HIDEOUT, UTAH
TOWN COUNCIL AND PLANNING COMMISSION
SPECIAL MEETING AND PUBLIC HEARINGS
June 30, 2026
Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, UT will hold a Special Meeting at 5:00 PM and Public Hearings at 6:30 PM or soon thereafter, on Thursday, June 30, 2026 in the Town of Hideout Council Room, located at 10860 N. Hideout Trail, Hideout, Utah for the purposes and at the times described below.

The public may join remotely, attend in-person, and view the open portions of this meeting by connecting to: https://www.youtube.com/channel/UCKdWnJad-WwvcAK75QjRb1w/

Interested parties may join via Zoom:
Meeting URL: https://zoom.us/j/4356594739 | Meeting ID: 435 659 4739

Regular Meeting
5:00 PM

I. Welcome

II. Call to Order

III. Roll Call

IV. Pledge of Allegiance

V. Approval of Council Minutes

VI. Possible Closed Session - Discussion of pending or reasonably imminent litigation, personnel matters, deployment of security personnel, devices or systems, and/or sale or acquisition of real property as needed

VII. Public Comment Period - The Public Comment period provides an opportunity for individuals to offer general public comment on items not listed on the agenda. The intent of this period is for the Council to listen to the public; not a dialogue or decision-making period. Comments regarding items scheduled for a Public Hearing will be taken during the designated hearing.

VIII. Mayor's Report – The Mayor will provide general updates on current projects, community events, and upcoming calendar items.

IX. Agenda Items

1. Consideration and Possible Adoption of Resolution 2026-R-XX to Approve a Parking and Code Enforcement Services Agreement with Interstate Parking. - Gareth Lloyd, President (15 min.)
2. Discussion and Approval of Executive Order/Mayoral Proclamation - Immediate Fire Restrictions - Mayor Severini (5 mins.)
3. Discussion and Possible Approval of an Ordinance amending and restating Hideout Municipal Code Chapter 6.08 to consolidate fireworks regulations, adopt general fire restrictions, and provide for automatic application of Wasatch County, Wasatch Fire District, State, or other applicable fire restrictions within the Town.- Corbin Gordon, Town Attorney (10 mins.)

4. Discussion and Consideration to Approve an Ordinance amending Title 1 of the Hideout Municipal Code to clarify Mayoral Personnel Authority - Corbin Gordon, Town Attorney (10 mins.)

5. Discussion and Consideration to Approve an Ordinance amending Title 1 of the Hideout Municipal Code to establish and define the position of Chief Administrative Officer. – Corbin Gordon, Town Attorney (5 mins.)

6. Discussion and Consideration to Approve an Ordinance amending Title 1 of the Hideout Municipal Code to Adopt Procedures under Utah Code sections 10-3-1105 AND 10-3-1106, for appeals – Corbin Gordon, Town Attorney (10 mins.)

7. Presentation and Discussion on Affordable Housing Requirements and Long-Term Affordability Options - Corbin Gordon, C. Woltering, T. Eddington

X. Public Hearings (6:30 PM)

The purpose of a public hearing is to receive public comments on the proposed items.

The Town Council may take action following public comment upon conclusion of the public hearing.

1. Discussion and Consideration to amend the Town of Hideout Fee and Rate Schedule to add a civil penalty for violation of the Hideout Municipal Code Section 7.16.038, Emergency Access Areas; Fire Lanes; Obstruction prohibited, Penalties. - Corbin Gordon, Town Attorney (10 mins.)

2. Presentation, Discussion, and Possible Approval of FY26 Budget Amendments. - Katie Shepley (15 mins)

XI. Committee Updates

1. Planning Commission - Thomas Eddington, Town Planner

2. Infrastructure and Public Safety Advisory Committee (IPSAC) - Council Members Gunn, and Cooper

3. Economic Development and Budget Advisory Committee - Council Member Brady

4. Community Engagement/Communications Committee - Mayor Severini and Council Member Ginsberg

5. Transportation and Parks, Open Space, and Trails (POST) Committee - Council Member Haselton

XII. Meeting Adjournment

1. I, Maria Devereux, the Recorder for the Town of Hideout, UT, do hereby certify that the above June 30, 2026 Hideout Town Council Meeting Notice & Agenda was posted at the following locations: 1) Hideout Town Hall 2) Town website www.hideoututah.gov and 3) the Utah Public Notice Website at www.utah.gov/pmn.
Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Mayor or City Recorder at 435-659-4739 at least 24 hours prior to the meeting.

File Attachments for Item:

1. Consideration and Possible Adoption of Resolution 2026-R-XX to Approve a Parking and Code Enforcement Services Agreement with Interstate Parking. - Gareth Lloyd, President (15 min.)

TOWN OF HIDEOUT
RESOLUTION NO. 2026-___

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A PARKING MANAGEMENT AGREEMENT WITH INTERSTATE PARKING COMPANY OF COLORADO, LLC

WHEREAS, the Town of Hideout, Utah ("Town") is a Utah municipal corporation with authority to manage, regulate, and control Town-owned, Town-controlled, leased, or otherwise authorized parking stalls, on-street or off-street parking spaces, permit parking areas, signage locations, and related areas within the Town;

WHEREAS, the Town desires to implement a parking management program for certain individual parking stalls and related areas that may be designated by the Town from time to time;

WHEREAS, Interstate Parking Company of Colorado, LLC ("Interstate") has represented that it has the experience, personnel, software, and ability to provide parking management, permit compliance, patrol, citation processing, customer service, reporting, and related services;

WHEREAS, the Town Council has reviewed the proposed Parking Management Agreement between the Town and Interstate, attached hereto as **Exhibit A** and incorporated herein by this reference;

WHEREAS, the Agreement provides that it is a management services agreement only and does not convey to Interstate any leasehold interest, possessory interest, franchise, delegation of legislative authority, or exclusive right to control Town property;

WHEREAS, the Agreement preserves the Town's authority over parking rules, enforcement standards, appeals, waivers, public policy decisions, and use of Town property;

WHEREAS, the Agreement provides for an initial term beginning July 1, 2026, and ending June 30, 2029, unless earlier terminated as provided in the Agreement;

WHEREAS, the Agreement does not renew automatically and any renewal must be approved in writing by the Town and Interstate;

WHEREAS, the Agreement contains termination, non-appropriation, reporting, audit, data protection, insurance, indemnification, and governmental immunity provisions intended to protect the interests of the Town; and

WHEREAS, the Town Council finds that approval of the Agreement is in the best interests of the Town and will assist the Town in managing parking resources for the benefit of residents, visitors, businesses, and the public.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HIDEOUT, UTAH, AS FOLLOWS:

Section 1. Approval of Agreement.
The Parking Management Agreement between the Town of Hideout and Interstate Parking

Company of Colorado, LLC, attached hereto as **Exhibit A**, is hereby approved, subject to final review and approval as to form by the Town Attorney and completion of any exhibits, schedules, maps, parking rules, fine schedules, appeal procedures, signage plans, or related documents required before live enforcement begins.

Section 2. Authorization to Execute.
The Mayor is hereby authorized to execute the Agreement on behalf of the Town, together with any non-substantive revisions, corrections, exhibits, or implementing documents approved by the Town Attorney and reasonably necessary to carry out the intent of this Resolution.

Section 3. Town Authority Preserved.
Nothing in this Resolution or the Agreement shall be construed to delegate the Town's legislative authority, police power, governmental authority, final appeal authority, or authority to adopt, amend, waive, cancel, or enforce Town parking rules, fines, fees, policies, ordinances, or procedures.

Section 4. Program Implementation.
Town staff are authorized to take such administrative actions as are reasonably necessary to implement the Agreement, including identifying Designated Parking Stalls, preparing or approving parking rules, permit rules, signage plans, fine schedules, appeal procedures, reporting requirements, and operational instructions, provided that any matters requiring Town Council approval shall be returned to the Town Council for consideration.

Section 5. Appropriation and Budget Limitation.
All financial obligations of the Town under the Agreement are subject to annual appropriation by the Town Council. Nothing in this Resolution or the Agreement shall be construed as creating a debt or financial obligation of the Town beyond amounts lawfully appropriated for the applicable fiscal year.

Section 6. Effective Date.
This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the Town Council of the Town of Hideout, Utah, this ___ day of _____, 2026.

Voting:

Councilmember Peter Ginsberg	___ Yes ___ No
Councilmember Tanya Brady	___ Yes ___ No
Councilmember Carol Haselton	___ Yes ___ No
Councilmember Jonathan Gunn	___ Yes ___ No
Councilmember Brian Cooper	___ Yes ___ No

TOWN OF HIDEOUT

By: _____
Mayor Ralph Severini

ATTEST:

Town Recorder

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Parking Management Agreement between the Town of Hideout and Interstate Parking Company of Colorado, LLC

File Attachments for Item:

2. Discussion and Approval of Executive Order/Mayoral Proclamation - Immediate Fire Restrictions - Mayor Severini (5 mins.)

TOWN OF HIDEOUT, UTAH

MAYORAL PROCLAMATION AND EXECUTIVE ORDER NO. 2026-1

DECLARING A LOCAL EMERGENCY AND IMMEDIATELY ADOPTING, IMPLEMENTING, AND ENFORCING WASATCH COUNTY FIRE RESTRICTIONS WITHIN THE TOWN OF HIDEOUT

WHEREAS, the Town of Hideout (the "Town") is located in Wasatch County, Utah;

WHEREAS, the Mayor is the chief executive officer of the Town;

WHEREAS, the Town is served for fire suppression, fire prevention, inspection, and emergency response purposes by the Wasatch Fire District, and the Wasatch Fire District Fire Marshal acts as the fire code official for the Town;

WHEREAS, Hideout Municipal Code Chapter 6.08 regulates fireworks and ignition sources and authorizes the restriction of fireworks and ignition sources during hazardous environmental conditions;

WHEREAS, Wasatch County, in consultation with the Utah State Forester and fire officials, has adopted Stage 1 Fire Restrictions effective June 19, 2026, at 12:01 a.m., due to increased wildfire risk;

WHEREAS, the Wasatch County Stage 1 Fire Restrictions state that they do not affect private lands within incorporated towns or city limits;

WHEREAS, the Town of Hideout contains mountainous, brush-covered, forest-covered, dry grass-covered, and wildland urban interface areas and is subject to elevated wildfire risk;

WHEREAS, the Wasatch Fire District has previously determined that the entire Town is located within a wildland interface area or the type of area described in Utah Code Section 15A-5-202.5 and has recommended that the Town restrict ignition sources, including fireworks, throughout the Town;

WHEREAS, immediate implementation of the County Fire Restrictions within the Town is necessary to protect life, property, public infrastructure, emergency responders, and natural resources from the threat of wildfire;

WHEREAS, under Utah Code Section 53-2a-208, the chief executive officer of a municipality may declare a local emergency by proclamation when a disaster has occurred or the occurrence or threat of a disaster is imminent and additional action is necessary to respond to the emergency;

WHEREAS, during a declared local emergency, the chief executive officer may take measures reasonably necessary to protect life and property and may issue orders, rules, or regulations having the force and effect of law during the emergency; and

WHEREAS, the Mayor finds that the threat of wildfire constitutes an imminent threat to life, safety, property, public welfare, and natural resources within the Town.

NOW, THEREFORE, I, RALPH SEVERINI, Mayor of the Town of Hideout, Utah, hereby proclaim, order, and direct as follows:

SECTION 1. Declaration of Local Emergency.

The Mayor hereby declares a local emergency within the entire municipal boundaries of the Town of Hideout due to the imminent threat of wildfire, hazardous environmental conditions, dry fuels, topographical and wildland urban interface conditions, and the need for immediate fire prevention measures.

SECTION 2. Immediate Adoption and Implementation of County Fire Restrictions.

The Town hereby immediately adopts, implements, and makes effective within the entire municipal boundaries of the Town of Hideout the Wasatch County Stage 1 Fire Restrictions effective June 19, 2026, at 12:01 a.m., together with any related restrictions issued by Wasatch County, Wasatch Fire District, the Utah State Forester, the Utah Division of Forestry, Fire and State Lands, or other applicable fire authority for Wasatch County or the Wasatch Fire District service area.

SECTION 3. Automatic Escalation to Stage 2 or More Restrictive Restrictions.

If Wasatch County, Wasatch Fire District, the Utah State Forester, the Utah Division of Forestry, Fire and State Lands, or any other applicable fire authority escalates the current restrictions to Stage 2, Level 2, full fire restrictions, a complete fire closure, or any more restrictive level, those more restrictive restrictions shall become immediately and automatically effective within the Town of Hideout at the same date and time stated in the applicable restriction order, notice, or declaration, without the need for further mayoral action, Town Council action, publication, or posting.

SECTION 4. Current Stage 1 Restrictions.

Unless a more restrictive order applies, the following acts are prohibited within the Town while Stage 1 Fire Restrictions are in effect:

A. Open fires, except in approved fire rings or grills at developed campgrounds or day-use areas on public lands that have a pressurized running water system, or in permanently constructed fire pits at private residences that have a pressurized water system, where otherwise allowed by law and the Fire Code Official;

B. Smoking, except within an enclosed vehicle, trailer, or building, at a developed recreation site, or while stopped in an area that is paved or free from dry vegetation;

C. Discharging or using fireworks, tracer ammunition, or other pyrotechnic devices, including exploding targets;

D. Cutting, welding, or grinding metal in areas of dry vegetation; and

E. Operating a motorcycle, chainsaw, ATV, or other small internal combustion engine without an approved and working spark arrestor.

SECTION 5. More Restrictive Rule Controls.

If any applicable Wasatch County, Wasatch Fire District, State, Federal, or Town restriction is more restrictive than the restrictions listed in this Order, the more restrictive provision shall control. Nothing in this Order authorizes any activity otherwise prohibited by Utah law, Hideout Municipal Code, the Fire Code Official, or any applicable fire restriction order.

SECTION 6. Exceptions.

The exceptions and waivers stated in the applicable Wasatch County or State Fire Restriction Order shall apply, including exceptions for persons with a permit or waiver specifically authorizing a specified act at a specified location and on-duty firefighters acting in the performance of official duties. A waiver or permit does not relieve any person from liability if a fire occurs.

SECTION 7. Enforcement and Penalties.

This Order may be enforced by the Town, the Fire Code Official, Wasatch Fire District personnel, code enforcement officers, law enforcement officers, and any other person authorized by law. A violation of this Order, the applicable fire restriction order, or Hideout Municipal Code Chapter 6.08 may be prosecuted as a Class B misdemeanor and may be punishable by a fine of up to $1,000 per violation and/or up to six months in jail, plus applicable surcharges, restitution, suppression costs, response costs, abatement costs, and any other remedies available by law.

SECTION 8. Filing, Publication, and Notice.

The Town Clerk/Recorder is directed to file this Order with the official records of the Town, post notice of the restrictions on the Town website and at Town offices, and provide copies to the Wasatch Fire District, Wasatch County Sheriff's Office, and other appropriate enforcement and emergency response agencies.

SECTION 9. Ratification by Town Council.

This Order shall be placed on the next available Town Council agenda for ratification, modification, extension, or replacement by ordinance or resolution as the Town Council determines appropriate.

SECTION 10. Duration.

This Order shall remain in effect until the earliest of: (a) termination by the Mayor upon finding that the threat or danger has passed; (b) termination or modification by the Town Council; (c) expiration of the local emergency under applicable law unless extended by the Town Council; or (d) rescission of all applicable fire restrictions by the issuing authority, unless the Town determines that continued restrictions are necessary within the Town.

SECTION 11. Effective Date.

This Proclamation and Executive Order is effective immediately upon signature.

DATED this ___ day of _____, 2026.

TOWN OF HIDEOUT

By: _____
Ralph Severini, Mayor

ATTEST AND FILED WITH THE TOWN CLERK/RECORDER:

_____
Maria Devereux, Town Clerk/Recorder

APPROVED AS TO FORM:

_____
Town Attorney

File Attachments for Item:

3. Discussion and Possible Approval of an Ordinance amending and restating Hideout Municipal Code Chapter 6.08 to consolidate fireworks regulations, adopt general fire restrictions, and provide for automatic application of Wasatch County, Wasatch Fire District, State, or other applicable fire restrictions within the Town.- Corbin Gordon, Town Attorney (10 mins.)

TOWN OF HIDEOUT

ORDINANCE NO. 2026-___

AN ORDINANCE OF THE TOWN COUNCIL OF HIDEOUT, UTAH, AMENDING AND RESTATING HIDEOUT MUNICIPAL CODE CHAPTER 6.08, FIREWORKS AND IGNITION SOURCES, TO CONSOLIDATE FIREWORKS REGULATIONS, ADOPT GENERAL FIRE RESTRICTIONS, AND PROVIDE FOR AUTOMATIC APPLICATION OF WASATCH COUNTY, WASATCH FIRE DISTRICT, STATE, OR OTHER APPLICABLE FIRE RESTRICTIONS WITHIN THE TOWN

WHEREAS, the Town of Hideout (the "Town") is a municipality located in Wasatch County, Utah;

WHEREAS, the Town Council is the legislative body of the Town;

WHEREAS, the Town is served for fire suppression, fire prevention, inspection, and emergency response purposes by the Wasatch Fire District, and the Wasatch Fire District Fire Marshal acts as the fire code official for the Town;

WHEREAS, Hideout Municipal Code Chapter 6.08 currently regulates fireworks and ignition sources, including prohibitions on fireworks and other ignition sources under hazardous environmental conditions;

WHEREAS, the Town Council previously adopted Ordinance No. 2021-O-08 amending Chapter 6.08 to restrict fireworks and other ignition sources under certain conditions, and Ordinance No. 2022-O-04 further amended Section 6.08.050 to prohibit ignition sources during designated periods and when hazardous environmental conditions exist;

WHEREAS, the Town Council also previously adopted Ordinance No. 2021-O-10 imposing municipal fire restrictions within all portions of the Town based on findings that the entire Town is located within hazardous fire areas and wildland urban interface conditions;

WHEREAS, the Wasatch Fire District has previously determined that Hideout is located entirely within a wildland interface area or the type of hazardous area described in Utah Code Section 15A-5-202.5 and has recommended restricting ignition sources, including fireworks, throughout the Town;

WHEREAS, Wasatch County and/or the Utah State Forester may from time to time issue Stage 1, Stage 2, Level 1, Level 2, full fire restriction, or similar fire restriction orders applicable to unincorporated areas of Wasatch County or other nearby public or private lands, but such orders may not automatically apply to private lands within incorporated municipal boundaries unless adopted or implemented by the Town;

WHEREAS, the Town Council finds that it is in the public interest to consolidate the Town's fireworks, ignition source, and fire restriction provisions within Chapter 6.08 and to provide a clear mechanism for automatic application within the Town of Wasatch County, Wasatch Fire District, State Forester, or other applicable fire restriction orders when hazardous fire conditions exist;

WHEREAS, the Town Council finds that the entire Town contains mountainous, brush-covered, forest-covered, dry grass-covered, wildland urban interface, and similar hazardous environmental conditions that may necessitate controlled use of ignition sources, including fireworks;

WHEREAS, the Town Council finds that the minimal public inconvenience caused by such restrictions is substantially outweighed by the need to protect life, property, public infrastructure, emergency personnel, and natural resources from wildfire; and

WHEREAS, the Town Council finds that this Ordinance is necessary for the immediate preservation of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Hideout, Utah, as follows:

SECTION 1. AMENDMENT AND RESTATEMENT OF CHAPTER 6.08.

Hideout Municipal Code Chapter 6.08 is hereby amended and restated in its entirety to read as follows:

CHAPTER 6.08 FIREWORKS AND IGNITION SOURCES

6.08.010 Purpose.

The purpose of this Chapter is to protect the public health, safety, and welfare by regulating fireworks and ignition sources, adopting fire restrictions within the Town when hazardous environmental conditions or wildfire risks exist, and providing for the enforcement of those restrictions.

6.08.020 Definitions.

For purposes of this Chapter, the following terms shall have the meanings set forth below:

A. "Fire Code Official" means the Wasatch Fire District Fire Marshal, or the Fire Marshal's authorized designee, acting as the fire code official for the Town.

B. "Fire Restriction Order" means any written order, notice, declaration, proclamation, or similar official action imposing Stage 1, Stage 2, Level 1, Level 2, full fire restriction, complete fire closure, or substantially equivalent fire restrictions issued by Wasatch County, Wasatch Fire District, the Utah State Forester, the Utah Division of Forestry, Fire and State Lands, the Utah State Fire Marshal, or another federal, state, county, district, or local agency with fire management or fire prevention authority.

C. "Fireworks" means class C common state-approved explosives, consumer fireworks, pyrotechnic devices, aerial devices, fountains, sparklers, ground devices, and any other fireworks or pyrotechnic device regulated by Utah law.

D. "Hazardous environmental conditions" includes mountainous, brush-covered, forest-covered, or dry grass-covered areas; areas within 200 feet of waterways, trails, canyons, washes, ravines, or similar areas; wildland urban interface areas; and any limited area outside such hazardous areas when necessary to facilitate a readily identifiable closed area.

E. "Ignition source" means any fire, flame, spark, ember, heat-producing activity, pyrotechnic, or other source capable of igniting vegetation, structures, or combustible material, including but not limited to fireworks, open fires, campfires, recreational fires, solid fuel fire pits, lighters, matches, sky lanterns, charcoal grills, open barbeques, smoking materials, cutting, welding, grinding, and small internal combustion engines.

F. "Open fire" means any outdoor fire, campfire, bonfire, recreational fire, warming fire, fire pit, charcoal fire, pellet fuel fire, wood fire, coal fire, or similar fire using solid fuel, ash-producing fuel, or other combustible material.

G. "Stage 1 Fire Restrictions" or "Level 1 Fire Restrictions" means fire restrictions denominated as Stage 1, Level 1, or a substantially equivalent restriction level by the issuing fire authority.

H. "Stage 2 Fire Restrictions" or "Level 2 Fire Restrictions" means fire restrictions denominated as Stage 2, Level 2, full fire restriction, complete fire closure, or a substantially equivalent or more restrictive level by the issuing fire authority.

6.08.030 Fireworks Governed by State Law and this Chapter.

A. The sale, possession, discharge, and use of fireworks within the Town shall be governed by applicable provisions of Utah law, this Chapter, any applicable Fire Restriction Order made effective within the Town, and any other applicable ordinance, order, map, or restriction adopted by the Town.

B. Nothing in this Chapter shall be construed to authorize the discharge, use, possession, or sale of fireworks where such activity is prohibited by Utah law, this Chapter, an applicable Fire Restriction Order, the Town Council, the Mayor acting under lawful emergency authority, the Fire Code Official, or any other lawful authority.

C. If there is any conflict between Utah law, this Chapter, an applicable Fire Restriction Order, or any other Town ordinance, order, rule, or restriction governing fireworks or ignition sources, the more restrictive provision shall control.

6.08.040 Prohibited Fireworks Acts and Activities.

A. It shall be unlawful to discharge fireworks:

1. Within one hundred feet (100 feet) of any place where fireworks are sold or offered for sale;

2. Within three hundred feet (300 feet) of any church, hospital, rest home, retirement center, school building, or similar institution;

3. In such a manner that the fireworks project over or onto the property of another person without the consent of the person owning or controlling such property;

4. In any public park;

5. From or into any motor vehicle;

6. At or near any person; or

7. In any manner prohibited by Utah law, this Chapter, or an applicable Fire Restriction Order.

B. It shall be unlawful to make, sell, offer to sell, discharge, or possess for discharge any homemade fireworks or any fireworks not authorized by Utah law.

C. It shall be unlawful to sell or offer to sell fireworks:

1. Without a permit;

2. In violation of any requirement of this Chapter or regulations adopted by the Utah Fire Prevention Board;

3. At a location not specified in the permit application or permit;

4. Without the insurance coverage required in the permit application or applicable law; or

5. In violation of any applicable Town, County, District, State, or Fire Code requirement.

6.08.050 Fireworks and Ignition Source Restrictions During Hazardous Conditions.

A. It shall be unlawful to discharge fireworks, even when otherwise permitted under Utah law or Town Code, when:

1. The Fire Code Official determines that existing or historical hazardous environmental conditions necessitate controlled use of ignition sources;

2. The discharge would occur in areas designated by the Town Council, Mayor, Fire Code Official, Wasatch County, Wasatch Fire District, Utah State Forester, or other applicable authority as containing hazardous environmental conditions;

3. A Fire Restriction Order applicable to or adopted by the Town prohibits fireworks; or

4. The discharge is otherwise negligent or creates an unreasonable risk of fire.

B. The use of ignition sources, including but not limited to open fires, solid fuel fire pits, lighters, matches, sky lanterns, open barbeques, charcoal grills, smoking materials, cutting, welding, grinding, and other spark-producing or ember-producing activities, is prohibited under the following circumstances:

1. From May 1 through November 30 of each year, unless expressly allowed by the Fire Code Official or applicable law;

2. When the Fire Code Official determines that existing or historical hazardous environmental conditions necessitate controlled use of ignition sources;

3. In areas designated by the Town Council, Mayor, Fire Code Official, Wasatch County, Wasatch Fire District, Utah State Forester, or other applicable authority as containing hazardous environmental conditions;

4. When a Fire Restriction Order applicable to or adopted by the Town prohibits such ignition sources; or

5. When the use of an ignition source is negligent or creates an unreasonable risk of fire.

C. Enclosed grills, gas grills, gas griddles, and gas fire pits with shutoff valves are not prohibited by this Section when used with proper clearance from flammable materials, unless prohibited by a Fire Restriction Order, the Fire Code Official, or another applicable law or order.

6.08.060 Automatic Adoption and Application of Fire Restriction Orders.

A. Whenever a Fire Restriction Order is issued covering Wasatch County, unincorporated Wasatch County, the Wasatch Fire District service area, public lands within or adjacent to the Town, or any geographic area that includes or substantially surrounds the Town, the same restrictions shall be deemed adopted and shall be immediately effective and enforceable within the municipal boundaries of the Town, unless the Town Council, Mayor, or Fire Code Official expressly provides otherwise.

B. If Wasatch County, Wasatch Fire District, the Utah State Forester, or another applicable issuing authority moves from Stage 1 or Level 1 restrictions to Stage 2, Level 2, a full fire restriction, complete fire closure, or any more restrictive level, the more restrictive restrictions shall become immediately and automatically effective within the Town at the same date and time stated in the Fire Restriction Order, without the need for further Town Council action, mayoral order, publication, or posting.

C. Restrictions adopted under this Section shall remain in effect within the Town until the earliest of the following:

1. The issuing authority rescinds or terminates the Fire Restriction Order;

2. The Fire Code Official determines in writing that the restrictions are no longer necessary within the Town;

3. The Mayor terminates a temporary emergency order implementing the restrictions, if applicable;

4. The Town Council modifies or terminates the restrictions by ordinance, resolution, or other lawful action; or

5. The Fire Restriction Order expires by its own terms.

D. The Town Clerk or Recorder, Mayor, Town Administrator, or Fire Code Official may post notice of applicable restrictions on the Town's website, at Town offices, through social media, by public notice, or by any other reasonable means. Failure to post notice shall not invalidate the restrictions if the underlying Fire Restriction Order has been issued and is otherwise publicly available.

6.08.070 Stage 1 / Level 1 Restrictions.

Unless the applicable Fire Restriction Order is more restrictive or provides otherwise, the following restrictions shall apply during Stage 1 Fire Restrictions, Level 1 Fire Restrictions, or a substantially equivalent restriction level:

A. No open fires are allowed except:

1. In approved fire rings or grills at developed campgrounds or day-use areas on public lands that have a pressurized running water system; or

2. In permanently constructed fire pits at private residences that have a pressurized water system, where otherwise allowed by law and the Fire Code Official.

B. Smoking is prohibited except within an enclosed vehicle, trailer, or building, at a developed recreation site, or while stopped in an area that is paved or free from dry vegetation.

C. Discharging or using fireworks, tracer ammunition, or other pyrotechnic devices, including exploding targets, is prohibited.

D. Cutting, welding, or grinding metal in areas of dry vegetation is prohibited, unless specifically authorized by the Fire Code Official and performed with adequate fire prevention measures.

E. Operating a motorcycle, chainsaw, ATV, or other small internal combustion engine without an approved and working spark arrestor is prohibited.

F. The exemptions stated in the applicable Fire Restriction Order shall apply, including exemptions for persons with a permit or waiver specifically authorizing a specified act at a specified location and on-duty firefighters acting in the performance of official duties.

6.08.080 Stage 2 / Level 2 / Full Fire Restrictions.

Unless the applicable Fire Restriction Order is more restrictive or provides otherwise, the following restrictions shall apply during Stage 2 Fire Restrictions, Level 2 Fire Restrictions, full fire restrictions, complete fire closures, or any substantially equivalent or more restrictive level:

A. All open fires, campfires, recreational fires, charcoal grills, coal or wood burning stoves, tent stoves, pellet-fueled devices, ash-producing fuel sources, and similar open flame or ember-producing activities are prohibited, including at homes and in developed camping and picnic grounds, unless expressly allowed by the applicable Fire Restriction Order or the Fire Code Official.

B. Devices using pressurized liquid or gas, including stoves, grills, griddles, fire pits, or lanterns, that include shutoff valves may be used only when permitted by the applicable Fire Restriction Order and when used in an area at least three feet or more from flammable material such as dry grasses, brush, leaves, or pine needles, unless a greater clearance is required.

C. Smoking is prohibited except within an enclosed vehicle, trailer, or building, at a developed recreation site, or while stopped in an area that is paved or free from dry vegetation, unless the applicable Fire Restriction Order is more restrictive.

D. Discharging or using fireworks, tracer ammunition, or other pyrotechnic devices, including exploding targets, is prohibited.

E. Cutting, welding, or grinding metal in areas of dry vegetation is prohibited unless specifically authorized by the Fire Code Official and performed with adequate fire prevention measures.

F. Operating a motorcycle, chainsaw, ATV, or other small internal combustion engine without an approved and working spark arrestor is prohibited.

G. Any additional restriction imposed by the applicable Fire Restriction Order shall apply within the Town.

6.08.090 Authority to Designate Restricted Areas.

A. During times of adverse fire conditions, the Town Council, Mayor, or Fire Code Official may review meteorological conditions, fuel conditions, moisture content of plants and soil, topography, development patterns, fire suppression resources, ingress and egress limitations, and other relevant information and may prohibit or restrict fireworks or ignition sources to protect the public health, safety, and welfare.

B. A prohibition or restriction may be for a defined period of time, may be limited to identified areas of the Town, or may be applicable throughout the Town.

C. For any area restricted due to hazardous environmental conditions, the Town shall, to the extent practical:

1. Designate the closed area along readily identifiable features such as major roadways, waterways, or geographic features;

2. Ensure that the boundary of the designated closed area is as close as practical to the defined hazardous area, provided that the closed area may include areas outside the hazardous area to facilitate a readily identifiable line; and

3. Identify the closed area through a written description or map that is readily available to the public.

6.08.100 More Restrictive Rule Controls.

A. If a Fire Restriction Order contains restrictions that are more restrictive than the restrictions stated in this Chapter, the more restrictive Fire Restriction Order shall control.

B. If federal, state, county, district, or Town law imposes a more restrictive fire, fireworks, open burning, smoking, equipment, or ignition-source restriction, the more restrictive requirement shall control.

C. Nothing in this Chapter limits the authority of the Fire Code Official to prohibit, extinguish, abate, or order the discontinuance of any fire, open flame, ignition source, or hazardous activity that presents an unreasonable risk to life, property, or public safety.

6.08.110 Permits and Exceptions.

A. The Fire Code Official may authorize limited exceptions to this Chapter where allowed by law and where the Fire Code Official determines that adequate fire prevention, suppression, staffing, water, weather, fuel, and site conditions exist.

B. Any person claiming an exception or permit shall have the burden to maintain and produce proof of the exception or permit upon request of the Town, the Fire Code Official, law enforcement, or other authorized enforcement personnel.

C. No permit or exception shall relieve any person from liability for damages, suppression costs, response costs, penalties, or other consequences resulting from fire, smoke, sparks, embers, or hazardous activity.

6.08.120 Enforcement.

A. This Chapter may be enforced by the Town, the Fire Code Official, Wasatch Fire District personnel, code enforcement officers, law enforcement officers, and any other person authorized by law.

B. The Fire Code Official or other authorized enforcement personnel may order any prohibited or unsafe fire, open flame, open burning, fireworks discharge, spark-producing activity, or other hazardous activity to be immediately discontinued or extinguished.

C. It is unlawful for any person to refuse or fail to comply with an order issued under this Chapter.

6.08.130 Penalties and Costs.

A. Any person who violates this Chapter, violates an applicable Fire Restriction Order adopted or made effective under this Chapter, refuses to comply with an order of the Fire Code Official, or knowingly allows a violation to occur on property owned or controlled by that person is guilty of a Class B misdemeanor, unless a different penalty is required by state law.

B. A violation of this Chapter may be punishable by a fine of up to $1,000 per violation and/or up to six months in jail, plus applicable surcharges, restitution, and costs, unless a different penalty is required by state law.

C. In addition to any criminal penalty, the Town may pursue any civil, administrative, injunctive, nuisance, abatement, or equitable remedy available by law.

D. Each separate act, each day a violation continues, and each separate ignition source, fire, discharge, or prohibited activity may constitute a separate violation.

E. Any person who violates this Chapter may be liable for all fire suppression costs, emergency response costs, investigation costs, abatement costs, administrative costs, attorney fees, and damages to public or private property to the fullest extent allowed by law.

F. Violations involving fireworks may also be prosecuted or cited under Utah Code Section 53-7-225 or any other applicable law.

6.08.140 Liability.

Any person who starts, maintains, permits, causes, or allows a fire, open flame, fireworks discharge, open burning, spark-producing activity, or other ignition source shall be responsible for any resulting fire, spread of fire, damage, suppression costs, response costs, or injury to the extent provided by law.

SECTION 2. CODIFICATION.

The Town Clerk/Recorder and codifier are authorized to make any non-substantive numbering, formatting, and cross-reference corrections necessary to codify this Ordinance.

SECTION 3. SEVERABILITY.

If any section, clause, sentence, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

SECTION 4. REPEALER.

All ordinances, resolutions, policies, or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. EFFECTIVE DATE.

For the immediate preservation of the public health, safety, and welfare, this Ordinance shall take effect immediately upon adoption and publication or posting as required by law.

PASSED AND ADOPTED by the Town Council of Hideout, Utah, this ___ day of _____, 2026.

TOWN OF HIDEOUT

PASSED AND ADOPTED by the Town Council of the Town of Hideout, Utah, this ___ day of _____, 2026.

Voting:

Councilmember Peter Ginsberg	___ Yes ___ No
Councilmember Tanya Brady	___ Yes ___ No
Councilmember Carol Haselton	___ Yes ___ No
Councilmember Jonathan Gunn	___ Yes ___ No
Councilmember Brian Cooper	___ Yes ___ No

TOWN OF HIDEOUT

By: _____
Mayor Ralph Severini

ATTEST:

Town Recorder

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

4. Discussion and Consideration to Approve an Ordinance amending Title 1 of the Hideout Municipal Code to clarify Mayoral Personnel Authority - Corbin Gordon, Town Attorney (10 mins.)

TOWN OF HIDEOUT

ORDINANCE NO. 2026-O-___

AN ORDINANCE AMENDING SECTION 1.12.060 OF THE HIDEOUT MUNICIPAL CODE TO CLARIFY MAYORAL PERSONNEL AUTHORITY; REPEALING PRIOR ADVICE-AND-CONSENT REQUIREMENTS FOR DISMISSAL OF CERTAIN MANAGEMENT, SUPERVISORY, AND PROFESSIONAL POSITIONS; PRESERVING THE TOWN COUNCIL'S LEGISLATIVE, BUDGETARY, AND POLICY AUTHORITY; AND PROVIDING RELATED MATTERS

WHEREAS, the Town of Hideout is a Utah municipality authorized to adopt ordinances governing the administration of municipal government, municipal officers, employees, appointed positions, and personnel administration;

WHEREAS, Hideout Municipal Code Section 1.12.060 presently addresses management positions and provides that the Mayor has charge of Town personnel, but also requires Town Council advice and consent before certain managers, supervisors, and professional services employees may be hired, engaged, or terminated;

WHEREAS, the Town Council desires to update Section 1.12.060 to establish clear lines of executive accountability, efficient administration, personnel confidentiality, and prompt action in employment matters;

WHEREAS, the Town Council finds that day-to-day personnel administration, supervision, discipline, dismissal, discharge, separation, and non-renewal of Town personnel should be vested in the Mayor, except where state law, Town ordinance, an approved written contract, or the terms of a specific appointment expressly require Council action;

WHEREAS, the Town Council further finds that the Town Council's proper role in personnel matters is legislative, budgetary, and policy-based, including adopting ordinances, appropriating funds, creating or eliminating funded positions, establishing compensation ranges, approving contracts where required, and exercising advice and consent only where required by law or ordinance;

WHEREAS, the Town Council does not intend the Town Council to serve as a pre-termination appeal body, personnel grievance board, or administrative review body for employment decisions made by the Mayor;

WHEREAS, the Town Council recognizes that certain municipal officers, statutory positions, appointed positions, professional service contracts, or contracts approved by the Town Council may be subject to separate appointment, contracting, termination, or removal requirements;

WHEREAS, to the extent Utah law requires a particular vote to remove from, reinstate to, or delegate to the Mayor any power, duty, or function, the Town Council intends adoption of this Ordinance to comply with any such requirement; and

WHEREAS, the Town Council finds that this Ordinance is in the best interests of the health, safety, welfare, orderly administration, and fiscal responsibility of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIDEOUT, UTAH:

SECTION 1. Amendment to Section 1.12.060.

Section 1.12.060 of the Hideout Municipal Code is repealed and replaced to read as follows:

1.12.060 MAYORAL PERSONNEL AUTHORITY AND COUNCIL POLICY ROLE.

A. Mayor as Personnel Authority. To the fullest extent permitted by Utah law, and subject to budget appropriations, mandatory state and federal law, applicable written contracts approved by the Town, and express limitations adopted by ordinance, the Mayor shall have executive and administrative authority over Town personnel, including authority to appoint, hire, supervise, direct, discipline, suspend, dismiss, discharge, separate, non-renew, and remove Town employees, appointed employees, at-will employees, department heads, deputy department heads, division heads, administrative personnel, and other Town personnel.

B. Hiring and Appointment. The Mayor may hire, appoint, assign, reassign, and designate Town personnel as necessary for the orderly administration of the Town, subject to budget appropriations and applicable law. If state law, Town ordinance, or a written contract approved by the Town Council expressly requires Town Council advice and consent for the appointment of a particular statutory officer, appointed officer, professional service provider, board member, commission member, committee member, or other position, the required Council action shall apply only to that appointment or contract approval and only to the extent expressly required.

C. Dismissal and Discipline. Except where mandatory state law, Town ordinance, or a valid written contract approved by the Town Council expressly requires otherwise, the Mayor may discipline, suspend, dismiss, discharge, separate, non-renew, terminate, or remove Town personnel without prior advice and consent of the Town Council. No action to discipline, suspend, dismiss, discharge, separate, non-renew, terminate, or remove a Town employee, appointed employee, department head, deputy department head, division head, manager, supervisor, or administrative employee shall require prior Town Council approval unless expressly required by state law, this Code, or a written contract approved by the Town Council.

D. Council Not a Pre-Termination Review Body. The Town Council shall not serve as a pre-termination review body, personnel appeal board, grievance board, or evidentiary hearing body for personnel actions taken by the Mayor. The Town Council is not required to receive evidence, hear employee explanations, conduct a personnel hearing, or vote before a personnel action by the Mayor becomes effective, unless such action is expressly required by mandatory state law, this Code, or a valid written contract approved by the Town Council.

E. Council Policy, Budget, and Legislative Authority Preserved. Nothing in this section limits the Town Council's legislative authority to adopt ordinances, appropriate funds, adopt budgets, establish compensation ranges, create or eliminate funded positions, approve or disapprove contracts where Council approval is required, adopt personnel policies, establish departments, or otherwise exercise legislative and budgetary authority.

F. Professional Service Contracts. This section governs personnel administration and employment-related authority. It does not independently authorize termination of a public contract contrary to the contract terms, procurement requirements, professional service agreement, or other mandatory law. Professional service contracts approved by the Town Council may be terminated as provided in the applicable contract and law.

G. Town Administrator, Town Manager, or Chief Administrative Officer. A person serving as Town Administrator, Town Manager, Chief Administrative Officer, Interim Town Administrator, Interim Town Manager, Interim Chief Administrative Officer, or a substantially equivalent administrative position is an appointed, exempt, at-will, department-head-level administrative position unless a written contract approved by the Town Council expressly provides otherwise. The Mayor may supervise, discipline, dismiss, discharge, separate, remove, or non-renew such position to the fullest extent permitted by law and any applicable written contract.

H. State Law and Contract Savings Clause. If mandatory state law, a court order, or a valid written contract approved by the Town Council requires a different procedure for a particular position, that mandatory requirement shall control only as to that position and only to the extent of the conflict. The remainder of this section shall remain in full force and effect.

I. Superseding Prior Advice-and-Consent Requirement. This section supersedes any prior ordinance, policy, practice, or code provision requiring Town Council advice and consent before the Mayor may discipline, suspend, dismiss, discharge, separate, non-renew, terminate, or remove a manager, supervisor, professional service employee, department head, deputy department head, administrative employee, or other Town personnel, including the prior version of Section 1.12.060.

SECTION 2. Personnel Documents.

The Mayor, Town Recorder, Town Attorney, and any authorized human resources or administrative personnel are authorized to update job descriptions, offer letters, appointment letters, at-will acknowledgments, personnel policies, personnel action forms, and related employment documents to conform to this Ordinance.

SECTION 3. No Additional Appeal Rights Created.

This Ordinance does not create any employment contract, property interest, tenure right, progressive discipline right, reinstatement right, right to continued employment, or right to appeal. Any employee appeal right shall exist only to the extent required by mandatory state law, Town ordinance, or a valid written contract approved by the Town Council.

SECTION 4. Repealer.

All ordinances, resolutions, policies, or parts thereof in conflict with this Ordinance are repealed to the extent of such conflict.

SECTION 5. Severability.

If any section, clause, or provision of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall remain in full force and effect.

SECTION 6. Effective Date.

This Ordinance shall become effective upon publication or posting as required by law.

PASSED AND ADOPTED by the Town Council of the Town of Hideout, Utah, this ___ day of _____, 2026.

Voting:

Councilmember Peter Ginsberg	___ Yes ___ No
Councilmember Tanya Brady	___ Yes ___ No
Councilmember Carol Haselton	___ Yes ___ No
Councilmember Jonathan Gunn	___ Yes ___ No
Councilmember Brian Cooper	___ Yes ___ No

TOWN OF HIDEOUT

By: _____
Mayor Ralph Severini

ATTEST:

Town Recorder

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

5. Discussion and Consideration to Approve an Ordinance amending Title 1 of the Hideout Municipal Code to establish and define the position of Chief Administrative Officer. – Corbin Gordon, Town Attorney (5 mins.)

TOWN OF HIDEOUT

ORDINANCE NO. 2026-O-___

AN ORDINANCE AMENDING TITLE 1, CHAPTER 1.12 OF THE HIDEOUT MUNICIPAL CODE TO ESTABLISH AND DEFINE THE POSITION OF CHIEF ADMINISTRATIVE OFFICER; AUTHORIZING THE MAYOR TO DESIGNATE A TOWN ADMINISTRATOR, TOWN MANAGER, INTERIM ADMINISTRATOR, OR OTHER QUALIFIED PERSON TO SERVE AS CHIEF ADMINISTRATIVE OFFICER; DEFINING DUTIES, AUTHORITY, AND STATUS; AND PROVIDING RELATED MATTERS

WHEREAS, the Town of Hideout is a Utah municipality authorized to establish municipal offices and positions necessary for the administration of Town government;

WHEREAS, the Town Council desires to clarify the existence, function, and appointment of a Chief Administrative Officer for the Town;

WHEREAS, the Town may need a Chief Administrative Officer to coordinate administration, records, privacy, personnel, operations, procurement, agenda administration, interdepartmental coordination, and implementation of Town policies and ordinances;

WHEREAS, the Town Council desires flexibility to allow the Chief Administrative Officer function to be performed by a Town Administrator, Town Manager, Interim Town Administrator, Interim Town Manager, the Mayor, or another qualified person designated by the Mayor, subject to law, budget, and any applicable contract;

WHEREAS, the Town Council desires to clarify that the Chief Administrative Officer is an appointed, exempt, at-will, department-head-level administrative position unless a written contract approved by the Town Council expressly provides otherwise;

WHEREAS, the Town Council desires to clarify that the Chief Administrative Officer is not a separate elected office and does not possess legislative authority reserved to the Mayor or Town Council;

WHEREAS, the Town Council desires to preserve the Mayor's executive authority over Town administration and personnel while allowing the Mayor to designate a Chief Administrative Officer to assist in carrying out executive and administrative functions;

WHEREAS, the Town Council recognizes that if no separate Chief Administrative Officer is appointed, the Mayor may serve as or perform the duties of the Chief Administrative Officer to the fullest extent permitted by law; and

WHEREAS, the Town Council finds that this Ordinance is in the best interests of the health, safety, welfare, orderly administration, and fiscal responsibility of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIDEOUT, UTAH:

SECTION 1. Amendment to Chapter 1.12.

Title 1, Chapter 1.12 of the Hideout Municipal Code is amended to add a new Section 1.12.070 to read as follows:

1.12.070 CHIEF ADMINISTRATIVE OFFICER.

A. Position Established. The position of Chief Administrative Officer is established as an administrative function and appointed position of the Town. The position may be denominated as Chief Administrative Officer, Town Administrator, Town Manager, Interim Town Administrator, Interim Town Manager, Administrative Officer, or another substantially equivalent title designated by the Mayor.

B. Appointment and Designation. The Mayor may appoint or designate a qualified person to serve as Chief Administrative Officer, subject to budget appropriations, applicable law, and any express appointment requirement adopted by ordinance. The Mayor may designate the Mayor, a Town Administrator, Town

Manager, Interim Town Administrator, Interim Town Manager, employee, contractor, or other qualified person to perform some or all Chief Administrative Officer duties to the fullest extent permitted by law.

C. Status. Unless a written contract approved by the Town Council expressly provides otherwise, the Chief Administrative Officer, Town Administrator, Town Manager, Interim Town Administrator, Interim Town Manager, or substantially equivalent administrative position is an appointed, exempt, at-will, department-head-level administrative position serving at the pleasure of the Mayor.

D. Supervision and Removal. The Chief Administrative Officer shall be subject to the supervision, direction, discipline, dismissal, discharge, separation, non-renewal, and removal authority of the Mayor, except where mandatory state law, Town ordinance, or a written contract approved by the Town Council expressly requires otherwise.

E. General Duties. Subject to the Mayor's direction and applicable law, the Chief Administrative Officer may perform or coordinate administrative duties assigned by the Mayor, including:

1. assisting with implementation of ordinances, resolutions, policies, budgets, contracts, and directives adopted or approved by the Town;

2. coordinating Town departments, employees, contractors, consultants, and administrative functions;

3. assisting with personnel administration, job descriptions, onboarding, discipline coordination, and personnel records, subject to the Mayor's authority and applicable law;

4. assisting with agenda preparation, staff reports, meeting coordination, follow-up items, and implementation of Council-approved policy direction;

5. assisting with procurement, contract administration, grants, insurance, risk management, and vendor coordination;

6. assisting with GRAMA, records management, privacy, data governance, and administrative compliance, in coordination with the Town Recorder and Town Attorney;

7. assisting with budgeting, finance coordination, accounts payable processes, and financial administration, in coordination with the Town Treasurer or finance personnel;

8. coordinating planning, building, code enforcement, public works, emergency management, communications, and community engagement functions, as assigned by the Mayor;

9. serving as a point of contact for residents, applicants, developers, interlocal partners, state agencies, county agencies, special service districts, and other governmental entities, as assigned by the Mayor; and

10. performing other administrative duties assigned by the Mayor and consistent with law, ordinance, budget, and Town policy.

F. No Legislative Authority. The Chief Administrative Officer shall not exercise legislative authority reserved to the Town Council, shall not vote on ordinances, resolutions, appropriations, or Council actions, and shall not limit the Mayor's statutory or ceremonial functions.

G. Mayor Shall Serve or Act During Vacancy. If the Chief Administrative Officer position is vacant, unfunded, unfilled, or not separately designated, the Mayor shall perform the duties of the Chief Administrative Officer or designate one or more qualified persons to perform specific administrative duties on an interim, temporary, contract, or assigned basis to the fullest extent permitted by law.

H. Relationship to Town Recorder and Other Statutory Officers. Nothing in this section removes or diminishes duties assigned by state law to the Town Recorder, Town Treasurer, Town Attorney, or other statutory officer. The Chief Administrative Officer may coordinate with such officers but may not require an officer to act contrary to state law, Town ordinance, or the officer's statutory duties.

I. Written Designation. A Chief Administrative Officer designation should be made in writing by appointment letter, personnel action form, contract, memorandum, or other written administrative record. Failure to create a separate written designation shall not invalidate administrative actions taken by the Mayor or by a person acting under the Mayor's direction.

J. No Employment Right Created. This section does not create any employment contract, property interest, tenure right, right to continued employment, right to reinstatement, or right to appeal. Any such right must be expressly created by mandatory state law, Town ordinance, or a written contract approved by the Town Council.

SECTION 2. Prior Designations Ratified and Superseded.

To the extent the Town has previously designated a Town Administrator, Town Manager, Mayor, or other person to serve as Chief Administrative Officer, such designation is ratified to the extent consistent with law and this Ordinance. To the extent any prior designation, ordinance, resolution, policy, job description, or appointment conflicts with this Ordinance, this Ordinance controls.

SECTION 3. Personnel and Administrative Documents.

The Mayor, Town Recorder, and Town Attorney are authorized to update job descriptions, offer letters, appointment letters, contracts, personnel policies, records management policies, privacy policies, and related administrative documents to conform to this Ordinance.

SECTION 4. Repealer.

All ordinances, resolutions, policies, or parts thereof in conflict with this Ordinance are repealed to the extent of such conflict.

SECTION 5. Severability.

If any section, clause, or provision of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall remain in full force and effect.

SECTION 6. Effective Date.

This Ordinance shall become effective upon publication or posting as required by law.

PASSED AND ADOPTED by the Town Council of the Town of Hideout, Utah, this ___ day of _____, 2026.

Voting:

Councilmember Peter Ginsberg	___ Yes ___ No
Councilmember Tanya Brady	___ Yes ___ No
Councilmember Carol Haselton	___ Yes ___ No
Councilmember Jonathan Gunn	___ Yes ___ No
Councilmember Brian Cooper	___ Yes ___ No

TOWN OF HIDEOUT

By: _____
Mayor Ralph Severini

ATTEST:

Town Recorder

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

6. Discussion and Consideration to Approve an Ordinance amending Title 1 of the Hideout Municipal Code to Adopt Procedures under Utah Code sections 10-3-1105 AND 10-3-1106, for appeals – Corbin Gordon, Town Attorney (10 mins.)

TOWN OF HIDEOUT

ORDINANCE NO. 2026-O-___

AN ORDINANCE AMENDING TITLE 1 OF THE HIDEOUT MUNICIPAL CODE TO ADOPT PROCEDURES UNDER UTAH CODE SECTIONS 10-3-1105 AND 10-3-1106 FOR CERTAIN EMPLOYEE DISCIPLINARY APPEALS; ESTABLISHING AN ADMINISTRATIVE JUDGE TO HEAR QUALIFYING APPEALS; DESIGNATING EXEMPT, APPOINTED, AT-WILL, AND DEPARTMENT HEAD POSITIONS; LIMITING THE SCOPE OF APPEALS AND REMEDIES TO THOSE REQUIRED BY STATE LAW; AND PROVIDING RELATED PROCEDURES

WHEREAS, the Town of Hideout is a Utah municipality authorized to adopt ordinances governing the administration of municipal government and municipal personnel matters;

WHEREAS, Utah Code Section 10-3-1105 provides that certain municipal employees hold employment without limitation of time and may be discharged, suspended for more than two days without pay, or involuntarily transferred to a position with less remuneration only as provided in Utah Code Section 10-3-1106;

WHEREAS, Utah Code Section 10-3-1105 also excludes certain employees, appointed officials, department heads, deputy department heads, probationary employees, part-time employees, temporary employees, at-will employees, and other designated positions from the protections of Utah Code Sections 10-3-1105 and 10-3-1106;

WHEREAS, Utah Code Section 10-3-1106 requires each municipality to prescribe by ordinance the method and manner of choosing a hearing officer or appeal board, the term of office, the procedure for conducting an appeal, and the standard of review;

WHEREAS, the Town Council finds that use of an independent administrative judge, rather than a standing appeal board, is appropriate for the size, staffing, and administrative needs of the Town;

WHEREAS, the Town Council desires to clarify that qualifying appeals under Utah Code Section 10-3-1106 are limited to the disciplinary actions identified by statute, and do not apply to layoffs, reorganizations, budget reductions, non-disciplinary transfers, probationary employment decisions, temporary or seasonal employment decisions, part-time employment decisions, appointed or at-will positions, department head positions, deputy department head positions, or positions excluded by statute or ordinance;

WHEREAS, the Town Council further desires to clarify that the administrative judge's authority is limited to sustaining or overturning the qualifying disciplinary decision and awarding only the salary or salary deficiency remedy required by Utah Code Section 10-3-1106, and that the administrative judge may not order reinstatement, appointment, promotion, reassignment, discipline of another employee, attorney fees, punitive damages, or other relief not expressly authorized by statute;

WHEREAS, the Town Council desires to identify and designate the Town's department head and exempt positions for purposes of Utah Code Section 10-3-1105 and the Hideout Municipal Code; and

WHEREAS, the Town Council finds that this Ordinance is in the best interests of the health, safety, welfare, orderly administration, and fiscal responsibility of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIDEOUT, UTAH:

SECTION 1. Amendment to Title 1.

Title 1 of the Hideout Municipal Code is amended to add a new Chapter 1.29, Employee Appeals; Administrative Judge; Exempt and Department Head Positions, to read as follows:

CHAPTER 1.29

EMPLOYEE APPEALS; ADMINISTRATIVE JUDGE; EXEMPT AND DEPARTMENT HEAD POSITIONS

1.29.010 Purpose and Adoption of State Law.

A. The purpose of this Chapter is to adopt and implement the requirements of Utah Code Sections 10-3-1105 and 10-3-1106, as amended, for qualifying appeals by eligible Town employees.

B. This Chapter shall be interpreted consistently with Utah Code Sections 10-3-1105 and 10-3-1106. If the Utah Code is amended, this Chapter shall be interpreted to remain consistent with the amended statute unless the Town Council adopts a contrary ordinance permitted by law.

C. This Chapter does not create any employment right, property right, contract right, tenure right, expectation of continued employment, right to reinstatement, or right to compensation except as expressly required by Utah Code Sections 10-3-1105 and 10-3-1106.

1.29.020 Definitions.

For purposes of this Chapter:

A. "Administrative Judge" means the independent hearing officer appointed by the Town to hear qualifying employee appeals under this Chapter and Utah Code Section 10-3-1106.

B. "Appealable disciplinary action" means a final disciplinary decision to discharge an eligible employee, suspend an eligible employee for more than two days without pay, or involuntarily transfer an eligible employee from one position to another position with less remuneration.

C. "Eligible employee" means an employee who is entitled to appeal under Utah Code Sections 10-3-1105 and 10-3-1106 and who is not excluded by statute, this Chapter, written appointment, written job description, written at-will acknowledgment, written waiver, personnel policy, or other applicable law.

D. "Final decision" means the Town's final written decision imposing an appealable disciplinary action after completion of any internal grievance procedure required by Town policy, if applicable.

E. "Town" means the Town of Hideout, Utah.

1.29.030 Administrative Judge Created.

A. There is hereby created the position of Administrative Judge to hear and determine qualifying employee appeals under Utah Code Section 10-3-1106.

B. The Town shall use an Administrative Judge rather than an employee appeal board.

C. The Administrative Judge shall serve as the hearing officer for purposes of Utah Code Section 10-3-1106.

1.29.040 Appointment, Qualifications, and Term of Administrative Judge.

A. The Mayor, with the advice and consent of the Town Council, shall appoint an Administrative Judge or a roster of Administrative Judges.

B. The Administrative Judge may be appointed for a fixed term, by annual appointment, by contract, by standing appointment, or on a case-by-case basis as determined by the Mayor and Town Council. If the Town has not appointed a standing Administrative Judge when an appeal is filed, the Mayor may nominate a qualified Administrative Judge for Town Council approval for that appeal.

C. The Administrative Judge shall be one of the following: (1) an attorney in good standing with the Utah State Bar; (2) a former judge or administrative law judge; (3) a person with substantial experience in public employment law, municipal law, administrative hearings, or public human resources; or (4) another qualified neutral approved by the Town Council.

D. The Administrative Judge shall be impartial and shall not have participated in the employment decision being appealed.

E. The Town may appoint one or more alternate Administrative Judges to serve if the primary Administrative Judge has a conflict, is unavailable, or cannot timely hear the appeal.

F. The Administrative Judge shall serve as an independent contractor or appointed neutral and shall not be considered a Town employee solely by reason of appointment under this Chapter.

1.29.050 Employees and Actions Subject to Appeal.

A. An eligible employee may appeal only the following final disciplinary actions: (1) discharge; (2) suspension without pay for more than two days; or (3) involuntary transfer to a position with less remuneration.

B. An appeal may be taken only for a disciplinary reason and only after the Town has issued a final decision.

C. If the Town provides an internal grievance procedure applicable to the employee and action at issue, the employee shall exhaust the internal grievance procedure before filing an appeal under this Chapter.

D. An appeal under this Chapter shall be limited to determining whether the Town's final disciplinary decision should be sustained or overturned under the standard of review stated in this Chapter.

1.29.060 Excluded Employees and Excluded Actions.

A. This Chapter does not apply to any employee, officer, or position excluded under Utah Code Section 10-3-1105(2), as amended.

B. This Chapter does not apply to: (1) the Mayor; (2) members of the Town Council; (3) members of boards, commissions, committees, or advisory bodies; (4) the Town Administrator, Town Manager, Chief Administrative Officer, or any substantially equivalent administrative position; (5) the Town Recorder; (6) the Town Treasurer; (7) the Town Attorney; (8) the Town Engineer; (9) any department head or division head designated by ordinance, resolution, personnel policy, job description, written appointment, offer letter, at-will acknowledgment, or this Chapter; (10) any deputy department head or deputy division head designated by ordinance, resolution, personnel policy, job description, written appointment, offer letter, at-will acknowledgment, or this Chapter; (11) any probationary employee; (12) any part-time employee; (13) any seasonal or temporary employee; (14) any contract employee or independent contractor; (15) any person who works in the office of an elected official; (16) any secretarial, clerical, administrative assistant, executive assistant, or support position specifically designated to assist an elected official or the head or deputy head of a municipal department; (17) any employee who has acknowledged in writing that the employee's employment status is appointed, exempt, probationary, or at-will; (18) any employee who has voluntarily waived the procedures required by Utah Code Section 10-3-1106; and (19) any other employee or position excluded by state law.

C. This Chapter does not apply to any discharge, transfer, elimination of position, reduction in force, reduction in hours, reclassification, reassignment, layoff, reorganization, budget reduction, restructuring, outsourcing, elimination of funding, or other employment action that is non-disciplinary.

D. Nothing in this Chapter limits the Town's ability to define cause for employee discipline, termination, or reduction in force.

1.29.070 Designated Department Head and Exempt Positions.

A. For purposes of Utah Code Section 10-3-1105, this Chapter, and the Town's personnel administration, the following positions are designated as department head, division head, appointed, exempt, or at-will positions, as applicable: (1) Town Administrator, Town Manager, Chief Administrative Officer, Interim Town Administrator, Interim Town Manager, Interim Chief Administrative Officer, or any substantially equivalent administrative position; (2) Assistant Town Administrator or Assistant Town Manager; (3) Town Recorder; (4) Deputy Recorder; (5) Town Treasurer; (6) Deputy Treasurer; (7) Town Attorney; (8) Deputy or Assistant Town Attorney; (9) Town Engineer; (10) Deputy or Assistant Town Engineer; (11) Director of Public Works; (12) Assistant Director of Public Works; (13) Utilities Director, Utility Manager, or Utility

Billing Manager; (14) Finance Director or Finance Manager; (15) Planning Director, Town Planner, or Community Development Director; (16) Building Official, Building Department Administrator, Chief Building Official, or Building Department Manager; (17) Code Enforcement Officer, Code Enforcement Manager, or Weed Enforcement Officer, if designated in writing as a department head, division head, deputy department head, appointed position, or at-will position; (18) Human Resources Director, Human Resources Manager, or Personnel Officer; (19) Emergency Management Director or Emergency Management Coordinator; (20) Parks, Trails, Recreation, or Facilities Director or Manager; (21) Communications, Public Information, or Community Engagement Director or Manager; (22) any police chief, fire chief, deputy police chief, assistant police chief, deputy fire chief, or assistant fire chief, if the Town creates or employs such positions; (23) any administrative assistant, executive assistant, secretarial, clerical, or support position designated in writing to assist the Mayor, Town Council, Town Administrator, Town Manager, Chief Administrative Officer, or any department head or deputy department head; and (24) any equivalent position designated by ordinance, resolution, personnel policy, job description, appointment letter, offer letter, or written at-will acknowledgment.

B. The list in Subsection A is intended to designate positions by function and title. A change in title does not alter the exempt status of a position if the position performs substantially similar duties or functions.

C. The Mayor may designate additional positions as appointed, exempt, department head, deputy department head, division head, deputy division head, at-will, temporary, seasonal, part-time, or probationary positions, provided the designation is consistent with Utah Code Section 10-3-1105.

D. To the extent required by Utah Code Section 10-3-1105(2)(a), the Town shall identify appointed or exempt status in the written appointment, job description, offer letter, at-will acknowledgment, personnel action form, or other written employment document.

1.29.080 Pre-Disciplinary Procedures for Law Enforcement Officers.

A. If the Town employs a law enforcement officer as defined in Utah Code Section 53-13-103 who is covered by Utah Code Section 10-3-1105(1)(a), the Town shall comply with the minimum pre-disciplinary procedures required by Utah Code Section 10-3-1106 before discharging the officer, suspending the officer without pay for more than two days, or involuntarily transferring the officer to a position with less remuneration for disciplinary reasons.

B. Nothing in this section creates law enforcement appeal rights for any employee or position excluded under Utah Code Section 10-3-1105(2).

1.29.090 Filing an Appeal.

A. An eligible employee appealing under this Chapter shall file a written notice of appeal with the Town Recorder no later than ten calendar days after: (1) if an internal grievance procedure applies, the employee receives notice of the final disposition of the internal grievance procedure; or (2) if no internal grievance procedure applies, the date of the final decision imposing the discharge, suspension without pay for more than two days, or involuntary transfer to a position with less remuneration.

B. The notice of appeal shall include: (1) the employee's name, mailing address, telephone number, and email address; (2) the position held by the employee; (3) the disciplinary action being appealed; (4) the date of the final decision being appealed; (5) a copy of the final written decision, if available; (6) a concise statement of why the employee contends the decision should be overturned; (7) whether the employee requests that the hearing be open to the public; (8) whether the employee will be represented by counsel, if known; and (9) the employee's signature or the signature of the employee's counsel.

C. Failure to timely file a complete notice of appeal shall constitute waiver of the appeal unless the Administrative Judge determines that the deficiency is minor, non-prejudicial, and promptly cured.

D. Upon receipt of a timely notice of appeal, the Town Recorder shall refer the appeal to the Administrative Judge and provide a copy to the Mayor, Town Attorney, and affected department head.

1.29.100 Scheduling and Notice of Hearing.

A. Upon referral by the Town Recorder, the Administrative Judge shall schedule a hearing to take and receive evidence and to hear and determine the matter that relates to the reason for the discharge, suspension, or transfer.

B. Unless otherwise agreed by the parties or ordered by the Administrative Judge for good cause, the hearing should be scheduled not less than twenty days and not more than sixty days after the Administrative Judge receives the referral.

C. The Town Recorder, Town Attorney, or Administrative Judge shall provide written notice of the date, time, and place of the hearing to the employee, the employee's counsel if known, the Town, the Town Attorney, and the affected department head.

D. The Administrative Judge may conduct the hearing in person, by video conference, or by other reliable electronic means.

1.29.110 Exchange of Evidence.

A. Unless otherwise ordered by the Administrative Judge: (1) the Town shall provide the employee and Administrative Judge with the documents and evidence on which the Town relied for the disciplinary decision at least ten calendar days before the hearing; and (2) the employee shall provide the Town and Administrative Judge with any evidence the employee intends to offer at least five calendar days before the hearing.

B. The Administrative Judge may exclude evidence not timely disclosed if the failure to disclose causes prejudice, delay, or unfairness.

C. The Administrative Judge may consider reliable evidence customarily relied upon by reasonable persons in the conduct of serious affairs. The Utah Rules of Evidence may be used as guidance but shall not strictly control unless required by law.

1.29.120 Hearing Rights and Procedure.

A. At the hearing, the employee may: (1) appear in person; (2) be represented by counsel at the employee's expense; (3) request that the hearing be open to the public; (4) confront the witnesses whose testimony is to be considered; and (5) examine the evidence to be considered by the Administrative Judge.

B. The Town may also request that the hearing be open to the public to the extent allowed by Utah Code Section 10-3-1106.

C. The Administrative Judge may administer oaths, regulate the course of the hearing, receive evidence, rule on procedural matters, set reasonable time limits, exclude cumulative or irrelevant evidence, and take other action reasonably necessary to conduct a fair and orderly hearing.

D. The Administrative Judge shall have no subpoena power unless expressly granted by state law.

E. The Administrative Judge shall have no contempt power.

F. The hearing shall be recorded by audio recording, video recording, court reporter, or other reliable means as determined by the Town.

G. The Town bears the burden of showing that the disciplinary action should be sustained under the standard of review stated in this Chapter.

1.29.130 Standard of Review.

A. The Administrative Judge shall review the Town's final disciplinary decision under a substantial evidence standard.

B. Substantial evidence means that quantum and quality of relevant evidence that is adequate to convince a reasonable person to support a conclusion.

C. If the Administrative Judge determines that substantial evidence supports the Town's decision and that the Town did not act contrary to law, the Administrative Judge shall sustain the decision.

D. If the Administrative Judge determines that substantial evidence does not support the Town's decision or that the Town acted contrary to law, the Administrative Judge shall overturn the decision.

E. The Administrative Judge shall not substitute the Administrative Judge's judgment for the Town's judgment on matters of policy, management, staffing, budget, organization, workplace operations, or discipline severity if the Town's decision is supported by substantial evidence and is not contrary to law.

1.29.140 Scope of Authority and Remedies.

A. The Administrative Judge may only sustain or overturn the appealable disciplinary action.

B. If the Administrative Judge sustains the Town's decision, the disciplinary action shall remain in effect.

C. If the Administrative Judge overturns the Town's decision, the Administrative Judge's decision shall provide only the compensation required by Utah Code Section 10-3-1106(5)(b), as amended, which may include: (1) salary for the period of time during which the employee was discharged or suspended without pay, less any amounts the employee earned from other employment during that period; or (2) any deficiency in salary for the period during which the employee was transferred to a position of less remuneration.

D. The Administrative Judge shall not order reinstatement, appointment, promotion, reassignment, creation of a position, alteration of job duties, discipline of another employee, attorney fees, punitive damages, emotional distress damages, consequential damages, civil penalties, policy changes, or any other relief not expressly required by Utah Code Section 10-3-1106.

E. Any payment ordered under this section shall be subject to lawful withholding, offset, mitigation, retirement system requirements, tax reporting, and other deductions or adjustments required by law.

F. Nothing in this section limits the Town's ability to take subsequent employment action consistent with state law, federal law, Town ordinance, Town policy, budgetary authority, staffing needs, reorganization, or other lawful grounds.

1.29.150 Decision.

A. The Administrative Judge shall issue a written decision containing findings of fact, conclusions, and an order sustaining or overturning the Town's decision.

B. The Administrative Judge shall certify the decision with the Town Recorder no later than fifteen days after the hearing is held, unless extended as provided by Utah Code Section 10-3-1106.

C. For good cause, the Administrative Judge may extend the fifteen-day period to a maximum of sixty calendar days if both the employee and the Town consent.

D. The Town Recorder shall provide the certified decision to the employee, the employee's counsel if known, the Mayor, Town Attorney, and affected department head.

E. The Administrative Judge's decision is the final administrative action of the Town.

1.29.160 Judicial Review.

A. A final action or order of the Administrative Judge may be reviewed by the Utah Court of Appeals by filing a petition for review in accordance with Utah Code Section 10-3-1106.

B. The petition for review shall be filed within thirty days after issuance of the final action or order.

C. Review shall be on the record and for the purpose of determining whether the Administrative Judge abused discretion or exceeded authority.

1.29.170 No Additional Rights Created.

A. This Chapter is procedural only and shall not be interpreted to create any employment contract, tenure, property right, reinstatement right, right to continued employment, right to progressive discipline, or right to appeal beyond those expressly required by Utah Code Sections 10-3-1105 and 10-3-1106.

B. All Town employees remain subject to applicable federal law, state law, Town ordinance, Town personnel policy, written employment documents, written appointment documents, job descriptions, at-will acknowledgments, and lawful directives.

C. If any provision of this Chapter conflicts with mandatory state or federal law, the mandatory state or federal law shall control, and the remaining provisions of this Chapter shall remain in effect.

SECTION 2. Personnel Documents.

The Mayor, Town Recorder, and Town Attorney are authorized to update job descriptions, offer letters, appointment letters, at-will acknowledgments, personnel policies, and related employment documents to conform to this Ordinance and Utah Code Sections 10-3-1105 and 10-3-1106.

SECTION 3. Repealer.

All ordinances, resolutions, policies, or parts thereof in conflict with this Ordinance are repealed to the extent of such conflict.

SECTION 4. Severability.

If any section, clause, or provision of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall remain in full force and effect.

SECTION 5. Effective Date.

This Ordinance shall become effective upon publication or posting as required by law.

PASSED AND ADOPTED by the Town Council of the Town of Hideout, Utah, this ___ day of _____, 2026.

Voting:

Councilmember Peter Ginsberg	___ Yes ___ No
Councilmember Tanya Brady	___ Yes ___ No
Councilmember Carol Haselton	___ Yes ___ No
Councilmember Jonathan Gunn	___ Yes ___ No
Councilmember Brian Cooper	___ Yes ___ No

TOWN OF HIDEOUT

By: _____
Mayor Ralph Severini

ATTEST:

Town Recorder

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

7. Presentation and Discussion on Affordable Housing Requirements and Long-Term Affordability Options - Corbin Gordon, C. Woltering, T. Eddington

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MEMORANDUM

TO: Hideout Town Officials
FROM: Corbin Gordon
DATE: June 24, 2026

RE: ***Affordable Housing Requirements and Long-Term Affordability Options***

Question Presented

What does Utah law require of Hideout with respect to moderate-income or affordable housing, what options are available to satisfy or prepare for those requirements, and which housing models actually preserve affordability long-term rather than creating only a short initial affordability period?

Short Answer

Based on the State of Utah 2026 Moderate Income Housing reporting materials, Hideout does not appear to be one of the municipalities required to submit the July 1, 2026 certificate-of-occupancy report. The State reporting page states that 2026 city reporting applies to all cities over 10,000 population and cities over 5,000 in counties with at least 40,000 population; the published list does not include Hideout. A search of the Utah Department of Workforce Services, Moderate Income Housing and Reporting page, lines 129-136 returned no match for “Hideout”.

That said, Hideout should not wait until state reporting becomes mandatory. Utah law continues to move municipalities toward realistic planning for housing supply and moderate-income housing. The better policy approach is to decide now what Hideout will and will not count as “affordable housing.” The central policy distinction is between: (1) units that are affordable only at initial sale or for a short restriction period; and (2) units that remain affordable at resale for decades or permanently.

Time limitations such as a five-year restriction does not create durable affordable housing. It may help the first buyer, but it allows public value to disappear when the unit converts to market rate. If the Town grants density, fee relief, land, infrastructure, zoning flexibility, or development agreement concessions in exchange for affordable housing, the Town should require a recorded, enforceable, long-term affordability mechanism.

I. Utah Law Framework

A. Moderate-income housing element and "realistic opportunity" requirement

Utah Code Title 10, Chapter 21 now governs municipal housing supply and moderate-income housing planning. Section 10-21-201 provides that a moderate-income housing element of a general plan must include a moderate-income housing plan. That plan must provide a "realistic opportunity" to meet the need for additional moderate-income housing within the municipality during the next five years. Source: Utah Code § 10-21-201(1)-(2), effective 11/6/2025 and amended effective 7/1/2026.

For specified municipalities, the statute requires selection of a minimum number of statutory strategies and an implementation plan. For municipalities that are not specified municipalities, the statute allows—but does not require—the municipality to include a recommendation to implement three or more statutory strategies. Source: Utah Code § 10-21-201(2)(b)-(e).

B. Specified municipalities and reporting

The current State reporting materials for the 2026 reporting period state that residential certificate-of-occupancy reporting is due July 1, 2026 at 11:59 p.m. and applies to "all cities over 10,000 population" and "cities over 5,000 in counties with at least 40,000 in population." The State page then lists the cities required to report. Hideout is not listed. Source: Utah Department of Workforce Services, Moderate Income Housing and Reporting page, lines 129-136, with no match for "Hideout."

Practical conclusion: Hideout does not appear to have a 2026 State MIH certificate-of-occupancy reporting obligation, but it should preserve that conclusion with updated population and State DWS confirmation if the Council wants a formal legal position.

C. Available statutory strategies

Section 10-21-201 contains a broad menu of moderate-income housing strategies. They include rezoning for densities necessary to facilitate moderate-income housing, infrastructure investment, rehabilitation of existing uninhabitable housing stock, waiving construction-related fees, use of housing authority or interlocal tools, use of CRA/RDA housing set-asides, transfer of development rights, joint acquisition, housing for seniors or disabled residents, ADU-related strategies, multifamily allowances, local funding sources, land-use ordinances requiring a percentage of new residential development to be dedicated to moderate-income housing, home-ownership promotion tools, and qualifying affordable home ownership density bonuses. Source: Utah Code § 10-21-201(3)(a)(iii).

Important distinction: many statutory strategies increase housing supply or allow initial affordability. Fewer strategies preserve affordability after resale. Hideout should not assume a strategy creates affordable housing merely because it is listed in the State menu.

D. Affordable home ownership density bonus is useful but incomplete

Utah Code § 10-21-401 allows a qualifying affordable home ownership density bonus for single-family residential units. The statute references affordability thresholds such as 120% of area median income. This tool can support a State strategy, but it does not by itself answer the long-term affordability question. Hideout should require any density bonus proposal to include a recorded long-term resale control, not merely a short-term owner-occupancy or initial-sale restriction. Source: Utah Code § 10-21-401.

II. The Core Policy Problem

The problem with short-term affordability restrictions is straightforward. If a home is initially sold for $300,000 and restricted for five years, but the market value rises to $700,000, the first owner can capture a substantial windfall after the restriction expires. The public receives no ongoing affordable unit. The next buyer cannot afford the home. The Town has permanently given away whatever public concession supported the initial discount, but the affordability benefit has disappeared.

Therefore, Hideout should distinguish between “buyer assistance” and “affordable housing preservation.” Buyer assistance helps one household. Affordable housing preservation keeps the unit affordable for future households. Both may have value, but they are not the same policy outcome.

III. National Models That Preserve Long-Term Affordability

Model	Structure	Affordability Mechanism	Evaluation
Community Land Trust (CLT)	Land held by nonprofit/public-purpose entity; homeowner owns improvements under long-term renewable ground lease.	99-year renewable ground lease, resale formula, future buyer income qualification, and CLT enforcement.	Strongest ownership model; removes land from speculation while allowing limited equity.
Permanent / 99-year Deed Restriction	Buyer owns land and home, but recorded covenant controls resale price and occupancy.	Recorded covenant, resale formula, owner-occupancy, income qualification, ROFR, and approval of transfers/refinances.	Very strong if actively administered; Boulder is a leading example.

Inclusionary Housing with Long Control Period	Developer receives density/approval; portion of units must remain affordable for a defined control period.	30-year for-sale or 99-year rental control period; resale administration; new control period on qualifying resale.	Useful, but a 30-year ownership period eventually expires.
Affordable Rental / LIHTC with Local Overlay	Tax-credit or subsidized rental development.	Federal LIHTC usually provides 15-year compliance plus 15-year extended use; local covenant can extend term.	Good rental supply tool, but not permanent unless layered with local restrictions.
Shared Equity / Resale Formula Program	Home is sold below market; resale price is restricted each time it sells.	Formula balances limited owner equity with affordability for next buyer.	Works when the program has active monitoring and resale approval.

A. Community Land Trust

A community land trust is the strongest long-term homeownership model. The CLT retains ownership of the land and sells only the improvements. The homeowner receives a long-term, usually 99-year renewable ground lease. The lease controls resale price and typically requires resale to another income-qualified household at an affordable price. Source: National League of Cities, Community Land Trusts: A Guide for Local Governments, page 4.

This model works because the land is removed from the speculative market, the resale formula preserves affordability, and the CLT remains a party with enforcement rights at each transfer. It also allows the homeowner to build some equity, but not unlimited market appreciation.

B. Permanent or 99-year deed-restricted ownership

Boulder, Colorado provides a useful example. Boulder states that homes in its program are permanently affordable and governed by an affordability covenant that limits resale price and imposes other restrictions. Boulder also states that the maximum resale price is determined by the covenant, not the market, using a formula. Sources: City of Boulder, Permanently Affordable Homeownership Program; City of Boulder, Home Restrictions.

A deed-restriction model can be effective for Hideout if it includes a meaningful resale formula, future buyer income qualification, owner occupancy, right of first refusal, Town approval of resale, limits on leasing and short-term rental use, refinance controls, and enforcement remedies.

C. Inclusionary housing with long control periods

Montgomery County, Maryland's MPDU program is one of the oldest and most cited inclusionary housing programs. Its for-sale MPDU control period was extended from 10 years to 30 years, and rental MPDUs from 20 years to 99 years. Source: Montgomery Planning, Affordable Housing Programs and Tools.

This is much stronger than a five-year control period. However, a 30-year ownership period still eventually expires. If Hideout wants permanent affordability, it should prefer permanent/99-year covenants or a CLT structure.

D. LIHTC rental projects

The Low-Income Housing Tax Credit is useful for rental housing but does not automatically create permanent affordability. HUD's Year 15 summary explains that LIHTC properties generally have an initial 15-year compliance period plus a subsequent 15-year extended-use period, and owners may seek relief through the qualified contract process after Year 15 unless that right is waived or otherwise addressed. Source: HUD User, What Happens to LIHTC Properties at Year 15 and Beyond?

For Hideout, LIHTC should be treated as a financing tool, not a complete preservation tool. If the Town supports a LIHTC project, it should require a local land-use restriction, ground lease, or development agreement extending affordability to 50, 75, 99 years, or permanent affordability where enforceable.

IV. Programs That Do Not Solve Hideout's Concern

- **Expiring time restrictions:** They create initial affordability but allow the unit to become market rate shortly after the restriction expires.
- **Initial-sale-only affordability:** The discount benefits the first buyer but is not preserved for the next household.
- **Density bonus without resale controls:** The Town grants permanent development value while receiving only temporary public benefit.
- **Fee waiver without recorded covenant:** The public subsidy is not tied to a durable unit.
- **Unrestricted ADUs:** ADUs may increase supply, but they are not affordable housing unless rent and occupancy are enforceably restricted and monitored.
- **Voluntary promises in staff reports or marketing materials:** Affordability must be in recorded, enforceable legal documents, not aspirational materials.

V. Recommended Hideout Standard

Recommended policy statement:

> *Hideout should not approve or count any ownership unit as affordable housing unless affordability is preserved by a recorded, enforceable, long-term restriction that controls resale price, requires future buyer qualification, requires owner occupancy, prohibits short-term rental use, and gives the Town or its housing partner an ongoing right to monitor, approve, and enforce each transfer.*

Minimum required terms for an affordable ownership unit:

- Recorded affordability covenant or CLT ground lease recorded before final plat, building permit, or certificate of occupancy, as appropriate.
- Duration of permanent affordability or 99 years with automatic renewal to the extent legally enforceable.
- Maximum resale price formula tied to AMI, permitted appreciation, or an index that keeps the unit affordable to the targeted income group.
- Future buyer income qualification at every resale.
- Owner-occupancy requirement and prohibition on short-term rentals.
- Town or housing partner right of first refusal or purchase option at the restricted price.
- Town or housing partner approval of every resale, transfer, lease, refinance, and subordinate lien.
- Refinance limitations so the owner cannot extract restricted equity through debt.
- Annual certification and enforcement remedies, including injunctive relief, attorney fees, and repurchase rights.
- Administration by Town staff, a housing authority, Mountainlands Community Housing Trust, a CLT, or another qualified regional nonprofit.

VI. Practical Options for Hideout

1. **Option 1: Adopt a Hideout Affordable Housing Covenant Template.** Best immediate step. The Town can require this template in development agreements, density bonus approvals, annexations, zoning approvals, or any voluntary affordable housing proposal.
2. **Option 2: Partner with a Community Land Trust.** Best long-term ownership structure. The Town could partner with Mountainlands or another nonprofit, require land dedication, accept fee-in-lieu money for land acquisition, or structure future projects through a CLT ground lease.
3. **Option 3: Require permanent/99-year affordability in development agreements.** Any discretionary approval that offers density, zoning flexibility, infrastructure support, fee relief, or other concessions should require permanent/99-year affordability if the developer receives affordable housing credit.
4. **Option 4: Create an affordable housing overlay or incentive ordinance.** The Town may allow additional density only where the development provides units under a long-term recorded covenant or CLT ground lease.
5. **Option 5: Fee-in-lieu only if high enough and dedicated.** Fee-in-lieu should be used cautiously. If allowed, the fee should be placed in a restricted housing fund and used only for land acquisition, CLT support, deed-restricted units, or gap financing with permanent restrictions.
6. **Option 6: Rental housing with long-term local restrictions.** Rental projects may help address workforce needs, but affordability should be secured by local covenant, land-use

restriction, or development agreement for 50, 75, 99 years, or permanent affordability where possible.

VII. Recommended Council Direction

The Council should consider giving staff direction on three points:

1. Hideout will not count short-term restrictions, such as five-year restrictions, as true affordable housing unless the Council expressly finds a limited purpose for doing so.
2. Affordable ownership units should require permanent or 99-year affordability through either a CLT ground lease or a recorded affordability covenant.
3. Staff should prepare a standard affordability covenant, a development agreement exhibit, and a list of qualified administrative partners before approving any affordable housing proposal.

VIII. Presentation Points for June 30

- Utah law distinguishes between general housing planning and mandatory reporting by specified municipalities.
- Hideout does not appear to have a July 1, 2026 MIH certificate-of-occupancy reporting obligation, but should plan proactively.
- The Town's policy question is not whether affordable housing matters; it is what should count as affordable housing.
- Short-term restrictions create short-term affordability. They do not create a permanent community asset.
- The best national models are CLTs, permanent/99-year deed restrictions, and active resale administration.
- If the Town gives permanent development value, it should receive permanent or long-term public value in return.

IX. Source Notes

- Utah Code § 10-21-201, Moderate income housing plan required, including current version effective 11/6/2025 and amendments effective 7/1/2026.
- Utah Code § 10-21-401, Affordable home ownership density bonus for single-family residential units.
- Utah Department of Workforce Services, Moderate Income Housing and Reporting, 2026 reporting page.
- National League of Cities, Community Land Trusts: A Guide for Local Governments.
- Lincoln Institute of Land Policy, Community Land Trusts.

- City of Boulder, Boulder Regional Affordable Homeownership Program and Home Restrictions.
- Montgomery Planning, Affordable Housing Programs and Tools, MPDU control periods.
- HUD User, What Happens to Low-Income Housing Tax Credit Properties at Year 15 and Beyond?

File Attachments for Item:

2. Discussion and Consideration to amend the Town of Hideout Fee and Rate Schedule to add a civil penalty for violation of the Hideout Municipal Code Section 7.16.038, Emergency Access Areas; Fire Lanes; Obstruction prohibited, Penalties. - Corbin Gordon, Town Attorney (10 mins.)

TOWN OF HIDEOUT
ORDINANCE NO. 2026-O-___

AN ORDINANCE AMENDING TITLE 7, CHAPTER 7.16 OF THE HIDEOUT MUNICIPAL CODE TO ADD SECTION 7.16.038, EMERGENCY ACCESS AREAS; FIRE LANES; OBSTRUCTION PROHIBITED; PENALTIES; PROHIBITING PARKING, STANDING, STOPPING, STORAGE, OR OBSTRUCTION WITHIN FIRE LANES, EMERGENCY ACCESS AREAS, EMERGENCY ACCESS EASEMENTS, SECONDARY ACCESS ROUTES, TURNAROUNDS, AND OTHER AREAS REQUIRED TO REMAIN OPEN FOR EMERGENCY RESPONSE; ESTABLISHING CIVIL PENALTIES; AUTHORIZING TOWING, REMOVAL, COST RECOVERY, ADMINISTRATIVE HOLDS, AND OTHER ENFORCEMENT REMEDIES; AND PROVIDING FOR RELATED MATTERS

WHEREAS, the Town of Hideout is authorized to enact ordinances necessary to protect the public health, safety, welfare, and orderly development of the Town;

WHEREAS, the Town has authority to regulate parking, traffic, public safety, emergency access, fire access, development activity, construction activity, and the use of public streets, private streets, emergency access easements, public improvements, private improvements, and areas required to remain open for emergency response;

WHEREAS, Title 7, Chapter 7.16 of the Hideout Municipal Code regulates parking restrictions within the Town;

WHEREAS, the Town Council finds that blocked, obstructed, or unavailable fire lanes, emergency access areas, emergency access easements, secondary access routes, turnarounds, hammerheads, and similar emergency response areas may create immediate risks to life, property, public safety, fire suppression, ambulance response, law enforcement response, snow removal, public works access, utility access, and evacuation;

WHEREAS, the Town Council finds that emergency access areas may be obstructed not only by parked vehicles, but also by trailers, construction equipment, dumpsters, storage containers, construction materials, landscaping materials, snow storage, debris, and other objects or obstructions;

WHEREAS, the Town Council desires to clarify that no person may park, stop, stand, place, store, or allow any vehicle, trailer, equipment, material, object, or obstruction within any area required to remain open for emergency response;

WHEREAS, the Town Council desires to establish a civil penalty for emergency access violations in an amount not to exceed the maximum civil penalty authorized by Utah law;

WHEREAS, Utah Code Section 10-3-703 authorizes the governing body of a municipality to prescribe a civil penalty for violation of a municipal ordinance in an amount not exceeding the maximum class B misdemeanor fine under Utah Code Section 76-3-301, except that a municipality may not impose a civil penalty and adjudication for a municipal moving traffic ordinance;

WHEREAS, the Town Council finds that violations of this Ordinance are intended to be treated as civil municipal code, parking, fire-access, emergency-access, public-safety, and obstruction violations, and not as moving traffic violations;

WHEREAS, the Town Council further finds that because emergency access violations may pose immediate risks to public health, safety, welfare, fire response, ambulance response, law enforcement response, snow removal, utility access, and evacuation, the Town must have authority to require immediate removal and to impose enforcement remedies for continuing violations;

WHEREAS, the Town Council desires to make the remedies adopted by this Ordinance cumulative with other remedies available under the Hideout Municipal Code, including enforcement procedures under Title 7, Chapter 7.16, stop work orders, administrative holds, permit suspension, permit revocation, withholding of permits, withholding of inspections, withholding of approvals, abatement, towing, removal, cost recovery, attorney fees, and other remedies available at law or equity; and

WHEREAS, the Town Council finds that this Ordinance is necessary and appropriate to protect the health, safety, welfare, property, emergency access, public improvements, private improvements, and orderly administration of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIDEOUT, UTAH:

SECTION 1. Amendment to Title 7, Chapter 7.16.

Title 7, Chapter 7.16 of the Hideout Municipal Code is amended to add a new Section 7.16.038, entitled “Emergency Access Areas; Fire Lanes; Obstruction Prohibited; Penalties,” to read as follows:

7.16.038 EMERGENCY ACCESS AREAS; FIRE LANES; OBSTRUCTION PROHIBITED; PENALTIES.

A. Definitions. For purposes of this Section:

1. “Emergency access area” means any area, route, lane, easement, roadway, street, drive aisle, driveway, access way, fire lane, secondary access route, emergency access easement, turnaround, hammerhead, staging area, shoulder, or other area that is posted, marked, designated, platted, approved, required, or reasonably necessary to remain open for fire, ambulance, law enforcement, evacuation, snow removal, public works, utility, or emergency response access.
2. “Obstruction” means any vehicle, trailer, recreational vehicle, boat, construction equipment, machinery, dumpster, storage container, material, construction material, landscaping material, snow storage, debris, personal property, object, barrier, gate, fence, sign, or other item that blocks, narrows, impairs, restricts, delays, or interferes with use of an emergency access area.

3. “Person” means any individual, owner, tenant, occupant, applicant, developer, contractor, subcontractor, permit holder, property manager, homeowners association, entity, agent, or other person or entity that owns, controls, places, stores, parks, allows, directs, authorizes, or is responsible for a vehicle, item, material, object, or obstruction.

B. Prohibited Conduct. No person may park, stop, stand, place, store, maintain, permit, cause, authorize, or allow any vehicle, trailer, equipment, material, object, or obstruction within any emergency access area.

C. Duty to Keep Clear. Emergency access areas shall remain continuously open, passable, and unobstructed unless temporary closure or obstruction has been expressly approved in writing by the Town and any required emergency services authority.

D. Separate Violations. Each vehicle, trailer, item of equipment, material, object, or obstruction may constitute a separate violation. Each day or portion of a day that a violation continues constitutes a separate violation.

E. Civil Penalty. A violation of this Section is a civil violation punishable by a civil penalty in the amount established by the Town’s fee schedule, not to exceed the maximum civil penalty authorized by Utah Code Section 10-3-703. The Town Council may list the adopted penalty in the Town’s fee schedule.

F. Immediate Removal. Because obstruction of emergency access areas may create immediate risks to public health, safety, welfare, fire response, ambulance response, law enforcement response, evacuation, snow removal, public works access, utility access, and property protection, the Town may require immediate removal of any vehicle, item, material, object, or obstruction located in violation of this Section.

G. Notice. Notice of violation may be provided by any reasonable method, including personal delivery, posting on the vehicle or obstruction, posting on the property, email, regular mail, certified mail, hand delivery, notice to an owner, occupant, applicant, developer, contractor, subcontractor, permit holder, homeowners association, property manager, or agent, or any other method reasonably calculated to provide notice. Where the violation involves a parked, stopped, standing, stored, or placed vehicle, trailer, equipment, object, material, or obstruction in an emergency access area, notice requiring immediate removal shall constitute a reasonable opportunity to cure due to the public-safety nature of the violation.

H. Towing and Removal. In addition to imposing civil penalties, the Town may tow, remove, relocate, or cause removal of any vehicle, trailer, equipment, material, object, or obstruction located in violation of this Section. Removal may occur without further notice when the obstruction creates or may create a risk to emergency response, evacuation, snow removal, public works access, utility access, public safety, or property protection.

I. Cost Recovery. The person responsible for a violation shall be liable for all costs incurred by the Town relating to enforcement, towing, removal, relocation, storage, abatement, administrative processing, consultant review, attorney fees, collection costs, and any other cost incurred by the Town in connection with the violation.

J. Development, Construction, and Permit-Related Violations. If a violation of this Section is associated with construction activity, development activity, subdivision improvements, private improvements, public improvements, a land use approval, a building permit, a grading permit, an excavation permit, an encroachment permit, a subdivision approval, a development agreement, a subdivision improvement agreement, or any other Town approval, the Town may also issue a stop work order, administrative hold, notice of violation, permit suspension, permit revocation, withhold inspections, withhold further review, withhold further approvals, withhold certificates of occupancy, withhold acceptance of improvements, withhold release of financial assurances, or exercise any other remedy available under the Hideout Municipal Code, any applicable agreement, any permit or approval condition, or Utah law.

K. Enforcement Procedures. Violations of this Section may be enforced under the enforcement procedures applicable to parking violations under this Chapter, the general civil enforcement provisions of the Hideout Municipal Code, the stop work order and administrative hold provisions of the Hideout Municipal Code, and any other enforcement procedure or remedy available to the Town.

L. Cumulative Remedies. The remedies provided in this Section are cumulative and are in addition to, and not in limitation of, any other remedy available under the Hideout Municipal Code, any adopted fire code, any adopted construction code, any permit, approval, agreement, bond, escrow, financial assurance, development agreement, subdivision improvement agreement, or Utah law.

M. No Waiver. Failure by the Town to immediately enforce this Section does not waive the Town's right to later enforce this Section or any other applicable ordinance, approval condition, permit condition, agreement, or remedy.

SECTION 2. Conforming Reference to Fee Schedule.

The Town Council authorizes the civil penalty for violation of Section 7.16.038 to be included in the Town's Fee and Rate Schedule under the section governing penalties and fees for non-compliance with Town ordinances and code. The civil penalty shall not exceed the maximum civil penalty authorized by Utah Code Section 10-3-703.

SECTION 3. Conflicting Provisions.

To the extent any existing provision of the Hideout Municipal Code is inconsistent with this Ordinance, the more specific and more protective public-safety, emergency-access, fire-access, parking, obstruction, and enforcement provision shall govern.

SECTION 4. Codification.

The Town Clerk and codifier are authorized to codify this Ordinance as Section 7.16.038 of the Hideout Municipal Code and to make non-substantive formatting, numbering, cross-reference, and organizational changes necessary to incorporate this Ordinance into the Hideout Municipal Code.

SECTION 5. Severability.

If any section, clause, sentence, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

SECTION 6. Effective Date.

This Ordinance shall take effect immediately upon posting or publication as required by law.

PASSED AND ADOPTED by the Town Council of the Town of Hideout, Utah, this ___ day of _____, 2026.

TOWN OF HIDEOUT

By: _____
Mayor

ATTEST:

Town Clerk/Recorder

APPROVED AS TO FORM:

Town Attorney

TOWN OF HIDEOUT
RESOLUTION NO. 2026-R-___

A RESOLUTION AMENDING THE TOWN OF HIDEOUT FEE AND RATE SCHEDULE TO ADD A CIVIL PENALTY FOR VIOLATION OF HIDEOUT MUNICIPAL CODE SECTION 7.16.038, EMERGENCY ACCESS AREAS; FIRE LANES; OBSTRUCTION PROHIBITED; PENALTIES

WHEREAS, the Town of Hideout has adopted a Fee and Rate Schedule establishing fees, charges, penalties, deposits, escrows, and other amounts charged or collected by the Town;

WHEREAS, the Town Council has adopted Ordinance No. 2026-O-___, amending Title 7, Chapter 7.16 of the Hideout Municipal Code to add Section 7.16.038, Emergency Access Areas; Fire Lanes; Obstruction Prohibited; Penalties;

WHEREAS, Section 7.16.038 prohibits parking, standing, stopping, storage, placement, or obstruction within fire lanes, emergency access areas, emergency access easements, secondary access routes, turnarounds, hammerheads, and other areas required to remain open for emergency response;

WHEREAS, Utah Code Section 10-3-717 permits a municipal governing body to establish fees and charges by resolution, but the Town Council recognizes that punishments, fines, and forfeitures must be authorized by ordinance as required by Utah law;

WHEREAS, Utah Code Section 10-3-703 authorizes a municipality to prescribe civil penalties for violation of a municipal ordinance in an amount not exceeding the maximum class B misdemeanor fine under Utah Code Section 76-3-301, except for municipal moving traffic ordinance violations;

WHEREAS, the Town Council finds that violations of Hideout Municipal Code Section 7.16.038 are civil municipal code, parking, fire-access, emergency-access, public-safety, and obstruction violations, and are not moving traffic violations;

WHEREAS, the Town Council finds that obstruction of emergency access areas may create immediate risks to life, property, public safety, fire suppression, ambulance response, law enforcement response, evacuation, snow removal, public works access, utility access, and emergency response;

WHEREAS, the Town Council desires to amend the Fee and Rate Schedule to list the civil penalty adopted by ordinance for violation of Hideout Municipal Code Section 7.16.038; and

WHEREAS, the Town Council finds that this Resolution is necessary and appropriate to protect the health, safety, welfare, emergency access, public improvements, private improvements, property, and orderly administration of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HIDEOUT, UTAH:

SECTION 1. Amendment to Fee and Rate Schedule.

The Town of Hideout Fee and Rate Schedule is amended as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 2. Penalty Adopted Pursuant to Ordinance.

The civil penalty listed in Exhibit A is included in the Fee and Rate Schedule pursuant to Hideout Municipal Code Section 7.16.038 and Ordinance No. 2026-O-___. This Resolution is intended to list, implement, and administer the penalty authorized by ordinance and shall not be construed to independently create a punishment, fine, or forfeiture by resolution.

SECTION 3. Cumulative Remedies.

The penalties listed in Exhibit A are cumulative and are in addition to all other remedies available under the Hideout Municipal Code, any adopted fire code, any adopted construction code, any permit, approval, agreement, development agreement, subdivision improvement agreement, financial assurance, or Utah law, including towing, removal, abatement, stop work orders, administrative holds, permit suspension, permit revocation, withholding of inspections, withholding of approvals, withholding of certificates of occupancy, cost recovery, attorney fees, and collection costs.

SECTION 4. Effective Date.

This Resolution shall take effect immediately upon adoption and shall be incorporated into the Town of Hideout Fee and Rate Schedule.

PASSED AND ADOPTED by the Town Council of the Town of Hideout, Utah, this ___ day of _____, 2026.

TOWN OF HIDEOUT

By: _____
Mayor

ATTEST:

Town Clerk/Recorder

APPROVED AS TO FORM:

Town Attorney

EXHIBIT A
AMENDMENT TO TOWN OF HIDEOUT FEE AND RATE SCHEDULE

The Town of Hideout Fee and Rate Schedule, Section 5, "Penalties and Fees for Non-Compliance with Town Ordinances and Code," Section 5.1, "Penalty Fees: Code Violations," is amended to add the following line item:

Emergency Access / Fire Lane / Emergency Access Easement / Secondary Access Obstruction Violation — Hideout Municipal Code Section 7.16.038:

Parking, standing, stopping, placing, storing, maintaining, permitting, causing, authorizing, or allowing any vehicle, trailer, recreational vehicle, boat, equipment, machinery, dumpster, storage container, construction material, landscaping material, snow storage, debris, personal property, object, barrier, or other obstruction within any posted, marked, designated, platted, approved, required, or reasonably necessary fire lane, emergency access area, emergency access easement, secondary access route, turnaround, hammerhead, staging area, shoulder, driveway, access way, or other area required to remain open for fire, ambulance, law enforcement, evacuation, snow removal, public works, utility, or emergency response access:

$1,000.00 per day / per violation

Notes:

1. Each day or portion of a day that a violation continues constitutes a separate violation.
2. Each separate vehicle, trailer, item of equipment, material, object, or obstruction may constitute a separate violation.
3. The Town may require immediate removal of any obstruction located within an emergency access area.
4. The Town may tow, remove, relocate, or cause removal of the obstruction and recover all enforcement, towing, removal, relocation, storage, administrative, consultant, attorney fee, collection, and other costs incurred by the Town.
5. If the violation is associated with construction activity, development activity, a permit, approval, subdivision, development agreement, subdivision improvement agreement, public improvement, private improvement, or other Town-regulated activity, the Town may also issue a stop work order, place an administrative hold, suspend permits, revoke permits, withhold inspections, withhold approvals, withhold certificates of occupancy, withhold acceptance of improvements, withhold release of financial assurances, and pursue any other remedy available under Town ordinance, agreement, permit condition, approval condition, or Utah law.
6. This penalty is adopted pursuant to Hideout Municipal Code Section 7.16.038 and Ordinance No. 2026-O-___ and shall not be construed to exceed the maximum civil penalty authorized by Utah Code Section 10-3-703.

File Attachments for Item:

3. Presentation, Discussion, and Possible Approval of FY26 Budget Amendments. - Katie Shepley (15 mins)

Town Council Meeting
Budget Amendments
6/11/2026

All information as of 5/31/2026

General Fund Budget Amendment

Revenues/Expenditures	FY26 Budget	Actuals + Fcst FY26	Budget Amendment	Amended FY26 Budget
Revenues				
Total Taxes	$858,755	$951,508	$92,752	$951,508
Total License and Permits	$766,256	$670,321	($95,934)	$670,321
Total Miscellaneous Revenues	$176,334	$4,580	($171,754)	$4,580
Total Contributions & Transfers	$417,542	$724,434	$306,892	$724,433
Total General Fund Revenues	**$2,218,887**	**$2,350,842**	**$131,955**	**$2,350,842**
Expenditures				
Salaries and Benefits	$506,315	$544,420	($38,105)	$544,420
Administration	$109,107	$96,641	$12,466	$96,641
Legal Settlement	$0	$350,000	($350,000)	$350,000
Professional Services	$1,072,769	$856,420	$216,349	$856,420
Public Safety	$94,874	$108,086	($13,213)	$108,086
Streets	$277,908	$276,710	$1,198	$276,710
Parks, Comm., Grants, Capital Projects	$112,000	$88,979	$23,021	$88,979
Debt Services	$45,913	$29,584	$16,329	$29,584
Total General Fund Expenditures	**$2,218,887**	**$2,350,842**	**($131,955)**	**$2,350,842**
Surplus/(Deficit)	**$0**	**($0)**	**$0**	**($0)**

$132k revenue amendment:

Primarily driven by additional utilization of MIDA Development Funds ($307k) and higher property, sales and energy tax ($93k) offset partially by lower building permit and inspection fees ($95k) and no grant revenue (offset in expense $50k) as well as lower interest, penalties/fines and other ($122k).

$132k expense amendment:

Primally driven by legal settlement costs ($350k) and salaries/benefits/admin ($26k) as well as soil testing ($15k) and capital expenditures of $54k (trucks, radar signs and safety equipment). Offsetting this unfavorability is management of professional services (advisory/communication/legal/engineering ($216k), reduced grant and community development ($77k) as well as lower debt costs ($16k).

Enterprise Fund
Budget Amendment

Revenue / Expense	FY26 Budget	Actuals + Fcst FY26	Budget Amendment	Amended FY26 Budget
Total Revenues	$2,206,168	$2,254,966	$48,798	$2,254,966
Total Expenses	$1,956,862	$2,296,030	($339,169)	$2,296,030
Surplus/(Deficit)	**$249,307**	**($41,064)**	**($290,371)**	**($41,064)**

$49k revenue amendment:

Higher water related fees due to increase usage and sewer fees primarily due to JSSD rate increase ($79k) and MIDA contribution funding capital plans ($64k) offset by a reduction in the number of water and sewer connections ($64k), fewer standby fees due to more certificates of occupancy ($18k) as well as fewer late fees/penalties/other ($12k)

$339k expense amendment:

Higher sewer fees due to JSSD rate increase ($168k) and water pipe repair at the Todd Hollow apartments ($90k) as well as additional engineering projects ($96k), salary/benefits/admin costs ($44) and depreciation ($10k) partially offset by fewer sewer repairs/supplies/maintenance ($70k)

MIDA and Class C Road Funds Budget Amendmen

MIDA Municipal (Fund 23)				
Revenue / Expense	FY26 Budget	Actuals + Fcst FY26	Budget Amendment	Amended FY26 Budget
Total Revenues	$123,921	$129,545	$5,624	$129,545
Total Expenses	$211,324	$55,669	$155,655	$55,669
Surplus/(Deficit)	($87,403)	$73,876	$161,279	$73,876

MIDA Development (Fund 24)				
Revenue / Expense	FY26 Budget	Actuals + Fcst FY26	Budget Amendment	Amended FY26 Budget
Total Revenues	$609,441	$616,076	$6,635	$616,076
Total Expenses	$332,454	$803,657	($471,204)	$803,657
Surplus/(Deficit)	$276,987	($187,581)	($464,569)	($187,581)

Class C Road Funds (Fund 48)				
Revenue / Expense	FY26 Budget	Actuals + Fcst FY26	Budget Amendment	Amended FY26 Budget
Total Revenues	$171,333	$176,927	$5,594	$176,927
Total Expenses	$0	$0	$0	$0
Surplus/(Deficit)	$171,333	$176,927	$5,594	$176,927

MIDA Funds are unfavorable by $303k primarily due to development projects and ongoing costs expensed in the General Fund being covered by the MIDA Development and Municipal Funds

- MIDA Municipal dollars are favorable by $161k due to fewer funds being required by the General Fund to cover ongoing municipal costs.
- MIDA Development Funds are unfavorable by $464k due to additional funds being transferred to the General and Water Fund for legal settlements/costs and growth/development related initiatives.

$6k Class C Road Funds are favorable primarily due to additional funds from the state for miles [illegible] versus total roads in the state as well as higher interest on invested funds.