



TITLE, PURPOSE, DECLARATION OF INTENT, AND EFFECTIVE DATE

Section 101—Short Title:

This Ordinance shall be known and may be referred to as the Roy City Zoning Ordinance. The Roy City Zoning Ordinance may, in subsequent chapters and sections, be referred to as “Ordinance,” “the Ordinance,” “this Ordinance” or “Zoning Ordinance.” This Ordinance is also Title 10 of the Roy City Municipal Code.

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Section 102—Authority:

The City Council of Roy, Utah adopts this Ordinance pursuant to the Municipal Land Use Development and Management Act, and as provided at §10-9a *et seq.* Utah Code Annotated, 1953, as amended (U.C.A.), and all other authorities and provisions of Utah and Federal statutory and common law as applicable. This Ordinance constitutes the Zoning Ordinance authorized by the Municipal Land Use Development and Management Act. This Ordinance constitutes part or a component of the Roy City Land Use Ordinances, as authorized by the Municipal Land Use Development and Management Act.

Section 103—Declaration:

This Ordinance provides for the establishment of Zoning Districts, with associated land use requirements and standards, for the guidance, management, and regulation of land uses, buildings and structures, and related activities occurring within the municipal boundaries of Roy City. This ordinance is declared to be consistent with and to meet the requirements of §10-9a *et seq.* U.C.A.

Section 104—Purpose:

This Ordinance is provided to implement the goals and policies of the Roy City General Plan and the other purposes as provided for by §10-9a *et seq.* U.C.A. This Ordinance contains standards, provisions and requirements intended to protect the health, safety, and welfare of the citizens and businesses of Roy City, to guide and manage future growth and development, and to promote the orderly use of lands within the City. It is the intent of this Ordinance to provide a means of ensuring predictability and consistency in the use and development of lands located within the City. These purposes are met by:

- 1) Guiding growth and development in an orderly manner consistent with the goals and policies of the City, as identified in the Roy City General Plan.

- 2) Providing for the implementation of the Roy City General Plan.
- 3) Preserving the natural beauty and resources, including open space, wildlife habitat, clean air and water.
- 4) Providing opportunities for the establishment of appropriate business activities to meet the needs of residents and others.
- 5) Preventing the overcrowding of land.
- 6) Preventing damage and injury from disasters such as fire, flood, geologic and seismic hazards, and other dangers.
- 7) Directing and managing the type, distribution, and intensity of uses and activity.
- 8) Providing required public services, facilities, and amenities.
- 9) Protecting landowners from potential adverse impacts from adjoining uses.
- 10) Securing economy and efficiency in the allocation and expenditure of public funds.

Section 105—Applicability:

- 1) Applications accepted by the City as complete for any approval, permit or license required by the provisions of this Ordinance shall be processed, reviewed and approved or denied, subject to the provisions of this Ordinance, and all amendments thereto, and other applicable Ordinances of the City, in effect at the time the application is determined to be complete by the Zoning Administrator, as required by Section 1207 of this Ordinance.
- 2) No building or structure shall be erected, and no existing building or structure shall be moved, altered or enlarged nor shall any land, building or premises be used, designed or intended to be used for any purpose or in any manner other than as allowed by this Ordinance.
- 3) The provisions of this Ordinance shall apply to all lands located within the municipal boundaries of Roy City, unless exempted by the provisions of this Ordinance or other lawful exemption.
- 4) The provisions of this Ordinance shall be held to be the minimum requirements necessary to protect the public health, safety, and welfare of the citizens of Roy City, and achieve the purposes of this Ordinance.

Section 106—Conflict:

This Ordinance shall not nullify any laws, ordinances, or requirements that are more restrictive, but shall prevail notwithstanding such laws, ordinances, or requirements that are less restrictive.

Section 107—Permits and Licenses to Conform to this Ordinance:

All officials, employees, and agents with the duty or authority to issue approvals, permits, or licenses required by this Ordinance shall require that such approvals, permits, or licenses conform to the provisions of this Ordinance and shall not issue any approvals, permits, or licenses for uses, buildings, or structures for any purpose in conflict with the provisions of this Ordinance. Any approval, permit, or license issued in violation of this Ordinance shall be invalid.

Section 108—Effective Date:

This Ordinance shall take effect on June 7, 2005 following its adoption by the Roy City Council.

Section 109—Omissions not a Waiver:

An omission to specify or enumerate in this Ordinance those provisions of general law applicable to all Utah cities shall not be construed to be a waiver of the benefits of any such provisions.

Section 110—Repealer and Effect:

Upon its adoption by the Roy City Council and upon its effective date this Ordinance shall repeal provisions of the Roy City Zoning Ordinance, existing on the effective date of this Ordinance and shall govern and apply to the use of all lands lying within the municipal boundaries of Roy City, Utah. The provisions of this Ordinance shall be construed to carry out the purposes of this Ordinance and the purposes of the State of Utah enabling laws, including §10-9a *et. seq.* U.C.A., and avoid conflict with the laws of the United States of America, the State of Utah, or any other limitations imposed by law. If any chapter, section, subsection, provision, sentence or clause of this Ordinance is declared unconstitutional by a court of competent jurisdiction, such determination shall not impair the validity of the remainder of this Ordinance, which shall remain in effect.