

ORDINANCE NO. 2005- 18

AN ORDINANCE AMENDING SECTION 18.08.200 OF THE HEBER CITY MUNICIPAL CODE, FAMILY.

**WHEREAS**, it is within the police power and domain of municipalities to enact ordinances and laws that define “family” in a way that is rationally related to the City’s legitimate objectives of preserving the sanctity of the family, quiet neighborhoods, low population, few motor vehicles, and low transiency; and

**WHEREAS**, The U.S. Supreme Court has upheld such ordinances if they are reasonably related to such legitimate objectives,

**NOW THEREFORE**,

**BE IT ORDAINED** by the City Council of Heber City, Utah that Section 18.08.200 of the Heber City Municipal Code is amended as follows:

18.08.200 Family

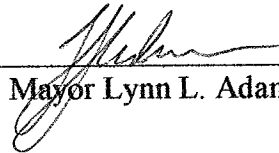
“Family” means an individual, or two (2) or more persons related by blood, marriage or adoption living together as a single dwelling unit and maintaining a common household. Relation by blood, marriage, or adoption is limited to the children (including foster and custodial children) of the primary companion couple or individual residing within the dwelling, and the extended relations, which includes parents, grandparents, great-grandparents, grandchildren, great-grandchildren, uncles and aunts, brothers and sisters, first cousins and immediate nieces and nephews of the primary companion couple or individual residing within the dwelling. A “family” may include two, but not more than two, non-related persons living as guests with the residing family. The term “family” shall not be construed to mean a group of unrelated individuals, a fraternity, club, or institutional group. The number of extended relations and unrelated guests residing with the family shall be limited to a maximum of 6 persons, and in no case shall the number of extended relations and unrelated guests exceed one per 600 square feet of finished habitable floor space of the dwelling. Finished habitable floor space does not include a garage or any area that has been constructed without a building permit.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder, and (c) a short summary of it has been published in the Wasatch Wave but not prior to the 15<sup>th</sup> day of December 2005.

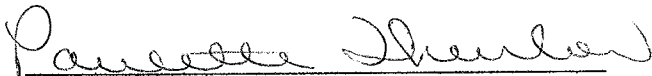
**ADOPTED AND PASSED** by the City Council of Heber City, Utah, this 1<sup>st</sup>  
day of December, 2005, by the following vote:

	AYE	NAY
Councilman Terry Wm. Lange	_____	<u>X</u>
Councilman Vaun Shelton	<u>X</u>	_____
Councilman David R. Phillips	<u>X</u>	_____
Councilman John Burns	_____	<u>X</u>
Councilwoman Shari Lazenby	<u>X</u>	_____

APPROVED

  
\_\_\_\_\_  
Mayor Lynn L. Adams

ATTEST:

  
\_\_\_\_\_  
Paulette Shelton

RECORDER

(Seal)

Date of First Publishing:

02-15-06