

**CITY OF LOGAN, UTAH  
ORDINANCE NO. 13-54**

**AN ORDINANCE ADDING SECTION 5.17.095 OF THE LOGAN MUNICIPAL  
CODE REGARDING THE NOTICE OF OCCUPANCY LIMITATIONS**

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City of Logan to pass ordinances as are necessary and proper to provide for the safety, promote the prosperity, improve the peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City; and

WHEREAS, the City Council has determined that the following ordinance is in the City's best interest;

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH, AS FOLLOWS:

SECTION 1:

5.17.095: OWNERS AND AGENTS: NOTICE OF OCCUPANCY LIMITATIONS

- A. Owners or agents shall provide to the lessee of any residential property that the owner or agent leases, information regarding the zoning district in which the property is located and the applicable occupancy limitations contained in the Logan Land Development Code.
- B. It shall be unlawful for any person to lease or sublease any rental dwelling without first providing to the lessee or sub lessee notice of the occupancy limits in the zone in which the property is located pursuant to the Logan Land Development Code, The notice shall either be contained in the written lease or shall be on a zoning occupancy disclosure form provided by the director and signed by the owner or agent and each lessee. All current zoning occupancy disclosure forms and leases for the property shall be maintained by the owner or agent.
- C. Owners and agents shall provide a written lease containing tenant information or a zoning occupancy disclosure form within seven (7) days of a request by a city code official or police officer investigating any code violation.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 6  
DAY OF ~~July~~, 2013. August  
AYES: Ward, Jensen, Daines, Olson, Quayle  
NAYS: None  
ABSENT: None

Holly Daines  
/s/ Holly Daines, Chair

Teresa Harris  
ATTEST:  
/s/ Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval this 6 day of ~~July~~, 2013. August.

Holly Daines  
/s/ Holly Daines, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 6 day of ~~July~~, 2013. August.

Randy Watts  
/s/ Randy Watts, Mayor

## City of Logan Zoning Occupancy Disclosure Form

As required by Section 5.17.095, Logan Municipal Code and Chapter 17.13: Neighborhood Zone Uses of the Logan Land Development Code

**Rental Dwelling:** \_\_\_\_\_ (street and apartment number)

✓ **Check Zoning District:**

NRC	NRCS	NROC	NRE	NRW	MRM	MRH	NC	RR	RC	CR

The occupancy of this rental dwelling shall not exceed the occupancy limitations set forth in the Logan Land Development Code; sections §17.06.020 Household Living and §17.06.010 Group Living as follows:

1. Residential occupancy of a dwelling unit by a family, or no more than three (3) unrelated adults
2. **Occupancy of no more than six (6) unrelated adults, not to exceed two (2) persons per bedroom, is permitted only in the Campus Residential (CR) Zone.**

Family means one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants; or a number of unrelated adult persons, but not exceeding two and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family.

Students who are visiting a family for the purpose of attending grades kindergarten through high school are considered temporary family members and therefore part of a family even though they may or may not be related by blood, adoption, or marriage. Students must be actively attending a school grade K-12 and living with a family related by blood, adoption, or marriage.

Household means a housekeeping unit living together in a single dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit. Tenancy is either owner occupied or arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Sales and Service and Community Service categories).

The names of all the lessees for this dwelling are as follows (please attach additional names if needed):

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Printed: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Printed: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Printed: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Printed: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Printed: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Printed: \_\_\_\_\_

*\*Nothing in this document prevents the owner or operator from limiting the number of tenants to less than the maximum allowable occupancy permitted by the City Code.*

Insert LMC section 5.17.095 as adopted here

**Owner/Agent:**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Printed \_\_\_\_\_

**City of Logan, Utah**

Community Development Department  Office of Neighborhood Improvement  
290 N 100 W, Logan, UT 84321

435.716.9025  <http://www.loganutah.org/Community%20Development/>

**FAILURE TO COMPLY MAY RESULT IN A NOTICE OF VIOLATION**

*A Notice of Violation (NOV) may be issued to all parties responsible for violation(s) if compliance is not satisfied within the allotted time frame. The NOV, a formal written notification, mandates and informs responsible parties of the violation(s) requiring correction. Failure to correct may include consequence as outlined in the Land Development Code, §17.60.130 General Enforcement Authority, whenever an enforcement official finds that a violation of the Logan Municipal Code or applicable state codes has occurred or continues to exist, he may undertake any of the procedures herein. The director or any designated enforcement official shall have the authority to gain compliance with the provisions of the Logan Municipal Code and applicable state codes subject to the provisions of this Title. Such authority shall include the power to issue notices of violation and administrative citations, inspect public and private property, abate nuisances on public and private property, and to use any remedy available under this Title or law.*

Civil  
PROOF OF PUBLICATION

STATE OF UTAH  
COUNTY OF CACHE, ss

On this 12th day of August , A.D. 2013 personally appeared before me Monica Christensen who being first being duly sworn, deposes and says that she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, and that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 1 issue(s) and that said notice also published on utahlegals.com on the same days(s) as publication in said newspaper

Commencing on the following days:  
08/11/2013



Assistant to the Finance Director

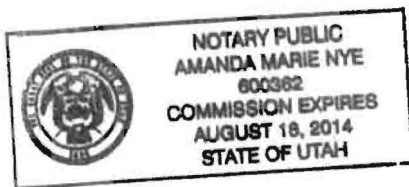
Subscribed and sworn to before me on this 12th day of August , A.D. 2013



Notary Public

Commissioned in the State of Utah

My Commission expires August 1, 2015




LEGAL NOTICE LOGAN MUNICIPAL COUNCIL
SUMMARY OF AN ORDINANCE(S) The following ordinances were adopted and approved by the Logan Municipal Council, Logan, Utah on August 6, 2013.
ORD. 13-53 Amendment to Section 17.27.030 of the Land Development Code regarding Allowed Uses in District and Corridor Zones (Quad Elite Training); TIN: 07-176-0008.
ORD. 13-52 Amendment to Sections 5.17.010, 5.17.030, 5.17.040, 5.17.050, 5.17.060, 5.17.060 and 5.17.100 of the Logan Municipal Code regarding Landlords of Rental Dwellings.
ORD. 13-54 Adding Section 5.17.095 to the Logan Municipal Code regarding Notice of Occupancy Limitations.
ORD. 13-55 Amendment to Section 5.29.020 of the Logan Municipal Code regarding Sexually Oriented Businesses.
ORD. 13-58 Amendment to Chapter 2.36.010 of the Logan Municipal Code regarding Neighborhoods Councils.
These ordinances are effective immediately upon publication. Full text of the ordinances may be reviewed at the Office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.
Teresa Harris, City Recorder
Publication Date: August 11, 2013

Civil  
PROOF OF PUBLICATION


STATE OF UTAH  
COUNTY OF CACHE, ss

On this 29th day of July , A.D. 2013 personally appeared before me Monica Christensen who being first being duly sworn, deposes and says that she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, and that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 1 issue(s) and that said notice also published on utahlegals.com on the same days(s) as publication in said newspaper

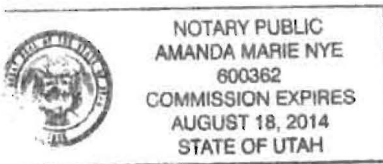
Commencing on the following days:  
07/28/2013

 , Assistant to the Finance Director

Subscribed and sworn to before me on this 29th day of July , A.D. 2013

 , Notary Public  
Commissioned in the State of Utah

My Commission expires August 1, 2015



**NOTICE OF PUBLIC HEARING**  
**Logan Municipal Council**

The Municipal Council of the City of Logan, Utah will hold public hearings to consider the following:

Consideration of a proposed resolution approving the City of Logan Light & Power Department Rate Schedule #6 General Service-Distribution Voltage; Consideration of a proposed resolution approving polling locations and poll workers for the August 13, 2013 Primary Election; Consideration of a proposed amendment to Sections 5.17.010, 5.17.030, 5.17.040, 5.17.050, 5.17.060 and 5.17.100 of the Logan Municipal Code regarding Landlords of Rental Dwellings; Consideration of a proposed ordinance adding Section 5.17.095 of the Logan Municipal Code regarding the Notice of Occupancy Limitations; Consideration of a proposed amendment to Section 5.29.020 of the Logan Municipal Code regarding Sexually Oriented Businesses (Legislative Update); Consideration of a proposed amendment of the Logan Municipal Code regarding Neighborhood Councils.

Said public hearings will be held Tuesday, August 6, 2013, not before 5:30 p.m. in the Logan Municipal Council Chambers, 290 North 100 West, Logan UT.

Full text of the resolutions are available for inspection at the City Recorder's Office during business hours.

Teresa Harris, City Recorder

Publication Date: July 28, 2013