

MILLCREEK, UTAH
ORDINANCE NO. 23-29

**AN ORDINANCE AMENDING SECTION 14.16.040 OF THE MILLCREEK CODE OF
ORDINANCES REGARDING FEES FOR ROAD CLOSURES, TRAFFIC CONTROL,
OR OBSTRUCTIONS ON RIGHTS-OF-WAY**

WHEREAS, the Millcreek Council ("*Council*") met in a regular session on July 25, 2023, to consider, among other things, amending Section 14.16.040 of the Millcreek Code of Ordinances regarding fees for road closures, traffic control, or obstructions on rights-of-way; and

WHEREAS, on June 12, 2023, the Council adopted a revised fee schedule as part of the final budget for Fiscal Year 2023-2024, and

WHEREAS, the revised fee schedule includes public works fees for right-of-way excavation and encroachment permits; and

WHEREAS, staff has identified a discrepancy between the fee schedule and the ordinance, and has made a recommendation to correct the error to align the ordinance with the adopted fee schedule; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the residents of the City to amend Section 14.16.040 of the Millcreek Code of Ordinances regarding fees for road closures, traffic control, or obstructions on rights-of-way.

NOW, THEREFORE, BE IT ORDAINED by the Council that Section 14.16.040 be amended as follows (interlineating the words to be deleted and underlining the words to be added):

14.16.040 Fees

The applicant for a permit for road closures, traffic control, or obstructions which are caused by excavations, shall pay the city the excavation fees as set forth in the consolidated fee schedule. A fee shall not be required for permits for road closures, traffic control, or obstructions caused by excavations on local roads, if the road closure, traffic control, or obstruction is no more than 72 hours in duration.

- A. For permit extensions an additional fee equal to one-half of the original fee shall be paid.
- B. For road closures, traffic control, or obstructions exceeding 72 hours which are caused by emergency repairs the applicant shall pay the city the excavation fees as set forth in the consolidated fee schedule.

- C. For sidewalk closures or obstructions which are caused by excavations the applicant shall pay the city the excavation fees as set forth in the consolidated fee schedule.
- D. For sidewalk closures or obstructions **exceeding 72 hours** which are caused by emergency repairs the applicant shall pay the city the excavation fees as set forth in the consolidated fee schedule.
- E. For road or sidewalk closures or obstructions which are caused by the location of a dumpster or moving pod, the applicant shall obtain a permit and pay fees as set forth in the consolidated fee schedule. A fee shall not be required for permits for road or sidewalk closures or obstructions caused by a dumpster or moving pod if the closure or obstruction is no more than 6 days in duration.

This Ordinance, assigned Ordinance No. 23-29, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this 25th day of July, 2023.



ATTEST:


 Elyse Sullivan, City Recorder

MILLCREEK

By: 
 Jeff Silvestrini, Mayor

Roll Call Vote:

Silvestrini	<u>Yes</u>	No
Catten	<u>Yes</u>	No
DeSirant	<u>Yes</u>	No
Jackson	<u>Yes</u>	No
Uipi	<u>Yes</u>	No

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:

ORDINANCE 23-29: AN ORDINANCE AMENDING SECTION 14.16.040 OF THE
MILLCREEK CODE OF ORDINANCES REGARDING FEES FOR ROAD CLOSURES,
TRAFFIC CONTROL, OR OBSTRUCTIONS ON RIGHTS-OF-WAY
was adopted the 25th day of July, 2023 and that a copy of the foregoing Ordinance 23-29 was
posted in accordance with Utah Code 10-3-711 this 26 day of July, 2023.



Elyse Sullivan, City Recorder