



Ordinance No. 01-28

AN ORDINANCE AMENDING THE PARK CITY LAND MANAGEMENT CODE SECTION 15-2.6-11(HCB DISTRICT - ACCESS, SERVICE, AND DELIVERY) TO ADDRESS PROBLEMS CONCERNING PRIVATE TRASH CONTAINERS ON MAIN STREET.

WHEREAS, the Land Management Code places limitations on refuse storage; and

WHEREAS, the City Council finds that it is in the public interest to regulate refuse storage in the HCB district in order to reduce visual clutter, protect and preserve the unique aesthetic character of the City, and enhance the community's economic viability; and

WHEREAS, public hearings were duly held before the Planning Commission on June 13, 2001, and before the City Council on July 12, 2001; and

WHEREAS, public notice and opportunity to comment were provided, pursuant to the Land Management Code; and

WHEREAS, the City Council finds and determines that, the regulation of private trash containers in the HCB district can enhance the pedestrian appeal and vitality of certain commercial areas; and

WHEREAS, the City Council finds the proposed amendments in the best interest of the residents of Park City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, THAT:

SECTION I. FINDINGS. The above-recitals are hereby incorporated herein as findings.

SECTION II. AMENDMENT. Chapter 15-2.6-11 of the Land Management Code is amended to include the following:

15-2.6-11. ACCESS, SERVICE AND DELIVERY.

All Access for commercial Businesses and facilities shall be located within the HCB District. Emergency Access to the HR-1 and HR-2 Districts may be allowed by the Community Development Department, but such emergency exits shall be designed in such a manner as to prohibit non-emergency use. The primary Access to parking facilities for commercial uses shall not be from residential districts, such as HR-1 and HR-2.

All Structures must provide a means of storing refuse generated by the Structure's occupants. The refuse storage must be on-Site and accessible only from Main Street, for Structures on the west side of Main Street, or from either Main Street or Swede Alley, for Structures on the east side of Main Street. Non-Main

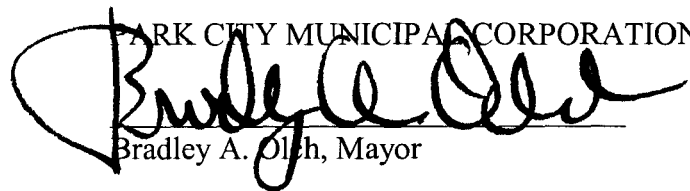
Street Properties within the zone must provide service Access from the rear of the Structure. Refuse storage must be fully enclosed and properly ventilated.

Refuse shall be stored in containers made of durable metallic or plastic materials with a close-fitting lid. Refuse containers shall not be set out for collection earlier than 10:00 PM on the day prior to collection, and must be removed no later than 10:00 AM on the day of collection. Refuse containers set out for collection shall be placed on or directly in front of the owner's property, and shall not be placed in the street, sidewalk, or other public right of way in any manner that will interfere with vehicular or pedestrian traffic. Except when set out for collection pursuant to this Section, refuse containers shall be placed in a location fully screened from view from the public rights of way via Fencing and/or walls. Public trash receptacles set in the right of way by the City for use by the public are exempt from this regulation.

All service and delivery for businesses on the west side of Main Street must be made within the HCB Zone, and shall not be made from the upper Park Avenue residential districts (HR-1 and HR-2)

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

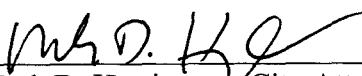
PASSED AND ADOPTED this 12th day of July, 2001.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olsh, Mayor

ATTEST:


Janet M. Scott, City Recorder

APPROVED AS TO FORM:


Mark D. Harrington, City Attorney

