

ORDINANCE NO. 25-31

AN ORDINANCE AMENDING SECTIONS 17.24.050, 17.96.020, 17.100.020, 17.104.020, 17.108.020, 17.112.020, 17.116.020, 17.120.020, 17.124.020, AND 17.128.020 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO THE MAXIMUM NUMBER OF CHILDRED PERMITTED AT A LICENSED IN-HOME DAY CARE.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this ordinance is to amend Sections 17.24.050, 17.96.020, 17.100.020, 17.104.020, 17.108.020, 17.112.020, 17.116.020, 17.120.020, 17.124.020, AND 17.128.020 of the Murray City Municipal Code relating to the maximum number of children permitted at a licensed in-home day care.

*Section 2. Amend sections 17.24.050, 17.96.020, 17.100.020, 17.104.020, 17.108.020, 17.112.020, 17.116.020, 17.120.020, 17.124.020, AND 17.128.020 of the Murray City Municipal Code.* Sections 17.24.050, 17.96.020, 17.100.020, 17.104.020, 17.108.020, 17.112.020, 17.116.020, 17.120.020, 17.124.020, AND 17.128.020 of the Murray City Municipal Code shall be amended to read as follows:

**17.24.050: MAJOR HOME OCCUPATIONS:**

A. The following home occupations, which either require a client to come to the home or which may result in neighborhood impacts if not properly managed, may be authorized as an accessory use through a major home occupation permit pursuant to the standards specified in this section:

Barbers, cosmetologists, manicurists.

Contractor, "handyperson," and landscape or yard maintenance contractor; subject to the special conditions that no construction materials or equipment will be stored on the premises.

Counseling, when clients come to the home.

Home instruction including musical instruments, voice, dance, acting and educational subjects, swimming, tennis and other athletic instruction.

Other similar personal or professional services where the client comes to the home, including, but not limited to:

1. Childcare;
2. Preschool;
3. Home instruction.

B. Uses classified as major home occupations must comply with the standards of section 17.24.030 of this chapter, which shall be considered minimum standards. The

Community and Economic Development Director or Planning Commission may require additional reasonable conditions to mitigate reasonably potential adverse impacts of the use on adjacent properties. These conditions may include, but are not limited to:

1. Limits on hours of operation;
2. Limits on numbers of clients per day/hour;
3. Provision of adequate off-street parking;
4. Other conditions reasonably related to mitigating adverse impacts resulting from the use.

C. Residential Child Day Care. Residential child day care may be allowed as a major home occupation in accordance with the standards in this Chapter 17.24, and the following:

1. Residential child day care means a home occupation that provides care for between nine (9) and sixteen (16) qualified children at any given time, as defined in Utah State Code. The designated number of children includes the caregiver's own children that meet the state's definition of "qualified children" at the time the home occupation is conducted.
2. A secure outdoor play area is required for all residential child day care home occupations and shall comply with the following:
  - a. The play area shall be located in the rear and/or side yard of the dwelling.
  - b. The play area shall be secured by a well-maintained fence that is at least six (6) feet in height with a self-latching gate.
  - c. The outdoor play area shall be maintained in good condition and landscaped.
  - d. The outdoor play area shall not be used by the residential child day care before 8:00 A.M. or after 8:00 P.M.
3. Notwithstanding the restrictions of section 17.24.040, day care services shall be permitted to have the allowed number of employees as required by the state department of health.
4. One (1) off-street parking space for pick-up and drop-off when there are 1-8 children and two (2) off-street parking spaces when there are 9-16 children, and an additional off-street parking space for each employee not residing in the dwelling.
5. Pick-up and drop-off of children shall be staggered to lesson neighborhood traffic.
6. One (1) residential sign is allowed on the dwelling or lot.
7. The use shall comply with all local, state and federal laws and regulations.

8. Upon complaint that one or more of the requirements of this section or other city ordinance is being violated by a home day care/preschool caregiver, the city shall review the complaint and, if substantiated, may initiate revocation proceedings in accordance with the City Code.

(Ord. 20-14: Ord. 13-12)

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**17.96.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

B. The following uses are permitted in the R-1-6 Zone:

Use No.	Use Classification
6815	Residential childcare facility (in single-family dwellings only with no more than sixteen (16) children other than those residing in the dwelling).
	Group instruction (in single-family dwellings only with no more than 8 people other than those residing in the dwelling).

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**17.100.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

B. The following uses are permitted in the R-1-8 Zone:

Use No.	Use Classification
6815	Residential childcare facility (in single-family dwellings only with no more than sixteen (16) children other than those residing in the dwelling).
	Group instruction (in single-family dwellings only with no more than 8 people other than those residing in the dwelling).

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**17.104.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

B. The following uses are permitted in the R-1-10 Zone:

Use No.	Use Classification
6815	Residential childcare facility (in single-family dwellings only with no more than sixteen (16) children other than those residing in the dwelling).
	Group instruction (in single-family dwellings only with no more than 8 people other than those residing in the dwelling).
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#### **17.108.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

B. The following uses are permitted in the R-1-12 Zone:

Use No.	Use Classification
6815	Residential childcare facility (in single-family dwellings only with no more than sixteen (16) children other than those residing in the dwelling).
	Group instruction (in single-family dwellings only with no more than 8 people other than those residing in the dwelling).
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#### **17.112.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

B. The following uses are permitted in the R-2-10 Zone:

Use No.	Use Classification
6815	Residential childcare facility (in single-family dwellings only with no more than sixteen (16) children other than those residing in the dwelling).
	Group instruction (in single-family dwellings only with no more than 8 people other than those residing in the dwelling).
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#### **17.116.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

B. The following uses are permitted in the R-M-10 Zone:

Use No.	Use Classification
6815	Residential childcare facility (in single-family dwellings only with no more than sixteen (16) children other than those residing in the dwelling).
	Group instruction (in single-family dwellings only with no more than 8 people other than those residing in the dwelling).

**17.120.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

B. The following uses are permitted in the R-M-15 Zone:

Use No.	Use Classification
6815	Residential childcare facility (in single-family dwellings only with no more than sixteen (16) children other than those residing in the dwelling).
	Group instruction (in single-family dwellings only with no more than 8 people other than those residing in the dwelling).

**17.124.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

B. The following uses are permitted in the R-M-20 Zone:

Use No.	Use Classification
6815	Residential childcare facility (in single-family dwellings only with no more than sixteen (16) children other than those residing in the dwelling).
	Group instruction (in single-family dwellings only with no more than 8 people other than those residing in the dwelling).

**17.128.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

B. The following uses are permitted in the R-M-25 Zone:

Use No.	Use Classification
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6815	Residential childcare facility (in single-family dwellings only with no more than sixteen (16) children other than those residing in the dwelling).
	Group instruction (in single-family dwellings only with no more than 8 people other than those residing in the dwelling).

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 16<sup>th</sup> day of September 2025.



MURRAY CITY MUNICIPAL COUNCIL

Pam Cotter, Chair

ATTEST:

Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this 23<sup>rd</sup> day of September 2025.

MAYOR'S ACTION:

DATED this 23<sup>rd</sup> day of September, 2025.

Brett A. Hales, Mayor

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance, or a summary hereof, was published according to law on the 22 day of September, 2025.



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Brooke Smith, City Recorder