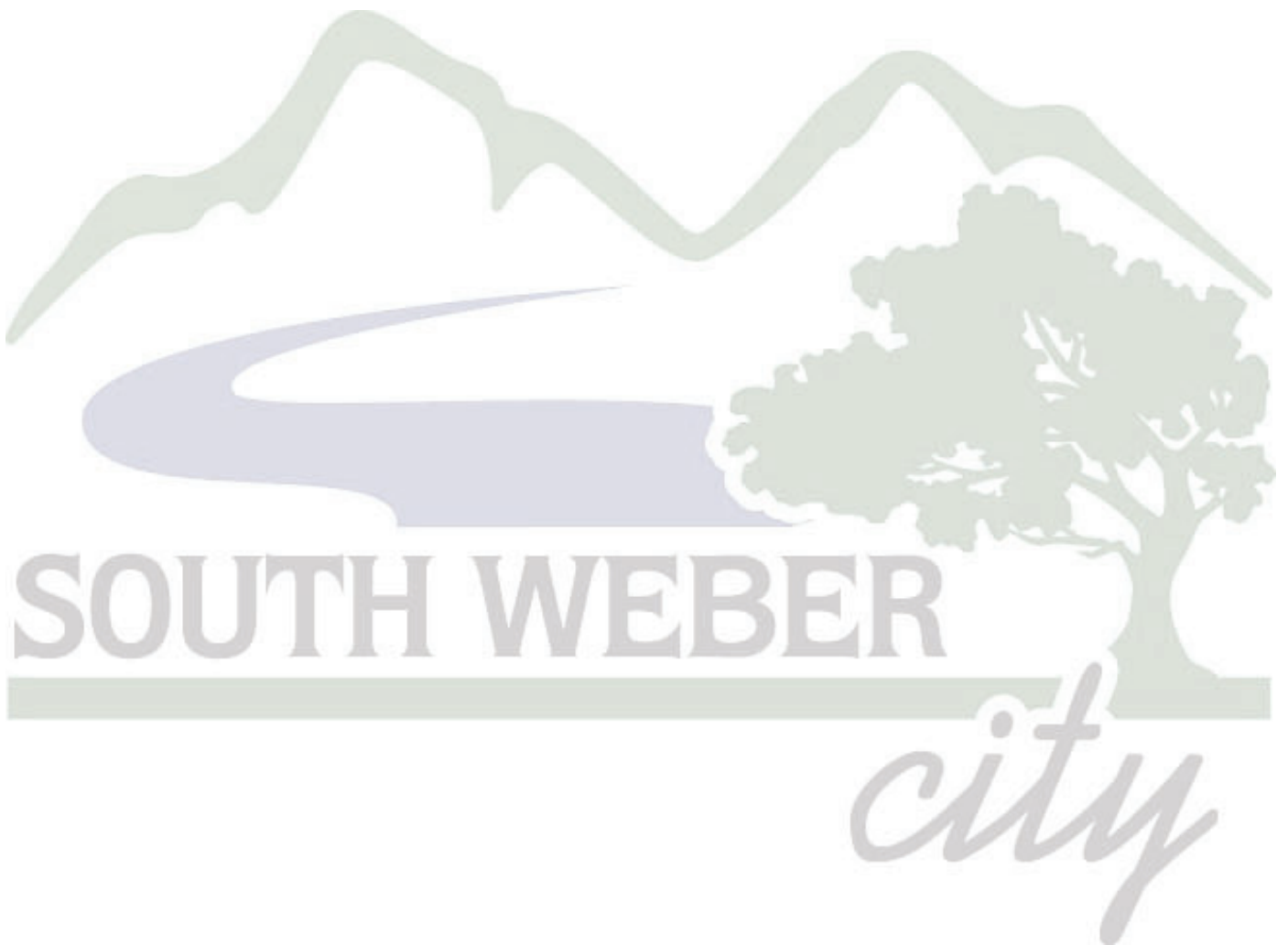


# *Internal Accessory Dwelling Unit Application Packet*



South Weber City  
Business License  
Department  
1600 E South Weber Dr.  
South Weber UT. 84405  
Office (801) 479-3177 ext. 2205

Dear Applicant,

This packet has been prepared to guide you in preparing and completing your application for your Internal Accessory Dwelling Unit, and to allow your submittal to be processed and reviewed in the timeliest manner possible.

Incomplete applications will not be accepted.

Should you have any questions regarding this packet, any processes, or laws and ordinances governing the IADU application process please feel free to call Kimberli Guill South Weber City Business License Official at 801-479-3177 ext. 2205 or email [kguill@southwebercity.com](mailto:kguill@southwebercity.com), for further assistance.

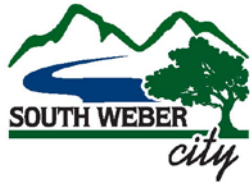
Thank you for your interest

Sincerely,

Business Licensing  
City of South Weber  
1600 E South Weber Dr.  
South Weber UT, 84405  
(801) 479-3177 ext. 2205

**SOUTH WEBER**

*city*



## **BUSINESS LICENSE Information & Application Instructions**

**\*Please read through this packet before beginning the application process; applications that are incomplete will not be accepted.**

**1. Register your business with the State:**

- Division of Corporations and Commercial Code 1-877-526-3994 or One-Stop Online Business Registration:  
[www.business.utah.gov/registration](http://www.business.utah.gov/registration)

**2. If applicable, a State Sales & Use Tax Number must be obtained:**

- State Tax Commission 1-800-662-4335 or with online business registration: [www.business.utah.gov/registration](http://www.business.utah.gov/registration)

**3. If applicable, Federal ID # must be obtained:**

- <http://www.irs.gov>

**4. Contact Kimberli Guill at 801-479-3177 ext. 2205 to set up a Fire Inspection**

**5. Submit the Following by Email to [kguill@southwebercity.com](mailto:kguill@southwebercity.com):**

- Completed Application (incomplete applications will not be accepted)
- License & Inspection Fees\* (\$90 per year total)
- Verification of the following (if applicable):
  - Business Name Registration
  - State Sales Tax Number
  - State License Number/Business Entity Number
  - Department of Professional Licensing Certificate
  - Davis County Health Department Inspection
- Davis County Assessor New Business Information Form (City will send to County)
- Google Earth Pic or Photo Showing Dedicated IADU Parking Space

Licenses issued shall be valid for a period of one calendar year (unless temporary). Those new licenses which are approved after the calendar year begins are only valid through the remaining months of the calendar year except new licenses issued after November 1 shall be valid through December 31 of the following year (Ordinance 3.01.040).

**\*Cash, Check, or Money Order Only**

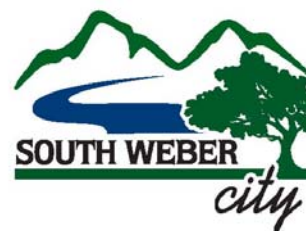
**For Office Use Only**

License #: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

License Fee: **\$90** Inc. Fire Insp. Fee Receipt #: \_\_\_\_\_

Initial Fire Inspection: \_\_\_\_\_ Yearly (required)



**INTERNAL ACCESSORY DWELLING UNIT**

**BUSINESS LICENSE APPLICATION**

Owner's Name: \_\_\_\_\_ Phone: \_\_\_\_\_

State Entity #: \_\_\_\_\_ Parcel #: \_\_\_\_\_ Zone: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Live on Site as Primary Residence Yes No

If not what is the address of your primary residence: \_\_\_\_\_

Emergency Contact: \_\_\_\_\_ Emergency Contact Phone #: \_\_\_\_\_

**Owner Information**

**Property Manager Information**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Best Way/Preferred Method of Contact:**

\_\_\_Email \_\_\_Phone \_\_\_Text \_\_\_Mail

Check here if same as Owner

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Best Way/Preferred Method of Contact:**

\_\_\_Email \_\_\_Phone \_\_\_Text \_\_\_Mail

Sq Ft of Rental Space \_\_\_\_\_ Bedrooms \_\_\_\_\_ Bathrooms \_\_\_\_\_ Separate Kitchen Yes No

Parking Spaces for IADU (please attach a photo) \_\_\_\_\_ Separate Living room Yes No

Mailing Address of the Accessory Dwelling Unit: \_\_\_\_\_

(**can** be a PO Box, but a separate address is required)

**Authorized Agent (if applicable)**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

To be completed and signed by Applicant

### **APPLICANT AFFIDAVIT**

State of Utah )  
County of \_\_\_\_\_ )

I (We) \_\_\_\_\_, being duly sworn, depose and say I (we) am (are) the sole owner(s)/  
Property Owner(s) or Agent  
agent of the owner(s), of the property involved in this application, to wit, \_\_\_\_\_,

Property Address

South Weber, Utah, and that the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly and to the best of my ability, present the argument in behalf of the application. Also, all statements and information are in all respects true and correct, to the best of my knowledge and belief; and in consideration of obtaining this business license, I have read and agree to all conditions set forth in Title 3, Business & License Regulations & Title 8-1-2 Water Use & Service, of the South Weber City Code. **By signing this affidavit, I certify that I have read and will abide by ALL portions of South Weber City Code Ordinance 2021-12: Regulations Pertaining to Internal Accessory Dwelling Units.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed: \_\_\_\_\_  
Applicant (Property Owner or Agent) Applicant (Property Owner or Agent)

Subscribed and Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Public: \_\_\_\_\_

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To be completed and signed by Property Owner if not Applicant

### **AGENT AUTHORIZATION**

State of Utah )  
County of \_\_\_\_\_ )

I (We) \_\_\_\_\_, the sole owner(s) of the real property located at  
Property Owner(s)  
\_\_\_\_\_, South Weber City, Utah, do hereby appoint \_\_\_\_\_,  
Property Address

as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and to appear on my (our) behalf before any city boards considering this application. **By signing this affidavit, I certify that I have read and will abide by ALL portions of South Weber City Code Ordinance 2021-12: Regulations Pertaining to Internal Accessory Dwelling Units.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed: \_\_\_\_\_  
Property Owner Property Owner

Subscribed and Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Public: \_\_\_\_\_

**NOTE:** If a secondary agent authorization is needed, such as an apartment manager, two agent authorizations will be required. You may copy this page for this purpose, or obtain another form at the City office.

***Davis County Utah Assessor's Office***  
***Personal Property Division***  
**INFORMATION ABOUT PERSONAL PROPERTY TAXES**

61 South Main Street, Room 302

P.O. Box 618

Farmington, UT 84025-0618

All owners of taxable personal property are required to complete and file a statement of personal property, listing all taxable personal property owned, possessed, or controlled as of January 1<sup>st</sup>. The tax dollars collected are apportioned to each of the taxing authorities within the taxing district where the property is located. Personal property taxes are used to pay for local governmental services such as schools, police, and fire protection.

Personal Property Taxes are assessed and collected by the County Assessor in each county in Utah. Taxable personal property is defined as tangible property not included within the meaning of the terms "real estate" and "improvements". Intangible property, such as stocks, bonds, franchises, etc. are not subject to ad valorem taxation. Utah has also exempted certain other types of property such as inventory, farm machinery, livestock, and household furnishings used *exclusively* by the owner at the owner's place of residence. Household furnishings used in the operation of a business are taxable.

The Utah State Tax Commission prepares and distributes "Percent Good Tables" to the County Assessors each year, which reflect the approximate fair market value of the various categories of taxable personal property. The schedules are derived from an analysis of market data, IRS class life, and Marshal Swift personal property cost indexes.

The personal property statement is designed to be "self-assessing". The taxpayer lists all of his taxable personal property by category, year of acquisition, and cost. Using the tables provided, the taxable value is determined and the actual tax amount calculated. The taxpayer returns the completed statement by May 15<sup>th</sup> to avoid a penalty for failure to respond.

Payment of tax is required at the time of filing unless the value calculated meets Utah Code 59-2-1115 current year's stated exemption level. A signature requesting the exemption must be present on the filing by May 15<sup>th</sup>. The Personal Property filing statement has an enclosed section containing the qualifications for applying for the exemption from personal property tax payment for that filing year.

The Personal Property Division will review the statement and inform the taxpayer of any errors. In succeeding years, the statement supplied to the taxpayer will list all property previously reported and allow the appropriate depreciation allowance. The taxpayer need only list acquisition and/or disposal of equipment during the past calendar year.

The Assessor's Office has the statutory obligation to assess and collect taxes on personal property. The statutes also provide for compliance with the law through random audits, assessment of penalties and interest, and collection of taxes on property escaping assessment as far back as five years. In instances where the taxpayer neglects to file the statement, the Assessor must estimate the personal property value. In extreme cases, the Assessor has the authority to seize and sell any personal property of the owner to pay the tax due.

The Personal Property Division has trained staff available to assist any taxpayer who needs help in completing the statement. Telephone inquiries are welcome at **(801) 451-3249**.

*Please complete the reverse side and return to the above  
address or fax to 801-451-3134.*

*ASSESSOR'S USE ONLY*

DIST \_\_\_\_\_ ACCOUNT # \_\_\_\_\_ PARCEL \_\_\_\_\_ AREA \_\_\_\_\_

DAVIS COUNTY ASSESSOR  
NEW BUSINESS INFORMATION RECORD  
PHONE (801)451-3249 FAX (801)451-3134

BUSINESS NAME: \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

BUSINESS LOCATION: \_\_\_\_\_

BUSINESS LICENSE #: \_\_\_\_\_ NATURE OF BUSINESS: \_\_\_\_\_

FEDERAL TAX ID # (NO SOCIAL SECURITY #): \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ DATE OPENED: \_\_\_\_\_

TYPE OF BUSINESS (CHECK ONE):

\_\_\_\_\_ SOLE PROP. \_\_\_\_\_ PARTNERSHIP \_\_\_\_\_ CORPORATION \_\_\_\_\_ L.L.C

STATE THE VALUE OF PERSONAL PROPERTY USED IN YOUR BUSINESS: \$ \_\_\_\_\_  
(DO NOT INCLUDE INVENTORY FOR SALE)

OWNER OR REGISTERED AGENT: \_\_\_\_\_

OWNER/AGENT ADDRESS: \_\_\_\_\_

\_\_\_\_\_

STAMP

PLEASE RETURN THIS FORM WITHIN TEN DAYS TO:  
DAVIS COUNTY ASSESSOR  
PERSONAL PROPERTY DIVISION  
P.O. BOX 618  
FARMINGTON, UT 84025-0618

## **What Does the Fire Inspection Require?**

- ☐ Fire Extinguishers
- ☐ Smoke Alarms
- ☐ Carbon Monoxide Detector – Rentals must have them on every living level
- ☐ Electrical Work
  - Plate Covers
  - Breaker/Fuse Box Visible & Contains No Empty Slots
  - No plugs overloaded
- ☐ House Numbers On House Facing the Street Address (4” Or Larger)
- ☐ 3’ Clearance around all mechanical equipment
- ☐ Access to all entrances/exits including windows
- ☐ Exterior Utilities (Gas/Electrical) Free From Obstructions – No bushes covering

**If the Fire Inspection Does NOT pass, then you are allowed one re-inspection without charge. If items are related to building issues, then you must contact the Building Manager, Kimberli Guill at 801.479.3177 ext. 2205 within 7 days of the inspection with an action-plan for resolving the situation. All items on a failed inspection must be completed within 30 days.**



## **ORDINANCE 2021-12**

### **AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL ENACTING REGULATIONS PERTAINING TO INTERNAL ACCESSORY DWELLING UNITS**

**WHEREAS**, the South Weber City Council has an obligation to allow Internal Accessory Dwelling Units (IADU) within City Code; and

**WHEREAS**, the South Weber City Council wishes to guide the development, regulation, and distribution of such units as outlined by the State of Utah;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of South Weber City, State of Utah:

**Section 1. Amendment.** Chapter 10.1.10 of the South Weber Code is hereby amended to include the following definitions:

ACCESSORY DWELLING UNIT, EXTERNAL: an accessory dwelling unit created separate from a primary dwelling and for the purpose of offering a long-term rental of thirty (30) consecutive days or longer.

ACCESSORY DWELLING UNIT, INTERNAL: an accessory dwelling unit created within a primary dwelling; within the footprint of a primary dwelling at the time the internal accessory dwelling unit is created; and for the purpose of offering a long-term rental of thirty (30) consecutive days or longer.

**Section 2. Adoption.** Chapter 10.19 of the South Weber Code is hereby adopted to read as follows:

#### **CHAPTER 10-19 INTERNAL ACCESSORY DWELLING UNITS**

##### **10-19-1 Purpose**

To provide regulations for the construction and use of internal accessory dwelling units as prescribed in state statute. To ensure that such uses comply with all applicable building codes. To prevent such uses from being detrimental to the character of residential zones within South Weber City.

##### **10-19-2 Definitions**

The definitions contained in this Chapter shall have such meanings as may be found in Title 10, Chapter 1, Section 10 of this code.

##### **10-19-3 Permitted Use - Limitations**

- A. Internal Accessory Dwelling Units (IADU) shall be permitted in those zones identified in Title 10, Chapter 1, Section 10-A of this code, also known as the South Weber City land use matrix.

- B. Regardless of the location of a proposed IADU, no IADU may be located on parcels which:
  - a. Are smaller than 6,000 square feet
  - b. Are serviced by a failing septic tank
  - c. Have a recreational vehicle as the primary dwelling unit
- C. IADUs shall not be rented for less than thirty-day periods
- D. IADUs shall not be listed for rental on a short-term rental website or through other short-term rental media.
- E. No primary structure may contain more than one IADU.
- F. External accessory dwelling units are prohibited.

#### **10-19-4 Business License Required**

Prior to occupancy of an IADU, the owner of record of any parcel shall first apply for and obtain a business license from South Weber City.

#### **10-19-5 Building Permit Required**

Prior to beginning construction on a new IADU, the owner of record, or their designee, shall apply for and receive a building permit from South Weber City.

#### **10-19-6 Standards of Approval- General**

IADUs located in South Weber City shall adhere to the following standards:

- A. Single-family homes with an IADU shall be the primary or principal place of residence of the property owner, as defined in Utah Code Annotated, Section 20-a-105.
- B. Either the IADU or the primary dwelling unit shall be owner-occupied.
- C. The primary dwelling unit and IADU shall be served by a single utility meter.
- D. A separate mailing address shall be created for the IADU.
- E. IADUs may not be rented to more than one family unit, as defined in South Weber City Code.

#### **10-19-7 Standards of Approval- Construction**

Construction of all IADUs shall adhere to the State Construction Code and Title 9 of South Weber City Code. In addition, the following construction guidelines shall apply:

- A. In order to qualify as an IADU, a minimum of 15' common wall or floor space with the primary dwelling unit is required.
- B. Each IADU shall have separate eating, bathing, living, and sleeping areas.
- C. One off-street parking space per IADU shall be required, in addition to any off-street parking provided for the primary dwelling in compliance with Chapter 8 of this title.
- D. In the event a garage or carport is converted to an IADU, and such conversion reduces the number of available off-street parking spaces below the minimum amount required by 10-8-5, then the eliminated spaces shall be on a space-per-space basis up to the minimum amount required.
- E. All IADUs shall have egress windows in any such room as required by the State Construction Code and Title 9 of South Weber City Code.

- F. An IADU may be constructed either as an addition to an existing home, a remodel of a garage, carport, or basement, or as part of new construction.
  - a. Regardless of the manner of construction, all setbacks, height limits and other similar regulations shall be adhered to.
  - b. Each unit's entrance shall be distinct from the other and shall be on separate planes of the primary dwelling unit.
- G. If an IADU is constructed as an addition to an existing home, to the greatest extent possible, similar construction materials and design shall be used.

**10-19-8 Violation**

Failure to adhere to any of the provisions contained in this Chapter shall constitutes a violation of city code and may result in one or more of the following:

- A. Following the procedures outlined in State law, a lien may be filed with the Davis County recorder until such time as the violation is remedied.
- B. Prosecution of the property owner.
- C. Daily fines not to exceed \$100 per day.
- D. Revocation of a business license until such time as the violations are remedied.
- E. Any and all other fines and penalties available under City or State code.

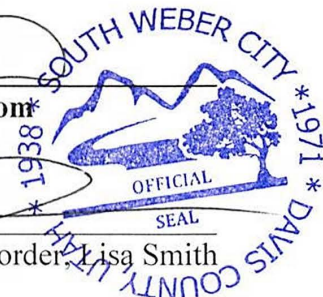
**Section 2. General Repealer.** Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 3. Effective Date.** The City Council of South Weber City, State of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the 14<sup>th</sup> day of September 2021.

  
**MAYOR: Jo Sjoblom\***

  
**ATTEST: City Recorder, Lisa Smith**



Roll call vote is as follows:

Council Member Halverson	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Alberts	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Petty	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Soderquist	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Winsor	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST