# Fairfield
Utah County, Utah

**PUBLIC NOTICE IS HEREBY GIVEN THAT** The Town Council of Fairfield, Utah
Shall hold a Regular Session and a Public Hearing on June 24, 2026 @ 7:00 P.M.
at the Town Office, 121 West Main Street, Fairfield, Utah.

**Call to Order**

1) Roll Call
2) Prayer / Pledge Of Allegiance
3) Sheriff's Department Update.

**General Public Comment** (2-minute limit per person): Comments are for any matter not on the agenda and not related to a pending land use application. *Two minutes per person, with a total limit of 14 minutes.*

**Business Items**

*The Council will discuss (without public comment) and may approve the following items:*

1) Vote to approve the appointment of David Riet to the Planning Commission.
2) Discussion on a Cooperative Agreement with the Utah Division of Forestry, Fire and State Lands.
3) Approve R2026-11 A Resolution Ratifying and Approving the Cooperative Agreement With The Utah Division of Forestry, Fire and State Lands.
4) Discussion on an Agreement with Codify, LLC, Jim Spung as Fairfield's Planner
5) Approve R2026-12 A Resolution Authorizing The Execution on Agreement With Codify, LLC.
6) Discuss and vote on which days to hold Town Council meetings.
7) Discuss and approve possible action regarding fireworks restrictions and public safety concerns.

**Consent Items**

*The Council may approve these items without discussion or public comment and may remove an item to the Business Items for discussion and consideration*.

1) Approval of Minutes: May 13, 2026.
2) Approval of Financials: March 30, 2026, April 30, 2026, and May 31, 2026.

**Public Hearing**

*The Council will accept public comment, two minutes per person, on the following item(s):*

**Budget**

1) Staff review, presentation, and discussion on the Fairfield Budget for Fiscal Year 2026-2027.
2) Open public hearing on the Fairfield Budget for Fiscal Year 2026-2027.
3) Receive Public Comment (two minutes per person).
4) Close Public Hearing.
5) Council Discussion and Consideration of the Proposed Fiscal Year 2026-2027 Budget.
6) Consider and Adopt R2026-13, A Resolution Adopting the Fairfield Town Budget for Fiscal Year 2026-2027.

**Fee Schedule**

1) Staff Review, Presentation, and Discussion on Proposed Amendments to the Consolidated Fairfield Fee Schedule.
2) Open Public Hearing on Proposed Amendments to the Consolidated Fairfield Fee Schedule.
3) Receive Public Comment (two minutes per person).
4) Close Public Hearing.

5) Council Discussion and Consideration of Proposed Amendments to the Consolidated Fairfield Fee Schedule.
6) Consider and Adopt R2026-14, A Resolution Amending the Consolidated Fairfield Fee Schedule.

**Code Recodification**

1) Staff Review, Presentation, and Discussion on Proposed Revisions to Fairfield Town Code.
2) Open Public Hearing on Revising, Amending, Restating, Codifying, and Compiling the Existing General Ordinances of Fairfield.
3) Receive Public Comment (two minutes per person).
4) Close Public Hearing.
5) Council Discussion and Consideration of Proposed Fairfield Town Code Revisions.
6) Consider and adopt Ordinance 2026-05. An Ordinance Revising, Amending, Restating, Codifying, and Compiling the Existing General Ordinances of Fairfield.

**Closed Session**

The Fairfield Town Council may convene into a closed session pursuant to Utah Code § 52-4-205 for the purpose of discussing pending or reasonably imminent litigation. Town legal counsel, staff, Planning Commissioners, and other individuals whose presence is reasonably necessary to the discussion may be invited to attend.

**Adjournment**

Supporting materials are available for inspection on the Town Website, https://fairfieldtown-ut.gov/. Questions and comments to Staff and/or Council may be submitted to sshelley@fairfieldtown-ut.gov.

**Join Zoom Meeting:** https://us06web.zoom.us/j/82787056297?pwd=vjapITdexm8paxJ2xzT77ZXindR653.1

**Meeting ID:** 827 8705 6297 **Passcode:** 286718

PLEASE NOTE: The order of items may be subject to change at the discretion of the Mayor. One or more council members may participate by electronic telecommunication means such as phone, internet, etc., so that they may participate in and be counted as present for all meeting purposes, including the determination that a quorum is present.

**Certificate Of Posting**

The above agenda notice was posted on or before the 23rd day of June 2026 at the location of the meeting, Fairfield Town Office, 121 West Main Street, Fairfield, UT, and at the Fairfield Town website https://fairfieldtown-ut.gov/meetings/, and on the Utah State public notice website at https://www.utah.gov/pmn/index.html.

In Compliance With The Americans With Disabilities Act, Individuals Needing Special Accommodations (Including Auxiliary Communicative Aids And Services) During This Meeting Should Notify Town Offices At (801) 766-3509.

Date Stephanie Shelley Town Recorder/Clerk

**Unapproved Meeting Minutes**
Fairfield Town Council
Public Hearing / Regular Session
May 13, 2026

**Minutes**

**Date: Wednesday, May 13, 2026**
**Location: Fairfield Town Office, 121 West Main Street, Fairfield, Utah**
**Time: 7:01 P.M.**
**Minutes By: Stephanie Shelley**

**Call to Order**

1) **Roll Call**
   Town Council Members Present:
   Mayor Hollie McKinney, RL Panek, Tyler Thomas, Richard Cameron, Michael Weber

   Staff Present: Recorder: Stephanie Shelley, Treasurer: Codi Butterfield, Attorney: Brad Christopherson (via Zoom), Sergeant Dutson

   Others Present: Dave Sanderson, Davie Riet, Kelton Butterfield, Vern Carson

   Others Present Via Zoom: Tal Adair (Fairfield Industrial Park), Logan Ginos, Andy Robbins (Meeder Investments), Michael, Alina, Jim Spung.

2) **Prayer / Pledge Of Allegiance**
   Richard prayer

3) **Sheriff's Department Update.**
   Sergeant Dutson reviewed the Sheriff's Department activity report for the month of April. He reported that Fairfield experienced a relatively quiet month, with one abandoned vehicle, several assistance contacts, one medical call, one property damage incident, one threatening suicide call, one traffic offense, one VIN inspection, one welfare check, and approximately twenty traffic stops. Mayor McKinney asked if there were any concerns or issues the Town needed to address at this time. Sergeant Dutson stated there were no major concerns, and no additional action was needed from the Council.

   The Council thanked Sergeant Dutson for the update.

4) **Planning Commission Update.**
   David Riet provided an update on behalf of the Planning Commission. He reported that the Planning Commission had completed a review of the landscaping ordinance and forwarded a positive recommendation to the Town Council pending legal review. He stated the legal review had since been completed and that the ordinance was in good shape moving forward.

Working Draft 26-05-18

**Business Items**

*The Council will discuss (without public comment) and may approve the following items:*

1) **Andy Robins Meeder Investments (formerly Mortenson Investment) update.**
Andy Robbins with Meeder Investments, formerly Mortenson Asset Management, joined the meeting remotely to provide an economic update and overview of Fairfield's investment portfolio.

Mr. Robbins explained that Mortenson Asset Management had recently merged with Meeder Public Funds, but the management team handling Fairfield's investments remained unchanged. He began with a review of current economic conditions and recent Federal Reserve activity. He informed the Council that Kevin Warsh had recently been confirmed as the new Federal Reserve Chair and discussed current inflation data and interest rate projections.

Mr. Robbins explained that the recently released April inflation report showed inflation at 3.8%, exceeding expectations and remaining significantly above the Federal Reserve's target rate of 2%. He explained that, because unemployment rates remain relatively stable, the Federal Reserve is expected to continue focusing on controlling inflation by raising interest rates. He stated that only a few months earlier, it appeared possible that the Federal Reserve would begin lowering interest rates during the year, but inflation concerns had shifted those expectations.

Mr. Robbins then reviewed Fairfield's investment portfolio. He stated that approximately $1.2 to $1.3 million is currently invested through Meeder Public Funds, with approximately 90% invested in certificates of deposit and the remainder invested in high-grade corporate bonds. He explained that the investment strategy is intentionally conservative in order to maximize safety and liquidity while still producing competitive returns. He noted that most of the investments are FDIC-insured and that the portfolio currently has a weighted-average life of approximately 1.5 years.

Mr. Robbins stated the portfolio is currently yielding approximately 4.5%, compared to approximately 3.8% through the Public Treasurer's Investment Fund (PTIF). He further reported that the portfolio currently reflects approximately $7,000 in unrealized gains and could be liquidated within approximately forty-eight hours if funds were needed for a major Town project or emergency.

Mr. Robbins discussed the possibility of Fairfield investing additional funds and stated that current market conditions would make it a favorable time to expand investments. He explained that if additional funds were invested, he would likely recommend increasing allocations into certificates of deposit, corporate bonds, treasuries, and agency investments.

Mayor McKinney requested that Mr. Robbins email the presentation materials to Treasurer Codi Butterfield for distribution to the Council. The Council thanked Mr. Robbins for the presentation and update.

Working Draft 26-05-18

**2) Dave Sanderson's introduction, contract discussion, and approval.**

Mayor McKinney introduced Dave Sanderson of DS Accounting Services and explained that the Town had begun seeking additional accounting support after experiencing ongoing communication and reporting issues with its current accounting support provider. She stated that financial reports had often been delayed and that emails requesting assistance frequently went unanswered.

Mayor McKinney explained that while attending the League of Cities and Towns conference in St. George, Town representatives met Mr. Sanderson after hearing him answer questions during a conference session. She stated that the Town had struggled to determine how to properly account for funds received from the Utah Inland Port Authority project area and that Mr. Sanderson was able to immediately provide guidance and clarification.

Mr. Sanderson introduced himself and reviewed his professional background. He stated he has worked in governmental accounting for approximately thirty-five years and previously served as Finance Director for West Jordan City for nineteen years, later working for a special service district and Lehi City. He explained that during his time in Lehi, he oversaw approximately $200 million in public funds. Since 2017, he has operated DS Accounting Services, providing accounting and financial services to numerous Utah cities, towns, water districts, and interlocal entities.

Mr. Sanderson explained that his services include monthly reconciliation, audit preparation, bond entries, financial reporting, and internal control oversight. He also stated that he currently works with the Utah League of Cities and Towns, assisting with internal control review and fraud prevention.

The Council discussed the number of entities Mr. Sanderson currently works with and questioned whether Fairfield would require significant time commitments. Mr. Sanderson stated that he has developed efficient systems and templates through years of experience and indicated that Fairfield would not require extensive time to manage. He further explained that he had already begun reviewing Fairfield's current financial structure and had identified areas where reports and budgeting processes could be improved.

Discussion also focused on the Town's investment structure and upcoming PTIF agenda items. Mr. Sanderson explained that while most Utah municipalities primarily invest through PTIF, Fairfield's existing investment relationship with Meeder Investments was also beneficial. He stated that maintaining funds in both PTIF and Meeder Investments created diversification and flexibility, and compared the approach to not putting all eggs in one basket.

Council members expressed confidence in Mr. Sanderson's qualifications and experience. Mayor McKinney noted that Alpine City had highly recommended his services.

Working Draft 26-05-18

3) **Approve resolution R2026-06 A Resolution Authorizing The Execution Of Agreement With DS Accounting Services.**

Mayor McKinney presented Resolution R2026-06, authorizing the execution of an agreement with DS Accounting Services. She explained that the Town had been evaluating additional financial management support and believed Mr. Sanderson's governmental accounting experience would strengthen the Town's financial reporting, budgeting, and investment oversight.

Council members discussed Mr. Sanderson's experience working with municipalities throughout Utah and expressed confidence in his qualifications and recommendations regarding Fairfield's financial management structure.

*Councilman Thomas made a motion to approve R2026-06, A Resolution Authorizing The Execution Of Agreement With DS Accounting Services. Councilman Cameron seconded the motion. The motion passed unanimously.*

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

4) **Discuss and approve R2026-07 A Resolution Authorizing the Transfer and Investment of Fairfield Public Funds in PTIF and Insured Cash Sweep Accounts.**

Mayor McKinney explained that Resolution R2026-07 would authorize Fairfield to transfer and invest public funds into the Public Treasurer's Investment Fund (PTIF) and insured cash sweep accounts. She explained that the Town anticipated transferring approximately $1.6 million associated with the Utah Inland Port Authority repayment funds into PTIF investment accounts.

Councilman Weber asked about the risks associated with PTIF, noting that the funds are not FDIC-insured. Mr. Sanderson explained that PTIF is backed by the State of Utah and is commonly utilized by public entities throughout the state for public fund management. He further explained that Meeder investment accounts also exceed FDIC insurance thresholds once balances surpass $250,000, making diversification between investment structures important.

Mr. Sanderson explained that PTIF functions primarily as a highly liquid cash management tool because funds can be deposited and withdrawn quickly without penalty. He stated that municipalities commonly use PTIF to manage day-to-day cash flow needs while utilizing longer-term investments, such as certificates of deposit through Meeder Investments, to capture higher yields over time.

Mr. Sanderson discussed how excess operating funds can regularly be transferred between checking accounts and PTIF accounts in order to maximize interest earnings while still

Working Draft 26-05-18

maintaining sufficient operating balances for day-to-day expenses. He recommended minimizing large balances held in standard checking accounts whenever possible.

Mayor McKinney noted that Andy Robbins with Meeder Investments had similarly recommended reducing the amount of money maintained in standard bank accounts and instead placing excess funds into investment or sweep accounts to maximize returns while maintaining liquidity.

The Council discussed the benefits of maintaining investments in both PTIF and Meeder Investments in order to provide diversification, flexibility, and improved cash management.

*Councilman Thomas made a motion to approve Resolution R2026-07, A Resolution Authorizing the Transfer and Investment of Fairfield Public Funds in PTIF and Insured Cash Sweep Accounts. Councilman Cameron seconded the motion. The motion passed unanimously.*

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

5) **Discuss and approve the Public Entity Resolution identifying authorized individuals to act on behalf of Fairfield.**
Mayor McKinney explained that the Public Entity Resolution identifies the individuals authorized to act on behalf of Fairfield regarding the Town's PTIF accounts. She stated that the resolution designated Treasurer Codi Butterfield and Dave Sanderson as the authorized representatives for the accounts.

The Council briefly discussed the notarization requirements for the PTIF documentation and the State's process for account authorization paperwork.

*Councilman Thomas made a motion to approve the Public Entity Resolution identifying authorized individuals to act on behalf of Fairfield. Councilman Cameron seconded the motion. The motion passed unanimously.*

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

6) **Discuss and approve Fairfield Resolution R2026-08 approving the Public Entity Resolution.**
*Councilman Thomas made a motion to approve Resolution R2026-08 approving the Public Entity Resolution. Councilman Cameron seconded the motion. The motion passed unanimously.*

Working Draft 26-05-18

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

**7) Discussion on hiring a Town planner.**

Attorney Brad Christopherson introduced Jim Spung as a potential contract town planner for Fairfield. Mr. Christopherson stated he had previously worked with Mr. Spung while serving in Taylorsville City and described him as one of the most qualified planners he had worked with. He explained that Mr. Spung previously served as a senior planner in Taylorsville before transitioning into private consulting work in Denver, where he assisted numerous municipalities with code revisions, land use planning, and development projects.

Mr. Spung joined the meeting remotely and discussed his professional experience working with municipalities throughout the western United States on land use planning, zoning, development standards, and municipal code revisions. He stated he particularly enjoys helping communities organize and modernize municipal codes and administrative procedures.

Mayor McKinney explained that Fairfield has spent the last two years revising and updating large portions of the Town Code and noted that many recently adopted ordinances currently exist separately from the Town's outdated code book. She stated that American Legal is currently preparing a consolidated updated code book, which is expected to be completed soon.

Mayor McKinney identified Title 10 and the Town's conditional use permit process as areas of particular concern. She explained that Fairfield recently adopted a temporary moratorium involving conditional use permits due to concerns regarding unclear standards and procedures. She stated that the Town needs additional professional assistance in establishing clearer land-use procedures, application requirements, and development standards.

Mr. Spung explained that many municipalities struggle with procedures that have evolved over time without being clearly organized in the code. He discussed the importance of establishing clear application processes, review standards, and decision-making authority so applicants and Town officials can easily understand what is required and how decisions are made.

Mr. Spung explained that much of the work involves reviewing existing regulations, identifying areas that create confusion, and organizing procedures into a format that is easier for staff, applicants, the Planning Commission, and the Town Council to follow. He stated that once a clear framework is established, the review and decision-making process becomes more efficient and consistent.

Working Draft 26-05-18

Council members discussed accountability, budgeting, and how planning projects would be managed moving forward. Councilman Weber expressed concerns regarding oversight and ensuring that the Town maintained control over planning projects, project priorities, and associated expenditures. Mr. Christopherson explained that a professional services agreement would be prepared, similar to the Town's agreement for legal services, and noted that the Town would retain control over the scope of work and maintain the ability to terminate the agreement if necessary.

Mr. Spung stated that he prefers to provide detailed project scopes and estimated budgets before beginning work so expectations remain clear. He explained that he would identify estimated hours, project tasks, and anticipated costs prior to beginning individual assignments.

Mr. Spung stated his proposed rates would be $250 per hour for complex code consulting work and $165 per hour for standard contract planner services, including application and site review.

Council members expressed support for moving forward with professional planning assistance and agreed that revising and organizing the conditional use permit process should likely become the Town's first priority.

**8) Discuss a proposed date of June 24th for the Town Council meeting.**

Mayor McKinney discussed scheduling the June Town Council meeting and proposed holding the meeting on June 24, 2026, in order to complete the required budget adoption proceedings prior to the June 30 deadline.

Councilman Cameron stated he would be out of town but would be able to attend the meeting remotely.

Attorney Christopherson clarified that the Town's final budget adoption deadline this year is June 30 and confirmed that the proposed meeting date would provide adequate time to complete the required public hearing and adoption process.

The Council expressed agreement with the proposed meeting date.

*Mayor McKinney asked for a vote to move the Town Council meeting on June 24, 2026. The vote was unanimously approved.*

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

Working Draft 26-05-18

9) **Discuss and vote on 2026-04 An Ordinance amending Title 10.19.00. Landscape Requirements, Adding Definitions and Amending Requirements to the Landscape Requirements.**

Attorney Christopherson reviewed the final revisions to Ordinance 2026-04 amending Title 10.19 regarding landscape requirements. He explained that the Planning Commission had conducted extensive line-by-line review of the ordinance over several public hearings and made multiple revisions in response to concerns raised by residents during the review process.

Mr. Christopherson recommended removing the ordinance enforcement sections and instead incorporating enforcement language into a general enforcement section of the Town Code in order to maintain consistency throughout the code book.

Mayor McKinney emphasized that the ordinance applies prospectively and does not impose new landscaping requirements on existing homes, businesses, or landscaping currently in place within the Town.

Council members discussed public concerns that portions of the ordinance could become overly restrictive or resemble HOA-style regulations. Mayor McKinney stated that the Planning Commission had listened carefully to public feedback and made significant revisions intended to reduce unnecessary restrictions while still maintaining standards designed to protect the quality and appearance of future development within Fairfield.

CouncilmanPanek stated that while the ordinance establishes higher standards, those standards are intended to encourage and maintain higher-quality future development throughout the community.

*Councilman Thomas made a motion to approve Ordinance 2026-04, An Ordinance Amending Title 10.19 Landscape Requirements, Adding Definitions and Amending Requirements to the Landscape Requirements. Councilman Cameron seconded the motion. The motion passed unanimously.*

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

**10) Approval of Minutes: April 15, 2026.**

Councilman Weber asked for clarification regarding the Town's process for preparing meeting minutes.

Recorder Stephanie Shelley explained that Zoom recordings and transcripts are used as the primary source when preparing draft minutes, with separate audio recordings maintained as

Working Draft 26-05-18

backup. She explained that the final written minutes are intended to summarize key discussions, legal actions, and decisions while remaining accurate to the official meeting record.

Mayor McKinney emphasized the importance of distributing draft minutes promptly following meetings so Council members can review discussions while the information remains fresh in their minds. She stated that timely review also helps ensure assignments, action items, and follow-up discussions are properly remembered and addressed.

Council members briefly discussed the challenges associated with speaker identification on recordings, particularly during overlapping discussions or when multiple speakers have similar voices.

*Councilman Weber motioned to approve the April 15, 2026, meeting minutes. Councilman Cameorn seconded the motion. The motion passed unanimously.*

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

**11) Discussion on the America 250 celebration on June 29th, 2026.**

Mayor McKinney informed the Council that municipalities had received approximately $3,000 to host events associated with the America 250 celebration.

The Council discussed organizing a community event at the Town park similar to prior community activities. Proposed activities included food trucks, a cornhole tournament, giveaways, and community games.

Councilman Weber volunteered to coordinate the cornhole tournament and offered to contact the same company used for prior tournaments.

Council members discussed concerns regarding long food lines experienced during previous events and suggested bringing in an additional food truck to improve service and reduce wait times. The Council discussed potentially inviting both a taco truck and a burger truck to provide additional options for attendees.

The Council agreed that Monday, June 29, 2026, would likely work best for the event, with activities tentatively beginning at approximately 6:00 p.m.

Council members expressed willingness to assist with event planning, setup, and coordination.

Working Draft 26-05-18

**12) Discussion on code book update.**

Mayor McKinney informed the Council that American Legal is expected to return the Town's updated consolidated code book within approximately two weeks.

She explained that the current Town Code structure has become difficult to navigate because numerous updated ordinances currently exist separately from the older code book. She stated the updated version will make it significantly easier for staff, officials, and residents to locate and review applicable code sections.

Mayor McKinney encouraged all Council members to thoroughly review the updated code book once it is distributed.

**Public Hearing**

*The Council will accept public comment, two minutes per person, on the following item(s):*

**1) Staff review, presentation, and discussion on Fairfield Amended budget .**

Treasurer Codi Butterfield reviewed the proposed amendments to the FY2025-2026 budget. She explained that many of the line-item adjustments had previously been discussed during prior budget meetings, but several additional amendments were necessary to accurately reflect current revenues and expenditures.

Ms. Butterfield reviewed additional funding needed for the North Waterline project and explained that the water and sewer master plan also required increased funding. She noted that the master plan expenses were offset by grant revenue and would effectively balance within the budget.

Ms. Butterfield further explained that property tax revenues had exceeded original projections and that landfill revenues were also anticipated to exceed estimates by approximately $100,000. She stated that these revenue increases required formal amendment approval by the Council.

Discussion also included park funding and grant reimbursements. Ms. Butterfield explained that Fairfield had received approximately $400,000 in grant funding associated with park improvements and reviewed current expenditures and remaining available project funds related to the park project.

The Council also discussed increased building permit revenues and the related engineering and review expenses. Ms. Butterfield explained that many permit-related costs function largely as pass-through expenses because engineering and inspection fees are collected from applicants and then paid directly to outside consultants performing plan review and inspection services.

Additional discussion focused on expenditures associated with the Town Hall and Museum property. Ms. Butterfield explained that the original capital allocation had been exceeded due to the property purchase and additional improvements, including parking, accessibility ramps, and related upgrades.

Ms. Butterfield reviewed the Town's budgeting procedures and explained that any category

Working Draft 26-05-18

exceeding 100% of its approved budget requires formal amendment approval by the Town Council. She clarified that smaller adjustments within individual categories can often be managed administratively, while transfers between categories require Council action.

The Council discussed the structure of Fairfield's current budget and whether certain underused line items should eventually be consolidated to improve readability and efficiency. Mr. Sanderson noted that Fairfield's budget currently contains a large number of detailed categories and suggested that simplifying portions of the budget could improve organization while still maintaining accountability. CouncilmanPanek expressed support for maintaining detailed line items whenever practical in order to preserve transparency regarding the use of Town funds.

Additional discussion focused on how building permit reviews are coordinated through outside engineering firms, including Sunrise Engineering, Bowen Collins, and McNeil Engineering. Mayor McKinney reviewed the Town's current permit review process, including water rights verification, site plan review, engineering review, and infrastructure review requirements.

Council members discussed how the Town's review procedures have evolved over time and expressed satisfaction that clearer systems and processes are now in place.

2) **Public comment on The Amended Fairfield Budget for Fiscal Year 2025-2026.**
Mayor McKinney opened the floor for public comment regarding the proposed amended budget for Fiscal Year 2025-2026.

No public comments were received.

3) **Approve Resolution R2026-09 Amending The Fairfield Budget For Fiscal Year 2025-2026.**
*Councilman Thomas made a motion to approve Resolution R2026-09 Amending The Fairfield Budget For Fiscal Year 2025-2026. Councilman Cameron seconded the motion. The motion passed unanimously.*

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

4) **Staff review and discussion of the Fairfield tentative budget for fiscal year 2026-2027.**
Attorney Christopherson clarified that the Council was reviewing only a tentative budget and emphasized that additional public hearings and opportunities for public comment would occur prior to final budget adoption.

Mayor McKinney then reviewed major priorities and proposed allocations within the tentative FY2026-2027 budget.

Discussion began with capital project funding and the possibility of moving cemetery funding into the capital projects fund rather than maintaining it as a separate dedicated line item.

Working Draft 26-05-18

Attorney Christopherson explained that capital project funds provide flexibility because money can be reserved and accumulated for future projects without requiring immediate expenditure.

The Council then discussed future Town Hall needs. Mayor McKinney explained that the Town had previously discussed eventually replacing the existing Town Hall facility but stated that expanding the current building might also be an option. Potential improvements discussed included a larger meeting room, ADA-compliant restroom facilities, additional office space, and continued site improvements.

Council members discussed the advantages and disadvantages of expanding the existing Town Hall compared to constructing a new standalone facility elsewhere on the property. Councilman Panek expressed support for eventually constructing a separate Town Hall while continuing to use the existing building for administrative offices.

Attorney Christopherson suggested the Town could begin reserving capital project funds for future design and planning work without immediately committing to construction.

The Council also discussed water infrastructure needs and plans to drill an additional well within the Light Industrial West area. Mayor McKinney explained that approximately $600,000 of Utah Inland Port Authority repayment funds had effectively been earmarked for future well development and stated the Town needed to continue moving forward with planning and design work to support future growth in the area.

Council members discussed the uncertainty associated with drilling costs and groundwater conditions. Discussion included prior well depths, potential artesian water sources, and comparisons to neighboring communities' well projects and infrastructure costs.

Mayor McKinney reviewed proposed funding for a contract town planner and the increased accounting costs associated with DS Accounting Services, noting that both expenses were included in the tentative budget to support the Town's growing administrative, planning, and financial needs.

Road funding was also discussed, including projected contributions toward Allen's Ranch Road improvements and annual road maintenance obligations.

The Council reviewed current park development plans and discussed future grant opportunities involving restroom facilities, pavilion construction, and additional park improvements.

Additional discussion focused on staffing responsibilities, workload, and employee compensation. Mayor McKinney reviewed the substantial amount of work completed by Town officials and staff over the last several years, including revisions to the Town Code, adoption of numerous ordinances and resolutions, general plan updates, water and sewer master planning, Utah Inland Port Authority coordination, wildfire planning, utility coordination, infrastructure projects, grant administration, and park development efforts.

Mayor McKinney discussed current compensation levels and stated that administrative responsibilities have expanded significantly in recent years. She explained that the role of

Working Draft 26-05-18

Mayor and Town Administrator now includes duties well beyond traditional mayoral responsibilities and noted that compensation comparisons from other Utah municipalities indicate Fairfield's administrative wages remain substantially below comparable positions.

Council members discussed the importance of maintaining fair and competitive compensation while ensuring accountability and transparency in the budgeting process. Councilman Panek stated that his perspective regarding compensation had changed after seeing the amount of work currently being performed and expressed support for using compensation data from comparable municipalities when evaluating future adjustments.

Attorney Christopherson explained that any increase involving elected official compensation would require separate notice and public hearing procedures under state law, while employee compensation adjustments could be addressed through the standard budget process.

The Council also discussed the possibility of hosting occasional community dinners for senior residents and other opportunities to encourage community involvement.

5) **Public comment on Fairfield Tentative Budget for Fairfield for Fiscal Year 2026-2027.**
Mayor McKinney opened the floor for public comment regarding the proposed tentative budget for Fiscal Year 2026-2027.

No public comments were received.

6) **Approve Resolution R2026-10 Adopting the Tentative Budget for Fairfield Fiscal Year 2026–2027.**
*Councilman Thomas made a motion to approve Resolution R2026-10, Adopting the Tentative Budget for Fairfield Fiscal Year 2026–2027. Councilman Cameron seconded the motion. The motion passed unanimously.*

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

7) **Discussion and public comment on the proposed Fairfield Fee Schedule.**
Recorder Stephanie Shelley and Mayor McKinney reviewed the proposed updates to the Fairfield fee schedule. Mayor McKinney explained that several fees were being added or adjusted to better reflect the Town's current administrative and development review costs, while other fees had not been updated in many years. Recorder Shelley noted that all proposed changes had been highlighted in red for ease of review.

Discussion began with business licensing fees. The Council reviewed proposed fee schedules for various types of businesses operating within the Town, including home-based, commercial, minor, and major businesses. Additional discussion focused on business inspection fees, mobile business applications, and late renewal penalties.

Working Draft 26-05-18

The Council then reviewed updated building permit and plan review fees. Treasurer Codi Butterfield explained that many permit-related fees function primarily as pass-through expenses because applicants pay for outside engineering and plan review services performed by consultants such as Sunrise Engineering. She explained that the Town retains only a small administrative portion of those fees, while the majority is used to cover engineering review and inspection costs associated with development applications.

Discussion continued regarding land use application fees, including site plan applications, final plat applications, minor subdivisions, conditional use permits, development agreements, appeals, zoning amendments, general plan amendments, and letters of zoning compliance. Attorney Christopherson suggested the Town eventually consider separate fee categories for developer-initiated code amendments, resident-initiated amendments, and staff-sponsored amendments. He explained that Utah land use law generally follows the principle that development-related costs should be borne by development applicants rather than existing residents. Mayor McKinney stated that additional refinement of those categories could be reviewed with the Town planner as the Town continues updating its land use procedures.

The Council also reviewed proposed road use and traffic control fees, including a proposed fee for road closures affecting collector roads. Discussion included situations in which outside contractors use Fairfield roads as detour routes during regional construction projects. Councilman Panek expressed concern that Fairfield should not bear the burden of increased traffic, road wear, and maintenance impacts caused by projects occurring in neighboring communities. The Council discussed who would ultimately be responsible for those fees and how the permit process would function. Attorney Christopherson stated that the fee schedule provided a strong starting point and could continue to evolve as the Town identifies additional needs and operational concerns.

Discussion then shifted to park use fees, pavilion rentals, and sports field usage. Councilman Panek raised concerns regarding the use of organized sports by nonresident groups and explained that neighboring communities are currently experiencing shortages of available practice fields. He expressed concern that Fairfield's fields could quickly become overused by outside organizations once word spread regarding field availability. The Council discussed whether nonresident organized league use should carry significantly higher fees or potentially be restricted altogether. Councilman Weber offered to research comparable pricing structures used by neighboring municipalities.

The Council also reviewed proposed animal control fees, which were updated to reflect the Town's recent ordinance revisions and comparable municipal fee schedules. Discussion continued regarding proposed solar permit fees and whether mechanical permit fees should be added to or clarified within the fee schedule.

Finally, the Council reviewed proposed certificates of occupancy and tenant improvement fees, which had not previously existed within the Town's fee schedule. Mayor McKinney explained that several of the proposed fees were modeled after fee schedules currently used by Saratoga Springs and other neighboring communities.

Mayor McKinney noted that the review of the fee schedule would continue prior to the June 24

Working Draft 26-05-18

meeting, at which time the Council would continue discussion and potentially move toward formal adoption.

**General Public Comment** (2-minute limit per person): Comments are for any matter not on the agenda and not related to a pending land use application. *Two minutes per person, with a total limit of 14 minutes.*

Vern Carson addressed the Council and shared several comments. He first thanked the Council for the recent community hamburger dinner and stated that he felt the event had been very successful and well received by the community. He then addressed the Cemetery Board vacancy and encouraged the Council to consider appointing all interested applicants, noting that the current board members were ready to transition responsibilities to additional volunteers.

Mr. Carson also discussed the upcoming Enbridge pipeline project and asked that the St. George-based contractor be directed to coordinate directly with him regarding blue stake requests and utility questions due to his familiarity with the Town's utility infrastructure. He referenced a prior incident involving a Comcast contractor that had not properly coordinated utility work and emphasized the importance of local knowledge and communication in preventing similar issues. Mayor McKinney confirmed that she had already communicated those expectations to the contractor.

Sergeant Garrett Dutson addressed the Council regarding the QTS Data Center and advised that the facility had recently experienced its second bomb threat within the past several months. He explained that the threat had been investigated by the County bomb squad and determined to be unfounded, although the incident did require evacuation of an area near the facility. He encouraged residents and Council members to continue reporting suspicious activity, noting the ongoing statewide tensions surrounding data center development and stating, "If you see something, say something."

Shawn and Kristen Richards, residents of Eagle Mountain and representatives of The Church of Jesus Christ of Latter-day Saints Communication Council, introduced themselves to the Council. They explained that the communication council works to build relationships among faith leaders, business leaders, and local government leaders within the Saratoga Springs, Eagle Mountain, Fairfield, and Cedar Fort areas. They offered to serve as a resource for Fairfield by helping connect the Town with faith leaders for civic events and facilitating introductions to business leaders within the region. They thanked the Council for allowing them to attend the meeting and acknowledged that it had been a lengthy evening.

No additional public comments were received.

**Closed Session**

*Possible motion to enter into closed session for the purchase, exchange, or lease of property; pending or reasonably imminent litigation; the character, professional competence, or the*

Working Draft 26-05-18

*physical or mental health of an individual; or the deployment of security personnel, devices, or systems*.

*Councilman Weber motioned to temporarily recess the Council meeting to go into closed meeting for the following purpose(s): Strategy sessions to discuss pending or reasonably imminent litigation. Councilman Cameron seconded the motion. The motion passed unanimously.*

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

The Council went into Closed Session at 9:28 pm.

*Councilman Weber made a motion to reopen the regular session at 9:51 pm. Councilman Panek seconded the motion. The motion passed unanimously.*

*Mayor McKinney - Yes*
*Councilman Thomas - Yes*
*Councilman Panek - Yes*
*Councilman Cameron - Yes*
*Councilman Weber - Yes*

**Adjournment**

*Councilman Weber made a motion to adjourn the meeting. Councilman Thomas seconded the motion. The motion passed unanimously.*

The meeting adjourned at 9:51 p.m.

---

Minutes Approval Date  Stephanie Shelley Town Recorder

Working Draft 26-05-18

Fairfield Town
Utah County, Utah

# Fairfield Town Financials

## As of the Month Ending

## 3/31/2026

Mayor McKinney _____
Councilman Thomas _____
Councilman Panek _____
Councilman Cameron _____
Councilman Weber_____

Treasurer: _____

Recorder/Clerk: _____ Date _____

(Seal)

Altabank
Division of Glacier Bank

PO Box 307
American Fork, UT 84003

received 4/13/26

142799-02A**007394
TOWN OF FAIRFIELD
PO BOX 271
CEDAR VALLEY UT 84013-0271




**Customer Service:** 801-756-7681

**Website:** www.altabank.com

# Summary of Accounts

| Account Type | Account Number | Ending Balance |
|---|---|---|
| SIMPLY BUSINESS CHECKING | | $348,914.55 |
| SIMPLY BUSINESS CHECKING | | $17,274.36 |
| SIMPLY BUSINESS CHECKING | | $68,091.69 |
| SIMPLY BUSINESS CHECKING | | $728.00 |
| SIMPLY BUSINESS CHECKING | | $29,210.00 |

# Statement of Account

**Account Title:** TOWN OF FAIRFIELD

**Statement Dates 3/02/26 to 3/31/26 (30 days)**

## SIMPLY BUSINESS CHECKING -

| | | | |
|---|---|---|---|
| **Previous Balance** | **$666,424.63** | Average Ledger | $498,652.31 |
| Deposits/Credits (4) | $10,886.36 | Average Collected | $498,652.31 |
| Checks/Debits (54) | $328,396.44 | | |
| Service Charge | $0.00 | | |
| Interest Paid | $0.00 | | |
| **Ending Balance** | **$348,914.55** | | |

## Credit Transactions

| Date | Description | Amount |
|---|---|---|
| 3/11 | Remote Deposit | $653.67 |
| 3/16 | Remote Deposit | $1,500.00 |
| 3/24 | UTAH STATE TREAS Sales Tax CCD 25035 091000015115220 | $8,707.69 |
| 3/30 | heygov.com TRANSFER CCD ST-L3Q2Q8B0B6Y9 111000026000804 | $25.00 |

received 4/13/26

ACCOUNT NUMBER:
FAIRFIELD TOWN

This statement is for the period from
March 1, 2026 to March 31, 2026

FAIRFIELD TOWN
PO BOX 271
FAIRFIELD UTAH 84013

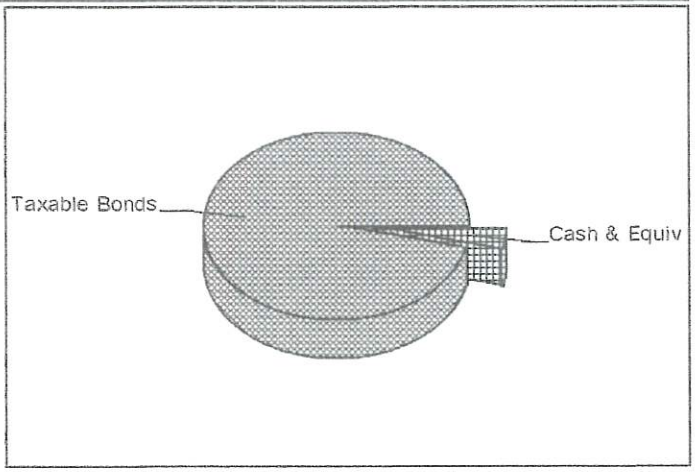
***QUESTIONS?***

If you have any questions regarding your account or this statement, please contact your Account Manager.

**MARQUES MCNIESE**
CN-OH-W5IT
CN-OH-W5IT
425 WALNUT STREET
CINCINNATI OH 45202
**Phone 513-632-4147**
**E-mail marques.mcniese@usbank.com**

## ASSET SUMMARY AS OF 03/31/26

| Assets | Current Period Market Value | % of Total | Est Annual Income |
|---|---|---|---|
| Cash & Equivalents | 29,523.58 | 2.30 | 1,055.95 |
| Taxable Bonds | 1,244,024.70 | 97.70 | 56,486.38 |
| **Total Market Value** | **$1,273,548.28** | **100.00** | **$57,542.33** |




## ASSET DETAIL

| Shares or Face Amount | Security Description | Market Value/ Price | Tax Cost/ Unrealized Gain(Loss) | Yield at Market | Est Annual Inc |
|---|---|---|---|---|---|
| **Cash & Equivalents** | | | | | |
| **Cash/Money Market** | | | | | |
| 29,523.580 | First American Government Oblig Fd Cl X #5385 31846V336 | 29,523.58 1.0000 | 29,523.58 0.00 | 3.58 | 1,055.95 |
| **Total Cash/Money Market** | | **$29,523.58** | **$29,523.58 $.00** | | **$1,055.95** |
| **Cash** | | | | | |

# Fairfield Town
## Payroll Register
### Payroll Payment - 03/01/2026 to 03/31/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| #14 | Regular | 17.55 | 438.75 | Social Security Tax | 638.75 | 39.60 | Social Security Tax | 638.75 | 39.60 |
| General Government | Holiday | 8.00 | 200.00 | Medicare Tax | 638.75 | 9.26 | Medicare Tax | 638.75 | 9.26 |
| Net Amount **$589.89** | | | | State Unemployment | 638.75 | 0.00 | Federal Income Tax | 638.75 | 0.00 |
| Pd 02/16/2026 - 03/01/2026 | | | | | | | State Income Tax | 638.75 | 0.00 |
| Payment 03/03/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 25.55 | $638.75 | Total Benefits: | | $48.86 | Total Deductions: | | $48.86 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $48.86 | Total Taxes: | | $48.86 |
| #14 | Regular | 50.08 | 1,252.00 | Social Security Tax | 1,252.00 | 77.62 | Social Security Tax | 1,252.00 | 77.62 |
| General Government | | | | Medicare Tax | 1,252.00 | 18.15 | Medicare Tax | 1,252.00 | 18.15 |
| Net Amount **$1,126.38** | | | | State Unemployment | 1,252.00 | 0.00 | Federal Income Tax | 1,252.00 | 1.35 |
| Pd 03/02/2026 - 03/15/2026 | | | | | | | State Income Tax | 1,252.00 | 28.50 |
| Payment 03/18/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 50.08 | $1,252.00 | Total Benefits: | | $95.77 | Total Deductions: | | $125.62 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.77 | Total Taxes: | | $125.62 |
| #14 | Regular | 50.37 | 1,259.25 | Social Security Tax | 1,259.25 | 78.07 | Social Security Tax | 1,259.25 | 78.07 |
| General Government | | | | Medicare Tax | 1,259.25 | 18.26 | Medicare Tax | 1,259.25 | 18.26 |
| Net Amount **$1,131.91** | | | | State Unemployment | 1,259.25 | 0.00 | Federal Income Tax | 1,259.25 | 2.08 |
| Pd 03/16/2026 - 03/29/2026 | | | | | | | State Income Tax | 1,259.25 | 28.93 |
| Payment 03/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 50.37 | $1,259.25 | Total Benefits: | | $96.33 | Total Deductions: | | $127.34 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $96.33 | Total Taxes: | | $127.34 |
| #16 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 03/01/2026 - 03/31/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 03/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #10 | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| Mayor/Council | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| Net Amount **$1,154.37** | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| Pd 03/01/2026 - 03/31/2026 | | | | | | | State Income Tax | 1,250.00 | 0.00 |
| Payment 03/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $95.63 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $95.63 |
| #18 | Regular | 0.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| General Government | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$130.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 100.00 |
| Pd 03/01/2026 - 03/31/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 03/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 0.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $119.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $119.13 |

# Fairfield Town
## Payroll Register
### Payroll Payment - 03/01/2026 to 03/31/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| #4 | Regular | 28.07 | 701.75 | Social Security Tax | 701.75 | 43.51 | Social Security Tax | 701.75 | 43.51 |
| General Government | | | | Medicare Tax | 701.75 | 10.18 | Medicare Tax | 701.75 | 10.18 |
| Net Amount **$648.06** | | | | State Unemployment | 701.75 | 0.00 | Federal Income Tax | 701.75 | 0.00 |
| Pd 02/16/2026 - 03/01/2026 | | | | | | | State Income Tax | 701.75 | 0.00 |
| Payment 03/03/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 28.07 | $701.75 | Total Benefits: | | $53.69 | Total Deductions: | | $53.69 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $53.69 | Total Taxes: | | $53.69 |
| #6 | Regular | 19.43 | 485.75 | Social Security Tax | 485.75 | 30.12 | Social Security Tax | 485.75 | 30.12 |
| General Government | | | | Medicare Tax | 485.75 | 7.04 | Medicare Tax | 485.75 | 7.04 |
| Net Amount **$448.59** | | | | State Unemployment | 485.75 | 0.00 | Federal Income Tax | 485.75 | 0.00 |
| Pd 03/02/2026 - 03/15/2026 | | | | | | | State Income Tax | 485.75 | 0.00 |
| Payment 03/18/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 19.43 | $485.75 | Total Benefits: | | $37.16 | Total Deductions: | | $37.16 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $37.16 | Total Taxes: | | $37.16 |
| #6 | Regular | 28.21 | 705.25 | Social Security Tax | 705.25 | 43.73 | Social Security Tax | 705.25 | 43.73 |
| General Government | | | | Medicare Tax | 705.25 | 10.23 | Medicare Tax | 705.25 | 10.23 |
| Net Amount **$651.29** | | | | State Unemployment | 705.25 | 0.00 | Federal Income Tax | 705.25 | 0.00 |
| Pd 03/16/2026 - 03/29/2026 | | | | | | | State Income Tax | 705.25 | 0.00 |
| Payment 03/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 28.21 | $705.25 | Total Benefits: | | $53.96 | Total Deductions: | | $53.96 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $53.96 | Total Taxes: | | $53.96 |
| #13 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 03/01/2026 - 03/31/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 03/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #4 | Regular | 1.00 | 200.00 | Social Security Tax | 200.00 | 12.40 | Social Security Tax | 200.00 | 12.40 |
| Cemetery | | | | Medicare Tax | 200.00 | 2.90 | Medicare Tax | 200.00 | 2.90 |
| Net Amount **$184.70** | | | | State Unemployment | 200.00 | 0.00 | Federal Income Tax | 200.00 | 0.00 |
| Pd 03/01/2026 - 03/31/2026 | | | | | | | State Income Tax | 200.00 | 0.00 |
| Payment 03/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $200.00 | Total Benefits: | | $15.30 | Total Deductions: | | $15.30 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $15.30 | Total Taxes: | | $15.30 |
| #15 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 03/01/2026 - 03/31/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 03/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |

# Fairfield Town
## Payroll Register
### Payroll Payment - 03/01/2026 to 03/31/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| Mayor/Council #2 | Regular | 2.00 | 4,150.00 | Social Security Tax | 4,150.00 | 257.30 | Social Security Tax | 4,150.00 | 257.30 |
| Net Amount **$3,329.44** | | | | Medicare Tax | 4,150.00 | 60.18 | Medicare Tax | 4,150.00 | 60.18 |
| Pd 03/01/2026 - 03/31/2026 | | | | State Unemployment | 4,150.00 | 0.00 | Federal Income Tax | 4,150.00 | 316.33 |
| Payment 03/27/2026 | | | | | | | State Income Tax | 4,150.00 | 186.75 |
| Check No. ACH | Total Earnings: | 2.00 | $4,150.00 | Total Benefits: | | $317.48 | Total Deductions: | | $820.56 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $317.48 | Total Taxes: | | $820.56 |
| Water Operations #17 | Water Worker | 9.00 | 225.00 | Social Security Tax | 225.00 | 13.95 | Social Security Tax | 225.00 | 13.95 |
| Net Amount **$207.79** | | | | Medicare Tax | 225.00 | 3.26 | Medicare Tax | 225.00 | 3.26 |
| Pd 02/16/2026 - 03/01/2026 | | | | State Unemployment | 225.00 | 0.00 | Federal Income Tax | 225.00 | 0.00 |
| Payment 03/03/2026 | | | | | | | State Income Tax | 225.00 | 0.00 |
| Check No. ACH | Total Earnings: | 9.00 | $225.00 | Total Benefits: | | $17.21 | Total Deductions: | | $17.21 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $17.21 | Total Taxes: | | $17.21 |
| Water Operations #17 | Water Worker | 9.50 | 237.50 | Social Security Tax | 237.50 | 14.73 | Social Security Tax | 237.50 | 14.73 |
| Net Amount **$219.33** | | | | Medicare Tax | 237.50 | 3.44 | Medicare Tax | 237.50 | 3.44 |
| Pd 03/16/2026 - 03/29/2026 | | | | State Unemployment | 237.50 | 0.00 | Federal Income Tax | 237.50 | 0.00 |
| Payment 03/30/2026 | | | | | | | State Income Tax | 237.50 | 0.00 |
| Check No. ACH | Total Earnings: | 9.50 | $237.50 | Total Benefits: | | $18.17 | Total Deductions: | | $18.17 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $18.17 | Total Taxes: | | $18.17 |
| Mayor/Council #1 | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| Net Amount **$1,154.37** | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| Pd 03/01/2026 - 03/31/2026 | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| Payment 03/27/2026 | | | | | | | State Income Tax | 1,250.00 | 0.00 |
| Check No. ACH | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $95.63 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $95.63 |
| Planning Commission #5 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Net Amount **$230.87** | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Pd 03/01/2026 - 03/31/2026 | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Payment 03/27/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| General Government #7 | Regular | 62.93 | 1,573.25 | Social Security Tax | 1,773.25 | 109.94 | Social Security Tax | 1,773.25 | 109.94 |
| Net Amount **$1,375.38** | Holiday | 8.00 | 200.00 | Medicare Tax | 1,773.25 | 25.71 | Medicare Tax | 1,773.25 | 25.71 |
| Pd 02/16/2026 - 03/01/2026 | | | | State Unemployment | 1,773.25 | 0.00 | Federal Income Tax | 1,773.25 | 203.48 |
| Payment 03/03/2026 | | | | | | | State Income Tax | 1,773.25 | 58.74 |
| Check No. ACH | Total Earnings: | 70.93 | $1,773.25 | Total Benefits: | | $135.65 | Total Deductions: | | $397.87 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $135.65 | Total Taxes: | | $397.87 |

# Fairfield Town
## Payroll Register
## Payroll Payment - 03/01/2026 to 03/31/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| General Government #7 | Regular | 66.85 | 1,671.25 | Social Security Tax | 1,671.25 | 103.62 | Social Security Tax | 1,671.25 | 103.62 |
| Net Amount **$1,297.30** | | | | Medicare Tax | 1,671.25 | 24.23 | Medicare Tax | 1,671.25 | 24.23 |
| Pd 03/02/2026 - 03/15/2026 | | | | State Unemployment | 1,671.25 | 0.00 | Federal Income Tax | 1,671.25 | 193.28 |
| Payment 03/18/2026 | | | | | | | State Income Tax | 1,671.25 | 52.82 |
| Check No. ACH | Total Earnings: | 66.85 | $1,671.25 | Total Benefits: | | $127.85 | Total Deductions: | | $373.95 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $127.85 | Total Taxes: | | $373.95 |
| General Government #7 | Regular | 72.47 | 1,811.75 | Social Security Tax | 1,811.75 | 112.33 | Social Security Tax | 1,811.75 | 112.33 |
| Net Amount **$1,404.85** | | | | Medicare Tax | 1,811.75 | 26.27 | Medicare Tax | 1,811.75 | 26.27 |
| Pd 03/16/2026 - 03/29/2026 | | | | State Unemployment | 1,811.75 | 0.00 | Federal Income Tax | 1,811.75 | 207.33 |
| Payment 03/30/2026 | | | | | | | State Income Tax | 1,811.75 | 60.97 |
| Check No. ACH | Total Earnings: | 72.47 | $1,811.75 | Total Benefits: | | $138.60 | Total Deductions: | | $406.90 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $138.60 | Total Taxes: | | $406.90 |
| Planning Commission #12 | Regular | 2.00 | 400.00 | Social Security Tax | 400.00 | 24.80 | Social Security Tax | 400.00 | 24.80 |
| Net Amount **$369.40** | | | | Medicare Tax | 400.00 | 5.80 | Medicare Tax | 400.00 | 5.80 |
| Pd 03/01/2026 - 03/31/2026 | | | | State Unemployment | 400.00 | 0.00 | Federal Income Tax | 400.00 | 0.00 |
| Payment 03/27/2026 | | | | | | | State Income Tax | 400.00 | 0.00 |
| Check No. ACH | Total Earnings: | 2.00 | $400.00 | Total Benefits: | | $30.60 | Total Deductions: | | $30.60 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $30.60 | Total Taxes: | | $30.60 |
| Mayor/Council #3 | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| Net Amount **$1,129.74** | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| Pd 03/01/2026 - 03/31/2026 | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| Payment 03/27/2026 | | | | | | | State Income Tax | 1,250.00 | 24.63 |
| Check No. ACH | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $120.26 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $120.26 |
| Mayor/Council #11 | Regular | 1.00 | 350.00 | Social Security Tax | 350.00 | 21.70 | Social Security Tax | 350.00 | 21.70 |
| Net Amount **$323.22** | | | | Medicare Tax | 350.00 | 5.08 | Medicare Tax | 350.00 | 5.08 |
| Pd 03/01/2026 - 03/31/2026 | | | | State Unemployment | 350.00 | 0.00 | Federal Income Tax | 350.00 | 0.00 |
| Payment 03/30/2026 | | | | | | | State Income Tax | 350.00 | 0.00 |
| Check No. ACH | Total Earnings: | 1.00 | $350.00 | Total Benefits: | | $26.78 | Total Deductions: | | $26.78 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $26.78 | Total Taxes: | | $26.78 |

# Fairfield Town
## Payroll Register
## Payroll Payment - 03/01/2026 to 03/31/2026

| Employee | | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|---|
| **REPORT TOTALS** | | Regular | 411.96 | 19,999.00 | Social Security Tax | 20,861.50 | 1,293.42 | Social Security Tax | 20,861.50 | 1,293.42 |
| Net Amount | **$17,800.36** | Holiday | 16.00 | 400.00 | Medicare Tax | 20,861.50 | 302.53 | Medicare Tax | 20,861.50 | 302.53 |
| | | Water Worker | 18.50 | 462.50 | State Unemployment | 20,861.50 | 0.00 | Federal Income Tax | 20,861.50 | 1,023.85 |
| | | | | | | | | State Income Tax | 20,861.50 | 441.34 |
| | | **Total Earnings:** | **446.46** | **$20,861.50** | **Total Benefits:** | | **$1,595.95** | **Total Deductions:** | | **$3,061.14** |
| | | **Total Reimbursements:** | | **$0.00** | **Total Taxes:** | | **$1,595.95** | **Total Taxes:** | | **$3,061.14** |

# Fairfield Town
## 3 B & C Road Fund Alta Bank
## Bank Reconciliation - 03/01/2026 to 03/31/2026

| | |
|---|---|
| **Bank Statement Start Balance:** | **$68,458.49** |

**Reconciled Checks & Withdrawals**

| Payee Name | Reference | Date | Amount |
|---|---|---|---|
| Safety Supply & Sign Co. Inc. | 148 | 03/02/2026 | 366.80 |

| | |
|---|---|
| **Reconciled Checks & Withdrawals Total:** | **$366.80** |
| **Bank Statement End Balance:** | **$68,091.69** |

# Fairfield Town
## Standard Financial Report
### 10 General Fund - 07/01/2025 to 03/31/2026
### 75.00% of the fiscal year has expired

| | 2025 Year-End Actual | March Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1117 General Checking - Bank of AF | 37,047.68 | (534,169.22) | 153,970.39 |
| 1119 B & C Road - Bank of AF | 58,865.02 | (366.80) | 68,091.69 |
| 1120 Savings - Bank of AF | (0.77) | 0.00 | 0.00 |
| 1123 Altabank- Cemetery Fund | 60.00 | 0.00 | 0.00 |
| 1130 Moreton Investment | 542,468.16 | (720.84) | 437,197.47 |
| **Total Cash and cash equivalents** | **638,440.09** | **(535,256.86)** | **659,259.55** |
| **Receivables** | | | |
| 1311 Accounts receivable | 261,285.85 | 0.00 | 0.00 |
| 1440 Due from other governments | 65,465.02 | 0.00 | 41,017.93 |
| **Total Receivables** | **326,750.87** | **0.00** | **41,017.93** |
| **Total Current Assets** | **965,190.96** | **(535,256.86)** | **700,277.48** |
| **Total Assets:** | **965,190.96** | **(535,256.86)** | **700,277.48** |
| **Liabilites and Fund Equity:** | | | |
| **Liabilities:** | | | |
| **Current liabilities** | | | |
| 2131 Accounts payable | (15,583.70) | 201,955.48 | (450.00) |
| 2221 Accrued SS, MC & FWT payable | 0.00 | (961.79) | (961.79) |
| 2222 Accrued state withholding payable | 0.00 | (89.90) | (89.90) |
| **Total Current liabilities** | **(15,583.70)** | **200,903.79** | **(1,501.69)** |
| **Deferred revenue** | | | |
| 2600 Deferred revenue | (24,354.00) | 0.00 | (24,354.00) |
| **Total Deferred revenue** | **(24,354.00)** | **0.00** | **(24,354.00)** |
| **Total Liabilities:** | **(39,937.70)** | **200,903.79** | **(25,855.69)** |
| **Equity - Paid In / Contributed** | | | |
| 2981 Fund balance | (925,253.26) | 334,353.07 | (674,421.79) |
| **Total Equity - Paid In / Contributed** | **(925,253.26)** | **334,353.07** | **(674,421.79)** |
| **Total Liabilites and Fund Equity:** | **(965,190.96)** | **535,256.86** | **(700,277.48)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**10 General Fund - 07/01/2025 to 03/31/2026**
**75.00% of the fiscal year has expired**

| | 2025 Year-End Actual | March Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Change In Net Position** | | | | | | |
| **Revenue:** | | | | | | |
| **Taxes** | | | | | | |
| 3110 General property taxes-current | 27,533.19 | 653.67 | 35,679.01 | 29,500.00 | (6,179.01) | 120.95% |
| 3130 General sales & use tax | 63,786.81 | 8,707.69 | 55,154.65 | 82,000.00 | 26,845.35 | 67.26% |
| **Total Taxes** | **91,320.00** | **9,361.36** | **90,833.66** | **111,500.00** | **20,666.34** | **81.47%** |
| **Licenses and permits** | | | | | | |
| 3211 Business licenses | 715.00 | 25.00 | 350.00 | 2,000.00 | 1,650.00 | 17.50% |
| 3250 Penalties & Permits & Fees | 350.00 | 0.00 | 25.00 | 400.00 | 375.00 | 6.25% |
| 3260 Intermountain Regional Landfill | 903,306.06 | 0.00 | 498,448.00 | 845,000.00 | 346,552.00 | 58.99% |
| 3261 North Pointe Landfill | 72,345.24 | 0.00 | 28,816.02 | 83,559.00 | 54,742.98 | 34.49% |
| **Total Licenses and permits** | **976,716.30** | **25.00** | **527,639.02** | **930,959.00** | **403,319.98** | **56.68%** |
| **Intergovernmental revenue** | | | | | | |
| 3339 State grants | 0.00 | 1,500.00 | 25,006.90 | 67,200.00 | 42,193.10 | 37.21% |
| 3341 Parks | 0.00 | 0.00 | 385,605.00 | 0.00 | (385,605.00) | 0.00% |
| 3356 Class C road fund allotment | 74,959.31 | 0.00 | 56,451.90 | 58,957.00 | 2,505.10 | 95.75% |
| **Total Intergovernmental revenue** | **74,959.31** | **1,500.00** | **467,063.80** | **126,157.00** | **(340,906.80)** | **370.22%** |
| **Charges for services** | | | | | | |
| 3480 Opening/closing graves | 625.00 | 0.00 | 0.00 | 625.00 | 625.00 | 0.00% |
| **Total Charges for services** | **625.00** | **0.00** | **0.00** | **625.00** | **625.00** | **0.00%** |
| **Interest** | | | | | | |
| 3610 Interest earnings | 16.01 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3611 Investments increase (decrease) | 103,410.84 | (720.84) | 37,080.12 | 85,000.00 | 47,919.88 | 43.62% |
| **Total Interest** | **103,426.85** | **(720.84)** | **37,080.12** | **85,000.00** | **47,919.88** | **43.62%** |
| **Miscellaneous revenue** | | | | | | |
| 3615 Donations, Collections, Christmas | 20,967.82 | 0.00 | 19,010.00 | 21,000.00 | 1,990.00 | 90.52% |
| 3690 Miscellaneous revenue | 572.20 | 0.00 | 454.81 | 200.00 | (254.81) | 227.41% |
| **Total Miscellaneous revenue** | **21,540.02** | **0.00** | **19,464.81** | **21,200.00** | **1,735.19** | **91.82%** |
| **Buildings and Grounds** | | | | | | |
| 3220 Building Dept Application Fees | 0.00 | 0.00 | 670.00 | 0.00 | (670.00) | 0.00% |
| 3220.2 Building Dept Assignment of Addr | 0.00 | 0.00 | 100.00 | 0.00 | (100.00) | 0.00% |
| 3220.5 Building Dept Inspection Fees | 0.00 | 0.00 | 1,078.90 | 0.00 | (1,078.90) | 0.00% |
| 3220.6 Building Dept Fire Inspection Fee | 560.00 | 0.00 | 705.00 | 0.00 | (705.00) | 0.00% |
| 3220.7 Building Dept Plan Review Fees | 0.00 | 0.00 | 4,470.15 | 0.00 | (4,470.15) | 0.00% |
| 3220.9 Building Dept State Permit Surch | 0.00 | 0.00 | 109.44 | 0.00 | (109.44) | 0.00% |
| 3221 Non-business buildings, structures, | 0.00 | 0.00 | 0.00 | 16,192.00 | 16,192.00 | 0.00% |
| 3222 Building Dept Permits | 25,658.72 | 0.00 | 27,529.08 | 25,287.00 | (2,242.08) | 108.87% |
| 3223 Building Franchise Fee Revenue | 0.00 | 0.00 | 1,000.00 | 0.00 | (1,000.00) | 0.00% |
| 3224 Engineering and Surveying Fees | 750.00 | 0.00 | 2,100.00 | 0.00 | (2,100.00) | 0.00% |
| 3225 Grama Request Fees | 600.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3481 Cemetery Revenue | 0.00 | 0.00 | 0.00 | 3,500.00 | 3,500.00 | 0.00% |
| 3670 Road Impact Fees | 15,870.00 | 0.00 | 10,580.00 | 37,000.00 | 26,420.00 | 28.59% |
| **Total Buildings and Grounds** | **43,438.72** | **0.00** | **48,342.57** | **81,979.00** | **33,636.43** | **58.97%** |
| **Highways and Public Improvements** | | | | | | |
| 3671 Highway Improvements Engineerin | 0.00 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| **Total Highways and Public Improvemen** | **0.00** | **0.00** | **0.00** | **2,500.00** | **2,500.00** | **0.00%** |
| **Contributions and transfers** | | | | | | |
| 3890 Beginning fund balance appropriate | 0.00 | 0.00 | 0.00 | 638,104.00 | 638,104.00 | 0.00% |
| **Total Contributions and transfers** | **0.00** | **0.00** | **0.00** | **638,104.00** | **638,104.00** | **0.00%** |
| **Total Revenue:** | **1,312,026.20** | **10,165.52** | **1,190,423.98** | **1,998,024.00** | **807,600.02** | **59.58%** |
| **Expenditures:** | | | | | | |
| **General government** | | | | | | |
| **Administrative** | | | | | | |
| 4103 Admin Permanent employees wag | 61,729.25 | 7,149.00 | 46,641.50 | 70,000.00 | 23,358.50 | 66.63% |
| 4103.1 Admin Office Manager Stipend | 43,200.00 | 3,600.00 | 32,400.00 | 43,200.00 | 10,800.00 | 75.00% |
| 4103.2 Admin Treasurer Stipend | 16,044.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4103.3 Admin Treasurer Employee Wa | 0.00 | 3,150.00 | 20,774.25 | 35,131.00 | 14,356.75 | 59.13% |
| 4103.4 Public Works Consultant | 0.00 | 0.00 | 0.00 | 1,000.00 | 1,000.00 | 0.00% |
| 4104 Admin Employee Payroll Services | 131.97 | 0.00 | 0.00 | 6,800.00 | 6,800.00 | 0.00% |
| 4105 Admin Employee Benefits | 14,611.94 | 1,491.72 | 11,338.89 | 15,000.00 | 3,661.11 | 75.59% |
| 4110 Admin Planning and Zoning Comp | 250.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |

| | 2025 Year-End Actual | March Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| 4111 Admin Books, subscriptions, mem | 2,542.99 | 1,794.10 | 3,052.85 | 3,000.00 | (52.85) | 101.76% |
| 4112 Admin Public notices | 1,026.82 | 0.00 | 219.00 | 808.00 | 589.00 | 27.10% |
| 4113 Admin GRAMA requests | 0.00 | 0.00 | 0.00 | 300.00 | 300.00 | 0.00% |
| 4114 Admin Travel | 3,661.92 | 2,596.20 | 3,333.71 | 4,000.00 | 666.29 | 83.34% |
| 4115 Admin Office expenses & supplies | 3,086.14 | 509.25 | 6,122.11 | 5,500.00 | (622.11) | 111.31% |
| 4115.5 Admin Stamps | 0.00 | 234.00 | 886.00 | 1,000.00 | 114.00 | 88.60% |
| 4116 Admin Computer & internet expen | 5,208.89 | 285.80 | 16,875.96 | 19,490.00 | 2,614.04 | 86.59% |
| 4116.5 Admin IT services | 5,813.74 | 703.54 | 2,246.72 | 2,000.00 | (246.72) | 112.34% |
| 4120 Admin Telephone | 2,014.05 | 256.05 | 2,041.66 | 2,000.00 | (41.66) | 102.08% |
| 4121 Admin Interlocal contributions | 1,500.00 | 0.00 | 0.00 | 1,500.00 | 1,500.00 | 0.00% |
| 4122 Admin Education | 1,525.00 | 0.00 | 1,813.00 | 3,000.00 | 1,187.00 | 60.43% |
| 4123 Admin Rental expense | 5,568.67 | 0.00 | 3,546.09 | 6,500.00 | 2,953.91 | 54.56% |
| 4124 Admin Insurance | 3,902.70 | 0.00 | 5,961.24 | 6,000.00 | 38.76 | 99.35% |
| 4125 Admin Taxes - property | 0.00 | 0.00 | 866.31 | 0.00 | (866.31) | 0.00% |
| 4126 Admin Repairs and maintenance | 40.00 | 19.33 | 376.04 | 500.00 | 123.96 | 75.21% |
| 4126.5 Town Hall - Repairs and mainten | 0.00 | 439.63 | 7,689.74 | 17,644.00 | 9,954.26 | 43.58% |
| 4130 Admin Bank service charges | (50.49) | 323.22 | 361.83 | 500.00 | 138.17 | 72.37% |
| 4132 Admin Town codification | 495.00 | 3,250.00 | 4,262.99 | 6,600.00 | 2,337.01 | 64.59% |
| 4140 Admin Elections | 321.21 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| 4142 Admin Food Expenditures | 1,942.37 | 0.00 | 541.46 | 3,000.00 | 2,458.54 | 18.05% |
| 4171 Admin Capital Outlay - Museum/To | 0.00 | 0.00 | 67.30 | 0.00 | (67.30) | 0.00% |
| 4190 State Grant Expenses | 0.00 | 0.00 | 2,836.75 | 38,101.00 | 35,264.25 | 7.45% |
| **Total Administrative** | **174,566.42** | **25,801.84** | **174,255.40** | **295,074.00** | **120,818.60** | **59.05%** |
| **Buildings and grounds** | | | | | | |
| 4127 Admin Bldg Permit fee state surch | 117.01 | 0.00 | 41.03 | 200.00 | 158.97 | 20.52% |
| 4141 Admin Survey and Engineering | 11,470.50 | 370.00 | 27,998.35 | 6,440.00 | (21,558.35) | 434.76% |
| 4154 Admin Inspections & plan reviews | 266.75 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4169 Cemetery Expense | 3,664.04 | 900.00 | 4,857.08 | 100,000.00 | 95,142.92 | 4.86% |
| 4169.2 Cemetery Wages | 0.00 | 200.00 | 1,800.00 | 2,400.00 | 600.00 | 75.00% |
| 4180 Building Dept - Surveyor Expense | 46.25 | 6.30 | 2,117.58 | 0.00 | (2,117.58) | 0.00% |
| 4181 Building Dept - Engineering Expen | 16,988.80 | 0.00 | 332.50 | 30,000.00 | 29,667.50 | 1.11% |
| 4182 Building Dept - Legal Expenses | 1,033.87 | 0.00 | 0.00 | 2,000.00 | 2,000.00 | 0.00% |
| 4183 Building Dept - Inspections/Plan R | 5,880.00 | 0.00 | 11,974.78 | 17,975.00 | 6,000.22 | 66.62% |
| 4187 Building Dept - Master Site Plan | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4188 Building Dept - Preliminary Site Pl | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| **Total Buildings and grounds** | **39,467.22** | **1,476.30** | **49,121.32** | **160,015.00** | **110,893.68** | **30.70%** |
| **Planning and zoning** | | | | | | |
| 4155 Planning and Zoning | 642.38 | 0.00 | 0.00 | 5,000.00 | 5,000.00 | 0.00% |
| 4156 Planning and Zoning - Stipend | 17,850.00 | 1,650.00 | 12,850.00 | 16,800.00 | 3,950.00 | 76.49% |
| 4157 Planning and Zoning General Plan | 56,113.35 | 0.00 | 989.65 | 1,000.00 | 10.35 | 98.97% |
| 4158 Town Council- Misc | 166.15 | 0.00 | 0.00 | 200.00 | 200.00 | 0.00% |
| **Total Planning and zoning** | **74,771.88** | **1,650.00** | **13,839.65** | **23,000.00** | **9,160.35** | **60.17%** |
| **Professional Services** | | | | | | |
| 4117 Admin Pelorus Software | 7,828.10 | 0.00 | 3,400.00 | 5,100.00 | 1,700.00 | 66.67% |
| 4118 Admin Copier Service and Mainten | 1,063.42 | 354.75 | 3,922.28 | 5,922.00 | 1,999.72 | 66.23% |
| 4133 Admin Website | 3,215.00 | 0.00 | 3,215.00 | 4,000.00 | 785.00 | 80.38% |
| 4134 Admin Accounting & auditing | 4,000.00 | 0.00 | 7,500.00 | 7,500.00 | 0.00 | 100.00% |
| 4136 Admin Consulting services | 0.00 | 0.00 | 0.00 | 8,500.00 | 8,500.00 | 0.00% |
| 4139 Admin Legal | 44,843.50 | 27,625.00 | 125,852.10 | 325,852.00 | 199,999.90 | 38.62% |
| **Total Professional Services** | **60,950.02** | **27,979.75** | **143,889.38** | **356,874.00** | **212,984.62** | **40.32%** |
| **Total General government** | **349,755.54** | **56,907.89** | **381,105.75** | **834,963.00** | **453,857.25** | **45.64%** |
| **Public safety** | | | | | | |
| 4149 Code Enforcement | 0.00 | 0.00 | 0.00 | 8,100.00 | 8,100.00 | 0.00% |
| 4150 Animal services | 0.00 | 0.00 | 1,170.00 | 14,170.00 | 13,000.00 | 8.26% |
| 4151 Police Contracted services | 22,443.23 | 6,050.04 | 20,475.06 | 26,480.00 | 6,004.94 | 77.32% |
| 4152 Fire Contracted services | 2,135.00 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| 4153 Emergency dispatch | 4,906.46 | 0.00 | 2,669.98 | 4,100.00 | 1,430.02 | 65.12% |
| 4153.5 Everbridge | 28.94 | 28.94 | 28.94 | 35.00 | 6.06 | 82.69% |
| **Total Public safety** | **29,513.63** | **6,078.98** | **24,343.98** | **55,385.00** | **31,041.02** | **43.95%** |
| **City Council** | | | | | | |
| 4000 City Council Stipend | 19,550.00 | 1,400.00 | 12,600.00 | 16,800.00 | 4,200.00 | 75.00% |
| 4010 Mayor Stipend | 6,600.00 | 550.00 | 4,950.00 | 6,600.00 | 1,650.00 | 75.00% |
| 4169.1 Cemetery Board | 0.00 | 0.00 | 0.00 | 9,150.00 | 9,150.00 | 0.00% |

# Fairfield Town
**Standard Financial Report**
**10 General Fund - 07/01/2025 to 03/31/2026**
**75.00% of the fiscal year has expired**

| | 2025 Year-End Actual | March Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Total City Council** | **26,150.00** | **1,950.00** | **17,550.00** | **32,550.00** | **15,000.00** | **53.92%** |
| **Highways and public improvements** | | | | | | |
| **Roads** | | | | | | |
| 4137 Admin Street Signs | 0.00 | 0.00 | 1,971.11 | 3,000.00 | 1,028.89 | 65.70% |
| 4161 Roads Repairs & maintenance | 56,937.46 | 0.00 | 55,691.64 | 100,000.00 | 44,308.36 | 55.69% |
| 4162 Engineering Expenses | 4,102.50 | 0.00 | 0.00 | 6,000.00 | 6,000.00 | 0.00% |
| 4163 Roads Snowplow - Fuel, maint & r | 367.20 | 0.00 | 375.05 | 2,000.00 | 1,624.95 | 18.75% |
| 4165 Roads Weed Control | 193.40 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4166.5 Roads Contracted Stipend | 10,800.00 | 900.00 | 8,100.00 | 10,800.00 | 2,700.00 | 75.00% |
| **Total Roads** | **72,400.56** | **900.00** | **66,137.80** | **122,300.00** | **56,162.20** | **54.08%** |
| **Sanitation** | | | | | | |
| 4191 Trash collection | 11,301.42 | 866.00 | 7,405.35 | 10,000.00 | 2,594.65 | 74.05% |
| **Total Sanitation** | **11,301.42** | **866.00** | **7,405.35** | **10,000.00** | **2,594.65** | **74.05%** |
| **Total Highways and public improvemen** | **83,701.98** | **1,766.00** | **73,543.15** | **132,300.00** | **58,756.85** | **55.59%** |
| **Parks, recreation, and public property** | | | | | | |
| **Parks** | | | | | | |
| 4167 Community events | 6,599.77 | 0.00 | 0.00 | 6,000.00 | 6,000.00 | 0.00% |
| 4167.3 Christmas Events | 42,257.52 | 0.00 | 40,628.10 | 39,641.00 | (987.10) | 102.49% |
| 4167.5 Christmas Town Donations | 2,750.00 | 0.00 | 3,359.00 | 3,359.00 | 0.00 | 100.00% |
| 4173 Parks and Improvment | 0.00 | 276,915.72 | 892,496.56 | 750,000.00 | (142,496.56) | 119.00% |
| 4174 Parks and Publice Improv Stipend | 11,550.00 | 900.00 | 8,100.00 | 10,800.00 | 2,700.00 | 75.00% |
| **Total Parks** | **63,157.29** | **277,815.72** | **944,583.66** | **809,800.00** | **(134,783.66)** | **116.64%** |
| **Total Parks, recreation, and public prop** | **63,157.29** | **277,815.72** | **944,583.66** | **809,800.00** | **(134,783.66)** | **116.64%** |
| **Miscellaneous** | | | | | | |
| 4193 Other miscellaneous supplies | 0.00 | 0.00 | 0.00 | 1,000.00 | 1,000.00 | 0.00% |
| 4193.5 Cards and Flowers | 0.00 | 0.00 | 128.91 | 500.00 | 371.09 | 25.78% |
| 4202 Donations, fees, collections for Co | 160.87 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4203 Sub for Santa | 4,172.82 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| **Total Miscellaneous** | **4,333.69** | **0.00** | **128.91** | **2,500.00** | **2,371.09** | **5.16%** |
| **Transfers** | | | | | | |
| 4197 Transfer to Capital Projects | 0.00 | 0.00 | 0.00 | 431,090.00 | 431,090.00 | 0.00% |
| 4198 Transfer to water fund | 565,000.00 | 0.00 | 0.00 | 35,000.00 | 35,000.00 | 0.00% |
| **Total Transfers** | **565,000.00** | **0.00** | **0.00** | **466,090.00** | **466,090.00** | **0.00%** |
| **Total Expenditures:** | **1,121,612.13** | **344,518.59** | **1,441,255.45** | **2,333,588.00** | **892,332.55** | **61.76%** |
| **Total Change In Net Position** | **190,414.07** | **(334,353.07)** | **(250,831.47)** | **(335,564.00)** | **(84,732.53)** | **74.75%** |

# Fairfield Town
**Standard Financial Report**
**41 Capital Projects - 07/01/2025 to 03/31/2026**
**75.00% of the fiscal year has expired**

| | 2025 Year-End Actual | March Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1111 Checking | 463.93 | 0.00 | 0.00 |
| 1122 Altabank- Road Impact Fee | 29,210.00 | 0.00 | 29,210.00 |
| 1130 Moreton Investment | 1,544,000.00 | 0.00 | 836,350.81 |
| **Total Cash and cash equivalents** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Total Current Assets** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Total Assets:** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Liabilites and Fund Equity:** | | | |
| **Equity - Paid In / Contributed** | | | |
| 2981 Fund Balance | (1,573,673.93) | 0.00 | (865,560.81) |
| **Total Equity - Paid In / Contributed** | **(1,573,673.93)** | **0.00** | **(865,560.81)** |
| **Total Liabilites and Fund Equity:** | **(1,573,673.93)** | **0.00** | **(865,560.81)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**41 Capital Projects - 07/01/2025 to 03/31/2026**
**75.00% of the fiscal year has expired**

| | 2025 Year-End Actual | March Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Change In Net Position** | | | | | | |
| **Revenue:** | | | | | | |
| **Contributions and transfers** | | | | | | |
| 3810 Transfer from General Fund | 0.00 | 0.00 | 0.00 | 431,090.00 | 431,090.00 | 0.00% |
| 3910 Appropriation of fund balance | 0.00 | 0.00 | 0.00 | 238,910.00 | 238,910.00 | 0.00% |
| **Total Contributions and transfers** | **0.00** | **0.00** | **0.00** | **670,000.00** | **670,000.00** | **0.00%** |
| **Total Revenue:** | **0.00** | **0.00** | **0.00** | **670,000.00** | **670,000.00** | **0.00%** |
| **Expenditures:** | | | | | | |
| **Miscellaneous** | | | | | | |
| 4149 Admin Capital outlay | 0.00 | 0.00 | 708,113.12 | 670,000.00 | (38,113.12) | 105.69% |
| **Total Miscellaneous** | **0.00** | **0.00** | **708,113.12** | **670,000.00** | **(38,113.12)** | **105.69%** |
| **Transfers** | | | | | | |
| 4851 Transfer to Water Fund | 294,777.17 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4910 Budgeted increase in fund balance | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Transfers** | **294,777.17** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00%** |
| **Total Expenditures:** | **294,777.17** | **0.00** | **708,113.12** | **670,000.00** | **(38,113.12)** | **105.69%** |
| **Total Change In Net Position** | **(294,777.17)** | **0.00** | **(708,113.12)** | **0.00** | **708,113.12** | **0.00%** |

# Fairfield Town
**Standard Financial Report**
**51 Water Fund - 07/01/2025 to 03/31/2026**
**75.00% of the fiscal year has expired**

| | 2025 Year-End Actual | March Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1117 General Checking - Bank of AF | 0.00 | (27,011.98) | (49,492.53) |
| 1118 Water Checking - Bank of AF | 14,031.60 | 477.77 | 2,962.84 |
| 1125 Altabank- Water Impact Fee | 728.00 | 0.00 | 728.00 |
| **Total Cash and cash equivalents** | **14,759.60** | **(26,534.21)** | **(45,801.69)** |
| **Receivables** | | | |
| 1311 Accounts receivable | 705.64 | 65.62 | 411.43 |
| 1341 Grant receivable | 26,708.25 | 0.00 | 0.00 |
| **Total Receivables** | **27,413.89** | **65.62** | **411.43** |
| **Total Current Assets** | **42,173.49** | **(26,468.59)** | **(45,390.26)** |
| **Non-Current Assets** | | | |
| **Capital assets** | | | |
| **Property** | | | |
| 1611 Land and easements | 4,700.00 | 0.00 | 4,700.00 |
| 1612 Water rights | 112,608.00 | 0.00 | 112,608.00 |
| 1621 Buildings | 6,304.17 | 0.00 | 6,304.17 |
| 1641 Water system 10yr | 92,600.00 | 0.00 | 92,600.00 |
| 1643 Water system 30yr | 2,376,446.78 | 0.00 | 2,376,446.78 |
| 1644 Water system 40yr | 77,004.00 | 0.00 | 77,004.00 |
| **Total Property** | **2,669,662.95** | **0.00** | **2,669,662.95** |
| **Accumulated depreciation** | | | |
| 1721 AccDepn Buildings | (2,206.68) | 0.00 | (2,390.57) |
| 1741 AccDepn Water system | (458,469.30) | 0.00 | (509,452.61) |
| **Total Accumulated depreciation** | **(460,675.98)** | **0.00** | **(511,843.18)** |
| **Total Capital assets** | **2,208,986.97** | **0.00** | **2,157,819.77** |
| **Total Non-Current Assets** | **2,208,986.97** | **0.00** | **2,157,819.77** |
| **Total Assets:** | **2,251,160.46** | **(26,468.59)** | **2,112,429.51** |
| **Liabilites and Fund Equity:** | | | |
| **Liabilities:** | | | |
| **Current liabilities** | | | |
| 2131 Accounts payable | (50,834.02) | 8,674.57 | 35.10 |
| 2330 Customer deposits | (100.00) | 0.00 | (100.00) |
| **Total Current liabilities** | **(50,934.02)** | **8,674.57** | **(64.90)** |
| **Long-term liabilities** | | | |
| 2510 2016 Loans | (438,000.00) | 0.00 | (419,000.00) |
| **Total Long-term liabilities** | **(438,000.00)** | **0.00** | **(419,000.00)** |
| **Total Liabilities:** | **(488,934.02)** | **8,674.57** | **(419,064.90)** |
| **Equity - Paid In / Contributed** | | | |
| 2981 Retained earnings | (1,762,226.44) | 17,794.02 | (1,693,364.61) |
| **Total Equity - Paid In / Contributed** | **(1,762,226.44)** | **17,794.02** | **(1,693,364.61)** |
| **Total Liabilites and Fund Equity:** | **(2,251,160.46)** | **26,468.59** | **(2,112,429.51)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**51 Water Fund - 07/01/2025 to 03/31/2026**
**75.00% of the fiscal year has expired**

| | 2025 Year-End Actual | March Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Income or Expense** | | | | | | |
| **Income From Operations:** | | | | | | |
| **Operating income** | | | | | | |
| 5140 Culinary income | 28,820.25 | 1,839.62 | 20,894.12 | 32,000.00 | 11,105.88 | 65.29% |
| 5150 Connection Fees | 50.00 | 0.00 | 3,735.00 | 0.00 | (3,735.00) | 0.00% |
| 5151 Impact Fees | 0.00 | 0.00 | 31,258.00 | 0.00 | (31,258.00) | 0.00% |
| 5410 Late penalties and fees | 100.00 | 0.00 | 225.00 | 100.00 | (125.00) | 225.00% |
| 5610 Interest income | 110.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Operating income** | **29,080.25** | **1,839.62** | **56,112.12** | **32,100.00** | **(24,012.12)** | **174.80%** |
| **Operating expense** | | | | | | |
| 6110 Culinary operator stipend | 10,800.00 | 900.00 | 8,325.00 | 10,800.00 | 2,475.00 | 77.08% |
| 6111 Employee wages | 0.00 | 462.50 | 462.50 | 0.00 | (462.50) | 0.00% |
| 6113 Employee taxes and benefits | 826.20 | 104.23 | 655.03 | 800.00 | 144.97 | 81.88% |
| 6121 Dues | 401.60 | 0.00 | 372.00 | 500.00 | 128.00 | 74.40% |
| 6128 Utilities | 3,009.43 | 237.82 | 2,094.40 | 2,600.00 | 505.60 | 80.55% |
| 6131 Professional fees | 1,237.50 | 0.00 | 1,387.50 | 3,000.00 | 1,612.50 | 46.25% |
| 6132 Water Engineering | 9,528.00 | 4,105.50 | 22,610.50 | 29,830.00 | 7,219.50 | 75.80% |
| 6133 Water Inspections | 0.00 | 0.00 | 0.00 | 7,832.00 | 7,832.00 | 0.00% |
| 6134 Water & Sewer Master Plan expens | 47,115.42 | 0.00 | 16,751.25 | 16,751.00 | (0.25) | 100.00% |
| 6141 Repairs and maintenance | 5,792.54 | 13,691.59 | 19,013.57 | 280,000.00 | 260,986.43 | 6.79% |
| 6142 Chlorine | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 6143 Monthly water tests | 168.00 | 12.00 | 96.00 | 150.00 | 54.00 | 64.00% |
| 6144 Water tests - other | 275.00 | 0.00 | 1,731.00 | 300.00 | (1,431.00) | 577.00% |
| 6161 Bank service charges | 36.78 | 120.00 | 107.00 | 0.00 | (107.00) | 0.00% |
| 6169 Depreciation expense | 72,120.83 | 0.00 | 51,167.20 | 54,000.00 | 2,832.80 | 94.75% |
| 6170 Improvements | 0.00 | 0.00 | 201.00 | 0.00 | (201.00) | 0.00% |
| **Total Operating expense** | **151,311.30** | **19,633.64** | **124,973.95** | **407,063.00** | **282,089.05** | **30.70%** |
| **Total Income From Operations:** | **(122,231.05)** | **(17,794.02)** | **(68,861.83)** | **(374,963.00)** | **(306,101.17)** | **18.36%** |
| **Non-Operating Items:** | | | | | | |
| **Non-operating income** | | | | | | |
| 5510 Grant income | 26,708.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 5710 Miscellaneous Non-Operating Inco | 50.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 5810 Transfers from general fund | 565,000.00 | 0.00 | 0.00 | 35,000.00 | 35,000.00 | 0.00% |
| 5841 Transfers from capital projects fund | 294,777.17 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Non-operating income** | **886,535.42** | **0.00** | **0.00** | **35,000.00** | **35,000.00** | **0.00%** |
| **Total Non-Operating Items:** | **886,535.42** | **0.00** | **0.00** | **35,000.00** | **35,000.00** | **0.00%** |
| **Total Income or Expense** | **764,304.37** | **(17,794.02)** | **(68,861.83)** | **(339,963.00)** | **(271,101.17)** | **20.26%** |

# Fairfield Town
**Standard Financial Report**
**91 General Fixed Assets - 07/01/2025 to 03/31/2026**
**75.00% of the fiscal year has expired**

| | 2025 Year-End Actual | March Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Non-Current Assets** | | | |
| **Capital assets** | | | |
| **Work in Process** | | | |
| 1601 Construciton in progress | 57,820.00 | 0.00 | 101,148.09 |
| **Total Work in Process** | **57,820.00** | **0.00** | **101,148.09** |
| **Property** | | | |
| 1611 Land | 130,226.15 | 0.00 | 795,078.48 |
| 1631.10 Improvements other than bldg | 156,287.96 | 0.00 | 156,287.96 |
| 1631.30 Improvements other than bldg | 256,928.40 | 0.00 | 256,928.40 |
| 1661 Machinery and equipment | 11,465.00 | 0.00 | 11,465.00 |
| **Total Property** | **554,907.51** | **0.00** | **1,219,759.84** |
| **Accumulated depreciation** | | | |
| 1731 AccDpn Improvements other than | (142,323.23) | 0.00 | (142,323.23) |
| 1761 AccDpn Machinery and equipme | (9,743.88) | 0.00 | (9,743.88) |
| **Total Accumulated depreciation** | **(152,067.11)** | **0.00** | **(152,067.11)** |
| **Total Capital assets** | **460,660.40** | **0.00** | **1,168,840.82** |
| **Total Non-Current Assets** | **460,660.40** | **0.00** | **1,168,840.82** |
| **Total Assets:** | **460,660.40** | **0.00** | **1,168,840.82** |
| **Liabilites and Fund Equity:** | | | |
| **Equity - Paid In / Contributed** | | | |
| 2971.1 Invested in capital assets | (612,727.51) | 0.00 | (1,320,907.93) |
| 2972 Total depreciation charged | 152,067.11 | 0.00 | 152,067.11 |
| **Total Equity - Paid In / Contributed** | **(460,660.40)** | **0.00** | **(1,168,840.82)** |
| **Total Liabilites and Fund Equity:** | **(460,660.40)** | **0.00** | **(1,168,840.82)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
## 2 Water Alta Bank- Checking
## Bank Reconciliation - 03/01/2026 to 03/31/2026

**Bank Statement Start Balance:** **$2,485.07**

### Reconciled Deposits & Transfers

| Type | Reference | Date | Amount |
|---|---|---|---|
| Deposit | | 03/02/2026 | 55.00 |
| Deposit | | 03/03/2026 | 55.00 |
| Deposit | | 03/09/2026 | 55.00 |
| Deposit | | 03/09/2026 | 55.00 |
| Deposit | | 03/09/2026 | 55.00 |
| Deposit | | 03/09/2026 | 110.00 |
| Deposit | | 03/09/2026 | 135.00 |
| Deposit | | 03/09/2026 | 135.00 |
| Deposit | | 03/11/2026 | 70.00 |
| Deposit | | 03/11/2026 | 135.00 |
| Deposit | | 03/11/2026 | 190.00 |
| Transfer | Cover Water Account | 03/11/2026 | 5,000.00 |
| Deposit | | 03/12/2026 | 57.00 |
| Deposit | | 03/16/2026 | 55.00 |
| Deposit | | 03/17/2026 | 55.00 |
| Transfer | Transfer to cover checks | 03/17/2026 | 5,000.00 |
| Deposit | | 03/24/2026 | 55.00 |
| Deposit | | 03/24/2026 | 62.00 |
| Deposit | | 03/24/2026 | 110.00 |
| Transfer | Transfer to Water | 03/24/2026 | 6,500.00 |
| Deposit | | 03/25/2026 | 55.00 |
| Deposit | | 03/25/2026 | 55.00 |
| Deposit | | 03/25/2026 | 55.00 |
| Transfer | Cover checks | 03/30/2026 | 6,000.00 |
| Deposit | | 03/31/2026 | 55.00 |

**Reconciled Deposits & Transfers Total:** **$24,164.00**

### Reconciled Checks & Withdrawals

| Payee Name | Reference | Date | Amount |
|---|---|---|---|
| Richards Laboratories of Utah | 555 | 03/02/2026 | 12.00 |
| Badger Meter Services | 551 | 03/02/2026 | 78.26 |
| Rocky Mountain Power | 556 | 03/02/2026 | 124.65 |
| Rural Water Associations of Utah | 557 | 03/02/2026 | 372.00 |
| Hydro Specialties Co. | 553 | 03/02/2026 | 585.80 |
| McNeil Engineering | 554 | 03/02/2026 | 2,910.00 |
| Bowen Collins | 552 | 03/02/2026 | 5,172.00 |

**Reconciled Checks & Withdrawals Total:** **$9,254.71**

### Charges & Interest

| Description | Date | Amount |
|---|---|---|
| Overrdraft fee | 03/06/2026 | -30.00 |
| Overrdraft fee | 03/09/2026 | -30.00 |
| Overrdraft fee | 03/16/2026 | -30.00 |
| Overrdraft fee | 03/16/2026 | -30.00 |

**Charges & Interest Total:** **($120.00)**

**Bank Statement End Balance:** **$17,274.36**

# Fairfield Town
## Bank Reconciliation Summary
## All Bank Accounts - 03/31/2026

| Bank Account | Start Date | End Date | Bank Statement Balance | Calculated Book Balance | General Ledger Balance |
|---|---|---|---|---|---|
| 1 General Alta Bank - Checking | 03/01/2026 | 03/31/2026 | $348,914.55 | $104,477.86 | $104,477.86 |
| 2 Water Alta Bank- Checking | 03/01/2026 | 03/31/2026 | $17,274.36 | $2,962.84 | $2,962.84 |
| 3 B & C Road Fund Alta Bank | 03/01/2026 | 03/31/2026 | $68,091.69 | $68,091.69 | $68,091.69 |
| 4 Savings Alta Bank | 03/01/2026 | 03/31/2026 | $0.00 | $0.00 | $0.00 |
| Altabank- Road Impact Fee | 03/01/2026 | 03/31/2026 | $29,210.00 | $29,210.00 | $29,210.00 |
| Altabank- Water Impact Fee | 03/01/2026 | 03/31/2026 | $728.00 | $728.00 | $728.00 |
| Altabank- Cemetery Fund | 03/01/2026 | 03/31/2026 | $0.00 | $0.00 | $0.00 |
| Moreton Investment | 03/01/2026 | 03/31/2026 | $1,273,548.28 | $1,273,548.28 | $1,273,548.28 |
| Altabank- Capital Fund | 05/01/2021 | 07/31/2021 | $0.00 | $0.00 | $0.00 |
| | | | **$1,737,766.88** | **$1,479,018.67** | **$1,479,018.67** |

# Fairfield Town
## Check Register
## All Bank Accounts - 03/01/2026 to 03/31/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Amazon.com | DC7626 | 260303A | 03/03/2026 | 03/03/2026 | 29.00 | Clear Document Folders | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260303B | 03/03/2026 | 03/03/2026 | 31.78 | USB-C to Ethernet Adapter | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260304 | 03/03/2026 | 03/03/2026 | 22.99 | Stamps | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260317 | 03/17/2026 | 03/17/2026 | 55.10 | Wall Clock and binder inserts | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260317A | 03/17/2026 | 03/17/2026 | 52.12 | Paper and ink | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260317C | 03/17/2026 | 03/17/2026 | 15.66 | Whiteboard cleaning spray, 3 ring binders | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260319 | 03/19/2026 | 03/19/2026 | 16.10 | 3 ring Binders | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260330A | 03/30/2026 | 03/30/2026 | 98.86 | Keyboard, Mouse, Mousepad | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260330B | 03/30/2026 | 03/30/2026 | 10.63 | Keyboard, Mouse, Mousepad | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260331 | 03/31/2026 | 03/31/2026 | 19.33 | Landscape stakes | 104126 - Admin Repairs and mainten | |
| Amazon.com | DC7626 | 260331B | 03/31/2026 | 03/31/2026 | 8.26 | Gel Pen | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260331C | 03/31/2026 | 03/31/2026 | 24.56 | Life Savers | 104115 - Admin Office expenses & su | |
| | | | | | $384.39 | | | |
| | | | | | **$384.39** | | | |
| American Legal Publishing | 1463 | 49971 | 03/30/2026 | 03/30/2026 | 3,250.00 | Codifacation | 104132 - Admin Town codification | |
| | | | | | **$3,250.00** | | | |
| Badger Meter Services | 551 | 80224414 | 02/03/2026 | 03/02/2026 | 38.22 | Cellular | 516128 - Utilities | |
| Badger Meter Services | 551 | 80227582 | 03/02/2026 | 03/02/2026 | 40.04 | Cellular | 516128 - Utilities | |
| | | | | | $78.26 | | | |
| | | | | | **$78.26** | | | |
| Best, Kolby | 1445 | 2025 christmas h | 03/02/2026 | 03/02/2026 | 250.00 | christmas help | 104167.3 - Christmas Events | |
| | | | | | **$250.00** | | | |
| Blue Stakes of Utah 811 | 1446 | UT202503993 | 02/05/2026 | 03/02/2026 | 11.28 | Email Notifications | 104180 - Building Dept - Surveyor Ex | |
| Blue Stakes of Utah 811 | 1464 | UT2026000056 | 03/09/2026 | 03/30/2026 | 6.30 | Notifications of Digging Fee | 104180 - Building Dept - Surveyor Ex | |
| | | | | | **$17.58** | | | |
| Bowen Collins | 1461 | 40764 | 02/16/2026 | 03/02/2026 | 3,045.25 | Sewer Master Plan | 516134 - Water & Sewer Master Plan | |
| Bowen Collins | 1461 | 40765 | 02/17/2026 | 03/02/2026 | 1,478.00 | Water Model and master plan | 104190 - State Grant Expenses | |
| | | | | | $4,523.25 | | | |
| Bowen Collins | 552 | 40766 | 02/17/2026 | 03/02/2026 | 211.00 | General Engineering | 516132 - Water Engineering | |
| Bowen Collins | 552 | 40767 | 02/17/2026 | 03/02/2026 | 4,961.00 | North water line | 516132 - Water Engineering | |
| | | | | | $5,172.00 | | | |
| Bowen Collins | 559 | 41109 | 03/23/2026 | 03/30/2026 | 105.50 | Outback Plan Review | 516132 - Water Engineering | |
| | | | | | **$9,800.75** | | | |
| Carlson Fencing, LLC | 564 | 0001 | 03/30/2026 | 03/30/2026 | 5,900.00 | Rocks to go around Fire Hydrants | 516141 - Repairs and maintenance | |
| | | | | | **$5,900.00** | | | |
| Freeway Propane | 1465 | 150278 | 03/18/2026 | 03/30/2026 | 346.06 | Propane | 104126.5 - Town Hall - Repairs and m | |
| | | | | | **$346.06** | | | |
| Gilbert & Stewart, CPA,PC | 1447 | Audit 2025 | 02/09/2026 | 03/02/2026 | 7,500.00 | Audit 2025 | 104134 - Admin Accounting & auditin | |
| | | | | | **$7,500.00** | | | |
| Google.com/ Google Inc | DC7626 | 260303 | 03/03/2026 | 03/03/2026 | 259.69 | Suite Workspace | 104116 - Admin Computer & internet | |
| | | | | | **$259.69** | | | |
| Hayes Godfrey Bell, P.C. | 1448 | 12631 | 02/17/2026 | 03/02/2026 | 26,083.00 | Legal | 104139 - Admin Legal | |
| Hayes Godfrey Bell, P.C. | 1466 | 12682 | 03/09/2026 | 03/30/2026 | 27,625.00 | Legal | 104139 - Admin Legal | |
| | | | | | **$53,708.00** | | | |

# Fairfield Town
## Check Register
## All Bank Accounts - 03/01/2026 to 03/31/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Heart J Carpentry | 1449 | 2 | 02/05/2026 | 03/02/2026 | 500.00 | Gravel for Cemetery | 104169 - Cemetery Expense | |
| | | | | | **$500.00** | | | |
| Hydro Specialties Co. | 553 | 30545 | 03/02/2026 | 03/02/2026 | 585.80 | New Equipment | 516141 - Repairs and maintenance | |
| Hydro Specialties Co. | 560 | 30595 | 03/18/2026 | 03/30/2026 | 897.78 | Badger Meters and supplies | 516141 - Repairs and maintenance | |
| | | | | | **$1,483.58** | | | |
| Internal Revenue Service | EFT | PR030126-760 | 03/03/2026 | 03/06/2026 | 96.82 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR030126-760 | 03/03/2026 | 03/06/2026 | 203.48 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR030126-760 | 03/03/2026 | 03/06/2026 | 414.00 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR031526-760 | 03/18/2026 | 03/19/2026 | 98.84 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR031526-760 | 03/18/2026 | 03/19/2026 | 194.63 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR031526-760 | 03/18/2026 | 03/19/2026 | 422.72 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/27/2026 | 03/27/2026 | 285.74 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/27/2026 | 03/27/2026 | 316.33 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/27/2026 | 03/27/2026 | 1,221.40 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| | | | | | $3,253.96 | | | |
| | | | | | **$3,253.96** | | | |
| Les Olson Company | 1467 | EA1658164 | 03/09/2026 | 03/30/2026 | 354.75 | quarterly Billing | 104118 - Admin Copier Service and M | |
| Les Olson Company | 1467 | MNS64724 | 03/09/2026 | 03/30/2026 | 488.85 | Software and Support | 104116.5 - Admin IT services | |
| Les Olson Company | 1467 | TEL64719 | 03/09/2026 | 03/30/2026 | 96.05 | Telephone | 104120 - Admin Telephone | |
| | | | | | $939.65 | | | |
| | | | | | **$939.65** | | | |
| Lowe's | DC7626 | 260323 | 03/23/2026 | 03/23/2026 | 30.15 | Locks | 104115 - Admin Office expenses & su | |
| | | | | | **$30.15** | | | |
| Lucky Dog Recreation | 1462 | UT027-5162 | 03/23/2026 | 03/24/2026 | 76,331.97 | Half of the Parts for playground | 104173 - Parks and Improvment | |
| | | | | | **$76,331.97** | | | |
| Maceys | DC7626 | 260325 | 03/25/2026 | 03/25/2026 | 87.41 | Office snacks and drinks | 104115 - Admin Office expenses & su | |
| | | | | | **$87.41** | | | |
| McKinney, Hollie | 1450 | Feb 2026 Chat G | 02/03/2026 | 03/02/2026 | 20.00 | Feb Chat GPT | 104111 - Admin Books, subscriptions, | |
| McKinney, Hollie | 1450 | Feb Cell 2026 | 02/03/2026 | 03/02/2026 | 60.00 | Feb Cell Phone | 104120 - Admin Telephone | |
| McKinney, Hollie | 1450 | Mileage 3/2026 | 03/02/2026 | 03/02/2026 | 1,507.20 | Mileage | 104114 - Admin Travel | |
| McKinney, Hollie | 1450 | Zoom Feb 2026 | 02/03/2026 | 03/02/2026 | 20.00 | Zoom Feb 2026 | 104111 - Admin Books, subscriptions, | |
| | | | | | $1,607.20 | | | |
| McKinney, Hollie | 1468 | Cell Phone March | 03/10/2026 | 03/30/2026 | 60.00 | 3 | 104120 - Admin Telephone | |
| McKinney, Hollie | 1468 | Chat GPT March | 03/10/2026 | 03/30/2026 | 20.00 | Chat GPT March 2026 | 104111 - Admin Books, subscriptions, | |
| McKinney, Hollie | 1468 | Zoom March 202 | 03/10/2026 | 03/30/2026 | 20.00 | Zoom March 2026 | 104111 - Admin Books, subscriptions, | |
| | | | | | $100.00 | | | |
| | | | | | **$1,707.20** | | | |
| McNeil Engineering | 1451 | 89882 | 02/27/2026 | 03/02/2026 | 3,107.50 | Engineering | 104141 - Admin Survey and Engineeri | |
| McNeil Engineering | 1469 | 90080 | 03/30/2026 | 03/30/2026 | 370.00 | Christensen Street Vacation | 104141 - Admin Survey and Engineeri | |
| McNeil Engineering | 554 | 89881 | 03/02/2026 | 03/02/2026 | 2,910.00 | Bradshaw Loop Line | 516132 - Water Engineering | |
| McNeil Engineering | 561 | 90079 | 03/30/2026 | 03/30/2026 | 1,090.00 | Bradshaw Loop Line | 516132 - Water Engineering | |
| | | | | | **$7,477.50** | | | |
| OpenAI | DC7626 | 260305 | 03/05/2026 | 03/05/2026 | 644.10 | ChatGPT Team Subscription | 104111 - Admin Books, subscriptions, | |
| | | | | | **$644.10** | | | |
| Prime Landscape Architecture | 1470 | 26005 | 03/30/2026 | 03/30/2026 | 9,000.00 | Park Landscape and Irrigation | 104173 - Parks and Improvment | |
| | | | | | **$9,000.00** | | | |

# Fairfield Town
## Check Register
## All Bank Accounts - 03/01/2026 to 03/31/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Rally Rep | 558 | 2457 | 03/24/2026 | 03/24/2026 | 6,308.01 | Pathfinder Locator | 516141 - Repairs and maintenance | |
| | | | | | **$6,308.01** | | | |
| Richards Laboratories of Utah | 555 | 118085 | 02/17/2026 | 03/02/2026 | 12.00 | testing | 516143 - Monthly water tests | |
| Richards Laboratories of Utah | 562 | 118220 | 03/18/2026 | 03/30/2026 | 12.00 | testing | 516143 - Monthly water tests | |
| | | | | | **$24.00** | | | |
| Ring.com | DC7626 | 260312 | 03/12/2026 | 03/12/2026 | 214.69 | Ring AI Pro Annual Subscription | 104116.5 - Admin IT services | |
| | | | | | **$214.69** | | | |
| Rocky Mountain Power | 1452 | Feb 2026 Town H | 03/02/2026 | 03/02/2026 | 47.46 | Power Town Hall | 104126.5 - Town Hall - Repairs and m | |
| Rocky Mountain Power | 1471 | March Power 202 | 03/23/2026 | 03/30/2026 | 46.11 | Town Hall | 104126.5 - Town Hall - Repairs and m | |
| Rocky Mountain Power | 556 | Feb 2026 Pump | 03/02/2026 | 03/02/2026 | 25.06 | Pump Electricity | 516128 - Utilities | |
| Rocky Mountain Power | 556 | Feb 2026 Water T | 03/02/2026 | 03/02/2026 | 99.59 | Water Tank | 516128 - Utilities | |
| | | | | | $124.65 | | | |
| Rocky Mountain Power | 563 | Pump March 202 | 03/23/2026 | 03/30/2026 | 25.06 | Pump Power | 516128 - Utilities | |
| Rocky Mountain Power | 563 | Tank March 2026 | 03/23/2026 | 03/30/2026 | 83.17 | Tank power | 516128 - Utilities | |
| | | | | | $108.23 | | | |
| | | | | | **$326.45** | | | |
| Rural Water Associations of Utah | 557 | 26527 | 02/03/2026 | 03/02/2026 | 372.00 | membership renewal | 516121 - Dues | |
| | | | | | **$372.00** | | | |
| Safety Supply & Sign Co. Inc. | 148 | 196940 | 02/09/2026 | 03/02/2026 | 366.80 | Sign parts | 104137 - Admin Street Signs | |
| | | | | | **$366.80** | | | |
| SCS Trucking LLC | 1472 | 1243 | 03/18/2026 | 03/30/2026 | 900.00 | Gravel for Cemetery | 104169 - Cemetery Expense | |
| | | | | | **$900.00** | | | |
| Shelley, Stephanie | 1453 | Feb 2026 Cell | 02/03/2026 | 03/02/2026 | 100.00 | Feb Cell 2026 | 104120 - Admin Telephone | |
| Shelley, Stephanie | 1473 | March Cell Phone | 03/10/2026 | 03/30/2026 | 100.00 | Cell Phone March | 104120 - Admin Telephone | |
| | | | | | **$200.00** | | | |
| Staheli and Associates | 1454 | Fairfield_1-31-20 | 02/09/2026 | 03/02/2026 | 6,783.68 | Town Park | 104173 - Parks and Improvment | |
| | | | | | **$6,783.68** | | | |
| Stevenson Smith Hood Knudson PC | 1455 | 21107 | 02/17/2026 | 03/02/2026 | 9,118.50 | Legal- Hearing Invoice | 104139 - Admin Legal | |
| | | | | | **$9,118.50** | | | |
| Strong Solutions | 1456 | 1050 | 02/03/2026 | 03/02/2026 | 142,281.25 | Park Change Order | 104173 - Parks and Improvment | |
| Strong Solutions | 1474 | 1055 | 03/30/2026 | 03/30/2026 | 191,583.75 | Park Change Order | 104173 - Parks and Improvment | |
| | | | | | **$333,865.00** | | | |
| The Yard Dumpster | 1457 | 7547 | 02/03/2026 | 03/02/2026 | 866.00 | Dumpster | 104191 - Trash collection | |
| The Yard Dumpster | 1475 | 7760 | 03/09/2026 | 03/30/2026 | 866.00 | Dumpster | 104191 - Trash collection | |
| | | | | | **$1,732.00** | | | |
| Town Web Design LLC | 1458 | 9762 | 02/09/2026 | 03/02/2026 | 3,215.00 | Website | 104133 - Admin Website | |
| | | | | | **$3,215.00** | | | |
| USPS | DC7626 | 260307 | 03/07/2026 | 03/07/2026 | 234.00 | 3 rolls of stamps | 104115.5 - Admin Stamps | |
| | | | | | **$234.00** | | | |

# Fairfield Town
## Check Register
## All Bank Accounts - 03/01/2026 to 03/31/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Utah County | 1459 | 65325 | 03/02/2026 | 03/02/2026 | 1,945.02 | Law Enforcement | 104151 - Police Contracted services | |
| | | | | | **$1,945.02** | | | |
| Utah County Auditor | 1476 | 65461 | 03/18/2026 | 03/30/2026 | 1,945.02 | Contract Law Enforcement | 104151 - Police Contracted services | |
| Utah County Auditor | 1476 | 65462 | 03/18/2026 | 03/30/2026 | 1,080.00 | Contract Law Enforcement | 104151 - Police Contracted services | |
| Utah County Auditor | 1476 | 65463 | 03/18/2026 | 03/30/2026 | 1,080.00 | Contract Law Enforcement | 104151 - Police Contracted services | |
| Utah County Auditor | 1476 | 65473 | 03/18/2026 | 03/30/2026 | 28.94 | Everbridge Mass Notification | 104153.5 - Everbridge | |
| | | | | | $4,133.96 | | | |
| | | | | | **$4,133.96** | | | |
| Utah League of Cities & Towns | 1477 | 1507 | 03/30/2026 | 03/30/2026 | 360.00 | Power and Duties Books (4) | 104111 - Admin Books, subscriptions, | |
| Utah League of Cities & Towns | 1477 | membership FY2 | 03/18/2026 | 03/30/2026 | 500.00 | Membership Fee | 104111 - Admin Books, subscriptions, | |
| | | | | | $860.00 | | | |
| Utah League of Cities & Towns | DC6324 | 260310 | 03/10/2026 | 03/10/2026 | 655.00 | Full Conference Registration | 104114 - Admin Travel | |
| | | | | | **$1,515.00** | | | |
| Utah Local Government Trust | 1460 | M1624163 | 02/05/2026 | 03/02/2026 | 194.47 | Crime Policy | 104124 - Admin Insurance | |
| | | | | | **$194.47** | | | |
| Utah Public Treasurer | DC6324 | 260311 | 03/11/2026 | 03/11/2026 | 434.00 | Conference Registration | 104114 - Admin Travel | |
| | | | | | **$434.00** | | | |
| Utah State Tax Commission | EFT | PR030126-17 | 03/03/2026 | 03/06/2026 | 58.74 | State Income Tax | 102222 - Accrued state withholding p | |
| Utah State Tax Commission | EFT | PR031526-17 | 03/18/2026 | 03/18/2026 | 81.32 | State Income Tax | 102222 - Accrued state withholding p | |
| Utah State Tax Commission | EFT | PR033126-17 | 03/27/2026 | 03/27/2026 | 211.38 | State Income Tax | 102222 - Accrued state withholding p | |
| | | | | | $351.44 | | | |
| | | | | | **$351.44** | | | |
| Valley Crossroads Chamber of Com | DC6324 | 3918 | 03/03/2026 | 03/03/2026 | 250.00 | Membership Dues | 104111 - Admin Books, subscriptions, | |
| | | | | | **$250.00** | | | |
| Wal-Mart | DC7626 | 260323 | 03/26/2026 | 03/26/2026 | 26.63 | Light bulbs, trash bags, paper products | 104115 - Admin Office expenses & su | |
| | | | | | **$26.63** | | | |
| xfinity | ACH | 260311 | 03/11/2026 | 03/11/2026 | 26.11 | | 104116 - Admin Computer & internet | |
| | | | | | **$26.11** | | | |
| | | | | | **$555,487.01** | | | |

# Fairfield Town
## 1 General Alta Bank - Checking
## Bank Reconciliation - 03/01/2026 to 03/31/2026

**Bank Statement Start Balance:** **$666,424.63**

### Reconciled Deposits & Transfers

| Type | Reference | Date | Amount |
|---|---|---|---|
| Transfer | Cover Water Account | 03/11/2026 | -5,000.00 |
| Deposit | | 03/11/2026 | 653.67 |
| Deposit | | 03/16/2026 | 1,500.00 |
| Transfer | Transfer to cover checks | 03/17/2026 | -5,000.00 |
| Deposit | | 03/23/2026 | 8,707.69 |
| Transfer | Transfer to Water | 03/24/2026 | -6,500.00 |
| Deposit | | 03/25/2026 | 25.00 |
| Transfer | Cover checks | 03/30/2026 | -6,000.00 |

**Reconciled Deposits & Transfers Total:** **($11,613.64)**

### Reconciled Checks & Withdrawals

| Payee Name | Reference | Date | Amount |
|---|---|---|---|
| Moulton, Brian Dewey | 1389 | 12/08/2025 | 250.00 |
| McKinney, Hollie | 1430 | 01/29/2026 | 100.00 |
| Blue Stakes of Utah 811 | 1446 | 03/02/2026 | 11.28 |
| Rocky Mountain Power | 1452 | 03/02/2026 | 47.46 |
| Shelley, Stephanie | 1453 | 03/02/2026 | 100.00 |
| Utah Local Government Trust | 1460 | 03/02/2026 | 194.47 |
| Best, Kolby | 1445 | 03/02/2026 | 250.00 |
| Heart J Carpentry | 1449 | 03/02/2026 | 500.00 |
| The Yard Dumpster | 1457 | 03/02/2026 | 866.00 |
| McKinney, Hollie | 1450 | 03/02/2026 | 1,607.20 |
| Utah County | 1459 | 03/02/2026 | 1,945.02 |
| McNeil Engineering | 1451 | 03/02/2026 | 3,107.50 |
| Town Web Design LLC | 1458 | 03/02/2026 | 3,215.00 |
| Bowen Collins | 1461 | 03/02/2026 | 4,523.25 |
| Staheli and Associates | 1454 | 03/02/2026 | 6,783.68 |
| Gilbert & Stewart, CPA,PC | 1447 | 03/02/2026 | 7,500.00 |
| Stevenson Smith Hood Knudson PC | 1455 | 03/02/2026 | 9,118.50 |
| Hayes Godfrey Bell, P.C. | 1448 | 03/02/2026 | 26,083.00 |
| Strong Solutions | 1456 | 03/02/2026 | 142,281.25 |
| Amazon.com | DC7626 | 03/03/2026 | 22.99 |
| Amazon.com | DC7626 | 03/03/2026 | 29.00 |
| Amazon.com | DC7626 | 03/03/2026 | 31.78 |
| Valley Crossroads Chamber of Commerce | DC6324 | 03/03/2026 | 250.00 |
| Google.com/ Google Inc | DC7626 | 03/03/2026 | 259.69 |
| Payroll DD | 0303261200 | 03/03/2026 | 2,821.12 |
| OpenAI | DC7626 | 03/05/2026 | 644.10 |
| Utah State Tax Commission | EFT | 03/06/2026 | 58.74 |
| Internal Revenue Service | EFT | 03/06/2026 | 714.30 |
| USPS | DC7626 | 03/07/2026 | 234.00 |
| Utah League of Cities & Towns | DC6324 | 03/10/2026 | 655.00 |
| xfinity | ACH | 03/11/2026 | 26.11 |
| Utah Public Treasurer | DC6324 | 03/11/2026 | 434.00 |
| Ring.com | DC7626 | 03/12/2026 | 214.69 |
| Amazon.com | DC7626 | 03/17/2026 | 15.66 |
| Amazon.com | DC7626 | 03/17/2026 | 52.12 |
| Amazon.com | DC7626 | 03/17/2026 | 55.10 |
| Utah State Tax Commission | EFT | 03/18/2026 | 81.32 |
| Payroll DD | 0318261200 | 03/18/2026 | 2,872.27 |
| Amazon.com | DC7626 | 03/19/2026 | 16.10 |
| Internal Revenue Service | EFT | 03/19/2026 | 716.19 |
| Lowe's | DC7626 | 03/23/2026 | 30.15 |
| Lucky Dog Recreation | 1462 | 03/24/2026 | 76,331.97 |
| Maceys | DC7626 | 03/25/2026 | 87.41 |
| Wal-Mart | DC7626 | 03/26/2026 | 26.63 |
| Utah State Tax Commission | EFT | 03/27/2026 | 211.38 |
| Internal Revenue Service | EFT | 03/27/2026 | 1,823.47 |
| Payroll DD | 0327261200 | 03/27/2026 | 8,245.50 |
| Amazon.com | DC7626 | 03/30/2026 | 10.63 |
| Amazon.com | DC7626 | 03/30/2026 | 98.86 |
| Amazon.com | DC7626 | 03/31/2026 | 19.33 |

**Reconciled Checks & Withdrawals Total:** **$305,573.22**

### Charges & Interest

| Description | Date | Amount |
|---|---|---|
| Payroll that bounced back in April | 03/27/2026 | -323.22 |

**Charges & Interest Total:** **($323.22)**

| | |
|---|---|
| **Bank Statement End Balance:** | **$348,914.55** |

Fairfield Town
Utah County, Utah

# Fairfield Town Financials

## As of the Month Ending

## 4/30/2026

Mayor McKinney _____
Councilman Thomas _____
Councilman Panek _____
Councilman Cameron _____
Councilman Weber_____

Treasurer: _____

Recorder/Clerk: _____ Date _____

(Seal)

usbank

**ACCOUNT NUMBER:**
**FAIRFIELD TOWN**

received 5/6/26

This statement is for the period from
April 1, 2026 to April 30, 2026

FAIRFIELD TOWN
PO BOX 271
FAIRFIELD UTAH 84013

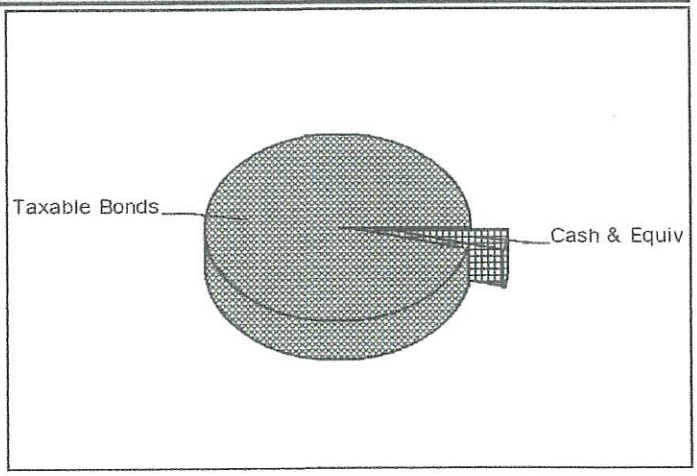
***QUESTIONS?***

If you have any questions regarding your account or this statement, please contact your Account Manager.

**MARQUES MCNIESE**
CN-OH-W5IT
CN-OH-W5IT
425 WALNUT STREET
CINCINNATI OH 45202
**Phone 513-632-4147**
**E-mail marques.mcniese@usbank.com**

## ASSET SUMMARY AS OF 04/30/26

| Assets | Current Period Market Value | % of Total | Est Annual Income |
|---|---|---|---|
| Cash & Equivalents | 31,120.62 | 2.40 | 1,112.89 |
| Taxable Bonds | 1,243,195.55 | 97.60 | 56,486.38 |
| **Total Market Value** | **$1,274,316.17** | **100.00** | **$57,599.27** |




## ASSET DETAIL

| Shares or Face Amount | Security Description | Market Value/ Price | Tax Cost/ Unrealized Gain(Loss) | Yield at Market | Est Annual Inc |
|---|---|---|---|---|---|
| **Cash & Equivalents** | | | | | |
| **Cash/Money Market** | | | | | |
| 31,120.620 | First American Government Oblig Fd Cl X #5385 31846V336 | 31,120.62 1.0000 | 31,120.62 0.00 | 3.58 | 1,112.89 |
| **Total Cash/Money Market** | | **$31,120.62** | **$31,120.62 $.00** | | **$1,112.89** |
| **Cash** | | | | | |

Altabank
Division of Glacier Bank

PO Box 307
American Fork, UT 84003

received 5/13/26

143661-04A**003664
TOWN OF FAIRFIELD
PO BOX 271
CEDAR VALLEY UT 84013-0271




**Customer Service:** 801-756-7681

**Website:** www.altabank.com

# Summary of Accounts

| Account Type | Account Number | Ending Balance |
|---|---|---|
| SIMPLY BUSINESS CHECKING | | $301,437.29 |
| SIMPLY BUSINESS CHECKING | | $45,186.15 |
| SIMPLY BUSINESS CHECKING | | $79,312.21 |
| SIMPLY BUSINESS CHECKING | | $728.00 |
| SIMPLY BUSINESS CHECKING | | $29,210.00 |

# Statement of Account

**Account Title:** TOWN OF FAIRFIELD

**Statement Dates 4/01/26 to 4/30/26 (30 days)**

## SIMPLY BUSINESS CHECKING -

| | | | |
|---|---|---|---|
| **Previous Balance** | **$348,914.55** | Average Ledger | $172,509.17 |
| Deposits/Credits (9) | $258,814.76 | Average Collected | $172,509.17 |
| Checks/Debits (56) | $306,292.02 | | |
| Service Charge | $0.00 | | |
| Interest Paid | $0.00 | | |
| **Ending Balance** | **$301,437.29** | | |

## Credit Transactions

| Date | Description | Amount |
|---|---|---|
| 4/06 | Remote Deposit | $571.01 |
| 4/06 | heygov.com TRANSFER CCD ST-D6Y0Q9H4G0I1 111000023479529 | $25.00 |
| 4/13 | CREDIT 1110 04/12/26 74410214 HOLIDAY INN EXPRESS 4355865000 UT C# 7626 | $770.85 |
| 4/13 | Remote Deposit | $1,200.00 |
| 4/16 | Remote Deposit | $316.21 |
| 4/20 | Remote Deposit | $10,660.37 |
| 4/22 | UTAH STATE TREAS Sales Tax CCD 25035 091000016306639 | $5,041.65 |

# Fairfield Town
## Check Register
## All Bank Accounts - 04/01/2026 to 04/30/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Amazon.com | DC5290 | 260430 | 04/30/2026 | 04/30/2026 | 35.40 | Unknown | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260407 | 04/07/2026 | 04/07/2026 | 78.32 | Printer Ink | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260416 | 04/16/2026 | 04/16/2026 | 21.36 | Printer Paper | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260420A | 04/20/2026 | 04/20/2026 | 22.53 | File Folder Tabs | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260420B | 04/20/2026 | 04/20/2026 | 18.25 | Garden Stakes | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260420C | 04/20/2026 | 04/20/2026 | 643.63 | Dell 15 Laptop | 104116 - Admin Computer & internet | |
| Amazon.com | DC7626 | 260420D | 04/20/2026 | 04/20/2026 | 17.40 | Pens | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260429A | 04/29/2026 | 04/29/2026 | 85.95 | Spray Paint | 104126 - Admin Repairs and mainten | |
| Amazon.com | DC7626 | 260429B | 04/29/2026 | 04/29/2026 | 77.57 | Blue Flags for Lawn | 104126 - Admin Repairs and mainten | |
| | | | | | $965.01 | | | |
| | | | | | **$1,000.41** | | | |
| American Legal Publishing | 1479 | 50213 | 04/13/2026 | 04/28/2026 | 495.00 | Internet Renewal | 104132 - Admin Town codification | |
| | | | | | **$495.00** | | | |
| Applebee's | DC7626 | 260409 | 04/09/2026 | 04/09/2026 | 28.32 | Dinner | 104114 - Admin Travel | |
| | | | | | **$28.32** | | | |
| Badger Meter Services | 565 | 80230819 | 04/06/2026 | 04/28/2026 | 40.95 | Cellular | 516128 - Utilities | |
| Badger Meter Services | 565 | 90064492 | 03/18/2026 | 04/28/2026 | -35.10 | Credit | 516128 - Utilities | |
| | | | | | $5.85 | | | |
| | | | | | **$5.85** | | | |
| BB Diner | DC5290 | 260406 | 04/06/2026 | 04/06/2026 | 116.92 | Unknown | 104114 - Admin Travel | |
| | | | | | **$116.92** | | | |
| Blue Stakes of Utah 811 | 1480 | UT202600346 | 04/06/2026 | 04/28/2026 | 6.30 | Email Notifications | 104180 - Building Dept - Surveyor Ex | |
| | | | | | **$6.30** | | | |
| Bowen Collins | 566 | 41327 | 04/21/2026 | 04/28/2026 | 316.50 | Sewer Master Plan | 516134 - Water & Sewer Master Plan | |
| Bowen Collins | 566 | 41328 | 04/21/2026 | 04/28/2026 | 431.00 | General Engineering | 516132 - Water Engineering | |
| Bowen Collins | 566 | 41329 | 04/21/2026 | 04/28/2026 | 4,981.50 | North water line | 516132 - Water Engineering | |
| | | | | | $5,729.00 | | | |
| | | | | | **$5,729.00** | | | |
| Central Utah 911 | 1481 | 1360 | 04/06/2026 | 04/28/2026 | 1,342.71 | Payroll Cost/Fixed Costs | 104153 - Emergency dispatch | |
| | | | | | **$1,342.71** | | | |
| Chili's | DC7626 | 260410 | 04/10/2026 | 04/10/2026 | 13.98 | Dinner | 104114 - Admin Travel | |
| | | | | | **$13.98** | | | |
| Fast Stop Meadow | DC5290 | 260427 | 04/27/2026 | 04/27/2026 | 40.81 | Gas | 104114 - Admin Travel | |
| Fast Stop Meadow | DC5290 | 260427B | 04/27/2026 | 04/27/2026 | 15.10 | Snacks/Drinks | 104115 - Admin Office expenses & su | |
| | | | | | $55.91 | | | |
| | | | | | **$55.91** | | | |
| Google.com/ Google Inc | 260402 | 260402 | 04/02/2026 | 04/02/2026 | 259.69 | Suite Workspace | 104116 - Admin Computer & internet | |
| | | | | | **$259.69** | | | |
| Harts | DC7626 | 260413 | 04/13/2026 | 04/13/2026 | 46.71 | Gas | 104114 - Admin Travel | |
| | | | | | **$46.71** | | | |
| Hayes Godfrey Bell, P.C. | 1482 | 12728 | 04/27/2026 | 04/28/2026 | 24,503.00 | Legal | 104139 - Admin Legal | |
| | | | | | **$24,503.00** | | | |
| Hermies Drive In | DC7626 | 260413 | 04/13/2026 | 04/13/2026 | 13.01 | Lunch | 104114 - Admin Travel | |
| | | | | | **$13.01** | | | |

# Fairfield Town
## Check Register
## All Bank Accounts - 04/01/2026 to 04/30/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Holiday Inn Express | DC7626 | 260413 | 04/13/2026 | 04/13/2026 | 539.35 | Lodging | 104114 - Admin Travel | |
| | | | | | **$539.35** | | | |
| Integrity 1st Pest Control | 1483 | 28436 | 04/27/2026 | 04/28/2026 | 85.00 | Pest Control | 104126.5 - Town Hall - Repairs and m | |
| | | | | | **$85.00** | | | |
| Internal Revenue Service | EFT | PR032926-760 | 03/30/2026 | 04/03/2026 | 116.40 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR032926-760 | 03/30/2026 | 04/03/2026 | 209.41 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR032926-760 | 03/30/2026 | 04/03/2026 | 497.72 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/27/2026 | 04/03/2026 | -43.40 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/27/2026 | 04/03/2026 | -10.16 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/30/2026 | 04/03/2026 | 17.42 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/30/2026 | 04/03/2026 | 74.40 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/30/2026 | 04/03/2026 | 100.00 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR041226-760 | 04/16/2026 | 04/17/2026 | 111.60 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR041226-760 | 04/16/2026 | 04/17/2026 | 220.90 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR041226-760 | 04/16/2026 | 04/17/2026 | 477.18 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| | | | | | $1,771.47 | | | |
| | | | | | **$1,771.47** | | | |
| JD Concrete, LLC | 567 | 3873 | 04/20/2026 | 04/28/2026 | 34,850.00 | Waterline (Inland Port Auth) | 516141 - Repairs and maintenance | |
| | | | | | **$34,850.00** | | | |
| Labelmaker | DC7626 | 260423 | 04/23/2026 | 04/23/2026 | 30.23 | Yearly | 104115 - Admin Office expenses & su | |
| | | | | | **$30.23** | | | |
| Les Olson Company | 1484 | MNS65627 | 04/06/2026 | 04/28/2026 | 744.45 | IT Support and software | 104116.5 - Admin IT services | |
| Les Olson Company | 1484 | MNS66730 | 04/28/2026 | 04/28/2026 | 237.20 | Software and Support | 104118 - Admin Copier Service and M | |
| Les Olson Company | 1484 | Tel65611 | 04/06/2026 | 04/28/2026 | 86.16 | Telephone | 104120 - Admin Telephone | |
| Les Olson Company | 1484 | Tel66726 | 04/28/2026 | 04/28/2026 | 86.17 | Telephone | 104120 - Admin Telephone | |
| | | | | | $1,153.98 | | | |
| | | | | | **$1,153.98** | | | |
| Maverik | DC5290 | 260423 | 04/23/2026 | 04/23/2026 | 7.61 | Drinks | 104114 - Admin Travel | |
| Maverik | DC5290 | 260423B | 04/23/2026 | 04/23/2026 | 64.97 | Gas | 104114 - Admin Travel | |
| Maverik | DC5290 | 260427 | 04/27/2026 | 04/27/2026 | 36.02 | Gas | 104114 - Admin Travel | |
| | | | | | $108.60 | | | |
| Maverik | DC7626 | 260407 | 04/07/2026 | 04/07/2026 | 69.53 | Gas | 104114 - Admin Travel | |
| | | | | | **$178.13** | | | |
| McKinney, Hollie | 1485 | April Cell 2026 | 04/16/2026 | 04/28/2026 | 60.00 | Cell phone April 2026 | 104120 - Admin Telephone | |
| McKinney, Hollie | 1485 | Chat GPT april 20 | 04/16/2026 | 04/28/2026 | 20.00 | Chat GPT April 2026 | 104111 - Admin Books, subscriptions, | |
| McKinney, Hollie | 1485 | Zoom April 2026 | 04/16/2026 | 04/28/2026 | 20.00 | April Zoom | 104111 - Admin Books, subscriptions, | |
| | | | | | $100.00 | | | |
| | | | | | **$100.00** | | | |
| ODP Business Solutions LLC | DC7626 | 260420A | 04/20/2026 | 04/20/2026 | 40.67 | Copy Paper | 104115 - Admin Office expenses & su | |
| ODP Business Solutions LLC | DC7626 | 260420B | 04/20/2026 | 04/20/2026 | 18.99 | Copy Paper | 104115 - Admin Office expenses & su | |
| | | | | | $59.66 | | | |
| | | | | | **$59.66** | | | |
| Pioneer Party | DC6324 | 260406 | 04/06/2026 | 04/06/2026 | 38.69 | Large Document Print | 104115 - Admin Office expenses & su | |
| | | | | | **$38.69** | | | |
| Richards Laboratories of Utah | 568 | 118620 | 04/13/2026 | 04/28/2026 | 12.00 | testing | 516143 - Monthly water tests | |
| | | | | | **$12.00** | | | |

# Fairfield Town
## Check Register
## All Bank Accounts - 04/01/2026 to 04/30/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Rocky Mountain Power | 1486 | April 2026 Town | 04/27/2026 | 04/28/2026 | 43.90 | Town Hall | 104126.5 - Town Hall - Repairs and m | |
| Rocky Mountain Power | 569 | April 2026 Pump | 04/27/2026 | 04/28/2026 | 26.04 | Pump | 516128 - Utilities | |
| Rocky Mountain Power | 569 | April 2026 Tank | 04/27/2026 | 04/28/2026 | 160.74 | Water Tank | 516128 - Utilities | |
| | | | | | $186.78 | | | |
| | | | | | **$230.68** | | | |
| Shelley, Stephanie | 1487 | April 2026 Cell Ph | 04/16/2026 | 04/28/2026 | 100.00 | April 2026 Cell Phone | 104111 - Admin Books, subscriptions, | |
| Shelley, Stephanie | 1487 | Mileage Dec-April | 04/16/2026 | 04/28/2026 | 464.68 | Mileage for mtgs | 104114 - Admin Travel | |
| | | | | | $564.68 | | | |
| | | | | | **$564.68** | | | |
| Smashed Down Burgers | 1478 | 4/15/2026 | 04/28/2026 | 04/28/2026 | 1,814.81 | Food Truck 4/15/2026 | 104167 - Community events | |
| | | | | | **$1,814.81** | | | |
| Staheli and Associates | 570 | Fairfield_31-31-2 | 04/18/2026 | 04/28/2026 | 1,122.74 | Waterline arsenic testing | 516170 - Improvements | |
| | | | | | **$1,122.74** | | | |
| Stevenson Smith Hood Knudson PC | 1488 | 21307 | 04/28/2026 | 04/28/2026 | 1,837.00 | Hearing/ legal | 104139 - Admin Legal | |
| | | | | | **$1,837.00** | | | |
| Strong Solutions | 1489 | 1057 | 04/14/2026 | 04/28/2026 | 23,001.00 | History Path | 104173 - Parks and Improvment | |
| | | | | | **$23,001.00** | | | |
| Sunrise Engineering INC | 1490 | ARIV1012056(A) | 04/21/2026 | 04/28/2026 | 6,461.00 | Building Permit | 104180.7 - Building Dept - Building P | |
| Sunrise Engineering INC | 1490 | ARIV1012056(B) | 04/21/2026 | 04/28/2026 | -5,440.97 | Inspection Fee | 104180.5 - Building Dept - Inspection | |
| Sunrise Engineering INC | 1490 | ARIV1012056(B) | 04/21/2026 | 04/28/2026 | 6,461.00 | Building Permits | 104180.7 - Building Dept - Building P | |
| Sunrise Engineering INC | 1490 | ARIV1012056(C) | 04/21/2026 | 04/28/2026 | 4,199.65 | Plan Review | 104180.6 - Building Dept - Plan Revie | |
| | | | | | $11,680.68 | | | |
| | | | | | **$11,680.68** | | | |
| The Pub Spirts | DC7626 | 260410 | 04/10/2026 | 04/10/2026 | 20.06 | Dinner | 104114 - Admin Travel | |
| | | | | | **$20.06** | | | |
| The Yard Dumpster | 1491 | 7993 | 04/06/2026 | 04/28/2026 | 866.00 | Dumpster | 104191 - Trash collection | |
| | | | | | **$866.00** | | | |
| Utah Correctional Industries | 1492 | 263812 | 04/06/2026 | 04/28/2026 | 112.00 | America 250 Signs | 104167 - Community events | |
| | | | | | **$112.00** | | | |
| Utah County Auditor | 1493 | 65671 | 04/21/2026 | 04/28/2026 | 1,080.00 | Extra Law Enforcement | 104151 - Police Contracted services | |
| Utah County Auditor | 1493 | 65672 | 04/21/2026 | 04/28/2026 | 1,945.02 | Contact Law Enforcement | 104151 - Police Contracted services | |
| | | | | | $3,025.02 | | | |
| | | | | | **$3,025.02** | | | |
| Utah Department of Commerce | 1494 | March 31, 2026 | 04/06/2026 | 04/28/2026 | 105.59 | Surchage Fee | 104127 - Admin Bldg Permit fee state | |
| | | | | | **$105.59** | | | |
| Utah State Historical Preservation Of | 1495 | Headstone Mortar | 04/28/2026 | 04/28/2026 | 291.63 | Headstone Mortar | 104169 - Cemetery Expense | |
| | | | | | **$291.63** | | | |
| Utah State Tax Commission | EFT | PR032926-17 | 03/30/2026 | 04/03/2026 | 89.90 | State Income Tax | 102222 - Accrued state withholding p | |
| Utah State Tax Commission | EFT | PR041226-17 | 04/16/2026 | 04/17/2026 | 93.63 | State Income Tax | 102222 - Accrued state withholding p | |
| | | | | | $183.53 | | | |
| | | | | | **$183.53** | | | |
| Wal-Mart | DC7626 | 260415 | 04/15/2026 | 04/15/2026 | 8.82 | drinks | 104115 - Admin Office expenses & su | |
| | | | | | **$8.82** | | | |

# Fairfield Town
## Check Register
## All Bank Accounts - 04/01/2026 to 04/30/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| xfinity | EFT | 260413 | 04/13/2026 | 04/13/2026 | 51.11 | | 104116 - Admin Computer & internet | |
| | | | | | **$51.11** | | | |
| | | | | | **$117,350.67** | | | |

# Fairfield Town
## Standard Financial Report
### 10 General Fund - 07/01/2025 to 04/30/2026
### 83.33% of the fiscal year has expired

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1117 General Checking - Bank of AF | 37,047.68 | 168,979.20 | 322,949.59 |
| 1119 B & C Road - Bank of AF | 58,865.02 | 11,220.52 | 79,312.21 |
| 1120 Savings - Bank of AF | (0.77) | 0.00 | 0.00 |
| 1123 Altabank- Cemetery Fund | 60.00 | 0.00 | 0.00 |
| 1130 Moreton Investment | 542,468.16 | 767.89 | 437,965.36 |
| **Total Cash and cash equivalents** | **638,440.09** | **180,967.61** | **840,227.16** |
| **Receivables** | | | |
| 1311 Accounts receivable | 261,285.85 | 14,395.00 | 14,395.00 |
| 1440 Due from other governments | 65,465.02 | 0.00 | 41,017.93 |
| **Total Receivables** | **326,750.87** | **14,395.00** | **55,412.93** |
| **Total Current Assets** | **965,190.96** | **195,362.61** | **895,640.09** |
| **Total Assets:** | **965,190.96** | **195,362.61** | **895,640.09** |
| **Liabilites and Fund Equity:** | | | |
| **Liabilities:** | | | |
| **Current liabilities** | | | |
| 2131 Accounts payable | (15,583.70) | 0.00 | (450.00) |
| 2221 Accrued SS, MC & FWT payable | 0.00 | (1,747.67) | (2,709.46) |
| 2222 Accrued state withholding payable | 0.00 | (193.53) | (283.43) |
| **Total Current liabilities** | **(15,583.70)** | **(1,941.20)** | **(3,442.89)** |
| **Deferred revenue** | | | |
| 2600 Deferred revenue | (24,354.00) | 0.00 | (24,354.00) |
| **Total Deferred revenue** | **(24,354.00)** | **0.00** | **(24,354.00)** |
| **Total Liabilities:** | **(39,937.70)** | **(1,941.20)** | **(27,796.89)** |
| **Equity - Paid In / Contributed** | | | |
| 2981 Fund balance | (925,253.26) | (193,421.41) | (867,843.20) |
| **Total Equity - Paid In / Contributed** | **(925,253.26)** | **(193,421.41)** | **(867,843.20)** |
| **Total Liabilites and Fund Equity:** | **(965,190.96)** | **(195,362.61)** | **(895,640.09)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**10 General Fund - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Change In Net Position** | | | | | | |
| **Revenue:** | | | | | | |
| **Taxes** | | | | | | |
| 3110 General property taxes-current | 27,533.19 | 887.22 | 36,566.23 | 29,500.00 | (7,066.23) | 123.95% |
| 3130 General sales & use tax | 63,786.81 | 5,041.65 | 60,196.30 | 82,000.00 | 21,803.70 | 73.41% |
| **Total Taxes** | **91,320.00** | **5,928.87** | **96,762.53** | **111,500.00** | **14,737.47** | **86.78%** |
| **Licenses and permits** | | | | | | |
| 3211 Business licenses | 715.00 | 0.00 | 350.00 | 2,000.00 | 1,650.00 | 17.50% |
| 3250 Penalties & Permits & Fees | 350.00 | 0.00 | 25.00 | 400.00 | 375.00 | 6.25% |
| 3260 Intermountain Regional Landfill | 903,306.06 | 225,834.67 | 724,282.67 | 845,000.00 | 120,717.33 | 85.71% |
| 3261 North Pointe Landfill | 72,345.24 | 10,660.37 | 39,476.39 | 83,559.00 | 44,082.61 | 47.24% |
| **Total Licenses and permits** | **976,716.30** | **236,495.04** | **764,134.06** | **930,959.00** | **166,824.94** | **82.08%** |
| **Intergovernmental revenue** | | | | | | |
| 3339 State grants | 0.00 | 1,200.00 | 26,206.90 | 67,200.00 | 40,993.10 | 39.00% |
| 3340 County Grants | 0.00 | 14,395.00 | 14,395.00 | 0.00 | (14,395.00) | 0.00% |
| 3341 Parks | 0.00 | 14,395.00 | 400,000.00 | 0.00 | (400,000.00) | 0.00% |
| 3356 Class C road fund allotment | 74,959.31 | 11,220.52 | 67,672.42 | 58,957.00 | (8,715.42) | 114.78% |
| **Total Intergovernmental revenue** | **74,959.31** | **41,210.52** | **508,274.32** | **126,157.00** | **(382,117.32)** | **402.89%** |
| **Charges for services** | | | | | | |
| 3480 Opening/closing graves | 625.00 | 0.00 | 0.00 | 625.00 | 625.00 | 0.00% |
| **Total Charges for services** | **625.00** | **0.00** | **0.00** | **625.00** | **625.00** | **0.00%** |
| **Interest** | | | | | | |
| 3610 Interest earnings | 16.01 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3611 Investments increase (decrease) | 103,410.84 | 767.89 | 37,848.01 | 85,000.00 | 47,151.99 | 44.53% |
| **Total Interest** | **103,426.85** | **767.89** | **37,848.01** | **85,000.00** | **47,151.99** | **44.53%** |
| **Miscellaneous revenue** | | | | | | |
| 3615 Donations, Collections, Christmas | 20,967.82 | 0.00 | 19,010.00 | 21,000.00 | 1,990.00 | 90.52% |
| 3690 Miscellaneous revenue | 572.20 | 25.00 | 479.81 | 200.00 | (279.81) | 239.91% |
| **Total Miscellaneous revenue** | **21,540.02** | **25.00** | **19,489.81** | **21,200.00** | **1,710.19** | **91.93%** |
| **Buildings and Grounds** | | | | | | |
| 3220 Building Dept Application Fees | 0.00 | 0.00 | 670.00 | 0.00 | (670.00) | 0.00% |
| 3220.2 Building Dept Assignment of Addr | 0.00 | 0.00 | 100.00 | 0.00 | (100.00) | 0.00% |
| 3220.5 Building Dept Inspection Fees | 0.00 | 0.00 | 1,078.90 | 0.00 | (1,078.90) | 0.00% |
| 3220.6 Building Dept Fire Inspection Fee | 560.00 | 0.00 | 705.00 | 0.00 | (705.00) | 0.00% |
| 3220.7 Building Dept Plan Review Fees | 0.00 | 0.00 | 4,470.15 | 0.00 | (4,470.15) | 0.00% |
| 3220.9 Building Dept State Permit Surch | 0.00 | 0.00 | 109.44 | 0.00 | (109.44) | 0.00% |
| 3221 Non-business buildings, structures, | 0.00 | 0.00 | 0.00 | 16,192.00 | 16,192.00 | 0.00% |
| 3222 Building Dept Permits | 25,658.72 | 0.00 | 27,529.08 | 25,287.00 | (2,242.08) | 108.87% |
| 3223 Building Franchise Fee Revenue | 0.00 | 0.00 | 1,000.00 | 0.00 | (1,000.00) | 0.00% |
| 3224 Engineering and Surveying Fees | 750.00 | 0.00 | 2,100.00 | 0.00 | (2,100.00) | 0.00% |
| 3225 Grama Request Fees | 600.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3481 Cemetery Revenue | 0.00 | 0.00 | 0.00 | 3,500.00 | 3,500.00 | 0.00% |
| 3670 Road Impact Fees | 15,870.00 | 0.00 | 10,580.00 | 37,000.00 | 26,420.00 | 28.59% |
| **Total Buildings and Grounds** | **43,438.72** | **0.00** | **48,342.57** | **81,979.00** | **33,636.43** | **58.97%** |
| **Highways and Public Improvements** | | | | | | |
| 3671 Highway Improvements Engineerin | 0.00 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| **Total Highways and Public Improvemen** | **0.00** | **0.00** | **0.00** | **2,500.00** | **2,500.00** | **0.00%** |
| **Contributions and transfers** | | | | | | |
| 3890 Beginning fund balance appropriate | 0.00 | 0.00 | 0.00 | 638,104.00 | 638,104.00 | 0.00% |
| **Total Contributions and transfers** | **0.00** | **0.00** | **0.00** | **638,104.00** | **638,104.00** | **0.00%** |
| **Total Revenue:** | **1,312,026.20** | **284,427.32** | **1,474,851.30** | **1,998,024.00** | **523,172.70** | **73.82%** |
| **Expenditures:** | | | | | | |
| **General government** | | | | | | |
| **Administrative** | | | | | | |
| 4103 Admin Permanent employees wag | 61,729.25 | 4,888.00 | 51,529.50 | 70,000.00 | 18,470.50 | 73.61% |
| 4103.1 Admin Office Manager Stipend | 43,200.00 | 3,600.00 | 36,000.00 | 43,200.00 | 7,200.00 | 83.33% |
| 4103.2 Admin Treasurer Stipend | 16,044.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4103.3 Admin Treasurer Employee Wa | 0.00 | 2,484.00 | 23,258.25 | 35,131.00 | 11,872.75 | 66.20% |
| 4103.4 Public Works Consultant | 0.00 | 269.13 | 538.26 | 1,000.00 | 461.74 | 53.83% |
| 4104 Admin Employee Payroll Services | 131.97 | 0.00 | 0.00 | 6,800.00 | 6,800.00 | 0.00% |
| 4105 Admin Employee Benefits | 14,611.94 | 1,248.70 | 12,568.46 | 15,000.00 | 2,431.54 | 83.79% |

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| 4110 Admin Planning and Zoning Comp | 250.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4111 Admin Books, subscriptions, mem | 2,542.99 | 140.00 | 3,192.85 | 3,000.00 | (192.85) | 106.43% |
| 4112 Admin Public notices | 1,026.82 | 0.00 | 219.00 | 808.00 | 589.00 | 27.10% |
| 4113 Admin GRAMA requests | 0.00 | 0.00 | 0.00 | 300.00 | 300.00 | 0.00% |
| 4114 Admin Travel | 3,661.92 | 1,461.97 | 4,795.68 | 4,000.00 | (795.68) | 119.89% |
| 4115 Admin Office expenses & supplies | 3,086.14 | 345.76 | 6,467.87 | 5,500.00 | (967.87) | 117.60% |
| 4115.5 Admin Stamps | 0.00 | 0.00 | 886.00 | 1,000.00 | 114.00 | 88.60% |
| 4116 Admin Computer & internet expen | 5,208.89 | 954.43 | 17,830.39 | 19,490.00 | 1,659.61 | 91.48% |
| 4116.5 Admin IT services | 5,813.74 | 744.45 | 2,991.17 | 2,000.00 | (991.17) | 149.56% |
| 4120 Admin Telephone | 2,014.05 | 232.33 | 2,273.99 | 2,000.00 | (273.99) | 113.70% |
| 4121 Admin Interlocal contributions | 1,500.00 | 0.00 | 0.00 | 1,500.00 | 1,500.00 | 0.00% |
| 4122 Admin Education | 1,525.00 | 0.00 | 1,813.00 | 3,000.00 | 1,187.00 | 60.43% |
| 4123 Admin Rental expense | 5,568.67 | 0.00 | 3,546.09 | 6,500.00 | 2,953.91 | 54.56% |
| 4124 Admin Insurance | 3,902.70 | 0.00 | 5,961.24 | 6,000.00 | 38.76 | 99.35% |
| 4125 Admin Taxes - property | 0.00 | 0.00 | 866.31 | 0.00 | (866.31) | 0.00% |
| 4126 Admin Repairs and maintenance | 40.00 | 163.52 | 539.56 | 500.00 | (39.56) | 107.91% |
| 4126.5 Town Hall - Repairs and mainten | 0.00 | 128.90 | 7,818.64 | 17,644.00 | 9,825.36 | 44.31% |
| 4130 Admin Bank service charges | (50.49) | (323.22) | 38.61 | 500.00 | 461.39 | 7.72% |
| 4132 Admin Town codification | 495.00 | 495.00 | 4,757.99 | 6,600.00 | 1,842.01 | 72.09% |
| 4140 Admin Elections | 321.21 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| 4142 Admin Food Expenditures | 1,942.37 | 0.00 | 541.46 | 3,000.00 | 2,458.54 | 18.05% |
| 4171 Admin Capital Outlay - Museum/To | 0.00 | 0.00 | 67.30 | 0.00 | (67.30) | 0.00% |
| 4190 State Grant Expenses | 0.00 | 0.00 | 2,836.75 | 38,101.00 | 35,264.25 | 7.45% |
| **Total Administrative** | **174,566.42** | **16,832.97** | **191,338.37** | **295,074.00** | **103,735.63** | **64.84%** |
| **Buildings and grounds** | | | | | | |
| 4127 Admin Bldg Permit fee state surch | 117.01 | 105.59 | 146.62 | 200.00 | 53.38 | 73.31% |
| 4141 Admin Survey and Engineering | 11,470.50 | 0.00 | 27,998.35 | 6,440.00 | (21,558.35) | 434.76% |
| 4154 Admin Inspections & plan reviews | 266.75 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4169 Cemetery Expense | 3,664.04 | 291.63 | 5,148.71 | 100,000.00 | 94,851.29 | 5.15% |
| 4169.2 Cemetery Wages | 0.00 | 200.00 | 2,000.00 | 2,400.00 | 400.00 | 83.33% |
| 4180 Building Dept - Surveyor Expense | 46.25 | 6.30 | 2,123.88 | 0.00 | (2,123.88) | 0.00% |
| 4180.5 Building Dept - Inspection Fees | 0.00 | (5,440.97) | (5,440.97) | 0.00 | 5,440.97 | 0.00% |
| 4180.6 Building Dept - Plan Review Exp | 0.00 | 4,199.65 | 4,199.65 | 0.00 | (4,199.65) | 0.00% |
| 4180.7 Building Dept - Building Permit E | 0.00 | 12,922.00 | 12,922.00 | 0.00 | (12,922.00) | 0.00% |
| 4181 Building Dept - Engineering Expen | 16,988.80 | 0.00 | 332.50 | 30,000.00 | 29,667.50 | 1.11% |
| 4182 Building Dept - Legal Expenses | 1,033.87 | 0.00 | 0.00 | 2,000.00 | 2,000.00 | 0.00% |
| 4183 Building Dept - Inspections/Plan R | 5,880.00 | 0.00 | 11,974.78 | 17,975.00 | 6,000.22 | 66.62% |
| 4187 Building Dept - Master Site Plan | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4188 Building Dept - Preliminary Site Pl | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| **Total Buildings and grounds** | **39,467.22** | **12,284.20** | **61,405.52** | **160,015.00** | **98,609.48** | **38.37%** |
| **Planning and zoning** | | | | | | |
| 4155 Planning and Zoning | 642.38 | 0.00 | 0.00 | 5,000.00 | 5,000.00 | 0.00% |
| 4156 Planning and Zoning - Stipend | 17,850.00 | 1,400.00 | 14,000.00 | 16,800.00 | 2,800.00 | 83.33% |
| 4157 Planning and Zoning General Plan | 56,113.35 | 0.00 | 989.65 | 1,000.00 | 10.35 | 98.97% |
| 4158 Town Council- Misc | 166.15 | 0.00 | 0.00 | 200.00 | 200.00 | 0.00% |
| **Total Planning and zoning** | **74,771.88** | **1,400.00** | **14,989.65** | **23,000.00** | **8,010.35** | **65.17%** |
| **Professional Services** | | | | | | |
| 4117 Admin Pelorus Software | 7,828.10 | 0.00 | 3,400.00 | 5,100.00 | 1,700.00 | 66.67% |
| 4118 Admin Copier Service and Mainten | 1,063.42 | 237.20 | 4,159.48 | 5,922.00 | 1,762.52 | 70.24% |
| 4133 Admin Website | 3,215.00 | 0.00 | 3,215.00 | 4,000.00 | 785.00 | 80.38% |
| 4134 Admin Accounting & auditing | 4,000.00 | 0.00 | 7,500.00 | 7,500.00 | 0.00 | 100.00% |
| 4136 Admin Consulting services | 0.00 | 0.00 | 0.00 | 8,500.00 | 8,500.00 | 0.00% |
| 4139 Admin Legal | 44,843.50 | 26,340.00 | 152,192.10 | 325,852.00 | 173,659.90 | 46.71% |
| **Total Professional Services** | **60,950.02** | **26,577.20** | **170,466.58** | **356,874.00** | **186,407.42** | **47.77%** |
| **Total General government** | **349,755.54** | **57,094.37** | **438,200.12** | **834,963.00** | **396,762.88** | **52.48%** |
| **Public safety** | | | | | | |
| 4149 Code Enforcement | 0.00 | 0.00 | 0.00 | 8,100.00 | 8,100.00 | 0.00% |
| 4150 Animal services | 0.00 | 0.00 | 1,170.00 | 14,170.00 | 13,000.00 | 8.26% |
| 4151 Police Contracted services | 22,443.23 | 3,025.02 | 23,500.08 | 26,480.00 | 2,979.92 | 88.75% |
| 4152 Fire Contracted services | 2,135.00 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| 4153 Emergency dispatch | 4,906.46 | 1,342.71 | 4,012.69 | 4,100.00 | 87.31 | 97.87% |
| 4153.5 Everbridge | 28.94 | 0.00 | 28.94 | 35.00 | 6.06 | 82.69% |
| **Total Public safety** | **29,513.63** | **4,367.73** | **28,711.71** | **55,385.00** | **26,673.29** | **51.84%** |

# Fairfield Town
**Standard Financial Report**
**10 General Fund - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **City Council** | | | | | | |
| 4000 City Council Stipend | 19,550.00 | 1,400.00 | 14,000.00 | 16,800.00 | 2,800.00 | 83.33% |
| 4010 Mayor Stipend | 6,600.00 | 550.00 | 5,500.00 | 6,600.00 | 1,100.00 | 83.33% |
| 4169.1 Cemetery Board | 0.00 | 0.00 | 0.00 | 9,150.00 | 9,150.00 | 0.00% |
| **Total City Council** | **26,150.00** | **1,950.00** | **19,500.00** | **32,550.00** | **13,050.00** | **59.91%** |
| **Highways and public improvements** | | | | | | |
| **Roads** | | | | | | |
| 4137 Admin Street Signs | 0.00 | 0.00 | 1,971.11 | 3,000.00 | 1,028.89 | 65.70% |
| 4161 Roads Repairs & maintenance | 56,937.46 | 0.00 | 55,691.64 | 100,000.00 | 44,308.36 | 55.69% |
| 4162 Engineering Expenses | 4,102.50 | 0.00 | 0.00 | 6,000.00 | 6,000.00 | 0.00% |
| 4163 Roads Snowplow - Fuel, maint & r | 367.20 | 0.00 | 375.05 | 2,000.00 | 1,624.95 | 18.75% |
| 4165 Roads Weed Control | 193.40 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4166.5 Roads Contracted Stipend | 10,800.00 | 900.00 | 9,000.00 | 10,800.00 | 1,800.00 | 83.33% |
| **Total Roads** | **72,400.56** | **900.00** | **67,037.80** | **122,300.00** | **55,262.20** | **54.81%** |
| **Sanitation** | | | | | | |
| 4191 Trash collection | 11,301.42 | 866.00 | 8,271.35 | 10,000.00 | 1,728.65 | 82.71% |
| **Total Sanitation** | **11,301.42** | **866.00** | **8,271.35** | **10,000.00** | **1,728.65** | **82.71%** |
| **Total Highways and public improvemen** | **83,701.98** | **1,766.00** | **75,309.15** | **132,300.00** | **56,990.85** | **56.92%** |
| **Parks, recreation, and public property** | | | | | | |
| **Parks** | | | | | | |
| 4167 Community events | 6,599.77 | 1,926.81 | 1,926.81 | 6,000.00 | 4,073.19 | 32.11% |
| 4167.3 Christmas Events | 42,257.52 | 0.00 | 40,628.10 | 39,641.00 | (987.10) | 102.49% |
| 4167.5 Christmas Town Donations | 2,750.00 | 0.00 | 3,359.00 | 3,359.00 | 0.00 | 100.00% |
| 4173 Parks and Improvment | 0.00 | 23,001.00 | 915,497.56 | 750,000.00 | (165,497.56) | 122.07% |
| 4174 Parks and Publice Improv Stipend | 11,550.00 | 900.00 | 9,000.00 | 10,800.00 | 1,800.00 | 83.33% |
| **Total Parks** | **63,157.29** | **25,827.81** | **970,411.47** | **809,800.00** | **(160,611.47)** | **119.83%** |
| **Total Parks, recreation, and public prop** | **63,157.29** | **25,827.81** | **970,411.47** | **809,800.00** | **(160,611.47)** | **119.83%** |
| **Miscellaneous** | | | | | | |
| 4193 Other miscellaneous supplies | 0.00 | 0.00 | 0.00 | 1,000.00 | 1,000.00 | 0.00% |
| 4193.5 Cards and Flowers | 0.00 | 0.00 | 128.91 | 500.00 | 371.09 | 25.78% |
| 4202 Donations, fees, collections for Co | 160.87 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4203 Sub for Santa | 4,172.82 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| **Total Miscellaneous** | **4,333.69** | **0.00** | **128.91** | **2,500.00** | **2,371.09** | **5.16%** |
| **Transfers** | | | | | | |
| 4197 Transfer to Capital Projects | 0.00 | 0.00 | 0.00 | 431,090.00 | 431,090.00 | 0.00% |
| 4198 Transfer to water fund | 565,000.00 | 0.00 | 0.00 | 35,000.00 | 35,000.00 | 0.00% |
| **Total Transfers** | **565,000.00** | **0.00** | **0.00** | **466,090.00** | **466,090.00** | **0.00%** |
| **Total Expenditures:** | **1,121,612.13** | **91,005.91** | **1,532,261.36** | **2,333,588.00** | **801,326.64** | **65.66%** |
| **Total Change In Net Position** | **190,414.07** | **193,421.41** | **(57,410.06)** | **(335,564.00)** | **(278,153.94)** | **17.11%** |

# Fairfield Town
**Standard Financial Report**
**41 Capital Projects - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1111 Checking | 463.93 | 0.00 | 0.00 |
| 1122 Altabank- Road Impact Fee | 29,210.00 | 0.00 | 29,210.00 |
| 1130 Moreton Investment | 1,544,000.00 | 0.00 | 836,350.81 |
| **Total Cash and cash equivalents** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Total Current Assets** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Total Assets:** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Liabilites and Fund Equity:** | | | |
| **Equity - Paid In / Contributed** | | | |
| 2981 Fund Balance | (1,573,673.93) | 0.00 | (865,560.81) |
| **Total Equity - Paid In / Contributed** | **(1,573,673.93)** | **0.00** | **(865,560.81)** |
| **Total Liabilites and Fund Equity:** | **(1,573,673.93)** | **0.00** | **(865,560.81)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**41 Capital Projects - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Change In Net Position** | | | | | | |
| **Revenue:** | | | | | | |
| **Contributions and transfers** | | | | | | |
| 3810 Transfer from General Fund | 0.00 | 0.00 | 0.00 | 431,090.00 | 431,090.00 | 0.00% |
| 3910 Appropriation of fund balance | 0.00 | 0.00 | 0.00 | 238,910.00 | 238,910.00 | 0.00% |
| **Total Contributions and transfers** | **0.00** | **0.00** | **0.00** | **670,000.00** | **670,000.00** | **0.00%** |
| **Total Revenue:** | **0.00** | **0.00** | **0.00** | **670,000.00** | **670,000.00** | **0.00%** |
| **Expenditures:** | | | | | | |
| **Miscellaneous** | | | | | | |
| 4149 Admin Capital outlay | 0.00 | 0.00 | 708,113.12 | 670,000.00 | (38,113.12) | 105.69% |
| **Total Miscellaneous** | **0.00** | **0.00** | **708,113.12** | **670,000.00** | **(38,113.12)** | **105.69%** |
| **Transfers** | | | | | | |
| 4851 Transfer to Water Fund | 294,777.17 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4910 Budgeted increase in fund balance | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Transfers** | **294,777.17** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00%** |
| **Total Expenditures:** | **294,777.17** | **0.00** | **708,113.12** | **670,000.00** | **(38,113.12)** | **105.69%** |
| **Total Change In Net Position** | **(294,777.17)** | **0.00** | **(708,113.12)** | **0.00** | **708,113.12** | **0.00%** |

# Fairfield Town
**Standard Financial Report**
**51 Water Fund - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1117 General Checking - Bank of AF | 0.00 | (41,184.15) | (90,676.68) |
| 1118 Water Checking - Bank of AF | 14,031.60 | (518.84) | 2,444.00 |
| 1125 Altabank- Water Impact Fee | 728.00 | 0.00 | 728.00 |
| **Total Cash and cash equivalents** | **14,759.60** | **(41,702.99)** | **(87,504.68)** |
| **Receivables** | | | |
| 1311 Accounts receivable | 705.64 | 657.76 | 1,069.19 |
| 1341 Grant receivable | 26,708.25 | 0.00 | 0.00 |
| **Total Receivables** | **27,413.89** | **657.76** | **1,069.19** |
| **Total Current Assets** | **42,173.49** | **(41,045.23)** | **(86,435.49)** |
| **Non-Current Assets** | | | |
| **Capital assets** | | | |
| **Property** | | | |
| 1611 Land and easements | 4,700.00 | 0.00 | 4,700.00 |
| 1612 Water rights | 112,608.00 | 0.00 | 112,608.00 |
| 1621 Buildings | 6,304.17 | 0.00 | 6,304.17 |
| 1641 Water system 10yr | 92,600.00 | 0.00 | 92,600.00 |
| 1643 Water system 30yr | 2,376,446.78 | 0.00 | 2,376,446.78 |
| 1644 Water system 40yr | 77,004.00 | 0.00 | 77,004.00 |
| **Total Property** | **2,669,662.95** | **0.00** | **2,669,662.95** |
| **Accumulated depreciation** | | | |
| 1721 AccDepn Buildings | (2,206.68) | 0.00 | (2,390.57) |
| 1741 AccDepn Water system | (458,469.30) | 0.00 | (509,452.61) |
| **Total Accumulated depreciation** | **(460,675.98)** | **0.00** | **(511,843.18)** |
| **Total Capital assets** | **2,208,986.97** | **0.00** | **2,157,819.77** |
| **Total Non-Current Assets** | **2,208,986.97** | **0.00** | **2,157,819.77** |
| **Total Assets:** | **2,251,160.46** | **(41,045.23)** | **2,071,384.28** |
| **Liabilites and Fund Equity:** | | | |
| **Liabilities:** | | | |
| **Current liabilities** | | | |
| 2131 Accounts payable | (50,834.02) | (35.10) | 0.00 |
| 2330 Customer deposits | (100.00) | 0.00 | (100.00) |
| **Total Current liabilities** | **(50,934.02)** | **(35.10)** | **(100.00)** |
| **Long-term liabilities** | | | |
| 2510 2016 Loans | (438,000.00) | 0.00 | (419,000.00) |
| **Total Long-term liabilities** | **(438,000.00)** | **0.00** | **(419,000.00)** |
| **Total Liabilities:** | **(488,934.02)** | **(35.10)** | **(419,100.00)** |
| **Equity - Paid In / Contributed** | | | |
| 2981 Retained earnings | (1,762,226.44) | 41,080.33 | (1,652,284.28) |
| **Total Equity - Paid In / Contributed** | **(1,762,226.44)** | **41,080.33** | **(1,652,284.28)** |
| **Total Liabilites and Fund Equity:** | **(2,251,160.46)** | **41,045.23** | **(2,071,384.28)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
## Standard Financial Report
### 51 Water Fund - 07/01/2025 to 04/30/2026
### 83.33% of the fiscal year has expired

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Income or Expense** | | | | | | |
| **Income From Operations:** | | | | | | |
| **Operating income** | | | | | | |
| 5140 Culinary income | 28,820.25 | 1,995.29 | 22,889.41 | 32,000.00 | 9,110.59 | 71.53% |
| 5150 Connection Fees | 50.00 | 0.00 | 3,735.00 | 0.00 | (3,735.00) | 0.00% |
| 5151 Impact Fees | 0.00 | 0.00 | 31,258.00 | 0.00 | (31,258.00) | 0.00% |
| 5410 Late penalties and fees | 100.00 | 50.00 | 275.00 | 100.00 | (175.00) | 275.00% |
| 5610 Interest income | 110.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Operating income** | **29,080.25** | **2,045.29** | **58,157.41** | **32,100.00** | **(26,057.41)** | **181.18%** |
| **Operating expense** | | | | | | |
| 6110 Culinary operator stipend | 10,800.00 | 900.00 | 9,225.00 | 10,800.00 | 1,575.00 | 85.42% |
| 6111 Employee wages | 0.00 | 200.00 | 662.50 | 0.00 | (662.50) | 0.00% |
| 6113 Employee taxes and benefits | 826.20 | 84.15 | 739.18 | 800.00 | 60.82 | 92.40% |
| 6121 Dues | 401.60 | 0.00 | 372.00 | 500.00 | 128.00 | 74.40% |
| 6128 Utilities | 3,009.43 | 227.73 | 2,322.13 | 2,600.00 | 277.87 | 89.31% |
| 6131 Professional fees | 1,237.50 | 0.00 | 1,387.50 | 3,000.00 | 1,612.50 | 46.25% |
| 6132 Water Engineering | 9,528.00 | 5,412.50 | 28,023.00 | 29,830.00 | 1,807.00 | 93.94% |
| 6133 Water Inspections | 0.00 | 0.00 | 0.00 | 7,832.00 | 7,832.00 | 0.00% |
| 6134 Water & Sewer Master Plan expens | 47,115.42 | 316.50 | 17,067.75 | 16,751.00 | (316.75) | 101.89% |
| 6141 Repairs and maintenance | 5,792.54 | 34,850.00 | 53,863.57 | 280,000.00 | 226,136.43 | 19.24% |
| 6142 Chlorine | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 6143 Monthly water tests | 168.00 | 12.00 | 108.00 | 150.00 | 42.00 | 72.00% |
| 6144 Water tests - other | 275.00 | 0.00 | 1,731.00 | 300.00 | (1,431.00) | 577.00% |
| 6161 Bank service charges | 36.78 | 0.00 | 107.00 | 0.00 | (107.00) | 0.00% |
| 6169 Depreciation expense | 72,120.83 | 0.00 | 51,167.20 | 54,000.00 | 2,832.80 | 94.75% |
| 6170 Improvements | 0.00 | 1,122.74 | 1,323.74 | 0.00 | (1,323.74) | 0.00% |
| **Total Operating expense** | **151,311.30** | **43,125.62** | **168,099.57** | **407,063.00** | **238,963.43** | **41.30%** |
| **Total Income From Operations:** | **(122,231.05)** | **(41,080.33)** | **(109,942.16)** | **(374,963.00)** | **(265,020.84)** | **29.32%** |
| **Non-Operating Items:** | | | | | | |
| **Non-operating income** | | | | | | |
| 5510 Grant income | 26,708.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 5710 Miscellaneous Non-Operating Inco | 50.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 5810 Transfers from general fund | 565,000.00 | 0.00 | 0.00 | 35,000.00 | 35,000.00 | 0.00% |
| 5841 Transfers from capital projects fund | 294,777.17 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Non-operating income** | **886,535.42** | **0.00** | **0.00** | **35,000.00** | **35,000.00** | **0.00%** |
| **Total Non-Operating Items:** | **886,535.42** | **0.00** | **0.00** | **35,000.00** | **35,000.00** | **0.00%** |
| **Total Income or Expense** | **764,304.37** | **(41,080.33)** | **(109,942.16)** | **(339,963.00)** | **(230,020.84)** | **32.34%** |

# Fairfield Town
## Standard Financial Report
## 91 General Fixed Assets - 07/01/2025 to 04/30/2026
## 83.33% of the fiscal year has expired

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Non-Current Assets** | | | |
| **Capital assets** | | | |
| **Work in Process** | | | |
| 1601 Construciton in progress | 57,820.00 | 0.00 | 101,148.09 |
| **Total Work in Process** | **57,820.00** | **0.00** | **101,148.09** |
| **Property** | | | |
| 1611 Land | 130,226.15 | 0.00 | 795,078.48 |
| 1631.10 Improvements other than bldg | 156,287.96 | 0.00 | 156,287.96 |
| 1631.30 Improvements other than bldg | 256,928.40 | 0.00 | 256,928.40 |
| 1661 Machinery and equipment | 11,465.00 | 0.00 | 11,465.00 |
| **Total Property** | **554,907.51** | **0.00** | **1,219,759.84** |
| **Accumulated depreciation** | | | |
| 1731 AccDpn Improvements other than | (142,323.23) | 0.00 | (142,323.23) |
| 1761 AccDpn Machinery and equipme | (9,743.88) | 0.00 | (9,743.88) |
| **Total Accumulated depreciation** | **(152,067.11)** | **0.00** | **(152,067.11)** |
| **Total Capital assets** | **460,660.40** | **0.00** | **1,168,840.82** |
| **Total Non-Current Assets** | **460,660.40** | **0.00** | **1,168,840.82** |
| **Total Assets:** | **460,660.40** | **0.00** | **1,168,840.82** |
| **Liabilites and Fund Equity:** | | | |
| **Equity - Paid In / Contributed** | | | |
| 2971.1 Invested in capital assets | (612,727.51) | 0.00 | (1,320,907.93) |
| 2972 Total depreciation charged | 152,067.11 | 0.00 | 152,067.11 |
| **Total Equity - Paid In / Contributed** | **(460,660.40)** | **0.00** | **(1,168,840.82)** |
| **Total Liabilites and Fund Equity:** | **(460,660.40)** | **0.00** | **(1,168,840.82)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
## 2 Water Alta Bank- Checking
## Bank Reconciliation - 04/01/2026 to 04/30/2026

**Bank Statement Start Balance:** **$17,274.36**

**Reconciled Deposits & Transfers**

| Type | Reference | Date | Amount |
|---|---|---|---|
| Deposit | | 03/31/2026 | 55.00 |
| Deposit | | 03/31/2026 | 55.00 |
| Deposit | | 04/06/2026 | 55.00 |
| Deposit | | 04/06/2026 | 56.62 |
| Deposit | | 04/13/2026 | 55.00 |
| Deposit | | 04/13/2026 | 110.00 |
| Deposit | | 04/13/2026 | 215.00 |
| Deposit | | 04/14/2026 | 106.00 |
| Deposit | | 04/16/2026 | 12.00 |
| Deposit | | 04/16/2026 | 47.91 |
| Deposit | | 04/16/2026 | 55.00 |
| Deposit | | 04/20/2026 | 55.00 |
| Deposit | | 04/20/2026 | 62.00 |
| Deposit | | 04/20/2026 | 110.00 |
| Deposit | | 04/21/2026 | 56.00 |
| Deposit | | 04/27/2026 | 55.00 |
| Deposit | | 04/27/2026 | 55.00 |
| Deposit | | 04/27/2026 | 55.00 |
| Deposit | | 04/28/2026 | 55.00 |
| Transfer | | 04/28/2026 | 40,000.00 |
| Deposit | | 04/29/2026 | 55.00 |
| Deposit | | 04/30/2026 | 55.00 |

**Reconciled Deposits & Transfers Total:** **$41,435.53**

**Reconciled Checks & Withdrawals**

| Payee Name | Reference | Date | Amount |
|---|---|---|---|
| Rally Rep | 558 | 03/24/2026 | 6,308.01 |
| Richards Laboratories of Utah | 562 | 03/30/2026 | 12.00 |
| Bowen Collins | 559 | 03/30/2026 | 105.50 |
| Rocky Mountain Power | 563 | 03/30/2026 | 108.23 |
| McNeil Engineering | 561 | 03/30/2026 | 1,090.00 |
| Carlson Fencing, LLC | 564 | 03/30/2026 | 5,900.00 |

**Reconciled Checks & Withdrawals Total:** **$13,523.74**

**Bank Statement End Balance:** **$45,186.15**

# Fairfield Town
## 1 General Alta Bank - Checking
## Bank Reconciliation - 04/01/2026 to 04/30/2026

**Bank Statement Start Balance:** **$348,914.55**

### Reconciled Deposits & Transfers

| Type | Reference | Date | Amount |
|---|---|---|---|
| Deposit | | 04/06/2026 | 571.01 |
| Deposit | | 04/13/2026 | 1,200.00 |
| Deposit | | 04/16/2026 | 316.21 |
| Deposit | | 04/20/2026 | 10,660.37 |
| Deposit | | 04/22/2026 | 25.00 |
| Deposit | | 04/22/2026 | 5,041.65 |
| Deposit | | 04/23/2026 | 14,395.00 |
| Transfer | | 04/28/2026 | -40,000.00 |
| Deposit | | 04/28/2026 | 225,834.67 |

**Reconciled Deposits & Transfers Total:** **$218,043.91**

### Reconciled Checks & Withdrawals

| Payee Name | Reference | Date | Amount |
|---|---|---|---|
| Blue Stakes of Utah 811 | 1464 | 03/30/2026 | 6.30 |
| Rocky Mountain Power | 1471 | 03/30/2026 | 46.11 |
| Shelley, Stephanie | 1473 | 03/30/2026 | 100.00 |
| Freeway Propane | 1465 | 03/30/2026 | 346.06 |
| McNeil Engineering | 1469 | 03/30/2026 | 370.00 |
| Utah League of Cities & Towns | 1477 | 03/30/2026 | 860.00 |
| The Yard Dumpster | 1475 | 03/30/2026 | 866.00 |
| SCS Trucking LLC | 1472 | 03/30/2026 | 900.00 |
| Les Olson Company | 1467 | 03/30/2026 | 939.65 |
| American Legal Publishing | 1463 | 03/30/2026 | 3,250.00 |
| Payroll DD | 0330261200 | 03/30/2026 | 3,861.47 |
| Utah County Auditor | 1476 | 03/30/2026 | 4,133.96 |
| Prime Landscape Architecture | 1470 | 03/30/2026 | 9,000.00 |
| Hayes Godfrey Bell, P.C. | 1466 | 03/30/2026 | 27,625.00 |
| Strong Solutions | 1474 | 03/30/2026 | 191,583.75 |
| Amazon.com | DC7626 | 03/31/2026 | 8.26 |
| Amazon.com | DC7626 | 03/31/2026 | 24.56 |
| Google.com/ Google Inc | 260402 | 04/02/2026 | 259.69 |
| Utah State Tax Commission | EFT | 04/03/2026 | 89.90 |
| Internal Revenue Service | EFT | 04/03/2026 | 961.79 |
| Pioneer Party | DC6324 | 04/06/2026 | 38.69 |
| BB Diner | DC5290 | 04/06/2026 | 116.92 |
| Maverik | DC7626 | 04/07/2026 | 69.53 |
| Amazon.com | DC7626 | 04/07/2026 | 78.32 |
| Applebee's | DC7626 | 04/09/2026 | 28.32 |
| Chili's | DC7626 | 04/10/2026 | 13.98 |
| The Pub Spirts | DC7626 | 04/10/2026 | 20.06 |
| Hermies Drive In | DC7626 | 04/13/2026 | 13.01 |
| Harts | DC7626 | 04/13/2026 | 46.71 |
| xfinity | EFT | 04/13/2026 | 51.11 |
| Holiday Inn Express | DC7626 | 04/13/2026 | 539.35 |
| Wal-Mart | DC7626 | 04/15/2026 | 8.82 |
| Amazon.com | DC7626 | 04/16/2026 | 21.36 |
| Payroll DD | 0416261200 | 04/16/2026 | 3,239.08 |
| Utah State Tax Commission | EFT | 04/17/2026 | 93.63 |
| Internal Revenue Service | EFT | 04/17/2026 | 809.68 |
| Amazon.com | DC7626 | 04/20/2026 | 17.40 |
| Amazon.com | DC7626 | 04/20/2026 | 18.25 |
| ODP Business Solutions LLC | DC7626 | 04/20/2026 | 18.99 |
| Amazon.com | DC7626 | 04/20/2026 | 22.53 |
| ODP Business Solutions LLC | DC7626 | 04/20/2026 | 40.67 |
| Amazon.com | DC7626 | 04/20/2026 | 643.63 |
| Maverik | DC5290 | 04/23/2026 | 7.61 |
| Labelmaker | DC7626 | 04/23/2026 | 30.23 |
| Maverik | DC5290 | 04/23/2026 | 64.97 |
| Fast Stop Meadow | DC5290 | 04/27/2026 | 15.10 |
| Maverik | DC5290 | 04/27/2026 | 36.02 |
| Fast Stop Meadow | DC5290 | 04/27/2026 | 40.81 |
| Shelley, Stephanie | 1487 | 04/28/2026 | 564.68 |
| Smashed Down Burgers | 1478 | 04/28/2026 | 1,814.81 |
| Amazon.com | DC7626 | 04/29/2026 | 77.57 |
| Amazon.com | DC7626 | 04/29/2026 | 85.95 |

| | | | | |
|---|---|---|---|---|
| Amazon.com | DC5290 | 04/30/2026 | 35.40 | |
| Payroll DD | 0430261200 | 04/30/2026 | 11,888.70 | |
| | | | **Reconciled Checks & Withdrawals Total:** | **$265,844.39** |

**Charges & Interest**

| Description | Date | Amount | | |
|---|---|---|---|---|
| Payroll from March that bounced back in April | 04/01/2026 | 323.22 | | |
| | | | **Charges & Interest Total:** | **$323.22** |
| | | | **Bank Statement End Balance:** | **$301,437.29** |

# Fairfield Town
## Bank Reconciliation Summary
## All Bank Accounts - 04/30/2026

| Bank Account | Start Date | End Date | Bank Statement Balance | Calculated Book Balance | General Ledger Balance |
|---|---|---|---|---|---|
| 1 General Alta Bank - Checking | 04/01/2026 | 04/30/2026 | $301,437.29 | $232,272.91 | $232,272.91 |
| 2 Water Alta Bank- Checking | 04/01/2026 | 04/30/2026 | $45,186.15 | $2,444.00 | $2,444.00 |
| 3 B & C Road Fund Alta Bank | 04/01/2026 | 04/30/2026 | $79,312.21 | $79,312.21 | $79,312.21 |
| 4 Savings Alta Bank | 04/01/2026 | 04/30/2026 | $0.00 | $0.00 | $0.00 |
| Altabank- Road Impact Fee | 04/01/2026 | 04/30/2026 | $29,210.00 | $29,210.00 | $29,210.00 |
| Altabank- Water Impact Fee | 04/01/2026 | 04/30/2026 | $728.00 | $728.00 | $728.00 |
| Altabank- Cemetery Fund | 04/01/2026 | 04/30/2026 | $0.00 | $0.00 | $0.00 |
| Moreton Investment | 04/01/2026 | 04/30/2026 | $1,274,316.17 | $1,274,316.17 | $1,274,316.17 |
| Altabank- Capital Fund | 05/01/2021 | 07/31/2021 | $0.00 | $0.00 | $0.00 |
| | | | **$1,730,189.82** | **$1,618,283.29** | **$1,618,283.29** |

# Fairfield Town
## 3 B & C Road Fund Alta Bank
## Bank Reconciliation - 04/01/2026 to 04/30/2026

| | |
|---|---|
| **Bank Statement Start Balance:** | **$68,091.69** |

**Reconciled Deposits & Transfers**

| Type | Reference | Date | Amount |
|---|---|---|---|
| Deposit | | 04/02/2026 | 11,220.52 |

| | |
|---|---|
| **Reconciled Deposits & Transfers Total:** | **$11,220.52** |
| **Bank Statement End Balance:** | **$79,312.21** |

# Fairfield Town
## Payroll Register
## Payroll Payment - 04/01/2026 to 04/30/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| #14 | Regular | 47.52 | 1,188.00 | Social Security Tax | 1,188.00 | 73.66 | Social Security Tax | 1,188.00 | 73.66 |
| General Government | | | | Medicare Tax | 1,188.00 | 17.23 | Medicare Tax | 1,188.00 | 17.23 |
| Net Amount **$1,072.32** | | | | State Unemployment | 1,188.00 | 0.00 | Federal Income Tax | 1,188.00 | 0.00 |
| Pd 03/30/2026 - 04/12/2026 | | | | | | | State Income Tax | 1,188.00 | 24.79 |
| Payment 04/16/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 47.52 | $1,188.00 | Total Benefits: | | $90.89 | Total Deductions: | | $115.68 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $90.89 | Total Taxes: | | $115.68 |
| #14 | Regular | 51.84 | 1,296.00 | Social Security Tax | 1,296.00 | 80.35 | Social Security Tax | 1,296.00 | 80.35 |
| General Government | | | | Medicare Tax | 1,296.00 | 18.79 | Medicare Tax | 1,296.00 | 18.79 |
| Net Amount **$1,160.05** | | | | State Unemployment | 1,296.00 | 0.00 | Federal Income Tax | 1,296.00 | 5.75 |
| Pd 04/13/2026 - 04/26/2026 | | | | | | | State Income Tax | 1,296.00 | 31.06 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 51.84 | $1,296.00 | Total Benefits: | | $99.14 | Total Deductions: | | $135.95 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $99.14 | Total Taxes: | | $135.95 |
| 16 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| 10 | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| Mayor/Council | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| Net Amount **$1,154.37** | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 1,250.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $95.63 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $95.63 |
| #18 | Regular | 0.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| General Government | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$130.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 100.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 0.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $119.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $119.13 |
| #9 | Regular | 28.50 | 712.50 | Social Security Tax | 712.50 | 44.18 | Social Security Tax | 712.50 | 44.18 |
| General Government | | | | Medicare Tax | 712.50 | 10.33 | Medicare Tax | 712.50 | 10.33 |
| Net Amount **$657.99** | | | | State Unemployment | 712.50 | 0.00 | Federal Income Tax | 712.50 | 0.00 |
| Pd 03/30/2026 - 04/12/2026 | | | | | | | State Income Tax | 712.50 | 0.00 |
| Payment 04/16/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 28.50 | $712.50 | Total Benefits: | | $54.51 | Total Deductions: | | $54.51 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $54.51 | Total Taxes: | | $54.51 |

# Fairfield Town
## Payroll Register
## Payroll Payment - 04/01/2026 to 04/30/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| #6 | Regular | 30.70 | 767.50 | Social Security Tax | 767.50 | 47.59 | Social Security Tax | 767.50 | 47.59 |
| General Government | | | | Medicare Tax | 767.50 | 11.13 | Medicare Tax | 767.50 | 11.13 |
| Net Amount **$708.38** | | | | State Unemployment | 767.50 | 0.00 | Federal Income Tax | 767.50 | 0.00 |
| Pd 04/13/2026 - 04/26/2026 | | | | | | | State Income Tax | 767.50 | 0.40 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 30.70 | $767.50 | Total Benefits: | | $58.72 | Total Deductions: | | $59.12 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $58.72 | Total Taxes: | | $59.12 |
| #13 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #4 | Regular | 1.00 | 200.00 | Social Security Tax | 200.00 | 12.40 | Social Security Tax | 200.00 | 12.40 |
| Cemetery | | | | Medicare Tax | 200.00 | 2.90 | Medicare Tax | 200.00 | 2.90 |
| Net Amount **$184.70** | | | | State Unemployment | 200.00 | 0.00 | Federal Income Tax | 200.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 200.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $200.00 | Total Benefits: | | $15.30 | Total Deductions: | | $15.30 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $15.30 | Total Taxes: | | $15.30 |
| #15 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #2 | Regular | 2.00 | 4,150.00 | Social Security Tax | 4,150.00 | 257.30 | Social Security Tax | 4,150.00 | 257.30 |
| Mayor/Council | | | | Medicare Tax | 4,150.00 | 60.18 | Medicare Tax | 4,150.00 | 60.18 |
| Net Amount **$3,329.44** | | | | State Unemployment | 4,150.00 | 0.00 | Federal Income Tax | 4,150.00 | 316.33 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 4,150.00 | 186.75 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 2.00 | $4,150.00 | Total Benefits: | | $317.48 | Total Deductions: | | $820.56 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $317.48 | Total Taxes: | | $820.56 |
| #17 | Water Worker | 8.00 | 200.00 | Social Security Tax | 200.00 | 12.40 | Social Security Tax | 200.00 | 12.40 |
| Water Operations | | | | Medicare Tax | 200.00 | 2.90 | Medicare Tax | 200.00 | 2.90 |
| Net Amount **$184.70** | | | | State Unemployment | 200.00 | 0.00 | Federal Income Tax | 200.00 | 0.00 |
| Pd 04/13/2026 - 04/26/2026 | | | | | | | State Income Tax | 200.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 8.00 | $200.00 | Total Benefits: | | $15.30 | Total Deductions: | | $15.30 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $15.30 | Total Taxes: | | $15.30 |

# Fairfield Town
## Payroll Register
## Payroll Payment - 04/01/2026 to 04/30/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| #1 | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| Mayor/Council | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| Net Amount **$1,154.37** | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 1,250.00 | 0.00 |
| Payment 04/30/2026 | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $95.63 |
| Check No. ACH | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $95.63 |
| #5 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 04/30/2026 | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| Check No. ACH | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #7 | Regular | 77.90 | 1,947.50 | Social Security Tax | 1,947.50 | 120.75 | Social Security Tax | 1,947.50 | 120.75 |
| General Government | | | | Medicare Tax | 1,947.50 | 28.24 | Medicare Tax | 1,947.50 | 28.24 |
| Net Amount **$1,508.77** | | | | State Unemployment | 1,947.50 | 0.00 | Federal Income Tax | 1,947.50 | 220.90 |
| Pd 03/30/2026 - 04/12/2026 | | | | | | | State Income Tax | 1,947.50 | 68.84 |
| Payment 04/16/2026 | Total Earnings: | 77.90 | $1,947.50 | Total Benefits: | | $148.99 | Total Deductions: | | $438.73 |
| Check No. ACH | Total Reimbursements: | | $0.00 | Total Taxes: | | $148.99 | Total Taxes: | | $438.73 |
| #7 | Regular | 58.42 | 1,460.50 | Social Security Tax | 1,460.50 | 90.55 | Social Security Tax | 1,460.50 | 90.55 |
| General Government | | | | Medicare Tax | 1,460.50 | 21.18 | Medicare Tax | 1,460.50 | 21.18 |
| Net Amount **$1,135.98** | | | | State Unemployment | 1,460.50 | 0.00 | Federal Income Tax | 1,460.50 | 172.20 |
| Pd 04/13/2026 - 04/26/2026 | | | | | | | State Income Tax | 1,460.50 | 40.59 |
| Payment 04/30/2026 | Total Earnings: | 58.42 | $1,460.50 | Total Benefits: | | $111.73 | Total Deductions: | | $324.52 |
| Check No. ACH | Total Reimbursements: | | $0.00 | Total Taxes: | | $111.73 | Total Taxes: | | $324.52 |
| #12 | Regular | 2.00 | 400.00 | Social Security Tax | 400.00 | 24.80 | Social Security Tax | 400.00 | 24.80 |
| Planning Commission | | | | Medicare Tax | 400.00 | 5.80 | Medicare Tax | 400.00 | 5.80 |
| Net Amount **$369.40** | | | | State Unemployment | 400.00 | 0.00 | Federal Income Tax | 400.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 400.00 | 0.00 |
| Payment 04/30/2026 | Total Earnings: | 2.00 | $400.00 | Total Benefits: | | $30.60 | Total Deductions: | | $30.60 |
| Check No. ACH | Total Reimbursements: | | $0.00 | Total Taxes: | | $30.60 | Total Taxes: | | $30.60 |
| #3 | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| Mayor/Council | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| Net Amount **$1,129.74** | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 1,250.00 | 24.63 |
| Payment 04/30/2026 | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $120.26 |
| Check No. ACH | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $120.26 |

# Fairfield Town
## Payroll Register
## Payroll Payment - 04/01/2026 to 04/30/2026

| Employee | | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|---|
| | tt | Regular | 1.00 | 350.00 | Social Security Tax | 350.00 | 21.70 | Social Security Tax | 350.00 | 21.70 |
| Mayor/Council | | | | | Medicare Tax | 350.00 | 5.08 | Medicare Tax | 350.00 | 5.08 |
| Net Amount | **$323.22** | | | | State Unemployment | 350.00 | 0.00 | Federal Income Tax | 350.00 | 0.00 |
| Pd | 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 350.00 | 0.00 |
| Payment | 04/30/2026 | | | | | | | | | |
| Check No. | ACH | Total Earnings: | 1.00 | $350.00 | Total Benefits: | | $26.78 | Total Deductions: | | $26.78 |
| | | Total Reimbursements: | | $0.00 | Total Taxes: | | $26.78 | Total Taxes: | | $26.78 |

# Fairfield Town
## Payroll Register
## Payroll Payment - 04/01/2026 to 04/30/2026

| Employee | | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|---|
| **REPORT TOTALS** | | Regular | 310.88 | 17,472.00 | Social Security Tax | 17,672.00 | 1,095.68 | Social Security Tax | 17,672.00 | 1,095.68 |
| Net Amount | **$15,127.78** | Water Worker | 8.00 | 200.00 | Medicare Tax | 17,672.00 | 256.30 | Medicare Tax | 17,672.00 | 256.30 |
| | | | | | State Unemployment | 17,672.00 | 0.00 | Federal Income Tax | 17,672.00 | 815.18 |
| | | | | | | | | State Income Tax | 17,672.00 | 377.06 |
| | | **Total Earnings:** | **318.88** | **$17,672.00** | **Total Benefits:** | | **$1,351.98** | **Total Deductions:** | | **$2,544.22** |
| | | **Total Reimbursements:** | | **$0.00** | **Total Taxes:** | | **$1,351.98** | **Total Taxes:** | | **$2,544.22** |

usbank

ACCOUNT NUMBER:
FAIRFIELD TOWN

received 5/6/26

This statement is for the period from
April 1, 2026 to April 30, 2026

FAIRFIELD TOWN
PO BOX 271
FAIRFIELD UTAH 84013

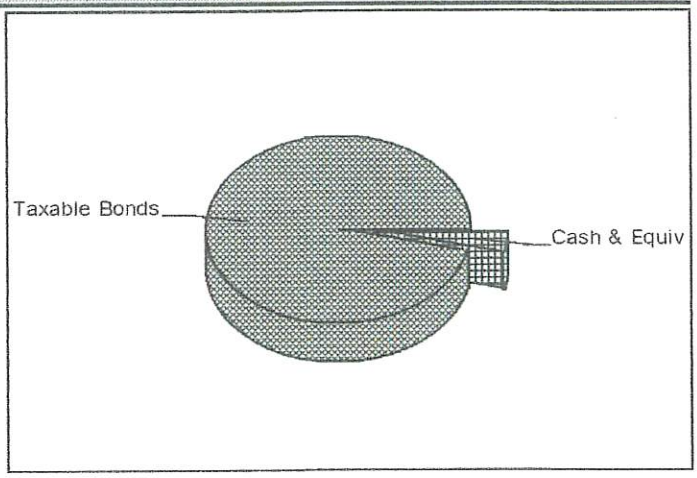
***QUESTIONS?***

If you have any questions regarding your account or this statement, please contact your Account Manager.

**MARQUES MCNIESE**
CN-OH-W5IT
CN-OH-W5IT
425 WALNUT STREET
CINCINNATI OH 45202
**Phone 513-632-4147**
**E-mail marques.mcniese@usbank.com**

## ASSET SUMMARY AS OF 04/30/26

| Assets | Current Period Market Value | % of Total | Est Annual Income |
|---|---|---|---|
| Cash & Equivalents | 31,120.62 | 2.40 | 1,112.89 |
| Taxable Bonds | 1,243,195.55 | 97.60 | 56,486.38 |
| **Total Market Value** | **$1,274,316.17** | **100.00** | **$57,599.27** |




## ASSET DETAIL

| Shares or Face Amount | Security Description | Market Value/ Price | Tax Cost/ Unrealized Gain(Loss) | Yield at Market | Est Annual Inc |
|---|---|---|---|---|---|
| **Cash & Equivalents** | | | | | |
| **Cash/Money Market** | | | | | |
| 31,120.620 | First American Government Oblig Fd Cl X #5385 31846V336 | 31,120.62 1.0000 | 31,120.62 0.00 | 3.58 | 1,112.89 |
| **Total Cash/Money Market** | | **$31,120.62** | **$31,120.62 $.00** | | **$1,112.89** |
| Cash | | | | | |

Altabank
Division of Glacier Bank

PO Box 307
American Fork, UT 84003

received 5/13/26

143661-04A**003664
TOWN OF FAIRFIELD
PO BOX 271
CEDAR VALLEY UT 84013-0271




**Customer Service:** 801-756-7681

**Website:** www.altabank.com

# Summary of Accounts

| Account Type | Account Number | Ending Balance |
|---|---|---|
| SIMPLY BUSINESS CHECKING | | $301,437.29 |
| SIMPLY BUSINESS CHECKING | | $45,186.15 |
| SIMPLY BUSINESS CHECKING | | $79,312.21 |
| SIMPLY BUSINESS CHECKING | | $728.00 |
| SIMPLY BUSINESS CHECKING | | $29,210.00 |

# Statement of Account

**Account Title:** TOWN OF FAIRFIELD

**Statement Dates 4/01/26 to 4/30/26 (30 days)**

## SIMPLY BUSINESS CHECKING -

| | | | |
|---|---|---|---|
| **Previous Balance** | **$348,914.55** | Average Ledger | $172,509.17 |
| Deposits/Credits (9) | $258,814.76 | Average Collected | $172,509.17 |
| Checks/Debits (56) | $306,292.02 | | |
| Service Charge | $0.00 | | |
| Interest Paid | $0.00 | | |
| **Ending Balance** | **$301,437.29** | | |

## Credit Transactions

| Date | Description | Amount |
|---|---|---|
| 4/06 | Remote Deposit | $571.01 |
| 4/06 | heygov.com TRANSFER CCD ST-D6Y0Q9H4G0I1 111000023479529 | $25.00 |
| 4/13 | CREDIT 1110 04/12/26 74410214 HOLIDAY INN EXPRESS 4355865000 UT C# 7626 | $770.85 |
| 4/13 | Remote Deposit | $1,200.00 |
| 4/16 | Remote Deposit | $316.21 |
| 4/20 | Remote Deposit | $10,660.37 |
| 4/22 | UTAH STATE TREAS Sales Tax CCD 25035 091000016306639 | $5,041.65 |

# Fairfield Town
## Check Register
## All Bank Accounts - 04/01/2026 to 04/30/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Amazon.com | DC5290 | 260430 | 04/30/2026 | 04/30/2026 | 35.40 | Unknown | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260407 | 04/07/2026 | 04/07/2026 | 78.32 | Printer Ink | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260416 | 04/16/2026 | 04/16/2026 | 21.36 | Printer Paper | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260420A | 04/20/2026 | 04/20/2026 | 22.53 | File Folder Tabs | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260420B | 04/20/2026 | 04/20/2026 | 18.25 | Garden Stakes | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260420C | 04/20/2026 | 04/20/2026 | 643.63 | Dell 15 Laptop | 104116 - Admin Computer & internet | |
| Amazon.com | DC7626 | 260420D | 04/20/2026 | 04/20/2026 | 17.40 | Pens | 104115 - Admin Office expenses & su | |
| Amazon.com | DC7626 | 260429A | 04/29/2026 | 04/29/2026 | 85.95 | Spray Paint | 104126 - Admin Repairs and mainten | |
| Amazon.com | DC7626 | 260429B | 04/29/2026 | 04/29/2026 | 77.57 | Blue Flags for Lawn | 104126 - Admin Repairs and mainten | |
| | | | | | $965.01 | | | |
| | | | | | **$1,000.41** | | | |
| American Legal Publishing | 1479 | 50213 | 04/13/2026 | 04/28/2026 | 495.00 | Internet Renewal | 104132 - Admin Town codification | |
| | | | | | **$495.00** | | | |
| Applebee's | DC7626 | 260409 | 04/09/2026 | 04/09/2026 | 28.32 | Dinner | 104114 - Admin Travel | |
| | | | | | **$28.32** | | | |
| Badger Meter Services | 565 | 80230819 | 04/06/2026 | 04/28/2026 | 40.95 | Cellular | 516128 - Utilities | |
| Badger Meter Services | 565 | 90064492 | 03/18/2026 | 04/28/2026 | -35.10 | Credit | 516128 - Utilities | |
| | | | | | $5.85 | | | |
| | | | | | **$5.85** | | | |
| BB Diner | DC5290 | 260406 | 04/06/2026 | 04/06/2026 | 116.92 | Unknown | 104114 - Admin Travel | |
| | | | | | **$116.92** | | | |
| Blue Stakes of Utah 811 | 1480 | UT202600346 | 04/06/2026 | 04/28/2026 | 6.30 | Email Notifications | 104180 - Building Dept - Surveyor Ex | |
| | | | | | **$6.30** | | | |
| Bowen Collins | 566 | 41327 | 04/21/2026 | 04/28/2026 | 316.50 | Sewer Master Plan | 516134 - Water & Sewer Master Plan | |
| Bowen Collins | 566 | 41328 | 04/21/2026 | 04/28/2026 | 431.00 | General Engineering | 516132 - Water Engineering | |
| Bowen Collins | 566 | 41329 | 04/21/2026 | 04/28/2026 | 4,981.50 | North water line | 516132 - Water Engineering | |
| | | | | | $5,729.00 | | | |
| | | | | | **$5,729.00** | | | |
| Central Utah 911 | 1481 | 1360 | 04/06/2026 | 04/28/2026 | 1,342.71 | Payroll Cost/Fixed Costs | 104153 - Emergency dispatch | |
| | | | | | **$1,342.71** | | | |
| Chili's | DC7626 | 260410 | 04/10/2026 | 04/10/2026 | 13.98 | Dinner | 104114 - Admin Travel | |
| | | | | | **$13.98** | | | |
| Fast Stop Meadow | DC5290 | 260427 | 04/27/2026 | 04/27/2026 | 40.81 | Gas | 104114 - Admin Travel | |
| Fast Stop Meadow | DC5290 | 260427B | 04/27/2026 | 04/27/2026 | 15.10 | Snacks/Drinks | 104115 - Admin Office expenses & su | |
| | | | | | $55.91 | | | |
| | | | | | **$55.91** | | | |
| Google.com/ Google Inc | 260402 | 260402 | 04/02/2026 | 04/02/2026 | 259.69 | Suite Workspace | 104116 - Admin Computer & internet | |
| | | | | | **$259.69** | | | |
| Harts | DC7626 | 260413 | 04/13/2026 | 04/13/2026 | 46.71 | Gas | 104114 - Admin Travel | |
| | | | | | **$46.71** | | | |
| Hayes Godfrey Bell, P.C. | 1482 | 12728 | 04/27/2026 | 04/28/2026 | 24,503.00 | Legal | 104139 - Admin Legal | |
| | | | | | **$24,503.00** | | | |
| Hermies Drive In | DC7626 | 260413 | 04/13/2026 | 04/13/2026 | 13.01 | Lunch | 104114 - Admin Travel | |
| | | | | | **$13.01** | | | |

# Fairfield Town
## Check Register
## All Bank Accounts - 04/01/2026 to 04/30/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Holiday Inn Express | DC7626 | 260413 | 04/13/2026 | 04/13/2026 | 539.35 | Lodging | 104114 - Admin Travel | |
| | | | | | **$539.35** | | | |
| Integrity 1st Pest Control | 1483 | 28436 | 04/27/2026 | 04/28/2026 | 85.00 | Pest Control | 104126.5 - Town Hall - Repairs and m | |
| | | | | | **$85.00** | | | |
| Internal Revenue Service | EFT | PR032926-760 | 03/30/2026 | 04/03/2026 | 116.40 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR032926-760 | 03/30/2026 | 04/03/2026 | 209.41 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR032926-760 | 03/30/2026 | 04/03/2026 | 497.72 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/27/2026 | 04/03/2026 | -43.40 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/27/2026 | 04/03/2026 | -10.16 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/30/2026 | 04/03/2026 | 17.42 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/30/2026 | 04/03/2026 | 74.40 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR033126-760 | 03/30/2026 | 04/03/2026 | 100.00 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR041226-760 | 04/16/2026 | 04/17/2026 | 111.60 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR041226-760 | 04/16/2026 | 04/17/2026 | 220.90 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR041226-760 | 04/16/2026 | 04/17/2026 | 477.18 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| | | | | | $1,771.47 | | | |
| | | | | | **$1,771.47** | | | |
| JD Concrete, LLC | 567 | 3873 | 04/20/2026 | 04/28/2026 | 34,850.00 | Waterline (Inland Port Auth) | 516141 - Repairs and maintenance | |
| | | | | | **$34,850.00** | | | |
| Labelmaker | DC7626 | 260423 | 04/23/2026 | 04/23/2026 | 30.23 | Yearly | 104115 - Admin Office expenses & su | |
| | | | | | **$30.23** | | | |
| Les Olson Company | 1484 | MNS65627 | 04/06/2026 | 04/28/2026 | 744.45 | IT Support and software | 104116.5 - Admin IT services | |
| Les Olson Company | 1484 | MNS66730 | 04/28/2026 | 04/28/2026 | 237.20 | Software and Support | 104118 - Admin Copier Service and M | |
| Les Olson Company | 1484 | Tel65611 | 04/06/2026 | 04/28/2026 | 86.16 | Telephone | 104120 - Admin Telephone | |
| Les Olson Company | 1484 | Tel66726 | 04/28/2026 | 04/28/2026 | 86.17 | Telephone | 104120 - Admin Telephone | |
| | | | | | $1,153.98 | | | |
| | | | | | **$1,153.98** | | | |
| Maverik | DC5290 | 260423 | 04/23/2026 | 04/23/2026 | 7.61 | Drinks | 104114 - Admin Travel | |
| Maverik | DC5290 | 260423B | 04/23/2026 | 04/23/2026 | 64.97 | Gas | 104114 - Admin Travel | |
| Maverik | DC5290 | 260427 | 04/27/2026 | 04/27/2026 | 36.02 | Gas | 104114 - Admin Travel | |
| | | | | | $108.60 | | | |
| Maverik | DC7626 | 260407 | 04/07/2026 | 04/07/2026 | 69.53 | Gas | 104114 - Admin Travel | |
| | | | | | **$178.13** | | | |
| McKinney, Hollie | 1485 | April Cell 2026 | 04/16/2026 | 04/28/2026 | 60.00 | Cell phone April 2026 | 104120 - Admin Telephone | |
| McKinney, Hollie | 1485 | Chat GPT april 20 | 04/16/2026 | 04/28/2026 | 20.00 | Chat GPT April 2026 | 104111 - Admin Books, subscriptions, | |
| McKinney, Hollie | 1485 | Zoom April 2026 | 04/16/2026 | 04/28/2026 | 20.00 | April Zoom | 104111 - Admin Books, subscriptions, | |
| | | | | | $100.00 | | | |
| | | | | | **$100.00** | | | |
| ODP Business Solutions LLC | DC7626 | 260420A | 04/20/2026 | 04/20/2026 | 40.67 | Copy Paper | 104115 - Admin Office expenses & su | |
| ODP Business Solutions LLC | DC7626 | 260420B | 04/20/2026 | 04/20/2026 | 18.99 | Copy Paper | 104115 - Admin Office expenses & su | |
| | | | | | $59.66 | | | |
| | | | | | **$59.66** | | | |
| Pioneer Party | DC6324 | 260406 | 04/06/2026 | 04/06/2026 | 38.69 | Large Document Print | 104115 - Admin Office expenses & su | |
| | | | | | **$38.69** | | | |
| Richards Laboratories of Utah | 568 | 118620 | 04/13/2026 | 04/28/2026 | 12.00 | testing | 516143 - Monthly water tests | |
| | | | | | **$12.00** | | | |

# Fairfield Town
## Check Register
## All Bank Accounts - 04/01/2026 to 04/30/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Rocky Mountain Power | 1486 | April 2026 Town | 04/27/2026 | 04/28/2026 | 43.90 | Town Hall | 104126.5 - Town Hall - Repairs and m | |
| Rocky Mountain Power | 569 | April 2026 Pump | 04/27/2026 | 04/28/2026 | 26.04 | Pump | 516128 - Utilities | |
| Rocky Mountain Power | 569 | April 2026 Tank | 04/27/2026 | 04/28/2026 | 160.74 | Water Tank | 516128 - Utilities | |
| | | | | | $186.78 | | | |
| | | | | | **$230.68** | | | |
| Shelley, Stephanie | 1487 | April 2026 Cell Ph | 04/16/2026 | 04/28/2026 | 100.00 | April 2026 Cell Phone | 104111 - Admin Books, subscriptions, | |
| Shelley, Stephanie | 1487 | Mileage Dec-April | 04/16/2026 | 04/28/2026 | 464.68 | Mileage for mtgs | 104114 - Admin Travel | |
| | | | | | $564.68 | | | |
| | | | | | **$564.68** | | | |
| Smashed Down Burgers | 1478 | 4/15/2026 | 04/28/2026 | 04/28/2026 | 1,814.81 | Food Truck 4/15/2026 | 104167 - Community events | |
| | | | | | **$1,814.81** | | | |
| Staheli and Associates | 570 | Fairfield_31-31-2 | 04/18/2026 | 04/28/2026 | 1,122.74 | Waterline arsenic testing | 516170 - Improvements | |
| | | | | | **$1,122.74** | | | |
| Stevenson Smith Hood Knudson PC | 1488 | 21307 | 04/28/2026 | 04/28/2026 | 1,837.00 | Hearing/ legal | 104139 - Admin Legal | |
| | | | | | **$1,837.00** | | | |
| Strong Solutions | 1489 | 1057 | 04/14/2026 | 04/28/2026 | 23,001.00 | History Path | 104173 - Parks and Improvment | |
| | | | | | **$23,001.00** | | | |
| Sunrise Engineering INC | 1490 | ARIV1012056(A) | 04/21/2026 | 04/28/2026 | 6,461.00 | Building Permit | 104180.7 - Building Dept - Building P | |
| Sunrise Engineering INC | 1490 | ARIV1012056(B) | 04/21/2026 | 04/28/2026 | -5,440.97 | Inspection Fee | 104180.5 - Building Dept - Inspection | |
| Sunrise Engineering INC | 1490 | ARIV1012056(B) | 04/21/2026 | 04/28/2026 | 6,461.00 | Building Permits | 104180.7 - Building Dept - Building P | |
| Sunrise Engineering INC | 1490 | ARIV1012056(C) | 04/21/2026 | 04/28/2026 | 4,199.65 | Plan Review | 104180.6 - Building Dept - Plan Revie | |
| | | | | | $11,680.68 | | | |
| | | | | | **$11,680.68** | | | |
| The Pub Spirts | DC7626 | 260410 | 04/10/2026 | 04/10/2026 | 20.06 | Dinner | 104114 - Admin Travel | |
| | | | | | **$20.06** | | | |
| The Yard Dumpster | 1491 | 7993 | 04/06/2026 | 04/28/2026 | 866.00 | Dumpster | 104191 - Trash collection | |
| | | | | | **$866.00** | | | |
| Utah Correctional Industries | 1492 | 263812 | 04/06/2026 | 04/28/2026 | 112.00 | America 250 Signs | 104167 - Community events | |
| | | | | | **$112.00** | | | |
| Utah County Auditor | 1493 | 65671 | 04/21/2026 | 04/28/2026 | 1,080.00 | Extra Law Enforcement | 104151 - Police Contracted services | |
| Utah County Auditor | 1493 | 65672 | 04/21/2026 | 04/28/2026 | 1,945.02 | Contact Law Enforcement | 104151 - Police Contracted services | |
| | | | | | $3,025.02 | | | |
| | | | | | **$3,025.02** | | | |
| Utah Department of Commerce | 1494 | March 31, 2026 | 04/06/2026 | 04/28/2026 | 105.59 | Surchage Fee | 104127 - Admin Bldg Permit fee state | |
| | | | | | **$105.59** | | | |
| Utah State Historical Preservation Of | 1495 | Headstone Mortar | 04/28/2026 | 04/28/2026 | 291.63 | Headstone Mortar | 104169 - Cemetery Expense | |
| | | | | | **$291.63** | | | |
| Utah State Tax Commission | EFT | PR032926-17 | 03/30/2026 | 04/03/2026 | 89.90 | State Income Tax | 102222 - Accrued state withholding p | |
| Utah State Tax Commission | EFT | PR041226-17 | 04/16/2026 | 04/17/2026 | 93.63 | State Income Tax | 102222 - Accrued state withholding p | |
| | | | | | $183.53 | | | |
| | | | | | **$183.53** | | | |
| Wal-Mart | DC7626 | 260415 | 04/15/2026 | 04/15/2026 | 8.82 | drinks | 104115 - Admin Office expenses & su | |
| | | | | | **$8.82** | | | |

# Fairfield Town
## Check Register
## All Bank Accounts - 04/01/2026 to 04/30/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| xfinity | EFT | 260413 | 04/13/2026 | 04/13/2026 | 51.11 | | 104116 - Admin Computer & internet | |
| | | | | | **$51.11** | | | |
| | | | | | **$117,350.67** | | | |

# Fairfield Town
**Standard Financial Report**
**10 General Fund - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1117 General Checking - Bank of AF | 37,047.68 | 168,979.20 | 322,949.59 |
| 1119 B & C Road - Bank of AF | 58,865.02 | 11,220.52 | 79,312.21 |
| 1120 Savings - Bank of AF | (0.77) | 0.00 | 0.00 |
| 1123 Altabank- Cemetery Fund | 60.00 | 0.00 | 0.00 |
| 1130 Moreton Investment | 542,468.16 | 767.89 | 437,965.36 |
| **Total Cash and cash equivalents** | **638,440.09** | **180,967.61** | **840,227.16** |
| **Receivables** | | | |
| 1311 Accounts receivable | 261,285.85 | 14,395.00 | 14,395.00 |
| 1440 Due from other governments | 65,465.02 | 0.00 | 41,017.93 |
| **Total Receivables** | **326,750.87** | **14,395.00** | **55,412.93** |
| **Total Current Assets** | **965,190.96** | **195,362.61** | **895,640.09** |
| **Total Assets:** | **965,190.96** | **195,362.61** | **895,640.09** |
| **Liabilites and Fund Equity:** | | | |
| **Liabilities:** | | | |
| **Current liabilities** | | | |
| 2131 Accounts payable | (15,583.70) | 0.00 | (450.00) |
| 2221 Accrued SS, MC & FWT payable | 0.00 | (1,747.67) | (2,709.46) |
| 2222 Accrued state withholding payable | 0.00 | (193.53) | (283.43) |
| **Total Current liabilities** | **(15,583.70)** | **(1,941.20)** | **(3,442.89)** |
| **Deferred revenue** | | | |
| 2600 Deferred revenue | (24,354.00) | 0.00 | (24,354.00) |
| **Total Deferred revenue** | **(24,354.00)** | **0.00** | **(24,354.00)** |
| **Total Liabilities:** | **(39,937.70)** | **(1,941.20)** | **(27,796.89)** |
| **Equity - Paid In / Contributed** | | | |
| 2981 Fund balance | (925,253.26) | (193,421.41) | (867,843.20) |
| **Total Equity - Paid In / Contributed** | **(925,253.26)** | **(193,421.41)** | **(867,843.20)** |
| **Total Liabilites and Fund Equity:** | **(965,190.96)** | **(195,362.61)** | **(895,640.09)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**10 General Fund - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Change In Net Position** | | | | | | |
| **Revenue:** | | | | | | |
| **Taxes** | | | | | | |
| 3110 General property taxes-current | 27,533.19 | 887.22 | 36,566.23 | 29,500.00 | (7,066.23) | 123.95% |
| 3130 General sales & use tax | 63,786.81 | 5,041.65 | 60,196.30 | 82,000.00 | 21,803.70 | 73.41% |
| **Total Taxes** | **91,320.00** | **5,928.87** | **96,762.53** | **111,500.00** | **14,737.47** | **86.78%** |
| **Licenses and permits** | | | | | | |
| 3211 Business licenses | 715.00 | 0.00 | 350.00 | 2,000.00 | 1,650.00 | 17.50% |
| 3250 Penalties & Permits & Fees | 350.00 | 0.00 | 25.00 | 400.00 | 375.00 | 6.25% |
| 3260 Intermountain Regional Landfill | 903,306.06 | 225,834.67 | 724,282.67 | 845,000.00 | 120,717.33 | 85.71% |
| 3261 North Pointe Landfill | 72,345.24 | 10,660.37 | 39,476.39 | 83,559.00 | 44,082.61 | 47.24% |
| **Total Licenses and permits** | **976,716.30** | **236,495.04** | **764,134.06** | **930,959.00** | **166,824.94** | **82.08%** |
| **Intergovernmental revenue** | | | | | | |
| 3339 State grants | 0.00 | 1,200.00 | 26,206.90 | 67,200.00 | 40,993.10 | 39.00% |
| 3340 County Grants | 0.00 | 14,395.00 | 14,395.00 | 0.00 | (14,395.00) | 0.00% |
| 3341 Parks | 0.00 | 14,395.00 | 400,000.00 | 0.00 | (400,000.00) | 0.00% |
| 3356 Class C road fund allotment | 74,959.31 | 11,220.52 | 67,672.42 | 58,957.00 | (8,715.42) | 114.78% |
| **Total Intergovernmental revenue** | **74,959.31** | **41,210.52** | **508,274.32** | **126,157.00** | **(382,117.32)** | **402.89%** |
| **Charges for services** | | | | | | |
| 3480 Opening/closing graves | 625.00 | 0.00 | 0.00 | 625.00 | 625.00 | 0.00% |
| **Total Charges for services** | **625.00** | **0.00** | **0.00** | **625.00** | **625.00** | **0.00%** |
| **Interest** | | | | | | |
| 3610 Interest earnings | 16.01 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3611 Investments increase (decrease) | 103,410.84 | 767.89 | 37,848.01 | 85,000.00 | 47,151.99 | 44.53% |
| **Total Interest** | **103,426.85** | **767.89** | **37,848.01** | **85,000.00** | **47,151.99** | **44.53%** |
| **Miscellaneous revenue** | | | | | | |
| 3615 Donations, Collections, Christmas | 20,967.82 | 0.00 | 19,010.00 | 21,000.00 | 1,990.00 | 90.52% |
| 3690 Miscellaneous revenue | 572.20 | 25.00 | 479.81 | 200.00 | (279.81) | 239.91% |
| **Total Miscellaneous revenue** | **21,540.02** | **25.00** | **19,489.81** | **21,200.00** | **1,710.19** | **91.93%** |
| **Buildings and Grounds** | | | | | | |
| 3220 Building Dept Application Fees | 0.00 | 0.00 | 670.00 | 0.00 | (670.00) | 0.00% |
| 3220.2 Building Dept Assignment of Addr | 0.00 | 0.00 | 100.00 | 0.00 | (100.00) | 0.00% |
| 3220.5 Building Dept Inspection Fees | 0.00 | 0.00 | 1,078.90 | 0.00 | (1,078.90) | 0.00% |
| 3220.6 Building Dept Fire Inspection Fee | 560.00 | 0.00 | 705.00 | 0.00 | (705.00) | 0.00% |
| 3220.7 Building Dept Plan Review Fees | 0.00 | 0.00 | 4,470.15 | 0.00 | (4,470.15) | 0.00% |
| 3220.9 Building Dept State Permit Surch | 0.00 | 0.00 | 109.44 | 0.00 | (109.44) | 0.00% |
| 3221 Non-business buildings, structures, | 0.00 | 0.00 | 0.00 | 16,192.00 | 16,192.00 | 0.00% |
| 3222 Building Dept Permits | 25,658.72 | 0.00 | 27,529.08 | 25,287.00 | (2,242.08) | 108.87% |
| 3223 Building Franchise Fee Revenue | 0.00 | 0.00 | 1,000.00 | 0.00 | (1,000.00) | 0.00% |
| 3224 Engineering and Surveying Fees | 750.00 | 0.00 | 2,100.00 | 0.00 | (2,100.00) | 0.00% |
| 3225 Grama Request Fees | 600.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3481 Cemetery Revenue | 0.00 | 0.00 | 0.00 | 3,500.00 | 3,500.00 | 0.00% |
| 3670 Road Impact Fees | 15,870.00 | 0.00 | 10,580.00 | 37,000.00 | 26,420.00 | 28.59% |
| **Total Buildings and Grounds** | **43,438.72** | **0.00** | **48,342.57** | **81,979.00** | **33,636.43** | **58.97%** |
| **Highways and Public Improvements** | | | | | | |
| 3671 Highway Improvements Engineerin | 0.00 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| **Total Highways and Public Improvemen** | **0.00** | **0.00** | **0.00** | **2,500.00** | **2,500.00** | **0.00%** |
| **Contributions and transfers** | | | | | | |
| 3890 Beginning fund balance appropriate | 0.00 | 0.00 | 0.00 | 638,104.00 | 638,104.00 | 0.00% |
| **Total Contributions and transfers** | **0.00** | **0.00** | **0.00** | **638,104.00** | **638,104.00** | **0.00%** |
| **Total Revenue:** | **1,312,026.20** | **284,427.32** | **1,474,851.30** | **1,998,024.00** | **523,172.70** | **73.82%** |
| **Expenditures:** | | | | | | |
| **General government** | | | | | | |
| **Administrative** | | | | | | |
| 4103 Admin Permanent employees wag | 61,729.25 | 4,888.00 | 51,529.50 | 70,000.00 | 18,470.50 | 73.61% |
| 4103.1 Admin Office Manager Stipend | 43,200.00 | 3,600.00 | 36,000.00 | 43,200.00 | 7,200.00 | 83.33% |
| 4103.2 Admin Treasurer Stipend | 16,044.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4103.3 Admin Treasurer Employee Wa | 0.00 | 2,484.00 | 23,258.25 | 35,131.00 | 11,872.75 | 66.20% |
| 4103.4 Public Works Consultant | 0.00 | 269.13 | 538.26 | 1,000.00 | 461.74 | 53.83% |
| 4104 Admin Employee Payroll Services | 131.97 | 0.00 | 0.00 | 6,800.00 | 6,800.00 | 0.00% |
| 4105 Admin Employee Benefits | 14,611.94 | 1,248.70 | 12,568.46 | 15,000.00 | 2,431.54 | 83.79% |

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| 4110 Admin Planning and Zoning Comp | 250.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4111 Admin Books, subscriptions, mem | 2,542.99 | 140.00 | 3,192.85 | 3,000.00 | (192.85) | 106.43% |
| 4112 Admin Public notices | 1,026.82 | 0.00 | 219.00 | 808.00 | 589.00 | 27.10% |
| 4113 Admin GRAMA requests | 0.00 | 0.00 | 0.00 | 300.00 | 300.00 | 0.00% |
| 4114 Admin Travel | 3,661.92 | 1,461.97 | 4,795.68 | 4,000.00 | (795.68) | 119.89% |
| 4115 Admin Office expenses & supplies | 3,086.14 | 345.76 | 6,467.87 | 5,500.00 | (967.87) | 117.60% |
| 4115.5 Admin Stamps | 0.00 | 0.00 | 886.00 | 1,000.00 | 114.00 | 88.60% |
| 4116 Admin Computer & internet expen | 5,208.89 | 954.43 | 17,830.39 | 19,490.00 | 1,659.61 | 91.48% |
| 4116.5 Admin IT services | 5,813.74 | 744.45 | 2,991.17 | 2,000.00 | (991.17) | 149.56% |
| 4120 Admin Telephone | 2,014.05 | 232.33 | 2,273.99 | 2,000.00 | (273.99) | 113.70% |
| 4121 Admin Interlocal contributions | 1,500.00 | 0.00 | 0.00 | 1,500.00 | 1,500.00 | 0.00% |
| 4122 Admin Education | 1,525.00 | 0.00 | 1,813.00 | 3,000.00 | 1,187.00 | 60.43% |
| 4123 Admin Rental expense | 5,568.67 | 0.00 | 3,546.09 | 6,500.00 | 2,953.91 | 54.56% |
| 4124 Admin Insurance | 3,902.70 | 0.00 | 5,961.24 | 6,000.00 | 38.76 | 99.35% |
| 4125 Admin Taxes - property | 0.00 | 0.00 | 866.31 | 0.00 | (866.31) | 0.00% |
| 4126 Admin Repairs and maintenance | 40.00 | 163.52 | 539.56 | 500.00 | (39.56) | 107.91% |
| 4126.5 Town Hall - Repairs and mainten | 0.00 | 128.90 | 7,818.64 | 17,644.00 | 9,825.36 | 44.31% |
| 4130 Admin Bank service charges | (50.49) | (323.22) | 38.61 | 500.00 | 461.39 | 7.72% |
| 4132 Admin Town codification | 495.00 | 495.00 | 4,757.99 | 6,600.00 | 1,842.01 | 72.09% |
| 4140 Admin Elections | 321.21 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| 4142 Admin Food Expenditures | 1,942.37 | 0.00 | 541.46 | 3,000.00 | 2,458.54 | 18.05% |
| 4171 Admin Capital Outlay - Museum/To | 0.00 | 0.00 | 67.30 | 0.00 | (67.30) | 0.00% |
| 4190 State Grant Expenses | 0.00 | 0.00 | 2,836.75 | 38,101.00 | 35,264.25 | 7.45% |
| **Total Administrative** | **174,566.42** | **16,832.97** | **191,338.37** | **295,074.00** | **103,735.63** | **64.84%** |
| **Buildings and grounds** | | | | | | |
| 4127 Admin Bldg Permit fee state surch | 117.01 | 105.59 | 146.62 | 200.00 | 53.38 | 73.31% |
| 4141 Admin Survey and Engineering | 11,470.50 | 0.00 | 27,998.35 | 6,440.00 | (21,558.35) | 434.76% |
| 4154 Admin Inspections & plan reviews | 266.75 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4169 Cemetery Expense | 3,664.04 | 291.63 | 5,148.71 | 100,000.00 | 94,851.29 | 5.15% |
| 4169.2 Cemetery Wages | 0.00 | 200.00 | 2,000.00 | 2,400.00 | 400.00 | 83.33% |
| 4180 Building Dept - Surveyor Expense | 46.25 | 6.30 | 2,123.88 | 0.00 | (2,123.88) | 0.00% |
| 4180.5 Building Dept - Inspection Fees | 0.00 | (5,440.97) | (5,440.97) | 0.00 | 5,440.97 | 0.00% |
| 4180.6 Building Dept - Plan Review Exp | 0.00 | 4,199.65 | 4,199.65 | 0.00 | (4,199.65) | 0.00% |
| 4180.7 Building Dept - Building Permit E | 0.00 | 12,922.00 | 12,922.00 | 0.00 | (12,922.00) | 0.00% |
| 4181 Building Dept - Engineering Expen | 16,988.80 | 0.00 | 332.50 | 30,000.00 | 29,667.50 | 1.11% |
| 4182 Building Dept - Legal Expenses | 1,033.87 | 0.00 | 0.00 | 2,000.00 | 2,000.00 | 0.00% |
| 4183 Building Dept - Inspections/Plan R | 5,880.00 | 0.00 | 11,974.78 | 17,975.00 | 6,000.22 | 66.62% |
| 4187 Building Dept - Master Site Plan | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4188 Building Dept - Preliminary Site Pl | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| **Total Buildings and grounds** | **39,467.22** | **12,284.20** | **61,405.52** | **160,015.00** | **98,609.48** | **38.37%** |
| **Planning and zoning** | | | | | | |
| 4155 Planning and Zoning | 642.38 | 0.00 | 0.00 | 5,000.00 | 5,000.00 | 0.00% |
| 4156 Planning and Zoning - Stipend | 17,850.00 | 1,400.00 | 14,000.00 | 16,800.00 | 2,800.00 | 83.33% |
| 4157 Planning and Zoning General Plan | 56,113.35 | 0.00 | 989.65 | 1,000.00 | 10.35 | 98.97% |
| 4158 Town Council- Misc | 166.15 | 0.00 | 0.00 | 200.00 | 200.00 | 0.00% |
| **Total Planning and zoning** | **74,771.88** | **1,400.00** | **14,989.65** | **23,000.00** | **8,010.35** | **65.17%** |
| **Professional Services** | | | | | | |
| 4117 Admin Pelorus Software | 7,828.10 | 0.00 | 3,400.00 | 5,100.00 | 1,700.00 | 66.67% |
| 4118 Admin Copier Service and Mainten | 1,063.42 | 237.20 | 4,159.48 | 5,922.00 | 1,762.52 | 70.24% |
| 4133 Admin Website | 3,215.00 | 0.00 | 3,215.00 | 4,000.00 | 785.00 | 80.38% |
| 4134 Admin Accounting & auditing | 4,000.00 | 0.00 | 7,500.00 | 7,500.00 | 0.00 | 100.00% |
| 4136 Admin Consulting services | 0.00 | 0.00 | 0.00 | 8,500.00 | 8,500.00 | 0.00% |
| 4139 Admin Legal | 44,843.50 | 26,340.00 | 152,192.10 | 325,852.00 | 173,659.90 | 46.71% |
| **Total Professional Services** | **60,950.02** | **26,577.20** | **170,466.58** | **356,874.00** | **186,407.42** | **47.77%** |
| **Total General government** | **349,755.54** | **57,094.37** | **438,200.12** | **834,963.00** | **396,762.88** | **52.48%** |
| **Public safety** | | | | | | |
| 4149 Code Enforcement | 0.00 | 0.00 | 0.00 | 8,100.00 | 8,100.00 | 0.00% |
| 4150 Animal services | 0.00 | 0.00 | 1,170.00 | 14,170.00 | 13,000.00 | 8.26% |
| 4151 Police Contracted services | 22,443.23 | 3,025.02 | 23,500.08 | 26,480.00 | 2,979.92 | 88.75% |
| 4152 Fire Contracted services | 2,135.00 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| 4153 Emergency dispatch | 4,906.46 | 1,342.71 | 4,012.69 | 4,100.00 | 87.31 | 97.87% |
| 4153.5 Everbridge | 28.94 | 0.00 | 28.94 | 35.00 | 6.06 | 82.69% |
| **Total Public safety** | **29,513.63** | **4,367.73** | **28,711.71** | **55,385.00** | **26,673.29** | **51.84%** |

# Fairfield Town
**Standard Financial Report**
**10 General Fund - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **City Council** | | | | | | |
| 4000 City Council Stipend | 19,550.00 | 1,400.00 | 14,000.00 | 16,800.00 | 2,800.00 | 83.33% |
| 4010 Mayor Stipend | 6,600.00 | 550.00 | 5,500.00 | 6,600.00 | 1,100.00 | 83.33% |
| 4169.1 Cemetery Board | 0.00 | 0.00 | 0.00 | 9,150.00 | 9,150.00 | 0.00% |
| **Total City Council** | **26,150.00** | **1,950.00** | **19,500.00** | **32,550.00** | **13,050.00** | **59.91%** |
| **Highways and public improvements** | | | | | | |
| **Roads** | | | | | | |
| 4137 Admin Street Signs | 0.00 | 0.00 | 1,971.11 | 3,000.00 | 1,028.89 | 65.70% |
| 4161 Roads Repairs & maintenance | 56,937.46 | 0.00 | 55,691.64 | 100,000.00 | 44,308.36 | 55.69% |
| 4162 Engineering Expenses | 4,102.50 | 0.00 | 0.00 | 6,000.00 | 6,000.00 | 0.00% |
| 4163 Roads Snowplow - Fuel, maint & r | 367.20 | 0.00 | 375.05 | 2,000.00 | 1,624.95 | 18.75% |
| 4165 Roads Weed Control | 193.40 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4166.5 Roads Contracted Stipend | 10,800.00 | 900.00 | 9,000.00 | 10,800.00 | 1,800.00 | 83.33% |
| **Total Roads** | **72,400.56** | **900.00** | **67,037.80** | **122,300.00** | **55,262.20** | **54.81%** |
| **Sanitation** | | | | | | |
| 4191 Trash collection | 11,301.42 | 866.00 | 8,271.35 | 10,000.00 | 1,728.65 | 82.71% |
| **Total Sanitation** | **11,301.42** | **866.00** | **8,271.35** | **10,000.00** | **1,728.65** | **82.71%** |
| **Total Highways and public improvemen** | **83,701.98** | **1,766.00** | **75,309.15** | **132,300.00** | **56,990.85** | **56.92%** |
| **Parks, recreation, and public property** | | | | | | |
| **Parks** | | | | | | |
| 4167 Community events | 6,599.77 | 1,926.81 | 1,926.81 | 6,000.00 | 4,073.19 | 32.11% |
| 4167.3 Christmas Events | 42,257.52 | 0.00 | 40,628.10 | 39,641.00 | (987.10) | 102.49% |
| 4167.5 Christmas Town Donations | 2,750.00 | 0.00 | 3,359.00 | 3,359.00 | 0.00 | 100.00% |
| 4173 Parks and Improvment | 0.00 | 23,001.00 | 915,497.56 | 750,000.00 | (165,497.56) | 122.07% |
| 4174 Parks and Publice Improv Stipend | 11,550.00 | 900.00 | 9,000.00 | 10,800.00 | 1,800.00 | 83.33% |
| **Total Parks** | **63,157.29** | **25,827.81** | **970,411.47** | **809,800.00** | **(160,611.47)** | **119.83%** |
| **Total Parks, recreation, and public prop** | **63,157.29** | **25,827.81** | **970,411.47** | **809,800.00** | **(160,611.47)** | **119.83%** |
| **Miscellaneous** | | | | | | |
| 4193 Other miscellaneous supplies | 0.00 | 0.00 | 0.00 | 1,000.00 | 1,000.00 | 0.00% |
| 4193.5 Cards and Flowers | 0.00 | 0.00 | 128.91 | 500.00 | 371.09 | 25.78% |
| 4202 Donations, fees, collections for Co | 160.87 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4203 Sub for Santa | 4,172.82 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| **Total Miscellaneous** | **4,333.69** | **0.00** | **128.91** | **2,500.00** | **2,371.09** | **5.16%** |
| **Transfers** | | | | | | |
| 4197 Transfer to Capital Projects | 0.00 | 0.00 | 0.00 | 431,090.00 | 431,090.00 | 0.00% |
| 4198 Transfer to water fund | 565,000.00 | 0.00 | 0.00 | 35,000.00 | 35,000.00 | 0.00% |
| **Total Transfers** | **565,000.00** | **0.00** | **0.00** | **466,090.00** | **466,090.00** | **0.00%** |
| **Total Expenditures:** | **1,121,612.13** | **91,005.91** | **1,532,261.36** | **2,333,588.00** | **801,326.64** | **65.66%** |
| **Total Change In Net Position** | **190,414.07** | **193,421.41** | **(57,410.06)** | **(335,564.00)** | **(278,153.94)** | **17.11%** |

# Fairfield Town
## Standard Financial Report
### 41 Capital Projects - 07/01/2025 to 04/30/2026
### 83.33% of the fiscal year has expired

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1111 Checking | 463.93 | 0.00 | 0.00 |
| 1122 Altabank- Road Impact Fee | 29,210.00 | 0.00 | 29,210.00 |
| 1130 Moreton Investment | 1,544,000.00 | 0.00 | 836,350.81 |
| **Total Cash and cash equivalents** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Total Current Assets** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Total Assets:** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Liabilites and Fund Equity:** | | | |
| **Equity - Paid In / Contributed** | | | |
| 2981 Fund Balance | (1,573,673.93) | 0.00 | (865,560.81) |
| **Total Equity - Paid In / Contributed** | **(1,573,673.93)** | **0.00** | **(865,560.81)** |
| **Total Liabilites and Fund Equity:** | **(1,573,673.93)** | **0.00** | **(865,560.81)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**41 Capital Projects - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Change In Net Position** | | | | | | |
| **Revenue:** | | | | | | |
| **Contributions and transfers** | | | | | | |
| 3810 Transfer from General Fund | 0.00 | 0.00 | 0.00 | 431,090.00 | 431,090.00 | 0.00% |
| 3910 Appropriation of fund balance | 0.00 | 0.00 | 0.00 | 238,910.00 | 238,910.00 | 0.00% |
| **Total Contributions and transfers** | **0.00** | **0.00** | **0.00** | **670,000.00** | **670,000.00** | **0.00%** |
| **Total Revenue:** | **0.00** | **0.00** | **0.00** | **670,000.00** | **670,000.00** | **0.00%** |
| **Expenditures:** | | | | | | |
| **Miscellaneous** | | | | | | |
| 4149 Admin Capital outlay | 0.00 | 0.00 | 708,113.12 | 670,000.00 | (38,113.12) | 105.69% |
| **Total Miscellaneous** | **0.00** | **0.00** | **708,113.12** | **670,000.00** | **(38,113.12)** | **105.69%** |
| **Transfers** | | | | | | |
| 4851 Transfer to Water Fund | 294,777.17 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4910 Budgeted increase in fund balance | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Transfers** | **294,777.17** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00%** |
| **Total Expenditures:** | **294,777.17** | **0.00** | **708,113.12** | **670,000.00** | **(38,113.12)** | **105.69%** |
| **Total Change In Net Position** | **(294,777.17)** | **0.00** | **(708,113.12)** | **0.00** | **708,113.12** | **0.00%** |

# Fairfield Town
**Standard Financial Report**
**51 Water Fund - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1117 General Checking - Bank of AF | 0.00 | (41,184.15) | (90,676.68) |
| 1118 Water Checking - Bank of AF | 14,031.60 | (518.84) | 2,444.00 |
| 1125 Altabank- Water Impact Fee | 728.00 | 0.00 | 728.00 |
| **Total Cash and cash equivalents** | **14,759.60** | **(41,702.99)** | **(87,504.68)** |
| **Receivables** | | | |
| 1311 Accounts receivable | 705.64 | 657.76 | 1,069.19 |
| 1341 Grant receivable | 26,708.25 | 0.00 | 0.00 |
| **Total Receivables** | **27,413.89** | **657.76** | **1,069.19** |
| **Total Current Assets** | **42,173.49** | **(41,045.23)** | **(86,435.49)** |
| **Non-Current Assets** | | | |
| **Capital assets** | | | |
| **Property** | | | |
| 1611 Land and easements | 4,700.00 | 0.00 | 4,700.00 |
| 1612 Water rights | 112,608.00 | 0.00 | 112,608.00 |
| 1621 Buildings | 6,304.17 | 0.00 | 6,304.17 |
| 1641 Water system 10yr | 92,600.00 | 0.00 | 92,600.00 |
| 1643 Water system 30yr | 2,376,446.78 | 0.00 | 2,376,446.78 |
| 1644 Water system 40yr | 77,004.00 | 0.00 | 77,004.00 |
| **Total Property** | **2,669,662.95** | **0.00** | **2,669,662.95** |
| **Accumulated depreciation** | | | |
| 1721 AccDepn Buildings | (2,206.68) | 0.00 | (2,390.57) |
| 1741 AccDepn Water system | (458,469.30) | 0.00 | (509,452.61) |
| **Total Accumulated depreciation** | **(460,675.98)** | **0.00** | **(511,843.18)** |
| **Total Capital assets** | **2,208,986.97** | **0.00** | **2,157,819.77** |
| **Total Non-Current Assets** | **2,208,986.97** | **0.00** | **2,157,819.77** |
| **Total Assets:** | **2,251,160.46** | **(41,045.23)** | **2,071,384.28** |
| **Liabilites and Fund Equity:** | | | |
| **Liabilities:** | | | |
| **Current liabilities** | | | |
| 2131 Accounts payable | (50,834.02) | (35.10) | 0.00 |
| 2330 Customer deposits | (100.00) | 0.00 | (100.00) |
| **Total Current liabilities** | **(50,934.02)** | **(35.10)** | **(100.00)** |
| **Long-term liabilities** | | | |
| 2510 2016 Loans | (438,000.00) | 0.00 | (419,000.00) |
| **Total Long-term liabilities** | **(438,000.00)** | **0.00** | **(419,000.00)** |
| **Total Liabilities:** | **(488,934.02)** | **(35.10)** | **(419,100.00)** |
| **Equity - Paid In / Contributed** | | | |
| 2981 Retained earnings | (1,762,226.44) | 41,080.33 | (1,652,284.28) |
| **Total Equity - Paid In / Contributed** | **(1,762,226.44)** | **41,080.33** | **(1,652,284.28)** |
| **Total Liabilites and Fund Equity:** | **(2,251,160.46)** | **41,045.23** | **(2,071,384.28)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**51 Water Fund - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Income or Expense** | | | | | | |
| **Income From Operations:** | | | | | | |
| **Operating income** | | | | | | |
| 5140 Culinary income | 28,820.25 | 1,995.29 | 22,889.41 | 32,000.00 | 9,110.59 | 71.53% |
| 5150 Connection Fees | 50.00 | 0.00 | 3,735.00 | 0.00 | (3,735.00) | 0.00% |
| 5151 Impact Fees | 0.00 | 0.00 | 31,258.00 | 0.00 | (31,258.00) | 0.00% |
| 5410 Late penalties and fees | 100.00 | 50.00 | 275.00 | 100.00 | (175.00) | 275.00% |
| 5610 Interest income | 110.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Operating income** | **29,080.25** | **2,045.29** | **58,157.41** | **32,100.00** | **(26,057.41)** | **181.18%** |
| **Operating expense** | | | | | | |
| 6110 Culinary operator stipend | 10,800.00 | 900.00 | 9,225.00 | 10,800.00 | 1,575.00 | 85.42% |
| 6111 Employee wages | 0.00 | 200.00 | 662.50 | 0.00 | (662.50) | 0.00% |
| 6113 Employee taxes and benefits | 826.20 | 84.15 | 739.18 | 800.00 | 60.82 | 92.40% |
| 6121 Dues | 401.60 | 0.00 | 372.00 | 500.00 | 128.00 | 74.40% |
| 6128 Utilities | 3,009.43 | 227.73 | 2,322.13 | 2,600.00 | 277.87 | 89.31% |
| 6131 Professional fees | 1,237.50 | 0.00 | 1,387.50 | 3,000.00 | 1,612.50 | 46.25% |
| 6132 Water Engineering | 9,528.00 | 5,412.50 | 28,023.00 | 29,830.00 | 1,807.00 | 93.94% |
| 6133 Water Inspections | 0.00 | 0.00 | 0.00 | 7,832.00 | 7,832.00 | 0.00% |
| 6134 Water & Sewer Master Plan expens | 47,115.42 | 316.50 | 17,067.75 | 16,751.00 | (316.75) | 101.89% |
| 6141 Repairs and maintenance | 5,792.54 | 34,850.00 | 53,863.57 | 280,000.00 | 226,136.43 | 19.24% |
| 6142 Chlorine | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 6143 Monthly water tests | 168.00 | 12.00 | 108.00 | 150.00 | 42.00 | 72.00% |
| 6144 Water tests - other | 275.00 | 0.00 | 1,731.00 | 300.00 | (1,431.00) | 577.00% |
| 6161 Bank service charges | 36.78 | 0.00 | 107.00 | 0.00 | (107.00) | 0.00% |
| 6169 Depreciation expense | 72,120.83 | 0.00 | 51,167.20 | 54,000.00 | 2,832.80 | 94.75% |
| 6170 Improvements | 0.00 | 1,122.74 | 1,323.74 | 0.00 | (1,323.74) | 0.00% |
| **Total Operating expense** | **151,311.30** | **43,125.62** | **168,099.57** | **407,063.00** | **238,963.43** | **41.30%** |
| **Total Income From Operations:** | **(122,231.05)** | **(41,080.33)** | **(109,942.16)** | **(374,963.00)** | **(265,020.84)** | **29.32%** |
| **Non-Operating Items:** | | | | | | |
| **Non-operating income** | | | | | | |
| 5510 Grant income | 26,708.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 5710 Miscellaneous Non-Operating Inco | 50.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 5810 Transfers from general fund | 565,000.00 | 0.00 | 0.00 | 35,000.00 | 35,000.00 | 0.00% |
| 5841 Transfers from capital projects fund | 294,777.17 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Non-operating income** | **886,535.42** | **0.00** | **0.00** | **35,000.00** | **35,000.00** | **0.00%** |
| **Total Non-Operating Items:** | **886,535.42** | **0.00** | **0.00** | **35,000.00** | **35,000.00** | **0.00%** |
| **Total Income or Expense** | **764,304.37** | **(41,080.33)** | **(109,942.16)** | **(339,963.00)** | **(230,020.84)** | **32.34%** |

# Fairfield Town
**Standard Financial Report**
**91 General Fixed Assets - 07/01/2025 to 04/30/2026**
**83.33% of the fiscal year has expired**

| | 2025 Year-End Actual | April Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Non-Current Assets** | | | |
| **Capital assets** | | | |
| **Work in Process** | | | |
| 1601 Construciton in progress | 57,820.00 | 0.00 | 101,148.09 |
| **Total Work in Process** | **57,820.00** | **0.00** | **101,148.09** |
| **Property** | | | |
| 1611 Land | 130,226.15 | 0.00 | 795,078.48 |
| 1631.10 Improvements other than bldg | 156,287.96 | 0.00 | 156,287.96 |
| 1631.30 Improvements other than bldg | 256,928.40 | 0.00 | 256,928.40 |
| 1661 Machinery and equipment | 11,465.00 | 0.00 | 11,465.00 |
| **Total Property** | **554,907.51** | **0.00** | **1,219,759.84** |
| **Accumulated depreciation** | | | |
| 1731 AccDpn Improvements other than | (142,323.23) | 0.00 | (142,323.23) |
| 1761 AccDpn Machinery and equipme | (9,743.88) | 0.00 | (9,743.88) |
| **Total Accumulated depreciation** | **(152,067.11)** | **0.00** | **(152,067.11)** |
| **Total Capital assets** | **460,660.40** | **0.00** | **1,168,840.82** |
| **Total Non-Current Assets** | **460,660.40** | **0.00** | **1,168,840.82** |
| **Total Assets:** | **460,660.40** | **0.00** | **1,168,840.82** |
| **Liabilites and Fund Equity:** | | | |
| **Equity - Paid In / Contributed** | | | |
| 2971.1 Invested in capital assets | (612,727.51) | 0.00 | (1,320,907.93) |
| 2972 Total depreciation charged | 152,067.11 | 0.00 | 152,067.11 |
| **Total Equity - Paid In / Contributed** | **(460,660.40)** | **0.00** | **(1,168,840.82)** |
| **Total Liabilites and Fund Equity:** | **(460,660.40)** | **0.00** | **(1,168,840.82)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
## 2 Water Alta Bank- Checking
## Bank Reconciliation - 04/01/2026 to 04/30/2026

| | |
|---|---|
| **Bank Statement Start Balance:** | **$17,274.36** |

### Reconciled Deposits & Transfers

| Type | Reference | Date | Amount |
|---|---|---|---|
| Deposit | | 03/31/2026 | 55.00 |
| Deposit | | 03/31/2026 | 55.00 |
| Deposit | | 04/06/2026 | 55.00 |
| Deposit | | 04/06/2026 | 56.62 |
| Deposit | | 04/13/2026 | 55.00 |
| Deposit | | 04/13/2026 | 110.00 |
| Deposit | | 04/13/2026 | 215.00 |
| Deposit | | 04/14/2026 | 106.00 |
| Deposit | | 04/16/2026 | 12.00 |
| Deposit | | 04/16/2026 | 47.91 |
| Deposit | | 04/16/2026 | 55.00 |
| Deposit | | 04/20/2026 | 55.00 |
| Deposit | | 04/20/2026 | 62.00 |
| Deposit | | 04/20/2026 | 110.00 |
| Deposit | | 04/21/2026 | 56.00 |
| Deposit | | 04/27/2026 | 55.00 |
| Deposit | | 04/27/2026 | 55.00 |
| Deposit | | 04/27/2026 | 55.00 |
| Deposit | | 04/28/2026 | 55.00 |
| Transfer | | 04/28/2026 | 40,000.00 |
| Deposit | | 04/29/2026 | 55.00 |
| Deposit | | 04/30/2026 | 55.00 |
| | | **Reconciled Deposits & Transfers Total:** | **$41,435.53** |

### Reconciled Checks & Withdrawals

| Payee Name | Reference | Date | Amount |
|---|---|---|---|
| Rally Rep | 558 | 03/24/2026 | 6,308.01 |
| Richards Laboratories of Utah | 562 | 03/30/2026 | 12.00 |
| Bowen Collins | 559 | 03/30/2026 | 105.50 |
| Rocky Mountain Power | 563 | 03/30/2026 | 108.23 |
| McNeil Engineering | 561 | 03/30/2026 | 1,090.00 |
| Carlson Fencing, LLC | 564 | 03/30/2026 | 5,900.00 |
| | | **Reconciled Checks & Withdrawals Total:** | **$13,523.74** |

| | |
|---|---|
| **Bank Statement End Balance:** | **$45,186.15** |

# Fairfield Town
## 1 General Alta Bank - Checking
## Bank Reconciliation - 04/01/2026 to 04/30/2026

**Bank Statement Start Balance:** **$348,914.55**

### Reconciled Deposits & Transfers

| Type | Reference | Date | Amount |
|---|---|---|---|
| Deposit | | 04/06/2026 | 571.01 |
| Deposit | | 04/13/2026 | 1,200.00 |
| Deposit | | 04/16/2026 | 316.21 |
| Deposit | | 04/20/2026 | 10,660.37 |
| Deposit | | 04/22/2026 | 25.00 |
| Deposit | | 04/22/2026 | 5,041.65 |
| Deposit | | 04/23/2026 | 14,395.00 |
| Transfer | | 04/28/2026 | -40,000.00 |
| Deposit | | 04/28/2026 | 225,834.67 |

**Reconciled Deposits & Transfers Total:** **$218,043.91**

### Reconciled Checks & Withdrawals

| Payee Name | Reference | Date | Amount |
|---|---|---|---|
| Blue Stakes of Utah 811 | 1464 | 03/30/2026 | 6.30 |
| Rocky Mountain Power | 1471 | 03/30/2026 | 46.11 |
| Shelley, Stephanie | 1473 | 03/30/2026 | 100.00 |
| Freeway Propane | 1465 | 03/30/2026 | 346.06 |
| McNeil Engineering | 1469 | 03/30/2026 | 370.00 |
| Utah League of Cities & Towns | 1477 | 03/30/2026 | 860.00 |
| The Yard Dumpster | 1475 | 03/30/2026 | 866.00 |
| SCS Trucking LLC | 1472 | 03/30/2026 | 900.00 |
| Les Olson Company | 1467 | 03/30/2026 | 939.65 |
| American Legal Publishing | 1463 | 03/30/2026 | 3,250.00 |
| Payroll DD | 0330261200 | 03/30/2026 | 3,861.47 |
| Utah County Auditor | 1476 | 03/30/2026 | 4,133.96 |
| Prime Landscape Architecture | 1470 | 03/30/2026 | 9,000.00 |
| Hayes Godfrey Bell, P.C. | 1466 | 03/30/2026 | 27,625.00 |
| Strong Solutions | 1474 | 03/30/2026 | 191,583.75 |
| Amazon.com | DC7626 | 03/31/2026 | 8.26 |
| Amazon.com | DC7626 | 03/31/2026 | 24.56 |
| Google.com/ Google Inc | 260402 | 04/02/2026 | 259.69 |
| Utah State Tax Commission | EFT | 04/03/2026 | 89.90 |
| Internal Revenue Service | EFT | 04/03/2026 | 961.79 |
| Pioneer Party | DC6324 | 04/06/2026 | 38.69 |
| BB Diner | DC5290 | 04/06/2026 | 116.92 |
| Maverik | DC7626 | 04/07/2026 | 69.53 |
| Amazon.com | DC7626 | 04/07/2026 | 78.32 |
| Applebee's | DC7626 | 04/09/2026 | 28.32 |
| Chili's | DC7626 | 04/10/2026 | 13.98 |
| The Pub Spirts | DC7626 | 04/10/2026 | 20.06 |
| Hermies Drive In | DC7626 | 04/13/2026 | 13.01 |
| Harts | DC7626 | 04/13/2026 | 46.71 |
| xfinity | EFT | 04/13/2026 | 51.11 |
| Holiday Inn Express | DC7626 | 04/13/2026 | 539.35 |
| Wal-Mart | DC7626 | 04/15/2026 | 8.82 |
| Amazon.com | DC7626 | 04/16/2026 | 21.36 |
| Payroll DD | 0416261200 | 04/16/2026 | 3,239.08 |
| Utah State Tax Commission | EFT | 04/17/2026 | 93.63 |
| Internal Revenue Service | EFT | 04/17/2026 | 809.68 |
| Amazon.com | DC7626 | 04/20/2026 | 17.40 |
| Amazon.com | DC7626 | 04/20/2026 | 18.25 |
| ODP Business Solutions LLC | DC7626 | 04/20/2026 | 18.99 |
| Amazon.com | DC7626 | 04/20/2026 | 22.53 |
| ODP Business Solutions LLC | DC7626 | 04/20/2026 | 40.67 |
| Amazon.com | DC7626 | 04/20/2026 | 643.63 |
| Maverik | DC5290 | 04/23/2026 | 7.61 |
| Labelmaker | DC7626 | 04/23/2026 | 30.23 |
| Maverik | DC5290 | 04/23/2026 | 64.97 |
| Fast Stop Meadow | DC5290 | 04/27/2026 | 15.10 |
| Maverik | DC5290 | 04/27/2026 | 36.02 |
| Fast Stop Meadow | DC5290 | 04/27/2026 | 40.81 |
| Shelley, Stephanie | 1487 | 04/28/2026 | 564.68 |
| Smashed Down Burgers | 1478 | 04/28/2026 | 1,814.81 |
| Amazon.com | DC7626 | 04/29/2026 | 77.57 |
| Amazon.com | DC7626 | 04/29/2026 | 85.95 |

| | | | | |
|---|---|---|---|---|
| Amazon.com | DC5290 | 04/30/2026 | 35.40 | |
| Payroll DD | 0430261200 | 04/30/2026 | 11,888.70 | |
| | | | **Reconciled Checks & Withdrawals Total:** | **$265,844.39** |

**Charges & Interest**

| Description | Date | Amount | | |
|---|---|---|---|---|
| Payroll from March that bounced back in April | 04/01/2026 | 323.22 | | |
| | | | **Charges & Interest Total:** | **$323.22** |
| | | | **Bank Statement End Balance:** | **$301,437.29** |

# Fairfield Town
## Bank Reconciliation Summary
## All Bank Accounts - 04/30/2026

| Bank Account | Start Date | End Date | Bank Statement Balance | Calculated Book Balance | General Ledger Balance |
|---|---|---|---|---|---|
| 1 General Alta Bank - Checking | 04/01/2026 | 04/30/2026 | $301,437.29 | $232,272.91 | $232,272.91 |
| 2 Water Alta Bank- Checking | 04/01/2026 | 04/30/2026 | $45,186.15 | $2,444.00 | $2,444.00 |
| 3 B & C Road Fund Alta Bank | 04/01/2026 | 04/30/2026 | $79,312.21 | $79,312.21 | $79,312.21 |
| 4 Savings Alta Bank | 04/01/2026 | 04/30/2026 | $0.00 | $0.00 | $0.00 |
| Altabank- Road Impact Fee | 04/01/2026 | 04/30/2026 | $29,210.00 | $29,210.00 | $29,210.00 |
| Altabank- Water Impact Fee | 04/01/2026 | 04/30/2026 | $728.00 | $728.00 | $728.00 |
| Altabank- Cemetery Fund | 04/01/2026 | 04/30/2026 | $0.00 | $0.00 | $0.00 |
| Moreton Investment | 04/01/2026 | 04/30/2026 | $1,274,316.17 | $1,274,316.17 | $1,274,316.17 |
| Altabank- Capital Fund | 05/01/2021 | 07/31/2021 | $0.00 | $0.00 | $0.00 |
| | | | **$1,730,189.82** | **$1,618,283.29** | **$1,618,283.29** |

# Fairfield Town
## 3 B & C Road Fund Alta Bank
## Bank Reconciliation - 04/01/2026 to 04/30/2026

| | |
|---|---|
| **Bank Statement Start Balance:** | **$68,091.69** |

**Reconciled Deposits & Transfers**

| Type | Reference | Date | Amount |
|---|---|---|---|
| Deposit | | 04/02/2026 | 11,220.52 |

| | |
|---|---|
| **Reconciled Deposits & Transfers Total:** | **$11,220.52** |
| **Bank Statement End Balance:** | **$79,312.21** |

# Fairfield Town
## Payroll Register
## Payroll Payment - 04/01/2026 to 04/30/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| General Government #14 | Regular | 47.52 | 1,188.00 | Social Security Tax | 1,188.00 | 73.66 | Social Security Tax | 1,188.00 | 73.66 |
| Net Amount **$1,072.32** | | | | Medicare Tax | 1,188.00 | 17.23 | Medicare Tax | 1,188.00 | 17.23 |
| Pd 03/30/2026 - 04/12/2026 | | | | State Unemployment | 1,188.00 | 0.00 | Federal Income Tax | 1,188.00 | 0.00 |
| Payment 04/16/2026 | | | | | | | State Income Tax | 1,188.00 | 24.79 |
| Check No. ACH | Total Earnings: | 47.52 | $1,188.00 | Total Benefits: | | $90.89 | Total Deductions: | | $115.68 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $90.89 | Total Taxes: | | $115.68 |
| General Government #14 | Regular | 51.84 | 1,296.00 | Social Security Tax | 1,296.00 | 80.35 | Social Security Tax | 1,296.00 | 80.35 |
| Net Amount **$1,160.05** | | | | Medicare Tax | 1,296.00 | 18.79 | Medicare Tax | 1,296.00 | 18.79 |
| Pd 04/13/2026 - 04/26/2026 | | | | State Unemployment | 1,296.00 | 0.00 | Federal Income Tax | 1,296.00 | 5.75 |
| Payment 04/30/2026 | | | | | | | State Income Tax | 1,296.00 | 31.06 |
| Check No. ACH | Total Earnings: | 51.84 | $1,296.00 | Total Benefits: | | $99.14 | Total Deductions: | | $135.95 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $99.14 | Total Taxes: | | $135.95 |
| Planning Commission 10 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Net Amount **$230.87** | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Pd 04/01/2026 - 04/30/2026 | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| Mayor/Council 10 | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| Net Amount **$1,154.37** | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| Pd 04/01/2026 - 04/30/2026 | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | State Income Tax | 1,250.00 | 0.00 |
| Check No. ACH | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $95.63 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $95.63 |
| General Government #18 | Regular | 0.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Net Amount **$130.87** | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Pd 04/01/2026 - 04/30/2026 | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 100.00 |
| Payment 04/30/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Check No. ACH | Total Earnings: | 0.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $119.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $119.13 |
| General Government #16 | Regular | 28.50 | 712.50 | Social Security Tax | 712.50 | 44.18 | Social Security Tax | 712.50 | 44.18 |
| Net Amount **$657.99** | | | | Medicare Tax | 712.50 | 10.33 | Medicare Tax | 712.50 | 10.33 |
| Pd 03/30/2026 - 04/12/2026 | | | | State Unemployment | 712.50 | 0.00 | Federal Income Tax | 712.50 | 0.00 |
| Payment 04/16/2026 | | | | | | | State Income Tax | 712.50 | 0.00 |
| Check No. ACH | Total Earnings: | 28.50 | $712.50 | Total Benefits: | | $54.51 | Total Deductions: | | $54.51 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $54.51 | Total Taxes: | | $54.51 |

# Fairfield Town
## Payroll Register
### Payroll Payment - 04/01/2026 to 04/30/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| #6 | Regular | 30.70 | 767.50 | Social Security Tax | 767.50 | 47.59 | Social Security Tax | 767.50 | 47.59 |
| General Government | | | | Medicare Tax | 767.50 | 11.13 | Medicare Tax | 767.50 | 11.13 |
| Net Amount **$708.38** | | | | State Unemployment | 767.50 | 0.00 | Federal Income Tax | 767.50 | 0.00 |
| Pd 04/13/2026 - 04/26/2026 | | | | | | | State Income Tax | 767.50 | 0.40 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 30.70 | $767.50 | Total Benefits: | | $58.72 | Total Deductions: | | $59.12 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $58.72 | Total Taxes: | | $59.12 |
| #13 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #4 | Regular | 1.00 | 200.00 | Social Security Tax | 200.00 | 12.40 | Social Security Tax | 200.00 | 12.40 |
| Cemetery | | | | Medicare Tax | 200.00 | 2.90 | Medicare Tax | 200.00 | 2.90 |
| Net Amount **$184.70** | | | | State Unemployment | 200.00 | 0.00 | Federal Income Tax | 200.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 200.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $200.00 | Total Benefits: | | $15.30 | Total Deductions: | | $15.30 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $15.30 | Total Taxes: | | $15.30 |
| #15 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #2 | Regular | 2.00 | 4,150.00 | Social Security Tax | 4,150.00 | 257.30 | Social Security Tax | 4,150.00 | 257.30 |
| Mayor/Council | | | | Medicare Tax | 4,150.00 | 60.18 | Medicare Tax | 4,150.00 | 60.18 |
| Net Amount **$3,329.44** | | | | State Unemployment | 4,150.00 | 0.00 | Federal Income Tax | 4,150.00 | 316.33 |
| Pd 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 4,150.00 | 186.75 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 2.00 | $4,150.00 | Total Benefits: | | $317.48 | Total Deductions: | | $820.56 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $317.48 | Total Taxes: | | $820.56 |
| #17 | Water Worker | 8.00 | 200.00 | Social Security Tax | 200.00 | 12.40 | Social Security Tax | 200.00 | 12.40 |
| Water Operations | | | | Medicare Tax | 200.00 | 2.90 | Medicare Tax | 200.00 | 2.90 |
| Net Amount **$184.70** | | | | State Unemployment | 200.00 | 0.00 | Federal Income Tax | 200.00 | 0.00 |
| Pd 04/13/2026 - 04/26/2026 | | | | | | | State Income Tax | 200.00 | 0.00 |
| Payment 04/30/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 8.00 | $200.00 | Total Benefits: | | $15.30 | Total Deductions: | | $15.30 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $15.30 | Total Taxes: | | $15.30 |

# Fairfield Town
## Payroll Register
## Payroll Payment - 04/01/2026 to 04/30/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| #1 Mayor/Council<br>Net Amount **$1,154.37**<br>Pd 04/01/2026 - 04/30/2026<br>Payment 04/30/2026<br>Check No. ACH | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| | | | | | | | State Income Tax | 1,250.00 | 0.00 |
| | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $95.63 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $95.63 |
| #5 Planning Commission<br>Net Amount **$230.87**<br>Pd 04/01/2026 - 04/30/2026<br>Payment 04/30/2026<br>Check No. ACH | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| | | | | | | | State Income Tax | 250.00 | 0.00 |
| | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #7 General Government<br>Net Amount **$1,508.77**<br>Pd 03/30/2026 - 04/12/2026<br>Payment 04/16/2026<br>Check No. ACH | Regular | 77.90 | 1,947.50 | Social Security Tax | 1,947.50 | 120.75 | Social Security Tax | 1,947.50 | 120.75 |
| | | | | Medicare Tax | 1,947.50 | 28.24 | Medicare Tax | 1,947.50 | 28.24 |
| | | | | State Unemployment | 1,947.50 | 0.00 | Federal Income Tax | 1,947.50 | 220.90 |
| | | | | | | | State Income Tax | 1,947.50 | 68.84 |
| | Total Earnings: | 77.90 | $1,947.50 | Total Benefits: | | $148.99 | Total Deductions: | | $438.73 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $148.99 | Total Taxes: | | $438.73 |
| #7 General Government<br>Net Amount **$1,135.98**<br>Pd 04/13/2026 - 04/26/2026<br>Payment 04/30/2026<br>Check No. ACH | Regular | 58.42 | 1,460.50 | Social Security Tax | 1,460.50 | 90.55 | Social Security Tax | 1,460.50 | 90.55 |
| | | | | Medicare Tax | 1,460.50 | 21.18 | Medicare Tax | 1,460.50 | 21.18 |
| | | | | State Unemployment | 1,460.50 | 0.00 | Federal Income Tax | 1,460.50 | 172.20 |
| | | | | | | | State Income Tax | 1,460.50 | 40.59 |
| | Total Earnings: | 58.42 | $1,460.50 | Total Benefits: | | $111.73 | Total Deductions: | | $324.52 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $111.73 | Total Taxes: | | $324.52 |
| #12 Planning Commission<br>Net Amount **$369.40**<br>Pd 04/01/2026 - 04/30/2026<br>Payment 04/30/2026<br>Check No. ACH | Regular | 2.00 | 400.00 | Social Security Tax | 400.00 | 24.80 | Social Security Tax | 400.00 | 24.80 |
| | | | | Medicare Tax | 400.00 | 5.80 | Medicare Tax | 400.00 | 5.80 |
| | | | | State Unemployment | 400.00 | 0.00 | Federal Income Tax | 400.00 | 0.00 |
| | | | | | | | State Income Tax | 400.00 | 0.00 |
| | Total Earnings: | 2.00 | $400.00 | Total Benefits: | | $30.60 | Total Deductions: | | $30.60 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $30.60 | Total Taxes: | | $30.60 |
| #3 Mayor/Council<br>Net Amount **$1,129.74**<br>Pd 04/01/2026 - 04/30/2026<br>Payment 04/30/2026<br>Check No. ACH | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| | | | | | | | State Income Tax | 1,250.00 | 24.63 |
| | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $120.26 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $120.26 |

# Fairfield Town
## Payroll Register
## Payroll Payment - 04/01/2026 to 04/30/2026

| Employee | | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|---|
| | tt | Regular | 1.00 | 350.00 | Social Security Tax | 350.00 | 21.70 | Social Security Tax | 350.00 | 21.70 |
| Mayor/Council | | | | | Medicare Tax | 350.00 | 5.08 | Medicare Tax | 350.00 | 5.08 |
| Net Amount | **$323.22** | | | | State Unemployment | 350.00 | 0.00 | Federal Income Tax | 350.00 | 0.00 |
| Pd | 04/01/2026 - 04/30/2026 | | | | | | | State Income Tax | 350.00 | 0.00 |
| Payment | 04/30/2026 | | | | | | | | | |
| Check No. | ACH | Total Earnings: | 1.00 | $350.00 | Total Benefits: | | $26.78 | Total Deductions: | | $26.78 |
| | | Total Reimbursements: | | $0.00 | Total Taxes: | | $26.78 | Total Taxes: | | $26.78 |

# Fairfield Town
## Payroll Register
### Payroll Payment - 04/01/2026 to 04/30/2026

| Employee | | Earning | Hours | Amount |
|---|---|---|---|---|
| **REPORT TOTALS** | | Regular | 310.88 | 17,472.00 |
| Net Amount | **$15,127.78** | Water Worker | 8.00 | 200.00 |
| | | **Total Earnings:** | **318.88** | **$17,672.00** |
| | | **Total Reimbursements:** | | **$0.00** |

| Benefit | Basis | Amount |
|---|---|---|
| Social Security Tax | 17,672.00 | 1,095.68 |
| Medicare Tax | 17,672.00 | 256.30 |
| State Unemployment | 17,672.00 | 0.00 |
| **Total Benefits:** | | **$1,351.98** |
| **Total Taxes:** | | **$1,351.98** |

| Deduction | Basis | Amount |
|---|---|---|
| Social Security Tax | 17,672.00 | 1,095.68 |
| Medicare Tax | 17,672.00 | 256.30 |
| Federal Income Tax | 17,672.00 | 815.18 |
| State Income Tax | 17,672.00 | 377.06 |
| **Total Deductions:** | | **$2,544.22** |
| **Total Taxes:** | | **$2,544.22** |

Fairfield Town
Utah County, Utah

# Fairfield Town Financials

## As of the Month Ending

## 5/31/2026

Mayor McKinney _____
Councilman Thomas _____
Councilman Panek _____
Councilman Cameron _____
Councilman Weber _____

Treasurer: _____

Recorder/Clerk: _____ Date _____

(Seal)

Altabank
Division of Glacier Bank

PO Box 307
American Fork, UT 84003

received 6/10/26

144310-01A**004108
TOWN OF FAIRFIELD
PO BOX 271
CEDAR VALLEY UT 84013-0271




**Customer Service:** 801-756-7681

**Website:** www.altabank.com

# Summary of Accounts

| Account Type | Account Number | Ending Balance |
|---|---|---|
| SIMPLY BUSINESS CHECKING | | $159,588.07 |
| SIMPLY BUSINESS CHECKING | | $64,668.00 |
| SIMPLY BUSINESS CHECKING | | $93,021.72 |
| SIMPLY BUSINESS CHECKING | | $728.00 |
| SIMPLY BUSINESS CHECKING | | $29,210.00 |

# Statement of Account

**Account Title:** TOWN OF FAIRFIELD

**Statement Dates 5/01/26 to 5/31/26 (31 days)**

## SIMPLY BUSINESS CHECKING - XXXXXX5193

| | | | |
|---|---|---|---|
| **Previous Balance** | **$301,437.29** | Average Ledger | $244,743.57 |
| Deposits/Credits (7) | $11,310.79 | Average Collected | $244,743.57 |
| Checks/Debits (52) | $153,160.01 | | |
| Service Charge | $0.00 | | |
| Interest Paid | $0.00 | | |
| **Ending Balance** | **$159,588.07** | | |

## Credit Transactions

| Date | Description | Amount |
|---|---|---|
| 5/04 | Remote Deposit | $194.47 |
| 5/06 | Remote Deposit | $215.00 |
| 5/06 | heygov.com TRANSFER CCD ST-H0L0E2T9V7Q1 111000021398730 | $345.00 |
| 5/11 | CREDIT 1116 05/10/26 61624514 AMAZON MKTPLACE PMTS Amzn.com/billWA C# 5290 | $22.53 |
| 5/11 | CREDIT 1116 05/10/26 60570908 AMAZON MKTPLACE PMTS Amzn.com/billWA C# 5290 | $22.53 |
| 5/11 | Remote Deposit | $287.86 |
| 5/22 | UTAH STATE TREAS Sales Tax CCD 25035 091000017674723 | $10,223.40 |

usbank

received 6/8/26

**ACCOUNT NUMBER:**
**FAIRFIELD TOWN**

This statement is for the period from
May 1, 2026 to May 31, 2026

FAIRFIELD TOWN
PO BOX 271
FAIRFIELD UTAH 84013

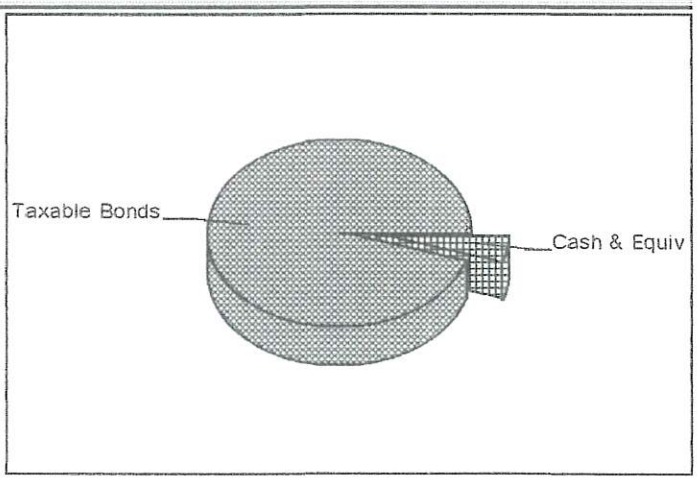
***QUESTIONS?***

If you have any questions regarding your account or this statement, please contact your Account Manager.

**MARQUES MCNIESE**
CN-OH-W5IT
CN-OH-W5IT
425 WALNUT STREET
CINCINNATI OH 45202
**Phone 513-632-4147**
**E-mail marques.mcniese@usbank.com**

## ASSET SUMMARY AS OF 05/31/26

| Assets | Current Period Market Value | % of Total | Est Annual Income |
|---|---|---|---|
| Cash & Equivalents | 34,965.34 | 2.70 | 1,245.67 |
| Taxable Bonds | 1,240,167.50 | 97.30 | 56,132.78 |
| **Total Market Value** | **$1,275,132.84** | **100.00** | **$57,378.45** |




## ASSET DETAIL

| Shares or Face Amount | Security Description | Market Value/ Price | Tax Cost/ Unrealized Gain(Loss) | Yield at Market | Est Annual Inc |
|---|---|---|---|---|---|
| **Cash & Equivalents** | | | | | |
| **Cash/Money Market** | | | | | |
| 34,965.340 | First American Government Oblig Fd Cl X #5385 31846V336 | 34,965.34 1.0000 | 34,965.34 0.00 | 3.56 | 1,245.67 |
| **Total Cash/Money Market** | | **$34,965.34** | **$34,965.34 $.00** | | **$1,245.67** |
| Cash | | | | | |

# Fairfield Town
## Payroll Register
## Payroll Period - 05/01/2026 to 05/31/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| #14 | Regular | 60.11 | 1,502.75 | Social Security Tax | 1,502.75 | 93.17 | Social Security Tax | 1,502.75 | 93.17 |
| General Government | | | | Medicare Tax | 1,502.75 | 21.79 | Medicare Tax | 1,502.75 | 21.79 |
| Net Amount **$1,318.32** | | | | State Unemployment | 1,502.75 | 0.00 | Federal Income Tax | 1,502.75 | 26.43 |
| Pd 04/27/2026 - 05/10/2026 | | | | | | | State Income Tax | 1,502.75 | 43.04 |
| Payment 05/12/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 60.11 | $1,502.75 | Total Benefits: | | $114.96 | Total Deductions: | | $184.43 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $114.96 | Total Taxes: | | $184.43 |
| #14 | Regular | 50.06 | 1,251.50 | Social Security Tax | 1,251.50 | 77.59 | Social Security Tax | 1,251.50 | 77.59 |
| General Government | | | | Medicare Tax | 1,251.50 | 18.15 | Medicare Tax | 1,251.50 | 18.15 |
| Net Amount **$1,125.98** | | | | State Unemployment | 1,251.50 | 0.00 | Federal Income Tax | 1,251.50 | 1.30 |
| Pd 05/11/2026 - 05/24/2026 | | | | | | | State Income Tax | 1,251.50 | 28.48 |
| Payment 05/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 50.06 | $1,251.50 | Total Benefits: | | $95.74 | Total Deductions: | | $125.52 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.74 | Total Taxes: | | $125.52 |
| #16 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 05/01/2026 - 05/31/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #10 | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| Mayor/Council | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| Net Amount **$1,154.37** | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| Pd 05/01/2026 - 05/31/2026 | | | | | | | State Income Tax | 1,250.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $95.63 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $95.63 |
| #18 | Regular | 0.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| General Government | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$130.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 100.00 |
| Pd 05/01/2026 - 05/31/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 0.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $119.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $119.13 |
| #6 | Regular | 18.74 | 468.50 | Social Security Tax | 468.50 | 29.05 | Social Security Tax | 468.50 | 29.05 |
| General Government | | | | Medicare Tax | 468.50 | 6.79 | Medicare Tax | 468.50 | 6.79 |
| Net Amount **$432.66** | | | | State Unemployment | 468.50 | 0.00 | Federal Income Tax | 468.50 | 0.00 |
| Pd 04/27/2026 - 05/10/2026 | | | | | | | State Income Tax | 468.50 | 0.00 |
| Payment 05/12/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 18.74 | $468.50 | Total Benefits: | | $35.84 | Total Deductions: | | $35.84 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $35.84 | Total Taxes: | | $35.84 |

# Fairfield Town
## Payroll Register
## Payroll Period - 05/01/2026 to 05/31/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| #6 | Regular | 19.42 | 485.50 | Social Security Tax | 485.50 | 30.10 | Social Security Tax | 485.50 | 30.10 |
| General Government | | | | Medicare Tax | 485.50 | 7.04 | Medicare Tax | 485.50 | 7.04 |
| Net Amount **$448.36** | | | | State Unemployment | 485.50 | 0.00 | Federal Income Tax | 485.50 | 0.00 |
| Pd 05/11/2026 - 05/24/2026 | | | | | | | State Income Tax | 485.50 | 0.00 |
| Payment 05/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 19.42 | $485.50 | Total Benefits: | | $37.14 | Total Deductions: | | $37.14 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $37.14 | Total Taxes: | | $37.14 |
| #13 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 05/01/2026 - 05/31/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #4 | Regular | 1.00 | 200.00 | Social Security Tax | 200.00 | 12.40 | Social Security Tax | 200.00 | 12.40 |
| Cemetery | | | | Medicare Tax | 200.00 | 2.90 | Medicare Tax | 200.00 | 2.90 |
| Net Amount **$184.70** | | | | State Unemployment | 200.00 | 0.00 | Federal Income Tax | 200.00 | 0.00 |
| Pd 05/01/2026 - 05/31/2026 | | | | | | | State Income Tax | 200.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $200.00 | Total Benefits: | | $15.30 | Total Deductions: | | $15.30 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $15.30 | Total Taxes: | | $15.30 |
| #15 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Planning Commission | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Net Amount **$230.87** | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Pd 05/01/2026 - 05/31/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| #2 | Regular | 2.00 | 4,150.00 | Social Security Tax | 4,150.00 | 257.30 | Social Security Tax | 4,150.00 | 257.30 |
| Mayor/Council | | | | Medicare Tax | 4,150.00 | 60.18 | Medicare Tax | 4,150.00 | 60.18 |
| Net Amount **$3,329.44** | | | | State Unemployment | 4,150.00 | 0.00 | Federal Income Tax | 4,150.00 | 316.33 |
| Pd 05/01/2026 - 05/31/2026 | | | | | | | State Income Tax | 4,150.00 | 186.75 |
| Payment 05/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 2.00 | $4,150.00 | Total Benefits: | | $317.48 | Total Deductions: | | $820.56 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $317.48 | Total Taxes: | | $820.56 |
| #17 | Water Worker | 9.00 | 225.00 | Social Security Tax | 225.00 | 13.95 | Social Security Tax | 225.00 | 13.95 |
| Water Operations | | | | Medicare Tax | 225.00 | 3.26 | Medicare Tax | 225.00 | 3.26 |
| Net Amount **$207.79** | | | | State Unemployment | 225.00 | 0.00 | Federal Income Tax | 225.00 | 0.00 |
| Pd 05/11/2026 - 05/24/2026 | | | | | | | State Income Tax | 225.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | | | |
| Check No. ACH | Total Earnings: | 9.00 | $225.00 | Total Benefits: | | $17.21 | Total Deductions: | | $17.21 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $17.21 | Total Taxes: | | $17.21 |

# Fairfield Town
## Payroll Register
## Payroll Period - 05/01/2026 to 05/31/2026

| Employee | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|
| Mayor/Council #1 | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| Net Amount **$1,154.37** | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| Pd 05/01/2026 - 05/31/2026 | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | State Income Tax | 1,250.00 | 0.00 |
| Check No. ACH | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $95.63 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $95.63 |
| Planning Commission #5 | Regular | 1.00 | 250.00 | Social Security Tax | 250.00 | 15.50 | Social Security Tax | 250.00 | 15.50 |
| Net Amount **$230.87** | | | | Medicare Tax | 250.00 | 3.63 | Medicare Tax | 250.00 | 3.63 |
| Pd 05/01/2026 - 05/31/2026 | | | | State Unemployment | 250.00 | 0.00 | Federal Income Tax | 250.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | State Income Tax | 250.00 | 0.00 |
| Check No. ACH | Total Earnings: | 1.00 | $250.00 | Total Benefits: | | $19.13 | Total Deductions: | | $19.13 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $19.13 | Total Taxes: | | $19.13 |
| General Government #7 | Regular | 54.53 | 1,363.25 | Social Security Tax | 1,563.25 | 96.92 | Social Security Tax | 1,563.25 | 96.92 |
| Net Amount **$1,214.62** | Vacation | 8.00 | 200.00 | Medicare Tax | 1,563.25 | 22.67 | Medicare Tax | 1,563.25 | 22.67 |
| Pd 04/27/2026 - 05/10/2026 | | | | State Unemployment | 1,563.25 | 0.00 | Federal Income Tax | 1,563.25 | 182.48 |
| Payment 05/12/2026 | | | | | | | State Income Tax | 1,563.25 | 46.56 |
| Check No. ACH | Total Earnings: | 62.53 | $1,563.25 | Total Benefits: | | $119.59 | Total Deductions: | | $348.63 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $119.59 | Total Taxes: | | $348.63 |
| General Government #7 | Regular | 64.62 | 1,615.50 | Social Security Tax | 1,615.50 | 100.16 | Social Security Tax | 1,615.50 | 100.16 |
| Net Amount **$1,254.63** | | | | Medicare Tax | 1,615.50 | 23.42 | Medicare Tax | 1,615.50 | 23.42 |
| Pd 05/11/2026 - 05/24/2026 | | | | State Unemployment | 1,615.50 | 0.00 | Federal Income Tax | 1,615.50 | 187.70 |
| Payment 05/27/2026 | | | | | | | State Income Tax | 1,615.50 | 49.59 |
| Check No. ACH | Total Earnings: | 64.62 | $1,615.50 | Total Benefits: | | $123.58 | Total Deductions: | | $360.87 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $123.58 | Total Taxes: | | $360.87 |
| Planning Commission #12 | Regular | 2.00 | 400.00 | Social Security Tax | 400.00 | 24.80 | Social Security Tax | 400.00 | 24.80 |
| Net Amount **$369.40** | | | | Medicare Tax | 400.00 | 5.80 | Medicare Tax | 400.00 | 5.80 |
| Pd 05/01/2026 - 05/31/2026 | | | | State Unemployment | 400.00 | 0.00 | Federal Income Tax | 400.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | State Income Tax | 400.00 | 0.00 |
| Check No. ACH | Total Earnings: | 2.00 | $400.00 | Total Benefits: | | $30.60 | Total Deductions: | | $30.60 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $30.60 | Total Taxes: | | $30.60 |
| Mayor/Council #3 | Regular | 2.00 | 1,250.00 | Social Security Tax | 1,250.00 | 77.50 | Social Security Tax | 1,250.00 | 77.50 |
| Net Amount **$1,129.74** | | | | Medicare Tax | 1,250.00 | 18.13 | Medicare Tax | 1,250.00 | 18.13 |
| Pd 05/01/2026 - 05/31/2026 | | | | State Unemployment | 1,250.00 | 0.00 | Federal Income Tax | 1,250.00 | 0.00 |
| Payment 05/27/2026 | | | | | | | State Income Tax | 1,250.00 | 24.63 |
| Check No. ACH | Total Earnings: | 2.00 | $1,250.00 | Total Benefits: | | $95.63 | Total Deductions: | | $120.26 |
| | Total Reimbursements: | | $0.00 | Total Taxes: | | $95.63 | Total Taxes: | | $120.26 |

# Fairfield Town
## Payroll Register
## Payroll Period - 05/01/2026 to 05/31/2026

| Employee | | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|---|
| | | Regular | 1.00 | 350.00 | Social Security Tax | 350.00 | 21.70 | Social Security Tax | 350.00 | 21.70 |
| Mayor/Council | | | | | Medicare Tax | 350.00 | 5.08 | Medicare Tax | 350.00 | 5.08 |
| Net Amount | **$323.22** | | | | State Unemployment | 350.00 | 0.00 | Federal Income Tax | 350.00 | 0.00 |
| Pd | 05/01/2026 - 05/31/2026 | | | | | | | State Income Tax | 350.00 | 0.00 |
| Payment | 05/27/2026 | | | | | | | | | |
| Check No. | ACH | Total Earnings: | 1.00 | $350.00 | Total Benefits: | | $26.78 | Total Deductions: | | $26.78 |
| | | Total Reimbursements: | | $0.00 | Total Taxes: | | $26.78 | Total Taxes: | | $26.78 |

# Fairfield Town
## Payroll Register
## Payroll Period - 05/01/2026 to 05/31/2026

| Employee | | Earning | Hours | Amount | Benefit | Basis | Amount | Deduction | Basis | Amount |
|---|---|---|---|---|---|---|---|---|---|---|
| **REPORT TOTALS** | | Regular | 283.48 | 16,787.00 | Social Security Tax | 17,212.00 | 1,067.14 | Social Security Tax | 17,212.00 | 1,067.14 |
| Net Amount | **$14,701.95** | Vacation | 8.00 | 200.00 | Medicare Tax | 17,212.00 | 249.62 | Medicare Tax | 17,212.00 | 249.62 |
| | | Water Worker | 9.00 | 225.00 | State Unemployment | 17,212.00 | 0.00 | Federal Income Tax | 17,212.00 | 814.24 |
| | | | | | | | | State Income Tax | 17,212.00 | 379.05 |
| | | **Total Earnings:** | **300.48** | **$17,212.00** | **Total Benefits:** | | **$1,316.76** | **Total Deductions:** | | **$2,510.05** |
| | | **Total Reimbursements:** | | **$0.00** | **Total Taxes:** | | **$1,316.76** | **Total Taxes:** | | **$2,510.05** |

# Fairfield Town
**Standard Financial Report**
**10 General Fund - 07/01/2025 to 05/31/2026**
**91.67% of the fiscal year has expired**

| | 2025 Year-End Actual | May Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1117 General Checking - Bank of AF | 37,047.68 | (44,453.43) | 278,496.16 |
| 1119 B & C Road - Bank of AF | 58,865.02 | 13,709.51 | 93,021.72 |
| 1120 Savings - Bank of AF | (0.77) | 0.00 | 0.00 |
| 1123 Altabank- Cemetery Fund | 60.00 | 0.00 | 0.00 |
| 1130 Moreton Investment | 542,468.16 | 0.00 | 437,965.36 |
| 1175 Undeposted receipts | 0.00 | 0.00 | (14,395.00) |
| **Total Cash and cash equivalents** | **638,440.09** | **(30,743.92)** | **795,088.24** |
| **Receivables** | | | |
| 1311 Accounts receivable | 261,285.85 | 1,282.00 | 15,677.00 |
| 1440 Due from other governments | 65,465.02 | 0.00 | 41,017.93 |
| **Total Receivables** | **326,750.87** | **1,282.00** | **56,694.93** |
| **Total Current Assets** | **965,190.96** | **(29,461.92)** | **851,783.17** |
| **Total Assets:** | **965,190.96** | **(29,461.92)** | **851,783.17** |
| **Liabilites and Fund Equity:** | | | |
| **Liabilities:** | | | |
| **Current liabilities** | | | |
| 2131 Accounts payable | (15,583.70) | 0.00 | (450.00) |
| 2221 Accrued SS, MC & FWT payable | 0.00 | 2,709.46 | 0.00 |
| 2222 Accrued state withholding payable | 0.00 | (6.02) | (289.45) |
| **Total Current liabilities** | **(15,583.70)** | **2,703.44** | **(739.45)** |
| **Deferred revenue** | | | |
| 2600 Deferred revenue | (24,354.00) | 0.00 | (24,354.00) |
| **Total Deferred revenue** | **(24,354.00)** | **0.00** | **(24,354.00)** |
| **Total Liabilities:** | **(39,937.70)** | **2,703.44** | **(25,093.45)** |
| **Equity - Paid In / Contributed** | | | |
| 2981 Fund balance | (925,253.26) | 26,758.48 | (826,689.72) |
| **Total Equity - Paid In / Contributed** | **(925,253.26)** | **26,758.48** | **(826,689.72)** |
| **Total Liabilites and Fund Equity:** | **(965,190.96)** | **29,461.92** | **(851,783.17)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**10 General Fund - 07/01/2025 to 05/31/2026**
**91.67% of the fiscal year has expired**

| | 2025 Year-End Actual | May Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Change In Net Position** | | | | | | |
| **Revenue:** | | | | | | |
| **Taxes** | | | | | | |
| 3110 General property taxes-current | 27,533.19 | 287.86 | 36,854.09 | 39,500.00 | 2,645.91 | 93.30% |
| 3130 General sales & use tax | 63,786.81 | 10,223.40 | 70,419.70 | 82,000.00 | 11,580.30 | 85.88% |
| **Total Taxes** | **91,320.00** | **10,511.26** | **107,273.79** | **121,500.00** | **14,226.21** | **88.29%** |
| **Licenses and permits** | | | | | | |
| 3211 Business licenses | 715.00 | 0.00 | 350.00 | 2,000.00 | 1,650.00 | 17.50% |
| 3250 Penalties & Permits & Fees | 350.00 | 0.00 | 25.00 | 400.00 | 375.00 | 6.25% |
| 3260 Intermountain Regional Landfill | 903,306.06 | 0.00 | 724,282.67 | 945,000.00 | 220,717.33 | 76.64% |
| 3261 North Pointe Landfill | 72,345.24 | 0.00 | 39,476.39 | 83,559.00 | 44,082.61 | 47.24% |
| **Total Licenses and permits** | **976,716.30** | **0.00** | **764,134.06** | **1,030,959.00** | **266,824.94** | **74.12%** |
| **Intergovernmental revenue** | | | | | | |
| 3339 State grants | 0.00 | 0.00 | 26,206.90 | 67,200.00 | 40,993.10 | 39.00% |
| 3341 Parks | 0.00 | 0.00 | 400,000.00 | 400,000.00 | 0.00 | 100.00% |
| 3356 Class C road fund allotment | 74,959.31 | 13,709.51 | 81,381.93 | 58,957.00 | (22,424.93) | 138.04% |
| **Total Intergovernmental revenue** | **74,959.31** | **13,709.51** | **507,588.83** | **526,157.00** | **18,568.17** | **96.47%** |
| **Charges for services** | | | | | | |
| 3480 Opening/closing graves | 625.00 | 0.00 | 0.00 | 625.00 | 625.00 | 0.00% |
| **Total Charges for services** | **625.00** | **0.00** | **0.00** | **625.00** | **625.00** | **0.00%** |
| **Interest** | | | | | | |
| 3610 Interest earnings | 16.01 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3611 Investments increase (decrease) | 103,410.84 | 0.00 | 37,848.01 | 85,000.00 | 47,151.99 | 44.53% |
| **Total Interest** | **103,426.85** | **0.00** | **37,848.01** | **85,000.00** | **47,151.99** | **44.53%** |
| **Miscellaneous revenue** | | | | | | |
| 3615 Donations, Collections, Christmas | 20,967.82 | 0.00 | 19,010.00 | 21,000.00 | 1,990.00 | 90.52% |
| 3690 Miscellaneous revenue | 572.20 | 194.47 | 674.28 | 200.00 | (474.28) | 337.14% |
| **Total Miscellaneous revenue** | **21,540.02** | **194.47** | **19,684.28** | **21,200.00** | **1,515.72** | **92.85%** |
| **Buildings and Grounds** | | | | | | |
| 3220 Building Dept Application Fees | 0.00 | 0.00 | 670.00 | 0.00 | (670.00) | 0.00% |
| 3220.2 Building Dept Assignment of Addr | 0.00 | 0.00 | 100.00 | 0.00 | (100.00) | 0.00% |
| 3220.5 Building Dept Inspection Fees | 0.00 | 0.00 | 1,078.90 | 0.00 | (1,078.90) | 0.00% |
| 3220.6 Building Dept Fire Inspection Fee | 560.00 | 0.00 | 705.00 | 0.00 | (705.00) | 0.00% |
| 3220.7 Building Dept Plan Review Fees | 0.00 | 0.00 | 4,470.15 | 0.00 | (4,470.15) | 0.00% |
| 3220.9 Building Dept State Permit Surch | 0.00 | 0.00 | 109.44 | 0.00 | (109.44) | 0.00% |
| 3221 Non-business buildings, structures, | 0.00 | 0.00 | 0.00 | 16,192.00 | 16,192.00 | 0.00% |
| 3222 Building Dept Permits | 25,658.72 | 0.00 | 27,529.08 | 25,287.00 | (2,242.08) | 108.87% |
| 3223 Building Franchise Fee Revenue | 0.00 | 1,282.00 | 2,282.00 | 0.00 | (2,282.00) | 0.00% |
| 3224 Engineering and Surveying Fees | 750.00 | 0.00 | 2,100.00 | 0.00 | (2,100.00) | 0.00% |
| 3225 Grama Request Fees | 600.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3481 Cemetery Revenue | 0.00 | 0.00 | 0.00 | 3,500.00 | 3,500.00 | 0.00% |
| 3670 Road Impact Fees | 15,870.00 | 0.00 | 10,580.00 | 37,000.00 | 26,420.00 | 28.59% |
| **Total Buildings and Grounds** | **43,438.72** | **1,282.00** | **49,624.57** | **81,979.00** | **32,354.43** | **60.53%** |
| **Highways and Public Improvements** | | | | | | |
| 3671 Highway Improvements Engineerin | 0.00 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| **Total Highways and Public Improvemen** | **0.00** | **0.00** | **0.00** | **2,500.00** | **2,500.00** | **0.00%** |
| **Contributions and transfers** | | | | | | |
| 3890 Beginning fund balance appropriate | 0.00 | 0.00 | 0.00 | 638,104.00 | 638,104.00 | 0.00% |
| **Total Contributions and transfers** | **0.00** | **0.00** | **0.00** | **638,104.00** | **638,104.00** | **0.00%** |
| **Total Revenue:** | **1,312,026.20** | **25,697.24** | **1,486,153.54** | **2,508,024.00** | **1,021,870.46** | **59.26%** |
| **Expenditures:** | | | | | | |
| **General government** | | | | | | |
| **Administrative** | | | | | | |
| 4103 Admin Permanent employees wag | 61,729.25 | 4,132.75 | 55,662.25 | 70,000.00 | 14,337.75 | 79.52% |
| 4103.1 Admin Office Manager Stipend | 43,200.00 | 3,600.00 | 39,600.00 | 43,200.00 | 3,600.00 | 91.67% |
| 4103.2 Admin Treasurer Stipend | 16,044.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4103.3 Admin Treasurer Employee Wa | 0.00 | 2,754.25 | 26,012.50 | 35,131.00 | 9,118.50 | 74.04% |
| 4103.4 Public Works Consultant | 0.00 | 269.13 | 807.39 | 1,000.00 | 192.61 | 80.74% |
| 4104 Admin Employee Payroll Services | 131.97 | 0.00 | 0.00 | 6,800.00 | 6,800.00 | 0.00% |
| 4105 Admin Employee Benefits | 14,611.94 | 1,211.57 | 13,780.03 | 15,000.00 | 1,219.97 | 91.87% |
| 4110 Admin Planning and Zoning Comp | 250.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |

| | 2025 Year-End Actual | May Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| 4111 Admin Books, subscriptions, mem | 2,542.99 | 40.00 | 3,232.85 | 3,000.00 | (232.85) | 107.76% |
| 4112 Admin Public notices | 1,026.82 | 0.00 | 219.00 | 808.00 | 589.00 | 27.10% |
| 4113 Admin GRAMA requests | 0.00 | 0.00 | 0.00 | 300.00 | 300.00 | 0.00% |
| 4114 Admin Travel | 3,661.92 | 1,225.88 | 4,947.66 | 4,000.00 | (947.66) | 123.69% |
| 4115 Admin Office expenses & supplies | 3,086.14 | 0.00 | 6,414.08 | 5,500.00 | (914.08) | 116.62% |
| 4115.5 Admin Stamps | 0.00 | 0.00 | 886.00 | 1,000.00 | 114.00 | 88.60% |
| 4116 Admin Computer & internet expen | 5,208.89 | 0.00 | 17,830.39 | 19,490.00 | 1,659.61 | 91.48% |
| 4116.5 Admin IT services | 5,813.74 | 152.20 | 3,143.37 | 2,000.00 | (1,143.37) | 157.17% |
| 4120 Admin Telephone | 2,014.05 | 246.17 | 2,520.16 | 2,000.00 | (520.16) | 126.01% |
| 4121 Admin Interlocal contributions | 1,500.00 | 0.00 | 0.00 | 1,500.00 | 1,500.00 | 0.00% |
| 4122 Admin Education | 1,525.00 | 0.00 | 2,902.00 | 3,000.00 | 98.00 | 96.73% |
| 4123 Admin Rental expense | 5,568.67 | 0.00 | 3,546.09 | 6,500.00 | 2,953.91 | 54.56% |
| 4124 Admin Insurance | 3,902.70 | 0.00 | 5,961.24 | 6,000.00 | 38.76 | 99.35% |
| 4125 Admin Taxes - property | 0.00 | 0.00 | 866.31 | 0.00 | (866.31) | 0.00% |
| 4126 Admin Repairs and maintenance | 40.00 | 0.00 | 539.56 | 500.00 | (39.56) | 107.91% |
| 4126.5 Town Hall - Repairs and mainten | 0.00 | 338.37 | 8,157.01 | 17,644.00 | 9,486.99 | 46.23% |
| 4130 Admin Bank service charges | (50.49) | 0.00 | 38.61 | 500.00 | 461.39 | 7.72% |
| 4132 Admin Town codification | 495.00 | 0.00 | 4,757.99 | 6,600.00 | 1,842.01 | 72.09% |
| 4140 Admin Elections | 321.21 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| 4142 Admin Food Expenditures | 1,942.37 | 0.00 | 541.46 | 3,000.00 | 2,458.54 | 18.05% |
| 4171 Admin Capital Outlay - Museum/To | 0.00 | 3,500.00 | 3,567.30 | 0.00 | (3,567.30) | 0.00% |
| 4190 State Grant Expenses | 0.00 | 0.00 | 2,836.75 | 38,101.00 | 35,264.25 | 7.45% |
| **Total Administrative** | **174,566.42** | **17,470.32** | **208,770.00** | **295,074.00** | **86,304.00** | **70.75%** |
| **Buildings and grounds** | | | | | | |
| 4127 Admin Bldg Permit fee state surch | 117.01 | 0.00 | 146.62 | 200.00 | 53.38 | 73.31% |
| 4141 Admin Survey and Engineering | 11,470.50 | 3,237.50 | 31,235.85 | 36,440.00 | 5,204.15 | 85.72% |
| 4154 Admin Inspections & plan reviews | 266.75 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4169 Cemetery Expense | 3,664.04 | 702.50 | 5,889.90 | 100,000.00 | 94,110.10 | 5.89% |
| 4169.2 Cemetery Wages | 0.00 | 200.00 | 2,200.00 | 2,400.00 | 200.00 | 91.67% |
| 4180 Building Dept - Surveyor Expense | 46.25 | 34.02 | 2,157.90 | 0.00 | (2,157.90) | 0.00% |
| 4180.5 Building Dept - Inspection Fees | 0.00 | 0.00 | (5,440.97) | 0.00 | 5,440.97 | 0.00% |
| 4180.6 Building Dept - Plan Review Exp | 0.00 | 0.00 | 4,199.65 | 0.00 | (4,199.65) | 0.00% |
| 4180.7 Building Dept - Building Permit E | 0.00 | 0.00 | 12,922.00 | 14,000.00 | 1,078.00 | 92.30% |
| 4181 Building Dept - Engineering Expen | 16,988.80 | 0.00 | 332.50 | 0.00 | (332.50) | 0.00% |
| 4182 Building Dept - Legal Expenses | 1,033.87 | 0.00 | 0.00 | 2,000.00 | 2,000.00 | 0.00% |
| 4183 Building Dept - Inspections/Plan R | 5,880.00 | 0.00 | 11,974.78 | 17,975.00 | 6,000.22 | 66.62% |
| 4187 Building Dept - Master Site Plan | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4188 Building Dept - Preliminary Site Pl | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| **Total Buildings and grounds** | **39,467.22** | **4,174.02** | **65,618.23** | **174,015.00** | **108,396.77** | **37.71%** |
| **Planning and zoning** | | | | | | |
| 4155 Planning and Zoning | 642.38 | 0.00 | 0.00 | 5,000.00 | 5,000.00 | 0.00% |
| 4156 Planning and Zoning - Stipend | 17,850.00 | 1,400.00 | 15,400.00 | 16,800.00 | 1,400.00 | 91.67% |
| 4157 Planning and Zoning General Plan | 56,113.35 | 0.00 | 989.65 | 1,000.00 | 10.35 | 98.97% |
| 4158 Town Council- Misc | 166.15 | 0.00 | 0.00 | 200.00 | 200.00 | 0.00% |
| **Total Planning and zoning** | **74,771.88** | **1,400.00** | **16,389.65** | **23,000.00** | **6,610.35** | **71.26%** |
| **Professional Services** | | | | | | |
| 4117 Admin Pelorus Software | 7,828.10 | 0.00 | 3,400.00 | 5,100.00 | 1,700.00 | 66.67% |
| 4118 Admin Copier Service and Mainten | 1,063.42 | 0.00 | 4,159.48 | 5,922.00 | 1,762.52 | 70.24% |
| 4133 Admin Website | 3,215.00 | 0.00 | 3,215.00 | 4,000.00 | 785.00 | 80.38% |
| 4134 Admin Accounting & auditing | 4,000.00 | 0.00 | 7,500.00 | 7,500.00 | 0.00 | 100.00% |
| 4136 Admin Consulting services | 0.00 | 0.00 | 0.00 | 8,500.00 | 8,500.00 | 0.00% |
| 4139 Admin Legal | 44,843.50 | 21,902.00 | 174,094.10 | 325,852.00 | 151,757.90 | 53.43% |
| **Total Professional Services** | **60,950.02** | **21,902.00** | **192,368.58** | **356,874.00** | **164,505.42** | **53.90%** |
| **Total General government** | **349,755.54** | **44,946.34** | **483,146.46** | **848,963.00** | **365,816.54** | **56.91%** |
| **Public safety** | | | | | | |
| 4149 Code Enforcement | 0.00 | 0.00 | 0.00 | 8,100.00 | 8,100.00 | 0.00% |
| 4150 Animal services | 0.00 | 0.00 | 1,170.00 | 14,170.00 | 13,000.00 | 8.26% |
| 4151 Police Contracted services | 22,443.23 | 1,945.02 | 25,445.10 | 26,480.00 | 1,034.90 | 96.09% |
| 4152 Fire Contracted services | 2,135.00 | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| 4153 Emergency dispatch | 4,906.46 | 0.00 | 4,012.69 | 4,100.00 | 87.31 | 97.87% |
| 4153.5 Everbridge | 28.94 | 0.00 | 28.94 | 35.00 | 6.06 | 82.69% |
| **Total Public safety** | **29,513.63** | **1,945.02** | **30,656.73** | **55,385.00** | **24,728.27** | **55.35%** |
| **City Council** | | | | | | |

# Fairfield Town
**Standard Financial Report**
**10 General Fund - 07/01/2025 to 05/31/2026**
**91.67% of the fiscal year has expired**

| | 2025 Year-End Actual | May Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| 4000 City Council Stipend | 19,550.00 | 1,400.00 | 15,400.00 | 16,800.00 | 1,400.00 | 91.67% |
| 4010 Mayor Stipend | 6,600.00 | 550.00 | 6,050.00 | 6,600.00 | 550.00 | 91.67% |
| 4169.1 Cemetery Board | 0.00 | 0.00 | 0.00 | 9,150.00 | 9,150.00 | 0.00% |
| **Total City Council** | **26,150.00** | **1,950.00** | **21,450.00** | **32,550.00** | **11,100.00** | **65.90%** |
| **Highways and public improvements** | | | | | | |
| **Roads** | | | | | | |
| 4137 Admin Street Signs | 0.00 | 0.00 | 1,971.11 | 3,000.00 | 1,028.89 | 65.70% |
| 4161 Roads Repairs & maintenance | 56,937.46 | 0.00 | 55,691.64 | 100,000.00 | 44,308.36 | 55.69% |
| 4162 Engineering Expenses | 4,102.50 | 0.00 | 0.00 | 6,000.00 | 6,000.00 | 0.00% |
| 4163 Roads Snowplow - Fuel, maint & r | 367.20 | 0.00 | 375.05 | 2,000.00 | 1,624.95 | 18.75% |
| 4165 Roads Weed Control | 193.40 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4166.5 Roads Contracted Stipend | 10,800.00 | 900.00 | 9,900.00 | 10,800.00 | 900.00 | 91.67% |
| **Total Roads** | **72,400.56** | **900.00** | **67,937.80** | **122,300.00** | **54,362.20** | **55.55%** |
| **Sanitation** | | | | | | |
| 4191 Trash collection | 11,301.42 | 400.00 | 8,671.35 | 10,000.00 | 1,328.65 | 86.71% |
| **Total Sanitation** | **11,301.42** | **400.00** | **8,671.35** | **10,000.00** | **1,328.65** | **86.71%** |
| **Total Highways and public improvemen** | **83,701.98** | **1,300.00** | **76,609.15** | **132,300.00** | **55,690.85** | **57.91%** |
| **Parks, recreation, and public property** | | | | | | |
| **Parks** | | | | | | |
| 4167 Community events | 6,599.77 | 76.23 | 2,003.04 | 6,000.00 | 3,996.96 | 33.38% |
| 4167.3 Christmas Events | 42,257.52 | 0.00 | 40,628.10 | 39,641.00 | (987.10) | 102.49% |
| 4167.5 Christmas Town Donations | 2,750.00 | 0.00 | 3,359.00 | 3,359.00 | 0.00 | 100.00% |
| 4173 Parks and Improvment | 0.00 | 0.00 | 915,497.56 | 984,500.00 | 69,002.44 | 92.99% |
| 4174 Parks and Publice Improv Stipend | 11,550.00 | 900.00 | 9,900.00 | 10,800.00 | 900.00 | 91.67% |
| **Total Parks** | **63,157.29** | **976.23** | **971,387.70** | **1,044,300.00** | **72,912.30** | **93.02%** |
| **Total Parks, recreation, and public prop** | **63,157.29** | **976.23** | **971,387.70** | **1,044,300.00** | **72,912.30** | **93.02%** |
| **Miscellaneous** | | | | | | |
| 4193 Other miscellaneous supplies | 0.00 | 1,338.13 | 1,338.13 | 1,000.00 | (338.13) | 133.81% |
| 4193.5 Cards and Flowers | 0.00 | 0.00 | 128.91 | 500.00 | 371.09 | 25.78% |
| 4202 Donations, fees, collections for Co | 160.87 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 4203 Sub for Santa | 4,172.82 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| **Total Miscellaneous** | **4,333.69** | **1,338.13** | **1,467.04** | **2,500.00** | **1,032.96** | **58.68%** |
| **Transfers** | | | | | | |
| 4197 Transfer to Capital Projects | 0.00 | 0.00 | 0.00 | 357,026.00 | 357,026.00 | 0.00% |
| 4198 Transfer to water fund | 565,000.00 | 0.00 | 0.00 | 35,000.00 | 35,000.00 | 0.00% |
| **Total Transfers** | **565,000.00** | **0.00** | **0.00** | **392,026.00** | **392,026.00** | **0.00%** |
| **Total Expenditures:** | **1,121,612.13** | **52,455.72** | **1,584,717.08** | **2,508,024.00** | **923,306.92** | **63.19%** |
| **Total Change In Net Position** | **190,414.07** | **(26,758.48)** | **(98,563.54)** | **0.00** | **98,563.54** | **0.00%** |

# Fairfield Town
## Standard Financial Report
### 41 Capital Projects - 07/01/2025 to 05/31/2026
### 91.67% of the fiscal year has expired

| | 2025 Year-End Actual | May Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1111 Checking | 463.93 | 0.00 | 0.00 |
| 1122 Altabank- Road Impact Fee | 29,210.00 | 0.00 | 29,210.00 |
| 1130 Moreton Investment | 1,544,000.00 | 0.00 | 836,350.81 |
| **Total Cash and cash equivalents** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Total Current Assets** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Total Assets:** | **1,573,673.93** | **0.00** | **865,560.81** |
| **Liabilites and Fund Equity:** | | | |
| **Equity - Paid In / Contributed** | | | |
| 2981 Fund Balance | (1,573,673.93) | 0.00 | (865,560.81) |
| **Total Equity - Paid In / Contributed** | **(1,573,673.93)** | **0.00** | **(865,560.81)** |
| **Total Liabilites and Fund Equity:** | **(1,573,673.93)** | **0.00** | **(865,560.81)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**41 Capital Projects - 07/01/2025 to 05/31/2026**
**91.67% of the fiscal year has expired**

| | 2025 Year-End Actual | May Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Change In Net Position** | | | | | | |
| **Revenue:** | | | | | | |
| **Contributions and transfers** | | | | | | |
| 3810 Transfer from General Fund | 0.00 | 0.00 | 0.00 | 357,026.00 | 357,026.00 | 0.00% |
| 3910 Appropriation of fund balance | 0.00 | 0.00 | 0.00 | 351,974.00 | 351,974.00 | 0.00% |
| **Total Contributions and transfers** | **0.00** | **0.00** | **0.00** | **709,000.00** | **709,000.00** | **0.00%** |
| **Total Revenue:** | **0.00** | **0.00** | **0.00** | **709,000.00** | **709,000.00** | **0.00%** |
| **Expenditures:** | | | | | | |
| **Miscellaneous** | | | | | | |
| 4149 Admin Capital outlay | 0.00 | 0.00 | 708,113.12 | 709,000.00 | 886.88 | 99.87% |
| **Total Miscellaneous** | **0.00** | **0.00** | **708,113.12** | **709,000.00** | **886.88** | **99.87%** |
| **Transfers** | | | | | | |
| 4851 Transfer to Water Fund | 294,777.17 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4910 Budgeted increase in fund balance | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Transfers** | **294,777.17** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00%** |
| **Total Expenditures:** | **294,777.17** | **0.00** | **708,113.12** | **709,000.00** | **886.88** | **99.87%** |
| **Total Change In Net Position** | **(294,777.17)** | **0.00** | **(708,113.12)** | **0.00** | **708,113.12** | **0.00%** |

# Fairfield Town
## Standard Financial Report
## 51 Water Fund - 07/01/2025 to 05/31/2026
## 91.67% of the fiscal year has expired

| | 2025 Year-End Actual | May Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Current Assets** | | | |
| **Cash and cash equivalents** | | | |
| 1117 General Checking - Bank of AF | 0.00 | (61,211.06) | (151,887.74) |
| 1118 Water Checking - Bank of AF | 14,031.60 | 2,873.88 | 5,317.88 |
| 1125 Altabank- Water Impact Fee | 728.00 | 0.00 | 728.00 |
| 1175 Undeposited receipts | 0.00 | 165.00 | 14,560.00 |
| **Total Cash and cash equivalents** | **14,759.60** | **(58,172.18)** | **(131,281.86)** |
| **Receivables** | | | |
| 1311 Accounts receivable | 705.64 | 86.36 | (13,239.45) |
| 1341 Grant receivable | 26,708.25 | 0.00 | 0.00 |
| **Total Receivables** | **27,413.89** | **86.36** | **(13,239.45)** |
| **Total Current Assets** | **42,173.49** | **(58,085.82)** | **(144,521.31)** |
| **Non-Current Assets** | | | |
| **Capital assets** | | | |
| **Property** | | | |
| 1611 Land and easements | 4,700.00 | 0.00 | 4,700.00 |
| 1612 Water rights | 112,608.00 | 0.00 | 112,608.00 |
| 1621 Buildings | 6,304.17 | 0.00 | 6,304.17 |
| 1641 Water system 10yr | 92,600.00 | 0.00 | 92,600.00 |
| 1643 Water system 30yr | 2,376,446.78 | 0.00 | 2,376,446.78 |
| 1644 Water system 40yr | 77,004.00 | 0.00 | 77,004.00 |
| **Total Property** | **2,669,662.95** | **0.00** | **2,669,662.95** |
| **Accumulated depreciation** | | | |
| 1721 AccDepn Buildings | (2,206.68) | 0.00 | (2,390.57) |
| 1741 AccDepn Water system | (458,469.30) | 0.00 | (509,452.61) |
| **Total Accumulated depreciation** | **(460,675.98)** | **0.00** | **(511,843.18)** |
| **Total Capital assets** | **2,208,986.97** | **0.00** | **2,157,819.77** |
| **Total Non-Current Assets** | **2,208,986.97** | **0.00** | **2,157,819.77** |
| **Total Assets:** | **2,251,160.46** | **(58,085.82)** | **2,013,298.46** |
| **Liabilites and Fund Equity:** | | | |
| **Liabilities:** | | | |
| **Current liabilities** | | | |
| 2131 Accounts payable | (50,834.02) | 0.00 | 0.00 |
| 2330 Customer deposits | (100.00) | 0.00 | (100.00) |
| **Total Current liabilities** | **(50,934.02)** | **0.00** | **(100.00)** |
| **Long-term liabilities** | | | |
| 2510 2016 Loans | (438,000.00) | 0.00 | (419,000.00) |
| **Total Long-term liabilities** | **(438,000.00)** | **0.00** | **(419,000.00)** |
| **Total Liabilities:** | **(488,934.02)** | **0.00** | **(419,100.00)** |
| **Equity - Paid In / Contributed** | | | |
| 2981 Retained earnings | (1,762,226.44) | 58,085.82 | (1,594,198.46) |
| **Total Equity - Paid In / Contributed** | **(1,762,226.44)** | **58,085.82** | **(1,594,198.46)** |
| **Total Liabilites and Fund Equity:** | **(2,251,160.46)** | **58,085.82** | **(2,013,298.46)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
**Standard Financial Report**
**51 Water Fund - 07/01/2025 to 05/31/2026**
**91.67% of the fiscal year has expired**

| | 2025 Year-End Actual | May Actual | 2026 YTD Actual | Annual Budget | Unearned/ Unexpended | % Earned/ Used |
|---|---|---|---|---|---|---|
| **Income or Expense** | | | | | | |
| **Income From Operations:** | | | | | | |
| **Operating income** | | | | | | |
| 5140 Culinary income | 28,820.25 | 2,185.36 | 25,074.77 | 32,000.00 | 6,925.23 | 78.36% |
| 5145 Sale of Purchased Water | 0.00 | 215.00 | 215.00 | 0.00 | (215.00) | 0.00% |
| 5150 Connection Fees | 50.00 | 0.00 | 3,735.00 | 0.00 | (3,735.00) | 0.00% |
| 5151 Impact Fees | 0.00 | 0.00 | 31,258.00 | 32,000.00 | 742.00 | 97.68% |
| 5410 Late penalties and fees | 100.00 | 75.00 | 350.00 | 100.00 | (250.00) | 350.00% |
| 5610 Interest income | 110.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Operating income** | **29,080.25** | **2,475.36** | **60,632.77** | **64,100.00** | **3,467.23** | **94.59%** |
| **Operating expense** | | | | | | |
| 6110 Culinary operator stipend | 10,800.00 | 900.00 | 10,125.00 | 10,800.00 | 675.00 | 93.75% |
| 6111 Employee wages | 0.00 | 225.00 | 887.50 | 0.00 | (887.50) | 0.00% |
| 6113 Employee taxes and benefits | 826.20 | 86.06 | 825.24 | 800.00 | (25.24) | 103.16% |
| 6121 Dues | 401.60 | 0.00 | 372.00 | 500.00 | 128.00 | 74.40% |
| 6128 Utilities | 3,009.43 | 332.19 | 2,654.32 | 2,600.00 | (54.32) | 102.09% |
| 6131 Professional fees | 1,237.50 | 0.00 | 1,387.50 | 3,000.00 | 1,612.50 | 46.25% |
| 6132 Water Engineering | 9,528.00 | 6,004.25 | 34,027.25 | 29,830.00 | (4,197.25) | 114.07% |
| 6133 Water Inspections | 0.00 | 0.00 | 0.00 | 7,832.00 | 7,832.00 | 0.00% |
| 6134 Water & Sewer Master Plan expens | 47,115.42 | 0.00 | 17,067.75 | 16,751.00 | (316.75) | 101.89% |
| 6141 Repairs and maintenance | 5,792.54 | 52,977.68 | 106,841.25 | 280,000.00 | 173,158.75 | 38.16% |
| 6142 Chlorine | 0.00 | 0.00 | 0.00 | 500.00 | 500.00 | 0.00% |
| 6143 Monthly water tests | 168.00 | 36.00 | 144.00 | 150.00 | 6.00 | 96.00% |
| 6144 Water tests - other | 275.00 | 0.00 | 1,731.00 | 300.00 | (1,431.00) | 577.00% |
| 6161 Bank service charges | 36.78 | 0.00 | 107.00 | 0.00 | (107.00) | 0.00% |
| 6169 Depreciation expense | 72,120.83 | 0.00 | 51,167.20 | 54,000.00 | 2,832.80 | 94.75% |
| 6170 Improvements | 0.00 | 0.00 | 1,323.74 | 0.00 | (1,323.74) | 0.00% |
| **Total Operating expense** | **151,311.30** | **60,561.18** | **228,660.75** | **407,063.00** | **178,402.25** | **56.17%** |
| **Total Income From Operations:** | **(122,231.05)** | **(58,085.82)** | **(168,027.98)** | **(342,963.00)** | **(174,935.02)** | **48.99%** |
| **Non-Operating Items:** | | | | | | |
| **Non-operating income** | | | | | | |
| 5510 Grant income | 26,708.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 5710 Miscellaneous Non-Operating Inco | 50.00 | 0.00 | 0.00 | 253,963.00 | 253,963.00 | 0.00% |
| 5810 Transfers from general fund | 565,000.00 | 0.00 | 0.00 | 35,000.00 | 35,000.00 | 0.00% |
| 5841 Transfers from capital projects fund | 294,777.17 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Non-operating income** | **886,535.42** | **0.00** | **0.00** | **288,963.00** | **288,963.00** | **0.00%** |
| **Total Non-Operating Items:** | **886,535.42** | **0.00** | **0.00** | **288,963.00** | **288,963.00** | **0.00%** |
| **Total Income or Expense** | **764,304.37** | **(58,085.82)** | **(168,027.98)** | **(54,000.00)** | **114,027.98** | **311.16%** |

# Fairfield Town
## Standard Financial Report
### 91 General Fixed Assets - 07/01/2025 to 05/31/2026
### 91.67% of the fiscal year has expired

| | 2025 Year-End Actual | May Actual | 2026 YTD Actual |
|---|---|---|---|
| **Net Position** | | | |
| **Assets:** | | | |
| **Non-Current Assets** | | | |
| **Capital assets** | | | |
| **Work in Process** | | | |
| 1601 Construciton in progress | 57,820.00 | 3,500.00 | 104,648.09 |
| **Total Work in Process** | **57,820.00** | **3,500.00** | **104,648.09** |
| **Property** | | | |
| 1611 Land | 130,226.15 | 0.00 | 795,078.48 |
| 1631.10 Improvements other than bldg | 156,287.96 | 0.00 | 156,287.96 |
| 1631.30 Improvements other than bldg | 256,928.40 | 0.00 | 256,928.40 |
| 1661 Machinery and equipment | 11,465.00 | 0.00 | 11,465.00 |
| **Total Property** | **554,907.51** | **0.00** | **1,219,759.84** |
| **Accumulated depreciation** | | | |
| 1731 AccDpn Improvements other than | (142,323.23) | 0.00 | (142,323.23) |
| 1761 AccDpn Machinery and equipme | (9,743.88) | 0.00 | (9,743.88) |
| **Total Accumulated depreciation** | **(152,067.11)** | **0.00** | **(152,067.11)** |
| **Total Capital assets** | **460,660.40** | **3,500.00** | **1,172,340.82** |
| **Total Non-Current Assets** | **460,660.40** | **3,500.00** | **1,172,340.82** |
| **Total Assets:** | **460,660.40** | **3,500.00** | **1,172,340.82** |
| **Liabilites and Fund Equity:** | | | |
| **Equity - Paid In / Contributed** | | | |
| 2971.1 Invested in capital assets | (612,727.51) | (3,500.00) | (1,324,407.93) |
| 2972 Total depreciation charged | 152,067.11 | 0.00 | 152,067.11 |
| **Total Equity - Paid In / Contributed** | **(460,660.40)** | **(3,500.00)** | **(1,172,340.82)** |
| **Total Liabilites and Fund Equity:** | **(460,660.40)** | **(3,500.00)** | **(1,172,340.82)** |
| **Total Net Position** | **0.00** | **0.00** | **0.00** |

# Fairfield Town
## 3 B & C Road Fund Alta Bank 5219
## Bank Reconciliation - 05/01/2026 to 05/31/2026

| | |
|---|---|
| **Bank Statement Start Balance:** | **$79,312.21** |

**Reconciled Deposits & Transfers**

| Type | Reference | Date | Amount |
|---|---|---|---|
| JE: 137 | | 05/27/2026 | 13,709.51 |

| | |
|---|---|
| **Reconciled Deposits & Transfers Total:** | **$13,709.51** |
| **Bank Statement End Balance:** | **$93,021.72** |

# Fairfield Town
## 2 Water Alta Bank- Checking 5201
## Bank Reconciliation - 05/01/2026 to 05/31/2026

| | |
|---|---|
| **Bank Statement Start Balance:** | **$45,186.15** |

### Reconciled Deposits & Transfers

| Type | Reference | Date | Amount |
|---|---|---|---|
| Deposit | | 04/29/2026 | 62.00 |
| Deposit | | 05/07/2026 | 110.00 |
| Deposit | | 05/07/2026 | 660.00 |
| Deposit | | 05/11/2026 | 62.00 |
| Deposit | | 05/11/2026 | 135.00 |
| Deposit | | 05/13/2026 | 135.00 |
| Deposit | | 05/18/2026 | 56.00 |
| Deposit | | 05/18/2026 | 66.00 |
| Deposit | | 05/18/2026 | 110.00 |
| Deposit | | 05/19/2026 | 141.00 |
| Deposit | | 05/20/2026 | 62.00 |
| Deposit | | 05/20/2026 | 187.00 |
| Deposit | | 05/21/2026 | 55.00 |
| Deposit | | 05/21/2026 | 55.00 |
| Deposit | | 05/26/2026 | 56.00 |
| Transfer | | 05/27/2026 | 4,000.00 |
| Transfer | | 05/27/2026 | 56,000.00 |
| Deposit | | 05/28/2026 | 64.00 |
| Deposit | | 05/29/2026 | 55.00 |
| JE: 139 | | 05/30/2026 | 215.00 |
| | | **Reconciled Deposits & Transfers Total:** | **$62,286.00** |

### Reconciled Checks & Withdrawals

| Payee Name | Reference | Date | Amount |
|---|---|---|---|
| Hydro Specialties Co. | 560 | 03/30/2026 | 897.78 |
| Badger Meter Services | 565 | 04/28/2026 | 5.85 |
| Richards Laboratories of Utah | 568 | 04/28/2026 | 12.00 |
| Rocky Mountain Power | 569 | 04/28/2026 | 186.78 |
| Staheli and Associates | 570 | 04/28/2026 | 1,122.74 |
| Bowen Collins | 566 | 04/28/2026 | 5,729.00 |
| JD Concrete, LLC | 567 | 04/28/2026 | 34,850.00 |
| | | **Reconciled Checks & Withdrawals Total:** | **$42,804.15** |

| | |
|---|---|
| **Bank Statement End Balance:** | **$64,668.00** |

# Fairfield Town
## Bank Reconciliation Summary
## All Bank Accounts - 05/31/2026

| Bank Account | Start Date | End Date | Bank Statement Balance | Calculated Book Balance | General Ledger Balance |
|---|---|---|---|---|---|
| 1 General Alta Bank - Checking 5193 | 05/01/2026 | 05/31/2026 | $159,588.07 | $126,608.42 | $126,608.42 |
| 2 Water Alta Bank- Checking 5201 | 05/01/2026 | 05/31/2026 | $64,668.00 | $5,317.88 | $5,317.88 |
| 3 B & C Road Fund Alta Bank 5219 | 05/01/2026 | 05/31/2026 | $93,021.72 | $93,021.72 | $93,021.72 |
| 4 Savings Alta Bank 7099 | 04/01/2026 | 04/30/2026 | $0.00 | $0.00 | $0.00 |
| Altabank- Road Impact Fee 0483 | 05/01/2026 | 05/31/2026 | $29,210.00 | $29,210.00 | $29,210.00 |
| Altabank- Water Impact Fee 0475 | 05/01/2026 | 05/31/2026 | $728.00 | $728.00 | $728.00 |
| Altabank- Cemetery Fund 0491 | 04/01/2026 | 04/30/2026 | $0.00 | $0.00 | $0.00 |
| Moreton Investment | 04/01/2026 | 04/30/2026 | $1,274,316.17 | $1,274,316.17 | $1,274,316.17 |
| Altabank- Capital Fund | 05/01/2021 | 07/31/2021 | $0.00 | $0.00 | $0.00 |
| | | | **$1,621,531.96** | **$1,529,202.19** | **$1,529,202.19** |

# Fairfield Town
## Check Register
## All Bank Accounts - 05/01/2026 to 05/31/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Badger Meter Services | 571 | 80234096 | 05/11/2026 | 05/27/2026 | 40.95 | Cellular | 516128 - Utilities | |
| | | | | | **$40.95** | | | |
| Blue Stakes of Utah 811 | 1496 | UT202600700 | 05/11/2026 | 05/27/2026 | 34.02 | Email Notifications | 104180 - Building Dept - Surveyor Ex | |
| | | | | | **$34.02** | | | |
| Bowen Collins | 572 | 41666 | 05/19/2026 | 05/27/2026 | 6,004.25 | North water line | 516132 - Water Engineering | |
| | | | | | **$6,004.25** | | | |
| Butterfield, Codi | 1497 | May 2026 Mileag | 05/13/2026 | 05/27/2026 | 433.88 | Mileage | 104114 - Admin Travel | |
| | | | | | **$433.88** | | | |
| Golden Star Stucco & Plaster LLC | 1507 | 001 | 05/27/2026 | 05/27/2026 | 3,500.00 | Town Hall Stucco | 104171 - Admin Capital Outlay - Mus | |
| | | | | | **$3,500.00** | | | |
| Hayes Godfrey Bell, P.C. | 1508 | 12784 | 05/27/2026 | 05/27/2026 | 21,902.00 | Legal | 104139 - Admin Legal | |
| | | | | | **$21,902.00** | | | |
| Hydro Specialties Co. | 577 | 30906 | 05/27/2026 | 05/27/2026 | 3,597.68 | meter | 516141 - Repairs and maintenance | |
| | | | | | **$3,597.68** | | | |
| Internal Revenue Service | EFT | PR042626-760 | 04/30/2026 | 05/01/2026 | 108.00 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR042626-760 | 04/30/2026 | 05/01/2026 | 177.95 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR042626-760 | 04/30/2026 | 05/01/2026 | 461.78 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR043026-760 | 04/30/2026 | 05/01/2026 | 293.00 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR043026-760 | 04/30/2026 | 05/01/2026 | 416.33 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR043026-760 | 04/30/2026 | 05/01/2026 | 1,252.40 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR051026-760 | 05/12/2026 | 05/18/2026 | 102.50 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR051026-760 | 05/12/2026 | 05/18/2026 | 208.91 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR051026-760 | 05/12/2026 | 05/18/2026 | 438.28 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR052426-760 | 05/27/2026 | 05/29/2026 | 103.74 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR052426-760 | 05/27/2026 | 05/29/2026 | 189.00 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR052426-760 | 05/27/2026 | 05/29/2026 | 443.60 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR053126-760 | 05/27/2026 | 05/29/2026 | 293.00 | Medicare Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR053126-760 | 05/27/2026 | 05/29/2026 | 416.33 | Federal Income Tax | 102221 - Accrued SS, MC & FWT pay | |
| Internal Revenue Service | EFT | PR053126-760 | 05/27/2026 | 05/29/2026 | 1,252.40 | Social Security Tax | 102221 - Accrued SS, MC & FWT pay | |
| | | | | | $6,157.22 | | | |
| | | | | | **$6,157.22** | | | |
| Les Olson Company | 1498 | MNS67832 | 05/27/2026 | 05/27/2026 | 152.20 | Software and Support | 104116.5 - Admin IT services | |
| Les Olson Company | 1498 | Tel67828 | 05/27/2026 | 05/27/2026 | 86.17 | Telephone | 104120 - Admin Telephone | |
| | | | | | $238.37 | | | |
| | | | | | **$238.37** | | | |
| McKinney, Hollie | 1499 | Cell phone May 2 | 05/26/2026 | 05/27/2026 | 60.00 | Cell Phone May 2026 | 104120 - Admin Telephone | |
| McKinney, Hollie | 1499 | Chat GPT May 20 | 05/26/2026 | 05/27/2026 | 20.00 | Chat GPT May 2026 | 104111 - Admin Books, subscriptions, | |
| McKinney, Hollie | 1499 | Zoom May 2026 | 05/26/2026 | 05/27/2026 | 20.00 | Zoom May 2026 | 104111 - Admin Books, subscriptions, | |
| | | | | | $100.00 | | | |
| McKinney, Hollie | 1509 | Mileage May 202 | 05/27/2026 | 05/27/2026 | 792.00 | Mileage May 2026 | 104114 - Admin Travel | |
| | | | | | **$892.00** | | | |
| McNeil Engineering | 1500 | 90119 | 05/11/2026 | 05/27/2026 | 925.00 | Surveying Services | 104141 - Admin Survey and Engineeri | |
| McNeil Engineering | 1500 | 90458 | 05/20/2026 | 05/27/2026 | 217.50 | Cemetery Plat | 104169 - Cemetery Expense | |
| McNeil Engineering | 1500 | 90459R | 05/20/2026 | 05/27/2026 | 2,312.50 | Surveying Services | 104141 - Admin Survey and Engineeri | |
| | | | | | $3,455.00 | | | |
| McNeil Engineering | 573 | 90510 | 05/26/2026 | 05/27/2026 | 1,090.00 | Bradshaw Loop Line | 516141 - Repairs and maintenance | |
| | | | | | **$4,545.00** | | | |

# Fairfield Town
## Check Register
## All Bank Accounts - 05/01/2026 to 05/31/2026

| Payee Name | Reference Number | Invoice Number | Invoice Ledger Date | Payment Date | Amount | Description | Ledger Account | Activity Code |
|---|---|---|---|---|---|---|---|---|
| Reed's Landscaping/Maintencance, | 1501 | 1006 | 05/19/2026 | 05/27/2026 | 297.50 | Lawn Mowing/ Clean up | 104126.5 - Town Hall - Repairs and m | |
| Reed's Landscaping/Maintencance, | 1501 | 1006B | 05/19/2026 | 05/27/2026 | 485.00 | Cemetery Clean up | 104169 - Cemetery Expense | |
| | | | | | $782.50 | | | |
| | | | | | **$782.50** | | | |
| Richards Laboratories of Utah | 574 | 118945 | 05/11/2026 | 05/27/2026 | 24.00 | Water Testing | 516143 - Monthly water tests | |
| Richards Laboratories of Utah | 574 | 118961 | 05/11/2026 | 05/27/2026 | 12.00 | Water Testing | 516143 - Monthly water tests | |
| | | | | | $36.00 | | | |
| | | | | | **$36.00** | | | |
| Rocky Mountain Power | 1502 | June 2026 Town | 05/19/2026 | 05/27/2026 | 40.87 | Town Hall | 104126.5 - Town Hall - Repairs and m | |
| Rocky Mountain Power | 575 | May 2026 Pump | 05/20/2026 | 05/27/2026 | 69.90 | Pump | 516128 - Utilities | |
| Rocky Mountain Power | 575 | May 2026 Tank | 05/20/2026 | 05/27/2026 | 221.34 | May 2026 Water Tank | 516128 - Utilities | |
| | | | | | $291.24 | | | |
| | | | | | **$332.11** | | | |
| Shelley, Stephanie | 1503 | Cell phone May 2 | 05/26/2026 | 05/27/2026 | 100.00 | Cell Phone May 2026 | 104120 - Admin Telephone | |
| | | | | | **$100.00** | | | |
| Strong Solutions | 576 | 1060 | 05/11/2026 | 05/27/2026 | 48,290.00 | North Water Line | 516141 - Repairs and maintenance | |
| | | | | | **$48,290.00** | | | |
| The Yard Dumpster | 1504 | 8281 | 05/19/2026 | 05/27/2026 | 400.00 | Dumpster | 104191 - Trash collection | |
| | | | | | **$400.00** | | | |
| Utah County | 1505 | 65849 | 05/13/2026 | 05/27/2026 | 1,945.02 | Law Enforcement | 104151 - Police Contracted services | |
| | | | | | **$1,945.02** | | | |
| Utah State Tax Commission | EFT | PR042626-17 | 04/30/2026 | 05/01/2026 | 72.05 | State Income Tax | 102222 - Accrued state withholding p | |
| Utah State Tax Commission | EFT | PR043026-17 | 04/30/2026 | 05/01/2026 | 211.38 | State Income Tax | 102222 - Accrued state withholding p | |
| Utah State Tax Commission | EFT | PR051026-17 | 05/12/2026 | 05/18/2026 | 89.60 | State Income Tax | 102222 - Accrued state withholding p | |
| | | | | | $373.03 | | | |
| | | | | | **$373.03** | | | |
| Weber, Michael | 1506 | Reimbursement | 05/27/2026 | 05/27/2026 | 76.23 | Reimbursement for Food for old Folks lunch | 104167 - Community events | |
| | | | | | **$76.23** | | | |
| | | | | | **$99,680.26** | | | |

# Fairfield Town
## 1 General Alta Bank - Checking 5193
## Bank Reconciliation - 05/01/2026 to 05/31/2026

**Bank Statement Start Balance:** **$301,437.29**

### Reconciled Deposits & Transfers

| Type | Reference | Date | Amount |
|---|---|---|---|
| Deposit | | 05/11/2026 | 482.33 |
| JE: 141 | | 05/15/2026 | -1,338.13 |
| JE: 140 | | 05/22/2026 | 10,223.40 |
| Transfer | | 05/27/2026 | -56,000.00 |
| Transfer | | 05/27/2026 | -4,000.00 |

**Reconciled Deposits & Transfers Total:** **($50,632.40)**

### Reconciled Checks & Withdrawals

| Payee Name | Reference | Date | Amount |
|---|---|---|---|
| McKinney, Hollie | 1468 | 03/30/2026 | 100.00 |
| Blue Stakes of Utah 811 | 1480 | 04/28/2026 | 6.30 |
| Rocky Mountain Power | 1486 | 04/28/2026 | 43.90 |
| Integrity 1st Pest Control | 1483 | 04/28/2026 | 85.00 |
| McKinney, Hollie | 1485 | 04/28/2026 | 100.00 |
| Utah Department of Commerce | 1494 | 04/28/2026 | 105.59 |
| Utah Correctional Industries | 1492 | 04/28/2026 | 112.00 |
| Utah State Historical Preservation Office | 1495 | 04/28/2026 | 291.63 |
| American Legal Publishing | 1479 | 04/28/2026 | 495.00 |
| The Yard Dumpster | 1491 | 04/28/2026 | 866.00 |
| Les Olson Company | 1484 | 04/28/2026 | 1,153.98 |
| Central Utah 911 | 1481 | 04/28/2026 | 1,342.71 |
| Stevenson Smith Hood Knudson PC | 1488 | 04/28/2026 | 1,837.00 |
| Utah County Auditor | 1493 | 04/28/2026 | 3,025.02 |
| Sunrise Engineering INC | 1490 | 04/28/2026 | 11,680.68 |
| Strong Solutions | 1489 | 04/28/2026 | 23,001.00 |
| Hayes Godfrey Bell, P.C. | 1482 | 04/28/2026 | 24,503.00 |
| Utah State Tax Commission | EFT | 05/01/2026 | 283.43 |
| Internal Revenue Service | EFT | 05/01/2026 | 2,709.46 |
| Payroll DD | 0512261200 | 05/12/2026 | 2,965.60 |
| Utah State Tax Commission | EFT | 05/18/2026 | 89.60 |
| Internal Revenue Service | EFT | 05/18/2026 | 749.69 |
| Butterfield, Codi | 1497 | 05/27/2026 | 433.88 |
| Golden Star Stucco & Plaster LLC | 1507 | 05/27/2026 | 3,500.00 |
| Payroll DD | 0527261200 | 05/27/2026 | 11,736.35 |

**Reconciled Checks & Withdrawals Total:** **$91,216.82**

**Bank Statement End Balance:** **$159,588.07**

# Fairfield Town
**Operational Budget Report**
**10 General Fund - 07/01/2025 to 05/31/2026**
**91.67% of the fiscal year has expired**

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Change In Net Position** | | | | | |
| **Revenue:** | | | | | |
| **Taxes** | | | | | |
| 3110 General property taxes-current | 25,514.97 | 287.86 | 36,854.09 | 39,500.00 | 93.30% |
| 3130 General sales & use tax | 52,435.68 | 10,223.40 | 70,419.70 | 82,000.00 | 85.88% |
| **Total Taxes** | **77,950.65** | **10,511.26** | **107,273.79** | **121,500.00** | **88.29%** |
| **Licenses and permits** | | | | | |
| 3211 Business licenses | 635.00 | 0.00 | 350.00 | 2,000.00 | 17.50% |
| 3250 Penalties & Permits & Fees | 350.00 | 0.00 | 25.00 | 400.00 | 6.25% |
| 3260 Intermountain Regional Landfill | 658,806.54 | 0.00 | 724,282.67 | 945,000.00 | 76.64% |
| 3261 North Pointe Landfill | 55,558.91 | 0.00 | 39,476.39 | 83,559.00 | 47.24% |
| **Total Licenses and permits** | **715,350.45** | **0.00** | **764,134.06** | **1,030,959.00** | **74.12%** |
| **Intergovernmental revenue** | | | | | |
| 3339 State grants | 0.00 | 0.00 | 26,206.90 | 67,200.00 | 39.00% |
| 3341 Parks | 0.00 | 0.00 | 400,000.00 | 400,000.00 | 100.00% |
| 3356 Class C road fund allotment | 47,217.64 | 13,709.51 | 81,381.93 | 58,957.00 | 138.04% |
| **Total Intergovernmental revenue** | **47,217.64** | **13,709.51** | **507,588.83** | **526,157.00** | **96.47%** |
| **Charges for services** | | | | | |
| 3480 Opening/closing graves | 625.00 | 0.00 | 0.00 | 625.00 | 0.00% |
| **Total Charges for services** | **625.00** | **0.00** | **0.00** | **625.00** | **0.00%** |
| **Interest** | | | | | |
| 3610 Interest earnings | 14.78 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3611 Investments increase (decrease) | 71,242.67 | 0.00 | 37,848.01 | 85,000.00 | 44.53% |
| **Total Interest** | **71,257.45** | **0.00** | **37,848.01** | **85,000.00** | **44.53%** |
| **Miscellaneous revenue** | | | | | |
| 3615 Donations, Collections, Christmas | 20,967.82 | 0.00 | 19,010.00 | 21,000.00 | 90.52% |
| 3690 Miscellaneous revenue | 552.20 | 194.47 | 674.28 | 200.00 | 337.14% |
| **Total Miscellaneous revenue** | **21,520.02** | **194.47** | **19,684.28** | **21,200.00** | **92.85%** |
| **Buildings and Grounds** | | | | | |
| 3220 Building Dept Application Fees | 0.00 | 0.00 | 670.00 | 0.00 | 0.00% |
| 3220.2 Building Dept Assignment of Address Fee | 0.00 | 0.00 | 100.00 | 0.00 | 0.00% |
| 3220.5 Building Dept Inspection Fees | 0.00 | 0.00 | 1,078.90 | 0.00 | 0.00% |
| 3220.6 Building Dept Fire Inspection Fees | 0.00 | 0.00 | 705.00 | 0.00 | 0.00% |
| 3220.7 Building Dept Plan Review Fees | 0.00 | 0.00 | 4,470.15 | 0.00 | 0.00% |
| 3220.9 Building Dept State Permit Surcharge Fee | 0.00 | 0.00 | 109.44 | 0.00 | 0.00% |
| 3221 Non-business buildings, structures, equip | 0.00 | 0.00 | 0.00 | 16,192.00 | 0.00% |
| 3222 Building Dept Permits | 25,658.72 | 0.00 | 27,529.08 | 25,287.00 | 108.87% |
| 3223 Building Franchise Fee Revenue | 0.00 | 1,282.00 | 2,282.00 | 0.00 | 0.00% |
| 3224 Engineering and Surveying Fees | 0.00 | 0.00 | 2,100.00 | 0.00 | 0.00% |
| 3481 Cemetery Revenue | 0.00 | 0.00 | 0.00 | 3,500.00 | 0.00% |
| 3670 Road Impact Fees | 15,870.00 | 0.00 | 10,580.00 | 37,000.00 | 28.59% |
| **Total Buildings and Grounds** | **41,528.72** | **1,282.00** | **49,624.57** | **81,979.00** | **60.53%** |
| **Highways and Public Improvements** | | | | | |
| 3671 Highway Improvements Engineering Revenue | 0.00 | 0.00 | 0.00 | 2,500.00 | 0.00% |
| **Total Highways and Public Improvements** | **0.00** | **0.00** | **0.00** | **2,500.00** | **0.00%** |
| **Contributions and transfers** | | | | | |
| 3890 Beginning fund balance appropriated | 0.00 | 0.00 | 0.00 | 638,104.00 | 0.00% |
| **Total Contributions and transfers** | **0.00** | **0.00** | **0.00** | **638,104.00** | **0.00%** |
| **Total Revenue:** | **975,449.93** | **25,697.24** | **1,486,153.54** | **2,508,024.00** | **59.26%** |
| **Expenditures:** | | | | | |
| **General government** | | | | | |
| **Administrative** | | | | | |
| 4103 Admin Permanent employees wages | 57,120.25 | 4,132.75 | 55,662.25 | 70,000.00 | 79.52% |
| 4103.1 Admin Office Manager Stipend | 39,600.00 | 3,600.00 | 39,600.00 | 43,200.00 | 91.67% |
| 4103.2 Admin Treasurer Stipend | 14,185.50 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4103.3 Admin Treasurer Employee Wage | 0.00 | 2,754.25 | 26,012.50 | 35,131.00 | 74.04% |
| 4103.4 Public Works Consultant | 0.00 | 269.13 | 807.39 | 1,000.00 | 80.74% |
| 4104 Admin Employee Payroll Services | 131.97 | 0.00 | 0.00 | 6,800.00 | 0.00% |
| 4105 Admin Employee Benefits | 13,451.56 | 1,211.57 | 13,780.03 | 15,000.00 | 91.87% |
| 4110 Admin Planning and Zoning Compensation | 250.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4111 Admin Books, subscriptions, memberships | 2,442.99 | 40.00 | 3,232.85 | 3,000.00 | 107.76% |
| 4112 Admin Public notices | 1,026.82 | 0.00 | 219.00 | 808.00 | 27.10% |

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| 4113 Admin GRAMA requests | 0.00 | 0.00 | 0.00 | 300.00 | 0.00% |
| 4114 Admin Travel | 2,686.01 | 1,225.88 | 4,947.66 | 4,000.00 | 123.69% |
| 4115 Admin Office expenses & supplies | 2,744.84 | 0.00 | 6,414.08 | 5,500.00 | 116.62% |
| 4115.5 Admin Stamps | 0.00 | 0.00 | 886.00 | 1,000.00 | 88.60% |
| 4116 Admin Computer & internet expenses | 4,970.84 | 0.00 | 17,830.39 | 19,490.00 | 91.48% |
| 4116.5 Admin IT services | 5,813.74 | 152.20 | 3,143.37 | 2,000.00 | 157.17% |
| 4120 Admin Telephone | 1,709.01 | 246.17 | 2,520.16 | 2,000.00 | 126.01% |
| 4121 Admin Interlocal contributions | 1,500.00 | 0.00 | 0.00 | 1,500.00 | 0.00% |
| 4122 Admin Education | 1,525.00 | 0.00 | 2,902.00 | 3,000.00 | 96.73% |
| 4123 Admin Rental expense | 5,568.67 | 0.00 | 3,546.09 | 6,500.00 | 54.56% |
| 4124 Admin Insurance | 3,902.70 | 0.00 | 5,961.24 | 6,000.00 | 99.35% |
| 4125 Admin Taxes - property | 0.00 | 0.00 | 866.31 | 0.00 | 0.00% |
| 4126 Admin Repairs and maintenance | 40.00 | 0.00 | 539.56 | 500.00 | 107.91% |
| 4126.5 Town Hall - Repairs and maintenance | 0.00 | 338.37 | 8,157.01 | 17,644.00 | 46.23% |
| 4130 Admin Bank service charges | (52.49) | 0.00 | 38.61 | 500.00 | 7.72% |
| 4132 Admin Town codification | 495.00 | 0.00 | 4,757.99 | 6,600.00 | 72.09% |
| 4140 Admin Elections | 321.21 | 0.00 | 0.00 | 2,500.00 | 0.00% |
| 4142 Admin Food Expenditures | 1,833.79 | 0.00 | 541.46 | 3,000.00 | 18.05% |
| 4171 Admin Capital Outlay - Museum/Town Office Projec | 0.00 | 3,500.00 | 3,567.30 | 0.00 | 0.00% |
| 4190 State Grant Expenses | 44,822.92 | 0.00 | 2,836.75 | 38,101.00 | 7.45% |
| **Total Administrative** | **206,090.33** | **17,470.32** | **208,770.00** | **295,074.00** | **70.75%** |
| **Buildings and grounds** | | | | | |
| 4127 Admin Bldg Permit fee state surcharge | 117.01 | 0.00 | 146.62 | 200.00 | 73.31% |
| 4141 Admin Survey and Engineering | 11,470.50 | 3,237.50 | 31,235.85 | 36,440.00 | 85.72% |
| 4154 Admin Inspections & plan reviews | 266.75 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4169 Cemetery Expense | 2,969.04 | 702.50 | 5,889.90 | 100,000.00 | 5.89% |
| 4169.2 Cemetery Wages | 0.00 | 200.00 | 2,200.00 | 2,400.00 | 91.67% |
| 4180 Building Dept - Surveyor Expenses | 46.25 | 34.02 | 2,157.90 | 0.00 | 0.00% |
| 4180.5 Building Dept - Inspection Fees | 0.00 | 0.00 | (5,440.97) | 0.00 | 0.00% |
| 4180.6 Building Dept - Plan Review Expense | 0.00 | 0.00 | 4,199.65 | 0.00 | 0.00% |
| 4180.7 Building Dept - Building Permit Expense | 0.00 | 0.00 | 12,922.00 | 14,000.00 | 92.30% |
| 4181 Building Dept - Engineering Expenses | 9,401.00 | 0.00 | 332.50 | 0.00 | 0.00% |
| 4182 Building Dept - Legal Expenses | 1,033.87 | 0.00 | 0.00 | 2,000.00 | 0.00% |
| 4183 Building Dept - Inspections/Plan Review Expenses | 5,880.00 | 0.00 | 11,974.78 | 17,975.00 | 66.62% |
| 4187 Building Dept - Master Site Plan | 0.00 | 0.00 | 0.00 | 500.00 | 0.00% |
| 4188 Building Dept - Preliminary Site Plan | 0.00 | 0.00 | 0.00 | 500.00 | 0.00% |
| **Total Buildings and grounds** | **31,184.42** | **4,174.02** | **65,618.23** | **174,015.00** | **37.71%** |
| **Planning and zoning** | | | | | |
| 4155 Planning and Zoning | 642.38 | 0.00 | 0.00 | 5,000.00 | 0.00% |
| 4156 Planning and Zoning - Stipend | 16,700.00 | 1,400.00 | 15,400.00 | 16,800.00 | 91.67% |
| 4157 Planning and Zoning General Plan | 51,301.70 | 0.00 | 989.65 | 1,000.00 | 98.97% |
| 4158 Town Council- Misc | 166.15 | 0.00 | 0.00 | 200.00 | 0.00% |
| **Total Planning and zoning** | **68,810.23** | **1,400.00** | **16,389.65** | **23,000.00** | **71.26%** |
| **Professional Services** | | | | | |
| 4117 Admin Pelorus Software | 4,822.10 | 0.00 | 3,400.00 | 5,100.00 | 66.67% |
| 4118 Admin Copier Service and Maintenance | 579.94 | 0.00 | 4,159.48 | 5,922.00 | 70.24% |
| 4133 Admin Website | 3,215.00 | 0.00 | 3,215.00 | 4,000.00 | 80.38% |
| 4134 Admin Accounting & auditing | 4,000.00 | 0.00 | 7,500.00 | 7,500.00 | 100.00% |
| 4136 Admin Consulting services | 0.00 | 0.00 | 0.00 | 8,500.00 | 0.00% |
| 4139 Admin Legal | 40,957.50 | 21,902.00 | 174,094.10 | 325,852.00 | 53.43% |
| **Total Professional Services** | **53,574.54** | **21,902.00** | **192,368.58** | **356,874.00** | **53.90%** |
| **Total General government** | **359,659.52** | **44,946.34** | **483,146.46** | **848,963.00** | **56.91%** |
| **Public safety** | | | | | |
| 4149 Code Enforcement | 0.00 | 0.00 | 0.00 | 8,100.00 | 0.00% |
| 4150 Animal services | 0.00 | 0.00 | 1,170.00 | 14,170.00 | 8.26% |
| 4151 Police Contracted services | 20,572.96 | 1,945.02 | 25,445.10 | 26,480.00 | 96.09% |
| 4152 Fire Contracted services | 2,135.00 | 0.00 | 0.00 | 2,500.00 | 0.00% |
| 4153 Emergency dispatch | 3,098.68 | 0.00 | 4,012.69 | 4,100.00 | 97.87% |
| 4153.5 Everbridge | 28.94 | 0.00 | 28.94 | 35.00 | 82.69% |
| **Total Public safety** | **25,835.58** | **1,945.02** | **30,656.73** | **55,385.00** | **55.35%** |
| **City Council** | | | | | |
| 4000 City Council Stipend | 18,150.00 | 1,400.00 | 15,400.00 | 16,800.00 | 91.67% |
| 4010 Mayor Stipend | 6,050.00 | 550.00 | 6,050.00 | 6,600.00 | 91.67% |
| 4169.1 Cemetery Board | 0.00 | 0.00 | 0.00 | 9,150.00 | 0.00% |

# Fairfield Town
## Operational Budget Report
### 10 General Fund - 07/01/2025 to 05/31/2026
### 91.67% of the fiscal year has expired

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Total City Council** | **24,200.00** | **1,950.00** | **21,450.00** | **32,550.00** | **65.90%** |
| **Highways and public improvements** | | | | | |
| **Roads** | | | | | |
| 4137 Admin Street Signs | 0.00 | 0.00 | 1,971.11 | 3,000.00 | 65.70% |
| 4161 Roads Repairs & maintenance | 44,106.11 | 0.00 | 55,691.64 | 100,000.00 | 55.69% |
| 4162 Engineering Expenses | 4,102.50 | 0.00 | 0.00 | 6,000.00 | 0.00% |
| 4163 Roads Snowplow - Fuel, maint & repair | 367.20 | 0.00 | 375.05 | 2,000.00 | 18.75% |
| 4165 Roads Weed Control | 193.40 | 0.00 | 0.00 | 500.00 | 0.00% |
| 4166.5 Roads Contracted Stipend | 9,900.00 | 900.00 | 9,900.00 | 10,800.00 | 91.67% |
| **Total Roads** | **58,669.21** | **900.00** | **67,937.80** | **122,300.00** | **55.55%** |
| **Sanitation** | | | | | |
| 4191 Trash collection | 10,301.42 | 400.00 | 8,671.35 | 10,000.00 | 86.71% |
| **Total Sanitation** | **10,301.42** | **400.00** | **8,671.35** | **10,000.00** | **86.71%** |
| **Total Highways and public improvements** | **68,970.63** | **1,300.00** | **76,609.15** | **132,300.00** | **57.91%** |
| **Parks, recreation, and public property** | | | | | |
| **Parks** | | | | | |
| 4167 Community events | 6,599.77 | 76.23 | 2,003.04 | 6,000.00 | 33.38% |
| 4167.3 Christmas Events | 42,257.52 | 0.00 | 40,628.10 | 39,641.00 | 102.49% |
| 4167.5 Christmas Town Donations | 2,750.00 | 0.00 | 3,359.00 | 3,359.00 | 100.00% |
| 4173 Parks and Improvment | 0.00 | 0.00 | 915,497.56 | 984,500.00 | 92.99% |
| 4174 Parks and Publice Improv Stipend | 10,650.00 | 900.00 | 9,900.00 | 10,800.00 | 91.67% |
| **Total Parks** | **62,257.29** | **976.23** | **971,387.70** | **1,044,300.00** | **93.02%** |
| **Total Parks, recreation, and public property** | **62,257.29** | **976.23** | **971,387.70** | **1,044,300.00** | **93.02%** |
| **Miscellaneous** | | | | | |
| 4193 Other miscellaneous supplies | 0.00 | 1,338.13 | 1,338.13 | 1,000.00 | 133.81% |
| 4193.5 Cards and Flowers | 0.00 | 0.00 | 128.91 | 500.00 | 25.78% |
| 4202 Donations, fees, collections for Community Days | 160.87 | 0.00 | 0.00 | 500.00 | 0.00% |
| 4203 Sub for Santa | 4,172.82 | 0.00 | 0.00 | 500.00 | 0.00% |
| **Total Miscellaneous** | **4,333.69** | **1,338.13** | **1,467.04** | **2,500.00** | **58.68%** |
| **Transfers** | | | | | |
| 4197 Transfer to Capital Projects | 0.00 | 0.00 | 0.00 | 357,026.00 | 0.00% |
| 4198 Transfer to water fund | 0.00 | 0.00 | 0.00 | 35,000.00 | 0.00% |
| **Total Transfers** | **0.00** | **0.00** | **0.00** | **392,026.00** | **0.00%** |
| **Total Expenditures:** | **545,256.71** | **52,455.72** | **1,584,717.08** | **2,508,024.00** | **63.19%** |
| **Total Change In Net Position** | **430,193.22** | **(26,758.48)** | **(98,563.54)** | **0.00** | **0.00%** |

# Fairfield Town
## Operational Budget Report
### 41 Capital Projects - 07/01/2025 to 05/31/2026
### 91.67% of the fiscal year has expired

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Change In Net Position** | | | | | |
| **Revenue:** | | | | | |
| **Contributions and transfers** | | | | | |
| 3810 Transfer from General Fund | 0.00 | 0.00 | 0.00 | 357,026.00 | 0.00% |
| 3910 Appropriation of fund balance | 0.00 | 0.00 | 0.00 | 351,974.00 | 0.00% |
| **Total Contributions and transfers** | **0.00** | **0.00** | **0.00** | **709,000.00** | **0.00%** |
| **Total Revenue:** | **0.00** | **0.00** | **0.00** | **709,000.00** | **0.00%** |
| **Expenditures:** | | | | | |
| **Miscellaneous** | | | | | |
| 4149 Admin Capital outlay | 0.00 | 0.00 | 708,113.12 | 709,000.00 | 99.87% |
| **Total Miscellaneous** | **0.00** | **0.00** | **708,113.12** | **709,000.00** | **99.87%** |
| **Total Expenditures:** | **0.00** | **0.00** | **708,113.12** | **709,000.00** | **99.87%** |
| **Total Change In Net Position** | **0.00** | **0.00** | **(708,113.12)** | **0.00** | **0.00%** |

# Fairfield Town
## Operational Budget Report
## 51 Water Fund - 07/01/2025 to 05/31/2026
## 91.67% of the fiscal year has expired

| Income or Expense | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Income From Operations:** | | | | | |
| **Operating income** | | | | | |
| 5140 Culinary income | 26,692.62 | 2,185.36 | 25,074.77 | 32,000.00 | 78.36% |
| 5145 Sale of Purchased Water | 0.00 | 215.00 | 215.00 | 0.00 | 0.00% |
| 5150 Connection Fees | 0.00 | 0.00 | 3,735.00 | 0.00 | 0.00% |
| 5151 Impact Fees | 0.00 | 0.00 | 31,258.00 | 32,000.00 | 97.68% |
| 5410 Late penalties and fees | 100.00 | 75.00 | 350.00 | 100.00 | 350.00% |
| 5610 Interest income | 110.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Operating income** | **26,902.62** | **2,475.36** | **60,632.77** | **64,100.00** | **94.59%** |
| **Operating expense** | | | | | |
| 6110 Culinary operator stipend | 9,900.00 | 900.00 | 10,125.00 | 10,800.00 | 93.75% |
| 6111 Employee wages | 0.00 | 225.00 | 887.50 | 0.00 | 0.00% |
| 6113 Employee taxes and benefits | 757.35 | 86.06 | 825.24 | 800.00 | 103.16% |
| 6121 Dues | 401.60 | 0.00 | 372.00 | 500.00 | 74.40% |
| 6128 Utilities | 2,694.62 | 332.19 | 2,654.32 | 2,600.00 | 102.09% |
| 6131 Professional fees | 887.50 | 0.00 | 1,387.50 | 3,000.00 | 46.25% |
| 6132 Water Engineering | 1,034.50 | 6,004.25 | 34,027.25 | 29,830.00 | 114.07% |
| 6133 Water Inspections | 0.00 | 0.00 | 0.00 | 7,832.00 | 0.00% |
| 6134 Water & Sewer Master Plan expenses | 0.00 | 0.00 | 17,067.75 | 16,751.00 | 101.89% |
| 6141 Repairs and maintenance | 3,584.58 | 52,977.68 | 106,841.25 | 280,000.00 | 38.16% |
| 6142 Chlorine | 0.00 | 0.00 | 0.00 | 500.00 | 0.00% |
| 6143 Monthly water tests | 156.00 | 36.00 | 144.00 | 150.00 | 96.00% |
| 6144 Water tests - other | 275.00 | 0.00 | 1,731.00 | 300.00 | 577.00% |
| 6161 Bank service charges | 36.78 | 0.00 | 107.00 | 0.00 | 0.00% |
| 6169 Depreciation expense | 64,811.23 | 0.00 | 51,167.20 | 54,000.00 | 94.75% |
| 6170 Improvements | 0.00 | 0.00 | 1,323.74 | 0.00 | 0.00% |
| **Total Operating expense** | **84,539.16** | **60,561.18** | **228,660.75** | **407,063.00** | **56.17%** |
| **Total Income From Operations:** | **(57,636.54)** | **(58,085.82)** | **(168,027.98)** | **(342,963.00)** | **48.99%** |
| **Non-Operating Items:** | | | | | |
| **Non-operating income** | | | | | |
| 5710 Miscellaneous Non-Operating Income | 50.00 | 0.00 | 0.00 | 253,963.00 | 0.00% |
| 5810 Transfers from general fund | 0.00 | 0.00 | 0.00 | 35,000.00 | 0.00% |
| **Total Non-operating income** | **50.00** | **0.00** | **0.00** | **288,963.00** | **0.00%** |
| **Total Non-Operating Items:** | **50.00** | **0.00** | **0.00** | **288,963.00** | **0.00%** |
| **Total Income or Expense** | **(57,586.54)** | **(58,085.82)** | **(168,027.98)** | **(54,000.00)** | **311.16%** |

# Budget Report for May 2026

| Fairfield Town - General Fund<br>FY 2025/2026 Budget | | | | |
|---|---|---|---|---|
| **Revenues** | **Budget FY 2026** | **Actual To Date FY 2026** | **91.6% Percent Target** | **Year End Projected Amount** |
| **Taxes** | | | | |
| General property taxes | $ 39,500 | $ 36,854 | 93% | $ 38,000 |
| Sales tax | 82,000 | 70,420 | 86% | 82,000 |
| **Total Taxes** | **$ 121,500** | **$ 107,274** | 88% | **$ 120,000** |
| | | | | |
| **License and Permits** | | | | |
| Business license & fees | $ 2,000 | $ 350 | 18% | $ 2,000 |
| Penalties & Permits & fees | 400 | 25 | 6% | 400 |
| Intermoutain regional landfille | 945,000 | 724,283 | 77% | 845,000 |
| North point landfill | 83,559 | 39,476 | 47% | 83,559 |
| **Total License and Permits** | **$ 1,030,959** | **$ 764,134** | 74% | **$ 930,959** |
| | | | | |
| **Intergovernmental Revenue** | | | | |
| State grants | $ 67,200 | $ 26,207 | 39% | $ 67,200 |
| Parks | 400,000 | 400,000 | 100% | 400,000 |
| Class c road funds | 58,957 | 81,382 | 138% | 97,500 |
| **Total Intergovernmental** | **$ 526,157** | **$ 507,589** | 96% | **$ 564,700** |
| | | | | |
| **Charges For Service** | | | | |
| Opening/closing grave | $ 625 | $ - | 0% | $ 625 |
| **Total Charges for Service** | **$ 625** | **$ -** | 0% | **$ 625** |
| | | | | |
| **Interest & Misc Revenues** | | | | |
| Interest earnings | $ - | $ - | 0% | $ - |
| Investments increase (decrease) | 85,000 | 37,848 | 45% | 85,000 |
| Donations, collections | 21,000 | 19,010 | 91% | 19,010 |
| Miscellaneous | 200 | 674 | 337% | 750 |
| **Total Miscellaneous Revenues** | **$ 106,200** | **$ 57,532** | 54% | **$ 104,760** |
| | | | | |
| **Building & Grounds** | | | | |
| Building dept application fees | $ - | $ 670 | 100% | $ 670 |
| Assignemnt of address | - | 100 | 100% | 100 |
| Inspection fees | - | 1,079 | 100% | 1,079 |
| Building inspection fees | - | 705 | 100% | 705 |
| Fire dept inspection fes | - | 4,470 | 100% | 4,470 |
| Building dept state surcharge | - | 109 | 100% | 109 |
| Non business building structures | 16,192 | 27,529 | 170% | 30,000 |
| Building dept permnts | 25,287 | 2,282 | 9% | 30,000 |
| Building franchise revenue | - | 2,100 | 100% | 2,100 |
| Cemetery revenue | 3,500 | - | 0% | 1,000 |
| Road impact fees | 37,000 | 10,580 | 29% | 37,000 |
| **Total Building & grounds** | **$ 81,979** | **$ 49,624** | 61% | **$ 107,233** |
| | | | | |
| **Highaways and public improvements** | | | | |
| Highway improvements engineering fees | $ 2,500 | $ - | 0% | $ 2,500 |
| **Total Highway improvments** | **$ 2,500** | **$ -** | 0% | **$ 2,500** |
| | | | | |
| **Contributions & Transfers** | | | | |
| Beginning fund appropriation | $ 638,104 | $ - | 0% | $ 973,668 |
| **Total Highway improvments** | **$ 638,104** | **$ -** | 0% | **$ 973,668** |
| | | | | |
| **Total General Fund Revenues** | **$ 2,508,024** | **$ 1,486,153** | 59% | **$ 2,804,445** |

## Wellsville City - General Fund-Continued
## FY 2025/2026 Budget

| Expenditures | Budget FY 2026 | Actual To Date FY 2026 | 91.6% Percent Target | Year End Projected Amount |
|---|---|---|---|---|
| Administrative | $ 295,074 | $ 208,770 | 71% | $ 295,074 |
| Buildings & grounds | 174,015 | 65,618 | 38% | 80,000 |
| Planning & Zoning | 23,000 | 16,390 | 71% | 20,000 |
| Professional services | 356,874 | 192,369 | 54% | 235,000 |
| Public safety | 55,385 | 30,657 | 55% | 40,000 |
| City Council | 32,550 | 21,450 | 66% | 27,500 |
| Highways & public improvments | 122,300 | 67,938 | 56% | 80,000 |
| Sanitation | 10,000 | 8,671 | 87% | 10,000 |
| Parks & recreation | 1,044,300 | 971,387 | 93% | 1,044,300 |
| Miscellaneous | 2,500 | 1,467 | 59% | 2,500 |
| Transfers | 392,026 | - | 0% | 466,090 |
| **Total General Fund Expenditures** | **$ 2,508,024** | **$ 1,584,717** | 63% | **$ 2,300,464** |
| **Surplus/(Deficit)** | **$ -** | **$ (98,564)** | | **$ 503,981** |
| **Fund Balance Beginning of Year** | | | | **$ 904,140** |
| **Projected Surplus/(Deficit)** | | | | **$ 503,981** |
| **Appropriate fund balance\Reserves** | | | | **$ 973,668** |
| **Ending Fund Balance** | | | | **$ 434,453** |
| **Fund Balance Percentage** | | | | |
| **General Fund Balance per state law needs to be less than 100%** | | | | **17.32%** |
| **Class C Roads** | | | | **$ -** |
| **Projected Surplus/(Deficit)** | | | | **$ 0** |
| **Appropriate fund balance\Reserves** | | | | **$ -** |
| **Ending Fund Balance** | | | | **$ 0** |
| **Fund Balance Percentage** | | | | |
| **Road Impact fees** | | | | **$ 21,160** |
| **Projected Surplus/(Deficit)** | | | | **$ -** |
| **Appropriate fund balance\Reserves** | | | | **$ -** |
| **Ending Fund Balance** | | | | **$ 21,160** |
| **Fund Balance Percentage** | | | | |

## Fairfield Town - Capital Projects Fund
## FY 2025/2026 Budget

| Revenues | Budget FY 2026 | Actual To Date FY 2026 | 91.6% Percent Target | Year End Projected Amount |
|---|---|---|---|---|
| Transfer from GJ | $ 431,090 | $ - | 0% | $ - |
| Interest | - | - | 0% | - |
| Appropriate fund balance | 238,910 | - | 0% | 708,113 |
| **Total Revenues** | **$ 670,000** | **$ -** | 0% | **$ 708,113** |

| Expenditures | Budget FY 2026 | Actual To Date FY 2026 | 91.6% Percent Target | Year End Projected Amount |
|---|---|---|---|---|
| Capital outlay other | $ 670,000 | 708,113 | 106% | $ 708,113 |
| Capital outlay buildings | - | - | 0% | - |
| Capital outlay equipment | - | - | 0% | - |
| **Total Capital Expenditures** | **$ 670,000** | **$ 708,113** | 106% | **$ 708,113** |
| **Surplus/(Deficit)** | **$ -** | **$ (708,113)** | | **$ -** |
| **Fund Balance Beginning of Year** | | | | **$ 1,573,674** |
| **Projected Surplus/(Deficit)** | | | | **$ -** |
| **Appropriate fund balance\Reserves** | | | | **$ (708,113)** |
| **Ending Fund Balance** | | | | **$ 865,561** |

## Fairfield Town - Water Utility
## FY 2025/2026 Budget

| Revenues | Budget FY 2026 | Actual To Date FY 2026 | 91.6% Percent Target | Year End Projected Amount |
|---|---|---|---|---|
| **Operating Revenues** | | | | |
| Culinary income | $ 32,000 | $ 25,290 | 79% | $ 32,000 |
| Connection fees | - | 3,735 | 100% | 5,000 |
| Impact fees | - | 31,258 | 100% | 31,258 |
| Late penalties | 100 | 350 | 350% | 350 |
| Interest earned | - | - | 0% | - |
| **Total Miscellaneous Revenues** | **$ 32,100** | **$ 60,633** | 189% | **$ 68,608** |
| **Non operating revenue** | | | | |
| Transfer from GF | $ 35,000 | $ - | 0% | $ 35,000 |
| Appropriated fund balance | 339,963 | - | 0% | 339,963 |
| **Total Utility Revenue** | **$ 374,963** | **$ -** | 0% | **$ 374,963** |
| **Total Utility Fund Revenues** | **$ 407,063** | **$ 60,633** | 15% | **$ 443,571** |

| Expenses | Budget FY 2026 | Actual To Date FY 2026 | 91.6% Percent Target | Year End Projected Amount |
|---|---|---|---|---|
| Water operating | $ 407,063 | $ 228,661 | 56% | 250,000 |
| **Total Utility Fund Expenses** | **$ 407,063** | **$ 228,661** | 56% | **$ 250,000** |
| **Surplus/(Deficit)** | **$ -** | **$ (168,028)** | | **$ 193,571** |
| **Cash Balance Beginning of Year** | | | | **$ 14,760** |
| **Surplus/(Deficit)** | | | | **$ 193,571** |
| **Appropriate fund balance\Reserves** | | | | **$ (339,963)** |
| **Ending Cash Balance** | | | | **$ (131,632)** |

**Resolution R2026-11** A Resolution Ratifying and Approving the Cooperative Agreement With The Utah Division of Forestry, Fire and State Lands. **Dated June 24, 2026**

---

**WHEREAS,** Fairfield ("Town") and the Utah Division of Forestry, Fire and State Lands ("FFSL") are governmental entities authorized under the laws of the State of Utah; and

**WHEREAS,** Utah Code Title 65A authorizes FFSL and local governmental entities to cooperate in wildfire prevention, preparedness, suppression, and related activities for the protection of life, property, and natural resources; and

**WHEREAS,** Fairfield and FFSL desire to enter into a Cooperative Agreement establishing the terms and conditions under which Fairfield Town will participate in the State's Cooperative Wildland Fire Program; and

**WHEREAS,** the Fairfield Town Council finds that participation in the Cooperative Agreement will promote wildfire preparedness, enhance public safety, and protect public and private property within Fairfield; and

**WHEREAS,** the Fairfield Town Council finds it to be in the best interest of the Town and its residents to approve the Cooperative Agreement attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED,** by the Town Council of Fairfield, Utah:

**Section 1. Approval of Cooperative Agreement.** The Fairfield Town Council hereby approves the Cooperative Agreement between Fairfield Town and the Utah Division of Forestry, Fire and State Lands, attached hereto as Exhibit A and incorporated herein by this reference.

**Section 2. Authorization.** The Mayor is hereby authorized and directed to execute all documents necessary to carry out the intent of this Resolution and the Cooperative Agreement.

**Section 3. Effective Date.** This Resolution shall take effect immediately upon its adoption**.**

Passed and Adopted this 24th day of June, 2026.

Working Draft 26-06-03

FAIRFIELD

_____
Hollie McKinney, Mayor

| | | | |
|---|---|---|---|
| Hollie McKinney | yes_____ | no_____ | abstain ____ |
| RL Panek | yes_____ | no_____ | abstain ____ |
| Tyler Thomas | yes_____ | no_____ | abstain ____ |
| Michael Weber | yes_____ | no_____ | abstain ____ |
| Richard Cameron | yes_____ | no_____ | abstain ____ |

ATTEST:

_____
Stephanie Shelley, Recorder

(SEAL)

Working Draft 26-06-03

FAIRFIELD

STATE OF UTAH )
) ss.
COUNTY OF UTAH )

I, Stephanie Shelley, Town Recorder of Fairfield, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of a resolution passed by the Town Council of Fairfield, Utah, on the 24th day of June, 2026.

R2026-11 Ratifying and Approving the Cooperative Agreement With The Utah Division of Forestry, Fire and State Lands.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield, Utah, this 24th day of June, 2026.

_____,
Stephanie Shelley, Fairfield Recorder/Clerk

(SEAL)

Working Draft 26-06-03

# EXHIBIT A

Working Draft 26-06-03

# COOPERATIVE AGREEMENT

This Cooperative Agreement (the "Agreement") is made and entered into this 3rd day of June 2026 (the "Effective Date"), by and between the Utah Division of Forestry, Fire and State Lands ("FFSL") and Fairfield (the "Participating Entity"). FFSL and the Participating Entity may sometimes be referred to in this Agreement individually as a "Party" or, collectively, as the "Parties."

## RECITALS

A. Pursuant to Utah Code Section 65A-8-203, this Agreement is required for a county, municipality, or certain other Eligible Entities and the State of Utah, by and through FFSL, to cooperatively discharge their joint responsibilities for protecting non-federal land from wildland fire.
B. The Participating Entity is a county, municipality, or other Eligible Entity, as defined in Section I of this Agreement.
C. The Participating Entity is eligible to enter into a Cooperative Agreement under Utah Administrative Code R652-121 and R651-122.
D. FFSL provided to the Participating Entity, and the Participating Entity signed and returned to FFSL, the Annual Participation Commitment Statement before the Effective Date of this Agreement.
E. The fire department or equivalent fire service provider under contract with, or delegated by, the Participating Entity on unincorporated land meets minimum standards for wildland fire training, certification, and suppression equipment based upon nationally accepted standards, determined by FFSL.

## AGREEMENT

### I. Definitions

For the purposes of this Agreement:

1. "Annual Participation Commitment Report" means a report prepared by the Participating Entity, detailing the expenditures and activities conducted in compliance with the Participation Commitment during the past calendar year.
2. "Annual Participation Commitment Statement" means a statement, signed by both FFSL and the Participating Entity, detailing both the monetary value of the Participation Commitment for the upcoming calendar year and the detailed activities the Participating Entity plans to perform to fulfill their Participation Commitment for that year.
3. "Catastrophic Wildfire" means wildland fires whose size and intensity cause significant impacts to State and local economies, critical infrastructure, the environment, and private landowners.

4. "Cooperative Agreement" means the same as the term is defined in Utah Administrative Code R652-1-200.
5. "Delegation of Fire Management Authority" means the acceptance by FFSL of responsibility for:
    i. Managing a wildfire; and
    ii. The cost of fire suppression, as described in Utah Code Section 65A-8-203.
6. "Direct Expenditure" means funds spent by a Participating Entity to implement wildland fire prevention, preparedness, or mitigation efforts both agreed to between the Parties and approved by FFSL.
7. "Direct Payment" means an alternative method of meeting all, or part, of the participation commitment by paying FFSL directly, as identified in Utah Code Section 65A-8-203.
8. "Director" means the division director of FFSL.
9. "Eligible Entity" means the same as the term is defined in Utah Code Section 65A-8-203.
10. "Extended Attack" means actions taken in response to wildland fire after Initial Attack.
11. "Firefighter" means an individual trained in wildland firefighting techniques and assigned to a position of hazardous duty.
12. "Initial Attack" means actions taken by the first resources to arrive at any wildland fire incident, including—without limitation—size-up, patrolling, monitoring, holding action, or aggressive suppression action.
13. "In-Kind Activity" means an activity for wildland fire prevention, preparedness, or mitigation efforts both agreed to between the Parties and approved by FFSL. The value of an In-Kind Activity shall be determined by using the rate calculated by the Independent Sector, https://www.independentsector.org/.
14. "Minimum Billing Threshold" means the dollar value of expenses not charged to the Participating Entity but incurred by FFSL, on behalf of the Participating Entity, on Initial Attack prior to Delegation of Fire Management Authority.
15. "Participation Commitment" means prevention, preparedness, and mitigation actions and expenditures, including those identified in an FFSL-approved CWPP or equivalent wildland fire preparedness plan, undertaken by a Participating Entity to reduce the risk of wildland fire and meet the intent of Utah Code Sections 65A-8-202 and 65A-8-202.5.
16. "Participating Entity" means an Eligible Entity with a valid Cooperative Agreement.

## II. Term.

1. The term of this Agreement shall be five (5) years from the Effective Date.

## III. Participation Commitment.

1. Annual Statement.
    a. FFSL shall send the Participating Entity an Annual Participation Commitment Statement at least three (3) months in advance of the end of each calendar year during the term of this Agreement.
    b. Upon receipt of an Annual Participation Commitment Statement, the Participating Entity shall complete the annual plan portion of the Annual Participation Commitment Statement outlining the actions it intends to take that address the wildfire threat. Within sixty (60) days of receipt of an Annual Participation Commitment Statement, the Participating Entity shall send the completed annual plan to FFSL for review and approval.
    c. Upon receipt of the Participating Entity's annual plan, FFSL shall review the annual plan. FFSL may request additional information before approving the annual plan. Upon FFSL's approval of the annual plan, FFSL shall sign and send the Annual Participation Commitment Statement to the Participating Entity for signature.
    d. Upon receipt of the signed Annual Participation Commitment from FFSL, the Participating Entity's chief executive shall sign and return the fully executed Annual Participation Commitment Statement to FFSL by the deadline provided. In the event the Participating Entity fails to sign and return the Annual Participation Commitment Statement by the deadline provided, this Agreement will terminate at the conclusion of the last calendar year in which the Participating Entity complied with this requirement.
2. Fulfillment.
    a. The Participating Entity shall meet its Participation Commitment, as determined by FFSL, pursuant to Utah Administrative Code R652-122.
    b. The Participating Entity shall meet its Participation Commitment through direct expenditures, direct payment, in-kind activities, or any combination of the three that are mutually agreed upon by the Parties.
3. Consultation.
    a. The Participating Entity may consult with FFSL to identify valid Participation Commitment actions and activities, based on the Participating Entity's FFSL-approved CWPP or equivalent wildfire preparedness plan.
4. Accounting.
    a. The Participating Entity shall account for its respective Participation Commitment activities and expenditures through the Utah Wildfire Assessment Risk Portal ("UWRAP").

b. Beginning January 1, 2025, all qualifying Participation Commitment expenditures and activities count toward the Participating Entity's first full-year Participation Commitment.
c. The value of Participation Commitment expenditures and activities may, with approval of FFSL, carry-over to the next calendar year.
d. With the Director's approval, or approval of a designee, the value of capital improvement actions may carry-over for up to five (5) years and the value of non-capital improvement actions may carry-over for up to three (3) years.
e. The Participating Entity must receive written approval from the Director, or designee, before pursuing carry-over for a specific action or activity under this Section III(4).
f. Amounts reported annually in excess of Participation Commitment do not carry-over without written approval from the Director, or designee, under this Section III(4).

5. Reporting.
   a. The Participating Entity shall record and account for its Participation Commitment actions and expenditures in UWRAP.
   b. The Participating Entity shall provide an annual accounting of its activities and expenditures to FFSL for review and approval in the manner and form specified by FFSL.
   c. The Participating Entity shall account for, track, and report any year-to-year carry-over under Section III(4) of this Agreement in UWRAP.
   d. FFSL may review and verify records related to the Participating Entity's Participation Commitment at any time.
   e. FFSL may reject records related to the Participating Entity's Participation Commitment deemed by FFSL to be unverifiable, incorrect, or not approved in the Participating Entity's signed Participation Commitment Statement.
6. Calculation.
   a. FFSL shall calculate the Participation Commitment based on a wildfire risk assessment by acres (the "Risk Assessment"), conducted by FFSL, and the historic fire cost average ("Fire Cost Average") in the Participating Entity's jurisdiction, pursuant to Utah Administrative Code R652-122.
   b. The Risk Assessment calculation shall be adjusted for inflation using the Consumer Price Index.
   c. FFSL shall calculate the Fire Cost Average based on historic suppression costs accrued within the Participating Entity's jurisdiction. The Fire Cost Average shall only include wildland fire suppression costs accrued and paid by FFSL on behalf of a Participating Entity within the Participating Entity's jurisdiction. The

Fire Cost Average may include State-paid costs after Delegation of Fire Management Authority and Transfer of Fiscal Responsibility has occurred within the Participating Entity's jurisdiction.

d. The Fire Cost Average shall be calculated on a rolling, ten-year average, dropping the highest and lowest cost years and adjusting for inflation using the Consumer Price Index. Each ten-year average shall contain eight data points.

7. Appeals.
    a. Where permitted by Utah Administrative Code R652-122 and within ninety (90) days of the occurrence, the Participating Entity may appeal a decision regarding its Participation Commitment by submitting to the Director a written appeal that states the reasons for the appeal.

**IV. Initial Attack.**

1. The Participating Entity shall have primary responsibility for Initial Attack ("IA") on all nonfederal lands within the response area of the Participating Entity or within the response area of any delegee of the Participating Entity.
2. IA may include different resources based on fire danger, fuel type, values to be protected, and other factors.
3. Pursuant to Utah Code Sections 65A-8-202–202.5 and in accordance with this Agreement, FFSL shall determine reasonable and effective wildfire IA by verifying that the Participating Entity has adequate resources and equipment to manage IA.
4. The Participating Entity shall have financial responsibility for all IA costs within its jurisdiction, other than aviation costs.
5. FFSL shall have financial responsibility for all IA aviation costs.

**V. Delegation of Fire Management Authority and Transfer of Fiscal Responsibility.**

1. Delegation of Fire Management Authority and the transfer of fiscal responsibility to FFSL for a wildland fire shall occur simultaneously with one of the following events:
    a. The involvement of state-owned or federally-owned lands in the wildland fire;
    b. The order, beyond pre-planned dispatch, of firefighting resources through an Interagency Fire Center;
    c. The request of the Participating Entity with jurisdiction through its local fire official on scene with authority to do so; or
    d. The decision of the Director, after consultation with local authorities.
2. Upon Delegation of Fire Management Authority to FFSL, FFSL, or its designee, shall be the primary incident commander in a unified command environment with the agency having jurisdiction.

3. Deployment of aviation assets on pre-planned dispatch, as established by the State, does not cause an automatic Delegation of Fire Management Authority.

**VI. Extended Attack.**

1. Immediately upon Delegation of Fire Management Authority, the incident commander shall record a timestamp via radio with the Interagency Fire Center servicing the incident.
2. The Crew Time Report ("CTR") or Shift Ticket of all resources not covered by a no-cost local agreement, such as an automatic aid system or other inter-local agreement, shall also reflect the timestamp recorded in Section VI(1).
3. Immediately upon Delegation of Fire Management Authority, a new CTR or Shift Ticket shall be started for all resources to be used in the Extended Attack.
4. All incident commanders named on the incident organizer shall sign delegation documentation. Resource needs shall be reevaluated in the transition from IA to Extended Attack.
5. Upon Delegation of Fire Management Authority, and if the Participating Entity is compliant with relevant statutes, regulations, and the terms of this Agreement, FFSL shall be financially responsible for wildland fire suppression costs incurred beyond IA.

**VII. Wildland Fire Response Training and Certification.**

1. The Participating Entity shall ensure Firefighters providing IA within the Participating Entity's jurisdiction are trained in NWCG S130 Firefighter Training and S190 Introduction to Wildland Fire Behavior.
2. The Participating Entity shall ensure firefighters providing IA within the Participating Entity's jurisdiction have completed RT130 Annual Fireline Safety Refresher Training prior to each statutory "closed fire season," as defined in Utah Code Section 65A-8-211.
3. Upon Delegation of Fire Management Authority, FFSL may release from IA, or reassign to other firefighting duties, any Firefighter not certified as a NWCG Wildland Firefighter II.

**VIII. Wildland Fire Response Equipment Standards.**

1. The Participating Entity shall ensure engines, water tenders, hand tools, and water handling equipment used for response to wildland fire on nonfederal land within the Participating Entity's jurisdiction meet the National Wildfire Coordinating Group standards and, if applicable, the FFSL Fire Department Manual standards.

**IX. Wildland Fire Cost Recovery Actions.**

1. Pursuant to Utah Code Title 65A and Utah Administrative Code R652, and when an investigation reasonably shows a person or persons started a wildfire by acting in a negligent, reckless, or intentional manner, the Participating

Entity shall initiate a civil action to recover all wildland fire costs incurred for a particular wildland fire ("Cost Recovery Action"), except for when Delegation of Fire Management Authority has occurred. FFSL may assist the Participating Entity in a Cost Recovery Action under this Section IX(1).

2. The Participating Entity shall notify FFSL once it has initiated a Cost Recovery Action.
3. If the Participating Entity recovers from a Cost Recovery Action, the Participating Entity shall provide to FFSL documentation verifying wildland fire costs by the Participating Entity and the legal costs incurred for the Cost Recovery Action.
4. The Participating Entity may retain costs recovered up to and not exceeding its incurred wildland fire costs—including legal fees in pursuing the Cost Recovery Action. All other recovered costs shall be tendered to FFSL for distribution amongst other entities with incurred suppression costs.
5. The value of costs incurred and recovered by the Participating Entity may reduce the Participating Entity's Historic Fire Cost Average and Participation Commitment.
6. FFSL may initiate a Cost Recovery Action at any time, including when Delegation of Fire Management Authority has occurred and upon notice by the Participating Entity under Section IX(4).

**X. Probation Status.**

1. At the end of each calendar year, FFSL shall review the Participating Entity's compliance with the terms of this Agreement.
2. If the Participating Entity is out of compliance, FFSL shall place the Participating Entity on "Probation Status" and provide the Participating Entity with a "Probation Notice" including:
    a. Notice of the Probation Status;
    b. The reason for the Probation Status;
    c. The action(s) the Participating Entity must take to remedy the Probation Status; and
    d. The time frame within which the Probation Status may be remedied.
3. If the reason for the Probation Status is the Participating Entity's failure to fulfill its Participation Commitment for the previous calendar year:
    a. The Participating Entity shall fulfill its Participation Commitment for the previous year and its Participation Commitment for the current calendar year within the Probation Notice time frame;
    b. FFSL shall credit the Participating Entity's Participation Commitment expenditures and actions toward the Participating Entity's outstanding obligation before it may credit the expenditures and actions toward the current obligation;
    c. FFSL may, based on evidence of a good faith effort to comply with Section X(3)(a) and at the sole discretion of FFSL, extend the

Probation Notice time frame if the underlying noncompliance is not timely remedied; and

d. FFSL shall lift the Probation Status if the underlying noncompliance is remedied within the Probation Notice time frame.

4. If the reason for the Probation Status is the Participating Entity's noncompliance with one or more terms of this Agreement, apart from a failure to fulfill its Participation Commitment:
    a. The Participating Entity shall remedy the underlying noncompliance that led to the Probation Status within the Probation Notice time frame;
    b. FFSL shall lift the Probation Status if the underlying noncompliance is remedied within the Probation Notice time frame; and
    c. FFSL may, pursuant to Section XI, revoke this Agreement if the underlying noncompliance is not remedied within the Probation Notice time frame.
5. For the duration of the Probation Status, this Agreement remains valid.

**XI. Revocation.**

1. FFSL may revoke this Agreement by providing written notice to the Participating Entity no later than forty-five (45) days from the start or end of the statutory fire season, as defined in Utah Code Section 65A-8-211.
2. If the Participating Entity signed and returned the Annual Participation Commitment Statement to FFSL, a revocation by FFSL shall be effective in the calendar year following the year the Annual Participation Commitment Statement was signed and returned.
3. The Participating Entity may revoke this Agreement by:
    a. Providing written notice to FFSL of its intent to revoke this Agreement; or
    b. By failing to sign and return the Annual Participation Commitment Statement to FFSL, unless a written extension for return has been granted by FFSL.
4. Any revocation of this Agreement is considered a termination of the Agreement.
5. If either FFSL or the Participating Entity revokes this Agreement, the Participating Entity may only enter into a new CWS cooperative agreement with FFSL if the Participating Entity meets the requirements under Utah Administrative Code R652-121 and the Participating Entity pays FFSL all outstanding wildland fire suppression costs in full.
6. If FFSL revokes this Agreement after the Participating Entity was placed on Probation Status, the Participating Entity shall be responsible for all costs of wildland fire suppression incurred by FFSL within the Participating Entity's jurisdiction from the date of the Probation Notice to the revocation of this Agreement.

7. A revocation of this Agreement by FFSL may be informally appealed to the Director within thirty (30) days of the notice of revocation being provided.

## XII. Renewal, Amendment, and Compliance with Applicable Laws.

1. If neither FFSL nor the Participating Entity revoke this Agreement under Section XI, this Agreement may renew for a consecutive five (5) year term.
2. There is no renewal limit.
3. The terms of this Agreement may be amended at any time by written agreement, signed by the Parties.
4. The terms of this Agreement shall be subject to and, at the end of each five (5) year term, amended as necessary to comply with Utah Code Title 65A and Utah Administrative Code R652.
5. This Agreement is made pursuant to the provisions of all applicable laws and subject to the rules and regulations of the departments and agencies of the State of Utah presently in effect and to such laws, rules, and regulations as may be hereafter promulgated.

## XIII. Community Wildfire Preparedness Plan.

1. The Participating Entity shall adopt a Community Wildfire Preparedness Plan ("CWPP") or, subject to FFSL's approval, equivalent wildland fire preparedness plan.
2. Following adoption, the Participating Entity shall update the CWPP or equivalent wildland fire preparedness plan at least every five (5) years initial adoption from initial adoption.
3. The Participating Entity shall implement prevention, preparedness, and mitigation actions identified in its CWPP or equivalent wildland fire preparedness plan.

## XIV. Wildland Urban Interface.

1. The Participating Entity has adopted the Utah Wildland Urban Interface Code, as defined in Utah Code Section 65A-8-401.
2. The Participating Entity shall annually report on enforcement of the wildland urban interface building standards adopted by the Participating Entity.
3. If the State adopts a different version of the Code, the Participating Entity shall adopt within two years the same version of the Code.
4. The Participating Entity designates the following position as responsible to enforce the WUI code: Sunrise.
5. The Participating Entity shall provide to FFSL the map of the zone where the wildland urban interface building standards are enforced. If the Participating Entity makes changes to the map they shall provide to FFSL the current map within 90 days of adoption.
6. The Participating Entity shall comply with all statutes, regulations, policies, and other requirements relating to wildland urban interface property.

7. If the Participating Entity chooses to perform lot assessments under the High Risk Wildland Urban Interface program, they must do so in accordance with policy established by FFSL.

## XV. Miscellaneous.

1. This Agreement is governed by the laws, rules, and regulations of the State of Utah. Any action or proceeding arising from this Agreement shall be brought in a court of competent jurisdiction in the State of Utah. Venue shall be in Salt Lake City, in the Third Judicial District Court for Salt Lake County.
2. At all times during this Agreement, the Participating Entity shall comply with all applicable federal and state constitutions, laws, rules, codes, orders, and regulations, including applicable licensure and certification requirements.
3. The Participating Entity shall be fully liable for the actions of its agents, employees, officers, and partners and shall fully indemnify, defend, and hold harmless FFSL and the State of Utah from all claims, losses, suits, actions, damages, and costs of every name and description arising out of the Participating Entity's performance of this Agreement to the extent caused by any intentional wrongful act or negligence of the Participating Entity, its agents, employees, officers, or partners, without limitation; provided, however, the Participating Entity shall not indemnify for that portion of any claim, loss, or damage arising hereunder due to the fault of FFSL. In the event there is a conflict between this provision and Utah Code Sections 65A-8-101–403 or other provisions of State law, State law shall govern. The Parties are governmental entities under the Utah Governmental Immunity Act (the "Immunity Act"). Nothing contained herein shall be construed in any way to modify the limits of liability set forth in the Immunity Act or the basis for liability as established in the Immunity Act. Nothing contained herein shall be construed as a waiver by any Party of any defenses or limits of liability available under the Immunity Act and other applicable law. The Parties maintain all privileges, immunities, and other rights granted by the Immunity Act and all other applicable law.
4. The Participating Entity agrees to abide by the following federal and State employment laws, including: (i) Title VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e), which prohibits discrimination against any employee or applicant for employment or any applicant or recipient of services on the basis of race, religion, color, or national origin; (ii) Executive Order No. 11246, as amended, which prohibits discrimination on the basis of sex; (iii) 45 CFR 90, which prohibits discrimination on the basis of age; (iv) Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disabilities; and (v) Utah's Executive Order 2019-1, dated February 5, 2019, which prohibits unlawful harassment in the workplace. The Participating Entity further agrees

to abide by any other laws, regulations, or orders that prohibit the discrimination of any kind by any of the Participating Entity's employees.

5. The Participating Entity may not assign, sell, transfer, subcontract, or sublet rights, or delegate any right or obligation under this Agreement, in whole or in part, without the prior written approval of FFSL.
6. A waiver of any right, power, or privilege shall not be construed as a waiver of any subsequent right, power, or privilege. No waiver of any term of this Agreement is valid unless in writing.
7. The invalidity or unenforceability of any provision, term, or condition of this Agreement shall not affect the validity or enforceability of any other provision, term, or condition of this Agreement, which shall remain in full force and effect.
8. This Agreement may only be modified by the mutual written agreement of the Parties. If modified, the modification will be attached and made part of this Agreement.
9. This Agreement, constitutes the entire agreement between the Parties and supersedes any and all other prior and contemporaneous agreements and understandings between the parties, whether oral or written.
10. In the event of any conflict or disagreement between this Agreement and any applicable statute or regulation, the statute or regulation shall control.

SIGNATURES ON FOLLOWING PAGE

**UTAH DIVISION OF FORESTRY, FIRE AND STATE LANDS**

| | | |
|---|---|---|
| JR | Justin Roach | 06/03/2026 |
| FFSL Area Manager Signature | Name | Date |
| Jamie Barnes (Jun 9, 2026 10:20:38 EDT) | Jamie Barnes | 06/09/2026 |
| State Forester/Division Director Signature | Name | Date |

**PARTICIPATING ENTITY**

| | | |
|---|---|---|
| Hollie McKinney | Hollie McKinney | 06-03-2026 |
| Chief Executive Signature | Name | Date |

**APPROVED AS TO FORM**

**UTAH ATTORNEY GENERAL'S OFFICE**

| | | |
|---|---|---|
| Connor Arrington (Jan 15, 2026 13:27:10 MST) | Connor Arrington | 01/15/2026 |
| Assistant Attorney General Signature | Name | Date |

**Resolution No. R2026-12** A Resolution Authorizing The Execution of an Agreement With Codify, LLC. **Dated June 24, 2026**

---

**WHEREAS,** the governing body of Fairfield, Utah, desires to enter an agreement with Codify, LLC.

**WHEREAS,** the Town Council has determined that contracting with Codify, ILC will promote efficient planning and support the operational needs of the Town;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of Fairfield, Utah, that the Mayor, Treasurer, and Town Recorder are hereby authorized to execute the Agreement between Fairfield and Codify LLC, attached hereto as Exhibit A**.**

**EFFECTIVE DATE:** This Resolution shall become effective immediately upon adoption.

Passed and Adopted this 24th day of June, 2026.

**FAIRFIELD**

_____
Hollie McKinney, Mayor

| | | | |
|---|---|---|---|
| Hollie McKinney | yes_____ | no_____ | abstain ____ |
| RL Panek | yes_____ | no_____ | abstain ____ |
| Tyler Thomas | yes_____ | no_____ | abstain ____ |
| Michael Weber | yes_____ | no_____ | abstain ____ |
| Richard Cameron | yes_____ | no_____ | abstain ____ |

ATTEST:

_____
Stephanie Shelley, Recorder (OFFICIAL SEAL)

Working Draft for agreements

FAIRFIELD

STATE OF UTAH )
) ss.
COUNTY OF UTAH )

I, Stephanie Shelley, Town Recorder of Fairfield, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of a Resolution passed by the Town Council of Fairfield, Utah, on the 24th day of June, 2026.

R2026-12 A Resolution Authorizing The Execution of an Agreement With Codify, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield, Utah, this 24th day of June, 2026.

_____,
Stephanie Shelley
Fairfield Recorder/Clerk

(SEAL)

Working Draft for agreements

# EXHIBIT A

Working Draft for agreements

**CODIFY, LLC**

**PROFESSIONAL SERVICES CONSULTANT AGREEMENT**

**THIS PROFESSIONAL SERVICES AGREEMENT** (this "*Agreement*") is made effective **01 June, 2026** by **FAIRFIELD TOWN**, a Utah municipality whose address is 121 West Main Street, Fairfield, Utah ("*Town*"), and by **CODIFY, LLC**, a Utah limited liability company whose address is 3829 South 400 East, Bountiful, Utah ("*Consultant*"). In this Agreement, Town and Consultant are each a "*party*" and collectively are the "*parties*."

**RECITALS:**

A. Town desires to obtain ongoing support for drafting updates to the Fairfield Town Code of Ordinances, along with on-call planning services, and related services, all in accordance with applicable standards.

B. Consultant is a professional planning firm and is willing to undertake the performance of the services for Town as detailed in Exhibit A in exchange for fees hereinafter specified.

C. Town has determined to retain Consultant to provide the Services.

D. By this Agreement, Town desires to retain Consultant, and Consultant desires to be retained by Town, to perform the Services on the terms and conditions specified herein.

**AGREEMENT:**

**NOW, THEREFORE**, in consideration of the premises, the mutual covenants and undertakings of the parties hereto, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. **Scope of Services.** Consultant shall perform such services as are necessary to provide ongoing support for drafting updates to the Fairfield Town Code of Ordinances, along with on-call planning services specifically including, but not necessarily limited to, the tasks enumerated more fully in Exhibit A (collectively, the "*Services*"). Exhibit A is hereby incorporated herein by reference and made a part hereof as if written word for word.

2. **Performance of Services**. Except as otherwise provided in this Agreement, Consultant shall furnish all supervision, personnel, labor, materials, supplies and shall obtain all licenses and permits required for performance of the Services. The Services shall be performed at Consultant's offices and other mutually-agreeable places.

3. **Compensation; Invoices; Remittance**. As consideration for Consultant's proper performance of the Services, Client will pay Consultant the compensation set forth in Exhibit A.

   a. *Invoices*. Consultant shall invoice Town for the Services performed during each calendar month at the end of that month or as soon as practical thereafter. All invoices submitted to Town shall contain references to this Agreement. Invoices shall detail the Services performed and shall contain copies of all supporting documents or proof of any expenditures on behalf of Town, and otherwise shall be in sync with the stage of completion of the Services outlined in Exhibit A. Invoices for any approved additional services also shall specify the person(s) performing such services, the hours worked, the applicable hourly rate(s),

   b. *Questioned Charges*. Any questions or objections by Town concerning Consultant's charges under an invoice for any Services shall be submitted within thirty (30) days after Town's receipt of the subject invoice.

   c. *Remittances*. Subject to subsection 3(b), all undisputed invoiced amounts due for Services performed shall be paid by Town within thirty (30) days after Town's receipt of the subject invoice.

If payment is not remitted to Consultant when due, Consultant shall be entitled to recover interest thereon at the rate of ten percent (10%) per annum from and after the date the remittance is due and payable.

4. **Change in Level of Services**. Town may modify (increase or decrease) the level of the Services hereunder by providing at least fifteen (15) days' prior written notice to Consultant of such change, provided that any increase in the level of the Services shall be subject to Consultant's reasonable approval. Consultant's compensation shall be reasonably modified in connection with any such change.

5. **Suspension of Services.** Town shall have the absolute right to terminate the Services at any time without cost or liability to Consultant as provided in this Agreement; provided, however, that Town shall pay for all Services rendered up to the date of termination. Town also may by written notice direct Consultant to temporarily suspend performance of any or all of the Services for a specified period of time; provided, however, that Town shall pay for all Services rendered up to the date of suspension. If such suspension is not occasioned by the fault or negligence of Consultant, this Agreement may be modified to compensate Consultant for extra costs reasonably incurred as a result of said suspension, provided that any claim for adjustment is supported by appropriate cost documentation and asserted within twenty (20) calendar days after the date that Town issues an order for resumption of the Services. Upon its receipt of any such suspension notice, Consultant immediately shall (a) discontinue the Services; (b) place no further orders or subcontracts in connection with the Services; (c) suspend all outstanding orders and subcontracts in connection with the Services; (d) protect and maintain the existing work and work-product in connection with the Services; and (e) otherwise mitigate Town's costs and liabilities for the suspended areas of the Services.

6. **Termination for Convenience.** Town may terminate this Agreement, or any part hereof, at any time with or without cause prior to its completion by sending to Consultant written notice of such termination. Upon any such termination, Town shall pay to Consultant the full amount due for all Services satisfactorily performed by Consultant as of the date of termination.

7. **Ownership of Documents.** All materials and documents prepared or assembled by Consultant under this Agreement shall become the sole property of Town and shall be delivered to Town without restriction on future use. Consultant may retain in its files copies of all drawings, specifications and all other pertinent information for the work, and may use such materials for marketing purposes. Consultant shall have no liability for changes made to any materials or other documents by others subsequent to the completion of the Agreement.

8. **Nondisclosure; Conflict of Interest.** Consultant shall not divulge to third parties without Town's prior written consent any information obtained from or through Town in connection with the performance of this Agreement. Unless waived by Town, Consultant shall require its employees and subcontractors of any tier to adhere to the same covenant of nondisclosure. Consultant shall safeguard the confidentiality of any information obtained from or through Town in connection with the performance of this Agreement to the same extent as Consultant safeguards the confidentiality of its own proprietary or confidential information. Consultant and its subcontractors shall not act as a consultant in any matters adverse to Town.

9. **Compliance with Laws.** Consultant shall comply with all applicable federal, state and local laws, statutes, rules, regulations, and ordinances, including, without limitation, those governing wages, hours, desegregation, employment discrimination, workers' compensation, employer's liability and safety. Consultant also shall comply with all applicable equal opportunity laws and regulations.

10. **Patent and Copyright.** If Consultant's employees, officers, agents, subcontractors of any tier, or anyone of a like nature in the performance of the Services or as a result of performing the Services develop any trade secret, prepare any copyrighted material, make any improvement, originate any invention, or develop any process or the like (collectively, an "*Innovation*"), (a) such Innovation shall

be the property of Consultant, but (b) Consultant shall grant or cause to be used for the benefit of Town (or for Town's own internal use) the Innovation for so long as Town reasonably desires.

11. **Independent Contractor.** Consultant shall perform the Services as an independent contractor, and all persons employed by Consultant in connection with this Agreement or the Services shall be employees of Consultant and not employees of Town in any respect or for any purpose.

12. **Assignment.** Consultant shall not assign this Agreement, or any part thereof, without Town's prior written consent. Any attempted assignment in violation of this section shall be void from its inception.

13. **Subcontracts.** Except for those subcontractors which are specified in Exhibit A, Consultant shall not award any work to any subcontractor without Town's prior written approval, which approval will not be given until (a) Consultant submits to Town a written statement (containing such information as Town may require) concerning the proposed award to the subcontractor, and (b) Town has reasonably approved such proposed subcontract.

    Consultant shall be as fully responsible to Town for the acts and omissions of Consultant's subcontractors, and of persons either directly or indirectly employed by such subcontractors, in the same manner as Consultant is liable for the acts and omissions of its own employees. Consultant shall cause appropriate provisions to be inserted in all subcontracts to bind subcontractors to Consultant by the terms and conditions of this Agreement insofar as applicable to the work of subcontractors, and to give Consultant the same power to terminate any subcontract as Town may exercise over Consultant under this Agreement. Nothing in this Agreement, and no course of dealing, shall create any contractual relationship between Town and any of Consultant's subcontractors.

14. **Non-Exclusive Rights**. Nothing in the Agreement is to be construed as granting to Consultant the exclusive right to perform any or all of the Services from time to time required by Town.

15. **Indemnification**. Consultant will indemnify, defend, and hold harmless Town (including its elected and appointed officers, employees,) from and against any and all demands, liabilities, claims, damages, costs (including Town's reasonable attorney fees) actions and/or proceedings to the proportionate extent caused by the grossly negligent acts, errors, or omissions of Consultant in performance of the Services. In the event of a lawsuit brought against Town as a result of the Services (or lack thereof), Town shall notify Consultant of such action in writing within ten (10) days of Town's receipt of such lawsuit.

16. **Insurance**. Without limiting any obligations of Consultant, Consultant shall, prior to commencing work, secure and continuously carry insurance in accordance with Town's standard insurance requirements as delivered to Consultant in writing and shall furnish proof thereof satisfactory to Town promptly when requested.

17. **Professional Responsibility**. Consultant shall perform the Services using standards of care, skill and diligence as normally provided by a professional in the performance of consulting services similar to those contemplated hereunder. Without limiting any other remedies available to Town, if Consultant fails to comply with such professional standards, Consultant shall, upon notice from Town, promptly re-perform the sub-standard work at Consultant's sole cost.

18. **Progress.** Consultant shall submit periodic written progress reports as reasonably requested by Town.

19. **Conflict Resolution.** In the event of a dispute between the parties regarding the Services, including any invoice dispute, the parties shall first meet within fifteen (15) days to attempt resolution through good faith negotiation. If not resolved within thirty (30) days, the parties shall submit the dispute to non-binding mediation before a mutually agreed mediator. If mediation does not resolve the dispute, either party may proceed to litigation as provided in Section 20.

20. **Claims and Disputes.** Claims, disputes and other issues between the parties arising out of or related to this Agreement shall be decided by litigation in Utah County, Utah. Unless otherwise terminated pursuant to the provisions hereof or otherwise agreed in writing, Consultant shall continue to perform the Services during any such litigation and Town shall continue to make payments to Consultant in accordance with the terms of this Agreement.

21. **Notice**. Any notice required or permitted under the terms of this Agreement or required by law must be in writing and must be: (a) delivered in person, (b) sent by first class registered mail, or air mail, as appropriate, (c) sent by overnight air courier, in each case properly posted and fully prepaid, or (d) sent by email to the current email address of either party. Either party may change its address for notices by notice to the other party given in accordance with this Section. Notices are deemed given at the time of actual delivery in person, three business days after deposit in the mail as set forth above, or one day after delivery to an overnight air courier service or email.

22. **Town's Cooperation**. Town will provide the following assistance to Consultant in connection with the Services:

    a. *Representative*. Designate a representative of Town to act as Consultant's point of contact with respect to the Services.

    b. *Information*. Provide to Consultant access to all non-confidential information pertaining to the Services that is in Town's possession or is reasonably available to Town. Consultant shall not be responsible for errors or omissions in any Town-provided information, nor for delays in completing the Services attributable to Town's delay in providing required information.

    c. *Staff Assistance*. Such support of Town's staff as Town determines, in its sole discretion, to make available to Consultant.

23. **Conflicts**. In the event of inconsistencies within or between this Agreement, the attached Exhibits, or applicable legal requirements, Consultant shall (a) provide the better quality or greater quantity of Services, or (b) comply with the more beneficial requirements to Town, either or both in accordance with Town's reasonable interpretation.

24. **Additional Provisions.** The following provisions also are integral to this Agreement:

    *a.* *Titles and Captions*. All section or subsection titles or captions herein are for convenience only. Such titles and captions shall not be deemed part of this Agreement and shall in no way define, limit, augment, extend or describe the scope, content or intent of any part or parts hereof.

    *b.* *Pronouns and Plurals*. Whenever the context may require, any pronoun used herein shall include the corresponding masculine, feminine or neuter forms, and the singular form of nouns, pronouns and verbs shall include the plurals and vice versa.

    *c.* *Applicable Law*. The provisions of this Agreement shall be governed by and construed in accordance with the laws of the state of Utah.

    *d.* *Integration*. This Agreement constitutes the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior agreements and understandings pertaining thereto.

    *e.* *Survival*. All agreements, covenants, representations and warranties contained herein shall survive the execution of this Agreement and shall continue in full force and effect throughout the term of this Agreement.

    *f.* *Waiver*. Failure, neglect, or delay by a party to enforce the provisions of this Agreement or its rights or remedies at any time, will not be construed as a waiver of the party's rights under this Agreement and will not in any way affect the validity of the whole or any part of this Agreement or prejudice the party's right to take subsequent action. Exercise or enforcement by either party of any right or

remedy under this Agreement will not preclude the enforcement by the party of any other right or remedy under this Agreement or that the party is entitled by law to enforce.

g. *Rights and Remedies*. The rights and remedies of the parties hereto shall not be mutually exclusive, and the exercise of one or more of the provisions of this Agreement shall not preclude the exercise of any other provisions hereof.

h. *Severability*. If any term, condition, or provision in this Agreement is found to be invalid, unlawful, or unenforceable to any extent, the parties will endeavor in good faith to agree to amendments that will preserve, as far as possible, the intentions expressed in this Agreement. If the parties fail to agree on an amendment, the invalid term, condition, or provision will be severed from the remaining terms, conditions, and provisions of this Agreement, which will continue to be valid and enforceable to the fullest extent permitted by law.

i. *Exhibits*. All exhibits annexed to this Agreement are expressly made a part of this Agreement as though completely set forth herein. All references to this Agreement, either in this Agreement itself or in any of such writings, shall be deemed to refer to and include this Agreement and all such exhibits and writings.

j. *Counterparts*. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

k. *Resolutions of Governing Authorities*. Consultant hereby represents that it has been duly authorized to enter into this Agreement by a resolution of its governing body.

**DATED** effective the date first-above written.

**CONSULTANT:**

**CODIFY, LLC**, a Utah limited liability company

By: _____

Name: James Spung

Its: Owner

**TOWN:**

**FAIRFILED TOWN**

By: _____
**Hollie McKinney**, Mayor

**ATTEST:**

By: _____
**Stephanie Shelley**, Recorder

**Exhibit "A" to**
**Agreement for Consulting Services**

**(Proposal)**

CODIFY

801.673.0363
jspung@codifyplanning.com

# MEMORANDUM

TO: Mayor McKinney and Brad Christopherson, Fairfield Town
FROM: Jim Spung, AICP, Codify
DATE: June 1, 2026
RE: Scope of Services | Fairfield Town Technical Planning Support

---

This scope of services and budget is designed to provide ongoing support for updates to the Fairfield Town Code of Ordinances, along with on-call planning services, reflecting our recent discussions regarding the Town's short- and long-term priorities. All elements of the scope are preliminary and subject to discussion and negotiation.

Fairfield currently does not maintain dedicated in-house planning staff to assist with planning, zoning, and development review needs. As development activity and regulatory demands continue to evolve, access to reliable and experienced planning assistance is increasingly important for processing applications efficiently, maintaining functional and understandable regulations, and providing Town decision-makers with clear, objective, and technically sound guidance. The consultant can also assist in educating and advising Town staff, Planning Commission members, and elected officials regarding the respective roles and responsibilities of decision-making bodies, applicable standards of review, procedural requirements, and the relationship between state law, local ordinances, adopted policies, and discretionary authority. This guidance is intended to improve transparency, consistency, and overall confidence in the Town's land use processes.

This scope also includes flexible, as-needed support for development application review, assistance for Planning Commission and Town Council meetings, and drafting updates to the Town's development code. Targeted and comprehensive code updates will modernize ordinances to improve usability, streamline procedures, clarify standards, and better align regulations with Fairfield's character, short-term priorities, and long-term goals.

This on-call model also provides access to expertise when needed, providing flexibility, cost-effectiveness, and scalability while avoiding the ongoing cost and administrative burden of full-time staff. It also gives the Town access to specialized skills in zoning administration, ordinance drafting, and development review that may otherwise be difficult to maintain internally in a small community setting.

These services will provide Fairfield with practical, responsive, and legally defensible planning assistance improving the efficiency, clarity, and effectiveness of the Town's development review and regulatory framework. I am happy to set up a call to walk through this draft scope of services and answer any questions you may have.

Sincerely,



Jim Spung, AICP
CODIFY

# SCOPE OF SERVICES

## PART 1: CODE OF ORDINANCE DRAFTING SUPPORT

### 1.1. OVERVIEW

On-call code drafting services are intended to provide Fairfield Town with flexible, incremental support for updates to the Town's development regulations as priorities arise. Recognizing that certain regulatory issues may require more immediate attention than others, the Town will identify short-term priority code amendments to be addressed. These high-priority updates may include targeted revisions to specific procedures, standards, definitions, or development regulations identified by the Town.

Following completion of the Town's highest-priority updates, additional services may include a broader diagnosis and analysis of the Town's development regulations to identify opportunities for more comprehensive improvements, reorganization, procedural streamlining, modernization, and improved usability of the code over time. At the Town's request, the consultant may provide a more detailed scope specific to a larger comprehensive ordinance and code update effort.

### 1.2. PROJECT MANAGEMENT

#### 1.2.A. MAINTAINING PROJECT SCHEDULE AND BUDGET

The consultant will work with Town staff to prepare detailed drafting schedules identifying product delivery dates and internal review and comment periods. Because services are provided on an on-call basis, consultant availability may vary depending on workload, project schedules, and existing client commitments. The consultant will make reasonable efforts to accommodate requests for services in a timely manner; however, the consultant reserves the right to decline or defer new assignments when existing workload or scheduling constraints would result in not being able to provide services at the level of responsiveness and quality expected by the Town. In such cases, the consultant will promptly notify the Town and provide an estimated timeframe for availability, when possible.

#### 1.2.B. CONFERENCE CALLS AND MEETINGS

The consultant will be available to participate in regular conference calls, as needed, to assist in providing relevant project reviews and updates. With code update efforts, there can be periods of daily communication and periods where the consultant is in the background drafting materials. During those times, it's important to communicate regularly to make sure all parties understand where the task stands in relation to the schedule.

Some code amendment efforts may warrant an initial meeting (electronic or in-person) with Town staff to allow for detailed discussions and a high-level overview of underlying goals. Depending on the scope and scale of updates, formal public outreach beyond those required by local ordinance and Utah Code may not be necessary. However, if the proposed updates are known "hot button" issues within the community, it's important to get ahead of any potential controversy by strategizing outreach and messaging.

### 1.3. CODE & ORDINANCE DRAFTING SUPPORT

#### 1.3.A. BACKGROUND RESEARCH

As necessary, the consultant will review in greater detail the Town's General Plan, the existing Code of Ordinances, zoning map, and any other relevant plans and policies as identified by Town staff. This background review will form the basis for the initial assessment memoranda described below.

#### 1.3.B. ASSESSMENT MEMORANDIA

To help establish clear expectations and improve budgeting predictability, each discrete task or amendment effort will begin with a brief memorandum prepared by the consultant summarizing:

- an understanding of the task;
- the general scope and approach for completing the task;
- key issues or objectives to be addressed;
- preliminary schedule; and
- an estimate of time/budget.

For each code amendment effort, the consultant may prepare an assessment memo summarizing existing regulations and preliminary recommendations, discussion topics for Town staff and decision-makers, and identification of related code sections or policy considerations that may warrant additional review. These memoranda are intended to establish a common understanding of the issues being addressed and provide a framework for subsequent drafting efforts. This model is also intended to provide the Town with flexibility to prioritize and authorize work incrementally while maintaining transparency regarding anticipated workload, scheduling, and costs associated with each assignment. To maximize efficiency, the assessment memoranda can serve as a foundation for subsequent Planning Commission and Town Council staff reports.

### 1.3.C. REDLINE DRAFTS

Draft ordinance amendments and code revisions may be prepared in ~~strikethrough~~ and underline format to clearly identify proposed changes to existing language. Redline drafts are intended to improve transparency during the review process by allowing Town staff, decision-makers, and stakeholders to easily distinguish between existing and proposed text. Depending on the nature of the amendment, multiple draft iterations may be prepared to incorporate Town direction, technical review comments, and stakeholder feedback, if applicable.

Draft amendments may also include numerous footnotes that highlight relocations, new or modified provisions, and ask important policy questions. Drafts may also include cross-references that are hyperlinked to other sections within the document for ease of reference.

Some chapters and sections may begin with a shaded text commentary box drawing attention to the primary purpose of the chapter or section and the major changes from the current development regulations. These commentary boxes provide context for review and will be deleted prior to adoption.

### 1.3.D. PUBLIC MEETING MATERIALS

To assist Town staff, Planning Commission, Town Council, and the public in understanding proposed amendments, the consultant may prepare materials to support the ordinance adoption process, including staff reports and summaries describing the purpose and effect of proposed changes. These summaries may include:

- key objectives of the amendment;
- overview of substantive changes;
- procedural implications;
- implementation considerations; and
- clarifying how proposed amendments relate to current rules or policies.

Additionally, the consultant may prepare other supporting materials for public meetings, including:

- draft ordinance documents;
- findings or recommendation language;
- presentation materials;
- hearing summaries; and
- other related supporting documentation, as necessary.

Adoption materials are intended to help facilitate an organized, transparent, and legally defensible review and adoption process consistent with applicable Town procedures and state requirements.

#### 1.3.E. FINAL DRAFT AND ONGOING SUPPORT

Based on comments received during the adoption process, the consultant will create the final adopted draft of each code amendment effort, for the Town's files. This final draft will be delivered in both Microsoft Word and PDF formats. If necessary, the consultant will be available to facilitate additional training (virtual or in-person) for staff and/or other stakeholders to explain changes from the old regulations and to highlight new features of the code.

### 1.4. PUBLIC PROCESS SUPPORT

#### 1.4.A. PLANNING COMMISSION & TOWN COUNCIL MEETINGS

As determined by Town staff, the consultant may provide support during public hearings related to development applications, ordinance amendments, and other land use matters. Services may include preparation support, attendance at hearings, presentation of technical information, responding to questions from decision-makers, and assistance addressing public comments or procedural issues that arise during the hearing process.

The consultant may assist with Planning Commission and Town Council meetings (in-person or virtually) to review development proposals, discuss ordinance concepts, evaluate policy considerations, or provide educational and procedural guidance related to land use decision-making responsibilities. Work session formats may be used to facilitate discussion and direction prior to formal public hearing or adoption processes. This also includes responding to questions from elected officials during legislative review and decision-making processes.

#### 1.4.B. STAKEHOLDER MEETINGS

As directed by the Town, the consultant may participate in stakeholder meetings with property owners, applicants, residents, business owners, or other interested parties to discuss proposed development applications, ordinance amendments, or planning-related issues. These meetings are intended to improve communication, gather feedback, and help identify concerns or opportunities early in the review process.

## PART 2: DEVELOMENT APPLICATION REVIEW SUPPORT

### 2.1 OVERVIEW

On-call development application review services are intended to support the Town with all aspects of the development application review process, from application completeness review to detailed evaluation for compliance with applicable codes and standards, coordinating with applicants on revisions, preparing written correspondence, and drafting staff reports and technical memos. Services would extend through the public process, including preparation for and presentation at Planning Commission and Town Council meetings, as needed.

To provide flexibility and to manage costs, administrative or clerical components of the review process (such as application intake, public notice mailings, meeting scheduling, or routine correspondence) can be handled by Town staff, as appropriate. This allows the Town to tailor the level of support to its needs and budget. This is more clearly summarized in Part 3: *Town Responsibilities*, below.

This level of support is intended to be flexible and scalable based on the Town's needs and workload. The scope, level of involvement, and duration of services are open to discussion and can be tailored to align with the Town's priorities and available resources.

### 2.2 DEVELOPMENT APPLICATION REVIEW CATEGORIES

To provide greater predictability regarding the level of effort and associated costs for development review services, applications will generally be categorized as "simple" or "complex." This classification is intended to reflect the anticipated level of analysis, coordination, public process, and professional expertise required to complete the review.

In general, applications involving administrative decisions and objective review criteria will be classified as simple applications, while applications involving legislative action, discretionary review, policy considerations, or substantial public process will be classified as complex applications. The ultimate classification, however, will depend on the specific facts, complexity, and anticipated level of effort associated with each application.

For applications that do not clearly fit within either category, the consultant will prepare a brief assessment memorandum at the outset of the review process. The memo will recommend a classification and explain the basis for that recommendation. This approach is intended to provide transparency, facilitate budgeting, and establish clear expectations before substantial work begins. The Town retains the discretion to discuss and confirm the proposed classification prior to authorizing the consultant to proceed with review services.

### 2.2.A SIMPLE APPLICATIONS

Simple applications are typically administrative in nature and involve limited discretion, straightforward code analysis, and relatively predictable review processes. Examples may include administrative permits, residential site plan reviews, lot line adjustments, home occupations, sign permits, and similar applications where approval criteria are primarily objective and established by ordinance. Review of simple applications will be billed at a rate of $165 per hour.

### 2.2.B COMPLEX APPLICATIONS

Complex applications are typically legislative or quasi-judicial in nature and involve a greater degree of analysis, coordination, public involvement, policy evaluation, professional expertise, or decision-maker discretion. Examples may include zoning map amendments, text amendments, conditional use permits, planned developments, subdivision applications, annexations, development agreements, and other applications requiring extensive review, public hearings, recommendations, or presentations before the Planning Commission or Town Council. Review of complex applications will be billed at a rate of $250 per hour.

## PART 3: TOWN RESPONSIBILITIES

To maintain efficiency, it is expected that Fairfield Town will provide reasonable cooperation, information, and access necessary for the consultant to complete tasks. Unless otherwise agreed in writing, the Town shall remain responsible for:

- Intake and clerical tasks associated with development applications;
- Maintaining official project and application files;
- Scheduling meetings, hearings, and work sessions;
- Distributing meeting packets and agenda materials;
- Publishing, posting, and mailing public notices required by local ordinance or state law;
- Coordinating legal review through the Town Attorney, as needed;
- Recording and maintaining official meeting minutes and records;
- Providing access to adopted plans, ordinances, maps, studies, and other relevant materials; and
- Designating a primary Town representative for project coordination and direction.

The consultant may assist with these activities upon request; however, additional fees may be incurred and responsibility for official Town actions and statutory requirements shall remain with the Town unless otherwise authorized.

# COMPENSATION AND BILLING

All services will be provided on an hourly basis and invoiced monthly based on actual hours worked by the consultant. Hourly rates include all professional fees, travel, and other reimbursable expenses – except as otherwise mutually agreed upon based on additional clerical services performed, as mentioned in Part 3: *Town Responsibilities*. The following hourly rates apply:

| Service | | Hourly Rate |
|---|---|---|
| Ordinance and Code Drafting | | $250.00 |
| Development Application Review | "Simple" applications | $165.00 |
| | "Complex" applications | $250.00 |

Invoices will include a summary of services performed and the time spent on each task, rounded to the nearest 0.25 hours. The consultant is flexible and committed to developing a work plan, division of labor, and budget consistent with the Town's resources and objectives.

At the discretion of Fairfield, individual tasks may be authorized with a not-to-exceed amount to assist with budgeting and cost control. If applicable, the consultant will notify the Town when authorized work is approaching the approved limit and will coordinate with Town staff if budget adjustments are needed.

**Resolution** R2026-13 A Resolution Adopting The Fairfield Budget For Fiscal Year 2026-2027.
**Dated June 24, 2026**

---

**WHEREAS,** the Town Council desires to adopt the budget for Fairfield for the Fiscal year beginning July 1, 2026, and ending June 30, 2027; and

**WHEREAS** the Fairfield Town Council has reviewed the proposed budget; and

**WHEREAS,** at the time of its adoption, the budget properly reflects expected revenues and appropriations;

**WHEREAS,** the Town Council conducted a public hearing to review the final budget for Fiscal Year 2026-2027 on May 13, 2026, at 7:00 p.m.

**NOW THEREFORE,** be it ordained by the Town Council of Fairfield, in the State of Utah, that the Fairfield Budget for the Fiscal Year 2026-2027 be adopted as follows:

The final budget for Fiscal Year 2026 - 2027 is hereby approved and adopted as set forth in the attached Budget Adjustment Itemization (Exhibit "A").

Effective Date: This Resolution shall become effective immediately upon adoption.

Passed and Adopted this **24th day of June 2026**.

FAIRFIELD

_____
Hollie McKinney, Mayor

| | | | |
|---|---|---|---|
| Hollie McKinney | yes_____ | no_____ | abstain ____ |
| RL Panek | yes_____ | no_____ | abstain ____ |
| Tyler Thomas | yes_____ | no_____ | abstain ____ |
| Michael Weber | yes_____ | no_____ | abstain ____ |
| Richard Cameron | yes_____ | no_____ | abstain ____ |

ATTEST:

_____
Stephanie Shelley, Recorder

(OFFICIAL SEAL)

Working Draft Town Budget

FAIRFIELD TOWN

STATE OF UTAH )
) ss.
COUNTY OF UTAH )

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the **24th day of June 2026.**

R2026-13 A Resolution Adopting the Fairfield Budget for the Fiscal Year 2026-2027.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town, Utah, this **24th day of June 2026.**

_____,
Stephanie Shelley
Fairfield Town Recorder/Clerk

(SEAL)

Working Draft Town Budget

# Exhibit A

Working Draft Town Budget

# Fairfield Town
## Operational Budget Report
## 10 General Fund - 07/01/2026 to 06/30/2027
## 100.00% of the fiscal year has expired

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Change In Net Position** | | | | | |
| **Revenue:** | | | | | |
| **Taxes** | | | | | |
| 3110 General property taxes-current | 36,854.09 | 0.00 | 0.00 | 37,000.00 | 0.00% |
| 3130 General sales & use tax | 70,419.70 | 0.00 | 0.00 | 65,000.00 | 0.00% |
| **Total Taxes** | **107,273.79** | **0.00** | **0.00** | **102,000.00** | **0.00%** |
| **Licenses and permits** | | | | | |
| 3211 Business licenses | 350.00 | 0.00 | 0.00 | 2,000.00 | 0.00% |
| 3250 Penalties & Permits & Fees | 25.00 | 0.00 | 0.00 | 400.00 | 0.00% |
| 3260 Intermountain Regional Landfill | 724,282.67 | 0.00 | 0.00 | 1,000,000.00 | 0.00% |
| 3261 North Pointe Landfill | 39,476.39 | 0.00 | 0.00 | 60,000.00 | 0.00% |
| **Total Licenses and permits** | **764,134.06** | **0.00** | **0.00** | **1,062,400.00** | **0.00%** |
| **Intergovernmental revenue** | | | | | |
| 3339 State grants | 26,206.90 | 0.00 | 0.00 | 30,000.00 | 0.00% |
| 3341 Parks | 400,000.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3356 Class C road fund allotment | 81,381.93 | 0.00 | 0.00 | 60,000.00 | 0.00% |
| **Total Intergovernmental revenue** | **507,588.83** | **0.00** | **0.00** | **90,000.00** | **0.00%** |
| **Charges for services** | | | | | |
| 3480 Opening/closing graves | 0.00 | 0.00 | 0.00 | 625.00 | 0.00% |
| **Total Charges for services** | **0.00** | **0.00** | **0.00** | **625.00** | **0.00%** |
| **Interest** | | | | | |
| 3611 Investments increase (decrease) | 37,848.01 | 0.00 | 0.00 | 85,000.00 | 0.00% |
| **Total Interest** | **37,848.01** | **0.00** | **0.00** | **85,000.00** | **0.00%** |
| **Miscellaneous revenue** | | | | | |
| 3615 Donations, Collections, Christmas | 19,010.00 | 0.00 | 0.00 | 21,000.00 | 0.00% |
| 3690 Miscellaneous revenue | 674.28 | 0.00 | 0.00 | 200.00 | 0.00% |
| **Total Miscellaneous revenue** | **19,684.28** | **0.00** | **0.00** | **21,200.00** | **0.00%** |
| **Buildings and Grounds** | | | | | |
| 3220 Building Dept Application Fees | 670.00 | 0.00 | 0.00 | 10,000.00 | 0.00% |
| 3220.2 Building Dept Assignment of Address Fee | 100.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3220.5 Building Dept Inspection Fees | 1,078.90 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3220.6 Building Dept Fire Inspection Fees | 705.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3220.7 Building Dept Plan Review Fees | 4,470.15 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3220.9 Building Dept State Permit Surcharge Fee | 109.44 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3221 Non-business buildings, structures, equip | 0.00 | 0.00 | 0.00 | 16,000.00 | 0.00% |
| 3222 Building Dept Permits | 27,529.08 | 0.00 | 0.00 | 30,000.00 | 0.00% |
| 3223 Building Franchise Fee Revenue | 2,282.00 | 0.00 | 0.00 | 2,000.00 | 0.00% |
| 3224 Engineering and Surveying Fees | 2,100.00 | 0.00 | 0.00 | 2,000.00 | 0.00% |
| 3225 Grama Request Fees | 0.00 | 0.00 | 0.00 | 600.00 | 0.00% |
| 3481 Cemetery Revenue | 0.00 | 0.00 | 0.00 | 3,500.00 | 0.00% |
| 3670 Road Impact Fees | 10,580.00 | 0.00 | 0.00 | 15,000.00 | 0.00% |
| **Total Buildings and Grounds** | **49,624.57** | **0.00** | **0.00** | **79,100.00** | **0.00%** |
| **Highways and Public Improvements** | | | | | |
| 3671 Highway Improvements Engineering Revenue | 0.00 | 0.00 | 0.00 | 2,500.00 | 0.00% |
| **Total Highways and Public Improvements** | **0.00** | **0.00** | **0.00** | **2,500.00** | **0.00%** |
| **Total Revenue:** | **1,486,153.54** | **0.00** | **0.00** | **1,442,825.00** | **0.00%** |
| **Expenditures:** | | | | | |
| **General government** | | | | | |
| **Administrative** | | | | | |
| 4103 Admin Permanent employees wages | 57,939.50 | 0.00 | 0.00 | 148,351.00 | 0.00% |
| 4103.1 Admin Office Manager Stipend | 39,600.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4103.3 Admin Treasurer Employee Wage | 27,403.25 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4103.4 Public Works Consultant | 807.39 | 0.00 | 0.00 | 3,000.00 | 0.00% |
| 4105 Admin Employee Benefits | 14,060.64 | 0.00 | 0.00 | 15,000.00 | 0.00% |
| 4111 Admin Books, subscriptions, memberships | 3,232.85 | 0.00 | 0.00 | 3,000.00 | 0.00% |
| 4112 Admin Public notices | 219.00 | 0.00 | 0.00 | 800.00 | 0.00% |
| 4113 Admin GRAMA requests | 0.00 | 0.00 | 0.00 | 300.00 | 0.00% |
| 4114 Admin Travel | 5,487.02 | 0.00 | 0.00 | 4,000.00 | 0.00% |
| 4115 Admin Office expenses & supplies | 6,414.08 | 0.00 | 0.00 | 5,000.00 | 0.00% |
| 4115.5 Admin Stamps | 886.00 | 0.00 | 0.00 | 1,000.00 | 0.00% |
| 4116 Admin Computer & internet expenses | 17,830.39 | 0.00 | 0.00 | 4,000.00 | 0.00% |
| 4116.5 Admin IT services | 3,143.37 | 0.00 | 0.00 | 2,000.00 | 0.00% |

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| 4120 Admin Telephone | 2,520.16 | 0.00 | 0.00 | 3,216.00 | 0.00% |
| 4121 Admin Interlocal contributions | 0.00 | 0.00 | 0.00 | 1,500.00 | 0.00% |
| 4122 Admin Education | 2,902.00 | 0.00 | 0.00 | 3,000.00 | 0.00% |
| 4123 Admin Rental expense | 3,546.09 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4124 Admin Insurance | 5,961.24 | 0.00 | 0.00 | 6,000.00 | 0.00% |
| 4125 Admin Taxes - property | 866.31 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4126 Admin Repairs and maintenance | 539.56 | 0.00 | 0.00 | 500.00 | 0.00% |
| 4126.5 Town Hall - Repairs and maintenance | 13,857.01 | 0.00 | 0.00 | 10,000.00 | 0.00% |
| 4130 Admin Bank service charges | 38.61 | 0.00 | 0.00 | 500.00 | 0.00% |
| 4132 Admin Town codification | 8,182.99 | 0.00 | 0.00 | 1,500.00 | 0.00% |
| 4140 Admin Elections | 0.00 | 0.00 | 0.00 | 2,500.00 | 0.00% |
| 4142 Admin Food Expenditures | 541.46 | 0.00 | 0.00 | 3,000.00 | 0.00% |
| 4171 Admin Capital Outlay | 3,567.30 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4190 State Grant Expenses | 2,836.75 | 0.00 | 0.00 | 5,000.00 | 0.00% |
| **Total Administrative** | **222,382.97** | **0.00** | **0.00** | **223,167.00** | **0.00%** |
| **Buildings and grounds** | | | | | |
| 4127 Admin Bldg Permit fee state surcharge | 146.62 | 0.00 | 0.00 | 200.00 | 0.00% |
| 4141 Admin Survey and Engineering | 31,235.85 | 0.00 | 0.00 | 30,000.00 | 0.00% |
| 4169 Cemetery Expense | 5,889.90 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4169.2 Cemetery Wages | 2,200.00 | 0.00 | 0.00 | 2,400.00 | 0.00% |
| 4180 Building Dept - Surveyor Expenses | 2,157.90 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4180.5 Building Dept - Inspection Fees | (5,440.97) | 0.00 | 0.00 | 0.00 | 0.00% |
| 4180.6 Building Dept - Plan Review Expense | 4,199.65 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4180.7 Building Dept - Building Permit Expense | 12,922.00 | 0.00 | 0.00 | 29,000.00 | 0.00% |
| 4181 Building Dept - Engineering Expenses | 332.50 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4182 Building Dept - Legal Expenses | 0.00 | 0.00 | 0.00 | 2,000.00 | 0.00% |
| 4183 Building Dept - Inspections/Plan Review Expenses | 11,974.78 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Buildings and grounds** | **65,618.23** | **0.00** | **0.00** | **63,600.00** | **0.00%** |
| **Planning and zoning** | | | | | |
| 4155 Planning and Zoning | 0.00 | 0.00 | 0.00 | 5,000.00 | 0.00% |
| 4156 Planning and Zoning - Stipend | 15,400.00 | 0.00 | 0.00 | 16,800.00 | 0.00% |
| 4156.5 Planning and Zoning Professional Services | 0.00 | 0.00 | 0.00 | 50,000.00 | 0.00% |
| 4157 Planning and Zoning General Plan | 989.65 | 0.00 | 0.00 | 1,000.00 | 0.00% |
| 4158 Town Council- Misc | 0.00 | 0.00 | 0.00 | 200.00 | 0.00% |
| **Total Planning and zoning** | **16,389.65** | **0.00** | **0.00** | **73,000.00** | **0.00%** |
| **Professional Services** | | | | | |
| 4117 Admin Pelorus Software | 4,150.00 | 0.00 | 0.00 | 3,400.00 | 0.00% |
| 4118 Admin Copier Service and Maintenance | 4,445.88 | 0.00 | 0.00 | 4,000.00 | 0.00% |
| 4133 Admin Website | 3,215.00 | 0.00 | 0.00 | 3,300.00 | 0.00% |
| 4134 Admin Accounting & auditing | 7,500.00 | 0.00 | 0.00 | 7,500.00 | 0.00% |
| 4136 Admin Accounting services | 0.00 | 0.00 | 0.00 | 16,400.00 | 0.00% |
| 4139 Admin Legal | 190,063.10 | 0.00 | 0.00 | 300,000.00 | 0.00% |
| **Total Professional Services** | **209,373.98** | **0.00** | **0.00** | **334,600.00** | **0.00%** |
| **Total General government** | **513,764.83** | **0.00** | **0.00** | **694,367.00** | **0.00%** |
| **Public safety** | | | | | |
| 4149 Code Enforcement | 0.00 | 0.00 | 0.00 | 8,100.00 | 0.00% |
| 4150 Animal services | 1,170.00 | 0.00 | 0.00 | 10,000.00 | 0.00% |
| 4151 Police Contracted services | 25,445.10 | 0.00 | 0.00 | 27,000.00 | 0.00% |
| 4152 Fire Contracted services | 0.00 | 0.00 | 0.00 | 2,500.00 | 0.00% |
| 4153 Emergency dispatch | 4,012.69 | 0.00 | 0.00 | 4,100.00 | 0.00% |
| 4153.5 Everbridge | 28.94 | 0.00 | 0.00 | 35.00 | 0.00% |
| **Total Public safety** | **30,656.73** | **0.00** | **0.00** | **51,735.00** | **0.00%** |
| **City Council** | | | | | |
| 4000 City Council Stipend | 15,400.00 | 0.00 | 0.00 | 16,800.00 | 0.00% |
| 4010 Mayor Stipend | 6,050.00 | 0.00 | 0.00 | 6,600.00 | 0.00% |
| 4169.1 Cemetery Board | 0.00 | 0.00 | 0.00 | 9,150.00 | 0.00% |
| **Total City Council** | **21,450.00** | **0.00** | **0.00** | **32,550.00** | **0.00%** |
| **Highways and public improvements** | | | | | |
| **Roads** | | | | | |
| 4137 Admin Street Signs | 1,971.11 | 0.00 | 0.00 | 3,000.00 | 0.00% |
| 4161 Roads Repairs & maintenance | 55,691.64 | 0.00 | 0.00 | 165,000.00 | 0.00% |
| 4162 Engineering Expenses | 0.00 | 0.00 | 0.00 | 6,000.00 | 0.00% |
| 4163 Roads Snowplow - Fuel, maint & repair | 375.05 | 0.00 | 0.00 | 2,000.00 | 0.00% |

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| 4165 Roads Weed Control | 0.00 | 0.00 | 0.00 | 500.00 | 0.00% |
| 4166.5 Roads Contracted Stipend | 9,900.00 | 0.00 | 0.00 | 10,800.00 | 0.00% |
| **Total Roads** | **67,937.80** | **0.00** | **0.00** | **187,300.00** | **0.00%** |
| **Sanitation** | | | | | |
| 4191 Trash collection | 8,671.35 | 0.00 | 0.00 | 10,000.00 | 0.00% |
| **Total Sanitation** | **8,671.35** | **0.00** | **0.00** | **10,000.00** | **0.00%** |
| **Total Highways and public improvements** | **76,609.15** | **0.00** | **0.00** | **197,300.00** | **0.00%** |
| **Parks, recreation, and public property** | | | | | |
| **Parks** | | | | | |
| 4167 Community events | 2,003.04 | 0.00 | 0.00 | 6,000.00 | 0.00% |
| 4167.3 Christmas Events | 40,628.10 | 0.00 | 0.00 | 40,000.00 | 0.00% |
| 4167.5 Christmas Town Donations | 3,359.00 | 0.00 | 0.00 | 3,300.00 | 0.00% |
| 4173 Parks and Improvment | 921,077.06 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4174 Parks and Publice Improv Stipend | 9,900.00 | 0.00 | 0.00 | 10,800.00 | 0.00% |
| **Total Parks** | **976,967.20** | **0.00** | **0.00** | **60,100.00** | **0.00%** |
| **Total Parks, recreation, and public property** | **976,967.20** | **0.00** | **0.00** | **60,100.00** | **0.00%** |
| **Miscellaneous** | | | | | |
| 4193 Other miscellaneous supplies | 1,338.13 | 0.00 | 0.00 | 1,000.00 | 0.00% |
| 4193.5 Cards and Flowers | 128.91 | 0.00 | 0.00 | 500.00 | 0.00% |
| 4199 Budgeted increase in fund balance | 0.00 | 0.00 | 0.00 | 278,747.00 | 0.00% |
| 4202 Donations, fees, collections for Community Days | 0.00 | 0.00 | 0.00 | 500.00 | 0.00% |
| 4203 Sub for Santa | 0.00 | 0.00 | 0.00 | 500.00 | 0.00% |
| **Total Miscellaneous** | **1,467.04** | **0.00** | **0.00** | **281,247.00** | **0.00%** |
| **Transfers** | | | | | |
| 4197 Transfer to Capital Projects | 714,052.00 | 0.00 | 0.00 | 95,526.00 | 0.00% |
| 4198 Transfer to water fund | 70,000.00 | 0.00 | 0.00 | 30,000.00 | 0.00% |
| **Total Transfers** | **784,052.00** | **0.00** | **0.00** | **125,526.00** | **0.00%** |
| **Total Expenditures:** | **2,404,966.95** | **0.00** | **0.00** | **1,442,825.00** | **0.00%** |
| **Total Change In Net Position** | **(918,813.41)** | **0.00** | **0.00** | **0.00** | **0.00%** |

# Fairfield Town
## Operational Budget Report
### 41 Capital Projects - 07/01/2026 to 06/30/2027
### 100.00% of the fiscal year has expired

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Change In Net Position** | | | | | |
| **Revenue:** | | | | | |
| **Contributions and transfers** | | | | | |
| 3810 Transfer from General Fund | 714,052.00 | 0.00 | 0.00 | 95,526.00 | 0.00% |
| 3910 Appropriation of fund balance | 0.00 | 0.00 | 0.00 | 784,474.00 | 0.00% |
| **Total Contributions and transfers** | **714,052.00** | **0.00** | **0.00** | **880,000.00** | **0.00%** |
| **Total Revenue:** | **714,052.00** | **0.00** | **0.00** | **880,000.00** | **0.00%** |
| **Expenditures:** | | | | | |
| **Miscellaneous** | | | | | |
| 4149 Admin Capital outlay | 708,113.12 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4151 Town Hall Project | 0.00 | 0.00 | 0.00 | 80,000.00 | 0.00% |
| 4170 Parks Capital outlay | 0.00 | 0.00 | 0.00 | 800,000.00 | 0.00% |
| **Total Miscellaneous** | **708,113.12** | **0.00** | **0.00** | **880,000.00** | **0.00%** |
| **Total Expenditures:** | **708,113.12** | **0.00** | **0.00** | **880,000.00** | **0.00%** |
| **Total Change In Net Position** | **5,938.88** | **0.00** | **0.00** | **0.00** | **0.00%** |

# Fairfield Town
## Operational Budget Report
## 51 Water Fund - 07/01/2026 to 06/30/2027
## 100.00% of the fiscal year has expired

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Income or Expense** | | | | | |
| **Income From Operations:** | | | | | |
| **Operating income** | | | | | |
| 5140 Culinary income | 25,074.77 | 0.00 | 0.00 | 32,000.00 | 0.00% |
| 5145 Sale of Purchased Water | 215.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 5150 Connection Fees | 3,735.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 5151 Impact Fees | 31,258.00 | 0.00 | 0.00 | 32,000.00 | 0.00% |
| 5410 Late penalties and fees | 325.00 | 0.00 | 0.00 | 100.00 | 0.00% |
| **Total Operating income** | **60,607.77** | **0.00** | **0.00** | **64,100.00** | **0.00%** |
| **Operating expense** | | | | | |
| 6110 Culinary operator stipend | 10,125.00 | 0.00 | 0.00 | 10,800.00 | 0.00% |
| 6111 Employee wages | 887.50 | 0.00 | 0.00 | 0.00 | 0.00% |
| 6113 Employee taxes and benefits | 825.24 | 0.00 | 0.00 | 800.00 | 0.00% |
| 6121 Dues | 372.00 | 0.00 | 0.00 | 500.00 | 0.00% |
| 6128 Utilities | 2,695.27 | 0.00 | 0.00 | 2,600.00 | 0.00% |
| 6131 Professional fees | 1,387.50 | 0.00 | 0.00 | 3,000.00 | 0.00% |
| 6132 Water Engineering | 34,027.25 | 0.00 | 0.00 | 29,830.00 | 0.00% |
| 6133 Water Inspections | 0.00 | 0.00 | 0.00 | 7,832.00 | 0.00% |
| 6134 Water & Sewer Master Plan expenses | 17,067.75 | 0.00 | 0.00 | 16,751.00 | 0.00% |
| 6141 Repairs and maintenance | 106,841.25 | 0.00 | 0.00 | 280,000.00 | 0.00% |
| 6142 Chlorine | 0.00 | 0.00 | 0.00 | 500.00 | 0.00% |
| 6143 Monthly water tests | 144.00 | 0.00 | 0.00 | 150.00 | 0.00% |
| 6144 Water tests - other | 1,731.00 | 0.00 | 0.00 | 300.00 | 0.00% |
| 6161 Bank service charges | 107.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 6169 Depreciation expense | 51,167.20 | 0.00 | 0.00 | 54,000.00 | 0.00% |
| 6170 Improvements | 1,323.74 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Operating expense** | **228,701.70** | **0.00** | **0.00** | **407,063.00** | **0.00%** |
| **Total Income From Operations:** | **(168,093.93)** | **0.00** | **0.00** | **(342,963.00)** | **0.00%** |
| **Non-Operating Items:** | | | | | |
| **Non-operating income** | | | | | |
| 5810 Transfers from general fund | 70,000.00 | 0.00 | 0.00 | 30,000.00 | 0.00% |
| 5841 Fund balance appropriation | 0.00 | 0.00 | 0.00 | 312,963.00 | 0.00% |
| **Total Non-operating income** | **70,000.00** | **0.00** | **0.00** | **342,963.00** | **0.00%** |
| **Total Non-Operating Items:** | **70,000.00** | **0.00** | **0.00** | **342,963.00** | **0.00%** |
| **Total Income or Expense** | **(98,093.93)** | **0.00** | **0.00** | **0.00** | **0.00%** |

**Resolution R2026-14** A Resolution Amending the Fairfield Consolidated Fee Schedule.

**Dated June 24, 2026**

---

**WHEREAS** the Fairfield Town Council finds it necessary to review and amend the Fairfield Town Consolidated Fee Schedule to reflect the increase in actual costs to the Town to provide various services; and

**WHEREAS** the Fairfield Town Council has reviewed the proposed changes; and

**NOW THEREFORE,** be it ordained by the Town Council of Fairfield, in the State of Utah, that the Fairfield Consolidated Fee Schedule be amended by adding and revising certain fees as found in Exhibit A.

Effective Date: This Ordinance shall become effective immediately upon passage and adoption.

Passed and Adopted this **24th day of June, 2026.**

FAIRFIELD

_____

Hollie McKinney, Mayor

| | | | |
|---|---|---|---|
| Hollie McKinney | yes_____ | no_____ | abstain ____ |
| RL Panek | yes_____ | no_____ | abstain ____ |
| Tyler Thomas | yes_____ | no_____ | abstain ____ |
| Michael Weber | yes_____ | no_____ | abstain ____ |
| Richard Cameron | yes_____ | no_____ | abstain ____ |

ATTEST:

_____

Stephanie Shelley, Recorder

(OFFICIAL SEAL)

Draft Fee Schedule

FAIRFIELD

STATE OF UTAH )
) ss.
COUNTY OF UTAH )

I, Stephanie Shelley, Town Recorder of Fairfield, Utah, do hereby certify and declare that the above and foregoing is a true, full and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the **24th day of June, 2026.**

R2026-14 A Resolution Amending the Consolidated Fairfield Fee Schedule.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield, Utah this **24th day of June, 2026.**

_____,
Stephanie Shelley
Fairfield Recorder/Clerk

(SEAL)

Draft Fee Schedule

# Exhibit A

Draft Fee Schedule

# FAIRFIELD, UTAH

## CODE OF ORDINANCES

AMERICAN LEGAL PUBLISHING

525 Vine Street, Suite 310, Cincinnati, Ohio 45202 (800) 445-5588

COPYRIGHT © 2026

AMERICAN LEGAL PUBLISHING

**DIRECTORY OF OFFICIALS**
**of**
**FAIRFIELD, UTAH**

---

**Mayor**
Hollie McKinney

---

**Council Members**
Michael Weber
Tyler Thomas
RL Panek
Richard Cameron

---

**FAIRFIELD, UTAH**
**TABLE OF CONTENTS**

Chapter


**TITLE 1: GENERAL PROVISIONS**

10. General Provisions
11. Definitions

**TITLE 3: ADMINISTRATION**

30. Mayor and Town Council; Meetings
31. Town Officials
32. Policies and Procedures
33. Finance and Revenue; Fees
34. Code Enforcement

**TITLE 5: PUBLIC WORKS**

50. Water
51. Sewer
52. Telecommunications

**TITLE 7: TRAFFIC CODE**

70. General Provisions

**TITLE 9: GENERAL REGULATIONS**

90. Nuisances
91. Public Health and Safety
92. Cemetery

**TITLE 11: BUSINESS REGULATIONS**

110. Business Licensing
111. Temporary Business Licenses
112. Home Based Businesses
113. Sexually Oriented Businesses

## TITLE 13: GENERAL OFFENSES

*Reserved*

## TITLE 15: LAND USAGE

150. General Provisions
151. Buildings Regulations
152. Roads, Highways and Rights-of-Way
153. Outdoor Lighting Standards
154. Zoning

## PARALLEL REFERENCES

References to Utah Code Annotated
References to Prior Code
References to Resolutions
References to Ordinances

## INDEX

# TITLE 1: GENERAL PROVISIONS

Chapter


10. GENERAL PROVISIONS

11. DEFINITIONS

# CHAPTER 10: GENERAL PROVISIONS

Section


10.01 Adoption of code
10.02 Acceptance
10.03 Amendments
10.04 Alterations
10.05 Definitions
10.06 Construction of code
10.07 Saving clause
10.08 Administrative enforcement authority
10.09 General enforcement authority
10.10 Effect of code; continuation of existing rights
10.11 Effect of repeal
10.12 Severability and effective date

10.99 General penalty


***Cross-reference:***

*Definitions, see § 11.01*

## § 10.01 ADOPTION OF CODE.

Pursuant to the provisions of U.C.A. § 10-3-701, upon adoption by the Town Council, this document is declared the official Town Code of Fairfield, Utah. This code of ordinances shall be known and cited as the Fairfield Town Code and is published by authority of the Town Council. It shall be supplemented as provided in § 10.03 to incorporate the most recent legislation enacted by the town. Any reference to a section number shall be understood to include its corresponding chapter, title heading and applicable general penalty clause unless otherwise specified.
(Prior Code, § 1.1.10) (Ord. 01102023, passed 1-10-2023)

## § 10.02 ACCEPTANCE.

This code, as presented in printed form, shall be recognized as the official compilation of the town's general and permanent ordinances. It shall be received as prima facie evidence of the law in all courts and administrative tribunals within the state.
(Prior Code, § 1.1.20)

## § 10.03 AMENDMENTS.

Any ordinance amending this code shall specify the title, chapter and section number of the affected provisions. This shall constitute sufficient compliance with statutory requirements regarding amendments or revisions to any part of this code. All such amendments or revisions shall be promptly codified and incorporated into the code. The Town Recorder/Clerk shall ensure that updated materials are forwarded to the codifiers and prepared for proper placement within each copy of the code. Replacement pages shall be clearly identified and inserted accordingly.
(Prior Code, § 1.1.30)

## § 10.04 ALTERATIONS.

(A) It is unlawful for any person to alter, change, replace or deface any section or page of this code in a manner that modifies or omits its intended meaning. Authorized replacement pages may only be inserted according to official instructions issued by the Town Council. The Town Recorder/Clerk is responsible for maintaining the integrity of the official copies and ensuring the timely insertion of updates.

(B) Individuals in possession of a copy of this code shall make every effort to keep it current. They must promptly insert replacement pages upon receipt from the Town Recorder/Clerk. All copies remain the property of the town and must be returned to the Town Recorder/Clerk's Office upon request by the Town Council.
(Prior Code, § 1.1.40) Penalty, see § 10.99

## § 10.05 DEFINITIONS.

For the purposes of this chapter, the following terms shall have the meanings that are specific to this chapter. Terms not defined herein shall have the meanings assigned in Chapter 11 and, if not defined there, shall be interpreted in accordance with their commonly accepted meaning.

***GIFT*** or ***BENEFIT.*** Any money, service, favor, item or advantage offered to a public official that could reasonably be perceived to influence official action; excludes campaign contributions and ceremonial gifts under $50.

***REPLACEMENT PAGE*** or ***SUPPLEMENT.*** A page or document officially issued by the Town Recorder/Clerk or codifier that updates, corrects or supplements this code to include new or revised ordinances.

***SEVERABILITY.*** The principle that if any section, clause or provision of this code is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.
(Prior Code, § 1.1.50)

## § 10.06 CONSTRUCTION OF CODE.

The following rules of construction apply to this code and any amending ordinances, except where inconsistent with the intent or context of a provision.

(A) Words in the present tense include the past and future tenses, and vice versa.

(B) Words in the singular include the plural, and words in the plural include the singular.

(C) Words referring to one gender include all genders.

(D) The term "shall" is mandatory, while "may" is permissive.

(E) The term "person" includes any individual, firm, corporation, partnership, association or other legal entity.

(F) Undefined terms shall be interpreted in accordance with their common usage and consistent with the intent of the provision.

(G) References to officers, employees or agencies of the town shall be construed to include their lawful successors in authority.
(Prior Code, § 1.1.60)

## § 10.07 SAVING CLAUSE.

(A) *Repeal of general ordinances*. The repeal of any prior ordinances by the adoption of this code does not affect:

(1) Any act done, offense committed or right accrued under the repealed ordinances;

(2) Any prosecution, action or proceeding pending at the time of repeal; or

(3) Any penalty, forfeiture or liability previously incurred.

(B) Unless specifically repealed or amended, any existing rights, duties or proceedings established under prior ordinances remain valid and enforceable.

(C) If any part of this code is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the remaining provisions, which shall continue in full force and effect.

(D) The Town Council affirms that each section of this code is enacted separately and independently.

(E) No new ordinance shall repeal a prior ordinance concerning past actions, penalties, rights or claims. Legal proceedings shall follow the law in effect at the time. If a new ordinance reduces penalties, such reductions may apply to pending cases with the affected party's consent.

(F) Ordinances may be repealed explicitly or by adopting new laws covering the same subject.

(G) This section does not discontinue or modify pending legal actions under repealed ordinances. All provisions in this code continue existing laws and do not waive prior penalties, liabilities or rights of the town.
(Prior Code, § 1.1.80)

## § 10.08 ADMINISTRATIVE ENFORCEMENT AUTHORITY.

The Town Council designates the Building Department, Fire Chief, County Sheriff, Code Enforcement Officer and others as needed to enforce this code. These officials have the authority to determine violations, take enforcement actions, issue citations and penalties, inspect properties and use administrative remedies to ensure compliance.
(Prior Code, § 1.1.70)

## § 10.09 GENERAL ENFORCEMENT AUTHORITY.

(A) The Town Council designates the Building Department, Fire Chief, County Sheriff or code enforcement and other duly authorized officials as enforcement officers of this code.

(B) Enforcement officers may issue citations, inspect properties and take administrative or legal action as necessary to ensure compliance with this code and applicable state laws.

(C) The Town Recorder/Clerk shall maintain records of all enforcement actions as part of the official municipal record.
(Prior Code, § 1.1.90)

## § 10.10 EFFECT OF CODE; CONTINUATION OF EXISTING RIGHTS.

The adoption of this code shall not affect any license, bond or right accrued, or any suit or prosecution pending under prior ordinances. The omission of any previously adopted provision shall not be construed as a waiver of the town's rights or powers existing under state law or prior ordinances.
(Prior Code, § 1.1.300)

## § 10.11 EFFECT OF REPEAL.

The repeal of any ordinance or portion of this code shall not revive any prior ordinance or affect any act done or right accrued.
(Prior Code, § 1.1.310)

## § 10.12 SEVERABILITY AND EFFECTIVE DATE.

If any provision of this code is held invalid, the remainder shall not be affected. This code shall take effect immediately upon adoption.
(Prior Code, § 1.1.320)

## § 10.99 GENERAL PENALTY.

(A) *Enforcement by citation and administrative action.*

(1) Enforcement officers are authorized to issue citations or notices of violation for any offense under this code.

(2) Criminal citations shall be filed in the County Justice Court or another court of competent jurisdiction as provided by law.

(3) Civil or administrative violations may be heard by an appointed Administrative Law Judge or Hearing Officer, whose decisions constitute administrative orders of the town.

(4) Nothing in this section limits the town's authority to pursue civil remedies, injunctions or other lawful enforcement actions.
(Prior Code, § 1.1.90)

(B) *Classification of offenses.*

(A) *Sentencing.* Any person found guilty of an offense under this code or the ordinances of the town shall be sentenced in accordance with this section.

(B) *New ordinances.* Ordinances adopted after the effective date of this code shall be classified for sentencing in accordance with this section unless otherwise specified.

(C) *Designations.* Offenses are classified as either misdemeanors or infractions.

(D) *Misdemeanor categories.* Misdemeanors are classified as:

(1) Class B misdemeanors; or

(2) Class C misdemeanors.

(E) *Default classification.* If no specific classification or punishment is provided for an offense designated as a misdemeanor or declared unlawful, it shall be deemed a Class B misdemeanor.

(F) *Infractions.* Infractions are not classified. Any offense designated as an infraction or any offense not classified as a misdemeanor and lacking a specified penalty is considered an infraction.

(G) *Continuing violations.* For continuing violations of this code or ordinances, each day a violation continues constitutes a separate offense.
(Prior Code, § 1.1.100)

# CHAPTER 11: DEFINITIONS

Section

11.01 Definitions

## § 11.01 DEFINITIONS.

(A) (1) It is the intent of this section to more fully set forth the meaning of certain terms and phrases utilized within this code in order to facilitate understanding of said terms and phrases in the sense intended by the Town Council.

(2) Words used in the present tense include the future tense, words in the single number include the plural number and words in the plural number include the singular. The words ***SHALL*** and ***WILL*** are mandatory, and ***MAY*** is permissive. Words not defined shall be given their common and ordinary meaning.

(B) For the purpose of this code, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ABANDONED MOBILE HOME/CAMPERS/TRAILERS.*** A mobile home, camper or trailer that has been rendered useless from the condition of which it was manufactured.

***ABSTAIN.*** The practice of exercising discretion to relinquish the right to vote when necessary to avoid needless conflict. See ***CONFLICT OF INTEREST***.

***ACCESSORY BUILDING.*** A detached building which is incidental, subordinate and exclusively devoted to a main building or use located on the same lot.

***ACCESSORY DWELLING UNIT (ADU).*** A habitable living unit that may be added to, created within or detached from a primary single-family dwelling and contained on one lot.

***ACCESSORY DWELLING UNIT, INTERNAL.*** An accessory dwelling unit created within a primary dwelling, within the footprint of the primary dwelling, for the purpose of offering a long-term rental of 30 consecutive days or longer.

***ACCESSORY STRUCTURE.*** A subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

***AD VALOREM TAX.*** A tax based on the assessed value of an item, such as real estate or personal property. The most common ***AD VALOREM TAXES*** are property taxes levied on real estate. However, ***AD VALOREM TAXES*** may also extend to a number of tax applications, such as import duty taxes on goods from abroad. Also known as ***PROPERTY TAX***.

***ADMINISTRATIVE AGENCY.*** The Town Planning Commission, which consists of the appointed Planning Commissioners.

***ADMINISTRATIVE OFFICER.*** The Planning and Zoning Chairperson or any of his or her duly appointed designees.

***ADMINISTRATIVE REMEDIES.*** Enforcement actions taken to ensure compliance, including citations, fines, notices of violation, stop work orders and other corrective measures authorized by law.

***AGENDA.*** A written list of items to be considered, discussed or acted upon during a meeting of a public body.

***AGENT.*** A person authorized to act on behalf of another individual or entity in business or legal matters.

***AGRICULTURAL BUILDING.*** Any structure used for agriculture.

***AGRICULTURAL BUSINESS.*** An enterprise involving agricultural products as opposed to agricultural production, including, but not limited to, greenhouses for wholesale or retail sales, but does not include the processing or packing of plants.

***AGRICULTURE.*** An area which is used for the commercial production, keeping or maintenance for sale of plants and domestic animals typically found in the county, or lands devoted to a soil conservation management program, but excluding the keeping of prohibited animals, a “commercial plant nursery” as defined herein, a “concentrated animal feeding operation” as defined by the State Code, as amended, and subject to the Utah Pollutant Discharge Elimination System (UPDES), or similar activities.

***ALCOHOLIC BEVERAGE PACKAGE AGENCY.*** A liquor location operated under contractual agreement with the Department of Alcoholic Beverage Control by a person other than the state, who is authorized by the State Alcoholic Beverage Control Commission to sell package liquor for consumption off the premises of the agency.

***ALCOHOLIC BEVERAGE STATE LIQUOR STORE.*** A facility for the sale of packaged liquor on premises owned or leased by the state and operated by state employees. This term does not apply to restaurants, private clubs or package agencies.

***ANCHOR LOCATION.*** The physical location where the public may attend a meeting and where, unless otherwise allowed, at least some members of the public body are present. Defined in U.C.A. § 52-4-103(2).

***ANCILLARY USE.***

(a) A use that:

1. Is clearly incidental to and found in connection with a principal or main use;

2. Is subordinate to and serves a principal or main use;

3. Is subordinate or less than in extent, area or purpose to the principal or main use;

4. Is located on the same lot as the principal or main use; and

5. Contributes to the comfort, convenience or necessity of the occupants, business or industry of the principal or main use.

(b) Home occupations are deemed an ***ANCILLARY USE***.

***ANIMAL HOSPITAL (LARGE), LARGE VETERINARY OFFICE.*** An establishment at which all types of farm animals (large, medium or small) or household pets may be treated or boarded.

***ANIMAL HOSPITAL (SMALL), SMALL VETERINARY OFFICE.*** An establishment at which small farm animals only or household pets are treated or boarded within a completely enclosed building, and large animals such as horses are not treated or boarded.

***APIARY.*** A place in which a colony or colonies of bees are kept, such as a stand or shed for beehives or a bee house containing a number of beehives.

***APPEALS AUTHORITY.*** A quasi-judicial body tasked with interpreting existing law, not creating new policy.

***APPEALS BOARD.*** The Town Council or designated body responsible for reviewing and deciding appeals related to government records, as defined in GRAMA.

***APPLICANT.*** The owner of land proposed to be developed, or the owner's duly authorized agent if that agent has written authorization from the owner, who submits a complete application for consideration by the town, and includes an individual or entity who is under contract to purchase land proposed to be developed so long as the individual or entity closes on the project before any land use application is brought before the Planning Commission for consideration at a public meeting or hearing.

***APPLICATION, TELECOMMUNICATIONS.*** The process by which a provider submits a request and indicates a desire to be granted a franchise to utilize the rights-of-way of all, or a part, of the town. An ***APPLICATION*** includes all written documentation, verbal statements and representations, in whatever form or forum, made by a provider to the town concerning: the construction of a telecommunications system over, under, on or through the rights-of-way; the telecommunications services proposed to be provided by the town by a provider; and any other matter pertaining to a proposed system or service.

***APPROVED TOPSOIL.*** Soil that does not exceed 41 ppm (total) arsenic representatively sampled and analyzed in accordance with the Resource Conservation and Recovery Actbeing, 42 U.S.C. §§ 6901 et seq.

***AREA OF SPECIAL FLOOD HAZARD.*** The land in the town area subject to a 1% chance of flooding in any given year.

***ARTS AND CRAFTS SALES.*** An establishment that produces articles for sale of artistic quality or effect or handmade workmanship, and includes candle making, glass blowing, weaving, pottery making, woodworking, sculpting, painting and their associated activities.

***AUTOMOTIVE REFUELING STATION.*** A retail building or premises used primarily for the sale of gasoline, diesel, natural gas or electricity to customers for the purposes of refueling customers' vehicles. Such premises may also include the sale of food, drinks or household products.

***AUTOMOTIVE RENTAL AND LEASING AGENCY.*** Rental of passenger vehicles, light trucks and vans, including incidental parking and servicing of vehicles for rent or lease.

***AUTOMOBILE REPAIR, MAJOR.*** An establishment not meeting the definition of "automobile repair, minor" primarily engaged in the major repair or maintenance of motor vehicles, trailers and similar large mechanical equipment, including paint, body and fender; major engine and engine part overhaul, and tire repair and sales, provided it is conducted within a completely enclosed building.

***AUTOMOBILE REPAIR, MINOR.*** An establishment that is primarily engaged in the minor repair or minor maintenance of motor vehicles, trailers and similar mechanical equipment, including brake, muffler, tire repair and change, lubrication, oil changes, tune-ups, safety inspections and emissions testing and detailing; is conducted entirely within a completely enclosed building and does not include

paint work, body and fender work or major engine and engine part overhaul. ***MINOR REPAIR*** or ***MINOR MAINTENANCE*** is defined as a routine service that requires not more than eight total hours of service.

***AUTOMOBILE SALES.*** The premises on which new or used passenger automobiles, non-motorized trailers or trucks in operating condition are displayed in the open for sale or trade.

***BAKERY, COMMERCIAL.*** A place for the preparing, cooking, baking and selling of products intended for off-premises distribution only.

***BAKERY, RETAIL.*** An establishment primarily engaged in the retail sale of baked products for human consumption. It may include bakery products prepared either on- or off-site, be an incidental food service or be considered a general retail use.

***BASE FLOOD.*** The flood having a 1% chance of being equaled or exceeded in any given year.

***BASEMENT HOUSE.*** A one-story dwelling of which 50% or more of the floor area is below the finished grade.

***BED AND BREAKFAST.*** A transient lodging establishment, generally located within a single-family dwelling or in one or more detached guesthouses, that is primarily engaged in providing overnight or otherwise temporary lodging accommodations for the general public. A ***BED AND BREAKFAST*** may also provide meals, typically breakfast, to guests for compensation. Such establishments are operated by the property owner or occupant, maintain a residential character, and are distinguished from hotels, motels, or boarding houses by their smaller scale and limited number of guest rooms. (Also referred to as a "***BED AND BREAKFAST INN***" or "***B&B***.")

***BID.*** A formal quotation, based on common specifications, for the provision of goods or services that is opened at a public meeting for consideration and award.

***BILLBOARD.*** A sign which meets any one or more of the following criteria:

(a) A permanent structure sign which is used for the display of off-site commercial messages;

(b) A permanent structure sign which constitutes a principal, separate or secondary use, as opposed to an accessory use, of the parcel on which it is located;

(c) An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including

those who rent space from the sign owner, when such space is on the same parcel as the sign) in exchange for a rent, fee or other consideration; or

(d) An off-site outdoor advertising sign on which space is leased or rented.

***BLOCK.*** The land surrounded by streets and other rights-of-way, other than alleys, or land which is designated or shown as a block on any recorded subdivision plat or official map or plat adopted by the town.

***BOND.*** A document that complies with the standards contained in this code and the State Code and binds the parties thereto to take certain action if particular conditions are not met. The terms ***PERFORMANCE BOND*** and ***WARRANTY BOND*** are more specifically defined in this section.

***BOND AGREEMENT.*** An agreement between the developer and the town, on forms approved by the town, wherever a performance bond or warranty bond is required by this code to install improvements secured by an escrow agreement with funds on deposit in a reputable, federally-insured financial institution, a cash bond deposited with the town; or a letter of credit from a reputable, federally-insured financial institution in an amount as specified in this code.

***BOOKSTORE.*** A retail establishment whose primary purpose is the sale of books and periodicals.

***BUILDABLE.*** The portion of a building lot not included within any required yard or open space upon which a main building may be located; an area that must be defined on subdivision plats in areas of 30% slope or less.

***BUILDABLE AREA.*** An area of a lot or parcel which is outside of any required setback areas and outside of any other areas regulated by this code.

***BUILDING.*** A structure having a roof supported by columns or walls, intended or used for the shelter, housing or enclosure of any person, animal, chattel or property of any kind, that has a foundation.

***BUILDING CODE.*** The codes adopted by the town by ordinance/code.

***BUILDING HEIGHT*** or ***STRUCTURE HEIGHT.*** The vertical distance from the natural grade surface to the highest point of the building or structure.

***BUILDING INSPECTOR.*** An individual appointed by the town to enforce the provisions of the Building Code.

***BUILDING LOT.*** A parcel of land which is of such dimensions as to comply with the minimum requirements of this code for area, width and depth applicable to the zone in which it is located; and having frontage on a public or approved private street, which shall be extended the full required frontage of the lot and improvements installed as required by the town. No ***BUILDING LOT*** shall utilize any part of the temporary end or dead end of a street for frontage.

***BUILDING MATERIAL SALES (WITH OUTDOOR STORAGE).*** A facility where building materials such as lumber, plywood, drywall, paneling, cement blocks and other cement products, and other building products, are stored and sold.

***BUILDING OFFICIAL*** or ***TOWN BUILDING OFFICIAL.*** The appointed official or consultant who is responsible for the building and development functions of the town as described in this code and other policies of the town.

***BUILDING, PUBLIC.*** A building owned and operated or owned and intended to be operated by a public agency of the United States of America, or the state or any of its subdivisions, including counties and municipalities, in connection with a public use. It does not include buildings primarily used as warehouses, public garages and equipment sheds.

***BUS LOT.*** Any lot or land area used for the storage or layover of passenger buses or motor coaches.

***BUSINESS.*** Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture or any other private legal entity.

***BUSINESS INTEREST.*** Ownership, investment or financial stake in a company, partnership, sole proprietorship or other commercial entity.

***BUSINESS, TRADE, PROFESSION*** or ***CALLING.*** Any enterprise carried on for the purpose of gain or economic profit, except the acts of employees rendering services for employers.

***BUSINESS USE.*** Any property used for the purpose of conducting business. This would include the square footage of outbuildings, including storage and yard space.

***CAMPGROUND*** or ***CAMPSITE FACILITY.*** A location where camping occurs which has one or more recreational vehicle pads, tent sites or other campsites established on the premises. Also, a ***CAMPGROUND*** may include one or more of the following ancillary facilities: automobile parking spaces, driveways, tables, water faucets or fixtures, electrical lights or hookups, fire pits or fireplaces, play fields, outdoor recreational facilities and restrooms or other sewage disposal facilities.

***CAMPING.*** Recreational or temporary activity which involves staying overnight in the open, in a tent or in a trailer, camper or other recreation vehicle.

***CARPORT.*** A roofed-over structure which is not completely enclosed by walls and which is designed and/or used for the storage of automobiles and trailers.

***CAR WASH (FULL-SERVICE).*** A car wash with facilities for the washing or waxing of automobiles, light trucks and vans, which may include drying equipment, vacuums and other incidental uses. ***FULL SERVICE CAR WASHES*** shall not include open self-service bays.

***CAR WASH (SELF-SERVICE).*** A business establishment which provides car cleaning services where part or all of the cleaning is performed by the patron for a fee.

***CATCH BASIN.*** An inlet designed to intercept and redirect surface waters.

***CEMETERY.*** The use, or intended use, of land for the burial of the dead and dedicated for cemetery purposes, including a columbarium, crematorium, mausoleum and mortuary when operated in conjunction with and within the boundaries of such a ***CEMETERY***.

***CEMETERY, PRIVATE.*** A burial place for deceased persons which is maintained by a private individual, corporation or other non-public agency.

***CEMETERY, PUBLIC.*** A burial place for deceased persons which is owned and maintained by a cemetery district or other public agency.

***CERTIFICATE OF OCCUPANCY.*** A document granting permission to occupy or use a building or land and certifying that the structure or use conforms to the requirements set forth in applicable codes and ordinances.

***CHANGE ORDER.*** A written order signed by the purchasing agent, directing the contractor to suspend work or make changes, which the appropriate clauses of the contract authorize the purchasing agent to order, without the consent of the contractor or any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity or other provisions of any contract accompanied by mutual action of the parties to the contract.

***CHILD CARE CENTER.*** A nonresidential building or structure where care, protection and supervision are provided for children on a regular schedule, for a fee.

***CHURCH.*** A building, together with its accessory buildings and uses, where persons regularly assemble for worship and that is maintained and controlled by a religious body organized to sustain public worship.

***CITATIONS*** and ***PENALTIES.*** Legal notices issued for code violations, which may result in fines, corrective orders or other enforcement actions.

***CLASS B/C MISDEMEANOR.*** Criminal offense categories as defined by the state code, with Class B being more severe than Class C.

***CLEAR VIEW AREA.*** Areas at intersecting streets and driveways where unobstructed vision is maintained, as required by this code.

***CLOSED MEETING.*** A portion of a meeting that is closed to the public, held in compliance with U.C.A. §§ 52-4-204 and 52-4-205 for specific lawful purposes (e.g., legal advice, personnel matters).

***CLUSTER DEVELOPMENT.*** A design that locates buildings in specific areas of a site to allow the remaining land to be used for, but not limited to, recreation, open space and the preservation of sensitive land areas.

***CODE.*** The Town of Fairfield Code of Ordinances, as adopted.

***CODIFICATION CODE.*** Any or all ordinances of a municipality which have been enacted that are compiled, consolidated, revised, indexed and arranged in a comprehensive manner.

***COLONY.*** Bees in any hive, including queens, workers or drones.

***COMMERCIAL AND INDUSTRIAL LAUNDRIES.*** An establishment which launders or dry cleans articles on-site and where all articles are dropped off on the premises by multiple laundry services and not the individual customers.

***COMMERCIAL CENTER.*** A development which contains at least 12 acres of commercial land and at least 100,000 square feet of commercial floor space.

***COMMERCIAL PLANT NURSERY.*** A use wholly, or partially, contained within one or more greenhouses where trees, shrubs, flowers or vegetable plants are grown and sold to retail or wholesale customers.

***COMMERCIAL RECREATION.*** Any commercial enterprise which receives a fee in return for the provision of some recreational activity, including racquet clubs, health facilities and amusement parks, but not including amusement centers.

***COMMERCIAL VEHICLE.*** A motor vehicle, vehicle, trailer or semi-trailer used or maintained for business, compensation or profit to transport passengers or property on a highway, if the commercial vehicle:

(a) Has a manufacturer's gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds;

(b) Is designed to transport more than 15 passengers, including the driver; or

(c) Is used in the transportation of hazardous materials and is required to be placarded in accordance with 49 C.F.R. part 172, subpart F.

***COMMON AREA.*** An area designed to serve two or more dwelling units in separate ownership or tenure.

***COMMUTER/LIGHT RAIL STATION.*** A place designated for commuter or light rail trains or cars to stop to allow for the boarding of passengers, including park-and-ride stations and transfer stations.

***COMPREHENSIVE PLAN.*** See ***GENERAL PLAN***.

***COMPUTATION OF TIME.*** The time within which an act is to be done; computed by excluding the first and including the last day, and if the last day falls on a Saturday, Sunday or legal holiday, that shall be excluded.

***CONCEPT PLAN.*** A sketch or concept application created prior to the preliminary plat for subdivisions, or prior to a site plan for nonresidential development, to enable the town to verify that the developer is in general compliance with the town's ordinances and development regulations and policies.

***CONDITIONAL USE.*** A land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

***CONDITIONAL USE PERMIT.*** A permit issued by the town outlining the requirements of approval for a conditional use and including written conditions, as well as final, approved development plans, if applicable.

***CONDOMINIUM.*** The ownership of a single unit in a multi-family structure or a structure combined with an undivided interest in the common areas and facilities of the property and that meets all requirements of the State Condominium Ownership Act, being U.C.A. Title 57, Chapter 8.

***CONDOMINIUM PROJECT.*** A real estate condominium project; a plan or project whereby two or more units, whether contained in existing or proposed apartments, commercial or industrial buildings or structures or otherwise, are separately offered or proposed to be offered for sale.

***CONDOMINIUM UNIT.*** A separate physical part of the condominium project property intended for any type of independent use, including one or more rooms or spaces located in one or more floors (or part or parts of floors) in a building or a time period unit, as the context may require.

***CONFLICT OF INTEREST.*** A situation in which a public officer, employee or official of the town has, or appears to have, a financial or personal interest that could impair or influence the objective performance of their official duties.

***CONSTITUTIONAL TAKING.*** A governmental action that results in a taking of private property so that compensation to the owner of the property is required by the Fifth or Fourteenth Amendment of the Constitution of the United States or Utah Constitution Article I, § 22.

***CONSTRUCTION EQUIPMENT.*** Any equipment or device designed and intended for use in construction or material handling, including, but not limited to: hammers, saws, drills, augers, pile drivers, air compressors, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, compactors, ditchers, rollers, pumps, concrete mixers, graders or other material-handling equipment.

***CONSTRUCTION YARD.*** Any parcel of ground used for the storage of construction equipment or supplies.

***CONTINUOUS SOUND.*** Any sound that exists essentially without interruption for a period of ten minutes or more.

***CONTRACT.*** Any town agreement for the procurement or disposal of supplies, services or construction.

***CONTRACT CONSTRUCTION SERVICES ESTABLISHMENTS.*** Establishments or places of business primarily engaged in retail or wholesale sales from the premises of; materials used in the construction of buildings or other structures.

***CONTRACT SERVICES OFFICE.*** An enclosed space containing the permanent business office for a landscape, plumbing, painting, construction or similar contractor, and used for the housing and operating of company machinery, the provision of services, the storage of materials and equipment and the maintenance of company equipment, but that does not include outdoor storage other than the parking of company and passenger vehicles. Equipment such as backhoes and front loaders are considered as equipment, not vehicles.

***CONTROL*** or ***CONTROLLING INTEREST.*** A shareholder, or a group acting in kind, that holds a majority of a company's voting stock.

***CONVENIENCE STORE.*** A building or use which is primarily engaged in the provision of frequently needed, day-to-day retail goods, including gasoline, food and non-food products.

***CONVENIENCE STORE/FAST FOOD COMBINATION.*** A building that houses a convenience store and either a fast food (restaurant, casual) establishment or a restaurant (sit-down).

***COPY CENTER.*** A retail establishment that provides duplicating services using photocopying, blueprint and offset printing equipment, and may include the collating and binding of booklets and reports.

***CORNER LOT.*** A lot that abuts two intersecting streets, where the interior angle of intersection or interception does not exceed 135 degrees.

***CORRAL.*** A place or pen where livestock is held.

***CORRECTIONAL INSTITUTION.*** A government owned and operated institution for the court-ordered, 24-hour, involuntary, secure confinement of adults and juveniles in jails, prisons, detention centers, secure confinement centers and the like for criminal conduct or conduct which would be a crime if committed by an adult.

***COUNCIL.*** The Town Council of the Town of Fairfield.

***COUNCIL MEMBER.*** An elected legislative official of the Town Council.

***COUNTY.*** The County of Utah, State of Utah.

***CREMATORY/EMBALMING FACILITY.*** A building used for the cremation and/or embalming of deceased persons or animals, but not including facilities for burial, internment, body viewing or funeral services.

***CRITICAL ACCELERATION.*** The minimum level of ground acceleration, typically expressed as a fraction of gravitational acceleration (g), required to initiate movement or failure of a slope, soil mass or structure during seismically induced ground shaking. This value represents the threshold at which the driving forces of an earthquake exceed the resisting forces of the ground material, potentially resulting in instability, landsliding or other forms of ground failure.

***CRITICAL AGE OF REPOSE.*** The maximum slope or angle at which material such as soil or loose rock remains stable.

***CRITICAL FACILITIES.*** Communication, utility and transportation lines (including their appurtenant structures which are essential to make the system function, such as switching stations,

transformers and monitoring gauge houses); emergency facilities such as fire stations, police stations, ambulance facilities and hospitals; unique or large structures whose failure might be catastrophic, such as dams holding over ten acre feet of water, petroleum refineries and buildings where explosive, toxic or radioactive materials are manufactured, stored or handled; and high-occupancy buildings which are designed to accommodate 50 or more people, such as schools, hotels and offices.

***CYCLICALLY VARYING NOISE.*** Any sound that varies in sound level so that the same level is obtained repetitively at successive, relatively uniform levels over time. Example: a back-up beeper on heavy equipment.

***DAIRY.*** A farming operation for the production of milk in commercial quantities and which is required to be regularly inspected by the State Department of Agriculture or its cooperating agencies, and includes the raising of the natural increase to the dairy herd but does not include the feeding and fattening of livestock for slaughter in conjunction therewith.

***DEBRIS FLOW.*** A mass of rock fragments, soil and mud which, when wet, moves in a flow-like fashion. ***DEBRIS FLOWS*** will follow a confined channel, but may alter course if present on an alluvial/debris fan surface.

***DECIBEL (dB).*** A unit of measure used to express the intensity of noise.

***DE MINIMIS.*** Lacking significance or importance; so minor as to merit disregard.

***DE MINIMIS USE.*** Minimal personal use of town property that does not affect operations or incur cost.

***DENSITY.*** The number of dwelling units or sleeping rooms per acre of land.

***DEPTH.*** When measuring an inside lot, the distance from the front lot line and rear lot line as measured from the center line; or when measuring a corner lot, the horizontal distance between opposite boundaries of the lot when measured along the lot's centerline.

***DESTINATION-ORIENTED DEVELOPMENT.*** A building or group(s) of buildings with facilities to accommodate the needs of residents, visitors or tourists with large portions of the site devoted to recreational opportunities.

***DETACHED.*** Freestanding with open space on all four sides.

***DEVELOPER.*** Any person or organization that develops, or intends to develop or sell, property for the purpose of future development subject to the provisions of this code or other land use ordinances.

***DEVELOPMENT ACTIVITY.*** Any of the following:

(a) Any human-made change to improved or unimproved lands, including, but not limited to, buildings or structures, mining, dredging, filling, grading, paving, excavation or drilling operations;

(b) Any construction, reconstruction or expansion of a building, structure or use;

(c) Any change in the use of a building or structure;

(d) Any change in the use of land that creates additional demand and need for public facilities or services;

(e) The act of subdividing; or

(f) The act, process or result of developing.

***DEVELOPMENT AGREEMENT.*** A written agreement or amendment to a written agreement between a municipality and one or more parties that regulates or controls the use or development of a specific area of land.

***DEVELOPMENT APPROVAL.*** Any authorization related to zoning, land use, conditional use or permits affecting property within the town.

***DEVELOPMENT REVIEW COMMITTEE (DRC).*** An informal committee or group of town staff or town consultants whose responsibility is to review all development requests, process all development applications and make recommendations with respect to development applications to the Planning Commission, Town Council, applicants and Mayor. The membership of the DRC includes the Town Mayor, Town Engineer, Planning Department, Town Fire Chief, Town Building Official, Town Attorney and any other person or agent that the Town Mayor deems appropriate to function as a member of the committee.

***DEVELOPMENT SITE.*** The perimeters and total area of a tract, lot or parcel of land intended to be used for a development activity.

***DEVELOPMENT STANDARDS.*** Established regulations concerning lot areas, yard setbacks, building height, lot coverage, open space and any other special regulations deemed necessary to accomplish the purposes of this code or other land use ordinances.

***DEVICE.*** A mechanism that is intended to produce, or that actually produces, noise when operated or handled.

***DISCLOSE/DISCLOSURE.*** The act of making known a conflict of interest in a public meeting before participating in discussions or decision-making.

***DOG KENNELS/SANCTUARY.*** Premises where four or more dogs older than four months are kept for commercial boarding, breeding or sale.

***DOUBLE ACCESS.*** Driveway access on public streets from the front and the rear. This definition does not apply to corner lots.

***DRIVEWAY, SHARED.*** A private roadway that is owned and maintained by one, or more than one, property owner and provides direct vehicular access between a public or private roadway and a parking area, garage or other structure to serve more than one dwelling or on more than one lot or parcel.

***DRIVEWAY, SINGLE.*** A private roadway that is owned and maintained by one property owner and provides direct vehicular access between a public or private roadway and a parking space, garage, dwelling or other structure on a single lot or parcel.

***DRY CLEANER.*** An establishment which launders or dry cleans articles dropped off on the premises directly by the customer; or where articles are dropped off, sorted and picked up, but where laundering or cleaning is done elsewhere.

***DWELLING.*** A structure designed for and occupied by one family, including provisions for living, sleeping, eating, cooking and sanitation. This definition does not include hotels, apartment hotels, boarding houses, rooming houses and tourist courts.

***DWELLING, ABOVE COMMERCIAL.*** A building which contains dwellings located above the ground floor of a commercial, office or retail use.

***DWELLING, CARETAKER.*** A dwelling which is occupied by an individual or family whose function it is to operate, manage or protect a business or industry.

***DWELLING, FARM CARETAKER.*** A manufactured home, one-family dwelling or unit of a duplex or multiple-family dwelling having not more than four dwelling units which is associated with a farm, and where the chief source of income comes from the farm unit.

***DWELLING, MULTI-FAMILY.*** A building or buildings sharing common walls or common interior floors and containing three or more dwellings.

***DWELLING, PRIMARY.*** A single-family dwelling that is detached and is occupied as the primary residence of the owner of record.

***DWELLING, SINGLE-FAMILY.*** A residential dwelling not attached to any other dwelling; on a single lot that is arranged for, designed for and occupied by not more than one family (as defined herein); and containing at least one bathroom, at least one kitchen and living and sleeping facilities.

***DWELLING, TWO-FAMILY.*** A single residential building under a continuous roof, the structure containing only two dwellings sharing common interior walls or common interior floors.

***DYNAMIC BRAKING DEVICE.*** A device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purposes of braking without the use of wheel brakes, commonly referred to as a ***JACOB'S BRAKE*** or ***JAKE BRAKE***.

***EASEMENT.*** The portion of a property reserved for present or future use under, on or above the property by a person or agency other than the legal fee owner or owners of the property.

***EDGE USE.*** A use allowed on the outside boundary of a specific land use zone that also has frontage on the collector or arterial roadway.

***EDUCATIONAL CENTER.*** An institution for the teaching of children or adults, including colleges, professional schools, dance schools, business schools, trade schools and art schools.

***ELECTRIC POWER DISTRIBUTION.*** The final stage in the delivery of electric power; it carries electricity from the substation to individual consumers. Primary distribution lines carry this medium voltage power to distribution transformers located near the customer's premises.

***ELECTRIC POWER TRANSMISSION LINE.*** A system of structures, wires, insulators and associated hardware that carries electric energy from one point to another in an electric power system.

***ELECTRONIC MEETING.*** A public meeting convened using telecommunications or electronic means that allows one or more members of a public body to participate remotely, as authorized under U.C.A. § 52-4-207.

***ELECTRONIC SALES AND REPAIR.*** A retail establishment that deals in the sale and repair of electronics.

***EMERGENCY.*** A situation or occurrence which, in the opinion of the Mayor or agent of the Mayor, may present an imminent threat to the health, safety or welfare of any person, place or property.

***EMERGENCY MEETING.*** A meeting held due to unforeseen circumstances where compliance with standard notice requirements is impractical, and immediate action is required, per U.C.A. § 52-4-202(5).

***EMERGENCY VEHICLE.*** An automobile or truck, suitable for use on conventional public streets, which is operated by police, fire, ambulance, Health Department, building inspection or business regulations personnel.

***EMERGENCY WORK.*** Work required to restore property to a safe condition following a public calamity or to protect persons or property from an imminent exposure to danger.

***EMPLOYEE.*** Any person employed by the town on a full-time, part-time or contractual basis.

***ENCLOSED PARKING.*** A fully-enclosed attached or detached residential accessory building designed or used for the storage of private passenger automobiles owned and used by the occupants of the building to which it is accessory. A private garage designed and constructed as an architectural and integral part of the main building shall be subject to all the requirements of this code applicable to main buildings.

***ENFORCEMENT OFFICIALS.*** Individuals authorized by the Town Council to enforce this code, including the Building Department, Fire Chief, County Sheriff and any other designated personnel.

***ENGAGING IN BUSINESS.*** The sale of tangible personal property at retail or wholesale, the manufacturing of goods or property and the rendering of personal services for others for consideration by persons engaged in any profession, trade, craft, business, occupation or other calling, except the rendering of personal services by an employee to an employer under any contract of personal management. ***ENGAGING IN BUSINESS*** also includes agricultural industries, but not farming or ranching.

***ENGINEER, TOWN.*** The appointed official or consultant who is responsible for the engineering functions of the town as described in this code and other ordinances and policies of the town.

***EQUESTRIAN CENTER.*** An establishment engaged in the boarding, feeding or general care of horses or other large animals for personal or commercial purposes; and includes uses such as agriculturally oriented gatherings, assemblies and shows and the sale of feed, tack and other agricultural products.

***EQUIPMENT SALES AND SERVICE.*** An establishment located not closer than 300 feet (as measured from the property lines) to any residential zone that is primarily engaged in the sale or rental of tools, lawn and garden equipment, including outdoor storage and incidental maintenance.

***EQUIVALENT RESIDENTIAL UNIT (ERU).*** A unit of measurement used to measure and evaluate development impacts on public infrastructure, such as water, sewer, storm drainage, parks, roads and public safety of proposed residential and nonresidential land uses; and is intended to represent the equivalent impact on public infrastructure of one single-family residence.

***ESTABLISHED GRADE.*** The measured grade of a piece of land at the time of subdivision or site plan approval, shown on the final subdivision plat or site plan, and from which the height of future structures will be measured.

***FAMILY.*** A person or persons living together in a single-family dwelling. ***FAMILY*** does not include any group of individuals whose association is temporary or seasonal in nature or who are in a group living arrangement because of criminal offenses.

***FAMILY, SINGLE-FAMILY LIMIT DESIGNATION.*** The number of individuals allowed to occupy each residential unit that is recognized by a land use authority in a zone permitting occupancy by a single family. A municipality may not adopt a single-family limit that is less than three if the municipality has within its boundaries a state university or a private university with a student population of at least 20,000, or four for each other municipality (U.C.A. § 10-9a-505.5).

***FARM.*** A business enterprise or personal family use in which land is used for the growing of food, feed or fiber for sale in commercial quantities.

***FARM ANIMALS.*** Animals kept or raised primarily for, or incidental to, livestock or agricultural operations, which are grouped into the following categories.

(a) ***LARGE FARM ANIMALS.*** Includes:

1. Cows;
2. Horses (mule-asses, ponies or similar species not listed);
3. Ostriches (or other similar-sized or closely related species);
4. Llamas (or other similar species not listed); and
5. Other animals of similar size.

(b) ***MEDIUM FARM ANIMALS.*** Includes:

1. Sheep;
2. Emus;
3. Goats;
4. Turkeys;

5. Geese;

6. Peacocks; and

7. Other animals of similar size.

(c) ***SMALL FARM ANIMALS.*** Includes:

1. Chickens;

2. Rabbits;

3. Ducks;

4. Pheasants; and

5. Other animals of similar size (excluding minks).

***FARMERS MARKET.*** A group of entities engaged in the temporary seasonal selling of homemade goods, homegrown vegetables and other similar items in an open air market.

***FCC.*** The Federal Communications Commission, or any successor thereto.

***FEEDLOT.*** See ***LIVESTOCK FEED YARD***.

***FEE SCHEDULE.*** The list or appendix of fees, also known as the Town Fee Schedule, adopted periodically by the governing body which sets forth various fees charged by the town.

***FEMA.*** Federal Emergency Management Agency.

***FENCE.*** An artificially constructed barrier to identify a property boundary or enclose a space.

***FENCE, BARBED WIRE.*** A fence with one or more strands of wire or other material having intermittent or continuous sharp points that may puncture, tear, cut or snag. This does not include razor wire.

***FENCE, PRIVATE/PRIVACY.*** A fence constructed to prevent views through the fence.

***FENCE, SEMI-PRIVATE.*** A fence with a regular pattern that permits views through a minimum of 30% of the fence when viewed perpendicular to the plane of the fence.

***FENCE, WIRE.*** An open mesh fence made of woven wire or any other fence where the majority of construction consists of wire, including chain link, no-climb and other agricultural-style wire fences, but not including razor wire.

***FESTIVAL (INCLUDING BAZAARS OR FAIRS).*** An activity or event that may only include shows, games, non-mechanical rides, concessions or any combination thereof.

***FINAL PLAT.*** A map of a subdivision which is prepared for final approval and recordation, which has been accurately surveyed so that streets, alleys, blocks, lots and other divisions thereof can be identified as meeting any other requirements of this code or state or county statutes.

***FINANCIAL BENEFIT.*** A direct or indirect monetary gain or loss resulting from a decision or action taken by a public body.

***FINANCIAL INSTITUTION.*** An establishment whose principal purpose is the handling of monetary affairs for members, clients or the public at large; includes banks, credit unions, savings and loans, mortgage offices, investment companies, trust companies and similar entities; and does not include non-depository institutions.

***FINISHED SURFACE GRADE.*** The elevation of the finished ground surface adjacent to and measured along all exterior walls.

***FIRE AUTHORITY.*** The department, agency or public entity with the responsibility to review and approve the feasibility of fire protection and suppression services for the subject property.

***FIRE CODE.*** The International Fire Code adopted by the town by ordinance.

***FIRE DEPARTMENT.*** The Cedar Valley Fire Department and any member working for the Department.

***FIRM.*** Flood insurance rate maps.

***FITNESS CENTER.*** A facility where members or nonmembers use equipment or space for the purpose of physical exercise.

***FLAG LOT.*** A lot that is so named because of the long, slender strip of land resembling a flag pole that extends from the typically rectangular main section of these lots, or the “flags,” out to the street. All lots require frontage, and each “flag pole” typically provides just enough frontage for vehicle access and is often shared by several neighbors.

***FLOOD*** or ***FLOODING.*** A general and temporary condition of partial or complete inundation of normally dry land area from the overflow of inland waters, and/or the unusual and rapid accumulation or runoff of surface waters from any source.

***FLOOD CHANNEL.*** A natural or artificial water course with the definite bed and banks to confine and conduct flood water.

***FLOOD INSURANCE RATE MAP.*** In abbreviated style in this code, FIRM.

***FLOOD INSURANCE STUDY.*** The most current official report provided by the Federal Insurance Administration, entitled "Flood Insurance Study, Fairfield, Utah, Incorporated Areas," wherein flood profiles, a flood boundary–floodway map and the water surface elevation of the base flood are contained.

***FLOODPLAIN.*** A land area subject to being inundated by water from any source, generally defined as a "Zone A" (100-year flood) area as defined in FEMA's town flood insurance rate maps.

***FLOODWAY MAP.*** The publication entitled "Floodway Flood Boundary and Floodway Map, Fairfield, Utah," wherein the Federal Insurance Administration has delineated the boundaries of the floodways in the unincorporated portion of the town.

***FLOOR AREA.*** The sum of the gross horizontal area of the several floors of the building or buildings, measured from the exterior faces of the exterior walls.

***FLORAL SALES.*** A retail business whose principal activity is the selling of plants and flowers which are not grown on the site and where business is conducted within an enclosed building.

***FOSTER CARE HOME.*** A building containing a dwelling unit and associated group quarters wherein room, board, care and a family environment are provided by the resident family to not more than six minor children who are not related to such family. Such children may not include delinquent, problem or troubled youth (see ***YOUTH GROUP HOME*** use), but youth placed in the home for their own protection and care. To qualify, the ***HOME*** must be approved for such use and operate under the supervision of the State Department of Social Services.

***FRANCHISE.***

(a) The rights and obligations extended by the town to a provider to own, lease, construct, maintain, use or operate a system in the rights-of-way within the boundaries of the town.

(b) Any such authorization, in whatever form granted, shall not mean or include:

1. Any other permit or authorization required for the privilege of transacting and carrying on a business within the town required by the ordinances and laws of the town; or

2. Any other permit, agreement or authorization required in connection with operations on rights-of-way or public property, including, without limitation, permits and agreements for placing devices on or in poles, conduits or other structures, whether owned by the town or a private entity, or for excavating or performing other work in or along the rights-of-way.

***FRANCHISE AGREEMENT.*** A contract entered into in accordance with the provisions of this code between the town and a franchisee that sets forth, subject to this code, the terms and conditions under which a franchise will be exercised.

***FRONT*** or ***FRONT OF THE LOT.*** The same side as the road used for frontage and primary access, no matter what direction the building is facing.

***FRONTAGE.*** The distance between the two side lot lines of a parcel measured along the street, or the streets of a corner lot, which the parcel is allowed to access. State or federal highways to which no access is allowed shall not be considered as ***FRONTAGE***. For the purposes of this code, neither temporary turn-arounds nor dead ends of roadways shall be used as ***FRONTAGE***. On cul-de-sacs, ***FRONTAGE*** may be measured at the front building setback lines.

***FRONT YARD.*** See ***YARD, FRONT***.

***FUELING STATION.*** The portion of the property where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles.

***FUELING STATION, CARDLOCK FACILITY.*** An automated vehicle fuel sales facility without an attendant.

***FUNERAL HOME.*** A building used for the preparation and embalming of deceased persons for viewing, burial and cremation of deceased persons and the conducting of rituals connected therewith before burial or cremation; and may include a chapel for the conducting of funeral services, areas for funeral services and gatherings and areas for the display of funeral equipment.

***GARAGE, COMMERCIAL.*** A building, or portion thereof, designed and used for the storage, repair or servicing of motor vehicles or boats as a business.

***GARAGE, RESIDENTIAL.*** An attached or detached residential building designed or used for the storage of private passenger automobiles that is ancillary to the use of the residence. A ***GARAGE*** shall be designed and constructed as an architectural and integral part of the main building and shall be subject to all the requirements of this code applicable to the main building.

***GARBAGE.*** Any non-putrescible solid wastes, including ashes consisting of both combustible and noncombustible wastes, such as paper, cardboard, metal containers, glass, bedding, crockery, bags, rags and demolished materials.

***GENERAL FUND.*** The general operating fund of the municipality used to account for all financial resources, except those required to be accounted for in a special fund.

***GENERAL PLAN.*** A plan, within the meaning of U.C.A. §§ 10-9a-103, 10-9a-301 and 10-9a-302, which has been recommended by the Planning Commission and adopted by the Town Council to set forth general guidelines for the proposed future development of land. The ***PLAN*** may include elements concerning land use, transportation, the environment, public services, redevelopment, economics, plan implementation and other topics. The ***PLAN***, however, is only an advisory guide for land use decisions.

***GEOLOGIST.*** The Town Geologist or contracted firm.

***GOLF COURSE.*** A parcel of land laid out for at least three holes for playing the game of golf and improved with trees, greens, fairways and possible hazards, and which may also include a shelter, clubhouse or other associated buildings that are incidental to the parcel of land dedicated to the game of golf.

***GOVERNING BODY.*** The Town Council, which is the legislative and policy-making body for the town.

***GRADE.*** When related to buildings, the average elevation of the ground adjacent to the building; when used for streets and driveways, ***GRADE*** shall mean the ratio of vertical distance to horizontal distance along such a street or driveway expressed in either percentage or degree.

***GRADING.*** The excavation or removal of earth material by artificial means, the filling or deposition of earth material by artificial means or the combination thereof.

***GRADING PERMIT.*** A permit issued by the town to remove or excavate large portions of a parcel or parcels in preparation for development activity or construction of infrastructure or buildings.

***GRAMA.*** The Government Records Access and Management Act (U.C.A. §§ 63G-2-101 et seq.), governing access, classification and retention of public records.

***GRAZING.*** The act of eating herbage growing from the ground.

***GROCERY STORE.*** A store where most of the floor area is devoted to the sale of food products for home preparation and consumption; which typically also offers other home care and personal

care products; and which is substantially larger and carries a broader range of merchandise than convenience stores.

***GROSS REVENUE.*** All revenues of a provider that may be included as gross revenue within the meaning of U.C.A. Title 11, Chapter 26, as amended. In the case of any provider not covered within the ambit of U.C.A. Title 11, Chapter 26, the definition of ***GROSS REVENUE*** shall be set forth in the franchise agreement.

***GROUP QUARTERS.*** A dwelling, such as a lodge, dormitory or barracks, which contains a large bedroom, several sleeping rooms or other sleeping facilities for the use of unrelated individuals or several family members (who may or may not be related).

***HAIR SALON.*** A retail business whose principal activity is the cutting, coloring and styling of hair; and that may provide other services such as nail painting and wax treatments.

***HARD-SURFACED.*** Covered with concrete, brick, asphalt or other impervious material.

***HARDWARE AND HOME IMPROVEMENT RETAIL.*** An establishment providing the sale or rental of building supplies, construction equipment or home fixtures and accessories; and includes a lumber yard or a contractors' building supply business, and may include outdoor storage or tool and equipment sales or rental.

***HEALTH CARE FACILITY.*** Any establishment, building or portion thereof that provides medical, surgical, dental, psychiatric or rehabilitative services to individuals, whether on an inpatient or outpatient basis. ***HEALTH CARE FACILITIES*** include, but are not limited to, hospitals, medical clinics, urgent care centers, nursing homes, convalescent or rehabilitation centers and similar institutions providing health-related care or treatment. Such facilities may also include accessory uses such as pharmacies, laboratories, administrative offices or food service areas directly related to patient care.

***HEALTH DEPARTMENT.*** The County Health Department and any member working for the Department.

***HIGHWAYS.*** Roadways owned by the state or the county. It shall include both hard surfaces and other surfaces. The ***HIGHWAYS*** shall include the surfaced travel portions of the shoulders, barrow pits and any and all properties within the right-of-way of said roads.

***HISTORICAL MONUMENT.*** A commemorative plaque, sign or stone pillar placed by the State Historical Society or other governmental entity, or placed under its sponsorship, on a site listed in the National Register of Historic Places or State Register of Historic Places.

***HOME-BASED BUSINESS.*** Any type of commercial activity, commercial storage or any business conducted primarily out of a residence for the purpose of economic gain in any area of the town which meets the criteria found in Chapter 112 of this code, Home-Based Businesses.

***HOME, MANUFACTURED.*** A transportable factory-built housing unit constructed on or after June 15, 1976, according to the HUD Code, in one or more sections, that: in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site is 400 or more square feet, and is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems (U.C.A. § 15A-1-302).

***HOME, MOBILE.*** A transportable factory-built housing unit built before June 15, 1976, in accordance with a state mobile home code which existed prior to the HUD Code.

***HOME, MODULAR.*** A structure built from sections that are manufactured in accordance with the State Construction Code, being U.C.A. Title 15A, and transported to a building site, and the purpose of which is for human habitation, occupancy or use.

***HOME OCCUPATION.*** An occupation or business activity which results in a product or service that is conducted, in whole or in part, in the dwelling unit (including garage or workshop in the dwelling unit), or in a detached garage or workshop on the same lot as the dwelling unit, and is subordinate to the residential use of the dwelling unit and must obtain a business license.

***HOME OFFICE.*** A home office is a space designated in a person's residence for official business purposes. It provides a space for those that are self-employed or work remotely for an employer.

***HOSPITAL.*** An institution licensed, certified or otherwise authorized by the appropriate state agency to provide medical, surgical, psychiatric or obstetrical care and treatment to individuals suffering from illness, injury or other health conditions. A ***HOSPITAL*** includes facilities that provide overnight accommodations for patients, 24-hour nursing services, diagnostic and laboratory services, operating rooms and other related medical support services. ***HOSPITALS*** may include accessory uses such as pharmacies, cafeterias, administrative offices and emergency rooms, but do not include clinics, convalescent homes or medical offices where patients are not regularly kept overnight.

***HOTEL.*** A building containing guest rooms in which lodging is provided for compensation to transient or permanent guests, or both.

***HOUSEHOLD PET.*** Any animal which is normally domesticated and customarily kept for personal use or enjoyment in a residential zone. For the purposes of this code, ordinary ***HOUSEHOLD PETS*** shall include, but not be limited to: domesticated dogs, cats, small mammals, birds, fish, reptiles

and rodents. Not included in this definition are wild animals, domesticated livestock, poultry and those animals whose ownership is prohibited by the state, the United States government or other portions of this code.

***HUMAN OCCUPANCY (OCCUPIED BY HUMANS).*** A house, office building, assembly hall, restaurant, retail store, manufacturing plant, employment site or other fixed site that is used or developed for use by humans to sleep, work or stay for extended periods (periods where the ***HUMAN OCCUPANCY*** lasts four or more hours per day, including facilities wherein the days of use are sporadic or seasonal).

***HUNTING PRESERVE.*** An area especially managed or intended for the hunting of wild game, as contrasted with a "shooting range."

***ICE CREAM PARLOR.*** An establishment whose primary business is the sale of ice cream and other types of food or beverages for customer consumption that are not considered a complete meal, such as candy, soda or coffee.

***ICE CREAM VENDOR*** or ***SNOW SHACK.*** A seasonal business that serves ready-to-eat single-servings of ice cream, snow cones and similar frozen treats from a self-contained unit that may be motorized or in a trailer on wheels, or in a temporary structure affixed to the ground, for the duration of the sales period.

***ILLEGAL BUILDING/STRUCTURE.*** A building or structure, or portion thereof, established without securing the necessary approvals, permits or licenses as required by this code, the adopted Building Code (the State Construction Code, being U.C.A. Title 15A) or their prior enactments.

***ILLEGAL LOT.*** A lot created that has not received the necessary approvals, permits or licenses as required by the town's land use ordinances.

***ILLEGAL USE.*** A use established without receiving the necessary approvals, permits or licenses as required by the town's land use title/ordinances.

***IMPACT ANALYSIS.*** A determination of the potential effect(s), including, but not limited to, environmental, fiscal and social matters and the like, upon the town or a section of the town.

***IMPACT FEE.*** A payment of money imposed under U.C.A. § 11-36a; set-aside fees collected from developers/builders causing infrastructure adjustments to the community; monies to be used as the development further impacts the municipality.

***IMPERVIOUS MATERIAL OR SURFACE.*** Material that is impenetrable by water.

***IMPOUND YARD.*** A facility that is used for the storage of wrecked motor vehicles, and vehicles impounded by law enforcement, kept for a period of time not exceeding 14 days. This definition does not allow for the sale of parts.

***IMPULSE NOISE.*** A noise with a duration of two seconds or less. Example: a gunshot.

***INDUSTRIAL OUTDOOR STORAGE.*** The storage of merchandise, goods, inventory, equipment, raw or unfinished materials, materials for recycling or other materials; construction-related vehicles; or similar items principally for storage purposes or other items which are not intended for immediate sale, located outside.

***INFRACTION.*** A non-criminal offense punishable by a fine, not jail time.

***INFRASTRUCTURE PROVIDER.*** A person providing to another, for the purpose of providing telecommunications services to customers, all or part of the necessary system which uses the rights-of-way.

***INHABITED.*** Being present in or occupied in any manner or form (of a person or group) lived in or occupied (a place or environment).

***INOPERABLE OR ABANDONED VEHICLES.*** Motor vehicles which, by reason of dismantling, disrepair, lack of licensing or other cause, are either incapable of being propelled under their own power or are prevented by law from being so propelled.

***INSPECTION AUTHORITY.*** The power granted to enforcement officials to enter and examine public and private properties to determine compliance with this code and applicable regulations.

***INSTITUTIONAL USE.*** A public, nonprofit or quasi-public use providing service to the public, such as a public or private school, a civic building, a library, a hospital or a government-owned or government-operated structure.

***INSURANCE SERVICE OFFICE (ISO).*** Fire insurance charges for individual structures are determined by classification and the ISO grade (one being the best, ten being the worst).

***INTERMITTENT NOISE.*** A noise similar to a cyclically varying noise but with an irregular interval, and a continuous duration of six minutes or less for high-level sound levels. Example: a motor vehicle passing a fixed location.

***INVITATION FOR BIDS.*** All documents, whether attached or incorporated by reference, used for soliciting bids.

***JUNK.*** By way of example and not limitation of the term, used or salvaged metals and their compounds or combination; used or salvaged rope, rubber, tires or car parts; and used or discarded furniture and household appliances.

***JUNK DEALER.*** A person, firm or corporation engaged in the business of buying and selling junk which is approved by the town under its zoning ordinance. All discarded metals, scrap metals, iron, glass, paper, wood, building materials, plastics, fiberglass which may have value second-hand but not in its present condition, unused or discarded bicycles, tricycles or other recreational vehicles or parts therefor, wastepaper products, unused or discarded building materials, machinery or machinery parts, lumber, accumulations of dirt, gravel, ashes or fire remains or any inoperable or abandoned vehicles, parts or any other waste materials.

***JUNK YARD*** or ***SALVAGE YARD.*** A place where scrap, waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, handled or stored; including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for the storage of salvaged house wrecking and structural steel materials and equipment; but not including places where salvaged materials are kept incidental to manufacturing operations conducted on the premises.

***KENNEL.*** Any lot, building structure, enclosure or premises whereupon or wherein four or more dogs and/or cats over six months of age are kept or maintained for any purpose, including boarding, breeding, buying, grooming, letting for hire, training for fee or selling.

***KENNEL, BREEDING.*** A kennel lawfully located on a premises one acre or more in size zoned for such use and where not more than ten dogs registered with a nationally recognized registration organization that are over the age of six months are owned, kept or harbored for the purpose of breeding purebred or pedigreed dogs; provided, however, this definition shall not apply to zoos or to animal hospitals operated by veterinarians duly licensed under the law.

***KENNEL, COMMERCIAL.*** An establishment where four or more dogs older than four months are kept for the purpose of boarding, breeding, raising or training dogs for a fee or on a nonprofit basis.

***KENNEL, PRIVATE.*** The keeping, breeding, raising, showing or training of four or more dogs over four months of age for the personal enjoyment of the owner or occupants of the property, and for which commercial gain is not the primary objective.

***LANDSCAPE PARK.*** A parcel of land which is developed using an aesthetically arranged combination of trees, shrubs, ground cover or other natural vegetative material and/or incidental structural landscaping features (i.e., fountains, reflecting pools, sculptures, play apparatus, benches and tables) and which is maintained as a place of ornamentation and recreation.

***LANDSCAPE PARK RECREATIONAL FACILITY.*** A play field, building or other structure or area which is located in an approved landscape park as an ancillary feat and which is shown on the park's approved plan. Such facilities shall be recreational in nature, such as a slide, swing set, picnic pavilion, swimming pool, gymnasium, golf course, tennis court or ball field. The facilities shall not include sleeping or living facilities, nor uses that produce noise, dust or light that will conflict with neighboring residences or businesses.

***LANDSCAPING.*** The installation of any combination of the following items to produce an aesthetic effect or to enhance and preserve natural features of the site: plant materials, such as lawn, annual and perennial flowering plants, native vegetation, vines, shrubs and trees, but not including weeds or noxious plants; ground cover, such as mulch, bark and decorative rocks; ponds, fountains, falls and streams; and statues, outdoor artwork, benches and tables, earth berms, pots and planters.

***LANDSLIDE.*** A general term for the downslope movement of a mass of soil, surficial deposits or rock. ***LANDSLIDES*** may be rotational or translational.

***LAND USE AUTHORITY.*** A person, board, commission, agency or other body designated by ordinance/code to act upon a land use application.

***LAND USE ELEMENT OF THE GENERAL PLAN.*** The comprehensive, long-range strategic plan for the future of the town, and includes elements such as future land uses, transportation, housing, storm drainage, culinary water, secondary water, economic development, capital facilities plan and intergovernmental coordination, adopted as the ***LAND USE ELEMENT OF THE GENERAL PLAN*** by the Town Council.

***LAND USE ORDINANCE.*** All regulations adopted by the town relating to the development and use of real property within the town.

***LARGE-SCALE DEVELOPMENT.*** A development or subdivision which has been recommended for approval, approval with conditions or denial by the Planning Commission, and approved by the Town Council, and which consists of several buildings and structures planned and developed under unified control as a single unit or project, including a planning unit development, a planning subdivision, a mountain home development, a recreational resort and a mobile home park.

***LAUNDROMAT.*** A facility where patrons, or individuals employed by the laundromat, wash with soap and water in coin-operated machines (or other means of payment), and/or dry with coin-operated machines (or other means of payment), clothing or other fabrics. A ***LAUNDROMAT*** does not include dry cleaning or dry cleaners.

***LIBRARY.*** A public facility containing printed information, electronic information and/or pictorial material for the public use and purpose of study, reference and recreation.

***LICENSING OFFICIAL.*** A person in charge of issuing and revoking licenses.

***LIGHT MANUFACTURING.*** The manufacture, predominantly from previously prepared materials, of finished products or parts, including the processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales and distribution of such products, but excluding basic industrial processing and custom manufacturing.

***LIVESTOCK.*** Domestic animals, such as meat and dairy cattle, horses, pigs and poultry, raised for home use or for profit.

***LIVESTOCK AUCTION YARD.*** A farm animal exchange company, and includes livestock pens, auction facilities and structures and public and transport parking for the sale of domestic livestock only.

***LIVESTOCK FEED YARD.*** A ***FEEDLOT*** or ***FEED YARD*** is a type of animal feeding operation (AFO) which is used in intensive animal farming for finishing livestock, notably beef cattle, but also swine, horses, sheep, turkeys, chickens or ducks, prior to slaughter. ***LIVESTOCK FEED YARDS*** are not allowed within the boundaries of the town in any zone.

***LOT.*** A tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the Office of the County Recorder. A parcel of land that is a legal unit.

***LOT COVERAGE.*** The portion of a lot that is occupied by buildings or structures, including accessory uses.

***LOT, INTERIOR.*** Any lot other than a corner lot.

***LOT LAYOUT.*** A plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings and buildings to be erected; the location of the lot and abutting streets; and any further requirements as described in this code.

***LOT LINE.***

(a) A boundary line of a parcel of land.

(b) A line dividing one lot from another, or from a street or any public place.

***LOT LINE ADJUSTMENT.*** A plat by which one or more lot(s) or tract lines are moved or removed.

***LOT LINE, FRONT.*** Any street right-of-way line of record, or established by use, which forms one or more boundaries of a lot.

***LOT LINE, FRONT LOT LINE FOR FLAG LOT.*** The lot line nearest to a dedicated public street and at the end of the staff.

***LOT LINE, PRIMARY.*** See ***PRIMARY LOT LINE***.

***LOT LINE, REAR.*** A lot line that is opposite a front lot line. A triangular lot has two side lot lines but no ***REAR LOT LINE***. For other irregularly shaped lots, the ***REAR LOT LINE*** is all lot lines that are most nearly opposite the front lot line.

***LOT LINE, REAR FOR CORNER LOT.*** The interior lot line which has been designated as the rear lot line as determined by the direction the house faces.

***LOT LINE, REAR FOR INTERIOR LOT.*** The interior line lying opposite of the front lot line.

***LOT LINE, SIDE.*** A lot line that is neither a front nor rear lot line. On a corner lot, the longer lot line which abuts a street is a ***SIDE LOT LINE***.

***LOT LINE, SIDE FOR CORNER LOT.*** Any interior lot line for a multi-frontage lot; or, for other corner lots, that interior lot line which has been designated as the side lot line by the lot owner, unless designated on the plat.

***LOT LINE, SIDE FOR INTERIOR LOT.*** The interior lines lying opposite each other, running between the front and rear lot lines; or in the case of a multi-frontage lot, those interior lines which run between the two front lot lines.

***LOT LINE, SIDE STREET.*** A lot line that is both a side lot line and a street lot line.

***LOT LINE, STREET.*** A lot line, or segment of a lot line, that abuts a street. A ***STREET LOT LINE*** does not include lot lines that abut an alley. On a corner lot, there are two (or more) ***STREET LOT LINES***. A ***STREET LOT LINE*** can include front lot lines and side lot lines.

***LOT WIDTH.*** Frontages at the required setback.

***LOT WIDTH, FOR CORNER LOT.*** The width of the lot as measured along both street frontages at the required setback; and in the case of an interior, the horizontal distance between the side lot lines measured along a line lying at right angles to the centerline of the lot at the point of the required setback.

***LOT WIDTH, FOR INTERIOR LOT.*** The horizontal distance between the side lot lines measured along a line lying at right angles to the centerline of the lot at the point of the required setback.

***MAIN BUILDING.*** The principal building, or one of the principal buildings, upon a lot or the building, or one of the principal buildings, housing the principal use upon the lot; and includes all of the appendages constructed as an architectural and integral part thereof.

***MAINTAIN.*** To provide such maintenance, repair and, to the extent necessary and appropriate, replacement as may be needed to keep the subject property in good condition and repair.

***MAJOR COLLECTOR.*** See ***COLLECTOR STREET (MAJOR AND MINOR)***.

***MANUFACTURED HOMES.*** Mobile homes built in the United States since June 1976, legally referred to as ***MANUFACTURED HOMES*** are required to meet FHA certification requirements and come with attached metal certification tags, and are mortgageable through VA, FHA and Fannie Mae.

***MANUFACTURING.*** The assembling, altering, converting, fabricating, finishing, processing or treatment of a product. This word is used interchangeably with ***INDUSTRIAL***.

***MARINA.*** A public or private dock or basin providing secure moorings for boats and often offering supply, repair and other facilities.

***MAYOR.*** The chief executive officer of the town.

***MEETING.*** The convening of a quorum of a public body to discuss, deliberate, receive public comment, or act upon a matter over which the public body has jurisdiction or advisory power, per U.C.A. § 52-4-103(6).

***MEETING ADMINISTRATOR.*** The Town Recorder/Clerk or other employee of the town specifically assigned and designated to operate the telephonic or electronic conference equipment at the anchor location to assure that all members of the public body are continuously able to participate in the meeting and to advise the party conducting the meeting of the initiation, recess, if appropriate, or adjournment of the meeting.

***METES AND BOUNDS.*** A method of describing the boundaries of land by directions and distances from a known point of reference.

***MILL.*** A term used to express the property tax rate. (One ***MILL*** is one-tenth of a cent. Thus, ten mills equal $0.01 or 1%.)

***MINING.*** All or any part of the process involved in the mining of minerals by removing overburden and mining directly from the mineral deposits, open pit mining or minerals naturally exposed, mining by auger method, dredging and quarrying, underground mining and surface work incidental to an underground mine.

***MINUTES.*** The official written record of a public meeting, including date, time, location, attendees, motions, votes and summaries of discussion, as required by U.C.A. § 52-4-203.

***MIXED USE.*** A tract of land or building or structure developed for two or more different uses such as, but not limited to, residential, office, retail and other possible compatible uses approved by the Town Council.

***MIXED USE DEVELOPMENT.*** A building, or group of buildings, designed to encourage a diversity of compatible land uses, which include a mixture of two or more zoning uses that are approved by the Town Council.

***MOBILE FOOD VENDOR.*** A business that serves food and/or beverages from a self-contained unit either motorized or in a trailer on wheels; conducts all or part of its operations on premises other than its own; and is readily movable, without disassembling, for transport to another location. The term ***MOBILE FOOD VENDOR*** shall not include snow shacks or ice cream vendors.

***MOBILE HOME.*** A ***MOBILE HOME*** built in the United States before June 15, 1976, is a movable or portable dwelling built on a chassis, located on jacks or other temporary foundations, connected to utilities, designed without permanent foundation and intended for year-round living; ***MOBILE HOMES*** permanently installed on owned land are rarely mortgageable.

***MODEL HOME.*** A dwelling temporarily used as a sales office for a residential development under construction, and not for general real estate business.

***MODULAR HOMES.*** Factory-built dwelling units, transportable in one or more sections, which are designed as year-round dwelling units and shall be placed on a permanent foundation or basement. The manufactured dwelling units shall bear a label certifying that such units were built in compliance with the latest manufactured home safety construction and safety standards adopted by the United States Department of Housing and Urban Development for manufactured homes. The Uniform Building Code shall apply to ***MODULAR HOMES***. ***MODULAR HOMES*** means any dwelling that is designed in more than one unit and is designed to be made mobile on a temporary basis, on a perimeter wall foundation and constructed or manufactured to Building Code standards to provide a permanent residence for one or more persons, but does not include a mobile home, recreational travel trailer or recreational motor vehicle as defined herein.

***MONTH.*** One calendar month.

***MORTGAGE/FARM PRESERVATION LOT SUBDIVISION.*** A subdivision that allows one parcel to be split off of a larger piece of acreage for the purpose of getting a mortgage.

***MOTEL.*** A building or a group of detached or connected buildings which are designed or used primarily for providing sleeping accommodations for automobile travelers and for having a parking space adjacent to a sleeping room, which includes automobile courts, tourist courts with more than one building and motor lodges.

***MOTION.*** A formal proposal made by a member of the public body during a meeting, requesting that the body take a specific action.

***MOTOR VEHICLE.*** Any vehicle that is self-propelled by mechanical power, including, but not limited to, passenger cars, trucks, truck trailers, semi-trailers, campers, motorcycles, mini bikes, go-karts, snowmobiles, ATVs/UTVs and racing vehicles.

***MUFFLER.*** An apparatus or device used for reducing sound.

***MUNICIPAL CODE.*** The codified ordinances, regulations and laws adopted by the town.

***MUNICIPAL ROADWAY.*** A street or road which has been dedicated to and accepted by the municipality, including utility easements.

***MUNICIPALITY.*** Unless otherwise indicated, Fairfield, Utah.

***NATURAL HAZARD.*** A naturally occurring event or condition that poses a potential threat to life, property or the environment. ***NATURAL HAZARDS*** include, but are not limited to, flooding, erosion, landslides, earthquakes, wildfires, volcanic activity or severe weather events. Areas subject to ***NATURAL HAZARDS*** are designated within the Natural Hazard Overlay (NHO) Zone, which identifies lands where development is restricted or regulated due to the increased risk of damage or danger associated with such hazards.

***NEIGHBORHOOD GROCERY STORE.*** A store that is 25,000 square feet or less, where most of the floor area is devoted to the sale of food products for home preparation and consumption; that typically also offers other home care and personal care products; and that is substantially larger and carries a broader range of merchandise than convenience stores.

***NEW CONSTRUCTION, FOR THE PURPOSE OF DETERMINING INSURANCE RATES.*** Structures for which the start of construction commenced on or after the effective date of an initial FIRM (October 15, 1982) or after December 31, 1974, whichever is later, and includes any

subsequent improvements to such structures. For floodplain management purposes, ***NEW CONSTRUCTION*** means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by the community and includes any subsequent improvements to such structures.

***NOISE.*** Any sound that is unwanted and causes or tends to cause an adverse psychological or physiological effect on human beings.

***NOISE DISTURBANCE.*** Any sound that annoys or disturbs a reasonable person(s) with normal sensitivities or that injures or endangers the comfort, repose, health, hearing, peace or safety of another person(s).

***NOISE, PLAINLY AUDIBLE.*** Any noise for which the information content of that noise is unambiguously transferred to the listener, including, but not limited to, the understanding of spoken speech, comprehension of whether a voice is raised or normal or comprehension of musical rhythms.

***NOISE SOURCE.*** Any instrument or device for amplifying sound, or anything which produces, reproduces or amplifies sound. The term shall include multiple sources of sound.

***NONCOMMERCIAL VEHICLE.*** Any motor vehicle that is not used for hire, compensation or profit, and is primarily operated for personal, family or household purposes. Such vehicles include passenger cars, pickup trucks, vans and similar vehicles that are not used in the course of a trade, business or commercial enterprise.

***NONCONFORMING BUILDING LOT.*** A parcel of land of record that was lawfully subdivided and in compliance with all laws at the time of division and no longer meets the minimum requirements for a building lot in the zone where it is located because of a subsequent amendment to the applicable land use ordinance.

***NONCONFORMING LOT OF RECORD.*** A lot which does not conform to the area and/or width requirements of this code for a zoning lot, but which was shown continuously on the records of the County Clerk or Recorder as an independent parcel since before the effective date of the ordinance codified in this section.

***NONCONFORMING USE.*** A use of land that legally existed before its current land use designation; has been maintained continuously since the time the land use ordinance regulation governing the land change; and, because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land. To qualify as “legally existing,” the use shall have been properly issued a permit prior to the enactment of the ordinance codified in this section or, alternatively, the use shall have been legally commenced prior to the first enactment of zoning in the county on November 16, 1942, and thus used continuously thereafter.

***NONCONFORMING, WHEN USED IN THE CONTEXT OF A BUILDING OR STRUCTURE.*** A building or structure meeting the definition contained in U.C.A. § 10-9a-103(44) for a noncomplying structure.

***NON-DEPOSITORY INSTITUTION.*** A financial business, other than a depository institution such as a bank, credit union, mortgage lender or savings and loan association, that is registered by the state pursuant to the Check Cashing Registration Act or the Title Lending Registration Act, which includes the following defined businesses: a check cashing business; a payday loan business; a title loan business; or a deferred deposit lender.

***NUISANCE.*** Doing any act or omitting to perform any duty, which act or omission either annoys, injures, endangers or is unsightly, which includes, but is not limited to, keeping or depositing on or scattering over the premises any of the following: lumber, junk, trash or debris; abandoned, discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans, containers or other discarded items not currently in use; and any other object or animal that threatens the comfort, repose, health and safety of the public or offends public decency. ***NUISANCE*** also has the meanings as defined in U.C.A. §§ 76-10-801, 76-10-803 and 78B-6-1101.

***NURSERY.*** Buildings, land and other structures and facilities for the cultivation of plants for subsequent replanting or harvesting, including hydroponics operations.

***NURSING HOME.*** A building containing group quarters wherein room, board, care and supervision are provided to two or more persons who, because of illness, age or physical deformity, cannot properly care for themselves. The building may also include a dwelling unit to house the supervisory personnel. To qualify, the home must be approved for such use by the State Division of Health.

***OATH.*** An affirmation in all cases in which, by law, an affirmation may be submitted for an oath, and in such cases, the words ***SWEAR*** and ***SWORN*** shall be equivalent to the words ***AFFIRM*** and ***AFFIRMED***.

***OCCUPANT.*** As applied to a building or land, any person who occupies a property.

***OCCUPIED.*** Being used by someone; to dwell or reside in.

***OFFICIAL.*** Any elected or appointed officer of the town, including members of the Town Council, Planning Commission or other boards.

***OFF-SITE.*** Land or areas which are not included in the land or areas defined as on-site.

***OFF-STREET PARKING.*** Parking spaces located outside public streets or rights-of-way, provided on private property to serve a specific use or premises.

***OFFENSE.*** Any act forbidden by any provision of this code or the omission of any act required by a provision of this code.

***OFFICE, HIGH INTENSITY.*** An office in which business uses are conducted which typically require more than six employees per 1,000 square feet, and in which no goods or merchandise are stored, displayed or sold. An example would include call centers.

***OFFICE, MEDICAL AND HEALTH CARE.*** Offices or clinics which provide services for the treatment and care of illness or injury, including only medical, dental and chiropractic offices; or offices devoted to the healing arts so long as licensed and accredited, including massage therapists and licensed physical therapists; and may include a pharmacy or drugstore intended to serve patients of medical or dental professionals.

***OFFICE, OFFICE STRUCTURE.*** A room, suite of rooms or building used for conducting the affairs of a business, profession, service industry or government.

***OFFICE, PROFESSIONAL.*** A place intended for the conduct of administration or services by a business enterprise and in which no goods or merchandise are stored, displayed or sold.

***OFFICERS, DEPARTMENTS, COMMISSIONS, BOARDS, COUNCILS*** or ***EMPLOYEES.*** When referred to in this code, officers, departments, commissions, boards, councils and employees of the town, unless the context clearly indicates otherwise.

***OPEN MEETING.*** A meeting that is open to the public and complies with the notice and access requirements of the State Open and Public Meetings Act.

***OPEN SPACE.*** An open, landscaped and improved area that is unoccupied and unobstructed by residential or commercial buildings, setbacks between buildings, parking areas and other hard surfaces that have no recreational value; provides parks or landscaped areas that meet the minimum recreational needs of the residents of the subdivision; includes parks, recreational areas, gateways, trails, buffer areas, berms, view corridors, entry features or other amenities that facilitate the creation of more attractive neighborhoods; may include hard-surfaced features such as swimming pools, plazas with recreational value, sports courts, fountains and other similar features with recreational value as well as sensitive lands with recreational value, subject to the limitations stated in the definition of sensitive lands, within a development that have been designated as such at the discretion of the Planning Commission and Town Council; and may not include surplus ***OPEN SPACE*** located on another lot unless such surplus open space was previously approved as part of an overall site plan, development agreement or plat approval.

***OPEN VIDEO SERVICE.*** Any video programming services provided to any person through the use of rights-of-way by a provider that is certified by the FCC to operate an open video system pursuant to §§ 651 et seq. of the Act, regardless of the system used.

***OPEN VIDEO SYSTEM.*** The system of cables, wires, lines, towers, wave guides, optic fiber, microwaves, laser beams and any associated converters, equipment or facilities designed and constructed for the purpose of producing, receiving, amplifying or distributing open video services to or from subscribers or locations within the town.

***OPERATOR.*** Any person who provides service over a telecommunications system and directly or through one or more persons owns a controlling interest in such system, or who otherwise controls or is responsible for the operation of such a system.

***OUTDOOR SEASONAL SALES.*** A type of temporary use that includes outdoor retail operations such as Christmas tree lots, pumpkin patches, fireworks stands or other similar seasonal retail uses, but not including mobile food vendors, ice cream vendors or snow shacks.

***OUTDOOR VENDING MACHINES.*** Any self-contained or connected appliance, machine or storage container located outside or in a non-enclosed space that dispenses or provides storage of a product or service, and does not include newspaper racks, phones and automatic teller machines.

***OVERLAY ZONE.*** A zone which is created and intended to restrict and regulate property and property usage in addition to other zoning requirements.

***OWNER.*** When applied to a building or land, any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of any part of such building or land.

***OWNERSHIP INTEREST.*** Holding equity, partnership rights or financial investment in real property, business or other assets.

***PARCEL.*** The entire legal description of the property.

***PARCEL OF LAND.*** A contiguous quantity of land in the possession of, or owned by, or recorded as, the property of the same owner.

***PARKING LOT.*** An open area, other than a street, used for the temporary parking of more than four automobiles and available for public use, whether free, for compensation or as an accommodation for clients or customers.

***PARKING, OFF-STREET.*** See ***OFF-STREET PARKING***.

***PARKING SPACE.*** A space not less than 15 feet in length nor less than seven and one-half feet in width for compact auto spaces, and not less than 18 feet in length nor less than eight and one-half feet in width for full-size auto spaces. Compact auto spaces may comprise not more than 35% of the total parking provided.

***PARKING STRIP.*** The strip of land located within the public right-of-way between the edge of a lot or parcel and the curb and gutter, or the edge of the sidewalk and the curb and gutter, whichever measurement is farther from the curb.

***PARKS, PLAYGROUNDS*** or ***COMMUNITY RECREATION.*** Any of the following recreational land uses, which are easily accessible to residents depending on the local needs:

(a) Areas of natural quality set aside for outdoor recreation, such as viewing, sitting and picnicking;

(b) Arenas;

(c) Athletic fields;

(d) Community centers;

(e) Golf courses;

(f) Parks;

(g) Playgrounds;

(h) Recreation center buildings;

(i) Sports facilities;

(j) Swimming pools;

(k) Tennis courts;

(l) Walking and jogging tracks; and

(m) Any similar public use areas or buildings that provide recreational opportunities.

***PASTURE.*** An enclosure for animals in which no feed is provided except that which the animals obtain by grazing.

***PAWN SHOP.*** An establishment primarily engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker, and the sale of such property.

***P.C.*** The Public Service Commission, or any successor thereto.

***PENDING ORDINANCE.***

(a) A town code, zoning map or general plan amendment that has been reviewed by the Planning Commission in an open and public meeting and a recommendation has been forwarded to the Town Council; or been first reviewed by the Town Council and has been included or attached to a resolution indicating the Council's intent to initiate proceedings to amend.

(b) A ***PENDING ORDINANCE*** or change to the code is binding on any land use application or building permit application filed with the town prior to final approval of the pending ordinance by the Town Council. If the town's actions meet this definition, the town's actions shall satisfy the requirements of U.C.A. § 10-9a-509 as initiating a formal proceeding to amend this code.

***PERFORMANCE BOND.*** A document meeting the requirements of the code and guaranteeing completion of any improvements required by the town and accompanied by a bond agreement; in an amount as specified in the code; on forms approved by the town; and having the form of an escrow bond with funds on deposit in a reputable, federally-insured financial institution, a cash bond deposited with the town or a letter of credit from a reputable, federally-insured financial institution.

***PERSON.*** An individual, public or private corporation, government, partnership, trust, organization, unincorporated association or any other legal entity (U.C.A. §§ 10-9a-103(49) and 76-1-101.5(11)).

***PERSONAL SERVICE ESTABLISHMENT.*** An establishment which offers specialized goods and services to consumers, including barbershops, beauty shops, massage facilities, garment repair, pressing, tailoring, shoe repair and other similar establishments.

***PERSONAL SERVICES.*** Establishments primarily involved in providing personal grooming and related services, and includes, but is not limited to, barbershops, beauty parlors and tailors, but does not include laundries or dry cleaners.

***PERSONAL WIRELESS SERVICES FACILITIES.*** The same definition as provided in § 704 of the Act, which includes what is commonly known as cellular and PCS services that do not install any system or portion of a system in the rights-of-way.

***PHANTOM ROADS AS REFERRED TO BY THE TOWN.*** All roads that were on the original Fairfield plat map and were held in trust by the United States government until Fairfield became a town. The town maintains rights of ownership of such roads.

***PLACE OF BUSINESS.*** A location maintained or operated by a person within the town limits from which a business activity is conducted or transacted.

***PLANNED PERFORMANCE DEVELOPMENT.*** A development that is encouraged to use imaginative, efficient utilization of land as well as consolidation of open spaces and clustering of the dwelling units. Density in the ***PLANNED PERFORMANCE DEVELOPMENT*** is determined by additional amenities and open space.

***PLANNING COMMISSION.*** A town-appointed body responsible for land use and development recommendations.

***PLANNING DIRECTOR.*** The employee, contractor, individual or firm responsible for all municipal planning activities, including long-range land use planning, ordinance preparation, land use interpretation, administration and enforcement of the Land Development Code, development review, coordination with the Planning Commission and any other responsibilities required by the town relating to planning and development currently being taken care of by the Planning Commissioner.

***PLANT AND TREE NURSERY.*** A facility used for the growing and the wholesale or retail sale of plants, trees, shrubs, flowers, ground covers and the like, and may also include sales of related products, including fertilizers, mulch, landscape decoration and the like.

***PLAT.*** A map or other geographical representation of lands being laid out and prepared in accordance with LUDMA, being U.C.A. §§ 10-91-101 et seq.

***PLAT, FINAL.*** A drawing prepared in accordance with the land use ordinances showing the final design of a land division, and complying with all standards and requirements of best surveying practice, and in a form required by the County Recorder's Office for recordation.

***POSTAL CENTER.*** A facility that contains service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas and sorting and distribution facilities for mail.

***PRECEDING*** and ***FOLLOWING.*** When referring to sections or divisions in this code, refer to the sections or divisions next following or next preceding that in which the words occur, unless some other section is designated.

***PRELIMINARY PLAT.*** The initial formal plat of a proposed land division or subdivision containing the information required by this code.

***PREMISES.*** A lot, together with any buildings and structures located thereon.

***PREMISES OCCUPATION.*** A domestic manufacturing, artistry or service business (but not the sale of goods produced off-site) which is carried on in an accessory building on the same lot as a residence by persons residing on the premises.

***PRESCHOOL.*** A preschool, also known as ***NURSERY SCHOOL***, ***PRE-PRIMARY SCHOOL*** or ***PLAY SCHOOL***, is an educational establishment or learning space offering early childhood education to children for a fee before they begin compulsory education at primary school.

***PRIMARY BUILDING.*** The principal building located on a lot, parcel or tract of land and designed or used to accommodate the primary use.

***PRIMARY LOT.*** The lot on which the residence will be built.

***PRIMARY USE.*** The principal purpose for which a lot, parcel, tract or building is designed, arranged or intended, or for which it is occupied or maintained.

***PRINTING, LITHOGRAPHY AND PUBLISHING ESTABLISHMENT.*** Any commercial printing operation involving a process that is considered printing, imprinting, reproducing or duplicating images, and using printing methods including offset printing, lithography, web offset, flexography and screen process printing.

***PRIVATE IMPROVEMENTS.*** Any open space, park space, club house, pool, tot lot, gazebo, picnic area, trail or any other privately owned and maintained improvement provided in connection with subdivision, conditional use or site plan approval.

***PRIVATE ROAD.*** See ***ROAD, PRIVATE***.

***PROCUREMENT.*** Buying, purchasing, renting, leasing with an option to purchase or otherwise acquiring any supplies, services or construction.

***PRODUCE STAND.*** A temporary roadside building or structure used for seasonal retail sales of unprocessed fresh fruits, vegetables, flowers, herbs, plants and other unprocessed agricultural food products. May also include cottage products produced from these agricultural food products, such as honey, jam and applesauce.

***PROHIBITION OF UNLAWFUL NOISE.*** It is unlawful for any person to produce, continue or cause to be produced or continued any noise disturbance (as defined in this section) within the limits of the town.

***PROJECT PLAN.*** A map prepared by a licensed engineer, surveyor, landscape architect or architect that illustrates the basic components of a proposed development; and submitted with conditional use applications in cases where the submittal of a site plan is not required.

***PROPERTY.*** Any lot, parcel or tract of land, including improvements thereon, and recorded as real property in the Office of the County Recorder.

***PROPERTY BOUNDARY.*** An imaginary line extending perpendicular to the ground surface, and its aboveground vertical extension, that identifies the line between the real property owned by one person or entity and that adjoining property owned by another.

***PROPERTY LINE.*** The boundary line of a lot, parcel or tract.

***PROPERTY OWNER.*** The owner in fee simple of real property as shown in the records of the County Recorder's Office, and includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, trust, private corporation, limited liability company, public or quasi-public corporation, other entities authorized by the state or any combination of the foregoing.

***PROTECTED OPEN SPACE.*** Open space that is either placed in a conservation easement or listed as unbuildable on the recorded plat.

***PROVIDER.*** An operator, infrastructure provider, reseller or system lessee.

***PUBLIC.*** That which is under the ownership or control of the United States government, the state or any subdivision thereof, the county or the town (or any departments or agencies thereof).

***PUBLIC BODY.***

(a) Any board, commission, committee or other body created by the Town Council that is required to hold meetings under the State Open and Public Meetings Act (U.C.A. § 52-4-103(9)).

(b) Any committee, board or governing entity within the town that is authorized to make decisions or recommendations on public matters.

***PUBLIC BUILDING OR FACILITIES (TOWN-OWNED).*** Uses which may be housed in separate buildings, or which may occupy a space within a building, that are operated by the town to serve public needs; and public uses such as police, jails, fire services, ambulances, judicial courts, government offices, libraries, cultural facilities, recreation centers, senior centers, public utility stations and maintenance facilities.

***PUBLIC HEARING.*** A hearing at which citizens, land owners and other interested parties are provided a reasonable opportunity to express their position on specific issues, both pro and con, as mandated by either statute or by order of proper authority after due notice.

***PUBLIC IMPROVEMENT.*** Any street dedications, installations of curb, gutter, sidewalk, road base and asphalt; water, sewer and storm drainage facilities; or other utility or service required to provide services to a lot, parcel, building or structure.

***PUBLIC MEETING.*** A formal gathering of a public body where official business is conducted, in accordance with the State Open and Public Meetings Act.

***PUBLIC PARK.*** A landscape park which is owned or leased by a federal or state agency, a town or town government or a county government and which is operated under the aegis of such agency or government for public use.

***PUBLIC/PRIVATE UTILITY BUILDING OR FACILITY.*** A building or structure used or intended to be used by any public or private utility, including any:

(a) Gas treatment plant reservoir, tank or other storage facility;

(b) Water treatment plant, well, reservoir, tank or other storage facility;

(c) Electric generating plant, distribution or transmission substation;

(d) Telephone switching or other communications plant, earth station or other receiving or transmission facility;

(e) Storage yard for public or private utility equipment or vehicles; and

(f) Any parking lot for parking vehicles or automobiles to serve a public or private utility.

***PUBLIC RECORD.*** Any record retained by a government body as further defined by statute and open to inspection.

***PUBLIC RIGHT-OF-WAY.*** A road, street, alley, lane, court, place, viaduct, tunnel, culvert or bridge laid out or erected as such by the public, or dedicated or abandoned to the public, or made such in any action by the subdivision of real property, and includes the entire area within the right-of-way.

***PUBLIC STREET.*** See ***STREET, PUBLIC***.

***PUBLIC THOROUGHFARE.*** Any town street; county, state or interstate road; or other road upon which the public has a right to travel.

***PUBLIC USE.*** A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including streets, parks, recreational facilities and administrative and service facilities.

***PUBLIC WORKS REPRESENTATIVE.*** The individual over the Roads Department.

***PURCHASE DESCRIPTION.*** The words used in a solicitation to describe the supplies, services or construction to be purchased, and includes specifications attached to or made a part of the solicitation.

***PURCHASING AGENT.*** The person duly authorized by the Town Council to enter into and administer contracts and make written determinations with respect thereto.

***QUORUM.*** The minimum number of members required to be present, in person or electronically, for a public body to conduct official business. For the Town Council, a ***QUORUM*** is three members.

***RECEPTION CENTER.*** An establishment with facilities that are rented for either private or public gatherings which may also provide catering or entertainment services.

***RECORDS RETENTION.*** The required period for maintaining government records, as outlined in U.C.A. § 63G-2-604.

***RECREATION CENTER.*** An establishment providing a variety of commercial recreation activities that are enclosed within a structure along with outdoor activities, including one or more of the following: bowling, roller or ice skating, arcade games, billiards, miniature golf, amusement rides, slides and swimming pools and related amusements; and may include ancillary uses such as the preparation and serving of food or the sale of equipment related to the enclosed uses.

***RECREATION RENTALS.*** An establishment that specializes in the rental of outdoor recreation equipment or similar items and accessories.

***RECREATIONAL CAMPS AND RESORTS.*** Cabin sites and commercial outdoor recreation establishments.

***RECREATIONAL RESORT.*** A type of large-scale development providing accommodations for owners and guests, which include some of the following activities (but not limited to): skiing, hunting, fishing, golfing, horseback riding, swimming, sight-seeing, dining and lodging.

***RECREATIONAL VEHICLE (RV).*** A vehicular-type unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use that either has its own motive power or is mounted on, or towed by, another vehicle. The basic types of RV entities are: camping trailer, fifth-wheel trailer, motor home, park trailer, travel trailer, truck camper and tiny house trailer.

***RECREATIONAL VEHICLE COURT/PARK.*** An area or tract of land used to accommodate two or more recreational vehicles or camper units for a short period of time (less than 45 days).

***RECREATIONAL VEHICLE SALES.*** An establishment that sells motor homes, all-terrain vehicles, snowmobiles, water crafts and other similar vehicles and accessories.

***RECYCLING FACILITY.*** A location whose primary use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled or handled, including scrap metals, paper, rags, tires, bottles and other such materials.

***REQUEST FOR PROPOSALS.*** All documents, whether attached or incorporated by reference, used for soliciting proposals.

***RESEARCH AND DEVELOPMENT.*** An establishment which conducts research, development or controlled production of high-technology electronic, industrial or scientific products or commodities for sale; or laboratories conducting educational or medical research or testing. ***RESEARCH AND DEVELOPMENT*** uses include medical or electronic assembly and manufacturing; any use engaged in research and development, testing, assembly, repair and manufacturing in the following industries: biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation and computer hardware and software; and includes as part of this use any offices, warehousing, wholesaling and distribution of the finished products produced at the site.

***RESELLER.*** Any person that provides local exchange service over a system for which a separate charge is made, where that person does not own or lease the underlying system used for the transmission.

***RESIDENT.*** Any member of a household whose primary place of residence within the town meets the state standard defining a ***RESIDENT***, excepting therefrom any health-impaired individuals who resided in the town immediately prior to moving into a care facility due to varying factors and must live in a care facility, including family members' homes, outside the town.

***RESIDENTIAL DAYCARE CENTER.*** A building containing a dwelling unit and associated facilities wherein ordinary board, care and supervision are provided during customary daytime periods by the resident family to not more than six people who are not related to such family. To qualify, the center must be approved for such use by the State Department of Social Services.

***RESIDENTIAL DENSITY.*** The average number of dwellings on one acre of land in a given area. ***NET RESIDENTIAL DENSITY*** is determined by dividing the total number of dwellings in a defined area by the total acreage of all parcels of land within the area that are used exclusively for residential and accessory purposes. ***GROSS RESIDENTIAL DENSITY*** is obtained by dividing all land in a defined area used for residences, streets, sidewalks, park strips, landscaped islands, local schools, local parks and local shopping facilities into the total number of dwellings in said area.

***RESIDENTIAL FACILITY FOR ELDERLY PERSONS.*** Housing that provides a program of independent or assisted services to deal with the activities and instrumental activities of daily living for the elderly.

***RESIDENTIAL FACILITY FOR PERSONS WITH A DISABILITY.*** A residence that meets the definition of U.C.A. § 10-9a-103 and treats persons with a "disability" as defined in U.C.A. § 10-9a-103.

***RESTAURANT, CASUAL.*** An establishment where foods or beverages are prepared for consumption that occurs in the building, on the premises, within a motor vehicle parked on the premises or off-premises; and whose operation includes one or more of the following characteristics: food or beverages are served to the occupants of a motor vehicle (e.g., drive-through window or drive-in), and food and beverages are usually served over a general service counter, whether or not there is a seating area within the restaurant.

***RESTAURANT, DELI.*** A shop, store or business not larger than 2,000 square feet selling primarily meats, cheeses and sandwiches with limited on-site seating and more than 50% of business typically consisting of take-out.

***RESTAURANT, SIT DOWN.*** An establishment that provides, as a principal use, foods and beverages prepared for consumption within or without the establishment with no drive-up or drive-through window or drive-in, and whose operation includes the following characteristics: customers are customarily served their food or beverage by a restaurant employee at the same table or counter at which said items are consumed; and a restaurant employee customarily clears the table of trash and food; and take-out service may be provided so long as it is not the principal business of the establishment and no drive-up or drive-through window, or drive-in, is utilized.

***RESTRICTIVE COVENANT.*** A limitation on the use of land usually set forth in the deed. A ***RESTRICTIVE COVENANT*** usually runs with the land and is binding upon subsequent owners of the property.

***RETAIL.*** The sale of commodities or goods in small quantities to ultimate consumers; a place of business devoted, in whole or in part, to the sale, rental or servicing of goods or commodities which are normally delivered or provided on the premises to a consumer.

***RETAIL, BIG BOX.*** A singular retail or wholesale use which occupies not less than 50,000 square feet of gross floor area that may require high parking-to-building area ratios; have a regional sales market; and include regional retail or wholesale sales; and membership warehouse clubs that emphasize bulk sales, discount stores and department stores.

***RETAIL, SPECIALTY.*** Retail operations that specialize in one type or line of merchandise; and may include apparel stores, jewelry stores, bookstores, shoe stores, stationary stores, antique stores and similar establishments.

***RETAIL, TOBACCO SPECIALTY STORE.*** A commercial establishment in which the sale of tobacco products accounts for more than 35% of the total annual gross receipts for the establishment; food and beverage products, excluding gasoline sales, is less than 45% of the total annual gross receipts for the establishment; and the establishment is not licensed as a pharmacy under U.C.A. Title 58, Chapter 17b, Pharmacy Practice Act.

***RETAIL, VARIETY STORE.*** A store retailing a diversified offering of several categories of goods.

***RIDING ARENA, COMMERCIAL.*** Commercial roping and riding arenas (unlighted), as well as commercial roping and riding arenas (lighted), which may or may not be totally enclosed within a structure.

***RIDING ARENA, PRIVATE.*** An animal enclosure included within a barn or in an open corral for the purpose of carrying out activities related to the training of horses, riding schools and other equestrian skills, but not including any use for commercial entertainment.

***RIGHTS-OF-WAY.*** The surface of and the space above and below any public street, sidewalk, alley or other public way of any type whatsoever, now or hereafter existing as such within the town.

***ROAD, PRIVATE.*** A thoroughfare held in private ownership and controlled by one or more persons, firms or corporations, and used or held for use primarily as a means of access to adjoining properties.

***ROADSIDE STAND.*** A temporary stand or structure for retail sales.

***ROLL CALL VOTE.*** A voting method in which each member's vote is recorded individually by name and "Yes" or "No," especially required for ordinances, resolutions or financial actions.

***SALVAGE YARD.*** See ***JUNK YARD***.

***SANITARY LANDFILL.*** See ***SOLID WASTE DISPOSAL SITE***.

***SCHOOL, CHARTER.*** A school licensed in accordance with U.C.A. Title 53A, Chapter 1a, Part 5, the State Charter Schools Act. A ***CHARTER SCHOOL*** is considered to be a public school in this code for the sole purpose of determining whether it is a permitted or conditional use. A ***CHARTER***

***SCHOOL*** shall meet all applicable federal, state and local laws, including this code and all town land use ordinances. This definition shall not be interpreted to limit, restrict or alter in any way the requirements of charter schools under U.C.A. § 10-9a-305 to follow this code and all town land use ordinances.

***SCHOOL, PRIVATE OR QUASI-PUBLIC.*** A school that is operated by a private or quasi-public organization or individual, excluding charter schools and public schools, which includes an academic curriculum recognized as satisfying the requirements of elementary, secondary or higher education in the state and is accredited by an accrediting agency recognized by the state.

***SCHOOL, PUBLIC.*** An educational facility operated by a public school district as defined in state statutes.

***SCHOOL, TRADE OR VOCATIONAL.*** A post-high school educational or vocational training facility.

***SEALED CONTAINER.*** A covered, closeable container which is rodent-proof, fly-proof and watertight, such as garbage cans with properly fitting tops or plastic garbage bags which have been closed or twisted shut.

***SEASONAL HOME DEVELOPMENT.*** A type of development which is approved for the purpose of providing sites for vacation dwellings for temporary use by families which have permanent residences elsewhere and which occupy the dwelling intermittently, primarily during weekends or vacation periods; the development was not intended to get the normal governmental services (school bus service, mail service, snow removal and the like) that are customary for permanent residences.

***SECONDARY WATER SYSTEM.*** A system which is designed and intended to provide, transport or store water used for the watering of crops, lawns, shrubbery, flowers and other non-culinary uses.

***SENSITIVE LANDS.*** Land and natural features, including canyons and slopes in excess of 30%, ridge lines, natural drainage channels, streams or other natural water features, wetlands, floodplains, landslide-prone areas, detention or retention areas, debris basins and geologically sensitive areas.

***SEPTIC TANK.*** A watertight underground cistern and the attached underground drain pipes used to dispose of sewage into the soil.

***SEPTIC TANK DRAIN FIELD.*** The plot of land in which drain lines of a septic tank are located.

***SETBACK.*** The shortest horizontal distance permitted in each zone, as set forth in the town's zones, between the identified boundary lines of a lot and a building, structure or part thereof.

***SEXUALLY ORIENTED BUSINESS.*** A business which depicts, portrays or describes "specified sexual activities" or "specified anatomical areas," or instruments, devices or paraphernalia which are designated or used in connection with specified sexual activities, including, but not limited to, adult arcades, adult bookstores, adult novelty stores, adult video stores, adult cabarets, adult motels, adult motion picture theaters, adult theaters or nude or seminude model studios.

***SHOOTING RANGE, INDOOR OR OUTDOOR.*** An area or structure specially designed for the safe discharge and use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder or any similar firearm for the purpose of sport shooting or military/law enforcement training. May also include archery, and may or may not be open to the general public.

***SIDEWALK.*** A passageway for pedestrians, excluding motor vehicles.

***SIGN.*** Any medium, including its structure, symbols and other component parts, which is used or intended to be used to attract attention to the subject thereon.

***SIGN, ACCESSORY.*** A sign which is located on the premises and which directs attention to a business or profession which is conducted on the premises.

***SIGNAL.*** Any transmission or reception of electronic, electrical, light or laser or radio frequency energy or optical information in either analog or digital format.

***SINGLE-SOURCE PROVIDER.*** Purchases from one selected supplier, even though there are other suppliers that provide similar products. If a company decides to buy only Dell computers, then that is a ***SINGLE-SOURCE PROVIDER***.

***SITE PLAN.*** A schematic, scaled drawing of a lot, parcel or tract which indicates, as may be required by this code, including, but not limited to, the placement and location of buildings, setbacks, yards, property lines, adjacent parcels, utilities, topography, waterways, irrigation, drainage, landscaping, parking areas, driveways, trash containers, streets, sidewalks, curbs, gutters, signs, lighting, fences and other features of existing or proposed use, activity, building or structure.

***SLAUGHTER HOUSE.*** An animal processing plant where cattle or other livestock are killed preparatory to butchering and consumption.

***SLEEPING APARTMENT.*** A room or specific space for sleeping and living quarters which may not contain cooking facilities. In a suite of interconnected bedrooms (motel rooms) which have no

cooking facilities, each three bedrooms (motel rooms) shall be considered a ***SLEEPING APARTMENT***. A dormitory, lodge, barrack or other quarters that provide bedrooms (each bedroom may not exceed 500 square feet in total floor area) that connect by hallway or central court shall be considered one ***SLEEPING APARTMENT*** for each ten bedrooms or for each 20 persons, whichever is less.

***SLOPE.*** The average grade of the surface of land expressed in either percentage or in degrees.

***SOIL BREAKTHROUGH.*** Soil migrating through the fabric and cap in a manner that exposes the public and shall be deemed in violation of this code.

***SOIL ORDINANCE BOUNDARY.*** All land that lies within the boundaries of the town.

***SOLAR PANEL.*** A panel designed to absorb the sun's rays as a source of energy for generating electricity or heat.

***SOLID WASTE DISPOSAL SITE (MSW LANDFILL).*** A garbage dump, recycling center or landfill operation utilizing solid wastes which meets all Health Department standards for approval.

***SOUND.*** An audible temporal and spatial oscillation in pressure, or other physical quantity with interval forces, that causes compression or rarefaction of the medium, and that propagates a finite speed to distant points.

***SOUND PRESSURE LEVEL.*** The sound level measured with a sound level meter using the A-weighting network. The standard notation or abbreviation is dBA.

***SPECIAL MEETING.*** A meeting held outside the regular meeting schedule, called with proper notice for a specific purpose.

***SPECIAL ORDINANCE.*** An ordinance applying to specific situations, individuals or properties, distinct from general town-wide regulations.

***STABLE.*** A building in which horses are sheltered, which may be accessory to a residential or other use or a freestanding principal use.

***STATE.*** The State of Utah.

***STATE MUNICIPAL OFFICERS' AND EMPLOYEES' ETHICS ACT.*** The state law regulating ethical conduct for municipal officials (U.C.A. §§ 10-3-1301 through 10-3-1312).

***STATIONARY NOISE SOURCE.*** Any device, fixed or moveable, that is capable of creating a noise level at the property upon which it is regularly located.

***STOCKYARDS.*** An enclosure with pens, sheds and the like where cattle, hogs, sheep or horses are kept temporarily before slaughtering or shipment.

***STORAGE, OUTDOOR.*** A location where a business keeps equipment, supplies and other business-related materials in an outdoor area fully enclosed by a minimum six-foot opaque wall or fence. ***OUTDOOR STORAGE*** does not include wrecking yards, dumps and other debris storage.

***STORAGE, SELF-STORAGE OR MINI-STORAGE UNITS.*** A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers and other residential uses; and may include refrigerated or climate-controlled facilities.

***STORAGE, VEHICLE.*** A location where recreational vehicles, cars, trucks and other vehicles are stored in an enclosed structure, or in an outdoor area fully enclosed by a minimum six-foot opaque wall or fence. ***VEHICLE STORAGE*** does not include sales.

***STORY.*** The portion of a building included between the surface of a floor and the ceiling next above it, but not to include underfloor crawl space or attic space without floor decking or without the required height.

***STREET.*** All roads, alleys, lanes, highways, courts, places, squares, trails, bridges and sidewalks laid out or erected as such by the public, or abandoned or dedicated to the public, or made public by any means whatsoever.

(a) ***COLLECTOR.*** A street which collects traffic from local streets and connects with a minor and major arterial.

(b) ***CUL-DE-SAC.*** A street with a single common ingress and egress and with a turn-around at the end; not a through street.

(c) ***DEAD END.*** A street with a single common ingress and egress.

(d) ***HIGHWAY.*** A street that is the entire width between the boundary lines of every public way that is maintained when any part thereof is open to the use of the public for the purposes of vehicular travel.

(e) ***LOCAL.*** A street which provides for direct access to abutting land and for local traffic movement.

(f) ***MAJOR ARTERIAL.*** A street with access control, channeled intersections, restricted parking and which collects and distributes traffic.

(g) ***MINOR ARTERIAL.*** A street with signals at important intersections and stop signs on the side streets which collects and distributes traffic to and from collector streets.

(h) ***PUBLIC.*** A tract of land which is an existing state, county or municipal roadway, or is shown on a plat duly filed and recorded in the Office of the County Recorder, or has been accepted by the Town Council as part of a development project, and is for public use to provide a thoroughfare for public use that is primarily for vehicular travel; an access to abutting properties; the installation of public utility service lines or pipes and drainage facilities and other public works and appurtenances for the convenience and welfare of the public.

***STRUCTURE.*** Anything constructed or erected on, or added to existing land according to, a plan or organization.

***SUBDIVIDER.*** A person who, having interest in land, causes it, directly or indirectly, to be divided into a subdivision; directly or indirectly sells, leases, develops or advertises for sale, lease or development any interest, lot, parcel, site, dwelling, unit or plat in a subdivision; or engages directly or through an agent in the business of selling, leasing, developing or offering for sale the lease or development of a subdivision.

***SUBDIVISION.*** Any land that is divided, re-subdivided or proposed to be divided into two or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development, either on the installment plan or upon any and all other plans, terms and conditions. ***SUBDIVISION*** includes the division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat or other recorded instrument, regardless of whether the division includes all or a portion of parcel or lot; and, except as provided in U.C.A. § 10-9a-103(68)(b), divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

***SUBDIVISION, IMPROVED.*** Subdivided lots that meet all zoning and building permit requirements.

***SUBDIVISION, UNIMPROVED.*** An undeveloped lot that has no or little improvements.

***SUBSTANTIAL DAMAGE.*** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damage condition would equal or exceed 50% of the market value of the structure before the damage occurred.

***SUBSTANTIAL IMPROVEMENT.*** Any reconstruction, rehabilitation, addition or other improvement of a structure the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred

substantial damage regardless of the actual repair work performed. The term does not, however, include either any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or any alterations of a historic structure, provided that the structure continues to be designated as a historic structure following the improvement.

***SUBSTANTIAL RISK DETERMINATION.*** A written finding by the chair of a public body that the anchor location of a meeting presents a substantial health or safety risk, allowing a meeting to be conducted entirely electronically under U.C.A. § 52-4-207(4).

***SWIMMING POOL.*** A constructed pool any part of which is above or below grade, and a prefabricated pool any part of which is below grade, or a prefabricated pool that is completely above grade and has a capacity of 5,000 gallons or more, used for swimming or bathing.

***SWIMMING POOL, COMMUNITY.*** A pool that is open to a limited public through membership, such as an HOA or club.

***SWIMMING POOL, PRIVATE.*** A pool on an individual residential lot intended for primary use by the occupants of that lot.

***SWIMMING POOL, PUBLIC.*** A pool that is open to the general public, with or without a fee.

***SYSTEM LESSEE.*** Any person that leases a system or a specific portion of a system to provide services.

***TATTOO PARLOR.*** A business establishment that operates tattoo equipment to inject ink or otherwise modify human skin for the purposes of decoration, which may include body piercing; however, establishments that engage in ear piercing and no other activities in this definition shall not be considered ***TATTOO PARLORS***.

***TELECOMMUNICATIONS.*** The transmission, between or among points specified by the user, of information of the user's choosing (e.g., data, video and voice) without change in the form or content of the information sent and received.

***TELECOMMUNICATIONS SERVICE OR SERVICES.*** Any telecommunications or communications services provided by a provider within the town that the provider is authorized to provide under federal, state and local law, and any equipment and/or facilities required for and integrated with the services provided within the town, except that these terms do not include "cable service" as defined in the Cable Communications Policy Act of 1984, as amended by the Cable Television Consumer

Protection and Competition Act of 1992 (47 U.S.C. §§ 521 et seq.) and the Telecommunications Act of 1996, being Pub. Law No. 104-104. ***TELECOMMUNICATIONS SERVICE OR SERVICE*** also includes an open video service.

***TELECOMMUNICATIONS SYSTEM OR SYSTEMS.*** All conduits, manholes, poles, antennas, transceivers, amplifiers and all other electronic devices, equipment, wire and appurtenances owned, leased or used by a provider that are located in the rights-of-way and utilized in the provision of services, including fully digital or analog voice, data and video imaging and other enhanced telecommunications services. ***TELECOMMUNICATIONS SYSTEM OR SYSTEM*** also includes an open video system.

***TEMPORARY SALES TRAILERS.*** Trailers for use by home builders or developers for the purpose of sales within subdivision projects which are subject to the regulations in Chapter 154 of this code.

***TEMPORARY USE.*** A use that is associated with a holiday or special event for a limited duration of time, including, but not limited to, outdoor seasonal sales.

***THEATER.*** A building used primarily for the presentation of movies projected upon a screen or the presentation of live stage productions or performances, which may include ancillary uses such as arcade games and concession areas.

***TOBACCO PRODUCT.*** Any cigar, cigarette or electronic cigarette as defined under U.C.A. § 76-10-101; a tobacco product as defined under U.C.A. § 59-14-102, including chewing tobacco; any substitute for a tobacco product, including flavoring or additives to tobacco; and tobacco paraphernalia as defined under U.C.A. § 76-10-104.1.

***TOWN.*** Fairfield, Utah.

***TOWN COUNCIL.*** The governing legislative body of Fairfield, Utah.

***TOWN RECORDER/CLERK.***

(a) The statutory officer responsible for records, minutes and financial documentation.

(b) The official responsible for preparing agendas, keeping meeting minutes, providing notice and maintaining the official records of the town, as prescribed by the state code and Fairfield ordinances.

***TOWN ROAD.*** All roads commonly used as a means of travel within the town which have been designated as town roads by the town or by the State Highway Commission or by any dedication duly

and properly recorded, or have been used as public roads within the past ten years or as a result of long-accustomed usage. The term ***ROADS*** shall include both hard surfaced and any other surfaces. The ***ROADS*** in this instance shall include the surfaced travel portions of the shoulders, barrow pits and any and all properties within the right-of-way of said roads.

***TOWN ROAD RIGHT-OF-WAY.*** Any right-of-way owned by the town, whether as a result of a deed or other formal conveyance or as a result of long-accustomed usage.

***TOWN STREET.*** A street or road which has been dedicated to and accepted by the town or municipality, including utility easements, as a public street.

***TRAIL.*** A dedicated path, improved or unimproved, for the passage of pedestrians, non-motorized vehicles or equestrian-related uses.

***TRANSIT-ORIENTED DEVELOPMENT (TOD).*** A form of development that maximizes transit infrastructure by concentrating the most intense types of development around transit stations and along transit lines. Development in such areas is designed to make transit use as convenient as possible.

***TRAVEL TRAILER.*** A non-motorized, vehicular portable structure built on a chassis for temporary use as living quarters during travel or vacation periods; it is fabricated for towing on medium-duty roads and has a body size not to exceed eight feet in width and 40 feet in length.

***U.C.A.*** Utah Code Annotated.

***UNDUE INFLUENCE.*** Influence by which a person is induced to act otherwise than by their own free will or without adequate attention to the consequences.

***UNREASONABLE HARDSHIP.*** A general restriction placed upon a lot with respect to setback or area where, by reason of exceptional narrowness, shallowness, shape or topography of such lot, a literal enforcement of the general restrictions would result in an unfairness to the owner compared to the owners of other lots in the same zone and which literal enforcement would be unnecessary in order to achieve the intent of the zone.

***URBAN DESIGN COMMITTEE.*** A committee made up of architects, planners, builders or other persons whose primary responsibilities are to review architectural plans for commercial, industrial and multi-family developments; and to make recommendations to the Planning Commission regarding architectural style, urban design and exterior building materials for all types of developments.

***UTILITIES.*** Culinary and secondary water lines and systems, pressure and gravity irrigation lines and ditches, sanitary sewer lines, storm drain lines, subdrains, electric power, natural gas facilities,

cable television, telephone transmission lines, data transmission lines, underground conduits and junction boxes and other services deemed to be of a public utility nature by the town.

***UTILITY.*** Any ditch, pipe, wire, way or right-of-way owned by any person which crosses, goes along, over or under a town road or right-of-way.

***VARIANCE.*** An authorization by the appeal authority relative to a specific parcel of land for a modification of a zone's standard height, bulk, area, width, setback or separation requirement; as distinguished from a special exception (conditional use), the allowing of a use not listed as permitted in a zone, or any other change in zoning requirements.

***VEHICLE.*** An automobile, trailer, boat or other device in which a person or thing is (or has been or may be, according to the context) transported from one place to another along the ground, through the air and/or over the water.

***VEHICLE, OBSOLETE.*** A used vehicle which lacks a current license and state registration, or a used vehicle which is not in running order without adding parts or repairs. (Exception to the current license and state registration standard: a type of vehicle which is not required under state law to be registered and have a license to be operated on public roads, such as a trailer under 750 pounds gross unladen weight.)

***VIOLATION.*** Any act or omission that contravenes the provisions of this code or applicable state laws.

***WARRANTY BOND.*** A document that meets the requirements of this code warranting any improvements required in this code; accompanied by a bond agreement in an amount as specified in this code on forms approved by the town; and having the form of an escrow bond with funds on deposit in a reputable, federally-insured financial institution, a cash bond deposited with the town or a letter of credit from a reputable, federally-insured financial institution.

***WATER SOURCE, CULINARY.*** A well, spring, stream or municipal-type piping system (as opposed to water bottles or holding units filled by carried-in water from a source elsewhere).

***WATER TRANSMISSION LINE.*** A pipe, ditch, canal, aqueduct or other conduit used or designed to be used to carry water to a particular place; not a natural watercourse.

***WATERWAYS.*** The areas, varying in width, along streams, creeks, springs, gullies or washes which are natural drainage channels as determined by the Town Council, as shown on the town's master drainage plan or as designated by FEMA, and in which no structure or building construction or placement is permitted.

***WEEK.*** Any seven-day period.

***WIDTH OF LOT.*** A measurement of the distance between side property lines.

***WINDMILL.*** A structure utilizing wind power for the pumping of water for agricultural use on the parcel of property on which the windmill is located, or for electrical power generation for a residence and other permitted structures and uses located on the subject parcel of property. This definition shall not preclude a ***WINDMILL*** which generates its primary electrical power for use on the premises from selling the surplus to an electrical utility provider; provided that the design of the windmill is only to provide required electrical power for use on the subject parcel of property and not for commercial electrical power generation. Any other wind-generated electrical power facility shall be classified as an electrical power generation plant, not a ***WINDMILL***.

***WIRE.*** Fiber optic telecommunications cable, wire, coaxial cable or other transmission medium that may be used in lieu thereof for similar purposes.

***WIRELESS TELECOMMUNICATION EQUIPMENT.*** A structure intended for transmitting or receiving television, radio, data, telephone or other wireless communications.

***WRITTEN*** and ***IN WRITING.*** Include printing, lithographing or other modes of representing words and letters. Where the written signature of a person is required, the terms mean the proper handwriting of the person or the person's mark.

***XERISCAPE.*** A landscaping practice that uses plants that grow successfully in arid climates and a landscaping design intended to conserve town water resources.

***YARD.*** A space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as otherwise provided in this code.

***YARD, FRONT.*** A yard between the front lot line and the front facade of the main building, and extends for the full width of the lot.

***YARD, REAR.*** A yard between the rear lot line and the rear facade of a main building extending across the full width of interior lots; or, for corner lots, a yard between the rear lot line and the setback line of the building and extending between the interior side lot line and the front yard or side street yard lying opposite thereto.

***YARD, SIDE.*** A yard between the interior side lot line and the side facade of a main building extending from the front yard to the rear yard, and street side yard; the yard between the street side lot line and the side facade of a main building on a corner lot extending from the front yard to the rear lot line.

***YEAR.*** One calendar year, unless otherwise expressly provided.

***ZONING.*** An area of the town that has been given a designation which regulates the construction, reconstruction, alteration, repair or use of buildings or structures, or the use of land as set forth in this code.

***ZONING MAP.*** A map, adopted as part of a land use ordinance, that depicts land use zones and overlay designations for all properties located within the town.

***ZONING ORDINANCE.*** Laws regulating land use, building requirements and property development within the town.
(Prior Code, Title 12) (Ord. 03142023-3, passed 3-14-2023; Ord. 06132023-2, passed 6-13-2023)

# TITLE 3: ADMINISTRATION

Chapter


30. MAYOR AND TOWN COUNCIL; MEETINGS

31. TOWN OFFICIALS

32. POLICIES AND PROCEDURES

33. FINANCE AND REVENUE; FEES

34. CODE ENFORCEMENT

## CHAPTER 30: MAYOR AND TOWN COUNCIL; MEETINGS

Section


*General Provisions*

30.01 Mayor and Town Council

*Meetings*

30.15 Regular meetings
30.16 Definitions
30.17 Emergency meetings
30.18 Open meetings
30.19 Closed meetings
30.20 Electronic meetings
30.21 Quorum
30.22 Voting
30.23 Order of business
30.24 Public comment procedure
30.25 Accessibility and ADA compliance
30.26 Code of conduct for citizens and visitors

*Ordinances, Codes and Resolutions*

30.40 General requirements as to form
30.41 Definitions
30.42 Ordinance format
30.43 Code format
30.44 Resolution format
30.45 Emergency ordinances

## *GENERAL PROVISIONS*

### § 30.01 MAYOR AND TOWN COUNCIL.

(A) *Town government structure*. The town is classified as a town with a population of fewer than 1,000. The town is governed by a Town Council consisting of a Mayor and four Council members elected at large.

(B) *Terms of office*.

(1) All terms are four years.

(2) The Mayor and two Council members are elected in one cycle; the other two Council members in the next.

(3) Terms begin at 12:00 p.m. on January 1 following the election.

(4) Vacancies are filled in accordance with the state code.

(C) *Candidate eligibility*.

(1) Must have been a resident of the town for at least 365 consecutive days prior to the election;

(2) Must meet the qualifications in the state code;

(3) Residency in an annexed area for 365 days prior to the election counts toward eligibility;

(4) Elected officials must maintain residency during their term;

(5) Establishing a principal residence outside of town results in automatic vacancy (per state code);

(6) All candidates must be registered voters in the town; and

(7) Absence from town for over 60 consecutive days without Council consent results in an automatic vacancy.

(D) *Administrative authority*. The Mayor holds executive authority and may designate others to perform administrative duties as allowed by state law.

(E) *Mayor's duties*. The Mayor shall:

(1) Enforce town laws and keep the peace;

(2) Execute laws, ordinances and resolutions;

(3) Report the condition of the town and recommend improvements;

(4) Make appointments with Council approval;

(5) Inspect town records;

(6) Oversee Town Council decorum;

(7) Ensure the Town Code is up to date;

(8) Appoint Planning Commission members with Council consent;

(9) Appoint Board members with Council consent; and

(10) Ensure a Hearing Officer is appointed.

(F) *Town Council duties.* The Town Council shall:

(1) Set policies and adopt ordinances to ensure public welfare;

(2) Serve as the legislative and policymaking body;

(3) Act as the appeal authority, applying existing law without modification;

(4) Oversee financial policy and budgeting;

(5) Represent the interests of all citizens; and

(6) Refrain from exerting individual authority over town operations.

(G) *Meeting minutes.* Approved minutes constitute the official record and shall be kept by the Town Recorder/Clerk and made available in accordance with the state code.

(H) *Code of conduct.*

(1) Town Council members must preserve order and not interrupt proceedings.

(2) All remarks must be respectful and limited to the matter at hand.

(3) Interruptions are only permitted for points of order.

(4) Debate must remain issue focused and avoid personal attacks.

(I) *Compensation.* The compensation to be paid to each elected and appointed office of the town shall be established by the Town Council by ordinance.

(J) *Modifying the Mayor's duties.* The Council may reassign administrative duties by ordinance (per state code). Legislative, judicial, ceremonial and ex officio powers of the Mayor may not be reassigned.

(K) *Land use authority.* See §§ 154.030 through 154.048.
(Prior Code, § 1.1.110) (Ord. 2024-06, passed 5-9-2024)

## *MEETINGS*

### § 30.15 REGULAR MEETINGS.

The governing body shall hold one regular meeting per month unless otherwise deemed necessary by the Town Council.
(Prior Code, § 1.3.10)

### § 30.16 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ANCHOR LOCATION.*** The physical location where the public may attend an electronic meeting.

***CATASTROPHIC EVENT.*** A major event such as an earthquake or pandemic that prevents in-person meetings.

***CHAIR.*** The presiding officer of the public meeting, responsible for maintaining order and ensuring adherence to the code of conduct.

***DEPUTY SHERIFF OR DESIGNEE.*** The law enforcement officer or appointed individual responsible for enforcing the rules of the public meeting, including the removal of individuals who violate the code of conduct.

***ELECTRONIC MEETING.*** A meeting where one or more members participate via telephonic or video conferencing technology.

***EMERGENCY MEETING.*** A meeting called under urgent circumstances where normal notice requirements may be impractical.

***OPEN AND PUBLIC MEETINGS ACT (OPMA).*** A set of state laws ensuring transparency in government meetings.

***PUBLIC BODY.*** An administrative, advisory, executive or legislative body of the state or its political subdivisions that:

(1) Is created by the Utah Constitution, statute, rule, ordinance or resolution;

(2) Consists of two or more persons;

(3) Expends, disburses or is supported in whole or in part by tax revenue; and

(4) It is vested with the authority to make decisions regarding the public's business.

***PUBLIC COMMENT.*** A portion of the public meeting designated for individuals to address the public body on agenda items or other matters within its jurisdiction.

***PUBLIC MEETING.*** A gathering of a quorum of the Town Council or any commission or board where public business is discussed or decided.

***PUBLIC NOTICE.*** The process of informing the public about the date, time, place and agenda of a public meeting, as required by state law.

***QUORUM.*** The minimum number of members required to be present for the public body to conduct its business legally.

***ROLL CALL VOTE.*** A voting method where each member states his or her vote individually for recordkeeping purposes.

***SUBSTANTIAL RISK DETERMINATION.*** A written finding by the Chair of a public body that the anchor location of a meeting presents a substantial health or safety risk, allowing a meeting to be conducted entirely electronically under state code.
(Prior Code, § 1.3.20)

## § 30.17 EMERGENCY MEETINGS.

Emergency meetings may be called only when immediate action is required, and normal noticing would be detrimental to the town. The following requirements apply.

(A) The Mayor or any two Town Council members may order an emergency meeting.

(B) The order shall be recorded in the Town Council minutes.

(C) The meeting must comply with the Open Public Meetings Act, being U.C.A. Title 52, Chapter 4, regarding notice.

(D) Notice shall be provided to each Council member who did not sign the order via personal delivery, delivery to his or her residence or electronic means (text or e-mail).

(E) A Council member's attendance at the emergency meeting waives the notice requirement.

(F) The written notice must specify the meeting's time, place and purpose.
(Prior Code, § 1.3.30)

## § 30.18 OPEN MEETINGS.

All meetings shall be open to the public unless closed pursuant to the state code.
(Prior Code, § 1.3.40)

## § 30.19 CLOSED MEETINGS.

(A) *Authority to close*. A closed meeting may be held only in accordance with the State Open and Public Meetings Act, U.C.A. §§ 52-4-204 through 52-4-206.

(B) *Procedure*. A public body may vote to close a meeting following the requirements and procedures set forth in U.C.A. § 52-4-204.

(C) *Permitted purposes*. Closed meetings may be held only for the purposes outlined in U.C.A. § 52-4-205.

(D) *Records*. The recording, minutes and sworn statement requirements for closed meetings shall comply with U.C.A. § 52-4-206.

(E) *Prohibited actions*. No ordinance, resolution, rule, regulation, contract or appointment may be approved in a closed meeting.
(Prior Code, § 1.3.45)

## § 30.20 ELECTRONIC MEETINGS.

(A) *Authority and purpose*. Pursuant to state code, the town establishes procedures for electronic meetings to allow full participation by members of public bodies, regardless of their physical location.

(B) *Participation in electronic meetings*.

(1) Public bodies may convene electronic meetings as necessary.

(2) Unless otherwise noted in the agenda, public body members may participate electronically.

(3) Public body members must notify the meeting administrator in advance to ensure electronic access.

(C) *Quorum requirement*. A quorum must be present either in person or electronically for an electronic meeting to proceed.

(D) *Meeting administration*.

(1) The meeting administrator shall announce the participants and ensure that public attendees at the anchor location can hear the proceedings.

(2) No more than three members may participate electronically at one time.

(3) At least two members must be physically present at the anchor location unless a written determination by the Chair states that an anchor location poses a substantial health or safety risk, per state code.

(E) *Technical disruptions*. If a participating member is disconnected, the presiding officer shall determine whether to continue the meeting, attempt to reconnect or adjust the agenda accordingly, provided a quorum remains.

(F) *Recordkeeping*. Electronic meetings shall be conducted, recorded and documented in compliance with all open meeting and recordkeeping laws.

(G) *Catastrophic events*. In the event of a catastrophic event (e.g., earthquake, pandemic), electronic meetings may be held as mandated by state law.
(Prior Code, § 1.3.50)

## § 30.21 QUORUM.

(A) A quorum consists of three or more Town Council members.

(B) No official action may be taken without a quorum. A meeting with fewer than a quorum may adjourn but may not conduct business.
(Prior Code, § 1.3.60)

## § 30.22 VOTING.

(A) *Roll call votes*.

(1) A roll call vote with "yes" or "no" is required for all ordinances, resolutions and any action creating a liability for the town.

(2) A roll call vote shall be taken upon request by any Council member.

(3) Ordinances and resolutions must be in writing before a vote is taken.

(B) *Minimum votes required*.

(1) A majority of the quorum is required to pass any action, but never fewer than three votes, regardless of absences or vacancies (see state code).

(2) Any action failing to meet the required votes is considered defeated.

(C) *Filling Council vacancies*.

(1) If a Council vacancy exists, a majority of the remaining members may vote to fill the vacancy pursuant to state code.

(2) If more than three seats are vacant, the remaining members shall appoint replacements until a quorum is restored.

(D) *Reconsideration of actions*. No action may be reconsidered or rescinded at a special meeting unless the number of attending Council members is equal to or greater than the number present when the action was initially approved.
(Prior Code, § 1.3.70)

## § 30.23 ORDER OF BUSINESS.

(A) (1) The Town Recorder/Clerk shall maintain a written record of all Council meetings.

(2) Minutes of closed meetings shall remain confidential unless made public by Council action or court order.

(B) The Town Council shall conduct town business according to the posted agenda. However, the Council may, by motion, amend the agenda during the meeting, including reordering, adding or removing items as needed.

(C) The Recorder/Clerk is responsible for preparing, drafting and posting the agenda, including the items and their order as provided by the Mayor.

(D) Any Council member may propose an item for the agenda with the approval of the Mayor or an additional Council member.
(Prior Code, § 1.3.80)

## § 30.24 PUBLIC COMMENT PROCEDURE.

(A) The Town Council may establish rules governing public comment to ensure order and efficiency.

(B) Speakers shall state their name for the record and limit remarks to the time allotted by the presiding officer.

(C) The presiding officer may terminate comments that are profane, irrelevant or repetitive.

(D) The presiding officer may have disruptive persons removed from a meeting.
(Prior Code, § 1.3.90)

## § 30.25 ACCESSIBILITY AND ADA COMPLIANCE.

(A) All public meetings shall comply with the Americans with Disabilities Act (ADA), being 42 U.S.C. §§ 12101 et seq.

(B) Reasonable accommodations will be made upon request to the Town Recorder/Clerk at least 48 hours before the meeting.

(C) Meeting agendas and materials shall be made available in accessible formats where feasible. (Prior Code, § 1.3.100)

## § 30.26 CODE OF CONDUCT FOR CITIZENS AND VISITORS.

(A) *General behavior*. Attendees must maintain decorum, avoiding personal attacks, profanity or disruptive behavior. The Chair may direct the removal of individuals violating these standards, who may also face penalties under this code or the state code.

(B) *Audience participation*. Unauthorized remarks or disruptive demonstrations are prohibited, such as stomping of feet, whistles, yelling and similar demonstrations. The Chair may direct the removal of offenders and initiate prosecution if necessary.

(C) *Prohibited items*. Placards, banners or signs are not allowed in meeting rooms. Exhibits and visual aids for presentations are permitted but must be reviewed by staff prior to the meeting.

(D) *Law enforcement role*. The town-appointed law enforcement officer, serving as the chief law enforcement officer, shall be present at Council meetings when necessary unless excused by the Mayor. This officer shall act as sergeant-at-arms for the Town Council and provide assistance as needed to enforce the rules of the Council.
(Prior Code, § 1.1.190) Penalty, see § 10.99

# *ORDINANCES, CODES AND RESOLUTIONS*

## § 30.40 GENERAL REQUIREMENTS AS TO FORM.

(A) All ordinances and codified laws shall be signed by the Mayor (or Mayor Pro Tempore in the Mayor's absence), each voting Council member and attested by the Town Recorder/Clerk. An ordinance is not enforceable without the required signatures.

(B) Ordinances become effective upon final passage unless a later effective date is specified within the ordinance.

(C) If no effective date is specified, the ordinance shall take effect on the earlier of: 20 days after publication/posting; or 30 days after final passage by the Town Council.
(Prior Code, § 1.7.10)

## § 30.41 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***CODE.*** A systematically arranged and codified collection of the town's general ordinances, organized by subject matter and assigned a unique title, chapter and section number.

***CODIFICATION.*** The process of arranging, organizing, numbering and incorporating adopted ordinances into the official Town Code Book.

***DOCUMENT CONTROL CHANGES.*** A notation placed at the end of a code section or ordinance indicating the ordinance number and date of adoption or revision (e.g., Ord. 2025-01 passed 1-19-2025). Used to track legislative history.

***EFFECTIVE DATE.*** The date on which an ordinance or resolution becomes legally enforceable. This may be upon passage, after publication/posting, or on a specific date as set forth in the document.

***ORDINANCE.*** A legislative act adopted by the Town Council with the force of law. ***ORDINANCES*** are required for creating regulations, imposing penalties or levying taxes.

***RESERVED SECTION.*** A placeholder section is marked as (Reserved) to preserve numbering space for future use without renumbering existing sections.

***RESOLUTION.*** A formal expression of opinion, policy or intent by the Town Council. ***RESOLUTIONS*** are used for administrative actions and do not carry the force of law unless specifically authorized by statute.

***TITLE.*** The highest level in the code organization, representing broad areas of municipal regulation (e.g., Administration, Land Use, Public Safety).

***VACANT TITLE/CHAPTER/SECTION.*** Unused numbers are intentionally left blank to allow for future expansion without disrupting the numerical structure of the code.
(Prior Code, § 1.7.20)

## § 30.42 ORDINANCE FORMAT.

Each ordinance adopted by the Town Council shall include the following elements in substantially this order.

(A) *Title, section, name and ordinance number.*

(1) *Title.* Identifies the subject area (e.g., Title 15: Land Use);

(2) *Section.* Specifies the location within the title;

(3) *Name.* Describes the purpose (e.g., Soil Ordinance); and

(4) *Ordinance number.* Based on the adoption date in the format YYYY-XX, with YYYY being the four-digit year and XX being a sequential number assigned in order of adoption for that calendar year.

(B) *Document control changes.* A line showing the history of the ordinance, including the date of creation, amendments and dates of revision;

(C) *Ordinance body.* The full text and provisions of the ordinance;

(D) *Penalty clause (if applicable).* A statement outlining the penalty for violations or a reference to another ordinance that defines penalties or classifications;

(E) *Effective date.* A statement identifying when the ordinance becomes effective, either upon passage or after publication/posting; and

(F) *Signatures.*

(1) Line for Mayor or Mayor Pro Tempore;

(2) Lines for each Council member with a voting record; and

(3) Line for the Town Recorder/Clerk's attestation and Town Seal.

(Prior Code, § 1.7.30)

## § 30.43 CODE FORMAT.

Codified ordinances shall follow the town's period-separated numbering format, identifying:

(A) *Title*. The general category (e.g., Title 15: Land Use);

(B) *Chapter*. The specific subject (e.g., Chapter 150 – Building Requirements);

(C) *Section*. The individual provision (e.g., § 150.01). Example: § 150.01, where 15 is the title number, 150 is the chapter number and 150.01 is the section number.

(D) *Document history*. Line showing revisions and adoption references (e.g., (Prior Code, § 10.1.10) (Ord. 2010-01, passed 1-1-2010)); and

(E) *Vacant sections*.

(1) Titles use odd numbers to allow expansion;

(2) Sections are numbered sequentially; and

(3) Reserved titles are labeled (Reserved) to preserve numbering consistency and allow future growth.
(Prior Code, § 1.7.40)

## § 30.44 RESOLUTION FORMAT.

(A) *Purpose and limitations*. The Town Council may adopt resolutions to manage administrative matters, including, but not limited to:

(1) Establishing water or utility rates;

(2) Setting garbage collection charges and service fees;

(3) Approving personnel policies and procedures; and

(4) Regulating use of town property.

(B) *Restrictions*. Resolutions shall not be used to impose criminal penalties, fines or forfeitures. Those actions must be taken by ordinance.

(C) *Form and numbering*. Resolutions shall be formatted similarly to ordinances, including a clear title, structured sections and a summary of the adopted action.

(1) Each resolution shall be assigned a number using the following format: RYYYY-XX.

(2) R stands for Resolution.

(3) YYYY is the four-digit year in which the resolution is adopted.

(4) XX is a sequential number assigned in order of adoption for that calendar year.

(5) Example: R2025-03 would indicate the third resolution passed in the year 2025.

(D) *Effective date and publication.*

(1) Resolutions do not require publication to become effective.

(2) A resolution may take effect immediately upon passage or on a later date as specified by the Town Council.

(3) No resolution may become effective more than three months after its date of passage.

(4) For public transparency, resolutions will be available in the following places:

(a) At the Town Office;

(b) The town's website; and

(c) The state's public notice website.

(Prior Code, § 1.7.50)

## § 30.45 EMERGENCY ORDINANCES.

In accordance with U.C.A. § 10-3-714, the Town Council may pass an emergency ordinance effective immediately upon adoption, if necessary for the immediate preservation of public peace, health or safety. The ordinance shall state the reasons for the emergency and require a two-thirds vote of the Council.

(Prior Code, § 1.7.60)

# CHAPTER 31: TOWN OFFICIALS

Section


31.01 Oath of office
31.02 Official seal
31.03 Ethics training requirement
31.04 Term limits and vacancies
31.05 Appointment; code of conduct; bond requirements; compensation
31.06 Town Recorder/Clerk and Deputy
31.07 Treasurer
31.08 Town Attorney
31.09 Administrative Law Judge (Hearing Officer)
31.10 Chief of Police
31.11 Fire Chief
31.12 Chief Administrative Officer


## § 31.01 OATH OF OFFICE.

Each elected or appointed officer shall take the oath of office prescribed by U.C.A. § 52-1-8 before assuming duties. The oath shall be filed with the Town Recorder/Clerk.
(Prior Code, § 1.1.260)

## § 31.02 OFFICIAL SEAL.

The town shall maintain an official seal bearing the name "Fairfield, Utah." The Town Recorder/Clerk shall have custody of the seal and shall affix it to official documents as required by law.
(Prior Code, § 1.1.270)

## § 31.03 ETHICS TRAINING REQUIREMENT.

All elected and appointed officials shall complete annual ethics training as required under the State Municipal Officers and Employees Ethics Act, being U.C.A. Title 10, Chapter 3, Part 13. The Town Recorder/Clerk shall maintain records of completion.
(Prior Code, § 1.1.280)

## § 31.04 TERM LIMITS AND VACANCIES.

(A) No elected official shall serve more than two consecutive full terms in the same office.

(B) Vacancies in elected or appointed offices shall be filled in accordance with U.C.A. § 20A-1-510 and Town Council policy.

(C) Service for less than one-half of a term shall not count toward the term-limit calculation.
(Prior Code, § 1.1.290)

## § 31.05 APPOINTMENT; CODE OF CONDUCT; BOND REQUIREMENTS; COMPENSATION.

(A) *Code of conduct*. All staff must follow the same conduct standards as Council members. The Mayor is responsible for enforcing staff decorum during meetings.

(B) *Bond requirements*.

(1) Officials must be bonded as required by the state code or town ordinance. The State Money Management Council directives may supersede Treasurer bond rules.

(2) The town pays for bonding premiums, and blanket bonds, covering multiple officials under one policy, are permitted.

(C) *Compensation*. The compensation schedule attached to the ordinance codified in this section as Exhibit A is approved and adopted to hereafter set the compensation of those elected and appointed officials and town employees referenced therein. Changes to said schedule shall be by ordinance.

(D) *Other officers*. The Council may appoint additional officers as needed, define duties and set terms and compensation.
(Prior Code, § 1.1.130) (Ord. 2024-07, passed 6-26-2024; Ord. 2024-08, passed 6-26-2024)

## § 31.06 TOWN RECORDER/CLERK AND DEPUTY.

The Town Recorder/Clerk and Deputy are appointed by the Mayor with Council approval. The Recorder/Clerk shall perform all duties required by law and by ordinance. The position of Recorder/Clerk shall be a full-time position, allowing for certain benefits and compensation commensurate to the position as outlined in the town's policies and procedures, pursuant to a contract between the town and the Recorder/Clerk.
(Prior Code, § 1.1.130) (Ord. 2024-07, passed 6-26-2024)

## § 31.07 TREASURER.

(A) The Town Treasurer is appointed by the Mayor with Council approval.

(B) The Treasurer shall:

(1) Manage all town funds, including budgeting and expenditures, and maintain accurate financial records.

(2) Issue receipts and perform additional duties as required by ordinance or law.
(Prior Code, § 1.1.130)

## § 31.08 TOWN ATTORNEY.

(A) *Appointment*. The Town Council shall appoint a Town Attorney, who shall serve at the pleasure of the Council.

(B) *Qualifications*. The Town Attorney shall be duly licensed to practice law in the state and in good standing with the Utah State Bar.

(C) *Duties*. The Town Attorney shall:

(1) Serve as legal advisor to the Mayor, Town Council and town staff;

(2) Prepare or review all contracts, ordinances, resolutions and other legal documents involving the town;

(3) Represent the town in civil or administrative proceedings as directed by the Town Council; and

(4) Perform such other duties as may be assigned by the Town Council or required by law.
(Prior Code, § 1.1.140)

## § 31.09 ADMINISTRATIVE LAW JUDGE (HEARING OFFICER).

(A) *Appointment*. The Mayor shall appoint one or more Administrative Law Judges, also known as Hearing Officers, to conduct hearings and render decisions on matters authorized by town ordinance or state law as needed.

(B) *Qualifications*. The Administrative Law Judge shall possess qualifications appropriate to the matters under their jurisdiction and may, but need not, be a licensed attorney.

(C) *Duties and authority*. The Administrative Law Judge shall:

(1) Conduct quasi-judicial hearings as assigned by the Mayor or Town Council or ordinance, including, but not limited to, appeals, enforcement proceedings and determinations of administrative penalties;

(2) Administer oaths, receive testimony and evidence and issue written findings and decisions;

(3) Ensure hearings are conducted in accordance with due process and applicable town and state procedures; and

(4) Submit decisions or recommendations to the Mayor, Town Council, Planning Commission or appeal authority, as appropriate.

(D) *Independence*. The Administrative Law Judge shall act impartially and independently in all assigned matters and shall not be subject to the direction or control of any town officer regarding the substance of decisions.
(Prior Code, § 1.1.150)

## § 31.10 CHIEF OF POLICE.

The County Sheriff shall be the chief law enforcement officer of the town.
(Prior Code, § 1.1.170)

## § 31.11 FIRE CHIEF.

(A) *Designation of Fire Chief*. The Town Council shall designate a Fire Chief or contracting fire authority to serve as the chief fire official for the town.

(B) *Authority and duties*. The Fire Chief, or contracted fire authority, shall:

(1) Be responsible for the administration, management and coordination of all fire protection, prevention and emergency response services within the town;

(2) Enforce applicable provisions of this code, the State Fire Code and related state laws; and

(3) Perform all duties and responsibilities assigned by the Town Council, interlocal agreement or applicable contract.

(C) *Current provider*. Until otherwise designated by ordinance or interlocal agreement, the County Fire Marshal shall serve as the Town Fire Chief.
(Prior Code, § 1.1.180)

## § 31.12 CHIEF ADMINISTRATIVE OFFICER.

(A) *Designation of Chief Administrative Officer (CAO)*. The CAO shall establish, manage and maintain an ongoing privacy and records management program consistent with state law and the privacy program framework.

(B) *Appointment of Records Officer(s)*. The CAO shall appoint Records Officer(s). Records Officer(s) will implement and maintain privacy and records practices as detailed in the agency's privacy program and framework guidance.

(C) *Roles and responsibilities*.

(1) *CAO responsibilities*. Develop and maintain formal privacy and records policies and procedures. Oversee their effective implementation throughout the agency. Report the CAO designation to the Division of Archives and Records Service (OARS), consistent with statute.

(2) *Records officer responsibilities*. Manage care, maintenance, scheduling, classification, retention, disposal, access and preservation of records. Execute all records and privacy policies established by the CAO.
(Res. 2025-18, passed 10-15-2025)

## CHAPTER 32: POLICIES AND PROCEDURES

Section

### *General Administrative Policies*


32.001 Nepotism
32.002 Conflict of interest
32.003 Records access and management
32.004 Fraud and abuse reporting
32.005 Travel by employees; reimbursement
32.006 Personal use of entity assets by employees
32.007 Security of file cabinets, computers
32.008 Employee Policy Manual adopted


### *Annexation Policy*


32.020 Purpose
32.021 Expansion area map
32.022 Annexation criteria
32.023 Character of the community
32.024 Municipal services
32.025 Extension of municipal services
32.026 Service financing
32.027 Estimate of tax consequences
32.028 Interests of affected entities
32.029 Other considerations
32.030 Justification for excluding lands from potential expansion area


### *Takings Policy*


32.045 Policy considerations
32.046 Definitions
32.047 Guidelines advisory
32.048 Review of decision
32.049 Review of guidelines
32.050 Results of review
32.051 Property Rights Ombudsman

*Surplus Property Policy*

32.065 Definitions
32.066 Disposal of surplus personal property
32.067 Disposal of town-owned land
32.068 Land disposal application
32.069 Decision on application
32.070 Payment
32.071 Disposal of significant land
32.072 Cost acknowledgment
32.073 Trade in authority
32.074 Recordkeeping and annual report

*Purchasing Policy*

32.085 Purpose
32.086 Definitions
32.087 Procurement guidelines
32.088 Competitive purchasing processes
32.089 Construction projects
32.090 Non-competitive purchasing processes
32.091 Additional guidelines
32.092 Protests and appeals

*Investment Policy*

32.105 Objectives; scope
32.106 Requirements; general provisions
32.107 Eligible investments

## *GENERAL ADMINISTRATIVE POLICIES*

### § 32.001 NEPOTISM.

(A) *Prohibited.* No elected or appointed officer or town employee shall employ, appoint or vote to appoint a relative to any position or employment where the salary, wages or compensation is paid from public funds.

(B) *Definitions*. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***APPOINTED OFFICER.*** An individual who has been appointed to a public office or position within the town by an elected official or governing body.

***APPOINTMENT.*** The act of selecting or assigning a person to a position or office, whether through election, appointment or other means, within the town's governance.

***DIRECT HIRING AUTHORITY.*** The power to hire, appoint or employ an individual to a position within the town, typically vested in an elected official, appointed officer or governing body.

***ELECTED OFFICER.*** An individual who has been elected to a public office within the town, including, but not limited to, the Mayor or Town Council members.

***EMPLOYEE.*** Any person employed by the town, regardless of position, who receives compensation from public funds.

***PUBLIC FUNDS.*** Financial resources that are derived from taxpayer contributions and allocated for use by the town for its operations, including salaries, wages and compensation for employees.

***RELATIVE.*** Includes individuals related by blood or marriage (consanguinity or affinity), such as: father, mother, spouse, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law.

***UNANIMOUS APPROVAL.*** A situation where every member of the Town Council or relevant decision-making body agrees or votes in favor of a specific action, such as the hiring or appointment of an employee or officer.

(C) *Exceptions*. This section does not apply to the following situations:

(1) If the employee was already employed by the town before the relative assumed their public position;

(2) If the employee qualifies for the position based on compliance with civil service or merit system laws, or certification by an authorized state or municipal agency;

(3) The appointee will be employed for a period of 12 weeks or less;

(4) If the employee is the only available, qualified or eligible candidate for the position; and/or

(5) If the employee's appointment is approved by the Town Council.
(Prior Code, § 1.1.160) Penalty, see § 10.99

## § 32.002 CONFLICT OF INTEREST.

(A) *Purpose*. The purpose of this section is to ensure that all public officers and employees of the town conduct the business of the town with integrity, impartiality and transparency, in compliance with the State Public Officers' and Employees' Ethics Act (U.C.A. Title 67, Chapter 16) and the Municipal Officers' and Employees' Ethics Act (U.C.A. Title 10, Chapter 3, Part 13).

(B) *Disclosure of conflicts*. Every public official serving on the Town Council, Planning Commission or any other officially appointed body of the town must disclose any conflict of interest prior to participating in discussions or decisions on the matter. A conflict of interest exists if the official, or a close family member (including a spouse, parent, sibling, child or household member), an employer, employee, agent, client or business associate:

(1) Is required to disclose a conflict under the State Municipal Officers' and Employees' Ethics Act;

(2) Has an ownership interest in a business with matters under consideration by the public body;

(3) Owns property within the town that is subject to zoning, conditional use or development approvals;

(4) Acts as an agent, consultant or representative for an entity with business before the public body;

(5) Has an ownership interest in a business that operates, is licensed or provides services within the town, and which:

(a) Offers the same goods, services or development uses as another business with matters under consideration; or

(b) Would be directly impacted financially by decisions under consideration by the public body.

(6) Has an agreement with a party seeking approval that would provide direct financial benefit if approval is granted.

(C) *Conduct at public meetings*. Officials with a conflict of interest must disclose the conflict before the matter is discussed. Such officials shall not participate in discussions, vote on the matter or chair that

portion of the meeting. However, they may provide input as private citizens. Exceptions may be made if a majority of the remaining members determine that their input is necessary for proper consideration of the matter.

(D) *Participation in other public body meetings*. A public official with a conflict of interest may attend meetings of other public bodies where the matter is being considered, but must disclose the conflict before speaking.

(E) *Abstention from voting*. Any public official required to disclose a conflict must abstain from voting on the matter. If the official insists on voting, his or her vote shall be recorded as an abstention and will not be counted toward the total vote tally.

(F) *Suspension of rules*. These conflict of interest provisions may not be suspended by vote or action of the Town Council or Planning Commission. Ethical standards established by state law are mandatory and not subject to waiver or modification.

(G) *Violations and penalties*. Failure to disclose a known conflict of interest is a violation under the state code. It may result in removal from office or other disciplinary action in accordance with the state code.

(H) *Training and acknowledgment*.

(1) All elected and appointed officials shall complete ethics training as required by U.C.A. § 10-3-1315 at least once during each elected or appointed term of office.

(2) All members of public bodies, including the Town Council, Planning Commission and any advisory boards, shall complete Open and Public Meetings Act training annually, as required by U.C.A. § 52-4-104.

(3) The Town Recorder/Clerk shall maintain records of all training completion certificates and acknowledgments of receipt of these conflict of interest provisions.

(4) Each official shall sign an acknowledgment of receipt and understanding of these provisions and shall submit proof of training completion to the Town Recorder/Clerk.
(Prior Code, § 1.1.200)

## § 32.003 RECORDS ACCESS AND MANAGEMENT.

(A) *Adoption of state standards*. The town adopts all relevant provisions of the Government Records Access and Managements Act (GRAMA), being U.C.A. Title 63G, Chapter 2, Part 1, as amended. Town records shall be classified and managed in accordance with GRAMA standards.

(B) *Fees*. The town shall establish reasonable fees for duplicating requested records, as set forth in the Town Fee Schedule.

(C) *Retention*. Town records shall be retained in accordance with GRAMA, being U.C.A. Title 63G, Chapter 2, Part 1, as amended, and the state code. The town reserves the right to maintain records beyond the retention periods specified in the state retention schedule except for text messages which have a retention period of seven days.

(D) *Appeals*. Appeals regarding access to government records shall follow the procedures and timelines established in GRAMA, being U.C.A. Title 63G, Chapter 2, Part 1, as amended. The Town Council shall serve as the designated appeals board.
(Prior Code, § 1.1.210)

## § 32.004 FRAUD AND ABUSE REPORTING.

(A) *Submission of complaints*. Complaints related to fraud and abuse should be submitted in writing. Complainants are encouraged to provide any evidence that supports their claims at the time of submission.

(B) *Essential information*. The following essential information should be included:

(1) Specific details regarding the incident (who, what, where, when).

(2) Any additional information that may assist in the investigation, such as witness statements, documents or other pertinent evidence; and

(3) Due to limited resources, the town is unable to process complaints that are vague or lack credible supporting evidence. Complaints should be submitted using the following methods:

(a) E-mail: (Info@fairfieldtown-ut.gov); or

(b) U.S. Mail: Fairfield, PO Box 271, Cedar Valley, Utah 84013.
(Prior Code, § 1.1.220)

## § 32.005 TRAVEL BY EMPLOYEES; REIMBURSEMENT.

(A) *Travel authorization*. Employees must obtain advance authorization for all travel through their supervisory system. Employees are responsible for understanding travel procedures and providing documentation of travel-related expenses and activities before traveling.

(B) *Approval requirements.*

(1) In-state travel must be approved in advance by the department manager.

(2) Out-of-state travel requires advance approval from the Mayor.

(3) Proof of prior approval must be attached to the travel expense reimbursement form.

(C) *Expense reimbursement.*

(1) Employees traveling together must submit separate reimbursement vouchers; ensuring no duplicate claims.

(2) Employees must sign all vouchers before submission.

(3) All expenses must be strictly business-related.

(D) *Receipt requirements.*

(1) Original or copies of itemized receipts must be attached to the reimbursement vouchers.

(2) Receipts must be dated and include the names of all individuals covered by the expense to prevent duplicate reimbursements.

(E) *Approval and submission.*

(1) The reimbursement voucher must be signed by both the department manager and the Mayor.

(2) Employees must clearly state the purpose of travel on the voucher.

(3) Travel costs for business associates, vendors or family members accompanying an employee are not eligible for reimbursement.

(4) Reimbursement requests must be submitted within 30 days of the travel or event.
(Prior Code, § 1.1.210)

## § 32.006 PERSONAL USE OF ENTITY ASSETS BY EMPLOYEES.

(A) *Use restrictions.* Employees may not use town resources for personal gain unless:

(1) Use is available to the public on equal terms;

(2) Use is minimal and incidental; or

(3) Use is allowed by specific policy or ordinance.

(B) *Incidental use criteria.* Permitted only if:

(1) It complies with all policies;

(2) It does not interfere with town operations;

(3) It does not involve solicitation or for-profit activities;

(4) It does not involve illegal activity; or

(5) It does not damage public trust.

(Prior Code, § 1.1.240)

## § 32.007 SECURITY OF FILE CABINETS, COMPUTERS.

(A) *File cabinets*. Must be locked when not supervised. Access is restricted to the Mayor, Recorder/Clerk, Deputy Recorder/Clerk and Financial Officer.

(B) *Computer security*.

(1) All data is considered town property unless stated otherwise.

(2) The Mayor or designee oversees information security.

(3) Access to data is on a “need-to-know” basis.

(4) Users must report security issues to the Mayor or Council.

(C) *Passwords*.

(1) Minimum eight characters with uppercase and number/special characters;

(2) Expires every 365 days;

(3) Cannot reuse the last three passwords;

(4) May not be stored or shared; and

(5) Must be changed if compromised or if the user changes.

(D) *Portable devices*. Confidential data must be encrypted. Lost or stolen devices must be reported and passwords changed immediately.

(E) *Policy violations*. Violations may lead to disciplinary action, including termination or legal action.
(Prior Code, § 1.1.250)

## § 32.008 EMPLOYEE POLICY MANUAL ADOPTED.

The Town Employee Policy Manual, as attached to the resolution codified in this section as Attachment A is adopted and ratified, in conformance with U.C.A. § 10-3-717.
(Res. 2025-01, passed 3-19-2025)

## *ANNEXATION POLICY*

## § 32.020 PURPOSE.

(A) (1) The intent of this subchapter is to guide decisions regarding future annexations and ensure alignment with objectives in the town's general plan or future general plan.

(2) It will identify potential annexation areas and establish specific standards and criteria that will guide the town's decision on whether to grant future annexation petitions in those areas.

(3) It would also help the town to prepare for any financial and operational impacts of annexation while striving to protect the public health, safety and welfare of the town's existing and future residents.

(B) This subchapter was prepared in accordance with the requirements of U.C.A. § 10-2-401.5, which requires all municipalities to adopt an annexation policy plan before annexing an unincorporated area into the town.
(Res. R2024-17, passed 8-14-2024)

## § 32.021 EXPANSION AREA MAP.

The Town Annexation Area Map, attached to the resolution codified in this section as Exhibit 1, illustrates the town's proposed future expansion areas. This map represents the town's growth boundaries and includes areas outside, but adjacent to, its incorporated borders, which may be annexed into the town. Proposed annexation areas must fall within the approved annexation declaration area for town consideration. However, although property or properties may be within a designated expansion area, compliance with this plan does not guarantee approval.
(Res. R2024-17, passed 8-14-2024)

## § 32.022 ANNEXATION CRITERIA.

The following list will guide the town's decision on whether to grant future annexation requests. All future requests for annexation will be evaluated against the following criteria required by U.C.A. § 10-2-402.

(A) Any annexed area must be a contiguous area.

(B) The town will attempt to avoid gaps between or overlaps with expansion areas of other municipalities.

(C) If the annexation is by petition, the proposed annexation area cannot create an unincorporated island or peninsula unless the town and the county agree to such creation.

(D) Annexation requests cannot propose the annexation of all or part of an area proposed for annexation in a previously filed petition that is still pending approval, denial or rejection.
(Res. R2024-17, passed 8-14-2024)

## § 32.023 CHARACTER OF THE COMMUNITY.

(A) The town is located in the west side of the county, near the foothills of the Oquirrh Mountains. The town shares borders with Eagle Mountain to the north, and the remaining borders are of unincorporated Utah County.

(B) Some of the early residents of the area, the Ute Indians, first used the valley for their hunting grounds, then, in 1859, Latter Day Saint pioneers began grazing cattle and sheep in the valley. In 1854 a group of men arrived in what is now the town, laying out a townsite and building a rock fort. By 1855, many families, including the Carson, Beardshall and Clegg families had answered the call to help settle the town. In 1858, Johnston's Army arrived in the town and by November 1858, the encampment known

as “Camp Floyd” had over 7,000 occupants. After the Civil War broke out, the soldiers were recalled, reducing the town’s population to less than 50 families. In the early days, the town was a major stopping point for the Pony Express, the Overland Stage and the Union Pacific Railroad. The Stagecoach Inn was also used as a telegraph station for a period of time. Mining and raising sheep were two of the major industries in the area for many years. The raising of cattle and sheep, along with farming are still prevalent in the area today but on a smaller scale.

(C) The town became an incorporated town in 2004. Today, the town is a quiet town with a rich history that residents have so far managed to retain and would like to preserve. Rural living and the historical significance of the town are key components that the town leaders and residents of the town have worked hard to maintain as record breaking growth in the area threatens their way of life. The town residents realize that growth is necessary but they would like future industry to work with them to preserve the small town atmosphere, the dark skies, wildlife corridors and the historical sites within the town and the surrounding area. The town wants to be good neighbors with neighboring businesses and industry and they feel that this can be accomplished with open communication and cooperation on both sides.
(Res. R2024-17, passed 8-14-2024)

## § 32.024 MUNICIPAL SERVICES.

All areas included in the plan will need municipal services. Annexation will allow residents and developers of annexed property access to culinary water, sewer systems and electric power services, provided they meet all town specifications and comply with all applicable development ordinances.
(Res. R2024-17, passed 8-14-2024)

## § 32.025 EXTENSION OF MUNICIPAL SERVICES.

Where municipal services are not presently extended, services will be extended on an as-needed basis at the cost of the developer. All extensions of municipal services must comply with all ordinance and policy criteria, and the individual developer or property owner will pay for necessary extensions. The plan and time frame for the extension of municipal services will be determined by the interest of the property owners to subdivide and develop their ground and the interest and ability of the town to provide such services. It is in the interest of town residents to foster orderly sequential development.
(Res. R2024-17, passed 8-14-2024)

## § 32.026 SERVICE FINANCING.

Municipal services in newly annexed areas will be financed and constructed by the developer in addition to the town’s collection and investment of impact fees. Through increases in property valuations

and subsequent increases in the collection of property and sales taxes, inherent increases to the General Fund will help defray added expenses that the town may incur by annexing new properties.
(Res. R2024-17, passed 8-14-2024)

## § 32.027 ESTIMATE OF TAX CONSEQUENCES.

(A) The annexation area within the town's area is limited to unincorporated Utah County properties. Other taxing entities, including, but not limited to, schools, county, library, sewer, water conservancy and mosquito abatement, already cover the potential annexation area.

(B) The town's combined property tax rate for tax year 2023 is 0.007501 Utah County's unincorporated areas' combined tax rate is 0.0078530, which includes the same taxing entities listed above, except for the town, but includes:

(1) SA-6 Service Area 6-Law, Zoning;

(2) SA-8 Service Area 8-Planning; and

(3) SA-9 Service Area 9-Agri-Fire.

(C) If annexed into town, residents in an expansion area would recognize a tax rate decrease of 0.000352. This information is based on the current tax rate of all applicable taxing entities and recognizes that any of the respective taxing entities may adjust tax rates as necessary.
(Res. R2024-17, passed 8-14-2024)

## § 32.028 INTERESTS OF AFFECTED ENTITIES.

(A) In evaluating a proposed annexation, the interests of all affected entities should be considered. The annexation does not extend beyond the limits of the adopted annexation policy plan. Other services needed for the annexation, e.g., electrical power, internet and communications, are available or reasonably available for the proposed annexation.

(B) The petitioners of annexation have entered into agreement(s) with affected entities, as applicable, for the provision of required infrastructure and services.

(C) The annexation does not create boundary alignment issues with any public or charter schools, or affected entities, unless interlocal agreements have been created to address the alignment issues.
(Res. R2024-17, passed 8-14-2024)

## § 32.029 OTHER CONSIDERATIONS.

(A) Attempt to avoid gaps between or overlaps with the expansion areas of other municipalities. Eagle Mountain shows an expansion area on their south border in an attempt to surround the town's borders; but Eagle Mountains proposed expansion attempts to expand beyond a pinch point in their current boundaries. Thus, the town's proposed expansion area simply seeks to extend the town's to allow for natural expansion of the town's borders. Multiple property owners are within the expansion area.

(B) Consider population growth projections for the town and adjoining areas for the next 20 years. Due to the vacant land in the west corner of Utah County, population projections are as follows:

| *Entity* | *2020 Census* | *2030* | *2040* | *2050* |
|---|---|---|---|---|
| Cedar Fort | 671 | 773 | 1,855 | 11,845 |
| Eagle Mountain | 39,885 | 65,038 | 99,064 | 141,252 |
| Fairfield | 152 | 300 | 600 | 900 |
| Saratoga Springs | 39,085 | 79,815 | 117,641 | 138,600 |

(C) (1) Consider current and projected costs of infrastructure, urban services and public facilities necessary to facilitate full development of the area within the town; and to expand infrastructure, services and facilities into the area being considered for inclusion in the expansion area.

(2) The projected backbone infrastructure costs are estimated to be millions of dollars to service the area identified in the annexation declaration map for potential annexation with water, roads and storm drainage being installed.

(D) Consider, in conjunction with the general plan, the need over the next 20 years for additional land suitable for residential, commercial and industrial development. The town has anticipated annexation petitions to facilitate desired residential, agricultural and some commercial and industrial development. Upon receipt of each annexation petition, the town will review each request for compliance with this subchapter and opportunities to implement the adopted goals and objectives of the general plan.

(E) (1) Consider the reasons for including agricultural lands, forests, recreational areas and wildlife management areas in the town.

(2) The proposed annexation areas include existing agricultural, forest, recreational or wildlife management lands. The town anticipates future annexations of land that preserve open space and facilitate access to recreational opportunities will benefit residents.
(Res. R2024-17, passed 8-14-2024)

## § 32.030 JUSTIFICATION FOR EXCLUDING LANDS FROM POTENTIAL EXPANSION AREA.

No developed lands within one-half mile of the town's existing boundary are excluded from the potential expansion area, except those lands already incorporated in other municipalities.
(Res. R2024-17, passed 8-14-2024)

## *TAKINGS POLICY*

## § 32.045 POLICY CONSIDERATIONS.

(A) It is the policy of the town to carefully consider matters involving claims of constitutional takings. This subchapter serves two purposes:

(1) To ensure fairness to property owners asserting such claims; and

(2) To acknowledge the legal and financial uncertainty and burden of defending claims involving takings.

(B) The town also affirms its right and duty to regulate land use in a manner consistent with state and federal law. This includes the authority to impose lawful dedications and exactions that serve public purposes. The intent of this subchapter is to establish:

(1) A formal procedure for reviewing actions that may involve a taking of private property; and

(2) Clear standards to guide town officials in determining whether compensation is required or regulation is lawful.

(C) An action by the town involving the physical taking or exaction of private property shall not be considered a constitutional taking under this subchapter if:

(1) The action bears an essential nexus to a legitimate governmental interest; and

(2) The exaction is roughly proportional and reasonably related on an individualized basis to the nature and extent of the impact caused by the proposed development on the governmental interest at issue.
(Prior Code, § 1.5.20)

## § 32.046 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***APPLICANT.*** A property owner or authorized representative who submits a request for review of a final decision under this subchapter alleging a constitutional taking.

***CONSTITUTIONAL TAKING.*** A governmental action resulting in the physical taking or regulatory exaction of private real property requiring compensation under the Fifth and Fourteenth Amendments to the United States Constitution, or Article I, § 22 of the Utah Constitution.

***ESSENTIAL NEXUS.*** A clear and direct connection between a legitimate governmental interest and the exaction or condition imposed by the town.

***EXACTION.*** A condition or requirement imposed by the town on a land use application or development approval, which may include the dedication of land, payment of fees, construction of public improvements or other similar obligations.

***FINAL DECISION.*** The last official action taken by any town employee, officer, board, commission or the Town Council that determines the outcome of a land use application, enforcement action or development condition, and that gives rise to a constitutional taking claim.

***LEGITIMATE GOVERNMENTAL INTEREST.*** An interest that the town is constitutionally and statutorily empowered to pursue, including, but not limited to, public health, safety, welfare, land use regulation, environmental protection and infrastructure development.

***PROPERTY*** or ***PRIVATE REAL PROPERTY.*** Land or interests in land, including any legally recognized estate, right, title or entitlement held by a private individual or entity.

***PROPORTIONALITY*** or ***ROUGH PROPORTIONALITY.*** The requirement that an exaction or condition imposed on a land use application must be roughly equivalent in nature and extent to the impact of the proposed development, as determined on an individual property basis, in accordance with established constitutional standards.

***REVIEWING BODY*** or ***REVIEWING OFFICIAL.*** The Town Council, or any board, commission, officer or other person designated by the Town Council to conduct a review pursuant to this subchapter. (Prior Code, § 1.5.10)

## § 32.047 GUIDELINES ADVISORY.

(A) The guidelines adopted and decisions rendered under the provisions of this subchapter are advisory in nature and shall not be construed to:

(1) Expand the town's liability for a constitutional taking; or

(2) Limit the lawful scope of the town's regulatory authority over real property.

(B) The advisory opinions and reviews conducted under this subchapter do not create or confer any additional substantive rights or remedies beyond those otherwise available under applicable state or federal law.

(C) No town board, officer or employee shall be required to conduct a review or render a determination under this subchapter, except as provided in § 32.048.
(Prior Code, § 1.5.30)

## § 32.048 REVIEW OF DECISION.

(A) *Generally*. Any owner of private real property who asserts that a constitutional taking of their property has occurred may request a review of the final decision of any town officer, employee, board, commission or the Town Council. The following procedures govern such review.

(1) *Final decision requirement*. The applicant must first obtain a final and authoritative determination by the town regarding the action or decision at issue before requesting review.

(2) *Filing deadline*. Within 30 calendar days from the date of the final decision, the applicant must file a written request for review with the Town Recorder/Clerk. A copy of the request shall also be filed with the Town Attorney.

(3) *Scheduling of review*. The Town Council, or a person or body it designates, shall immediately schedule a hearing to review the decision that gave rise to the constitutional takings claim.

(B) *Required application information*. In addition to the written request for review, the applicant shall submit the following documentation before the review hearing date:

(1) Name of the applicant;

(2) Name and business address of the current property owner and form of ownership (e.g., individual, corporation, partnership);

(3) If ownership is through an entity, the names and addresses of all principal shareholders, partners or members;

(4) A detailed explanation of the grounds for claiming a constitutional taking;

(5) A description of the property alleged to have been taken;

(6) Evidence of the property's value, including date and cost of acquisition, and any change in value before and after the alleged taking;

(7) Name of the person or entity from whom the property was acquired, including any relationship to the applicant;

(8) Nature of the claimed protectable interest (e.g., fee simple, leasehold);

(9) Terms, including price, of any sale or purchase of a full or partial interest in the property within three years prior to the application;

(10) All appraisals prepared for financing, sale, taxation or other purposes in the past three years;

(11) Assessed property values and ad valorem tax records for the past three years;

(12) Mortgage or loan details, including lender, interest rate, balance, term and any transfer provisions;

(13) Listings or offers for sale or rent within the last three years, including price and offer details;

(14) All feasibility studies commissioned by the applicant or their agents within the past three years;

(15) For income producing properties, income and expense statements for the prior three years;

(16) Title policy or documentation showing all recorded liens or encumbrances; and

(17) Any additional information requested by the Town Council or its designee that is reasonably necessary to determine whether a constitutional taking has occurred.

(C) *Application completion.* An application is not considered complete or officially submitted until the designated reviewing body certifies receipt of all required information. The town shall notify the applicant of any missing or incomplete items.

(D) *Hearing and evidence*. The Town Council, or its designee, shall conduct the review and consider all evidence submitted by the applicant, the town and any other interested parties.

(E) *Decision deadline*. A final written decision shall be issued within 14 days from the date the complete application was filed with the Town Recorder/Clerk. The decision shall be delivered to the applicant and to the town officer, employee or body whose action is under review.

(F) *Effect of inaction*. If the Town Council or designated reviewer fails to issue a decision within 14 days of receiving the completed application, the final decision under review shall be deemed approved by default.
(Prior Code, § 1.5.40)

## § 32.049 REVIEW OF GUIDELINES.

(A) The Town Council shall review the facts and supporting documentation provided by the applicant in order to determine whether the action taken by the town constitutes a constitutional taking, as defined in this subchapter.

(B) In conducting this review, the Town Council shall evaluate the following criteria:

(1) Whether the physical taking or exaction of private real property bears an essential nexus to a legitimate governmental interest;

(2) Whether a legitimate governmental interest exists that justifies the town's action; and;

(3) Whether the property taken or the exaction imposed is roughly proportionate and reasonably related, both in nature and extent, on an individualized property basis, to the impact of the activity or development that is the subject of the decision under review.
(Prior Code, § 1.5.50)

## § 32.050 RESULTS OF REVIEW.

(A) Upon completion of the review described in this subchapter, the reviewing body or official shall make a formal determination addressing the constitutional takings issues set forth in this code.

(B) If, based on the facts presented and applicable legal standards, the reviewing body or official determines that a constitutional taking may have occurred, or that the action in question does not meet the standards established by this subchapter, the reviewer will:

(1) Document the findings and reasoning that support such determination; and

(2) Submit a written recommendation to the Town Council, which may include any of the following:

(a) A recommendation that the Town Council rescind, revise or amend the decision giving rise to the claim;

(b) A recommendation that the Town Council provide compensation or other remedy consistent with constitutional standards; or

(c) A determination that no constitutional taking has occurred, and that no further action is required.

(C) (1) The Town Council shall consider the recommendation in a timely manner and take such action as it deems appropriate under the law and in the public interest.

(2) The decision of the Town Council constitutes the town's final administrative determination.
(Prior Code, § 1.5.60)

### § 32.051 PROPERTY RIGHTS OMBUDSMAN.

(A) In accordance with U.C.A. §§ 13-43-201 et seq., any applicant may request an advisory opinion from the State Office of the Property Rights Ombudsman concerning a land use decision or alleged constitutional taking.

(B) The town shall cooperate fully with such requests.
(Prior Code, § 1.5.70)

## *SURPLUS PROPERTY POLICY*

### § 32.065 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***BONA FIDE CHARITY.*** A nonprofit entity recognized under I.R.C. § 501(c)(3) or registered as a nonprofit corporation under state law.

***COMPETITIVE BIDDING.*** A method of public sale in which the highest responsible bidder is selected through an open and competitive process.

***COST ACKNOWLEDGMENT.*** A formal confirmation that a party has received, agreed to or is responsible for specific costs or fees, such as those associated with a contract, loan or donation. It serves as official documentation of financial responsibility to prevent future disputes

***DISPOSAL.*** The sale, transfer, donation or discarding of town-owned property in accordance with the procedures established in this section.

***ESTIMATED VALUE.*** Market value, determined via appraisal, valuation service or research.

***INTERNAL TRANSFER.*** Reassignment of surplus property between town departments.

***PERSONAL PROPERTY.*** All tangible items owned by the town that are not real property, including, but not limited to, equipment, furniture, vehicles, tools and electronic devices.

***PROFESSIONAL PUBLICATION OR VALUATION SERVICE.*** Industry-standard resources used to assess the fair market value of surplus property, including trade journals or valuation platforms.

***PUBLIC NOTICE.*** Posting notice of the proposed sale or disposal on the town's official website and in at least one public location within the town not fewer than ten days prior to the sale.

***QUALIFIED, INDEPENDENT APPRAISER.*** Independent, certified professional with no affiliation with the town.

***REAL PROPERTY.*** Land and any permanent structures or improvements affixed thereto, including easements and rights-of-way.

***SALVAGE.*** Inoperable or beyond repair, and may only be used for parts, scrap or recycling.

***SIGNIFICANT REAL PROPERTY.*** Any parcel of real property owned by the town with an estimated value of $100,000 or more.

***SURPLUS PROPERTY.*** Any town-owned personal property that is obsolete, unused, unsuitable, no longer needed or otherwise in excess of the town's requirements.
(Prior Code, § 1.10.10)

## § 32.066 DISPOSAL OF SURPLUS PERSONAL PROPERTY.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***BONA FIDE CHARITY.*** A nonprofit entity recognized by the Internal Revenue Service under I.R.C. § 501(c)(3) or a charitable organization recognized by the state.

***COMPETITIVE BIDDING.*** A public process for selling surplus property in which potential buyers submit bids, and the highest responsive and responsible bid is accepted.

***DESIGNEE.*** A person or office formally authorized by the Town Council or Mayor to act on their behalf.

***DISPOSAL.*** The sale, transfer, donation or discarding of town-owned property in accordance with the procedures established in this section.

***ESTIMATED VALUE.*** The market value of surplus property as reasonably determined by the Mayor or designee using methods including, but not limited to, appraisal, market research or valuation services.

***HIGHEST AND BEST ECONOMIC RETURN.*** The method of sale or transfer that reasonably maximizes the financial or practical benefit to the town, determined by methods such as competitive bidding, appraisal, market survey or auction.

***INTERNAL TRANSFER.*** The reassignment of surplus property from one town department to another for continued municipal use, as authorized by the Mayor or designee.

***INVENTORY CONTROL.*** The official record maintained by the town documenting the ownership, status and disposition of town property.

***PERSONAL PROPERTY.*** All tangible items owned by the town that are not real property, including, but not limited to, equipment, furniture, vehicles, tools and electronic devices.

***PROFESSIONAL PUBLICATION OR VALUATION SERVICE.*** An industry-standard resource used to assess the fair market value of surplus property, including trade journals or valuation platforms.

***PUBLIC NOTICE.*** Posting notice of the proposed sale or disposal on the town's official website and in at least one public location within the town not fewer than ten days prior to the sale.

***QUALIFIED, INDEPENDENT APPRAISER.*** A certified or professionally recognized individual who is not affiliated with the town and is competent to determine the value of the property.

***REAL PROPERTY.*** Land and any permanent structures or improvements affixed thereto, including easements and rights-of-way.

***SALVAGE.*** Property that is inoperable or beyond repair and may only be used for parts, scrap or recycling.

***SALVAGE OR JUNK YARD.*** A licensed facility that receives discarded or damaged goods for recycling, parts or disposal.

***SIGNIFICANT REAL PROPERTY.*** Any parcel of real property owned by the town with an estimated value of $100,000 or more.

***SURPLUS PROPERTY.*** Any town-owned personal property that is obsolete, unused, unsuitable, no longer needed or otherwise in excess of the town's requirements.

(B) Town-owned personal property, excluding consumables used in daily operations, shall only be disposed of in accordance with this subchapter.

(C) When a department identifies personal property as surplus, obsolete, unused or no longer needed:

(1) The department head shall notify the Mayor;

(2) The Mayor shall notify other departments to determine internal interest;

(3) If another department has need of the property, the Mayor shall arrange an internal transfer and update inventory records; or

(4) If no department has need of the property, the Mayor shall proceed with disposal;

(D) For property valued at $2,000 or more:

(1) The Mayor shall prepare a list of such property and submit it to the Town Council for approval by resolution;

(2) Upon approval, the Mayor shall sell the property to achieve the highest and best economic return using one or more of the following:

(a) Competitive bidding;

(b) Independent appraisal;

(c) Professional valuation services; or

(d) Informal market survey.

(3) Public notice of the sale shall be posted in three public locations at least ten days prior to the sale; and

(4) Proceeds shall be credited to the town's General Fund;

(E) For property valued under $2,000:

(1) The Mayor may dispose of such property without consent of the Town Council; and

(2) Disposal may include donation to a bona fide charity, salvage or landfill use.
(Prior Code, § 1.10.20)

## § 32.067 DISPOSAL OF TOWN-OWNED LAND.

(A) Land owned by the town shall be classified as either:

(1) ***INSIGNIFICANT LAND.*** Land that may be considered eligible for disposal without Town Council approval; or

(2) ***SIGNIFICANT LAND.*** Land not eligible for disposal without Town Council approval.

(B) Significant land includes:

(1) Historically significant land (e.g., Pony Express Trail, viewsheds, scenic corridors);

(2) Ecologically sensitive land (e.g., steep slopes, wildlife habitat, drainage corridors);

(3) Operational sites (e.g., Town Hall, fire stations, utility facilities); and

(4) Recreational land (e.g., parks, trails, natural open space).

(C) Insignificant land includes:

(1) Unused easements or rights-of-way;

(2) Isolated, remnant or unimproved parcels not intended as buffer or open space;

(3) Land with no future anticipated use or public purpose;

(4) Land not classified as historically or ecologically significant;

(5) Parcels whose disposal does not violate development code;

(6) Land that no longer serves its intended purpose; and

(7) Entire contiguous parcels not mapped as significant.
(Prior Code, § 1.10.30)

## § 32.068 LAND DISPOSAL APPLICATION.

(A) Applications to dispose of land shall be submitted to the Town Recorder/Clerk and include:

(1) Applicant's name and address;

(2) Map, sketch or legal description of the parcel;

(3) Classification as significant or insignificant land;

(4) Survey and plat (required for insignificant land); and

(5) Proof that the applicant owns adjacent land.

(B) The application process is as follows.

(1) The Recorder/Clerk shall evaluate the classification.

(2) The Recorder/Clerk shall notify all adjacent landowners.

(3) For insignificant land, objections must be submitted within ten days.

(4) The Recorder/Clerk shall provide a recommendation to the Mayor, who will then approve, modify or deny the application.

(5) Valuation shall be based on the average value of unimproved agricultural land within five miles.

(6) Applicants and objectors shall have the opportunity to present their positions to the Mayor.
(Prior Code, § 1.10.40)

## § 32.069 DECISION ON APPLICATION.

(A) The Mayor shall make a final decision on the application and notify all parties.

(B) The Town Recorder/Clerk shall process approved applications.

(C) Appeals may be submitted within 30 days to the Town Council.

(D) The Town Council may:

(1) Affirm the decision;

(2) Reverse the decision; or

(3) Request reconsideration by the Mayor with specific findings.

(E) One additional appeal may be submitted. The second decision shall be final.
(Prior Code, § 1.10.50)

## § 32.070 PAYMENT.

(A) Payment shall be required for all property disposals.

(B) Fair market value shall be based upon fair market value as determined by an independent appraisal or other appropriate valuation method approved by the Town Council.
(Prior Code, § 1.10.60)

## § 32.071 DISPOSAL OF SIGNIFICANT LAND.

(A) Applications for disposal of significant land shall:

(1) Include a legal description or parcel number; and

(2) Optionally include proposed uses, access conditions or value estimate.

(B) The application shall be:

(1) Reviewed by all town departments and the Mayor;

(2) Subject to a public hearing by the Town Council; and

(3) Noticed by mail to adjacent landowners and published publicly 14 days before the hearing.

(C) The applicant shall pay all processing and notice costs.

(D) The Town Council may:

(1) Impose conditions such as a minimum sale price or specific use; and

(2) Select the disposal method (e.g., realtor, auction, direct sale).
(Prior Code, § 1.10.70)

## § 32.072 COST ACKNOWLEDGMENT.

(A) Purchasers must sign a cost acknowledgment form affirming responsibility for all disposal process costs.

(B) Costs are itemized in Exhibit 1 of the ordinance codified in this section and are on file in the Recorder/Clerk's office.
(Prior Code, § 1.10.80)

## § 32.073 TRADE IN AUTHORITY.

The Mayor may authorize the trade in of surplus equipment as part of a procurement transaction if it is determined to be in the best interest of the town.
(Prior Code, § 1.10.90)

## § 32.074 RECORDKEEPING AND ANNUAL REPORT.

(A) The Town Recorder/Clerk shall maintain records of all surplus property transactions.

(B) The Mayor shall provide an annual report to the Town Council summarizing items disposed of, method of disposal and proceeds.
(Prior Code, § 1.10.100)

## *PURCHASING POLICY*

### § 32.085 PURPOSE.

(A) All procurement on behalf of the town shall be conducted in accordance with rules and regulations adopted by the Town Council, as amended from time to time.

(B) (1) This subchapter establishes operational policies for the town's purchasing process, which assure the community that goods and services required to support the operation of town government are procured in a manner consistent with provisions of the town's code, state code, administrative rules and federal laws, where applicable.

(2) (a) The town is committed to fairness and equal opportunity with integrity and openness that results in the best value for the town. The statements contained in this subchapter represent the basic intentions and goals of the town.

(b) Nothing in this statement shall create rights or interests in third parties, impose obligations upon or create causes of action against the town, its officers, agents or employees. Failure to follow the procedures set forth herein may be remedied by a Town Council determination, as defined in this subchapter, unless otherwise provided by law.
(Ord. 2024-11, passed 10-16-2024)

### § 32.086 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ADDENDUM*** or ***AMENDMENT.*** Any written modification or revision to any bid document or contract document.

***BID.*** Unless otherwise specified, represents all forms of solicitation, including, but not limited to, request for quote (RFQ), invitation for bid (IFB), request for proposal (RFP) and request for statement of qualifications (RFSQ).

***COMPETITIVE SEALED BIDDING.*** A process in which vendors are invited to submit formal sealed bids to provide a designated product or to complete a designated project in accordance with specifications provided by the town.

***COMMODITY.*** Goods or services.

***CONTRACT.*** All types of town agreements, regardless of what they may be called, for the purchase or disposal of real or personal property, goods or services.

***COOPERATIVE PROCUREMENTS.*** The combining of requirements for two or more purchasing units outside the town, in order to obtain the benefits of volume purchases and/or reduction in administrative efforts and costs.

***EMERGENCY PURCHASE.*** A purchase that must be made quickly that would not be practical to go through the procurement process. Failure to anticipate a need or situation created by improper planning or negligence is not to be considered an emergency.

***DECLARED EMERGENCY.*** Emergency or disaster situation where the need for response exceeds all capabilities. A condition that requires emergency assistance to save lives and/or to protect property, public health and safety, and to reduce the threat and effects of a disaster. A ***DECLARATION OF EMERGENCY*** is necessary to access specified extraordinary powers considered necessary to prevent, respond to or alleviate the effects of the emergency or disaster.

***DESIGNATED COUNCIL MEMBER.*** The person designated by the Town Council to ensure compliance with the purchasing policy.

***GOOD.*** A tangible product that is not money or real estate. The term ***GOOD*** shall be interchangeable with the terms ***SUPPLY***, ***MERCHANDISE***, ***PRODUCT***, ***MATERIAL***, ***ITEM***, ***PERSONAL PROPERTY*** and the like, for the purpose of this subchapter.

***IMMATERIAL ERROR.*** An irregularity or abnormality that is a matter of form that does not affect substance, or an inconsequential variation from a requirement of a solicitation that has no, little or trivial effect on the procurement process and that is not prejudicial to other vendors.

***INFORMAL QUOTE.*** A process in which requests for a quote are sent directly to vendors to obtain pricing from any authorized buyer for the town.

***INSUFFICIENT RESPONSE.***

(1) Where one less response is received to any invitation for bid (IFB), request for proposal (RFP) or request for statement of qualifications (RFSQ); or

(2) Where two or fewer quotes are received in response to an RFQ.

***INTENT TO NEGOTIATE.*** Component of a competitive bidding process involving negotiating terms and conditions with multiple potential vendors before contract award.

***INVITATION FOR BID (IFB).*** A solicitation process where bids are solicited from potential vendors. The term ***INVITATION FOR BID*** shall be interchangeable with the term ***REQUEST FOR BID*** for the purpose of this subchapter. ***IFB***s shall be generally used for construction projects.

***NONCOMPETITIVE PURCHASE.*** The purchase of a good or service directly from a supplier without a competitive process.

***PROFESSIONAL SERVICES.*** Labor, effort or work that requires an elevated degree of specialized knowledge and discretion, including, but not limited to, labor, effort or work in the field of:

(1) Accounting;

(2) Architecture;

(3) Artistic endeavors;

(4) Construction design and management;

(5) Engineering;

(6) Financial services;

(7) Information technology;

(8) Insurance;

(9) Law;

(10) Lobbying;

(11) Medicine;

(12) Mental health services;

(13) General plan planning; and

(14) Underwriting software.

***PROJECT MANAGER (PM).*** The person designated by the town, who is in charge of managing a specific purchase or project.

***PROTESTOR.*** One who has standing to file a protest to challenge the award or proposed award of a contract for the procurement of goods and services.

***PURCHASING.*** The process of buying, procuring, renting, leasing or otherwise acquiring any commodity. The term ***PURCHASING*** shall be interchangeable with the term ***PROCUREMENT*** for the purpose of this subchapter. It also includes all functions that pertain to the obtaining of any commodity, including:

(1) Description of requirements;

(2) Selection and solicitation of bids, proposals, qualifications or quotes;

(3) Preparation and award of contract; and

(4) All phases of contract administration

***PURCHASING OFFICER.*** The Town Administrator or designee. The ***PURCHASING OFFICER*** shall oversee the town's purchasing functions and ensure purchases align with this subchapter.

***PURCHASING TOOLS.*** The town's preferred methods of advertising and hosting solicitations.

***RELATED PARTY.*** Any party, whether an individual, corporation, partnership, association, limited liability company or any other form of business association or entity whatsoever related to any vendor by blood, marriage, ownership or contract within the first degree of consanguinity, through which the party has a relationship of ownership, or other interest with the vendor, so that the party will actually, or by effect, receive or control a portion of the benefit or profit.

***REQUEST FOR INFORMATION (RFI).*** A solicitation process where written information, comments or suggestions are requested from potential vendors. An ***RFI*** is not a bid process resulting in a purchase or contract.

***REQUEST FOR PROPOSAL (RFP).*** A solicitation process where proposals are solicited from potential vendors.

***REQUEST FOR QUOTE (RFQ).*** A solicitation process where signed quotes are obtained from potential vendors. ***RFQ***s shall generally be used when purchasing goods.

***REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ).*** A solicitation process where qualifications are solicited from potential vendors.

***RESPONSIBLE BIDDER.*** A vendor who has the capability in all respects to fully perform the agreement requirements and is determined to have the experience, integrity, reliability, capacity, facilities, equipment and credit that will assure good faith performance. The term ***RESPONSIBLE BIDDER*** shall be interchangeable with the term ***RESPONSIBLE VENDOR*** for the purposes of this subchapter.

***RESPONSIVE BIDDER.*** A vendor who has submitted a bid that conforms in all material respects, including exceptions, to the requirements set forth in the RFQ, IFB, RFP or RFSQ.

***SERVICE.*** Any effort, labor or work performed that is beneficial to the town. It includes ***PROFESSIONAL SERVICES*** but does not include labor, effort or work provided under an employment agreement.

***SOLE SOURCE PROCUREMENT.*** A situation where a service, product or requirement is available only from a single vendor. Examples of circumstances that may necessitate sole source purchase include:

(1) The town needs a supply or service of a unique or specialized nature, and only one known vendor is available to meet the need; and

(2) Specific parts, accessories, equipment, materials, services, proprietary commodities or other commodities are necessary to meet the town's needs and there are no comparable commodities available.

***SPECIFICATION.*** Any description of the physical or functional characteristics or nature of a commodity. It may include, but is not limited to, a description of any requirement for inspecting, testing or preparing a commodity for delivery.

***STANDING.*** To have suffered an injury or harm or to be about to suffer imminent injury or harm if:

(1) The cause of injury or harm is:

(a) An infringement of the protestor's own right and not the right of another person who is not a party to the purchase;

(b) Reasonably connected to the town's conduct; and

(c) The sole reason the protestor is not considered, or is no longer considered, for an award of a contract for the purchase that is the subject of the protest.

(2) The protestor has the legal authority to file the protest on behalf of the actual or prospective bidder or prospective contractor involved in the procurement that is the subject of the protest.

***SUBSTANTIAL SAVINGS.*** Savings of considerable size or amount of value and/or time.

***VENDOR.*** Any person or entity who does business with the town or is seeking to enter into a contract with the town, other than as an employee or volunteer, whether by purchasing, selling, constructing or providing services or commodities. This includes a bidder, offeror or approved vendor. The term ***VENDOR*** shall be interchangeable with the terms ***BIDDER***, ***PROVIDER***, ***CONTRACTOR***, ***CONSULTANT*** and the like for the purpose of this subchapter.
(Ord. 2024-11, passed 10-16-2024)

## § 32.087 PROCUREMENT GUIDELINES.

(A) *Monetary limits*.

(1) This subchapter establishes the following monetary limits and methods of competitive purchasing. Except as otherwise allowed in this subchapter, the town shall conform to the following limits:

(a) *Small purchases*. Purchases between $0 and $4,999.99 may be made with the Purchasing Officer's approval, with or without competitive sealed bids, proposals or quotes. The Purchasing Officer shall take reasonable steps to ensure fair pricing.

(b) *Large purchases*.

1. Purchases between $5,000 and $49,999.99 shall be made only after: soliciting at least three RFQs; completing the competitive sealed bidding process; or completing a non-competitive purchasing process as allowed under this subchapter.

2. The Purchasing Officer, in consultation with the designated Council member, may award a contract for a large purchase previously budgeted by the Town Council without the approval of the Town Council. The Purchasing Officer shall seek approval from the Town Council prior to a large purchase not budgeted or prior approved by the Town Council.

(c) *Capital purchases*. Purchases exceeding $50,000 shall be made only after completing a competitive sealed bidding process unless they are non-competitive purchases.

(2) Subdividing contracts, purchases or professional services for the purpose of evading the requirements for RFQs or competitive sealed bidding is prohibited.

(3) Recurring purchases that exceed a cumulative $50,000 in a 12-month fiscal period shall be made only after completing the competitive RFQ process or sealed bidding process.

(B) *Duration of bid.*

(1) The bid period for IFBs, RFPs and RFSQs shall be no less than five business days, unless otherwise required by state or federal law. Bid periods should take into account the overall size and complexity of the project, the project schedule and the current bidding climate.

(2) The question and answer period shall not close less than one business day prior to the bidding deadline.

(3) If an addendum is released, the bid shall not close within 48 hours or two business days. An extension of the bidding deadline may be required.

(C) *Competitive sealed bidding and proposals.*

(1) Any purchase may go through the competitive sealed bidding method, but purchases of $50,000 or more are required to go through the competitive sealed bidding process unless they are non-competitive purchases.

(2) Bids and proposals shall be received in a sealed manner and not opened until the time established in the formal solicitation. This may be done electronically if the town's preferred purchasing tool allows.

(D) *Bidding guidelines.* The following additional bidding guidelines apply to all RFQs, IFBs, RFPs and RFSQs released by the town:

(1) *Receipt of bids.* Bid proposals and quotations shall not be accepted or received after the time set in the bid documents.

(2) *Withdrawal of bids.* Bids or proposals may be revised, modified or withdrawn by the potential vendor at any time prior to opening. Any such revision, modification or withdrawal shall be in writing to the Purchasing Officer. After the bids are opened, they shall be irrevocable for the period specified in the bid documents. Correction or withdrawal of erroneous bids after opening, or cancellation of awards or contracts based on such bid mistakes, shall not be permitted except as authorized elsewhere in this subchapter or as stated in the bid documents.

(3) *Relief due to computation error.* Any potential vendor who seeks to withdraw or modify a bid because of a computational error shall notify the Purchasing Officer no later than 24 hours following the bid closing, unless specified otherwise in the bid documents. The potential vendor shall

provide worksheets and other information as appropriate or required by the town to substantiate the claim of error. Failure to do so may bar such relief. The decision(s) to permit corrections or withdrawals of bids after the bid has been opened will be made by the Purchasing Officer, upon consultation with the Town Attorney.

(4) *Immaterial errors.*

(a) The Purchasing Officer, in consultation with the Town Attorney, may allow a vendor to correct an immaterial error in response to a solicitation process but may not allow a vendor to do any of the following after the bid has closed:

1. Correct any deficiency, inaccuracy or mistake in a solicitation response that is not an immaterial error;

2. Correct incomplete submission of documents required in the solicitation;

3. Correct a failure to submit a timely solicitation response;

4. Substitute or alter a required form or other document specified in the solicitation;

5. Remedy a cause for a vendor being considered to be not responsible or a solicitation response not responsive; or

6. Correct a defect or inadequacy resulting in a determination that a vendor's solicitation response does not meet the mandatory minimum requirements of evaluation criteria.

(b) Immaterial errors may be corrected by a vendor if responses are received within the timeline specified by the Purchasing Officer. Written documentation supporting the reason for allowing the correction will be placed in the purchasing file.

(5) *Tie bids/proposals/quotes.* In the event two or more bids, proposals or quotes are equal in evaluation criteria and price, and are submitted by responsive and responsible vendors, the Purchasing Officer, after consultation with the project manager and the Purchasing Officer, may negotiate with the bidders and obtain the best bid possible.

(6) *Clarifying information.* After a bid has closed, the Purchasing Officer may, at any time, make a written or verbal request to a vendor to clarify information contained in a responsive solicitation response. Vendors shall respond in writing or verbally within the time frame established by the Purchasing Officer. A vendor's response to a request for clarification under this subchapter:

(a) May only explain, illustrate or interpret the contents of the vendor's original solicitation response;

(b) May not be used to address criteria or specifications not contained in the vendor's original solicitations response;

(c) May not be used to correct a deficiency, inaccuracy or mistake in a solicitation's response that is not an immaterial error as identified elsewhere in this subchapter; and

(d) Any information requested and received must be made part of the purchasing file.

(7) *Non-disclosure and conflict of interest requirement*. All participants involved in the selection and awarding process of any RFP or RFSQ must sign a non-disclosure and conflict of interest agreement specific to the RFP or RFSQ. This form is in addition to any general non-disclosure agreements and conflict of interest disclosures required by the town.

(8) *Non-responsive bids*. The Purchasing Officer, in consultation with the Town Attorney, may reject any bid or proposal which is materially non-responsive to the requirements set forth in the bid documents. The rejection reason shall be made part of the purchasing file.

(9) *Cancellation and rejection of bids*. An RFQ, IFB, RFP or RFSQ may be canceled at any time or may be rejected in whole or in part as specified in the solicitation if it is in the best interest of the town. Any cancellations or rejections can be made at the reasonable discretion of the Purchasing Officer responsible for the purchase, upon consultation with the Town Attorney. The cancellation reason shall be made part of the purchasing file. Any RFQ, IFB, RFP or RFSQ may be canceled prior to the award at the town's discretion. If the town decides after cancellation to re-solicit a bid, the re-solicitation shall not be made for the purpose of directing the award to a particular vendor.

(10) *Right to disqualify*. The town reserves the right to disqualify any vendor or subcontractor as stated in this subchapter. The town also reserves the right to review and consider all subcontractors individually when hired by a general contractor and consider their qualifications as outlined in this subchapter. The town reserves the right to deny any bids with or without cause. All disqualifications will be approved by the Purchasing Officer, upon consultation with the Town Attorney.

(11) *Determination of a non-responsible vendor*.

(a) Written determination of a non-responsible vendor shall be made in accordance with this section. The unreasonable failure of a vendor to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility with respect to the vendor's bid or offer.

(b) After reasonable notice to the person(s) involved, the Purchasing Officer or project manager, in consultation with the Town Attorney, Purchasing Officer may disqualify a vendor from

consideration for the award of a contract. The determination of non-responsibility shall be made in writing to the Purchasing Officer and will be made part of the purchasing file.

(12) *Confidential information*. If a contractor or vendor believes any information in a proposal or bid should be held confidential for business reasons, the contractor or vendor must submit a written claim of business confidentiality for that particular information with the reasons supporting the claim. Otherwise, all information submitted in a proposal becomes public information and may be requested in accordance with the Government Records Access and Management Act (GRAMA), being U.C.A. Title 63G, Chapter 2, Part 1, as amended.

(13) *Ineligibility*. In addition to all other remedies permitted by law, the Purchasing Officer, in consultation with the Town Attorney, may declare a potential vendor ineligible to bid on town purchases and public service contracts for a period not to exceed three years in circumstances identified in this section. In such circumstances, the Purchasing Officer must submit written support for the determination of ineligibility. The town shall take all reasonable steps to declare a potential vendor ineligible before a bid/proposal is submitted but may declare a potential vendor ineligible after a bid has been submitted. A potential vendor may be declared ineligible for any of the following grounds:

(a) Two or more claims of computational errors in bid submissions within a two-year period;

(b) An unjustified refusal to provide or execute contract documents;

(c) Unsatisfactory performance of a contract;

(d) Unjustified refusal to perform or complete contract work or warranty performance;

(e) Unjustified failure to honor or observe contractual obligations or legal requirements pertaining to the contract;

(f) Conviction under state or federal statutes for fraud or bribery;

(g) Theft, falsification or destruction of records;

(h) Receiving stolen property or any other similar crimes;

(i) Offense indicating a lack of business integrity which would directly affect the reliability and credibility of the performance of such a vendor with future contracts with the town; and

(j) Not a responsible bidder or vendor.

(Ord. 2024-11, passed 10-16-2024)

## § 32.088 COMPETITIVE PURCHASING PROCESSES.

(A) *Request for Information (RFI).*

(1) An RFI is a solicitation method used to obtain information, comments or suggestions from potential bidders or vendors before issuing an invitation for bid (IFB), request for proposal (RFP) or request for statement of qualifications (RFSQ). An RFI can be useful to prepare to issue an IFB, RFP or RFSQ for an unfamiliar or complex purchase or in other instances identified in this section. Each RFI will be released through the town's preferred purchasing tool for any specified period determined reasonable to gather the requested information.

(2) An RFI is not a purchasing process and may not be used to:

(a) Solicit cost, pricing or rate information;

(b) Negotiate fees;

(c) Make a purchase; or

(d) Enter into a contract.

(3) A response to an RFI is not an offer and may not be accepted to form a binding contract.

(4) An RFI may seek a wide range of information, including, but not limited, to:

(a) Availability of a purchasing commodity;

(b) Delivery schedules;

(c) Industry standards and practices;

(d) Product specifications;

(e) Training;

(f) New technologies;

(g) Capabilities of potential vendors of a purchasing commodity; and

(h) Alternative solutions.

(5) The town may use the information obtained through the RFI process in other bid processes required by this subchapter. The information may not be used as an alternative to following this subchapter.

(B) *Informal quote*. Any purchase between $0 and $4,999.99 may be made utilizing the informal quote process. Informal quotes are not required but encouraged to ensure competitive pricing is received by the town. Requests for informal quotes should be sent to three vendors via phone call, e-mail, fax or any other method to obtain pricing by an authorized buyer for the town. Documentation is not required by the Purchasing Officer (unless a purchase order is requested), but the Purchasing Officer should keep records as needed to support the purchase.

(C) *Request for quote (RFQ)*. Any purchase between $5,000 and $49,999.99 shall be made utilizing this RFQ process, other competitive bidding option or non-competitive process as allowed under this subchapter. An RFQ must comply with the following policies and procedures.

(1) An RFQ must be sent to a minimum of three vendors with the request that the vendor send a written quote with pricing by the time frame identified in the solicitation.

(2) A minimum of two quotes are required to be received by the established time frame or the purchase must go through a competitive sealed bidding process or other process allowed for elsewhere in this subchapter. A vendor declining to submit a quote qualifies as a received quote.

(3) A public notice for an RFQ is not required.

(4) Selection and awarding will be based on the vendor with the lowest cost, who is responsive to requirements in the RFQ documents without material exception, and who is responsible and capable of providing the commodities or services to be purchased.

(5) All documentation for requests for quotes must be recorded and filed by the Purchasing Officer prior to awarding the quote.

(6) The received quote(s) shall be signed by an individual who has the authority to bind the company (vendor) to pricing submitted.

(7) Quote documentation will be attached to the purchase order or contract.

(D) *Invitation for bid (IFB)*.

(1) Invitation for bid (IFB) may be used when the lowest price is the primary factor for awarding a bid. Each IFB shall be commenced by the Purchasing Officer and must include specifications

and all contractual terms and conditions applicable to the purchase. An IFB shall be submitted through the town's preferred purchasing tool. At least two responses are required. A vendor declining to submit a quote qualifies as a received quote.

(2) Specifications should seek to promote the overall economy and best use for the purposes intended, encourage competition and should not be unduly restrictive.

(3) Evaluation process is limited to cost, determination of responsiveness and compliance with the specifications and conditions specified in the bid documents, and the responsibility of the potential vendor.

(a) Negotiations are not permitted.

(b) This method does not permit comparison of the relative specifications of competing potential vendors, but only comparison to the specifications contained in the bid documents, unless explicitly stated in the IFB.

(4) Awards shall be made to the potential vendor offering the lowest cost who is responsive to the requirements of the bid documents, without material exception, and who is responsible and capable of providing the commodity or commodities to be purchased.

(E) *Request for proposal (RFP).*

(1) An RFP can be used whenever detailed specifications cannot be determined, whenever several possible methods may satisfy the town's requirements, or whenever the nature of the requirements is such that subjective evaluation of criteria other than cost is necessary. An RFP shall be submitted through the town's preferred purchasing tool.

(2) This method can be utilized when definite specifications cannot be determined in advance, when a scope of work is required which makes comparison of competing proposals relative to each other appropriate, or when it is in the best interest of the town to have a vendor design a public improvement. Specifications shall seek to promote the overall economy and best use for the purposes intended, encourage competition and shall not be unduly restrictive.

(3) When it is considered impractical to prepare initially a purchase description to support an award based on price, an RFP may be issued requesting the submission of unpriced offers to be followed by an intent to negotiate price and key contract terms.

(4) Objective and subjective criteria may be used in the evaluation of competing proposals. Within the RFP, it shall state the relative importance of cost and other evaluation factors (experience,

qualifications, references and the like), including the quantitative basis (weight of each factor) for evaluation.

(5) Determination of responsiveness and compliance with specifications and conditions specified in the bid documents and of the responsibility of the potential vendor.

(a) All RFP evaluations/awards shall be made by a selection committee comprising no less than three members selected by the project manager.

(b) No criteria may be used in an RFP evaluation that was not set forth in the RFP.

(c) Discussions are permitted with responsive and responsible vendors who submitted proposals determined to have a reasonable chance of being selected, in order to clarify and assure full understanding of and conformance to the solicitation requirements.

(d) Revisions and modifications are permitted at the request of the town with responsive and responsible vendors who submitted proposals.

(e) Information taken from proposals received may be disclosed consistent with town policy and applicable laws.

(6) (a) Awards shall be made to the highest-scoring responsive and responsible vendor based on the criteria established in the RFP documents.

(b) A recommendation memo and all documentation must be sent to the Purchasing Officer prior to the award and placed in the purchasing file.

(F) *Request for statement of qualifications (RFSQ).*

(1) *Use.* A request for statement of qualifications is used when deemed appropriate by the town. Potential vendors must be pre-qualified for particular types of supplies, services and construction. An RFSQ shall be submitted through the town's preferred purchasing tool. Qualified vendors will receive notice and opportunity to submit competitive pricing to the town when the town requires the goods or services the vendor is qualified for. Non-qualified vendors will not be considered.

(2) *Specifications.*

(a) RFSQs shall not include any items regarding cost, pricing or hourly rates.

(b) RFSQs shall include the following:

1. Factors related to the particular types of supplies, services and construction deemed necessary;

2. Time frame of the pre-qualification, specific expiration date of the pre-qualification and any options for renewal;

3. Specific requirements or qualifications that a potential vendor must possess to be considered qualified;

4. Any limitation to the number of potential vendors the town may pre-qualify; and

5. Information regarding the selection process.

(3) *Evaluation process*. Determination of responsiveness and compliance with the specifications and conditions specified in the bid documents, and of the responsibility of the potential vendor.

(a) All evaluations/awards will be made by a selection committee of no less than three individuals selected by the project manager.

(b) No qualification or criteria may be used in the evaluation process that is not identified in the RFSQ.

(4) *Selection*.

(a) The selection process will be based on a vendor's responsiveness to the qualifications set forth in the RFSQ. Vendors will be determined to be qualified vendors or will be placed on an approved vendor list as specified in the RFSQ.

(b) A recommendation memo from the selection committee and all documentation must be sent to the Purchasing Officer prior to award and placed in the purchasing file.

(5) *Selection process*.

(a) RFSQs may be followed by an IFB or RFP released to qualified vendors through the town's preferred purchasing tool unless otherwise stated below.

(b) Approved vendor lists: If explicitly stated in the RFSQ the town may decide to establish a fair and equitable system that allows for equal opportunity among qualified vendors if in the best interest of the town. Examples include, but are not limited to:

1. RFQs;

2. A random selection or as otherwise designed and designated in the RFSQ; and

3. A random selection from the pool of pre-qualified contractors for emergency purchases.

(c) An RFSQ and selection of qualified vendors does not constitute an exclusive agreement that would prevent the town from submitting an IFB or RFP to any and all potential vendors if in the town's best interest.

(d) Except as noted in divisions (F)(5)(a) and (F)(5)(b) above, all other bid guidelines and processes set forth in the policy apply to the prequalification process.

(e) Vendors shall either be continually allowed to qualify for an approved vendor list or a new RFSQ will occur at least every 36 months.
(Ord. 2024-11, passed 10-16-2024)

## § 32.089 CONSTRUCTION PROJECTS.

(A) Contracts and noticing for town construction projects shall comply with this subchapter as well as any applicable federal and state law, including U.C.A. §§ 10-7-20.5, 10-7-86, 11-39-103 and 14-1-18 through 20.

(B) The town may utilize as many alternative methods of construction contracting and management as the town determines to be in its best interest, including, but not limited to, Design-Bid-Build, Design-Build (DB), Construction Manager-General Contractor (CMGC), best value contracting and the like.
(Ord. 2024-11, passed 10-16-2024)

## § 32.090 NON-COMPETITIVE PURCHASING PROCESSES.

The competitive purchasing requirements of this subchapter need not be followed in the following circumstances.

(A) *Federal or state funds*.

(1) In cases where federal or state funds/grants are being used and federal or state purchasing laws or procedures govern the types of goods or services being procured, the town shall follow the applicable federal or state purchasing law or procedures in lieu of the procedures set forth in this subchapter.

(2) The federal or state fund/grant documentation and proof of compliance (quotations, ads, language, Davis-Bacon, minority- or women-owned businesses and the like) must be included with the requisition or contract.

(B) *State contract*. The Purchasing Officer may procure without competitive bids any supplies or services which are the subject of contracts with the state, as set forth in state statutes.

(1) The state contract number and information for the purchase shall be included in the requisition and sent to the Purchasing Officer prior to the purchase.

(2) The Purchasing Officer must make sure that the purchase complies with all aspects and terms stated in the state contract, as failing to follow the instructions will void the use of the state contract.

(3) In the event that a state contracted vendor is unable to fulfill the contract in a reasonable time frame, the Purchasing Officer may purchase from another potential vendor willing to honor all aspects of the state contract. All of the following provisions must be followed before the town can purchase using a state contract.

(a) Written documentation must be obtained and sent to the Town Purchasing Officer from the State Purchasing Officer (or designee) over the contract confirming the delay and any suggestions made for purchasing through the existing contract or another existing contract.

(b) Written documentation must be obtained and sent to the Town Purchasing Officer from the potential vendor willing to honor and accept all conditions of the state contract signed by an individual authorized to bind the company to the agreement.

(4) If a vendor offers a commodity at a price less than a vendor with a state contract, the purchase can be made without going through the competitive bidding process. The project manager shall provide the Purchasing Officer with a copy of the state contracted price along with the invoice from the vendor offering a lower price.

(5) The Purchasing Officer purchasing under a state contract will also provide a memo and documentation detailing the event and why the purchase is needed to the Purchasing Officer.

(C) *State intergovernmental contracts*. The Purchasing Officer may procure, without competitive bids or proposals, supplies and services which are the subject of vendor contracts with other government agencies located in the state. The valid contract between the vendor and the government agency must contain a clause that specifically allows use by other government agencies.

(1) The Purchasing Officer shall submit a copy of the bid documents and contract from the local agency to the Purchasing Officer, along with a memo and documentation supporting why normal competitive bidding requirements should be bypassed.

(2) The bid document, contract, memo and other relevant documentation must be attached to the requisition.

(D) *State Intergovernmental Agency*. The Purchasing Officer may procure goods and services without competitive bids, when goods and services may be provided directly by other governmental agencies located in the state.

(E) *Purchasing cooperatives*. The town may join with federal, state or local governments, or with special districts, school districts and other such similar agencies in purchasing goods and services as a cooperative as long as the cooperative meets or exceeds town purchasing policy.

(1) Entering into a purchasing cooperative must be pre-approved by the Town Council.

(2) All purchases must be approved by the Purchasing Officer.

(3) A copy of the cooperative contract shall be submitted with the other documentation to the Purchasing Officer.

(F) *Professional services*. Contracts for professional services reasonably expected to cost less than $50,000 per project may be awarded at the discretion of the Town Council.

(G) *Insufficient response*. In an instance where there are insufficient responses to an IFB, RFP or RFSQ, the Purchasing Officer may elect to re-release the IFB, RFP or RFSQ or bypass the competitive bidding process. If the Purchasing Officer elects to bypass the competitive bidding process set out in this subchapter, written documentation shall be provided to the Town Council.

(H) *Engineering and architectural*. Contracts for architectural and engineering services shall be made by selecting the most highly qualified provider of those services based on demonstrated competence and qualifications. The Purchasing Officer shall document and outline the reasoning for selecting the service provider.

(I) *Emergency*. Notwithstanding other provisions of this subchapter, purchases may be made in emergencies by the Purchasing Officer in instances where the purchase could not reasonably have been made pursuant to this subchapter; provided, that purchases shall be made with as much competition as practical under the circumstance.

(1) Within two business days after the purchase, the Purchasing Officer shall provide a signed written statement to the Town Council setting out in reasonable detail the purchase, price, cause and basis for the emergency. The Town Council will review the statement for compliance.

(2) A copy of the statement shall be included in the purchasing file.

(3) Failure to anticipate a need or situation(s) created by improper planning or negligence is not to be considered an emergency unless such failure creates an imminent risk to public health and/or safety.

(J) *Declared emergency*. Under a declared local "state of emergency," the Town Council spend money for the acquisition of goods and services, as long as deemed necessary and in the best interest of the town, to provide emergency-related response initiatives and activities. The initial term of any contract resulting from an emergency procurement may be for no longer than 30 days.

(K) *Sole source*.

(1) In the event a Purchasing Officer determines commodities or services meet the definition of a sole source procurement listed in this subchapter, the Purchasing Officer shall submit written notification to the Town Recorder/Clerk with documentation supporting the determination. This documentation shall include all research and steps taken to verify that the purchase meets the definition of sole source procurement.

(2) To establish sole source, the Purchasing Officer may take the following steps:

(a) A notice containing the purchase may be posted for at least three business days using the town's preferred purchasing tools stating that the town intends to award a contract without competition. The notice invites any companies who believe they can provide the goods and services to contact the Purchasing Officer within the specified time frame stated in the notice;

(b) If there are no companies that respond to the notice within the given time frame, the purchase may be deemed as a sole source;

(c) If a company can demonstrate they can provide the goods or services, the town will then follow the competitive bidding guidelines established in this subchapter; and

(d) Alternatively, the Purchasing Officer may provide a signed statement from the company proposing to provide the goods and services that they are the sole source for that good or service. The statement must be signed by an authorized representative of the company.

(L) *Superior or more suitable products*. If a Purchasing Officer determines a product significantly surpasses similar competing products in terms of quality, serviceability or longevity, or that such product is better suited to the needs of the town to lower costs of inventory or to maintain compatibility with existing town-owned equipment, the Town Administrator may grant an exception based on the criteria described above.

(M) *Town Council determinations*.

(1) The Town Council may, by resolution, authorize any purchase without complying with the provisions of this subchapter.

(2) Documentation of the Town Council's decision shall be placed in the purchasing file and must be attached to the requisition or contract.

(N) *Special opportunity*. Where substantial and quantifiable savings will be realized in the purchase of commodities, or non-professional or professional services, a Purchasing Officer may bypass competitive bidding or the RFQ requirements set out in this subchapter by following the procedures outlined below, provided other applicable provisions of this section are met before the purchase is made. Coupons, promotional codes or discount programs cannot be used to recognize substantial savings.

(1) The Purchasing Officer shall, in his or her reasonable discretion, obtain offers from competing services in a manner most likely to meet the purpose of this section.

(2) The Purchasing Officer shall disclose the proposed purchase in a signed written memorandum to the Town Council setting out in reasonable detail the reason the purchase is recommended, the reason normal purchasing procedures are not recommended, the efforts made to obtain competitive offers and the proposed savings.

(3) A copy of the signed memorandum shall be made part of the purchasing file.

(O) *Compatibility, parts, training*. A Purchasing Officer may procure, without competitive bids equipment and supplies which, by reason of the training of town personnel who service such equipment, or which is an addition to or for the repair or maintenance of equipment owned by the town which may be more efficiently added to, repaired or maintained by a certain brand, person or firm. In such cases the Purchasing Officer shall submit written documentation to the Purchasing Officer.

(P) *Utility services and impact fees*. A department may procure without competitive bids the usage of any utility or the work by utility companies to install their services, such as water, electricity, gas, sewer, cable, telephone and broadband, except when alternative supplies or services are available. Impact fees are also exempt from the bidding process.

(Q) *Miscellaneous*. Procurements that, by their nature, are not adapted to award by the competitive bid process may be procured without competitive bid, as identified below in this section. In such cases, the Purchasing Officer shall submit written documentation to the Town Council. Listed below are specific qualified purchases that are allowed because competitive processes are impractical and not in the best interest of the town:

(1) Legal services or lobbying, including, but not limited to, legal counsel, expert witnesses, hearing officers, special counsel and the like;

(2) Insurance;

(3) The publication of legal notices, ordinances, resolutions and other legal advertising;

(4) Water or irrigation shares;

(5) The private placement of bonds, tax anticipation notes or other instruments of indebtedness, including credit ratings. Financial advisors are excluded from this exception;

(6) The purchase of non-software subscriptions, magazines, books, trade journals, reference works, periodicals, examination or testing materials and similar articles of an educational, informational or instructional nature that are relevant to the duties of town employees;

(7) Goods, materials, supplies and services utilized by the Town Recorder/Clerk or the town for purposes of performing duties in regard to elections;

(8) Goods and services purchased for authorized resale;

(9) Memberships, certifications, trainings or any costs associated with accreditations required or relevant to the duties of town employees which are in the best interest of the town;

(10) Drug testing, employee physicals and fitness-for-duty evaluations;

(11) Realtors, acquisition agents, appraisers or title work for town purposes;

(12) Musical performers, promoters, agents, entertainers, staging, lighting and sound services and license holders for town events;

(13) Acquisition of art and artistic services, including, but not limited to, paintings, sculptures, photographs, photography services, floats, video productions and artistic performances. For purposes of this subchapter, architectural services are not classified as art;

(14) Advertising in various forms, including social media platforms, radio, billboards, print media, digital media, job boards, media websites, recruitment agencies and the like;

(15) Security services meant to protect town infrastructure and data/information; and

(16) Purchase of specialized animals.

(Ord. 2024-11, passed 10-16-2024)

## § 32.091 ADDITIONAL GUIDELINES.

(A) *Construction project awards*. In the event that the lowest responsive and responsible bid for a construction project exceeds available funds, and the bid does not exceed such funds by more than 10%, the Purchasing Officer is authorized in situations where time or economic considerations preclude solicitation of work of a reduced scope, to permit the negotiation and adjustment of the bid price, and changes in the bid requirements, with the lowest responsive and responsible bidder in order to bring the bid within the amount of available funds.

(B) *Performance and bid bonds*. Performance and bid bonds may be required to protect the best interests of the town. The nature, form and amount of such bonds shall be determined by the project manager, along with the Purchasing Officer, and shall be described in the IFB, RFP or RFSQ.

(C) *Vendor performance/evaluation*. The project manager shall document unsatisfactory performance by the vendor with a post project evaluation and send a copy of the documentation to the Purchasing Officer to be filed with the vendor records.

(D) *Payment*. Vendors that performed work for the town must submit an invoice to the town upon completion, unless prepayment options have been agreed upon by contract.

(E) *Disclosure of information*. Unauthorized disclosure of information pertaining to any bid, purchase, contract or any other agreement is prohibited except as allowed under the State Governmental Records Access Management Act (GRAMA), being U.C.A. Title 63G, Chapter 2, Part 1, as amended. Such disclosures by public officers or employees shall be considered cause for disciplinary action consistent with the town's policies and procedures and may result in corrective remedies as indicated in § 32.092.

(F) *Period of time contracts*. Unless otherwise provided by law, a contract for supplies or services that through any combination of renewals exceeds five years, will need to be approved by the Town Council based on the best interests of the town; provided that the term of the contract and conditions of renewal or expansion, if any, are included in the solicitation, and funds are available for the first fiscal period at the time of contracting. Payment and performance obligations for succeeding fiscal periods shall be subject to the availability and appropriation of funds. This does not apply to the design or construction of a facility, road or public transportation project or to the financing of equipment. Purchases of software and financial services by the town are exempted from the five-year contract limitation due to significant investment of time and resources required for these purchases.

(G) *Extension of contracts*. The Purchasing Officer may extend an existing contract without engaging in a standard procurement process for a period of time not to exceed 120 days if:

(1) An extension of the contract is necessary to:

(a) Avoid a lapse in a critical government service; or

(b) To mitigate a circumstance that is likely to have a negative impact on public health, safety, welfare or property.

(2) The town is engaged in a standard procurement process for a procurement item that is the subject of the contract being extended; and

(3) The standard procurement process is delayed due to an unintentional error.

(H) *Records*. Procurement records shall be maintained in accordance with the town's retention schedule. All contracts and required documents must be submitted to the Town Recorder/Clerk prior to the execution of the contract.

(I) *Collusion*. Any agreement or collusion among potential vendors is deemed to be contrary to the best interest of the town. Any agreement to bid a fixed price or other similar actions among prospective vendors shall render the response of such vendors void.

(J) *Kickbacks and gratuities*. Individuals, or family members of an individual, are prohibited from seeking or receiving gratuities or kickbacks as compensation for preferential treatment as defined in town policy, this code and the state code (see U.C.A. §§ 63G-6a-2404 and 67-16-5 through 67-16-6).

(K) *Personal purchases*. Procurement of goods and services ordered on town credit or paid for by the town which is for the personal use of an official or employee of the town shall not be delivered, or if delivered, shall be void or voidable at the town's option. Such personal procurements shall not be permitted and shall be considered cause for disciplinary action. Due to the tax-exempt status of the town, town officers and employees may not purchase goods or services for personal use from suppliers on a town account.

(L) *Participation by bidder who supplies specifications*. A person other than a town employee who has prepared specifications used substantially by the town in determining from which bidder or proponent it wishes to purchase goods or services may participate in a bid or proposal procurement where the Purchasing Officer determines that such participation will be in the best interest of the town. (Ord. 2024-11, passed 10-16-2024) Penalty, see § 10.99

## § 32.092 PROTESTS AND APPEALS.

(A) *Written protest*. Any person who has standing and is aggrieved in connection with a purchase or an award of a contract may protest the purchase by filing a written statement with the Town Recorder/Clerk, which will be forwarded to the Purchasing Officer.

(1) *Filing a written statement.* The written statement shall contain the following information:

(a) The protesting party's name, mailing address or e-mail address, daytime telephone number, the signature of the protesting party or the attorney for the protesting party and the date of the protest is signed; and

(b) A concise statement of the facts and evidence:

1. Leading the protester to claim that the protestor has been aggrieved in connection with a purchase and providing grounds for the protester's protest; and

2. Supporting the protestor's claim of standing.

(2) *Deadline for filing.*

(a) A protest relating to an open RFQ, IFB, RFP or RFSQ, shall be filed with the Town Recorder/Clerk before the closing date for the RFQ, IFB, RFP or RFSQ.

(b) If the bid has closed, a protest shall be filed with the Town Recorder/Clerk within five business days (by the end of the town's business day) after the person filing the protest knew or should have known the facts.

(c) It is the responsibility of the person filing the protest to prove that they did not know and should not have known the facts which would give rise to a protest prior to the closing date.

(3) *Suspension of the purchase.* The town may proceed with the protested purchase; however, the Purchasing Officer may suspend the purchase process for so long as deemed appropriate.

(4) *Review of the written protest.*

(a) The Purchasing Officer will review the written protest and may request the following:

1. Assistance of another individual in reviewing the matter, which may include finding facts, analyzing the protest and making recommendations; and

2. Additional information from the protesting party or from other town staff to make a determination. The protesting party shall provide all information reasonably needed to decide the protest except information which is protected from disclosure by law, or which could reasonably be expected to result in unfair, competitive injury to the protestor in spite of the protections for the protestor provided by law, including the State Governmental Records Access Management Act (GRAMA), being U.C.A. Title 63G, Chapter 2, Part 1, as amended.

(b) The Purchasing Officer will issue a written determination to the protesting party within 15 days of the date the protest is received from the Town Recorder/Clerk.

(c) If the Purchasing Officer fails to issue a decision within 15 days after receipt of the protest, said failure shall be considered the equivalent of a de facto denial.

(B) *Appeal of written protest*. The protesting party may appeal the written decision of the Purchasing Officer by filing a written appeal with the Town Recorder/Clerk that will be sent to the Town Council.

(1) *Notice of appeal*. The notice of appeal shall contain the following information:

(a) The petitioner's name, mailing address, e-mail address, daytime telephone number, the signature of the petitioner or the attorney for the petitioner and the date; and

(b) A concise statement of the facts and evidence sufficient to permit review:

1. Of the petitioner's claim that the petitioner has been aggrieved in connection with a purchase and providing grounds for the petitioner's protest; and

2. Supporting the petitioner's claim of standing.

(2) *Deadline for filing*. The appeal must be completed within five business days of receipt of the Purchasing Officer's decision or de facto denial.

(3) *Hearing*.

(a) The Town Council, or designee, shall review and schedule a hearing no later than five days after receiving a notice of appeal.

(b) Unless otherwise agreed to by the town and the petitioner, the hearing shall be held no sooner than five business days and no later than 30 business days from the date of the filing of the appeal.

(c) At the hearing, the appellant and the town's representative(s) shall be allowed to testify, present evidence and comment on the issues. The rules of evidence do not apply to this hearing. The Town Council may allow other interested persons to testify, comment or provide evidence on the issues.

(4) *Written determination*. No later than 15 business days after the hearing, the Town Council shall issue a signed order either granting the petition whole or in part, or upholding the determination of the Purchasing Officer in whole or in part. If the Town Council fails to issue a decision within 15 business days after the hearing, said failure shall be considered the equivalent of a de facto denial.

(C) *Appeal to State District Court.* Any final action or order may be appealed by either the potential vendor or the town to the State District Court by filing with the court a notice of appeal.

(D) *Remedies.* If the Purchasing Officer or Town Council determines that a solicitation or award is in violation of federal, state, local law or this subchapter, the following remedies shall apply:

(1) *Prior to bid closing date.* If prior to a bid or proposal closing date the Purchasing Officer or Town Council determines that a solicitation is in violation of federal, state, local law or this subchapter, the solicitation or proposal shall be canceled.

(2) *Prior to award.* If after a bid or proposal closing date the Purchasing Officer or Town Council determines that a solicitation or a proposed award of an agreement is in violation of federal, state or local law, or this subchapter, the solicitation or proposed award shall be canceled.

(3) *After award.* If after an award of a bid or proposal, the Purchasing Officer or Town Council determines that a solicitation or award of an agreement was in violation of applicable laws or this subchapter, then:

(a) The person awarded the agreement has not acted fraudulently or in bad faith:

1. The agreement may be ratified and affirmed, provided it is determined that doing so is in the best interest of the town; or

2. The agreement may be terminated and the person awarded the agreement shall be compensated for the actual costs reasonably incurred under the agreement, plus a reasonable profit, prior to the termination.

(b) If the person awarded the agreement has acted fraudulently or in bad faith, the agreement may be declared null and void or voidable, if such action is in the best interests of the town. (Ord. 2024-11, passed 10-16-2024)

## *INVESTMENT POLICY*

### § 32.105 OBJECTIVES; SCOPE.

(A) *Policy.* It is the policy of the town to invest public funds held by the Treasurer in accordance with all federal and state laws. The primary objectives of the policy are to ensure safety, provide adequate liquidity for operations of town functions and achieve a prudent investment return.

(B) *Scope*. This subchapter applies to all public funds held by the Town Treasurer.
(Res. 2024-06, passed 5-21-2024)

## § 32.106 REQUIREMENTS; GENERAL PROVISIONS.

(A) The investment of funds by the Town Treasurer shall comply with the applicable statutory provisions, including, but not limited to, the State Money Management Act. There will also be compliance with the rules of other pertinent legal requirements.

(B) Public funds shall be invested with the following objectives. The objectives are listed in order of importance and priority:

(1) Safety of principal;

(2) Liquidity of principal for future expenditures;

(3) Yield on investment;

(4) Recognition of cash needs; and

(5) Maximization of the rate of return on investment, consistent with the foregoing objectives.

(C) Selection of investments shall be made exercising judgment and care, with the prudent investor's discretion to avoid speculation based on unforeseen future events or changes to the markets.

(D) Internal controls shall be the responsibility of the Treasurer. The internal controls shall be in compliance with town policy. These internal controls are to be reviewed annually by an independent auditor in compliance with state law.

(E) All investments are to be made by the Treasurer. In the Treasurer's absence or inability to fill the duties of the Treasurer, the Financial Advisor will have authority to make investments in compliance within the direction and guidelines of the investment policy. In the event neither the Treasurer nor the Financial Advisor are able to function in their respective duties, the responsibility for the investment duties will be administered in accordance with U.C.A. § 63-5b-401.

(F) The Treasurer or others involved in the investment process shall refrain from personal business activity that could in any way conflict with the proper execution of this investment policy of the duties of the Treasurer.
(Res. 2024-06, passed 5-21-2024)

## § 32.107 ELIGIBLE INVESTMENTS.

Authorized deposits or investments of all public funds by the Treasurer or other in accordance with this investment policy shall be made in compliance with the State Money Management Act, specifically, but not limited to U.C.A. § 51-7-11, or any amendments thereto.
(Res. 2024-06, passed 5-21-2024)

# CHAPTER 33: FINANCE AND REVENUE; FEES

Section


*Funds*

33.01 Capital Improvement Fund

*Impact Fees*

33.15 Purpose
33.16 Impact fees imposed
33.17 Definitions
33.18 Service area
33.19 Time of collection
33.20 Offsets against the impact
33.21 Legal challenges and arbitration
33.22 Accounting expenditures and refund of impact fees

*Town Fee Schedule*

33.35 Town Fee Schedule


## *FUNDS*

### § 33.01 CAPITAL IMPROVEMENT FUND.

(A) *Generally*.

(1) *Establishment*. The town hereby establishes a Capital Improvement Fund in accordance with the state code.

(2) *Purpose*. The purpose of the Capital Improvement Fund is to accumulate and allocate financial resources for the acquisition, repair, replacement or improvement of public assets. These assets include, but are not limited to:

(a) Public safety equipment and facilities;

(b) Streets and sidewalks;

(c) Public buildings;

(d) Library facilities;

(e) Parks and recreational facilities;

(f) Town-owned equipment; and

(g) Any other public property or improvements that support municipal operations or benefit the public.

(3) *Use of funds*.

(a) Expenditures from the Capital Improvement Fund shall be made only for capital purposes as defined in state law and this section.

(b) All use of funds must comply with applicable budgeting and procurement procedures. (Prior Code, § 1.13.10)

(B) *Definitions*. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***APPROPRIATION.*** A legal authorization granted by the Town Council to allocate funds for a specific use.

***AVAILABLE FUNDS.*** Financial resources not already legally committed, which may be allocated to the Capital Improvement Fund as part of the budget process.

***BUDGETING PROCESS.*** The annual procedure by which the town evaluates revenue, allocates funds and adopts financial plans pursuant to the Uniform Fiscal Procedures Act for Utah towns.

***CAPITAL EXPENDITURE.*** A payment made from the Capital Improvement Fund for a capital improvement, including the purchase or upgrade of long-term physical assets having a useful life of five years or more.

***CAPITAL IMPROVEMENT.***

(a) A long-term investment involving the purchase, construction, repair, replacement or upgrade of town-owned infrastructure or assets with a useful life of at least five years and a value meeting the threshold established by town policy.

(b) Any permanent addition to the town's physical infrastructure, including the acquisition, construction, repair, replacement or improvement of land, buildings, equipment, streets or other facilities intended to extend the useful life or enhance the function of public assets.

***CAPITAL IMPROVEMENT FUND.*** A separate and legally established fund used exclusively for capital expenditures, as authorized by U.C.A. § 10-6-116(5).

***CAPITAL IMPROVEMENT PRIORITY.*** A capital project identified by the town as having significant importance to the maintenance or advancement of public infrastructure, as determined during the annual budgeting process.

***GENERAL FUND.*** The primary operating fund of the town, used to account for general-purpose revenues and expenditures not designated for specific funds.

***LEGALLY AVAILABLE SOURCES.*** Funds or revenue streams that may be allocated to the Capital Improvement Fund under federal, state or local law, including inter-fund transfers, grants, donations and other appropriations.

***PROCUREMENT PROCEDURES.*** The policies and legal requirements governing the purchase of goods, services and public works by the town, including competitive bidding and contracting requirements.

***PUBLIC ASSET.*** A tangible or intangible property owned by the town and used for governmental purposes, including, but not limited to, buildings, streets, equipment, parks and public safety facilities.

***PUBLIC IMPROVEMENT.*** Infrastructure or facilities constructed, repaired or enhanced for the benefit of the public, such as streets, sidewalks, parks, utilities and buildings.

***PUBLIC PROPERTY.*** Any property owned, leased or maintained by the town for public use or municipal operations, including land, buildings, infrastructure and equipment.

***PUBLIC SAFETY EQUIPMENT AND FACILITIES.*** Vehicles, structures, tools or technology used by law enforcement, fire services and emergency response personnel.

***SURPLUS FUNDS.*** Financial resources remaining at the end of a fiscal year in excess of the town's operational needs and legally obligated expenditures, and available for discretionary allocation, including capital improvements.

***TOWN-OWNED EQUIPMENT.*** Movable property owned by the town used in support of municipal services, such as maintenance vehicles, tools, office machinery and specialized service equipment.
(Prior Code, § 1.13.20)

(C) *Funding*.

(1) The Town Capital Improvement Fund shall be funded annually to the extent that funds are available and may be legally allocated in accordance with the state code. Appropriations to this fund may include:

(a) Transfers from the General Fund or other legally available sources;

(b) Grants, donations or other contributions designated for capital improvements; and

(c) Any other revenues authorized by law to be used for capital purposes.

(2) Funding levels shall be determined as part of the town's annual budgeting process, based on the availability of surplus funds and the town's capital improvement priorities.
(Prior Code, § 1.13.30)

(D) *Capital improvement plan (CIP)*. The town shall maintain a rolling five-year capital improvement plan identifying proposed projects, estimated costs, funding sources and priority rankings. The plan shall be reviewed annually by the Town Council as part of the budget process.
(Prior Code, § 1.13.40)

(E) *Annual reporting*. The Mayor or Town Treasurer shall prepare an annual report summarizing fund balances, expenditures and planned capital projects to ensure transparency and fiscal accountability.
(Prior Code, § 1.13.50)

## *IMPACT FEES*

### § 33.15 PURPOSE.

(A) This impact fee policy is promulgated pursuant to the requirements of the Impact Fees Act, U.C.A. §§ 11-36a et seq. (the "Act").

(B) A local government may require the dedication of property (this requirement is called an ***EXACTION***) as a condition to approving a development, provided that:

(1) An essential link exists between a legitimate governmental interest and each exaction; and

(2) Each exaction is roughly proportionate, both in nature and in extent, to the impact of the proposed development.
(Prior Code, § 9.9.10)

### § 33.16 IMPACT FEES IMPOSED.

Impact fees are hereby imposed as a condition of the issuance of a building permit by the town for any development activity which creates additional demand and need for public facilities for the culinary water system; wastewater collection and treatment system; public safety facilities, including police, fire and rescue; roadway or transportation facilities; stormwater drainage and flood-control facilities; and municipal power facilities.
(Prior Code, § 9.9.20)

### § 33.17 DEFINITIONS.

For the purpose of this subchapter, the following definitions, as well as the definitions provided in the State Impact Fees Act, U.C.A. §§ 11-36a-102 et seq., shall apply unless the context clearly indicates or requires a different meaning.

***ACT.*** The State Impact Fees Act, as codified in U.C.A. §§ 11-36a-101 et seq.

***BUILDING PERMIT.*** An official authorization issued by the town for the construction, reconstruction, alteration or expansion of a building or structure.

***CAPITAL FACILITIES PLAN.*** A plan adopted by the town identifying public facility needs and intended capital improvements, along with financing strategies, as required by the Impact Fees Act.

***CULINARY WATER SYSTEM.*** Infrastructure used for the treatment, storage and delivery of potable water to residential, commercial, institutional or industrial users, including wells, tanks, pipes, valves and meters.

***DEVELOPMENT ACTIVITY.*** Any construction, expansion, alteration or change in use of land or buildings that creates a demand for additional public facilities.

***DEVELOPMENT APPROVAL.*** Formal authorization from the town permitting a development activity to proceed, including approvals of building permits, subdivisions or site plans.

***IMPACT FEE.*** A fee imposed by the town as a condition of development approval to mitigate the impact of new development on public infrastructure, in accordance with this subchapter and the Impact Fees Act.

***MUNICIPAL POWER FACILITIES.*** Facilities, substations, transmission lines, poles, transformers and other infrastructure owned or operated by the town to generate, distribute or manage electricity.

***OFFSET.*** A credit applied to reduce the amount of an impact fee otherwise payable, based on the value of land, facilities or improvements provided by the developer that benefit the same public facility category.

***PUBLIC FACILITIES.*** Capital infrastructure or improvements owned or operated by the town that provide service to the public, including the culinary water system, wastewater system, public safety facilities, transportation facilities, stormwater drainage and flood control systems and municipal power systems.

***PUBLIC SAFETY FACILITIES.*** Buildings, land, vehicles and equipment used by police, fire, rescue and emergency medical services to protect the health, safety and welfare of the community.

***QUALIFYING IMPROVEMENT.*** A capital improvement, land dedication or financial contribution required as a condition of development approval that mitigates the impact of development and qualifies for an offset under this subchapter.

***ROADWAY OR TRANSPORTATION FACILITIES.*** Infrastructure such as roads, bridges, traffic signals, signs and associated improvements that provide for vehicle, pedestrian or bicycle travel and are maintained by the town.

***SERVICE AREA.*** The geographic area designated by the town within which a defined set of public facilities provides service, and within which development may be subject to impact fees.

***STORMWATER DRAINAGE AND FLOOD CONTROL FACILITIES.*** Structures and systems designed for the conveyance, retention and treatment of stormwater, including ditches, culverts, detention basins, storm drains and related infrastructure to manage runoff and reduce flood risk.

***TOWN.*** Fairfield, Utah.

***TOWN COUNCIL.*** The elected legislative body of the town with authority to adopt ordinances, including those governing the imposition and use of impact fees.

***WASTEWATER COLLECTION AND TREATMENT SYSTEM.*** Pipes, lift stations, manholes, lagoons and treatment plants used for the collection, conveyance and processing of sanitary sewage.
(Prior Code, § 9.9.30)

## § 33.18 SERVICE AREA.

The entire area of the town and any areas outside of the town serviced by such public facilities are hereby designated and established as one service area for the purposes of the public facilities for which impact fees are being imposed under the provisions of this subchapter.
(Prior Code, § 9.9.40)

## § 33.19 TIME OF COLLECTION.

Unless otherwise recommended by town staff and approved by the Town Council, impact fees shall be payable prior to and as a condition of the issuance of a building permit by the town.
(Prior Code, § 9.9.50)

## § 33.20 OFFSETS AGAINST THE IMPACT.

Fees that would otherwise be due for a development activity may be approved by the Town Building Department with the approval of the department head (roads, water, parks and the like) and the Mayor in accordance with the following provisions.

(A) An offset shall be granted for qualifying improvements that are required to be made by a developer as a condition of development approval.

(B) Offsets shall be allowable and payable only to offset impact fees otherwise due for the same category of improvements. Unless otherwise expressly agreed to in writing by the town, offsets shall not result in reimbursement from the town or constitute a credit against future fees and shall not constitute a liability of the town for any deficiency in the offset.

(C) Offsets shall be given only for the value of any construction of improvements or contribution or dedication of land or money by a developer or his or her predecessor in title or interest for qualifying improvements of the same category for which an impact fee was imposed.

(D) The value of land dedicated or donated shall be based on:

(1) The Town Fee Schedule, which would be updated yearly to reflect the value of the improvement; and

(2) By appraisal. The person applying for an offset shall be responsible for providing and paying for appraisals of land and improvements, construction cost figures and documentation of all contributions and dedications necessary to the computation of the offset claimed. The Director of Building shall not grant offsets to any person who cannot provide such documentation in such form as the Director of Building may reasonably require.

(E) The value of land dedicated or donated shall be based on the appraised land value of the parent parcel on the date of transfer of ownership to the town.

(F) Offsets provided for qualifying improvements meeting the requirements of this section shall be valid from the date of approval until ten years after the date of approval or until the last date of construction of the project, whichever occurs first.

(G) The right to claim offsets shall run with the land and may be claimed only by owners of property within the development area for which the qualifying improvement was required.

(H) Any claim for offsets must be made in writing not later than the time of submittal of a building permit application or an application for another permit subsequent to development approval that is subject to impact fees. Any claim not so made shall be deemed waived.
(Prior Code, § 9.9.60)

## § 33.21 LEGAL CHALLENGES AND ARBITRATION.

(A) *Request for information.* Any person or entity required to pay an impact fee who believes the fee does not meet the requirements of law may file a written request for information with the town as

provided by the Act. Within two weeks of receipt of the request for information, the town shall provide the person or entity with the written analysis required by the Act and any other relevant information relating to the impact fee.

(B) *Application.* Any person or entity that has paid an impact fee pursuant to this subchapter may challenge or appeal the impact fee by filing a written notice of appeal with the Town Administrator within 30 days of the date that the fee was paid.

(C) *Hearing*. Upon receiving the written notice of appeal, the Town Council shall set a hearing date to consider the merits of the challenge or appeal. The person or entity challenging or appealing the fee may appear at the hearing and present any written or oral evidence deemed relevant to the challenge or appeal. Representatives of the town may also appear and present evidence to support the imposition of the fee.

(D) *Decision.* The hearing panel, which shall consist of the Town Council or such other body as the town shall designate, shall hold a hearing and make a decision within 30 days after the date the challenge or appeal is filed.
(Prior Code, § 9.9.70)

### § 33.22 ACCOUNTING EXPENDITURES AND REFUND OF IMPACT FEES.

(A) The impact fees collected pursuant to this enactment shall be deposited into a separate interest-bearing ledger account and may only be used for capital improvements to the public facilities for which the fees were collected. The accounting, expenditure and refund of all such impact fees collected shall be handled in accordance with the provisions of the Act.

(B) Any impact fee offset will be detailed in the building permit.
(Prior Code, § 9.9.80)

## *TOWN FEE SCHEDULE*

### § 33.35 TOWN FEE SCHEDULE.

The Town Fee Schedule is adopted by reference and can be found on the town's website.
(Res. 2024-04, passed 1-9-2024; Res. 2024-08, passed 5-9-2024)

# CHAPTER 34: CODE ENFORCEMENT

Section

34.01 Applicability
34.02 Enforcement responsibilities
34.03 Initiating enforcement action
34.04 Acting on alleged violations
34.05 Formal proceedings

## § 34.01 APPLICABILITY.

(A) This chapter applies to all violations of the town code, including ordinances, resolutions, policies and regulations adopted by the town, unless a more specific enforcement procedure is provided elsewhere in this code. In the event of a conflict between this chapter and a more specific enforcement provision, the more specific provision shall govern.

(B) This chapter is intended to provide a uniform process for identifying, investigating and remedying code violations and may be used in conjunction with civil, criminal or administrative remedies as authorized by law.
(Ord. 2025-14, passed 7-16-2025)

## § 34.02 ENFORCEMENT RESPONSIBILITIES.

(A) *Mayor.* As provided by U.C.A. § 10-3b-104, the Mayor may be responsible to enforce the laws of the town and ensure that all applicable statutes and ordinances are faithfully observed.

(B) *Code Enforcement Officer.* The town shall designate a Code Enforcement Officer and, under the supervision of the Mayor, shall determine when violations exist and when enforcement action should be taken.
(Ord. 2025-14, passed 7-16-2025)

## § 34.03 INITIATING ENFORCEMENT ACTION.

(A) *Complaints*.

(1) Complaints alleging code violations may be made by any resident or nonresident of the town.

(2) Complaints shall be made to the town offices and directed to the Code Enforcement Officer.

(3) Complaints must be submitted in writing.

(4) The complainant shall identify himself or herself by name and contact information.

(5) The identity of a complainant may be kept confidential if, in the opinion of the Code Enforcement Officer, such confidentiality will best serve the public interest. This section may not prohibit disclosure of the identity of a complainant through the procedures of the State Government Records Access and Management Act (GRAMA), being U.C.A. Title 63G, Chapter 2, Part 1, as amended, or by court order.

(B) *Town officials or staff.* An allegation of a code violation may be made to the Code Enforcement Officer by town officials or town employees.

(C) *Code Enforcement Officer initiation.* The Code Enforcement Officer may, on his or her own initiative, begin enforcement proceedings if there is reason to believe that a code violation is occurring. (Ord. 2025-14, passed 7-16-2025)

## § 34.04 ACTING ON ALLEGED VIOLATIONS.

(A) *Preliminary inquiry*. Upon receiving information of an alleged code violation, the Code Enforcement Officer shall first make a preliminary inquiry to determine if there is a reasonable basis for believing that the violation exists. The Code Enforcement Officer shall determine the most appropriate manner for conducting the preliminary inquiry by carefully balancing the rights of individual citizens with the public's need for code enforcement.

(B) *Explanation of code provisions.* The Code Enforcement Officer shall provide to the alleged violator a written copy of the statute, code, policy or ordinance that is allegedly being violated. The Code Enforcement Officer shall also make himself or herself available to discuss or meet with the alleged violator to answer questions and provide information regarding the matter.

(C) *Initial contact with alleged violator*. If the Code Enforcement Officer determines that there is a reasonable basis for believing that the alleged code violation is occurring, he or she shall contact the alleged violator and/or the owner of the property on which the violation is alleged to be occurring. This initial contact may be by telephone, in writing, in person or by any other means deemed appropriate for the circumstance by the Code Enforcement Officer. In this contact, the Code Enforcement Officer shall make clear the nature of the alleged code violation, attempt to ascertain from the alleged violator whether the violation is actually occurring and request that the person remedy or cease any violation that is actually occurring.

(D) *Warning letter*. If the violation has not been remedied or ceased after a reasonable length of time from the Code Enforcement Officer's initial contact with the violator, the Code Enforcement Officer shall write a warning letter to the violator and/or the property owner. The warning letter shall state that it is the final warning to the violator before a formal notice of violation may be issued.
(Ord. 2025-14, passed 7-16-2025)

## § 34.05 FORMAL PROCEEDINGS.

(A) *Notice of violation*. If the code violation is not remedied or ceased within a reasonable length of time after the sending of the warning letter, the town may issue to the violator a notice of violation. The notice of violation shall be dated and shall state the name of the alleged violator, the address of the violation, the date(s) of the violation, the town laws or ordinances believed to have been violated, the steps the violator must take to cure the violation, the steps the town may take to enforce the law or ordinance allegedly violated, the penalties and fees that may be imposed if the violation is not corrected, a date by which the violation must be corrected to avoid imposition of penalties and enforcement action, and procedures by which the alleged violator may request an administrative hearing as described below.

(B) *Service of notice*. The notice of violation shall be hand-delivered to the alleged violator or posted in a conspicuous place on the affected property or mailed by U.S. mail with delivery tracking. If these methods are unsuccessful in reaching the person, notice may be published in a newspaper of general circulation in the town.

(C) *Response to notice of violation and request for hearing*. A person who receives a notice of violation has a right to an administrative hearing. To receive a hearing, the alleged violator must request a hearing in writing to the Town Recorder/Clerk. The request for hearing must be received by the town before the end of the tenth business day after the person's receipt of, or posting or publication of, the notice of violation. If no written request for hearing is received by the town within this time, the allegation in the notice of violation will be deemed by the town to be true and to be the final administrative order of the town on the matter, the right to administrative appeal will be waived and penalties and enforcement measures will be imposed.

(D) *Administrative hearing*. Within 45 days of receiving a written request for hearing, the town shall hold an administrative hearing. The hearing shall be conducted by an Administrative Law Judge appointed by the Mayor with the advice and consent of the Town Council. The Administrative Law Judge may not be an employee of the town.

(1) Notice of the hearing shall be given at least 14 days prior to the hearing. An alleged violator who fails to appear at an administrative hearing after proper notice shall waive the right to an administrative hearing as if no hearing had been requested.

(2) The hearing shall be a public meeting. The hearing shall be recorded or otherwise documented so that a true and correct transcript may be made of its proceedings.

(3) Both the town and the alleged violator shall have the opportunity to speak and to call witnesses at the hearing. The Administrative Law Judge may allow competent evidence and documents to be introduced at the hearing without observance of formal rules of evidence or procedure. Each side shall be allowed to question and cross-examine witnesses. Each side may be represented by an attorney, but if the alleged violator is to be represented by an attorney, that attorney shall contact the Town Attorney at least two business days prior to the hearing.

(4) The town shall bear the burden of proof to establish the existence of a violation. Such proof shall be established by a preponderance of the evidence.

(5) At the conclusion of the hearing, or within five business days thereafter, the Administrative Law Judge shall issue a written order. The order shall find that the violation has or has not occurred. If the order finds that the violation has not occurred, the proceeding shall be dismissed. If the order finds that the violation has occurred, the order may impose penalties as provided in this or other town ordinances. The order may also direct the violator to cease and desist from the violation, and may direct the town to abate the violation on its own as necessary. The order may give interim or temporary directives as necessary, and may also embody agreements the two sides may make before, during or after the hearing.

(E) *Abatement*. If the order issued after the administrative hearing finds that a violation has occurred, or if no hearing was requested, the town shall have authority to take reasonable measures to abate the violation as specified in the order or notice of violation, including entering onto the property at the site of the violation and physically abating the violation.

(F) *Emergency abatement*. Nothing in this chapter shall be construed to prohibit the town from taking emergency measures to immediately abate a violation when preservation of the life, safety or health of the public requires immediate action.

(G) *Recordation*. The town may record the order issued by the Administrative Law Judge, or, if no hearing was requested, the notice of violation, with the County Recorder, indexed to the property (if any) at which the violation occurred. If an order or notice is so recorded, and the violation is thereafter abated and the property comes into compliance, the town shall file with the County Recorder a notice of compliance retracting the stated violation within 30 days of the violation coming into compliance.

(H) *Appeals*. Any person adversely affected by an administrative order issued following an administrative hearing under this chapter may petition a State District Court for review of the order pursuant to U.C.A. § 10-3-703.7, within 30 days of the issuance of the order.

(I) *Remedies not exclusive*. The existence or use of the procedures described in this section shall not preclude the use by the town of other enforcement mechanisms unless prohibited by law.
(Ord. 2025-14, passed 7-16-2025)

## § 34.99 PENALTY.

If the order issued after the administrative hearing finds that a violation has occurred, or if no hearing was requested, the town may impose penalties as specified in the law or ordinance found violated. In the absence of another applicable penalty provision, the town may impose a penalty not to exceed the maximum fine for a Class B misdemeanor under state law per day of violation. In addition, the violator shall be assessed and required to pay all costs actually incurred by the town in abating and enforcing the law or ordinance in the case, and in holding the administrative hearing, if one was held, including, but not limited to, inspection costs, filing fees, title searches, equipment costs, attorneys' fees and Administrative Law Judge fees.
(Ord. 2025-14, passed 7-16-2025)

# TITLE 5: PUBLIC WORKS

Chapter


**50. WATER**

**51. SEWER**

**52. TELECOMMUNICATIONS**

# CHAPTER 50: WATER

Section


*General Provisions*

50.01 Adopting APWA standards
50.02 Adopting AWWA standards

*Water Infrastructure Planning*

50.15 Adoption of Master Water Plan

*Culinary Water Distribution System*

50.30 Ownership and purpose
50.31 Irrigation company
50.32 System goals
50.33 Director of Water Department
50.34 Definitions
50.35 Fundamental policies
50.36 Well capping and cross-connection requirements
50.37 Water share requirements
50.38 Outdoor irrigation and animal unit regulations
50.39 Timing of water right transfer
50.40 Water main line extensions
50.41 Master development agreements
50.42 Private systems and wells
50.43 Water and water line regulations and restrictions
50.44 Sprinklers and irrigation systems
50.45 Application for service
50.46 Billing, nonpayment, disconnection and reconnection
50.47 Conflicts
50.48 Enforcement

50.99 Penalty

## *GENERAL PROVISIONS*

### § 50.01 ADOPTING APWA STANDARDS.

The town adopts the American Public Works Association (APWA) standards as written and updated.
(Res. 2024-11, passed 5-9-2024)

### § 50.02 ADOPTING AWWA STANDARDS.

The town adopts the American Water Works Association (AWWA) standards as written and updated.
(Res. 2026-01, passed 1-21-2026)

## *WATER INFRASTRUCTURE PLANNING*

### § 50.15 ADOPTION OF MASTER WATER PLAN.

The document titled "Master Water Plan," dated May 2025, is hereby adopted as the official water infrastructure planning document.
(Ord. 2025-06, passed 5-21-2025)

## *CULINARY WATER DISTRIBUTION SYSTEM*

### § 50.30 OWNERSHIP AND PURPOSE.

The town owns and operates a culinary water distribution system ("system") for the purpose of furnishing culinary water to residents and businesses within the town. This subchapter governs the operation, connection, expansion and protection of the system, superseding any conflicting provisions in prior ordinances. This subchapter is adopted pursuant to U.C.A. Title 10, Chapter 8 (Municipal Utilities), U.C.A. Title 73 (Water and Irrigation).
(Ord. 2025-15, passed 9-17-2025)

## § 50.31 IRRIGATION COMPANY.

(A) A separate legal entity that operates independently from the town. The company retains fiduciary responsibility for 40 grandfathered shares existing at the time of the town's purchase of the culinary water system, which remain subject to their original agreements. The company maintains its own water rights, irrigation shares and rules of operation. The town does not regulate, control or guarantee water service provided by the company, and all questions, disputes or service issues related to the irrigation system shall be addressed directly with the company.

(B) All company culinary water shares that have been transferred to the town shall be administered in accordance with the court decree of 1965. Owners of such shares acknowledge that water use, allocation and priority are governed by the terms of said decree, and that the town shall manage these shares subject to its provisions.
(Ord. 2025-15, passed 9-17-2025)

## § 50.32 SYSTEM GOALS.

The culinary water system shall be managed to:

(A) Protect public health, safety and welfare;

(B) Provide adequate water for existing and future needs consistent with the general plan;

(C) Ensure capacity for fire suppression in accordance with the State Fire Marshal's standards and NFPA 24/1142, as amended;

(D) Maintain orderly and efficient system design;

(E) Preserve water quality and prevent contamination; and

(F) Protect the rural character, resources and value of the town.
(Ord. 2025-15, passed 9-17-2025)

## § 50.33 DIRECTOR OF WATER DEPARTMENT.

A Director of Water Department is appointed to oversee the system, enforce this subchapter and administer the cross-connection control program. The Director shall coordinate with the Town Engineer and Town Council on all capacity determinations, fire flow requirements and water rights transfers.
(Ord. 2025-15, passed 9-17-2025)

## § 50.34 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Where definitions differ from or are not provided in this section, the definitions contained in U.C.A. Title 73 (Water and Irrigation), State Administrative Code R309 (Drinking Water) or applicable federal standards shall apply.

***ACRE-FOOT (AF).*** The volume of water required to cover one acre of land to a depth of one foot, equal to 325,851 gallons.

***APPLICANT.*** Any individual, developer, corporation or entity applying for connection, subdivision approval or any service under this subchapter.

***BACKFLOW PREVENTION ASSEMBLY.*** A device installed to prevent contamination of the town's water system.

***BUILDING OFFICIAL.*** The official responsible for ensuring compliance with construction and utility regulations.

***CAPACITY REVIEW.*** The evaluation performed by the Town Engineer to determine whether the culinary water system has sufficient source capacity, storage capacity and distribution capacity to serve a proposed development, including fire flow requirements.

***CEDAR VALLEY AQUIFER.*** The designated groundwater basin from which the town's municipal and culinary water rights are sourced, located in State Water Rights Area 54.

***CHANGE APPLICATION.*** An application filed with the State Engineer to change the point of diversion, place of use or nature of use of a water right.

***CONNECTION (OR SERVICE CONNECTION).*** The physical tie-in of a property or structure to the town's culinary water system, including the service line, meter and appurtenances.

***CROSS-CONNECTION.*** Any physical connection or arrangement between the town's culinary water system and another water source, including a private well, irrigation system or secondary water system, through which backflow could occur into the town system.

***CULINARY WATER.*** Potable water that meets all applicable State Department of Environmental Quality (DEQ) and State Division of Drinking Water (DOW) standards for human consumption, domestic use and food preparation.

***CUSTOMER.*** Any person, business or entity receiving water service from the town.

***DELINQUENT ACCOUNT.*** An account with an outstanding balance beyond the due date as defined in § 50.38(A).

***DEVELOPER.*** Any person, partnership, corporation or entity proposing to subdivide land, construct improvements or connect to the town's culinary water system.

***DIRECTOR OF WATER DEPARTMENT.*** The individual appointed by the Town Council to oversee the town's culinary water system, enforce this subchapter and coordinate with the Town Engineer.

***FAIRFIELD IRRIGATION COMPANY*** or ***COMPANY.***

(1) A separate legal entity that operates independently from the town.

(2) ***FAIRFIELD IRRIGATION COMPANY*** is a nonprofit company established for the equitable distribution of water issuing forth from a natural flowing spring thus providing irrigation, stock watering and culinary for shareholders within said company

***FAIRFIELD IRRIGATION CULINARY SHARE.*** An irrigation culinary water share that is governed by the Fairfield Irrigation Company. These ***SHARES*** are not available to purchase.

***FINAL PLAT.*** A subdivision map approved by the Town Council and recorded with the county, which identifies all lots, dedications, easements and water rights conveyed.

***IMPACT FEES.*** Charges assessed in accordance with the town's impact fee facilities plan and impact fee analysis to ensure new development pays its proportionate share of system-level improvements.

***LIVESTOCK WATERING PERMIT.*** A temporary water permit issued by the town for the limited purpose of watering livestock, subject to metering, duration limits and prohibitions on irrigation of fields or land.

***MAIN LINE (WATER MAIN).*** A water distribution pipeline owned and maintained by the town, generally located within a public right-of-way or utility easement, from which service connections are made.

***MASTER DEVELOPMENT AGREEMENT (MDA).*** A written agreement between a developer and the town that governs water service obligations, infrastructure installation, water right conveyances, reimbursement terms and other conditions of development approval.

***METER.*** A device owned and maintained by the town to measure culinary water delivered to a service connection.

***METER TAMPERING.*** Any unauthorized interference, bypass, removal or modification of a town-owned meter, meter box or appurtenance.

***MUNICIPAL OR CULINARY WATER RIGHT.*** A groundwater right authorized by the State Engineer for municipal or culinary use and approved for diversion at the town's designated points of diversion.

***PERFORMANCE GUARANTEE.*** A bond, escrow, letter of credit or other acceptable security required by the town to ensure completion of improvements or transfer of water rights.

***PLATTED LOT.*** A parcel of land that has received final subdivision approval and has been recorded with the county.

***POINT OF DIVERSION.*** The legally authorized location where water under a valid right may be diverted from its natural source.

***PRIVATE WELL.*** A groundwater well owned and operated by a private individual or entity, not incorporated into the town's culinary water system.

***SECONDARY USE.*** The use of water from a private well or non-culinary source for purposes other than indoor household culinary use, such as outdoor irrigation, livestock watering or agricultural purposes, provided such use complies with all applicable state water right and cross-connection regulations.

***SERVICE LINE.*** The pipe and related infrastructure running from the town's main to the customer's meter and from the meter to the building served.

***SHORT-TERM WATER PERMIT.*** A permit issued by the town for temporary water use such as construction, dust control or livestock watering. Such permits shall not exceed 90 days, must be metered and do not establish permanent service rights.

***SUBDIVISION.*** Any division of land requiring town approval under the town's subdivision ordinance.

***SYSTEM (CULINARY WATER SYSTEM).*** The complete culinary water distribution system owned and operated by the town, including sources, wells, pumps, storage tanks, mains, service connections and meters.

***TOWN ENGINEER.*** The professional engineer designated by the town to review, approve and inspect all water-related plans, improvements and water right transfers.

***UNAUTHORIZED USE.*** Any use of the town water system without proper authorization, including unmetered consumption or bypassing a meter.

***UNAUTHORIZED USER.*** Any person who obtains water service from the town system without proper authorization, permit or connection approval.

***USER.*** Any individual, household or business that consumes or receives water service.

***WASTEFUL USE.*** Excessive or negligent water usage that leads to avoidable waste, as outlined in § 50.42.

***WATER BANKING.*** The conveyance of water rights to the town for retention and future use on a specific parcel or project, subject to a Town Council-approved development agreement.

***WATER DIRECTOR.*** The town official responsible for overseeing the administration and operation of the municipal water system.

***WATER MAIN.*** A principal pipeline owned and maintained by the town that distributes water to customers.

***WATER MAIN EXTENSION.*** A newly constructed segment of water main designed to connect a development to the existing town system, required to meet town standards.

***WATER METER.*** A device used to measure the quantity of water used by a customer.

***WATER RIGHT.*** A right to divert and beneficially use water under state law, recognized by the State Engineer.

***WATER SERVICE CONNECTION.*** The physical connection between a user's plumbing system and the town's water system.

***WELL CAPPING.*** The permanent sealing of a groundwater well in compliance with State Administrative Code R655-9 (Water Well Drilling) when required by this subchapter or as a condition of connection to the town system.
(Ord. 2025-15, passed 9-17-2025)

## § 50.35 FUNDAMENTAL POLICIES.

(A) *No irrigation shares in the culinary system.* Irrigation water shares, secondary water shares or any other non-culinary water rights shall not be accepted into the town's culinary system. Surface water

or agricultural shares shall not be accepted unless certified as municipal/culinary by the State Engineer and approved by the town's designated water engineer.

(B) *Water rights source and location.* All water rights must be transferred to the town's approved point of diversion from the Cedar Valley aquifer and determined to be culinary water before being moved.

(C) *Water rights review.* All water rights offered to the town must be reviewed by the town's designated water engineer for suitability, quantity and transferability before acceptance.

(D) *Developer cost responsibility.* Developers shall connect and bear 100% of the cost of extending and connecting water lines, tanks, pump stations and related equipment necessary to serve their development from the nearest approved connection point. Impact fees are in addition to, not in lieu of, these direct costs.

(E) *Impact fees.*

(1) All developments shall pay the applicable impact fees listed in the Town Fee Schedule for each culinary water connection.

(2) Each lot shall require a separate connection and corresponding impact fee.

(3) Impact fees have been established pursuant to an impact fee study and shall remain in effect unless amended by the town in accordance with state law.

(F) *Cross-connection prohibition.* Under no circumstances shall a private well or any other secondary water source be cross-connected with the town's culinary water system, including any connection to a residence, accessory dwelling unit (ADU) or accessory structure.
(Ord. 2025-15, passed 9-17-2025) Penalty, see § 50.99

## § 50.36 WELL CAPPING AND CROSS-CONNECTION REQUIREMENTS.

(A) *Voluntary connection.* When a property owner voluntarily connects to the town's culinary water system and transfers the water right associated with an existing well to the town, the well shall be permanently capped and abandoned in compliance with state standards.

(B) *Subdivision or annexation.* In the case of new subdivisions, annexations or system expansions where properties are required to connect to the town's culinary water system as a condition of approval, existing wells on those properties shall be required to be capped in accordance with state standards.

(C) *Existing independent wells*. Nothing in this section shall be construed to require existing property owners who remain independent of the town's culinary water system to cap or abandon their lawful private wells.

(D) *Cross-connection prohibition*.

(1) Where a property is served by the town's culinary water system, no private well shall be physically connected to the household plumbing or to any portion of the town's culinary water system.

(2) Any retained wells may only be used for approved secondary purposes (such as outdoor irrigation or livestock watering), and such uses must comply with all applicable state cross-connection and backflow prevention regulations.
(Ord. 2025-15, passed 9-17-2025) Penalty, see § 50.99

## § 50.37 WATER SHARE REQUIREMENTS.

(A) *Required volumes by land use*.

(1) All applicants must convey adequate water rights to the town prior to final plat approval (for subdivisions) or prior to issuance of a building permit (for single-lot development), except as allowed under § 50.39.

| ***Minimum Required Water Rights*** | | |
|---|---|---|
| ***Use Type*** | ***Minimum Water Right Volume*** | ***Notes*** |
| Commercial/retail | 0.9 AF per lot of developed land | Includes landscaping |
| Light industrial | 0.9 AF per lot of developed land | May allow water banking if low demand |
| Non-standard uses | Determined by Town Council and engineer based on demand | Examples: car wash, processing plant |
| Residential $\leq$ 1 acre lot | 1.0 acre foot water right | Indoor and outdoor use |
| Residential $>$ 5 acres | 1.25 acre foot water right | Engineer review required |
| Residential $>$ 1 acre - $\leq$ 5 acres | 1.25 acre foot water right | Rounded up to nearest tenth |

(2) The Town Council may, by resolution, update these volumes as needed to remain consistent with regional studies, State Division of Water Resources guidance or Cedar Valley aquifer conditions.

(B) *Platted water disclosure*. All final plats shall note the volume of water rights conveyed for each lot.

(C) *Right to require more water.* If anticipated demand exceeds volumes above, the town may require additional water rights at any stage. A written capacity review by the Town Engineer shall be required for all subdivisions and nonresidential developments.

(D) *Low water or non-water use businesses.* In cases where a business or facility requires little to no culinary water (such as utility hubs, communications facilities or similar operations), the Town Council may, at its sole discretion, reduce or waive the standard water connection, water rights and/or impact fee requirements. Such determinations shall be made on a case-by-case basis, proportionate to the actual anticipated water demand and documented in the development approval.

(E) *Reduction of water right requirement.* The Town Council may, at its sole discretion, reduce the amount of required water rights if the applicant provides adequate proof, supported by engineering or professional analysis, that the full requirement is not necessary to serve the intended use. Any such reduction shall be documented in the approval of the development or connection.

(F) Nothing in this subchapter obligates the town to approve a connection if system capacity is insufficient.
(Ord. 2025-15, passed 9-17-2025) Penalty, see § 50.99

## § 50.38 OUTDOOR IRRIGATION AND ANIMAL UNIT REGULATIONS.

(A) *Outdoor irrigation.*

(1) Culinary water connections may be used for outdoor landscaping irrigation on an area not to exceed one-tenth acre per acre foot of water right.

(2) Irrigation of agricultural fields, pastureland or similar large-scale areas is prohibited on the town's culinary water system.

(B) *Animal units by lot size.*

(1) Lots one acre or less: up to three animal units may be maintained.

(2) Lots two to five acres: up to six animal units may be maintained, provided that each lot has a minimum of one and one-tenth acre-feet of water rights dedicated for such use (in accordance with § 50.37).

(3) Lots greater than five acres: animal allowances shall be governed by the provisions of the Agricultural Zone regulations.

(C) *Animal unit equivalents*. For purposes of this section, the following equivalencies shall apply:

(1) One cow or horse equals one animal unit;

(2) Five sheep or goats equals one animal unit;

(3) Twenty-five chickens, ducks or similar fowl equals one animal unit; and

(4) Other species shall be evaluated by the town on a case-by-case basis, based on equivalent water consumption and space requirements.
(Ord. 2025-15, passed 9-17-2025) Penalty, see § 50.99

## § 50.39 TIMING OF WATER RIGHT TRANSFER.

(A) *Single lot residential requirements*.

(1) *Initiation and review*. The applicant shall initiate the transfer of required water rights; and submit water rights for review by the town's designated water engineer, who shall verify their suitability for use in the town's culinary water system.

(2) *Building permit condition*. No building permit shall be issued until the Town Engineer has approved the proposed transfer of water rights.

(3) *Deeding and state approval*. Following Town Engineer approval, the applicant shall deed the approved water rights to the town and obtain approval from the State Engineer to change the point of diversion to the town's designated point of diversion.

(4) *Single-family dwelling requirement*. For the construction of a single-family dwelling, the approved water right must be fully transferred into the town's culinary water system or into an approved town-owned well, before a certificate of occupancy will be issued.

(5) *Source limitation exception*.

(a) Water rights transferred to the town shall be municipal or culinary well rights from State Water Rights Area 54 (Cedar Valley).

(b) In rare cases, the town may accept water rights from another water rights area if the State Engineer determines, in writing, that the rights are suitable for transfer to the town's culinary water system and the town's designated water engineer approves their use.

(B) *Subdivision/multi-lot residential water right transfer requirements.*

(1) All residential subdivisions shall transfer to the town, prior to final plat approval, a minimum of one acre-foot of approved municipal or culinary water rights from State Water Rights Area 54 for each one acre lot, or the amount otherwise required for the lot size under § 50.37.

(2) Water rights may be transferred in phases corresponding to the recorded plat phases; however, no subdivision phase shall receive final plat approval until all required water rights for that phase have been transferred to the town.

(C) *Performance guarantee requirement.* For phased subdivisions, the Town Council may require a bond, escrow or other financial guarantee to ensure delivery of all required water rights for subsequent phases.

(1) *Initiation and review.* For each subdivision or phase of subdivision, the developer shall initiate the transfer of the required water rights for all lots in that phase and submit them to the town's designated water engineer for review. The Town Engineer shall verify that the water rights are suitable for use in the town's culinary water system.

(2) *State approval and deeding.*

(a) After Town Engineer approval, developer shall obtain approval from the State Engineer to change the point of diversion to the town's designated point of diversion.

(b) The developer shall deed the approved water rights to the town.

(3) *Final plat condition.* No final plat approval for any phase or for an entire subdivision shall be recorded until all required water rights for that phase or development have been approved by the state engineer and the change of diversion into the town has been completed.

(4) *Source limitation exception.* Water rights transferred to the town shall be municipal or culinary water rights from State Water Rights Area 54 (Cedar Valley). In rare cases, the town may accept water rights from another water rights area if the State Engineer determines, in writing, that the rights have been approved for transfer to the town's culinary water system and the town's designated water engineer approves their use.

(D) *Commercial and industrial water rights requirements.*

(1) *Initial proof at site plan approval.* At the time of site plan approval, the developer shall provide proof of ownership of municipal or culinary well rights from State Water Rights Area 54 (Cedar Valley) in no less than the minimum amount required for the proposed zoning:

(a) Commercial/retail: one and eight-tenths acre-feet per lot of developed land;

(b) Light industrial: nine-tenths acre-feet per lot of developed land; and

(c) Non-standard uses: determined by the town's designated water engineer's based anticipated demand.

(2) *Final determination at time of building permit or business license application.*

(a) Prior to issuance of a building permit (or a business license if no building permit is required), the applicant shall submit final water use estimates to the town's designated water engineer.

(b) If the final requirement exceeds the minimum provided at site plan approval, the applicant shall transfer the additional water rights to the town before the permit or license is issued.

(3) *Building permit issuance.* All required water rights must be fully transferred to the town and approved by the State Engineer, with the point of diversion changed to the town's designated point of diversion, before a building permit can be issued.

(4) *Water banking option.* If a developer wishes to bank water rights for future use on the same parcel, the terms and conditions for banking shall be set forth in a written development agreement approved by the Town Council. Banked rights must be held by the town not by the developer, privately, to ensure the town retains control.

(5) *No reliance on town owned water rights.* The town does not maintain excess water rights for allocation to new commercial or industrial developments. Developers are solely responsible for acquiring and transferring adequate rights for their projects.

(E) *Single commercial or light industrial user requirements.*

(1) *Initiation and review.* The applicant shall initiate the transfer of required water rights and submit them for review by the town's designated water engineer, who shall verify their suitability for use in the town's culinary water system.

(2) *Building permit condition.* No building permit shall be issued until the Town Engineer has approved the proposed transfer of water rights.

(3) *Deeding and state approval.* The state will approve the point of diversion before the water can be moved or deeded to the town. The water point of diversion shall be changed to the town's point of diversion.

(4) *Approved water right*. The approved water right must be fully transferred into the town's culinary water system, or into an approved town owned well, before a certificate of occupancy will be issued.
(Ord. 2025-15, passed 9-17-2025)

## § 50.40 WATER MAIN LINE EXTENSIONS.

(A) *Connection point and alignment*. All water main line extensions shall originate from the nearest adequate, existing main line and extend across the full frontage of the development along all public street frontages, in accordance with the town's master water plan.

(B) *Plans and approvals*. No person shall construct a water main line extension without first submitting detailed plans to the Town Engineer for review and receiving written approval. The applicant shall be bound by all applicable town ordinances, resolutions, regulations and construction specifications. All installations shall comply with current American Water Works Association (AWWA) standards.

(C) *Construction standards*. All work shall be performed by a licensed, bonded and insured contractor, inspected in accordance with town standards.

(D) *Boring requirements*. Boring of pipelines under paved roadways is required unless the Town Council determines otherwise due to extenuating circumstances. The cost of boring shall be the developer's responsibility.

(E) *Developer costs*. The developer shall bear all costs associated with the extension, including but not limited to: installation of the new water main, road restoration, utility relocation, easements, replacement of any infrastructure, landscaping or other improvements damaged or removed during construction.

(F) *Voluntary extensions and system level improvements*. A developer may voluntarily extend a water main line beyond the distance required for their project.

(1) If the extension is identified as a system-level improvement in the town's master water plan, the town shall provide an impact fee credit equal to the cost of that improvement.

(2) If the cost exceeds the developer's impact fee liability, the town and developer may negotiate a reimbursement agreement for the excess cost, subject to Town Council approval.

(G) *Fire protection and water right requirement*. All structures requiring fire protection or culinary service shall be supported by adequate municipal or culinary water rights. Where extension of a

waterline is necessary to provide fire hydrants or service to such structures, the developer or property owner shall transfer to the town an adequate water right from State Water Rights Area 54. The quantity of water right transferred shall be sufficient to meet both the fire flow and domestic water capacity needs of the development, as determined by the Town Engineer in consultation with the Fire Authority.

(H) *Transfer of water rights*. No building permit, subdivision approval, occupancy or system connection shall be granted until the necessary water rights have been transferred and all required waterline extensions have been completed in compliance with town standards.
(Ord. 2025-15, passed 9-17-2025) Penalty, see § 50.99

## § 50.41 MASTER DEVELOPMENT AGREEMENTS.

(A) An MDA is required for any development requiring a water system extension.

(B) The MDA must:

(1) Define project scope, capacity and infrastructure specifications;

(2) Establish reimbursement terms (if any) approved in writing before construction;

(3) Limit reimbursement eligibility to town-approved system-level improvements; and

(4) Set duration of reimbursement period (maximum ten years).
(Ord. 2025-15, passed 9-17-2025)

## § 50.42 PRIVATE SYSTEMS AND WELLS.

(A) *Private wells for culinary use*. Private wells are prohibited for culinary use unless:

(1) The lot is more than 300 feet from the existing municipal water system;

(2) The Town Council determines that the private well aligns with the town's land use goals and that connection to the municipal system is cost-prohibitive; and

(3) The well meets all state standards and remains on the same parcel as the served building.

(B) *Connections*. Connection to the municipal system may be required by the Town Council if system expansion renders service to new construction reasonably available.

(C) *Town option to extend service.* In cases where a lot is more than 300 feet from the existing system, the town may, at its sole discretion, choose to cover the additional cost of extending the municipal waterline and require the property owner to connect to the system instead of drilling a private well.

(D) *Agricultural wells.* Agricultural wells are permitted if:

(1) The lot is ten acres or larger;

(2) The water rights are agricultural in nature; and

(3) All required state and county approvals are obtained.

(Ord. 2025-15, passed 9-17-2025) Penalty, see § 50.99

## § 50.43 WATER AND WATER LINE REGULATIONS AND RESTRICTIONS.

(A) *Water use restrictions.* The Mayor, with Town Council approval, may issue a proclamation restricting the use of water during times of emergency. Such proclamation shall be signed by the Mayor and remain in effect until rescinded.

(B) *Water source protection plan.*

(1) The town's culinary water source protection zones are subject to change based on updated studies and regulatory requirements. Residents and property owners located within these areas shall refer to the most current Source Protection Zone plan adopted by the town for applicable restrictions and requirements.

(2) Where state or federal statutes impose stricter requirements, those laws shall govern. (Refer to the town's drinking water source protection plan and spring source protection plan.)

(C) *Maintenance responsibilities.*

(1) *Before town acceptance.* The applicant is responsible for maintenance of new water mains and related facilities until the town formally accepts them by dedication.

(2) *After town acceptance.* The town shall maintain water mains and service connections located on public property, except for service lines between the meter and the served building, which shall be maintained by the property owner.

(3) *Meters.* The town shall maintain all water meters, including those on private property, and may enter private property for inspection, repair or replacement.

(D) *Service line connections*.

(1) No service line connection shall be made to the town water system without authorization from the Water Director.

(2) The applicant must obtain a permit, pay applicable fees and bear the full cost of installation from the building or service location to the town main, including trenching, piping, meter set and meter box.

(3) All work shall be performed by a qualified and licensed plumber or a prequalified utility contractor, inspected and approved by the Water Director.

(4) No tapping or connection to water mains is permitted when ambient temperatures are below 40°F unless emergency exception approved by the Town Engineer.

(E) *Separate service lines*.

(1) Residential lots shall have no more than one water service line per lot unless the Planning Commission approves a second line to serve an ADU.

(2) Commercial or multi-tenant buildings shall have one connection with separate service lines and meters for each unit or business.

(3) The town may require separation of existing shared service lines or allow continued shared service if one party accepts responsibility for all charges.

(F) *Abandoned service lines*. When abandoning a service line in favor of a different service, the old line shall be disconnected and the tap plugged at the main. All costs are the owner's responsibility. All work must be inspected before backfilling. Application must be filled out from the town.

(G) *Town required relocation or replacement*. If the town relocates or replaces part of the water system, and this requires moving a customer's connection, the town will bear the cost of all work to replace and reconnect the waterline.

(H) *Unauthorized users*. No customer shall allow unauthorized persons to obtain water service from their premises.

(I) *Water meters*.

(1) All new service connections shall have a water meter in an accessible location approved by the Water Director or Town Engineer. Meter sizes set by the Town Engineer.

(2) Meters shall be provided and installed by the town, but only after the main line is tested, disinfected and approved, and all fees are paid.

(3) Tampering with or modifying meters or meter boxes is prohibited.

(4) Customers are responsible for damages to town water infrastructure on or near their premises caused by their acts or negligence, including legal costs incurred by the town in recovering repair expenses.

(J) *Use of unmetered water.* Use of unmetered water from any service line, main line or fire hydrant is prohibited unless authorized by the Town Council. The use of a "jumper" in place of a meter is strictly prohibited.

(K) *Installation before occupancy permit.* All required water lines must be installed and completed prior to issuance of occupancy permit

(L) *Metered water use requirement.*

(1) All water use must be metered unless otherwise authorized by the Town Council.

(a) *Culinary water connection.* Usage is confined to properties within town boundaries and primarily for residential or commercial buildings, with one connection per building. If a building or structures cross over town boundaries, it may be approved through a development agreement.

(b) *Water permits.* Issued for short-term or one time uses such as construction, dust control or livestock watering. Livestock watering may be permitted within and outside town boundaries, shall be metered, but shall not include irrigation of fields or land.

(2) Short-term permits for construction, dust control or livestock watering shall be limited to a maximum of 90 days and shall not establish permanent service rights.
(Ord. 2025-15, passed 9-17-2025) Penalty, see § 50.99

## § 50.44 SPRINKLERS AND IRRIGATION SYSTEMS.

(A) Use of sprinklers or irrigation devices connected to the town's culinary water system shall not impair water pressure, fire flow or overall system supply.

(B) The Town Council may, by resolution, establish restrictions on irrigation use when necessary to protect the system. Violations shall be subject to enforcement under § 50.99.
(Ord. 2025-15, passed 9-17-2025)

## § 50.45 APPLICATION FOR SERVICE.

(A) *Application required.* Applicants for culinary water service shall submit a completed application on the town-approved form and shall pay all applicable fees as established in the Town Fee Schedule.

(B) *Agreement*. Each applicant shall sign an agreement to comply with all town ordinances, regulations and policies, and to pay all charges for service when due.

(C) *Deposit requirements*.

(1) A security deposit may be required for new accounts in the amount established in the Town Fee Schedule.

(2) The security deposit may be applied to any delinquent bill or unpaid charges on the account.

(3) Security deposits shall be credited or refunded when service is terminated, provided all outstanding charges have been paid in full.

(4) Security deposits shall also be refunded after one year of consecutive on-time payments.

(D) *Non-transferability*.

(1) Service accounts are tied to the property served and shall not be transferred to another location.

(2) A new application shall be required for any change in property ownership or occupancy.

(3) All rates, fees and deposits shall apply to all new applications, regardless of prior service history.

(E) *Rates and fees*.

(1) All rates, impact fees and service-related charges shall be established by resolution of the Town Council in compliance with state code and published in the Town Fee Schedule.

(2) Rates may vary by classification of service or customer type.

(3) Additional charges, including, but not limited to, late fees, returned check fees and service disconnect/reconnect fees, shall also be established in the Town Fee Schedule.

(4) All such rates and fees are enforceable as a condition of water service.
(Ord. 2025-15, passed 9-17-2025)

## § 50.46 BILLING, NONPAYMENT, DISCONNECTION AND RECONNECTION.

(A) *Billing and payment*.

(1) Water meters shall be read on the last day of each month.

(2) Water bills shall be issued by the fifth day of each month and shall be due on the last day of the same month.

(3) Payments received after the due date shall incur a late fee as established in the Town Fee Schedule.

(4) Accounts not paid within 45 days past the due date shall be considered delinquent and subject to disconnection.

(B) *Notice of disconnect*.

(1) Written notice shall be mailed by the town to the account holder no fewer than five business days before the effective date of shut-off.

(2) A final 24-hour notice of disconnect shall be delivered to the property before shut-off.

(C) *Disconnection and reconnection*.

(1) Water service may be discontinued for nonpayment or for violation of this subchapter.

(2) Service shall not be restored until:

(a) All delinquent charges, late fees and service fees are paid in full; and

(b) A new deposit is posted, if required.

(D) *Town liability*. The town shall not be liable for any damages, losses or claims resulting from the disconnection, interruption or restoration of water service carried out in accordance with this section.

(E) Returned payments. Any check or electronic payment returned unpaid by a bank shall incur a returned payment fee as established in the Town Fee Schedule.

(F) *Unauthorized restoration of service.* When water service has been disconnected for nonpayment, violation of ordinance or other lawful cause, it is unlawful for any person to restore or attempt to restore service without authorization from the town. Violation shall be subject to enforcement under § 50.99. It is unlawful for any person to restore service without town authorization. Violations may result in criminal penalties under the state code.

(G) *Use without payment prohibited.* It is unlawful for any person to obtain water from the town system without authorization or without paying for such service. It is also unlawful to tamper with or open any valve, stopcock, connection or fixture connected to the system without town authorization. Violations shall constitute a Class C misdemeanor.

(H) *Discontinuance of service.*

(1) *Customer initiated termination.*

(a) Any customer requesting discontinuance of service shall notify the town in writing at least ten days before the date service is to be terminated.

(b) Any credit balance resulting from advance payments or deposits shall be refunded upon discontinuance of service.

(2) *Town-initiated termination.* The town may terminate service without notice in emergencies or when public health and safety require.
(Ord. 2025-15, passed 9-17-2025) Penalty, see § 50.99

## § 50.47 CONFLICTS.

If any provision of this subchapter is in conflict with a provision of another ordinance of the town, then the most stringent requirement shall govern.
(Ord. 2025-15, passed 9-17-2025)

## § 50.48 ENFORCEMENT.

(A) *Tampering and unauthorized use.*

(1) It is unlawful for any person to tamper with meters, valves, hydrants or any part of the town's culinary water system.

(2) Unauthorized connections to, or use of, the town's water system are strictly prohibited.

(3) Violations of this division (A) shall be subject to enforcement under § 50.99; may also constitute a Class C misdemeanor under state law.

(B) *Judicial review*. Any legal action challenging a decision of the Town Council, or any other governmental body performing a function under this subchapter, shall be filed in a court of competent jurisdiction within 30 days of the action being challenged.
(Ord. 2025-15, passed 9-17-2025) Penalty, see § 50.99

## § 50.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) The town may pursue any legal or equitable remedies available under state law to enforce compliance with §§ 50.30 through 50.47, including injunctions, fines, penalties. Violations are subject to service termination and recovery of costs and attorneys' fees incurred in enforcement.
(Ord. 2025-15, passed 9-17-2025)

# CHAPTER 51: SEWER

Section

*Sewer Infrastructure Planning*

51.01 Adoption of Master Sewer Plan

## *SEWER INFRASTRUCTURE PLANNING*

### § 51.01 ADOPTION OF MASTER SEWER PLAN.

The document titled "Master Sewer Plan," dated May 2025, is hereby adopted as the official sewer infrastructure planning document.
(Ord. 2025-05, passed 5-21-2025)

# CHAPTER 52: TELECOMMUNICATIONS

Section


52.01 Purpose and intent
52.02 Definitions
52.03 Franchises requirement and grant of rights
52.04 Application and approval process
52.05 Compensation and fees
52.06 Construction and technical standards
52.07 Wireless and telecommunications facilities
52.08 Transfer, assignment or change of control
52.09 Insurance, indemnification and security
52.10 Oversight, records and audits
52.11 Abandonment, revocation and removal
52.12 Compliance with laws


## § 52.01 PURPOSE AND INTENT.

(A) The purpose of this chapter is to establish uniform requirements for the granting and regulation of franchises for the installation, construction, operation and maintenance of telecommunications systems and other utility facilities in, on, over or under the public rights-of-way within the town.

(B) The town recognizes that its rights-of-way are a limited and valuable public resource held in trust for the public and that use of these rights-of-way must be managed to:

(1) Protect public safety, convenience and property;

(2) Ensure structural and functional integrity of the rights-of-way;

(3) Provide fair and reasonable compensation to the town for private use of public property;

(4) Encourage competition and nondiscriminatory access among telecommunications providers; and

(5) Comply with applicable state and federal laws, including the Telecommunications Act of 1996, being Pub. Law No. 104-104, and U.C.A. § 10-8-2.
(Prior Code, § 6.5.10)

## § 52.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***APPLICANT.*** Any person or entity applying for a franchise under this chapter.

***BROADBAND.*** High-speed data transmission service provided over wireline or wireless technology capable of supporting internet and related services.

***FRANCHISE.*** The non-exclusive right granted by the town by ordinance or agreement to install, operate, maintain or provide a system or service within the town rights-of-way, subject to the terms of this chapter.

***FRANCHISE AGREEMENT.*** A written contract between the town and a provider authorizing use of the rights-of-way and establishing the terms of the franchise.

***MATERIAL VIOLATION.*** A violation that is a serious breach of a contract that goes to the heart of the agreement, significantly undermining its purpose and value. Giving the non-breaching party the right to terminate the contract and sue for damages. Examples include failing to deliver goods or services, not completing a project or a significant violation of a non-compete clause.

***PROVIDER.*** Any person or entity that owns, operates or controls a system or provides telecommunications, broadband, video or similar services using facilities within the town's rights-of-way.

***RIGHTS-OF-WAY (ROW).*** The surface and space above and below any public street, road, highway, sidewalk, alley or easement owned or controlled by the town for public use.

***SMALL WIRELESS FACILITY.*** A wireless facility meeting the size, height and placement parameters established by the FCC and U.C.A. §§ 54-21-101 et seq.

***SYSTEM.*** All equipment, facilities, conduits, poles, cables, wires, fibers, pedestals, antennas and other structures used to deliver a provider's services.

***TELECOMMUNICATIONS SERVICES.*** The transmission of voice, data, graphics, video or other information, without regard to the technology used.
(Prior Code, § 6.5.20)

## § 52.03 FRANCHISES REQUIREMENT AND GRANT OF RIGHTS.

(A) No provider shall construct, install, operate or maintain any system or provide any telecommunications or utility service within the town's rights-of-way without first obtaining a franchise issued under this chapter.

(B) All franchises are non-exclusive unless otherwise approved by ordinance.

(C) The franchise conveys no ownership or property interest in the rights-of-way.

(D) A franchise shall be granted by ordinance and embodied in a written franchise agreement.

(E) (1) The term of any franchise shall not exceed 15 years.

(2) The Town Council may, by ordinance, approve one or more extensions of a franchise; however, the total combined term of the original franchise and any extensions shall not exceed 25 years, consistent with U.C.A. § 10-8-14.

(F) All franchises are subject to revocation or termination for cause as provided herein.

(G) Before granting a franchise, the town shall provide notice and conduct a public hearing consistent with U.C.A. § 10-3-710.
(Prior Code, § 6.5.30)

## § 52.04 APPLICATION AND APPROVAL PROCESS.

(A) *Application required.* A provider shall file a complete application with the Town Recorder/Clerk on forms provided by the town, including:

(1) Description of the system and services to be provided;

(2) Proposed routes and rights-of-way usage maps;

(3) Proof of financial, managerial and technical capability;

(4) Evidence of insurance and bonding; and

(5) Any applicable federal or state certificates or licenses.

(B) *Review and recommendation*. The Town Engineer, Attorney and Recorder/Clerk shall review the application for compliance and make a recommendation to the Town Council.

(C) *Council action*. Following any required public notice and hearing under U.C.A. § 10-3-710, the Town Council may, by ordinance, approve, approve with conditions or deny the franchise application.

(D) *Costs*. All review and processing costs shall be borne by the applicant as established in the Town Fee Schedule.
(Prior Code, § 6.5.40)

## § 52.05 COMPENSATION AND FEES.

(A) Every provider shall pay the town fair and reasonable compensation for use of the rights-of-way, as set forth in its franchise agreement or the Town Fee Schedule.

(B) Compensation may include:

(1) A franchise fee not to exceed the statutory maximum;

(2) Permit and inspection fees for construction or excavation;

(3) Rental or attachment fees for use of town owned poles, conduits or structures; and

(4) In kind contributions such as dark fiber, service connections to town facilities or other public benefits.

(C) All payments shall be remitted quarterly and accompanied by a verified statement of gross revenues, subject to audit by the town.

(D) Failure to pay fees when due constitutes a material breach of the franchise.

(E) Franchise fees shall not exceed the maximum percentage or amount permitted by U.C.A. § 54-8b-2.2 and shall be applied on a nondiscriminatory basis among similarly situated providers.
(Prior Code, § 6.5.50)

## § 52.06 CONSTRUCTION AND TECHNICAL STANDARDS.

(A) Providers shall comply with all applicable town, state and federal codes, and with generally accepted engineering and safety standards.

(B) All facilities shall be installed and maintained so as not to endanger public health, safety or property.

(C) Providers shall:

(1) Obtain all required construction permits before excavation or installation;

(2) Restore all disturbed rights-of-way to equal or better condition;

(3) Coordinate work with other utilities and the town to minimize disruption;

(4) Relocate or remove facilities at provider's expense when required for public projects; and

(5) Maintain accurate as-built maps of all facilities and furnish copies to the town.

(D) The town may establish detailed telecommunication construction standards by resolution, incorporated by reference into all franchise agreements.
(Prior Code, § 6.5.60)

## § 52.07 WIRELESS AND TELECOMMUNICATIONS FACILITIES.

(A) Deployment of small wireless facilities, fiber optic networks and similar telecommunications infrastructure within the rights-of-way shall comply with this chapter and U.C.A. §§ 54-21-101 et seq.

(B) Providers shall obtain both a franchise and a small wireless facility permit prior to installation.

(C) All wireless facilities shall:

(1) Be designed to minimize visual impact and preserve neighborhood character;

(2) Comply with height, size and aesthetic standards adopted by the Town Council;

(3) Be located on existing structures where feasible; and

(4) Meet all federal RF (radio frequency) emission standards.

(D) The town may develop additional design and location standards by resolution consistent with federal and state law.

(E) The town shall process applications for small wireless facilities within the time limits set forth in U.C.A. §§ 54-21-101 et seq. and applicable FCC regulations.
(Prior Code, § 6.5.70)

## § 52.08 TRANSFER, ASSIGNMENT OR CHANGE OF CONTROL.

(A) No franchise may be transferred, assigned or sold without prior written consent of the Town Council.

(B) Any proposed successor shall agree in writing to be bound by all terms of the existing franchise.

(C) The provider shall notify the town in writing within 30 days of any change in ownership or control.

(D) Unauthorized transfer shall be grounds for termination.
(Prior Code, § 6.5.80)

## § 52.09 INSURANCE, INDEMNIFICATION AND SECURITY.

(A) Each provider shall maintain insurance coverage as required by the town, naming the town as an additional insured.

(B) The provider shall indemnify, defend and hold harmless the town, its officers and employees from all claims, damages or liabilities arising from provider's use of the rights-of-way.

(C) Providers shall maintain a performance bond, letter of credit or other security approved by the town to guarantee restoration and compliance obligations.
(Prior Code, § 6.5.90)

## § 52.10 OVERSIGHT, RECORDS AND AUDITS.

(A) The town may inspect a provider's facilities and records to ensure compliance.

(B) Providers shall maintain financial and operational records for at least three years.

(C) The town may conduct an audit not more than once per year; underpayment exceeding 5% shall require reimbursement plus interest and audit costs.

(D) Providers shall file an annual report summarizing construction activity, outages and maintenance within the rights-of-way.
(Prior Code, § 6.5.100)

## § 52.11 ABANDONMENT, REVOCATION AND REMOVAL.

(A) *Notice of discontinuance.* A provider that intends to discontinue use of any portion of its system shall notify the town in writing at least 60 days in advance of the proposed discontinuance.

(B) *Abandonment.*

(1) A facility, line or portion of a system shall be deemed abandoned if it has not been used to provide service for a continuous period of 12 months, unless the provider demonstrates to the town that the facility is still in active use or is being maintained for future service.

(2) The town shall give written notice to the provider of any facilities believed to be abandoned. The provider shall respond within 30 days to confirm use or intent to remove.

(3) If the provider fails to respond, or if abandonment is confirmed, the town may require the provider to remove the abandoned facilities at its expense within a reasonable time not to exceed 180 days.

(C) *Revocation of franchise.* The town may revoke a franchise for any of the following causes:

(1) Material violation of this chapter or the franchise agreement;

(2) Failure to pay required fees or compensation;

(3) Fraud, misrepresentation or insolvency; or

(4) Failure to construct or operate the system within 12 months after the grant of the franchise, unless extended by the Town Council for good cause.

(D) *Removal and restoration.* Upon termination, revocation or abandonment, the provider shall, at its expense, remove its facilities and restore the affected rights-of-way to a condition equal to or better

than that existing prior to installation, as directed by the town. If the provider fails to do so, the town may complete the removal and restoration and recover all associated costs from the provider's performance bond or other security.
(Prior Code, § 6.5.110)

## § 52.12 COMPLIANCE WITH LAWS.

(A) All franchises and providers shall comply with applicable federal, state and town laws and regulations.

(B) Nothing in this chapter shall be interpreted to limit the towns' police powers or regulatory authority under state or federal law.

(C) In the event of conflict, federal and state law shall control, and the conflicting portion of this chapter shall be deemed modified to conform.
(Prior Code, § 6.5.120)

# TITLE 7: TRAFFIC CODE

Chapter

70. GENERAL PROVISIONS

# CHAPTER 70: GENERAL PROVISIONS

Section


70.01 Adoption of Uniform Traffic Code
70.02 Definitions
70.03 Traffic regulations within town limits
70.04 Maintenance of traffic control devices
70.05 Unauthorized entry and operation

70.99 Penalty


## § 70.01 ADOPTION OF UNIFORM TRAFFIC CODE.

(A) The town hereby adopts the most current edition of the State Traffic Code, including the rules of the road, as compiled and published by the State Department of Public Safety and the Utah League of Cities and Towns.

(B) The town further adopts by reference the Manual on Uniform Traffic Control Devices (MUCD), as adopted and amended by UDOT, and APWA traffic control devices and pavement markings standards, which govern fabrication, placement and maintenance of all official signs, markings and signals within the town.

(C) One copy of the adopted traffic code shall be kept on file for public inspection in the Office of the Town Recorder/Clerk.

(D) The adopted code is subject to modification or supplementation by the town ordinance.
(Prior Code, § 6.3.140)

## § 70.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***AVERAGE DAILY TRAFFIC (ADT).*** The average number of vehicles that travel over a specific road segment in a 24-hour period, including both directions of travel for two-way roads.

***CUL-DE-SAC.*** A local street with only one outlet and having a turnaround for vehicles at its terminus. ***CUL-DE-SACS*** are not permitted in the town except for temporary access as approved.

***DIRECTOR OF ROADS.*** The person appointed by the town with primary responsibility for managing the Department of Roads and overseeing the construction, maintenance and repair of the town's public roadways and rights-of-way.

***ENCROACHMENT.*** Any unauthorized structure, improvement or obstruction placed within a public right-of-way, easement or roadway that interferes with its intended use.

***EXPRESSWAY.*** A high-speed, limited-access highway primarily used for long-distance travel and managed by the State Department of Transportation (UDOT). No direct access is permitted from adjoining properties.

***FENCE LINE.*** A barrier composed of posts, wires, rails or other materials used as a boundary marker, which must conform to setback and visibility standards established by the town.

***HARD SURFACE CAPPING.*** The use of concrete, asphalt or other durable, approved surface materials to cover and protect a roadbed or right-of-way, particularly where excavation or utility work has occurred.

***LOCAL AUTHORITIES.*** The Town Council unless otherwise defined by ordinance.

***LOCAL STREET.*** A road providing direct access to adjacent properties, intended for low-speed, low-volume traffic and typically serving residential areas.

***MAJOR ARTERIAL.*** A high-capacity road intended to move large volumes of traffic between major destinations. Property access is limited and regulated.

***MASTER ROAD PLAN.*** The official transportation plan adopted by the town that identifies current and future public street alignments, classifications and rights-of-way.

***MINOR ARTERIAL.*** A road that provides connections between neighborhoods and community activity centers, facilitating moderate traffic volumes with limited access points.

***MONUMENT SIGN.*** A freestanding sign with a solid base mounted close to the ground, not exceeding the height limits specified in the applicable signage regulations.

***OBSTRUCTION.*** Any object-whether temporary or permanent-that impedes or endangers travel within a public road, right-of-way or sidewalk.

***PARTIAL ROAD.*** A half-width roadway constructed along the boundary of a parcel, pending future development of the adjacent parcel to complete the full width.

***PERMITTEE.*** Any person or entity who has obtained written authorization from the town to perform construction, excavation or installation activities within the public right-of-way.

***PHANTOM ROAD.*** An unimproved right-of-way shown on historical or official maps that has not been developed or opened for public use but remains under town jurisdiction.

***PLANNING COMMISSION.*** The official body designated by the town to review and make recommendations regarding land use and infrastructure matters, including road alignments and vacations.

***PRESCRIPTIVE EASEMENT.*** A public or private right-of-way acquired through continuous use over time without formal dedication or recording, as recognized by law.

***PRIVATE ROAD.*** A road not dedicated to public use or maintained by the town, generally serving commercial or HOA-managed developments and maintained under private agreements.

***PUBLIC RIGHT-OF-WAY.*** Land dedicated or reserved for public use, including streets, sidewalks, drainageways and utility corridors.

***ROADWAY LINE.*** The measured distance from the centerline of a road to each edge of the platted or surveyed right-of-way.

***SIGHT DISTANCE TRIANGLE.*** A defined area at road intersections that must remain clear of visual obstructions to ensure adequate visibility for motorists and pedestrians.

***TOWN COUNCIL.*** The elected governing body of the town, responsible for adopting ordinances and approving road dedications, vacations and improvements.

***UTILITY EASEMENT.*** A designated area within or adjacent to a road or right-of-way reserved for the installation and maintenance of public or private utilities.

***VEHICLE WEIGHT LIMIT.*** The maximum permissible weight of a vehicle (including load) operating on town roads, typically expressed in tons per axle or total gross vehicle weight.

***WINTER SNOW EVENT.*** A weather condition involving measurable snowfall that triggers the town's official snow removal operations and corresponding parking restrictions.
(Prior Code, § 6.3.140)

## § 70.03 TRAFFIC REGULATIONS WITHIN TOWN LIMITS.

(A) *Prima facie speed limits*.

(1) Where posted, the speed limits on appropriate signs shall be the legally enforceable maximum speed limits on those streets in accordance with UDOT and AASHTO speed zoning criteria, based on engineering and traffic investigation.

(2) Where no speed limit signs are posted, the prima facie speed limit shall be 25 mph.

(B) *Intersection controls*. Where stop or yield signs are posted at intersections, such designations are hereby declared official stop or yield entrances in accordance with warrants and placement criteria in the MUTCD and APWA guidelines.

(C) *Angle parking*.

(1) Where authorized by posted signs, angle parking shall be permitted at the designated angle on the applicable streets or segments of streets to meet AASHTO Green Book standards for maneuvering clearances.

(2) Posted signs shall be consistent with MUTCD and APWA guidelines.

(D) *Traffic control posting authority*.

(1) The Town Council in coordination with the Town Engineer or Road Director, shall designate locations for the placement of official traffic control devices and regulatory signs, including, but not limited to:

(a) Speed limit signs;

(b) Stop and yield signs;

(c) Angle parking and regulatory signs;

(d) Warning and guide signs; and

(e) Pavement markings and crosswalks.

(2) All devices shall comply with APWA, MUTCD and UDOT Traffic Operations Manual requirements for sign size, retroreflectivity, placement and maintenance.
(Prior Code, § 6.3.140)

## § 70.04 MAINTENANCE OF TRAFFIC CONTROL DEVICES.

The Town Engineer or Director of Roads shall ensure that all signs, signals and markings are maintained in good condition and visibility per APWA roadway maintenance standards. Records of installation and maintenance shall be retained in accordance with the town's adopted recordkeeping policies.
(Prior Code, § 6.3.140)

## § 70.05 UNAUTHORIZED ENTRY AND OPERATION.

(A) *Unauthorized entry and operation.* It is unlawful for any person to take down a fence, open a gate or enter upon the premises of another by motor vehicle without the express or implied permission of the property owner or lawful occupant.

(B) *Enforcement.*

(1) The County Sheriff's office and the Town Director of Roads are authorized to enforce this provision.

(2) Any damages to public or private property resulting from unauthorized operation shall be subject to full restitution by the responsible party.

(C) *Cross-references.* This section shall be read in conjunction with U.C.A. § 41-22-10.3 (Off-Highway Vehicle Trespass) and § 70.99.
(Prior Code, § 6.3.130)

## § 70.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person who violates posted traffic regulations shall be subject to penalties as provided under state law and any applicable town ordinances.
(Prior Code, § 6.3.140)

(C) Violations of § 70.05 shall constitute a Class B misdemeanor and may be enforced by citation, impoundment or other lawful remedies available to the town.
(Prior Code, § 6.3.130)

# TITLE 9: GENERAL REGULATIONS

Chapter


**90. NUISANCES**

**91. PUBLIC HEALTH AND SAFETY**

**92. CEMETERY**

# CHAPTER 90: NUISANCES

Section


***General Provisions***

90.01 Purpose
90.02 Definition
90.03 Declaration of nuisances
90.04 Jurisdiction
90.05 Enforcement
90.06 Appeals; hearings; abatement
90.07 Failure to comply

***Nuisances Specified***

90.20 Abandoned or inoperable vehicles
90.21 Agriculture
90.22 Endangerment
90.23 Firearms, fireworks, explosives and fires
90.24 Garbage
90.25 Junk
90.26 Environmental regulations; air, weeds, water
90.27 Signs
90.28 Dwellings
90.29 Excessive sound levels, noise

90.99 Penalty


***Cross-reference:***

*Additional definitions, see § 11.01*

## *GENERAL PROVISIONS*

### § 90.01 PURPOSE.

The purpose of this subchapter is to provide for the health, safety, welfare and quality of life of residents of the town; to provide for nuisance generally, an ordinance inspector, an ordinance complaint filing and resolution process and penalties for the violation of this subchapter.
(Prior Code, § 5.1.10)

### § 90.02 DEFINITION.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***AUTHOR.*** When a nuisance exists upon the property and is the outgrowth of the usual, natural or necessary use of the property, the landlord or his or her agent, the tenant or his or her agent and all other persons having control of the property on which such nuisance exists, shall be deemed to be the ***AUTHORS*** thereof and shall be equally liable and responsible. Where any such nuisance shall arise from the unusual or unnecessary use of such property or from the business conducted thereon, then the occupants and all other persons contributing to the continuance of such nuisance shall be deemed the ***AUTHORS***.

***DYNAMIC BRAKING DEVICE.*** Commonly referred to as ***JAKE BRAKE***, a device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.
(Prior Code, § 5.1.10) (Ord. 2025-13, passed 7-16-2025)

### § 90.03 DECLARATION OF NUISANCES.

(A) *Constitutes a nuisance.*

(1) Every situation, conduct or activity listed in the following sections constitutes a nuisance and may be abated pursuant to this chapter.

(2) The listed examples are not exhaustive; a situation, conduct or activity not listed below, but coming within one of the general definitions of nuisance listed above, shall also constitute a nuisance.

(B) *Protection of health and life.* It is unlawful for any person, corporation, partnership or legal entity owning or occupying real property in the town to annoy, injure or endanger the comfort, repose,

health or safety of the public, or unlawfully interfere with, obstruct or tend to obstruct or render dangerous for any passage a stream, canal or basin, or any public park, square, street or highway, or in any way render residents insecure in life or the use of their property.
(Prior Code, § 5.1.20) Penalty, see § 90.99

## § 90.04 JURISDICTION.

(A) *County Health Department*. The town is under the jurisdiction of the County Health Department and has adopted the current state and county health regulations.

(B) *Extent of annoyances or damage*. An act which affects the public in any of the ways specified in this chapter is still a nuisance regardless if the extent of annoyance or damage inflicted upon individuals is unequal.
(Prior Code, § 5.1.130)

## § 90.05 ENFORCEMENT.

(A) *Filing a complaint*. All complaints filed in the town shall be made in writing and shall be delivered:

(1) In person: file a complaint at the Town Office during regular business hours; or

(2) By regular mail to the following address: Town Office, Attention: Mayor, PO Box 271, Cedar Valley, UT 84013.

(B) *Enforcement conducted by the Mayor*. All enforcement under this chapter shall be conducted by the Mayor or law enforcement as an agent of the town to investigate and inspect and enforce this chapter. It will be the duty of the Mayor or law enforcement to perform inspections and to examine real property situated within the corporate limits of the town for the purpose of determining whether, in their opinion, the property contains objects or conditions of the kind in nature described above and for the purpose of determining whether the existence of the objects or conditions create or constitute a public safety hazard or nuisance as defined in this chapter and or in the Fire Code. From time to time, the Town Council may appoint other assistant inspectors and delegate to them such powers and duties as it may see fit.

(C) *Abatement by town*. The town may pursue any remedy or combination of remedies available pursuant to this chapter, state law or common law in order to abate the nuisance. Nothing in this section shall be interpreted to prohibit the town from engaging in its standard prosecution practices. Therefore, the town may prosecute violators of town ordinances or state laws without first having to comply with

the provisions of this chapter even though the activity or conduct prosecuted may also constitute a nuisance under this chapter. Nothing in this chapter shall be interpreted to prevent the town from enforcing applicable town ordinances, or building codes, without first treating the offending conduct, situation or activity as a nuisance pursuant to this chapter.

(D) *Complaints required.* At the Mayor's discretion, no action will be taken without two written complaints from two different households.

(E) *Action by Town Attorney.* The Town Attorney is empowered to institute an action in the name of this municipality to abate a public nuisance.

(F) *Emergency orders.* Whenever the Mayor or designee finds that an emergency exists, one or all of the following actions may be required to be taken.

(1) In the time of a public calamity or disaster, emergency suspension of this chapter may be suspended for a period of time designated by the Mayor.

(2) An individual may apply for emergency exemption to this chapter based on good and reasonable cause due to emergency circumstances, as defined in this chapter.

(G) *Voluntary correction.* This section may apply whenever the town determines that a nuisance exists. Although the town's first step in correcting or abating the nuisance may be to obtain voluntary compliance, the town shall make a reasonable attempt to secure voluntary correction or abatement of the nuisance by the following.

(1) Mayor or law enforcement shall personally inform residents of the violation along with a written copy of the nuisance ordinance. A time period will be given to come into compliance of any violation.

(2) If the violation has not been satisfied, a notice will be served in writing upon the owner and occupant of such premises by mailing or hand-delivering such notice to the owner and occupant.

(H) *Notice of violation.* The notice of violation shall include:

(1) Written copy of the town's nuisance ordinance;

(2) Explanation of the nuisance;

(3) Request for the responsible person to abate the nuisance;

(4) Give a reasonable amount of time for nuisance abatement;

(5) Explain possible further action;

(6) Provide contact information of the Mayor or law enforcement;

(7) Explain that they may request in writing a hearing before the Town Council; and

(8) A response to an application for a hearing shall state the time and location for the hearing.

(I) *Administrative citation; issuance.*

(1) When the Mayor determines that a nuisance exists and is unable to secure voluntary correction pursuant to division (G) above, the town may issue an administrative citation to the responsible person.

(2) The town may issue an administrative citation without having attempted to secure voluntary correction as provided in this section under the following circumstances:

(a) When an emergency exists;

(b) When the town is unable to locate or determine the identity of the responsible person, other than the property owner; or

(c) When the town has previously entered into an agreement with the responsible party(s) within the previous 24 months.

(J) *Content of administrative citation.* The administrative citation shall include all of the following:

(1) The name and address of the responsible person;

(2) The street address of the nuisance or a description sufficient for identifying the building, structure, premises or land upon or within which the nuisance is occurring;

(3) A description of the nuisance;

(4) The required corrective action;

(5) The completion date and a notice that the town may abate the nuisance and charge the responsible person for all abatement costs if the responsible person does not correct the nuisance before the completion date;

(6) The time for appealing the administrative citation to the Town Council and the procedure for filing an appeal; and

(7) A statement that the town may abate the nuisance and assess the costs and expenses of abatement and a monetary fine against the responsible person if the correction is not completed by the responsible person and approved by the town before the completion date.

(K) *Service of administrative citation.* The town shall serve the administrative citation upon the responsible person, either personally or by mailing certified, return receipt requested, a copy of the administrative citation to the responsible person at his or her last known address. If the responsible person cannot, after due diligence, be personally served within the county, and if an address for mailed service cannot, after due diligence, be ascertained, notice shall be served by posting a copy of the administrative citation conspicuously on the affected property or structure. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service, declaring the time and date of service, the manner by which the service was made and, if by posting, the facts showing that due diligence was used in attempting to serve the person personally or by mail.

(L) *No extension.* No extension of the time specified in the administrative citation for correction of the nuisance may be granted except by order of the Town Council.
(Prior Code, § 5.1.140)

## § 90.06 APPEALS; HEARINGS; ABATEMENT.

(A) *Hearing.*

(1) At the written request of an owner, occupant or other person having an interest in property which is the subject of a violation of this chapter, the Town Council shall conduct an informal hearing, wherein such person may present such evidence as is pertinent to the question of whether or not the removal or abatement of the objects or conditions is properly within the purview of this chapter.

(2) The Town Council shall also permit the presentation of evidence and argument by the Mayor and other interested parties. Thereafter, within not less than five nor more than ten days, the Town Council shall, over the signature of the Mayor or such other member of the Town Council as it may designate, render its written decision, a copy of which shall be mailed to or served upon the owner or any other person to whom the original notice was given by the Inspector.

(B) *Abatement by owner or occupant.*

(1) In the event the decision of the Town Council upholds the determination of the violation originally given by the Mayor or designee, law enforcement as above provided shall be deemed to be sufficient to require the owner or occupant to remove or abate the objectionable objects or conditions.

(2) The Town Council shall issue a time frame within which abatement must take place.
(Prior Code, § 5.1.150)

## § 90.07 FAILURE TO COMPLY.

(A) *Actions taken.* The town may take one or more of the following actions against any responsible person who fails to comply with the terms of a voluntary consent agreement, an administrative citation or an order of the Town Council: abatement by the town: the town may abate a nuisance when any of the following occur:

(1) The terms of a voluntary correction agreement have not been met;

(2) The requirements of an administrative citation have not been complied with;

(3) The administrative citation is appealed to the Town Council, and the terms of the administrative citation are amended by the Town Council; or

(4) The terms of the Town Council order have not been complied with.

(B) *Summary abatement.* Whenever a nuisance is occurring which constitutes an immediate or escalating threat to the public health, safety or welfare or to the environment, the town may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it, shall be given to the responsible person as soon as reasonably possible after the abatement.

(C) *Removal or correction by town.* Using any lawful means, the town may enter upon the subject property and may remove or correct the condition which is subject to abatement. The town may seek such judicial process as it deems necessary in order to effect the removal or the correction of such conditions.

(D) *Billing for costs.*

(1) The costs, including incidental expenses, of correcting or abating the violation shall be billed to the responsible person and/or the owner, lessor, tenant or other person entitled to control, use and/or occupy the property, and shall become due and payable to the town within 15 calendar days of the mailing or service date.

(2) The term ***INCIDENTAL EXPENSES*** includes, but is not limited to:

(a) Personnel costs, both direct and indirect, including attorneys' fees and costs;

(b) Costs incurred in documenting the violation;

(c) Hauling, storage and disposal expenses;

(d) Actual expenses and costs for the town in preparing notices, specifications and contracts and in accomplishing and/or contracting and inspecting the work; and

(e) The costs of any required printing and mailing.

(E) *Monetary fine*.

(1) The responsible person shall pay the town a monetary fine for each day the nuisance continues after the completion date. The nuisance shall be considered to continue until the town approves the responsible person's actions to correct or abate the nuisance.

(2) The amount of the monetary fine shall be as follows.

(a) A per-day fine shall be assessed for each day during the first week that the nuisance remains uncorrected or unabated after the completion date. See the Town Fee Schedule.

(b) A per-day fine shall be assessed for each day thereafter until the nuisance is corrected or abated according to the terms set forth in the administrative citation. The monetary fine shall be cumulative. Payment of a monetary fine pursuant to this section does not relieve the responsible person from the duty to abate the nuisance as required by the voluntary consent agreement or the administrative citation. The monetary fine constitutes a personal obligation of the responsible person. See the Town Fee Schedule.

(c) Any monetary fine assessed must be paid to the town within 15 calendar days from the date of mailing of the Town Council's decision and order or service of a notice from the town that the fine is due. The Town Attorney or his or her designee is authorized to take appropriate action to collect the monetary fine, plus reasonable attorneys' fees and costs incurred in collecting said monetary fine.

(F) *Civil actions*. Either the town or any private person directly affected by a nuisance may bring a civil action to abate or enjoin the nuisance or for damages for causing or maintaining the nuisance (including the cost, if any, of cleaning the subject property). The civil action may be brought pursuant to this chapter or pursuant to state law.

(G) *Criminal actions*. Criminal actions may be initiated by criminal citation from the town or by information filed with the court.

(H) *Abatement by eviction*. Whenever there is reason to believe that a nuisance is kept, maintained or exists in the town, the Town Attorney or any citizen(s) residing in the town or any person or entity doing business in the town in his, her or their own names, may maintain an action in a court of competent jurisdiction to abate the nuisance and obtain an order for the automatic eviction of the tenant of the property harboring the nuisance. The eviction shall take place as specified in state law.

(I) *Lien for costs.* If a person fails to pay any fines or costs related to nuisance abatement when due, the town may:

(1) Record a lien on the property or premises for the full amount of the unpaid fines and costs; or

(2) A statement of said fines may be added to current town utility billing.

(J) *Non-exclusive remedies.*

(1) The town may take any or all of the above-mentioned remedies (administrative, civil or criminal) to abate a nuisance and/or to punish any person or entity that creates, causes or allows a nuisance to exist.

(2) The abatement of a nuisance does not prejudice the right of the town or any person to recover damages or penalties for its past existence.
(Prior Code, § 5.1.160) Penalty, see § 90.99

## *NUISANCES SPECIFIED*

### § 90.20 ABANDONED OR INOPERABLE VEHICLES.

(A) *Accumulation of vehicles.*

(1) It is unlawful for any person, corporation, partnership or legal entity within the town to allow the accumulation of a maximum of four abandoned or inoperable vehicles within the town to be kept or stored outside of a closed structure, or opaque fencing that is enclosed on all four sides, for a period of more than 30 continuous days.

(2) No inoperable motor vehicle shall be kept closer than 100 feet alongside or on any public right-of-way.

(B) *Mobile homes, campers or trailers.* Mobile homes, campers or trailers in such a condition as to be deemed abandoned or in a condition of deterioration or disrepair, including, but not limited to, the following, are prohibited:

(1) Any mobile home, camper or trailer which is unfit for human habitation, or which is an unreasonable hazard to the health of the people residing in the vicinity thereof, or which presents an unreasonable fire hazard in the vicinity where it is located;

(2) Any mobile home, camper or trailer which is partially destroyed, or where the condition of the mobile home does not meet the requirements for finished buildings or structures as required by applicable town ordinances or building codes; or

(3) Any mobile home, camper or trailer that violates any building, electrical, plumbing, fire, housing or any other applicable ordinances.
(Prior Code, § 5.1.30) Penalty, see § 90.99

## § 90.21 AGRICULTURE.

(A) *Sound practices*. Any agricultural practices or operations that were in operation at the time of the incorporation of the town shall be considered a sound practice.

(B) *Prohibited operations*. The raising of any fur-bearing animals, including mink, rabbit, fox and beaver, for commercial use in any way is prohibited. See zoning for other prohibited operations.

(C) *Prohibited animals*. A ***PROHIBITED ANIMAL*** is any animal which violates the provisions of this section as defined, or the general nuisance provisions of this code, and:

(1) Causes damage to the property of anyone other than its owner;

(2) Causes unreasonable odors;

(3) Causes unsanitary conditions, either for the animal(s) or person(s) living nearby;

(4) Is a potentially dangerous or vicious animal as defined below:

(a) Has a known propensity, tendency or disposition to attack unprovoked, to cause injury to or to otherwise endanger the safety of humans or other domestic animals;

(b) Attacks a human being or other domestic animal without provocation; or

(c) Is trained or used as a fighting animal. This provision shall not apply to dogs owned or used by a government entity.

(5) By barking, howling or making other noises, disturbs or disrupts the peace and quiet of multiple residences and/or property owners, or in the case of disturbing one or more persons, is documented by the Mayor/designee or the County Sheriff's Department on at least three separate occasions or for an extended period of time;

(6) Regularly chases vehicles; or

(7) Regularly chases people or other animals.

(D) *Dead animals*.

(1) It is the responsibility of the owner or other person responsible for any domestic animal or livestock which dies to bury or otherwise dispose of it within two days after death. If the person shall fail to do so within the time herein provided, such omission shall be deemed a nuisance.

(2) If the owner or other person responsible for such an animal cannot be found, it is the duty of an animal control officer to bury the dead animal. In such an event, the town shall be entitled to reimbursement by the property owner for the burial of the dead animal.
(Prior Code, § 5.1.40) Penalty, see § 90.99

## § 90.22 ENDANGERMENT.

Every property or premises where there exists an environment which causes, encourages or allows individuals or groups of individuals to commit one or more of the following acts on the property, premises or adjacent public place, including, but not limited to, the following, shall be deemed an ***ENDANGERMENT***:

(A) By physical action, intentionally causing or attempting to cause another person to reasonably fear imminent bodily injury or the commission of a criminal act upon his or her person or upon property in his or her immediate possession;

(B) Engaging in acts of violence, including fighting amongst themselves; or

(C) Discharging a firearm or explosive in violation of town ordinance or state law.
(Prior Code, § 5.1.50) Penalty, see § 90.99

## § 90.23 FIREARMS, FIREWORKS, EXPLOSIVES AND FIRES.

(A) *Firearms*. The discharge of any firearm within the town limits without the written consent of the property owner is prohibited.

(B) *Fireworks*. The discharging of any fireworks within the town limits without the written consent of the property owner is prohibited.

(C) *Explosives*. The manufacture of any explosive material, as defined by NFPA 495, shall be prohibited unless such manufacture is authorized by a federal license and is conducted in accordance with recognized safe practices (Manufacturer's Instructions, IFC § 3307.2). Blasting operations shall be performed in accordance with the instructions of the manufacturer of the explosive materials being used. See NFPA 495, Explosive Materials Code.

(D) *Fires*. Open fires are allowed in a properly maintained fire pit or ring. All other open burning, other than for agricultural purposes, requires a burn permit.
(Prior Code, § 5.1.60) Penalty, see § 90.99

## § 90.24 GARBAGE.

(A) *General*. It is unlawful for any person, corporation, partnership or legal entity owning or occupying real property in the town to allow the accumulation of garbage or to fail to remove from the property garbage, household waste, food waste, all animal and vegetable refuse from kitchens or residences, hotels, cafés, restaurants and places where food is prepared for human consumption, the materials in which such food products are packaged, and also all condemned, or decayed or unsound, vegetables, meats, fish, fruit and all waste and offal from markets, stores and factories and any other manner of refuse, rubbish or trash which in and of itself has no value. The keeping or storage of garbage or rubbish on private property, including inside a building, in such a manner that the items, regardless of the method of containment, have become a breeding ground, food source or habitation for insects, rodents or vermin is prohibited.

(B) *Garbage containers*. Garbage containers cannot be on a public right-of-way for more than 48 continuous hours and must be kept at least 20 feet off of the public right-of-way.
(Prior Code, § 5.1.70) Penalty, see § 90.99

## § 90.25 JUNK.

(A) *General prohibitions*. It is unlawful for any person, corporation, partnership or legal entity owning or occupying real property in the town to allow the accumulation of junk or to fail to remove from the property any junk stored so as to be visible from a public street or neighboring property. It is also unlawful to allow any accumulation of junk that creates a threat to public health or safety. Nothing herein shall preclude the placement of stacked firewood for personal, noncommercial use on the premises. It is also unlawful to keep or store junk, garbage or rubbish on private property, including inside a building, in such a manner that the items, regardless of the method of containment, have become a breeding ground, food source or habitation of insects, rodents or vermin, or are deleterious to its surroundings or prone to a fire hazard.

(B) *Garbage storage*. The keeping or storage of ashes, junk, garbage or rubbish outside of a totally enclosed structure on private property, except in a sealed container designed for the purpose of holding such ashes, junk, garbage or rubbish, is prohibited.
(Prior Code, § 5.1.80) Penalty, see § 90.99

## § 90.26 ENVIRONMENTAL REGULATIONS; AIR, WEEDS, WATER.

No person shall cause, suffer or allow the discharge from any source whatsoever such quantities of air contaminants or other material which cause a nuisance.

(A) *Fugitive dust*.

(1) ***FUGITIVE DUST*** refers to particles lifted into the air caused by human-made and natural activities such as the movement of soil, vehicles, equipment, blasting and wind. Fugitive dust is emitted into the air by activities that disturb the soil, such as earthmoving and vehicular or equipment traffic on unpaved surfaces.

(2) Any person engaged in activities involving the dismantling or demolition of buildings, grubbing, grading, clearing of land, public or private construction, the operation of machines and equipment, the grading of roads, trenching operations, the operation and use of unpaved parking facilities, operation of livestock arenas, horse arenas, feedlots, off-road vehicles, operation and use of raceways, motor vehicles, motorcycles, ATVs/UTVs and all other outdoor recreational activities shall take all reasonable precautions to abate fugitive dust from becoming airborne from such activities. Reasonable precautions, include, but are not limited to, sprinkling, compacting, enclosure, chemical or asphalt sealing, cleaning, sweeping or such other measures as the town may specify to accomplish satisfactory results.

(3) The following circumstances represent examples of fugitive dust becoming airborne:

1. A visible plume of dust resulting from construction activities which extends more than 100 yards from the point of origin or beyond the nearest property line, whichever is less;

2. Visible dust emissions on an unpaved road at a construction site being used by haul trucks; and

3. Visible dust emissions generated by vehicles traveling over mud and dirt carried out to a paved road near or adjacent to a construction site.

(b) No person shall cause or permit the handling, transporting or storage of any material in a manner which allows or may allow controllable particulate matter to become airborne.

(c) Sand and abrasive blasting operations will not be permitted unless effective enclosures or other such dust-control devices, including, but not limited to, the injection of water, have been installed to prevent excessive sand and dust dispersal.

(B) *Weeds*.

(1) Any plant the State Commissioner of Agriculture determines to be especially injurious to public health, crops, livestock, land or other property is considered a ***WEED***.

(2) It shall be unlawful for any person occupying any real property in the town to fail to control the growth of injurious and noxious weeds on such property or to fail to remove from such property any such weeds, or any refuse, and any unsightly or detrimental objects or structures upon notice from the town as provided in this chapter.

(C) *Befouling water*. Befouling water in any spring, stream, well or water source supplying water for culinary purposes is prohibited.

(D) *Discharging offensive water or liquid waste*. Discharging or placing any offensive water, chemical spray, liquid waste or refuse of any kind into any street, alley, sidewalk, gutter, stream, wash, natural watercourse, ditch, canal or any vacant lot, or which, as the result of the continued discharge, will render the place of discharge offensive or likely to become so; intentional depositing of liquid petroleum crude oil, liquid petroleum crude oil by-products and derivatives or liquid industrial wastes on the ground; keeping or collecting any stale or putrid grease or other offensive matter; dumping or disposing of human waste.

(E) *Stagnant water and offensive substances*. Permitting any lot or excavation to become the repository of stagnant water or any decaying or offensive substances.

(F) *Liquid industrial wastes*. ***LIQUID INDUSTRIAL WASTES*** means any industrial wastewater, leachate, off-specification commercial product, grease trap clean-out residue, used oil or other liquid waste produced by, incident to or resulting from industrial or commercial activity.
(Prior Code, § 5.1.90) Penalty, see § 90.99

## § 90.27 SIGNS.

(A) Signs containing statements, words or pictures which are obscene or vulgar are prohibited.

(B) Signs placed in a manner that would create a safety hazard are prohibited.
(Prior Code, § 5.1.100) Penalty, see § 90.99

## § 90.28 DWELLINGS.

(A) *Buildings and structures*. Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or which is kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or which presents more than an ordinarily dangerous fire hazard in the vicinity where it is located, is prohibited.

(B) *Lighting*. Searchlights, laser source lights, strobe or flashing lights, illusion lights or any similar high-intensity light shall not be permitted except in emergencies or by police and fire personnel, or for approved special events. See the outdoor lighting standards in Chapter 153 of this code.

(C) *Exemptions*.

(1) Airport operations lighting and aircraft navigational beacons as established by the Federal Aviation Administration (FAA) are exempt from these provisions. All other airport outdoor lighting must conform to these provision; and

(2) Tower or antenna safety lighting required by the FAA.

(Prior Code, § 5.1.110) Penalty, see § 90.99

## § 90.29 EXCESSIVE SOUND LEVELS, NOISE.

(A) *General*.

(1) *Certain noise prohibited*. It shall be unlawful for any person to make, to continue or to cause to be made or continued any loud, unnecessary or unusual noise, or any noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the town.

(2) *Detrimental acts*. The following acts, when prolonged, unusual and unnatural in their time, place and use, may be a detriment to the public health, comfort, convenience, safety, welfare and prosperity: horns, radios, stereos, loudspeakers, yelling or shouting, exhausts, motor vehicles, ATVs, UTVs, motorcycles, drums, musical instruments, construction equipment, commercial vehicles, large diesel vehicles with refrigeration units, airplanes or blasting.

(B) *Purpose*. This section establishes minimum standards to reduce the making and creation of excessive, unnecessary or unusually loud noises within the limits of the town; prevent excessive, unnecessary or unusually loud noises which are prolonged, unusual or unreasonable in their time, place or use, and that affect and are a detriment to public health, comfort, convenience, safety or welfare of

the residents of the town; and secure and promote the public health, comfort, convenience, safety, welfare and the peace and quiet of the residents of the town.

(C) *Noise levels*. The making and/or creating of a noise disturbance within the town as identified in § 11.01 of this code, noise disturbance or identified and measured in the manner prescribed in division (E) below.

(D) *Scale*. A measurement of 65 decibels shall be considered to be a noise disturbance within the town limits.

(1) *Nonresidential areas*. Anything other than a residential zone will be measured at any property line of where the noise disturbance is coming from.

(2) *Residential areas*.

(a) When a complaint is in a residential area, the noise disturbance shall be measured at the property line of the complainant and shall be measured with a sound level meter which meets ANSI specification S1.4-1974 for Type 1 or Type 2 equipment.

(b) The manufacturer's published indication of compliance with such specifications is prima facie evidence of compliance with this division (D).

(E) *Specific noise prohibitions*. The following acts are unlawful:

(1) *Horns and signaling devices*. The sounding of any horn or signaling device on any truck, automobile, motorcycle, emergency vehicle or other motor vehicle within the town, except as a danger warning signal as provided by the State Vehicle Code;

(2) *Radios, television sets, tape players, musical instruments and similar devices*. Using, operating or permitting the use or operation of any radio receiving set, musical instrument, television, phonograph, drum or other device for the production or reproduction of sound:

(a) In a way that is plainly audible beyond the property boundary of the source; and

(b) On public property, public rights-of-way or private property at any time so as to be plainly audible 15 feet from the device.

(3) *Public loudspeakers*. The use or operation of a loudspeaker or sound-amplifying equipment in a fixed or moveable position or mounted upon any sound vehicle in or upon any street, alley, sidewalk, park, place or public or private property for the purposes of commercial advertising, giving

instructions, directions, talks, addresses, lectures or transmission of music to any persons or assemblages of persons in violation of town ordinances;

(4) *Hawkers and peddlers*. Selling any item or service by outcry, whether artificially amplified or not, within any area of the town in such a manner as to violate town ordinances;

(5) *Construction work*. It is unlawful for any person to perform or cause to be performed any construction work on any construction site under his or her control in such a manner as to violate town ordinances. The Town Council may authorize extended hours for construction operations or procedures which, by their nature, require continuous operation or modify or waive the hours of work for or on projects in generally isolated areas where the extended hours do not carry an impact upon adjoining property occupants;

(6) *Dynamic braking device*. Operating or permitting the operation of any motor vehicle with a dynamic braking device engaged within the boundaries of the town, except for the avoidance of imminent danger. The emitting of any compression noise shall be prima facie evidence of the use of engine compression;

(7) *Defect in vehicle*. Operating or permitting the operation or use of any truck, automobile, motorcycle or other motor vehicle that, because of disrepair or mode of operation, violates this section;

(8) *Motor vehicle noise*. Operating or causing to be operated any motor vehicle unless the exhaust system is free from defects that affect sound reduction, it is equipped with a muffler or other noise dissipative device and it is not equipped with any cutout, bypass or similar device; and

(9) *People noises*. Yelling, shouting, whistling, singing or conducting unnecessarily loud or annoying vocal utterances at any time or place so as unreasonably to annoy or disturb the quiet, comfort or repose of any person in any hospital, residential medical facility school, place of worship, place of business or dwelling, hotel or other type of residence, or of any person in the vicinity.

(F) *Exemptions*. The following uses and activities shall be exempt from noise level regulations:

(1) *Safety signals and the like*. Sound created by safety signals, warning devices and emergency pressure relief valves;

(2) *Emergency vehicles*. Sound resulting from any authorized emergency vehicle when responding to an emergency call or in time of an emergency;

(3) *Emergency work*. Sound resulting from emergency work;

(4) *Fireworks and the like*. Sound resulting from lawful fireworks and noise makers used for the celebration of an official holiday;

(5) *Temporary activities*. Any sound resulting from activities of a temporary nature during periods permitted by law which has been approved by the town;

(6) *Temporary events*. The sound was made within the terms of temporary events such as a parade, fireworks, display or other event for which a permit and exemption was issued by the Town Council as being in the public interest, and the conditions of such permit were being complied with;

(7) *Farms*. The sound was made by farm animals or by the normal day or night operation of farm equipment;

(8) *Variances*. The sound was made under the auspices of a variance issued by the Town Council or its designee to grant noise ordinance variances and was made within the terms and conditions of such variance. To grant a variance, the Town Council or the designee must find:

(a) The facts of the specific variance will result in no undue harm or loss to other parties;

(b) The best available sound-control technologies have been employed and the sound still exceeds the standards stated above;

(c) No reasonable alternative exists for the person or entity producing the sound;

(d) Conditions or mitigation measures are required as a part of the variance approval which are sufficient to protect the interests of the public; and

(e) The discharging of firearms at a reasonable time and period.

(9) *Aircraft*. Sound created by aircraft during approach to landing or during takeoff to or from an FAA-established runway or landing strip.
(Prior Code, § 5.1.120) (Ord. 2025-13, passed 7-16-2025) Penalty, see § 90.99

## § 90.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) (1) Any person who creates, aids in creating or contributes to a nuisance or who supports, continues or retains a nuisance is guilty of a Class C enhanced misdemeanor violation. Each day for which a nuisance is not abated constitutes a separate violation. Any person convicted of two or more violations of this chapter within a two-year period shall be guilty of a Class B misdemeanor.

(2) If the alleged nuisance is also a violation of other ordinances (other than the nuisance ordinance) or state law, the responsible person may be charged under the specific provisions of the code or state law even if the town did not first attempt to obtain voluntary correction as provided in this chapter.

(3) Any person who knowingly obstructs, impedes or interferes with the town or its agents, or with the responsible person, in the performance of duties imposed by this chapter, or a decision and order issued by the Town Council, or a voluntary correction agreement, is guilty of a Class B misdemeanor.

(C) Any person violating the dynamic braking device provisions shall be guilty of a class C misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.
(Prior Code, § 5.1.160) (Ord. 2025-13, passed 7-16-2025)

# CHAPTER 91: PUBLIC HEALTH AND SAFETY

Section


***General Provisions***

91.01 Definitions
91.02 Emergency management

***Soil***

91.15 Title, purpose, liability
91.16 Definitions
91.17 Applicability
91.18 Soil testing requirements
91.19 Action levels
91.20 Soil report and remediation plan
91.21 Topsoil capping
91.22 Hard surface capping
91.23 Soil cap disturbance and disposal
91.24 Dust control

***Land Disturbance***

91.35 Title, purpose
91.36 Definitions
91.37 Permit required
91.38 Land disturbance permits; application; duration; requirements
91.39 Appeals

91.99 Penalty

## *GENERAL PROVISIONS*

### § 91.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ABANDONED VEHICLE.*** A vehicle left unattended for over 48 hours that is inoperable or unregistered.

***AUTHOR OF NUISANCE.*** Any person responsible for creating or maintaining a nuisance.

***FUGITIVE DUST.*** Dust particles emitted from land disturbance or vehicular activity.

***INOPERABLE VEHICLE.*** A vehicle that cannot be safely driven due to damage or disrepair.

***JUNK.*** Discarded or broken items with no immediate use.

***LIQUID INDUSTRIAL WASTE.*** Liquid by-products from commercial or industrial activity.

***NOISE DISTURBANCE.*** Sound exceeding legal limits or unreasonably disrupting peace.

***NOXIOUS WEEDS.*** Harmful plants designated by the State Commissioner of Agriculture.
(Prior Code, § 5.1.60)

### § 91.02 EMERGENCY MANAGEMENT.

(A) The town's comprehensive emergency management plan is approved and implemented by the Town Council.

(B) Minor modifications to this plan can be made without the Town Council's signatures under the direction of the emergency manager. All modifications must be recorded in the record of revisions.
(Res. 2024-03, passed 1-9-2024)

## *SOIL*

### § 91.15 TITLE, PURPOSE, LIABILITY.

(A) *Short title*. This subchapter shall be known and maybe cited as the "Soil Ordinance."

(B) *Purpose*. The purpose of this subchapter is to identify areas of soil contamination, including arsenic, within the boundaries of the town, define hazardous levels and set standards and procedures to mitigate potential health risks from exposure by disturbance, movement of soil or the habitation of these areas.

(C) *Hold harmless*. The town is aware that contaminated soils exist and have been deposited throughout the town due to runoff from mines, relocation of tailings, as well as other means of movement. The town, however, does not know where all contaminated properties may be located. Each property owner is responsible for the condition of his or her own property and is also responsible for any remediation or actions required by this subchapter regarding his or her property.

(D) *Liability*. The town, under no circumstances, takes any responsibility for the testing, cleanup, removal or capping of contaminated soil within the town boundaries. The town is not liable nor responsible for any detrimental effects or happenings due to contaminated soils within the town boundaries.
(Ord. 2024-13, passed 12-18-2024)

### § 91.16 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ACTION LEVELS.*** Threshold concentrations of contaminants (such as arsenic or lead) in soil which, if exceeded, require remediation in accordance with this subchapter.

***APPLICANT.*** Any person, organization or legal entity seeking development approval or permits under this subchapter, including owners, developers and authorized agents.

***APPROVED TOPSOIL CAPPING MATERIAL.*** Clean fill, compost, soil or other material that meets environmental quality standards and has been approved by the town or a certified environmental professional for the purpose of covering contaminated soils.

***ARSENIC.*** A naturally occurring or human-introduced heavy metal contaminant regulated by the U.S. Environmental Protection Agency (EPA) and subject to action levels established in this subchapter.

***CAP/SOIL CAP.*** A layer of approved topsoil, rock, hard surface material or other barrier installed over contaminated soil to prevent human exposure and reduce environmental risks.

***CONTAMINATED SOIL.*** Soil that contains concentrations of hazardous substances, including, but not limited to, arsenic and lead, at or above the action levels defined in this subchapter.

***DUST CONTROL.*** Measures taken to prevent the airborne spread of contaminated particles during soil disturbance activities, including watering, covering or other EPA-compliant methods.

***HAZARDOUS SOIL.*** Soil that meets or exceeds the thresholds established by the Toxic Characteristic Leaching Procedure (TCLP) and is regulated as hazardous waste under state and federal law.

***LAND DISTURBANCE PERMIT.*** A permit issued by the town that authorizes disturbance or movement of soil subject to the requirements of this subchapter and an approved remediation plan.

***NELAP.*** The National Environmental Laboratory Accreditation Program, which certifies laboratories for compliance with environmental testing standards.

***REMEDIATION PLAN.*** A site-specific plan submitted to the town that outlines the proposed measures to address and mitigate contaminated soil in compliance with this subchapter.

***SAMPLING GRID.*** A systematic layout of sampling locations across a property based on its size and established standards to ensure thorough soil testing.

***SOIL CAP DISTURBANCE.*** Any activity that disrupts, penetrates, removes or otherwise affects an existing soil cap, including construction, excavation, grading or landscaping.

***SOIL REPORT.*** A document prepared by a certified environmental professional that includes the results of soil sampling and testing, maps of sampling locations, testing methodology and conclusions regarding contamination levels.

***SUBSTANTIAL SOIL DISTURBANCE.*** Any activity that disturbs more than 5,000 square feet of soil surface area, including, but not limited to, construction, grading, excavation or landscaping work.

***TCLP (TOXIC CHARACTERISTIC LEACHING PROCEDURE).*** A laboratory procedure used to determine whether a waste exhibits hazardous characteristics and must be handled as hazardous waste under EPA and state DEQ regulations.

***TOP OF BANK.*** The uppermost edge of a defined water channel or stream, used as a reference for environmental assessments and setbacks.

***TOWN.*** Fairfield, Utah, including its elected officials, appointed representatives, employees and designated agents responsible for enforcing this subchapter.

***TOWN ADMINISTRATOR.*** The official or designee responsible for administering the provisions of this subchapter, including review, approval and enforcement actions.

***WEED BARRIER FABRIC.*** A permeable synthetic or natural barrier placed on the ground surface to suppress weed growth and prevent the upward migration of contaminated soil, typically used in xeriscaped areas.
(Prior Code, § 5.3.10)

## § 91.17 APPLICABILITY.

(A) Soil testing shall be required before subdivision approval. Soil testing shall not be required in a subdivision that has previously been tested

(B) If soil testing has not been conducted on property prior to the passage of this subchapter, such testing shall be required before:

(1) Site plan approval;

(2) Building permit for structures over 400 square feet requiring a permanent foundation; or

(3) A project disturbs more than 5,000 square feet of soil.

(C) The following shall be exempt from soil testing requirements:

(1) Routine agricultural practices; and

(2) Routine landscaping or gardening activities that do not involve substantial soil disturbance.
(Ord. 2024-13, passed 12-18-2024)

## § 91.18 SOIL TESTING REQUIREMENTS.

(A) *Sampling frequency and locations.*

(1) Soil samples must be collected at multiple locations across the property and spaced at regular intervals.

(2) The property must be divided into a grid with sampling sites located within each grid segment.

(3) The minimum number of sample sites shall be determined by the size of the property:

(a) Properties under one acre: minimum of three sample sites;

(b) Properties one to five acres: minimum of five sample sites; and

(c) Properties over five acres: minimum of five sample sites, with an additional sample site per acre over five acres.

(B) *Testing facilities*.

(1) All sampling, collection and testing shall be performed by a company certified by the EPA, NELAP (National Environmental Laboratory Accreditation Program) or a state regulatory body.

(2) Testing facilities must follow the latest methodologies and standards established by regulatory authorities.
(Ord. 2024-13, passed 12-18-2024)

## § 91.19 ACTION LEVELS.

(A) Acceptable arsenic levels:

(1) Residential: less than 100 mg/kg; and

(2) Nonresidential: less than 300 mg/kg.

(B) Acceptable lead levels:

(1) Residential: less than 1,200 mg/kg; and

(2) Nonresidential: less than 4,000 mg/kg.
(Ord. 2024-13, passed 12-18-2024)

## § 91.20 SOIL REPORT AND REMEDIATION PLAN.

(A) *Soil report*. Each soil report shall be site-specific and shall identify all known or suspected soil contamination areas that may affect the subject property. Reports shall include a map of testing locations, testing process and procedures, adequate data to support the professional's findings and original signatures and professional seal of the qualified professional.

(B) *Remediation plan*. If a property is tested and found to exceed the action levels in § 91.19, the applicant shall submit a remediation plan to the town and obtain a land disturbance permit from the town prior to any development occurring or other permit being issued.

(C) *Submittal of reports*. All soil reports and remediation plans must be submitted to the town within ten days of testing completion.
(Ord. 2024-13, passed 12-18-2024)

## § 91.21 TOPSOIL CAPPING.

All topsoil capping must use approved topsoil capping materials.

(A) *Residential areas*. Total cap thickness must be a minimum of 18 inches.

(B) *Agricultural areas*. Total cap thickness must be a minimum of 24 inches.

(C) *Commercial/industrial areas*. Total areas: total cap thickness must be a minimum of 12 inches.

(D) *Vegetated areas*. Total cap area must be a minimum of six inches.

(E) *Xeriscaped areas*. Owners that practice xeriscape are allowed to employ a weed barrier fabric if the property is capped with six inches of rock or bark and maintained to prevent soil breakthrough.

(F) *Fruit or vegetable areas*. Total cap thickness must be a minimum of 24 inches if the planting bed is at grade and a minimum of 18 inches if the planting bed is above grade.

(G) *Shrub and tree areas*.

(1) All shrubs shall be surrounded by approved topsoil for an area, which is three times bigger than the rootball and extends six inches below the lowest root of the shrub at planting.

(2) All trees planted shall have a minimum of 18 inches of approved topsoil around the root ball with a minimum of 12 inches of approved topsoil below the lowest root of the tree.
(Ord. 2024-13, passed 12-18-2024)

### § 91.22 HARD SURFACE CAPPING.

Hard surface capping is allowed on properties that propose approved hard surface materials.
(Ord. 2024-13, passed 12-18-2024)

### § 91.23 SOIL CAP DISTURBANCE AND DISPOSAL.

(A) *Causing a disturbance to the soil.* All work related to the disturbance of a cap is prohibited unless the person complies with this subchapter.

(B) *Off-site disposal.* All soil generated from the Soil Ordinance that cannot be reintroduced must be disposed of in accordance with industry standards.

(C) *Hazardous soils.* Soils exhibiting hazardous characteristics exceeding the following Toxic Characteristic Leaching Procedure (TCLP) standards must be managed as hazardous waste and disposed of within a State Department of Environmental Quality permitted facility.
(Ord. 2024-13, passed 12-18-2024) Penalty, see § 91.99

### § 91.24 DUST CONTROL.

(A) *Dust control.* All site operators must take reasonable precautions to prevent dust emissions from crossing property lines and causing a nuisance to nearby properties.

(B) *Worker safety.* Due care shall be taken by the contractor or owner, to protect workers while working within the site from any exposure to dust emissions during construction activity by providing suitable breathing apparatus or other appropriate control.
(Ord. 2024-13, passed 12-18-2024)

## *LAND DISTURBANCE*

### § 91.35 TITLE, PURPOSE.

(A) This subchapter shall be known and may be cited as the "Land Disturbance Ordinance."

(B) The purpose of this regulation is to protect public health, safety and the environment by establishing procedures and requirements for land disturbance activities within the town. This regulation

aims to prevent erosion, sedimentation, flooding and pollution associated with land disturbance activities, and to promote responsible and sustainable land use practices.
(Ord. 2024-10, passed 11-20-2024)

## § 91.36 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***AS-BUILT PLANS.*** Drawings that show the final constructed conditions of a site or facility, including any variations from approved construction plans. These plans are required for release of performance securities.

***BEST MANAGEMENT PRACTICES (BMPS).*** Proven methods, measures or practices used to reduce erosion, sedimentation and pollution from land disturbance activities, including structural and non-structural controls.

***EROSION.*** The process by which soil particles are dislodged and transported by water, wind or other natural forces.

***EROSION AND SEDIMENT CONTROL PLAN.*** A document prepared by a licensed civil engineer that details the measures and methods used to prevent soil erosion and control sediment discharge from a disturbed site.

***GEOLOGICAL REPORT.*** A report prepared by a licensed engineering geologist that analyzes geological hazards or conditions on a site that may impact land disturbance activities, including, but not limited to, slope stability, faulting and groundwater concerns.

***GRADING PLAN.*** A detailed engineering drawing prepared by a licensed civil engineer showing existing and proposed contours, elevations and drainage flow patterns associated with site grading or earth-moving activities.

***LAND DISTURBANCE.*** Any activity that results in the clearing, grading, excavation or movement of earth materials that alters the existing vegetative or soil cover of a site.

***LAND DISTURBANCE PERMIT.*** A permit issued by the town that authorizes land disturbance activities subject to the requirements of this subchapter and associated plans and conditions.

***NATURAL CHANNEL.*** A naturally occurring or modified watercourse or drainage pathway that conveys surface water flows, such as streams, creeks or ephemeral washes.

***NOTICE OF INTENT (NOI).*** A notice submitted to the State Department of Environmental Quality under the Utah Pollutant Discharge Elimination System (UPDES) to request coverage under a general stormwater permit for construction activities.

***PERFORMANCE BOND (OR SECURITY).*** A financial assurance mechanism submitted by a permittee to guarantee proper implementation and completion of stormwater management practices or land disturbance mitigation measures.

***PERMITTEE.*** The person, company, property owner or legal entity to whom a land disturbance permit has been issued.

***REVEGETATION PLAN.*** Site-specific document developed by an erosion control specialist or similar professional that identifies plant materials, seeding methods and soil preparation techniques used to stabilize disturbed soils and reestablish vegetation.

***SEDIMENTATION.*** The process by which eroded soil particles settle out of water or wind and accumulate on land surfaces, drainage systems or waterways.

***SITE.*** Any lot, parcel or area of land where land disturbance activities are proposed or occurring.

***SOILS ENGINEER.*** A registered professional engineer with specialized training and experience in soil mechanics and geotechnical analysis.

***SOILS REPORT.*** A report prepared and signed by a qualified soils engineer that characterizes the composition, stability and other relevant conditions of the soil on a proposed disturbance site.

***STORMWATER POLLUTION PREVENTION PLAN (SWPPP).*** A comprehensive plan that outlines construction-phase stormwater management practices to prevent pollutants from entering the stormwater drainage system, as required by UPDES regulations.

***UPDES (UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM).*** A state-administered permitting system that regulates discharges of stormwater and other pollutants into waters of the state, including construction-related stormwater runoff.
(Prior Code, § 5.4.05)

## § 91.37 PERMIT REQUIRED.

(A) *Permit required.* A land disturbance permit is required when a person is proposing or seeking the following:

(1) Redirect natural channels or waterways;

(2) A building permit; and

(3) Activities that disturb more than 5,000 square feet of land.

(B) *Exemptions*. The following activities are exempt from the permit requirement:

(1) Routine landscaping and maintenance that do not involve significant soil disruption;

(2) Agricultural activities conducted in accordance with best management practices;

(3) Emergency activities required to protect public health, safety or welfare, provided that temporary erosion control measures are taken; and

(4) Additions or modifications to existing single-family structures.

(C) *Plan approvals required*. No land disturbance permit shall be issued for any site or project requiring a site plan or final subdivision approval. The Town Engineer may waive the requirement of obtaining final site plan or final subdivision plat approval as is deemed appropriate for a particular project.
(Ord. 2024-10, passed 11-20-2024)

## § 91.38 LAND DISTURBANCE PERMITS; APPLICATION; DURATION; REQUIREMENTS.

(A) *Application form*. The applicant shall pay all applicable fees and submit a completed land disturbance permit application form provided by the town. The application shall include the following.

(1) *Contact information*. Contact information for the property owner, contractor and applicant.

(2) *Summary of activity*. A statement indicating the nature, extent and purpose of the land disturbing activity, including the size of the area for which the permit shall be applicable and a schedule for the starting and completion dates.

(3) *Grading plan*. Grading plan prepared, stamped and signed by a civil engineer.

(4) *Drainage plan*. Each application for a land disturbance permit shall include a drainage plan for the proposed land disturbance activity and site. The drainage plan shall be prepared by a civil engineer and shall be prepared in accordance with the requirements and standards herein.

(5) *Stormwater pollution prevention plan (SWPPP)*. Each application for a land disturbance permit shall include an SWPPP for the proposed land disturbance activity and site unless the site or lot is part of common plan of development that already has a UPDES/NOI permit and this permit is referenced on the application. If the site or lot is not part of the common plan of development or the builder of the lot is not the holder of the UPDES/NOI that is in place for the development then an SWPPP shall be prepared in accordance with the requirements and standards for such plans as set forth in the most current UPDES stormwater general permit.

(6) *Erosion and sediment control plan*. Each application for a land disturbance permit shall include an erosion and sediment control plan for the proposed land disturbance activity and site. The erosion and sediment control plan shall be prepared by a civil engineer and shall be prepared in accordance with the requirements and standards for such plans as set forth herein.

(7) *Revegetation plan*. Each application for a land disturbance permit shall include a revegetation plan for the proposed land disturbance activity and site. The revegetation plan shall be prepared by an erosion control specialist or professional of comparable expertise and shall be prepared in accordance with the requirements and standards herein.

(8) *Soils report*. Each application for a land disturbance permit shall include a soils report for the site. The soils report shall be prepared and signed by a soils engineer and shall be prepared in accordance with the requirements and standards herein.

(9) *Geological report*. When deemed necessary by the Town Engineer due to the circumstances and conditions of the site, an application for a land disturbance permit shall include a geological report for the site. The geological report, when required, shall be prepared and signed by an engineering geologist and shall be prepared in accordance with the requirements and standards herein.

(B) *Review and approval of application*.

(1) The Town Engineer will review each application for a land disturbance permit to determine its conformance with the provisions of this subchapter and best management practices. The Town Engineer may use the future American Society for Testing and Materials (ASTM) standards and various standards obtained in published engineering studies and industry publications as a guide for review.

(2) If the Town Engineer has granted conditional approval of the permit, the applicant shall submit a revised plan that conforms to the conditions established by the Town Engineer. However, the applicant may be allowed to proceed with their land disturbing activity so long as it conforms to conditions established by the Town Engineer.

(3) No development plans will be released until the land disturbance permit has been approved.

(C) *Permit duration.* Every land disturbance permit shall expire and become null and void if substantial work authorized by such permit has not commenced within 180 calendar days of issuance, or is not complete within 18 months from the date of the commencement of construction.

(D) *Notice of construction.* The applicant must notify the Town Engineer ten working days in advance of the commencement of construction. Regular inspections of the stormwater management system construction shall be conducted by the Town Engineer.

(E) *Performance bond.*

(1) The Town Engineer may, at its discretion, require the submittal of a performance security or performance bond prior to issuance of a permit in order to ensure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan.

(2) The performance security or performance bond shall be released in full only upon submission of as-built plans and written certification by the town stormwater inspector that the structural BMP has been installed in accordance with the approved plan and other applicable provisions of this subchapter.

(F) *Noncompliance.*

(1) If the site is found in violation of permit conditions, the permittee may be required to implement corrective measures immediately.

(2) Failure to comply may result in suspension or revocation of the permit, issuance of a stop work order and/or a Class C misdemeanor. Each and every day, or a portion thereof, during which any violation is committed and continued shall be considered a separate offense.
(Ord. 2024-10, passed 11-20-2024) Penalty, see § 91.99

## § 91.39 APPEALS.

Any person aggrieved by a decision related to the issuance, suspension or revocation of a land disturbance permit may file an appeal to the Town Administrator within 30 days of the decision.
(Ord. 2024-10, passed 11-20-2024)

## § 91.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) (1) *Legal action*. Any person failing to comply with the provisions of §§ 91.15 to 91.24 shall be guilty of a Class B misdemeanor.

(2) *Permit*. The town reserves the right to withhold, suspend or deny issuance of any permits required under §§ 91.15 to 91.24 if an applicant or property owner is found to be in violation of any provision within §§ 91.15 to 91.24.
(Ord. 2024-13, passed 12-18-2024)

# CHAPTER 92: CEMETERY

Section


92.01 Name and purpose
92.02 Definitions
92.03 Cemetery Board
92.04 Board authority and responsibilities
92.05 Officers and meetings
92.06 Sexton
92.07 Secretary
92.08 Staff and volunteers
92.09 Maintenance
92.10 Meeting space and equipment
92.11 Budget
92.12 Recordkeeping and reporting
92.13 General information
92.14 Buying plots
92.15 Transfers, lost or damaged certificates; abandonment
92.16 Permits and fees
92.17 Scheduling burials
92.18 Burial
92.19 Cremation plots
92.20 Vault requirements
92.21 Headstones and memorials
92.22 Cemetery operations
92.23 Exhumation
92.24 Damaging property

92.99 Penalty


## § 92.01 NAME AND PURPOSE.

The Town Cemetery is the only cemetery managed by the town. It is meant only for burying human remains. No burials are allowed anywhere else within town limits unless it's a state-approved cemetery. (Prior Code, § 6.7.10) (Ord. 2025-18, passed 11-19-2025)

## § 92.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***APRON*** or ***BASE (CEMETERY).*** The permanent foundation surface installed at the head end of a burial space, constructed of an approved durable material such as concrete, stone or reinforced masonry, upon which a monument, marker or headstone is placed. The ***APRON/BASE*** shall provide support, alignment, protection against settlement or shifting of the marker, and shall define the frontal boundary of the burial plot.

***BURIAL.*** The placement of human remains in a grave or vault, including the interment of cremated remains.

***CASKET.*** A container used to hold and bury a deceased person's remains.

***CEMETERY BOARD.*** The Board appointed by the Mayor and approved by the Town Council to oversee the management and operation of the Town Cemetery.

***CEMETERY PLOT*** or ***PLOT.*** A designated area within the cemetery intended for the burial of human remains.

***CREMAINS.*** The ashes that remain after the cremation of a human body.

***CREMATION VAULT.*** A container used to hold cremated remains, designed to be buried in the cemetery's designated cremation section.

***DECORATION (CEMETERY).*** Any temporary item placed on or around a burial plot, grave, monument, marker, headstone, base or apron for purposes of honoring, memorializing or remembering the deceased. ***DECORATIONS*** may include flowers (fresh or artificial), wreaths, flags ornaments, small figurines, temporary lighting or similar memorial display items.

***DETERIORATED/UNSIGHTLY.*** Any condition in which a structure, surface, sign or material is visibly faded, peeling, rusting, corroding, decaying, damaged, broken, weathered or otherwise not maintained, resulting in an unattractive or offensive appearance.

***DOUBLE PLOT.*** A plot designated to accommodate two interments under specific conditions set forth in this chapter.

***EXHUMATION (DISINTERMENT).*** The authorized removal of human remains from a burial plot.

***HEADSTONE*** or ***MARKER.*** A memorial placed at a grave to identify the person buried there, subject to size and placement regulations specified in this chapter.

***INTERMENT.*** The lawful act of placing human remains, including cremains, in a grave or vault within the cemetery.

***LOT.*** A subdivision of land in the cemetery containing multiple burial plots, typically up to eight.

***MEMORIAL.*** Any structure or marker commemorating a deceased individual, including headstones, plaques and monuments.

***NONRESIDENT.*** A person who does not reside within the boundaries of the town.

***OWNER.*** A person who has been granted burial rights to a cemetery plot, but who does not hold title to the land.

***RESIDENT.*** A person whose primary residence is within the boundaries of the town.

***SEXTON.*** A member of the Cemetery Board designated to manage day-to-day operations, including overseeing burials, verifying plot ownership and ensuring compliance with cemetery regulations.

***SUPERMAJORITY.*** A voting requirement that exceeds a simple majority. For the purpose of this chapter, a ***SUPERMAJORITY*** shall mean a vote in favor by at least two-thirds of the total voting members of the Cemetery Board or Town Council, unless otherwise specified by law.

***TEMPORARY MEMORIALS.***

(1) A marker placed on the burial plot prior to the setting of the headstone; or

(2) Items such as flowers, crosses, toys and notes and the like that are placed on the burial plot.

***VAULT.*** A grave liner or container designed to encase a casket or cremation urn and prevent the collapse of soil around the burial.
(Prior Code, § 6.7.20) (Ord. 2025-18, passed 11-19-2025)

## § 92.03 CEMETERY BOARD.

(A) *Generally*. The Cemetery Board manages the cemetery and helps ensure it serves public health and safety.

(B) *Members and appointments*.

(1) The Board consists of five members who must reside in the town for at least six months prior to appointment.

(2) Members shall be recommended by the Cemetery Board and appointed by the Mayor with the advice and consent of the Town Council.

(3) Terms are five years and start on July 1. Terms are staggered.

(4) Members can be reappointed. Vacant spots are filled the same way.

(5) A Board member may be removed with a supermajority vote of the Board and approved by the Town Council.

(6) Failure of a Cemetery Board member to attend three consecutive regular meetings, or to miss more than 30% of regular meetings within a calendar year, shall constitute grounds for dismissal. In such cases, the Chair shall recommend the member's removal to the Town Council.

(7) (a) When a vacancy occurs on the Cemetery Board, the Town Recorder/Clerk shall post public notice of the vacancy in accordance with the town's official posting requirements. Applications shall be accepted for a period of no fewer than 14 calendar days.

(b) Upon the close of the application period, the Cemetery Board shall review all submitted applications and may conduct interviews as deemed necessary. The Board shall vote to recommend one applicant for appointment. This recommendation shall be forwarded to the Mayor for formal appointment, subject to the advice and consent of the Town Council.

(8) (a) The terms of Cemetery Board members shall be staggered so that the term of one member expires each year. In the event of a vacancy due to death, resignation or other cause, the Mayor, subject to the advice from the Cemetery Board and consent of the Town Council, shall appoint a replacement to serve the remainder of the unexpired term.

(b) All terms shall commence on or before the first regularly scheduled Board meeting in July of each year. The Town Council may remove any member of the Cemetery Board by majority vote. Vacancies shall be promptly filled in the same manner as the original appointment and for the remainder of the unexpired term.

(9) Notice of all vacancies on the Cemetery Board shall be posted at the Town Hall, published on the town's official website and distributed via e-mail to all residents who have provided the town with a valid e-mail address. Such notice shall be posted for no fewer than 14 calendar days.
(Prior Code, § 6.7.30) (Ord. 2025-18, passed 11-19-2025)

## § 92.04 BOARD AUTHORITY AND RESPONSIBILITIES.

(A) The Board can:

(1) Have the authority to oversee the day-to-day management and operations of the Town Cemetery, subject to the provisions of this chapter and all applicable state and local laws. The Board's responsibilities shall include, but are not limited to:

(a) Recommend policies and procedures for the care, maintenance and use of the cemetery;

(b) Advise the Town Council on budgetary needs, capital improvements and maintenance priorities;

(c) Coordinate with town staff on administrative tasks and recordkeeping related to cemetery operations;

(d) Review and make recommendations on applications for burial plots, memorials and other cemetery-related matters; and

(e) Ensure compliance with state statutes, health regulations and town code governing cemetery use and operations.

(B) All actions and decisions of the Cemetery Board shall be consistent with § 92.03 and are subject to review and approval by the Town Council when required by ordinance or statute.
(Prior Code, § 6.7.40) (Ord. 2025-18, passed 11-19-2025)

## § 92.05 OFFICERS AND MEETINGS.

(A) The Board shall appoint a new Chair and Co-Chair annually, the term of which shall run from July 1 to June 30.

(B) Regular meetings are scheduled. The Chair or two members can call extra meetings.

(C) Meetings shall follow the state's open meeting laws.

(D) Agendas are prepared by the Chair or his or her appointee and sent to the Town Recorder/Clerk for posting a minimum of 24 hours before the meeting.

(E) Minutes are written for each meeting and filed at the Town Office.

(F) Minutes must be approved at the following meeting.

(G) The Town Recorder/Clerk is responsible for posting agendas and notices and filing all cemetery records.
(Prior Code, § 6.7.50) (Ord. 2025-18, passed 11-19-2025)

## § 92.06 SEXTON.

(A) *Duties*. The Board-appointed Sexton shall:

(1) Manage daily cemetery work;

(2) Check ownership and verify payment for burial plots;

(3) Schedule and be present for the placement of headstones, markers or monuments to ensure they are installed in the correct location;

(4) Keep everything in order and ensure rules are followed;

(5) Be a Cemetery Board member;

(6) Supervise burials and ensure proper interment procedures are followed;

(7) Ensure compliance with all cemetery regulations outlined in this code; and

(8) Ensure cemetery rules regarding decorations, landscaping and general maintenance are being followed.

(B) *Compensation.*

(1) The Sexton shall be compensated as determined by the Cemetery Board and approved through the town's budget process. Compensation shall only be provided when the Sexton is actively performing the duties assigned under this section.

(2) If another Board member is officially designated to perform the Sexton's duties for a particular service or period of time, compensation for that work shall be directed to the individual performing the duties in place of the Sexton.
(Prior Code, § 6.7.60) (Ord. 2025-18, passed 11-19-2025)

## § 92.07 SECRETARY.

(A) The Chair may appoint a Secretary with the Board's approval.

(B) The Secretary is responsible for taking the meeting minutes and recording the audio of each meeting. The approved minutes are then filed with the Recorder/Clerk at the town office.

(C) Compensation for the secretary shall be subject to approval by the Town Council and shall be paid from the cemetery budget as determined by the Town Council.
(Prior Code, § 6.7.70) (Ord. 2025-18, passed 11-19-2025)

## § 92.08 STAFF AND VOLUNTEERS.

The Mayor may assign town staff or volunteers to help the Board.
(Prior Code, § 6.7.80) (Ord. 2025-18, passed 11-19-2025)

## § 92.09 MAINTENANCE.

The Board manages cemetery upkeep and follows provisions of the state code.
(Prior Code, § 6.7.90) (Ord. 2025-18, passed 11-19-2025)

## § 92.10 MEETING SPACE AND EQUIPMENT.

The town will provide space for meetings and equipment storage.
(Prior Code, § 6.7.100) (Ord. 2025-18, passed 11-19-2025)

## § 92.11 BUDGET.

(A) (1) A draft budget shall be submitted to the Town Treasurer by March 1 each year.

(2) The Cemetery Board shall prepare and submit an annual budget for inclusion in the town's overall budget. The budget shall reflect the anticipated operational, maintenance, improvement and personnel costs associated with the Town Cemetery.

(B) All cemetery revenues, including plot sales, interment fees and other cemetery-related income, shall be used exclusively for the maintenance, operation, improvement and administration of the cemetery. This includes compensation for the Cemetery Sexton and any other personnel directly involved in cemetery operations.

(C) Unexpended cemetery funds shall roll over from year to year to allow for the planning and execution of more significant or long-term improvement projects.
(Prior Code, § 6.7.110) (Ord. 2025-18, passed 11-19-2025)

## § 92.12 RECORDKEEPING AND REPORTING.

The Town Recorder/Clerk will maintain and update the Town Cemetery Records, including:

(A) Plot ownership records;

(B) Burial certificates;

(C) Interment reports;

(D) Transfer requests and approvals;

(E) Submit biannual reports (January 1 and July 1) to the County Recorder's Office; and

(F) Update the cemetery map in the office and on the town website.
(Prior Code, § 6.7.120) (Ord. 2025-18, passed 11-19-2025)

## § 92.13 GENERAL INFORMATION.

(A) The cemetery is in Section 29 of the county survey.

(B) Each lot has eight burial plots.

(C) Plots can be bought on the town's website.
(Prior Code, § 6.7.130) (Ord. 2025-18, passed 11-19-2025)

## § 92.14 BUYING PLOTS.

(A) Residents may buy one burial plot at the resident price.

(B) Nonresidents pay the nonresident price.

(C) Officials who have served four years or more may buy two plots at a reduced rate.

(D) Buying a plot gives burial rights only, not ownership of land.

(E) Approval is required before changing anything on or around a plot or anywhere in the cemetery.
(Prior Code, § 6.7.140) (Ord. 2025-18, passed 11-19-2025)

## § 92.15 TRANSFERS, LOST OR DAMAGED CERTIFICATES; ABANDONMENT.

(A) Plots not used for 99 years go back to the town.

(B) Lost or damaged cemetery plot certificates may be replaced by following the same process required for a plot transfer, including submission of an application, proof of identity and ownership and payment of applicable fees.
(Prior Code, § 6.7.150) (Ord. 2025-18, passed 11-19-2025)

## § 92.16 PERMITS AND FEES.

(A) The following is required by the town prior to interment:

(1) A burial report;

(2) Interment application;

(3) Proof of ownership; and

(4) Payment of fees.

(B) To request a transfer of a cemetery plot, the applicant shall:

(1) Submit a completed plot transfer application form to the Town Recorder/Clerk;

(2) Provide valid government-issued photo identification;

(3) Provide satisfactory proof of ownership of the plot;

(4) If the plot is owned in the name of a trust, provide appropriate documentation verifying trust ownership and authority to transfer;

(5) Have the application notarized;

(6) Pay all applicable transfer fees as set by the resolution of the Town Council; and

(7) All plot transfers are subject to approval by the Town Cemetery Board.
(Prior Code, § 6.7.160) (Ord. 2025-18, passed 11-19-2025)

## § 92.17 SCHEDULING BURIALS.

(A) No burials on Sundays or holidays.

(B) Burials are allowed 10:00 a.m. to 4:00 p.m. on other days.

(C) Burials must be scheduled at least 48 hours in advance or 72 hours if there's a holiday.
(Prior Code, § 6.7.170) (Ord. 2025-18, passed 11-19-2025)

## § 92.18 BURIAL.

(A) Each burial plot may be used for only one interment at the time of burial. The following combinations are permitted:

(1) One adult casket or two infant caskets; or

(2) Two cremated remains (cremains), only if interred at the same time.

(B) Double-depth burials are prohibited.
(Prior Code, § 6.7.180) (Ord. 2025-18, passed 11-19-2025) Penalty, see § 92.99

## § 92.19 CREMATION PLOTS.

(A) There is a separate section for cremations. Cremation plots measure two feet by two feet.

(B) Cremation plots shall be used in order, starting from the southeast.

(C) One cremation urn is allowed in one cremation vault.
(Prior Code, § 6.7.190) (Ord. 2025-18, passed 11-19-2025)

## § 92.20 VAULT REQUIREMENTS.

(A) Burial vaults must meet accepted industry strength standards.

(B) Cremation vaults must be under 12 inches per side and buried at least 12 inches deep from the top of the vault.

(C) No cremation burials when the ground is frozen deeper than four inches.
(Prior Code, § 6.7.200) (Ord. 2025-18, passed 11-19-2025)

## § 92.21 HEADSTONES AND MEMORIALS.

(A) *Generally*.

(1) All markers shall face east.

(2) Apron or base maximum size limits are as follows.

(a) Single plot: 30 inches deep by four feet wide;

(b) Double plot: 30 inches deep by five feet wide; and

(c) Height: six feet.

(3) Cremation plot markers and aprons: one foot by one foot, placed in the plot center.

(4) Headstone placement must be scheduled with the Sexton.

(B) *Gravesite decorations*.

(1) Decorations are not permanent improvements and may be removed by the town when they become deteriorated, faded, unsightly, weathered, broken, pose a maintenance obstruction, create a safety hazard or after an established seasonal removal period set by the town;

(2) All permanent gravesite decorations must be approved by the Sexton or his or her designee;

(3) Solar lighting brightness limitation requirements are as follows. Solar accent, decorative or landscape lighting shall not exceed 100 lumens per fixture, shall be full-cutoff or shielded and shall be directed downward so that the light source is not directly visible beyond the property line. No more than one solar light per grave;

(4) Any damage to the base, headstone, marker or monument caused by adding holes or resulting from the presence of such holes shall be the sole responsibility of the plot owner;

(5) Decorations shall not exceed five feet in height, measuring from the ground;

(6) No plants, shrubs, trees, bushes, groundcover, vegetation or root-bearing material may be planted within the apron, base area or foundation area of any burial plot;

(7) Temporary memorials must remain within the designated area, defined as the apron/base directly in front of the headstone;

(8) Funeral flowers will be allowed to remain for ten consecutive business days, after which the Sexton or cemetery designee may remove them;

(9) No horses, dogs or other types of pets or livestock allowed on cemetery grounds unless part of a procession, exempt by state or federal law;

(10) All vehicles must stay on the travel lane and travel at a speed no greater than five mph;

(11) Children under the age of 12 shall not be allowed in the cemetery unless accompanied by an adult; and

(12) Loitering is expressly prohibited.

(C) *Liability for damage*. The town shall not be liable for damage to headstones, markers, monuments or decorations, except when such damage is directly caused by the town's negligent, reckless or intentional conduct.

(D) *Removal of damaged or unsightly items*. The Sexton or his or her designee shall have discretion to remove any decoration, headstone, marker or memorial that has become damaged, unsightly, unsafe or otherwise inconsistent with cemetery standards. When possible, reasonable efforts shall be made to notify the family.
(Prior Code, § 6.7.210) (Ord. 2025-18, passed 11-19-2025) Penalty, see § 92.99

## § 92.22 CEMETERY OPERATIONS.

No unauthorized persons are allowed in the cemetery after dark.
(Prior Code, § 6.7.220) (Ord. 2025-18, passed 11-19-2025) Penalty, see § 92.99

## § 92.23 EXHUMATION.

(A) No exhumation shall take place without the required permits from both the county and the town.

(B) Only the casket may be removed during an exhumation; burial vaults must remain in place.

(C) Payment of the fees for exhumations is required before the permit is issued.
(Prior Code, § 6.7.230) (Ord. 2025-18, passed 11-19-2025) Penalty, see § 92.99

## § 92.24 DAMAGING PROPERTY.

It is against the law to damage anything in the cemetery.
(Prior Code, § 6.7.240) (Ord. 2025-18, passed 11-19-2025) Penalty, see § 92.99

## § 92.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Damage or vandalism to cemetery property or gravestone/grave markers shall be a Class C misdemeanor.
(Prior Code, § 6.7.240) (Ord. 2025-18, passed 11-19-2025)

# TITLE 11: BUSINESS REGULATIONS

Chapter


**110. BUSINESS LICENSING**

**111. TEMPORARY BUSINESS LICENSES/PERMITS**

**112. HOME BASED BUSINESSES**

**113. SEXUALLY ORIENTED BUSINESSES**

# CHAPTER 110: BUSINESS LICENSING

Section


110.01 Purpose
110.02 Definitions
110.03 License required
110.04 Application, fees and compliance
110.05 Exemptions
110.06 License term, certificate and non-transferability
110.07 Issuance and display
110.08 Separate licenses
110.09 Inspections and code compliance
110.10 Recordkeeping
110.11 Denial, suspension, revocation

110.99 Penalty


## § 110.01 PURPOSE.

This chapter regulates all businesses operating within the town, whether permanent or temporary, ensuring compliance with local, state and federal laws, protecting public health and safety and promoting the welfare of the community.
(Ord. 2025-09, passed 6-5-2025)

## § 110.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ADMINISTRATIVE INTERPRETATION.*** A formal written decision by the Zoning Administrator or Town Planner clarifying the meaning or application of a provision in the zoning code or business license ordinance.

***APPLICANT.*** Any person, entity or authorized agent submitting an application for a business license to operate within the town.

***BUSINESS.***

(1) Any activity, trade, profession, occupation or enterprise conducted for the purpose of profit or livelihood, whether permanent or temporary, and whether operating from a fixed location, mobile unit or online platform.

(2) Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture or any other private legal entity.

***BUSINESS LICENSE.*** A document issued by the town indicating official approval for a business to operate within the town, which includes the business name, license number, expiration date and address.

***BUSINESS LICENSE OFFICIAL.*** The Town Recorder/Clerk or other individual designated by the Mayor or Town Council to administer and enforce business license provisions.

***BUILDING OFFICIAL*** or ***TOWN BUILDING OFFICIAL.*** The appointed official or consultant who is responsible for the building and development functions of the town as described in this code and other policies of the town.

***CODE ENFORCEMENT OFFICER.*** An official designated by the town to enforce municipal ordinances, including building, zoning, health and business license regulations.

***COLOR TEMPERATURE.*** The visual warmth or coolness of light, measured in Kelvin (K), that affects visibility and potential light pollution; limited to 3,000K or lower under this chapter.

***CORRELATED COLOR TEMPERATURE (CCT).*** A measure of the color appearance of a light source, expressed in Kelvin (K), with lower values indicating warmer (more yellow/orange) light and higher values indicating cooler (more blue/white) light.

***DIGITAL OR ELECTRONIC MESSAGE BOARD.*** A sign or display that uses LED or other electronic means to present changing messages or images; subject to dimming and brightness restrictions.

***FIXTURE HEIGHT.*** The vertical distance from the ground or adjacent grade to the lowest point of the installed lighting fixture.

***FOOT-CANDLE.*** A unit of illuminance equal to one lumen per square foot, used to quantify the intensity of light on a surface.

***FULL-CUTOFF FIXTURE.*** A lighting fixture that emits no light above the horizontal plane, ensuring all light is directed downward to prevent sky glow and glare.

***GLARE.*** Excessive brightness from artificial lighting that causes visual discomfort, reduced visibility or unsafe conditions.

***ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA).*** The recognized professional organization that establishes industry standards and best practices for lighting design and performance.

***INTERNAL ILLUMINATION (SIGNS).*** Lighting located within a sign structure that causes the sign face to glow; prohibited under this chapter.

***LICENSING OFFICIAL.*** A person in charge of issuing and revoking licenses.

***LIGHT POLLUTION.*** Excessive or misdirected artificial light that brightens the night sky, interferes with astronomical observation and negatively impacts the natural environment.

***LIGHTING PLAN.*** A required submission that details all proposed outdoor lighting, including fixture types, mounting heights, lumen output, site layout and compliance with the provisions of this chapter.

***LIGHT TRESPASS.*** Unwanted light that crosses property boundaries and causes illumination on adjacent parcels, potentially affecting neighboring properties or natural areas.

***LUMENS.*** The standard unit for measuring the total quantity of visible light emitted by a light source.

***MOBILE BUSINESS.*** A business that is not tied to a single physical location and may operate from a vehicle, cart, trailer or other moveable structure (e.g., food trucks, mobile services).

***MOTION-ACTIVATED LIGHTING.*** Lighting that automatically activates when motion is detected and deactivates after a specified period of inactivity.

***NEW OR UNLISTED USE.*** A use not specifically defined or listed in the town's zoning ordinance, requiring administrative interpretation or a zoning text amendment to determine permissibility.

***NUISANCE.***

(1) Any act, condition, thing or use of property that unreasonably interferes with the health, safety, peace, comfort, convenience or general welfare of the community or that unlawfully obstructs the free use or enjoyment of property.

(2) A ***NUISANCE*** may include, but is not limited to:

(a) The creation or maintenance of unsanitary conditions;

(b) Emission of offensive odors, smoke, dust, fumes, noise or vibration;

(c) Obstruction of public ways or the improper storage of materials in public view;

(d) Conditions that attract or harbor vermin, pests or other health hazards;

(e) Excessive lighting or glare affecting neighboring properties;

(f) Activities that create a fire, safety or environmental hazard; and/or

(g) Any condition declared by state law or local ordinance to be a nuisance.

(3) A ***NUISANCE*** may arise from a single act or a repeated pattern of behavior and may occur on public or private property.

***OCCUPATIONAL LICENSE.*** A license issued by the state for the practice of certain professions (e.g., contractors, barbers, realtors) which does not exempt the licensee from local business licensing requirements.

***OWNER.*** The individual or legal entity that holds legal or equitable title to, or has lawful control or possession of, a business, building or land. The term includes any part owner, joint owner, tenant in common, joint tenant, lessee or other person or entity responsible for the operation of a business or for compliance with applicable licensing, land use or maintenance requirements.

***PERSON.*** An individual, public or private corporation, government, partnership, organization, trust, unincorporated association or any other legal entity.

***PLANNING COMMISSION.*** The Town Planning Commission.

***PLANNING DEPARTMENT.*** The town department or individual responsible for land use, zoning and development review functions.

***PREMISES.***

(1) The physical location or locations where a business is conducted, including all land, buildings and structures used for the business operation.

(2) A lot, together with any buildings and structures located thereon.

***SHIELDED LIGHTING.*** Lighting that includes physical barriers or design features to direct light downward and minimize glare, uplighting and off-site illumination.

***SPECIAL USE PERMIT.*** A permit allowing a business or use that may not be permitted by right in a zoning district, subject to additional review and approval by the town.

***TEMPORARY BUSINESS.*** A business operation lasting no more than 90 consecutive days in a calendar year, including seasonal sales, temporary vendors, fairs and festivals.

***UPLIGHTING.*** The use of light fixtures that direct illumination upwards, typically for aesthetic or accent purposes, which is generally prohibited except where expressly permitted by this chapter.
(Ord. 2025-09, passed 6-5-2025)

## § 110.03 LICENSE REQUIRED.

Unless exempted by law, no person or entity may engage in business within the town, on a temporary or permanent basis, without first obtaining a valid annual business license or, if applicable, a temporary business license.
(Ord. 2025-09, passed 6-5-2025) Penalty, see § 110.99

## § 110.04 APPLICATION, FEES AND COMPLIANCE.

(A) *Application process*.

(1) Submit a completed application;

(2) Pay all applicable fees;

(3) Application reviewed administratively, with referral to Planning or Fire as needed;

(4) For new or unlisted uses, apply for administrative interpretation or a text amendment per U.C.A. § 10-9a-507.5; and

(5) Licensing Official (Town Recorder/Clerk) issues approved licenses after compliance is confirmed.

(B) *Fees*.

(1) Fees shall be set by Town Council resolution and listed in the Town Fee Schedule. Copies shall also be available at the Town Recorder/Clerk's office or on the town website.

(2) Licensing fees shall be prepaid.

(3) There are no refunds or rebates for licensing fees.

(4) Changes in business name, ownership or address require a new license and inspections.

(C) *Renewals*.

(1) Business licenses shall be issued annually and shall run from July 1 to June 30 and shall be billed by the Town Recorder/Clerk;

(2) Licenses issued April to June may be prorated to June 30; and

(3) Late renewal deadlines:

(a) After July 15: enforcement fee applies;

(b) After August 15: fee increases; and

(c) After September 1: fee equals 100% of the license cost.

(4) Special use permits shall be approved for renewal as long as they are in compliance with town code.

(D) *Civil action*. The town may pursue civil action, including attorneys' fees, to collect unpaid or delinquent fees.
(Ord. 2025-09, passed 6-5-2025)

## § 110.05 EXEMPTIONS.

(A) No license fee is required for:

(1) Religious, charitable or nonprofit activities properly registered under law;

(2) Exempt state agencies; or

(3) Occasional yard sales (up to four days/month) and minor youth-run activities.

(B) Occupational and professional licenses do not exempt a business from needing a town business license.
(Ord. 2025-09, passed 6-5-2025)

## § 110.06 LICENSE TERM, CERTIFICATE AND NON-TRANSFERABILITY.

(A) *License term.* One-year term (July 1 to June 30), unless prorated from April to June.

(B) *Certificates*. Certificates must list name, type, term, location and license number.

(C) *Non-transferability*. Licenses are non-transferable and tied to the approved business location. (Ord. 2025-09, passed 6-5-2025)

## § 110.07 ISSUANCE AND DISPLAY.

Licenses shall be:

(A) Issued after payment and approvals; and

(B) Must be publicly displayed; mobile operators must carry a license in person. (Ord. 2025-09, passed 6-5-2025)

## § 110.08 SEPARATE LICENSES.

Licenses shall be required for the following:

(A) Each distinct business location (different mailing/street address); and

(B) Mobile or non-fixed-location businesses shall require a separate license. (Ord. 2025-09, passed 6-5-2025)

## § 110.09 INSPECTIONS AND CODE COMPLIANCE.

The following are required:

(A) Compliance with current zoning, building, fire, health and safety standards;

(B) Inspections by building, fire, health or other authorized departments;

(C) Inspectors may enter during business hours or obtain a search warrant if denied entry;

(D) Preliminary zoning approval required prior to license issuance; and

(E) Applicants requesting new or unlisted uses are required to apply for administrative interpretation or ordinance amendments.
(Ord. 2025-09, passed 6-5-2025)

## § 110.10 RECORDKEEPING.

Licensing records shall be maintained by the Town Recorder/Clerk.

(A) General/beer license records shall be retained four years.

(B) License certificates shall be retained one year.
(Ord. 2025-09, passed 6-5-2025)

## § 110.11 DENIAL, SUSPENSION, REVOCATION.

(A) *Authority*. The Business License Official or Code Enforcement Officer, after consultation with the Planning, Building or Fire Departments as applicable, may deny, suspend or revoke a business license.

(B) *Conditions and criteria for action*.

(1) Failure to comply with current local zoning regulations, the International Building Code, International Fire Code, health or safety standards or other applicable laws;

(2) Failure to cooperate with inspections or enforcement;

(3) Nonpayment of required fees, taxes or penalties;

(4) Providing false, misleading or incomplete application information; or

(5) Creating a nuisance, endangering public health or safety or operating outside approved license terms.

(C) *Notice of action.* Written notice provided stating specific reasons, effective date (immediate if public safety is at risk) and right to appeal.

(D) *Appeal process*.

(1) A written appeal must be submitted to the Town Recorder/Clerk within ten days.

(2) Appeal must state specific reasons and supporting justifications (maximum five pages, 12-point font, single-spaced).

(3) Hearing scheduled before the Town Hearing Officer within 21 days.

(4) Business License Official presents reasons; the appellant may present evidence.

(5) Findings by departments (Building, Fire, Health, Police or Code Enforcement Officer) are presumed valid if procedures were followed.

(6) The Hearing Officer issues a written decision within 30 days.

(E) *Judicial appeal.* Final decisions may be appealed to State District Court within 30 days. (Ord. 2025-09, passed 6-5-2025) Penalty, see § 110.99

## § 110.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) (1) Administrative penalties may be imposed.

(2) Continued operation after suspension or revocation is a Class B misdemeanor. (Ord. 2025-09, passed 6-5-2025)

# CHAPTER 111: TEMPORARY BUSINESS LICENSES/PERMITS

Section


111.01 License and permit required
111.02 License fee/permit
111.03 Site plan required
111.04 Time limit
111.05 Number of temporary businesses per site
111.06 Signs
111.07 Revocation of license


## § 111.01 LICENSE AND PERMIT REQUIRED.

(A) It is unlawful to conduct a temporary business without first having obtained a temporary business license.

(B) A temporary business license may be issued to a temporary business meeting all of the following requirements:

(1) The conduct of the requested use will not have any detrimental effects on adjacent properties and will be in general harmony with surrounding uses;

(2) The requested use will not create excessive traffic hazards on adjacent streets. Sufficient off-street parking shall be provided which shall be designed to meet all town parking regulations. A site plan showing where the sale of goods will take place, points of ingress and egress to the site and parking available for the temporary business shall be provided;

(3) The applicant has obtained, or shall obtain, all necessary town permits associated with the placement and operation of the use, i.e., Health Department approvals for sales of food items, electrical permit for electrical hookups, Fire Department clearance for fireworks stands and the like;

(4) The applicant shall provide, at its own expense, for the restoration of the site of said use to its original condition, including such clean up, washing and replacement of facilities as may be necessary;

(5) Prior to the granting of any license, the applicant must pay the license fee; and

(6) Any person or business which engages in business prior to obtaining a business license from the town shall pay an administrative fee prior to the issuance of a license, which shall be in addition to the regular fee for the license.
(Ord. 2024-04, passed 5-9-2024) Penalty, see § 10.99

## § 111.02 LICENSE FEE/PERMIT.

See Town Fee Schedule for temporary business licenses fees/permits.
(Ord. 2024-04, passed 5-9-2024)

## § 111.03 SITE PLAN REQUIRED.

Any site proposed for use for a temporary business must be on property with adequate traffic ingress and egress. A site plan shall be submitted showing where the sales shall be conducted on the site along with the location of off-street parking spaces specifically designated for use by the temporary business. Such spaces may not be designated for or required by ordinance for any permanent, on-site business and the temporary business may not occupy such parking. In no event shall the temporary business be located in any way as to obstruct the clear vision of traffic ingress or egress from the site.
(Ord. 2024-04, passed 5-9-2024)

## § 111.04 TIME LIMIT.

A temporary license shall be issued for a maximum of 120 days and shall be limited to one per business, corporation, individual, group of individuals or family per year.
(Ord. 2024-04, passed 5-9-2024)

## § 111.05 NUMBER OF TEMPORARY BUSINESSES PER SITE.

Only one temporary business at a time shall be allowed on any given site, unless it can be shown that adequate ingress, egress and parking would be available for additional temporary businesses.
(Ord. 2024-04, passed 5-9-2024)

## § 111.06 SIGNS.

One sign shall be allowed on the sales booth, table, stand or other sales structure for any licensed temporary business. No movable signs, banners or off-premises signs shall be allowed, unless you have

permission from the landowner of where the off-premises sign is located. No signs are allowed on utility poles or town structures.
(Ord. 2024-04, passed 5-9-2024)

## § 111.07 REVOCATION OF LICENSE.

Permits and licenses issued pursuant to this chapter may be revoked by the Director of Licensing after notice and hearing, or any of the following causes:

(A) Fraud, misrepresentation or a false statement contained in the application for the license;

(B) Fraud, misrepresentation or a false statement made in the course of operating the business for which the licenses has been granted;

(C) Any violation of this chapter;

(D) Conviction of any crime or misdemeanor involving moral turpitude; and

(E) Conducting the temporary business in an unlawful manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
(Ord. 2024-04, passed 5-9-2024) Penalty, see § 10.99

# CHAPTER 112: HOME BASED BUSINESSES

Section


112.01 Purpose
112.02 Definitions
112.03 Classification of businesses
112.04 Summary table
112.05 Application and approval process
112.06 Standards for all home based businesses
112.07 Prohibited home based businesses
112.08 Special categories
112.09 Licensing renewal and revocation
112.10 Appeals


## § 112.01 PURPOSE.

(A) The purpose of this chapter is to support small-scale, locally operated businesses while preserving the rural and residential character of the town.

(B) Home based businesses may be allowed when they are clearly incidental to the primary residential use of the property and do not adversely impact surrounding neighbors or overburden town infrastructure.

(C) The town recognizes that many rural and agricultural home based businesses, including animal husbandry, equipment storage and equestrian operations, are compatible with residential use on large lots.

(D) This chapter regulates such uses only when their scale or impacts extend beyond the norm for rural communities.
(Ord. 2025-10, passed 6-5-2025)

## § 112.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ACCESSORY BUILDING OR STRUCTURE.*** A building or structure that is subordinate to the primary use of a property and serves a purpose customarily incidental to the main use.

***AGRICULTURAL HOME BASED BUSINESS.*** A home based business directly related to farming, animal husbandry, livestock operations, equestrian activities or agricultural sales, conducted on a lot where agriculture is a permitted use. Includes businesses such as livestock leasing, feed sales or seasonal greenhouse operations.

***APPLICANT FOR HOME BASED BUSINESS.*** The person or persons applying for a home based business license who must reside in the dwelling where the business is proposed.

***COMMERCIAL VEHICLE.*** Any vehicle used for business purposes, including trailers, trucks, vans or heavy equipment. This excludes personal vehicles used solely for commuting.

***DWELLING.*** A structure designed for and occupied by one family, including provisions for living, sleeping, eating, cooking and sanitation. This definition does not include hotels, apartment hotels, boarding houses, rooming houses and tourist courts.

***EMPLOYEE.*** An individual who works for the business either full- or part-time. For the purposes of this chapter, an ***EMPLOYEE*** is someone who is not a resident of the home.

***EQUIPMENT, BUSINESS USE.*** Any trailer, machine, form, tool or similar item stored on the property in support of a home based business. Includes concrete forms, trenchers, welders, compressors or livestock trailers.

***FOOD CO-OP.*** A home based distribution point where food or farm products are shared, exchanged or sold among members of a cooperative or small community group. Does not include on-site processing or commercial kitchens.

***HOME BASED BUSINESS.*** A lawful occupation or business operated from a residential dwelling or accessory building by one or more residents, which is incidental and secondary to the primary residential use of the property, and which complies with the standards set forth in this chapter.

***HOME BASED BUSINESS, MAJOR.*** A business that exceeds the limitations for minor home based businesses due to customer visits, employee presence, use of accessory buildings or outdoor storage, as defined in § 112.03(B).

***HOME BASED BUSINESS, MINOR.*** A small-scale business conducted entirely by residents of the home, without outside employees, customer visits or visible impact on the surrounding area, as defined in § 112.03(A) of this code.

***LIVESTOCK SERVICES.*** The care, training, sale or leasing of livestock such as cattle, horses or sheep, typically associated with agricultural use and conducted on large rural lots.

***NAMEPLATE SIGN.*** A small, non-illuminated sign no larger than two square feet that identifies the resident or business without advertising or promotional content.

***OPAQUE SCREENING.*** A solid fence, wall or landscaping barrier that visually blocks stored materials, trailers or equipment from public view and adjacent properties. Must be earth-tone in color and well maintained.

***OUTDOOR STORAGE.*** The keeping of business related equipment, vehicles, containers or materials outside of a fully enclosed building. ***OUTDOOR STORAGE*** must be screened and located behind the principal dwelling.

***PRINCIPAL DWELLING.*** The main residential structure on a parcel, used as the primary residence of the applicant.

***SCREENED.*** Concealed from view from the public right-of-way and adjacent properties using opaque fencing, walls, vegetation or placement behind a structure.

***SIGN-HOME BASED BUSINESSES.*** Any device, structure or visual representation used to identify a business. Signs allowed under this chapter are subject to size, lighting and placement restrictions.

***TRAILER, BUSINESS USE.*** Any flatbed, livestock, dump or enclosed trailer used in support of a home based business. Includes equipment haulers and similar utility trailers.

***UNWANTED BUSINESS.*** Any use prohibited under this chapter or determined by the Town Recorder/Clerk and Mayor to be incompatible with the rural residential character of the town due to excessive noise, traffic, odor, visual impact or risk to public safety.
(Ord. 2025-10, passed 6-5-2025)

## § 112.03 CLASSIFICATION OF BUSINESSES.

Home based businesses are classified as either minor or major, based on their scale, intensity and potential impacts.

(A) *Minor home based business*. A minor home based business:

(1) Is conducted solely by residents of the home;

(2) Operates entirely within the dwelling;

(3) Does not allow customer visits or nonresident employees;

(4) Has no outdoor storage or signage (except a two-square-foot non-illuminated name plate); and

(5) Does not generate traffic, noise or impacts beyond typical residential use.

(B) *Major home based business*. A major home based business:

(1) May allow limited customer visits (up to three per hour, 7:00 a.m. to 6:00 p.m.);

(2) May employ one (4) nonresident person on site;

(3) May use an accessory building, subject to screening, compatibility and setbacks;

(4) May allow screened outdoor storage, painted earth tone and behind the home;

(5) May have one non-illuminated sign up to four square feet; and

(6) May require Fire Marshal inspection if hazardous materials or traffic is involved.
(Ord. 2025-10, passed 6-5-2025)

## § 112.04 SUMMARY TABLE.

| *Feature* | *Minor HBB* | *Major HBB* |
|---|---|---|
| Approval required | Recorder/Clerk and Mayor | Recorder/Clerk and Mayor |
| Customer visits | No | Up to 3/hour (7:00 a.m. to 6:00 p.m.) |
| Nonresident employee(s) | No | 1 allowed |
| Operated by residents only | Yes | Yes |
| Outdoor commercial equipment limit (5 acres and under) | No | Max 4 business use items |
| Outdoor storage | No | Yes (screened, behind home) |
| Outdoor commercial equipment limit (over 5 acres) | No | Max 8 business-use items |
| Signage allowed | 1 nameplate, 2 square feet | 1 sign, 4 square feet, unlit |
| Use of accessory structures | No | Yes (must match residence) |

(Ord. 2025-10, passed 6-5-2025)

## § 112.05 APPLICATION AND APPROVAL PROCESS.

(A) *Application requirements*.

(1) Completed town application form;

(2) Site plan showing structures, storage areas and parking;

(3) Business description;

(4) Statement of compliance with this chapter;

(5) Payment of applicable fees (if off-site impact exceeds residential use); and

(6) Additional documents if requested by the Town Recorder/Clerk, Mayor, Building Inspector or Fire Marshal.

(B) *Review process*.

(1) Minor home based business: approved by Town Recorder/Clerk and Mayor;

(2) Major home based business: reviewed by Recorder/Clerk and Mayor, with fire and building inspections if required; and

(3) No Planning Commission or Town Council involvement is required unless specified elsewhere in the code.
(Ord. 2025-10, passed 6-5-2025)

## § 112.06 STANDARDS FOR ALL HOME BASED BUSINESSES.

All home based businesses must meet the following criteria:

(A) *Residential character*. Business must be secondary to residential use and preserve aesthetics of the residential dwelling and lot;

(B) *Floor area*. Limited to one-third of the size of the dwelling;

(C) *Accessory buildings*. Must match the home in appearance and comply with setbacks;

(D) *Outdoor storage*. Must be screened behind the home; containers painted earth-tone;

(E) *Equipment limits*.

(1) Maximum of four trailers/equipment allowed on lots that are less than five acres in size; and

(2) Maximum of eight trailers/equipment allowed on lots that are five acres or more in size.

(F) *Screening*. Required if business-related storage or equipment is present; fencing must be opaque and well maintained;

(G) *Fencing rules*. The town is a "fence-in" town; removed fencing must be reinstalled within ten days;

(H) *Traffic and parking*. All vehicles must use off-street parking; deliveries are allowed;

(I) *Noise, odor, light*. Must be confined to the property and comply with lighting and nuisance codes;

(J) *Hazardous materials*. Prohibited unless authorized and annually inspected;

(K) *Signage*. One unlit sign allowed per home based business;

(L) *Multiple businesses*. Allowed if total use does not exceed one third of 1% of the size of the dwelling and all standards are met;

(M) *Retail sales*. Incidental sales allowed; retail-only businesses prohibited;

(N) *Building/fire code compliance*. Subject to IBC/IRC and inspection; and

(O) *General compatibility clause*. Any use not specifically listed or prohibited may be denied if the Town Recorder/Clerk and Mayor determine that it is incompatible with the town's rural residential character.

(Ord. 2025-10, passed 6-5-2025) Penalty, see § 10.99

## § 112.07 PROHIBITED HOME BASED BUSINESSES.

The following are not permitted:

(A) Sexually oriented businesses;

(B) Automotive service, repair, body work or painting;

(C) Junk yards, salvage yards or auto wrecking;

(D) Health care involving hazardous/medical waste;

(E) Dog kennels or animal sanctuaries;

(F) Fireworks sales, storage or manufacturing; and

(G) The operation of animal slaughter facilities.
(Ord. 2025-10, passed 6-5-2025) Penalty, see § 10.99

## § 112.08 SPECIAL CATEGORIES.

(A) *Agricultural home based businesses*. Agricultural businesses directly related to animal husbandry, livestock sales or equestrian services may be permitted if:

(1) The site is five acres or larger;

(2) All trailers, feed or equipment are stored behind the home and screened;

(3) All noxious odors directly related to the business shall be controlled by the property owners;

(4) All run off of water or other materials shall be contained on the property; and

(5) Business area shall be fenced with a minimum of six feet non-climb fence.

(B) *Food co-ops and agricultural sales*. Food co-ops and agricultural sales may be permitted if:

(1) No commercial kitchen or processing on site;

(2) Sales are limited to members or customers by appointment; and

(3) Parking and signage shall comply with this chapter.

(C) *Daycare and preschools*. Daycare and preschools are permitted if:

(1) Licensed by the state;

(2) Located on the ground floor; and

(3) Compliant with fire/life safety access requirements.
(Ord. 2025-10, passed 6-5-2025)

## § 112.09 LICENSING RENEWAL AND REVOCATION.

Additional requirements:

(A) *Licensing*. All home based businesses must maintain an active business license.

(B) *Renewals*. Notices issued 30 days prior to expiration.

(C) *Written notice*. Before initiating revocation or enforcement proceedings, the town may issue a written notice to cure to any licensee or property owner found to be in violation of this chapter. The notice shall:

(1) Describe the nature of the violation with reasonable specificity;

(2) Identify the corrective action(s) required; and

(3) Provide a reasonable period of time.

(D) *Revocation*. If the violation is not cured the town may revoke the business license.
(Ord. 2025-10, passed 6-5-2025) Penalty, see § 10.99

## § 112.10 APPEALS.

Appeal decisions:

(A) Decisions of the Recorder/Clerk or Mayor may be appealed to the Town Council within 15 days of date of the decision; and

(B) Final decisions may be appealed to the District Court within 30 days of the date of decision.
(Ord. 2025-10, passed 6-5-2025)

# CHAPTER 113: SEXUALLY ORIENTED BUSINESSES

Section


113.01 Purpose and findings
113.02 Definitions
113.03 Classification of businesses
113.04 License required
113.05 Issuance of license
113.06 Fees
113.07 Inspection
113.08 Expiration of license
113.09 Suspension of license
113.10 Revoking a license
113.11 Transfer of license prohibited
113.12 Location of sexually oriented businesses
113.13 Regulations for viewing rooms exhibiting sexually explicit material
113.14 Additional regulations for escort agencies
113.15 Additional regulations concerning licensee employees
113.16 Prohibition against minors in sexually oriented businesses
113.17 Hours of operation

113.99 Penalty


## § 113.01 PURPOSE AND FINDINGS.

(A) The purpose of this chapter is to regulate sexually oriented businesses in a manner that promotes the health, safety, morals and general welfare of the residents of the town. These regulations are intended to establish reasonable and uniform standards for the operation of such businesses.

(B) This chapter is not intended, nor shall it be interpreted to:

(1) Impose any limitation or restriction on the content of expressive materials, including sexually oriented materials, protected by the First Amendment to the United States Constitution;

(2) Deny adults access to such materials or deny distributors and exhibitors a lawful market for their products or performances; or

(3) Condone or legitimize the distribution of obscene material.

(C) This chapter is intended to regulate the adverse secondary effects of sexually oriented businesses, including, but not limited to, increased crime, decreased property values and negative impacts on surrounding neighborhoods and land uses.
(Prior Code, § 3.3.10)

## § 113.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ADULT ARCADE.*** Any place to which the public is permitted or invited in which electronically, electrically or mechanically controlled still or motion picture machines, projectors, video or laser disc players or other image-producing devices, whether coin-operated, slug-operated or operated for any form of consideration, are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

***ADULT BOOKSTORE, ADULT NOVELTY STORE OR ADULT VIDEO STORE.*** A commercial establishment which, as one of its principal business purposes, offers for sale or rental, for any form of consideration, any one or more of the following:

(1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, DVDs, video cassettes or video reproductions, slides or other visual representations which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; or instruments, devices or paraphernalia which are designed or marketed for use in connection with specified sexual activities; and

(2) Commercial establishments may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing specified sexual activities or specified anatomical areas and still be categorized as an adult bookstore, adult novelty store or adult video store. Such other business purposes will not serve to exempt such commercial establishments from being categorized as an adult bookstore, adult novelty store or adult video store so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials which are characterized by the depiction or description of specified sexual activities or specified anatomical areas. It shall constitute a principal business purpose if the establishment has gross receipts of over 20% from such materials.

***ADULT CABARET.*** A nightclub, bar, restaurant or similar commercial establishment which regularly features:

(1) Persons who appear in a state of dress that covers no more than the specified anatomical areas;

(2) Live performances or dancers whose attire covers no more than the specified anatomical areas; or

(3) Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

***ADULT MOTION PICTURE THEATER.***

(1) A commercial establishment where, for any form of consideration, films, motion pictures, videocassettes, slides, DVDs or similar photographic reproductions are regularly shown which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

(2) A commercial establishment which:

(a) Excludes minors from the showing of two consecutive exhibitions (repeated showings of any single presentation shall not be considered a consecutive exhibition); or

(b) As its principal business, shows, for any form of consideration, films, motion pictures, videocassettes, slides or similar photographic reproductions which are primarily characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

***ADULT THEATER.*** A theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of dress that covers no more than the specified anatomical areas or live performances or dancers whose attire covers no more than the specified anatomical areas.

***EMPLOYEE.*** A person who performs any service on the premises of a sexually oriented business on a full-time, part-time or contract basis, whether or not the person is denominated an employee, independent contractor, agent or otherwise and whether or not the person is paid a salary, wage or other compensation by the operator of the business. ***EMPLOYEE*** does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises or for the delivery of goods to the premises.

***ESCORT.*** Any person who, for compensation, offers companionship or social interaction that may be reasonably interpreted as intended to provide sexual stimulation or gratification.

***ESCORT AGENCY.*** A business that furnishes or offers to furnish escorts for a fee, commission, hire or other consideration.

***ESTABLISHMENT.*** Includes any of the following:

(1) The opening or commencement of any sexually oriented business as a new business;

(2) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;

(3) The addition of any sexually oriented business to any other existing sexually oriented business; or

(4) The relocation of any sexually oriented business.

***LICENSEE.*** A person in whose name a license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a license; and in the case of an employee, a person in whose name a license has been issued authorizing employment in a sexually oriented business.

***MANAGER'S STATION.*** A designated area within a sexually oriented business where a licensed employee is assigned to monitor patron activity and ensure compliance with applicable laws and regulations. A ***MANAGER'S STATION*** shall not exceed 32 square feet in floor area.

***MINOR.*** Any person under the age of 18 years.

***PATRON ACCESS AREA.*** Any area within the premises of a sexually oriented business where a customer or member of the public is permitted.

***SEXUALLY ORIENTED BUSINESS.*** Any business that engages in the offering of services, performances or materials that are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas, including, but not limited to, adult arcades, adult bookstores, adult video stores, adult cabarets, adult motels, adult motion picture theaters, nude modeling studios, sexual encounter centers and escort agencies.

***SEXUALLY ORIENTED BUSINESS EMPLOYEE.*** Any person employed by a sexually oriented business who provides services or performs work on the premises, whether full-time, part-time, permanent or temporary, including managers, entertainers, escorts and other support staff.

***SPECIFIED ANATOMICAL AREAS.***

(1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areola; or

(2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

***SPECIFIED CRIMINAL ACTIVITY.*** Any offense, regardless of title, involving the following:

(1) Prostitution or promotion of prostitution; dissemination of obscenity; sale, distribution or display of harmful material to a minor; sexual performance by a child; possession or distribution of child pornography; public lewdness; indecent exposure; indecency with a child; engaging in organized criminal activity; sexual assault; molestation of a child; gambling; distribution of a controlled substance; or any similar offenses to those described above under the criminal or penal code of other states or countries; for which:

(a) Less than three years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

(b) Less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or

(c) Less than five years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 36-month period.

(2) That a conviction is being appealed shall have no effect on the disqualification of the applicant or a person residing with the applicant.

***SPECIFIED SEXUAL ACTIVITIES.*** Includes any of the following:

(1) Human genitals in a state of sexual stimulation or arousal;

(2) Acts of human masturbation, sexual intercourse, sodomy, oral copulation or bestiality;

(3) Fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts; and

(4) Excretory functions as part of or in connection with any of the activities set forth above.

***SUBSTANTIAL ENLARGEMENT OF A SEXUALLY ORIENTED BUSINESS.*** The increase in inventory or floor areas occupied by the business by more than 10%, as the floor areas exist on the date the ordinance codified in this chapter takes effect.

***TOWN.*** Fairfield, Utah.

***TRANSFER OF OWNERSHIP OR CONTROL OF A SEXUALLY ORIENTED BUSINESS.*** Includes any of the following:

(1) The sale, lease or sublease of the business;

(2) The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange or similar means; or

(3) The establishment of a trust, gift or other similar legal device which transfers the ownership or control of the business, including transfer by bequest or other operation of law, upon the death of the person possessing the ownership or control.

***VIEWING ROOM OR BOOTH.*** An enclosed or partitioned area within a sexually oriented business where a person may view films, video recordings or similar visual representations depicting specified sexual activities or specified anatomical areas.
(Prior Code, § 3.3.20)

## § 113.03 CLASSIFICATION OF BUSINESSES.

Sexually oriented businesses are classified into the following categories:

(A) Adult arcades;

(B) Adult bookstores, adult novelty stores or adult video stores;

(C) Adult cabarets;

(D) Adult motion picture theaters;

(E) Adult theaters; and

(F) Escort agencies.
(Prior Code, § 3.3.30)

## § 113.04 LICENSE REQUIRED.

(A) It is unlawful:

(1) For any person to operate a sexually oriented business without a valid sexually oriented business license issued by the town;

(2) For any sexually oriented business to employ a person who does not possess a valid sexually oriented business employee license issued by the town; or

(3) For any person to obtain employment at a sexually oriented business without securing a valid sexually oriented business employee license from the town.

(B) License application requirements are as follows.

(1) All applicants shall complete an official town application form.

(2) No sexually oriented business shall operate within 2,500 feet of a church, school, park, residential or another sexually oriented business.

(3) Viewing booths in sexually oriented businesses shall be constructed in accordance with town building and fire codes to prevent unauthorized activities.

(4) Applications shall include fingerprints, proof of identity and any other necessary documentation as determined by the town.

(5) If the applicant is a business entity, all owners, partners, members of an LLC or any other type of organization, with at least a 20% interest in the sexually oriented business must provide identifying information, be listed as applicants and sign the application. Each applicant must be qualified as an applicant and shall be considered a licensee if a license is granted.

(6) The applicant(s) must disclose all prior denials, suspensions or revocations of similar licenses and any prior convictions of specified criminal activity.

(7) A detailed site plan, drawn to scale, must be submitted for approval.

(8) If the applicant does not own the business premises, a signed letter from the property owner acknowledging the intended business use must be provided.

(9) A background security check shall be conducted at the expense of the applicant.

(10) Employees shall submit to fingerprinting and provide recent photographs with their application.

(11) Additional requirements include:

(a) Compliance with the ordinance and application requirements;

(b) The absence of criminal disqualifications;

(c) Adherence to zoning and land use restrictions;

(d) The single classification of license for which the applicant is filing; and

(e) Location of a proposed sexually oriented business, with legal description, street address, town and telephone number.

(C) The completed application for a sexually oriented business license shall contain the following information and shall be accompanied by the following documents:

(1) If the applicant is:

(a) An individual, the individual shall state his or her legal name and any aliases and submit proof that he or she is a minimum of 18 years of age;

(b) A partnership, the partnership shall state its complete name and the names of all general partners, whether the partnership is general or limited; if it is a limited partnership, the principal limited partners legally or equitably holding 20% or more of any class of interest or of the voting, capital or income interests in the limited partnership, the name of the registered agent and the address of the registered office for service of process and a copy of the partnership agreement, if any;

(c) A corporation, the corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of its state of incorporation, the names and capacity of all officers, directors and principal stockholders legally or equitably holding 20% or more of any class of stock or of the voting rights in the corporation and the name of the registered corporate agent and the address of the registered office for service of process;

(d) A limited liability company, the company shall state its complete name, the date of its organization, evidence that the company is in good standing under the laws of its state of organization, the names and capacity of all members with management authority, managers, officers, directors and principal members legally or equitably holding 20% or more of any class of interest or of the voting, capital or income interests in the company and the name of the registered agent and the address of the registered office for service of process; or

(e) If the applicant is any other form of unincorporated organization, the organization shall state its type of organization, its state of organization, complete name, the names of all associates, members or if there are more than 100 of them, principal associates or members legally or equitably holding 20% or more of any class of interest or of the voting, capital or income interests in the organization, the names and capacity of all associates or members with management authority, managers, officers, directors and fiduciaries and the name of the registered agent and the address of the registered office for service of process and a copy of any organizational documents.

(2) If the applicant intends to operate the sexually oriented business under a name other than that of the applicant, he or she must state the sexually oriented business's fictitious name and submit the required registration documents;

(3) Whether the applicant, or a person residing with the applicant, has been convicted of a specified criminal activity as defined in this chapter, and, if so, the specified criminal activity involved, the date, place and jurisdiction of each;

(4) Whether the applicant, or a person residing with the applicant, or any person described in division (C)(1) above with respect to the applicant, has had a previous license under this title, or other similar sexually oriented business ordinances from another town or county, denied, suspended or revoked, including the name and location of the sexually oriented business for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation and whether the applicant or a person residing with the applicant or any person described in division (C)(1) above with respect to the applicant, has been:

(a) A general partner or principal limited partner in a partnership;

(b) An officer, director or principal stockholder of a corporation;

(c) A manager, member with management authority, officer or principal member of a limited liability company; or

(d) An officer, director, fiduciary, associate or member with management authority, manager or principal associate or manager of any other unincorporated organization, that is or was licensed under this title whose license has previously been denied, suspended or revoked, including the name and location of the sexually oriented business for which the permit was denied, suspended or revoked as well as the date of the denial, suspension or revocation.

(5) Whether the applicant, or a person residing with the applicant or any person described in division (C)(1) above with respect to the applicant, holds any other licenses under this title or other similar sexually oriented business ordinance from another town or county and, if so, the names and locations of such other licensed businesses;

(6) The single classification of license for which the applicant is filing;

(7) The location of a proposed sexually oriented business, including a legal description of the property, street address, town and telephone number(s), if any;

(8) The applicant's mailing address and residential address and this same information with respect to any person described in division (C)(1) above with respect to the applicant;

(9) A recent photograph of the applicant(s) (if individuals) and of any persons described in division (C)(1) above with respect to the applicant;

(10) The applicant's driver's license number, Social Security number and state or federally issued tax or employer identification numbers, and this same information with respect to any person described in division (C)(1) above with respect to the applicant;

(11) A sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared, but it must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches;

(12) A current certificate and straight-line drawing prepared within 30 days prior to application by a registered land surveyor depicting the proper lines and the structures containing any existing sexually oriented businesses within 2,500 feet of the property to be certified; the property lines of any established church, religious institution or synagogue, school or public park or recreation area within 2,500 feet of the property to be certified. For the purpose of this section, a use shall be considered existing or established if it is in existence at the time an application is submitted;

(13) If an applicant wishes to operate a sexually oriented business, which shall exhibit on the premises, in a viewing room or booth of less than 150 square feet of floor space, films, videocassettes, other video reproductions or live entertainment which depict specified sexual activities or specified anatomical areas, then the applicant shall comply with the application requirements set forth in § 113.13; and

(14) If the property on which the sexually oriented business is to be located is owned by any person or entity other than the applicant, the applicant shall submit a letter, signed by the owner, stating that the applicant has fully disclosed to the owner that the business to be operated is a sexually oriented business, and that the type and nature of the inventory has also been disclosed.

(D) Before any applicant may be issued a sexually oriented business employee license, the applicant shall submit on a form, to be provided by the town licensing official the following information:

(1) The applicant's name or any other name (including "stage" names) or aliases used by the individual;

(2) Age, date and place of birth;

(3) Height, weight, hair and eye color;

(4) Present residence address and telephone number;

(5) Present business address and telephone number;

(6) Date, issuing state and number of driver's permit or other identification card information;

(7) Social Security number;

(8) Proof that the individual is at least 18 years of age; and

(9) A background security check with the application, for all individuals listed on the application (fees paid for by applicants).

(E) Attached to the application form for a sexually oriented business employee license, as provided above, shall be the following:

(1) A color photograph of the applicant clearly showing the applicant's face, and the applicant's fingerprints on a form provided by the Police Department. Any fees for the photographs and fingerprints shall be paid by the applicant;

(2) A statement detailing the license history of the applicant for the five years immediately preceding the date of the filing of the application, including whether such applicant previously operated or is seeking to operate, in this or any other county, city, state or country, any other sexually oriented business, has ever had a license, permit or authorization to do business denied, revoked or suspended, or had any professional or vocational license or permit denied, revoked or suspended. In the event of any such denial, revocation or suspension, state the name, the name of the issuing or denying jurisdiction, and describe in full the reason for the denial, revocation or suspension. A copy of any order of denial, revocation or suspension shall be attached to the application; and

(3) A statement whether the applicant has been convicted of a specified criminal activity and, if so, the specified criminal activity involved, the date, place and jurisdiction of each.
(Prior Code, § 3.3.40) Penalty, see § 113.99

## § 113.05 ISSUANCE OF LICENSE.

(A) *Employee license application and issuance.*

(1) Upon submission of a complete application for a sexually oriented business employee license, the application shall be reviewed by the appropriate town departments. The application process shall be completed within 30 days of submission.

(2) A license shall be issued unless a preponderance of the evidence establishes that one or more of the following conditions exist:

(a) The applicant provided incomplete or false information on the application;

(b) The applicant is under 18 years of age;

(c) The applicant has been convicted of a specified criminal activity as defined in this chapter;

(d) The license is intended for employment in a business prohibited by local, state or federal law; and

(e) The applicant has had a sexually oriented business employee license revoked by the town within the past three years, or within five years if revoked due to a criminal conviction.

(3) Denial, suspension or revocation of a license may be appealed as outlined in this chapter.

(B) *Sexually oriented business license application and issuance.* The town shall process a completed sexually oriented business license application within 30 days. A license shall be granted unless a preponderance of the evidence establishes that one or more of the following conditions exist:

(1) The applicant is under 18 years of age;

(2) The applicant or an individual residing with the applicant has outstanding taxes, fees, fines or penalties owed to the town;

(3) The applicant provided incomplete or false information on the application;

(4) The applicant or an individual residing with the applicant has been denied a sexually oriented business license or had one revoked within the past 12 months;

(5) The applicant or an individual residing with the applicant has been convicted of a specified criminal activity;

(6) The business premises fail to meet health, fire, building or zoning codes;

(7) The required license fee has not been paid; and/or

(8) The applicant is not in compliance with applicable town or state laws.

(C) *License renewals.* Licenses must be renewed annually upon:

(1) Application and verification that the licensee remains in compliance with all licensing requirements;

(2) Verification that applicant has not been convicted of any specified criminal activity or committed any act during the existence of the previous license which would be grounds to deny the initial license application; and

(3) Renewal requires payment of the all applicable fees.

(D) *License display requirements.* Business licenses shall:

(1) State the name of the licensee, expiration date, business address and business classification pursuant to § 113.03;

(2) Shall be issued for only one classification pursuant to § 113.03; and

(3) Be posted in a conspicuous location at or near the business entrance.

(E) *Location restrictions.*

(1) Sexually oriented businesses may not be established within 2,500 feet of a residence, school, church, library, playground or park.

(2) Distance shall be measured by the shortest pedestrian or vehicular route from the business entrance to the nearest restricted facility boundary.

(F) *License revocation and disqualification.*

(1) A license may be revoked if a licensee or relevant individual is convicted of specified criminal activity.

(2) The town may suspend a license upon arrest of a relevant individual for specified criminal activity pending adjudication.

(3) Licensees must report any changes in business ownership or management to the town immediately.

(4) If any relevant individual has a prior license revoked within the past three years, the applicant is ineligible for licensure.

(5) If any applicant or relevant person is convicted of specified criminal activity subsequent to the issuance of the license, the license shall be surrendered immediately. The licensee may request a hearing on the matter, in writing and within ten days of a conviction by a trial court. Any such hearing

shall be pursuant to the provisions of Chapter 110. If a licensee no longer meets the qualifications required by this chapter, the town may suspend or revoke the license.
(Prior Code, § 3.3.50) Penalty, see § 113.99

## § 113.06 FEES.

(A) All applications for a sexually oriented business license, whether new or for renewal, must include a non-refundable application investigation fee, as outlined in the Town Fee Schedule.

(B) In addition to the application and investigation fee, all sexually oriented businesses granted a license, either new or renewed, must pay an annual license fee, as specified in the Town Fee Schedule. This fee must be paid within 30 days of license issuance or renewal.

(C) All license applications and fees must be submitted to the Town Licensing Official.

(D) The fees required under this section are in addition to any other applicable fees outlined in this title.
(Prior Code, § 3.3.60)

## § 113.07 INSPECTION.

(A) The applicant or licensee must allow representatives from the Police Department, Health Department, Fire Department, Licensing Office or any other relevant town departments or agencies, including officials contracted to provide these services, to inspect the premises of a sexually oriented business. Inspections may occur at any time the business is occupied or open for operation to ensure compliance with applicable laws and regulations during normal business hours or while the premises are occupied.

(B) It is a Class B misdemeanor for any owner, agent or employee of a sexually oriented business to refuse a lawful inspection of the premises during business hours or while the premises are occupied.
(Prior Code, § 3.3.70) Penalty, see § 113.99

## § 113.08 EXPIRATION OF LICENSE.

(A) All licenses issued under this chapter shall expire concurrently with other business licenses as outlined in Chapter 110. Renewal applications must be submitted at least 30 days before the license expiration date. If a renewal application is submitted less than 30 days before expiration, the existing license will remain valid until the town processes the renewal.

(B) If the town denies a license renewal, the applicant shall be ineligible for a new license for one year from the date of denial. However, if the reason for denial has been corrected or resolved, the applicant may reapply for a license after 90 days from the date the denial became final.
(Prior Code, § 3.3.80)

## § 113.09 SUSPENSION OF LICENSE.

The town shall suspend a license for a period of no less than ten days and no more than 30 days if it determines that the licensee or an employee of the licensee has:

(A) Violated any provision of this title, failed to comply with applicable regulations, or is no longer eligible for the license under § 113.05; or

(B) Refused to allow an authorized inspection of the sexually oriented business premises as required by this chapter.
(Prior Code, § 3.3.90) Penalty, see § 113.99

## § 113.10 REVOKING A LICENSE.

(A) *Mandatory revocation due to prior suspension.* The town shall revoke a sexually oriented business license if any cause for suspension, as outlined in § 113.09, occurs and the license has been suspended within the preceding 12 months.

(B) *Grounds for revocation revoking a license.* The town shall revoke a license if it determines that any of the following have occurred:

(1) The licensee submitted false or misleading information as part of the application process;

(2) A legally defined minor was allowed to enter the premises under any circumstances;

(3) The licensee knew or reasonably should have known that controlled substances were possessed, used or sold on the premises;

(4) The licensee knew or reasonably should have known that acts of prostitution occurred on the premises;

(5) The licensee knew or reasonably should have known that the business operated while the license was under suspension;

(6) The licensee knew or reasonably should have known, that sexual acts including intercourse, sodomy, oral copulation, masturbation or similar conduct occurred on the premises;

(7) The licensee knew or reasonably should have known that obscene materials, child pornography or other contraband were present on the premises;

(8) The licensee is delinquent in payment of any taxes or fees owed to the town, county or state; and

(9) The licensee is no longer eligible for a license under the provisions of § 113.05.

(C) *Duration and conditions of revocation for revoking a license.*

(1) A license revocation shall remain in effect for one year from the date it becomes effective.

(2) During this period, the licensee shall not be eligible to receive a new sexually oriented business license.

(3) After at least 90 days from the effective date of the revocation, the town may consider a new application if it finds substantial mitigating circumstances or corrective measures have been taken:

(a) *Example of mitigating circumstances.* The misconduct was caused by an employee or customer acting against the licensee's instructions; or

(b) *Example of corrective measures.* Termination of the offending employee or barring the offending patron from the premises.

(D) *Permanent disqualification.* A licensee whose license has been revoked three times within any five-year period shall be permanently disqualified from obtaining a sexually oriented business license from the town.

(E) *Appeals.*

(1) A licensee or applicant may appeal the denial, suspension or revocation of a license to the Town Council.

(2) The appeal must be submitted in writing to the town's licensing official within ten days of the decision.

(3) The Town Council may either review the decision on the record or hold a hearing as outlined in § 113.14.

(4) The Council may affirm, reverse or modify the decision and shall issue a written determination within 30 days of receiving the appeal.

(5) Further appeals shall be made to the appropriate district court.

(6) Unless an injunction or writ of mandamus is issued by the court, the status quo ante shall be maintained during the appeal process. Additional enforcement actions may still proceed.
(Prior Code, § 3.3.100)

## § 113.11 TRANSFER OF LICENSE PROHIBITED.

(A) A sexually oriented business license is non-transferable.

(B) A licensee shall not:

(1) Transfer or assign the license to another person or entity; or

(2) Operate the sexually oriented business at any location other than the address specified in the approved license application.
(Prior Code, § 3.3.110) Penalty, see § 113.99

## § 113.12 LOCATION OF SEXUALLY ORIENTED BUSINESSES.

It is a Class C misdemeanor for any person to operate, or cause to be operated, a sexually oriented business in any zoning district where such use is not expressly permitted by the town's zoning regulations. For zoning location compatibility, please refer to Title 15, Land Usage.
(Prior Code, § 3.3.120) Penalty, see § 113.99

## § 113.13 REGULATIONS FOR VIEWING ROOMS EXHIBITING SEXUALLY EXPLICIT MATERIAL.

Any person who operates, or causes to be operated, a sexually oriented business that exhibits films, video recordings or other visual media depicting specified sexual activities or specified anatomical areas in viewing rooms of less than 150 square feet must comply with the following requirements.

(A) *Premises diagram required.* A diagram of the premises must be submitted with the license application. The diagram shall:

(1) Indicate the location of all manager's stations;

(2) Show all overhead lighting fixtures;

(3) Designate all areas where patrons are prohibited;

(4) Identify the location where the business license will be conspicuously posted, if approved;

(5) Manager's stations shall not exceed 32 square feet in floor area;

(6) The diagram does not need to be professionally drafted but must:

(a) Be oriented to the north or to a designated landmark or street; and

(b) Be drawn to scale or include marked dimensions accurate to within six inches.

(7) The town may waive this requirement for renewal applications if the applicant certifies that no changes have been made to the previously submitted and approved layout.

(B) *Manager's station and supervision requirements*.

(1) The application must be sworn to be true and accurate.

(2) No changes to the location or configuration of manager's stations may be made without prior approval from the town.

(3) The licensee must ensure that at least one licensed employee is on duty and present in each designated manager's station whenever any patron is inside the premises;

(C) *Visibility and monitoring*.

(1) The interior layout must allow an unobstructed line of sight from at least one manager's station to every area accessible to patrons, excluding restrooms.

(2) If more than one manager's station is designated, the configuration must provide full visibility of all patron-accessible areas from at least one station. The view required must be a direct line of sight from the manager's station.

(3) Restrooms shall not:

(a) Contain any video display equipment; and

(b) Permit video viewing from within.

(D) *Obstruction prohibited.* The licensee must:

(1) Ensure that no doors, curtains, partitions, walls, merchandise, racks or other items obstruct any required view areas; and

(2) Prevent patron access to any portion of the premises that was designated in the submitted diagram as off-limits.

(E) *Viewing room standards.*

(1) Only one person may occupy a viewing room or booth at a time.

(2) Overhead lighting must:

(a) Provide at least five foot-candles of illumination at floor level in all patron-accessible areas.

(b) Be maintained at this level whenever patrons are present.

(3) No openings of any kind may exist between viewing rooms or booths.

(4) Patrons are prohibited from creating or attempting to create any openings between viewing booths.

(5) The licensee shall inspect viewing room walls daily to ensure no holes or openings exist.

(6) Floor coverings in viewing rooms must be:

(a) Nonporous and easily cleanable; and

(b) Free of rugs or carpeting.

(7) Walls, floors and ceilings within 48 inches of the floor must be:

(a) Made of or permanently covered with nonporous, easily cleanable material; and

(b) Free from wood, plywood, composition board or other porous surfaces.

(8) Failure to comply with any requirement in this section by a person responsible under this section is a Class B misdemeanor.
(Prior Code, § 3.3.130) Penalty, see § 113.99

## § 113.14 ADDITIONAL REGULATIONS FOR ESCORT AGENCIES.

Escort agencies and their employees are subject to the following regulations.

(A) *Employment of minors prohibited.* An escort agency shall not employ any individual under the age of 18 years.

(B) *Providing escort services to minors prohibited.* It is unlawful for any person to act as, or agree to act as, an escort for a person under the age of 18 years.

(C) *Prohibited activities on agency premises.* No escort shall perform any escort-related activity or service on the premises of the escort agency.

(D) *Off-premises conduct restrictions.* In addition to the restrictions listed in § 113.10, all such restrictions apply to the conduct of any escort agency employee during the time escort services are being provided, regardless of location.
(Prior Code, § 3.3.140) Penalty, see § 113.99

## § 113.15 ADDITIONAL REGULATIONS CONCERNING LICENSEE EMPLOYEES.

It is unlawful for any licensee employee to engage in physical contact with any other person while performing their employment duties.
(Prior Code, § 3.3.150) Penalty, see § 113.99

## § 113.16 PROHIBITION AGAINST MINORS IN SEXUALLY ORIENTED BUSINESSES.

(A) It is a misdemeanor for any person to knowingly or negligently allow an individual under the age of 18 years to enter or remain on the premises of a sexually oriented business.

(B) Licensees have an affirmative duty to verify the age of all persons on the premises and to ensure that no individuals under the age of 18 are permitted access at any time.
(Prior Code, § 3.3.160) Penalty, see § 113.99

## § 113.17 HOURS OF OPERATION.

No sexually oriented business shall operate or be open to the public between the hours of 1:00 a.m. and 1:00 p.m.
(Prior Code, § 3.3.170) Penalty, see § 113.99

## § 113.99 PENALTY.

(A) Any person who operates, or causes to be operated, a sexually oriented business without a valid license, or in violation of any provision of this chapter, may be subject to:

(1) A civil action for injunctive relief; and

(2) Criminal prosecution.

(B) Each day a sexually oriented business operates in violation of this chapter constitutes a separate offense.

(C) A violation of this chapter is classified as a Class B misdemeanor and is punishable according to applicable state law.

(D) Violations of this chapter shall be subject to:

(1) Fines as established by the Town Council;

(2) Suspension or revocation of the business or employee license; and

(3) Additional penalties as authorized by law.
(Prior Code, § 3.3.180)

# TITLE 13: GENERAL OFFENSES

*[Reserved]*

# TITLE 15: LAND USAGE

Chapter


**150. GENERAL PROVISIONS**

**151. BUILDING REGULATIONS**

**152. ROADS, HIGHWAYS AND RIGHTS-OF-WAY**

**153. OUTDOOR LIGHTING STANDARDS**

**154. ZONING**

# CHAPTER 150: GENERAL PROVISIONS

Section


*Growth Management*

150.01 Findings
150.02 Applicability of the development control system
150.03 Administration
150.04 Annual building permit percentage established
150.05 Building permit application
150.06 Building permit evaluations
150.07 Development allotment awards

*Right to Farm*

150.20 Purpose
150.21 Definitions
150.22 Right to farm analysis
150.23 Minimum mitigation
150.24 Conflict minimization


## *GROWTH MANAGEMENT*

### § 150.01 FINDINGS.

The people of the town find and declare as follows.

(A) The town has adopted ordinances and a general plan relating to the regulation for residential development.

(B) The town is experiencing a period of residential development which is adversely affecting the capacity of the streets to meet traffic demands, the capacity to provide fire services and water, the

capacity of the area school to absorb children in an orderly way, the historic character of the community, the quality of life which had characterized this community and the cost to households for utilities and municipal services.

(C) It is the intent of the people of the community to achieve a steady rate of residential growth each year rather than a fluctuating, overly rapid rate in order that the services provided by the town and area schools, parks, utilities and service agencies operating in the town and the surrounding region can be properly and effectively staged in a manner which will not overextend existing facilities, and in order to bring existing services up to necessary standards while minimizing the avoidable cost of short-sighted facility expansion, by means of long-term planning.

(D) It is the intent of the people of the town to establish control over quality, distribution and rate of growth of the town in the interest of:

(1) Preserving the character of the community;

(2) Protecting the open space of the community;

(3) Protecting the quality of life in the town;

(4) Ensuring the adequacy of town facilities, school facilities, recreation and park facilities and services;

(5) Ensuring the adequacy of fire protection; and

(6) Ensuring an adequate water supply for current and future residents.

(E) It is the purpose of this subchapter to augment the policies of the town as recorded in the general plan and other town ordinances relating to regulating development.

(F) In order to facilitate the purposes, the town must be able to control the rate, distribution, quality and economic level of the proposed development. Control systems for the town codified in this subchapter shall be in effect after the effective date of the ordinance codified in this subchapter until amended.

(G) It is furthermore the intent of the people of the town that the awarding of building permit allotments pursuant to this subchapter be accomplished, in accordance with the criteria set forth herein, fairly, impartially and without discrimination against any particular parcel of land, development project or developer.

(H) This subchapter shall regulate the time or rate of development based on existing zoning or other land use approvals applying to a particular parcel of land or development.
(Prior Code, § 9.5.10)

## § 150.02 APPLICABILITY OF THE DEVELOPMENT CONTROL SYSTEM.

The system set out in this subchapter shall apply from the effective date of the ordinance codified in this subchapter. This subchapter shall apply to all residential development in the town, including single-family residential units on a single existing lot, but not the rehabilitation or remodeling of an existing dwelling.
(Prior Code, § 9.5.20)

## § 150.03 ADMINISTRATION.

The Planning Commission shall administer the system set forth in this subchapter.
(Prior Code, § 9.5.30)

## § 150.04 ANNUAL BUILDING PERMIT PERCENTAGE ESTABLISHED.

(A) The number of new residential building permits issued each year in the town will be a maximum of 10% of the existing dwellings within the town.

(B) The annual allotment shall be continuously applicable to the town's jurisdictional boundaries and shall include any additional territory annexed.

(C) For the purposes of this subchapter, a ***YEAR*** shall be the calendar year. If the annual allotment of building permits for a given year is not allotted, it cannot be carried over to a subsequent year.
(Prior Code, § 9.5.40)

## § 150.05 BUILDING PERMIT APPLICATION.

(A) The owner/builder of proposed projects may apply for a building permit as set forth, and as in other town ordinances.

(B) The Building Department shall examine each application for its relation to or impact upon local public facilities and services and shall evaluate each development or lot on the criteria set forth below:

(1) The capacity of the water system to provide for the needs of the proposed development must comply with Chapter 50 of this code;

(2) The capacity of the drainage facilities to adequately dispose of the surface runoff of the proposed development;

(3) The ability of the Fire Department to provide fire protection according to the established response standards of the town without the necessity of requiring additional major equipment or housing facilities;

(4) How the site and architectural design quality may be adversely affected by modification to topography, grading, cut or fill of natural slopes and weather;

(5) How the proposed buildings and related construction will visually disturb ridge lines and natural community vistas;

(6) The absence of deleterious impact on farmland; and

(7) The absence of deleterious impact on historical or cultural landmarks.
(Prior Code, § 9.5.50)

## § 150.06 BUILDING PERMIT EVALUATIONS.

(A) The Planning Commission shall approve building permits on a "first come first served" basis until all available permits are issued each year in accordance with this subchapter. This assumes that the applicants have satisfied all of the criteria of this and the other applicable town ordinances, including, but not limited to, zoning and water ordinances. Incomplete or erroneous applications will be returned to the applicant and be removed from consideration until returned totally complete.

(B) A building permit must be obtained (and fees paid) within 60 days of the plan review approval of the building permit application by the Planning Commission.

(C) Building permit applications will only be accepted on or after the first day of each calendar year for permits allocated in that year.

(D) A $1,500 cashier's check made out to the town is required as a deposit at the time of submission of a building permit application package. If the $1,500 deposit was paid to reserve a building permit allotment for that given year, that deposit can be transferred to the building permit application fee. This total deposit fee will be deducted from the approved building permit cost at the time all the fees are paid for the entire cost of the approved building permit. All fees, including impact fees, must be paid in full in order to obtain an approved building permit. If for any reason a building permit cannot be obtained after the application deposit was made, the deposit fee will not be returned.

(E) Building permits are issued in order of applications received with a paid, non-refundable application fee.
(Prior Code, § 9.5.60)

## § 150.07 DEVELOPMENT ALLOTMENT AWARDS.

(A) The number of dwelling units for which development allotments can be issued shall not exceed the number established in § 150.04 of this chapter.

(B) No single developer shall, in any one year, be issued development allotments for dwelling units except as submitted as individual requests.

(C) Should an applicant fail to initiate construction within 12 months after award of the building permit allotment, the Planning Commission will rescind the allotment.
(Prior Code, § 9.5.70)

## *RIGHT TO FARM*

## § 150.20 PURPOSE.

The town values its rich agricultural heritage and considers agricultural uses as a component of the town's community fabric and quality of life amenities and contributions to the town's economic base. The town places great importance on its agricultural areas and the protection and preservation of agricultural land and agricultural activities within the town.
(Prior Code, § 9.7.10)

## § 150.21 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***AGRICULTURAL AREA.*** Land actively used or zoned for the cultivation of crops, raising of livestock, orchards, pastures or other agricultural production, including land historically used for such purposes.

***AGRICULTURAL DISCLOSURE NOTE.*** A required statement placed on a recorded subdivision plat that notifies future property owners of the presence and normal operations of nearby agricultural activities, including noise, odors, pests and livestock.

***AGRICULTURAL FENCE (NON-CLIMB).*** A type of barrier commonly used for containing or excluding livestock, constructed with vertical mesh openings no larger than two inches by four inches

and designed to prevent animals or people from climbing or passing through. Required specifications include steel posts, top rails and durable fastening systems.

***AGRICULTURAL LAND.*** Any parcel or area within the town that is actively used for farming, livestock raising, irrigation or other agricultural purposes, regardless of zoning designation.

***AGRICULTURAL OPERATION.*** The active use of land for the growing of crops, raising of livestock or related activities, including irrigation, equipment use and soil or water management practices typical of farming or ranching.

***AGRICULTURAL PRESERVATION AREA.*** An area formally designated to be preserved for agricultural purposes, either through zoning, easement, policy designation or state-recognized preservation programs.

***BUFFER.*** A physical space, barrier or landscape feature intended to minimize conflict between agricultural and non-agricultural uses by providing separation, screening or transition between land uses.

***CONFLICT MITIGATION.*** A process or set of conditions imposed by the town to reduce adverse impacts or potential land use conflicts between agricultural and non-agricultural uses, including fencing, drainage controls and access accommodations.

***EXTERIOR IRRIGATION ACCESS.*** The requirement that head gates, ditches and other irrigation infrastructure remain accessible to irrigation companies or water users from outside a newly developed area, to preserve operational integrity without requiring access through private lots.

***FENCE GRADE MEASUREMENT.*** The method of measuring the height of a required fence from the finished grade of the newly developed property, used when properties have differing elevations.

***HEAD GATE.*** A mechanical or structural device used to regulate water flow from an irrigation ditch into a distribution system or agricultural field.

***IRRIGATION MITIGATION DOCUMENTATION.*** Written confirmation provided by an irrigation company or water authority verifying the status, location and required protection or relocation of irrigation infrastructure during development.

***LARGE ANIMAL RIGHTS.*** The legal permission for property owners to keep animals such as horses, cows, sheep or similar livestock on their land, subject to applicable zoning and fencing standards.

***RIGHT TO FARM ANALYSIS.*** An evaluation conducted during the development review process to assess potential conflicts with nearby agricultural uses and identify mitigation measures to preserve farming operations.

***TAIL WATER.*** Water that runs off the end of an irrigated field, which must be contained or managed to prevent flooding or erosion on adjacent properties.
(Prior Code, § 9.7.10)

## § 150.22 RIGHT TO FARM ANALYSIS.

The Planning Commission, with the recommendation of the Building Official, may impose restrictions on any development in order to protect:

(A) An existing agricultural area or activity;

(B) An agricultural or irrigation right-of-way or easement;

(C) An agricultural open space or agricultural preservation area;

(D) A zone that permits agriculture or large animals such as sheep, horses or cattle; or

(E) Any property located within the town boundaries.
(Prior Code, § 9.7.20)

## § 150.23 MINIMUM MITIGATION.

For any new development that is not located in an agricultural use area, the following will be required, at a minimum, to mitigate the effects of new development on the existing or potential agricultural uses.

(A) For all sides of the development adjacent to the agricultural property, there is a minimum fencing requirement of a six-foot high ***NON-CLIMB AGRICULTURAL FENCE***, defined as a closely woven, two-inch by four-inch vertical mesh with square deal knot fastening. Fencing must include one and seven-eighths inch Schedule 40 or equivalent posts with a one and five-sixteenths inch Schedule 40 or equivalent top rail.

(B) In order to provide adequate buffering, the Planning Commission and Town Council may, on a case-by-case basis, require an upgrade to the fencing and/or appropriate landscaping when the development activities will directly interfere with the operations of the agricultural use.

(C) Where there is a difference in the grade of the properties on either side of the required fence, the height of the fence shall be measured from the grade of the property upon which the new development is located.

(D) The fencing requirements of this subchapter may be modified if the developer obtains a written statement from the adjacent property owner indicating that he, she or they are willing to modify or waive the fencing requirements, as well as approval from the Planning Commission following review by the Reviewing Department.

(E) For any new development that allows large animal rights that is located adjacent to a development or zone that does not allow large animal rights, fencing will be the responsibility of each individual lot owner to ensure that his or her animals are properly contained.

(F) For fencing provisions, see § 154.082 of this code.

(G) A note shall be placed on the final plat that states: "This area is subject to the normal, everyday sounds, odors, sights, equipment, facilities, pests and any other aspects associated with an agricultural lifestyle. Future residents shall also recognize the risks inherent with livestock."

(H) A written statement shall be provided from the appropriate agency regarding any irrigation channels, ditches, head gates and piping or any other mitigation required.

(I) Exterior access shall be provided for all irrigation head gates as directed by the applicable irrigation company. This may require relocation.

(J) During construction, access to all irrigation ditches and the integrity of timely deliverance of irrigation water through all ditches shall be coordinated with the applicable irrigation company.

(K) Adequate berming to retain irrigation tail water shall be provided.
(Prior Code, § 9.7.30)

## § 150.24 CONFLICT MINIMIZATION.

(A) The Planning Commission and/or Town Council may consider other actions and site planning options to minimize conflicts between the proposed new uses, buildings and structures and the existing or potential agricultural operations. The goal of the town is to minimize or eliminate, to the fullest extent possible, all potential conflicts and to assure a continuation of a right to farm for the existing agricultural use without undue burden on the proposed new development.

(B) The following issues shall be used to identify potential incompatibilities and actions to minimize conflicts:

(1) Protection of irrigation access and maintenance of ditches and canals;

(2) Safety and protection of the public from ditches, canals, ponds and drainage systems;

(3) Safety and protection of livestock and farm equipment movement corridors;

(4) Existing and proposed fencing on all agricultural property which is adjacent to the proposed development;

(5) Erosion and soil protection and conservation concerns;

(6) Drainage of any development, including subdivisions, will be designed to minimize the discharge or impact on agricultural lands and soils, weeds, pests and household pet controls in subdivision areas;

(7) Provisions, acknowledgments and understandings by new property owners of farm work hours and that farm operations may contribute to objectionable noises and odors;

(8) Screening provisions and landscaping to reduce noise, odors, pests or visual impacts for adjoining uses; and

(9) Any other provisions the Planning Commission and/or Town Council consider necessary to protect the right to farm for agricultural uses, operations and areas.
(Prior Code, § 9.7.40)

# CHAPTER 151: BUILDING REGULATIONS

Section


*General Provisions*

151.01 Definitions
151.02 Adoption of State Construction Codes
151.03 Adoption of International Fire Code
151.04 Designation of officials
151.05 Liability insurance

*Building Permits and Other Regulations*

151.20 Permit required
151.21 Application for permit
151.22 Site plan and document requirements
151.23 Approval of site plan procedure
151.24 Site plan and document requirements for accessory buildings and accessory structures
151.25 Approval of building permit procedure
151.26 Time limits for use and building permit approval
151.27 Variations of building plan prohibited without approval
151.28 Temporary dwelling and storage structures
151.29 Permit fees
151.30 Zoning compliance certificate
151.31 Stop work order
151.32 Entry powers
151.33 Construction mitigation
151.34 Automatic fire sprinkler systems
151.35 Violations

151.99 Penalty

## *GENERAL PROVISIONS*

### § 151.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ACCESSORY STRUCTURE.*** A subordinate structure located on the same lot as the primary building, such as a detached garage, barn, shed or greenhouse.

***APPLICANT.*** The property owner or the owner's authorized agent who submits an application for a permit, certificate or approval under this chapter.

***APPROVED PLANS.*** Building or site plans reviewed and accepted by the Building Department or Planning Commission for compliance with applicable codes and ordinances.

***AUTOMATIC FIRE SPRINKLER SYSTEM.*** A fire suppression system designed to automatically detect and extinguish fires in accordance with applicable building and fire codes, including IRC and state-adopted standards.

***BUILDING DEPARTMENT.*** The town's designated administrative department is responsible for overseeing building permits, inspections and code compliance.

***BUILDING PERMIT.*** An official approval issued by the Building Department that authorizes construction or modification activities regulated by the State Construction Code or local ordinances.

***DEVELOPMENT.*** Any construction activity, grading or land improvement that may require a permit, site plan approval or zoning compliance review.

***FINAL PLAT.*** The final, surveyed map of a subdivision or land division approved by the town and recorded with the county, which may include required notes or disclaimers.

***GRADE (PROPERTY GRADE).*** The elevation of the ground surface at a specified location, used to measure building height or fence height in relation to adjacent land.

***NON-CLIMB AGRICULTURAL FENCE.*** A six-foot high fence constructed of two inch by four inch vertical mesh with square deal knot fastening, supported by a one and one-quarter inch Schedule 40 or equivalent posts and a one and three-quarter inch top rail, designed to prevent animals or people from easily scaling it.

***OCCUPANCY PERMIT.*** A permit is issued after all inspections are complete, authorizing the use and occupancy of a structure in accordance with the approved plans and applicable codes.

***PERMIT FEE.*** A fee charged for the issuance, review or administration of a permit, established by resolution of the Town Council or under applicable code provisions.

***PLANNING COMMISSION.*** The body appointed by the Town Council is responsible for reviewing development proposals, site plans and zoning matters under Chapter 150 and other related codes.

***RIGHT-OF-WAY.*** A publicly or privately held area reserved for transportation or utilities, which may include streets, sidewalks, utility lines or drainage channels.

***SELF-CONTAINED UNIT.*** A dwelling unit or trailer designed to function independently with its own water, waste disposal and utility connections.

***SITE PLAN.*** A detailed drawing submitted as part of a permit or development application showing existing and proposed buildings, structures, access, utilities and other improvements required for review.

***STOP WORK ORDER.*** A formal order issued by the Building Department requiring the immediate cessation of construction or related activities due to violations of applicable codes or lack of permits.

***TEMPORARY DWELLING.*** A non-permanent residential unit authorized by the town for use during the construction of a permanent dwelling on the same lot, subject to specific conditions and time limits.

***TEMPORARY USE PERMIT.*** A permit that authorizes the temporary use of land or structures for purposes such as construction staging, offices or park host trailers, subject to town approval and conditions.

***UTILITY EASEMENT.*** A legally designated area on private property reserved for public or private utility infrastructure (e.g., water, sewer, electricity).

***ZONING COMPLIANCE CERTIFICATE.*** A certificate issued by the Building Department confirming that a proposed construction or land use activity is consistent with the town's zoning regulations.
(Prior Code, Title 9)

## § 151.02 ADOPTION OF STATE CONSTRUCTION CODES.

The town hereby adopts by reference the State Construction Codes as currently written and as amended from time to time by the state, including, but not limited to:

(A) The International Building Code (IBC);

(B) The International Residential Code (IRC);

(C) The International Plumbing Code (IPC);

(D) The International Mechanical Code (IMC);

(E) The National Electrical Code (NEC);

(F) The International Energy Conservation Code (IECC); and

(G) Any other construction codes included in the State Construction Code.
(Ord. 2025-04, passed 5-21-2025)

## § 151.03 ADOPTION OF INTERNATIONAL FIRE CODE.

The town hereby adopts by reference the current version of the International Fire Code (IFC), as amended and adopted by the state, including any local amendments as required to align with county fire standards.
(Ord. 2025-04, passed 5-21-2025)

## § 151.04 DESIGNATION OF OFFICIALS.

(A) The town hereby designates Sunrise Engineering (or its designee) as the Building Official for the town, authorized to administer, interpret and enforce the adopted construction codes.

(B) The town will hire a Code Enforcement Officer for the town, authorized to enforce property maintenance codes, land use ordinances, nuisance regulations and other town ordinances as directed.
(Ord. 2025-04, passed 5-21-2025)

## § 151.05 LIABILITY INSURANCE.

The town shall provide liability insurance coverage for its appointed officials, acting within the course and scope of their duties as required by law.
(Ord. 2025-04, passed 5-21-2025)

## *BUILDING PERMITS AND OTHER REGULATIONS*

## § 151.20 PERMIT REQUIRED.

(A) Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure; or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system the installation of which is regulated by the Building Code; or to cause any such work to be performed, shall first make application to the Building Department and obtain the required permit.

(B) Permits shall not be required for work exempt from a permit as outlined in the adopted codes. Work exempted from a permit does not deem to grant authorization for work to be done in any manner in violation of the Building Code.
(Prior Code, § 9.1.10) Penalty, see § 151.99

## § 151.21 APPLICATION FOR PERMIT.

A building permit shall be secured from the Building Department through submission of an application accompanied by all required documents and fees.
(Prior Code, § 9.1.20)

## § 151.22 SITE PLAN AND DOCUMENT REQUIREMENTS.

Upload the stamped site plan and required documents in PDF format to the town's website.

(A) *Site plan.* The site plan must include the following:

(1) Dimensions and setbacks of proposed structure;

(2) Location of a propane tank (if applicable);

(3) Location of the septic system, including the tank and drain field;

(4) Location of power lines and meter;

(5) Location, in feet, of the nearest fire hydrant (if over 700 feet, an estimate may be used);

(6) Location and distance, measured in feet, from the property line to the nearest town water line. If the distance is more than 1,200 feet, an estimate may be used. Contact the Water Department;

(7) Location of all wells, whether they are in use or not;

(8) An appropriate descriptive legend, including north arrow, scale and legal description;

(9) Name and contact information of the architect or engineer responsible for the preparation of the site plan;

(10) The existing (or proposed) zoning;

(11) Dimensions, setbacks and height of all existing structures located on the property;

(12) Measured dimensions of all recorded lot lines;

(13) Location of all existing and proposed drives and parking areas, including types of surfacing, parking layout and dimensions;

(14) Show existing and proposed access roads, drives, turnout locations, parking road width, rights-of-way and dedications (see the road ordinance);

(15) Show all existing easements, vacated easements and rights-of-way. A ten-foot utility easement along all roads must be shown;

(16) Must meet all required minimum setbacks;

(17) Locations, sizes and types of existing trees over six inches in diameter (before and after proposed development);

(18) All proposed fences, screens and freestanding architectural walls, including typical cross-sections and the heights above ground;

(19) Stormwater engineering (upon request), including existing and proposed grading of the site, the location of existing and proposed utilities, stormwater calculations for a 100-year storm, the detention area on-site that will detain the 100-year storm; and

(20) Any other information required by the Planning Commission, Building Officials, Fire Department or Town Council.

(B) *Documents required.*

(1) Warranty deed of trust for property;

(2) Copy of the record of survey filed with the County Surveyor's office;

(3) Boundary line agreement, if applicable; and

(4) Any other documents required by the Planning Commission, Building Heads, Fire Department or Town Council pertinent to the proposed development or building.
(Prior Code, § 9.1.30) (Ord. 03142023-1, passed 3-14-2023)

## § 151.23 APPROVAL OF SITE PLAN PROCEDURE.

(A) The site plan approval process shall include the following:

(1) Submit application to the town (www.fairfieldtown-ut.gov);

(2) Upload site plan and other required documents (PDF only);

(3) The Building Department will check that all required plans and documents have been submitted;

(4) The Planning Commission will require a recorded survey and subdivision plat, if applicable;

(5) The Planning Commission will review the site plan at the next regular meeting; and

(6) The Planning Commission shall review the site plan and building elevations. The Planning Commission shall confirm compliance with architectural design, zoning and any other standards for buildings and structures to assure compliance with the general plan and with the town's generally applicable policies and regulations.

(B) Once the Planning Commission is satisfied that all requirements have been met, it will approve the site plan. The applicant may then apply for a building permit.
(Prior Code, § 9.1.40)

## § 151.24 SITE PLAN AND DOCUMENT REQUIREMENTS FOR ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES.

Upload the site plan and required documents in PDF format to the town's website.

(A) *Site plan*. The site plan must include the following (as applicable):

(1) Dimensions and setbacks of proposed structure;

(2) Dimensions, setbacks and height of all existing structures located on the property;

(3) Statement of proposed use of structure as per the currently adopted International Building Code;

(4) Location of propane tank(s) (if applicable);

(5) Location of septic system, including tank and drain field;

(6) Location of existing utilities, pipelines and transmission lines, proposed utility lines;

(7) Location of the nearest fire hydrant in feet;

(8) Location of the nearest town water line, in feet, to the property line;

(9) Location of all wells, in use or not;

(10) The existing (or proposed) zoning;

(11) Dimensions, setbacks and height of all existing structures located on property;

(12) Location of all existing and proposed drives and parking areas, including types of surfacing, parking layout and dimensions;

(13) Show all road width, rights-of-way and dedications (see the road ordinance); and

(14) Any other information required by the Planning Commission, Building Officials, Fire Department or Town Council.

(B) *Documents required.*

(1) Arsenic report (if there is an excavated foundation); and

(2) Any other documents required by the Planning Commission, Building Heads, Fire Department or Town Council pertinent to the proposed development or building.
(Prior Code, § 9.1.35) (Ord. 03142023-1, passed 3-14-2023)

## § 151.25 APPROVAL OF BUILDING PERMIT PROCEDURE.

(A) Submit building permit application to the town (www.fairfieldtown-ut.gov);

(B) The Building Department will check that all plans, deeds, dedications and any other required documents needed have been submitted and approved and that the Planning Commission has approved the site plan;

(C) Pay estimated building fees to the town;

(D) The Building Department will submit plans and documents to a contracted engineer for plan review and inspections;

(E) Once plans have been approved, the town will evaluate if any other building permit fees need to be paid at this time;

(F) The Building Department will issue a building permit along with name and numbers for inspections;

(G) Once all inspections are completed by the contracted engineer, the Building Department will do a final review and inspection;

(H) Once final review and inspection is completed and any remaining fees are paid, then an occupancy permit will be issued;

(I) The Building Department may revoke at any time a permit which has been issued for any building constructed or being constructed, or which would be or result, if constructed, in a violation of the Building Code or any ordinance of this municipality; and

(J) Documents required:

(1) Stamped digital building plans;

(2) Proof of town-acceptable culinary water transfer or well permit, state-approved culinary water transfer and point of diversion change or well permit acceptable to the town;

(3) Septic system plan approved and signed by the county;

(4) Signed approval from Cedar Valley Fire Department;

(5) Contractors' hold harmless agreement;

(6) Arsenic report;

(7) Any other documents required by the Planning Commission, Building Heads, Fire Department or Town Council pertinent to the proposed development or building; and

(8) Site plan signed and approved by the Planning Department.
(Prior Code, § 9.1.50) (Ord. 03142023-1, passed 3-14-2023)

## § 151.26 TIME LIMITS FOR USE AND BUILDING PERMIT APPROVAL.

(A) All use approvals, and all building permit approvals, shall be valid for a maximum period of 180 days from the date of approval.

(B) If work has not commenced or a use or building established within 180 days from date of approval, the approval, permit or license, as required and approved, shall be void and a new application, approval, permit or license shall be required.
(Prior Code, § 9.1.60)

## § 151.27 VARIATIONS OF BUILDING PLAN PROHIBITED WITHOUT APPROVAL.

No material, plan modification or use variation from the approved plan shall be allowed unless such variations shall first have been approved in writing by the Building Department or designee.
(Prior Code, § 9.1.70) Penalty, see § 151.99

## § 151.28 TEMPORARY DWELLING AND STORAGE STRUCTURES.

(A) *Temporary dwellings incident to the property*. The Building Department may approve the use of a temporary dwelling incidental to the construction of a one-family dwelling for a maximum of one year while building a home to live in on the same lot, provided:

(1) A bond in lawful money equal to the cost of removing the temporary dwelling, but not less than $1,000, is first posted with the town to guarantee the timely removal of the temporary dwelling;

(2) The owner(s) of the lot and temporary dwelling agree to remove said temporary dwelling within the time of the bond to obtain a full refund of the bond or otherwise to allow the town to enter and remove the temporary dwelling using the bond to defray costs;

(3) The owner(s) have obtained a building permit for a permanent residential building;

(4) The temporary dwelling shall remain on the lot not longer than the current term of the building permit for the single-family dwelling, the completion date of the conventional dwelling or 365 days, whichever is less. Exception: the Planning Commission may grant one extension period of an additional 365 days upon finding that the construction of the permanent dwelling is being carried out diligently toward completion; and

(5) The temporary dwelling unit shall be self-contained and the owner must obtain a temporary dwelling permit to ensure that the temporary dwelling is in compliance with the County Health Department, Building Code and with the town's requirements.

(B) *Temporary storage structures*. Temporary buildings and yards for the storage of construction materials and equipment in any zone may require a temporary use permit by the Planning Commission for a temporary office and buildings and/or yards for storing vehicles, materials and equipment incidental to a construction project. The permit shall be valid for a period of not more than one year; the permit may be renewable throughout the length of the project. The buildings shall be removed and the yard restored to its original state upon completion of the project and expiration of the permit.

(C) *Public park host trailer*. In any zone, the Planning Commission may issue a temporary use permit for a host trailer, provided:

(1) The host trailer is located on the same parcel of land as a publicly owned or town-approved park site;

(2) The host trailer is removed from the park site when the terms of the temporary use permit have expired;

(3) A permit must be obtained during each calendar year by the public agency of the park; and

(4) The host trailer shall be self-contained, or approvals for water and sanitary sewer shall be obtained from the County Health Department.
(Prior Code, § 9.1.80)

## § 151.29 PERMIT FEES.

(A) A fee for each building permit, electrical permit, plumbing permit and fire permit shall be paid to the Building Official or Town Recorder/Clerk in such amount as shall be established from time to time by resolution duly enacted by the Town Council.

(B) Until such a resolution is adopted as to building permit fees, the building permit fees set forth in the Uniform Building Code shall remain applicable. The administrative and enforcement provisions of the Uniform Building Code relating to building permit fees shall be deemed to apply to the electrical and plumbing permit fees unless otherwise provided by resolution of the Town Council.
(Prior Code, § 9.1.90)

## § 151.30 ZONING COMPLIANCE CERTIFICATE.

(A) *Application*. A zoning compliance certificate shall be secured from the Building Department through the submission of an application accompanied by all required documents and fees.

(B) *Site plan and document requirements*.

(1) Upload the site plan and required documents in PDF format to the town's website.

(2) The site plan must include the following:

(a) Dimensions and setbacks of proposed structure;

(b) Location of propane tank (if applicable);

(c) Location of septic system, including tank and drain field (if applicable);

(d) Location of power lines and meter (if applicable);

(e) Location of the nearest fire hydrant in feet (if applicable);

(f) The location and distance, measured in feet, from the property line to the nearest town water line, (if applicable);

(g) The existing (or proposed) zoning;

(h) Any other information required by the Planning Commission, Building Officials, Fire Department or Town Council;

(i) Arsenic report (if there is an excavated foundation);

(j) Signed and approved site plan by the Planning Department if there will be a permanent foundation; and

(k) If an agricultural building, a signed affidavit stating that the structure shall be used for agricultural purposes only.
(Prior Code, § 9.1.95) (Ord. 03142023-1, passed 3-14-2023)

## § 151.31 STOP WORK ORDER.

(A) The Building Department or designee shall have the power to order all work stopped on construction, alteration or repairs of buildings in the municipality when such work is being done in violation of any provisions of any state-adopted construction codes, any ordinance relating thereto or in violation of the subdivision or zoning ordinances.

(B) Work shall not be resumed after the issuance of such order except on the written permission of the Inspector.

(C) If the stop work order is an oral one, it shall be followed by a written order within one hour. Such a written stop work order may be served by any peace officer or other authorized person.
(Prior Code, § 9.1.100)

## § 151.32 ENTRY POWERS.

The Building Department or designee shall have the power to enter into any building or the premises where the work of altering, repairing or constructing any building or structure is being performed for the purpose of making inspections at any reasonable hour, pursuant to any of the provisions of this code.
(Prior Code, § 9.1.110)

## § 151.33 CONSTRUCTION MITIGATION.

The Building Department, or designee, has the power to assess sites where construction has taken place or will take place and, at its discretion, to require mitigation measures to ensure the safety of the public, property and community.
(Prior Code, § 9.1.140)

## § 151.34 AUTOMATIC FIRE SPRINKLER SYSTEMS.

The town hereby finds and determines that under certain conditions, an automatic fire sprinkler system shall be installed in structures built in accordance with the requirements of the International Residential Code, as adopted in the State Construction Code, when any of the following divisions apply:

(A) The structure is located in an urban wildland interface area, as provided in the State Wildland Urban Interface Code, adopted as a construction code under the State Construction Code; and does not meet the requirements described in U.C.A. § 65A-8-203(3)(a) and State Administrative Code § R652-122-200, minimum standards for wildland fire ordinance;

(B) The structure is in an area where a public water distribution system with fire hydrants does not exist as required in State Administrative Code § R309-550-5, water main design;

(C) The only fire apparatus access road has a grade greater than 10% for more than 500 continual feet;

(D) The water supply to the structure does not provide at least 500 gallons fire flow per minute for a minimum of 30 minutes, if the total square foot living space of the structure is equal to or less than 5,000 square feet;

(E) The water supply to the structure does not provide at least 750 gallons per minute fire flow for a minimum of 30 minutes, if the total square foot living space exceeds 5,000 square feet but is equal to or less than 10,000 square feet; and

(F) The water supply to the structure does not provide at least 1,000 gallons per minute fire flow for a minimum of 30 minutes, if the total square foot living space exceeds 10,000 square feet.
(Prior Code, § 9.1.150)

## § 151.35 VIOLATIONS.

No person, whether as owner, lessee, sublessee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, occupy or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of any of the provisions of the applicable sections of the codes adopted pursuant to this chapter or of any order issued by the Building Official thereunder.
(Prior Code, § 9.1.160) Penalty, see § 151.99

## § 151.99 PENALTY.

(A) Any person failing to comply with the provisions of this chapter shall be guilty of a Class B misdemeanor, and upon conviction therefor, shall be subject to penalty. In all instances where the violation of this chapter is a continuing violation, a separate offense shall be deemed committed on each day during or on which the violation occurs or continues.
(Prior Code, § 9.1.160)

(B) A homeowner may be subject to a Class B misdemeanor if work requiring a permit as set out in § 151.01 of this chapter is performed without first securing the permit(s) required. Anyone who received payment or equivalent value to perform work requiring a permit may be subject to a Class C misdemeanor if the work is performed without first securing the permit(s) required.
(Prior Code, § 9.1.10)

# CHAPTER 152: ROADS, HIGHWAYS AND RIGHTS-OF-WAY

Section


152.01 Definitions
152.02 Purpose
152.03 Department of Roads
152.04 Adoption of standards specifications
152.05 Plats and description
152.06 Locating of lines
152.07 Utilities
152.08 Obstructions and encroachments
152.09 Traffic control plans
152.10 Poles, posts and fences
152.11 Bridges, ditches, water and waterways
152.12 Insurance, indemnification and bonds
152.13 Limitations on use of vehicles
152.14 Street cuts and degradation fees
152.15 Official maps
152.16 Temporary right-of-way occupancy
152.17 Winter snow removal
152.18 Property acquisition and management
152.19 Vacation of public street or right-of-way
152.20 Road classifications
152.21 General standards
152.22 As-built drawings and close-out
152.23 Enforcement
152.24 Judicial review
152.25 Severability
152.26 Conflict with other land use regulations

152.99 Penalty

## § 152.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ACCESS MANAGEMENT.*** The systematic control of the location, spacing, design and operation of driveways, median openings and street connections to optimize roadway safety and capacity, consistent with AASHTO Green Book and APWA street design and layout standards.

***AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AAGHTO).*** This is a national agency/organization that publishes standards, design manuals, engineering criteria, geometric design standards, safety standards and the like for roads, bridges, highways, bike facilities, roadside clear zones and traffic engineering.

***AVERAGE DAILY TRAFFIC (ADT).*** The average number of vehicles that travel over a specific road segment in a 24-hour period, including both directions of travel for two-way roads as determined by accepted engineering methods in the AASHTO Green Book and UDOT Traffic Operations Manual.

***BACKFILL.*** Material used to refill an excavation within a right-of-way, placed and compacted in accordance with APWA trench excavation and backfill rules.

***BASE COURSE.*** The layer of material placed directly beneath the pavement surface, providing load distribution and structural support, as specified in APWA aggregate base courses.

***COMPACTION.*** The process of densifying soil or aggregate by mechanical means to achieve the required density as specified in APWA compaction of soil and aggregate specifications.

***CUL-DE-SAC.*** A local street with only one outlet and having a turnaround for vehicles at its terminus. ***CUL-DE-SACS*** are not permitted in the town except for temporary access as approved by the Fire Marshal in accordance with International Fire Codes and APWA street construction standards.

***DEGRADATION FEE.*** A monetary charge assessed to offset the impact of street cuts or excavations on the long-term pavement condition.

***DEPARTMENT OF ROADS.*** The town department responsible for planning, construction, repair, inspection and maintenance of public roads and rights-of-way, operating consistent with APWA project coordination.

***DIRECTOR OF ROADS.*** The person appointed by the town with primary responsibility for managing the Department of Roads and overseeing the access, construction, maintenance, utilities and repair of the town's public roadways and rights-of-way in accordance with this chapter and APWA guidelines.

***DRAINAGE FACILITY.*** Any structure or improvement used to collect, convey or detain surface water runoff, including culverts, swales, storm drains, detention basins and inlets, as defined in APWA storm drainage systems definitions.

***DRIVEWAY APPROACH.*** The area of a driveway between the public right-of-way line and the edge of pavement, designed and constructed in accordance with APWA standard drawings and the UDOT Access Management Manual.

***EASEMENT.*** A recorded right granted to the town or another entity for access, utilities or maintenance within private property boundaries, in accordance with APWA utility coordination.

***EMERGENCY WORK.*** Any unplanned work within the right-of-way necessary to restore essential services or protect public safety.

***ENCROACHMENT.*** Any unauthorized structure, improvement or obstruction placed within a public right-of-way, easement or roadway that interferes with its intended use or maintenance, as governed by APWA protection and restoration of surface standards.

***ENCROACHMENT PERMIT.*** Written approval from the town authorizing a temporary or permanent structure, excavation or use within the public right-of-way.

***EXCAVATION.*** Any mechanical removal of earth material within a public right-of-way or easement, including trenching, grading or boring, performed under a town-issued permit per APWA excavation rules.

***EXPRESSWAY.*** A high-speed, limited-access highway primarily used for long-distance travel and managed by the State Department of Transportation (UDOT), consistent with AASHTO functional classification standards. No direct access is permitted from adjoining properties.

***FENCE LINE.*** A barrier composed of posts, wires, rails or other materials used as a boundary marker, which must conform to setback and visibility standards established by the town and APWA landscaping and sight distance requirements.

***HARD SURFACE CAPPING.*** The use of concrete, asphalt or other durable, approved surface materials to cover and protect a roadbed or right-of-way, particularly where excavation or utility work has occurred per APWA asphalt paving or concrete paving guidelines.

***INSPECTION.*** The observation, testing and verification of work performed in a public right-of-way to confirm compliance with town standards and approved permits.

***LOCAL STREET.*** A road providing direct access to adjacent properties, intended for low-speed, low-volume traffic and typically serving residential areas, consistent with the AASHTO Green Book.

***MAJOR ARTERIAL.*** A high-capacity road is intended to move large volumes of traffic between major destinations. Property access is limited and regulated by AASHTO and APWA cross-sections.

***MASTER ROAD PLAN.*** The official transportation plan adopted by the town that identifies current and future public street alignments, classifications and rights-of-way consistent with AASHTO functional classifications and the UDOT Design Manual.

***MINOR ARTERIAL.*** A road that provides connections between neighborhoods and community activity centers, facilitating moderate traffic volumes with limited access points per the AASHTO Green Book.

***MONUMENT SIGN.*** A freestanding sign with a solid base mounted close to the ground, not exceeding the height limits specified in the applicable APWA signage regulations.

***MUTCD.*** Manual on Uniform Traffic Control Devices.

***OBSTRUCTION.*** Any object, whether temporary or permanent, that impedes or endangers travel within a public road, right-of-way or sidewalk, including unauthorized deposits, debris or signage.

***PARTIAL ROAD.*** A half-width roadway constructed along the boundary of a parcel, pending future development of the adjacent parcel to complete the full width, designed and improved per APWA cross-section standards.

***PAVEMENT STRUCTURE.*** The combination of surface, base and subbase layers placed on the subgrade to support traffic loads, designed per the AASHTO Pavement Design Guide and APWA asphalt paving standards.

***PERMITTEE.*** Any person or entity who has obtained written authorization from the town to perform construction, excavation or installation activities within the public right-of-way, consistent with APWA regulatory requirements.

***PHANTOM ROAD.*** An unimproved right-of-way shown on historical or official maps that has not been developed or opened for public use but remains under town jurisdiction.

***PLANNING COMMISSION.*** The official body designated by the town under U.C.A. § 10-9a-301 to review and make recommendations regarding land use and infrastructure matters, including road alignments and vacations.

***PRESCRIPTIVE EASEMENT.*** A public or private right-of-way acquired through continuous use over time without formal dedication or recording, as recognized by U.C.A. § 72-5-104.

***PRIVATE ROAD.*** A road not dedicated to public use or maintained by the town, generally serving commercial or HOA-managed developments and maintained per APWA street construction standards under a recorded private-maintenance agreement.

***PUBLIC IMPROVEMENT.*** Any infrastructure constructed to town standards and intended for ownership, operation or maintenance by the town, including roads, sidewalks, storm drains, water lines and related appurtenances.

***PUBLIC RIGHT-OF-WAY.*** Land dedicated or reserved for public use, including the surface, subsurface, streets, sidewalks, drainageways and utility corridors governed by APWA and the town's master road plan.

***PUBLIC ROAD.*** A road, street or highway that has been formally dedicated to and accepted by the town for public use and maintained under APWA standard specifications.

***RESTORATION.*** The process of returning the road surface, base and sub-base to its original or better condition following excavation or disturbance.

***RIGHT-OF-WAY.*** The surface and the space above and below any public road, street, highway, alley or sidewalk that is owned, controlled or maintained by the town for public use.

***ROADWAY LINE.*** The measured distance from the centerline of a road to each edge of the platted or surveyed right-of-way as shown on approved construction drawings.

***RURAL ROAD.*** A road serving agricultural or large-lot residential properties, typically unpaved or gravel-surfaced, approved by the Fire Marshal for emergency access per APWA aggregate base courses.

***SIGHT DISTANCE TRIANGLE.*** A defined area at road intersections that must remain clear of visual obstructions to ensure adequate visibility for motorists and pedestrians as defined in the AASHTO Green Book and APWA standards.

***SUBBASE.*** The layer of granular material beneath the base course providing additional stability and drainage.

***SUBGRADE.*** The native soil or improved material beneath a pavement structure prepared to support the base, per APWA preparation of subgrade standards.

***TOWN ENGINEER.*** A professional engineer designated or contracted by the town to review road plans, inspect infrastructure and ensure compliance with town and APWA standards.

***TRAFFIC CONTROL DEVICE.*** Any sign, signal, pavement marking or device placed or erected by authority of the town or state to regulate, warn or guide traffic, consistent with the Manual on Uniform Traffic Control Devices (MUTCD) and APWA traffic control for construction and maintenance operations guidelines.

***TRENCH RESTORATION.*** The process of replacing pavement and base materials following excavation within a right-of-way, meeting minimum thickness and compaction standards per APWA street restoration.

***UDOT.*** State Department of Transportation.

***UTILITY.*** Any public or private system for conveying electricity, gas, telecommunications, water, wastewater or stormwater, including associated structures, conduits or appurtenances, as covered by APWA standards.

***UTILITY EASEMENT.*** A designated area within or adjacent to a road or right-of-way reserved for the installation and maintenance of public or private utilities, governed by APWA utility coordination guidelines.

***VEHICLE WEIGHT LIMIT.*** The maximum permissible weight of a vehicle (including load) operating on town roads, typically expressed in tons per axle or total gross vehicle weight, determined in accordance with AASHTO design load standards.

***WINTER SNOW EVENT.*** A weather condition involving measurable snowfall that triggers the town's official snow removal operations and corresponding parking restrictions per APWA roadway maintenance rules.

***WORK ZONE.*** The area of a roadway under construction or maintenance where traffic control devices are placed to protect workers and the traveling public, established per APWA and MUTCD. (Prior Code, § 6.3.10)

## § 152.02 PURPOSE.

(A) This chapter establishes regulations to promote the safety and health of individuals who use and travel upon the roads, highways and rights-of-way within the town.

(B) It is further intended to:

(1) Protect the structural integrity and longevity of public roads and rights-of-way;

(2) Prevent unauthorized or unnecessary crossings and excavations;

(3) Provide for the regulated approval, oversight and restoration of essential crossings and excavations;

(4) Establish standards for the proper repair and maintenance of roads and rights-of-way following construction or disturbance; and

(5) Ensure that all construction, excavation and repair activities conform to uniform standards for design, materials and workmanship consistent with APWA general requirement specifications (Prior Code, § 6.3.10)

## § 152.03 DEPARTMENT OF ROADS.

(A) *Established.*

(1) There is hereby established a Department of Roads, which shall be responsible for the general administration and supervision of construction, maintenance and repair of all roads, streets, sidewalks, bridges and other public ways within the town.

(2) The Department shall operate under the direction and control of the Director of Roads, who shall be appointed in accordance with town policy and procedures.

(3) The Department shall enforce compliance with town standards and applicable APWA testing and inspection specifications during design review and inspection.

(B) *Powers and duties of the Department of Roads*. The Department of Roads shall have the following powers and responsibilities:

(1) Manage and oversee the construction, repair and maintenance of all roads, sidewalks, bridges, curbs, gutters, culverts, drains and other public ways. The Department shall exercise control over all water flowing on or through such areas, including stormwater, floodwater, drainage and irrigation flows;

(2) Maintain a public record of all reported complaints related to the condition of roads and public infrastructure. The Department shall promptly investigate such complaints and, when appropriate, initiate repairs or other corrective actions. Each complaint and resulting action shall be documented;

(3) Undertake or direct the repair of any identified defects in roads or public ways. Where repairs cannot be completed immediately, the Department shall implement reasonable measures to protect the public from harm until the defect is addressed;

(4) Coordinate with engineers retained by the town to review plans for subdivisions, developments and other projects involving public or private infrastructure;

(5) Ensure with engineers that construction drawings, subgrade, base course, asphalt, concrete work, traffic control compliance and materials testing meet APWA standards;

(6) Inspect or assign inspectors to oversee the construction of all infrastructure improvements within subdivisions or within any public right-of-way to ensure compliance with approved plans and specifications;

(7) Facilitate the final acceptance of public infrastructure improvements by the town upon successful completion and compliance with applicable standards; and

(8) Approve the timely release of construction and warranty bonds required to guarantee the construction, function and durability of infrastructure improvements.
(Prior Code, § 6.3.10)

## § 152.04 ADOPTION OF STANDARDS SPECIFICATIONS.

(A) All road infrastructure improvements within the town shall be designed and constructed in accordance with the town's adopted design guidelines and standard specifications.

(B) Where the town's standards are silent or in conflict, the work shall comply with applicable sections of the American Public Works Association (APWA) Utah Chapter Manual of Standard Specifications, latest edition.
(Prior Code, § 6.3.05)

## § 152.05 PLATS AND DESCRIPTION.

(A) *Purpose*. The purpose of this section is to ensure the proper documentation, preservation and accessibility of all public roads within the town through accurate platting and description.

(B) *Duties of the Planning Commission*.

(1) The Town Planning Commission shall identify, review and document all roads that exist within the incorporated limits of the town.

(2) The Commission shall prepare and maintain current plats and written descriptions for all such roads. Plats and descriptions shall meet survey accuracy and documentation requirements consistent with APWA record drawing specifications.

(3) The Commission may, as necessary, locate and describe additional roads situated on public lands within the town's jurisdiction.

(4) All plats and road descriptions shall be filed with the Office of the Town Recorder/Clerk and shall be maintained as official public records.
(Prior Code, § 6.3.30)

## § 152.06 LOCATING OF LINES.

(A) *"Roadway lines" defined.*

(1) For the purpose of this section, ***ROADWAY LINES*** shall be defined as the measured distance from the centerline of a road to each edge of the platted or surveyed right-of-way.

(2) The total width of the right-of-way shall be calculated as twice the distance from the centerline to the edge of the roadway line.

(B) *Minimum right-of-way width.*

(1) No public roadway located within the town that is considered surveyed and platted shall have a total right-of-way width of less than 55 feet.

(2) Exceptions may apply in cases where existing partially deeded half roads have not yet had their full width acquired or platted.

(3) Surveying and staking shall conform to APWA surveying specifications.
(Prior Code, § 6.3.40)

## § 152.07 UTILITIES.

(A) *Utility responsibilities.* Any person, company or entity that owns, operates or manages a utility located within, beneath, alongside, over or across any town road, highway or right-of-way shall be fully responsible for the repair, replacement or relocation of such utility when:

(1) The utility is damaged; or

(2) Relocation is required due to the rebuilding, reconstruction or realignment of a town road, highway or right-of-way.

(B) *Time frame for compliance.*

(1) Upon receiving written notice from the town, the responsible utility owner or operator shall complete all required repairs, relocations or replacements within five calendar days.

(2) All such work shall be performed at the expense of the utility owner or operator.

(C) *Town authority to act.*

(1) If the utility owner or operator fails to complete the required work within the time specified, the town may proceed to perform or contract the necessary work.

(2) The utility owner or operator shall be liable for all costs incurred by the town in completing such work.

(D) *Installation standards and surface restoration.*

(1) Boring of utility lines or pipelines beneath roadways is strongly encouraged to minimize surface disruption.

(2) Any utility trenching, excavation, extension or installation that results in road surface damage shall require full restoration of the affected surface in accordance with the town's adopted Design Guidelines and APWA Standard Specifications.

(3) Restoration shall include full-depth pavement replacement per APWA drawings standards or as directed by the town.

(4) The cost of any such restoration shall be borne entirely by the utility owner or operator responsible for the extension or installation.

(5) The town may require density and material testing per APWA testing and quality control standards to verify compaction and surface quality.

(6) Failure to meet these standards shall require rework at the permittee's expense.
(Prior Code, § 6.3.50)

## § 152.08 OBSTRUCTIONS AND ENCROACHMENTS.

(A) *Unauthorized encroachments.*

(1) No person shall place, construct or maintain any structure or object within the right-of-way of any town road, highway or public way without first obtaining the required permit from the town. Work zones and rights-of-way shall comply with APWA traffic control standards to ensure safe passage of the traveling public. This includes, but is not limited to:

(a) Approaches or driveway entrances;

(b) Roads or private access lanes;

(c) Poles, pipelines, conduits, sewers, culverts or ditches; and

(d) Billboards, advertising signs or any other permanent or temporary fixtures.

(2) In the event of an unauthorized installation, the town may:

(a) Remove the installation or require the responsible party to remove it;

(b) Provide written notice to remove the encroachment, delivered via personal service, registered mail and by posting the notice on the object for ten consecutive days;

(c) If removal is not completed within ten days, remove the object and recover the cost of removal from the responsible party. Additional fines may be imposed for each day the encroachment remains following notice, as specified in the Town Fee Schedule; and/or

(d) 1. If the person denies the existence of or refuses to remove the encroachment, the Town Council may initiate legal action to abate the encroachment as a nuisance.

2. If judgment is rendered in favor of the town, the responsible party shall be liable for all costs of the action and daily fines for each day the violation persists following notice.

(B) *Vehicles obstructing rights-of-way*. No person shall place, leave or cause to be placed or left any vehicle, wagon, trailer or other obstruction upon any public road, street or right-of-way in a manner that obstructs traffic, endangers the public or impairs visibility.

(C) *Temporary placement of materials*. Building materials or other similar objects may be temporarily placed upon a public road only if they do not obstruct, endanger or impede ordinary traffic, and only with prior approval of the Town Council when required. Traffic control devices shall conform to APWA and Manual on Uniform Traffic Control Devices (MUTCD) standards.

(D) *Discharge of gravel and foreign materials*.

(1) It is unlawful to operate a vehicle or other conveyance on any public road, street or right-of-way in a manner that causes the discharge or dropping of sand, gravel, rock or other material unless the operator:

(a) Immediately stops; and

(b) Removes all such materials from the public way.

(2) This section shall not apply to construction activities performed by authorized personnel involving lawful material placement or unloading within a project zone.

(E) *Prohibited excavations and structures in rights-of-way*. No person shall dig, excavate or disturb any right-of-way, nor shall any structure or object, including approaches, driveways, poles, pipelines, conduits, sewers, culverts or similar facilities, be placed or maintained within a right-of-way without first obtaining written approval from the Town Council.

(F) *Advertising prohibited without permit*. It is unlawful for any person to place any form of advertising within 300 feet of a town road unless:

(1) The advertising is located on private property;

(2) The property is in a zoning district that permits such advertising;

(3) A permit has been obtained from the Town Council prior to placement; and

(4) The advertising does not obstruct sight distance, distract motorists or interfere with traffic control devices, consistent with APWA and MUTCD standards.

(G) *Tree planting restrictions*.

(1) No tree shall be planted within any town road right-of-way or within ten feet of the edge of such right-of-way, unless specifically approved by resolution of the Town Council.

(2) Tree placement shall comply with APWA standards to ensure vegetation does not obstruct visibility, signage, drainage or utilities.

(3) The Roads Director shall treat all trees planted in violation of this division (G) as obstructions and shall take appropriate action for their removal.

(H) *Visual obstructions*. It is unlawful for any person to place or maintain any object that obstructs visibility and creates a traffic hazard. This includes, but is not limited to:

(1) Fences;

(2) Signs; and

(3) Motorhomes, trailers or other vehicles or structures.

(I) *Cleanup*. Upon completion of work, all rights-of-way shall be cleared of debris and restored in accordance with APWA cleanup standards.
(Prior Code, § 6.3.60) Penalty, see § 152.99

## § 152.09 TRAFFIC CONTROL PLANS.

(A) Any construction, maintenance or activity affecting the public right-of-way shall require a traffic control plan (TCP) prepared in accordance with the most current edition of the Manual on Uniform Traffic Control Devices (MUTCD).

(B) The TCP shall be approved by the Director of Roads prior to work commencement. All required signs, barricades and devices must be maintained on-site during work.

(C) Failure to maintain a compliant TCP may result in immediate suspension of work.
(Prior Code, § 6.3.65)

## § 152.10 POLES, POSTS AND FENCES.

(A) *Violations deemed obstructions*.

(1) The Director of Roads or Town Engineer shall treat any post, pole, fence or similar object set or placed in violation of this section as an obstruction to the public right-of-way under § 152.08.

(2) Such violations shall be subject to enforcement and abatement as provided in § 152.08.

(B) *Location restrictions*. No person shall set, place, maintain or allow any post, pole, fence or similar obstruction along or within the right-of-way of any public road, avenue, lane, alley, trail or sidewalk in the town, except as expressly permitted under this section.

(C) *Utility pole placement*.

(1) No person shall set or install any utility pole on a public road in the town unless the installation complies with APWA utility pole specifications as adopted by the Town Council.

(2) Utility poles shall maintain required lateral and vertical clearances from traveled ways as established by the Town Engineer.

(3) The Director of Roads or Town Engineer shall provide such specifications upon request.

(D) *Right-of-way permit required.* No telephone, telegraph, electric or communication pole intended to carry wires or conduct current may be installed within a public road right-of-way without prior approval or the granting of a right-of-way permit by the Town Council.

(E) *Mailboxes.*

(1) All mailboxes shall conform to United States Postal Service (USPS) standards and shall:

(a) Be installed at a height of 41 to 45 inches above the surface of the roadway; and

(b) Be located six to eight inches from the face of the curb or edge of the pavement.

(2) Mailboxes must be installed in accordance with APWA subgrade preparation standards and in a manner that does not obstruct the traveled way, drainage or compromise sight visibility and shall be maintained in good repair by the property owner

(F) *Signage restrictions.*

(1) No signs shall be placed within the right-of-way of any town road or highway unless the sign is an official traffic control or regulatory sign authorized by the town or other public authority.

(2) Any unauthorized sign, display or device located within the right-of-way is hereby declared a public nuisance and may be removed by order of the Roads Director.

(G) *Fence line standards.*

(1) Fence posts or other permanent fencing materials may only be installed along a line not less than one-half of the surveyed and platted right-of-way width measured from the centerline of the road.

(2) No public highway in the town shall be deemed to have a right-of-way width less than 55 feet, except where an alternative width is expressly documented by a recorded plat or deed.

(H) *Sight distance triangle at intersections.*

(1) At any intersection involving a public street, driveway or roadway:

(a) No fence, wall, berm, structure or vegetation exceeding three feet in height above grade shall be placed within a sight distance triangle measured 30 feet along each intersecting roadway from the point of intersection, or otherwise determined by the Town Engineer based on design speed criteria; and

(b) No object within this area shall block more than 20% of the field of vision as viewed from three and one-half feet above the centerline of the intersecting roadway.

(2) The purpose of this provision is to preserve adequate sight distance for motorists and pedestrians consistent with APWA planting standards and the American Association of State Highway and Transportation Officials (AASHTO) Geometric Design Standards for Intersection Sight Distance.

(I) *Reservation of town utility use.* Any grant, franchise or permission issued by the town for the placement of communication or electric utility poles within a public right-of-way shall be subject to the following reserved right, whether or not expressly stated in the grant.

(1) The town retains the right, whenever deemed necessary for the public good, to install or co-locate municipal facilities (including street lighting, traffic control or communication lines) within the same right-of-way or on existing poles where authorized under a joint-use or utility-occupancy agreement approved by the Town Engineer and consistent with APWA electrical utilities and National Electrical Safety Code (NESC) standards.

(2) Such town use shall be coordinated with the utility owner to avoid interference, ensure structural safety and comply with UDOT utility accommodation rules and APWA street lighting standards.

(3) Nothing in this section shall be construed as granting the town ownership rights or attachments without prior technical approval and agreement.
(Prior Code, § 6.3.70) Penalty, see § 152.99

## § 152.11 BRIDGES, DITCHES, WATER AND WATERWAYS.

(A) *Violations deemed obstructions.* The Director of Roads shall treat any unauthorized bridge, flume, pipe, ditch or similar structure as an obstruction and shall address the violation in accordance with § 152.08 and APWA storm drainage structures standards.

(B) *Location restrictions.* It is unlawful for any person to construct, place, install or maintain any bridge, culvert, storm drain, sewer, irrigation ditch, well, spillway or similar structure upon, in, under or along any public road, street, avenue, lane, alley, trail or sidewalk within the town without prior approval as set forth in this section.

(C) *Bridge approval.*

(1) All proposed bridges over public rights-of-way shall be designed and constructed in accordance with APWA and UDOT standards and submitted to the Town Council for review and approval.

(2) The Council may approve, deny or condition such proposals based on review from the Town Engineer of hydraulic, structural and geotechnical plans to ensure that such work does not impair public safety, roadway stability or drainage capacity.

(D) *Septic system location.*

(1) Septic systems must be designed, permitted and installed in accordance with specifications adopted by the County Health Department or other applicable regulatory agencies.

(2) Septic systems shall also comply with APWA utility coordination and installation standards to ensure proper separation from public utilities and to prevent interference with roadway drainage, structures or right-of-way improvements.

(3) No septic component, including tanks, drain fields or connecting laterals, may encroach into the public right-of-way or utility easement.

(E) *Ditches and waterways.*

(1) Any ditch, canal or waterway proposed to cross, run over or pass under any public sidewalk, street or right-of-way shall:

(a) Be subject to prior approval by both the Town Council and the Fairfield Irrigation Company; and

(b) Be designed, permitted and constructed under the supervision and direction of the Town Engineer and the Director of Roads in accordance with APWA storm drainage structures, storm drain piping and erosion and sediment control standards.

(2) All installations shall comply with the UDOT utility accommodation rules and shall be designed to prevent obstruction of drainage or damage to roadway structures.

(F) *Headgates.*

(1) The placement, adjustment or replacement of headgates used to control irrigation or other water flows shall be carried out under the direction of the Fairfield Irrigation Company and subject to review and approval by the Town Engineer when located within or adjacent to a public right-of-way.

(2) All headgates, structures and associated piping or channels shall be designed and installed in accordance with APWA storm drainage structures, storm drain piping and erosion and sediment control guidelines and shall comply with UDOT utility accommodation rules.

(3) No headgate or irrigation control structure may be placed within a public right-of-way without compliance with this provision.

(G) *Water mains*.

(1) Water mains may be installed across or along any public road only upon issuance of a permit and approval by the Town Engineer and Town Council.

(2) All water mains shall:

(a) Be laid at a sufficient depth to protect the integrity of the roadway;

(b) Be located in accordance with the APWA and the town's adopted design standards and specifications; and

(c) Be installed and inspected under the supervision of the Town Engineer or Director of Roads.

(3) Design and installation requirements are as follows.

(a) Minimum cover shall meet depth standards, typically 30 inches minimum and 72 inches maximum from finished grade to the top of pipe, unless otherwise approved by the Town Engineer.

(b) Trenching, bedding and backfill shall conform to APWA excavation and fill plans and standards.

(c) Provide thrust blocks or joint restraints per APWA plans and standards.

(d) Disinfection and pressure testing shall be performed in accordance with APWA commissioning and utilities guidelines.

(4) No person shall excavate in any public road for the purpose of laying water mains or pipes without first obtaining a right-of-way excavation permit from the town. Roadway surfaces shall be restored per APWA plans.

(H) *Water discharge onto roads prohibited.*

(1) It is unlawful for any person to allow water from any ditch, stream, well, storm drain or irrigation system to discharge or flow onto any public road, sidewalk or right-of-way in a manner that:

(a) Damages or undermines the road surface, shoulder or subgrade;

(b) Interferes with vehicular or pedestrian use of the roadway; or

(c) Causes standing water, icing or pooling that poses a nuisance or safety hazard to the public.

(2) All water discharges shall be managed in compliance with APWA temporary controls and storm drainage systems standards which require proper surface water control and disposal to prevent damage to roadways and adjacent properties.
(Prior Code, § 6.3.80) Penalty, see § 152.99

## § 152.12 INSURANCE, INDEMNIFICATION AND BONDS.

(A) Before a right-of-way or excavation permit is issued, the applicant shall provide:

(1) Proof of general liability insurance naming the town as an additional insured in amounts specified by town resolution;

(2) A signed hold-harmless agreement indemnifying the town from any claims arising from the permitted activity;

(3) A performance bond equal to 110% of the approved cost estimate; and

(4) A maintenance bond (20%) valid for two years following final acceptance.

(B) Failure to maintain insurance or bonds shall be grounds for immediate revocation of the permit.
(Prior Code, § 6.3.85)

## § 152.13 LIMITATIONS ON USE OF VEHICLES.

(A) *Prohibition of road-damaging vehicles.*

(1) Any person who drives, operates or moves a vehicle or object upon any town road, street or structure in a manner that causes damage shall be held liable for the cost of repairs.

(2) If the operator of the vehicle or object is not the owner but is acting with the owner's express or implied permission, both the operator and the owner shall be jointly and severally liable for any damage sustained.

(3) Damages may be recovered by the town through a civil action in accordance with APWA pavement performance and maintenance standards.

(4) It is unlawful to operate any vehicle on or across a town road if the vehicle has wheels with lugs, flanges, cleats, ridges, bolts or any metal or wood projection extending beyond the tread or surface of the tire, unless protective measures are taken to prevent road damage. Acceptable protection includes:

(a) The placement of solid planks or other suitable materials on the road surface; or

(b) The use of wheel attachments designed to prevent damage.

(5) Exceptions to this division (A) include:

(a) Tractors or tractor engines equipped with caterpillar treads that do not contain projections likely to damage road surfaces; and

(b) The use of tire chains of reasonable proportions for safety purposes during conditions involving snow, ice or similar hazards that may cause skidding or loss of control.

(B) *Road repairs and liability*.

(1) Any person, company or corporation responsible for damaging a town road or right-of-way shall immediately repair the injury at their own expense.

(2) All repairs shall be completed under the supervision and to the satisfaction of the Town Engineer or Director of Roads and in accordance with APWA asphalt pavement repair and excavation and fill standards.

(C) *Vehicle weight limits*.

(1) The following weight limits are hereby established for all roads classified as "local" within the incorporated limits of the town:

(a) Maximum axle weight: four tons per axle; and

(b) Maximum gross vehicle weight: 18 tons per vehicle.

(2) Temporary permits authorizing higher weight limits may be granted on a case-by-case basis by the Director of Roads or the Town Council, provided that the applicant demonstrates compliance with AASHTO design load standards and UDOT overweight permit criteria.

(3) All applicable permit fees shall be established by resolution of the Town Council and referenced in the official Town Fee Schedule.
(Prior Code, § 6.3.90) Penalty, see § 152.99

## § 152.14 STREET CUTS AND DEGRADATION FEES.

(A) Streets resurfaced or reconstructed within the past five years shall not be cut except in emergency situations approved by the Director of Roads.

(B) When cuts are authorized, a pavement degradation fee shall be assessed based on the current Town Fee Schedule.

(C) All restored surfaces shall meet town standard pavement section requirements and be subject to a two-year warranty.
(Prior Code, § 6.3.95)

## § 152.15 OFFICIAL MAPS.

(A) *Adoption of official maps.*

(1) The town may, from time to time and in accordance with U.C.A. § 10-9a-407 et seq., adopt an official map depicting the location and alignment of all existing public streets within the town.

(2) Such official maps shall be prepared in accordance with APWA submittal procedures and the AASHTO Policy on Geometric Design of Highways and Streets, and may also include the location of streets shown on subdivision plats that have been reviewed and approved by the Town Planning Commission.

(B) *Amendments to the official map.*

(1) The town may add to or modify the official map by including the accurate, surveyed location of:

(a) Proposed new streets;

(b) Extensions or realignments of existing streets;

(c) Street widenings or narrowings; or

(d) Street vacations or abandonments.

(2) No addition or modification to the official map shall be made unless:

(a) The proposed change has been accurately surveyed and definitively located in accordance with APWA measurement and payment and UDOT CADD/GIS standards; and

(b) A public hearing has been held by the town to receive input on the proposed change.

(3) The inclusion of any street or proposed street on the official map shall not, by itself, constitute or be deemed to constitute the legal opening, dedication, acceptance or establishment of such street by the town.

(C) *Updates to the master road plan.*

(1) The Planning Commission shall update the town's master road plan upon the dedication of any new road or roads.

(2) Updates shall reflect changes approved through subdivision or development processes and shall be incorporated into future planning and mapping efforts consistent with APWA submittal procedures and the town's adopted design standards.
(Prior Code, § 6.3.100)

## § 152.16 TEMPORARY RIGHT-OF-WAY OCCUPANCY.

(A) Temporary use of the public right-of-way for dumpsters, construction trailers, storage containers, scaffolding or similar purposes shall require a right-of-way occupancy permit.

(B) Occupancy permits shall be issued for a defined duration and location and shall carry daily fees as set forth in the Town Fee Schedule.

(C) The permittee shall maintain clear pedestrian and vehicle access and restore all affected surfaces upon completion.
(Prior Code, § 6.3.105)

## § 152.17 WINTER SNOW REMOVAL.

(A) *Snow removal from public roads.*

(1) The town shall be responsible for snow removal on all public roads within the town's jurisdiction.

(2) Snow removal operations shall be carried out by the Town Road Department under the direction of the Director of Roads and in accordance with an officially adopted snow and ice control operation plan, prepared consistent with APWA roadway maintenance guidelines and the AASHTO Maintenance Manual for Roadways and Bridges.

(3) Snow shall be cleared from travel lanes and stored in locations that do not obstruct drainage ditches, culverts, channels, flowlines or borrow pits, as conditions allow and consistent with APWA storm drainage structures and temporary controls standards.

(4) Priority shall be given to the following areas, in order of importance:

(a) Access routes to public facilities (Town Hall, emergency services, schools);

(b) Roads serving major residential developments with high-volume traffic; and

(c) Higher-intensity residential and commercial areas.

(5) Use of deicing materials shall follow best management practices established by APWA and State Department of Environmental Quality (DEQ) to minimize environmental impacts and protect water quality.

(B) *Snow removal from private driveways and approaches.*

(1) Property owners are responsible for removing snow and ice from the following areas:

(a) Private driveways and access approaches;

(b) Sidewalks and footpaths adjacent to their property; and

(c) Areas around mailboxes and garbage collection containers.

(2) Snow cleared from private properties shall not be pushed onto or across any town road, gutter or right-of-way.

(3) Snow shall be stored on the same side of the street as the originating driveway or approach, in a manner that does not obstruct traffic or create a hazardous condition.

(4) Property owners are responsible for ensuring that foot traffic areas remain free of snow and ice to prevent slips, falls or obstructed pedestrian access.

(C) *Parking restrictions during snow events.*

(1) It is unlawful for any person to park or allow any motor vehicle to remain parked on any town street during periods of active snow accumulation or removal operations, to allow unobstructed access for snow plowing equipment and emergency vehicles.

(2) This restriction remains in effect during and immediately after a snowstorm until the town has determined snow removal operations are complete.

(D) *Parking enforcement and towing authority.*

(1) The County Sheriff's Office, serving as the town's law enforcement authority, is authorized to issue citations or cause the removal (towing) of any vehicle parked in violation of division (C)(2) above.

(2) This includes:

(a) Motor vehicles;

(b) Trailers or non-road vehicles;

(c) Non-motorized vehicles; and

(d) Junk or abandoned vehicles.

(3) The registered owner of any vehicle towed under this section shall be responsible for all associated towing and storage fees.

(E) *Damage or obstruction liability.* Any person whose actions interfere with or damage town snow removal operations, including plowing, salting or sanding, shall be liable for the cost of repairs or cleanup under APWA surface cleaning guidelines.
(Prior Code, § 6.3.110) Penalty, see § 152.99

## § 152.18 PROPERTY ACQUISITION AND MANAGEMENT.

(A) *"Road purposes" defined.* For the purpose of this chapter, ***ROAD PURPOSES*** shall include, but is not limited to, the following:

(1) The establishment, acquisition and use of rights-of-way, including those required for state or county roads within the town;

(2) The construction, reconstruction, relocation, improvement and maintenance of all town roads, streets, roadways and related facilities under the town's jurisdiction;

(3) The development and management of limited-access facilities, including the regulation of access rights, air rights, light, view, frontage and service roads consistent with AASHTO Geometric Design Standards;

(4) The installation and maintenance of drainage systems associated with roads, including culverts, cuts, fills, channel changes and associated improvements in accordance with APWA storm drainage structures standards;

(5) The acquisition and use of road material sites, including sites used for the manufacture of road materials and necessary access routes thereto;

(6) The preservation of clear sightlines and unobstructed views along roadways and intersections consistent with APWA planting and sight distance standards to ensure the safety of the traveling public;

(7) The installation and maintenance of traffic control devices, signage, fences, curbs, barriers, lighting and related infrastructure in accordance with APWA street construction and the MUTCD standards for the convenience and safety of road users;

(8) The construction and maintenance of storm sewers, sidewalks, trails and roadway illumination systems;

(9) The construction and maintenance of livestock crossings or roads, where applicable; and

(10) The establishment and maintenance of roadside rest areas adjacent to or in the vicinity of public roads.

(B) *Property contributions for road purposes.*

(1) The Town Council is authorized to accept contributions of real or personal property for the purpose of establishing, maintaining or improving town roads.

(2) Such contributions may be accepted by gift, bequest, grant or donation subject to APWA submittal procedures for record documentation.

(C) *Public use constitutes dedication.*

(1) A road or right-of-way shall be deemed dedicated and abandoned to public use if it has been continuously used by the public as a thoroughfare for a period of ten years or more.

(2) Such use shall be presumed to create a public right-of-way under U.C.A. § 72-5-104 or applicable common law.

(D) *Acquisition and disposition of road property.*

(1) The Town Council is authorized to acquire real property or interests in real property for road purposes by gift, agreement, exchange, purchase, condemnation or other lawful means consistent with the UDOT Right-of-Way Manual and APWA project coordination standards.

(2) Such acquisition may be for temporary, present or reasonably foreseeable future use in connection with public roads.

(3) If the Town Council determines that any property acquired for road purposes is no longer needed, the town may dispose of such property by lease, sale, exchange or other lawful disposition.

(E) *Dedication of roads for public use.*

(1) Roads or streets proposed for dedication to the town must extend the full length of the property's frontage.

(2) For properties located on corners, dedication shall be required along all public-facing sides.

(3) The size and classification of the road dedication shall be based on the following criteria:

(a) The volume of traffic generated by the proposed development;

(b) The anticipated impact of such traffic on adjacent streets and the surrounding community;

(c) The minimum roadway standards applicable to the zoning district in which the property is located;

(d) Projected traffic flow patterns;

(e) Existing adjacent streets and connections; and

(f) Functional classification per AASHTO and APWA design criteria.

(4) All dedications shall comply with APWA measurement and payment and submittal procedures standards to ensure accurate survey and mapping requirements.

(F) *Prescriptive easement dedications*.

(1) Where a prescriptive easement or right-of-way wholly or partially exists on a property, the full width of the easement up to the property boundary shall be dedicated to the town.

(2) In certain circumstances, dedication of the entire width of the existing street or road may be required.

(3) Where applicable, developers may be eligible for impact fee offsets or credits related to the value of the land or improvements dedicated under this section.

(4) Dedications shall be documented and recorded per APWA and accepted by formal Town Council action.
(Prior Code, § 6.3.120)

## § 152.19 VACATION OF PUBLIC STREET OR RIGHT-OF-WAY.

(A) *General procedure*.

(1) All petitions to vacate a public street, right-of-way or public easement shall comply with U.C.A. § 10-9a-609.5 and applicable provisions of the UDOT Right-of-Way Manual.

(2) The proposed vacation shall be reviewed and recommended by the Planning Commission and shall require a public hearing and approval by the Town Council.

(3) No street, right-of-way or easement shall be vacated except by ordinance adopted by the Town Council, prepared and recorded in accordance with APWA submittal procedures.

(B) *Application requirements*.

(1) Each petition shall be submitted using the official application form provided by the Town Recorder/Clerk and shall include the fee established by resolution of the Town Council.

(2) The application shall include the following:

(a) A written narrative explaining the reason(s) for the proposed vacation;

(b) A detailed surveyed exhibit of the area to be vacated prepared in accordance with APWA measurement and payment guidelines, showing:

1. A north arrow;

2. All adjacent streets, buildings and structures;

3. The acreage, bearings-and-distance description and surveyed boundary of the area to be vacated; and

4. Adjacent properties and names and addresses of all property owners;

(c) A petition signed by the owners of record of all properties:

1. Adjacent to or relying on the public street, right-of-way or easement; or

2. Accessed exclusively by or within 300 feet of the public street or easement.

(d) Proof of written notice to all affected utility providers and culinary water or sanitary sewer operators with facilities located within the area to be vacated in accordance with APWA utility coordination criteria.

(C) *Application submittal procedures*.

(1) Applicants shall contact the Town Recorder/Clerk prior to submitting an application.

(2) All required documents shall be submitted electronically via the town's website, including:

(a) Completed application form and narrative;

(b) Supporting maps or exhibits; and

(c) If applicable, a petition signed by affected property owners for plat amendments.

(3) The applicant shall provide:

(a) A verified mailing list; and

(b) Stamped and addressed #10 envelopes for all affected property owners identified under division (B)(2)(c) above.

(D) *Review and approval process*.

(1) The Planning Commission shall:

(a) Conduct a public meeting following departmental review;

(b) Determine whether good cause exists for the vacation and whether any person or the public will be materially injured; and

(c) Forward a recommendation to the Town Council based on its findings.

(2) Upon receiving a recommendation, the Town Council shall:

(a) Schedule and provide notice of a public hearing pursuant to U.C.A. § 10-9a-208; and

(b) Hold a public hearing to determine whether to approve the vacation.

(3) The Town Council may approve the vacation by ordinance if it finds the following:

(a) The right-of-way is unnecessary for present or future public use;

(b) The vacation is consistent with the town's general plan, master road plan and APWA roadway continuity standards;

(c) The vacation benefits the public more than if the right-of-way remained;

(d) Adequate consideration has been offered, which may include non-monetary contributions, as determined by the Town Council; and

(e) The vacation will not impair the function or viability of adjacent rights-of-way or public service easements consistent with APWA storm drainage structures guidelines.

(4) The Town Council may impose conditions, including, but not limited to:

(a) Payment of compensation;

(b) Execution of indemnification agreements;

(c) Ongoing maintenance responsibility for the vacated area; and

(d) Retention of certain defined reservations and easements.

(E) *Recording and effect of vacation.*

(1) If the Town Council approves a vacation ordinance, it shall ensure that either:

(a) A plat showing the vacated area is recorded with the County Recorder; or

(b) The ordinance itself is recorded per APWA rules.

(2) Upon recording, the ordinance shall:

(a) Revoke public acceptance and relinquish the town's fee interest in the vacated area;

(b) Not impair any private right-of-way or easement or any public utility franchise rights; and

(c) Reference all coordinate data and survey control points consistent with APWA standards.

(F) *Effective period of approval.*

(1) Approval of a street vacation shall remain valid for a period of one year from the date of Town Council approval.

(2) If the vacation is not recorded with the County Recorder within that period, the approval shall become void and a new application must be submitted in compliance with the current Town Code and general plan.

(G) *Effective date of ordinance*. This section shall take effect upon adoption and publication or posting in accordance with state law by the Town Council.
(Prior Code, § 6.3.125)

## § 152.20 ROAD CLASSIFICATIONS.

(A) *Purpose*. A roadway classification system for all streets and roads within the corporate limits of the town is hereby established. This classification system is intended to organize the town's roadways by function, traffic volume and level of access, and shall be used in connection with UDOT's Roadway Design Manual, AASHTO, APWA standards and the regulation of roadway widths, construction standards, access management, parking restrictions and placement of traffic control devices. All streets and roads shall be categorized for purposes, including, but not limited to:

(1) Parking controls;

(2) Through street designations;

(3) Stop and yield intersections; and

(4) Other regulations governing traffic movement. (Reference: U.C.A. § 11-326.)

(B) *Minimum right-of-way width*.

(1) All public roads in the town shall maintain a minimum public right-of-way width of 60 feet for local and collector streets, unless otherwise approved by the Town Council based on engineering justification, topography and established historical conditions.

(2) A ten-foot utility easement shall be required along both sides of the right-of-way unless otherwise designated by the Town Council or elsewhere in this code.

(3) Any exceptions to these minimums must be approved by the Town Council and clearly justified based on topography, historical use or planning context.

(4) These requirements are intended to ensure adequate space for roadway improvements, utilities, drainage, landscaping, pedestrian access and emergency access consistent with APWA guidelines.

(C) *Types of roads.*

| *Classifications* | *Right-of-Way* | *Surface Width* | *Easements* | *Access Spacing Driveway* | *Snow removal* | *Weight limits* |
|---|---|---|---|---|---|---|
| Expressways | 120 feet | Variable | 10 feet both sides | 1000 | 24 hrs. 4 inches | NA |
| Local collectors | 60-66 feet | 28-34 feet | 10 feet both sides | 200 | 12 hrs. 4 inches | 4-ton per axle with a weight limit of 18 tons per vehicle |
| Local streets | 60 feet | 24-28 feet | 10 feet both sides | 50 Agriculture is exempt | 24 hrs. 4 inches | 4-ton per axle with a weight limit of 18 tons per vehicle |
| Major collector | 66-70 feet | 34-40 feet | 10 feet both sides | 330 | 24 hrs. 4 inches | NA |
| Major arterial | 80-100 feet | 48-60 feet | 10 feet both sides | 500 | 24 hrs. 4 inches | NA |
| Minor arterial | 70-80 feet | 40-48 feet | 10 feet both sides | 330 | 24 hrs. 4 inches | NA |
| Partial roads minimum local road only | 27.5 feet | 27.5 feet | 10 feet on one side | 50 | 24 hrs. 4 inches | 4-ton per axle with a weight limit of 18 tons per vehicle |
| Principal arterial | 100-120 feet | 64-84 feet | 10 feet both sides | 500 | 24 hrs. 4 inches | NA |
| Rural roads | 56 feet | 24 feet | 10 feet both sides | 50 | 48 hrs. 6 inches | NA |
| ***Notes to Table:*** | | | | | | |
| ADT = Average Daily Traffic, defined as the average number of vehicles passing a specific point in a 24-hour period, if the roadway allows for two-way traffic ADT includes vehicles traveling in both directions | | | | | | |

(1) Pavement widths assume two travel lanes (ten to 12 feet each) plus shoulders and parking lanes as applicable.

(2) Pavement structure shall comply with APWA asphalt paving standards and minimum four-inch compacted asphalt over eight-inch base course unless otherwise specified by the Town Engineer.

(D) *Roadway type descriptions*.

(1) *Local streets*. Local streets provide direct access to adjacent properties with very limited traffic capacity.

(a) Intended for low traffic volumes (typically fewer than 1,500 average daily trips (ADT)).

(b) Designed for low speeds and to serve residential areas.

(c) Direct driveway access is permitted.

(2) *Local collectors*. Local collectors connect local streets to higher-order roads and manage internal neighborhood circulation.

(a) Intended for moderate traffic volumes (generally 2,500–5,000 ADT).

(b) Should avoid direct access to single-family residential properties when feasible.

(c) Provide a transition between local streets and the arterial network.

(3) *Major collectors*. Major collectors provide traffic service to residential, institutional and low-intensity commercial uses.

(a) Typical traffic volumes are less than 10,000 ADT.

(b) Provide a balance between access and mobility.

(c) Direct access to nonresidential properties is common; access to residential parcels should be limited.

(4) *Minor arterials*. Minor arterials support travel between activity centers and accommodate moderate-length trips.

(a) Typical traffic volumes range from 10,000 to 25,000 ADT.

(b) Serve business parks, retail centers and community institutions.

(c) Allow limited access, with priority given to traffic movement over driveway connections.

(5) *Major arterials*. Major arterials serve as primary high-volume roads connecting major destinations, and:

(a) Support traffic volumes greater than 20,000 ADT;

(b) Provide connections to expressways or freeways; and

(c) High-speed travel is prioritized; property access is secondary and limited.

(6) *Expressways*. Expressways serve long-distance, high-speed travel and are managed by the State Department of Transportation (UDOT).

(a) Trip lengths typically exceed five miles.

(b) Traffic volumes may exceed 100,000 ADT.

(c) Property access is not permitted from expressways.

(7) *Partial roads*. Partial roads are interim half-width improvements permitted under limited conditions:

(a) Require 28 feet of improved width on one side of a full right-of-way;

(b) Unpaved surfaces require Fire Marshal approval;

(c) Adequate stormwater control is required per APWA guidelines;

(d) Improvements must be constructed entirely on the developer's property; and

(e) The Town Council may approve partial roads under the following conditions:

1. The Planning Commission recommends approval;

2. The road runs along a shared property boundary;

3. The road is temporary in nature and will be vacated in the future;

4. The cost of full-width construction imposes an unreasonable burden; and

5. Other reasonable conditions justify an exception.

(8) *Rural roads*. Unpaved roads serving parcels five acres or larger:

(a) Require Fire Marshal approval for emergency access;

(b) Intended for low-density areas with limited development; and

(c) Minimum improved width required is 24 feet, with six-inch compacted gravel surface per APWA standards.

(9) *Commercial Zone roads*. All roads within commercial zoning districts must meet a minimum right-of-way width of 66 feet to 30 feet paved width, designed per APWA and AASHTO commercial-turning standards.

(10) *Phantom roads*. Phantom roads are rights-of-way platted on the original town map but remain unimproved.

(a) These rights-of-way remain under town ownership.

(b) The town may activate and improve such roads at its discretion consistent with the master road plan and general plan.

(11) *Private roads*. Private roads may be permitted with Town Council approval under the following conditions.

(a) *Access and design*.

1. Properties must be accessed from a public road that meets all APWA public safety standards.

2. Private roads must meet applicable APWA standards for commercial or HOA use.

3. Commercial drives used as private roads must have a minimum 24-foot paved surface.

(b) *Maintenance and responsibility*.

1. The applicant must provide documentation showing a permanent easement, a perpetual maintenance agreement and funding plan.

2. No public improvements shall be installed or maintained by the town on private roads.

3. Fire Department approval is required, including turnaround compliance.

(c) *Restrictions on use.*

1. Private roads may only serve commercial or HOA developments, not individual residential or agricultural properties.

2. The maximum length of a private road is 1,500 linear feet.

3. Private driveways longer than 150 feet must include a turnaround approved by the Fire Chief.

(d) *Homeowner Associations (HOAs).*

1. HOAs or similar entities must be legally responsible for the perpetual maintenance of private access tracts.

2. HOA covenants assigning road maintenance responsibilities must be approved by the Town Council and may not be amended without Council approval.

3. The final plat shall include a notice stating that the road is private and not eligible for dedication to the town.

(e) *Naming of private drives.*

1. Private driveways may be named for addressing purposes if: the driveway exceeds 400 feet in length from the public road; or the residence is not visible from the public street.

2. Named private drives shall not count toward minimum frontage requirements for building permits.

3. All street names, including private road names, require Town Council approval.

(E) *Design and access management standards.*

(1) Access spacing and intersection design shall comply with the AASHTO Green Book and the UDOT Access Management Manual.

(2) Minimum driveway spacing should be:

(a) Local: 50 feet;

(b) Collector: 200 feet;

(c) Minor arterial: 330 feet; and

(d) Major arterial: 500 feet.

(3) Each road classification shall be designed with cross-sections, turning radii and pavement structures consistent with APWA and UDOT small-urban standards.

(4) Deviations may be approved by the Town Engineer only where physical constraints or rural context warrant modification.
(Prior Code, § 6.3.150)

## § 152.21 GENERAL STANDARDS.

(A) *Road development guidelines*. Development of new roads within the town shall comply with the following standards.

(1) All new roads and crossroads located within or adjacent to a proposed subdivision shall conform to the town's master road plan and the AASHTO Green Book functional classification system.

(2) Wherever feasible, new roads shall be located along shared property lines when both adjoining properties stand to benefit from such improvement in accordance with APWA street construction standards.

(3) (a) The alignment and width of all through streets shall be preserved, except where unusual topographical or environmental conditions, verified by the Town Engineer, justify a deviation.

(b) Where the Planning Commission determines it is necessary to promote an orderly street system, proposed roads shall be extended by dedication to the boundary of adjoining undeveloped property.

(4) When a large subdivision abuts a major thoroughfare, arterial or state highway, the Planning Commission may require the inclusion of marginal access roads in the street layout consistent with AASHTO Access Management Guidelines.

(5) Road width shall be measured from lot line to lot line. Minimum width standards shall follow the town's master road plan and APWA design standards, unless otherwise approved by the Town Council.

(6) Any access to State Road 73 or other state facilities shall be subject to the regulations and permitting standards of the State Department of Transportation (UDOT) Access Management Manual and require a UDOT encroachment permit.

(B) *Construction requirements for developers*.

(1) Any developer or applicant for a building permit within an undeveloped or unimproved area shall construct road improvements from an existing improved street to the full extent of the developer's property boundary.

(2) Roadway construction shall meet current town and APWA standard specifications. All construction shall be inspected and accepted by the Town Engineer prior to plat recordation or certificate of occupancy.

(C) *Emergency access standards*. All roads and driveways shall comply with the minimum design standards for emergency vehicle access per the International Fire Code and APWA standards, as reviewed and approved by the Fire Marshal or designee. Minimum turning radius for fire apparatus should be 50 feet inner/60 feet outer diameter paved. Road grades shall not exceed 10% without Fire Marshal or designee approval.

(D) *Cost recovery for road extensions*.

(1) If a road extension benefits properties adjacent to or beyond the developer's frontage, the town may authorize a master development agreement (MDA) to define reimbursement provisions consistent with U.C.A. § 10-9a-610.

(2) The MDA shall be executed prior to the start of construction and shall include:

(a) Identification of any excess capacity created by the improvement;

(b) A cost-sharing formula for prorated reimbursement to the developer; and

(c) Terms for reimbursement triggered by future service connections by third-party property owners.

(3) The town shall track reimbursements for a period determined by the Town Council or until full recovery of prorated costs is achieved.

(4) All reimbursements shall be contingent on actual collection from benefited property owners and shall expire upon the term set in the MDA or town policy.

(E) *Cul-de-sacs and turnarounds.*

(1) Permanent cul-de-sacs are not permitted in the town.

(2) Temporary turnarounds shall be required on all roads that extend more than one lot from an intersection.

(a) Turnarounds shall be designed with a diameter of 60 feet, recorded as easements on the final plat and designed with APWA cross-section requirements.

(b) Temporary turnarounds shall comply with town road standards unless otherwise approved by the Town Council.

(c) Final design and approval shall be obtained from the Fire Chief or designated representative.

(F) *Motor vehicle access standards.* All lots and parcels with frontage on a public street shall comply with the following access control standards.

(1) A maximum of two driveway connections shall be permitted per lot along any single street frontage.

(2) Driveways shall be no closer than 20 feet from one another.

(3) Driveways shall not exceed 30 feet in width at the point of connection to the public street, measured at a right angle to the centerline of the driveway.

(4) On corner lots or on curves with a centerline radius of 45 feet or less, no driveway shall be located within 50 feet of the point of intersection of the lot lines (or point of intersection of inside tangent lines at the curve) per AASHTO standards.

(5) All driveway locations and spacing along state routes shall comply with the UDOT Access Management Manual and be approved by UDOT prior to permit issuance.

(6) Driveway approaches shall be constructed per APWA standard drawings and curb and getter series and shall maintain ADA-compliant pedestrian cross-slopes.

(G) *Driveway approaches.* All driveway approaches or connections to a town road shall require approval from the Planning Commission during site plan approval. Driveway widths, slopes and materials shall conform to town standards and shall not conflict with drainage, utilities or pedestrian access.
(Prior Code, § 6.3.160)

## § 152.22 AS-BUILT DRAWINGS AND CLOSE-OUT.

(A) Upon completion of any approved road or utility work, the permittee shall submit as-built drawings in PDF and digital (GIS) format showing the final locations, depths and materials used.

(B) Compaction and density testing results must accompany the submittal.

(C) No bonds shall be released until the as-built documentation has been approved by the Director of Roads.
(Prior Code, § 6.3.165)

## § 152.23 ENFORCEMENT.

(A) *Authority for enforcement.*

(1) The County Sheriff's Department, acting as the town's designated law enforcement agency, is authorized to:

(a) Issue citations for violations of this chapter;

(b) Tow or cause to be towed, by a licensed commercial towing service, any junk vehicles, non-motorized vehicles, non-roadworthy vehicles or other objects or obstructions parked or placed in violation of this chapter in accordance with APWA protection and restoration of surfaces standards; and

(c) Take such actions when said vehicle or object obstructs or endangers the safe travel of vehicles or pedestrians on any town road.

(2) The registered owner of the towed vehicle or object shall be responsible for all towing, impound and associated fees.

(B) *Administrative enforcement.* The Director of Roads or designee shall ensure compliance with this chapter consistent with APWA project coordination and quality control standards through:

(1) Withholding of building, excavation and road access permits, or any other related approvals for noncompliant properties or applicants;

(2) Initiating enforcement actions through written correction or stop work orders documented under APWA submittal procedures, including referrals to legal counsel for prosecution or injunctions; and

(3) Requiring submission and review of necessary plans and performing site inspections, materials testing or record audits to verify compliance with applicable APWA standards.
(Prior Code, § 6.3.170)

## § 152.24 JUDICIAL REVIEW.

(A) *Legal action.*

(1) Any person or entity seeking to challenge a decision made by the Town Council, Planning Commission or any other official or governmental body acting under the authority of this chapter shall file such challenge in a court of competent jurisdiction in accordance with U.C.A. §§ 10-9a-801 to 10-9a-803.

(2) The legal action must be filed no later than 30 calendar days following the date of the final decision being challenged.

(3) Failure to timely file the legal challenge shall constitute a waiver of any claim or right to contest the decision.

(4) Filing of a petition does not automatically stay enforcement of the challenged decision unless ordered by the court.

(B) *Scope of review.*

(1) Judicial review shall be limited to the record of proceedings before the town and shall be governed by applicable provisions of state law, including U.C.A. Title 10, Chapter 9a (Municipal Land Use, Development and Management Act) and State Rules of Civil Procedure.

(2) The town shall compile the record for judicial review in accordance with APWA submittal procedures, including:

(a) All applications, plans and correspondence submitted by the applicant;

(b) Meeting minutes, staff reports and exhibits; and

(c) The final written findings, decisions or ordinances adopted by the town.

(3) The scope of review shall be deferential to factual findings and limited to determining whether the decision was arbitrary, capricious, illegal or procedurally defective under state law.

(C) *Record maintenance and certification.* The Town Recorder/Clerk and Director of Roads shall ensure that all records associated with actions under this chapter are maintained in a manner consistent with APWA project coordination standards and with GRAMA, being U.C.A. Title 63G, Chapter 2, Part 1, to facilitate timely certification of the record for court review.
(Prior Code, § 6.3.180)

## § 152.25 SEVERABILITY.

(A) If any section, division, sentence, clause, phrase or portion of this chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed severable under U.C.A. § 68-3-12.

(B) The invalidity or unenforceability of any portion shall not affect or impair the validity, application or enforceability of the remaining provisions of this chapter.

(C) All remaining portions shall remain in full force and effect, independent of the invalidated portion and shall be administered in a manner consistent with APWA project coordination standards, ensuring that ongoing projects, permits and administrative actions proceed without interruption unless specifically enjoined by court order.
(Prior Code, § 6.3.190)

## § 152.26 CONFLICT WITH OTHER LAND USE REGULATIONS.

(A) In the event of a conflict between the provisions of this chapter and any other provision of this code, including land use ordinances, subdivision or building regulations, the more stringent provision shall govern and apply.

(B) This rule of interpretation shall ensure that the highest standard for public safety, health, welfare and infrastructure design and development regulation is maintained consistent with APWA regulatory requirements.

(C) Where uncertainty exists as to which provision is more stringent, the determination shall be made by the Town Council upon recommendation from the Planning Commission or appropriate staff (i.e., Town Engineer) based on the following:

(1) The degree of public safety and engineering protection achieved;

(2) Compliance with U.C.A. § 10-9a-104; and

(3) Consistency with APWA specifications, UDOT design standards and adopted the town's master road plan.

(D) When a conflict arises between a technical specification (e.g., APWA design standards) and an administrative or zoning provision, the town shall apply APWA project coordination to reconcile the requirements, ensuring that both legal and engineering standards are satisfied to the maximum extent feasible.

(E) Where state or federal law establishes a higher minimum requirement than that contained in this chapter, the higher standard shall apply.
(Prior Code, § 6.3.200)

## § 152.99 PENALTY.

(A) (1) Any person, firm, corporation or other entity found to be in violation of any provision of this chapter shall be guilty of a Class B misdemeanor pursuant to U.C.A. § 10-3-703.

(2) The Town Attorney is authorized to initiate legal proceedings, which may include:

(a) Injunctive relief;

(b) Mandamus actions;

(c) Orders of abatement; or

(d) Other appropriate legal remedies necessary to obtain compliance or recovery of damages and restoration costs for town property.

(B) (1) The issuance of any permit, performance of inspections, approval of plans or any other official act under this chapter shall not be construed to impose liability upon the town or any of its officers, agents or employees for any damages resulting from:

(a) The construction, placement or maintenance of structures, facilities or private improvements;

(b) The use of any public or private road or rights-of-way; or

(c) Any act or omission by the permittee or third parties.

(2) Applicants and property owners are solely responsible for ensuring the safety, adequacy and legality of their improvements and activities within the town's rights-of-way or jurisdiction.

(3) These limitations are consistent with the State Governmental Immunity Act (U.C.A. §§ 63G-7-101 et seq.).
(Prior Code, § 6.3.170)

# CHAPTER 153: OUTDOOR LIGHTING STANDARDS

Section

153.01 Purpose
153.02 Definitions
153.03 Conformance with applicable codes
153.04 Conflict of regulations
153.05 Applicability
153.06 Outdoor lighting standards generally
153.07 Outdoor lighting standards by type
153.08 Prohibited lighting
153.09 Special uses
153.10 Exemptions and nonconforming lights
153.11 Plan submittal and evidence of compliance
153.12 Approved materials; methods of construction or installation/operation
153.13 Violations; notice; abatement
153.14 Tables, information sheets adopted by reference

153.99 Penalty
Appendix A: Examples of Acceptable/Unacceptable Lighting Fixtures

## § 153.01 PURPOSE.

It is the purpose and intent of this chapter to balance the goals of providing efficient and practical lighting for residents and business in the town, maintaining the town's rural character, minimizing light pollution that may interfere with the enjoyment, health, safety and welfare of town citizens and visitors, or with adjacent military activity, and reducing energy consumption.
(Prior Code, § 9.3.10)

## § 153.02 DEFINITIONS.

(A) (1) It is the intent of this section to more fully set forth the meaning of certain terms and phrases utilized within the zoning ordinance and in § 11.01 of this code in order to facilitate understanding of said terms and phrases in the sense intended by the Town Council.

(2) Words used in the present tense include the future tense; words in the single number include the plural number; words in the plural number include the singular. The words ***SHALL*** and ***WILL*** are mandatory, and ***MAY*** is permissive. Words not defined shall be given their common and ordinary meaning.

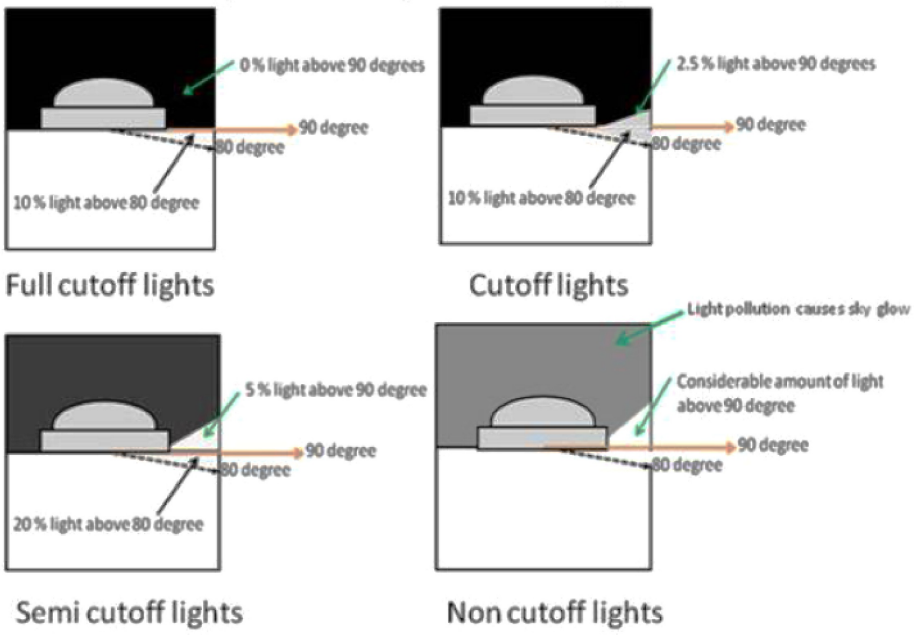
(B) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***DIRECT ILLUMINATION.*** Illumination resulting from light emitted directly from a lamp, luminary or reflector, and is not light diffused through translucent signs or reflected from other surfaces, such as the ground or building faces.

***DISPLAY LOT OR AREA.*** Outdoor areas where active nighttime sales activities occur and where accurate color perception of merchandise by customers is required. To qualify as a ***DISPLAY LOT***, one of the following specific uses must occur: automobile sales, boat sales, tractor sales, building supply sales, gardening or nursery sales and assembly lots. Uses not on this list may be approved as display lot uses by the Building Department.

***FOOT-CANDLE.*** One lumen per square foot; unit of illuminance. It is the luminous flux per unit area in the imperial system. One ***FOOT-CANDLE*** equals approximately one-tenth (0.093) lux.

***FULL CUTOFF LIGHT FIXTURE.*** Fixtures that are independently certified by the manufacturers and do not allow light to be emitted above the fixture, and the fixture reduces glare by limiting the light output to less than 10% at and below ten degrees below the horizontal.



***FULLY SHIELDED LIGHT FIXTURE.***

(a) A light fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

(b) The term ***FULL CUTOFF*** is often substituted for the term ***FULLY SHIELDED***. The terms are not equivalent. ***FULLY SHIELDED*** luminaries emit no direct uplight, but have no limitation on the intensity in the region between 80 degrees and 90 degrees.

***GLARE.*** The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort or loss in visual performance and visibility; blinding light. The magnitude of ***GLARE*** depends on such factors as the size, position and brightness of the source and on the brightness level to which the eyes are adapted.

***INSTALLED.*** A light fixture attached or fixed in place, whether or not connected to a power source, of any outdoor light fixture.

***LIGHT POLLUTION.*** Any adverse effect of human-made light.

***LIGHT TRESPASS.*** Light spill falling over property lines that illuminates adjacent grounds or buildings in an objectionable manner.

***LUMEN.*** A unit used to measure the actual amount of visible light which is produced by a lamp as specified by the manufacturer.

***LUMINARY.*** The complete lighting assembly, less the support assembly.

***MOTION-SENSING SECURITY LIGHTING.*** Any fixture designed, and properly adjusted, to illuminate an area around a residence or other building by means of switching on a lamp when motion is detected inside the area or perimeter and switching the lamp off when the detected motion ceases.

***NET ACREAGE.*** The remaining ground area of a parcel after deleting all portions for proposed and existing public rights-of-way and undeveloped areas.

***NIT.*** The standard unit of brightness for electronic and digital signage. It is a measure of the light being emitted by the sign, in contrast to foot-candles, which measure the brightness of the surface area or object that is being lighted.

***NONESSENTIAL COMMERCIAL EXTERIOR LIGHTING.*** Any signs, parking lot lighting, display lighting, exterior building lighting, directional lighting or landscape lighting that is primarily for aesthetic or advertising purposes and does not directly contribute to safety or security of the premises.

***OUTDOOR LIGHT FIXTURE.*** An outdoor illuminating device, outdoor lighting or reflective surface, lamp or similar device, permanently installed or portable, used for illumination, decoration or advertisement. Such devices shall include, but are not limited to, lights used for:

(a) Buildings and structures;

(b) Recreational areas;

(c) Parking lot lighting;

(d) Landscape lighting;

(e) Architectural lighting;

(f) Signs (advertising or other);

(g) Street lighting;

(h) Product display area lighting;

(i) Building overhangs and open canopies; and

(j) Security lighting.

***OUTDOOR RECREATION FACILITY.*** An area designed for active recreation, whether publicly or privately owned, including, but not limited to, parks, baseball diamonds, soccer and football fields, golf courses, tennis courts and swimming pools.

***PARTIALLY SHIELDED LIGHT FIXTURE.*** A fixture shielded in such a manner that not more than 10% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle above the horizontal, as determined by a photometric test or certified by the manufacturer. Luminaries mounted under canopies or other structures such that the surrounding structure effectively shields the light in the same manner are also considered ***PARTIALLY SHIELDED*** for the purposes of this code.

***SEASONAL DECORATIONS.*** Strings of holiday lights, uplighting or internally lit inflatable or plastic decorations, or other lighting of holiday or seasonal decorations.

***SECURITY LIGHTING.*** Lighting designed to illuminate a property or grounds for the purpose of visual security.

***UNSHIELDED FIXTURE.*** Any fixture that allows light to be emitted above the horizontal directly from the lamp or indirectly from the fixture or a reflector.

***UPLIGHTING.*** Lighting that is directed in such a manner as to shine light rays above the horizontal plane.

***WATT.*** The unit used to measure the electrical power consumption (not light output) of a lamp.
(Prior Code, § 9.3.20)

## § 153.03 CONFORMANCE WITH APPLICABLE CODES.

All outdoor lighting and lighting fixtures shall be installed in conformance with the provisions of this chapter and the applicable building codes currently in effect in the town.
(Prior Code, § 9.3.30)

## § 153.04 CONFLICT OF REGULATIONS.

Where any provision of federal, state, county or town statutes, codes or laws conflicts with any provision of this chapter, the most restrictive shall govern unless enforcement will result in a violation of the federal, state, county or town statutes, codes or laws.
(Prior Code, § 9.3.40)

## § 153.05 APPLICABILITY.

(A) *New lighting*. All outdoor lighting installed after the effective date of the ordinance codified in this chapter shall conform to the standards established in this chapter.

(B) *Existing lighting*. All lighting installed prior to the effective date of the ordinance codified in this chapter shall not be subject to the requirements of this chapter, except that any existing lighting that is directly impacted as part of a project that requires an application for a town site plan or building permit is required to be brought into conformance with this chapter. All lighting shall be upgraded to conform to this chapter prior to the issuance of a certificate of occupancy or final inspection.

(C) *Public roadways*. This chapter does not apply to lights owned or maintained by the town, state or federal government which are within any road rights-of-way or used for traffic or safety purposes.
(Prior Code, § 9.3.50)

## § 153.06 OUTDOOR LIGHTING STANDARDS GENERALLY.

(A) *Lamp and shielding*. All permanent light fixtures are required to be full cutoff fixtures, with the light source fully shielded for all uses and directed downward, including single-family and multi-family residential uses.

(B) *Low-pressure sodium lighting*. Due to their high energy efficiency, long life and spectral characteristics, low-pressure sodium (LPS) lamps are the preferred illumination source throughout the town. Their use is encouraged for outdoor illumination whenever it would not be detrimental to the use of the property.

(C) *Light trespass standard*. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the source. Particular care is to be taken to ensure that the direct illumination does not fall onto or across any public or private street or road. Motion-sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases.

(D) *Total outdoor light output standards*. Nonresidential total outdoor light output shall not exceed 100,000 lumens per net acre for all development except single-family residential uses. This cap is not intended to be achieved in all cases or as a design goal. Instead, design goals should be the lowest levels of lumens necessary to meet the lighting requirements of the site.

(E) *Total outdoor light output standards for single-family residential uses*. Outdoor lighting for single-family residential uses is not subject to a lumens per net acre cap, but is subject to the lamp fixture and shielding requirements.

(F) *Height*. Any lighting fixture attached to a structure shall be placed below the eave or parapet, whichever is lower. Different height restrictions may be imposed as a condition of approval by the Planning Commission or Town Council.

(G) *Commercial lighting time limitations*. All nonessential commercial exterior lighting shall only continue in operation until 11:00 p.m., or for as long as the business is open or area is in active use, and shall remain off until the business reopens or until daylight the following day.
(Prior Code, § 9.3.60)

## § 153.07 OUTDOOR LIGHTING STANDARDS BY TYPE.

(A) *Parking lot standards*. Parking lot lighting poles shall be sized in such a manner that the top of any fixture does not exceed 17 feet above the adjacent grade. Parking area lights are encouraged to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher in height and higher in light level. Low-pressure sodium (LPS) lamps are encouraged. Alternatively, in industrial areas, parking lot lighting poles may be allowed to a height of 30 feet above adjacent grade provided that full cutoff light fixtures with built-in motion sensors for each pole are used. Motion sensors must reduce the light level to 50% when no motion is detected for 30 minutes.

(B) *Luminare mounting height*. Freestanding luminaries within a residential zone, except street lights, shall be mounted at a height not greater than 12 feet from ground level to the top of the luminaries.

(C) *Landscape and accent lighting*. Subject to the approval of the Building Department, ground-mounted lighting may be allowed to accent unique features of a building and/or surrounding landscaping (such as outstanding architectural features, specimen trees with dense year-round foliage or large native shrub masses). Architectural lighting is allowed, provided that a full cutoff light fixture is used and the source of illumination is directed downward.

(D) *Flagpoles*. Uplighting for flags is permitted, provided the flag is of a government and the maximum lumen output is 1,300 lumens.

(E) *Signs*. See §§ 154.240 to 154.247 of this code for sign regulations and sign permits.
(Prior Code, § 9.3.70)

## § 153.08 PROHIBITED LIGHTING.

(A) Searchlights, laser-source lights, strobe or flashing lights, illusion lights or any similar high-intensity light shall not be permitted except in emergencies by police and fire personnel or for approved special events.

(B) Except as specifically allowed in this section and this chapter, uplighting is prohibited.
(Prior Code, § 9.3.80) Penalty, see § 152.99

## § 153.09 SPECIAL USES.

(A) *Outdoor recreational facilities*. Lighting for outdoor recreation facilities that does not comply with this chapter may be approved with the project site plan based on the following.

(1) When the proposed lumens per acre exceed the lumens per net acre limits, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA).

(2) Every such lighting system design shall be certified by a state-registered engineer as conforming to all applicable restrictions of this chapter.

(3) Such lighting shall not include any light trespass as determined by the Building Department or designee.

(4) Full cutoff light fixtures shall be required for fields designed for amateur, recreational or nonprofessional sports activity. For professional-level sports facilities where full cutoff fixtures are not utilized, acceptable luminaries shall include those which:

(a) Are provided with internal or external glare control louvers, or both, and installed so as to minimize uplight and off-site light trespass as determined by the Building Department; and

(b) Are installed and maintained with aiming angles that permit not greater than 2% of the light emitted by each fixture to project above the horizontal.

(B) *Outdoor display lots*. Outdoor display lots shall adhere to the following requirements.

(1) All such lighting shall utilize full cutoff fixtures.

(2) When the proposed lumens exceed the per acre limits, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA).

(3) Such lighting shall not include any light trespass as determined by the Building Department.

(4) Every such lighting system design shall be certified by a state-registered engineer as conforming to all applicable restrictions of this chapter.

(C) *Service station canopies*. All service station canopies shall comply with the following.

(1) All luminaries shall be flush with the lower surface of canopies and utilize flat glass or plastic covers.

(2) The total light output used for illuminating service station canopies, defined as the sum of under-canopy initial bare-lamp outputs in lumens, shall not exceed 40 lumens per square foot of canopy. All lighting mounted under the canopy, except internally illuminated signs, shall be included in the total. Fifty percent of the total lumen output of all lamps mounted within or under a canopy shall be included in the lumen per acre cap.

(D) *Other special use lighting*. Lighting for special uses that are not specified in this chapter must be approved by the Planning Commission through a conditional use permit or along with a site plan application.
(Prior Code, § 9.3.90)

## § 153.10 EXEMPTIONS AND NONCONFORMING LIGHTS.

(A) Emergency lighting used by police, firefighting or medical personnel, or at their direction, is exempt from all requirements of this chapter for as long as the emergency exists.

(B) Spotlights are permitted for single-family residential, provided they are fully shielded and directed downward.

(C) Underwater lighting used for the illumination of swimming pools and decorative water fountains is exempt from the lamp type and shielding standards, though they must conform to all other provisions of this chapter.

(D) Seasonal decorations are exempt from this chapter.
(Prior Code, § 9.3.100)

## § 153.11 PLAN SUBMITTAL AND EVIDENCE OF COMPLIANCE.

(A) *Plan submittal*. Whenever a person is required to obtain a permit for outdoor lighting or signage, a conditional use permit, subdivision approval or any development plan approved by the town, including all town projects, or a building permit, the applicant shall, as part of the application process, submit sufficient information to enable the town designee to assess whether or not the plan is in conformance with this lighting chapter.

(B) *Applications*. All applications may be subject to review. All applications shall include the following:

(1) A site plan indicating the location of all lighting fixtures, both proposed and any already existing on the site;

(2) A description of each illuminating device, fixture, lamp, support and shield, both proposed and existing. The description shall include, but is not limited to, manufacturer's catalog cuts and illustrations (including sections where required); lamp types, wattages and initial lumen outputs; and

(3) Such other information that the town staff or designee may determine is necessary to ensure compliance with this chapter.

(C) *Plan approval*. If the town staff determines that any proposed lighting does not comply with this chapter, the permit shall not be issued or the plan approved.

(D) *Lamp or fixture substitution*. Should any outdoor light fixture or the type of light source therein be changed after the permit has been issued, a change request must be submitted to the Building Department for approval, together with adequate information to assure compliance with this chapter, which must be received prior to substitution.

(E) *Certification of installation.*

(1) For all projects where the total initial output of the proposed lighting equals or exceeds 100,000 lamp lumens, certification that the lighting, as installed, conforms to the approved plans shall be provided by a certified engineer before the certificate of occupancy is issued.

(2) Until this certification is submitted, approval for use of a certificate of occupancy shall not be issued for the project.
(Prior Code, § 9.3.110)

## § 153.12 APPROVED MATERIALS; METHODS OF CONSTRUCTION OR INSTALLATION/OPERATION.

(A) The provisions of this chapter are not intended to prevent the use of any design, material or method of installation or operation not specifically prescribed by this chapter, provided any such alternative has been approved by the Building Department or designee.

(B) The Building Department or designee may approve any such proposed alternate if it:

(1) Provides at least approximate equivalence to that applicable specific requirement of this chapter; and

(2) Complies with the intent of this chapter.
(Prior Code, § 9.3.120)

## § 153.13 VIOLATIONS; NOTICE; ABATEMENT.

(A) If, after investigation, the Building Department finds that any provision of this chapter is being violated, the Building Department shall give notice, by hand delivery or by certified mail, return receipt requested, of such violation to the owner and/or occupant of such premises demanding that the violation be abated within 30 days of the date of hand delivery or of the date of mailing of the notice. The Planning Department staff shall be available to assist in working with the violator to correct said violation.

(B) If the violation is not abated within the 30-day period, the Building Department may institute actions and proceedings, either legal or equitable, to enjoin, restrain or abate any violations of this chapter and to collect penalties for such violations.
(Prior Code, § 9.3.130) Penalty, see § 153.99

## § 153.14 TABLES, INFORMATION SHEETS ADOPTED BY REFERENCE.

The figures and information sheets attached to the ordinance codified in this chapter shall be incorporated into this chapter as guidelines for the public and the town. The town does not endorse or discriminate against any manufacturer or company that may be shown, portrayed or mentioned by the examples.
(Prior Code, § 9.3.140)

## § 153.99 PENALTY.

A violation of this chapter, or any provision thereof, shall be punishable by a civil penalty per day, and each day of violation after the expiration of the 30-day period shall constitute a separate offense for the purpose of calculating the civil penalty.
(Prior Code, § 9.3.130)

## APPENDIX A: EXAMPLES OF ACCEPTABLE/UNACCEPTABLE LIGHTING FIXTURES




(Exhibit A)

(Prior Code, Title 9, Chapter 3, Exhibit A)

# CHAPTER 154: ZONING

Section


*General Provisions*

154.001 Title
154.002 Intent and purpose
154.003 Conflicting ordinances repealed
154.004 Prohibited uses
154.005 Interpretation rights of Planning Commission
154.006 Conflict with private agreements
154.007 Burden of proof
154.008 Zoning map
154.009 General description of land use regulations
154.010 Conflicting provisions
154.011 Creation of vested rights
154.012 Amendments
154.013 Certificate of occupancy required
154.014 Development shall not burden other areas
154.015 Severability
154.016 Definitions

*Land Use Authorities and Other Officers*

154.030 Definitions
154.031 Land use authorities provided
154.032 Town Council
154.033 Town Planning Commission
154.034 Airport Zoning Commission
154.035 Building Department
154.036 Town Development Review Committee
154.037 Support from town officers and staff
154.038 Public meetings; public hearings
154.039 Provision of administrative guidelines
154.040 Computation of time
154.041 Fractional numbers

154.042 Procedural irregularities
154.043 Determination of completeness of land use applications
154.044 Continuing validity of land use application approvals
154.045 Land use authority compliance with land use ordinances, code
154.046 Land use approvals required to comply with land use
154.047 Acquiring property
154.048 Appeal authorities and procedures

***Qualifying Regulations and Procedures***

154.060 Definitions
154.061 Purpose
154.062 Amendments to code and map
154.063 Minimum performance standards
154.064 Health Department approval for water and sewer
154.065 One dwelling per lot
154.066 Occupying a building
154.067 Structures, uses prohibited in zones unless expressly permitted
154.068 More restrictive zoning requirements apply
154.069 Plot plan approval required
154.070 Frontage on an approved public street required
154.071 Private roads
154.072 Motor vehicle access
154.073 Land uses in an emergency
154.074 Structure to have access
154.075 Buildable area and survey requirements
154.076 Architectural styles
154.077 Licensing
154.078 Required property maintenance
154.079 Uses, buildings and structures to comply with zoning requirements
154.080 Moved buildings
154.081 Flood protection
154.082 Fencing
154.083 Manufactured homes and recreational vehicles (RVs)
154.084 Accessory building, accessory structure requirements generally
154.085 Accessory dwelling units
154.086 Nonconforming uses and noncomplying structures
154.087 Temporary dwellings; storage structures
154.088 Animal rights

### *Town Zones*

154.100 Zones established
154.101 Official zoning map
154.102 Boundaries of zones
154.103 Regulations within zones
154.104 Rezoning
154.105 Agricultural Residential Zones
154.106 Light Industrial West Zone
154.107 Light Industrial East Zone
154.108 Commercial Overlay Zone
154.109 Heavy Industrial Zone
154.110 Airpark Mixed-Use Zone (AMUZ)
154.111 Public use airport/airpark
154.112 Technology Overlay Zone

### *Subdivisions*

154.125 Title; purpose
154.126 Definitions
154.127 Applicability and exceptions
154.128 Authority
154.129 Pre-submission meeting
154.130 Application
154.131 Subdivision phasing
154.132 Fees
154.133 Preliminary plat
154.134 Town review
154.135 Application completion time line
154.136 Final plat
154.137 Minor subdivision of land
154.138 Lot line adjustments
154.139 Appeal

### *Special Uses*

154.150 Purpose
154.151 Definitions
154.152 General regulations
154.153 Application and approval

154.154 Revocation of special use permits
154.155 Contractor yards and industrial outdoor storage
154.156 Automotive uses
154.157 Auto self-serve stations, gas stations, convenience stores, fuel stations
154.158 Microbreweries and distilleries
154.159 Showroom and sales centers
154.160 Commercial greenhouses and hydroponic greenhouses
154.161 Welding, fabrication, machine shop and small engine repair
154.162 Fireworks sales/stands
154.163 Public utility stations
154.164 Pawn shops
154.165 Warehouse storage units (commercial)
154.166 Indoor shooting ranges
154.167 Multi-tenant industrial building (MTIB)
154.168 Special and conditional uses within the AMUZ

***Conditional Uses***

154.180 Purpose
154.181 Definitions
154.182 Land use authority
154.183 Zones to govern allowed conditional uses
154.184 Application for a conditional use
154.185 Conditions for approval
154.186 Standards of review
154.187 Revocation or modification of a conditional use approval
154.188 Additions and amendments

***Uses Requiring Additional Conditions for Uses***

154.200 Usage standards; unlisted uses prohibited
154.201 Adult-oriented businesses
154.202 Bounce houses
154.203 Caretaker dwellings, non-farm uses
154.204 Child care facility/center
154.205 Home based businesses
154.206 Self-storage; RV, boat or vehicle storage
154.207 Temporary and special event use
154.208 Solar power plant–large
154.209 Industrial outdoor storage
154.210 Battery energy storage systems

*Landscape Requirements*

154.225 Purpose
154.226 Definitions
154.227 Landscaping plan
154.228 Landscape requirements, residential
154.229 Landscape requirements, nonresidential

*Signs*

154.240 Purpose
154.241 Applicability
154.242 Definitions
154.243 General sign requirements
154.244 Prohibited signs
154.245 Temporary and event signs
154.246 Lighting standards
154.247 Compliance and enforcement

*Parking*

154.260 Definitions
154.261 Residential parking requirements
154.262 Nonresidential parking requirements
154.263 Off-street parking requirements
154.264 Off-street loading requirements
154.265 Number of spaces required

154.999 Penalty

## *GENERAL PROVISIONS*

### § 154.001 TITLE.

This chapter shall be known and may be cited as the “Fairfield Land Use Code” and may be identified within this chapter and other documents as “the ordinance, “land use ordinance,” “the code” or “Land Use Code.” Any reference in this code to “Fairfield Zoning Code,” “Zoning Code” or “zoning ordinance” shall be deemed to be a reference to this chapter.
(Prior Code, § 10.1.10)

## § 154.002 INTENT AND PURPOSE.

(A) This chapter is designed and enacted to implement the goals and objectives of the town's general plan. In keeping with the general plan, the following goals and objectives define the major purposes of this chapter:

(1) To preserve the quiet rural quality of life enjoyed by the residents of the town;

(2) To promote farming, ranching, tourism and the development of compatible commercial and home occupations;

(3) To preserve the natural beauty, open space, dark skies, clean air and water; to preserve important natural resources; to prevent overcrowding of the land and to minimize congestion on the streets; and to preserve the history of the town;

(4) To encourage and facilitate the orderly growth and development of the community;

(5) To encourage pride in the town's appearance and maintenance of the community;

(6) To support facilities for education and provide for recreation and cultural activities;

(7) To enable the town to efficiently provide adequate public services;

(8) To secure economy in governmental expenditures in the process of development; and

(9) To enforce the provisions of this chapter and to minimize the exceptions or variances.

(B) This chapter is intended to allow development in a manner that encourages the preservation of scenic values and the unique setting and history of the town.

(C) This chapter seeks to prevent development that adversely influences existing geologic hazards, erosion, flooding or other conditions that create potential dangers to life and safety in the community or developments that detract from the rural quality of life in the community.
(Prior Code, § 10.1.20)

## § 154.003 CONFLICTING ORDINANCES REPEALED.

All prior land use ordinances are repealed to the full extent of their inconsistency with this chapter.
(Prior Code, § 10.1.30)

## § 154.004 PROHIBITED USES.

Any use not specifically permitted in this chapter shall be prohibited.
(Prior Code, § 10.1.35) Penalty, see § 154.999

## § 154.005 INTERPRETATION RIGHTS OF PLANNING COMMISSION.

(A) In interpreting and applying this chapter, the provisions shall be held to be the minimum requirements needed to promote the public health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the town.

(B) Where the provisions of this chapter impose a greater restriction than is required by any ordinance, code, regulation, standard or other provisions of law, or by easement, covenant or private agreement, the provisions of this chapter shall govern.

(C) The Planning Commission shall have the power to interpret the provisions of this chapter; provided, that the Planning Commission shall consult with the Town Attorney concerning legal issues.

(D) (1) The interpretations shall be consistent with the rules of statutory construction and with the rules of § 154.010 of this chapter.

(2) It shall also be consistent over time until changed, in writing, by the Town Council. Such interpretations shall be entitled the weight accorded to administrative interpretations by the courts.
(Prior Code, § 10.1.40)

## § 154.006 CONFLICT WITH PRIVATE AGREEMENTS.

This chapter does not nullify easements, covenants, deed restrictions and similar private agreements, but where any such private agreement imposes standards that are less restrictive than those adopted by the town, this chapter shall apply.
(Prior Code, § 10.1.50)

## § 154.007 BURDEN OF PROOF.

It is the developer/landowner's responsibility to demonstrate compliance with this chapter.
(Prior Code, § 10.1.60)

## § 154.008 ZONING MAP.

(A) The boundaries of the zoning districts are set forth on a map entitled "Zoning Map of the Town of Fairfield, Utah" and adopted by reference as part of this section.

(B) This map shall be kept by the Town Recorder/Clerk and maintained as follows.

(1) *Boundaries; interpretation*. Unless otherwise expressly defined on the zoning map, zoning boundary lines are lot lines, section lines and town limit lines. If uncertainty remains as to the boundary of the zone after application of the provisions of this division (B)(1), the Planning Commission will interpret the zone boundary.

(2) *Amendments*. All amendments to the zoning map shall be made by ordinance. The town shall, within a reasonable time after adoption of any such amendment, make approved changes to the official zoning map.

(3) *Final authority*. Whenever amendments or changes are made within zone boundaries, such amendments or changes shall be made on the official zoning map. Regardless of the existence of purported copies of the official zoning map, which may from time to time be made or published, the official zoning map, which shall be located in the Office of the Town Recorder/Clerk and may be available on the town's website, shall be the final authority in determining current zoning status.
(Prior Code, § 10.1.70)

## § 154.009 GENERAL DESCRIPTION OF LAND USE REGULATIONS.

This description is intended to provide the reader with some guidance using the terms of this chapter and is not a substitute for the standards, criteria and procedures contained in this chapter.

(A) *Zoning map*. Prior to considering the development or redevelopment of land, an applicant should refer to the official zoning map to determine which base zoning and overlay zones correspond to the property. The official zoning map is available from the Town Recorder/Clerk and may be available on the town's website.

(B) *Zoning*.

(1) Once the applicant has identified the zoning, the applicant should refer to the subchapter or section which corresponds to the applicable zone(s). Definitions are also found in § 11.01 of this code. The applicant should next refer to the site development and design requirements within the zoning subchapter or section to determine if the property is adequate in size to accommodate the proposed project.

(2) The site development and design standards will determine the building setbacks from the property lines, minimum lot area (if any), minimum open space, build-to lines, maximum height, density and parking requirements for buildings and uses on the property and the like.

(C) *Overlay zones*. Some areas are in an overlay zone as well as in base zoning. Once the overlay zone has been identified, the applicant should refer to both the base zoning provisions and the overlay zone provisions that correspond to the overlay zone.

(D) *Use standards*. The applicant should then refer to the use list for the zone. The applicant should first determine if the desired use is allowed in the zone. If the use is allowed as a conditional use, the applicant must apply for and obtain a conditional use permit. Finally, if the use is an existing legal use that is no longer allowed in the zone and there is a proposal to change or modify a structure associated with the use, the applicant must apply for and obtain a variance from the appeal authority.

(E) *Variances/rezones*. If the applicant cannot meet the standards described in this chapter, the applicant should determine whether there are alternative development options or any exceptions to the general rules that may accommodate the project. If the project does not meet the standards and other development alternatives are not possible, then there are two methods available to attempt to vary the standards:

(1) The variance process is generally used for existing development or the development of an existing, validly created lot. The appeal authority shall issue a variance upon the applicant's demonstration that the application meets each variance standard detailed in § 154.086 of this chapter.

(2) A petition for rezone is a request to change the development standards for the property in question. The process for requesting a rezone is detailed in § 154.104 of this chapter. Rezones are discretionary legislative acts.

(F) *Subdivision of land*. If the applicant would like to subdivide a piece of property, merge a number of different parcels into one parcel or resubdivide, the applicant shall go through the subdivision process as provided in §§ 154.125 to 154.139 of this chapter.

(G) *Meanings and intent*. All provisions, terms, phrases and expressions contained in this chapter shall be construed according to § 154.005 of this chapter.

(H) *Headings, illustrations and text*. In case of any difference of meaning or implication between the text of this chapter and any heading, drawing, table, figure or illustration, the text shall control.

(I) *Lists and examples*. Unless otherwise specifically indicated, lists of items or examples that use terms such as "including," "such as" or similar language are intended to provide examples, not to be an exhaustive lists of all possibilities.

(J) *Computation of time.* References to days are calendar days. Exclude the first day and include the last day. If the last day is a Saturday, Sunday or town-observed holiday, that day shall be excluded.

(K) *References to other regulations, publications and documents.* Whenever reference is made to a resolution, ordinance, statute, regulation or document, it shall be construed as a reference to the most recent edition of such regulation (as amended), resolution, ordinance, statute, regulation or document unless otherwise specifically stated.

(L) *Technical and nontechnical terms.* Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

(M) *Public officials and agencies.* All public officials, bodies and agencies to which references are made are those of the town unless otherwise indicated.

(N) *Mandatory and discretionary terms.* The words ***SHALL***, ***WILL*** and ***MUST*** are always mandatory. The words ***MAY*** and ***SHOULD*** are advisory and discretionary terms.

(O) *Conjunctions.* Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows.

(1) ***AND*** indicates all connected items, conditions, provisions or events apply.

(2) ***OR*** indicates one or more connected items, conditions, provisions or events may apply.

(P) *Tenses and plurals.* Words used in one tense (past, present or future) include all other tenses unless the context clearly indicates the contrary. The singular includes the plural and the plural includes the singular.
(Prior Code, § 10.1.80)

## § 154.010 CONFLICTING PROVISIONS.

This chapter is written to harmonize with federal, state and town laws. To the extent a provision of this chapter conflicts with a federal, state or local law or private contract, the following rules apply.

(A) *Conflict with state or federal regulations.* If the provisions of this chapter are inconsistent with those of the state or federal government, the more restrictive provision will control, to the extent permitted by law.

(B) *Conflict with other town regulations*. If the provisions of this chapter are inconsistent with one another or if they conflict with provisions found in other adopted ordinances, resolutions or regulations of the town, the more restrictive provision will apply.

(C) *Conflict with private agreements*. It is not the intent of this chapter to interfere with, abrogate or annul any easement, covenant, deed restriction or other agreement between private parties.

(1) If the provisions of this chapter impose a greater restriction than imposed by a private agreement, the provisions of this chapter will apply.

(2) If the provisions of a private agreement impose a greater restriction than this chapter, the provisions of the private agreement will control. The town shall not be responsible for monitoring or enforcing private agreements.
(Prior Code, § 10.1.90)

## § 154.011 CREATION OF VESTED RIGHTS.

(A) *Amendments*. The town may alter certain private property rights by amending this chapter from time to time.

(B) *How rights vest*. Certain private property rights shall become fixed at law and may not be altered for a period of time upon an applicant's:

(1) Submission of a complete application to develop property that is consistent with this chapter; and

(2) Payment of all applicable permit fees.

(C) *What rights vest*.

(1) (a) The applicant's rights vest under this chapter in those rights for which the applicant has applied; for example, if the applicant has applied for a subdivision and has "vested rights" pursuant to the applicant's rights vested under the subdivision ordinance, and the applicant is entitled to the benefit of subdivision regulations in effect at the time of vesting.

(b) An applicant's vested rights under the subdivision ordinance, however, do not vest the applicant under an adopted building, fire or plumbing code if the applicant has not submitted a complete application nor paid applicable fees.

(2) Applications shall not vest if:

(a) *Pending revisions*. Revisions to this chapter are pending at the time of application which would prohibit or further condition the approval sought; or

(b) *Health and safety*. There exists a compelling and countervailing health, safety or welfare reason.

(D) *Preservation of vested rights; compliance with conditions of approval*. An applicant with vested rights must comply with and maintain all conditions of final approval to preserve the vested rights. An applicant's failure to meet or maintain conditions of approval constitutes the applicant's knowing and willful waiver of the applicant's vested rights.

(E) *Applicability of ordinances that are general in nature*. The establishment of a vested right shall not preclude the application of town ordinances or regulations that are general in nature, applicable to all property subject to land use regulation and necessary to preserve the health, safety or welfare of the community.
(Prior Code, § 10.1.100)

## § 154.012 AMENDMENTS.

(A) *Authorized; submit to Planning Commission*.

(1) The Town Council may amend the number, shape, boundaries or area of any zone, or any regulation of or within any zone or zones, or any other provisions of this chapter.

(2) A legislative body may not make any amendment authorized by this section unless the legislative body first submits the amendment to the Planning Commission for the Planning Commission's recommendation.

(B) *Appeal of denial*. Zoning amendment applications denied by the Planning Commission may be appealed to the appeal authority. Any such appeals must be made within ten calendar days of the date of the Planning Commission's decision. The appeal authority shall then make the final decision.

(C) *Denial to reclassify*. Denial of an application to amend the zoning map to reclassify any parcel or property shall prohibit the filing of another application to amend the zoning map to reclassify the same parcel of property, or any portion thereof, to the same zone classification within one year from the date of the final denial of the previous application unless the Planning Commission finds that there has been

a substantial change in the circumstances, or sufficient new evidence since the denial of the previous application, to merit consideration of a second application within the one-year time period.
(Prior Code, § 10.1.110)

## § 154.013 CERTIFICATE OF OCCUPANCY REQUIRED.

(A) *Determination by the Building Department.*

(1) No building shall be occupied or used until a certificate of occupancy has been issued by the Town Building Department.

(2) Prior to issuing a certificate of occupancy, the Building Inspector shall determine:

(a) All construction has been completed as authorized by a valid building permit;

(b) The establishment of the use is authorized as provided by valid approvals; and

(c) The building and use comply with all approvals, permits and licenses as required by this chapter and all other applicable requirements.

(B) *Unlawful without certificate.*

(1) It is unlawful to use or occupy, or to permit the use or occupancy of, any building or structure unless a certificate of occupancy has been issued for such building or structure as required by this section.

(2) It is unlawful to use or occupy, or to permit the use or occupancy of, any building or structure with a use or occupancy different from that provided by the certificate of occupancy. Failure to obtain a certificate of occupancy shall be a violation of this chapter.

(C) *Public nuisance declared.*

(1) The use or occupancy of any building, structure or premises for which a certificate of occupancy has not been issued is hereby declared to be a public nuisance and may be cited and abated as such.

(2) It shall also be a public nuisance for any building, structure or premises to be used or occupied in a manner different than authorized by a certificate of occupancy.
(Prior Code, § 10.1.120) Penalty, see § 154.999

## § 154.014 DEVELOPMENT SHALL NOT BURDEN OTHER AREAS.

(A) Any development proposed within the town boundaries shall assume all costs related to such development. ***DEVELOPMENT***, in this sense, includes individuals as well as a developer.

(B) Development requirements shall include, but not be limited to:

(1) Supplying adequate water rights for the development;

(2) Providing means to irrigate the entire acreage, where applicable;

(3) Installing all required utilities;

(4) Bringing roads up to the town's road standards;

(5) Road connectivity;

(6) Providing open space to the extent it is required by the governing body;

(7) Protecting vistas that are important to the citizens of the town; and

(8) Controlling drainage water created by development on the developed property.

(Prior Code, § 10.1.130) (Ord. 03142023-2, passed 3-14-2023)

## § 154.015 SEVERABILITY.

This chapter and the various parts, sections and subchapters are hereby declared to be severable, except the provisions relating to large-scale developments; otherwise, if any part, section, paragraph, sentence, clause or phrase is adjudged unconstitutional or invalid, it is declared that the remainder of the chapter shall not be affected. The Town Council declares that it would have passed this chapter and each part, section, paragraph, sentence, clause and phrase irrespective of the fact that any one or more portions may be declared invalid.

(Prior Code, § 10.1.140)

## § 154.016 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ACCESSORY STRUCTURE.*** A subordinate building located on the same lot as the principal use, used for purposes customarily incidental to the main building.

***AGRICULTURE INDUSTRY.*** The commercial production, processing or packaging of agricultural products, including crop cultivation, animal husbandry and related activities.

***ANIMAL HUSBANDRY.*** The practice of breeding, raising and caring for animals for agricultural, commercial or scientific purposes. This includes livestock such as cattle, sheep, goats, pigs, poultry and other domesticated farm animals. ***ANIMAL HUSBANDRY*** activities must comply with local zoning regulations, environmental standards and best practices for animal welfare, waste management and noise control.

***AUTOMOTIVE REPAIR ESTABLISHMENT.*** A facility engaged in the repair, maintenance or servicing of motor vehicles, including mechanical and bodywork repairs.

***BASE ZONING DISTRICT.*** A zoning district established in this chapter that prescribes primary land use regulations and development standards for a specific geographic area of the town.

***CERTIFICATE OF OCCUPANCY.*** A document issued by the Building Department certifying that a structure or building has been inspected and complies with all applicable building codes, zoning ordinances and other regulations, and is therefore approved for occupancy.

***COMMERCIAL GREENHOUSE.*** A facility used for the propagation, cultivation or production of plants for commercial sale, typically requiring controlled environmental conditions.

***CONDITIONAL USE.*** A land use that is permitted within a zoning district subject to review and approval by the town due to potential impacts, and which may require conditions to mitigate negative effects on surrounding properties.

***CONTRACTOR YARD.*** A site used for the storage of equipment, materials and vehicles related to construction, landscaping or trade services.

***DEVELOPMENT.*** Any human-made change to improved or unimproved real estate, including, but not limited to, the construction or expansion of buildings or other structures, site improvements, grading, subdivision or changes in land use.

***DEVELOPMENT STANDARDS.*** Regulations applicable to a specific property or project, including, but not limited to, lot size, building setbacks, height limitations, parking requirements, open space, landscaping and utility infrastructure.

***FLEX-SPACE STRUCTURE.*** A building designed for mixed industrial and office use, accommodating a variety of business operations.

***GENERAL PLAN.*** The official document adopted by the town that outlines long-range goals, policies and objectives for land use, housing, transportation, public facilities and other areas relevant to community development.

***HYDROPONIC GREENHOUSE.*** A facility where plants are grown without soil using nutrient-rich water solutions, typically requiring controlled environmental systems.

***IMPERVIOUS SURFACE.*** Any surface that prevents or significantly impedes water absorption into the ground, including pavement, buildings and concrete areas.

***INDOOR SHOOTING RANGE.***

(1) A fully enclosed facility designed and constructed for the safe discharge of firearms for recreational shooting, training or competition. The facility must be built to contain all fired rounds, mitigate noise impacts and comply with all federal, state and local safety standards.

(2) ***INDOOR SHOOTING RANGES*** may include firearm rental, ammunition sales, classroom instruction and related retail components, provided they meet all applicable licensing and zoning requirements.

***INDUSTRIAL OUTDOOR STORAGE.*** The open-air storage of equipment, materials or products associated with an industrial business, requiring screening and environmental controls.

***LAND USE CODE.*** Also referred to as “this code,” “the ordinance” or “land use ordinance,” this chapter, which governs zoning, development and land use activities within the town.

***LIGHT ASSEMBLY AND PACKAGING.*** The production and assembly of small-scale products using pre-manufactured components, including packaging for distribution.

***MICROBREWERY AND DISTILLERY.*** A facility producing alcoholic beverages in small batches, often including on-site tasting rooms and retail sales.

***OVERLAY ZONE.*** A zoning district that is superimposed over one or more base zoning districts, establishing additional regulations or allowances that modify or supplement those of the underlying district(s).

***PERMEABLE PAVEMENT.*** A paving system that allows water infiltration, reducing stormwater runoff and supporting groundwater recharge.

***PLANNING COMMISSION.*** The advisory body appointed by the Town Council with the responsibility to review and make recommendations on land use matters, interpret zoning ordinances and guide orderly growth and development in accordance with the general plan.

***RETENTION BASIN.*** A stormwater management feature designed to hold water permanently or for an extended period to reduce flooding and improve water quality.

***REZONING.*** The legislative process by which the zoning designation of a specific parcel of land is changed by ordinance.

***SHOWROOM AND SALES CENTER.*** A facility designed for the display and retail sale of large or specialized products, such as vehicles, appliances or industrial equipment.

***SITE PLAN.*** A detailed plan, drawn to scale, showing the proposed layout and design of a development, including building locations, access, parking, landscaping, drainage and other required improvements.

***STORMWATER DETENTION SYSTEM.*** An engineered system designed to temporarily store stormwater and release it gradually to prevent flooding.

***SUBDIVISION.*** The division of a tract or parcel of land into two or more lots, sites or other divisions for the purpose of sale, lease or development.

***TELECOMMUNICATIONS FACILITY.*** A structure designed for the transmission and reception of telecommunications signals, typically including antennas, towers or satellite dishes.

***USE.*** The purpose or activity for which land or buildings are designed, arranged, intended, occupied or maintained.

***VESTED RIGHT.*** A legally recognized right to proceed with a development project under the zoning regulations in place at the time a complete application and required fees are submitted, as defined by state law.

***WAREHOUSE STORAGE UNITS (COMMERCIAL).*** A facility used for the storage and distribution of goods for commercial and industrial purposes, not including self-storage facilities for individual use.

***ZONING MAP.*** The official map adopted by the town that delineates the boundaries of zoning districts and reflects all amendments and current zoning classifications.
(Prior Code, Chapter 10.1)

## *LAND USE AUTHORITIES AND OTHER OFFICERS*

### § 154.030 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***APPEAL AUTHORITY.*** A person, board, commission or body designated by the town to decide appeals from administrative decisions interpreting or applying the land use ordinances, including the Town Council, Planning Commission or a Land Use Hearing Officer, as applicable. An ***APPEAL AUTHORITY*** acts in a quasi-judicial capacity.

***APPLICANT.*** A person, entity or authorized representative who submits a land use application to the town.

***APPLICATION (LAND USE APPLICATION).*** A written request submitted to the town for approval of a permit, license or other form of land use or development authorization under the provisions of this chapter.

***BUILDING DEPARTMENT.*** The administrative office of the town responsible for reviewing and issuing building permits, land use applications and for determining application completeness under this chapter.

***COMPLETE APPLICATION.*** A land use application that includes all information, plans and fees required by this chapter, and which the Building Department has formally deemed complete.

***DEVELOPMENT REVIEW COMMITTEE (DRC).*** A staff or interdepartmental advisory committee established by the Mayor, with the advice and consent of the Town Council, to review land use applications and provide technical and compliance feedback to land use authorities.

***FINAL DECISION.*** A decision made by a land use authority or appeal authority that constitutes the town's final action on a land use matter, thereby triggering any right to appeal or judicial review.

***HEARING OFFICER.*** An individual appointed by the Mayor, with the advice and consent of the Town Council, to serve as an appeal authority in a quasi-judicial capacity. The Hearing Officer must be qualified by training and experience and may not be a current elected or appointed town official or employee.

***LAND USE AUTHORITY.*** A person, board, commission or body designated by the town to act on a land use application, including the Town Council, Planning Commission, Building Department or

others as established by ordinance. A ***LAND USE AUTHORITY*** may be either administrative or legislative in function, but may not act in both capacities on the same matter.

***LAND USE DECISION.*** A final decision of a land use authority or appeal authority applying land use ordinances to a specific application, parcel or person. Legislative acts, such as adoption of ordinances or zoning maps, are not considered ***LAND USE DECISIONS*** under this chapter.

***LAND USE ORDINANCE.*** A regulation adopted by the town that governs the use, development or subdivision of land, including zoning ordinances, subdivision ordinances and other applicable land use regulations.

***LEGISLATIVE ACT.*** An action of the Town Council that creates or amends land use policy, including the adoption or amendment of zoning ordinances, subdivision ordinances, general plans and zoning maps.

***QUASI-JUDICIAL.*** A function characterized by the interpretation and application of law to specific facts, requiring findings of fact and conclusions of law. ***QUASI-JUDICIAL*** bodies must comply with procedural due process requirements, including impartiality and a fair hearing.

***VARIANCE.*** A modification to the requirements of this chapter granted by an appeal authority pursuant to U.C.A. § 10-9a-702, where literal enforcement of the ordinance would cause unreasonable hardship due to unique circumstances.

***WRITTEN DECISION.*** A written document issued by a land use authority or appeal authority that states the outcome of a land use matter, including findings of fact, conclusions of law and conditions of approval or denial, as applicable.
(Prior Code, § 10.5.180)

## § 154.031 LAND USE AUTHORITIES PROVIDED.

The land use authorities identified by this subchapter shall have responsibilities for administering and implementing the town's general plan and this chapter, including this subchapter, as allowed by U.C.A. § 10-9a, State Land Use, Development and Management Act (LUDMA), and as provided herein.
(Prior Code, § 10.5.10)

## § 154.032 TOWN COUNCIL.

(A) *Powers and duties.* For the purposes of this subchapter, the Town Council (also known as the "Council") shall:

(1) Adopt amendments to the general plan and all elements of the general plan;

(2) Adopt amendments to this chapter, including this subchapter;

(3) Direct the Commission to prepare the general plan, any proposed plan element and any amendments, and to submit the proposed plan, element or amendments to the Town Council;

(4) Direct the Commission to prepare all land use ordinances, including this subchapter, zoning maps, official maps and any amendments, and to submit such land use ordinances or amendments to the Town Council;

(5) May act as an appeals authority;

(6) Render or appoint a designee to render a determination when an applicant asserts a taking of property without just compensation or has asserted some other constitutional invalidity;

(7) Establish a fee schedule by resolution for all approvals, permits and licenses required by the town's land use ordinances; and

(8) Take such other action(s) as authorized by U.C.A. §§ 10-9a et seq., or required by this subchapter, and not expressly delegated to any other land use authority.

(B) *Effective date of decisions.* All decisions of the Council made under the authority of this subchapter shall take effect on the date of the meeting when the decision is made unless a different date is designated in the Council's rules or a different date is designated by the Council at the time the decision is made.
(Prior Code, § 10.5.20)

## § 154.033 TOWN PLANNING COMMISSION.

The Planning Commission (hereinafter "Commission") was created and established pursuant to U.C.A. § 10-9a, or prior enactments of LUDMA.

(A) *Terms of members.*

(1) The Commission shall consist of five volunteer members, to be appointed by the Mayor with the advice and consent of the Town Council.

(2) The terms of the Planning Commission shall be staggered. Each member of the Planning Commission shall serve for a term of five years and until a successor is appointed, not to exceed 30 days past the five-year term.

(3) (a) The term of the Commissioners shall be such that the term of one member shall expire each year. In the case of a death, resignation and the like, the Mayor, with the advice and consent of the Town Council, shall appoint a person to fill the vacancy for the remainder of the unexpired term. Terms of members of the Planning Commission shall begin on or before the first Commission meeting in July of each year.

(b) The Town Council may remove any member of the Planning Commission as decided upon by majority vote. Vacancies shall be promptly filled in the same manner as the original appointment for the remainder of the unexpired term.

(4) A Commission member may be reappointed to additional terms by the Mayor with the advice and consent of the Town Council.

(5) Commission members shall be residents of the town for at least one year and shall not be an elected official. If a member of the Planning Commission ceases to be a resident of the town, the office must be vacated.

(B) *Organization of the Commission.*

(1) A Chairperson and Vice-Chairperson shall be elected by a majority of the Commissioners annually in the month of July and at other times as required. A quorum must be present to elect the Chairperson and Vice-Chairperson. If a quorum is lacking, the Commission will hold an election at the next regularly scheduled meeting at which a quorum is available.

(2) Three members of the Planning Commission shall constitute a quorum.

(3) The Chairperson and Vice-Chairperson shall serve terms of one year. No member should serve three consecutive years unless, in the event that the four remaining members are unable to serve as Chairperson, the incumbent Chairperson may serve another term by the unanimous vote of four members of the Planning Commission.

(4) The Commission will vote annually for the Chairperson and Vice-Chairperson by ballot.

(5) In the absence of the Chairperson, the Vice-Chairperson shall have all the power of the Chairperson.

(6) The Chairperson shall preside at all Commission meetings and have the powers generally assigned to such office in conducting the meetings.

(7) The Chairperson or designee shall update the Town Council at least once every quarter, or as often as the Mayor deems necessary.

(8) It shall be the Chairperson's duty to see that the transaction of Commission business is in accordance with these bylaws.

(9) The Planning Commission, by a majority vote of the Commission, may create special committees and assign one or more members to such committees.

(10) (a) The Mayor shall assign a person to act as the recording secretary to serve the Commission. The Secretary or designee shall keep the minutes of all proceedings of the Commission, which minutes shall be the official record of all proceedings before the Commission as approved by a majority vote of the members of the Commission in attendance at a meeting where a quorum has been established.

(b) The Secretary or designee shall be compensated as approved by the Town Council. The minutes of all meetings of the Commission shall be filed in the Office of the Town Recorder/Clerk. All such records shall be available for public review and access in accordance with GRAMA.

(C) *Selection of members.*

(1) (a) Notice of all Planning Commission vacancies shall be posted in two public places and sent by e-mail to all residents who provide the town with their e-mail address. In addition, postcards or other appropriate ways of notification may be used to ensure that all residents of the town are duly notified of the vacancy.

(b) Said notice shall be advertised for not less than 14 days and shall include at least the following:

1. The purpose of the notice;

2. The general purpose, duties and responsibilities of the Planning Commission;

3. Directions for interested applicants to submit a letter of interest to the Town Recorder/Clerk; and

4. The deadline for accepting applications.

(2) The Town Council may review all applications.

(3) Planning Commissioners shall be appointed by the Mayor, with the approval of the Town Council.

(4) Planning Commissioners may reapply for Commission vacancies.

(5) Vacancies occurring other than through the expiration of terms shall be filled for the remainder of the unexpired term.

(6) Failure to attend three consecutive regular meetings, or missing 30% of regular meetings in a calendar year, shall be construed by the Chairperson as grounds for dismissal from the Commission. The Chairperson would then recommend the removal of the Commissioner to the Town Council.

(7) Members proposing to resign shall give reasonable notice of such intent to the Town Council and Planning Commission and make the date of resignation effective in such a manner as to allow time for the appointment of replacements.

(D) *Powers and duties*. The Planning Commission shall be an advisory body to the Council on legislative matters pertaining to the town's general plan and land use ordinances. The Commission shall:

(1) Prepare, or cause to be prepared, the general plan, any proposed plan element and any amendments to, and to submit the proposed plan, element or amendments to the Council;

(2) Prepare or cause to be prepared all land use codes, including this subchapter, zoning maps, official maps and any amendments thereto, and to submit such land use ordinances, or amendments thereto, to the Council;

(3) Review and recommend approval or denial of all applications for a general plan amendment and Land Use Code amendment to the Council;

(4) Review and render a decision of approval, approval with conditions or denial regarding conditional use applications;

(5) Review and recommend approval, approval with conditions or denial of all subdivision applications to the Council, as authorized by the subdivision ordinance;

(6) In the event of the need to determine the boundary of a zone, the Commission shall have the authority and jurisdiction to render a written interpretation of the boundary of a zone;

(7) May act as an appeals authority, as provided by § 154.048 of this chapter;

(8) Adopt bylaws, policies and procedures for the conduct of the duties and meetings of the Planning Commission, for the consideration of applications and for any other purposes deemed necessary by the Commission, provided that such bylaws, policies and procedures are approved by the Town Council before taking effect;

(9) Advise the Town Council on code amendments;

(10) Advise the Council on other matters as the Council may direct; and

(11) Approve site plans.
(Prior Code, § 10.5.30) (Ord. 06132023-01, passed 6-13-2023)

## § 154.034 AIRPORT ZONING COMMISSION.

(A) *Commission established.*

(1) The Town Planning Commission is designated as the Airport Zoning Commission as prescribed in U.C.A. § 72-10-405.

(2) In this chapter and state law, any references to the "Airport Zoning Commission" shall mean the Town Planning Commission.

(3) If the Planning Commission is empowered in this chapter to take actions that are duties of the Airport Zoning Commission as prescribed in state law, the Planning Commission shall be presumed to be functioning as the Airport Zoning Commission.

(4) The Airport Zoning Commission shall recommend boundaries of the various zones to be established and the regulations to be adopted pertaining to any airport hazard area, and to perform such other duties as may be assigned to it by the Town Council or state law.

(B) *Airport Land Use Appeal Board established.*

(1) The Town Land Use Appeal Board is designated as the Airport Board of Adjustment as prescribed in U.C.A. § 72-10-405.

(2) In this chapter and state law, any references to the "Airport Board of Adjustment" shall mean the Town Land Use Appeal Board.

(3) If the Land Use Appeal Board is empowered in this chapter to take actions that are duties of the Airport Board of Adjustment as prescribed in state law, the Land Use Appeal Board shall be presumed to be functioning as the Airport Board of Adjustment.

(4) The airpark's appeal authority shall hear issues pertaining to any airport hazard area and perform such other duties as may be assigned to it by the Town Council or state law.
(Prior Code, § 10.5.35)

## § 154.035 BUILDING DEPARTMENT.

(A) *Administration*. The Town Building Department will carry out the administrative responsibilities of this chapter. The Town Building Department may be referred to as the "Building Department."

(B) *Powers and duties*. The Building Department shall:

(1) After the receipt of a business license or land use application, the Building Department shall determine if the application is complete:

(a) If the Building Department determines that the application is complete, the application review procedures may be commenced; and

(b) If the Building Department determines that the application is incomplete, the Building Department shall notify the applicant in writing, identifying the application deficiencies and advising the applicant that no action will be taken by the land use authority, as applicable, until all application deficiencies have been corrected.

(2) Carry out all other functions, duties, tasks and actions, as identified;

(3) Approve building permits; and

(4) Forward approved building permits to the proper authority.
(Prior Code, § 10.5.40)

## § 154.036 TOWN DEVELOPMENT REVIEW COMMITTEE.

(A) *Establishment*. A Development Review Committee (hereinafter identified as the "DRC") may be established and created by the Mayor with the advice and consent of the Council.

(B) *Purpose*. The purpose of the DRC is to assure that any proposed use, activity, building or structure is consistent with the general plan and complies with all requirements of the town's land use ordinances, including this subchapter and all other applicable ordinances and requirements.

(C) *Membership*. The DRC shall consist of persons representing town departments and other persons, as may be designated by the Mayor and Town Council, responsible for reviewing and coordinating applications for any land use application approval, permit or license.

(D) *Powers and duties*. The DRC shall act under the direction of the Mayor and shall have the following duties and responsibilities.

(1) Before a land use authority considers any permitted use or conditional use application, the DRC shall review the application to determine compliance of the application with the general plan and all applicable ordinances.

(2) The DRC shall provide a report to the land use authority identifying the compliance of any permitted use or conditional use application with the general plan and all applicable ordinances prior to review and decision by a land use authority.

(3) The DRC may provide a report to the Building Department for any temporary use or permitted use application identifying compliance with the general plan and all applicable ordinances prior to review and decision by the Building Department.

(4) The DRC may present findings for consideration by the land use authority in the review and decision of any application for any approval, permit or license.

(E) *Conduct of meetings*. The DRC shall establish procedures for the conduct of DRC meetings, the scheduling of meetings, field trips and any other DRC matters, such procedures being reviewed and approved by the Mayor before taking effect.

(F) *Acting*. The DRC shall not act as a land use authority or a decision-making body.

(G) *Open meetings*. Any time that three members of the Town Council or the Planning Commission sit on the DRC Board, the Open Public Meetings Act, being U.C.A. Title 52, Chapter 4, will be adhered to.
(Prior Code, § 10.5.50)

## § 154.037 SUPPORT FROM TOWN OFFICERS AND STAFF.

The officers and staff of the town shall provide support and assistance to the town's land use authorities as may be required from time to time.
(Prior Code, § 10.5.60)

## § 154.038 PUBLIC MEETINGS; PUBLIC HEARINGS.

All meetings and hearings of all land use authorities identified herein shall comply with the provisions of this chapter and all other applicable ordinances for such meetings and hearings, and the requirements of LUDMA, being U.C.A. §§ 10-9a-101 et seq., and the state statutes, as amended, for open and public meetings.
(Prior Code, § 10.5.70)

## § 154.039 PROVISION OF ADMINISTRATIVE GUIDELINES.

The Council may provide guidelines, standards, reference materials, forms or other documents to assist the land use authorities and Building Department in the administration, implementation and interpretation of this chapter and all other land use ordinances.
(Prior Code, § 10.5.80)

## § 154.040 COMPUTATION OF TIME.

All times identified herein shall be computed using calendar days, except that if the last day is a Saturday, Sunday or a legal holiday, that day shall be excluded and time computed to the next regular business day following the Saturday, Sunday or legal holiday. The time within which an act is to be done shall be computed by excluding the first day and including the last day.
(Prior Code, § 10.5.90)

## § 154.041 FRACTIONAL NUMBERS.

In determining compliance with the numerical requirements of this chapter, any computation or measurement resulting in a fractional number, except density calculations, shall be rounded to the nearest whole number. Density calculations shall be rounded down to the nearest whole number.
(Prior Code, § 10.5.100)

## § 154.042 PROCEDURAL IRREGULARITIES.

(A) *Validity of action.* Notwithstanding any provision of this chapter which sets forth a procedure for any matter, no decision, action, inaction or recommendation regarding the matter which is the subject of the procedure shall be void or invalid or set aside by a court due to any error (including, but not limited to, any irregularity, informality, neglect or omission) which pertains to an application, notice, decision, finding, record, hearing, report or recommendation, or any other procedural matter whatsoever, unless:

(1) The procedure is required by state or federal law; and

(2) In an examination of the entire circumstances, including the evidence on record, it is determined that the procedural error complained of was prejudicial to a substantial right of the complainant as shown by the following:

(a) Had the error not occurred, the decision made pursuant to the procedure would have been different; and

(b) Because of the error, the complainant suffered an injury for which relief must be given.

(B) *Presumption of validity*. It shall be presumed that a decision or action taken pursuant to a procedure was done in good faith, and it shall not be presumed that an error is prejudicial, or that an injury occurred. The complainant shall have the burden of proof by a preponderance of the evidence to show that an error is prejudicial or that an injury occurred.
(Prior Code, § 10.5.110)

## § 154.043 DETERMINATION OF COMPLETENESS OF LAND USE APPLICATIONS.

A land use application is considered submitted and complete on the date the Building Department determines the application complete and determines that the application complies with the requirements of the applicable land use ordinances and all applicable fees have been paid.
(Prior Code, § 10.5.120)

## § 154.044 CONTINUING VALIDITY OF LAND USE APPLICATION APPROVALS.

(A) The validity of an approval of a land use application shall terminate six months from the date of the approval by the land use authority unless an alternate date is specifically provided by the applicable land use ordinance, or the applicant has proceeded within six months from the date of approval with reasonable diligence to implement the approval.

(B) An approval by a land use authority shall be invalid and null and void if a use is conducted, or a building or structure is established, in violation of any requirements of all land use ordinances or of the requirements or conditions of approval.
(Prior Code, § 10.5.130)

## § 154.045 LAND USE AUTHORITY COMPLIANCE WITH LAND USE ORDINANCES, CODE.

Each land use authority of the town, as identified herein, shall comply with the terms and standards of all applicable land use ordinances, including this subchapter, and shall comply with the mandatory provisions of such land use ordinances/codes.
(Prior Code, § 10.5.140)

## § 154.046 LAND USE APPROVALS REQUIRED TO COMPLY WITH LAND USE.

The approval of any land use application shall continue to comply with all requirements, conditions, terms and standards of approval as required by the land use authority and shall continue to comply with the requirements of all land use ordinances/codes. Failure to comply shall render the approval void. (Prior Code, § 10.5.150)

## § 154.047 ACQUIRING PROPERTY.

(A) The town may acquire property through purchase, gift, voluntary dedication or eminent domain in conjunction with state and federal requirements. See §§ 32.045 to 32.051 of this code for the takings policy and U.C.A. § 78B-6-5.

(B) The town may require the dedication and improvement of a street or other facility if the street or other facility is found necessary by the town because of a proposed development.
(Prior Code, § 10.5.160)

## § 154.048 APPEAL AUTHORITIES AND PROCEDURES.

(A) *Responsibility*. An appeal authority is a quasi-judicial body that works within the strict rules of the law as it is written. It is a very narrow area of land use law. The appeal authority does not have the power to rewrite or create new law. Even if it believes the law under consideration is silly, unwise, inappropriate or unclear, the first responsibility is to determine whether the matter before it is consistent with the law. An appeal authority must both know the law and possess the courage to follow it. When the Town Council acts as the appeal authority, it must and shall apply the law as written in the ordinance/code.

(B) *Legal authority*. Pursuant to U.C.A. § 10-9a-701, the town is required to establish one or more appeal authorities to hear and decide requests for variances from the terms of the land use ordinances of the town, appeals from decisions applying the land use ordinances of the town and appeals from a fee charged in accordance with U.C.A. § 10-9a-510. The timely and specific appeal to the appeal authority described in this section, and the exhaustion of administrative remedies, shall be conditions precedent to the judicial review of any decision. A decision of an appeal authority may be appealed to a district court within 30 days of the entry of the final decision of the appeal authority.

(C) *Creation of appeal authorities*. The town establishes the following appeal authorities.

(1) The Planning Commission shall be the appeal authority to hear appeals from decisions of the Building Department where the Building Department has final decision-making authority regarding

a land use permit, a land use application or the enforcement of a land use regulation, land use permit or development agreement. A decision by the Planning Commission as appeal authority from decisions of the Building Department shall be the final decision of the town on the issue.

(2) The Town Council shall be the appeal authority (by majority vote of the Town Council) to hear appeals from decisions of the Planning Commission where the Planning Commission has final decision-making authority regarding a land use permit, a land use application, the enforcement of a land use regulation or development agreement or the imposition of a fee charged in accordance with U.C.A. § 10-9a-510. The Town Council may not hear appeals from decisions of the Planning Commission when the Planning Commission is acting as an appeal authority from decisions of the Building Department. A decision by the appeal authority from decisions of the Planning Commission shall be the final decision of the town on the issue.

(3) A Land Use Hearing Officer (the "Hearing Officer") appointed by the Mayor with the advice and consent of the Town Council shall be the appeal authority from decisions of the Town Council where the Town Council has final decision-making authority regarding requests for variances, a land use permit, a land use application, the enforcement of a land use regulation or development agreement or the imposition of a fee charged in accordance with U.C.A. § 10-9a-510. The town may appoint one or more Hearing Officers to ensure availability as required for the efficient disposition of appeals.

(a) The Hearing Officer shall be appointed by the Mayor, with the advice and consent of the Town Council, within 30 days from the date the appeal petition is filed.

(b) The Hearing Officer shall be or have been a professional in law, land use or public administration and shall have the knowledge, training and experience necessary to effectively conduct administrative hearings regarding variances and appeals of land use decisions, including knowledge and familiarity with the requirements of constitutional due process.

(c) The Hearing Officer shall not be a member of the Town Council, Planning Commission, town staff or any other elected or appointed official of the town.

(d) The Hearing Officer shall be appointed for a specific appeal by the town. Each new case may require a new appointment. The Hearing Officer serves at the pleasure of the Town Council and may be dismissed by the majority vote of the Town Council, with or without cause.

(e) The Hearing Officer shall act in a quasi-judicial matter, consistent with the requirements of this subchapter.

(f) With the advice and consent of the Town Council, the Hearing Officer may be authorized to hear and to decide appeals from any final order, requirement, determination or decision of any land use authority of the town related to the application of this chapter. If the Town Council

appoints a Hearing Officer to be the appeal authority for decisions of the Building Department or the Planning Commission, that appointment will suspend provisions of this chapter which are inconsistent with such appointment.

(g) The Hearing Officer may not hear or decide an appeal of any legislative act of the Town Council, including, without limitation, zoning ordinance or map amendments. Except as expressly provided in this chapter on variances, the Hearing Officer may not waive or modify the terms or requirements of this chapter.

(D) *Hearings, rules and decisions*. Hearings before an appeal authority are convened on a case-by-case basis.

(1) Upon the filing of an appeal, the Town Recorder/Clerk shall forthwith transmit to the appeal authority all the papers constituting the record upon which the action appealed from was taken.

(2) The appeal authority may adopt rules for the regulation of hearings. Such rules shall be consistent with state law and with the provisions of this code and shall be approved by the Town Council.

(3) The appeal authority may administer oaths and compel the attendance of witnesses.

(4) All meetings of an appeal authority shall comply with the requirements of the State Open and Public Meetings Act, U.C.A. §§ 52-4-101 et seq.

(5) Decisions of an appeal authority become effective on the date the appeal authority issues a written decision unless a different time is designated in such written decision.

(6) Any decision of an appeal authority shall be delivered to all parties to the proceeding and may be posted as required for public notice.

(E) *Maximum filing time*. The maximum time allowed to file an appeal shall be as follows.

(1) (a) Any person, including, but not limited to, the applicant on any land use application, approval, license or permit; a neighboring or adjoining property owner; and any board or officer of the town aggrieved by a decision of a land use authority's decision administering or interpreting the town's land use ordinances may, within 15 days of the decision, file with the Recorder/Clerk written intention to appeal the decision to the applicable appeal authority.

(b) All briefing and documentation that will be relied upon by the appellant for the appeal shall be submitted to the applicable appeal authority within 30 days of when the written notice of intention to appeal is filed or within 30 days after the appointment of a Hearing Officer, whichever is later.

(2) Any person who appeared before the appeal authority regarding an appeal of a land use authority decision, and who is aggrieved by a decision of an appeal authority, may file an appeal petition for the review of the appeal authority's decision with the District Court within 30 days after the appeal authority's decision is final, as provided by this section.

(F) *Requirements for an appeal petition.*

(1) An appeal petition of a land use authority's decision shall clearly identify the alleged error in any order, requirement, decision or determination made by the land use authority in the administration or interpretation of the town's land use ordinances/codes.

(2) Only those decisions in which a land use authority has applied the requirements of the town's land use ordinances/codes to a particular application, person, lot or parcel may be appealed to an appeal authority.

(G) *Condition precedent to judicial review; appeal authority duties.*

(1) As a condition precedent to judicial review, each adversely affected person shall timely and specifically appeal a land use authority's decision to the applicable appeal authority in accordance with the requirements of this subchapter.

(2) An appeal authority shall:

(a) Act in a quasi-judicial manner;

(b) Serve as the final arbiter of issues involving the interpretation or application of the town's land use ordinances/codes;

(c) Not entertain an appeal of a matter in which the appeal authority, or any participating member, had first acted as the land use authority;

(d) Require an adversely affected party to present every theory of relief that it can raise in District Court; and

(e) Not require an adversely affected party to pursue duplicate or successive appeals before it, or another appeal authority, as a condition of the adversely affected party's duty to exhaust administrative remedies.

(H) *Application required.* An appeal of a land use authority's decision shall be made on the land use appeal application provided by the town; and If the applicant fails to correct any and all land use

application deficiencies within 30 days from the date of written notification by the town, the application shall be deemed withdrawn and returned to the applicant by town staff. Any application fees paid shall also be returned to the applicant.

(I) *Meetings, records and action of an appeal authority*.

(1) Each appeal authority identified in this chapter shall:

(a) Provide each of its members with the same information and access to town resources as any other member;

(b) Convene only if a quorum of its members is present, which in no event shall be less than three members of the Planning Commission or Town Council; and

(c) Act only upon the vote of a majority of its convened members.

(2) (a) After an appeal petition is determined to be complete by the town as provided herein, the town shall coordinate with the appeal authority to schedule the hearing of the appeal.

(b) The town shall transmit to the appeal authority all materials constituting the full and complete record of the decision of the land use authority;

(3) Following a written decision by the appeal authority, the appeal authority shall provide the applicant with a copy of the written decision; and

(4) A record of the decision of the appeal authority shall be maintained in the Office of the Town Recorder/Clerk, which shall constitute the official record of the appeal hearing and decision.

(J) *Due process*.

(1) The appeal authority shall conduct each appeal hearing as provided in this chapter.

(2) Shall respect the due process rights of each of the participants.

(K) *Burden of proof.* Any person bringing an appeal and alleging an error of a land use authority's decision administering or interpreting the town's land use ordinances has the burden of proving that the land use authority erred.

(L) *Standard of review for appeal*.

(1) The appeal authority shall hear and review all appeals only "on the record" as presented to the land use authority, including the review of all factual matters.

(2) The appeal authority shall only consider the materials presented originally before the land use authority in making the decision that is the subject of the appeal.

(3) The appeal authority shall determine the correctness of a decision of the land use authority in its interpretation application of the land use ordinances.

(4) Only those decisions in which a land use authority has applied the requirements of the town's land use ordinances to a particular application, person, lot or parcel may be appealed to an appeal authority.

(5) An appeal application shall not be used to waive, modify or amend any requirement, provision or term of the land use ordinances.

(6) A decision of the appeal authority shall take effect on the date when the appeal authority issues a written decision unless a different effective date is given in the written decision.

(7) No person may challenge in District Court a decision of a land use authority until that person has exhausted all administrative remedies as provided by this chapter and received a final decision from the applicable appeal authority, as provided by this section.

(8) Any person adversely affected by a final decision of an appeal authority made in the exercise of, or in violation of, the provisions of this chapter may file an appeal petition for review of the decision with the District Court within 30 days after the appeal authority's decision is final.

(9) An appeal petition in District Court is barred unless it is filed within 30 days after the appeal authority's decision is final.

(M) *Tolling of time*. If any private property owner files a request for mediation or arbitration of a constitutional taking issue with the State Property Rights Ombudsman, as provided by U.C.A. § 13-43-204, as amended, before the time required to file for District Court review of the appeal authority's decision has expired, the required time for filing for District Court review shall be tolled until 30 days after mediation concludes; the arbitrator issues a final award; or the Property Rights Ombudsman issues a written statement under U.C.A. § 13-43-204(3)(b), as amended, declining to arbitrate or to appoint an arbitrator.

(1) A tolling under this section operates only as to the specific constitutional taking issue that is the subject of the request for mediation or arbitration filed with the Property Rights Ombudsman by a property owner.

(2) A request for mediation or arbitration filed with the Property Rights Ombudsman after the time under this section to file an appeal petition in the District Court has expired does not affect the time to file in the District Court.

(3) (a) The appeal authority shall transmit to the District Court the record of its proceedings, including its minutes, findings, orders and, if available, a true and correct transcript of its proceedings.

(b) If the proceeding was tape recorded, a certified transcript of that tape recording is a true and correct transcript for the purposes of this section. The party filing a petition for review in District Court shall pay for the certified transcription of the proceedings.

(N) *Staying of decision.*

(1) The filing of a petition in District Court does not stay the decision of the land use authority or appeal authority, as the case may be. Before filing a petition in District Court under this section, or before making a request for mediation or arbitration of a constitutional taking issue under U.C.A. § 13-43-204, as amended, the party may petition the appeal authority to stay its decision.

(2) Upon receipt of a request to stay its decision, the appeal authority may order its decision stayed pending District Court review if the appeal authority finds that the correctness of its decision is reasonably debatable and a stay would be in the best interest of the town and its residents and property owners.
(Prior Code, § 10.5.170)

## *QUALIFYING REGULATIONS AND PROCEDURES*

### § 154.060 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ACCESSORY BUILDING/ACCESSORY STRUCTURE.*** A building or structure that is clearly incidental to, and located on the same lot as, a principal or main building. It is subordinate in use, area and extent and contributes to the comfort, convenience or necessity of occupants of the principal building. Shipping containers, trailers and similar movable objects shall not be considered ***ACCESSORY STRUCTURES***.

***AGRICULTURAL BUILDING.*** A structure used solely for agricultural purposes, including sheltering animals or storing crops and equipment. It is not used for human habitation or commercial purposes unless otherwise permitted.

***ANIMAL RIGHTS.*** The legal entitlement to keep and raise animals on a parcel, subject to zoning, health and nuisance regulations, and in accordance with agricultural use protections.

***BUILDABLE AREA.*** The portion of a lot remaining after required setbacks, easements and other constraints have been subtracted, and which is suitable for the placement of structures.

***BUILDING PERMIT.*** Written permission issued by the town authorizing the construction, alteration or demolition of a structure in compliance with adopted codes.

***DEVELOPMENT REVIEW COMMITTEE (DRC).*** A body appointed by the Mayor and Town Council for interdepartmental review of land use applications, whose purpose is to evaluate compliance with the general plan and land use ordinances.

***FENCE-IN COMMUNITY.*** A land use policy under which livestock and other animals must be confined by the property owner. Adjacent landowners are not required to "fence out" animals from entering their property.

***FLOOD CHANNEL.*** A natural or engineered watercourse subject to periodic flooding, including gullies, washes, streams and drainageways as defined by FEMA or other applicable regulatory bodies.

***FRONTAGE.*** The length of a lot boundary that directly abuts a public or approved private street and from which vehicular and pedestrian access is gained.

***HABITABLE STRUCTURE.*** Any structure used or intended for human occupancy, including dwellings and residences, but not including agricultural buildings, sheds or storage units.

***MANUFACTURED HOME.***

(1) A dwelling unit constructed on or after June 15, 1976, in accordance with the HUD Manufactured Home Construction and Safety Standards and bearing a HUD certification label.

(2) ***MANUFACTURED HOMES*** must be placed on a permanent foundation and comply with all zoning and code requirements.

***MOBILE HOME.*** A factory-built dwelling manufactured prior to June 15, 1976, not built to HUD standards. ***MOBILE HOMES*** are prohibited for use as dwellings in the town.

***NONCOMPLYING STRUCTURE.*** A structure that legally existed before its current zoning designation but does not conform to the current zoning requirements due to changes in code.

***NONCONFORMING USE.*** A land use that lawfully existed before a zoning ordinance was enacted or amended, but which does not conform to the use regulations of the current zone.

***PLOT PLAN.*** A scaled drawing showing the layout of a lot, including the location of existing or proposed structures, property lines, setbacks, roads and easements.

***RECREATIONAL VEHICLE (RV).*** A motorized or towable vehicle used for temporary living accommodations. ***RECREATIONAL VEHICLES*** are not permitted as permanent dwellings within the town unless used in accordance with temporary use regulations.

***STRUCTURE.*** Anything constructed or erected that requires location on the ground or attachment to something on the ground, including buildings, sheds, decks, fences and similar improvements.

***TEMPORARY DWELLING.*** A non-permanent structure or RV used for living purposes during active construction or emergency conditions, as allowed under § 151.28.
(Prior Code, § 10.7.05)

## § 154.061 PURPOSE.

The intent of this subchapter is to accumulate, under one heading, regulations which apply to two or more zones rather than to repeat them several times. It is not the intent of this section to specify uses allowed within a zone but to set forth supplementary and qualifying conditions which must be complied with in connection with such uses. Each zone may have additional conditions listed. Where two conflicting conditions exist, the more restrictive shall apply.
(Prior Code, § 10.7.10)

## § 154.062 AMENDMENTS TO CODE AND MAP.

(A) *Amendment petitions*. This chapter and/or its provisions, including the official zoning map, may be petitioned for amendment by any citizen of the town as hereinafter provided, or through action initiated by the Mayor, Town Council or Planning Commission.

(B) *Intent with respect to amendments*. It is hereby declared to be public policy that this chapter shall not be amended except to more fully carry out the intent and purpose of the general plan of the town and of this chapter.

(C) *Procedure*. Any person seeking to enact or amend a land use ordinance/code or the zoning map shall submit to the Planning Commission a land use ordinance change application designating the change desired and the reasons therefor and shall pay the required filing fee (see the Town Fee Schedule) to the town. Upon receipt of the application and the paying of the filing fee, the Planning Commission shall consider the request and shall certify its recommendations to the Town Council with respect to the request within 90 days from receipt of the request. Failure on the part of the Planning Commission to certify its recommendations to the Town Council within 90 days shall be deemed to constitute a recommendation for approval unless a longer period is granted by the Town Council. The fee required shall be nonrefundable. The Planning Commission or Town Council may also initiate amendments to this chapter or map.

(D) *Fees*. Fees shall be set by the Town Council and will be included on the Town Fee Schedule.

(E) *Public hearing required before amending and notice*.

(1) A land use code may be adopted only after a public hearing is held in relation thereto before the Planning Commission at which parties in interest and citizens shall have an opportunity to be heard.

(2) Public hearing shall be noticed in compliance with the State Open and Public Meetings Act, U.C.A. § 52-4-101.
(Prior Code, § 10.7.20)

## § 154.063 MINIMUM PERFORMANCE STANDARDS.

The operation of any use permitted in the town is subject to the following standards of performance.

(A) The Planning Commission shall review the site plan and building elevations. The Planning Commission shall confirm compliance with architectural design, setbacks, landscaping, easements, dedications and the like to assure compliance with the general plan and with the town's generally applicable policies and regulations. See § 151.22 of this code for site plan requirements.

(B) (1) All uses must be operated so that all practical means are used to confine any noise, odor, dust, smoke, vibration or other similar features to the premises upon which they are located and shall not inhibit the everyday use of adjacent properties.

(2) All uses must comply with the town nuisance ordinance, Chapter 90 of this code.

(C) (1) All uses in nonresidential zones shall be conducted entirely within a fully enclosed building except those uses deemed by the Planning Commission and Town Council to be customarily and appropriately conducted outside.

(2) Such uses include service stations, gas pumps, plant nurseries, outdoor RV or boat storage, home improvement material yards and the like.

(D) Any light used to illuminate signs, parking areas or for any other purpose shall be so arranged as to confine direct light beams to the lighted property by appropriate directional hooding. Any outdoor lighting shall comply with the town's outdoor lighting standards in Chapter 153 of this code.

(E) All stormwater must be maintained on-site.

(F) (1) The town places great importance on its agricultural areas and the protection and preservation of agricultural land and agricultural activities within the town.

(2) All uses must comply with the right to farm ordinance, §§ 150.20 to 150.24 of this code.

(G) All buildings and structures located in an area not zoned for residential uses shall be prohibited as permanent living quarters or residences unless otherwise provided for by conditional use as set out in § 154.186 of this chapter.

(H) If more than four of the following items described in divisions (H)(1) to (H)(6) below are parked or stored on a single parcel of land or lot or being used as a business, the landowner shall apply for and be governed by a conditional use permit as outlined in this chapter:

(1) (a) Heavy-duty vehicles specially designed for executing construction tasks, most frequently ones involving earthwork operations.

(b) They are also known as heavy machines, heavy trucks, construction equipment, engineering equipment, heavy vehicles or heavy hydraulics;

(2) Double-axle trailers that are used to haul or transport heavy equipment and are used for the storage of equipment or materials used for a commercial business;

(3) Storage of any equipment that requires a UDOT permit number to legally drive or be transported on state roads;

(4) Box trucks, containers and box trailers are allowed per individual zoning requirements. Any amount of containers over four must be painted to match aesthetics;

(5) Containers used as screening for an area must be painted in colors that blend with their surroundings or match the aesthetics of the surrounding area; or

(6) (a) Any commercial storage, storage for a business, goods and products, including large stationary equipment, must be stored behind a screened wall.

(b) The Planning Commission may require additional screening requirements where deemed necessary.

(I) These regulations may be modified by a conditional use permit with the approval of the Town Council and a positive recommendation from the Planning Commission.
(Prior Code, § 10.7.30) Penalty, see § 154.999

### § 154.064 HEALTH DEPARTMENT APPROVAL FOR WATER AND SEWER.

No residence, campground, resort, commercial establishment or manned industrial plant shall be used or occupied, nor a permit issued therefor, until a potable water supply facility and sanitary sewage disposal facility have been installed with the approval of the County Health Department as meeting county standards; furthermore, before a building permit shall be issued, plans showing the proposed water and sewage facilities shall first be approved by said Health Department and proof be shown to the proper town authority.
(Prior Code, § 10.7.40)

### § 154.065 ONE DWELLING PER LOT.

Only one building that contains a dwelling shall be located and maintained on a lot, provided:

(A) Such lot meets all requirements of the Land Use Code, including the requirements of the zoning in which the lot is located; or

(B) Exceptions:

(1) An approved accessory dwelling unit (ADU); or

(2) As part of a conditional use.
(Prior Code, § 10.7.50)

### § 154.066 OCCUPYING A BUILDING.

No building shall be occupied unless all fees have been paid and all inspections completed. Residential occupancy of a home requires the issuance of a certificate of occupancy by the town.
(Prior Code, § 10.7.60)

### § 154.067 STRUCTURES, USES PROHIBITED IN ZONES UNLESS EXPRESSLY PERMITTED.

Structures and uses of land which are not expressly permitted within a zone are declared to be expressly prohibited by the action of this chapter or zoning map. Any use not expressly permitted can only become permitted through the normal petition of the Land Use Code.
(Prior Code, § 10.7.70) Penalty, see § 154.999

## § 154.068 MORE RESTRICTIVE ZONING REQUIREMENTS APPLY.

Where a lot of record at the time of passage of the ordinance codified in this subchapter, or any amendment thereto, falls into two or more zones, the requirements of the more restrictive zone shall apply.
(Prior Code, § 10.7.80)

## § 154.069 PLOT PLAN APPROVAL REQUIRED.

At the time a building permit is requested for any building or structure, or at the time the use of land is changed, a plot plan shall be submitted.
(Prior Code, § 10.7.90)

## § 154.070 FRONTAGE ON AN APPROVED PUBLIC STREET REQUIRED.

For adequate access by emergency vehicles and local occupants, the frontage of each lot used as a site for a dwelling, commercial establishment, manned industrial plant or other facility occupied by humans shall abut on an official state road, county road or approved town street, and from which frontage such facility gains vehicular and pedestrian access entirely across the subject lot.
(Prior Code, § 10.7.100)

## § 154.071 PRIVATE ROADS.

For private road provisions, see § 152.20 of this code.
(Prior Code, § 10.7.110)

## § 154.072 MOTOR VEHICLE ACCESS.

For motor vehicle access provisions, see § 152.21(F) of this code.
(Prior Code, § 10.7.120)

## § 154.073 LAND USES IN AN EMERGENCY.

Notwithstanding the requirements of a zone to the contrary, whenever the federal, state or county government has declared a disaster area, or a state of emergency or extreme danger, in the town which

requires a temporary use permit to deal with the situation, the Town Council may order the necessary permit issued.
(Prior Code, § 10.7.130)

### § 154.074 STRUCTURE TO HAVE ACCESS.

All structures shall be on a lot adjacent to a public street, or with access to an approved private street, and shall be located on lots so as to provide safe and convenient access for fire and public protection.
(Prior Code, § 10.7.140)

### § 154.075 BUILDABLE AREA AND SURVEY REQUIREMENTS.

(A) Every lot or parcel created after the effective date of the ordinance codified in this chapter shall have a buildable area sufficient to establish a building or structure thereon which meets the minimum standards of the zoning in which the lot or parcel is located. Any area located within an easement may not be included within any buildable area unless the easement beneficiary executes and records a release of the easement in a form acceptable to the Town Attorney.

(B) Each lot must have a completed survey before a building permit will be issued.

(C) Setbacks will be measured from either the lot line or fence line, whichever is the shortest distance.
(Prior Code, § 10.7.150)

### § 154.076 ARCHITECTURAL STYLES.

Architectural styles shall be consistent with surrounding structures and the environment.
(Prior Code, § 10.7.160)

### § 154.077 LICENSING.

All departments, officials and public employees of the town which are vested with the duty and authority to issue permits or licenses shall conform to the provisions of this chapter and shall issue no permit or license for a use, building or purpose where the same would be in conflict with the provisions of this chapter, and any such permit or license, if issued in conflict with the provisions of this chapter,

shall be null and void. The issuance of a permit or license in conflict with the provisions of this chapter shall not stop the town from enforcing the provisions of this chapter.
(Prior Code, § 10.7.170)

## § 154.078 REQUIRED PROPERTY MAINTENANCE.

All buildings, uses, lots and parcels located within the town shall be maintained and operated in a manner to enhance community pride and beautification. No junk, rubbish, weeds or other unsightly material or conditions shall be permitted on any lot, right-of-way or easement, or as part of any building or use.
(Prior Code, § 10.7.180) Penalty, see § 154.999

## § 154.079 USES, BUILDINGS AND STRUCTURES TO COMPLY WITH ZONING REQUIREMENTS.

Every building or structure erected, reconstructed, altered, enlarged or moved, and every building, structure or land rearranged, designed or intended for any use, shall be built or used only as allowed by the requirements of this chapter and the zoning in which such building, structure, land or use is located.
(Prior Code, § 10.7.190)

## § 154.080 MOVED BUILDINGS.

(A) It is the purpose of this chapter to prevent the degradation of neighborhoods by prohibiting the moving in of unsightly or unsafe buildings.

(B) As a special exception to this chapter, the land use authority may authorize a building permit to be issued to move a building onto a lot upon compliance with the following conditions.

(1) *Pre-inspection.* No permit shall be issued nor approval given for the moving of any building from one site within the town to another site within the town, or from a site outside of the town to a site within the town, without a prior building inspection being made to determine whether or not the building complies with the standards of the building codes adopted by the town. The applicant shall submit, along with his or her application, a report from an independent building inspector who is licensed by the state to inspect the type of building to be moved and a report from an independent structural engineer who is licensed by the state. These reports must state whether the building complies with the current codes, and if not, a list of those things which need to be done to meet the current standards of the codes. Furthermore, the applicant shall obtain site plan approval.

(2) *Application*. The following information shall be filed with the town staff at the time the application is made:

(a) Location and address of the old and new site;

(b) Plot plan of the new location, also showing adjacent lots on all sides of the property and indicating all structures and improvements on said lots;

(c) Plans and specifications for the proposed improvements of the new location, including compliance with §§ 154.225 to 154.229 of this chapter; and

(d) Must obtain a building permit as set out in § 151.01 of this code.
(Prior Code, § 10.7.200) Penalty, see § 154.999

## § 154.081 FLOOD PROTECTION.

No dwelling or other building used for human habitation shall be constructed within 100 feet of the banks of a stream, gully or other flood channel in accordance with FEMA standards. No use or structure (except flood control works or irrigation diversion dams) shall be permitted in any flood channel.
(Prior Code, § 10.7.210)

## § 154.082 FENCING.

All zones in the town are fence-in zones, not fence-out zones. A developer or adjacent landowner (known as the remover) shall not remove a fence for construction or any other reason without a written agreement with the adjoining landowner. The fence that is removed must be re-erected within an agreed upon time frame. It must be re-erected in the exact location with new materials equal or superior in quality. If there is a need for an extended period, the remover must pay the adjacent landowner any expenses per day that are inquired due to the unusable land without a fence. If these conditions are not met, the town has the authority to place a stop work order on the project.
(Prior Code, § 10.7.220)

## § 154.083 MANUFACTURED HOMES AND RECREATIONAL VEHICLES (RVS).

(A) *Prohibitions*.

(1) It is unlawful to place any recreational vehicle on any lot or parcel of land in the town and to use the same for permanent human habitation, except:

(a) When located in a travel-trailer court; or

(b) When a building permit has been issued and a building is being constructed and is connected to approved water and sewer facilities, but not to exceed one year, or as state law permits.

(2) It is unlawful to place a mobile home manufactured prior to June 15, 1976, on any lot or parcel of land within the incorporated portion of the town.

(3) Manufactured or mobile homes are built with the intended use as a dwelling unit for human habitation. It is unlawful to use manufactured or mobile homes for storage sheds, workshops or animal sheds/barns, or for uses other than dwelling units for human habitation.

(B) *Exceptions*. It is unlawful to place a manufactured home on any lot or parcel of land within the incorporated portion of the town except in compliance with the following.

(1) All manufactured homes constructed on or after June 15, 1976, shall be identifiable by the manufacturer's data plate attached to the interior of the home bearing the date the unit was manufactured and a Federal Home Construction and Safety Standards Act of 1974 (HUD Code) label attached to the exterior of the home certifying the home was manufactured to HUD standards, and the label and plate must be in place as stated.

(2) When placed on a lot that complies with all the regulations of the zone in which the manufactured home is located, provided:

(a) A residential dwelling is a permitted use in the zone and the manufactured home is connected to an approved water supply and domestic wastewater disposal system;

(b) The owner of the manufactured home and/or the lot owner has obtained a building permit from the town for the installation of the manufactured home;

(c) The manufactured home is placed on a permanent foundation in accordance with the plans providing for vertical loads, uplift and lateral forces and frost protection which are in compliance with the applicable building code;

(d) The running gear and hitch shall be removed from those manufactured homes which are entered on the tax rolls of the town as real property;

(e) With the exception of the manufactured home being in one name and the property owner (as) being in another, the manufactured home shall be entered on the tax rolls of the town as real property; and

(f) The roof shall be constructed to meet the snow-load requirements for the given area. (Prior Code, § 10.7.240) Penalty, see § 154.999

## § 154.084 ACCESSORY BUILDING, ACCESSORY STRUCTURE REQUIREMENTS GENERALLY.

(A) *Terms clarified.* An ***ACCESSORY STRUCTURE*** or ***ACCESSORY BUILDING***, for the purposes of this section, are interchangeable terms that shall be:

(1) Clearly incidental to and found in connection with a principal or main building;

(2) Subordinate to and serves a principal or main building;

(3) Subordinate in area, extent or purpose to the principal or main building served;

(4) Located on the same lot as the principal or main building served;

(5) A structure that contributes to the comfort, convenience or necessity of the occupants, business or industry in the principal or main building; and

(6) A structure that does not include Conex-type shipping containers.

(B) *General requirements.*

(1) Accessory structures and accessory uses may be authorized in association with a primary building or primary use.

(2) Accessory structures and accessory uses shall only be authorized concurrently with, or following, the establishment of the primary building or primary use.

(3) No stormwater runoff from any accessory structure shall be allowed to run onto adjacent property.

(4) Accessory structures shall meet the required standards in the zone in which the accessory structure is located.

(5) Accessory structures shall comply with the requirements of the most recently adopted Building Code, as applicable.

(6) Accessory structures require site plan approval for any structure over 244 square feet.

(7) No shipping container, cargo container, shipping crate, box, trailer or similar movable piece of equipment or object shall be considered an accessory structure.

(8) No accessory structure shall be rented, leased or sold separately from the rental, lease or sale of the primary building.

(9) No accessory structure shall be used as permanent or temporary living quarters.

(10) All accessory structures shall have a zoning compliance certificate from the town.

(C) *Limitations on height, size and location of garages and other accessory buildings.* In an effort to avoid the appearance of commercial-style buildings in residential zones, and to protect the character and stability of residential neighborhoods, the following requirements for garages and other accessory buildings located in residential zones are provided.

(1) No accessory building shall be higher than two stories.

(2) The appearance of the building shall fit in with its surroundings and shall not look like a commercial-style building.

(D) *Approvals for accessory buildings.* Unless otherwise exempt by this chapter, all accessory buildings require a building permit (see § 151.01 of this code). Exempt accessory buildings shall require a zoning compliance certificate (see § 151.30 of this code).

(E) *Smaller accessory buildings; exemption from building permit requirements.* An accessory building with a maximum height of 16 feet and a maximum size of less than 200 square feet, and no permanent foundation shall be exempt from building permit and zoning compliance certificate requirements, provided all setback requirements for the zoning in which the accessory building is located are met. Accessory buildings that do not meet the requirements shall be subject to fines in conjunction with code enforcement.

(F) *Agricultural building requirements.* An agricultural building shall require the following:

(1) A zoning compliance certificate from the town (see § 151.30 of this code);

(2) A completed agricultural exemption acknowledgment application;

(3) The applicant shall follow state statutes; and

(4) Any change of use may require a building permit.
(Prior Code, § 10.7.250) (Ord. 03142023-2, passed 3-14-2023)

## § 154.085 ACCESSORY DWELLING UNITS.

(A) *Zoning*. ADUs shall be permitted in the following zones: AR-1, AR-5, AR-10 and AR-40.

(B) *Definitions*. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ACCESSORY DWELLING UNIT (ADU).*** A D-ADU and an I-ADU.

***ACCESSORY DWELLING UNIT, DETACHED (D-ADU).*** A separate structure from the primary dwelling that is located on the same lot or parcel. ***D-ADU***s shall include a kitchen and a bathroom.

***ACCESSORY DWELLING UNIT, INTERNAL (I-ADU).*** A dwelling unit located within the footprint of a primary dwelling. ***I-ADU***s are sometimes called mother-in-law apartments.

***OWNER OCCUPANCY.*** A property owner, as reflected in title records, makes their legal residence at the property. Evidence of owner occupancy may include voter registration, vehicle registration, driver's license, County Assessor records or other similar means.

(C) *Purpose and intent*. This section provides a process to allow affordable housing within the town through accessory dwelling units within single-family detached dwellings or in separate detached structures. The standards in this section include reasonable limitations to minimize impact on neighboring properties. The purpose of this section is to provide regulations for accessory dwelling units that are incidental and accessory to a single-family dwelling, where permitted in the zone. Accessory dwelling units are intended to assist in providing housing types that meet the needs of populations of various income levels, ages and stages of life. In accordance with the goals of the general plan and state law, providing tools and methods for creating moderate-income housing is necessary in the town.

(D) *Authority*. The Town Administrator, or its designee, has the authority to implement and enforce provisions of this section.

(E) *Standards*. All ADUs must comply with the following:

(1) *Code compliance*. Conform to all federal, state and local laws, including compliance with the International Building Code, International Fire Code, the County Health Department and other local ordinances.

(2) *Number of ADUs*. Only one ADU may be created per lot, parcel or property.

(3) *Owner occupancy*. The property owner must occupy either the primary dwelling or the ADU as their permanent residence. The primary dwelling and ADU may not be rented at the same time. At all times, the ADU must be owned by the property owner.

(4) *Short-term rental*. ADUs shall not be rented for less than 30 consecutive days.

(5) *Building permit*. A building permit is required to modify an existing home, building or any new construction on a parcel or lot. Building permit applications shall include a site plan, floor plan, architectural elevations and structural calculations. The applicant shall obtain all necessary other permits and pay all applicable fees before construction, remodeling or any use of an ADU. ADUs shall not be approved on properties with outstanding building code violations or nonconforming uses or structures.

(6) *Septic*. Septic systems must be inspected to ensure suitability for all proposed ADUs. ADUs are prohibited if the primary dwelling is served by a failed septic tank.

(7) *Soil*. The town has known arsenic within its jurisdictional boundaries. Any disturbance of soil must comply with the soil testing requirements in §§ 91.15 to 91.24.

(8) *Utility meters*. ADUs may have up to two electrical meters; notwithstanding, the electrical meters must be in the name of the property owner. Unless approved by the Planning Commission, installing other separate utility meters for an ADU is prohibited.

(9) *ADU permit*. ADUs rented to a non-family member require a permit from the town.

(10) *Parking*. In addition to the parking required for the primary unit, one additional off-street parking space shall be provided. In no case shall fewer than three total off-street parking spaces be provided. Any additional occupant vehicles shall be parked on-site. On-street parking shall be reserved for visitors only.

(11) *Affidavit*. Applicants for all ADUs shall complete an affidavit stating that the owner of the property will live in either the primary dwelling or ADU as their permanent residence. Upon approval of the ADU by the Town Administrator, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the ADU.

(12) *Inspections*. The Town Administrator shall issue an ADU permit if the applicant complies with this section's provisions and the ADU is ready for occupancy.

(13) *ADU permit*. An ADU permit is required to rent out either the primary dwelling or the ADU.

(F) *D-ADU regulations.*

(1) *Height.* The maximum height for D-ADUs is limited to 35 feet.

(2) *Square footage.* The total floor area for D-ADUs shall not exceed 900 square feet, or 35% of the footprint of the primary dwelling, whichever is less, unless, in the opinion of the Planning Commission, a greater amount of floor area is warranted.

(3) *Lot size.* D-ADUs are only permitted on lots one acre or greater.

(4) *Number of rooms.* D-ADUs shall not have more than two bedrooms.

(5) *Setbacks.* D-ADUs must comply with the setbacks for the principal dwelling and shall have adequate facilities for all discharge from the roof and other drainage.

(6) *Exterior appearance.* D-ADUs shall be designed so that the appearance of the lot, building structure and landscaping retains the character of a single-family neighborhood.

(7) *Area coverage.* Construction of a D-ADU shall not exceed the allowable lot or rear yard coverage standard for the underlying zone. In no event shall a D-ADU cover more than 30% of a rear yard.

(8) *Parking.* AD-ADU shall have an additional off-street parking.

(9) *Distance from dwelling.* D-ADU shall be located no more than 200 feet from the principal dwelling on the same lot to ensure proximity and maintain site coherence.

(G) *Exception.* A property owner may build a new home and use his, her or their existing home as an ADU if his, her or their existing home will comply with the provisions of this section, and the new home will comply with the underlying zoning regulations by the time the new home is habitable and eligible to receive a certificate of occupancy.

(H) *Revocation and enforcement.*

(1) If any provision of this section is violated, the town may revoke an ADU permit.

(2) The town may enforce the provisions of this section through civil or criminal penalties, including filing a lien against a property owner or any other means allowable by law.
(Ord. 2024-14, passed 12-18-2024) Penalty, see § 154.999

## § 154.086 NONCONFORMING USES AND NONCOMPLYING STRUCTURES.

(A) *Intent*. It is the intent of this code that noncomplying structures and nonconforming uses of land existing at the time of passage of the Zoning Code, but not in conformance therewith, be changed, ultimately, to complying structures and conforming uses and that noncomplying structures and nonconforming uses shall not be continued, increased or expanded except as permitted herein.

(B) *Continuation*. Except as provided below in this section, a noncomplying structure or a nonconforming use of land may be continued to the same extent and character as that which was legally existing and permitted on the effective date of the code provision(s) causing noncompliance or nonconformity if:

(1) No increase or expansion is made; and

(2) The lot on which the structure or use lies is unchanged, provided, however, that a noncomplying structure consisting of an occupied structure shall be allowed to continue in its noncomplying status when the boundaries of the parcel on which the occupied structure is located are changed to create a platted subdivision lot if the noncompliance is not deemed a hazard to public safety.

(C) *Amending recorded noncomplying plats*. Recorded, noncomplying plats can be amended pursuant to the procedure contained in this chapter.

(D) *Nonconforming lot of record*. A nonconforming lot of record which conforms with every provision and requirement of this code for a single-family dwelling or manufactured home except for the required lot area and/or required lot width along the side abutting a state or town road may be granted a building permit for a one-family dwelling or manufactured home, notwithstanding such deficiency in lot area or width, provided that it was shown continuously on the records of the County Clerk or Recorder as an independent parcel since before the effective date of the ordinance codified in this subchapter.

(E) *Expansion*. A noncomplying structure or nonconforming use of land may be expanded only if:

(1) A health or safety official of the county, the state or the United States of America, acting in his or her official capacity, requires such expansion in order for the use to continue (note: the town does not have a Health Department), and if:

(a) The requirement is based upon the health, safety and/or building codes administered by such official;

(b) A copy of the written findings by such official, and the order based thereon, are presented to the Zoning Commission as part of the application for a permit;

(c) The official states the use cannot continue unless such an expansion is made; or

(d) Recommendations are made to the Town Council.

(2) The Planning Commission approves the expansion after making any of the following findings.

(a) The specific use and structure to be expanded is a noncomplying, single-family dwelling.

(b) The boundaries of the lot on which the single-family dwelling lie are unchanged from those existing when the dwelling became noncomplying.

(c) The proposed expansion meets all the requirements of the zone in which it is located for subdivision, Health Department approval of water supply and sewage, flood protection, parking and setback, except new construction may be approved within the required front setback distance if it does not intrude beyond the setback of the existing structure.

(d) The specific use and structure to be expanded is an existing church or other structure for religious worship that is located on a legal nonconforming lot of record.

(e) The overall use and structure meet all of the requirements of the town and the state for fire protection, water supply for fire suppression, drinking water, sewage disposal, drainage and flood protection, subdivision plat approval, parking capacity, building setback and construction code compliance.

(F) *Repairs*. Repairs may be made to a noncomplying structure, but only when the repair is for the purpose of the maintenance of the existing structure. The repair cannot increase the square footage of the structure, cannot alter the footprint of the structure and cannot create or relocate any exterior walls of the structure.

(G) *Replacement of destroyed buildings*. A noncomplying structure which is rendered uninhabitable by the destruction of a fire, flood or other calamity or act of nature may be restored and the preexisting use resumed, provided that a building permit for reconstruction is obtained within one year from the date of destruction and construction is diligently executed to completion and re-occupancy. Such restoration shall not increase the floor area of the nonconforming structure.

(H) *Change in use*. A noncomplying structure or a nonconforming use of land shall not be changed to another noncomplying structure or nonconforming use whatsoever; changes shall not be made except in conformity with the current provisions of the Land Use Code. Any noncomplying structure or

nonconforming use which has been changed to a complying structure or conforming use shall not thereafter be changed back to a noncomplying structure or a nonconforming use.

(I) *No rights gained by unpermitted occupancy or use*. No nonconforming status, nor any right to occupy a structure or use of a structure or parcel of land contrary to the provisions of this chapter, shall be gained through such occupancy or use in the past when such was illegal or accomplished without a permit.

(J) *Effect of amendments*. The provisions of the Land Use Code pertaining to noncomplying structures and nonconforming uses of land also apply to structures and land uses which hereafter become noncomplying and nonconforming because of an amendment to the Land Use Code.

(K) *The lot lies in the zone*. The lot has existed continuously on the official records of the County Clerk or Recorder as an independent parcel prior to 2005, and every provision and requirement of this chapter, except for said area and width requirement, is met.

(L) *Effect of tax sales on nonconforming uses*. When the county or town acquires title to any property because of a tax sale, the future use of the property shall conform to the existing requirements within the zone.
(Prior Code, § 10.7.260)

## § 154.087 TEMPORARY DWELLINGS; STORAGE STRUCTURES.

For temporary dwelling and storage structure provisions, see § 151.28 of this code.
(Prior Code, § 10.7.270)

## § 154.088 ANIMAL RIGHTS.

The town is an agricultural community that prides itself on a rural farming and ranching atmosphere. Animals are a large part of this atmosphere.

(A) Animals shall be kept, cared for and maintained in a humane manner that does not pose a significant health risk to the residents or other animals in the town.

(B) There shall be sufficient area for the animal(s) to move about freely in accordance with acceptable agricultural practices.

(C) Noxious odors created by animal(s) shall be mitigated so as not to cause a nuisance to neighboring landowners.

(D) Animals shall not infringe upon the rights of neighboring landowners.

(E) The town is a fence-in, not a fence-out, community. For right to farm ordinance provisions, see §§ 150.20 to 150.24 of this code.
(Prior Code, § 10.7.290)

## *TOWN ZONES*

### § 154.100 ZONES ESTABLISHED.

In order to carry out the purposes of this chapter, the town is hereby divided into zones as follows:

(A) AR-1 Residential Agricultural Zone;

(B) AR-5 Residential Agricultural Zone;

(C) AR-10 Residential Agricultural Zone;

(D) AR-40 Agricultural Residential Zone;

(E) Light Industrial West Zone;

(F) Light Industrial East Zone;

(G) Commercial Overlay Zone;

(H) Heavy Industrial Zone;

(I) Airpark Zone; and

(J) Airpark Overlay Zone.
(Prior Code, § 10.11.10)

### § 154.101 OFFICIAL ZONING MAP.

(A) The location and boundary of each of the zones are shown on the official zoning map of the town, and said map is hereby declared to be an official record and a part of this chapter and shall be kept at the Town Office.

(B) Whenever amendments or changes are made in zone boundaries, such amendments or changes shall be made on the official zoning map. No amendment or change shall become effective until after the zoning map has been updated.

(C) Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map, which shall be located in the Office of the Town Recorder/Clerk, shall be the final authority in determining current zoning status.
(Prior Code, § 10.11.30)

## § 154.102 BOUNDARIES OF ZONES.

Where uncertainty exists with respect to the boundaries of various zones, the following rules shall apply.

(A) *Street or alley lines*. Where the intended boundaries on the zone map are approximately street or alley lines, said streets or alleys shall be construed to be the zone boundaries.

(B) *Lot lines*. Where the indicated boundaries are approximately lot lines, said lot lines shall be construed to be the zone boundaries unless otherwise indicated.

(C) *Unsubdivided land*. Where land has not been subdivided into lots, the zone boundary shall be determined by the use of the scale of measurement shown on the map.

(D) *Uncertainty*. Where other uncertainties exist, the Planning Commission shall interpret the map.
(Prior Code, § 10.11.40)

## § 154.103 REGULATIONS WITHIN ZONES.

Within each of the zones, the use, location, height and size of buildings and structures; the use of land, size of lots, yards, courts and other open spaces; and the density of population are regulated as hereinafter set forth. Any use not specifically permitted in the zone shall be prohibited.
(Prior Code, § 10.11.50) Penalty, see § 154.999

## § 154.104 REZONING.

(A) Property owners desiring to change the zoning classification for property which they own, whether individually or as a part of a larger development project, shall make an application to the Planning Commission.

(B) The requirements and procedures for such rezoning applications are as follows.

(1) *Application requirements*. Applications to rezone property shall include, but not be limited to, the following:

(a) A completed town rezone request application;

(b) A concept plan depicting the layout, including, but not limited to, roads, parks, trails and type of development anticipated within each zoning classification being requested;

(c) If deemed necessary by the Planning Commission, an impact analysis, including, but not limited to, traffic, economic and wildlife;

(d) The current zoning classification;

(e) Legal description of the property(ies) proposed to be rezoned along with a map and area calculation for each area to be affected; and

(f) Rezoning application fees, as determined by resolution of the Town Council and listed in the Town Fee Schedule.

(2) *Procedure*. Upon receipt of a complete application, along with any other supporting documentation and the application fee, the application shall be scheduled for review by the Planning Commission at the next available meeting(s), following proper notice as outlined in U.C.A. § 10-9a-205. Upon receiving a recommendation from the Planning Commission, the application will be scheduled for a public hearing. Following the public hearing, the application will be scheduled for review by the Town Council at the next available meeting(s), following proper notice as outlined in U.C.A. § 10-9a-202. Following approval from the Town Council, the property will be rezoned on the official town zoning map, and the property owner will be required to comply with any and all regulations applicable within the zoning classification to which the property is rezoned.

(3) *Requirements for approval*. In order to grant an approval for the rezoning of property, the Planning Commission and Town Council must find that:

(a) The rezoning conforms to the intent of the town's general plan and annexation policy plan;

(b) The rezoning will not adversely affect surrounding properties; and

(c) The rezoning will not cause property, structures or uses of the property to unnecessarily become nonconforming according to this chapter.

(4) *Corrective measures.* No rezoning shall be permitted as a corrective measure for a property, use or structure on a property which is found to be in violation of any provision of this chapter by the Building Official, Zoning Administrator or other authorized officer.

(5) *Resubmission.* No application for rezoning which receives a denial from the Town Council shall be permitted to resubmit the same application for a period of not less than 12 months from the date of denial unless the applicant(s) can provide documentation of information or facts that were not available at the time of review of the original application.
(Prior Code, § 10.11.60)

## § 154.105 AGRICULTURAL RESIDENTIAL ZONES.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ACCESSORY DWELLING UNIT (ADU).*** A secondary, self-contained residential unit located on the same lot as a primary residence. An ***ADU*** provides independent living facilities, including areas for sleeping, cooking and sanitation, but remains subordinate to the main dwelling.

***ACCESSORY STRUCTURE.*** An accessory structure is a detached, subordinate building or structure located on the same lot as the primary residence or principal use. It is used for purposes incidental and customarily subordinate to the main building or land use. An ***ACCESSORY STRUCTURE*** is not a dwelling unit and may not be used for permanent human habitation.

***AGRICULTURE.*** The use of land for cultivating crops, raising livestock and other agricultural operations.

***ANIMAL HUSBANDRY.*** The practice of breeding, raising and caring for animals for agricultural, commercial or scientific purposes. This includes livestock such as cattle, sheep, goats, pigs, poultry and other domesticated farm animals. ***ANIMAL HUSBANDRY*** activities must comply with local zoning regulations, environmental standards and best practices for animal welfare, waste management and noise control.

***CHARTER SCHOOL.*** A publicly funded, independently operated school that is granted flexibility in its curriculum and management. (Examples: Schools specializing in STEM, arts, language immersion or alternative learning models within the public school system.) ***CHARTER SCHOOLS*** are:

(a) Free to attend but operate independently from traditional public school districts;

(b) Governed by a charter (contract) approved by the state or a local school board;

(c) Allowed more autonomy in curriculum, teaching methods and staffing, but must meet performance benchmarks; and

(d) Open to all students, but enrollment may be limited based on a lottery system if demand exceeds capacity.

***CHILD CARE CENTER (EIGHT CHILDREN OR LESS).*** A home based facility providing care and supervision for up to eight children.

***CORRELATED COLOR TEMPERATURE (CCT).*** A measure of the color appearance of light, expressed in Kelvin (K).

***FARM ANIMALS.*** Domesticated animals raised for agricultural purposes, including, but not limited to, cattle, horses, sheep, goats, pigs and poultry.

***FIXTURE HEIGHT.*** The vertical distance from the ground to the lowest point of the light fixture.

***FOOT-CANDLE.*** A unit of measure for light intensity, representing one lumen per square foot.

***FULL-CUTOFF FIXTURE.*** A lighting fixture designed to emit no light above the horizontal plane.

***GLARE.*** Excessive brightness that causes visual discomfort or reduced visibility.

***HOME BASED BUSINESS.*** A business operated from a residential property, subject to conditions and limitations to maintain the residential character of the neighborhood.

***HOUSEHOLD PETS.*** Domesticated animals typically kept for companionship, such as dogs, cats, rabbits and similar non-livestock animals.

***ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA).*** A recognized authority on lighting recommendations and best practices.

***LIGHT TRESPASS.*** Light that extends beyond property boundaries, causing unwanted illumination.

***LUMENS.*** A measure of the total quantity of visible light emitted by a source.

***MANUFACTURED HOME.*** A pre-fabricated structure built on a permanent chassis and transported to its site, meeting federal HUD standards.

***MOBILE BUSINESS.*** A business without a fixed location that operates within the town on a temporary basis.

***MODULAR HOME.*** A pre-fabricated building constructed in sections at a factory and assembled on-site, meeting State Building Codes.

***OUTDOOR RECREATION (PARK/PLAY).*** Open areas intended for recreational use, such as parks, playgrounds and sports fields.

***PRIVATE SCHOOL.*** An independent educational institution that operates without direct government funding. (Examples: religious schools, preparatory academies or independent schools that charge tuition.) ***PRIVATE SCHOOLS*** are:

(a) Funded through tuition, donations and endowments rather than public tax dollars;

(b) Allowed to set their own curriculum and admission policies, though they must still meet state education standards;

(c) Often affiliated with religious organizations or specific educational philosophies (e.g., Montessori, Catholic or preparatory schools); and

(d) Selective in admissions, meaning enrollment is not guaranteed to all students.

***PUBLIC RIGHTS-OF-WAY.*** An area designated for public transportation or utilities, including streets, sidewalks and utility lines.

***PUBLIC SCHOOL.*** A government-funded educational institution that provides free education to all students within a designated district. (Examples: elementary, middle and high schools operated by the town's local school district.) ***PUBLIC SCHOOLS*** are:

(a) Operated by state or local school districts and funded primarily through tax revenues;

(b) Required to follow state curriculum standards, teacher certification requirements and standardized testing;

(c) Open to all students residing within the district; and

(d) Governed by a school board and overseen by the State Board of Education.

***PUBLIC UTILITY STATION.*** A facility for public utilities such as electrical substations, water treatment plants or telecommunication equipment (excluding sewer treatment).

***QUASI-PUBLIC SCHOOL.*** A privately run educational institution serving the community in a capacity similar to public schools.

***SHIELDED LIGHTING.*** Fixtures designed to direct light downward and prevent glare or uplighting.

***SPECIAL EVENT VENDOR.*** A business or individual participating in a single-event marketplace, such as fairs or town-sponsored events, which requires temporary licensing.

***STABLE.*** A facility or structure used for housing, breeding and caring for horses or other livestock. This may include boarding stables, riding schools or private equestrian facilities.

***TEMPORARY BUSINESS.*** A business operating in the town for a limited duration, typically associated with seasonal events, festivals or short-term commercial activities.

***TEMPORARY BUSINESS LICENSE.*** A special permit issued for businesses that do not operate year-round and are subject to different requirements and fees than standard business licenses.

***UPLIGHTING.*** Any light fixture that directs illumination upwards, typically used for aesthetic purposes.

***WATER RIGHTS.*** The legal entitlement of individuals, organizations or governments to use water from a specific source, such as a river, lake, stream, groundwater or other bodies of water. These rights determine who can use water, how much they can use, when they can use it and for what purposes, such as irrigation, industrial use or household consumption.

(B) *Purpose*.

(1) *Purpose*. To maintain rural agricultural and residential areas with low-density development while preserving the community's rural character. These zones accommodate a range of lot sizes from one to 40 acres, allowing flexibility for agricultural and residential uses.

(2) *Zone classifications*. This section applies to the following Agricultural Residential Zones:

(a) AR-1: minimum lot size of one acre;

(b) AR-5: minimum lot size of five acres;

(c) AR-10: minimum lot size of ten acres; and

(d) AR-40: minimum lot size of 40 acres.

(C) *Land use table*. The table below defines permitted and special uses within the AR-1, AR-5, AR-10, AR-40 Zone. Uses not listed are prohibited.

| ***Land Uses*** | ***Permitted*** | ****Special Use*** |
|---|---|---|
| Accessory dwelling unit (subject to ADU ordinance) | X | |
| Accessory structures | X | |
| Agriculture | X | |
| Animal husbandry/farm animals | X | |
| Child care center | | X |
| Church | X | |
| Commercial greenhouse | | X |
| Home based business (subject to Chapter 112 of this code) | X | |
| Household pets | X | |
| Manufactured home | X | |
| Modular home | X | |
| Outdoor rec-park-play | X | |
| Public rights-of-way | X | |
| Residential, single-family | X | |
| Schools, public, private and charter | | X |
| Stables | X | |
| ***Notes to Table:*** | | |
| *Special uses must comply with standards listed in §§ 154.150 to 154.168 and require a special use permit. | | |

(D) *Area requirements*.

(1) All developments must comply with parking, landscaping, utilities and site plan regulations.

(2) A master site plan, including stormwater retention plans, is required for all developments.

(3) All development in this zone must connect to the town's culinary water system unless necessary for a type of business.

(4) All developments must secure and transfer the required water rights to the town before a building permit is issued, ensuring adequate water resources for sustainable growth.

(5) The owner must demonstrate sufficient water rights to meet demand before receiving development approval.

(6) All developments must undergo a septic feasibility study through the County Health Department before any approvals are granted.

(7) Septic system approval is required prior to issuing any permits for buildings, subdivisions or complexes. Businesses generating high wastewater volumes may be restricted based on septic system limitations.

(8) All roadway, drainage, construction and infrastructure improvements must comply with the most current APWA (American Public Works Association) standards as adopted by the town.

(E) *Setbacks, building height, lot size, frontage, parking.*

| ***Requirement*** | ***AR-1*** | ***AR-5*** | ***AR-10*** | ***AR-40*** |
|---|---|---|---|---|
| Frontage | 125 feet | 250 feet | 300 feet | 300 feet |
| Lot area | 1 acre | 5 acres | 10 acres | 40 acres |
| Maximum building height | 35 feet | 35 feet | 35 feet | 35 feet |
| Road type | Local | Rural/local | Rural | Rural |
| Setbacks (accessory structures) | Street 25 feet | Street 25 feet | Street 25 feet | Street 25 feet |
| | Side/rear 5 feet | Side/rear 5 feet | Side/rear 5 feet | Side/rear 5 feet |
| Setbacks (residential buildings) | Front 25 feet | Front 25 feet | Front 25 feet | Front 25 feet |
| | Side 15 feet | Side 15 feet | Side 15 feet | Side 15 feet |
| | Rear 40 feet | Rear 40 feet | Rear 40 feet | Rear40 feet |

(F) *Development standards.*

(1) *Building design and appearance.*

(a) *Primary structures.* Must complement the rural character of the area. Exterior materials such as wood, stone and natural finishes are encouraged. Highly reflective or modern materials are discouraged;

(b) *Accessory structures.* Must comply with § 154.084 and match or complement the primary building; and

(c) *Landscaping requirements*.

1. All yards visible to the public must have an area the same size as the square footage of the home that is improved, groomed and maintained;

2. Natural vegetation should be preserved where possible; and

3. Water-wise landscaping, including native plants and xeriscaping, is encouraged.

(2) *Fencing standards*. Fences on residential lots must not obstruct road visibility for drivers and must comply with the following height limits:

(a) *Front yards*. Maximum height of four feet, ensuring clear sightlines for traffic and pedestrians;

(b) *Side and rear yards*. Maximum height of six feet, ensuring clear sightlines for traffic and pedestrians;

(c) *Farm use exception*. Agricultural fencing necessary for livestock containment or crop protection may exceed these limits, provided it does not impair road visibility or create a traffic hazard;

(d) *Barbed wire and electric fences*. Allowed only for agricultural purposes; and

(e) *Animal enclosures*. Must be secure and well-maintained.

(3) *Animal husbandry/farm animal standards*.

(a) *Proper animal husbandry practices*. All farm animals kept within the town must be maintained in a humane and responsible manner. Owners are required to:

1. Provide adequate food, water and shelter appropriate for the species;

2. Maintain clean and sanitary living conditions that prevent disease and odor issues;

3. Ensure that enclosures, fences and pastures are appropriately sized and well-maintained for animal health and safety; and

4. Prevent excessive noise, nuisances or environmental damage caused by improper livestock management.

(b) *Compliance with water rights for livestock use.*

1. All livestock and farm animals must be provided with sufficient water in compliance with state water rights laws;

2. Water usage for animals must be within the approved water rights allocations associated with the property;

3. Any livestock watering beyond standard residential water allotments must be supported by appropriate stock watering rights or additional water sources; and

4. Unauthorized diversion or excessive use of water beyond permitted rights is prohibited.

(c) *Limits on farm animals per acre.* To ensure sustainable land use and responsible animal management, farm animal allowances shall follow animal unit guidelines based on property size:

1. One acre or less: up to three animal units;

2. Two to five acres: up to six animal units; and

3. More than five acres: subject to agricultural zoning regulations.

| ***Animal Unit Equivalents*** | | |
|---|---|---|
| One cow or horse | = | One animal unit |
| Five sheep or goats | = | One animal unit |
| 25 chickens, ducks or similar fowl | = | One animal unit |
| Other species will be evaluated based on equivalent water and space requirements | | |

(d) *Enforcement and compliance.* Violations of this standard, including neglect of animals or unauthorized water use, may result in penalties or corrective actions as determined by the town. Property owners must demonstrate compliance upon request by town officials or water authorities.

(4) *Outdoor lighting standards.*

(a) Lighting must be downward-directed and shielded to prevent light pollution.

(b) No light should spill onto adjacent properties.

(c) Motion-activated security lighting is encouraged.

(d) Must follow the town's lighting ordinance.

(5) *Parking standards*.

(a) *Residential lot*. A minimum of two off-street parking spaces per dwelling unit;

(b) *Accessory structures used for home based businesses*. Must provide additional parking; and

(c) *Agricultural vehicles and trailers*. Must not block public rights-of-way.

(6) *Road and access requirements*.

(a) All new developments must have direct access to a public road that meets town standards.

(b) In AR-40 Zones, shared driveways may be permitted with Planning Commission approval.

(7) *Renewable energy system standards*.

(a) *Residential solar panels*.

1. Roof-mounted solar panels are permitted on all homes.

2. Ground-mounted systems must comply with accessory structure setbacks and must not exceed ten feet in height.

(8) *Compliance and enforcement*.

(a) Special uses are subject to periodic inspections.

(b) Violations may result in fines, suspension or revocation of the special use authorization.

(Ord. 2025-02, passed 1-19-2025) Penalty, see § 154.999

## § 154.106 LIGHT INDUSTRIAL WEST ZONE.

(A) *Purpose*. The purpose of this chapter is to regulate light industrial development in the town while ensuring compatibility with adjacent residential and commercial areas. This zone allows industrial

and commercial uses that do not require intensive land coverage, generate excessive traffic or create noise, glare, dust or odors that negatively impact surrounding properties.

(B) *Land use table*. The table below defines permitted and special uses within the industrial zone. Uses not listed are prohibited.

| *Land Uses* | *Permitted* | **Special Use* | *Accessory Use* |
|---|---|---|---|
| Accessory structure | | X | |
| Agriculture | X | | |
| Agriculture industry | X | | |
| Animal husbandry | X | | |
| Auto self-serve station | | X | |
| Auto service station | | X | |
| Automobile sales and service | | X | |
| Automotive body/paint repair | | X | |
| Automotive repair establishment | | X | |
| Autos, trucks, RV sales and rentals | | X | |
| Car wash/truck wash | | X | |
| Commercial greenhouses/garden centers | | X | |
| Contractor yards | | X | |
| Convenience store | X | | |
| Equipment rental | | X | |
| Farm equipment sales | | X | |
| Feed store/farm retail | X | | |
| Financial services | X | | |
| Fireworks manufacturing storage and/or sales | | X | |
| Flag pole | | X | |
| Flex-space structure | X | | |
| Gas station | | X | |
| Hardware store | X | | |
| Heavy/large product manufacturing | | X | |

| *Land Uses* | *Permitted* | **Special Use* | *Accessory Use* |
|---|---|---|---|
| Hydroponic greenhouses | | X | |
| Indoor shooting range | | X | |
| Industrial office buildings | X | | |
| Industrial outdoor storage | | X | |
| Industrial retail space | | | X |
| Light assembly and packaging | X | | |
| Light manufacturing | X | | |
| Lumber yard | X | | |
| Medical manufacturing | | X | |
| Microbreweries and distilleries | | X | |
| Multi-tenant industrial building (MTIB) | | X | |
| Pawn shops | | X | |
| Plant nursery/garden center | | X | |
| Printing and publishing | X | | |
| Public services | X | | |
| Public utility stations | | X | |
| Repair services, small appliance | | X | |
| Research and development | X | | |
| Restaurant | X | | |
| Retail sales space | X | | |
| RV and boat storage | | X | |
| School, private, charter or trade school | | X | |
| Self-storage units | X | | |
| Showroom and sales centers | | X | |
| Small engine repair | | X | |
| Small-scale fabrication (e.g., metalworking, woodworking) | | X | |
| Special event permits | | X | |

| *Land Uses* | *Permitted* | **Special Use* | *Accessory Use* |
|---|---|---|---|
| Stable | X | | |
| Telecommunications facility < 35 feet | X | | |
| Towing yards | | X | |
| Truss plant | | X | |
| Warehouse | | X | |
| Welding/machine shop | | X | |
| ***Notes to Table:*** | | | |
| *Special uses must comply with the standards listed in division (E) below and require a special use permit | | | |

(B) *Area requirements.*

(1) One-acre minimum property size required.

(2) All developments must comply with parking, landscaping, utilities and site plan regulations.

(3) A master site plan, including stormwater retention plans, is required for all developments.

(4) All development in this zone must connect to the town's culinary water system unless necessary for a specific type of business based on the need for untreated water.

(5) All developments must secure and transfer the required water shares to the town before a building permit is issued, ensuring adequate water resources for sustainable growth.

(6) Developers of industrial, business complexes or subdivisions must demonstrate sufficient water shares to meet demand before receiving development approval.

(7) All developments must undergo a septic feasibility study through the County Health Department before any approvals are granted.

(8) Septic system approval is required prior to issuing any permits for buildings, subdivisions or complexes. Businesses generating high wastewater volumes may be restricted based on septic system limitations.

(9) All roadway, drainage, construction and infrastructure improvements must comply with the most current APWA (American Public Works Association) standards as adopted by the town.

(C) *Setback requirements*.

| ***Yard Area*** | ***Minimum Setback**** |
|---|---|
| Accessory structures | 6’ |
| Front | 30’ (may be reduced by Town Council with Planning Commission approval) |
| Rear | 15 (50’ required if abutting an arterial or collector street) |
| Side | 15’ |
| ***Notes to Table:** | |
| 1. Greater setbacks may be required as determined necessary by applicable regulatory authorities, including, but not limited to, the Fire Marshal, Health Department or Building Official, to address fire safety, septic system placement and function, utility easement, topographical constraints or other health and safety considerations. In such cases, the most restrictive setback shall apply. | |
| 2. Setbacks shall be increased to 50ft if adjacent to a residential or agricultural use or zone. | |

(D) *Maximum building height*.

(1) Buildings shall not exceed 35 feet in height unless approved by the Planning Commission. The Planning Commission may approve an increase in building height up to a maximum of 50 feet through the site plan or conditional use permit review process, provided all of the following criteria are met.

(a) *Compatibility*. The increased height is compatible with surrounding land uses in terms of scale, character and function.

(b) *Adverse impacts*. The increased height will not create significant adverse impacts related to noise, light, glare, traffic or privacy for nearby properties.

(c) *Design mitigation*. The building design incorporates features such as step-backs, architectural articulation, landscaping or other techniques to minimize the visual impacts of the additional height.

(d) *Proximity to residential uses*. The portion of the building exceeding 35 feet in height is not located adjacent to any property with an existing residential use.

(2) Flagpoles are permitted to a maximum height of 35 feet; however, the Planning Commission may approve a greater height, not to exceed 120 feet, with all flagpoles required to comply with applicable building and safety codes.

(E) *Development standards.*

(1) *Screening requirements.*

(a) See § 154.186 for additional requirements.

(b) A minimum six-foot-high barrier fence, landscaping or solid wall shall be required to screen industrial lots abutting residential or commercial properties.

(c) Additional screening may be required by the Planning Commission based on the location and nature of the industrial operation.

(2) *Waste and trash storage.*

(a) No solid waste, wrecked or abandoned vehicles, or wrecked or abandoned equipment shall be stored in an open area.

(b) Garbage dumpsters shall be located out of sight from public roads and screened with fencing or landscaping.

(3) *Outdoor storage.*

(a) Any outdoor storage of materials or equipment must be screened from public view, adjacent properties and rights-of-way. Screening may include walls, fences, hedges, berms or a combination thereof. Screening materials should be durable and aesthetically compatible with the surrounding area.

(b) Storage areas must be paved or stabilized to minimize dust and environmental impact.

(c) Materials shall not be stacked higher than 16 feet.

(4) *Noise, odor and vibration control.*

(a) Industrial activities shall not produce noise levels exceeding the town's noise ordinance limits at the property boundary.

(b) Odor mitigation plans may be required for operations producing emissions. Vibrations must remain below thresholds that could negatively impact or be perceptible to neighboring properties.

(c) No use or operations shall create or permit vibrations that are perceptible without instruments at the property line of the site. Vibrations that are intermittent, continuous or recurring and

that cause the nuisance or potential harm to neighboring properties, structures or occupants are prohibited.

(5) *Lighting and signage*.

(a) Outdoor lighting shall comply with the town's dark sky ordinance to minimize light pollution.

(b) Signage must comply with the town's sign ordinance, §§ 154.240 to 154.247.

(c) No flashing, animated or excessively bright signs are permitted.

(6) *Utility, infrastructure and stormwater requirements*.

(a) All developments must comply with APWA infrastructure standards.

(b) Stormwater management plans must be submitted and approved prior to permitting.

(c) Businesses must provide a septic feasibility study approved by the County Health Department to demonstrate adequate wastewater management.

(d) All lot frontage must have dedicated roads and easements in place before approval of an application to ensure legal access and compliance with APWA standards.

(e) All electrical service drops, utility lines and communication lines are required to be underground.

(f) Propane tank position must meet NFPA standards. Ten feet away from structures and fences, and propane tanks greater than 1,000 gallons must be 25 feet away from any structure or fence. (Prior Code, § 10.11.200) (Ord. 2025-03, passed 3-19-2025)

## § 154.107 LIGHT INDUSTRIAL EAST ZONE.

(A) *Purpose*. The purpose of the Light Industrial East Zone is to create a zone which:

(1) Allows for a compatible mixture of commercial and light industrial uses. Establishments that are served by streets, power, water, sewage and other utilities or facilities, or where such facilities can be readily provided, which do not require intensive land coverage, generate large volumes of traffic or create obnoxious sounds, glare, dust or odors; and

(2) Includes areas which are well adapted to industrial development, but proximity to residential or business zones makes it desirable to limit the manner and extent of industrial operations.

(B) *Area requirements*. Lots or parcels in the Light Industrial East Zone shall be of sufficient size to assure compliance with the town parking, landscaping, utilities, site plan and other land development regulations that may govern all or a portion of each project.

(C) *Master site plan required*. All developments in this zone are required to submit a master site plan that includes maps and descriptions of construction, landscaping, Health Department requirements and uses.

(D) *Stormwater*. All stormwater must be retained on-site in accordance with an engineered plan.

(E) *Minimum lot size/municipal water requirement*. A ten-acre minimum lot size is required for any lot not connected to an approved municipal culinary water system.

(F) *Frontage requirement*. For adequate access by emergency vehicles and local occupants, the frontage of each lot shall be a minimum of 165 feet and shall abut an official state, county or town road which has been paved under the direction of the unit governments having jurisdiction, and from which frontage gains vehicle and pedestrian access exclusively and entirely across the subject lot.

(G) *Setback requirements*. The following setback requirements are intended to describe the amount of space required between buildings and property lines. All buildings in this Light Industrial East Zone, including accessory buildings, are required to maintain a minimum distance from property lines as set forth below. Conditional uses may require greater setbacks so as to prevent a nuisance or safety issue as determined by the Town Council:

(1) *Front setbacks*. Will be determined by the size of the building, landscape and parking requirements;

(2) *Side and rear setbacks*.

(a) Minimum of 20 feet from the parcel property line; and

(b) Additional lot setbacks will be determined by fire and building codes.

(3) *Setback variances*. the Town Council, in consideration of a prior recommendation by the Planning Commission, may increase or decrease the setbacks if, in its judgment, the need for change meets at least two or more of the following criteria:

(a) Does not interfere with the use, enjoyment and character of adjacent properties;

(b) The success of the business necessitates a specific setback, proven by data or research;

(c) Additional setback is not solely to provide space for parking between the building and the street; and

(d) Topography or natural features make it impossible or impracticable to place the building within the setback.

(4) *Setbacks for accessory structures*.

(a) Minimum of six feet from the parcel property line;

(b) Additional setbacks will be determined by fire and building codes;

(c) Accessory structure square footage shall not exceed that of the primary building; and

(d) Accessory structures may require a building permit.

(H) *Building height*. No building or structure in this zone shall be over two stories with a 35 feet maximum height, except for electrical transmission towers, substations and any ancillary equipment for transmission towers, lines or substations, which shall not exceed 175 feet in height.

(I) *Nuisance ordinance/code compliance*. The yards around buildings shall be kept in compliance with the Town Nuisance Code.

(J) *Zone development standards*. The following development standards shall apply to the Light Industrial East Zone.

(1) The Planning Commission shall review the site plan and building elevations.

(2) The Planning Commission shall confirm compliance with architectural design standards for buildings and structures to assure compliance with the general plan and with the town's generally applicable policies and regulations.

(3) For screening requirements, see § 154.186(L) of this chapter.

(4) (a) No solid waste, wrecked or abandoned vehicles or wrecked or abandoned equipment shall be stored in an open area.

(b) All wrecked or abandoned vehicles or wrecked or abandoned equipment shall be kept fully screened on all sides. Garbage dumpsters shall be located out of sight and away from roads.

(5) No trash, wrecked or abandoned vehicles or wrecked equipment shall be stored in an open area. All such materials shall be kept within a fully enclosed building. Garbage dumpsters shall be located out of sight and away from roads.

(K) *Permitted uses*. The following land uses shall be permitted uses in the Light Industrial East Zone. Any use not specifically permitted in this chapter shall be prohibited:

(1) Accessory structure;

(2) Agriculture industry;

(3) Agriculture;

(4) Autos, trucks or RV sales and rentals;

(5) Automotive body/paint repair establishments;

(6) Automotive repair establishments;

(7) Auto self-serve stations;

(8) Auto service stations;

(9) Convenience stores;

(10) Farm animals;

(11) Farm equipment sales;

(12) Fireworks sales/stands;

(13) Gas stations;

(14) Nurseries;

(15) Pawn shops;

(16) Public services;

(17) Public utility stations with sewer;

(18) Repair services, small appliance;

(19) Schools, private and quasi-public;

(20) Small engine repair;

(21) Stables;

(22) Telecommunications facilities less than 35 feet in height;

(23) Warehouse storage units, commercial only; and

(24) Welding machine shops.

(L) *Conditional uses*. The following land uses are conditional uses in the Light Industrial East Zone. Standards for conditional use can be found in §§ 154.180 to 154.188 and 154.200 to 154.210 of this chapter:

(1) Adult-oriented businesses;

(2) Caretaker dwellings (non-farm uses);

(3) Self-storage and RV, boat or vehicle storage;

(4) Special event use;

(5) Temporary and special event permits;

(6) Other requirements, bounce houses;

(7) Industrial outdoor storage;

(8) Solar plant–large. A solar plant–large may be approved upon the following conditions:

(a) A maximum of 300 acres in the Light Industrial East Zone can be used for solar power;

(b) The town shall have 60 days after receiving an application to complete the solar ordinance;

(c) The town shall not approve the building of a solar plant–large until the applicant can prove they have purchasers for the power they produce;

(d) Solar plant–large uses shall abide by all applicable sections of this code; and

(e) Additional conditions can be found in § 154.208 of this chapter.

(9) Battery energy storage systems.

(M) *Junk yards*. Junk yards are prohibited.
(Prior Code, § 10.11.210) (Ord. 03142023-2, passed 3-14-2023; Ord. 12122023-2, passed 12-12-2023; Ord. 2024-01, passed 4-11-2024; Ord. 2025-01, passed 1-19-2025)

## § 154.108 COMMERCIAL OVERLAY ZONE.

(A) *Purpose*. The purpose of the Commercial Overlay Zone is to provide for commercial businesses, professional offices and shopping centers that will serve neighborhood, community and regional shopping demands while also providing other commercial opportunities which are reasonably separated or buffered from residential development, but allow residential development within the Commercial Overlay Zone.

(B) *Prohibited uses*. Any use not specifically permitted in this chapter shall be prohibited.

(C) *Commercial overlay area*. Starting at the southwest boundary of the town running parallel with and adjoining to Highway 73, the width of 300 feet on each adjacent side, starting at the property owners' boundary line to the end point of the town's northern boundary line. If a parcel of land has been declared commercial, it can no longer be used as residential.

(D) *Area requirements*. Lots or parcels in the Commercial Overlay Zone shall be of sufficient size to assure compliance with the town parking, landscaping, utilities, site plan and other land development regulations that may govern all or a portion of each project.

(E) *Master site plan required*. All developments in this zone are required to submit a master site plan that includes maps and descriptions of construction, landscaping, Health Department requirements and uses.

(F) *Stormwater*. All stormwater must be retained on-site in accordance with an engineered plan.

(G) *Garbage*. The yards around buildings shall be kept in compliance with the Town Nuisance Code.

(H) *Minimum lot size/water requirement*. A ten-acre minimum lot size is required for any lot not connected to an approved municipal culinary water system.

(I) *Frontage requirement*. For adequate access by emergency vehicles and local occupants, the frontage of each lot shall be a minimum of 165 feet and shall abut an official state, county or town road which has been paved under the direction of the unit government having jurisdiction, and from which frontage gains vehicle and pedestrian access exclusively and entirely across the subject lot.

(J) *Setback requirements*. The following setback requirements are intended to describe the amount of space required between buildings and property lines. All buildings in this Commercial Overlay Zone, including accessory buildings, are required to maintain a minimum distance from property lines as set forth below. Conditional uses may require greater setbacks so as to prevent a nuisance as determined by the Town Council:

(1) *Front setbacks*. Will be determined by the size of building, landscape and parking requirements. The Town Council, in consideration of a prior recommendation by the Planning Commission, may increase or decrease this if, in its judgment, the changes comply with the following:

(a) Does not interfere with the use, enjoyment and character of adjacent properties;

(b) The success of the business necessitates a specific setback, proven by data or research;

(c) Additional setback is not solely to provide space for parking between the building and the street; and

(d) Topography or natural features make it impossible or impracticable to place the building within the setback.

(2) *Side and rear setbacks*.

(a) Minimum of ten feet; and

(b) The Town Council, in consideration of a prior recommendation by the Planning Commission, may increase or decrease this if, in its judgment, the changes comply with the following:

1. Does not interfere with the use, enjoyment and character of adjacent properties;

2. The success of the business necessitates a specific setback, proven by data or research;

3. Additional setback is not solely to provide space for parking between the building and the street; and

4. Topography or natural features make it impossible or impracticable to place the building within the setback.

(3) *Other general setback requirements*. In addition to the specific setback requirements noted above:

(a) No building shall be closer than ten feet to any neighboring private road or driveway; and

(b) Exceptions may be made for any part of the building that may contain an approved drive-up window.

(4) *Setbacks for accessory building*.

(a) Minimum of six feet from the parcel property line; and

(b) Additional setbacks will be determined by fire and building codes.

(K) *UDOT requirements*. Any building lot adjacent to any state road must comply with all UDOT requirements. Applicants will contact the Region 3 permitting office to schedule a pre-application coordination meeting before applying for a permit Additional information can be found online at www.udot.utah.gov, "Doing Business," UDOT permits.

(L) *Building height*. No building in this zone shall be over two stories, with a maximum height restriction of 45 feet.

(M) *Permitted, special and conditional uses*.

(1) The purpose of this division (M) is to provide supplemental land use provisions that apply to permitted, conditional and special uses in the Commercial Overlay Zone which are designed to protect and preserve the general health, safety and welfare of the public.

(2) In addition to the standards included in this chapter, all other chapters of this code shall apply to the uses as applicable, including, but not limited to, §§ 154.060 to 154.088 of this chapter, Qualifying Regulations and Procedures; §§ 154.260 to 154.265 of this chapter, Parking; Chapter 153 of this code, Outdoor Lighting Standards; §§ 154.225 to 154.229 of this chapter, Landscape Requirements; §§ 154.240 to 154.247 of this chapter, Signs; and site plan reviews.

(3) Where any provision of federal, state, county or town statutes, codes or laws conflicts with any provision of this chapter, the most restrictive shall govern unless enforcement will result in a violation of the federal, state, county or town statutes, codes or laws.

(4) (a) There are three types of uses allowed in the Commercial Overlay Zone:

1. P = Permitted. Permitted uses may still require approval through an application process as detailed in this chapter and other chapters;

2. S = Special. Special uses are permitted uses that must also comply with the standards listed in division (N) below that are specific to that type of use; and

3. C = Conditional. Conditional uses are permitted uses that must also comply with the standards listed in that are specific to that type of use.

(b) Uses that are not listed in the above categories are prohibited.

(5) Permitted uses allowed in the Commercial Overlay Zone are:

(a) Accessory structures;

(b) Convenience stores, sale of goods;

(c) Farm equipment sales;

(d) Landscaping, plant and tree nurseries or landscape materials;

(e) Warehouse spaces with offices; and

(f) Fitness facilities.

(6) Special uses allowed in the Commercial Overlay Zone are:

(a) Automobile detailing;

(b) Vehicle restoration, auto body fabrication;

(c) Minor (fewer than 30) automobile service and car sales;

(d) Light manufacturing, assembly and retail sales;

(e) Truck and equipment service;

(f) Equipment sales;

(g) Funeral homes, mortuary services;

(h) Pet grooming/animal care services;

(i) Small engine repair;

(j) General sales, service and merchandise;

(k) Printing and lithography;

(l) Publishing services;

(m) Car wash facilities; and

(n) Auto fueling.

(7) Conditional uses allowed in the Commercial Overlay Zone are: There are no conditional uses allowed in the Commercial Overlay Zone at this time.

(N) *Standards for special uses*.

(1) Minor automobile service and car sales, automobile detailing, vehicle restoration and auto body fabrication operations (less than 30 vehicles) may be permitted only where:

(a) They will not be a nuisance to residences and other surrounding uses;

(b) Automobile displays are subject to the following restrictions:

1. Display areas shall not be permitted in rights-of-way, walkways, sidewalks, park strips and required landscape buffers;

2. Display areas shall be designated through the site plan approval process;

3. Display areas shall be of concrete, asphalt or another improved and maintained surface;

4. Display areas shall not occupy more spaces than allotted for the leased unit allowed in that zone. Tenants shall leave at least 25% vacant for customer/employee parking;

5. Display areas shall comply with the clear vision triangle setbacks;

6. Vehicles in the display area shall not exceed a maximum height of 12 feet, such height including both the vehicle and display surface as measured from the height of the nearest sidewalk to the highest point of the vehicle; and

7. Truck sales and service shall be limited to not more than five stored on-site at any given time.

(c) Operating conditions are as follows.

1. Operations shall not cause traffic hazards or undue traffic congestion. This includes all loading and unloading of vehicles, which shall occur on-site or within a designated area off-site which prevents unsafe interaction with traffic.

2. The spray painting of vehicles shall not be conducted outside. The spray painting of parts shall occur inside a fully enclosed building.

3. Accessory sales activities (i.e., tires, parts, seat covers, floor mats, window tinting, sound systems and the like) shall only be inside a fully enclosed building.

4. Temporary canopy tents shall not be permitted when the tents are visible from the street except for special events associated with the subject business. Such events shall not be permitted for more than three days.

5. All signage shall conform to the standards in §§ 154.240 to 154.247 of this chapter, and sign location shall be reviewed along with sign application and permit approval. All business signs require submittal and approval of a sign permit application.

6. Junk yards, automobile dismantling activities or storage of inoperable vehicles past a reasonable time frame for repairs shall not be conducted or permitted.

7. Automobiles which are being repaired shall be stored behind a wall or opaque screening.

(2) Automobile gas/service stations and/or car wash operations may be permitted only where:

(a) They will not be a nuisance to residences and other surrounding uses;

(b) They will not cause traffic hazards or undue traffic congestion;

(c) An automobile gas/service station or a freestanding car wash site area will have a minimum of a 15,000-square foot parcel. The lot frontage, if located on an arterial or collector street, shall not be less than 125 feet;

(d) Automobile gas/service stations or car wash operations with gasoline pumps will have buildings of the type of construction as defined in the International Building Code, and are to be located at a distance of not less than 25 feet from property or building setback lines;

(e) Gasoline pumps and pump islands for car wash operations or gas/service stations shall have a canopy, and the setback (measured from the edge of the canopy) shall be not less than 25 feet from any property lines or shall be in conformity with the building setback lines of the zoning district, whichever is greater;

(f) Driveway design and spacing for automobile gas/service stations or car wash operations shall be reviewed by the Town Engineer, whose recommendation will be forwarded to the Planning Commission;

(g) The minimum closest distance from the gas vents at an automobile gas/service station or car wash with gas pumps site to the property line of an existing residence, school, park, playground, museum or place of public assembly will be not less than 200 feet; and

(h) No outdoor storage of rental trucks or trailers, stacks of tires or other merchandise will be conducted by the automobile gas/service station or car wash operation except when such equipment or merchandise is screened by an approved opaque fence not less than six feet in height.

(3) Plant and tree nurseries and garden centers may be permitted only where: any associated outdoor sales, display and storage of products or equipment must comply with division (N)(4) below.

(4) Outdoor sales and display may be permitted only where the use will not be a nuisance to residences and other surrounding uses.

(a) For the purposes of this section, ***OUTDOOR SALES AND DISPLAY*** includes the outdoor storage of materials, products and equipment incidental to an allowed use which are not accessible to the public and set apart from the outdoor sales and display.

(b) All outdoor sales and display areas shall not be located within a required setback, area of required landscaping, area of required parking or area of pedestrian or vehicle access and flow.

(c) All outdoor sales and display areas shall be clearly defined on the approved site plan and will be limited to these areas.

(d) The outdoor sales and display area shall not include the use of banners, pennants or strings of pennants.

(e) All outdoor storage shall require the following screening regulations.

1. A masonry wall or solid/opaque fencing shall be required to screen all open storage areas from view of a street.

2. A solid/opaque fence, screening barrier or wall shall be required along the side and rear property lines to screen areas of open storage, up to and including any gate.

3. Fences used to screen open storage shall not be less than six feet high. Fences greater than six feet high may be approved as part of a site plan upon a finding that increased height for screening is necessary to reduce impacts to surrounding properties.

4. Materials, products and equipment within 20 feet of the fence may not be stored higher than the fence.

(5) Pet grooming and animal care services may be permitted only where:

(a) The use will not be a nuisance to residences and other surrounding uses;

(b) Any outdoor space used for waiting or care is fully screened; and

(c) The overnight keeping of animals is allowed only for treatment purposes. Overnight boarding is strictly prohibited.
(Prior Code, § 10.11.225) (Ord. 2024-03, passed 5-9-2024)

## § 154.109 HEAVY INDUSTRIAL ZONE.

(A) *Prohibited uses*. Any use not specifically permitted in this chapter shall be prohibited.

(B) *Permitted uses*. There are none.

(C) *Conditional uses*.

(1) One sanitary landfill shall be allowed in the Heavy Industrial Zone, subject to conditions set by the town upon consideration of an application by owners and operators.

(2) The Town Council shall be considered the land use authority and shall approve all uses and permits.
(Prior Code, § 10.11.250)

## § 154.110 AIRPARK MIXED-USE ZONE (AMUZ).

(A) *Title*. This zone is known as the "Airpark Mixed-Use Zone" or AMUZ.

(B) *Legislative findings, purpose and intent*.

(1) The Town Council finds it is in the interest of the residents of the town, and is the purpose of this zone, to:

(a) Support aviation-related activities with mixed-use development in a manner that is compatible with the airpark/airport and the surrounding community;

(b) Protect public health, safety and welfare by reducing land use conflicts and safeguarding airpark/airport operations;

(c) Ensure property rights are recognized and respected;

(d) Encourage aviation activity and related economic opportunities while maintaining the town's rural character; and

(e) Preserve the town's land-use authority role while recognizing the FAA's jurisdiction over airspace.

(2) The intent of the Town Council that the provisions of this zone be interpreted to promote these purposes.

(C) *Definitions*. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***AC.*** An advisory circular issued by the FAA.

***ACCESSORY STRUCTURE.*** A subordinate building or structure on the same lot as a principal use, which is incidental and related to the principal building or use. Examples include utility enclosures, maintenance sheds or small storage buildings that are aviation related. No accessory dwelling units are permitted within the AMUZ.

***AIRCRAFT CONSTRUCTION.*** The fabrication, assembly or substantial modification of an aircraft or aircraft components, including airframes, avionics and structural elements. The term includes testing and inspection activities incidental to existing aircraft.

***AIRCRAFT (MANNED).*** As defined in 14 C.F.R. § 1.1.

***AIRCRAFT PARKING.*** Designated outdoor or indoor areas for the temporary or long-term parking of small or ultralight aircraft, where aircraft are secured using tie-downs, chocks or mooring systems.

***AIRCRAFT, SMALL.*** As defined in 14 C.F.R. § 1.1.

***AIRCRAFT (UNMANNED)*** or ***DRONE.*** As defined in 14 C.F.R. § 1.1.

***AIRFRAME REPAIR AND PAINTING.*** The maintenance, restoration or cosmetic finishing of aircraft fuselage, wings, stabilizers and other structural components, including paint, coatings and corrosion control.

***AIRPARK.*** A privately owned aviation-oriented development serving aircraft owned or operated by residents, tenants or approved users of the development. An ***AIRPARK*** is not open to the general public and does not function as an airport or regional aviation facility.

***AIRPARK, SMALL.*** An airport that has as a runway less than 5,000 feet, less than 10,000 operations per year, visual approaches only, and aircraft weighing no more than 12,500 pounds maximum certified takeoff weight.

***AIRPARK TRAFFIC PATTERNS AND ALTITUDES.*** Published procedures describing standard aircraft arrival and departure routes, pattern altitudes and no-fly zones over sensitive areas.

***AIRPORT.***

(a) An aviation facility that:

1. Is approved by the town for operation as a public-use airport; and

2. Meets applicable federal definitions and requirements for an airport.

(b) But does not include any aviation facility that:

1. Has received grants under 49 U.S.C., Subtitle VII, Chapter 471, Part B (Airport Development); or

2. Has "regularly scheduled flights of aircraft" within the meaning of 49 U.S.C. § 44718(d)(1).

***AIRPORT EMERGENCY PLAN.*** A written emergency response and coordination plan approved by the town addressing aircraft incidents, fire response, fuel spills, wildlife hazards and public safety coordination.

***AIRPORT HAZARD AREA.*** Any area of land or water under the imaginary surfaces as defined in the airport overlay upon which an airport hazard might be established if not prevented as provided in these regulations.

***AIRPORT INFLUENCE AREA.***

(a) As provided in the definition for ***AIRPORT INFLUENCE AREA*** found in U.C.A. Title 72, Chapter 10, Part 4, the Airport Zoning Act, as amended. For purposes of this chapter, compatibility within the ***AIRPORT INFLUENCE AREA*** shall be achieved through airport sponsor acquisition of necessary property interests, recorded avigation easements, RPZ control or other lawful land-control mechanisms approved by the town.

(b) Nothing in this definition shall be construed to require the town to regulate or restrict property outside the airport boundary on behalf of the airport sponsor.

***AIRPORT OVERLAY ZONE.*** A secondary zoning district as may be adopted by the Town Council above and around an airport designed to protect the public health, safety and welfare which protects property owner rights near an airport through compatible land use regulations as recommended by the Federal Aviation Administration; and protects aircraft occupant safety through protection of navigable airspace. Regulations imposed by the overlay zone are in addition to the primary zoning district land use regulation of property.

***AIRPORT/AIRPARK SPONSOR.*** Public agency, municipality or private owner holding legal and financial responsibility for a private or public use airpark/airport.

***AIR SCHOOL.*** As defined in U.C.A. § 72-10-102(12).

***AIR SCHOOL, PRIVATE.*** A for-profit or a nonprofit air school.

***AIR SCHOOL, PUBLIC.*** An air school operated by a public school district, university or government agency.

***AIRSIDE ACCESS.*** Security measures and protocols to regulate entry to areas of an airport where aircraft operations take place, including runways, taxiways, aprons, hangers and boarding areas.

***AVIATION FACILITY.*** Any land area, building, structure or improvement used or intended to be used for the landing, takeoff, movement, storage, servicing, maintenance, fueling or operation of aircraft. An ***AVIATION FACILITY*** includes runways, taxiways, aprons, hangars, tie-down areas, terminal buildings, fuel farms, navigation aids and any accessory uses necessary for the conduct of aviation activities.

***AVIATION OPERATOR.*** Any person, entity, partnership, corporation or association that owns, leases, manages or otherwise conducts aviation-related operations at an aviation facility, including, but not limited to, aircraft owners, flight schools, maintenance providers, charter services and fixed-base operators (FBOs). An ***AVIATION OPERATOR*** is responsible for compliance with applicable federal, state and local regulations governing aviation activity.

***AVIGATION EASEMENT.*** A legal right to access and permit unimpeded aircraft navigation and flights over property subject to the easement and includes the right to create or increase noise or other effects that may result from the lawful operation of aircraft; and it may provide for the removal or prevention of any obstruction to such overflight.

***BASED AIRCRAFT.***

(a) An aircraft that is regularly housed, stored or maintained at the airpark or airport for the majority of a calendar year and for which the airpark/airport serves as the aircraft's primary operating location. This includes aircraft kept in hangars, tie-downs, shelters or other storage areas on the property.

(b) An aircraft may be determined to be ***BASED*** by the town through FAA records, reporting by the airport sponsor, lease agreements, observable presence, maintenance records, utility usage or any other reasonably reliable evidence. Airpark/airport sponsor shall provide a courtesy copy of any FAA Form 5010 filed with the FAA.

***CARETAKER DWELLING.*** A residential unit located on the same parcel as a nonresidential use, intended for full-time occupancy by an individual or household responsible for the care, security or operation of the primary use or facility. ***CARETAKER DWELLINGS*** are accessory in nature and must be directly related to the ongoing maintenance or oversight of the property.

***CARGO SERVICE AIRPORT.*** An airport that is served by aircraft providing air transportation of only cargo with a total annual landed weight of more than 100,000,000 pounds. For the purpose of this definition, ***LANDED WEIGHT*** means the weight of aircraft transporting only cargo in intrastate, interstate and foreign air transportation.

***CONDITIONAL USE PERMIT (CUP).*** A permit issued pursuant to §§ 154.180 to 154.188 and consistent with U.C.A. § 10-20-506.

***CONTROLLED DEVELOPMENT ZONE.*** Restrictions on crops that attract birds, require buildings over 200 feet in height to register with the FAA, control lighting up to the sky and limit residential development.

***CREW REST FACILITY.*** A designated area within an airpark/airport hangar used exclusively for short-term rest and recuperation by flight crew members between flight operations. A ***CREW REST FACILITY*** may include basic accommodations such as seating or sleeping areas, a restroom and minimal kitchen amenities, but shall not be used or approved as a permanent residence. The facility must be accessory to and clearly subordinate to the primary aviation use of the hangar and may only be used by personnel directly associated with aircraft operations on-site.

***DAYTIME OPERATIONS.*** All aircraft activities and procedures, including takeoffs and landings, that occur between official sunrise and sunset, during periods when natural light provides sufficient visibility for safe operation without the use of runway lighting or navigational aids. These operations are limited to daylight hours and do not include night or low visibility operations.

***ENGINE REPAIR.*** The inspection, overhaul or servicing of aircraft engines or propulsion systems, including removal and installation, conducted in accordance with FAA-approved maintenance procedures.

***FAA.*** Federal Aviation Administration of the United States Department of Transportation.

***FLIGHT CONDITIONS.*** Operations are conducted under visual flight rules (VFR) only and are limited to daytime operations.

***FUEL DISPENSER.*** Fixed or mobile unit designed to transfer aviation fuel from a storage tank or fuel farm to an aircraft. A ***FUEL DISPENSER*** includes pumps, hoses, nozzles, meters, filters, grounding systems and associated safety equipment.

***FUEL FARM.*** Centralized aviation fuel storage and distribution facility located within an airport or airpark, consisting of one or more aboveground or underground storage tanks, associated pumps, piping, filtration systems, spill containment and safety equipment.

***HANGAR.*** Structure designed and constructed for the storage, shelter and protection of aircraft. A ***HANGAR*** may also provide space for routine aircraft maintenance and operations as permitted.

***HANGAR HOME.*** A dwelling unit integrated with an aircraft hangar located within an approved Airpark Zone where aircraft access is provided directly to the lot via taxiway.

***HANGAR (SHELL S-1).*** Fully enclosed structure intended solely for the storage and protection of aircraft, without interior build-out for occupancy, offices or non-aviation activities.

***LANDSIDE ACCESS.*** Security measures and protocols to regulate access to areas of an airport open to the public, including parking lots, administrative offices, industrial and commercial spaces.

***MATERIAL CHANGE.*** Any modification that increases or alters the operational intensity, configuration, expanded uses, runway length or aircraft weight.

***NFPA.*** National Fire Protection Association.

***OBSTRUCTION TO AIR NAVIGATION.*** As defined in FAA AC 150/5300-13B § 1.5(70).

***OFFICE AND ADMINISTRATIVE BUILDINGS.*** Structures used for airport/airpark-related management or support operations, including business offices, tenant services, flight planning centers or aviation service companies.

***OPERATIONS.*** Aircraft activity at the airpark or airport, defined as either a takeoff or a landing. Each takeoff or landing counts as one operation. Touch and go maneuvers, practice approaches and stop and go landings are each counted as two ***OPERATIONS***, one landing and one takeoff. Annual and daily operation totals are used to determine the level of activity and ensure compliance with any operational limits established by ordinance or FAA designation.

***PUBLIC-USE.*** When used in connection with any airpark, airport or significant airport, means that the airpark, airport or significant airport is available for use by the general public without a requirement for prior approval of the airpark, airport or significant airport owner or operator.

***REGIONAL AIRPORT.*** A commercial service airport handling short to medium range domestic or point to point flights without international service.

***RESTAURANT.*** An establishment that prepares and serves meals and beverages to customers, with full kitchen facilities and seating for on-site dining.

***ROTORCRAFT.*** Heavier-than-air aircraft that generate lift using engine-driven rotating wings (rotors), enabling vertical takeoff/landing (VTOL) and hovering.

***RUNWAY.*** As defined in FAA AC 150/5300-13B § 1.5(79).

***RUNWAY PROTECTION ZONE (RPZ).*** A trapezoidal ground area at each runway end, beginning 15 feet from the runway, centered on the extended runway centerline, designed to enhance the protection of people and property on the ground.

***RUNWAY WEIGHT LIMIT.*** The maximum allowable weight that an aircraft can have when taking off or landing on a specific runway, based on factors like the runway's structural strength and length.

***SHORT-TERM RENTAL.*** Any property offered or used for lease or rent as transient housing for a term of less than 30 days.

***SIGNIFICANT AIRPORT.***

(a) An airport that has more than 20 based aircraft or otherwise meets the criteria for a ***SIGNIFICANT PRIVATE AIRPORT*** established under U.C.A. Title 72, Chapter 10, as amended.

(b) Classification as a ***SIGNIFICANT AIRPORT*** under state law does not confer approval to operate as a public-use airport within the town.

***SMALL PUBLIC-USE AIRPARK.*** A public-use airpark approved by the town that is limited to low-intensity aviation activity and meets all of the following criteria:

(a) *Runway length*. The runway does not exceed 5,000 feet in length;

(b) *Aircraft weight*. Operations are limited to aircraft with a maximum certificated takeoff weight of not more than 12,500 pounds;

(c) *Aircraft type*. Operations are limited to small, propeller-driven, fixed-wing aircraft. Jet aircraft, turbojet aircraft and instrument-guided aircraft are prohibited; and

(d) *Operations*. Total aircraft operations do not exceed 10,000 per calendar year.

***SPECIAL EVENTS.*** Temporary activities held on airpark or airport property, such as airshows, community gatherings, educational programs or sales exhibitions.

***STRUCTURE.*** An object including a mobile object, constructed or installed by man, including, but not limited to, buildings, towers, cranes, smokestacks, earth formations and overhead transmission lines and landfills.

***TENANT IMPROVEMENT (TI).*** Any alterations, upgrades or modifications, interior finish work performed within a leased space by or on behalf of a tenant.

***TOUCH AND GO.*** Operation by an aircraft that lands and departs on a runway and immediately takes off again without coming to a full stop or exiting the runway.

***TRAFFIC PATTERN.*** As defined in 14 C.F.R. § 1.1.

***UTILITY RUNWAY.*** As defined in 14 C.F.R. § 77.3.

***VISUAL FLIGHT RULES (VFR).*** As defined in 14 C.F.R. § 170.3.

(D) *Applicability and compliance.*

(1) *Applicability.* The provisions of this section apply to the operation, maintenance and use of any airpark, airport or airfield facilities located within the Airpark Mixed-Use Zone in the town. Nothing in this section shall be construed to regulate navigable airspace, which remains under the exclusive jurisdiction of the Federal Aviation Administration.

(2) *General requirement.* All persons subject to this section shall comply with its provisions and with all applicable federal, state and local laws, rules and regulations, including zoning and land use approvals issued by the town.

(3) *Responsibility.* The operator, sponsor or other responsible party shall ensure that all facilities and activities remain consistent with this section and the terms and conditions of any permits, licenses or approvals issued by the town and any other regulatory body, including the FAA and the state.

(4) *Inspections.* The town or its designee may conduct reasonable inspections of airpark, airport or airfield facilities, premises and related improvements to verify compliance with this section and applicable town approvals.

(5) *Continuing obligation.* Compliance with this section is a continuing obligation and issuance of any permit, business license or approval under this section does not relieve any person from complying with other applicable laws or regulations.

(6) *Significant airport designation.*

(a) *Prohibition absent approval.* No airpark or airport within the Airpark Mixed-Use Zone may be designated or operate as a significant airport unless first approved by the Town Council following a duly noticed public hearing.

(b) *Advance notice to town.* Any airport sponsor seeking designation as a significant airport under applicable state law shall provide written notice to the town at least 60 days prior to submitting such request to any state or federal agency. The town may use this period to conduct a public hearing and evaluate potential land use, safety or compatibility impacts.

(c) *Compliance with overlay requirements.* Any airpark or airport that meets or exceeds the threshold for a significant airport under U.C.A. Title 72 shall comply with all applicable requirements of the town's Airport Overlay Zone, including land use compatibility, airspace protection and hazard mitigation standards.

(d) *Public-use condition.* Public-use status shall not be granted or maintained for any airport that qualifies as a significant airport unless the sponsor demonstrates ongoing compliance with all applicable overlay requirements and this chapter.

(e) *Land and airspace control.* As a condition of approval or continued operation as a significant airport, the sponsor shall demonstrate adequate control of land and airspace necessary for safe operations, including through fee ownership, recorded avigation easements, Runway Protection Zone (RPZ) control or other lawful mechanisms acceptable to the town.

(f) *No municipal obligation.* Nothing in this section shall be construed to require the town to regulate, acquire or restrict property outside the airport boundary on behalf of an airport sponsor.

(E) *Liability insurance requirements.* The airport sponsor shall indemnify and hold harmless the town from claims arising out of airport operations.

(1) *Minimum coverage required.* As a condition of public-use approval, the airport sponsor shall maintain commercial general liability insurance and aviation liability insurance in amounts not less than: $5,000,000 per occurrence for bodily injury and property damage combined single limit; and $10,000,000 aggregate coverage per policy year.

(2) *Additional insured.* The town shall be named as an additional insured on all required liability policies.

(3) *Proof of coverage.* A certificate of insurance shall be submitted to the town prior to issuance or continuation of public-use approval and annually thereafter.

(4) *Cancellation notice.* Policies shall require not less than 30 days written notice to the town prior to cancellation, non-renewal or material modification.

(5) *Failure to maintain coverage.* Failure to maintain required insurance shall constitute grounds for suspension or revocation of public-use approval.

(F) *Uses allowed in the Airpark Mixed-Use Zone.* Only the uses expressly listed in this section (see Table 1 below) are allowed within the Airpark Mixed-Use Zone. Any use not specifically identified or authorized herein is expressly prohibited. No structure shall be permitted without obtaining a building permit. All uses shall comply with the International Building Code (IBC) occupancy classifications, with a default classification of S-1 for hangars unless otherwise approved through a building permit or TI permit. All special uses shall comply with §§ 154.150 to 154.168, and all conditional uses shall comply with §§ 154.180 to 154.188.

| ***Uses*** | ***Permitted*** | ***Special Use*** | ***Conditional Use*** | ***Expressly Prohibited*** |
|---|---|---|---|---|
| Accessory dwelling units, internal and external | | | | X |
| Accessory structure | | | X | |

| *Uses* | *Permitted* | *Special Use* | *Conditional Use* | *Expressly Prohibited* |
|---|---|---|---|---|
| Air taxis | | | | X |
| Air traffic control tower | | | | X |
| Aircraft construction | | X | | |
| Aircraft museum | | | X | |
| Aircraft parking and tiedowns | X | | | |
| Airframe repair/painting | | X | | |
| Airpark, public use | | | X | |
| Airport, public use | | | | X |
| Airport that has received grants under 49 U.S.C. Subtitle VII, Chapter 471, Part B- Airport Development or that has "regularly scheduled flights of aircraft" within the meaning of 49 U.S.C. § 44718(d)(1) | | | | X |
| Autonomous or remote drone delivery services | | | | X |
| Bar/tavern | | | | X |
| Caretaker dwelling | | | X | |
| Cargo service airport | | | | X |
| Commercial passenger/cargo operations, drone or otherwise | | | | X |
| Crew rest facilities | | | X | |
| Engine repair | | X | | |
| Fuel farm and fuel dispenser | | X | | |
| Gyrocopter | | | | X |
| Helicopters | | | | X |
| Helipad/heliport pad | | | | X |
| Instrument-guided aircraft, jet aircraft, turbo-jet aircraft or similar types of aircraft | | | | X |
| Instrument-guided approaches | | | | X |
| Office and administrative buildings | X | | | |
| Operations under 14 C.F.R. parts 121 and 135 | | | | X |
| Private air school/flight school* | | X | | |

| *Uses* | *Permitted* | *Special Use* | *Conditional Use* | *Expressly Prohibited* |
|---|---|---|---|---|
| Public air school/flight school | | | | X |
| Regional airport | | | | X |
| Restaurant/café | | | X | |
| Rotorcraft operation | | | | X |
| Service and sales | | X | | |
| Sewage plant | | | | X |
| Shell hangars | | X | | |
| Short-term rental | | | | X |
| Significant airport | | | | X |
| Special events | | X | | |
| ***Notes to Table:*** | | | | |
| *No more than one flight school/private air school shall be allowed in the AMUZ | | | | |

(G) *Development approval.*

(1) *Master plan required.* All development within the AMUZ shall require submission of a master plan for review by the Planning Commission and approval by the Town Council.

(a) The master plan review shall include, but not be limited to, architectural design and theme, building materials lighting, signage, landscaping, parking, vehicular, bike and pedestrian access and paths, accessory structures, nuisance factors and natural and human-made hazards.

(b) The master plan shall cover all development in the AMUZ and shall establish where residential and nonresidential uses will be located. The master plan shall create natural buffering through the location of compatible uses and shall include the following elements:

1. Building orientation, size and type;

2. A land use plan that determines where residential, commercial and other uses may be located;

3. Identification of buffering, screening or distance used to mitigate possible noncompatible uses;

4. Parking areas and vehicle access to the site;

5. Engineered requirements, including grading, drainage, sewer/septic and other utilities;

6. Airport operation layout (runway, taxiways, aprons, fueling stations, maintenance areas, parking);

7. Site layout, dimensions and names of existing and future road rights-of-way;

8. Transportation circulation plan for aircraft, vehicles and pedestrians;

9. Utility plan showing all existing and proposed utilities, including, but not limited to, sewer/septic, culinary water (including sufficient water rights), fire hydrants, storm drains, subsurface drains, gas lines, power lines, communication lines, cable television lines, minimum fire flow required by the building code for the proposed structures (and fire flow calculations at all hydrant locations), location and dimensions of all utility easements, and a will-serve letter from each utility provider, other than the town, addressing the feasibility and their requirements to serve the project;

10. Airport emergency plan following FAA AC150/5200-31C;

11. List of known or identified hazards or obstructions to air navigation;

12. Environmental study;

13. Compliance with town's soil ordinance;

14. Utilities: must comply with water standards (Chapter 50 of this code, as amended), wastewater and stormwater design and wildlife hazard avoidance;

15. Proof of ownership or restrictive easements for all land located within the RPZ, any required approach surfaces prior to approval and 14 C.F.R. part 77 surfaces; and

16. An airpark/airport layout plan (ALP) that matches the proposed development and is consistent with the approved size and intensity of aviation classification.

(2) *Phasing of development.*

(a) Any mixed-use development proposed to be constructed in phases shall include the full details relating thereto, including a projected time schedule for the completion of each phase. For all

mixed-use projects, required open space shall be completed according to a phasing plan approved with the mixed-use development; and

(b) Each phase of a development must comply with the town's water regulations, including submitting a change application with the required water rights, as determined by the Town Engineer and State Engineer, to the state before receiving final approval of a phase (or plat) of the development.

(H) *Development standards*.

(1) *General standards*.

(a) *Land use allocation*.

1. No more than 27 one-acre lots for residential uses shall be permitted within the AMUZ;

2. A minimum of 30% of the total developable land area shall be preserved as open space. In calculating required open space, roads, driveways, parking areas, runways, taxiways, aprons and other areas used primarily for vehicle or aircraft circulation shall be excluded; and

3. Remaining land in the airpark may be developed for light industrial, commercial with aviation related uses consistent with the purposes of the zone.

(b) *Restrictive covenants and HOA*. Residential development in the AMUZ shall have a homeowner's association and restrictive covenants that comply with the regulations in the AMUZ and 14 C.F.R. part 77;

(c) *Prohibited structures*. No building, structure or other vertical obstruction shall be constructed within the navigable airspace defined in 14 C.F.R. part 77 nor within the RPZ, except as otherwise permitted by the Federal Aviation Administration and approved by the Town Council;

(d) *Roads*. All development within the AMUZ shall be served by direct access to a public road constructed to Light Industrial West APWA standards; and

(e) *Other regulations*. All development must meet any other applicable town regulations, such as the town's roadway standards, water requirements, building code and the like.

(f) *Airport operations must comply with this section*. Any proposed changes to status or development within the Airpark Mixed-Use Zone must be in compliance with this section and shall require prior approval of the Town Council.

(2) *Airpark/airport standards.*

(a) *Runway.* One runway is permitted with the following restrictions:

1. The runway shall not exceed 5,000 feet in length; and shall be constructed to standards consistent with serving small propeller driven aircraft with a total gross weight of 12,500 pounds or less;

2. Based aircraft:

a. No more than 20 small, propeller-driven, fixed-wing aircraft with a maximum certificated takeoff weight of 12,500 pounds or less shall be based at the aviation facility, consistent with the airpark's or airport's runway weight-bearing capacity and utility runway classification under FAA Advisory Circular 150/5320-6G.

b. The airpark/airport sponsor shall submit an annual written certification to the town identifying the number of based aircraft. The town may request supporting documentation reasonably necessary to verify the certification.

c. Failure to submit the required annual certification or exceeding 20 based aircraft shall constitute a violation for the Airpark Mixed-Use Zone.

3. All runway, taxiway and aircraft movement areas shall be designed and constructed in compliance with FAA Advisory Circular 150/530013B [Airport Design] - Change 1 (August 16, 2024), including all data current as of April 3, 2025, and 14 C.F.R. part 77; and FAA Advisory Circular 150/5320-6G (Airport Pavement Design and Evaluation), including all data current as of April 3, 2025, and 14 C.F.R. part 77;

4. The runway shall be constructed and maintained to operate as a utility runway to serve aircraft not to exceed a total gross weight of 12,500 pounds, appropriate for a utility runway, as defined by FAA Advisory Circular 150/5320-6G. Utility runways are intended to serve small propeller driven aircraft and are not designed for use by heavier aircraft or those with dual-wheel or tandem gear configurations;

5. The airpark/airport shall have security gates and security fencing around the perimeter of the runway. Fencing shall comply with FAA wildlife hazard and security guidelines;

6. Runway lights of any type are prohibited;

7. The runway shall be limited to a visual runway with no runway lighting;

8. Runway Protection Zone (RPZ) standards shall comply with FAA AC 150/5300-13B (Airport Design) and FAA AC 150/5320-6G (Airport Pavement Design). The RPZ's purpose is to protect people and property on the ground by keeping these areas free of objects and activities. The airport or airpark sponsor/operator shall control the entire RPZ through fee-simple

ownership, if ownership is not feasible, by obtaining recorded restrictive easements sufficient to prevent incompatible land uses, consistent with FAA AC 150/5190-4B (Land Use Compatibility). The town shall not be responsible for acquiring, maintaining or enforcing RPZ ownership or easements.

(b) *Flight operations.*

1. As a condition of operating within AMUZ, an airpark shall adopt and implement policies to discourage touch-and-go operations and to promote flight patterns and operational practices that minimize disturbance to town residents. Such policies shall be incorporated into airpark management documents, published for airpark users and made available to the town upon request;

2. Follow visual flight rule (VFR) operations only; daytime operations only; from sunrise to sunset, as determined by the National Weather Service;

3. Operational limits:

a. The airport sponsor may permit, schedule or accommodate fewer than 10,000 aircraft operations per calendar year.

b. For purposes of this division (H)(2)(b)3., an ***OPERATION*** means a takeoff or landing. A touch-and-go maneuver constitutes two operations.

c. The airport sponsor shall maintain accurate records of daily and annual operations and shall provide such records to the town upon request.

d. The town may verify operations through reasonable monitoring methods, including, but not limited to, visual observation, automated counting systems or video documentation.

e. Exceeding the annual operation limit shall constitute a violation of this section.

4. Excess operations:

a. Each aircraft operation in excess of the annual limit shall constitute a separate violation.

b. The town may assess a civil fine of not less than $500 per excess operation. Repeated violations may constitute grounds for suspension or revocation of a business license and/or public-use approval.

5. Commuter or on-demand commercial operations (see 14 C.F.R. part 135) are strictly prohibited except for emergency aircraft.

6. a. No airpark, airport or airfield within the AMUZ shall allow the use or landing of instrument-guided aircraft, jet aircraft, turbojet aircraft or similar types of aircraft, all of which are prohibited in the AMUZ.

b. Public airports receiving grants under 49 U.S.C. Subtitle VII, Chapter 471, Part B- Airport Development or that have "regularly scheduled flights of aircraft" within the meaning of 49 U.S.C. § 44718(d)(1) are prohibited in the AMUZ.

(3) *Industrial and commercial standards*. All industrial and commercial development must meet the requirements and standards of the Light Industrial West Zone.

(4) *Residential standards*. Single-family residential hangar homes are allowed in a portion of the airpark/airport. This zone must be outside the Limited Safety Zone of the runway and not used for light industrial use. The following requirement shall apply:

(a) One acre lots minimum not including the roadway;

(b) Each lot shall have no more than one hangar with private access to taxiway;

(c) There shall be a 250-foot no development zone on either side of the runway measured from the centerline of the runway to the closest property line of any residential lot.

(d) Shall not exceed 27 one-acre lots plus one lot for a clubhouse; and

(e) All residential development must meet the requirements, standards and building requirements of the AR-1 Zone with exterior roads meeting adjacent zone public road requirements.

(I) *Air traffic pattern and noise abatement*.

(1) *Flight pattern standards*. Air traffic patterns should avoid overflight of residential dwellings, yards, pastures or other private property within the town, except in the event of an in-flight emergency. Flight patterns shall be consistent with FAA AC 90-66B (Non-Towered Airport Flight Operations) and FAA AC 150/5300-13B (Airport Design) and must be:

(a) Documented in FAA Chart Supplements and any other applicable FAA publications;

(b) Published and kept current on the airpark website; and

(c) Supported by appropriate visual indicators (segmented circles, runway markings, signage) designating traffic direction and preferred approaches.

(2) *Operational requirements.*

(a) *Runway use.* Runway 17 shall be the preferred runway for takeoff and landing.

(b) *Northbound departures.* Departing aircraft shall turn to avoid residential areas of the town as soon as safely practicable.

(c) *No-overflight rule.* Aircraft shall make best efforts to not overfly residential properties within the town except during an emergency.

(d) *Nuisance.* Repeated violations of the no-overflight rule may constitute a nuisance when:

1. The same property is overflown more than three times in any 30-minute period;

2. Overflights are repetitive or consecutive in a manner reasonably perceived as circling or loitering; or

3. Overflights occur at such altitude or proximity that they substantially interfere with the quiet enjoyment of the property.

(e) *Pre-flight responsibility.* All aircraft operators shall check applicable NOTAMs and published chart supplements before operating in the airpark traffic pattern.

(J) *Hazard notifications and wildlife hazard management.*

(1) *General hazard notification.*

(a) Any public-use airport operating within the town shall identify, disclose and evaluate known hazards affecting aircraft operations, including, but not limited to, nearby landfills, wastewater treatment facilities, agricultural operations, wildlife attractants, terrain, obstructions and incompatible land uses.

(b) The airpark/airport sponsor shall notify the Federal Aviation Administration (FAA), UDOT Division of Aeronautics and AirNav of such hazards as required by applicable federal and state regulations.

(2) *Wildlife hazard assessment (WHA).*

(a) Prior to approval or continuation of public-use status, the airport sponsor shall conduct a Wildlife Hazard Assessment (WHA) consistent with FAA Advisory Circular 150/5200-33C (Hazardous Wildlife Attractants on or Near Airports), or its successor guidance.

(b) The WHA shall specifically evaluate:

1. The municipal landfill located within town limits;

2. The C&D/North Pointe landfill located adjacent to the runway alignment;

3. The proximity of such facilities to runway ends, centerlines and traffic patterns;

4. Bird species presence, migration patterns and strike history;

5. The movement of seagulls and other wildlife between landfill sites;

6. The nesting locations of eagles (golden and bald) and any other migratory birds protected by federal law in and around the creek running through the town; and

7. Any other wildlife attractants within the airport influence area.

(c) A copy of the completed WHA shall be submitted to the town and to any landowners mentioned or discussed in the WHA. The sponsor shall give any such landowners a reasonable opportunity to comment on the WHA and the sponsor's proposed wildlife hazard management plan/WHMP.

(3) *Wildlife hazard management plan (WHMP).*

(a) If the WHA identifies conditions consistent with a significant wildlife strike risk as described in FAA AC 150/5200-33C, the airport sponsor shall prepare and implement a wildlife hazard management plan (WHMP).

(b) The WHMP shall:

1. Identify mitigation measures to reduce wildlife hazards;

2. Include proof of the sponsor/operator delivery of the WHA to any landowners mentioned or discussed in the WHA with a summary of the sponsor/operator coordination efforts with any such landowners and other attractant sources;

3. Establish monitoring and reporting procedures;

4. Include operational practices designed to reduce aircraft-wildlife conflict; and

5. Be reviewed annually and updated as conditions change.

(c) A copy of the completed WHMP shall be submitted to the town and to any landowners mentioned or discussed in the WHMP. The town shall give any such landowners a reasonable opportunity to comment on the WHMP prior to the town's approval of public-use status or continuation of public-use status of the airport.

(d) Implementation of the WHMP shall be a condition of continued public-use approval.

(e) Nothing in this section shall be construed as creating a duty upon the town or surrounding landowners to ensure aviation safety, conduct wildlife management or guarantee compatibility between airport operations and surrounding land uses.

(4) *Coordination with landfill operators*. The airport sponsor shall document coordination efforts with operators of nearby landfill facilities regarding wildlife mitigation measures. Nothing in this section shall impose operational obligations upon landfill operators; responsibility for aviation safety mitigation rests with the airport sponsor. Nothing in this chapter shall be construed to require landfill operators to reduce, alter, adjust, modify or cease existing operations to accommodate any airport, airpark or significant airport, public-use status or aviation activity.

(5) *FAA notification and documentation.*

(a) All required FAA Form 7460-1 obstruction evaluations, wildlife hazard documentation and related safety filings shall be submitted to the town within 30 days of filing with the FAA.

(b) Material omission or misrepresentation of known hazards shall constitute grounds for suspension or revocation of public-use approval.

(K) *Public use airpark/airport; conditional use permit required.*

(1) *Conditional use permit required.*

(a) A public-use airpark/small public-use airport may be established, operated or expanded only upon issuance of a conditional use permit (CUP) approved by the Town Council following:

1. Review and recommendation by the Planning Commission; and

2. A duly noticed public hearing.

(b) For purposes of this division (K)(1), ***EXPANDED*** shall include any increase or modification to an approved runway, including its length or configuration; any increase or change in

approved aircraft types or based aircraft; and any other material change to airport operations, including changes to hours of operation, lighting or operational intensity.

(2) *Notice*. Notice of the Planning Commission public hearing on the CUP application shall be mailed to all adjoining property owners, any landowners mentioned or discussed in a WHA or WHMP and any landfills located within the town. Proof of notice shall be presented at the Planning Commission hearing.

(3) *Application requirements*. Applications for a public-use airpark or public-use airport conditional use permit shall include:

(a) A detailed master site plan identifying:

1. Runway configuration;

2. Taxiways and taxi lanes;

3. Runway safety areas;

4. Hangar home lots; and

5. Aircraft parking areas.

(b) A description of anticipated airpark or airport operations, including:

1. Aircraft types expected;

2. Estimated annual aircraft operations; and

3. Whether airport operations will implicate 49 U.S.C. § 44718.

(c) Documentation demonstrating property ownership or aviation/avigation easements required for safe airport operations;

(d) An airspace safety evaluation demonstrating compliance with applicable federal aviation standards;

(e) Identification of aviation hazards;

(f) A septic feasibility study where sewer service is unavailable;

(g) Dedicated public utility easements ("PUE"); and

(h) Any additional information reasonably necessary for evaluating the proposed use.

(4) *Approval standards*.

(a) The Town Council may approve a public-use airpark or public-use airport conditional use permit if it determines that reasonably anticipated detrimental effects of the proposed use can be mitigated through reasonable conditions.

(b) In evaluating the application, the Town Council may consider:

1. Public safety;

2. Compatibility with surrounding land uses;

3. Airspace protection;

4. Noise and overflight impacts; and

5. Environmental and infrastructure considerations.

(5) *Conditions of approval*. The Town Council may impose conditions necessary to mitigate anticipated impacts of airpark or airport operations.

(a) *Conditions*. Conditions must include the following, but may also include other conditions necessary to mitigate reasonably anticipated detrimental effects.

(b) *FAA airspace evaluation*. The airpark/airport operator shall obtain an airspace evaluation from the Federal Aviation Administration demonstrating compliance with federal aviation safety standards.

(c) *Property control*. The airpark/airport operator shall demonstrate adequate property control through ownership or aviation easements over areas necessary for airport operations.

(d) *Hazard identification*. Known aviation hazards shall be identified and reported where required.

(e) *Airspace protection*. Airpark/airport development and surrounding structures shall comply with airspace protection standards established in 14 C.F.R. part 77.

(f) *Wildlife hazard mitigation.* Airpark/airport operations shall comply with applicable FAA wildlife hazard mitigation guidance.

(g) *Recognition of existing development.* Airpark/airport planning shall acknowledge pre-existing conditional use permits and surrounding approved developments including:

1. IRL Landfill;

2. North Pointe Landfill;

3. Fairfield Industrial Park; and

4. Lantis Fireworks.

(h) *Operational limitations.* Airpark/airport operations shall be limited to fewer than 10,000 aircraft operations annually.

(i) *Liability insurance.*

1. The airpark/airport operator shall maintain aviation liability insurance acceptable to the town and shall name the town as an additional insured.

2. Proof of insurance shall be provided annually.

(j) *Septic feasibility.* Where sewer service is unavailable, development shall demonstrate adequate septic capacity through a feasibility study approved by the applicable health authority.

(6) *Residential compatibility standards.* To protect surrounding residential neighborhoods while allowing aviation-oriented development within the airpark/airport, the following standards shall apply.

(a) *Residential uses outside the Airpark Zone.*

1. Residential dwellings located outside the Airpark Mixed-Use Zone shall not be located within 1,250 feet of the runway centerline, unless the Town Council determines through conditional use review that impacts to residential uses have been adequately mitigated.

2. This standard is intended to reduce potential conflicts relating to aircraft noise, safety concerns and low-altitude overflight.

(b) *Hangar homes within the Airpark Zone.* Hangar homes located within an approved Airpark Zone may be located closer to the runway centerline provided that:

1. The structure is located outside the runway object free area and runway safety area;

2. The structure complies with all applicable airport design and safety standards; and

3. Direct aircraft access to the runway is provided through approved taxiways.

(c) Hangar homes shall be considered aviation-compatible residential uses due to their integration with airport operations.

(7) *Avigation easements and airpark/airport disclosure*. Nothing in this division (K)(7) shall regulate aircraft in flight in a manner inconsistent with federal aviation authority exercised by the Federal Aviation Administration.

(a) *Avigation easements*.

1. The airpark/airport operator shall obtain and record avigation easements where necessary to protect airpark/airport operations.

2. Such easements may include rights related to:

a. Aircraft overflight;

b. Aviation noise and vibration;

c. Height restrictions; and

d. Restrictions on hazardous land uses.

(b) *Hangar home disclosure*. All lots located within the Airpark Zone shall record an airport living disclosure stating that:

1. Aircraft operations are expected;

2. Aviation noise and overflight will occur; and

3. Airport operations are integral to the use of the property.

(c) *Airport influence area disclosure*. Properties located within the airport influence area outside the Airpark Mixed-Use Zone shall include a recorded notice informing purchasers of potential aircraft overflight and aviation noise.

(d) *Noise mitigation and operational procedures*. The airpark/airport operator shall encourage operational practices that minimize noise impacts to surrounding residential areas where practicable and consistent with aviation safety. Recommended operational procedures may be published through publicly accessible means.

(8) *Frontage access to in the interior of the airpark*. All dwellings, hangars, commercial establishments or other facilities occupied by humans shall gain access from an official public state, county or town road which has been paved under the direction of the unit of government having jurisdiction.

(9) *Enforcement and continuing jurisdiction*. The town retains continuing jurisdiction to ensure compliance with the conditions of any conditional use permit issued under this section. Failure to comply with conditions may result in enforcement actions including suspension or revocation of the conditional use permit.

(L) *Easements and property control requirements*.

(1) *Conformance*. Any public-use airpark or public-use airport located within the town limits shall conform to the requirements of this chapter and 14 C.F.R. part 77; and U.C.A. § 72-10-403 (Airport Zoning Act).

(2) *Approvals*. FAA airspace determinations or approvals do not constitute town approval. town review and approval are required for all runway extensions, configuration changes and operational modifications.

(3) *Accuracy of submittals*. FAA and town submittals must reflect accurate, current on-the-ground conditions, including terrain, landfill heights and proximity to any other hazards, wildlife protected areas, obstructions and land uses. Any material misrepresentation shall be grounds for immediate denial, suspension or revocation of town permits and may trigger legal enforcement.

(M) *Land and airspace control requirements for public-use airparks*.

(1) *Precondition to public-use approval*. No airpark/airport shall be approved or operated as a public-use airpark or airport within the town unless the sponsor demonstrates legal control of all land and airspace necessary to safely accommodate the approved runway length, aircraft weight classification and operational intensity.

(2) *Required property interests*. Prior to approval or continuation of public-use status, the airpark/airport sponsor shall obtain and record:

(a) Fee ownership or recorded restrictive easements/avigation easements over all land within each Runway Protection Zone (RPZ);

(b) Recorded avigation easements sufficient to protect all applicable 14 C.F.R. part 77 surfaces; and

(c) Property interests sufficient to prevent incompatible land uses within required approach surfaces and safety areas associated with the approved runway length.

(3) *Containment requirement*. All RPZs, safety areas and required restricted-use areas shall be fully contained within property owned or legally controlled by the airpark/airport sponsor.

(4) *Runway adjustment requirement*. If required land control cannot be achieved, the runway length or operational classification shall be reduced to a configuration that allows full containment within controlled property.

(5) *No municipal acquisition obligation*. The town shall have no obligation to acquire land, purchase easements, regulate adjacent properties or otherwise secure compatibility on behalf of the airpark/airport sponsor.

(6) *Ongoing compliance*. Loss of required property control shall constitute grounds for suspension or revocation of public-use status.

(N) *Severability*.

(1) (a) If any section, division, sentence, clause, phrase or provision of this section is for any reason held to be invalid, unconstitutional or preempted by federal or state law by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section.

(b) The Town Council hereby declares that it would have adopted this section and each section, division, sentence, clause, phrase and provision thereof, irrespective of the fact that any one or more portions may be declared invalid or unenforceable.

(2) To the extent that any provision of this section may be interpreted as regulating matters within the exclusive jurisdiction of the Federal Aviation Administration, including, but not limited to, the management of navigable airspace or aircraft in flight, such provision shall be interpreted and applied only to the maximum extent permitted under applicable law and consistent with the town's land use authority under U.C.A. Title 10 Chapter 20.

(3) The provisions of this section are intended to regulate land use, development and ground-based facilities within the jurisdiction of the town. If any portion of this section is determined to exceed the town's lawful authority, the remaining provisions shall remain in full force and effect. (Prior Code, § 10.11.260) (Ord. 2026-01, passed 3-25-2026)

## § 154.111 PUBLIC USE AIRPORT/AIRPARK.

(A) Any public use airport/airpark or public airport/airpark located within the town limits shall conform to the requirements of this chapter, the Airpark Mixed-Use Zone, 14 C.F.R. part 77, and U.C.A. § 72-10-403 (Airport Zoning Act).

(B) Nothing in this section or any other section of this code shall be construed to require the town to be responsible for acquiring any property or property rights for the benefit of any airpark/airport within the boundaries of the town.
(Prior Code, § 10.11.275) (Ord. 2026-02, passed 3-25-2026)

## § 154.112 TECHNOLOGY OVERLAY ZONE.

(A) *Purpose*. The Technology Overlay Zone (TOZ) is intended to provide for the development and operation of large-scale technological, clean industrial and high-tech manufacturing uses that will increase the tax base and/or provide jobs for the town's residents.

(B) *Establishing a TOZ.*

(1) *Size and location.*

(a) Lands in the TOZ shall encompass a minimum of 80 contiguous acres as part of the TOZ campus. The acreage requirement may be joined with an existing campus located in the town or another municipality.

(b) Additionally, parcels in the TOZ shall be located on lands that can be served by adequate infrastructure, including power, water and sewer (or other suitable groundwater and septic systems), and a road network with acceptable capacity that can serve the TOZ's intended uses.

(2) *TOZ adoption.* The TOZ may only be approved with a development agreement.

(3) *Base Zone.* The TOZ shall only be permitted in the following zone: Light Industrial (East). The standards and processes of the base zone shall be applicable unless modified by this section or by development agreement.

(4) *Right to farm.* The town values its rich agricultural heritage and considers agricultural uses as a component of the town's community fabric, quality of life amenities and contributions to the town's economic base. An application for the TOZ shall provide an analysis of how the development will protect and preserve the agricultural land and agricultural activities within the town in accordance with §§ 150.20 to 150.24.

(C) *TOZ design standards.*

(1) *Principal building facade.*

(a) The principal building facade shall include all the building facades substantially visible to adjacent public roads and streets. When a building has more than one principal facade, such principal building facades shall be consistent in terms of design, materials, details and treatments. Principal building facades shall meet the following standards:

1. Avoid the use of undifferentiated surfaces by including at least two of the following design elements: change in building height; building step-back or recesses; fenestration; change in building material, pattern, texture or color; or use of accent materials;

2. Buildings not visible from adjacent roads or properties due to buffering shall not be required to have differentiated design elements; and

3. Building facade material:

a. Materials used for building facade may only include tinted, textured masonry block, precast concrete, tilt-up concrete panels with brick finish or stone facing, glass, stucco and external insulation finish system that simulates a stucco appearance, fiber-cement siding, metal panel systems, structural metal siding, wood siding or smooth-faced concrete blocks;

b. Precast concrete must contain other materials embedded within and articulated with design detailing or have application of other building materials to create design interest;

c. Materials shall be non-reflective and earth-tone in color; and

d. Examples of compliant building facades are shown in the ordinance codified in this section as Addendum A.

(b) *Screening of accessory equipment.*

1. To minimize visibility from adjacent public roads and adjacent properties, ground level and rooftop accessory equipment shall be screened from public roads and streets abutting residentially zoned or planned properties. This screening may be provided by a principal building or existing vegetation that will remain on or is within a landscaping/buffer easement on an adjacent property. Accessory equipment not screened by a principal building or existing vegetation shall be screened by a visually solid fence, screen wall or panel, parapet wall or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal

building. Notwithstanding the requirements of this section, accessory equipment located in a manner found to have no adverse impact on adjacent roads and adjacent properties, as determined by the Planning Commission, shall not be required to be screened.

2. Notwithstanding anything to the contrary herein, this section shall not apply to permitted accessory uses, including, without limitation, electric substations, transmission and distribution facilities.

(c) *Landscaping*.

1. A minimum of 20% open space shall be maintained for each group of contiguous parcels within the TOZ, inclusive of undeveloped land wetlands, steep slopes, stormwater areas or water left in undisturbed, open condition or developed as a landscaped or buffer area for buildings, streets or parking lots, areas used primarily for resource protection or recreational purposes.

2. If created, individual parcels within the TOZ are required to submit a landscaping plan with a site plan.

3. All landscaping shall comply with §§ 154.225 to 154.229.

4. Required landscaping shall be maintained in perpetuity.

(d) *Perimeter buffers*.

1. All buffers shall be inclusive of required setbacks.

2. All roads and utility rights-of-way and easements are permitted to cross all TOZ buffered areas. Stormwater management features are prohibited in the buffered areas, except by a waiver approved by the Planning Commission.

3. Buffer yard plantings shall be designed to minimize visual impacts from adjacent public roads and streets and properties. Notwithstanding the requirements of this section, use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, or on the outside of a six-foot-tall solid fence, may be substituted for the above requirements when found by the Planning Commission to provide minimal visual screening from adjacent land uses.

4. Buffers shall be shown on the TOZ campus buffer and landscape plan and on any individual site plans when the buffer area is part of an individual lot or multiple lots for which the site plan was submitted.

5. Minimum buffering requirements shall include the following.

a. When adjacent to residential zones, the minimum buffer area shall be 200 feet.

b. When adjacent to commercial or industrial zones, the minimum buffer area shall be 100 feet.

c. When adjacent to primary public roads, the minimum buffer area shall be 150 feet.

d. When adjacent to secondary public roads, the minimum buffer area shall be 100 feet.

e. Where multiple parcels within the TOZ are included in a development master plan, buffer requirements shall not apply to internal parcel lines.

f. Where internal parcel lines intersect with perimeter parcel lines, the TOZ perimeter buffer regulations shall apply.

(e) *Noise*. Unless in an emergency situation, the decibel levels shall not exceed 75dB between 8:00 am to 5:00 pm, or 60dB between 5:00 pm to 8:00 am.

(f) *Minimum lot sizes*. Any division of land within the TOZ shall be a minimum of one acre.

(g) *Fencing*. Fencing of the property shall be located inside the buffer area.

(h) *Setback requirements*.

| | |
|---|---|
| Adjacent to commercial or industrial zones | 100 feet |
| Adjacent to primary public roads (more than 50 feet ROW) | 150 feet |
| Adjacent to residential and agricultural zones | 200 feet |
| Adjacent to secondary public roads (less than 50 feet ROW) | 100 feet |
| Setbacks between buildings (may be reduced by the Planning Commission) | 50 feet |

(i) *Building height*. No building shall exceed 50 feet in height. The Planning Commission may, in its discretion, approve a building height up to 80 feet. Height shall be measured from the average elevation of the finished grade at the front line of the building to the highest point of the roof.

(j) *Lighting requirements*. Lighting, including during construction, shall comply with the base zoning regulations and Chapter 153 of this code.

(D) *Uses*. Any uses not expressly listed below as a permitted, conditional or accessory use shall be prohibited.

| | |
|---|---|
| Aerospace manufacturing, sales, assembly and associated services | P |
| Automotive manufacturing, sales, assembly and associated services | P |
| Central heating or cooling facility | A |
| Clean advanced materials manufacturing or advanced manufacturing businesses | P |
| Concrete batch plants, materials processing equipment and other similar uses | T |
| Conference or training center | P |
| Data centers | P |
| Elevated water storage tank or tower | A |
| Energy generating facility | A |
| Food processing, packaging and manufacturing | P |
| General office | A |
| General storage and maintenance facility | A |
| Laboratory and testing services | P |
| Research and development | P |
| Security building | A |
| Sewage treatment plant | A |
| Structured parking | A |
| Technology college, university or technical school | P |
| Technology research and development facility | P |
| Telecommunications tower | A |
| Water treatment plant | A |
| ***Notes to Table:*** | |
| Blank = Not permitted | |

| |
|---|
| A = Accessory Use |
| C = Conditional Use |
| P = Permitted use |
| T = Temporary Use |

(E) *Definitions*. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***AEROSPACE MANUFACTURING, SALES, ASSEMBLY AND ASSOCIATED SERVICES.*** A company involved in the various aspects of designing, building, testing, selling and maintaining aircraft, aircraft parts, missiles, rockets or spacecraft. Aerospace is a high technology industry.

***AUTOMOTIVE MANUFACTURING, SALES, ASSEMBLY AND ASSOCIATED SERVICES.*** A company engaged in manufacturing or assembling of passenger cars, trucks or station wagons, including any person, partnership or corporation which acts for or is under the control of such manufacturer or assembler in connection with the distribution of said motor vehicles.

***CENTRAL HEATING OR COOLING FACILITY.*** Chillers and cooling towers, computer room air conditioner (CRAC), computer room air handler (CRAH), air distribution system and redundancy and backup systems needed for a data center.

***CLEAN ADVANCED MATERIALS MANUFACTURING OR ADVANCED MANUFACTURING BUSINESSES.*** A company that accelerates the adoption of innovative materials and manufacturing technologies in support of a clean, decarbonized economy.

***CONCRETE BATCH PLANTS, MATERIALS PROCESSING EQUIPMENT*** and ***OTHER SIMILAR USES.*** The Planning Commission, as part of the site plan approval, may approve a concrete batch plant, materials processing equipment or other similar temporary uses if the processing is located at least one-half mile (2,640 feet) from any existing residence or residential lot.

***CONFERENCE OR TRAINING CENTER.*** A facility that accommodates groups of persons for short periods for the purposes of seminars, workshops, training and other related activities. No overnight accommodations are provided.

***DATA CENTERS.*** A building, a dedicated space within a building, or a group of buildings used to house computer systems and associated components, such as telecommunications and storage systems.

***ELEVATED WATER STORAGE TANK OR TOWER.*** A structurally enclosed tank that is raised above the ground to store water.

***ENERGY GENERATING FACILITY.*** A facility that generates electricity for the primary use or facility by means of solar, wind or water.

***FOOD PROCESSING, PACKAGING AND MANUFACTURING.*** A commercial operation that manufactures, packages, labels or stores food for human consumption and does not provide food directly to a customer. This definition does not include on-site slaughter, killing or harvesting of animals.

***GENERAL OFFICE.*** Office space that is no larger than 5,000 square feet.

***GENERAL STORAGE AND MAINTENANCE FACILITY.*** Storage or facilities that support the main use of the property or building. ***GENERAL STORAGE AND MAINTENANCE FACILITIES*** may not take up more than 25% of the total building area.

***LABORATORY AND TESTING SERVICES.*** The testing of products made at the main facility. The use of animal testing and experimentation is prohibited.

***RESEARCH AND DEVELOPMENT.*** The research and development of life sciences, medical, electronic assembly or other similar uses.

***SECURITY BUILDING.*** A building containing eating and sleeping facilities for security personnel no larger than 1,000 square feet in size and may not be used as a dwelling.

***SEWAGE TREATMENT PLANT.*** The collection, treatment and discharge of wastewater within the development.

***STRUCTURED PARKING.*** A portion of a building that is used for parking of equipment and motor vehicles.

***TECHNOLOGY COLLEGE, UNIVERSITY*** or ***TECHNICAL SCHOOL.*** An institution authorized by the state to award associate, baccalaureate or higher degrees, and facilities associated with it. This term includes academic buildings, administrative facilities, dormitories, special housing, parking areas, dining halls and other physical plants associated with the college or university use.

***TECHNOLOGY RESEARCH AND DEVELOPMENT FACILITY.*** A building in which scientific research, investigation, testing or experimentation is conducted, but not including the manufacturing or sales of products, except as incidental to the main purpose of the laboratory.

***TELECOMMUNICATIONS TOWER.*** See the definition for ***TELECOMMUNICATION SYSTEM*** found in § 11.01 of this code.

***WATER TREATMENT PLANT.*** A facility that uses technology to treat raw or contaminated water to make it safe for use.

(F) *Prohibitions*. Any use that produces gas, smoke, odor, dust, vibration of earth or soot that, in the opinion of the Town Council, will negatively impact commercial or residential areas that are currently existing or that are proposed in the town's general plan. Solar farms, as a primary use, shall not be permitted in the TOZ, and no solar farm, as an accessory use, shall exceed more than two acres.

(G) *Examples of compliant building facades*.






NOM


DR PEPPER
SNAPPLE







(Ord. 2024-09, passed 8-14-2024)

## *SUBDIVISIONS*

### § 154.125 TITLE; PURPOSE.

(A) *Short title*. This subchapter shall be known and may be cited as the "Subdivision Ordinance."

(B) *Purpose*. The purpose of this subchapter is:

(1) To promote the health, safety and general welfare of the residents of the town;

(2) To promote the efficient and orderly growth of the town;

(3) To provide policies, procedures, requirements and standards for the physical development of subdivisions of land, and construction of improvements within the town, including, but not limited to, the construction and installation of roads, streets, curbs, gutters, drainage systems, water and sewer systems, design standards for public facilities and utilities, accesses to public rights-of-way, and to establish fees and other charges for the authorizing of a subdivision;

(4) To ensure that public facilities are available at the site and will have a sufficient capacity to serve a proposed subdivision; and

(5) To encourage the wise use and management of natural resources to preserve the integrity, stability and aesthetics of the community.
(Ord. 2024-12, passed 12-18-2024)

## § 154.126 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ADJACENT PROPERTY.*** Property that shares a common boundary with, or is directly across a public or private street or right-of-way from, the subject parcel.

***AGRICULTURAL LAND.*** Land used primarily for the production of food, fiber or livestock and which qualifies as "land in agricultural use" under the state code.

***APPLICANT.*** The individual, partnership, corporation or other legal entity submitting an application for subdivision approval, including any authorized representative.

***BLOCK.*** A contiguous group of lots, bounded by streets, rights-of-way or other natural or constructed barriers.

***BOUNDARY LINE ADJUSTMENT (LOT LINE ADJUSTMENT).*** The realignment or adjustment of property lines between legally existing lots that does not result in the creation of a new lot and complies with all applicable zoning and subdivision requirements.

***CULINARY WATER AUTHORITY.*** The entity designated by the town as responsible for reviewing and approving the proposed culinary water system of a subdivision, in accordance with U.C.A. § 10-9a-103.

***DEDICATION.*** The conveyance of land, easements or improvements by an owner to the town for public use, by means of a plat, deed or other legal instrument.

***EASEMENT.*** A right granted by a property owner for use of a portion of land by another for a specified purpose, such as access, utilities or drainage.

***FINAL PLAT.*** A map or drawing prepared in accordance with the requirements of this subchapter that is designed to be recorded and legally creates lots, tracts and easements.

***GEOTECHNICAL REPORT (SOILS REPORT).*** A written analysis prepared by a qualified geotechnical engineer evaluating the soil stability, bearing capacity and suitability of a site for development, as required by §§ 91.15 to 91.24.

***INFRASTRUCTURE.*** Physical improvements, including, but not limited to, roads, utilities, storm drainage systems, sidewalks and public amenities required to support development.

***LOT.*** A parcel of land created by subdivision or combination that is intended for sale, lease or development and that complies with the applicable zoning requirements.

***LOT FRONTAGE.*** The length of the front property line of a lot that abuts a public or private street and is measured in accordance with zoning standards.

***MINOR SUBDIVISION.*** A subdivision that results in the creation of three or fewer lots and meets the criteria for an exception from the full subdivision process under § 154.137.

***OPEN SPACE.*** Land within a subdivision that is reserved for recreation, landscaping, preservation of natural features or similar purposes, and is not developed with buildings or structures.

***OWNER.*** The person or entity holding legal title to a parcel of land, including any authorized representative or agent.

***PARCEL.*** A contiguous quantity of land under single ownership, which may or may not be legally subdivided into lots.

***PHASING PLAN.*** A plan submitted by the applicant that identifies stages of development for a subdivision, including infrastructure, public amenities and timing of each phase.

***PLANNING COMMISSION.*** The Town Planning Commission, established in accordance with state law, with authority to review and approve subdivision applications and make land use decisions.

***PRELIMINARY PLAT.*** A map or drawing that illustrates a proposed subdivision in sufficient detail to enable a comprehensive review by the town and affected entities prior to the submission of a final plat.

***PUBLIC IMPROVEMENTS.*** Infrastructure, utilities or amenities constructed and installed for public use and typically required as a condition of subdivision approval.

***SANITARY SEWER AUTHORITY.*** The entity designated by the town to evaluate and approve the proposed wastewater disposal or sanitary sewer system of a subdivision, in accordance with U.C.A. § 10-9a-103.

***SUBDIVISION.*** The division, re-subdivision or platting of a lot, tract or parcel of land into two or more lots, plots or sites for the purpose of sale, lease or development, as defined by U.C.A. § 10-9a-103.

***SUBDIVISION AMENDMENT.*** Any revision to a recorded subdivision plat, including lot line adjustments, creation of additional lots, changes to easements or rights-of-way or alterations to dedications.

***SUBDIVISION APPLICATION.*** The complete application, including maps, forms, studies and supporting documentation, submitted by an applicant seeking subdivision approval from the town.

***TOWN ADMINISTRATOR.*** The person appointed by the Town Council or governing body of the town to oversee day-to-day administration, including implementation, interpretation and enforcement of subdivision regulations.

***TRACT.*** A unit of land, larger than a lot, identified on a plat and intended for use as open space, utility placement, storm drainage or other public or private purposes not involving structures for human occupancy.

***UTILITY PROVIDER.*** A public or private entity that provides water, sewer, electricity, gas, telecommunications or other services required for development.
(Prior Code, § 10.15.05)

## § 154.127 APPLICABILITY AND EXCEPTIONS.

(A) No person shall subdivide any parcel of land located wholly or partly in the town except in compliance with this subchapter.

(B) No person shall sell or exchange or offer to sell or exchange any parcel of land which is any part of a subdivision of a tract of land, nor offer for recording in the office of the County Recorder any

deed conveying such parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this subchapter.

(C) This subchapter shall not apply to a lot or parcel resulting from a division of agricultural land if the lot or parcel:

(1) Qualifies as land in agricultural use;

(2) Meets the minimum size requirements of the land use ordinances; and

(3) Is not used and will not be used for any non-agricultural use.

(Ord. 2024-12, passed 12-18-2024) Penalty, see § 154.999

## § 154.128 AUTHORITY.

The Town Administrator, or its designee, has the authority to implement, interpret and enforce the provisions of this subchapter. In furtherance of this authority, the following applies.

(A) *Implementation*. The Town Administrator shall have the authority to take all necessary actions to carry out the objectives of this subchapter, including the approval, denial or conditional approval of subdivision applications, in accordance with its terms and requirements.

(B) *Interpretation*. In the event of ambiguity, inconsistency or uncertainty in the application of the provisions of this subchapter, the Town Administrator shall have the discretion to make determinations regarding its meaning and intent, consistent with the chapter's purpose and in consultation with relevant legal and planning officials, as needed.

(C) *Enforcement*. The Town Administrator shall have the authority to enforce compliance with this subchapter through administrative action, including, but not limited to, issuing notices of violation, imposing penalties as provided herein or taking corrective actions. The Town Administrator may also refer matters to the appropriate enforcement agencies or legal authorities for further action, including court proceedings when necessary.

(Ord. 2024-12, passed 12-18-2024)

## § 154.129 PRE-SUBMISSION MEETING.

(A) It is strongly recommended that the applicant for a subdivision schedule a pre-submission meeting with the Town Administrator or another representative of the town designated by the Town

Administrator. Upon request from an applicant, the town shall schedule a pre-submission meeting within 15 days of the request.

(B) The Town Administrator may extend an invitation to the pre-submission meeting to any servicing utility companies, the Health Department, the State Department of Transportation, the Fire Department and any other private or public body that has jurisdiction or an interest in providing services to the subdivision.

(C) At the pre-submission meeting, the applicant may bring any materials to assist the parties in identifying the location of the potential subdivision, the size and layout of the subdivision and any potential problems or challenges to creating the subdivision. The town shall have available or provide access to:

(1) Copies of applicable land use regulations;

(2) A complete list of standards required for the project;

(3) Preliminary and final subdivision application checklists; and

(4) Feedback on the pre-submission plans.

(D) Due to the unique terrain of the real property within the town, the Town Administrator may request that the applicant submit additional information.
(Ord. 2024-12, passed 12-18-2024)

## § 154.130 APPLICATION.

(A) *Application required.* The applicant for a subdivision shall prepare and submit a preliminary plat application to the Town Administrator. The application shall include three copies of a complete preliminary plat and three completed application forms for the subdivision, including all required maps and charts. All application materials shall be submitted simultaneously to be considered for completeness.

(B) *Application form and content*. The Town Administrator may create a preliminary plat application form based on the requirements of this section. A complete application shall include all of the following information.

(1) *Property information*. The date of the application, the name, address, phone number, e-mail address and signature of the applicant and the owner of the property, the current zoning of the property, the location and address of the proposed subdivision, the total acreage of the subdivision and the number

of proposed lots. All persons with a fee interest in the property shall sign the subdivision application form. The applicant shall submit a preliminary title report for all property within the application.

(2) *Site information*. The following subdivision site information is required for a complete application and shall be provided at the same scale as the preliminary subdivision plat, on separate sheets if necessary:

(a) The identification of known and potential natural features on a map, including, but not limited to, jurisdictional wetlands as identified by the U.S. Army Corps of Engineers, known or potential natural waterways, top of bank and any potential natural hazards, including avalanche paths, liquefaction areas and areas of soil instability, and all on-site vegetation regulated by town ordinance. A final map identifying known and potential natural features as described in this section and identified by the Town Administrator will be reviewed and approved or denied by the Planning Commission as part of the application review process; and

(b) The location and dimensions of all existing buildings, fence lines and property lines must be overlaid on the proposed subdivision layout, and the location of surrounding human-made features and improvements, including buildings and roads, and natural features, including significant landmarks and geologic features.

(3) *Evidence of availability of necessary services*. The following information is necessary to establish the availability of basic services to the proposed subdivision, and the preliminary plat subdivision application is complete only when all basic services are available to the site and to each proposed subdivision lot, and approved in writing by the designated authority.

(a) *Culinary water requirements*. The Town Administrator is collectively designated as the "culinary water authority," further defined in U.C.A. Title 10, Chapter 9a. Such culinary water authority shall evaluate and approve the proposed culinary water system for the subdivision. The applicant shall comply with Chapter 90 of this code and provide all information required by the culinary water authority (and other applicable agencies described below, if any), including, but not limited to, evidence of the source, quantity, quality and means of delivery of the proposed culinary water to the proposed subdivision and each proposed lot. Certain property within the town boundaries may not be eligible to be served by the town culinary water system and shall be required to obtain approval from any additional public or private agency with jurisdiction over the proposed water source or delivery system. The requirements of the State Division of Drinking Water must be satisfied and Division approval, where required, shall be obtained by the applicant before a final plat is approved.

(b) *Wastewater requirements*. The Town Administrator, or designee, is hereby designated collectively as the "sanitary sewer authority," as further defined in U.C.A. Title 10, Chapter 9a, as amended or replaced. Each sanitary sewer authority shall evaluate and approve the proposed sanitary

sewer system. The applicant shall provide all information and materials as required by the sanitary sewer authority.

(c) *Fire and emergency requirements*. The County Fire Marshal is hereby designated as the "fire authority," as further defined in U.C.A. Title 10, Chapter 9a, as amended or replaced. The fire authority shall evaluate and approve the proposed fire suppression infrastructure and emergency access to the proposed subdivision. If the proposed subdivision does not include year-round motor vehicle (as defined by state law) access to all proposed lots and proposed and existing roads, streets and adjacent properties, the application shall include an emergency access mitigation plan, approved by the fire authority and the town. The applicant shall provide all information and materials as required by the fire authority.

(d) *Subdivision roads and streets*. All proposed subdivision streets shall be evaluated and approved by the Town Administrator and, if appropriate, the State Department of Transportation. The proposed street layout shall comply with § 152.21 and provide adequate and safe year-round access to all proposed lots and proposed and existing roads, streets and adjacent properties. If the proposed subdivision does not include year-round motor vehicle (as defined by state law) access to all proposed lots and proposed and existing roads, streets and adjacent properties, the application shall include a parking and access mitigation plan. If the proposed subdivision will be accessed from a state highway, an appropriate access permit, as required by the State Department of Transportation, shall be provided with the application materials in order to be a complete application. If the proposed subdivision is accessed from land owned by the state or federal government, the applicant shall provide any appropriate access or special use permits as required by the landowner with the application materials in order to be a complete application.

(e) *Soil reports*. All projects require a soils and geotechnical report as provided in Chapter 90 of this code unless otherwise indicated by the Town Engineer.

(f) *Feasibility study*. A feasibility study approved by the county.

(g) *Additional information and materials when necessary*. When the Town Administrator deems necessary due to the characteristics of the property to be subdivided, the applicant may be required to provide other information or letters of feasibility from other agencies with jurisdiction over the property to be subdivided, conduct studies and provide evidence indicating the suitability of the area for the proposed subdivision, including, but not limited to, adequacy of public safety and fire protection, geologic or flood hazard, erosion control, preservation of vegetation and any other physical or environmental matters in conformance with the town zoning ordinances. Such additional requirements shall be made of the applicant at the pre-submission meeting, or reasonably soon thereafter.

(h) *Notice*. The applicant shall provide the town with two sets of typewritten address labels and sufficient funds to cover related postage costs to all property owners within 300 feet of the boundaries of the proposed subdivision and all affected entities.
(Ord. 2024-12, passed 12-18-2024)

## § 154.131 SUBDIVISION PHASING.

(A) *Phasing plan submission.*

(1) Applicants proposing phased subdivisions must submit a detailed phasing plan as part of the initial subdivision application.

(2) The phasing plan must include:

(a) A time line showing anticipated start and completion dates for each phase;

(b) A map showing the boundaries of each phase, including any designated open spaces and infrastructure;

(c) Details of proposed infrastructure improvements, including roads, utilities and public amenities; and

(d) A description of how each phase will meet municipal infrastructure standards independently, particularly regarding access, emergency services, water and sewage.

(B) *Review process for phased subdivisions.*

(1) The phasing plan shall be approved by the Planning Commission.

(2) Each phase of the subdivision shall undergo review in accordance with this subchapter.

(3) Any changes to the approved phasing plan shall require an amendment application and review by the Planning Commission.

(C) *Compliance.*

(1) Each phase must be able to function independently, with access to necessary infrastructure and services.

(2) Each phase shall provide adequate road access, drainage, water, sewage and emergency access without reliance on future phases.

(D) *Infrastructure installation requirements.*

(1) Infrastructure improvements must be constructed for each phase as planned to meet municipal standards.

(2) Public amenities (parks, playgrounds and the like) scheduled within specific phases must be installed concurrently with that phase to serve its residents. Public amenities must be complete before 80% of the phased subdivision is complete.

(E) *Maintenance of open spaces and common areas*.

(1) For private amenities, a homeowners' association (HOA) or similar entity shall be responsible for all maintenance.

(2) For public amenities, the developer is responsible for maintenance until all phases of the subdivision are complete.

(F) *Time limits and extensions*.

(1) Each phase must commence within two years from the date of approval and be substantially complete within five years.

(2) If a phase is not commenced or completed within these time lines, the applicant must apply for an extension. Approval of extensions shall be at the discretion of the Planning Commission.

(3) If the developer does not apply for an extension and the time limit is exceeded, approval for that phase may be revoked by the Planning Commission.
(Ord. 2024-12, passed 12-18-2024)

## § 154.132 FEES.

(A) *Application fees*. To be considered complete, the application for preliminary plat subdivision approval and a final plat subdivision approval shall be accompanied by all fees established on the Town Fee Schedule.

(B) *Technical expertise and engineering fees*. The applicant shall pay all expenses of reviewing and approving the subdivision, including the town fees for hiring individuals with technical expertise, legal counsel and engineers to review the application.
(Ord. 2024-12, passed 12-18-2024)

## § 154.133 PRELIMINARY PLAT.

(A) *Preliminary plat*. The administrative land use authority for the approval of a preliminary plat application shall be the Planning Commission. The preliminary plat shall comply with all zoning and

development requirements be prepared by a licensed surveyor, and shall include the name and address of the surveyor responsible for preparing the preliminary plat, and shall include a certification that the surveyor holds a license in accordance with U.C.A. Title 58, Chapter 22, and has completed a survey of the property in accordance with U.C.A. § 17-23-17. The preliminary plat shall describe or specify:

(1) A name or designation of the subdivision that is distinct from any plat already recorded in the County Recorder's office;

(2) North arrow, graphic and written scale, legend, basis of bearings used and a vicinity map of the site;

(3) The legal description of the entire subdivision site boundary;

(4) The boundaries, course and dimensions and acreage or square footage for all parcels of ground divided, whether the owner proposes that any parcel or ground is intended to be used as a street or for any other public use, and whether any such area is reserved or proposed for dedication for a public purpose;

(5) For all parcels, the proposed lot or unit reference, block or building reference, street or site address, street name or coordinate address (to be approved by the Planning Commission as part of the application review process);

(6) Every existing right-of-way and easement grant of record for underground facilities and for all other utility facilities;

(7) The anticipated net developable acreage for each lot; and

(8) The names and addresses of the applicant and owner of the property, the engineer or surveyor of the subdivision and the owners of the land immediately adjoining the land to be subdivided and within 300 feet of the boundaries of the proposed subdivision.

(B) *Expiration.*

(1) A preliminary plat shall be deemed withdrawn, and shall expire and have no further force or effect, if a final plat is not recorded within one year after approval of the preliminary plat.

(2) Upon written request by the applicant and for good cause shown, the Planning Commission may grant up to a one-year extension.
(Ord. 2024-12, passed 12-18-2024)

## § 154.134 TOWN REVIEW.

(A) *Determination of completeness of application.*

(1) After receipt of an application, the Town Administrator shall determine whether the application is complete. An application for subdivision is only complete when it includes all information and approvals listed in this subchapter.

(2) If the Town Administrator determines that the application is not complete, the Town Administrator shall notify the applicant in writing, specifying the deficiencies of the application, including any additional information that must be supplied. No further action will be taken by the town until the deficiencies are corrected.

(B) *Staff review.* Following a determination that the application is complete, the application shall be reviewed by town staff for compliance with the town's ordinances, rules and regulations. Staff review shall be completed within 40 days of receipt of the application. After staff review, the application shall be submitted to the Planning Commission at least 14 days prior to the Planning Commission's regular meeting.

(C) *Notice and public hearing.* The Planning Commission shall hold a public hearing on the preliminary subdivision application. Notice of the public hearing shall be sent to the record owner of each parcel within 500 feet of the property that is the subject of the application and shall be posted and provided as a Class B notice in accordance with provisions of U.C.A. § 63G-30-102.

(D) *Planning review.* The Planning Commission shall approve a preliminary plat if the proposed subdivision and the associated improvement drawings are in compliance with the town's ordinances and requirements.
(Ord. 2024-12, passed 12-18-2024)

## § 154.135 APPLICATION COMPLETION TIME LINE.

(A) *Remedy of deficiencies.* The applicant shall correct all specified deficiencies within 90 days of the written notification of such deficiencies. If the applicant fails to correct the specified deficiencies within such 90-day period, the application for subdivision shall be deemed withdrawn and will be returned to the applicant. Application fees shall not be refunded. Any further submissions shall be considered only as part of a new application.

(B) *Extensions of time.* The Town Administrator, upon written request from the applicant, may grant the applicant one automatic 30-day extension to correct the specified deficiencies.
(Ord. 2024-12, passed 12-18-2024)

## § 154.136 FINAL PLAT.

(A) *Review authority*. The administrative land use authority for approval of a final plat application shall be the Town Administrator.

(B) *Submission requirements*.

(1) Upon approval of the preliminary plat by the Planning Commission, an applicant shall submit a final plat, in recordable form, to the town for its review and approval.

(2) The submitted final plat shall be consistent with all provisions and conditions of the preliminary plat. With the final plat, the applicant shall submit:

(a) An updated preliminary title report issued within 30 days of the final plat application showing, among other things, evidence of ownership for all parcels within the plat satisfactory in form to the Town Attorney;

(b) Any assurance for the installation of public improvements as required by town ordinance; and

(c) Proof that adequate water shares have been transferred to the town.

(C) *Public improvements*.

(1) An improvement completion assurance and warranty agreement shall be required for all public improvements before a final plat may be recorded.

(2) The amount of the security provided to guarantee completion of public improvements, including landscaping when required to be installed with a subdivision or other development, in accordance with the provisions of this chapter, shall be equal to 110% of the Town Engineer's estimated cost of the improvements or the applicant's reasonable proven cost of completion, as determined by the Town Engineer.

(3) The town may accept a cash bond, an escrow agreement with a federally insured bank, and a letter of credit with a federally insured bank or credit union.

(D) *Compliance*. The Town Administrator shall review a complete final plat submittal within 30 days of receipt of the application by the town and shall approve the final plat if it is consistent with the approved preliminary plat and any conditions of approval.

(E) *Amendments*. A recorded final plat may be amended if the amended plat complies with all applicable provisions of this code, construction codes and the town's standards and specifications.

(F) *Expiration*. A final plat application shall be deemed withdrawn, and shall expire and have no further force or effect, if the plat is not recorded within 60 days after the Town Recorder/Clerk notifies the applicant that the plat is ready to be recorded. An applicant's failure to record a plat within such time period renders the plat voidable.
(Ord. 2024-12, passed 12-18-2024)

## § 154.137 MINOR SUBDIVISION OF LAND.

(A) *Purpose*. The purpose of this exception is to provide flexibility in the subdivision ordinance for the division of land into less than three lots when the division complies with the applicable zoning regulations and does not require the creation of public infrastructure or significant land development.

(B) *Criteria*. A land division may be granted an exception to the formal subdivision process if all of the following criteria are met:

(1) *Number of lots*. The division of land results in three or fewer lots; and

(2) *Compliance with zoning*. The division complies with all applicable underlying zoning requirements, including:

(a) Minimum lot size, lot width and frontage requirements; and

(b) Compliance with setbacks, easement and other zoning standards as specified in the zoning ordinance.

(3) *No public infrastructure required*. The division does not necessitate the creation or extension of public infrastructure, including:

(a) Roads or streets that require public dedication or construction;

(b) Utility extensions (water, sewer, electricity) to serve the new lots; and

(c) Stormwater management systems or drainage improvements beyond what is already existing.

(4) *No impact to the public or neighboring properties*. The division must not result in any significant adverse impacts on neighboring properties or the surrounding community, such as:

(a) Traffic congestion or safety hazards;

(b) Degradation of public facilities or services; and

(c) Creation of nonconforming lots or uses under the zoning ordinance.

(5) *No new dwellings or structures*. The division does not propose the construction of new dwellings, structures or other major developments on the newly created lots that would trigger the need for a full subdivision review.

(6) *Conformance with existing subdivision plans*. The division must not conflict with any existing approved subdivision plan, master plan or previously recorded plat within the subject area.

(7) *One minor subdivision of land*. A lot or parcel may only receive one minor subdivision in accordance with this section.

(C) *Process for approval*.

(1) *Application*. The property owner or applicant seeking the exception must submit a written application to the Town Administrator. The application shall include:

(a) A plat or map of the proposed land division;

(b) Documentation demonstrating compliance with applicable zoning standards; and

(c) Any other relevant documentation as required by the Town Administrator.

(2) *Review*. The Planning Commission will review the application for compliance with the above criteria. The review will consider the zoning requirements, the size and configuration of the parcels and the potential impact of the division.

(3) *Approval or denial*. Upon review, the Planning Commission will issue a written decision, either:

(a) *Approval*. If the division meets all the requirements for the exception, it will be approved and the land division may proceed; or

(b) *Denial*. If the division does not meet the criteria, the application will be denied and the applicant must follow the full subdivision process for further consideration.

(4) *Recording*. Upon approval, the land division must be recorded with the County Recorder's Office.

(D) *Limitations*.

(1) This exception does not authorize the creation of more than three lots (unless the property owner has previously subdivided the property within a certain time frame as per local regulations).

(2) This exception does not grant a waiver for compliance with any other applicable laws or regulations, including, but not limited to, health, environmental or building code requirements.

(3) Any future development or subdivision of the property after the division shall comply with the full subdivision ordinance and applicable zoning requirements.
(Ord. 2024-12, passed 12-18-2024)

## § 154.138 LOT LINE ADJUSTMENTS.

(A) *Scope*. The town may review certain lot line adjustments pursuant to U.C.A. § 10-9a-523.

(B) *Criteria*. A lot line adjustment is permitted only if all of the following criteria are met.

(1) *Number of lots involved*. The adjustment must involve no more than three existing lots within a subdivision. Any adjustments to more than three lots require a subdivision amendment.

(2) *No new lot creation*. The adjustment cannot result in the creation of a new lot. The total number of lots before and after the adjustment must remain the same.

(3) *Zoning compliance*. The adjusted lots must comply with the underlying zoning requirements, including:

(a) Minimum lot size, width and frontage requirements;

(b) Setback and other dimensional standards; and

(c) Any other applicable zoning standards.

(4) *No violation of easements*. The adjustment must not result in the violation of any easement, encroachment or other legal restrictions on the property.

(5) *No public infrastructure impact*. The adjustment must not require the creation or extension of public infrastructure such as roads, utilities or drainage systems.

(6) *No environmental concerns*. The adjustment must not violate any environmental regulations, such as floodplain management, wetland protection or hillside development rules.

(C) *Application process*.

(1) *Submission requirements*. The property owner or applicant must submit a completed lot line adjustment application to the Town Administrator, including:

(a) A map or survey prepared by a licensed surveyor showing the existing and proposed lot lines, including dimensions, setbacks and boundary lines;

(b) Written confirmation that the adjusted lots comply with all zoning requirements (e.g., lot size, setbacks, frontage); and

(c) A legal description of the properties before and after the lot line adjustment.

(2) *Review process*. The Town Administrator will review the application for compliance with these regulations, the zoning ordinance and any other relevant laws. The review process typically includes:

(a) Verifying that the proposed adjustment meets zoning and subdivision requirements; and

(b) Ensuring that the adjustment does not create any conflicts with existing easements, covenants or rights-of-way.

(3) *Approval or denial*.

(a) *Approval*. If the adjustment meets all requirements, the Town Administrator will approve the application and issue a written decision.

(b) *Denial*. If the application does not meet the criteria, the Town Administrator will deny the application and provide the applicant with a written explanation of the reasons for denial.

(c) *Recording*. Upon approval, the applicant must file the lot line adjustment with the county or city land records office. The adjusted boundary lines will be legally recognized once recorded.

(D) *Conditions of approval*. Lot line adjustments may be subject to the following conditions.

(1) The applicant must ensure that the adjusted lots comply with all applicable zoning and land use regulations.

(2) The applicant must pay any required fees associated with the review and recording of the adjustment.

(3) If necessary, the applicant must obtain any additional permits or approvals for construction, drainage or environmental compliance before proceeding with any development on the adjusted lots.

(E) *Restrictions*.

(1) *No subdivision*. A lot line adjustment is not intended to create a subdivision or divide a single parcel into multiple lots.

(2) *Repetitive adjustments*. Repeated lot line adjustments between the same properties, when combined with other adjustments, may be subject to additional scrutiny or may require a more formal subdivision process if the cumulative effect constitutes a subdivision.

(3) *Easements and restrictions*. Lot line adjustments cannot interfere with established easements, rights-of-way or other legal restrictions.
(Ord. 2024-12, passed 12-18-2024)

## § 154.139 APPEAL.

(A) *Standing*. An applicant, property owner or adversely affected party, as defined in U.C.A. § 10-9a-103(2), may appeal a decision related to this subdivision ordinance.

(B) *Filing the appeal*.

(1) The appeal must be filed in writing with the Town Recorder/Clerk within ten days from the date of the decision being appealed.

(2) The appeal should include:

(a) A clear and concise statement of the reasons for the appeal, outlining why the appellant believes the decision was incorrect or unlawful;

(b) A copy of the decision or action being appealed (e.g., denial letter, resolution or conditions of approval); and

(c) Any supporting documents, evidence or materials that the appellant believes are relevant to the appeal.

(C) *Fee for appeal.* A non-refundable appeal fee, in accordance with the Town Fee Schedule, shall be submitted at the time of filing the appeal. This fee shall cover the administrative costs associated with processing the appeal.

(D) *Scheduling the appeal hearing.*

(1) Upon receipt of a completed appeal application, the Town Hearing Officer will schedule the appeal hearing.

(2) The appellant and any other interested parties will be notified in writing of the date, time and location of the hearing.

(E) *Conduct of the appeal hearing.*

(1) The Hearing Officer will conduct a hearing where both the appellant and any interested parties (e.g., neighbors, representatives of the Planning Department) may present their arguments.

(2) The appellant may present evidence and testimony to support their position, and the staff or Planning Commission may present the basis for their decision.

(3) The Hearing Officer may ask questions, request further information or continue the hearing to another meeting if necessary.

(F) *Criteria for decision.* The appeal body will base its decision on whether the original decision was in accordance with the law, the subdivision ordinance and the facts of the case.

(G) *Final decision.* The appeal body will issue a written decision, typically within ten business days after the hearing, and the decision will be mailed to the appellant and all interested parties. The decision may include:

(1) A final approval of the subdivision with or without conditions;

(2) A final denial of the subdivision; and

(3) A remand to the land use authority with additional instructions for further review.

(H) *Judicial review.* If the appellant is dissatisfied with the final decision of the appeal body, the appellant may seek judicial review in a court of competent jurisdiction as provided by law. Judicial review must be sought within 30 days of the final decision.
(Ord. 2024-12, passed 12-18-2024)

## *SPECIAL USES*

### § 154.150 PURPOSE.

The purpose of these special use regulations is to ensure that certain land uses, which may have unique characteristics or potential impacts, are reviewed and regulated to maintain the health, safety and welfare of the community. These regulations are intended to:

(A) Promote compatibility between special uses and surrounding properties by addressing potential impacts such as noise, traffic, visual appearance and environmental effects;

(B) Protect and enhance the character, quality and stability of neighborhoods, commercial areas and public spaces;

(C) Provide a clear and predictable process for the review, approval and enforcement of special uses;

(D) Ensure that special uses contribute positively to the community by balancing the needs of property owners, neighbors and the broader public interest; and

(E) Align with the goals and policies set forth in the town's comprehensive plan or other adopted planning documents.
(Ord. 2025-12, passed 6-18-2025)

### § 154.151 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ABANDONMENT.*** The discontinuation of a use or activity for a period of 12 consecutive months or more, unless otherwise approved by the town.

***ACCESSORY BUILDING OR STRUCTURE.*** A building or structure that is subordinate to the primary use of a property and serves a purpose customarily incidental to the main use.

***APPLICATION.*** A complete package submitted to the town for review of a proposed special use, including all required forms, fees, plans and documentation.

***BUFFER.*** A landscaped area or physical barrier intended to reduce visual, sound or operational impacts between dissimilar uses.

***COMPATIBILITY.*** The degree to which a proposed use is consistent in scale, appearance, intensity and function with surrounding uses or zoning districts.

***DUST-FREE SURFACE.*** A stable, compacted surface made of gravel, concrete, asphalt or similar material approved by the town to minimize airborne dust.

***FINDINGS.*** Written conclusions by the Planning Commission that justify the approval, denial or modification of a special use permit based on applicable criteria.

***GENERAL PLAN.*** The officially adopted planning document of the town that guides future growth, land use, infrastructure and community development.

***HAZARDOUS MATERIALS.*** Any substance or material that may pose a threat to health, safety or the environment as defined by federal, state or local law.

***MATERIAL MODIFICATION.*** A substantial change to an approved special use, including, but not limited to, changes in intensity, site layout, building footprint, hours of operation or approved conditions.

***MITIGATION.*** Measures taken to reduce or eliminate negative impacts resulting from a development or land use, such as noise, light, odor or traffic.

***NOISE BARRIER.*** A physical structure, such as a wall or fence, designed to block or absorb noise to protect adjacent properties.

***ODOR MITIGATION PLAN.*** A written plan outlining the steps a property owner or operator will take to prevent offensive odors from crossing property lines.

***OPERATIONAL STANDARDS.*** Conditions and performance measures imposed on a use to ensure it operates safely, quietly and without adverse community impacts.

***SCREENED FENCING.*** A fence or wall, typically six to eight feet in height, designed to obscure outdoor storage, equipment or operations from public view using solid or opaque materials.

***SPECIAL USE.*** A land use that is allowed within a zoning district only after review and approval by the town, subject to specific conditions to ensure compatibility and mitigate impacts.

***SPECIAL USE PERMIT (SUP).*** A permit issued by the town allowing a special use, subject to compliance with all applicable standards and conditions.

***TEMPORARY STRUCTURE.*** A non-permanent building or container used on a property for a limited duration in support of an approved use or construction activity.

***TOWN.*** Fairfield, Utah.

***USE.*** The purpose or activity for which a lot, building or structure is designed, intended or occupied.

***ZONING ADMINISTRATOR.*** The individual or office responsible for interpreting and enforcing the town's zoning ordinance, which may include the Mayor or Town Recorder/Clerk as designated. (Ord. 2025-12, passed 6-18-2025)

## § 154.152 GENERAL REGULATIONS.

The following general regulations shall apply to all special uses within the jurisdiction of the town to ensure consistency, fairness and adherence to community standards.

(A) *Compliance with zoning and land use plans*. All special uses must comply with the requirements of the zoning district in which they are located and align with the goals and objectives of the town's comprehensive plan and other applicable land use policies.

(B) *Minimization of adverse impacts*. Special uses shall be designed, located and operated to minimize negative impacts on surrounding properties, including, but not limited to, noise, vibration, odors, light, traffic and visual intrusions.

(C) *Adequate infrastructure and services*. Special uses must have access to adequate public infrastructure, including roads, utilities, water, sewer and emergency services, without placing undue burden on existing systems or requiring unplanned expansions.

(D) *Traffic and access management*. Special uses shall provide safe and efficient ingress and egress, with adequate off-street parking and loading areas to avoid traffic congestion and ensure pedestrian safety.

(E) *Compatibility with surrounding land uses*. Special uses must demonstrate compatibility with adjacent and nearby land uses, including appropriate buffering, landscaping or screening where necessary to reduce visual or operational conflicts.

(F) *Lighting*. Lighting must be directed downward to avoid glare on neighboring properties. Must follow the town's lighting ordinance.

(G) *Environmental protection*. Special uses shall avoid significant adverse impacts on natural resources, including wetlands, floodplains, water bodies and environmentally sensitive areas. Appropriate mitigation measures shall be required where impacts cannot be fully avoided.

(H) *Hazardous material storage and spill prevention*. Storage of fuels, chemicals or hazardous materials shall comply with all applicable federal, state and local regulations, including the International Fire Code. All hazardous materials must be stored in appropriate containers with clearly marked labels and housed in secured areas.

(I) *Secondary containment systems*. Secondary containment systems are required to prevent contamination in the event of a spill or leak. Containment must be capable of holding at least 110% of the volume of the largest container stored.

(J) *Emergency response plan*. Spill prevention, control and countermeasure (SPCC) plan or equivalent emergency response plan shall be submitted to the town as part of the application. This plan must identify:

(1) All hazardous materials proposed to be stored or used on-site;

(2) Spill containment methods;

(3) Emergency contacts and training procedures; and

(4) Clean-up and disposal procedures in compliance with EPA and State DEQ regulations.

(K) *Operational standards*. All special uses must comply with applicable operational standards established by federal, state and local regulations, including building codes, health and safety codes and environmental laws.

(L) *Time limitations and phasing*. The town may impose time limitations on the duration of a special use or require phasing plans to ensure orderly development and compliance with conditions of approval.

(M) *Periodic review and compliance*. Special uses may be subject to periodic review by the town to ensure continued compliance with the terms of approval. Failure to comply may result in revocation or modification of the permit.

(N) *Conditions of approval*. The town may impose additional conditions as necessary to address unique characteristics of the proposed use or its site to ensure compatibility with surrounding properties and adherence to the public interest.

(O) *Expiration and renewal*. Special use permits shall expire if the use is not established or operational within one year of the date of approval, unless an extension is granted by the Planning Commission. A use shall be considered "established" when:

(1) All required permits have been obtained;

(2) Construction (if applicable) has commenced; and

(3) The use has begun operating or been substantially implemented.

(P) *Transferability*. Special use permits shall not be transferable without prior approval of the town, unless otherwise specified in the terms of the permit.

(Q) *Modification of approved special uses*. Any material changes to an approved special use shall require review and approval by the town through the same process as the initial application.
(Ord. 2025-12, passed 6-18-2025)

## § 154.153 APPLICATION AND APPROVAL.

(A) *Application*. Any person or entity seeking a special use permit within the town must submit a complete application package to the Town Administrator. The application must include the following:

(1) *Completed application form*. A fully completed application form, signed by the applicant and the property owner (if different from the applicant);

(2) *Application fee*. Payment of the required non-refundable application fee, as set forth in the Town Fee Schedule, to cover administrative and review costs;

(3) *Proof of ownership or authorization*. Documentation demonstrating that the applicant owns the property or has authorization from the property owner to submit the application;

(4) *Project description*. A detailed narrative describing the proposed use, including:

(a) The nature and scope of the activity;

(b) Hours of operation;

(c) Anticipated traffic generation;

(d) Proposed number of employees (if applicable); and

(e) Any potential environmental impacts or mitigation measures.

(5) *Site plan*. A scaled site plan or survey, prepared by a licensed professional (if required). Site plans shall comply with the site plan requirements found in § 151.22 of this code, and include nearby streets and adjacent property uses.

(6) *Floor plans and building elevations*. For applications involving new construction or building modifications, detailed floor plans and building elevations showing the size, layout and appearance of the structures.

(7) *Traffic impact study*. If required by the town, a traffic impact study prepared by a qualified professional to assess the potential effects of the proposed use on traffic flow and safety.

(8) *Environmental impact analysis*. If applicable, an environmental impact analysis identifying potential effects on natural resources, wetlands, floodplains or other sensitive areas, along with proposed mitigation measures.

(9) *Neighbor notification list*. A list of all names and addresses of all property owners adjacent to the subject property or 500 feet minimum, for purposes of public notification.

(10) *Public hearing notice materials*. Must follow state code.

(11) *Additional studies or reports*. Any additional studies, reports or documentation deemed necessary by the town, such as noise studies, utility impact analyses or economic feasibility assessments.

(12) *Statement of compliance*. A written statement from the applicant explaining how the proposed special use complies with the zoning ordinance, special use regulations and the town's comprehensive plan.

(13) *Digital copies*. A digital copy of all submitted documents and plans in a format acceptable to the town.

(B) *Screened fencing*. All areas used for storage, equipment being worked on, stored inventory, manufactured goods for sale or fabrication must be fully enclosed with screened fencing to minimize visual impact and ensure site aesthetics.

(C) *Other information*. Any other information deemed necessary by the town to adequately evaluate the application, as specified during pre-application consultations.

(D) *Incomplete applications*. Applications missing any of the required elements will be deemed incomplete and will not be processed until all deficiencies are addressed.

(E) *Review by the Planning Commission*. The Planning Commission shall review each special use permit application and make its decision based on whether the application meets all applicable provisions of this code.

(F) *Findings*.

(1) The Planning Commission shall document its findings to confirm that the application satisfies all relevant provisions of this code.

(2) If the application does not meet the required provisions, the Planning Commission shall specify the reasons for denial in writing.

(G) *Appeals*. Decisions of the Planning Commission may be appealed in accordance with the procedures established in § 154.048 within ten days from the date of the Planning Commission's decision.
(Ord. 2025-12, passed 6-18-2025)

## § 154.154 REVOCATION OF SPECIAL USE PERMITS.

A special use permit may be revoked by the town for:

(A) Violation of any condition of approval;

(B) Operation of the use in a manner detrimental to public health or safety; or

(C) (1) Abandonment or discontinuation of the use for 12 consecutive months.

(2) The permit holder shall be notified in writing and provided an opportunity to cure violations or request a hearing before the Planning Commission.
(Ord. 2025-12, passed 6-18-2025)

## § 154.155 CONTRACTOR YARDS AND INDUSTRIAL OUTDOOR STORAGE.

(A) *Use-specific setbacks.*

(1) All storage areas, equipment and materials must be located at least: 100 feet from any residential property line; and 25 feet from public rights-of-way.

(2) No storage or activity shall occur within the required landscaping buffers or front yard setback.

(B) *Height of stored materials.* Materials, equipment or vehicles stored outdoors shall not exceed 16 feet in height unless screened by a solid structure or enclosure of equivalent or greater height.

(C) *Pavement and surface requirements.*

(1) Storage and operational areas must be paved or surfaced with dust-free materials, such as gravel, asphalt or concrete, as approved by the town.

(2) Appropriate stormwater management features, such as permeable surfaces or retention areas, must be incorporated to prevent runoff.

(D) *On-site waste management.*

(1) All waste materials generated on-site must be stored in designated, enclosed areas and regularly disposed of.

(2) Open burning of waste or debris is prohibited.

(E) *Vehicle and equipment restrictions.*

(1) Only vehicles and equipment directly associated with the contractor's or industrial operation may be stored on-site.

(2) No long-term storage of unregistered, inoperable or salvaged vehicles or equipment is permitted unless explicitly authorized.

(F) *Temporary structures.*

(1) Temporary structures, such as storage containers or modular offices, may be allowed with prior approval but must be located in compliance with setback and screening requirements.

(2) Temporary structures must be removed within a specified time frame if no longer associated with the approved use.

(G) *Fuel and chemical storage*.

(1) Storage of fuels, chemicals or hazardous materials must comply with all federal, state and local regulations including International Fire Code and include secondary containment systems to prevent contamination.

(2) A spill response plan must be submitted with the application and kept on-site.

(H) *Fencing and security*.

(1) Contractor yards and industrial outdoor storage facilities must be fully enclosed with a secure fence or wall, at least six feet in height, with lockable gates.

(2) Security measures, such as surveillance cameras or lighting, must be implemented to deter unauthorized access.

(I) *Seasonal and idle equipment*. Seasonal or idle equipment stored on-site must be maintained in operable condition and stored in an orderly manner.
(Ord. 2025-12, passed 6-18-2025) Penalty, see § 154.999

## § 154.156 AUTOMOTIVE USES.

The following standards shall apply to all automotive uses, including automotive repair, automotive paint and repair, automotive service, automotive storage, towing yards and automotive rentals.

(A) Storage of vehicles must be screened from public view with a minimum six feet opaque fence or solid wall.

(B) Spray painting/bodywork must be conducted inside enclosed, ventilated and environmentally safe structures.

(C) No dismantling or salvaging of vehicles shall be permitted on-site.

(D) Vehicles may not be stacked.

(E) Stormwater management measures must be in place to prevent fluid leaks from contaminating the ground.

(F) A maximum storage duration of 180 days per vehicle shall be enforced.

(G) All vehicle storage must be on a paved or stabilized surface to minimize dust and environmental impact.
(Ord. 2025-12, passed 6-18-2025)

## § 154.157 AUTO SELF-SERVE STATIONS, GAS STATIONS, CONVENIENCE STORES, FUEL STATIONS.

(A) *Location restrictions*.

(1) Gas stations and convenience stores must be located at least: 300 feet from schools, daycare centers and residential zoning districts, unless otherwise approved with appropriate mitigation measures; and 1,000 feet from existing gas stations to avoid over-concentration, unless deemed necessary to serve the community.

(2) Sites must be located at intersections or along major arterial or collector streets for optimal traffic flow and access.

(B) *Fueling station setbacks*.

(1) Fuel pump islands must be set back at least: 25 feet from all property lines; and 50 feet from any residential property or district boundary.

(C) *Canopy design and lighting*.

(1) Canopies over fuel pumps must:

(a) Be designed to complement the architectural character of the primary building; and

(b) Shall not exceed 20 feet in height.

(2) Lighting under the canopy must be fully recessed and shielded to prevent glare onto adjacent properties or roadways.

(D) *Underground storage tanks (USTs)*.

(1) All underground storage tanks must comply with state and federal regulations for installation, monitoring and spill prevention.

(2) A spill containment and response plan must be submitted as part of the application.

(E) *Traffic and access management*.

(1) A minimum of two access points must be provided, with no access drive located closer than 50 feet to an intersection.

(2) Driveways must align with existing or planned driveways on opposite sides of the street, wherever feasible.

(3) On-site circulation must allow for safe and efficient movement of vehicles, including fuel delivery trucks, without impeding traffic on public roads.

(F) *Parking requirements*.

(1) A minimum of one space per 250 square feet of building area is required, excluding fueling positions.

(2) Fueling positions shall not count toward required parking spaces.

(G) *Screening and buffering*.

(1) A solid fence or wall, six feet in height, and landscaping shall be required along property lines adjoining residential districts or uses.

(2) Dumpster and service areas must be fully screened with materials matching the primary building.

(H) *Convenience store regulations*.

(1) Outdoor display or sale of goods (e.g., propane tanks, firewood, ice machines) is permitted only in designated areas approved on the site plan.

(2) Overnight parking of commercial vehicles is prohibited unless explicitly approved.

(3) Alcohol sales must comply with local and state licensing requirements.

(I) *Environmental protections*.

(1) Stormwater runoff must be managed to prevent contamination of nearby water resources.

(2) Spills from fueling operations must be cleaned immediately, and all spills must be reported in compliance with local, state and federal requirements.

(J) *Signage*.

(1) Freestanding signs must be located outside visibility triangles and set back at least ten feet from property lines.

(2) Electronic price displays must not flash or change more frequently than once every 30 seconds.

(K) *Hours of operation*. Hours of operation may be restricted in proximity to residential areas. Standard hours of operation are 5:00 a.m. to 11:00 p.m., unless otherwise approved.

(L) *Security measures*.

(1) Security cameras must monitor all fueling stations, entry points and parking areas.

(2) The site must be well-lit, with lighting designed to minimize glare and spillover onto adjacent properties.

(M) *EV charging stations*. If electric vehicle (EV) charging stations are provided, they must be located to avoid traffic congestion and must be clearly marked and accessible.

(N) *Air and water stations*. An air and water station must be provided for public use and located to ensure safe access without impeding on-site traffic circulation.

(O) *Fuel delivery restrictions*. Fuel deliveries must be restricted to off-peak hours to minimize traffic disruptions.
(Ord. 2025-12, passed 6-18-2025)

## § 154.158 MICROBREWERIES AND DISTILLERIES.

(A) Outdoor seating or entertainment areas must be at least 100 feet from residential properties.

(B) Loading/unloading zones must be designed to prevent traffic congestion.

(C) Odor mitigation measures may be required.
(Ord. 2025-12, passed 6-18-2025)

## § 154.159 SHOWROOM AND SALES CENTERS.

(A) Buildings must be architecturally compatible with surrounding structures.

(B) Parking areas must be paved and ADA-compliant.

(C) Outdoor display areas must be screened from public roads.
(Ord. 2025-12, passed 6-18-2025)

## § 154.160 COMMERCIAL GREENHOUSES AND HYDROPONIC GREENHOUSES.

(A) Must include a water conservation plan and use responsible irrigation practices.

(B) Chemical storage and fertilizer handling must follow state environmental regulations.

(C) Must be set back at least 50 feet from residential properties.

(D) Operators must implement an odor mitigation plan

(E) No detectable odors should cross property boundaries. Verified complaints will require immediate mitigation.

(F) Operators must submit a waste management plan detailing how plant and water runoff will be handled.
(Ord. 2025-12, passed 6-18-2025)

## § 154.161 WELDING, FABRICATION, MACHINE SHOP AND SMALL ENGINE REPAIR.

(A) Operations producing noise or vibrations must be conducted indoors or be mitigated with noise barriers.

(B) Storage of hazardous materials must comply with federal and state regulations.
(Ord. 2025-12, passed 6-18-2025)

## § 154.162 FIREWORKS SALES/STANDS.

(A) Firework storage and sale areas must comply with State Fire Code.

(B) A fire suppression and emergency plan must be submitted.

(C) Temporary sales stands must be at least 300 feet from residential properties.
(Ord. 2025-12, passed 6-18-2025)

## § 154.163 PUBLIC UTILITY STATIONS.

(A) Must be screened with landscaping or fencing to minimize visual impact; and

(B) Noise-producing equipment must meet the town's noise ordinances.
(Ord. 2025-12, passed 6-18-2025)

## § 154.164 PAWN SHOPS.

(A) Must be at least 1,000 feet from any school, park or residential area; and

(B) Security measures, including surveillance cameras and proper lighting, are required.
(Ord. 2025-12, passed 6-18-2025)

## § 154.165 WAREHOUSE STORAGE UNITS (COMMERCIAL).

(A) Shall not be used for residential storage or self-storage purposes; and

(B) Must provide adequate loading docks and circulation areas to prevent traffic congestion.
(Ord. 2025-12, passed 6-18-2025)

## § 154.166 INDOOR SHOOTING RANGES.

(A) *Safety regulations.*

(1) Must conform to all federal, state and industry regulations for health and safety;

(2) Construction must be designed and certified to capture all fired rounds;

(3) No ammunition may be fired that exceeds the range's certified design specifications;

(4) Alcoholic beverages shall not be sold, consumed or permitted on the premises;

(5) A written log of all range users must be maintained by the range operator;

(6) Minors must be accompanied by a responsible adult at all times. No child under eight years old may discharge or handle firearms;

(7) On-site supervision and monitoring must be provided at all times; and

(8) A cut-wire protected alarm system must be installed for general security.

(B) *Sound study*.

(1) A sound study shall be conducted and submitted with the application.

(2) Noise levels above 65 decibels at property lines shall be considered a nuisance and require mitigation.

(C) *Additional components*.

(1) May include a retail component for the sale and rental of firearms, ammunition and related accessories;

(2) May include classroom facilities for community education and gun safety training; and

(3) May include a restaurant or dining component.
(Ord. 2025-12, passed 6-18-2025)

## § 154.167 MULTI-TENANT INDUSTRIAL BUILDING (MTIB).

(A) *Multi-use configuration*. Units may be used for a combination of industrial, office and storage purposes, subject to zoning compliance.

(B) *Independent or shared facilities*. Each tenant may have independent access or share common infrastructure such as loading docks, parking and utilities.

(C) *Zoning compliance*. All businesses operating within the MTIB must comply with the permitted and conditional uses outlined in the Light Industrial West Zone.

(D) *Parcel and ownership structure*. The building may be under single or multiple ownership, with businesses leasing or owning individual units.

(E) *Tenant improvement permit requirement*. Each tenant is required to obtain a tenant improvement permit from the town before making any modifications, alterations or occupying space within the MTIB. This includes, but is not limited to:

(1) Interior build-outs, electrical, plumbing and structural changes;

(2) Installation of new equipment or machinery requiring utility connections; and

(3) Changes to the use of the space that may impact zoning, fire codes or safety regulations. (Ord. 2025-12, passed 6-18-2025)

## § 154.168 SPECIAL AND CONDITIONAL USES WITHIN THE AMUZ.

A special use is a land use that is not permitted by right within a zoning district but may be allowed subject to review and approval by the town, and only when specific conditions are met to ensure compatibility with surrounding uses and the intent of the zone. Special uses require the applicant to demonstrate that the use: will not create adverse impacts to public health, safety or welfare; can be operated in harmony with the general character of the area; complies with all condition of approval imposed by the town to mitigate potential impacts; and complies with the currently adopted International Building Code (IBC), International Fire Code (IFC), International Mechanical Code (IMC) and all other applicable state and federal regulations, as adopted and amended by the state and the town. All special use applicants must submit to a building code and fire code inspection prior to obtaining any town approvals.

(A) *Aircraft construction, service and sales (special use)*.

(1) Spray finishing operations shall comply with IFC Chapter 24 (Flammable Finishes) and IBC Group S-1 construction requirements, including provisions for spray booths, ventilation, explosion protection, electrical classification and fire suppression systems.

(2) Operations limited to small aircraft with a maximum gross weight of 12,500 pounds, Electrical systems and wiring within spray areas shall comply with hazardous-location requirements of the IFC and National Electrical Code.

(3) Adequate ventilation, dust collection and noise mitigation measures shall be installed.

(B) *Airframe repair/painting (special use)*.

(1) Comply with NFPA 33 for spray application and NFPA 409 for hangars;

(2) Limit operations to small aircraft with a total gross weight limit of 12,500 pounds;

(3) Hazardous location electrical compliance, and approved fire suppression systems; and

(4) Adequate ventilation, dust collection and noise mitigation measures shall be installed.

(C) *Engine repair (special use)*. Limited to repair and maintenance of small aircraft engines with a total gross weight limit of 12,500 pounds.

(1) Hazardous materials storage in accordance with IFC; and

(2) Noise mitigation measures required to reduce impact on surrounding areas.

(D) *Fuel storage (fuel farm) and dispensing facilities (special/conditional use)*.

(1) *Purpose*. To ensure that any fuel storage or dispensing facility within the WDAZ operates in compliance with FAA guidance, adopted fire codes and environmental regulations without creating undue risk to surrounding properties, people or aviation operations.

(2) *Code compliance*. Facilities shall comply with:

(a) IFC Chapter 23 (Motor Fuel-Dispensing Facilities), Chapter 57 (Flammable and Combustible Liquids) and related chapters, as adopted by the state; and

(b) FAA AC 150/5230-4B (Aircraft Fuel Storage, Handling, Training and Dispensing on Airports). All applicable federal and state environmental regulations, including spill prevention and secondary containment requirements.

(3) *Fuel dispensers*. Both fixed and mobile dispensers must meet IFC Chapter 23 requirements, grounding/bonding standards and inspection/maintenance provisions.

(4) *Location and separation*.

(a) Fuel farms and tanks must be sited in accordance with IFC separation tables and FAA AC 150/5230-4B; and

(b) Minimum 150-foot setback from residential property lines or public roads, or greater if required by IFC/FAA standards.

(5) *Tank standards*.

(a) Only aboveground storage tanks (ASTs) are permitted.

(b) Tanks must be double-walled or provided with approved secondary containment.

(c) Emergency venting, overfill protection and spill containment shall meet IFC and EPA requirements.

(6) *Security*.

(a) Fuel areas must be fenced with controlled access.

(b) Adequate lighting and surveillance must be provided for operational safety.

(7) *Operations and training*.

(a) Fueling personnel must be trained and certified per FAA AC 150/5230-4B.

(b) Spill response kits must be present at all fueling points.

(8) *Inspections*.

(a) Annual inspections required by County Fire Marshal or State Fire Marshal; and

(b) The town reserves the right to conduct inspections without prior notice.

(9) *Bonding requirement*. Operators must post performance/environmental bonds in an amount determined by the Town Council.

(10) *Permit expiration*. Special use approval expires if construction does not commence within one year or if operations cease for more than 180 days.

(11) *Fuel tax reporting*. All fuel sales subject to town fuel tax must be reported as required by ordinance.

(E) *Private air school (special use)*.

(1) *Certification and standards*.

(a) The flight training program must operate under FAA Part 61 or Part 141 certification.

(b) Training shall be limited to small aircraft with a maximum certificated takeoff weight of 12,500 pounds or less.

(c) Training flights must be conducted under visual flight rules (VFR) and in compliance with approved airpark traffic patterns and altitudes.

(2) *Ownership and operation.*

(a) The flight school shall be operated by the airpark owner, or a designated operator under written authorization from the airpark entity;

(b) Operation of the flight school shall remain under the direct control and supervision of the airpark entity; and

(c) Contracting with, leasing to or otherwise allowing independent outside flight training organizations, commercial operators or collegiate flight programs to conduct training at the facility is prohibited unless specifically approved as a separate special use by the town.

(3) *Scope of operations.*

(a) Flight training shall remain incidental and subordinate to the airpark's primary use as a private general aviation facility.

(b) Touch-and-go operations may be limited, restricted to designated training periods or prohibited by the town to minimize noise and community impacts. Touch-and-go operations count toward daily operations limits.

(4) *Hours of operation.*

(a) Shall be limited to daytime hours; and

(b) Night training is strictly prohibited.

(5) *Noise and community impact mitigation.*

(a) The operator shall implement noise-abatement procedures consistent with FAA guidance and town policy.

(b) Training flights shall be conducted in designated practice areas to minimize overflight of residential neighborhoods.

(6) *Compliance and enforcement*.

(a) The program shall comply with all applicable FAA regulations and town ordinances.

(b) Violation of these provisions or conditions of approval shall constitute grounds for modification, suspension or revocation of the special use permit.

(F) *Restaurant (special use)*. Subject to IBC/IFC compliance, building permit, parking and Health Department approvals.

(G) *Service and sales (special use)*.

(1) Limited to small aircraft, 12,500 pounds;

(2) Must comply with FAA AC 43.13-1B for inspection/repair standards; and

(3) Subject to state and local business licensing requirements.

(H) *Shell hangars (special use)*.

(1) *Occupancy classification*. Hangars shall be classified as IBC Group S-1 (Moderate-Hazard Storage) and must meet all IBC/IFC requirements for fire protection, ventilation and construction standards.

(2) *Aircraft type*. Hangars are limited to the storage and protection of small aircraft with a maximum certificated takeoff weight of 12,500 pounds or less.

(3) *Non-aviation use*. Any non-aviation use or occupancy requires special or conditional use approval and the appropriate building or tenant improvement permit.

(4) *Structure requirements*. Hangars must remain fully enclosed structures intended solely for aircraft storage and protection. Residential occupancy and unrelated commercial uses are prohibited.

(5) *Permitted uses*. Hangars shall be used primarily for aeronautical purposes. Permitted uses include:

(a) *Aircraft storage*. Storage of active, airworthy aircraft. The maximum number of allowed aircraft based in a small airport is 29 and the maximum number of hangars allowed is 29. The airpark currently has 29 hangars;

(b) *Aircraft construction and maintenance*. Non-commercial construction, maintenance, repair or refurbishment of amateur-built or kit-built aircraft, provided activities are conducted safely and in compliance with IBC/IFC requirements;

(c) *Aircraft equipment storage*. Storage of tools, work benches, tow bars, glider equipment and other materials used to service, maintain or outfit aircraft;

(d) *Aeronautical equipment*. Storage of gear directly supporting aeronautical activity, including balloon or skydiving equipment, office equipment and training materials;

(e) *Incidental storage*. Limited storage of personal or non-aeronautical items (e.g., furniture, televisions), provided such items do not interfere with aircraft movement, access or the hangar's primary aeronautical use; and

(f) *Aircraft refurbishment*. Maintenance, repair or refurbishment of aircraft is permitted, but indefinite storage of non-operational aircraft is prohibited.

(6) *Shell hanger prohibited uses*. The following are prohibited unless specifically approved as a special or conditional use:

(a) *Residential occupancy*. Sleeping quarters, overnight lodging or residential use;

(b) *Unrelated commercial activity*. Industrial, retail, restaurant, entertainment or assembly uses not directly supporting aviation;

(c) *Non-aircraft storage*. Vehicles, boats, trailers/motorhomes (equipped with on board sewage capacity or equipment unrelated to aircraft operations, except for a vehicle temporarily parked while the owner is using the aircraft;

(d) *Hazardous storage*. Hazardous materials not directly related to aircraft maintenance or operation;

(e) *Interference*. Any use or storage that impedes aircraft movement, blocks access or displaces aircraft from the hangar's primary aeronautical purpose; and

(f) *Other aircraft*. Helicopters, gyrocopters, drones and rotoblade aircraft.

(I) *Special events (special use)*. Must comply with AMUZ operational limitations, have town approval at least 60 days in advance under the town special event permit application, and submit a temporary safety/emergency operations plan for approval by the Town and County Fire Marshal.

(J) *Caretaker dwellings (conditional use)*. Only one caretaker dwelling is permitted per airpark or nonresidential development, subject to conditional use approval.

(K) *Café (conditional use)*. Subject to IBC/IFC compliance, Health Department approvals and site plan review.

(L) *Crew rest facilities in a hangar (conditional use)*.

(1) *Purpose*. A crew rest facility is a small, enclosed area within a hangar where pilots, mechanics or other crew members may rest for short periods. It is not a residential unit.

(2) *Time limits*. Use is limited to a maximum of 12 hours per rest period with a minimum of 24 hours between uses.

(3) *Prohibited uses*.

(a) Crew rest facilities may not be used for permanent, semi-permanent or temporary living quarters.

(b) Short-term rentals, subleasing or other residential use is prohibited.

(4) *Design standards*.

(a) Must be fully enclosed within the hangar;

(b) Only one room may be designated for crew rest use; and

(c) The maximum size is 300 square feet.

(5) *Required amenities*. Must include basic kitchen, toilet and washing facilities.

(6) *Approvals*. Installation requires a TI permit, approval from the Town Fire Authority and County Health Department prior to use.

(M) *Aircraft Museum*. Conditional use.

(N) *Public use (conditional use permit required)*. See standards in § 154.110.
(Ord. 2026-01, passed 3-25-2026)

## *CONDITIONAL USES*

### § 154.180 PURPOSE.

The purpose of this subchapter is to establish standards for certain land uses listed in each zone as conditional uses.
(Prior Code, § 10.17.10)

### § 154.181 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***APPLICANT.*** The property owner or authorized agent who submits an application for a conditional use permit under this subchapter.

***CONDITIONAL USE.*** A land use that, because of its unique characteristics or potential impacts on the municipality, surrounding neighbors or the community, requires special consideration, evaluation and reasonable conditions to mitigate adverse effects.

***CONDITIONAL USE PERMIT (CUP).*** An official authorization issued by the town allowing a conditional use to be established on a specific property, subject to compliance with conditions imposed by the land use authority to mitigate reasonably anticipated detrimental effects.

***DETRIMENTAL EFFECTS.*** Reasonably anticipated adverse impacts of a proposed use, including, but not limited to, noise, traffic, environmental degradation, incompatible aesthetics, safety risks or disruption to the community character or adjacent properties.

***FINDINGS OF FACT.*** A set of conclusions supported by the factual evidence presented during the CUP review process, used by the land use authority to determine compliance with the applicable standards.

***LAND USE AUTHORITY.*** The designated body or individual responsible for reviewing and making decisions on land use applications, including conditional use permits. For purposes of this subchapter, the Planning Commission serves as the ***LAND USE AUTHORITY*** unless otherwise specified.

***MITIGATION.*** Measures required to eliminate or minimize the negative impacts of a conditional use, such as screening, buffering, site design modifications, hours of operation restrictions or infrastructure improvements.

***MONITORING PLAN.*** A strategy or schedule submitted by the applicant and/or required by the land use authority to ensure ongoing compliance with the conditions of approval for a conditional use over time.

***REASONABLE CONDITIONS.*** Conditions imposed by the land use authority that are proportionate, related to mitigating anticipated detrimental effects and necessary to ensure the use is compatible with the surrounding area.

***SITE PLAN.*** A detailed drawing or set of plans submitted with a conditional use application showing proposed improvements, structures, access, parking, landscaping, utility connections, drainage and other required elements.

***SUBMITTALS.*** Documents and supporting materials required for a complete CUP application, including site plans, narratives, traffic studies, utility plans and other evidence necessary to demonstrate compliance with applicable standards.

***USE COMPATIBILITY.*** The extent to which the proposed use is harmonious with surrounding land uses in terms of scale, intensity, operation, aesthetics and potential impacts.

***VICINITY PLAN.*** A drawing or map showing the subject property and surrounding properties, land uses and infrastructure within a defined radius to help assess potential impacts of the proposed conditional use.
(Prior Code, § 10.17.20)

## § 154.182 LAND USE AUTHORITY.

(A) A land use authority shall approve a conditional use permit if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards and criteria.

(B) Unless stated otherwise in this code, the Planning Commission is hereby authorized, as the land use authority, to review and render a decision for all conditional use applications in accordance with the requirements of this subchapter.
(Prior Code, § 10.17.30)

## § 154.183 ZONES TO GOVERN ALLOWED CONDITIONAL USES.

Each zone will govern what conditional use will be allowed in that zone. Each zone may have additional conditions listed to fully mitigate adverse impacts.
(Prior Code, § 10.17.40)

## § 154.184 APPLICATION FOR A CONDITIONAL USE.

(A) (1) All requests for a conditional use as identified in this subchapter shall be made on an application form provided by the town.

(2) A property owner may present a conditional use application for review and decision, or an agent of the property owner or a lessee of the property may present a conditional use application for review and decision, provided such application is accompanied by a property owner affidavit of authorization. All applications shall be considered by the Planning Commission.

(B) The application process for conditional use is as follows:

(1) Fill out business license application;

(2) Applicant shall supply the town with addresses and envelopes for all landowners that are located within 300 feet of the proposed business (to be turned in with application);

(3) Pay all appropriate fees;

(4) Building Department shall review the application for approval;

(5) Planning Commission shall review the application for approval and hold a public hearing;

(6) Approval authority approves the CUP;

(7) Mayor signs the building permit, if approved (no license is valid without the Mayor's signature);

(8) Licensing Official issues approved business license to applicant;

(9) Licensing Official mails said permit to applicant; and

(10) Fire inspection may be required.

(C) The presentation/application to the Planning Commission shall include the following when appropriate. Those requirements not applicable may be removed by the Chairperson of the Planning Commission:

(1) Size, configuration and location of the site, and proposed site plan layout;

(2) Proposed site ingress and egress to existing and proposed roads and streets;

(3) The provision of public facilities and amenities, including roads and streets, culinary water, sanitary sewer, storm drainage, public safety and fire protection and other utilities;

(4) The location and amount of off-street parking and loading areas;

(5) Site circulation pattern for vehicular and pedestrian traffic;

(6) Building size and location;

(7) The location and design of all site features, including proposed signage, lighting and refuse collection;

(8) The provision of usable open space, public features and recreational amenities;

(9) Fencing, screening and landscape treatments and other features designed to increase the attractiveness of the site and protect adjoining property owners from noise and visual impacts;

(10) Measures directed at minimizing or eliminating potential nuisance factors, including, but not limited to, noise, vibrations, smoke, dust, dirt, odors, gasses, noxious matter, heat, glare, electromagnetic disturbances and radiation;

(11) Measures designed to protect the natural features of the site, including wetlands and drainage ways, around water, wildlife habitats, historic and archeological sites and other natural site features;

(12) The regulation of operating hours for activities affecting normal schedules and functions;

(13) Identify a time for regular review and monitoring, as determined necessary, to ensure the conditional use continues to operate in compliance with all conditions and requirements of approval; and

(14) Such other conditions determined as reasonable and necessary by the Commission to allow the operation of the proposed conditional use at the proposed location in compliance with the requirements of this subchapter.

(D) Applicants for a conditional use are required to comply with all requirements of this subchapter and this code, and including the requirements for a building permit, as applicable, and all other applicable requirements.
(Prior Code, § 10.17.50)

## § 154.185 CONDITIONS FOR APPROVAL.

The Planning Commission, in reviewing a conditional use application, may impose such requirements and conditions with respect to:

(A) Location;

(B) Proof of land ownership;

(C) A site plan;

(D) A vicinity plan;

(E) A written narrative, including, but not limited to:

(1) Type of use proposed;

(2) Days and times of operation;

(3) Square footage of the building(s) proposed;

(4) Square footage used by the conditional use;

(5) Expected hardship on surrounding uses;

(6) Number of users or employees; and

(7) Other information the land use authority deems necessary to fulfill the purpose of this subchapter may be requested prior to approval.

(F) The applicant shall also pay the appropriate fee outlined in the Town Fee Schedule before the Planning Commission may review the application.
(Prior Code, § 10.17.60)

## § 154.186 STANDARDS OF REVIEW.

Decisions of approval, approval with conditions or denial of the conditional use permit application is based on the following criteria:

(A) The general plan and permitted zoning conditions:

(1) The CUP shall fit the town's future vision contained in its general plan; and

(2) The CUP shall follow the zoning conditions for its location.

(B) The safety of people and property;

(C) Size and location of the use;

(D) Structures associated with the use are compatible with surrounding structures in terms of use, scale, mass and circulation;

(E) Prevent or minimize floodwater damage where necessary;

(F) Relocation, covering or fencing of irrigation ditches and drainage channels;

(G) Location, dimensions of truck loading and unloading facilities;

(H) Conditions hazardous to the public health or safety;

(I) Traffic considerations, including:

(1) Traffic conditions are not adversely affected by the proposed use, including the existence or need for dedicated turn lanes, pedestrian access and capacity of the existing streets;

(2) The location and design of off-street parking as well as compliance with off-street parking standards;

(3) Provision of parking facilities, including vehicular ingress and egress, loading and unloading areas and the surfacing of parking areas and driveways to specified standards; and

(4) Internal traffic circulation.

(J) Health and sanitation:

(1) The use is not detrimental to the public health, safety and welfare;

(2) Emergency vehicle access; and

(3) Screening of trash pickup or waste storage areas.

(K) Environmental concerns:

(1) The regulation of operating hours for activities affecting normal schedules and functions;

(2) Utility capacity;

(3) Usable and permanent open space considerations;

(4) Signage;

(5) Exterior lighting that complies with the lighting standards of the zone;

(6) Noise, vibration, pollution, odors, steam or other factors that might affect people and property off-site;

(7) Potential discharge into the air, groundwater, surface and subsurface water or soil; and

(8) All buildings or other structures are designed to add to the quality of the area.

(L) Fencing, screening and landscaping:

(1) Fencing, screening and landscaping may be required to preserve the quiet, aesthetic and peaceful enjoyment of surrounding properties and to promote an aesthetically pleasing area to attract tourism and promote the prosperity and general welfare of the town:

(a) Shall be of acceptable design that blends into the natural surrounding areas;

(b) Shall follow the landscaping ordinance, §§ 154.225 to 154.229 of this chapter;

(c) May require screening to effectively block all views from adjoining roads and properties of any passive storage of materials or equipment, including, but not limited to, vehicles, equipment, junk, waste storage or other personal property; and

(d) Fencing may be required to be 95% opaque and made of long-lasting material. Cloth or temporary materials are not permitted.

(2) Walls shall be made from a solid surface. Walls and fences shall be of acceptable design with architectural detail to conform to or enhance the surrounding area; and

(3) Removal of structures, debris or plant materials incompatible with the characteristics of the underlying zone may be required, and property shall be maintained and kept weed-free.

(M) Provision of a reasonable guarantee, bond or other surety, as determined by the Planning Commission, that the proposed conditional use will be maintained and operated in compliance with all conditions and requirements;

(N) Identifying a time for regular review and monitoring, as determined necessary by the Planning Commission, to ensure the use continues to operate in compliance with all conditions and requirements of approval, not greater than five years;

(O) Any other items for the conditional use permit as deemed necessary for the protection of adjacent properties and the public interest. The Planning Commission may require guarantees or other evidence that such conditions will be met and complied with; and

(P) Preserve the quiet, aesthetic and peaceful enjoyment of surrounding properties.
(Prior Code, § 10.17.70)

## § 154.187 REVOCATION OR MODIFICATION OF A CONDITIONAL USE APPROVAL.

(A) A conditional use approved in accordance with the provisions of this subchapter may be revoked by the approval authority if any of the conditions of approval are not met, or if the permit is used to violate any law, code or ordinance.

(B) Conditional uses shall be re-evaluated and renewed at a minimum time interval of not less than once every five years, or at shorter intervals as the approval authority deems necessary.

(C) Conditional use requirements may change as a result of growth or unforeseen circumstances.

(D) The town staff shall notify the approved conditional use holder by certified mail of any violation, or if a violation exists in any conditions of approval. If no attempt to correct the violation is made within ten days after notification, the conditional use approval may be revoked by the approval authority if the approval authority finds that one or more of the following circumstances exists:

(1) The conditional use approval was obtained in a fraudulent manner;

(2) The use for which the approval was granted has now ceased for at least six consecutive calendar months;

(3) One or more of the conditions of approval have not been met; or

(4) Additionally, the Planning Commission, following a public hearing, may modify the conditions under which the use approval was originally approved if the Planning Commission finds that the use or related development constitutes or is creating a nuisance.

(E) A conditional use application approval shall expire and shall be invalid if a building, activity, construction or occupancy, as authorized by the approval, is not commenced within 180 days from the date of approval. If work has not commenced or a use been established within 180 days from the date of approval, the approval shall be void and a new conditional use application required.

(F) Any person aggrieved by a decision of the Planning Commission regarding a conditional use may appeal the decision to the Town Council.
(Prior Code, § 10.17.80)

### § 154.188 ADDITIONS AND AMENDMENTS.

Though standards have been set for certain uses in this subchapter, the Planning Commission may add additional conditions providing § 154.185 of this chapter is followed.
(Prior Code, § 10.17.90)

## *USES REQUIRING ADDITIONAL CONDITIONS FOR USES*

### § 154.200 USAGE STANDARDS; UNLISTED USES PROHIBITED.

This list does not permit uses in any zone. The list is to set standards for conditional uses only. Any conditional use not specifically listed in this subchapter shall be prohibited in all zones:

(A) Adult-oriented businesses;

(B) Bounce houses;

(C) Caretaker dwellings (non-farm uses);

(D) Child care facilities/centers;

(E) Self-storage and RV, boat or vehicle storage;

(F) Home based businesses;

(G) Special event uses;

(H) Industrial outdoor storage;

(I) Solar power plant–large;

(J) Battery energy storage systems; and

(K) Master plan developments.

(Prior Code, § 10.17.100) (Ord. 10242023, passed 10-24-2023; Ord. 2024-01, passed 4-11-2024; Ord. 2024-05, passed 5-9-2024) Penalty, see § 154.999

## § 154.201 ADULT-ORIENTED BUSINESSES.

Adult-oriented businesses are subject to the provisions of Chapter 113 of this code.

(Prior Code, § 10.17.100)

## § 154.202 BOUNCE HOUSES.

Bounce houses or similar inflatables require special insurance. The following insurance requirements must be met to obtain a special event permit:

(A) A $3,000,000 ($1,000,000 per occurrence/$3,000,000 aggregate) commercial general liability insurance policy naming the town as an additional insured within that insurance policy;

(B) Damage to rented premises must be insured for at least $500,000;

(C) Medical expenses must be insured for at least $5,000;

(D) Personal injury must be insured for at least $500,000;

(E) Products must be insured for at least $500,000; and

(F) If you would like to use a bounce house or similar blow-up toy as a part of a special event, the bounce house vendor must also meet the following special insurance requirements:

(1) Obtain a general liability insurance policy of $3,000,000 ($1,000,000 per occurrence/ $3,000,000 aggregate) where the town is named as an additional insured;

(2) Obtain an insurance policy that has an athletic participation exclusion, or is one that will pay for bodily injury and property damage based not on the participants but on territory, policy period and unintentional injury;

(3) Some exceptions or adjustments may be made to the insurance requirements. These exceptions will be decided on a case-by-case basis;

(4) Pay additional fees that may be required for any damages on or to town property due to bounce houses;

(5) Obtain a special event permit. Bounce houses on town property require a permit and insurance, regardless of the amount of people in attendance; and

(6) Special events may also require a temporary mass gathering permit obtained through the County Health Department. A temporary mass gathering permit is required for any event that:

(a) Will have 500 or more attendees at one location (public or private) for five or more hours; and

(b) Is located at a facility that was not constructed for heavy use.
(Prior Code, § 10.17.100)

## § 154.203 CARETAKER DWELLINGS, NON-FARM USES.

The Town Council may approve a caretaker dwelling within zones providing the caretaker dwelling meets the following standards.

(A) The principal use served by the caretaker dwelling shall be a use allowed in the zone.

(B) The dwelling shall be incidental to the principal use.

(C) The dwelling shall be within the same structure as the principal use. As an exemption, the Town Council may, with a recommendation from the Planning Commission, determine that the dwelling is

better suited, for reasons of security, as a separate building. All other conditions in this subchapter shall apply.

(D) The dwelling shall be a single-family dwelling.

(E) The dwelling shall be designed as a part of and in harmony with the architecture of the main building.

(F) The dwelling shall be a minimum of 500 square feet. The combined minimum size of the principal use building and the caretaker dwelling will not be less than 5,000 square feet. The caretaker dwelling will not be greater than 10% of the combined area of the principal use building and the caretaker dwelling. No caretaker dwelling shall be greater than 2,500 square feet.

(G) There shall be two additional parking spaces dedicated for the caretaker's use.

(H) At least one of the occupants of the dwelling shall be a full-time employee of the business, operation or institution that qualifies for a caretaker dwelling.

(I) There are no health or safety issues, such as excess traffic, semi-trucks, toxic fumes or fire risk.

(J) No caretaker's dwelling shall be rented, leased or otherwise hired out.

(K) Caretaker dwellings shall have a separate ingress and egress from the principal use building.

(L) The caretaker dwelling shall have a sprinkler fire suppression system.

(M) The aggregate square footage of all storage units will count toward the minimum square footage needed for the approval of a caretaker dwelling.
(Prior Code, § 10.17.100)

## § 154.204 CHILD CARE FACILITY/CENTER.

Each application for a child care facility, center or home occupation must include and comply with the following criteria:

(A) Proof of application for a state child care license;

(B) Compliance with state, federal and local law;

(C) A design that does not include a front yard playground;

(D) A parking and traffic plan that adequately mitigates the adverse impacts of increased traffic in the neighborhood (if a facility or center);

(E) Child care providers as a home occupation may not exceed zone standards; and

(F) Child care providers as a home occupation may not provide services for more than two infants under the age of two at any given time.
(Prior Code, § 10.17.100)

## § 154.205 HOME BASED BUSINESSES.

Home based businesses are subject to the provisions of Chapter 112 of this code.
(Prior Code, § 10.17.100)

## § 154.206 SELF-STORAGE; RV, BOAT OR VEHICLE STORAGE.

All self-service storage facilities (mini-warehouses) and recreational vehicle storage facilities shall be designed, constructed, operated and occupied in accordance with the following.

(A) All goods and wares shall be stored within an enclosed building, except that boats, travel trailers, motor homes and automobiles in running order may be stored in screened exterior areas which shall have been shown on the site plan and approved for that purpose.

(B) No individual units shall be larger than 12 feet by 50 feet.

(C) Any storage of partially dismantled, wrecked or inoperable vehicles, trailers, campers, motor homes or junk is prohibited.

(D) Any repair, construction, reconstruction or manufacturing is prohibited.

(E) Any storage of hazardous materials, including, but not limited to, gasoline, paint, paint remover and similar flammable or hazardous materials, is prohibited.

(F) (1) Self-storage facilities fronting public roadways, residential properties or public properties shall include screening that shall screen any storage areas on the site. Such screening shall be in compliance with the town's landscaping ordinances. Screening shall be maintained in good condition with

no advertising thereon, except as permitted by the town's signage regulations, and shall include a barrier extending the full length of the property line.

(2) The screening may consist of either the solid facade of the storage structure or a fence, wall, landscaping or similar structure. If the barrier is to be provided by a fence or wall, the barrier shall be not less than six feet in height and shall be constructed of opaque material that will prevent the passage of light and debris. Where the barrier is to be provided by the building facade, said facades shall be in accordance with the setback requirements applicable to the zone in which it is located.

(G) Access to the compound area shall be sufficient for traffic, emergency and fire vehicles.

(H) Travelways will be approved by the Fire Chief.

(I) Travelways having a minimum of 25 feet in width when providing access to units on both sides of the travelway or 20 feet when providing access to units on one side only. The circulation system shall provide for access throughout the facility by continuous forward motion.

(J) No facility shall be approved without adequate fire protection.

(K) No individual units shall be supplied with water or sewer facilities.

(L) The design and improvement of the facility shall make adequate provision for stormwater and snow removal.

(M) The aggregate square footage of all storage units will count toward the minimum square footage needed for the approval of a caretaker dwelling.
(Prior Code, § 10.17.100)

## § 154.207 TEMPORARY AND SPECIAL EVENT USE.

This section governs the operation of seasonal uses as well as one-time events.

(A) For the purpose of this section, a ***SPECIAL EVENT*** is defined as an activity or series of activities specific to an identifiable time and place, produced in conjunction with community organizations, often held on public property, and which may occur on a one-time or a recurring basis. Such events may include, but are not limited to, street closures, block parties, fundraisers, street parties, runs, rides, races, walks and other community events. They may occur on streets and/or sidewalks, parks and other town-owned property. They may also include mass gatherings, as defined in town ordinances. For the purposes of this subchapter, special events shall not include privately sponsored events which rent space inside town facilities. The following are special events that are subject to the

following specific regulations and time limits, in addition to any regulations of this zone.

(B) Special event permits are required of any private function, such as, but not limited to, a fundraiser, party, race, oversized group more than 100 persons, picnic and the like, that utilizes town property, such as roads, sidewalks, parks and the like, in a way that may interfere with the public's typical use of this property and/or requires the dedication of additional town staff or services.

(C) All special event applications must be submitted to the town. All applications are subject to review, and additional documentation may be required, including, but not limited to, proof of applicable insurance coverage pertaining to the event being held. All applications must be submitted a minimum of 30 days prior to said event for approval. A penalty or fine shall be assessed for not obtaining a special event permit when one is required (see the Town Fee Schedule). A copy of the event permit must be on-site during the event.

(D) Once the application has been approved, the following fees must be paid to obtain a special event permit:

(1) A special event review fee;

(2) Additional charges for police, fire or parks personnel as needed for the event (see the Town Fee Schedule for a breakdown); and

(3) A refundable deposit will be refunded after the event concludes if no damage has taken place.
(Prior Code, § 10.17.100)

## § 154.208 SOLAR POWER PLANT–LARGE.

(A) *Purpose*. The purpose of this section is to establish the minimum requirements and regulations for the placement, construction, modification and decommissioning of a solar power plant–large within the town (the "town") and issuing a conditional use permit subject to reasonable conditions that promote and protect the public health, safety and welfare of the town while promoting the development of renewable energy resources.

(B) *Definitions*. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ABANDONED SOLAR ENERGY SYSTEM.*** Any solar power plant–large that remains nonfunctional or inoperative, meaning it is not being used to generate energy or is not maintained in

compliance with the terms of an approved conditional use permit, for a continuous period of 180 days. A solar power plant–large that is nonfunctional or inoperative for any period of time as a result of an emergency or force majeure event, any maintenance, repair or repowering of the plant by the owner or operator and/or curtailment by an end user or power purchaser, or any other periods of nonuse that are planned or scheduled by the owner or operator of the plant or otherwise required by the power purchaser or transmission provider, shall not be deemed abandoned for the purposes of this section.

***APPLICANT.*** The person(s) or entity(ies) that submit an application to the town for a conditional use permit to install a solar power plant–large pursuant to this section.

***CONCENTRATING SOLAR THERMAL DEVICES.*** Systems that use lenses, mirrors or tracking systems to focus or reflect a large area of sunlight into a small area by a transfer of fluid or gas, which is used as a heat source for either a conventional power plant, such as a steam power plant, or a power conversion unit.

***DISTURBANCE ZONE.*** The area of a site directly impacted by the construction and operation of a solar power plant–large. Impacts within the ***DISTURBANCE ZONE*** may include, without limitation, reasonably anticipated detrimental effects to protected viewsheds, aquifers, water resources and wildlife habitat or migration corridors located on the site.

***HAZARDOUS WASTE.*** Any solid waste governed by the Resource Conservation and Recovery Act, Subtitle C, regulation.

***INTEGRATED PV.*** Photovoltaics incorporated into building materials, such as shingles.

***OFF-SITE IMPACTED AREA.***

(a) The neighboring properties and roadways located adjacent to the disturbance zone that are reasonably anticipated to be detrimentally affected by glare produced by the operation of a solar power plant–large; and

(b) A protected viewshed that includes the disturbance zone and other areas outside the disturbance zone that are reasonably anticipated to be detrimentally affected by the solar power plant–large. Areas outside of the disturbance zone where a solar power plant–large may be visible are not considered within the ***OFF-SITE IMPACTED AREA*** solely by the fact that the plant is visible if there are no reasonably anticipated glare or visual impacts or reasonably anticipated impacts to a protected viewshed that includes the site.

***OPERATOR.*** The individual(s) or entity(ies) responsible for the overall operation and management of a solar power plant–large. As used in this section, the term ***OPERATOR*** may include

both individuals and any form of legal entity, such as a corporation, partnership or limited liability company.

***OWNER.*** The individual(s) or entity(ies) which own all or a portion of a solar power plant–large. As used in this section, the term ***OWNER*** includes individuals and any form of legal entity, such as a corporation, partnership or limited liability company.

***PERSON.*** Individuals, partnerships, corporations, limited liability companies or other legal entities which can hold property and/or take legal action.

***PHOTOVOLTAIC*** or ***PV.*** Materials and devices that absorb sunlight and convert it directly into electricity.

***PHOTOVOLTAIC DEVICE.*** A system of components that generates electrical energy from sunlight by means of photovoltaic effect, whether or not the device is able to store the electric energy produced for later use.

***PROTECTED VIEWSHED.*** Any viewshed corridor located within the town that has been officially designated as a protected viewshed corridor under the Town Zoning Code.

***RATED CAPACITY.*** The maximum capacity of a solar power plant–large based on the sum total of each photovoltaic system's nameplate capacity.

***SITE.*** The property where a solar energy project is constructed, and includes any disturbance zone as that term is defined in this section.

***SOLAR ENERGY PROJECT*** or ***PROJECT.*** A renewable energy project that either:

(a) Generates electricity from sunlight, consisting of one or more PV systems and other appurtenant structures and facilities within the boundaries of the site; or

(b) Utilizes sunlight as an energy source to heat or cool buildings, heat or cool water or produce mechanical power by means of any combination of collecting, transferring or converting solar-generated energy, and does not meet any of the following criteria:

1. Has a disturbance zone of less than two acres;

2. Is mounted on/over a building, parking lot or other previously disturbed area; or

3. Utilizes integrated PV only.

***SOLAR POWER PLANT–LARGE.*** A solar energy project intended to generate electric energy by converting sunlight, whether by solar devices or other conversion technology, for the sale, delivery, transmission or consumption of the generated energy by more than one end-user or by an end-user other than the owner or lessor of the property on which the solar energy project is constructed and operated. A ***SOLAR POWER PLANT–LARGE*** may also include one or more substations, energy storage facilities and/or transmission facilities and improvements. Any solar energy project which is proposed to be constructed on a lot of more than two acres in size will be deemed to be a ***SOLAR POWER PLANT–LARGE*** and subject to all of the permitting and evaluation criteria applicable to a solar power plant–large under this chapter. A solar energy project containing only transmission facilities and improvements may be considered a ***SOLAR POWER PLANT–LARGE*** if the electrical energy transmitted along the project was generated by solar devices or other conversion technology at an off-site location.

***SUBSTATION.*** Any combination of transformers, circuit breakers, lightning arrestors and associated equipment designed to either step up power generated by any solar energy project for transmission or to step down any power coming into a solar energy project from an external transmission system.

(C) *Concentrating solar thermal devices disallowed.* Concentrating solar thermal devices are not allowed in the town.

(D) *Permitting and licensing.*

(1) *Restriction.* A solar power plant–large may only be constructed if the town issues the owner/operator a conditional use permit and a solar power plant–large is designated as a conditional use in the applicable zoning district.

(2) *Inspection fees.* Any applicant for a conditional use permit under this subchapter will be required to cover the cost of inspection fees for inspections that shall be performed by a qualified third-party inspector not more than once a year following the completion of construction of a solar power plant–large. The amount of the inspection fees shall be reasonable and shall not exceed the actual costs incurred by the town to perform the inspection. Inspection fees will be a condition for issuance and/or renewal of any annual business license required by this code.

(E) *Conditional use permit applications.* In addition to the general requirements for a conditional use permit, an application for a solar power plant–large shall include the following information.

(1) *Project description.* A narrative identifying the applicant, owner and operator and describing the proposed solar energy project, including a detailed overview of the project and its location; the approximate estimated rated capacity of the solar power plant–large; the approximate

number, representative types and expected footprint of solar equipment to be used or constructed; a description of any ancillary equipment, buildings and structures, if applicable; and an estimated construction schedule and project life.

(2) *Site and development plans*. The site and development plans shall include the following information:

(a) Property lines and setback lines;

(b) Existing and proposed buildings and structures, including the location(s) of the proposed PV and any other solar equipment;

(c) Existing and proposed access roads, drives, turnout locations and parking;

(d) The location of all substations, electrical cabling from the solar energy project to all substations, ancillary equipment, buildings and structures (including those within any applicable setbacks);

(e) Fencing or other methods of ensuring public safety;

(f) Areas of wildlife habitat and migration corridors and areas of historic, archeological and cultural resources within the disturbance zone and the off-site impacted area;

(g) Areas containing erodible slopes and soils, and/or which present concerns for water quality, landslide, severe erosion or high storm runoff potential;

(h) Historic, archeological and cultural resources;

(i) Existing utilities, pipelines and transmission lines; proposed utility lines; utility and maintenance structures; existing topographic contours; existing and proposed drainage ways; proposed grading; areas of natural vegetation removal;

(j) Any existing inhabitable structures and residentially-zoned lots within one-fourth mile of the project;

(k) Any floodplains or wetlands; and

(l) Additional information may be required, as determined by town officials or staff, such as a scaled elevation view and other supporting drawings or photographs of the proposed site; photos or other realistic simulations or modeling of the proposed solar energy project from potentially sensitive locations as deemed necessary by town officials to assess the visual impact of the project; a landscaping

and screening plan, coverage map and additional information that may be necessary for a technical review of the proposal.

(3) *Documentation of right to use site for proposed solar power plant–large*. Documentation shall include proof of ownership or control over the site or legal proof of the owner's/operator's right to use the site in the manner requested. The applicant may redact sensitive financial or confidential business information from the documentation provided so long as doing so does not prevent town officials or staff from confirming the applicant's legal right to utilize the site for the proposed purpose. Copies of recorded deeds or memoranda of leases and easements shall be deemed sufficient for the purpose of demonstrating site control under this chapter.

(4) *Documentation of permits or permit applications*. As a condition of approval of any conditional use permit pursuant to this section, the applicant shall be required to provide town staff with certified copies of all necessary permits to construct any solar power plant–large from the Federal Energy Regulatory Commission (FERG) and the State Public Service Commission (State PSC). The town may withhold approval of any building permits for a solar power plant–large if the applicant fails to provide copies of such required permits at the time the applicant applies for a building permit.

(5) *Confirmation of commitment to purchase power*. As a condition of approval of any conditional use permit pursuant to this subchapter, the applicant shall provide town staff with documentation demonstrating a commitment by a power purchaser to purchase 100% of the anticipated power to be generated by any solar power plant–large being proposed for permitting. The town may withhold approval of a building permit for a solar power plant–large if the applicant fails to provide such documentation at the time the applicant applies for a building permit. Documentation may include, without limitation, evidence that the applicant has been selected by a power purchaser to negotiate a power purchase agreement, a memorandum of an executed power purchase agreement, docket filings or other publicly available records of the State PSC or other regulatory agency with jurisdiction evidencing the approval of such agreement. The applicant shall not be required to provide a copy of its power purchase agreement to satisfy the requirements of this section.

(6) *Local economic benefits*. The applicant must provide an analysis of local economic benefits, describing estimated project cost, generated taxes, the percentage of construction dollars to be spent locally and the number of local construction and permanent jobs that are anticipated to be created as a result of the project. In addition to these factors, the analysis of local economic benefits shall include an analysis of the anticipated life of the project, the costs to decommission the project at the end of its useful life, an estimate of the costs of disposal of all components of the project, including the potential cleanup costs of any hazardous waste generated both by the operation of the project and as part of decommissioning the project and disposal of the buildings, materials, components, wastes and accessory structures that exist because of the project. Finally, the analysis of economic benefits will include an assessment of the loss of all agricultural land within the disturbance zone used for the construction and

operation of the proposed project, including the costs to mitigate the effects of sedimentation to the local surface and groundwater as a result of the removal of vegetation from the site over the anticipated life of the proposed project.

(7) *Environmental analysis*. The applicant shall prepare an environmental review, to include an evaluation of the reasonably anticipated wildlife impacts, visual impacts, soil impacts, including impacts arising from the removal of vegetation from the site for any solar power plant–large, and possible sedimentation arising from that removal, and an evaluation of any wildlife, historic, archeological and cultural resources identified by DWR and UTSHPO in accordance with division (E)(2)(f) above. At the applicant's election, the analysis required under this section may be prepared so as to be consistent with the requirements of the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq., and regulations issued by the Council on Environmental Quality, or such alternative regulations as the applicant proposes that are consistent with the requirements of this chapter, with the applicant supporting its decision by a submission to the Planning Commission. In the event that the applicant is required by any state or federal agency to undertake review of the proposed project under NEPA, documents prepared by the applicant to comply with those requirements may be submitted to the town in satisfaction of this requirement. In addition, the environmental review documents shall include an evaluation of the decommissioning plan required by this section and the reasonably anticipated environmental impacts arising from the implementation of the decommissioning plan. The review documents prepared pursuant to this section must identify all such reasonably anticipated impacts and propose modifications to any proposed project to reasonably mitigate the reasonably anticipated detrimental impacts. In the event that avoidance of the identified impacts is not deemed possible, the environmental review documents prepared pursuant to this section shall include proposals for the mitigation of any identified impacts which cannot be avoided. Both the Planning Commission and the Town Council may deny any application for a conditional use permit, to the extent permitted under state law, based on their determination that the reasonably anticipated detrimental effects of a proposed solar power plant–large cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with the standards of approval set forth in this section.

(8) *Solid and hazardous waste*. Include plans for the spill prevention, cleanup and disposal of fuels, oils and hazardous waste, as well as collection methods for all solid waste generated by the solar energy project. In addition, an application for a conditional use permit pursuant to this subchapter shall include, as part of the decommissioning plan required under this division (E)(8), a disposal plan for all solid waste and any hazardous waste that will be generated by the implementation of the decommissioning plan. The calculation of the decommissioning costs (as defined in this division (E)(8)) shall include the costs to dispose of any hazardous waste generated by a proposed solar power plant–large as part of the decommissioning of the project. Any hazardous waste generated as a result of the construction, operation, maintenance or decommissioning of a solar power plant–large may not be disposed within the town. Prior to the issuance of a building permit, an applicant shall provide the town with the safety data sheets (SDSs) from the manufacturer of the solar array panels proposed for the project, as well as the SDSs for all other components of the proposed project for which SDSs exist.

(9) *Transportation plan for construction and operation phases*. Indicate by both a narrative description and a map the roads the applicant will utilize during the construction and operational phases of the project, along with their existing surfacing and condition. In addition, the application must specify any new roads and proposed upgrades or improvements needed to the existing road system to serve the project during both the construction and operation of the project. Any application must also identify all areas where modification of the topography is anticipated (cutting/filling) to construct or improve the roadways, address road improvement, restoration or maintenance needs associated with the construction, ongoing maintenance/repair, and potential dismantling and/or decommissioning of the project, provide projected traffic counts for the construction period, broken down by the general type/size of vehicles, and identify approximately how many trips will have oversized or overweight loads. If significant impacts to the town's transportation system are anticipated, the town may require financial guarantees to ensure proper repair/restoration of roadways or other infrastructure damaged or degraded during construction or dismantling of the project. In such cases, the "before" conditions of the roadways and other infrastructure must be documented through appropriate methods, such as videos, photos and written records, in order to provide a proper reference for restoration.

(10) *Public safety*. Identify and address any known or suspected potential safety hazards to the town, adjacent properties, public roadways, communities and any other potential impacts to public safety that may be created by the proposed project.

(11) *Noise limitations*. Include sufficient information regarding noise generated during both the construction and the operation of the proposed project so as to demonstrate compliance with the Town Nuisance Code as set out in § 90.29 of this code.

(12) *Visual and glare impacts and protected viewsheds*. As part of the environmental review required under division (E)(7) above, an evaluation of the reasonably anticipated detrimental glare impacts and impacts to protected viewsheds within the disturbance zone and off-site impacted area shall be undertaken and included as part of that environmental review. The applicant shall also provide an evaluation of visual impacts caused by components of the project, such as mirrors, solar towers, cooling towers, steam plumes, aboveground electrical lines, accessory structures, access roads, utility trenches and installations and alteration of vegetation. The environmental review shall assess the visual and glare impacts within both the disturbance zone and the off-site impacted area of all such components that are proposed to be installed as part of a solar power plant–large, and an assessment of those impacts shall be included as part of a visual simulation of the planned structures and analysis of reasonably anticipated glare impacts within the proposed project's disturbance zone and off-site impacted area. The number of visual simulations shall be sufficient to provide adequate analysis of the visual impacts of the proposal, which shall be from not less than four vantage points that together provide a view from all sides of the proposed solar power plant–large. More visually sensitive proposals (e.g., solar power towers or exposed mirrors in sensitive viewsheds) may require analysis from significantly more vantage points, such as different distances and sensitive locations.

(13) *Consultation with State Department of Natural Resources, Division of Wildlife Resources*. The applicant shall provide town staff with documentation that the applicant has notified the DWR in writing of the proposed solar power plant–large on the site. If, within 30 days of the DWR's receipt of the applicant's notice, the DWR confirms in writing to the applicant that the DWR has identified reasonably anticipated detrimental effects, as determined by the DWR, to areas of wildlife habitat and migration corridors for wildlife on the site that will be affected as a result of the construction and operation of any solar power plant–large, such information obtained from the consultation with the DWR will be incorporated into the environmental review required pursuant to division (E)(7) above, and the Planning Commission may impose reasonable conditions to mitigate the reasonably anticipated detrimental effects of the solar power plant–large on such affected habitat or corridors on the site.

(14) *Consultation with State Historic Preservation Office (SHPO) and Antiquities Section*. The applicant shall provide town staff with documentation that the applicant has notified SHPO in writing of the proposed solar power plant–large on the site. If, within 30 days of SHPO's receipt of the applicant's notice, SHPO confirms in writing to the applicant that SHPO identified reasonably anticipated detrimental effects of the proposed solar power plant–large on historic, archeological and cultural resources under § 106 of the National Historic Preservation Act, 54 U.S.C. § 300101, and any regulations adopted pursuant to that Act, as well as the requirements of U.C.A. § 9-8-404(1), such information obtained from the consultation with SHPO will be incorporated into the environmental review required pursuant to division (E)(7) above and the Planning Commission may impose reasonable conditions to mitigate the reasonably anticipated detrimental effects of the solar power plant–large on such historic, archaeological and cultural resources on the site.

(15) *Revegetation*. Revegetation areas and methods.

(16) *Dust/erosion*. Dust and erosion control.

(17) *Agreements/easements*. If the land on which the project is proposed is to be leased rather than owned by the applicant, all property within the project boundary must be included in a recorded easement(s), lease(s) or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements or other agreements between the applicant and the affected parties must be in place prior to commencing construction unless specified otherwise by the conditional use permit.

(18) *Interconnections*. Identify the anticipated points of interconnections between the solar power plant–large and the power grid of the utility whose facilities will transmit the power generated by the solar power plant–large for which a conditional use permit is being sought. Unless waived by the Planning Commission, no aboveground collector lines may be constructed as part of a solar power plant–large, except for connections between the substation or substations included as part of a solar power plant–large that are required to connect the solar power plant–large to high voltage transmission lines operated by a public utility licensed by FERC and the State PSC. The applicant must demonstrate

that any such connections are necessary and that they comply with the requirements imposed by FERC and the State PSC, as applicable.

(19) *Mitigation*. Plans to mitigate the reasonably anticipated detrimental effects of the solar power plant–large.

(20) *Additional impacts*. In addition to the impacts identified above, the Planning Commission or Town Council may require the identification, assessment, avoidance or mitigation of any other probable and significant impacts, as identified through the review process.

(21) *Decommissioning plan*. Submit a decommissioning plan which complies with division (F) below.

(22) *Commitment declaration*. Applicants shall commit to following the Solar Industry Commitment to Environmental and Social Responsibility developed by the Solar Energy Industries Association by including with their application a declaration to that effect.

(F) *Standards for a decommissioning plan*.

(1) *Plan submission*. As part of the conditional use permit application, the applicant must submit a decommissioning plan, which must include the following:

(a) The anticipated life of the project;

(b) The estimated cost to remove, dismantle and dispose of the project improvements at the end of their useful life (the "decommissioning cost"), as determined by a licensed professional engineer not employed by the applicant, owner or operator, with experience in the design/construction or operation and decommissioning of solar energy projects; and

(c) The manner in which the project will be decommissioned.

(2) *Financial assurance*. Before any conditional use permit may be issued pursuant to this subchapter, the Town Council must approve the decommissioning plan submitted in connection with the application for a conditional use permit. Any such approval must include an election by the applicant of the means by which financial assurance will be provided to the town that the applicant will be able to implement its proposed decommissioning plan. The financial assurance means may be chosen from the following alternatives, and the required financial assurance shall be provided to the town prior to the issuance of a building permit authorizing the commencement of construction of the project:

(a) A federally insured certificate of deposit in the name of the town in the amount of 125% of the decommissioning cost, along with a power of attorney made in favor of the town, allowing

the town to access the certificate of deposit in the event the applicant, owner or operator fails to fulfill the decommissioning plan, declares bankruptcy or is otherwise deemed to be insolvent by a court with competent jurisdiction;

(b) A cash deposit in the amount of 125% of the decommissioning cost, along with a power of attorney made in favor of the town, allowing the town to access the cash deposit in the event the applicant, owner or operator fails to fulfill the decommissioning plan, declares bankruptcy or is otherwise deemed to be insolvent by a court with competent jurisdiction;

(c) An irrevocable letter of credit in favor of the town, in the amount of 125% of the decommissioning cost, along with a power of attorney made in favor of the town allowing the town to access the letter of credit in the event the applicant, owner or operator fails to fulfill the decommissioning plan, declares bankruptcy or is otherwise deemed to be insolvent by a court with competent jurisdiction; and

(d) Posting a performance bond, to be made in favor of the town, of 125% of the decommissioning cost that allows the town to access the bond in the event the applicant, owner or operator fails to fulfill the decommissioning plan, declares bankruptcy or is otherwise deemed to be insolvent by a court with competent jurisdiction.

(G) *Financing with debt*. If the owner of any solar energy project finances the project with debt secured by the project, the owner shall ensure that the debt shall not be secured by and the lender(s) may not access the financial assurance posted by the applicant, owner or operator to ensure the decommissioning costs of the project pursuant to division (F)(2) above.

(H) *Updated decommissioning plan*. To assure that the decommissioning cost upon which the decommissioning plan required by this section remains up-to-date and valid, the applicant, owner or operator shall prepare and present to the town an updated decommissioning plan and decommissioning cost not later than five years following the issuance of any building permit by the town for any project permitted pursuant to this section, and again every five years thereafter.

(I) *Unsafe or abandoned solar energy system*. If the Building Department, after the delivery of notice to the owner or operator, finds that a solar energy project is in violation of any federal, state or local permits, approvals or safety standards, the owner or operator shall take steps immediately to ensure the solar energy project complies with all federal, state and local permits, approvals and safety standards. If the Planning Commission, after delivery of notice to the owner or operator, finds that the project is an abandoned solar energy system, the owner or operator shall decommission the project in accordance with the decommissioning plan. Any finding by the Planning Commission pursuant to this division (I) must be made in writing and preceded by a public meeting that complies with applicable state law. An owner or operator may appeal a finding of the Planning Commission by following the town land use appeal ordinance within 30 days of the date the finding was made. The Building Department may extend

the 180-day deadline set forth in the definition of an abandoned solar energy system if the Building Department finds that the owner or operator intends to repair and restore operations of the project and provides the Building Department with a restoration plan and time line for doing so. If the owner or operator fails to repair or decommission an abandoned solar energy system within the time frame set forth in the decommissioning plan (or as otherwise approved by the Building Department as provided herein) or fails to file a timely appeal with the land use appeal authority, this failure will be deemed as sufficient cause for the town to utilize the security accepted by the town pursuant to division (F)(2) above and to remove the project and implement the decommissioning plan prepared by the applicant. When the owner, operator or other responsible party decommissions a solar energy project, that person or persons shall handle and dispose of the equipment and other project components in conformance with all state and local requirements. At such time as a solar energy project is scheduled to be decommissioned at the end of the project's useful life, the owner, operator or other responsible party shall notify the town not less than 365 days prior to the date of decommissioning, as well as notify the town of the schedule within which the owner, operator or other responsible party shall complete the physical removal of the solar energy project. This period may be extended at the request of the owner, operator or other responsible party upon approval of the Town Council.

(J) *Standards for location, appearance and operation of a project site.*

(1) *Height restrictions.* All photovoltaic panels, solar devices and buildings and accessory structures located on a solar power plant–large shall be restricted to a maximum height of 15 feet when orientated at a maximum tilt, as measured from the existing grade.

(2) *Setbacks.* Buildings and accessory structures constructed at a solar power plant–large shall be set back from all property lines and public road rights-of-way at least 25 feet or one and one-half times the height of the building or structure, whichever is greater. In addition, buildings and accessory structures at a solar power plant–large must be located at least 100 feet from all residentially zoned lots and existing residences. Additional setbacks may be required to mitigate reasonably anticipated noise and glare impacts, or to provide for designated road or utility corridors, as identified through the application review process.

(3) *Fencing.* An appropriate security/livestock fence (height and material to be established through the conditional use permit process) shall be placed around the perimeter of any solar power plant–large. Knox key lock boxes and keys shall be provided at locked entrances to allow emergency personnel access.

(4) *Signage on solar equipment.* Warning signage shall be placed on solar equipment to the extent appropriate, as determined by town staff, with any restrictions or requirements on signage incorporated as part of any conditional use permit issued pursuant to this subchapter. Solar equipment shall not be used for displaying any advertising except for reasonable identification of the manufacturer,

owner or operator of the solar energy project. All signs, flags, streamers or similar items, both temporary and permanent, are prohibited on solar equipment except as follows:

(a) Manufacturer's or installer's identification;

(b) Appropriate warning signs and placards;

(c) Signs that may be required by any federal agency or the State PSC;

(d) Signs that provide a 24-hour emergency contact phone number and warn of any danger; and

(e) Educational signs providing information about the project and benefits of renewable energy may be allowed as provided in the town sign ordinance.

(5) *Noise and nuisance requirements*. Solar energy projects shall comply with all applicable town noise and nuisance codes.

(6) *Buildings and accessory structures*. All buildings and accessory structures incorporated into any solar power plant–large shall use materials, colors and textures that will blend the facility into the existing environment.

(7) *Landscaping*.

(a) Appropriate landscaping and/or screening materials may be required to help screen a solar power plant–large and buildings and accessory structures from major roads and neighboring residences.

(b) The use of landscaping or other screening material may be required to mitigate the reasonably anticipated detrimental visual impacts and glare impacts within the disturbance zone and the off-site impacted area, if any, of any solar power plant–large identified as part of the environmental review undertaken pursuant to division (E)(7) above and may be incorporated as conditions of approval of a conditional use permit issued pursuant to this subchapter.

(8) *Lighting*. Lighting of all buildings and accessory structures included in any solar power plant–large shall be limited to the minimum necessary, and be full cut-off lighting as required by the Town Lighting Code, and may be required when determined necessary to mitigate visual impacts. No solar power plant–large shall produce glare that would constitute a nuisance to occupants of neighboring properties or persons traveling on neighboring roads.

(9) *Fire protection.* All solar power plants–large shall have a defensible space for fire protection with a fire protection plan, which will be approved and signed off by the Fire Marshal.

(10) *Local, state and federal permits.*

(a) A solar power plant–large shall be required to obtain all necessary permits from the State PSC, the State Department of Environmental Quality (State DEQ), including the Division of Air Quality and the Division of Water Quality, any applicable permits required by the town and all applicable federal permits.

(b) A condition of approval of a conditional use permit issued pursuant to this subchapter shall be reasonable documentation that the applicant has obtained all required permits to construct the solar power plant–large from FERC, the State PSC and the State DEQ. The town may withhold approval of a building permit for a solar power plant–large if such condition is not satisfied at the time the applicant applies for a building permit.

(K) *Standards of approval for a conditional use permit.*

(1) *Approval.*

(a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards set forth in this chapter and with all other applicable portions of this chapter. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

(b) For the purpose of this chapter, the applicable standards which shall be applied in assessing any application submitted pursuant to this subchapter shall be:

1. Whether the proposed use meets the applicable requirements for conditional use of a "solar power plant–large" in the proposed zone;

2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;

3. The use is consistent with all applicable adopted town planning policies and master plans; and

4. The reasonably anticipated detrimental effects of the proposed use can be mitigated by the imposition of reasonable conditions.

(2) *Limitations on conditional use approval.*

(a) Subject to an extension of time granted by the Planning Commission, no conditional use permit approved pursuant to this subchapter shall be valid for a period longer than three years unless a building permit has been issued, complete building plans have been submitted to the Town Building Department within that period and the permitted project is thereafter diligently pursued to completion; a certificate of occupancy is issued and a use commenced within that period; or a longer time is requested and granted by the Planning Commission.

(b) Any request for a time extension shall be submitted not less than 30 days prior to the expiration of the three-year time period.

(L) *Approval authority.* The Town Council is the approval authority.

(M) *Appeals.* See § 154.048 of this code for appeals provisions.

(N) *Application to successors and assigns.* The terms of any conditional use permit issued pursuant to this subchapter shall run with the land and be binding on any successor or assignee of an applicant, owner or operator and any party that purchases and/or operates a project.
(Prior Code, § 10.17.100) (Ord. 10242023, passed 10-24-2023; Ord. 2024-02, passed 5-9-2024) Penalty, see § 154.999

## § 154.209 INDUSTRIAL OUTDOOR STORAGE.

(A) The intent and purpose of this section is to protect the community, enhance and support tourism and protect neighboring properties from litter, vermin, a loss of property value or other ill effects of unsightly or uncontained storage, junk or salvage items.

(B) The following restrictions shall apply.

(1) Such use shall be located in a zone in which the use is a conditionally permitted use.

(2) All industrial supplies and building materials; all licensed, registered and fully operational automobiles; and parts and other items shall be kept in an orderly, maintained and aesthetically pleasing way.

(3) Any parts or materials which are light enough to blow in the wind shall be kept in an enclosed building.

(4) Waste, garbage, junk and debris piles shall not be kept on-site.

(5) Refer to § 154.186(L) of this chapter for fencing, screening and landscaping requirements.

(6) All areas intended for industrial outdoor storage shall be designated as such on the site plan. (Prior Code, § 10.17.100)

## § 154.210 BATTERY ENERGY STORAGE SYSTEMS.

(A) *Purpose*. The purpose of this chapter is to establish the minimum requirements and regulations for the placement, construction, modification and decommissioning of battery energy storage systems within the town (the "town"), and issuing a conditional use permit subject to reasonable conditions that promote and protect the public health, safety and welfare of the town and its residents, by creating regulations for the installation and use of battery energy storage systems, with the following objectives:

(1) *Regulatory scheme*. To provide a regulatory scheme for the designation of properties suitable for the location, construction and operation of battery energy storage systems;

(2) *Compatible land use*. To ensure compatible land uses in the vicinity of the areas by battery energy storage systems;

(3) *Mitigation*. To mitigate the impacts of battery energy storage systems on environmental resources, such as important agricultural lands, forests, wildlife and other protected resources; and

(4) *Synergy*. To create synergy between battery energy storage system development and other goals of the town pursuant to its master plan.

(B) *Definitions*. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ABANDONED BATTERY ENERGY STORAGE SYSTEM.*** Any battery energy storage system that remains nonfunctional or inoperative, meaning it is not being used or is not maintained in compliance with the terms of an approved conditional use permit for a continuous period of 180 days. A battery energy storage system that is nonfunctional or inoperative for any period of time as a result of a force majeure event, any maintenance, repair or any other periods of nonuse that are planned or

scheduled by the owner or operator for which advance notice is provided to the town shall not be deemed abandoned for purposes of this section.

***ACCESSORY DWELLING UNIT (ADU).*** A D-ADU and an I-ADU.

***ACCESSORY DWELLING UNIT, DETACHED (D-ADU).*** A separate structure from the primary dwelling that is located on the same lot or parcel. ***D-ADU***s shall include a kitchen and a bathroom.

***ACCESSORY DWELLING UNIT, INTERNAL (I-ADU).*** A dwelling unit located within the footprint of a primary dwelling. ***I-ADU***s are sometimes called mother-in-law apartments.

***ANSI.*** American National Standards Institute.

***BATTERY(IES).*** A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge and store energy electrochemically. For the purposes of this law, ***BATTERIES*** utilized in consumer products, mobile applications or for household purposes are excluded from these requirements.

***BATTERY ENERGY STORAGE MANAGEMENT SYSTEM.*** A control system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

***BATTERY ENERGY STORAGE SYSTEM.*** One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A ***BATTERY ENERGY STORAGE SYSTEM*** is classified as a ***TIER 1 OR TIER 2 BATTERY ENERGY STORAGE SYSTEM*** as follows:

(1) ***TIER 1 BATTERY ENERGY STORAGE SYSTEMS*** have an aggregate energy capacity less than or equal to 600 kWh and, if in a room or enclosed area, consist of only a single energy storage system technology; and

(2) ***TIER 2 BATTERY ENERGY STORAGE SYSTEMS*** have an aggregate energy capacity greater than 600 kWh or are composed of more than one storage battery technology, which may be located outdoors in a cabinet, container or which may be located outdoors, in a cabinet, container or enclosed area.

***CELL.*** The basic electrochemical unit, characterized by an anode and a cathode, used to receive, store and deliver electrical energy.

***COMMISSIONING.*** A systematic process that provides documented confirmation that a battery energy storage system functions according to the intended design criteria and complies with applicable code requirements.

***FIRE CODE.*** The State Fire Code Act, being U.C.A. Title 15A Chapter 5, and the building code adopted as currently in effect and as hereafter amended from time to time.

***NATIONALLY RECOGNIZED TESTING LABORATORY (NRTL).*** The U.S. Department of Labor designation recognizing a private sector organization to perform certification for certain products to ensure that they meet the requirements of both the construction and general industry OSHA electrical standards.

***NEC.*** National Electric Code.

***NFPA.*** National Fire Protection Association.

***OWNER OCCUPANCY.*** A property owner, as reflected in title records, makes his, her or their legal residence at the property. Evidence of ***OWNER OCCUPANCY*** may include voter registration, vehicle registration, driver's license, County Assessor records or other similar means.

***UNIFORM CODE.*** The State Fire Code Act or Building Code adopted as currently in effect and as hereafter amended from time to time.

(C) *Applicability*.

(1) *Scope of application*. The requirements of this section shall apply to all battery energy storage systems permitted, installed or modified in the town after the effective date of the ordinance codified in this section, excluding general maintenance and repair of such facilities.

(2) *Modifications and retrofits*. Unless approved as part of an existing conditional use permit, modifications to or retrofits or replacements of, an existing battery energy storage system that increase the total battery energy storage system designed discharge duration or power rating shall be subject to this section and shall require the issuance of a new conditional use permit, or approval by the Planning Commission of an amendment to an existing conditional use permit that complies with the requirements of this subchapter.

(D) *General requirements*.

(1) *Installation*. A building permit and an electrical permit shall be required for the installation of all battery energy storage systems.

(2) *Review*. The issuance of permits and approvals by the Planning Commission shall include a review of applicable state and federal environmental laws and implementing regulations.

(3) *Code conformance*. All battery energy storage systems and all other buildings or structures that contain or are otherwise associated with a battery energy storage system and are subject to the Uniform Code shall be designed, erected and installed in accordance with all applicable provisions of the Uniform Code and other applicable codes, including this codification of town ordinances.

(E) *Permitting requirements for Tier 1 battery energy storage systems*. Tier 1 battery energy storage systems shall be permitted in all zoning districts, subject to the Uniform Code and the Fire Code, and exempt from site plan review.

(F) *Permitting requirements for Tier 2 battery energy storage systems*.

(1) *Restriction*. Tier 2 battery energy storage systems are permitted through the issuance of a conditional use permit only within the Light Industrial East Zone and shall be subject to the Uniform Code, the Fire Code and the site plan application requirements set forth in this section. Applications for a conditional use permit for the installation of a Tier 2 battery energy storage system shall be reviewed by the Planning Commission for completeness.

(2) *Application contents*. An application shall be complete when it addresses all matters listed in this section, including, but not limited to:

(a) Compliance with all applicable provisions of the Uniform Code, the Fire Code and all other applicable codes;

(b) Applicants shall be advised within ten business days of the completeness of their application or any deficiencies that must be addressed prior to substantive review;

(c) All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including, without limitation, any poles, with new easements and rights-of-way;

(d) A project description; a narrative identifying the applicant, owner and operator, and describing the proposed Tier 2 battery energy storage system, including a detailed overview of the project and its location; the approximate estimated rated capacity of the Tier 2 battery energy storage system; the approximate number, representative types and expected footprint of solar equipment to be used or constructed, if applicable; and a description of any ancillary equipment, buildings and structures, if applicable; an estimated construction schedule and project life;

(e) Site and development plans; for a Tier 2 battery energy storage system requiring a conditional use permit, shall include the following information:

1. Property lines, including roads, for the project site;

2. Property lines and setback lines;

3. Existing and proposed buildings and structures;

4. Existing and proposed access roads, drives, turnout locations and parking; and

5. Any other physical features not mentioned above.

(f) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting and screening vegetation or structures;

(g) A single line electrical diagram detailing the battery energy storage system layout, associated components and electrical interconnection methods, with all National Electrical Code-compliant disconnects and overcurrent devices;

(h) A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that is to be installed. A final equipment specification sheet shall be submitted prior to the issuance of a building permit;

(i) The name, address and contact information of the proposed or potential system installer and the owner and/or operator of the battery energy storage system. Such information of the final system installer shall be submitted prior to the issuance of a building permit;

(j) The name, address, phone number and signature of the project applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the battery energy storage system;

(k) Zoning district designation for the parcel(s) of land comprising the project site;

(l) A commissioning plan shall document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in the Uniform Code. Battery energy storage system commissioning shall be conducted by a state-licensed professional engineer after the installation is complete but prior to final inspection and approval. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning, and including the results of the initial acceptance testing required in the Uniform Code, shall be provided to the Building Department prior to final inspection and approval and maintained at an approved on-site location;

(m) A fire safety compliance plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with the Uniform Code;

(n) An operation and maintenance manual. Such plan shall describe continuing battery energy storage system maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information, and shall meet all requirements set forth in the Uniform Code;

(o) Erosion and sediment control and stormwater management plans, and to such standards as may be established by the Planning Commission;

(p) Prior to the issuance of the building permit but not required as part of the application, engineering documents must be signed and sealed by a state-licensed professional engineer;

(q) An emergency operations plan. A copy of the approved emergency operations plan shall be given to the system owner, the local Fire Department and local Fire Code official. A permanent copy shall also be placed in an approved location, to be accessible to facility personnel, Fire Code officials and emergency responders. The emergency operations plan shall include the following information:

1. Procedures for safe shutdown, de-energizing or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock and personal injuries, and for safe startup following cessation of emergency conditions;

2. Procedures for inspection and testing of associated alarms, interlocks and controls;

3. Procedures to be followed in response to notifications from the battery energy storage management system, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel and providing agreed-upon notification to Fire Department personnel for potentially hazardous conditions in the event of a system failure;

4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the Fire Department, evacuating personnel, de-energizing equipment and controlling and extinguishing the fire;

5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required;

6. Procedures for dealing with battery energy storage system equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged battery energy storage system equipment from the facility;

7. Other procedures as determined necessary by the town to provide for the safety of occupants, neighboring properties and emergency responders;

8. Procedures and schedules for conducting drills of these procedures; and

9. Fencing or other methods of ensuring public safety.

(r) Areas of wildlife habitat and migration corridors and areas of historic, archeological and cultural resources within one-quarter mile of the battery energy storage system;

(s) Any floodplains or wetlands;

(t) Additional information may be required as determined by town officials or staff, such as a scaled elevation view and other supporting drawings, photographs of the proposed site, photos or other realistic simulations or modeling of the project, a coverage map and additional information that may be necessary for a technical review of the proposal;

(u) Documentation of the right to use the site for the proposed project. Documentation shall include proof of ownership or control over the site or legal proof of the owner's/operator's right to use the site in the manner requested. The applicant may redact sensitive financial or confidential business information from the documentation provided so long as doing so does not prevent town officials or staff from confirming the applicant's legal right to utilize the site for the proposed purpose. Copies of recorded deeds or memoranda of leases and easements shall be deemed sufficient for the purpose of demonstrating site control under this section;

(v) Documentation of permits or permit applications. As a condition of approval of any conditional use permit approved pursuant to this subchapter, the applicant shall be required to provide town staff with certified copies of all necessary permits to construct and operate a Tier 2 battery energy storage system prior to the issuance of a building permit;

(w) 1. Analysis of local economic benefits. The applicant must provide an analysis of local economic benefits, describing estimated project costs, generated taxes, the percentage of construction dollars to be spent locally and the number of local construction and permanent jobs that are anticipated to be created as a result of the project.

2. In addition to these factors, the analysis of local economic benefits shall include an analysis of the anticipated life of the project, the costs of decommissioning the project at the end of its useful life, an estimate of the costs of disposal of all components of the project, including the potential cleanup costs of any hazardous waste generated both by the operation of the project and as part of the decommissioning the project and disposal of the buildings, materials, components, waste and accessory structures that exist because of the project;

(x) Solid and hazardous waste plans. Include plans for the spill prevention, cleanup and disposal of fuels, oils and hazardous waste, as well as collection methods for all solid waste generated by the project. In addition, an application for a conditional use permit pursuant to this subchapter shall include, as part of the decommissioning plan required under division (G) below, a disposal plan for all solid waste and any hazardous waste that will be generated by the implementation of the decommissioning plan. The calculation of the decommissioning costs (as defined in division (G) below) shall include the costs to dispose of any hazardous waste generated by a proposed Tier 2 battery energy storage system as part of the decommissioning of the project. Prior to the issuance of a building permit, an applicant shall provide the town with the safety data sheets (SDSs) from the manufacturer of the batteries proposed for the project, as well as the SDSs for all other components of the proposed project for which SDSs exist;

(y) A transportation plan for construction and operation phases. Indicate by both a narrative description and a map the roads the applicant will utilize during the construction and operational phases of the project, along with their existing surfacing and condition. In addition, the application must specify any new roads and proposed upgrades or improvements needed to the existing road system to serve the project during both the construction and operation of the project. Any application must also identify all areas where modification of the topography is anticipated (cutting/filling) to construct or improve the roadways, address road improvement, restoration or maintenance needs associated with the construction, ongoing maintenance/repair and potential dismantling and/or decommissioning of the project, provide projected traffic counts for the construction period, broken down by the general type/size of vehicles, and identify approximately how many trips will have oversized or overweight loads. If significant impacts to the town's transportation system are anticipated, the town may require financial guarantees to ensure proper repair/restoration of roadways or other infrastructure damaged or degraded during construction or dismantling of the project. In such cases, the "before" conditions of the roadways and other infrastructure must be documented through appropriate methods, such as videos, photos and written records, in order to provide a proper reference for restoration;

(z) Address public safety. Identify and address any known or suspected potential safety hazards to the town, adjacent properties, public roadways, communities and any other potential impacts to public safety that may be created by the proposed project;

(aa) Noise limitations. Include sufficient information regarding noise generated during both the construction and the operation of the proposed project so as to demonstrate compliance with the Town Nuisance Code as set out in Chapter 90 of this code;

(bb) Revegetation areas and methods;

(cc) Dust and erosion control;

(dd) Agreements and easements. If the land on which the project is proposed is to be leased rather than owned by the applicant, all property within the project boundary must be included in a

recorded easement(s), lease(s) or consent agreement(s) specifying the applicable uses for the duration of the project; necessary leases, easements or other agreements between the applicant and the affected parties must be in place prior to commencing construction unless specified otherwise by the conditional use permit;

(ee) Identify the anticipated points of interconnections between the Tier 2 battery energy storage system and the power grid of the utility whose facilities will transmit the power stored and released by the Tier 2 battery energy storage system for which a conditional use permit is being sought;

(ff) Plans to mitigate the reasonably anticipated detrimental effects of the Tier 2 battery energy storage system;

(gg) Any additional impacts. In addition to the impacts identified above, the Planning Commission may require the identification, assessment, avoidance or mitigation of any other probable and significant impacts as identified through the review process; and

(hh) Applicants shall commit to following the solar industry commitment to environmental and social responsibility developed by the Solar Energy Industries Association by including with their application a declaration to that effect.

(G) *Decommissioning plan.* Submit a decommissioning plan which complies with this chapter.

(1) *Standards for a decommissioning plan.* As part of the conditional use permit application, applicants must submit a decommissioning plan, which must include the following:

(a) The anticipated life of the project;

(b) The estimated cost to remove, dismantle and dispose of the project improvements at the end of their useful life (the "decommissioning cost") as determined by a licensed professional engineer, not employed by the applicant, owner or operator, with experience in the design/construction or operation of Tier 2 battery energy storage systems; and

(c) The manner in which the project will be decommissioned. Before any conditional use permit may be issued pursuant to this chapter, the Planning Commission must approve the decommissioning plan submitted in connection with the application for a conditional use permit issued pursuant to this subchapter. Any such approval must include an election by the applicant of the means by which assurance will be provided to the town that the applicant for the conditional use permit will be able to implement its proposed decommissioning plan, chosen from the following alternatives, which shall be provided to the town prior to the issuance of a building permit authorizing the commencement of construction of the project:

1. A federally insured certificate of deposit in the name of the town in the amount of 125% of the decommissioning cost, along with a power of attorney made in favor of the town allowing the town to access the certificate of deposit in the event the applicant either fails to fulfill its decommissioning plan, declares bankruptcy or is otherwise deemed to be insolvent by a court with competent jurisdiction;

2. A cash deposit in the amount of 125% of the decommissioning costs, along with a power of attorney made in favor of the town in the event the applicant fails to fulfill its decommissioning plan, declares bankruptcy or is otherwise deemed to be insolvent by a court with competent jurisdiction;

3. An irrevocable letter of credit in favor of the town in the amount of 125% of the decommissioning cost, along with a power of attorney made in favor of the town allowing the town to access the letter of credit in the event the applicant either fails to fulfill its decommissioning plan, declares bankruptcy or is otherwise deemed to be insolvent by a court with competent jurisdiction; or

4. Posting a performance bond of 125% of the decommissioning cost, such bond to be made in favor of the town and allowing the town to access the bond in the event the applicant either fails to fulfill its decommissioning plan, declares bankruptcy or is otherwise deemed to be insolvent by a court with competent jurisdiction.

(2) *Financing with debt*. If the owner of any Tier 2 battery energy storage system finances the project with debt secured by the project, the owner shall ensure that the debt shall not be secured by, and the lender(s) may not access, the financial assurance posted by the applicant, owner or operator to ensure the decommissioning costs of the project.

(3) *Updated decommissioning plan*. In order to assure that the decommissioning cost upon which the decommissioning plan required by this section remains valid, the applicant shall prepare and present to the town an updated decommissioning plan and decommissioning cost not later than five years following the issuance of any building permit issued by the town for any project permitted pursuant to this section.

(4) *Unsafe or abandoned project*. If the Planning Commission, after the delivery of notice to the owner or operator, finds that a Tier 2 battery energy storage system is in violation of any town code, or has been abandoned (as defined in this section), the owner or operator shall repair the Tier 2 battery energy storage system in a manner so as to assure that the project complies with all federal, state and local safety standards, or, if the Planning Commission finds that the project has been abandoned, the owner or operator shall remove the project in accordance with the decommissioning plan. Such a finding by the Planning Commission must be made in writing and be preceded by a public hearing that complies with applicable state law. An owner or operator may appeal a finding of the Planning Commission

pursuant to the town land use appeal ordinance within 30 days of the date such a finding has been made. The Planning Commission may extend the 180-day deadline set forth in the definition of an "abandoned project" if the Planning Commission finds that the owner or operator intends to repair and restore operations of the project and provides the Planning Commission with a restoration plan and time line for completing such work. If the owner or operator fails to repair or decommission an abandoned Tier 2 battery energy storage system within the time frame set forth in the decommissioning plan (or as otherwise approved by the Planning Commission as provided herein) or fails to file a timely appeal with the land use appeal authority, this failure will be deemed as sufficient cause for the town to utilize the security accepted by the town pursuant to the previous divisions of this section and to remove the project and implement the decommissioning plan prepared by the applicant. When the owner, operator or other responsible party decommissions a Tier 2 battery energy storage system, that person or persons shall handle and dispose of the equipment and other project components in conformance with all state and local requirements. At such time as a Tier 2 battery energy storage system is scheduled to be decommissioned at the end of the project's useful life, the owner, operator or other responsible party shall notify the town not less than 365 days prior to the date of decommissioning, as well as notify the town of the schedule within which the owner, operator or other responsible party shall complete the physical removal of the Tier 2 battery energy storage system. This period may be extended at the request of the owner, operator or other responsible party upon approval of the Town Council.

(H) *Standards for location, appearance and operation of a project site.*

(1) *Height restrictions.* Tier 2 battery energy storage systems shall comply with the building height limitations for principal structures of the underlying zoning district.

(2) *Setbacks.* Battery energy storage systems shall comply with the setback requirements of the underlying zoning district for principal structures.

(3) *Fencing.* An appropriate security/livestock fence (height and material to be established through the conditional use permit process) shall be placed around the perimeter of any Tier 2 battery energy storage system. To the extent consistent with the Fire Code, the Knox key lock boxes and keys shall be provided at locked entrances in order to allow emergency personnel access.

(4) *Fencing.* Tier 2 battery energy storage systems, including all mechanical equipment, shall be enclosed by a seven-foot-high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated use building and not interfering with ventilation or exhaust ports.

(5) *Signage.* Signage on Tier 2 battery energy storage systems shall be required as follows:

(a) The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the battery energy storage system, any special hazards associated, the type

of suppression system installed in the area of the battery energy storage system and 24-hour emergency contact information, including reach-back phone number;

(b) As required by the NEC, disconnect and other emergency shutoff information shall be clearly displayed on a light-reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations; and

(c) Signage shall be in compliance with §§ 154.240 to 154.247 of this chapter.

(6) *Noise requirements*. Tier 2 battery energy storage systems shall comply with all applicable town noise ordinances or codes.

(7) *Buildings and accessory structures*. All buildings and accessory structures incorporated into any Tier 2 battery energy storage system shall use materials, colors and textures that are of natural earth tones that blend the facility into the existing environment; white, gray, silver and black are acceptable colors for buildings and accessory structures as it pertains to this section.

(8) *Landscaping*. Appropriate landscaping and/or screening materials that are consistent with the fire safety compliance plans may be required to help screen a Tier 2 battery energy storage system and buildings and accessory structures from major roads and neighboring residences.

(9) *Lighting*. Lighting shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties. Cut-off lighting as required by the Town Lighting Code may be required when determined necessary to mitigate visual impacts.

(10) *Fire protection*. Tier 2 battery energy storage systems shall have a defensible space for fire protection with a fire protection plan, which will be approved and signed off by the Fire Marshal.

(11) *Local, state and federal permits*.

(a) Tier 2 battery energy storage systems shall be required to obtain all necessary permits from the State PSC, the State Department of Environmental Quality (State DEQ), including the Division of Air Quality and the Division of Water Quality, any applicable permits required by the town and all applicable federal permits.

(b) A condition of approval of any conditional use permit for a Tier 2 battery energy storage system shall require the applicant to submit reasonable documentation that the applicant has obtained all required permits to construct the Tier 2 battery energy storage system from FERC, the State PSC and the State DEQ prior to the issuance of a building permit. The town may withhold approval of

a building permit for a Tier 2 battery energy storage system if such condition is not satisfied at the time the applicant applies for such building permit.

(I) *Standards of approval for a conditional use permit*.

(1) *Mitigation*.

(a) 1. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards set forth in this subchapter and with all other applicable portions of this chapter.

2. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

(b) For the purposes of this section, the applicable standards which shall be applied in assessing any application submitted pursuant to this section shall be:

1. Whether the proposed use meets the applicable requirements for conditional use of a Tier 2 battery energy storage system in the proposed zone;

2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;

3. The use is consistent with all applicable adopted town planning policies and master plans; and

4. The reasonably anticipated detrimental effects of the proposed use can be mitigated by the imposition of reasonable conditions.

(2) *Limitations on conditional use approval*. Subject to an extension of time granted by the Planning Commission, no conditional use permit approved pursuant to this subchapter shall be valid for a period longer than three years unless a building permit has been issued or complete building plans have been submitted to the Town Building Department within that period and the permitted project is thereafter diligently pursued to completion; or unless a certificate of occupancy is issued and a use commenced within that period; or unless a longer period of time is requested and granted by the Planning Commission. Any request for a time extension shall be required not less than 30 days prior to the expiration of the three-year time period.

(J) *Safety*.

(1) *System certification*. Battery energy storage systems and equipment shall be listed by a nationally recognized testing laboratory to UL 9540 (Standard for Battery Energy Storage Systems and Equipment) or an approved equivalent, with subcomponents meeting each of the following standards as applicable:

(a) UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications);

(b) UL 1642 (Standard for Lithium Batteries);

(c) UL 1741 or UL 62109 (Inverters and Power Converters);

(d) Certified under the applicable electrical, building and fire prevention codes as required; and

(e) Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 (or an approved equivalent) and applicable codes, regulations and safety standards may be used to meet system certification requirements.

(2) *Site access*. Battery energy storage systems shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal, at a level acceptable to the local Fire Department and, if the Tier 2 battery energy storage system is located in an ambulance district, the local ambulance corps.

(3) *Clearance and exposure*. Battery energy storage systems, components and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

(K) *Approval authority*. The Planning Commission is the approval authority.

(L) *Enforcement*. Any violation of this section regulating battery energy storage systems shall be subject to the same enforcement requirements, including the civil and criminal penalties, provided for in the town's zoning or land use regulations.

(M) *Appeals*. See § 154.048 of this chapter for appeals provisions.

(N) *Application to successors and assigns.*

(1) The terms of any conditional use permit issued pursuant to this subchapter shall run with the land and be binding on any successor or assignee of an applicant, owner or operator and any party that purchases and/or operates a battery energy storage system.

(2) Any successor to or assignee of the original permittee of a conditional use permit for a battery energy storage system shall provide its name and mailing address to the town within 30 days after completion of such transfer and shall provide replacement decommissioning security to the town consistent with the requirements set forth in division (G)(1)(c) above.

(3) Each successor or assignee of the original permittee shall be deemed the permittee under the conditional use permit from and after the date of such transfer and shall comply with the terms of the conditional use permit for the battery energy storage system.
(Ord. 2024-01, passed 4-11-2024) Penalty, see § 154.999

## *LANDSCAPE REQUIREMENTS*

### § 154.225 PURPOSE.

(A) The purpose of this subchapter is to provide standards and requirements for the installation of landscaping and screening walls for all new and expanded development within the town in order to promote the general welfare of the community; to effectuate attractive and logical development; to aid in the enhancement of property values; to create an attractive appearance along town streets; to compliment the visual effect of buildings; to provide appropriate buffers between incompatible land uses and protection from intense activities; and to aid in conserving water by encouraging the use of varieties of plants, trees and shrubs indigenous to arid regions which are characterized by low water consumption.

(B) The standards and regulations of this subchapter shall be held to be the minimum requirements necessary for the promotion of the foregoing objectives of this subchapter.
(Prior Code, § 10.19.10)

### § 154.226 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***CALIPER.*** The diameter of a tree trunk measured at a height of six inches above the ground for trees up to four inches in diameter, and at a height of 12 inches for trees larger than four inches in diameter.

***DECORATIVE ROCK.*** Naturally colored stone or gravel used for landscaping purposes, with a minimum aggregate size of one inch. ***DECORATIVE ROCK*** shall not include decomposed granite, construction debris or gravel used solely for vehicular access or utility coverage.

***DRIP IRRIGATION.*** A high-efficiency irrigation system that delivers water directly to the base of plants through emitters, tubes or hoses, reducing water waste from evaporation or runoff.

***DROUGHT-TOLERANT PLANT.*** A plant species adapted to arid or semi-arid climates that can thrive with minimal irrigation after establishment. Includes many native plants and xeriscape species.

***EVERGREEN.*** A plant or tree that retains green leaves throughout the year and does not go dormant or lose its foliage seasonally.

***HARDSCAPE.*** Non-living landscape elements such as paved surfaces, walkways, patios, retaining walls, fences and decorative structures that are integrated into the landscape design.

***LANDSCAPE ARCHITECT.*** A person licensed by the state to practice landscape architecture, including the preparation of landscape plans, grading, irrigation design and plant selection.

***LANDSCAPE PLAN.*** A detailed drawing or set of documents prepared by a licensed landscape architect showing existing and proposed landscaping, irrigation systems, grading contours, plant materials, hardscapes and site features as required by this chapter.

***LANDSCAPING.*** The combination of plant materials, groundcover, mulch, decorative rock, fencing, irrigation systems and site design features is intended to improve the aesthetic and environmental quality of a site.

***LIVE VEGETATION.*** Any living plant material, including trees, shrubs, groundcover, turf or perennial plantings, used as part of a landscape design. Artificial turf or synthetic plants do not qualify as ***LIVE VEGETATION***.

***MULCH.*** A material such as bark, wood chips, compost or rock placed on soil surfaces to retain moisture, suppress weeds and enhance visual appearance.

***NATIVE PLANT.*** A plant species that is indigenous to the state or the Intermountain West region and is well-adapted to local soil, climate and water conditions.

***ORNAMENTAL TREE.*** A small tree, often with distinctive flowers, foliage, bark or branching, used for decorative purposes in landscaping.

***PARK STRIP.*** The area between a street curb and sidewalk, often planted with grass, trees or decorative materials, and typically located within the public right-of-way.

***SCREENING.*** A visual barrier created through fencing, walls, landscaping, berms or a combination thereof, used to block undesirable views, provide privacy or reduce environmental impacts.

***TURF.*** A surface layer of soil thickly covered with a mat of grass and its roots, whether natural or synthetic. For the purposes of this chapter, ***TURF*** refers only to natural grass.

***WATER-WISE LANDSCAPING.*** Landscaping practices that reduce water consumption through the use of drought-tolerant plants, efficient irrigation systems and design techniques that minimize water loss and runoff.

***XERISCAPING.*** A water-conserving landscaping approach that uses drought-tolerant plants, mulch and efficient irrigation to create attractive landscapes suited to dry climates.
(Prior Code, § 10.19.900)

## § 154.227 LANDSCAPING PLAN.

All applicants for commercial purposes are required to submit a landscaping plan. Landscape plans should achieve the following purposes:

(A) Preserve and complement the desert character of the natural landscape, mitigate building and parking lot impact, add aesthetic charm, interest and character and conserve water;

(B) Provide visual interest and variety;

(C) Provide necessary screening elements;

(D) Add year-round site beautification;

(E) Blend with the natural landscape;

(F) Highlight building design features; and

(G) Conserve water.
(Prior Code, § 10.19.20)

## § 154.228 LANDSCAPE REQUIREMENTS, RESIDENTIAL.

All yards visible to the public must have an area the same size as the square footage of the home that is improved, groomed and maintained. Examples of this include xeriscaping, driveways, sidewalks, vegetation and trees which are strongly encouraged.
(Prior Code, § 10.19.30)

## § 154.229 LANDSCAPE REQUIREMENTS, NONRESIDENTIAL.

(A) *Improvements required.*

(1) *Landscaping plan submission*. All applicants for commercial uses are required by this chapter to make landscaping improvements and shall submit a landscaping plan prepared by a licensed landscape architect to meet the minimum landscape requirements outlined in this chapter. The Building Department will review the submitted landscaping plan for compliance with this chapter and forward the plan to the Planning Commission and Town Council for review and action concurrent with development applications which require landscaping plans to be submitted.

(2) *Landscaping plan contents*. The landscaping plan shall include, at a minimum, the following information:

(a) The location and dimensions of all existing and proposed structures, property lines, easements, parking lots, power lines, rights-of-way, ground signs, refuse areas and lighting;

(b) The plant names (both botanical and common name), location, quantity and size of all existing and proposed plants. The proposed plan should indicate the size of the plant material at the time of planting and at maturation. All existing vegetation that is to be removed or remain on the site should be clearly identified;

(c) Existing and proposed grading of the site indicating contours at two-foot intervals for grades that are 5% or greater. For areas where grades are less than 5%, contours may be shown at one-foot intervals;

(d) Irrigation system plan;

(e) Existing and proposed fences and identification of the fencing materials; and

(f) A summary of the total percentage of landscaped areas, domestic turf grasses, deciduous and evergreen species and xeriscaping.

(B) *Completion of landscape improvements*. All required landscaping improvements shall be completed in accordance with the approved site plan, landscaping planting plan and irrigation plan and occur prior to the issuance of a certificate of occupancy for the associated structure/building. Exceptions may be permitted and certificates of occupancy issued where weather conditions prohibit the completion of approved and required landscaping improvements. In such cases, an extension period of not longer than six months is permitted and a bond for not less than 110% of the total estimated value of the landscaping shall be held until the project is in full compliance with this subchapter and any approved site or landscaping plans.

(C) *Planting standards*. The planting standards are the minimum size of landscaping that the town will accept towards meeting the landscaping required in this subchapter. All planting must conform with the town soil ordinance. The Planning Commission and Town Council shall use the planting standards in evaluation of any landscaping plan. The following are planting standards for required landscaping that shall be followed for all new development.

(1) *Trees*. Deciduous trees shall, when planted, have a minimum trunk size of one and one-half inches in caliper measured eight inches above the soil line. Evergreen trees shall have a minimum size of six feet in height. The applicant may elect to use either deciduous or evergreen trees to meet this requirement.

(2) *Ornamental trees*. All ornamental trees shall have a minimum trunk size, when planted, of one and one-half inches in caliper measured eight inches above the soil line.

(3) *Shrubs*. All shrubs shall be a minimum of one-gallon containerized stock, when planted, that will attain a height of at least two feet.

(4) *Turf*. No landscaping shall be composed of more than 30% turf.

(5) *Drought-tolerant plants*. A minimum of 50% of all tree and shrub species shall be required to be drought-tolerant.

(6) *Weed barrier*. Planting beds are required to have a weed barrier with mulched wood chips, rocks or other similar treatment.

(7) *Parking areas*. Parking areas for vehicles, trailers and all heavy equipment shall be weed-free.

(8) *Other areas*. All areas in front of screening, along frontage and public roads, shall be weed-free with an aggregate size of three-fourths-inch gravel to the depth of three inches, or any like material, and must be laid on a minimum of two inches of road base.

(D) *Design applications*. The Planning Commission and Town Council shall use the following design applications in evaluation of any landscaping plan.

(1) *Selection of plants*. Plants shall be selected for texture, form, color, pattern of growth and adaptability to local conditions. Native plants shall be preferred.

(2) *Water conservation*. All planter beds shall be irrigated through the use of drip lines instead of spray heads to minimize water loss through evaporation.

(3) *Berming*. Landscaped berming is required as a headlight screen or buffer surrounding parking areas between different land uses, particularly between nonresidential and residential uses or single-family and multi-family uses.

(E) *Required landscaping*.

(1) *Parking lot size*. An area equal to 15% of the total size of the parking lot must be landscaped.

(2) *Building footprint*. A minimum of the equivalent of ten feet surrounding the footprint of the building must be landscaped.

(3) *Visible sides*. Each side of a building visible to the public or neighboring residential property shall be landscaped.

(4) *Trees per parking spaces*. One tree for every ten parking spaces.

(5) *Trees per square feet*. A minimum of one tree shall be placed for every 1,000 square feet of required landscaped area.

(6) *Stormwater retention*. Stormwater retention areas shall be landscaped.

(F) *Waiver*. The Council shall have the authority to waive these standards as circumstances dictate.

(G) *Water-wise landscaping standards*. The following are the minimum standards for water-wise landscaping for any park strip, median or landscaped area located within a public right-of-way or a commercial or industrial development.

(1) *Live vegetation area*. At least 20% of the required landscape area shall be live vegetation.

(2) *Live vegetation integration*. Live vegetation shall be distributed throughout the landscape area and shall not be segregated.

(3) *Rock material*. Decorative rock material shall be a minimum of one-inch aggregate and shall be at least three inches deep and be placed completely on top of a weed fabric barrier that allows the permeation of water. Rock materials shall not exceed the height of the sidewalk/trail or the top back of the curb when placed along a public right-of-way.

(4) *Drip irrigation*. All water-wise landscaped areas shall be improved with a drip irrigation system if applicable.

(5) *Liability*. Any individual, corporation or other entity shall be responsible for any damage caused by landscaping in public rights-of-way, including rocks or other materials that migrate onto a sidewalk, trail, street, storm drain or other public facility, regardless of how such migration occurs.
(Prior Code, § 10.19.40)

## *SIGNS*

### § 154.240 PURPOSE.

The purpose of this subchapter is to establish sign regulations that enhance the rural character of the town, maintain aesthetic consistency, ensure public safety and minimize visual clutter while allowing appropriate signage for businesses and developments.
(Ord. 2025-03, passed 5-21-2025)

### § 154.241 APPLICABILITY.

Monument signs and wall signs are prohibited in all zones except for the Light Industrial West Zone, Light Industrial East Zone and the Commercial Overlay Zone. All signs must comply with the regulations in this chapter.
(Ord. 2025-03, passed 5-21-2025)

### § 154.242 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***BANNER.*** A temporary sign made of fabric, plastic or similar flexible material, typically mounted between poles, on a building or above an entrance, used to announce events, sales or grand openings.

***BILLBOARD.*** A large, off-site sign structure designed for long-distance visibility, typically used for commercial advertising not related to the use or activity on the property where it is located.

***DARK-SKY COMPLIANT FIXTURE.*** A lighting fixture that is fully shielded and designed to minimize light pollution by directing light downward and reducing glare, in compliance with dark-sky preservation practices.

***DIRECTIONAL SIGN.*** A small, on-site sign intended to direct vehicular or pedestrian traffic, such as "Entrance," "Exit" or "Parking," and not intended for advertising purposes.

***EVENT SIGN.*** A temporary sign used to promote a special event, seasonal activity or community gathering, and which must be removed shortly after the event has concluded.

***EXTERNALLY ILLUMINATED SIGN.*** A sign that is lit by a separate light source directed at the face of the sign, typically using shielded fixtures to minimize glare and light trespass.

***FLASHING SIGN.*** A sign that contains or uses lights, LEDs or other sources that blink, flash, scroll, change color or alternate in appearance.

***GOOSENECK LIGHTING.*** A style of exterior lighting fixture with a curved arm that directs light downward in a focused and controlled manner, commonly used to illuminate signage while preserving dark-sky principles.

***MONUMENT SIGN.*** A freestanding sign mounted on a solid base and constructed close to the ground, typically not exceeding a height of eight feet. ***MONUMENT SIGNS*** are designed to match or complement adjacent architecture using high-quality materials.

***NEON SIGN.*** A sign made with luminous gas-filled tubing, often brightly colored or animated. ***NEON SIGNS*** are generally prohibited except for limited, window-mounted "Open" signs.

***PORTABLE SIGN.*** Any sign not permanently affixed to a building, structure or the ground, including trailer-mounted signs, sandwich boards or signs on wheeled platforms.

***ROOF-MOUNTED SIGN.*** A sign mounted on or above the roofline of a building or structure, extending above the highest point of the roof.

***SANDWICH BOARD SIGN.*** A temporary, portable A-frame sign typically used on sidewalks to advertise special events, sales or business openings.

***SIGN.*** Any object, device, display, structure or part thereof intended to convey information visually and designed to attract public attention, including words, symbols, graphics or illumination.

***TEMPORARY SIGN.*** A sign intended for short-term use, including banners, event signs and promotional signage, that is not permanently installed and must be removed after a specified time period.

***WALL SIGN.*** A sign that is attached flat against or painted directly on the exterior wall of a building, and which does not extend above the roofline or project outward more than 12 inches.
(Prior Code, § 10.21.15)

## § 154.243 GENERAL SIGN REQUIREMENTS.

(A) *Monument signs*.

(1) Each development is permitted one monument base sign per 500 feet of frontage, which must comply with the town's aesthetic and design standards in the general plan.

(2) The maximum height shall not exceed eight feet, and the maximum width shall not exceed ten feet.

(3) Materials shall be natural or complementary to the surrounding architecture, including stone, wood or metal accents.

(4) Monument signs shall be externally illuminated with downward-facing lighting. Internally lit or backlit signs are prohibited.

(5) Placement must not obstruct visibility for traffic or pedestrians.

(6) No advertising signs of any kind shall be allowed in any residential zone, except signs pertaining to the sale or lease of residential property and except for name plates or signs indicating the existence of an office, a professional person or a home occupation.

(7) Exception: temporary signs (not posted longer than 72 hours).

(B) *Wall signs*.

(1) All wall signs must be included in the master development plan and reviewed as part of the site plan approval process.

(2) Signs shall be proportional to the building's facade and may not exceed 10% of the wall area on which they are placed.

(3) Lighting shall be non-intrusive, such as gooseneck or downward-facing fixtures.

(4) Signs shall be made of high-quality, durable materials and must maintain a consistent aesthetic with the development.

(C) *Directional and informational signs*.

(1) Small directional signs, such as parking and entrance signs, shall be limited to four feet in height. Maximum of 16 square feet.

(2) Signs must be consistent in color, material and style with the primary monument sign.

(3) Internal illumination is prohibited; externally lit fixtures must be shielded to prevent light pollution.
(Ord. 2025-03, passed 5-21-2025)

## § 154.244 PROHIBITED SIGNS.

The following sign types are prohibited within the town limits:

(A) Digital, LED or flashing signs, including scrolling or animated messages;

(B) Billboards or off-site advertising signs not associated with the property;

(C) Roof-mounted signs extending above the highest part of the building;

(D) Portable or mobile signs, including trailer-mounted advertising;

(E) Neon signs, except for small window-mounted “Open” signs under four square feet; and

(F) Signs obstructing road visibility or creating safety hazards.
(Ord. 2025-03, passed 5-21-2025)

## § 154.245 TEMPORARY AND EVENT SIGNS.

(A) Community event signs (e.g., town fairs, seasonal markets) may be allowed but must be removed within seven days after the event.

(B) Banners and sandwich boards are permitted only for special events or grand openings and must be removed within 14 days.

(C) Temporary signs shall not exceed 32 square feet in size and must be securely fastened to prevent wind damage.
(Ord. 2025-03, passed 5-21-2025)

### § 154.246 LIGHTING STANDARDS.

(A) All sign lighting must use warm, non-intrusive illumination that aligns with the town's rural character.

(B) No neon, backlit or excessively bright lighting is allowed.

(C) Dark-sky compliant fixtures are required to reduce light pollution.
(Ord. 2025-03, passed 5-21-2025)

### § 154.247 COMPLIANCE AND ENFORCEMENT.

(A) All new signs must be reviewed and approved as part of the site plan or master development plan process.

(B) Nonconforming signs must be removed or brought into compliance within 30 days of notice.

(C) Violations of this subchapter may result in fines, penalties or removal of the noncompliant sign at the owner's expense.
(Ord. 2025-03, passed 5-21-2025) Penalty, see § 154.999

## *PARKING*

### § 154.260 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***FLOOR AREA RATIO (FAR).*** The ratio of the total gross floor area of a building to the size of the lot on which the building is located. This term may be referenced elsewhere in this chapter to regulate intensity of development.

***GROSS FLOOR AREA (GFA).*** The total floor area within the exterior walls of all buildings on a lot, excluding unenclosed porches, terraces, garages or other areas not designed or intended for human occupancy. ***GROSS FLOOR AREA*** includes all floors (basement, mezzanine and upper stories) and shall include enclosed storage, service, mechanical and utility rooms.

***LOADING BERTH.*** A designated off-street space or bay on the same lot as the principal building or use, intended for the temporary parking of delivery trucks or freight vehicles while loading or unloading merchandise, materials or passengers.

***MANEUVERING SPACE.*** The area of a parking or loading lot required to enable vehicles to turn, back or drive forward into or out of parking or loading spaces, without encroaching on a public right-of-way.

***OFF-STREET PARKING.*** Parking spaces provided outside of a public street right-of-way, designed and designated for vehicle storage to serve a specific use or site. This includes associated drive aisles, access ways and landscaped buffer areas.

***PAVED SURFACE.*** A finished hard surface treatment including asphalt, concrete or approved pervious paving materials, designed to accommodate vehicle loading, parking and traffic and to control dust and erosion.

***SCREENING.*** A method of reducing the visual and/or noise impacts of a land use or structure through the use of fences, walls, landscaping, berms or similar materials or techniques.

***SHARED LOADING FACILITIES.*** A condition where multiple businesses or tenants on the same site or within the same building utilize one or more loading berths jointly, provided such arrangement meets the total number of required berths and operational demands as approved by the Planning Commission.

***USE, PRINCIPAL (OR PRIMARY).*** The main or predominant use of a lot or structure, as distinguished from a secondary or accessory use.

***ZONING ADMINISTRATOR.*** The person designated by the town to administer the zoning and land use provisions of this code, or their authorized representative.
(Prior Code, § 10.23.60)

## § 154.261 RESIDENTIAL PARKING REQUIREMENTS.

(A) *Off-street parking requirements.*

(1) The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses.

(2) Parking within the front yard of a single residence use shall be on or contiguous to a legal driveway.

(3) Grade/slope for residential driveways shall not exceed 8%. Anything higher shall require approval from the Town Engineer.

(B) *Requirements by dwelling type.*

| *Dwelling Type* | *Required Parking Space* |
|---|---|
| Single-family | 4 spaces/unit |
| Two-family | 8 spaces/unit |
| Three-family | 12 spaces/unit |
| Multi-family* | |
| Efficiency/studio | 3 spaces/unit |
| 1 bedroom | 3 spaces/unit |
| 2 bedrooms | 4 spaces/unit |
| 3 bedrooms | 6 spaces/unit |
| ***Notes to Table:*** | |
| * In addition to the required spaces, 0.5 guest stalls per bedroom shall be included. | |

(Prior Code, § 10.23.10)

## § 154.262 NONRESIDENTIAL PARKING REQUIREMENTS.

(A) *Plan required.* Applications for a building permit for new construction, additions, alterations or changes in use shall include a site plan at an appropriate scale that clearly shows proposed site improvements relating to parking as required by this section. All plans shall show the location, arrangement and dimensions of off-street parking area(s), parking spaces, parking lanes, points of ingress and egress, aisles/driveways, walls, landscaping and barriers. Sidewalks, pedestrian ways, bicycle facilities and their access shall also be shown. The access or driveway locations, width and spacing, as well as sight lines and distances, the arrangement of spaces, stall dimensions, surfacing, striping and lighting shall be in compliance with adopted town standards.

(B) *Lots within 300 feet of roads*. All parking lots located within 300 feet of an improved town road shall be hard-surfaced with asphalt or concrete. The material shall be approved by an engineer licensed by the state and be capable of handling the anticipated size and weight of vehicles, including public safety vehicles.

(C) *Lots more than 300 feet from roads*. All parking lots located more than 300 feet from an improved town road must be improved to the same standards as the rural road.

(D) *Variances*. The Town Council, with the recommendation of the Planning Commission, may make variances to these standards based on the following circumstances:

(1) Public safety;

(2) Traffic;

(3) Consistency of surrounding use; and

(4) Proposed use.

(E) *Stormwater management*. All stormwater must be maintained on-site. Parking lots and drive approaches may be required to be bordered with a curb and gutter.

(F) *Backing avoided*. Parking lots shall be designed to avoid backing onto a public street.

(G) *Access*. Except for approved on-street parking, access to any parking space within a parking area shall be from a drive aisle and not directly from a public street.

(H) *Lots with more than one aisle*. Parking areas with more than one aisle must be so arranged that a car need not enter the street to reach another aisle within the same parking area.

(I) *Signage*. Depending on circumstances, directional signs may be required to differentiate between entrance and exit access points to the street.

(J) *Grouping of spaces*. Parking lots shall be designed in groupings not larger than 200 spaces. Larger lots shall be divided by buildings, plazas or significant landscaped areas oriented for pedestrian use.

(K) *Within structures*. The off-street parking requirements may be furnished by providing spaces designed within the principle building or a parking structure. However, no building permit shall be used to convert said parking structures into a dwelling unit, living area or other activity until other adequate provisions are made to comply with the required off-street parking provisions of this section.

(L) *Circulation between bays*.

(1) Parking areas shall be designed so that circulation between parking bays occurs within the designated parking lot and does not depend upon a public street or alley.

(2) Parking area designs which require backing into a public street are prohibited except with one-, two- or three-family dwellings.

(M) *Adjacent development*. Parking lot design shall consider development on adjacent sites. The town may require cross-access connections/easements to improve traffic circulation and to enhance public safety.

(N) *Striping*. Except for one-, two- and three-family dwellings, all parking stalls shall be marked with painted lines not less than four inches wide.

(O) *Lighting*. Parking lots used during the hours of darkness shall be illuminated. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light down and/or away from adjoining property, abutting residential uses and public rights-of-way, and shall be a maximum of 25 feet in height above the surface of the parking lot for nonresidential uses and 16 feet for residential uses, and shall meet all other regulations of outdoor lightning for the town.

(P) *Protruding vehicles*. All on-site parking stalls shall be designed and constructed so that parked vehicles shall not protrude over a property line.
(Prior Code, § 10.23.20)

## § 154.263 OFF-STREET PARKING REQUIREMENTS.

(A) *Space standards*. Off-street parking spaces shall be provided according to the following provisions and standards.

(1) *Floor area*. The term ***FLOOR AREA***, for the purpose of calculating the number of required parking spaces, shall be the ***GROSS FLOOR AREA*** of the structures plus defined exterior use areas except as may be provided or modified herein.

(2) *Change of use or occupancy of buildings*. Off-street parking and loading spaces as required herein shall be provided at the time of any new uses of land or construction of a new building. Any change of use or occupancy of any building or buildings, including additions thereto, requiring more parking shall not be permitted until such additional parking spaces as required by this section are provided.

(3) *Accessibility*.

(a) Accessible parking for nonresidential developments shall be provided in conformance with the Americans with Disabilities Act (ADA), being 42 U.S.C. §§ 12101 et seq., the State Americans with Disabilities Act (State ADA), being U.C.A. Title 57, Chapter 21, and the International Building Code (IBC), as amended.

(b) Accessible parking for multiple-family residential developments shall be provided in conformance with the Americans with Disabilities Act (ADA), Federal Fair Housing Act (FFHA), being 42 U.S.C. §§ 3601 et seq., and International Building Code (IBC), as amended.

(4) Parking stall dimensions. The following shall be the minimum parking stall size.

| ***Type*** | ***Width*** | ***Length*** |
|---|---|---|
| Parallel | 9 feet | 25 feet |
| Standard | 10 feet | 20 feet |

(B) *Parking aisle dimensions*. The following shall be the minimum parking aisle width.

| ***Parking Angle*** | ***One-Way Aisle*** | ***Two-Way Aisle*** |
|---|---|---|
| 30 degree | 18 feet | 20 feet |
| 45 degree | 18 feet | 20 feet |
| 60 degree | 18 feet | 22 feet |
| 90 degree | 24 feet | 24 feet |

(C) *On-site parking*.

(1) *Requirements*.

(a) All parking shall be provided on-site. No parking shall be permitted within any required setback or landscaped area.

(b) Each facility shall provide one parking space for each on-site employee, with an additional amount of parking for drivers and visitors as approved by the Planning Commission and Town Council.

(2) *Minimum spaces*. The minimum parking spaces required shall be two per 1,000 square feet of gross building floor area. The Planning Commission may require more parking spaces depending on building use.

| *Nonresidential Spaces* | | |
|---|---|---|
| ***Use*** | ***Descriptions*** | ***Parking Ratio*** |
| ***Administrative and Financial*** | | |
| Financial services | Financial institutions with drive-through facilities | In addition to the following, 60 linear feet of stacking space per lane, exclusive of drive aisles and parking spaces |
| | Institutions providing financial advice and services in a bank, or similar financial institution, to include accessory office buildings, automatic teller machines and similar uses | 1 space per 150 square feet of floor area |
| Professional offices | Facilities for general office work providing professional, business administrative or informational services, or facilities that house governmental agencies and similar uses | 1 space per 200 square feet of floor area |
| Unspecified office use | | 1 space per 200 square feet of floor area |
| ***Automobile Related*** | | |
| Automobile rentals or dealerships | Facilities for the sale or rental of new or used autos, boats, RVs, trucks, trailers, campers, motorhomes or motorcycles (outdoor vehicle display spaces are not required to meet dimensional requirements of this section) | 1 space per 1,000 square feet of gross floor area, plus 1 space per 6,000 square feet of outdoor vehicle display area |
| Automobile services | Facilities providing fast or express service bays or lanes | In addition to the following, a queuing space of 100 linear feet, exclusive of drive aisles and parking spaces |
| | Facilities providing general vehicle service or repair and similar services | 3 spaces per service bay, plus 1 space per 300 square feet of gross floor area, excluding service bay(s) |
| Automobile towing and impound facilities | Facilities for towing, dismantling, recycling, impounding and storage of junk vehicles, to include sanitary landfills and similar uses | 4 spaces or 1 space per 1,000 square feet of floor area, whichever is greater |
| Car washes | Facilities for the cleaning of vehicles | 1 space per 300 square feet of office floor area, plus a queuing space of 100 linear feet, exclusive of drive aisles and parking spaces |
| | Self-service facilities for the cleaning of vehicles | A minimum of 4 spaces and the requirements above |

| *Nonresidential Spaces* | | |
|---|---|---|
| ***Use*** | ***Descriptions*** | ***Parking Ratio*** |
| ***Eating and Drinking Establishments*** | | |
| Restaurants | Eating establishments and similar services | 1 space per 100 square feet of floor area, including outdoor seating |
| Taverns, bars, pubs and lounges | Establishments licensed to sell alcoholic beverages to be consumed on the premises, often with limited food service | 1 space per 50 square feet of serving area, plus 1 space per 200 square feet for preparation area |
| ***Entertainment and Recreation*** | | |
| Adult uses | Adult specialty shops for the purchase of adult books, videos and similar products | 1 space per 300 square feet of floor area |
| | Establishments for adult entertainment that emphasize adult-oriented uses and services in an adult motion picture theater, arcade, adult cabaret, adult motel, nude studio and similar facilities | 1 space per 50 square feet of floor area |
| Indoor public assembly | Facilities providing a variety of indoor public assemblies in a convention or reception center, meeting hall, social or private club, music hall, theater and similar places, excluding taverns, bars, pubs, lounges and adult uses | 1 space per 200 square feet of floor area or 1 space per 4 fixed seats of design capacity, whichever is greater |
| Indoor recreation | Bowling alleys | 2 spaces per lane, plus 2 spaces per billiard table, plus 1 space per each 5 visitor gallery seats |
| | Facilities providing a variety of indoor health and sports activities in a sporting complex, stadium, skating rink, pool hall, dance hall, tennis or racquet club, game room, video arcade, bingo hall, community center, fitness center and similar indoor facilities | 1 space per 50 square feet of floor area |
| Outdoor amusement and recreations | Facilities providing a variety of outdoor amusement, entertainment and similar activities in an amusement park, fairground, zoo, auditorium and similar places, to include special outdoor events such as carnivals or outdoor concerts. Outdoor recreations include a variety of outdoor health and sport activities in a racetrack, stable, rodeo ground, outdoor shooting range, swimming and tennis club, miniature golf and similar places | 1 space per 1,000 square feet of activity area |

| *Nonresidential Spaces* | | |
|---|---|---|
| ***Use*** | ***Descriptions*** | ***Parking Ratio*** |
| | Golf course and driving range | 1 space per 200 square feet of main building floor area, plus 1 space per every 2 practice tees in driving range, plus 4 spaces per each green in the playing area |
| ***General Industrial and Manufacturing*** | | |
| Light industrial and manufacturing | Facilities providing manufacturing and assembly services | 1 space per 750 square feet of warehouse area, plus 1 space per 300 square feet of office or retail floor area |
| Outdoor storage | Facilities providing exterior storage of construction equipment and materials, recyclable material and similar uses | A minimum of 4 spaces and 1 space per 5,000 square feet of designated outdoor area or 1 space per 300 square feet of office floor area, whichever is greater |
| Unspecified industrial use (shell building) | | 1 space per 750 square feet of warehouse area, plus 1 space per 300 square feet of office or retail floor area |
| Warehousing | Facilities providing warehousing of materials and goods and similar uses | 1 space per 1,000 square feet of warehouse area, plus 1 space per 300 square feet of office floor area |
| | Mini-storage facilities and similar uses | 1 space per 50 units |
| Wholesale, distribution | Facilities providing wholesale or distribution of trucks, trailers, boats, new and used cars, bulk fuel, machines, appliances, equipment, building material, lumber, plant nurseries, produce and similar merchandise in indoor or outdoor storage areas, to include machine shops, lumberyards, import/export shops, moving, rental or storage companies, market sales yards and similar facilities | 1 space per 500 square feet of sales or display area, plus 1 space per 1,000 square feet of indoor storage area, plus 1 space per 200 square feet of retail or office floor area |
| ***General Retail*** | | |
| Retail | Establishments providing drive-through services, including liquor stores, laundries and dry cleaners, pharmacies and similar services | In addition to the following, 100 linear feet of stacking space, exclusive of drive aisles and parking spaces |
| | Establishments providing general retail sales and services in a single store on a single lot, not part of a shopping center | 1 space per 300 square feet of floor area |

| *Nonresidential Spaces* | | |
|---|---|---|
| ***Use*** | ***Descriptions*** | ***Parking Ratio*** |
| | Establishments providing general retail sales and services in shopping centers (a commercial establishment planned, developed, owned or managed as a unit) | 1 space per 250 square feet of floor area. Note: For any center with more than 15% of floor area in public assembly uses, including theaters, restaurants, schools, health spas, bars or cocktail lounges, there shall be required, in addition to these standards, 10 spaces per 1,000 square feet of public area within these uses |
| Unspecified retail use (shell building) | | 1 space per 250 square feet of floor area |
| ***Institutional*** | | |
| Child care | Facilities providing daily care of children in a nursery, daycare or preschool center | 1 space per 400 square feet of floor area |
| Public, social and cultural services | Facilities providing public, social, nonprofit or institutional services in a library, museum, art gallery, post office, treatment, detention or release center, halfway house, employment agency, shelter and similar civic/public, cultural and social institutions, excluding group homes | 1 space per 200 square feet of floor area |
| Religious assembly | Facilities providing religious worship or study in a church, temple, synagogue and similar places | 1 space per 4 seats in the main assembly area based on design capacity |
| School | Public, charter or private educational institutions for elementary and junior high | 1 space per 3 fixed seats of the auditorium based on design capacity, plus a minimum of 10 spaces for visitor parking |
| | Senior high | 2 spaces per classroom, plus 1 space per employee, plus 1 space per 3 fixed seats of the auditorium based on design capacity, plus a minimum of 10 spaces for visitor parking |
| Secondary education | Public or private facilities providing education in a college, university, trade or vocational school and similar institutions | 5 spaces per classroom, plus 1 space per 3 fixed seats of the auditorium based on design capacity, plus a minimum of 10 spaces for visitor parking |

| *Nonresidential Spaces* | | |
|---|---|---|
| ***Use*** | ***Descriptions*** | ***Parking Ratio*** |
| Senior care | Facilities providing long-term care for seniors in a nursing or convalescent home, hospice or similar care facility, excluding a group home | 1 space per 3 beds |
| Utility | Structures, equipment or facilities providing for public/private utility and services, including radio, television, communication transmission, towers and similar structures | 1 space per use |
| ***Lodging*** | | |
| Hotels or motels | Places for lodging with ancillary facilities, to include sleeping rooms, restaurants, lounges, resorts, meeting rooms and similar uses | 1 space per room, plus 1 space per 100 square feet of restaurant and bar serving area, plus 1 space per 100 square feet of outdoor seating serving area, plus 10 minimum spaces for visitor parking, plus 1 space per 200 square feet of meeting room floor area |
| Lodging accommodations | Establishments providing accommodation in a bed and breakfast or lodge, to include fraternities, sororities and similar facilities | 1 space per room |
| Recreational resorts | Facilities providing overnight stops in a recreational vehicle park, travel trailer park, overnight campground and similar places | 1 space per 200 square feet of gross activity area, or 1 space per RV or trailer, whichever is greater |
| ***Medical*** | | |
| Hospitals | Facilities providing medical or surgical care, emergency medical and similar services | A minimum 30 spaces for emergency services or 2 spaces per bed, plus 1 space per employee, whichever is greater |
| Medical offices and clinics | Facilities providing medical, dental, optical care or preventative medicine and clinical research studies in a clinic or laboratory, including accessory offices | 1 space per 200 square feet of floor area |
| Veterinarian hospitals or clinics | Establishments for medical, surgical and emergency care of animals, to include veterinary offices and clinics without animal boarding | 1 space per 150 square feet of floor area |

| *Nonresidential Spaces* | | |
|---|---|---|
| ***Use*** | ***Descriptions*** | ***Parking Ratio*** |
| ***Personal Services*** | | |
| General professional services | Establishments providing general professional services such as cabinet and carpentry making, custom dressmaking and alteration, watch and clock repair, dry cleaning and laundry, pet care, messenger delivery, photographic developing and printing, blueprint production, travel information and similar professional services | 1 space per 200 square feet of floor area |
| Personal improvement | Establishments providing personal services such as tanning, massage therapy, manicure, hair and beauty treatment, tattoo and body piercing, palm reading, fortune telling and similar services | 1 space per 150 square feet of floor area |
| ***Other*** | | |
| Funeral services | Facilities providing burial preparation and/or funeral services in a cemetery, crematorium, mausoleum, funeral home and chapel, mortuary and similar facilities | 1 space per 1/3 of the maximum occupancy |

(Prior Code, § 10.23.30)

## § 154.264 OFF-STREET LOADING REQUIREMENTS.

(A) Unless otherwise specified in this chapter, loading spaces or berths shall be at least 45 feet in length, and all loading berths shall be at least 12 feet in width and 14 feet in height, exclusive of aisle and maneuvering space and required parking space.

(B) Loading berths of 30 feet by ten feet for office use, motels and hotels, restaurants, daycare centers, long-term care facilities and other similar facilities may be provided for all or part of the required loading berths if approved through the site plan approval process.

(C) Such space may occupy all or any part of any required yard space, except front and corner side yards, and shall not be located closer than 50 feet to any residential zoning unless screened by a masonry wall not less than ten feet in height. Loading spaces located in side yards shall not be visible from a public street.

(D) Sufficient room for turning and maneuvering vehicles shall be provided on the site so that vehicles shall cross a property line only by driving forward.

(E) Each loading berth shall be accessible from a street or alley, or from an aisle or drive connecting with a street or alley, without traversing a residential zone.

(F) The loading area, aisles and access drives shall be paved so as to provide a durable dust-proof surface and shall be graded and drained so as to dispose of surface water without damage to private or public properties, streets or alleys.

(G) Bumper rails shall be provided at locations where needed for safety or to protect property.

(H) If the loading area is illuminated, lighting shall be deflected down and/or away from abutting residential sites so as not to cause any annoying glare.

(I) No regular repair work or servicing of vehicles shall be conducted in a loading area.

(J) Off-street loading facilities shall be located on the same site with the use for which the berths are required.

(K) If more than one use is located on a site, the number of loading berths provided shall be equal to the sum of the requirements prescribed in this section for each use. If more than one use is located on a site and the gross floor area of each use is less than the minimum for which loading berths are required, but the aggregate gross floor area is greater than the minimum for which loading berths are required, then off-street loading berths shall be provided as if the aggregate gross floor area were used for the use requiring the greatest number of loading berths.

(L) Off-street loading facilities for a single use shall not be considered as providing required off-street facilities for any other use.

(M) At the time of initial occupancy, major alterations or enlargement of a site, or of completion of construction of a structure or of a major alteration or enlargement of a structure, there shall be provided off-street loading berth requirements. The number of loading berths provided for a major alteration or enlargement of a site or structure shall be in addition to the number existing prior to the alteration or enlargement.

(N) Space allocated to any off-street loading berth shall not be used to satisfy the space requirements for any off-street parking facility.
(Prior Code, § 10.23.40)

## § 154.265 NUMBER OF SPACES REQUIRED.

Unless otherwise provided in this chapter, every office, hotel, restaurant, department store, freight terminal or railroad yard, hospital, industrial plant, manufacturing establishment, retail establishment, storage warehouse or wholesale establishments, and all other structures devoted to similar mercantile or industrial pursuits, which have an aggregate gross floor area of 5,000 square feet or more shall provide off-street truck loading or unloading berths in accordance with the following table.

| *Square Feet of Aggregate Gross Floor Area Devoted to Such Use* | *Required Number of Berths* |
|---|---|
| 5,000 square feet up to and including 40,000 square feet | 1 |
| 40,001 square feet up to and including 100,000 square feet | 2 |
| 100,001 square feet up to and including 160,000 square feet | 3 |
| 160,001 square feet up to and including 240,000 square feet | 4 |
| For each additional 100,000 square feet | 1 additional |

(Prior Code, § 10.23.50)

## § 154.999 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Whosoever shall violate any of the provisions of this chapter shall be guilty of a Class B misdemeanor and, upon conviction of such violation, shall be punishable by a fine of not more than $1,000 or by imprisonment for not more than six months in the County Jail, or by both fine and imprisonment as allowed under U.C.A. § 10-3-703.
(Prior Code, § 10.1.25)

(C) (1) A criminal violation under § 154.085 shall be a Class C misdemeanor.

(2) A civil violation under § 154.085 shall amount to $100 each day a violation occurs, each being a new violation.

(D) (1) *Criminal violation.* Any person who violates, disobeys, omits, neglects or refuses to comply with any provision of § 154.110, or who knowingly permits or assists another in doing so, shall be deemed guilty of a Class C misdemeanor.

(2) *Civil remedy*. The municipality may pursue civil remedies, including fines, injunctions, abatement or other equitable relief permitted under the town's administrative code. The town's enforcement officer is authorized to enforce § 154.110 by issuing notice of violation, stop work orders or other administrative actions, including recommending permit revocation when necessary.
(Prior Code, § 10.11.260)

(E) Any person or entity who violates any of the provisions of § 154.208 of this chapter or who fails to comply therewith, or who violates or fails to comply with any order or directive made thereunder, shall, severally, for each and every such violation and noncompliance respectively, be guilty of a Class B misdemeanor, subject to penalty as provided in division (A) above. Furthermore, the imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons or entities shall be required to correct or remedy such violations or defects within a reasonable time and, when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.
(Prior Code, § 10.17.100)

(C) Any person or entity who violates any of the provisions of § 154.210 or who fails to comply therewith, or who violates or fails to comply with any order or directive made thereunder, shall severally for each and every such violation and noncompliance respectively, be guilty of a Class B misdemeanor, subject to penalty as provided in division (B) above. Furthermore, the imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons or entities shall be required to correct or remedy such violations or defects within a reasonable time and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.
(Ord. 2024-01, passed 4-11-2024; Ord. 2024-14, passed 12-18-2024; Ord. 2025-03, passed 5-21-2025; Ord. 2026-01, passed 3-25-2026)

## PARALLEL REFERENCES

References to Utah Code Annotated
References to Prior Code
References to Resolutions
References to Ordinances

## REFERENCES TO UTAH CODE ANNOTATED

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 9-8-404(1) | 154.208 |
| 10-2-401.5 | 32.020 |
| 10-2-402 | 32.022 |
| 10-3-701 | 10.01 |
| 10-3-703 | 152.99; 154.999 |
| 10-3-703.7 | 34.05 |
| 10-3-710 | 52.03; 52.04 |
| 10-3-714 | 30.45 |
| 10-3-717 | 32.008 |
| Title 10, Chapter 3, Part 13 | 31.03; 32.002 |
| 10-3-1301 through 10-3-1312 | 11.01 |
| 10-3-1315 | 32.002 |
| 10-3b-104 | 34.02 |
| 10-6-116(5) | 33.01 |
| 10-7-20.5 | 32.089 |
| 10-7-86 | 32.089 |
| Title 10, Chapter 8 | 50.30 |
| 10-8-2 | 52.01 |
| 10-8-14 | 52.03 |
| Title 10, Chapter 9a | 152.24; 154.130 |
| 10-9a | 154.031; 154.033 |
| 10-9a et seq. | 154.032 |
| 10-9a-101 et seq. | 154.038 |
| 10-9a-103 | 11.01; 154.126 |
| 10-9a-103(2) | 154.139 |
| 10-9a-103(44) | 11.01 |
| 10-9a-103(48) | 11.01 |
| 10-9a-103(68)(b) | 11.01 |
| 10-9a-104 | 152.26 |
| 10-9a-202 | 154.104 |
| 10-9a-205 | 154.104 |
| 10-9a-208 | 152.19 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 10-9a-301 | 11.01; 152.01 |
| 10-9a-302 | 11.01 |
| 10-9a-305 | 11.01 |
| 10-9a-407 et seq., | 152.15 |
| 10-9a-505.5 | 11.01 |
| 10-9a-507.5 | 110.04 |
| 10-9a-509 | 11.01 |
| 10-9a-510 | 154.048 |
| 10-9a-523 | 154.138 |
| 10-9a-609.5 | 152.19 |
| 10-9a-610 | 152.21 |
| 10-9a-701 | 154.048 |
| 10-9a-702 | 154.030 |
| 10-9a-801 through 10-9a-803 | 152.24 |
| Title 10 Chapter 20 | 154.110 |
| 10-20-506 | 154.110 |
| 10-91-101 et seq. | 11.01 |
| Title 11, Chapter 26 | 11.01 |
| 11-36a | 11.01 |
| 11-36a et seq. | 33.15 |
| 11-36a-101 et seq. | 33.17 |
| 11-36a-102 et seq. | 33.17 |
| 11-39-103 | 32.089 |
| 11-326 | 152.20 |
| 13-43-201 et seq. | 32.051 |
| 13-43-204 | 154.048 |
| 13-43-204(3)(b) | 154.048 |
| 14-1-18 through 20 | 32.089 |
| Title 15A | 11.01 |
| 15A-1-302 | 11.01 |
| Title 15A Chapter 5 | 154.210 |
| 17-23-17 | 154.133 |
| 20A-1-510 | 31.04 |
| 41-22-10.3 | 70.05 |
| 51-7-11 | 32.107 |
| 52-1-8 | 31.01 |
| Title 52, Chapter 4 | 30.17; 154.036 |
| 52-4-101 | 154.062 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 52-4-101 et seq. | 154.048 |
| 52-4-103(2) | 11.01 |
| 52-4-103(6) | 11.01 |
| 52-4-103(9) | 11.01 |
| 52-4-104 | 32.002 |
| 52-4-202(5) | 11.01 |
| 52-4-203 | 11.01 |
| 52-4-204 | 11.01; 30.19 |
| 52-4-204 through 52-4-206 | 30.19 |
| 52-4-205 | 11.01; 30.19 |
| 52-4-206 | 30.19 |
| 52-4-207 | 11.01 |
| 52-4-207(4) | 11.01 |
| Title 53A, Chapter 1a, Part 5 | 11.01 |
| 54-8b-2.2 | 52.05 |
| 54-21-101 et seq. | 52.02; 52.07 |
| Title 57, Chapter 8 | 11.01 |
| Title 57, Chapter 21 | 154.263 |
| Title 58, Chapter 17b | 11.01 |
| Title 58, Chapter 22 | 154.133 |
| 59-14-102 | 11.01 |
| 63-5b-401 | 32.106 |
| Title 63G, Chapter 2, Part 1 | 32.003; 32.087; 32.091; 32.092; 34.03; 152.24 |
| 63G-2-101 et seq. | 11.01 |
| 63G-2-604 | 11.01 |
| 63G-6a-2404 | 32.091 |
| 63G-7-101 et seq. | 152.99 |
| 63G-30-102 | 154.134 |
| 65A-8-203(3)(a) | 151.34 |
| Title 67, Chapter 16 | 32.002 |
| 67-16-5 through 67-16-6 | 32.091 |
| 68-3-12 | 152.25 |
| Title 72 | 154.110 |
| 72-5-104 | 152.01; 152.18 |
| Title 72, Chapter 10 | 154.110 |
| 72-10-102(12) | 154.110 |
| Title 72, Chapter 10, Part 4 | 154.110 |
| 72-10-403 | 154.110; 154.111 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 72-10-405 | 154.034 |
| Title 73 | 50.30; 50.34 |
| 76-1-601(11) | 11.01 |
| 76-10-101 | 11.01 |
| 76-10-104.1 | 11.01 |
| 76-10-801 | 11.01 |
| 76-10-803 | 11.01 |
| 78B-6-5 | 154.047 |
| 78B-6-1101 | 11.01 |

## REFERENCES TO PRIOR CODE

| *Prior Code* | *2026 Code* |
|---|---|
| 1.1.10 | 10.01 |
| 1.1.20 | 10.02 |
| 1.1.30 | 10.03 |
| 1.1.40 | 10.04 |
| 1.1.50 | 10.05 |
| 1.1.60 | 10.06 |
| 1.1.80 | 10.07 |
| 1.1.70 | 10.08 |
| 1.1.90 | 10.09; 10.99 |
| 1.1.100 | 10.99 |
| 1.1.110 | 30.01 |
| 1.1.130 | 31.05—31.07 |
| 1.1.140 | 31.08 |
| 1.1.150 | 31.09 |
| 1.1.160 | 32.001 |
| 1.1.170 | 31.10 |
| 1.1.180 | 31.11 |
| 1.1.190 | 30.26 |
| 1.1.200 | 32.002 |
| 1.1.210 | 32.003; 32.005 |
| 1.1.220 | 32.004 |
| 1.1.240 | 32.006 |
| 1.1.250 | 32.007 |
| 1.1.260 | 31.01 |
| 1.1.270 | 31.02 |
| 1.1.280 | 31.03 |
| 1.1.290 | 31.04 |
| 1.1.300 | 10.10 |
| 1.1.310 | 10.11 |
| 1.1.320 | 10.12 |
| 1.3.10 | 30.15 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 1.3.20 | 30.16 |
| 1.3.30 | 30.17 |
| 1.3.40 | 30.18 |
| 1.3.45 | 30.19 |
| 1.3.50 | 30.20 |
| 1.3.60 | 30.21 |
| 1.3.70 | 30.22 |
| 1.3.80 | 30.23 |
| 1.3.90 | 30.24 |
| 1.3.100 | 30.25 |
| 1.5.10 | 32.046 |
| 1.5.20 | 32.045 |
| 1.5.30 | 32.047 |
| 1.5.40 | 32.048 |
| 1.5.50 | 32.049 |
| 1.5.60 | 32.050 |
| 1.5.70 | 32.051 |
| 1.7.10 | 30.40 |
| 1.7.20 | 30.41 |
| 1.7.30 | 30.42 |
| 1.7.40 | 30.43 |
| 1.7.50 | 30.44 |
| 1.7.60 | 30.45 |
| 1.10.10 | 32.065 |
| 1.10.20 | 32.066 |
| 1.10.30 | 32.067 |
| 1.10.40 | 32.068 |
| 1.10.50 | 32.069 |
| 1.10.60 | 32.070 |
| 1.10.70 | 32.071 |
| 1.10.80 | 32.072 |
| 1.10.90 | 32.073 |
| 1.10.100 | 32.074 |
| 1.13.30 | 33.01 |
| 1.13.50 | 33.01 |
| 1.13.40 | 33.01 |
| 1.13.20 | 33.01 |
| 1.13.10 | 33.01 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 3.3.10 | 113.01 |
| 3.3.20 | 113.02 |
| 3.3.30 | 113.03 |
| 3.3.40 | 113.04 |
| 3.3.50 | 113.05 |
| 3.3.60 | 113.06 |
| 3.3.70 | 113.07 |
| 3.3.80 | 113.08 |
| 3.3.90 | 113.09 |
| 3.3.100 | 113.10 |
| 3.3.110 | 113.11 |
| 3.3.120 | 113.12 |
| 3.3.130 | 113.13 |
| 3.3.140 | 113.14 |
| 3.3.150 | 113.15 |
| 3.3.160 | 113.16 |
| 3.3.170 | 113.17 |
| 3.3.180 | 113.99 |
| 5.1.10 | 90.01; 90.02 |
| 5.1.20 | 90.03 |
| 5.1.30 | 90.20 |
| 5.1.40 | 90.21 |
| 5.1.50 | 90.22 |
| 5.1.60 | 90.23; 91.01 |
| 5.1.70 | 90.24 |
| 5.1.80 | 90.25 |
| 5.1.90 | 90.26 |
| 5.1.100 | 90.27 |
| 5.1.110 | 90.28 |
| 5.1.120 | 90.29 |
| 5.1.130 | 90.04 |
| 5.1.140 | 90.05 |
| 5.1.150 | 90.06 |
| 5.1.160 | 90.07; 90.99 |
| 5.3.10 | 91.16 |
| 5.4.05 | 91.36 |
| 6.3.10 | 152.01—152.03 |
| 6.3.05 | 152.04 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 6.3.30 | 152.05 |
| 6.3.40 | 152.06 |
| 6.3.50 | 152.07 |
| 6.3.60 | 152.08 |
| 6.3.65 | 152.09 |
| 6.3.70 | 152.10 |
| 6.3.80 | 152.11 |
| 6.3.85 | 152.12 |
| 6.3.90 | 152.13 |
| 6.3.95 | 152.14 |
| 6.3.100 | 152.15 |
| 6.3.105 | 152.16 |
| 6.3.110 | 152.17 |
| 6.3.120 | 152.18 |
| 6.3.125 | 152.19 |
| 6.3.130 | 70.05; 70.99 |
| 6.3.140 | 70.01—70.04; 70.99 |
| 6.3.150 | 152.20 |
| 6.3.160 | 152.21 |
| 6.3.165 | 152.22 |
| 6.3.170 | 152.23; 152.99 |
| 6.3.180 | 152.24 |
| 6.3.190 | 152.25 |
| 6.3.200 | 152.26 |
| 6.5.10 | 52.01 |
| 6.5.20 | 52.02 |
| 6.5.30 | 52.03 |
| 6.5.40 | 52.04 |
| 6.5.50 | 52.05 |
| 6.5.60 | 52.06 |
| 6.5.70 | 52.07 |
| 6.5.80 | 52.08 |
| 6.5.90 | 52.09 |
| 6.5.100 | 52.10 |
| 6.5.110 | 52.11 |
| 6.5.120 | 52.12 |
| 6.7.10 | 92.01 |
| 6.7.20 | 92.02 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 6.7.30 | 92.03 |
| 6.7.40 | 92.04 |
| 6.7.50 | 92.05 |
| 6.7.60 | 92.06 |
| 6.7.70 | 92.07 |
| 6.7.80 | 92.08 |
| 6.7.90 | 92.09 |
| 6.7.100 | 92.10 |
| 6.7.110 | 92.11 |
| 6.7.120 | 92.12 |
| 6.7.130 | 92.13 |
| 6.7.140 | 92.14 |
| 6.7.150 | 92.15 |
| 6.7.160 | 92.16 |
| 6.7.170 | 92.17 |
| 6.7.180 | 92.18 |
| 6.7.190 | 92.19 |
| 6.7.200 | 92.20 |
| 6.7.210 | 92.21 |
| 6.7.220 | 92.22 |
| 6.7.230 | 92.23 |
| 6.7.240 | 92.24; 92.99 |
| Title 9 | 151.01 |
| 9.1.10 | 151.20; 151.99 |
| 9.1.20 | 151.21 |
| 9.1.30 | 151.22 |
| 9.1.35 | 151.24 |
| 9.1.40 | 151.23 |
| 9.1.50 | 151.25 |
| 9.1.60 | 151.26 |
| 9.1.70 | 151.27 |
| 9.1.80 | 151.28 |
| 9.1.90 | 151.29 |
| 9.1.95 | 151.30 |
| 9.1.100 | 151.31 |
| 9.1.110 | 151.32 |
| 9.1.140 | 151.33 |
| 9.1.150 | 151.34 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 9.1.160 | 151.35; 151.99 |
| 9.3.10 | 153.01 |
| 9.3.20 | 153.02 |
| 9.3.30 | 153.03 |
| 9.3.40 | 153.04 |
| 9.3.50 | 153.05 |
| 9.3.60 | 153.06 |
| 9.3.70 | 153.07 |
| 9.3.80 | 153.08 |
| 9.3.90 | 153.09 |
| 9.3.100 | 153.10 |
| 9.3.110 | 153.11 |
| 9.3.120 | 153.12 |
| 9.3.130 | 153.13 |
| 9.3.140 | 153.14 |
| 9.3.130 | 153.99 |
| Title 9, Chapter 3, Exhibit A | Ch. 153, App. A |
| 9.5.10 | 150.01 |
| 9.5.20 | 150.02 |
| 9.5.30 | 150.03 |
| 9.5.40 | 150.04 |
| 9.5.50 | 150.05 |
| 9.5.60 | 150.06 |
| 9.5.70 | 150.07 |
| 9.7.10 | 150.20; 150.21 |
| 9.7.20 | 150.22 |
| 9.7.30 | 150.23 |
| 9.7.40 | 150.24 |
| 9.9.10 | 33.15 |
| 9.9.20 | 33.16 |
| 9.9.30 | 33.17 |
| 9.9.40 | 33.18 |
| 9.9.50 | 33.19 |
| 9.9.60 | 33.20 |
| 9.9.70 | 33.21 |
| 9.9.80 | 33.22 |
| Chapter 10.1 | 154.016 |
| 10.1.10 | 154.001 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 10.1.20 | 154.002 |
| 10.1.25 | 154.999 |
| 10.1.30 | 154.003 |
| 10.1.35 | 154.004 |
| 10.1.40 | 154.005 |
| 10.1.50 | 154.006 |
| 10.1.60 | 154.007 |
| 10.1.70 | 154.008 |
| 10.1.80 | 154.009 |
| 10.1.90 | 154.010 |
| 10.1.100 | 154.011 |
| 10.1.110 | 154.012 |
| 10.1.120 | 154.013 |
| 10.1.130 | 154.014 |
| 10.1.140 | 154.015 |
| 10.5.10 | 154.031 |
| 10.5.20 | 154.032 |
| 10.5.30 | 154.033 |
| 10.5.35 | 154.034 |
| 10.5.40 | 154.035 |
| 10.5.50 | 154.036 |
| 10.5.60 | 154.037 |
| 10.5.70 | 154.038 |
| 10.5.80 | 154.039 |
| 10.5.90 | 154.040 |
| 10.5.100 | 154.041 |
| 10.5.110 | 154.042 |
| 10.5.120 | 154.043 |
| 10.5.130 | 154.044 |
| 10.5.140 | 154.045 |
| 10.5.150 | 154.046 |
| 10.5.160 | 154.047 |
| 10.5.170 | 154.048 |
| 10.5.180 | 154.030 |
| 10.7.05 | 154.060 |
| 10.7.10 | 154.061 |
| 10.7.20 | 154.062 |
| 10.7.30 | 154.063 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 10.7.40 | 154.064 |
| 10.7.50 | 154.065 |
| 10.7.60 | 154.066 |
| 10.7.70 | 154.067 |
| 10.7.80 | 154.068 |
| 10.7.90 | 154.069 |
| 10.7.100 | 154.070 |
| 10.7.110 | 154.071 |
| 10.7.120 | 154.072 |
| 10.7.130 | 154.073 |
| 10.7.140 | 154.074 |
| 10.7.150 | 154.075 |
| 10.7.160 | 154.076 |
| 10.7.170 | 154.077 |
| 10.7.180 | 154.078 |
| 10.7.190 | 154.079 |
| 10.7.200 | 154.080 |
| 10.7.210 | 154.081 |
| 10.7.220 | 154.082 |
| 10.7.240 | 154.083 |
| 10.7.250 | 154.084 |
| 10.7.260 | 154.086 |
| 10.7.270 | 154.087 |
| 10.7.290 | 154.088 |
| 10.11.10 | 154.100 |
| 10.11.30 | 154.101 |
| 10.11.40 | 154.102 |
| 10.11.50 | 154.103 |
| 10.11.60 | 154.104 |
| 10.11.200 | 154.106 |
| 10.11.210 | 154.107 |
| 10.11.225 | 154.108 |
| 10.11.250 | 154.109 |
| 10.11.260 | 154.110; 154.999 |
| 10.11.275 | 154.111 |
| 10.15.05 | 154.126 |
| 10.17.10 | 154.180 |
| 10.17.20 | 154.181 |

| *U.C.A. Cite* | *Code Section* |
|---|---|
| 10.17.30 | 154.182 |
| 10.17.40 | 154.183 |
| 10.17.50 | 154.184 |
| 10.17.60 | 154.185 |
| 10.17.70 | 154.186 |
| 10.17.80 | 154.187 |
| 10.17.90 | 154.188 |
| 10.17.100 | 154.200—154.209; 154.999 |
| 10.19.10 | 154.225 |
| 10.19.20 | 154.227 |
| 10.19.30 | 154.228 |
| 10.19.40 | 154.229 |
| 10.19.900 | 154.226 |
| 10.21.15 | 154.242 |
| 10.23.10 | 154.261 |
| 10.23.20 | 154.262 |
| 10.23.30 | 154.263 |
| 10.23.40 | 154.264 |
| 10.23.50 | 154.265 |
| 10.23.60 | 154.260 |
| Title 12 | 11.01 |

## REFERENCES TO RESOLUTIONS

| *Ord. No.* | *Date Passed* | *Code Section* |
|---|---|---|
| 2024-03 | 1-9-2024 | 91.02 |
| 2024-04 | 1-9-2024 | 33.35 |
| 2024-08 | 5-9-2024 | 33.35 |
| 2024-11 | 5-9-2024 | 50.01 |
| 2024-06 | 5-21-2024 | 32.105—32.107 |
| R2024-17 | 8-14-2024 | 32.020—32.030 |
| 2025-01 | 3-19-2025 | 32.008 |
| 2025-18 | 10-15-2025 | 31.12 |
| 2026-01 | 1-21-2026 | 50.02 |

## REFERENCES TO ORDINANCES

| *Ord. No.* | *Date Passed* | *Code Section* |
|---|---|---|
| 01102023 | 1-10-2023 | 10.01 |
| 03142023-1 | 3-14-2023 | 151.22; 151.24; 151.25; 151.30 |
| 03142023-2 | 3-14-2023 | 154.014; 154.084; 154.107 |
| 03142023-3 | 3-14-2023 | 11.01 |
| 06132023-01 | 6-13-2023 | 154.033 |
| 06132023-2 | 6-13-2023 | 11.01 |
| 10242023 | 10-24-2023 | 154.200; 154.208 |
| 12122023-2 | 12-12-2023 | 154.107 |
| 2024-01 | 4-11-2024 | 154.107; 154.200; 154.210; 154.999 |
| 2024-02 | 5-9-2024 | 154.208 |
| 2024-03 | 5-9-2024 | 154.108 |
| 2024-04 | 5-9-2024 | 111.01—111.07 |
| 2024-05 | 5-9-2024 | 154.200 |
| 2024-06 | 5-9-2024 | 30.01 |
| 2024-07 | 6-26-2024 | 31.05; 31.06 |
| 2024-08 | 6-26-2024 | 31.05 |
| 2024-09 | 8-14-2024 | 154.112 |
| 2024-11 | 10-16-2024 | 32.085—32.092 |
| 2024-10 | 11-20-2024 | 91.35; 91.37—91.39 |
| 2024-12 | 12-18-2024 | 154.125; 154.127—154.139 |
| 2024-13 | 12-18-2024 | 91.15; 91.17—91.24; 91.99 |
| 2024-14 | 12-18-2024 | 154.085; 154.999 |
| 2025-01 | 1-19-2025 | 154.107 |
| 2025-02 | 1-19-2025 | 154.105 |
| 2025-03 | 3-19-2025 | 154.106 |
| 2025-03 | 5-21-2025 | 154.240; 154.241; 154.243—154.247; 154.999 |
| 2025-04 | 5-21-2025 | 151.02—151.05 |
| 2025-05 | 5-21-2025 | 51.01 |
| 2025-06 | 5-21-2025 | 50.15 |
| 2025-09 | 6-5-2025 | 110.01—110.11; 110.99 |

| *Ord. No.* | *Date Passed* | *Code Section* |
|---|---|---|
| 2025-10 | 6-5-2025 | 112.01—112.10 |
| 2025-12 | 6-18-2025 | 154.150—154.167 |
| 2025-13 | 7-16-2025 | 90.02; 90.29; 90.99 |
| 2025-14 | 7-16-2025 | 34.01—34.05; 34.99 |
| 2025-15 | 9-17-2025 | 50.30—50.48; 50.99 |
| 2025-18 | 11-19-2025 | 92.01—92.24; 92.99 |
| 2026-01 | 3-25-2026 | 154.110; 154.168; 154.999 |
| 2026-02 | 3-25-2026 | 154.111 |

**INDEX**

**INDEX**

ABANDONED OR INOPERABLE VEHICLES, 90.20

ADMINISTRATIVE LAW JUDGE (HEARING OFFICER), 31.09

ADMINISTRATIVE POLICIES
- Conflict of interest, 32.002
- Employee Policy Manual adopted, 32.008
- Fraud and abuse reporting, 32.004
- Nepotism, 32.001
- Personal use of entity assets by employees, 32.006
- Records access and management, 32.003
- Security of file cabinets, computers, 32.007
- Travel by employees; reimbursement, 32.005

ADULT ENTERTAINMENT, see SEXUALLY ORIENTED BUSINESSES

AGRICULTURE, 90.21

AIR, 90.26

ANNEXATION POLICY
- Annexation criteria, 32.022
- Character of the community, 32.023
- Estimate of tax consequences, 32.027
- Expansion area map, 32.021
- Extension of municipal services, 32.025
- Interests of affected entities, 32.028
- Justification for excluding lands from potential expansion area, 32.030
- Municipal services, 32.024
- Other considerations, 32.029
- Purpose, 32.020
- Service financing, 32.026

ATTORNEY, 31.08

BRIDGES, DITCHES, WATER AND WATERWAYS, 152.11

BUILDING REGULATIONS
- Adoption of International Fire Code, 151.03
- Adoption of State Construction Codes, 151.02
- Building Permits and Other Regulations
  - Application for permit, 151.21
  - Approval of building permit procedure, 151.25
  - Approval of site plan procedure, 151.23
  - Automatic fire sprinkler systems, 151.34
  - Construction mitigation, 151.33
  - Entry powers, 151.32
  - Permit fees, 151.29
  - Permit required, 151.20
  - Site plan and document requirements, 151.22
  - Site plan and document requirements for accessory buildings and accessory structures, 151.24
  - Stop work order, 151.31
  - Temporary dwelling and storage structures, 151.28
  - Time limits for use and building permit approval, 151.26
  - Variations of building plan prohibited without approval, 151.27
  - Violations, 151.35
  - Zoning compliance certificate, 151.30
- Definitions, 151.01
- Designation of officials, 151.04
- Liability insurance, 151.05
- Penalty, 151.99

BUSINESS LICENSING
- Application, fees and compliance, 110.04
- Definitions, 110.02
- Denial, suspension, revocation, 110.11
- Exemptions, 110.05
- Inspections and code compliance, 110.09
- Issuance and display, 110.07
- License required, 110.03
- License term, certificate and non-transferability, 110.06
- Penalty, 110.99

BUSINESS LICENSING (Cont'd)
Purpose, 110.01
Recordkeeping, 110.10
Separate licenses, 110.08

CEMETERY
Board authority and responsibilities, 92.04
Budget, 92.11
Burial, 92.18
Buying plots, 92.14
Cemetery Board, 92.03
Cemetery operations, 92.22
Cremation plots, 92.19
Damaging property, 92.24
Definitions, 92.02
Exhumation, 92.23
Headstones and memorials, 92.21
Information, generally, 92.13
Maintenance, 92.09
Meeting space and equipment, 92.10
Name and purpose, 92.01
Officers and meetings, 92.05
Penalty, 92.99
Permits and fees, 92.16
Recordkeeping and reporting, 92.12
Scheduling burials, 92.17
Secretary, 92.07
Sexton, 92.06
Staff and volunteers, 92.08
Transfers, lost or damaged certificates; abandonment, 92.15
Vault requirements, 92.20

CHIEF ADMINISTRATIVE OFFICER, 31.12

CHIEF OF POLICE, 31.10

CLERK AND DEPUTY; TOWN RECORDER, 31.06

CODE ENFORCEMENT
Acting on alleged violations, 34.04
Applicability, 34.01
Enforcement responsibilities, 34.02
Formal proceedings, 34.05
Initiating enforcement action, 34.03

CODE OF ORDINANCES; RULES OF CONSTRUCTION
Acceptance, 10.02
Administrative enforcement authority, 10.08
Adoption of code, 10.01
Alterations, 10.04
Amendments, 10.03
Construction of code, 10.06
Definitions, 10.05
Effect of code; continuation of existing rights, 10.10
Effect of repeal, 10.11
Enforcement authority, 10.09
Penalty, 10.99
Saving clause, 10.07
Severability and effective date, 10.12

CONDITIONAL ZONING USES
Additions and amendments, 154.188
Application for a conditional use, 154.184
Conditions for approval, 154.185
Definitions, 154.181
Land use authority, 154.182
Purpose, 154.180
Revocation or modification of a conditional use approval, 154.187
Standards of review, 154.186
Zones to govern allowed conditional uses, 154.183

COUNCIL, see MAYOR AND TOWN COUNCIL; MEETINGS

CULINARY WATER DISTRIBUTION SYSTEM
Application for service, 50.45
Billing, nonpayment, disconnection and reconnection, 50.46
Conflicts, 50.47

CULINARY WATER DISTRIBUTION SYSTEM (Cont'd)
Definitions, 50.34
Director of Water Department, 50.33
Enforcement, 50.48
Fundamental policies, 50.35
Irrigation company, 50.31
Master development agreements, 50.41
Outdoor irrigation and animal unit regulations, 50.38
Ownership and purpose, 50.30
Private systems and wells, 50.42
Sprinklers and irrigation systems, 50.44
System goals, 50.32
Timing of water right transfer, 50.39
Water and water line regulations and restrictions, 50.43
Water main line extensions, 50.40
Water share requirements, 50.37
Well capping and cross-connection requirements, 50.36

DEFINITIONS, 11.01

DISTRICTS/ZONES
Agricultural Residential Zones, 154.105
Airpark Mixed-Use Zone (AMUZ), 154.110
Boundaries of zones, 154.102
Commercial Overlay Zone, 154.108
Heavy Industrial Zone, 154.109
Light Industrial East Zone, 154.107
Light Industrial West Zone, 154.106
Official zoning map, 154.101
Public use airport/airpark, 154.111
Regulations within zones, 154.103
Rezoning, 154.104
Technology Overlay Zone, 154.112
Zones established, 154.100

DWELLING NUISANCES, 90.28

EMERGENCY MANAGEMENT, 91.02

EMPLOYEE POLICIES, see ADMINISTRATIVE POLICIES

ENVIRONMENTAL REGULATIONS; AIR, WEEDS, WATER, 90.26

FARMING; RIGHT TO FARM
- Conflict minimization, 150.24
- Definitions, 150.21
- Minimum mitigation, 150.23
- Purpose, 150.20
- Right to farm analysis, 150.22

FINANCE AND REVENUE; FEES
- Funds
  - Capital Improvement Fund, 33.01
- Impact Fees
  - Accounting expenditures and refund of impact fees, 33.22
  - Definitions, 33.17
  - Impact fees imposed, 33.16
  - Legal challenges and arbitration, 33.21
  - Offsets against the impact, 33.20
  - Purpose, 33.15
  - Service area, 33.18
  - Time of collection, 33.19
- Town Fee Schedule, 33.35

FIRE CHIEF, 31.11

FIREARMS, FIREWORKS, EXPLOSIVES AND FIRES, 90.23

GARBAGE, 90.24

HEARING OFFICER (ADMINISTRATIVE LAW JUDGE), 31.09

HIGHWAYS, see ROADS, HIGHWAYS AND RIGHTS-OF-WAY

HOME BASED BUSINESSES
- Appeals, 112.10
- Application and approval process, 112.05
- Classification of businesses, 112.03
- Definitions, 112.02

HOME BASED BUSINESSES (Cont'd)
Licensing renewal and revocation, 112.09
Prohibited home based businesses, 112.07
Purpose, 112.01
Special categories, 112.08
Standards for all home based businesses, 112.06
Summary table, 112.04

IMPACT FEES
Accounting expenditures and refund of impact fees, 33.22
Definitions, 33.17
Impact fees imposed, 33.16
Legal challenges and arbitration, 33.21
Offsets against the impact, 33.20
Purpose, 33.15
Service area, 33.18
Time of collection, 33.19

INOPERABLE VEHICLES, 90.20

INVESTMENT POLICY
Eligible investments, 32.107
Objectives; scope, 32.105
Requirements; general provisions, 32.106

IRRIGATION AND SPRINKLER SYSTEMS, 50.44

JUNK, 90.25

LAND DISTURBANCE
Appeals, 91.39
Definitions, 91.36
Land disturbance permits; application; duration; requirements, 91.38
Permit required, 91.37
Title, purpose, 91.35

LAND USAGE
Growth Management
Administration, 150.03
Annual building permit percentage established, 150.04

LAND USAGE (Cont'd)
Growth Management (Cont'd)
Applicability of the development control system, 150.02
Building permit application, 150.05
Building permit evaluations, 150.06
Development allotment awards, 150.07
Findings, 150.01
Right to Farm
Conflict minimization, 150.24
Definitions, 150.21
Minimum mitigation, 150.23
Purpose, 150.20
Right to farm analysis, 150.22

LAND USE AUTHORITIES AND OTHER OFFICERS
Acquiring property, 154.047
Airport Zoning Commission, 154.034
Appeal authorities and procedures, 154.048
Building Department, 154.035
Computation of time, 154.040
Continuing validity of land use application approvals, 154.044
Definitions, 154.030
Determination of completeness of land use applications, 154.043
Fractional numbers, 154.041
Land use approvals required to comply with land use, 154.046
Land use authorities provided, 154.031
Land use authority compliance with land use ordinances, code, 154.045
Procedural irregularities, 154.042
Provision of administrative guidelines, 154.039
Public meetings; public hearings, 154.038
Support from town officers and staff, 154.037
Town Council, 154.032
Town Development Review Committee, 154.036
Town Planning Commission, 154.033

LANDSCAPE REQUIREMENTS
Definitions, 154.226
Landscape requirements, nonresidential, 154.229
Landscape requirements, residential, 154.228

LANDSCAPE REQUIREMENTS (Cont'd)
Landscaping plan, 154.227
Purpose, 154.225

LIGHTING STANDARDS, see OUTDOOR LIGHTING STANDARDS

MASTER SEWER PLAN; ADOPTION OF, 51.01

MASTER WATER PLAN; ADOPTION OF, 50.15

MAYOR AND TOWN COUNCIL; MEETINGS
Mayor and Town Council, 30.01
Meetings
Accessibility and ADA compliance, 30.25
Closed meetings, 30.19
Code of conduct for citizens and visitors, 30.26
Definitions, 30.16
Electronic meetings, 30.20
Emergency meetings, 30.17
Open meetings, 30.18
Order of business, 30.23
Public comment procedure, 30.24
Quorum, 30.21
Regular meetings, 30.15
Voting, 30.22
Ordinances, Codes and Resolutions
Code format, 30.43
Definitions, 30.41
Emergency ordinances, 30.45
Ordinance format, 30.42
Requirements as to form, 30.40
Resolution format, 30.44

NOISE; EXCESSIVE SOUND LEVELS, NOISE, 90.29

NUISANCES
Appeals; hearings; abatement, 90.06
Declaration of nuisances, 90.03
Definition, 90.02

NUISANCES (Cont'd)
Enforcement, 90.05
Failure to comply, 90.07
Jurisdiction, 90.04
Nuisances Specified
Abandoned or inoperable vehicles, 90.20
Agriculture, 90.21
Dwellings, 90.28
Endangerment, 90.22
Environmental regulations; air, weeds, water, 90.26
Excessive sound levels, noise, 90.29
Firearms, fireworks, explosives and fires, 90.23
Garbage, 90.24
Junk, 90.25
Signs, 90.27
Penalty, 90.99
Purpose, 90.01

OCCUPATIONAL LICENSES, see BUSINESS LICENSING

ORDINANCES, CODES AND RESOLUTIONS
Code format, 30.43
Definitions, 30.41
Emergency ordinances, 30.45
Ordinance format, 30.42
Requirements as to form, 30.40
Resolution format, 30.44

OUTDOOR LIGHTING STANDARDS
Applicability, 153.05
Approved materials; methods of construction or installation/operation, 153.12
Conflict of regulations, 153.04
Conformance with applicable codes, 153.03
Definitions, 153.02
Examples of Acceptable/Unacceptable Lighting Fixtures, Ch. 153, App. A
Exemptions and nonconforming lights, 153.10
Outdoor lighting standards by type, 153.07
Outdoor lighting standards generally, 153.06
Penalty, 153.99

OUTDOOR LIGHTING STANDARDS (Cont'd)
Plan submittal and evidence of compliance, 153.11
Prohibited lighting, 153.08
Purpose, 153.01
Special uses, 153.09
Tables, information sheets adopted by reference, 153.14
Violations; notice; abatement, 153.13

PARKING
Definitions, 154.260
Nonresidential parking requirements, 154.262
Number of spaces required, 154.265
Off-street loading requirements, 154.264
Off-street parking requirements, 154.263
Residential parking requirements, 154.261

PERSONNEL POLICIES, see ADMINISTRATIVE POLICIES

POLES, POSTS AND FENCES, 152.10

POLICIES AND PROCEDURES
Administrative Policies
Conflict of interest, 32.002
Employee Policy Manual adopted, 32.008
Fraud and abuse reporting, 32.004
Nepotism, 32.001
Personal use of entity assets by employees, 32.006
Records access and management, 32.003
Security of file cabinets, computers, 32.007
Travel by employees; reimbursement, 32.005
Annexation Policy
Annexation criteria, 32.022
Character of the community, 32.023
Estimate of tax consequences, 32.027
Expansion area map, 32.021
Extension of municipal services, 32.025
Interests of affected entities, 32.028
Justification for excluding lands from potential expansion area, 32.030
Municipal services, 32.024

POLICIES AND PROCEDURES (Cont'd)
Annexation Policy (Cont'd)
Other considerations, 32.029
Purpose, 32.020
Service financing, 32.026
Investment Policy
Eligible investments, 32.107
Objectives; scope, 32.105
Requirements; general provisions, 32.106
Purchasing Policy
Additional guidelines, 32.091
Competitive purchasing processes, 32.088
Construction projects, 32.089
Definitions, 32.086
Non-competitive purchasing processes, 32.090
Procurement guidelines, 32.087
Protests and appeals, 32.092
Purpose, 32.085
Surplus Property Policy
Cost acknowledgment, 32.072
Decision on application, 32.069
Definitions, 32.065
Disposal of significant land, 32.071
Disposal of surplus personal property, 32.066
Disposal of town-owned land, 32.067
Land disposal application, 32.068
Payment, 32.070
Recordkeeping and annual report, 32.074
Trade in authority, 32.073
Takings Policy
Definitions, 32.046
Guidelines advisory, 32.047
Policy considerations, 32.045
Property Rights Ombudsman, 32.051
Results of review, 32.050
Review of decision, 32.048
Review of guidelines, 32.049

PUBLIC HEALTH AND SAFETY
Definitions, 91.01
Emergency management, 91.02
Land Disturbance
Appeals, 91.39
Definitions, 91.36
Land disturbance permits; application; duration; requirements, 91.38
Permit required, 91.37
Title, purpose, 91.35
Penalty, 91.99
Soil
Action levels, 91.19
Applicability, 91.17
Definitions, 91.16
Dust control, 91.24
Hard surface capping, 91.22
Soil cap disturbance and disposal, 91.23
Soil report and remediation plan, 91.20
Soil testing requirements, 91.18
Title, purpose, liability, 91.15
Topsoil capping, 91.21

PURCHASING POLICY
Additional guidelines, 32.091
Competitive purchasing processes, 32.088
Construction projects, 32.089
Definitions, 32.086
Non-competitive purchasing processes, 32.090
Procurement guidelines, 32.087
Protests and appeals, 32.092
Purpose, 32.085

RESOLUTIONS, ORDINANCES AND CODES
Code format, 30.43
Definitions, 30.41
Emergency ordinances, 30.45
Ordinance format, 30.42
Requirements as to form, 30.40
Resolution format, 30.44

RIGHTS-OF-WAY, see ROADS, HIGHWAYS AND RIGHTS-OF-WAY

ROADS, HIGHWAYS AND RIGHTS-OF-WAY
Adoption of standards specifications, 152.04
As-built drawings and close-out, 152.22
Bridges, ditches, water and waterways, 152.11
Conflict with other land use regulations, 152.26
Definitions, 152.01
Department of Roads, 152.03
Enforcement, 152.23
Insurance, indemnification and bonds, 152.12
Judicial review, 152.24
Limitations on use of vehicles, 152.13
Locating of lines, 152.06
Obstructions and encroachments, 152.08
Official maps, 152.15
Penalty, 152.99
Plats and description, 152.05
Poles, posts and fences, 152.10
Property acquisition and management, 152.18
Purpose, 152.02
Road classifications, 152.20
Severability, 152.25
Standards, 152.21
Street cuts and degradation fees, 152.14
Temporary right-of-way occupancy, 152.16
Traffic control plans, 152.09
Utilities, 152.07
Vacation of public street or right-of-way, 152.19
Winter snow removal, 152.17

SEWER
Sewer Infrastructure Planning
Adoption of Master Sewer Plan, 51.01

SEXUALLY ORIENTED BUSINESSES
Additional regulations concerning licensee employees, 113.15
Additional regulations for escort agencies, 113.14
Classification of businesses, 113.03

SEXUALLY ORIENTED BUSINESSES (Cont'd)
Definitions, 113.02
Expiration of license, 113.08
Fees, 113.06
Hours of operation, 113.17
Inspection, 113.07
Issuance of license, 113.05
License required, 113.04
Location of sexually oriented businesses, 113.12
Penalty, 113.99
Prohibition against minors in sexually oriented businesses, 113.16
Purpose and findings, 113.01
Regulations for viewing rooms exhibiting sexually explicit material, 113.13
Revoking a license, 113.10
Suspension of license, 113.09
Transfer of license prohibited, 113.11

SIGNS
Applicability, 154.241
Compliance and enforcement, 154.247
Definitions, 154.242
Lighting standards, 154.246
Prohibited signs, 154.244
Purpose, 154.240
Requirements, 154.243
Temporary and event signs, 154.245

SIGNS, 90.27

SNOW REMOVAL, 152.17

SOIL
Action levels, 91.19
Applicability, 91.17
Definitions, 91.16
Dust control, 91.24
Hard surface capping, 91.22
Soil cap disturbance and disposal, 91.23
Soil report and remediation plan, 91.20

SOIL (Cont'd)
Soil testing requirements, 91.18
Title, purpose, liability, 91.15
Topsoil capping, 91.21

SPECIAL ZONING USES
Application and approval, 154.153
Auto self-serve stations, gas stations, convenience stores, fuel stations, 154.157
Automotive uses, 154.156
Commercial greenhouses and hydroponic greenhouses, 154.160
Contractor yards and industrial outdoor storage, 154.155
Definitions, 154.151
Fireworks sales/stands, 154.162
Indoor shooting ranges, 154.166
Microbreweries and distilleries, 154.158
Multi-tenant industrial building (MTIB), 154.167
Pawn shops, 154.164
Public utility stations, 154.163
Purpose, 154.150
Regulations, 154.152
Revocation of special use permits, 154.154
Showroom and sales centers, 154.159
Special and conditional uses within the AMUZ, 154.168
Warehouse storage units (commercial), 154.165
Welding, fabrication, machine shop and small engine repair, 154.161

SUBDIVISIONS
Appeal, 154.139
Applicability and exceptions, 154.127
Application, 154.130
Application completion time line, 154.135
Authority, 154.128
Definitions, 154.126
Fees, 154.132
Final plat, 154.136
Lot line adjustments, 154.138
Minor subdivision of land, 154.137
Pre-submission meeting, 154.129
Preliminary plat, 154.133

SUBDIVISIONS (Cont'd)
Subdivision phasing, 154.131
Title; purpose, 154.125
Town review, 154.134

SURPLUS PROPERTY POLICY
Cost acknowledgment, 32.072
Decision on application, 32.069
Definitions, 32.065
Disposal of
Significant land, 32.071
Surplus personal property, 32.066
Town-owned land, 32.067
Land disposal application, 32.068
Payment, 32.070
Recordkeeping and annual report, 32.074
Trade in authority, 32.073

TAKINGS POLICY
Definitions, 32.046
Guidelines advisory, 32.047
Policy considerations, 32.045
Property Rights Ombudsman, 32.051
Results of review, 32.050
Review of decision, 32.048
Review of guidelines, 32.049

TELECOMMUNICATIONS
Abandonment, revocation and removal, 52.11
Application and approval process, 52.04
Compensation and fees, 52.05
Compliance with laws, 52.12
Construction and technical standards, 52.06
Definitions, 52.02
Franchises requirement and grant of rights, 52.03
Insurance, indemnification and security, 52.09
Oversight, records and audits, 52.10
Purpose and intent, 52.01
Transfer, assignment or change of control, 52.08
Wireless and telecommunications facilities, 52.07

TEMPORARY BUSINESS LICENSES/PERMITS
License and permit required, 111.01
License fee/permit, 111.02
Number of temporary businesses per site, 111.05
Revocation of license, 111.07
Signs, 111.06
Site plan required, 111.03
Time limit, 111.04

TOWN ATTORNEY, 31.08

TOWN COUNCIL, see MAYOR AND TOWN COUNCIL; MEETINGS

TOWN OFFICIALS
Administrative Law Judge (Hearing Officer), 31.09
Appointment; code of conduct; bond requirements; compensation, 31.05
Chief Administrative Officer, 31.12
Chief of Police, 31.10
Ethics training requirement, 31.03
Fire Chief, 31.11
Oath of office, 31.01
Official seal, 31.02
Term limits and vacancies, 31.04
Town Attorney, 31.08
Town Recorder/Clerk and Deputy, 31.06
Treasurer, 31.07

TOWN RECORDER/CLERK AND DEPUTY, 31.06

TRAFFIC CODE
Adoption of Uniform Traffic Code, 70.01
Definitions, 70.02
Maintenance of traffic control devices, 70.04
Penalty, 70.99
Traffic regulations within town limits, 70.03
Unauthorized entry and operation, 70.05

TREASURER, 31.07

UNIFORM TRAFFIC CODE; ADOPTION OF , 70.01

VACATION OF PUBLIC STREET OR RIGHT-OF-WAY, 152.19

WATER
- Adopting APWA standards, 50.01
- Adopting AWWA standards, 50.02
- Culinary Water Distribution System
  - Application for service, 50.45
  - Billing, nonpayment, disconnection and reconnection, 50.46
  - Conflicts, 50.47
  - Definitions, 50.34
  - Director of Water Department, 50.33
  - Enforcement, 50.48
  - Fundamental policies, 50.35
  - Irrigation company, 50.31
  - Master development agreements, 50.41
  - Outdoor irrigation and animal unit regulations, 50.38
  - Ownership and purpose, 50.30
  - Private systems and wells, 50.42
  - Sprinklers and irrigation systems, 50.44
  - System goals, 50.32
  - Timing of water right transfer, 50.39
  - Water and water line regulations and restrictions, 50.43
  - Water main line extensions, 50.40
  - Water share requirements, 50.37
  - Well capping and cross-connection requirements, 50.36
- Penalty, 50.99
- Water Infrastructure Planning
  - Adoption of Master Water Plan, 50.15

WEEDS, 90.26

ZONING
- Amendments, 154.012
- Burden of proof, 154.007
- Certificate of occupancy required, 154.013
- Conditional Uses
  - Additions and amendments, 154.188
  - Application for a conditional use, 154.184

ZONING (Cont'd)
Conditional Uses (Cont'd)
Conditions for approval, 154.185
Definitions, 154.181
Land use authority, 154.182
Purpose, 154.180
Revocation or modification of a conditional use approval, 154.187
Standards of review, 154.186
Zones to govern allowed conditional uses, 154.183
Conflict with private agreements, 154.006
Conflicting ordinances repealed, 154.003
Conflicting provisions, 154.010
Creation of vested rights, 154.011
Definitions, 154.016
Description of land use regulations, 154.009
Development shall not burden other areas, 154.014
Intent and purpose, 154.002
Interpretation rights of Planning Commission, 154.005
Land Use Authorities and Other Officers
Acquiring property, 154.047
Airport Zoning Commission, 154.034
Appeal authorities and procedures, 154.048
Building Department, 154.035
Computation of time, 154.040
Continuing validity of land use application approvals, 154.044
Definitions, 154.030
Determination of completeness of land use applications, 154.043
Fractional numbers, 154.041
Land use approvals required to comply with land use, 154.046
Land use authorities provided, 154.031
Land use authority compliance with land use ordinances, code, 154.045
Procedural irregularities, 154.042
Provision of administrative guidelines, 154.039
Public meetings; public hearings, 154.038
Support from town officers and staff, 154.037
Town Council, 154.032
Town Development Review Committee, 154.036
Town Planning Commission, 154.033

ZONING (Cont'd)
Landscape Requirements
Definitions, 154.226
Landscape requirements, nonresidential, 154.229
Landscape requirements, residential, 154.228
Landscaping plan, 154.227
Purpose, 154.225
Parking
Definitions, 154.260
Nonresidential parking requirements, 154.262
Number of spaces required, 154.265
Off-street loading requirements, 154.264
Off-street parking requirements, 154.263
Residential parking requirements, 154.261
Penalty, 154.999
Prohibited uses, 154.004
Qualifying Regulations and Procedures
Accessory building, accessory structure requirements generally, 154.084
Accessory dwelling units, 154.085
Amendments to code and map, 154.062
Animal rights, 154.088
Architectural styles, 154.076
Buildable area and survey requirements, 154.075
Definitions, 154.060
Fencing, 154.082
Flood protection, 154.081
Frontage on an approved public street required, 154.070
Health Department approval for water and sewer, 154.064
Land uses in an emergency, 154.073
Licensing, 154.077
Manufactured homes and recreational vehicles (RVs), 154.083
Minimum performance standards, 154.063
More restrictive zoning requirements apply, 154.068
Motor vehicle access, 154.072
Moved buildings, 154.080
Nonconforming uses and noncomplying structures, 154.086
Occupying a building, 154.066
One dwelling per lot, 154.065
Plot plan approval required, 154.069

ZONING (Cont'd)
Qualifying Regulations and Procedures (Cont'd)
Private roads, 154.071
Purpose, 154.061
Required property maintenance, 154.078
Structure to have access, 154.074
Structures, uses prohibited in zones unless expressly permitted, 154.067
Temporary dwellings; storage structures, 154.087
Uses, buildings and structures to comply with zoning requirements, 154.079
Severability, 154.015
Signs
Applicability, 154.241
Compliance and enforcement, 154.247
Definitions, 154.242
Lighting standards, 154.246
Prohibited signs, 154.244
Purpose, 154.240
Requirements, 154.243
Temporary and event signs, 154.245
Special Uses
Application and approval, 154.153
Auto self-serve stations, gas stations, convenience stores, fuel stations, 154.157
Automotive uses, 154.156
Commercial greenhouses and hydroponic greenhouses, 154.160
Contractor yards and industrial outdoor storage, 154.155
Definitions, 154.151
Fireworks sales/stands, 154.162
Indoor shooting ranges, 154.166
Microbreweries and distilleries, 154.158
Multi-tenant industrial building (MTIB), 154.167
Pawn shops, 154.164
Public utility stations, 154.163
Purpose, 154.150
Regulations, 154.152
Revocation of special use permits, 154.154
Showroom and sales centers, 154.159
Special and conditional uses within the AMUZ, 154.168
Warehouse storage units (commercial), 154.165
Welding, fabrication, machine shop and small engine repair, 154.161

ZONING (Cont'd)
Subdivisions
Appeal, 154.139
Applicability and exceptions, 154.127
Application, 154.130
Application completion time line, 154.135
Authority, 154.128
Definitions, 154.126
Fees, 154.132
Final plat, 154.136
Lot line adjustments, 154.138
Minor subdivision of land, 154.137
Pre-submission meeting, 154.129
Preliminary plat, 154.133
Subdivision phasing, 154.131
Title; purpose, 154.125
Town review, 154.134
Title, 154.001
Town Zones
Agricultural Residential Zones, 154.105
Airpark Mixed-Use Zone (AMUZ), 154.110
Boundaries of zones, 154.102
Commercial Overlay Zone, 154.108
Heavy Industrial Zone, 154.109
Light Industrial East Zone, 154.107
Light Industrial West Zone, 154.106
Official zoning map, 154.101
Public use airport/airpark, 154.111
Regulations within zones, 154.103
Rezoning, 154.104
Technology Overlay Zone, 154.112
Zones established, 154.100
Uses Requiring Additional Conditions for Uses
Adult-oriented businesses, 154.201
Battery energy storage systems, 154.210
Bounce houses, 154.202
Caretaker dwellings, non-farm uses, 154.203
Child care facility/center, 154.204
Home based businesses, 154.205

ZONING (Cont'd)
Uses Requiring Additional Conditions for Uses (Cont'd)
Industrial outdoor storage, 154.209
Self-storage; RV, boat or vehicle storage, 154.206
Solar power plant–large, 154.208
Temporary and special event use, 154.207
Usage standards; unlisted uses prohibited, 154.200
Zoning map, 154.008

**Ordinance #2026-05.** An Ordinance Revising, Amending, Restating, Codifying, And Compiling the Existing General Ordinances Of Fairfield. **Dated June 24, 2026**

---

**WHEREAS,** The Town Council, in order to better serve the public, desires to reorganize, recodify and make electronically accessible the current general and permanent ordinances of Fairfield Town to provide for the preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs; and

**WHEREAS,** Fairfield Town is authorized to revise, amend, restate, codify and compile any existing ordinances into one ordinance in book form, and to incorporate any future ordinances as adopted; and

**WHEREAS,** the Fairfield Town Council has authorized a general compilation, revision and codification of the ordinances of Fairfield, and has authorized the publication of such ordinance in book form; and

**WHEREAS,** this compilation and recodification is necessary to provide for the day-to-day operation of Fairfield, and for the immediate preservation of the public peace, health, safety and general welfare of the residents of Fairfield;

**NOW, THEREFORE, BE IT ORDAINED BY THE FAIRFIELD TOWN COUNCIL:**

**Section 1.** The general ordinances of Fairfield Town as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of Fairfield."

**Section 2.** Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles:

TITLE 1: GENERAL PROVISIONS

10. General Provisions

11. Definitions

TITLE 3: ADMINISTRATION

Working Update Code Book 26-06-01

30. Mayor and Town Council; Meetings
31. Town Officials
32. Policies and Procedures
33. Finance and Revenue; Fees
34. Code Enforcement

TITLE 5: PUBLIC WORKS

50. Water
51. Sewer
52. Telecommunications

TITLE 7: TRAFFIC CODE

70. General Provisions

TITLE 9: GENERAL REGULATIONS

90. Nuisances
91. Public Health and Safety
92. Cemetery

TITLE 11: BUSINESS REGULATIONS

110. Business Licensing
111. Temporary Business Licenses
112. Home-Based Businesses
113. Sexually Oriented Businesses

TITLE 13: GENERAL OFFENSES

Reserved

Working Update Code Book 26-06-01

TITLE 15: LAND USAGE

150. General Provisions
151. Buildings Regulations
152. Roads, Highways, and Rights-of-Way
153. Outdoor Lighting Standards
154. Zoning

PARALLEL REFERENCES
References to Utah Code Annotated
References to Prior Code
References to Resolutions
References to Ordinances

INDEX

Working Draft Code Book 26-06-01

**Section 3.** All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.

**Section 4.** Such Code shall be deemed published as of the day of its adoption and approval by the Fairfield Town Council, and the Town Recorder is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the Recorder.

**Section 5.** Such Code shall be in full force and effect as provided in Section 7, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage,

and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

**Section 6. Severability.** If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, provisions, and words of this Ordinance shall be severable.

**Section 7. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

Passed and Adopted this 24th day of June 2026.

FAIRFIELD

_____
Hollie McKinney, Mayor

| | | | |
|---|---|---|---|
| Hollie McKinney | yes_____ | no_____ | abstain ____ |
| RL Panek | yes_____ | no_____ | abstain ____ |
| Tyler Thomas | yes_____ | no_____ | abstain ____ |
| Michael Weber | yes_____ | no_____ | abstain ____ |
| Richard Cameron | yes_____ | no_____ | abstain ____ |

ATTEST:

_____
Stephanie Shelley, Recorder (OFFICIAL SEAL)

Working Update Code Book 26-06-01

FAIRFIELD

STATE OF UTAH )
) ss.
COUNTY OF UTAH )

I, Stephanie Shelley, Town Recorder of Fairfield, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the Town Council of Fairfield, Utah, on the **24th day of June 2026**

2026-05 An Ordinance Revising, Amending, Restating, Codifying, And Compiling the Existing General Ordinances Of Fairfield.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield, Utah, this **24th day of June 2026.**

_____,
Stephanie Shelley
Fairfield Recorder/Clerk

(SEAL)

Working Update Code Book 26-06-01

AFFIDAVIT OF POSTING

STATE OF UTAH )
) ss.
COUNTY OF UTAH )

I, Stephanie Shelley, Town Recorder of Fairfield, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Fairfield Town Council on the **24th day of June 2026,** and herein referred to as:

SUMMARY.
Revising, Amending, Restating, Codifying, And Compiling Certain Existing General Ordinances

The three places are as follows:
1. Fairfield Town Hall
2. Fairfield Town Website
3. Utah State Public Notice Website

_____
Stephanie Shelley
Fairfield Recorder/Clerk

Date of Posting ____day of June, 2026

Working Update Code Book 26-06-01