where for other reasons there is a difference in the elevation of the surface of the land on either side of a fence, height of the fence shall be measured from a point halfway between the top of the retaining wall and the land on the lower side, or from the average elevation of the surface of the land on either side of the fence, but nothing herein contained shall be construed to restrict a fence to less than four feet (4') in height measured from the surface of the land on the side having the highest elevation. (Ord. 08-10, 3-18-2008, eff. 3-18-2008)

D. Exceptions: The provisions of this section shall not apply to fences required by state law to enclose public utility installations and public schools. (Ord. 673, 1-8-1980)

10-14-9: LIGHTING:

A. Exterior Lighting: No spotlight or floodlight shall be installed in any way which will permit the direct rays of such light to penetrate into any residential zone or onto any property used for residential purposes.

B. Constituting Traffic Hazard: No light, sign or other advertising structure as regulated by this title shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device or which makes use of the words "stop", "look", "drive-in", "danger" or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic. (Ord. 673, 1-8-1980)

10-14-10: PRIVATE PARK, PLAYGROUND OR RECREATIONAL AREA:

In all residential zones, a private park, playground or recreation area with or without a swimming pool shall meet the following requirements:

A. Ownership: The lands and facilities used for such purpose shall be owned or leased and operated by a nonprofit corporation for the exclusive benefit of the members, their immediate families and nonpaying guests. (Ord. 673, 1-8-1980)

B. Sanitary Facilities: Adequate restrooms and sanitary facilities shall be provided and kept available for use by members, their families and guests, and shall be maintained in proper working order and in a clean and sanitary condition and in full compliance with the reasonable standards, rules and regulations established by the Weber-Morgan county health department. (Ord. 673, 1-8-1980; amd. 2001 Code)

C. Parking: Twenty five (25) off street parking spaces, or one off street parking space for each four (4) memberships in the operating corporation, whichever is greater, shall be provided on the lot devoted to the principal use.

D. Hours: Operation or use of the recreational or other facilities provided is forbidden between the hours of eleven o'clock (11:00) P.M. to six o'clock (6:00) A.M., the next following day.

E. Setbacks: All facilities, equipment and building shall be set back not less than twenty feet (20') from any property line and shall be located not less than fifty feet (50') from any main building on an adjoining lot and from any area upon which any such main building may be constructed upon said adjoining lot if no such main building is in existence.

F. Lot Size: The minimum size of the lot or suite used for such recreational or other purposes shall be one acre.

G. Lighting: Any lights used to illuminate the premises shall be installed in such manner that the source of light shall be suitably screened to avoid annoying illumination of lands outside said premises. (Ord. 673, 1-8-1980)

10-14-11: PUBLIC UTILITY SUBSTATION:

In all residential zones, public utility substations shall meet the following requirements:

A. Lot Area: Each public utility substation in a residential zone shall be located on a lot not less than two thousand (2,000) square feet in area.

B. Yards: Each public utility substation in a residential zone shall be provided with a yard on each of the four (4) sides of the building not less than five feet (5') in width, except that for such stations located on lots fronting on a street abutted by one or more residential lots, the front yard, side yards and rear yard shall equal those required for a single-family residence in the same zone.

C. Street Access: Each public utility substation in a residential zone shall be located on a lot which has adequate access from a street, alley or easement.

D. Location To Be Approved: The location of a public utility substation in a residential zone shall be subject to approval by the planning commission. (Ord. 673, 1-8-1980)

10-14-12: SWIMMING POOL, FAMILY:

A family swimming pool shall be permitted in the rear yard of a dwelling as an accessory use, provided the following requirements are met:

A. Location: The location of such family swimming pool or accessory machinery shall not be less than ten feet (10') from any interior property line. On corner lots, the distance from said pool to the property line facing on a street shall not be less than the required side yard for an accessory building in that zone.

B. Enclosure: An outside family swimming pool shall be completely enclosed by a substantial fence of not less than six feet (6') in height and any lights used to illuminate said pool or its accessories shall be so arranged as to reflect the light away from the adjoining premises. A substantial fence shall mean any fence that would not allow passage by any person and one that would feature a self-locking gate in the event a gate is utilized. (Ord. 789, 4-18-1989)

10-14-13: DAYCARE CENTER REGULATIONS:

A. State Statute Applicability: The regulations and licensing of daycare centers shall be in accordance with Utah Code Annotated title 62A, [chapter 2](#), as amended, or as hereafter amended.

B. Fencing Of Outdoor Play Areas; Hours Of Use: All outdoor play areas shall be within a fenced area and shall be limited to use between the hours of eight o'clock (8:00) A.M. to eight o'clock (8:00) P.M. Fence height shall be in accordance with section [10-14-8](#) of this chapter.

C. Parking: Sufficient off street parking shall be provided to satisfy the requirements of section [10-17-3](#) of this title. (Ord. 673, 1-8-1980)

10-14-14: CLEAR VIEW OF INTERSECTING STREETS:

In all zones which require a front yard, no obstruction to view in excess of three and one-half feet (3¹/₂') in height, except a chainlink fence of not more than forty two inches (42") in height shall be placed on a corner lot within a triangular area formed by the street curb lines and a line connecting them at points forty feet (40') from the intersection of the back of the curbs except a reasonable number of trees pruned

high enough to permit unobstructed vision to automobile drivers; and pedestal type identification signs. (Ord. 04-22, 10-19-2004, eff. 10-19-2004)

10-14-15: ZERO SIDE YARDS:

One zero side yard may be permitted when approved by the planning commission and city council, and only if the following requirements are met:

A. The remaining one side yard is equal to the combined total of the required two (2) side yards of the zone in which it is located; and

B. No window or other similar opening shall be installed in the building or any accessory building along the side having a zero side yard; and

C. No zero side yard will be permitted on the lot side bordering on a nonresidential zone, or on a residential lot not utilizing zero side yard provisions; and

D. Use of the zero side yard is contingent upon development of or commitment to development of a zero side yard on adjacent lot. (Ord. 673, 1-8-1980)

10-14-16: RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

A. Purpose: The purpose of this Chapter is to comply with Section 10-9a-516 of the Utah Code and avoid discrimination in housing against persons with disabilities pursuant to the Utah Fair Housing Act and the federal Fair Housing Act as interpreted by courts whose decisions are binding in Utah.

B. Scope: If any facility, residence, congregate living or other housing arrangement meets the definition of a residential facility for persons with a disability as set forth in this Title, the requirements of this Chapter shall govern the same notwithstanding any conflicting provision of this Title or the South Ogden City Municipal Code. Except as provided herein, the requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Title, the South Ogden City Municipal Code or other laws.

C. Permitted Uses:

1. Notwithstanding any contrary provision of this Title, a residential facility for persons with a disability shall be a permitted use in any zone where a dwelling is allowed either as a permitted or conditional use subject to the development standards in this Chapter.
2. In order to evaluate the impact of a proposed facility and its similarity to the impact of a lawfully occupied dwelling located in the same zone where the facility is located, the following information shall be submitted with the application:

- a. Site plan, building plan, and other information necessary to determine compliance with building safety and health regulations applicable to similar residential dwellings permitted in the zone where the residential facility will be located;
 - b. Licensing information required by Section 62A-2-108.2, Utah Code, or its successor; and
 - c. Number of residents and staff, including staff who will reside on the premises, if any.
3. A use permitted by this Chapter is nontransferable and shall terminate if:
- a. The facility is devoted to a use other than a residential facility for persons with a disability, or
 - b. Any license or certification issued by the Utah Department of Health or the Department of Human Services for such facility terminates or is revoked, or
 - c. The facility fails to comply with requirements set forth in this Chapter.

D. Development Standards:

1. The development standards set forth in this section shall apply to any residential facility for persons with a disability.
 - a. The facility shall comply with building, safety, and health regulations applicable to similar residential structures within the zone in which the facility is located.
 - b. Each facility shall be subject to the same development standards applicable to similar residential structures located in the same zone in which the facility is located.
2. The facility shall be used as a residential facility without fundamental altering the structure's residential character or the character of the neighborhood where the facility is located.
3. The facility shall be limited to six occupants, consisting of up to four persons with a disability and two resident staff.
4. No residential facility shall be made available to an individual whose tenancy would:
 - a. Constitute a direct threat to the health or safety of other individuals, or
 - b. Result in substantial physical damage to the property of others.
5. Prior to occupancy of any residential facility, the person or entity operating the facility shall:
 - a. Provide to the City a copy of any license or certification required by the Utah State Department of Health or the Utah State Department of Human Services, and
 - b. Certify in a sworn statement that no non-resident staff occupant will reside or remain in the facility whose tenancy would:
 - i. not meet the definition of a person with a disability under the Federal Fair Housing Act and Americans With Disabilities Act,

- ii. Constitute a direct threat to the health or safety of other individuals, or
- iii. Result in substantial physical damage to the property of others.

E. Reasonable Accommodation:

1. None of the requirements of this Chapter shall be interpreted to limit any reasonable accommodation necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendments Act of 1988, Title II of the Americans with Disabilities Act, the Utah Fair Housing Act, and any other federal or state law requiring a reasonable accommodation for a person with a disability.
2. Any person or entity wanting a reasonable accommodation shall submit an application to the Planning Commission and shall in writing:
 - a. Provide the address of the property to which the accommodation will be applied;
 - b. Specify the accommodation requested; and
 - c. Explain why the accommodation is reasonable and necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling.
3. The Planning Commission shall evaluate a reasonable accommodation request based on the following:
 - a. Whether the housing which is the subject of the request will be used by one or more persons with a disability;
 - b. Whether the accommodation is reasonable and necessary to afford such persons an equal opportunity to use and enjoy a dwelling;
 - c. Whether tenancy of the property proposed to be occupied such persons would constitute a direct threat to the health or safety of other persons or result in substantial physical damage to the property of others;
 - d. Whether the accommodation would impose an undue financial or administrative burden on the City; and
 - e. Whether the accommodation would require a fundamental alteration in the nature of a City program, including the City's land use and zoning program.
4. Within 30 days after receipt of a complete application the Planning Commission shall approve a requested reasonable accommodation to the extent necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling unless evidence of record demonstrates:
 - a. Tenancy of the property by that person would constitute a direct threat to the health or safety of other persons or result in substantial physical damage to the property of others; or
 - b. The accommodation would:
 - i. Impose an undue financial or administrative burden on the City; or

- ii. Require a fundamental alteration in the nature of a City program, including the City's land use and zoning program.
 - c. If a reasonable accommodation is granted, it shall be documented in writing and shall specify the nature and extent of the reasonable accommodation authorized. A reasonable accommodation shall not be deemed a variance or to run with the land.
5. If a reasonable accommodation request is denied, the decision may be appealed to the Hearing Officer in the manner provided for appeals of administrative decisions set forth in Chapter 4 of this Title.

10-14-17: TELEVISION SATELLITE DISH ANTENNAS:

Building permits are required for TSDAs and shall comply with the following regulations:

A. Location:

1. In any residential zone, TSDAs shall be located only in the rear yard of any lot. If a usable satellite signal cannot be obtained from such rear yard, the antenna may be located on the roof or side yard (except side yards facing the street on a corner lot) as a special exception by approval of the planning commission.
2. In any commercial or manufacturing zone, TSDAs may be located on the roof or in the rear or side yards. They may be permitted in the front yard or on a side yard facing the street on a corner lot as a special exception by approval of the planning commission when a usable satellite signal cannot be obtained in an otherwise approved location.
3. All TSDAs shall have setbacks of at least ten feet (10') from the property lines in rear yards. The setback shall be measured from the property lines to the nearest point of the antenna. The distance for rotating dish antennas shall be measured from the nearest point of the antenna in its closest rotational configuration.

B. Antenna Size: No TSDA shall exceed twelve feet (12') in diameter in a residential zone. However, upon the approval and issuance of a conditional use permit from the planning commission, business and professional offices located in residential R-4 and R-5 zones may install a TSDA which exceeds the twelve foot (12') diameter where there is a finding made of no adverse impact to adjoining properties.

C. Antenna Height: No antenna attached to a structure shall exceed the building height limitation in its respective zone.

D. Construction Standards:

1. All antennas in a residential zone shall be located and designed to reduce the visual impact from surrounding properties at street level and from public streets by appropriate screening (i.e., landscaping, fencing, etc.).
2. All antennas shall be erected in a secure and wind resistant manner.
3. Every antenna must be adequately grounded for protection against a direct strike of lightning.

E. Temporary Television Satellite Antennas: Temporary TSDAs may be located on the property for a total of thirty (30) days, subject to the provisions of subsections A2 and A3 of this section. (Ord. 845, 4-6-1993)

10-14-18: DRIVEWAY APPROACH:

One vehicle access location is permitted to a residential lot. Circular driveways and second accesses are allowed with the approval of the planning commission. (Ord. 973, 7-21-1998)

10-14-19: LANDSCAPE AND MAINTENANCE OF DEVELOPED LAND:

A. Required: All land approved for development in the city shall be constructed as required by city ordinances and the planning commission or city council. Land remaining on developed sites that is not covered with structures or impervious surfaces such as driveways, walks, courts, landscape features (sculptures, boulders, etc.), shall be landscaped with live plant material and irrigated with an appropriate system to maintain plants in a healthy, growing condition, compatible with the general neighborhood appearance.

B. Residential Yard Areas: Landscaping shall be installed in all required residential yard areas adjoining a public or private street within eighteen (18) months of occupancy. Landscaping of a residential site shall consist of a combination of trees, shrubs, grass and an irrigation system. (Ord. 972, 7-7-1998, eff. 7-7-1998)

C. Failure To Comply: Owners/operators of commercial property not landscaped or maintained as required by the planning commission may have their business licenses revoked. Owners of residential property not landscaped or maintained as required are subject to prosecution for a class C misdemeanor, and upon conviction, subject to penalty as provided in section [1-4-1](#) of this code. (Ord. 972, 7-7-1998, eff. 7-7-1998; amd. 2001 Code)

10-14-20: SALE OF A DWELLING UNIT IN A MULTIPLE-UNIT BUILDING:

Two (2) or more units in a building may be divided into lots with a permanent homeowners' association or covenants as appropriate, if all building codes and other applicable city ordinances are complied with. The planning commission may require additional lot improvements as needed to make the site compatible with neighboring lots or provide amenities for future owners. (Ord. 09-15, 10-20-2009, eff. 10-20-2009)

