

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435) 734-9881

NOTICE

Notice is hereby given that the Conditional Use Permit Review Committee of Willard City Corporation will hold a special meeting at Willard City Hall, 80 West 50 South, on Thursday, October 5, 2023. Said meeting shall start at 2:15 p.m.

Agenda is as follows:

1. Call to order:

2. Business:

- a. Review and consideration of a request from Jackie Surrage to operate a food truck at 725 South Main (Parcel 02-053-0009)
- b. Consideration and approval of May 11, 2023, minutes

3. Adjourn

CUP Review Committee Meetings: Held as needed based on applications.

I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice was posted at the Willard City Hall, on the State of Utah Public Meeting Notice website <https://www.utah.gov/pmn/index.html>, on the Willard City website www.willardcity.com, and sent to the Box Elder News Journal this 29th day of September, 2023.

/s/ Michelle Drago

Deputy City Recorder

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS - In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Office at 80 West 50 South, Willard, Utah 84340, phone number (435) 734-9881, at least three working days prior to the meeting.

**WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING**

Application Date: 8-02-2023.

Assessor's Parcel Number
02-053-0009

Applicant: Debbie Surrage
725 So Main St

Parcel Legal Description

Mailing Address

Willard UT 84340

Same as above
Project Address

I hereby request a hearing before the
Willard City Planning Commission in
behalf of my application for:

- ☒ Conditional Use Permit \$25 Fee
- ☐ Lot Line Adjustment \$25 Fee
- ☐ Other Fee variable, \$25 Min.

Phone Number
801-695-0185

Cell Phone

NOTE: Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)
Complete Applicant Affidavit on back of this page.

WILLARD CITY CORPORATION
80 W 50 S
PO Box 593
Willard UT 84340
435-734-9681
Aug 14, 2023
Receipt No: 1.017897

J SURRAGE COND USE PERMIT

Charges for Services	25.00
Charges - PC & B of Adj	25.00
Total:	25.00
Cash	25.00
Total Applied:	25.00
Change Tendered:	.00

Duplicate Copy
09/15/2023 9:55 AM

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Jacqueline Surrage, being duly sworn, depose and say that I, (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at 725 S. main st in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED Jacqueline Surrage
Property Owner(s)
AGENT _____

Subscribed and sworn before me this 14th day of August 2003



Michelle Drago
Notary Public

Residing in Kenner, UT
My commission expires: 2/2/25

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) _____, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED _____
Property Owner(s)

Subscribed and sworn before me this _____ day of _____ 20 _____

Notary Public

Residing in _____
My commission expires: _____

9-20-23

To whom it may concern,

Jackie Surrage has my permission to operate
her food truck on our property.

Michelle Breider
801-668-5477



↑ NORTH



↑ NORTH

City of Willard
BUSINESS LICENSE DIVISION
80 W 50 S, PO Box 593, Willard, Utah 84340
Phone (435) 734-9881
Fax (435) 723-6164

FOR OFFICE USE ONLY

Business License Category _____ #82
Date Application Received 8/2/23
Application / License Fee _____
Other Fee: _____
☐ Check ☒ Cash Total 30⁰⁰
Receipt No. 1.018148 Date Rec'd 9/15/23

BUSINESS LICENSE APPLICATION

PLEASE COMPLETE ALL ITEMS - INCOMPLETE APPLICATIONS WILL BE RETURNED
WITHOUT BEING PROCESSED.

SECTION I: Business Information - Please type or print clearly • Change of: ☐ Location ☐ Ownership ☒ Business Name

Date of Application 08-02-2023

Business Name 3 Kowboy Chuck Wagon Is this name registered with the State of
Utah? ☒ Yes ☐ No

Type of Business (Be Specific) Food Trailer

Business Address 725 50 main st Willard Utah 84340 Bus. Phone No. (801) 695-0185
Street City State Zip

Mailing Address _____ Bus. Start Date 09/01/2023
Street/PO Box City State Zip

Owner's Name Jacqueline Surrage Phone No. (801) 695-0185

Owner's Address 725 50 main st Willard Utah 84340
Street City State Zip

Manager's Name James Surrage Phone No. (801) 695-0185

Manager's Address Same as Above ↑
Street City State Zip

Federal License (if any) _____ No. _____ Expires _____

Federal ID: ☐ SSN or ☐ EIN 93-2697129 Utah Corporation, LP or LLC No. _____

State Sales & Use Tax No. _____ Filing: ☐ Annual ☒ Monthly ☐ Quarterly
If not applicable please sign here: 23509727

DBA File No. _____

Professional License / State Contractor Number (If Applicable): _____

Email: _____
License plate of food trucks: 226YS in God we trust

Continued on Back of Page

Ben Hacker 8/25
BR Hedden Dept
norm
monday's weekend

SECTION II: Check <u>All</u> That Apply:	SECTION III: Describe Business
☐ Approximate Number of Employees: <u>3</u> ☐ Commercial ☐ Sole Proprietorship ☐ Limited Partnership ☐ Profit Corporation ☒ Outside City Limits ☒ Home Occupation ☐ General Partnership ☒ Limited Liability Co. ☐ Non-Profit Corporation ☐ Sexually-oriented Business or Employee	Food trailer

SECTION III: Verification of Accuracy - Acknowledgment of Responsibility

Under penalty of perjury, I hereby certify that the information provided for this entire application is complete, accurate and in accordance with Willard City Ordinances. I further certify that updated information will be provided in writing, as required, to the City of Willard Business License Division within 10 days of any change to the business, name, organization, or location. I hereby acknowledge that illegal or fraudulent business practices are grounds for revocation of the business license, as is delinquent payment of the business license fee. This form is an application for a business license. The receipt for payment of license fees thereof does not constitute being approved to operate a business. The actual license will be issued only when all inspections are completed and signed off by the various departments and approval is given by the Business License Office. To open and or operate a business without final approval is a Class "B" misdemeanor and is subject to a \$1,000 fine and/or a six month jail sentence. It is the responsibility of the licensee to be familiar with the ordinance under which the license is applied for. All business licenses are to be renewed yearly. The application and fees provided for herein shall be due and payable by the 31st of December of each year, or before commencing a new business, trade, service, or profession. All license fees not paid before March 1st of each year shall thereafter be considered delinquent and shall be subject to a 50% penalty. Responsibility of renewal is that of the licensee. Failure to receive a renewal notice does not excuse this responsibility.

Signature of Authorized Business Agent/Owner: Angeline S. Sweeney 08-02-2023

FOR OFFICE USE ONLY: Planning Commission / Conditional Use Requirements

Conditional Use Permit Required ☐ Yes ☐ No If yes give date approved by Planning Commission _____

FOR OFFICE USE ONLY: Application Review/Comments Section		
BUILDING & ZONING DIVISION Inspection Required: ☐ Yes ☐ No If yes, Date of Inspection _____ Property Zoned Appropriately? ☐ Yes ☐ No ☒ Approved ☐ Denied Reason: Signature: <u>Byron Whaley</u>	BEAR RIVER HEALTH DEPARTMENT Inspection Required: ☐ Yes ☐ No If yes, Date of Inspection _____ ☐ Approved ☐ Denied Reason: Signature: _____	POLICE & FIRE DEPARTMENT Inspection Required: ☐ Yes ☒ No If yes, Date of Inspection _____ ☒ Approved ☐ Denied Reason: Signature: <u>John J. [Signature]</u>

FOR OFFICE USE ONLY: Approval of Business License Administrator

Business License Administrator: Byron Whaley Date: 9-15-23 Approval of _____

City of Willard
Home Occupation Business License
Standard Conditions for Administrative Approval

80 W 50 S, PO Box 593, Willard, Utah 84340

Phone (435) 734-9881

Fax (435) 723-6164

Standard Conditions:

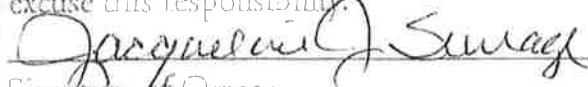
The following items are prohibited:

1. Outdoor storage and/or display,
2. Signage without a permit, (Attach permit as needed)
3. Vehicles in excess of twelve thousand pounds (12,000 lbs.) gross vehicle weight,
4. Employees other than residents of the home,
5. Any alteration to the physical appearance of the home or change which impacts the neighborhood,
6. Increased demand for municipal (city) services.
7. Hazardous or combusive materials, and
8. Unsolicited door to door sales.

Special Conditions (If required):

Owners Acknowledgment

I hereby certify that I shall comply with the above conditions and understand that failure to comply with all conditions is grounds for revocation of my business license and may include other fines and penalties. Responsibility of renewal is that of the licensee. Failure to receive a renewal notice does not excuse this responsibility.


Signature of Owner

8-2-2023
Date

Utah Food Handler Permit

Jacqueline J Surrage

Permit #: EFIL 21-1733

Expires: 4/28/2024



This permit is NOT a legal form of identification

**Permit MUST be presented upon
request to health authority**

Permit may be revoked for cause

**No other food handler permit
is approved in the State of Utah**



Permit to Operate

Kowboy Chuckwagon, Lic. #

owned and Operated By:

Jackie Surrage

725 South Main Street

Willard UT 84340

Permit Type: Primary Permit - Tier 1 Mobile

Permit Number: 12926

Permit Start: 09/01/2023

Permit Expiration: 08/31/2024

The above entity is hereby permitted to operate in the Bear River Health District, subject to the rules and regulations of the Board of Health. This permit is the property of the Bear River Health Department and is valid unless revoked for cause. No establishment may operate without a valid permit. This permit is non-transferable and must be posted as to be visible to the public.


David A. Ford, Director
Bureau of Health Services

85 East 1800 North • North Logan, UT 84341 • 435-792-6570
Bear River Department serves the counties of Box Elder, Rich, and Cache



WILLARD CITY
Conditional Use Permit (CUP) Review Committee – Special Meeting
May 11, 2023 – 1:00 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

1 The meeting was a special meeting designated by resolution. Notice of the meeting was provided 24 hours
2 in advance. A copy of the agenda was posted at the City Hall and on the State of Utah Public Meeting
3 Notice Website.

4
5 The following members were in attendance:

6
7 Chris Davis, City Manager
8 Colt Mund, City Attorney
9 Bryce Wheelwright, City Planner
10 Sid Bodily, Planning Commission Chairman
11 Chris Breinholt, City Engineer/Jones & Associates
12 Payden Vine, Public Works Director
13 Theron Fielding, Police Chief
14 Van Mund, Fire Chief
15 Michelle Drago Deputy City Recorder

16
17 Others in attendance: Bruce Sherrod.

18
19 1. CALL TO ORDER

20
21 Bryce Wheelwright, City Planner, called the meeting to order at 1:09 p.m. A roll call attendance was
22 recorded by the secretary.

23
24 2A. REVIEW AND CONSIDERATION OF A REQUEST FROM BRUCE SHERROD TO OPERATE A
25 FOOD TRUCK AT VARIOUS LOCATIONS IN WILLARD CITY

26
27 Time Stamp – 1:25 05/11/2023

28
29 Bryce Wheelwright, City Planner, stated that Willard City had received a conditional use permit application
30 from Bruce Sherrod to operate a food truck at various locations in Willard City.

31
32 Bruce Sherrod, North Ogden, stated that he had been running the Granite Ridge gravel pit in Willard City
33 for ten years. In early 2000, he owned the Rhino Lining business at 51 North Main. Although he lived in
34 North Ogden, he had been associated with Willard City for many years. The name of his parent company
35 would be Sherrod, LLC. The food truck would be called Daughter vs. Dad. They planned to serve tacos,
36 hamburgers, and stuffed chili verde burritos. Their desserts would include one-two-three cake and deep-
37 fried saltwater taffy.

38
39 Theron Fielding arrived at 1:11 p.m.

40
41 Chris Davis, City Manager, asked where Mr. Sherrod planned to park the food truck. Bruce Sherrod said
42 the food truck would be parked at his house until they could get a commissary kitchen. He was exploring
43 the possibility of doing a shared kitchen with Golden Spike in Corinne. In the State of Utah a food truck
44 could get a 6-month seasonal use permit from the health department. If they had a commissary kitchen,
45 they could operate year round. His seasonal permit was good from May 2nd to November 2nd. The seasonal
46 permit required him to do everything in his truck.

47
48 Colt Mund, City Attorney, stated that the City would need a copy of his State permit and his food handler's
49 permit from the Health Department.



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50 Van Mund, Fire Chief, stated that the food truck would also need an ANUSL system inspection and a yellow
51 tag from the local fire department. Mr. Sherrod said he had both. Fire Chief Mund said the City needed a
52 copy of the inspection report from the ANSUL system installer and a picture of the yellow sticker from the
53 fire department.

54
55 Sid Bodily, Planning Commission Chairman, arrived at 1:15 p.m.

56
57 Chris Davis asked about employees. Bruce Sherrod stated that his daughter and grandchildren would be
58 helping him. It was really his daughter's business.

59
60 Michelle Drago asked if his daughter and grandchildren would need their own food handler's permits. Bruce
61 Sherrod said they would get food handler's permits if the City required them, but everyone was covered
62 under his State permit. If they had a commissary kitchen, everyone would have to have an individual food
63 handler's permit, and either his daughter, or himself, would have to a manager's permit. Without a
64 commissary kitchen, only someone on the vehicle had to have a permit.

65
66 Chris Davis and Colt Mund questioned whether Bruce Sherrod actually needed a conditional use permit
67 from Willard City.

68
69 Colt Mund asked where Bruce Sherrod planned to park the truck in Willard City. Bruce Sherrod stated that
70 right now they planned to park the truck across from the elementary school hear the chocolate factory and
71 the bike shop. They might do private events at Granite's gravel pit.

72
73 Colt Mund felt Bruce Sherrod needed a business license rather than a conditional use permit. The only land
74 use issue he could see was parking and access. The business itself would have to meet all of the State
75 requirements.

76
77 Bryce Wheelwright asked if the various locations of operation would make it a conditional use. Colt Mund
78 said if the City took the position that the food truck was a fast food restaurant, the use would be permitted
79 in the Commercial Neighborhood Zone. A food truck was a type of fast food, but it wasn't in a fixed location.

80
81 Chris Davis stated that Bruce Sherrod did not live in Willard, and the food truck would not be housed in
82 Willard.

83
84 Colt Mund stated that in his opinion, the food truck would be considered a food establishment and would
85 not be subject to a conditional use permit. The food truck would be subject to all of the requirements of the
86 State and Health Department. However, a decision regarding the use would have to be made by the City
87 Planner.

88
89 Van Mund asked which health department had inspected the truck – Weber/Morgan or Bear River. Bruce
90 Sherrod stated that the law just changed from requiring a health permit from every county to one permit.
91 He had a Weber-Davis County seasonal use permit. The food truck was considered Type 1 because he
92 would be cooking with grease.

93
94 Van Mund agreed that the food truck fell under business license requirements rather than a conditional use
95 permit. However, Mr. Sherrod had to bring a copy of all of his permits and inspections to the City.

96
97 Colt Mund stated that there was a section on food trucks in the State Administrative Code (Section R392-
98 102-4).



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Michelle Drago asked if Bruce Sherrod needed a business license in North Ogden City rather than Willard. Colt Mund felt Mr. Sherrod would need a Willard City business license.

Theron Fielding, Police Chief, stated that his only concern was parking.

Van Mund reminded Bruce Sherrod not to block the fire hydrant.

Sid Bodily, Planning Commission Chairman, said his only concern was parking if Mr. Sherrod had all of the required permits from the health and fire departments.

Bryce Wheelwright stated that there was an open parking area north of the chocolate factory and bike shop. He felt it would be best to park the food truck there rather than in front of the other two businesses. Bruce Sherrod said they planned to use the open parking area and park the food truck toward the back. Then there would be room for people to park. He hoped that in the future, they could share a commissary kitchen with the chocolate factory.

Bruce Sherrod stated that the laws regulating food trucks were pretty tight.

Bryce Wheelwright asked if Bruce Sherrod had a North Ogden business license. Bruce Sherrod stated that he had a North Ogden special permit to operate at Cherry Days. He would probably also do the rallies at Pleasant View

Colt Mund felt the only reason for a conditional use permit would be the parking. There would be an impact to transportation in the area. He was concerned about the plan to circulate traffic if the food truck became very popular. Was there a plan to handle the traffic? He still felt the food truck needed a business license rather than a conditional use permit. Bryce Wheelwright stated that the City could have a conversation with Bruce Sherrod about parking if it became a problem. Colt Mund said the State Code did say the City could enforce its land use ordinances.

Chris Davis asked if the City could issue a special event permit to allow Bruce Sherrod to operate over the weekend. Colt Mund didn't feel Willard could require a special event permit if he already had one with North Ogden.

Colt Mund was not opposed to directing Bruce Sherrod to the staff to apply for a business license. The staff needed to make sure Mr. Sherrod met the requirements of the health and fire departments before issuing a business license.

There was a discussion about how to proceed.

Colt Mund moved to table consideration of a conditional use permit for Bruce Sherrod and direct the applicant to obtain a business license from Willard City, if required, and to provide at minimum the requirements under State law to operate a food truck within Willard City. Sid Bodily seconded the motion. All voted "aye." The motion passed unanimously.

Chris Davis asked about Bruce Sherrod's next step. Bryce Wheelwright stated that Bruce Sherrod needed to bring the required documentation to the City, fill out a business license application, and pay the business license fee.



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Bruce Sherrod asked if the Fire Department needed to see a picture of the entire ANSUL system. Van Mund said he just needed a picture of the yellow sticker from the local fire department that inspected it and the ANSUL system tag. Colt Mund suggested that Bruce Sherrod also bring evidence of a current and valid license from North Ogden.

Bryce Wheelwright asked if Van Mund wanted to inspect the food truck. Van Mund said he was good with pictures of the tags.

2B. CONSIDERATION AND APPROVAL OF APRIL 27, 2023, MINUTES

Chris Davis moved to approve the April 27, 2023, minutes as written. Colt Mund seconded the motion. All voted “aye.” The motion passed unanimously.

3. ADJOURN

Chris Davis moved to adjourn at 1:37 p.m. Colt Mund seconded the motion. All voted “aye.” The motion passed unanimously.

Minutes were read individually and approved on: _____

Bryce Wheelwright, City Planner

Michelle Drago, Deputy City Recorder

dc:CUP 05-11-2023