

RESTRICTIONS ON SAND AND GRAVEL EXTRACTION

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Douglas V. Sagers

Senate Sponsor: _____

LONG TITLE

General Description:

This bill prohibits certain sand, gravel, or rock commercial enterprises from operating within 2,000 feet of a residence, public building, or church.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ prohibits certain sand, gravel, or rock commercial enterprises from operating within 2,000 feet of a residence, public building, or church.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

40-11-101, Utah Code Annotated 1953

40-11-102, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **40-11-101** is enacted to read:

CHAPTER 11. SAND AND GRAVEL OPERATIONS



28 40-11-101. Title.

29 This chapter is known as "Sand and Gravel Operations."

30 Section 2. Section **40-11-102** is enacted to read:

31 **40-11-102. Location of sand and gravel operations restricted -- Exceptions.**

32 (1) As used in this section:

33 (a) "Commercial enterprise" means a business that extracts sand, gravel, or rock
34 aggregate for profit.

35 (b) "Operate" or "operation" means to actively engage on a regular basis in the activity
36 of extracting sand, gravel, or rock.

37 (c) "Public building" means a building or permanent structure that is:

38 (i) owned or leased by:

39 (A) the state; or

40 (B) a local government entity; and

41 (ii) used for:

42 (A) public education;

43 (B) transacting public business; or

44 (C) regularly conducting government activities.

45 (2) Except as provided in Subsection (3), on or after May 13, 2014, a commercial
46 enterprise may not operate within 2,000 feet of a residence, public building, or church.

47 (3) Subsection (2) does not apply to:

48 (a) a commercial enterprise in operation before May 13, 2014; or

49 (b) a proposed commercial enterprise for which a land use application is filed before
50 May 13, 2014:

51 (i) with a municipality in accordance with Title 10, Chapter 9a, Municipal Land Use,
52 Development, and Management Act; or

53 (ii) with a county in accordance with Title 17, Chapter 27a, County Land Use,
54 Development, and Management Act.

Legislative Review Note
as of 1-21-14 11:09 AM

Office of Legislative Research and General Counsel