

**25-2-511 DWELLING UNIT OCCUPANCY LIMIT.**

(A) Notwithstanding any other provision of this code, except as provided in Subsection (B):

(1) not more than six unrelated persons may reside in a dwelling unit;

(2) not more than three unrelated persons 18 years of age or older may reside in a dwelling unit of a duplex residential use, unless:

(a) before June 5, 2003:

(i) a building permit for the duplex structure was issued; or

(ii) the use was established; and

(b) after June 5, 2003, <sup>did not</sup> ~~the~~ gross floor area ~~and the number of bedrooms~~ in the duplex structure ~~did not increase~~, except for the completion of construction authorized before that date; ~~and~~ or to allow compliance with Americans with Disabilities Act

(3) for a two-family residential use or a lot with a secondary apartment special use, not more than four unrelated persons 18 years of age or older may reside in the principal structure, and not more than two unrelated persons 18 years of age or older may reside in the second dwelling unit, unless:

(a) before (effective date of ordinance):

(i) a building permit for the second dwelling unit was issued; or

(ii) the use was established; and

(b) after (effective date of ordinance), the gross floor area <sup>did not increase by 70 sq ft or more</sup> ~~and the number of bedrooms~~ on the site ~~did not increase~~, except for the completion of construction authorized before that date, ~~or to allow compliance with ADA~~

(B) A group of not more than ten unrelated persons may reside in a dwelling unit if:

(1) a majority of the persons are 60 years of age or older;

(2) the persons are self-caring and self-sufficient and participate in the daily operation of the dwelling unit; and

(3) the persons live together as a single, non-profit housekeeping unit.

Source: Section 13-2-1; Ord. 990225-70; Ord. 030605-49; Ord. 031211-11; Ord. 0411118-59.