TOWN OF NEW HARMONY, UTAH

ZONING ORDINANCE

Adopted ***, 2003

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NEW HARMONY TOWN ZONING ORDINANCE

AN ORDINANCE CREATING A ZONING LAW, ESTABLISHING ZONES WITHIN NEW HARMONY TOWN, UTAH, REGULATING BY DISTRICTS OR ZONES THE LOCATION, HEIGHT, BULK AND SIZE OF BUILDINGS AND STRUCTURES, THE PERCENTAGE OF LOTS WHICH MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE USE OF BUILDINGS AND STRUCTURES, AND THE USE OF LAND FOR TRADE, INDUSTRY, RESIDENCES, RECREATION, PUBLIC ACTIVITIES, OR OTHER PURPOSES; PROVIDING FOR ADMINISTRATION AND ENFORCEMENT; PROVIDING PENALTIES FOR VIOLATION THEREOF; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE TOWN COUNCIL OF NEW HARMONY, UTAH, AS FOLLOWS:

CHAPTER 1. GENERAL PROVISIONS

1-1 Short Title.

This Ordinance shall be known as the "Zoning Ordinance" of New Harmony and may be so cited and pleaded.

1-2 Purpose.

This Ordinance is enacted to promote the health, safety, and general welfare of the present and future residents of the Town of New Harmony, and to implement the policies and realize the goals stated in the Master Plan of the Town of New Harmony. The Ordinance is enacted with the intent to:

1) Ensure that community growth and development occur in an orderly and well-considered manner, consistent with the goals of the Master Plan;

2) Provide adequate and economical infrastructure and community services;

3) Mitigate or prevent manmade and natural hazards;

4) Promote order and beauty in the community;

5) Maintain the community's economic base and property values;

6) Preserve the unique rural, historic, and scenic character of New Harmony.
1-3 Interpretation.

In interpreting and applying the provisions of this Ordinance, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

1-4 Conflict.

This Ordinance shall not nullify the more restrictive provisions of covenants, agreements, or other ordinances or laws, but shall prevail notwithstanding such provisions which are less restrictive.

1-5 Effect on Previous Ordinances and Maps.

Any existing ordinances covering zoning, in their entirety and including the maps heretofore adopted and made a part of said ordinances are hereby superseded and amended to read as set forth herein; provided, however, that this Ordinance, including the attached map, shall be deemed a continuation of previous ordinances and not a new enactment, insofar as the substance of revisions of previous ordinances is included in this Ordinance, whether in the same or in different language; and this Ordinance shall be so interpreted upon all questions of construction relating to tenure of officers and boards established by previous ordinances and to questions of conforming or nonconforming uses and buildings and structures, and to questions as to the dates upon which such uses, buildings, or structures became conforming or nonconforming.

1-6 Definitions.

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include "structure"; the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word "shall" is mandatory and not directory, and the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the word "lot" includes the word plot, or parcel. Words used in this Ordinance but not defined herein shall have the meaning as defined in any other ordinance adopted by the local jurisdiction.

**Accessory Use of Building.** A use of building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building.

**Agriculture.** The tilling of the soil, the raising of crops, horticulture and gardening; breeding, grazing and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, or similar uses.

**Agricultural Industry or Business.** An industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding, or storage, including but not limited to animal feed yards, fur farms, food packaging or processing plants, commercial poultry...
or egg production, and similar uses as determined by the Planning Commission.

**Alley.** A public access-way less than twenty-six (26) feet in width, which is designed to give secondary access to lots or abutting properties; an alley shall not be considered a street, for the purposes of this Ordinance.

**Animals.** Animals shall include the following: horses, cows, sheep, and goats, excluding pigs and exotic animals.

**Automobile Service Station.** A place where gasoline, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, replacement of spark plugs, lights, fans, and other small parts, but not including major auto repair.

**Average Percent of Slope.** An expression of rise or fall in elevation along a line perpendicular to the contours of the land, connecting the highest point of land to the lowest point of land within an area or within a lot. A vertical rise of one hundred (100) feet between two points one hundred (100) feet apart, measured on a horizontal plane is a one hundred (100) percent slope.

**Basement.** A story whose floor is more than twelve (12) inches below the average level of the adjoining ground, but where no more than one-half (½) of its floor-to-ceiling heights is above the average contact level of the adjoining ground. A basement shall be counted as a story for purposes of height measurement, and as a half-story for the purpose of side-yard determination.

**Bed and Breakfast.** An establishment which provides overnight accommodations and a breakfast meal for consideration. In order to qualify as a "Bed and Breakfast Inn" an establishment must meet the following criteria:
1) The establishment may be housed in an existing or in a new structure suitable to the purpose of a Bed and Breakfast Inn. The structure must comply with the Uniform Building Code and all other applicable state and local statutes, ordinances, and regulations.

2) The establishment must not have more than four (4) guest rooms for rent.

3) The Owner and/or Manager must reside on the premises.

4) Off-street parking must be provided as noted: two (2) spaces for the owner and/or manager, and one (1) space per guest room.

5) There may be no more than one (1) sign denoting the name and nature of the establishment. The sign may not be larger than nine (9) square feet; it must be made of wood, stone, and/or brick; and it may be artificially illuminated only by external, low-intensity, screened lamps.

6) The establishment must be on a street that meets Town standards and Fire Code width requirements.

7) Entrances to all guest rooms must be on the interior of the structure. Secondary, exterior entrances to guest rooms may be permitted only for access to patios, verandas, or balconies.

8) The architectural style and physical size of the structure should be in harmony with the residential character of the community as determined by the Planning Commission. The structure must not exceed the height restrictions which apply in the zone in which it is located.

9) The site must be planned and landscaped so as to minimize the impact on neighboring properties and in order to retain the residential character of the neighborhood.

**Beginning of Construction.** The placing of concrete footings for a building or structure.

**Block.** The land surrounded by streets or other rights-of-way, other than an alley, or land which is designed as a block on any recorded subdivision plat.

**Buildable Area.** The portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding fifteen (15) percent shall not be considered
buildable area unless it is approved by conditional use permit for construction, after study by a geologist, soils engineer, or sanitarian as required by the Planning Commission.

**Building.** Any structure used or intended to be used for the shelter, or enclosure of persons, animals, or property.

**Building, accessory.** A building which is subordinate to, and the use of which is incidental to, that of the main building or use on the same lot.

**Building, Farm.** An agricultural structure assembled for a purpose relating to livestock or crops.

**Building, height of.** The vertical distance from the average finished grade surface to the highest point of the building roof or coping.

**Building Inspector.** The official designated as the building inspector for the Town of New Harmony by the New Harmony Town Council. Must be certified by professional society.

**Carport.** A private garage not completely enclosed by walls or doors. For the purposes of this Ordinance, a carport shall be subject to all the regulations prescribed for a private garage.

**Church.** A building, together with its accessory buildings and uses, maintained and controlled by a duly-recognized religious organization where persons regularly assemble for worship.

**Conditional Use.** A use of land for which a Conditional Use Permit is required, pursuant to this Ordinance.

**Corral.** A space, other than a building, less than one (1) acre in area, used for the confinement of animals or fowl.

**Coverage, Building.** The percent of the total site area covered by buildings.

**Disability.-** Means a physical or mental impairment that substantially limits one or more of a person’s major life activities.

**District.** A portion of the territory of the Town of New Harmony, established as a zoning district by this Ordinance, within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance; also includes "zone", and "zoning district".

**Driveway.** A private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located.

**Dwelling.** Any building or portion thereof designed or used as the more or less permanent residence or sleeping place of one or more persons or families, but not including a tent, recreational coach, hotel, hospital, or nursing home.

**Dwelling, Mobile Home.** (See "Mobile Home").
Dwelling, Single-family. A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.

Dwelling, Two-family. A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.

Dwelling, Multiple-family. A building arranged or designed to be occupied by more than two (2) families, and having more than two (2) dwelling units.

Dwelling Unit. One or more rooms in a dwelling, apartment hotel, or apartment motel, designed for or occupied by one (1) family for living or sleeping purposes and having one (1) but not more than one (1) kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.

Earth Shelter Home. A dwelling specifically designed for energy saving purposes to be below the finished grade. A lived in basement of a uncompleted single-family dwelling shall not constitute an earth shelter home.

Easement. That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use under, on, or above said lot or lots.

Essential Facilities. Utilities or sanitary and public safety facilities provided by a public or other governmental agency for overhead or surface or underground services, excluding any building, electrical sub-station or transmission line of fifty (50) KV or greater capacity, except by Conditional Use Permit.

Family. One or more persons living together as a single housekeeping unit. No more than 4 unrelated persons.

Fence. A physical barrier to delineate, contain, or designate an area designed for a specific use i.e., an enclosure for a dwelling unit; an area for storage, (etc.).

Flood Hazard. A hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

Frontage, Lot. The lineal measurement of the front lot line.

Garage, Private. A detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, or other recreational vehicles, but not including the parking or storage of trucks or vans having a capacity in excess of one and one-half (1 ½) tons, and not including space for more than a total of four (4) such vehicles for each dwelling unit on the premises.

Garage, Repair. A structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, recreational coaches, and minor collision service, but not including major body, frame or fender repairs or overall automobile or truck painting.
Geological Hazard. A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth.

Grade. "Grade" shall mean:

a. For buildings adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street.

b. For buildings adjoining more than one (1) street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.

c. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.

d. Any wall parallel or nearly parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street.

Governing Body. The elected legislative body of the Town of New Harmony.

Home Occupation. Any use conducted entirely within a dwelling and carried out by persons residing in the dwelling unit. This accessory use will be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the character thereof. The dwelling shall be the principal residence of the occupants. The home occupation shall not include any display, stock in trade, employees or the use of advertising except as provided herein. The home occupation shall not involve the use of any accessory building or yard space outside the main building.

A home occupation may include, but is not limited to, the following: The office or studio of a physician, dentist, artist, musician, lawyer, architect, engineer, teacher, or similar professional; workshops; dressmaking or hairdressing studios; and the care of not more than four (4) children other than members of the family residing in the dwelling unit.

Business signs are not allowed except for one unlighted sign describing the home occupation, which sign shall not exceed the size permitted in the zone in which it is located, and which shall be attached to and parallel with the wall of the dwelling.

The home occupation shall generate no vehicular traffic nor parking not commonly associated with the zone in which it is located.

Home occupation licenses shall not be required except under conditions mentioned in that section.

Household Pets. Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries. Household pets shall not include the keeping of dangerous animals.

Junk. Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris or other
waste or salvage materials; dismantled, junked, or wrecked automobiles or parts thereof; and old or scrap ferrous or non-ferrous metal materials.

**Local Attorney.** The attorney employed by or officially representing the Town of New Harmony.

**Local Building Inspector.** The New Harmony Town Building Inspector employed by or officially representing the Town of New Harmony.

**Local Engineer.** The engineer employed by or officially representing the Town of New Harmony.

**Local Jurisdiction.** The Town of New Harmony.

**Local Planner.** The planner employed by or officially representing the Town of New Harmony.

**Lot.** A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a larger tract into three (3) or more smaller units.

**Lot, Corner.** A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

**Lot, Depth.** The horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines.

**Lot Lines.** The property lines bounding the lot.

**Lot Line, Front.** For an interior lot, the lot line adjoining the street; for a corner lot or through lot, the lot line adjoining either street, as elected by the low owner.

**Lot Line, Rear.** Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the New Harmony Town Building Inspector shall designate the rear lot line.

**Lot Line, Side.** Any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots in an interior side lot line; a side lot line separating a lot from a street is a street side lot line.

**Lot, Right-of-way.** A strip of land of not less than sixteen (16) feet in width connecting a lot to a street for use as private access to that lot.

**Manufactured Home.** A structure built after June 16, 1976, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation when connected to the required utilities, and includes the plumbing,
heating, air conditioning, and electrical systems contained therein.

**Mobile Home.** A structure built prior to June 15, 1976, transportable in one or more sections, which is eight (8) body feet or more in width and thirty-two (32) body feet or more in length and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

**Mobile Home Awning or Cover.** A light-weight, overhead structure used in conjunction with a mobile home for the purpose of shading or weather protection of areas such as carports, patios, porches, windows and similar uses.

**Mobile Home Park.** An approved residential development together with certain accessory buildings and uses providing for the enjoyment and benefit of the residents of the park, in which individual spaces are provided for the placement of a mobile home for a dwelling unit or sleeping purposes, whether or not a charge is made for such accommodations.

**Mobile Home Space.** A parcel of land within an approved mobile home park which is designed and intended for the accommodation of one (1) mobile home.

**Modular Home.** A structure built in accordance with the standards set forth in the Uniform Building Code adopted and in effect at the time of construction which is composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

**Motel.** A building or group of buildings for the drive-in accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.

**Nonconforming Building or Structure.** A building or a structure which does not conform to the regulations for height, coverage, or yards of the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its erection.

**Nonconforming Use.** The use of a building or structure or land which does not conform to use regulations for the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its establishment.

**Official Map.** A map which has been adopted as the official map of the Town of New Harmony, showing existing public streets, streets on plats of subdivisions which have been approved by the New Harmony Town Planning Commission, and/or other street extensions, widenings, narrowings, or variations which have been accurately surveyed and definitely located.

**Off-street Parking Space.** The space required to park one (1) passenger vehicle, which space shall meet the requirements of this Ordinance.

**Open Space.** The use of land which leaves soil generally undisturbed and upon which natural vegetation, whether or not native to the area, occupies the major visible aspect of the land. Open space is designated as such with the intent to minimize flooding, erosion and other environmental hazards; to protect the natural scenic character of areas not suitable or not yet
suitable for development; and to promote the well-being of present and future residents or the Town of New Harmony.

Parking Lot. An open area, other than a street, used for the parking of more than four (4) automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers.

Plot Plan. A plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the New Harmony Town Planning Commission.

Residence for Persons with Disabilities. Home where no more than four unrelated persons reside, who qualify as being disabled as defined in the zoning ordinance. These homes are permitted in all residential zones subject to approval of a conditional use permit. Such dwellings may not be located closer together than 1 mile. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.

Recreational Coach. A vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motive power, designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation for a temporary and recreational nature.

Sign. A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

Sign Area. The area in square feet of the smallest rectangle enclosing the total exterior surface of a sign having but one (1) exposed exterior surface. Should the sign have more than one (1) surface, the sign area shall be the aggregate of all surfaces measured as above which can be seen from any one (1) direction at one (1) time.

Sign, Identification and Information. A sign displayed to indicate the name or nature of a building, or of a use.

Sign, Development. A sign indicating the name of, and information pertinent to, new construction.

Sign, Civic. A sign identifying name, and or, function of a public building.

Sign, Real Estate. A sign identifying property for sale, lease, or rent.

Sign Residential. A sign identifying a residence.

Site Plan. A plan required by, and providing the information required by, Section 1.9 herein.
**Solar Energy System.** Any mechanism that heats or provides electricity to a residence or other building, using energy from the sun.

**Stable, Public.** Any stable where horses are boarded and/or kept for hire.

**Story, half.** A partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls do not extend more than four (4) feet above the floor of such story, and the ceiling area of which does not exceed two-thirds (2/3) of the floor area of the same half story.

**Substandard Lot.** Any lot less than .5 acre in size, or lots smaller than others in the designated zone.

**Structure.** Anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground; includes "building".

**Yard.** A required open space on a lot, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this Ordinance.

**Yard, Front.** A space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.

**Yard, Rear.** A space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

**Yard, Side.** A space on the same lot with a building, between the side line of the building, and the side lot line and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and the side line of the building.
Zone. (See "District")


Zoning Administrator. The local official designated by the New Harmony Town Council to enforce the regulations of this Ordinance.

1-7 Building Permit Required.

The construction, alteration, repair, or removal of any building, structure more than 400 square feet with plumbing and electrical services, or part thereof as provided or as restricted in this Ordinance shall not be commenced or continued except after the issuance of a building permit by the New Harmony Town Planning Commission, and a written permit from the New Harmony Town Building Inspector. The building permit shall not be issued if the proposed construction, alteration, repair or removal of building or part thereof shall be in violation of the restrictive covenants effective as to the property or lot. Work not started within six (6) months will require a new permit and fee. Must comply with all Universal Building Codes.

1-8 Site Plans Required.

A detailed site plan, with scale and sheet size determined by the New Harmony Town Planning Commission shall be filed as part of any application, prior to request for a building permit. It shall show, where pertinent:

(1) Scale of plan, and direction of north point.

(2) Lot lines, adjacent streets, roads, rights-of-way, easements.

(3) Location of all existing structures on subject property and adjoining properties, with utility lines, poles, etc., fully dimensioned.

(4) Location of proposed construction and improvements, with location and dimension of all signs.

(5) Any parking lot to be built new or re-modeled must be built to plan, have proper drainage, and must have a building permit. Building permit fee shall be determined by the New Harmony Town Council.

(6) Motor vehicle access, circulation patterns, with individual parking stalls, and curb, gutter, and sidewalk location.

(7) Necessary explanatory notes.

(8) Name, address, telephone number of builder and owner.

(9) All other information required as determined by the New Harmony Town Planning Commission or designated authorized individual.
1-10 Inspection.

The New Harmony Town Building Inspector is authorized to inspect or to have inspected all buildings and structures (requiring a building permit) in the course of their construction, modification or repair, and to inspect land uses to determine compliance with zoning ordinance provisions. The New Harmony Town Building Inspector or any member of the New Harmony Town Planning Commission shall use the right to enter any building for the purpose of determining the use, or to enter premises for the purpose of determining compliance with the said ordinance, provided that such right of entry is to be used only at reasonable hours. In no case shall entry be made to any occupied building in the absence of the owner or tenant thereof without written permission of an owner, or written order of a court of competent jurisdiction.

1-11 Enforcement.

The New Harmony Town Building Inspector is authorized as the enforcing officer for this Ordinance, and shall enforce all provisions, entering actions in court if necessary, and his failure to do so shall not legalize any violations of such provisions. The New Harmony Town Council may, by resolution or ordinance, from time to time entrust administration of this Ordinance, in whole or in part, to another officer of the Town of New Harmony, without amendment to this Ordinance.

1-12 Nuisance and Abatement.

Any building or structure over 400 square feet, erected, constructed, altered, enlarged, converted, moved or maintained contrary to provisions of this Ordinance, and any use of land, building or premise established, conducted or maintained contrary to provisions of this Ordinance shall be, and the same hereby is, declared to be unlawful and a public nuisance; and the local attorney shall, upon request of the governing body, at once commence action or proceedings for abatement and removal or enjoinder thereof in a manner provided by law, and take other steps and apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or structure, and restrain or enjoin any person, firm, or corporation from erecting, building, maintaining, or using said building or structure or property contrary to the provisions of this Ordinance.

1-13 Penalties.

Any person, firm, or corporation (as principal, agent, employee or otherwise) violating, causing, or permitting violation of the provisions of this Ordinance shall be guilty of a misdemeanor, and punishable by not more than six (6) months in jail and/or a fine not to exceed $299.00. Such person, firm, or corporation intentionally violating this Ordinance shall be deemed to be guilty of a separate offense for each day during which any portion of any violation of this Ordinance is permitted or continued by such person, firm, or corporation, and shall be punishable as herein provided.

1-14 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such holding shall not affect the validity of the remaining portion of this Ordinance.
1-15 Amendments.

The Town of New Harmony may from time to time amend the number, shape, boundaries, or areas of any district, or regulation, or other provision of the Zoning Ordinance, but any such amendment shall not be made or become effective until after fifteen (15) days notice and public hearing and unless the same shall have been proposed by or be first submitted to the New Harmony Town Planning Commission for its recommendation, which shall be returned within thirty (30) days.

1-16 Hearing and Publication and Notice Before Amendment.

Before finally adopting any such amendment, the New Harmony Town Council shall hold a public hearing thereon, at least fifteen (15) days notice of the time and place of which shall be given by at least one (1) publication in a newspaper of general circulation in the Town of New Harmony.

1-17 Licensing.

All departments and public employees of the Town of New Harmony which are vested with duty or authority to issue permits or licenses shall conform to the provisions of this Ordinance and shall issue no permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of this Ordinance and any such permit or license, if issued in conflict with the provisions of this Ordinance, shall be null and void.

1-18 Fees.

Fees may be charged applicants for building, occupancy, and conditional use permits, and Planned Development approval, New Harmony Town Planning Commission and New Harmony Town Board of Adjustment hearings, and such other services as are required by this Ordinance to be performed by public officers or agencies. Such fees shall be established by the Town of New Harmony and be in amounts reasonably needed to defray costs to the public.