ORDINANCE NO. 495

AN ORDINANCE ADOPTING CHANGES TO SECTION NINE OF THE CARBON COUNTY DEVELOPMENT CODE, PERTAINING TO DEFINITIONS

WHEREAS, Carbon County desires to revise and supplement the definitions of terms used within the development code; and

NOW THEREFORE, THE CARBON COUNTY BOARD OF COMMISSIONERS DOES HEREBY RESOLVE AND ORDAIN AS FOLLOWS:

A. The Carbon County Development Code is hereby amended to read as set forth in Exhibit "A" to this agreement.

B. Effective Date. This ordinance shall become effective May 16, 2018 or as soon thereafter as the Carbon County Clerk has met the publication requirements of U.C.A. §17-53-208(3).

ORDAINED, DECREED, and APPROVED this 16th day of May, 2018.

CARBON COUNTY BOARD OF COMMISSIONERS

_____
Chairman

Voting:
Commissioner Potter voted _X_ yea ____ nay
Commissioner Hopes voted _X_ yea ____ nay
Commissioner Mellor voted _X_ yea ____ nay

ATTEST:

_____
Carbon County Clerk/Auditor

STATE OF UTAH County Clerk COUNTY OF CARBON

Published in the Sun Advocate on the 29th day of May, 2018.

_____
Deputy County Clerk

SECTION 9

DEFINITIONS

9.1 INTENT

For the purposes of this Code, certain words and terms are defined as follows:

Words in the present tense include the future and the future includes the present; the singular number includes the plural and the plural the singular; the word lot includes the word tract or parcel of land; the term erected means constructed, altered, moved, or repaired; the words shall and must are always mandatory. The term district is synonymous with the term Zone. The term ordinance is synonymous with the term Code. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine.

9.2 LIST OF DEFINITIONS

Agricultural products, sale of- A use primarily engaged in the sale or rental of farm tools and implements, feed, grain, tack, animal care products, and farm supplies. This definition excludes the sale of large implements, such as tractors and combines, but includes food sales and farm machinery repair services that are accessory to the principal use.

Airport, Private- Any airport licensed by the State of Utah as a private airport, used primarily by the airport licensee, but available for use by others upon specific invitation of the licensee.

Airport, Public- Any publicly or privately owned airport licensed by the State of Utah as a public airport, which meets minimum safety and service standards and is open for use to the general flying public.

Animal Unit – One animal unit shall be any of the following:
2 cows, horses, donkeys or similar large animals; or 8 adult sheep; or 16 feeder lambs, or 8 goats, or 2 pigs, 12 chickens, ducks, game birds and fowl; or an equivalent combination of the above, together with the suckling offspring thereof.

Apartment Building- A structure containing four or more apartment units.

Auction facility- A structure or enclosure where goods or livestock are sold by auction.

Automobile Dealership- Any business establishment that sells or leases new or used automobiles, trucks, vans, trailers, recreational vehicles, boats, or motorcycles or other similar motorized transportation vehicles. An automobile dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership.

Automotive repair services establishment- Any building, structure, improvements, or land used for the repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler, or upholstery work, oil change and lubrication, painting, tire service and sales, or installation of CB radios, car alarms, stereo equipment, or cellular telephones.

Automotive Repair Services, Minor- The replacement of any part or repair of any part which does not require the removal of the engine head or pan, engine, transmission, or differential; incidental body and fender work; and minor painting and upholstering service when said service above stated is applied to passenger automobiles, motorcycles, snowmobiles, small engines, and trucks not exceeding 9,000 pounds rated capacity.

Barber Shop- A fixed establishment or place where one or more persons engage in the practice of barbering.

Barn- A large accessory building used exclusively for the storage of grain, hay, and other farm products, or the sheltering of livestock or farm equipment.

Beauty Salon/Shop- Any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation.

Bed and Breakfast – See Lodging House.

Bowling Alley- Indoor facility for the sport of ten-pin bowling, with customary accessory uses such as snack bars.

Buildable Area – A portion of a site which conforms to all minimum criteria such as slope, building setbacks, distance from watercourses, springs or wastewater systems, required for placement of a structure.

Building – Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

A. Building Accessory – A detached, subordinate building, the use of which is appropriate, subordinate, and customarily incidental to that of the main building or the main use of the land, and which is located on the same lot or parcel of land with the main building or use.
B. Building, Main – One or more of the principal buildings upon a lot. Garages, carports and other buildings which are attached to a dwelling or which are situated within 10 feet of a main building shall be considered as a part of the main building.
C. Building, Public – A building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the State of Utah, or any of its subdivisions.

Car Wash- The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

Carport – A structure not completely enclosed by walls for the shelter of automobiles, recreational and personal vehicles.

Church- A building used for nonprofit purposes by a recognized and legally established sect solely for the purpose of worship.

Club, Athletic- An establishment that provides exercise facilities such as running, jogging, aerobics, weight lifting, court sports, and swimming, as well as locker rooms, showers, massage rooms, saunas and related accessory uses.

Club, Private- Buildings and facilities owned or operated by a corporation, association, person, or persons for a social, educational, or recreational purpose, but not primarily for profit which inures any individual and not primarily to render.

Condominium- A multiple dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of Carbon County Development Code.

Condominium Conversion- The development of land and existing structures as a condominium, regardless of the present or prior use of such land or structure and regardless of whether substantial improvements have been made to such structures.

Condominium Project- A plan or project consisting of not less than two condominium units.

Common Area – An area designated to serve two (2) or more dwelling units in separate ownership with convenient access to the area.

Communication Tower- Any freestanding facility, building, pole, tower, or structure used to provide only wireless telecommunication services, and which consists of, without limitation, antennae, equipment and storage, and other accessory structures used to provide wireless telecommunication services.

Construction Company, Light- A Company that constructs residential and commercial buildings. Such companies typically build single family home, multi-family homes, restaurants, commercial buildings, etc.

Construction Company, Heavy- A Company that is involved with heavy equipment, earth moving, mining, road construction, etc

Coop- A cage or pen for confining fowl.

Corral- A fenced area typically for confining horses or other hoofed animals.

Crop production- Agricultural and horticultural uses, including, but not limited to production of grains, field crops, vegetables, fruits, tree nuts, flower fields and seed production, ornamental crops, tree and sod farms.

Customary residential accessory structure- A structure containing no kitchen or bathroom and located upon the same lot or parcel as the principal use or structure to which it is accessory. The structure is customary, incidental, appropriate and subordinate to the use of the principal building, or the principal use of the land. All accessory structures shall be constructed with, or subsequent to the construction of the principal structure or commencement of the principal use.

Disability – A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of having such an impairment or being regarded as having such an impairment. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as described in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.

Drive-in, Food- A building and adjoining parking area used for the purpose of furnishing food, soft drinks, ice cream, and similar confections to the public normally for consumption outside the confines of the principal permitted building, or in vehicles parked upon the premises, regardless of whether or not, in addition thereto, seats or other accommodations are provided inside for the patrons.

Dwelling, Accessory- An Accessory Dwelling Unit (ADU) refers to a habitable living unit added to or detached from a primary single family dwelling. It is a separate, additional dwelling unit, including a kitchen, sleeping area and bathroom facilities. An ADU does not constitute a two-family dwelling.

Dwelling, Caretaker- An accessory dwelling on a nonresidential premises, occupied by the person who oversees the nonresidential operation 24 hours a day, and his or her family.

Dwelling, Single Family- A detached dwelling unit with kitchen and sleeping facilities, designed for occupancy by one family.

Dwelling, Multifamily- A building, or portion thereof, designed exclusively for occupancy by three or more families living independently of each other in individual dwelling units.

Exploratory Well – A well drilled for the purpose of determining the occurrence and extent of a mineral deposit, together with the appurtenant on-site equipment and facilities necessary for the drilling of said well.

Family – An individual or two or more persons related by blood, marriage, or adoption, living together in a single dwelling unit and maintaining a common household. A family may include non-related persons living with the residing family as per this Code. The term "family" shall not be construed to mean a group of non-related individuals, a fraternity, club, or institutional group.

Factory Built Homes- Any structure, designed for residential use, which is wholly or in substantial art, made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of Carbon County, factory-built homes include mobile homes, manufactured homes, and modular homes.

Factory-built Housing Park- A contiguous parcel of land which has been developed for the placement of factory built homes and is owned by an individual, firm, trust, partnership, public or private association, or corporation.

Fence, Livestock– A fence constructed to keep domestic livestock out of an area, parcel or lot. Such fence shall be constructed of sufficient height and strength to keep said livestock from trespassing on the area, parcel, or lot being fenced. No low drag or trip style fence that could injure livestock shall be permitted.

Fence, Sight-Obscuring – A fence having a height of at least six (6) feet above grade which permits vision through not more than ten percent (10%) of each square foot more than eight (8) inches above the ground.

Flood – 100 Year – A flood, the magnitude of which will probably occur only once in 100 years.

Flood Channel – A natural or artificial water course with definite bed and banks to confine and conduct flood water.

Floodway- That area of a waterway channel which is extremely hazardous due to the velocity of storm waters which carry debris and projectiles and have erosion potential.

Floodway encroachment- Any fill, structure, building, accessory use, use, or development in the floodway.

Floor Area – The sum of the areas of the several floors of the building, including basements, mezzanines, and penthouses of headroom height (7 feet) measured from the exterior walls or from the center line of walls separating buildings. The floor area does not include unoccupied features such as pipe trenches, exterior terraces or steps, chimneys, roof overhangs, etc.

Fowl- Domesticated birds commonly associated with farms and used for eggs or meat. Domestic fowl include but are not limited to chickens, ducks, geese, and turkeys.

Fraternal Lodges- A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings and formal written membership requirements.

Funeral Home- Establishment engaged in undertaking services such as preparing the dead for burial, and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

Gasoline Stations- Any building, structure, or area of land used for the retail sale of automobile fuels, oils, and accessories, where repair service, if any, is incidental, where no more than two abandoned vehicles or other motor vehicles shall be stored on the premises. May include the sale of propane or kerosene as accessory uses.

Grade of Building (Adjacent Ground Elevation) – The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and a line five (5) feet from the building.

Grade of Streets and Driveways – Grade shall mean the ratio of vertical distance along such a street or driveway expressed in either percentage or degree.

Health, Board of – The Health Department, Board of County Commissioners, or any representative authorized by the Board of County Commissioners to represent them in matters relating to health and sanitation.

Height of Building – The vertical distance from the grade to the square of the building.

Helicopter pads (Heliport)- An area designed to be used for the landing or takeoff of helicopters including operations facilities, such as maintenance, loading and unloading, storage, fueling, or terminal facilities.

Home Occupation – Conducted within a dwelling and carried on by persons residing in the dwelling. A use incidental and secondary to a property's primary residential use. A home occupation use shall not change the residential character of the property or the neighborhood and shall meet all applicable legal requirements.

Hotel- A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a rooming or boarding house.

Household Pets – Animals or fowl customarily permitted within the house and kept for company or pleasure, such as dogs, cats, and canaries, but not including a sufficient number of dogs to constitute a kennel.

Injection and Disposal Wells – Injection and disposal wells shall mean any used well that is used for the disposal of fluids that are brought to the surface in connection with conventional oil or natural gas production and that may be commingled with wastewater produced from the operation of a gas plant that is an integral part of production operations, unless that wastewater is classified as a hazardous waste at the time of injection. It shall also mean any well used for the injection of air, gas, water or other substance into any underground stratum.

Junk Yard – Salvage Yard – A place where scrap, waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment.

Kennel – The use of land or buildings in the keeping of three (3) or more dogs at least four (4) months old, in compliance with this Code and the County Animal Control Ordinance.

Large Scale Industrial Project – All land and structures occupied by a manufacturing, processing, fabrication or similar industrial activity which requires a site area of more than five (5) acres and/or which, because of the nature of the activity, emits fumes, smoke, noise, vibration, dust, glare or odor in amount which are discernable beyond the limits of the site.

Landscaping – Landscaping shall mean the use and integration of a combination of planted trees, shrubs, vines, groundcovers, lawns, rocks, foundations, pools, art works, screens, walls, fences, benches, or surfaced walkways set into an aesthetically pleasing arrangement as determined by the Planning Commission or their authorized representatives. However, the use of structures or surfaced walkways alone, in the absence of planted trees, lawns, etc., shall not meet the requirements of this definition.

Laundromat- A facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.

Livestock, Domestic- Generally accepted outdoor farm animals (i.e., cows, goats, horses, pigs, barnyard fowl, etc.) not to include cats, dogs, and other house pets.

Livestock feed yard- The feeding of livestock, poultry, or small animals for commercial purposes usually in lots, pens, ponds, sheds or buildings where food is supplied primarily by means other than grazing, foraging, or other natural means.

Livestock Management Area - All portions of a lot used as sheds, barns, coops, pens, corrals, pastures, gardens or cultivated ground but not including the area of a lot devoted to the dwelling, sidewalks, driveways, or lawn.

Lodging House – any building or portion thereof containing not more than five guest rooms where rent is paid in money, goods, labor or otherwise.

Lot – (1) An independently described parcel of land as shown on the records of the County recorder, or (2) Two (2) or more contiguous parcels within a recorded subdivision each of which qualify under 1 above and for which a Declaration of Zoning Lot has been approved and filed in the Office of the County Recorder.

Lot – Corner – A lot abutting on two intersecting or intercepting streets where the interior angle of intersection or interception does not exceed 135 degrees.

Lot – Interior – A lot other than a corner lot.

Lot – Line, Front – The front boundary line of a lot bordering on the street.

Lot – Line, Rear – A lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or goreshaped lot, the rear lot line shall be a line within the lot parallel to and at the maximum distance from the front lot line, having a length of at least ten (10) feet.

Lot – Line, Side – Any lot boundary line not a front lot line or a rear lot line.

Major Underground and Surface Development – Those activities conducted on the surface of the land for the development or extraction of a mineral deposit from its natural occurrences, including but not limited to effects of surface and underground mining, such as on-site transportation, primary processing, and storage, including:

A. Gravel, sand and clay pits disturbing a surface area in excess of one (1) acre.
B. Coal mines disturbing a surface area in excess of three (3) acres.
C. Uranium mines disturbing a surface area in excess of one (1) acre.
D. Other mining operations disturbing a surface area in excess of one (1) acre or from which five hundred (500) tons or material or more are mined over a period of twelve (12) consecutive months.

Major Utility Transmission and Railroad Project – A construction project involving the installation of one or more of the following:

A. Electric power transmission lines rated at 45 KV capacity or more; together with the appurtenant substations and similar ancillary facilities.
B. Gas and oil transmission lines designated at 500 psi or more, together with the appurtenant pressure and pump stations and similar ancillary facilities.
C. Water transmission facilities designed at 10 second feet capacity or more, together with the appurtenant pump stations and similar ancillary facilities.
D. Conveyor belts and related facilities.
E. Railroad tracks.
F. Solar or Wind Powered Generating Facilities.

Manufactured Home – A transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code).

Manufactured Home Park – An area or tract of land used to accommodate two (2) or more manufactured homes, park models or other factory built housing.

Map – The Zone Map of Carbon County, Utah.

Master Plan – A coordinated plan which has been prepared and adopted for the purpose of guiding development, including but not limited to a plan or plans of land use, access, resources, circulation, housing, and public facilities and grounds.

Material Staging Area- Designated area where materials are temporarily positioned for access during a construction project, and removed once the project is completed.

Medical Clinic- A building or portion of a building containing offices and facilities for providing medical, dental, and psychiatric services for outpatients only.

Motion Picture Theater (indoors)- A specialized theater for showing movies or motion pictures.

Motion Picture Theater (outdoors)- An outdoor movie theater where patrons view movies or any other form of entertainment on a screen or stage from their vehicles.

Motel- A building or series of buildings in which lodging is offered for compensation, and which is distinguished from a hotel primarily by reason of providing direct independent access to, and adjoining parking for, each rental unit.

Minor Mine and Pit – (1) A mine, pit quarry or similar excavation for the extraction of mineral products which is developed and/or operated at levels less than that established for qualifications as a major underground or surface mine development, or (2) the enlargement of an existing mine or pit operation in an amount less than that qualifying as a significant expansion of surface facilities.

Minor Utility Transmission Projects – A project involving the construction of utility transmission and distribution and facilities for cable TV, telephone, microwave and for electric power and gas and oil and water at levels less then those established for major transmission projects.

Modular Unit – A structure built from sections which are manufactured in accordance with the construction standards adopted pursuant to Section 58-56-4, UCA.

Nonconforming – A building or structure, or portion thereof, or use of a building or land existing at the time of the passage of this Code, which does not conform to the zoning regulations as set forth herein, but which legally existed prior to the effective date of the now controlling provision.

Nonconforming Lot of Record - A parcel of land which does not conform to the minimum area and/or width requirements for the zone in which it is located, but which was legally created and was shown on the records of the County Recorder as a conforming lot of record prior to the effective date of the now controlling provisions. Substandard lots in illegal subdivisions shall not be considered as nonconforming lots of record.

Office Building- Establishments providing direct services to consumers, such as insurance agencies, title insurance companies, real estate offices, post offices, but not including bulk mailing distribution centers. Does not include: medical offices or offices that are incidental and accessory to another business or sales activity that is the principal use.

Offstreet Parking – An area adjoining a building providing for the parking of automobiles which does not include a public street, but has convenient access to it.

Parking Lot- An open area, other than a street, used for the parking of vehicles.

Pen- see corral.

Personal Service Establishments- Establishments providing non medically related services, including beauty and barber shops; clothing rental; dry cleaning pick-up stores; laundromats (self-service laundries); psychic readers; shoe repair shops; tanning salons. These uses may also include accessory retail sales of products related to the services provided.

Planned Mountain Home Development – A subdivision in which the roads, travel easements, water lines, and open spaces are not dedicated to the public, but are retained as private facilities.

Planning Director- The chief administrator of Carbon County's planning department.

Planning Commission- A group of people appointed by the Carbon County Board of Commissioners that administers planning and land-use regulations for the County and provides recommendations on a wide array of land-use and land-use policy issues.

Planned Unit Development- A description of a proposed unified development, consisting at a minimum of a map and adopted ordinance setting forth the regulations governing, and the location and phasing of all proposed uses and improvements to be included in the development.

Playground- A land use designed principally to offer recreation, passive or active, to the public.

Premise Occupation – An occupation consisting of the fabrication of a product or providing of a service, which is conducted on a residential lot, in a building other than the residence, except for services such as beauty shops and child care, which may be conducted in the home.

Private Camp – the use of private property by the owners of the property, their immediate family, and invited guests, for the purpose of recreation, pleasure, hunting, agricultural and silvicultural activities, either in tents, travel trailers, recreational vehicles or on the ground, for a period of not more than fourteen (14) consecutive days at one location. Owners of travel trailers or RVs used for this purpose shall dispose of sewage at an approved location.

Production Well – A well drilled for the purpose of recovering a mineral deposit from its natural occurrences together with appurtenant on-site equipment and facilities necessary for the drilling and operation of said well.

Promotional Display- A display of products or goods for a holiday or celebration, e.g. Fourth of July, community days, etc.

Public Agency Park – A tract of land which is owned by a governmental agency and which has been partially or totally developed or designated for recreation or open space purposes.

Public Improvements- Public improvement means the construction, enlargement, extension or other construction of a facility intended for dedication to the County, including but not limited to a street, curb and gutter, sidewalk, cross drain, catch basin, traffic control and street name sign, or other roadway appurtenance other than driveway apron connection; domestic water supply system main, fire hydrant, valve or other appurtenance other than a supply line to a building; or sanitary sewerage main or outfall, lift station, force main, manhole or other appurtenance other than a drain line from a building.

Recreation Center- Recreation facilities operated as a business and open to the general public for a fee.

Recreation Vehicle- A vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

Recreation Vehicle Court – An area or tract of land used to accommodate two or more recreation vehicles or camper units.

Residential Facility for Persons with a Disability – A residence in which more than one person with a disability resides, and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities, or is licensed or certified by the Department of health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

Residential Treatment Facilities- A mental health facility or a drug and/or alcohol or process addiction treatment program that is provided to patients in a residential setting

Restaurant- A structure in which the principal use is the preparation and sale of food and beverages.

Retail- The selling of goods, wares, or merchandise directly to the ultimate consumer or persons without a resale license.

Road, County - A County road as shown on the County Road System Map of Carbon County, Utah. Any of the various class of road recognized by the State of Utah, such as Class B and D, or a designated Federal or State Highway. The terms right-of-way, road, trail, street and highway shall be interchangeable.

School- Any public, parochial, private, charitable, or nonprofit school, junior college, or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants, and other incidental facilities for students, teachers and employees.

Septic System- The disposal of sewage by use of cesspools, septic tanks, or other safe and healthful means, approved by the Southeastern Utah health department generally within the confines of the lot on which the use is located.

Setback – The shortest distance between the property line and the exterior wall of the building.

Sewer, Central- A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, generally serving a neighborhood.

Sewage treatment, Public- Any facility designed for the treatment of sewage that serves in excess of two structures or dwelling units.

Shooting Range- An area or structure specially designed for the safe discharge and use of rifles, Shotguns, pistols, silhouettes, skeet, trap, black powder, or any similar firearm for the purpose of sport shooting or military/law enforcement training.

Shopping Center- A group of retail and other commercial establishments that is planned, owned, and managed as a single property. On-site parking is provided.

Short-Term Rental- Lease of any residential building or dwelling to any person or entity other than the record owner of title for use, occupancy, lodging, or dwelling, for a term of less than 29 consecutive calendar days of occupancy, for which remuneration is paid either directly or indirectly. Occupancy of the property shall be deemed to include use of the property as a single-family or multi-family dwelling, motel, hotel, bed and breakfast, hostel, resort or other transient lodging uses.

Sign – Any device designed and intended to bring the subject thereof to the attention of the public, provided however, that the following shall not be included in the application of regulations relating to signs:

1. Flags or insignia of any government except when displayed in connection with a commercial promotion.
2. Legal notices, and signs used for regulation, identification and informational purposes erected by a governmental body.
3. Signs directing and guiding traffic and parking on private property but bearing no advertising matter.

Sign, Accessory – A sign which directs attention to a business or professions conducted on the premises.

Sign, Non-Accessory – Bill Board – A sign which directs attention to a business, commodity, service or entertainment which is conducted, sold or offered at a location other than the premises.

Silo- Structures, other than residences and structures appurtenant thereto, for on farm use.

Stable- An accessory building having stalls or compartments where animals, excluding dogs and cats, are sheltered and fed.

Storage, Aircraft (aircraft hanger private)- A hanger for the storage of four or fewer single-motor aircraft and in which no volatile of flammable oil is handled, stored, or kept other than that contained in the fuel storage tank of the aircraft.

Storage, Aircraft (aircraft hanger public)- Abuilding for the storage, care, or repair of private or commercial aircraft not included in the term "private airplane hangar".

Storage Garage- An accessory building designed or used for the storage of motor vehicles, recreational vehicles, or boats.

Structure – Anything constructed or erected to the requirements of the Building Codes to house electrical, gas and oil production or transmission facilities, or to house agricultural products, animals and activities. Structures also include anything constructed or erected to house or protect recreational or other legal activities.

Subdivision – Any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument.

Subdivision does not include:

A. A bona fide division or partition of agricultural land for agricultural purposes;
B. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
    1. No new lot is created,
    2. The adjustment does not result in a violation of applicable zoning ordinances;
C. A recorded document, executed by the owner of record, revising the legal description of more than one contiguous parcel of property into one legal description encompassing all such parcels of property;
D. A bona fide division or partition of land in the County for the purpose of siting on one or more of the resulting separate parcels, an unmanned facility appurtenant to a pipeline owned or operated by a gas corporation, interstate pipeline company, or intrastate pipeline company; or
E. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision.

Subdivision plat- The schematic representation of land divided or to be divided.

Terminal, Airport- A facility designed or intended to be used for the receiving or discharging of passengers and providing for the temporary or permanent storage of the conveyance vehicle.

Twin Home – A two family dwelling in which the units are connected at a common wall along a common property line and in which each of the units and their attendant lot area intended for conveyance as separate dwelling units.

Twin Home Project – (1) An undeveloped lot upon which a Twin Home is proposed to be constructed or (2) An existing two-family dwelling which is being proposed for conversion to Twin Home status.

Warehouse- A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are flammable or explosive or that present hazards.

Water Distribution System- The system of pipes, structures, and facilities through which a water supply is obtained, treated, and sold or distributed for human consumption or household use.

Water Treatment, Public- Any facility or facilities used or available for use in the collection, treatment, testing storage, pumping, or distribution of water for a public water system.

Yard – Any space on a lot other than a court, which is open and unobstructed from the ground to the sky.

Yard, Front – A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the main building and the front of the lot.

Zoning Administrator- An appointed official whose primary responsibility is to administer and enforce the zoning code.

Zoning Lot – A parcel of land which complies with the existing area, width, access and other applicable requirements for conforming lots within the zone in which it is located, or is shown as a separate lot in a subdivision or large scale development which has been approved in accordance with this Code.

LEGAL NOTICE
CARBON COUNTY, UTAH
ADOPTION OF ORDINANCE 495

In a regular meeting of the Board of Commissioners, the following ordinance was adopted on May 16, 2018. Copies of the complete ordinance is available for review at the Office of the County Clerk, Carbon County Administration Building, 751 E. 100 N. Price, Utah.

Ordinance 495

AN ORDINANCE ADOPTING CHANGES TO SECTION NINE OF THE CARBON COUNTY DEVELOPMENT CODE, PERTAINING TO DEFINITIONS

/S/ Seth Oveson, Carbon County Clerk/Auditor

Published in the Sun Advocate May 29, 2018

on Gordon Creek Road and traversing in a Northerly direction until it stops at Highway 6.

Interested persons may submit data, views, and arguments at that time regarding whether the ordinance should or should not be adopted. All members of the public are invited to attend and participate. A copy of the proposed Ordinance is on file at the office of the Carbon County Commission, at 751 East 100 North, Price, Utah, where it may be reviewed during regular business hours. Additional information regarding the roads to be vacated, including plats showing the location of the road, may be obtained from the County Commissioner secretary at 751 East 100 North, Price, Utah.

Published in the Sun Advocate May 29, June 5, 12 and 19, 2018.

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CARBON COUNTY, UTAH
ADOPTION OF ORDINANCE 495

In a regular meeting of the Board of Commissioners, the following ordinance was adopted on May 16, 2018. Copies of the complete ordinance is available for review at the Office of the County Clerk, Carbon County Administration Building, 751 E. 100 N. Price, Utah.

Ordinance 495
AN ORDINANCE ADOPTING CHANGES TO SECTION NINE OF THE CARBON COUNTY DEVELOPMENT CODE, PERTAINING TO DEFINITIONS

/S/ Seth Oveson,
Carbon County Clerk/Auditor

Published in the Sun Advocate May 29, 2018.

ANNOUNCEMENT OF APPOINTMENT AND NOTICE TO CREDITORS
CASE NO: 183700016
JUDGE: GEORGE M. HARMOND
IN THE MATTER OF THE ESTATE OF TOBIAS ALLEN MARTINEZ, DECEASED.

Tabetha West, of 160 Carson or P.O. Box 692, East Carbon, Utah 84520, has been appointed Personal Representative of the above entitled estate. Creditors of the estate are hereby notified to: (1) deliver or mail their written claims to the Personal Representative at the address above; or (2) deliver or mail their written claims

Bids must contain the expected date the removal will begin and be completed. All tires must be removed within 90 days following the award of the bid. Weather permitted during winter hours.

The winning bidder will provide information to the Director of the Division of Waste Management and Radiation Control that meets the requirements of Utah Code Annotated 19-6-811(6) and must clearly show the quantity of the waste tires moved from the pile to the recycler. The transporter must include copies of all shipping and acceptance documents associated with the receiving recycler for each load. Any loads submitted without all the required documentation will not be authorized for transportation reimbursement by the Division of Waste Management and Radiation Control.

The following documents and information must be part of the package.

All reimbursement requests must contain original numbered and dated bills of lading showing empty and loaded weights, trailer numbers, signatures of the on-site company representative and an on-site employee of the landfill; the recycler that the load is to be shipped to, the net weight of tires in the load (original numbered and dated empty and loaded weight tickets must be included and weights shown on the bill of lading), and the amount to be reimbursed.

All reimbursement requests must contain original numbered and dated empty and loaded weight tickets from the scale at the landfill. Trailer numbers must be written on the scale tickets.

All reimbursement requests must contain a list of the loads shipped with trailer numbers and the dates received by the recycler and certification of receipt of the loads from the recycler.

All reimbursement requests must contain an explanation for non-original documents, discrepancies, or other problems associated with the submittal. The justification for all discrepancies must be submitted in writing and accompany the transportation reimbursement request.

All reimbursement requests will be compared to landfill records and any load that is not shown on landfill records will not receive reimbursement. Reimbursement for transportation of waste tire from the landfill tire pile will be as follows: 60% from the Waste Tire Recycling Fund and 40% from Carbon County.

Bids are due at the Carbon County Clerk/Auditor's office at 751 East 100 North, Ste. 1100, Price, Utah 84501, prior to 3:00 pm, June 6, 2018. Faxed and emailed bids are NOT accepted.