

**Interlaken Town Council Work Session Minutes**  
**Thursday, 26 October 2023, 6:37 PM – 8:00 PM**  
**Meeting Location: 333 Jungfrau Hill Rd.**

1. **Call to Order** - Council Member Justin Hibbard called the meeting to order at 6:37 pm.

2. **Roll Call**

Justin Hibbard, Council Member

Chuck O’Nan, Council Member

Sue O’Nan, Council Member

Greg Harrigan, Mayor was absent

3. **Presentations:** None

4. **Public Comment:** None.

5. **Approval of Agenda or Changes**

**Motion:** Council Member Sue O’Nan moved to approve the agenda as presented.

**Second:** Council Member Chuck O’Nan seconded the motion.

**Discussion:** no discussion.

**Vote:** The motion was approved with the Council Members unanimously voting Aye.

6. **Wasatch County Sheriff Enforcement Agreement Discussion**

Town Administrator Bart Smith presented a draft copy of an agreement between Interlaken Town and Wasatch County Sheriff for additional law enforcement services. (see attachments). Justin mentioned that his previous conversations with Sheriff Rigby indicated there was interest for such an agreement. Smith based the draft on a previously crafted agreement between Midway City and the County. He presented an email dated January 18, 2023 that describes the agreement (see attachment).

Addendum A of the agreement has specifics regarding the requested additional services. The remainder of this meeting was focused on identifying what types of additional services the town would request. Smith presented a document that describes the town’s current list of violations (see attachment) and another document taken from a local HOA CCNR (see attachment).

When meeting with the sheriff, it would be a good idea to discuss the **Base Level of Services** outlined in the agreement for clarification. In the agreement, under Scope of Services, 1. Base Level of Service, a.ii, it reads:

ii When an officer is not performing a duty under “Obligated Time” the officer performs duties as he/she sees fit, which is called “Unobligated Time” and includes the following:

1. Patrol services with random patrolling of residential areas, businesses, parks, and other public property areas;
2. Driver’s license inspections, background checks and license enforcement services as called for under applicable state law and municipal ordinances;
3. Traffic enforcement including the regular use of radar or laser as a speed deterrent; and

4. Attendance at Public Safety or City Council meetings as requested by the municipality;
5. Citizen assist calls (at the discretion of the Sheriff's Office).

In the past it hasn't been clear that the sheriff was committed towards performing these Base Level Services. It may be that the starting point of the conversation with the sheriff would be to clarify what these Base Level services would include.

The council discussed what **Additional Services**, outside the Base Level of Services, would be applicable to our town. An excerpt from the Midway City agreement states:

2. Additional Services (that each MUNICIPALITY will be required to pay for should it request the services):
  - b. The COUNTY, through the Wasatch County Sheriff's Office, may agree to provide the following additional law enforcement services to any MUNICIPALITY that requests the services:
    - i. Enforcement of the municipal ordinances;
    - ii. Crime prevention programs such as Neighborhood Watch, as well as other business and residential crime prevention programs;
    - iii. Coordination of volunteer programs such as the Community Affairs Officer and Reserve Programs;
    - iv. Animal control services;
    - v. Traffic patrol and ticket issuance beyond what is provided in the Base Level of Service;
    - vi. Any other services the parties may agree upon.
  - c. Costs for Additional Services shall be as established by the Wasatch County Sheriff's Office, and shall include any costs associated with increased administrative, management, or supervisory costs incurred due to the Additional Services.
  - d. As Needed Requests: The parties recognize that there may be situations where a need for Additional Services arises for a particular event or temporary concern. The parties agree that these do not need to be formalized in Exhibit A. The parties will agree on an hourly rate in Addendum A for As Needed Requests and the Sheriff's office will invoice Interlaken Town accordingly.
  - e. The scope of the Additional Services and payment for Additional Services shall be as set forth in Addendum A.

The council discussed different violations and came up with a list of possible items to designate under Additional Services:

- Traffic: Speeding, Reckless Driving, Regularly Scheduled Drive throughs
- Parking: Winter regulations, 24-hour regulation (not winter), blocking the roadway, parking in no parking areas (eg water tank access gate). We need to explore our limits of enforceability with regard to towing and ticketing vehicles.
- Neighborhood Safety Patrol – we could specify certain days/times of the week
- Illegal Hunting – may have to work in conjunction with DNR
- Trespassing/vandalism – with regard to town property, including our road ways, signage, guardrails, etc
- Tampering with the town’s water system – this is a federal offense, may want to explore the county’s obligation with respect to trespassing at the pump house, tampering with the water tank equipment
- Fireworks violation and open wood fire violations
- Noise complaints
- Dumpster violations, littering
- Building code violations

The council also reviewed the list of CCNR violations from another HOA and made the following recommendations. Several of these items were not applicable to the town’s interests:

5.7 Animals. No animals other than a maximum of three (3) ordinary household pets, such as cats, dogs, birds, fish, and hamsters, may be kept on any Estate. This restriction specifically prohibits large animals or farm animals, including, without limitation, horses, llamas, alpacas, cows, pigs, goats, sheep, and ostriches. The Board may, in its discretion, allow an Owner up to four (4) chickens to be maintained on an Estate, provided, however, the coop or other shelter is located behind the home and reasonably out of view and the chickens do not leave the Owner’s Lot and do not annoy other Owners. Notwithstanding anything herein to the contrary, keeping chickens is a privilege provided by the Association and not a right under this Section. If chickens become an annoyance or nuisance (as determined by the Board), such may be deemed a violation of this Section and the Association may impose fines and/or unilaterally revoke the privilege of keeping chickens. The Board may adopt additional rules or requirements related to animals.

[The town currently contracts Heber Valley Animal Control for these services and the town code includes restrictions regarding animals. We could add more clarification to current code and set up a fine schedule for violations.](#)

5.8 Underground Utilities. All new gas, electrical, telephone, television, and any other utility lines in the Subdivision are to be underground, including lines within any Estate which service installations entirely within that Estate. No propane tanks or oil tanks may be installed on any Estate except for temporary heat during construction.

[Question – are there homes that use oil or propane for central heating, with storage tanks located outside the home? Can we include this restriction?](#)

5.9 Service Yards. There shall be no clothes lines, service yards, or storage yards. No mechanical equipment may be maintained outside of garages.

Not Applicable – too restrictive

5.10 Maintenance of Property. All Estates, and the Improvements on them, shall be maintained in a clean, sanitary, attractive, and marketable condition at all times. No Owner shall permit his Estate or the Improvements on it to fall into disrepair.

Not Applicable – too restrictive and vague – difficult to enforce

5.11 No Noxious or Offensive Activity. No noxious or offensive activity shall be carried out on any Estate, including the creation of loud or offensive noises or odors that detract from the reasonable enjoyment of nearby Estates.

Not Applicable – too restrictive and vague – difficult to enforce. We do have noise violation code in our titles.

5.12 No Hazardous Activity. No activity may be conducted on any Estate that is or may be considered by a reasonable person to be unreasonably dangerous or hazardous, or which would cause the cancellation of a conventional homeowners insurance policy. **This includes, without limitation, the storage of caustic, toxic, flammable, explosive or hazardous materials in excess of those reasonable and customary for household uses, the discharge of firearms or fireworks, and setting open fires** (other than properly supervised and contained barbecues).

We should consider adding these restrictions to our code. We may consult WCFD to get recommended limits on storage of flammable, explosive, or hazardous materials.

5.13 No Unsightliness. No unsightliness is permitted on any Estate. This shall include, without limitation, (i) the open storage of any building materials (except during the construction of any Dwelling unit ~~or addition in a manner consistent with the Architectural Design Guidelines and this Declaration~~); (ii) open storage or parking of farm or construction equipment, trucks exceeding ~~larger than pick-up trucks~~ **GVWR 10,000 lbs**, or open storage of inoperable **or unregistered** motor vehicles; (iii) accumulations of lawn or tree clippings or trimmings (iv) accumulations of construction debris or waste; (v) household refuse or garbage except as stored in tight containers in an enclosure such as a garage; (vi) ~~lawn or garden furniture except during the season of use; and (vii) the storage or accumulation of any other material or equipment on the Estate in a manner that it is visible from any other Estate or any public street.~~ No more than a total of ~~one~~ **four** recreational-type vehicles (including, but not limited to, a boat, utility trailer, enclosed trailer, motorhome, travel trailer, or other type of recreational vehicle) may be parked or stored outside ~~and must be parked or stored behind the front plane of the Dwelling. One additional temporary vehicle may be parked outside and must be parked behind the front plane of the Dwelling up to ninety (90) days per year. All such vehicles must be considered “presentable” by the Board (i.e., must be in good and sightly condition, operable, with current registration).~~ Enclosed trailers, motorhomes or travel trailers may be occupied by an Owner’s family or guest up to fifteen (15) days per year. Owners are strongly encouraged to store all vehicles, including recreation vehicles in enclosed garages or at off-site storage. Failure to observe the restrictions of this Section 5.13 may result in the imposition of fines or other penalties under the Compliance Procedures.

With some edits this may be something worth adding to our code and expanding our

enforcement activities. We would want to exclude firewood stored on the property.

5.14 No Annoying Lights. Any outdoor lighting shall be confined within the field of light to the Estate to which it is installed. Owners shall ensure that all exterior lighting on a Lot is installed so as to protect night skies and avoid disturbing neighboring Owners. All exterior lighting must comply with Chapter 5.02 of the Midway City Municipal Code.

We already have a dark skies initiative in our municipal code. We could add this more stringent language and impose fines.

5.15 No Annoying Sounds. No speakers or other noise making devices may be used or maintained on any Estate which create noise that might reasonably be expected to be unreasonably or annoyingly loud from adjoining Estates, except for security or fire alarms.

We already have quiet hours in our code. Need to check enforcement issues and fines.

5.16 Sewer Connection Required. All Estates are served by sanitary sewer service, and no cesspools, septic tanks, or other types of waste disposal systems are permitted on any Estate. All Dwelling units must be connected to the sanitary sewer system.

Not Applicable – we already have MSD service.

5.17 No Fuel Storage. No fuel oil, gasoline, propane, or other fuel storage tanks may be installed or maintained on the Property. Dwellings shall be heated with natural gas, solar, or electric heat. Propane or other such containerized fuels may be used only during construction of the Dwelling until the permanent heating system is installed and operational.

This would be good to add. Suggestion – limit fuel storage to 25 gallons maximum.

Question – are there homes in Interlaken that use propane tanks outside for heating. If not, then could we ban them?

5.18 Drainage. No Owner shall alter the direction of natural drainage from his Estate, nor shall any Owner permit accelerated storm run-off to leave his Estate without first using reasonable means to dissipate the flow energy.

Yes – this would be good to add. It could be part of our land use/building code. Would need to add fines.

5.19 Vehicles Restricted to Roadways. No motor vehicle will be operated on the Subdivision except on improved roads and driveways. No snowmobiles or motorcycles will be operated on any Estate except for ingress and egress or while loading the equipment for lawful transport on public streets.

Too restrictive. Not necessary.

5.20 Kennels. No kennel or dog run may be placed closer than fifty (50) feet to any Dwelling other than that of the Owner of the kennel. No wire fencing shall be allowed which is unscreened from the view of adjoining Estates.

We should consider adding more restrictive code regarding puppy mills and a maximum # of dogs. We have code already in Title 6. We would need to add fines.

5.21 No Transient Lodging Uses. The Estates are to be used for residential housing purposes only and shall not be rented in whole or in part for transient lodging purposes, boarding house, "bed and breakfast," or other uses for providing temporary short-term or nightly accommodations to travelers. Any lease or rental of a Dwelling shall be for a minimum lease term of thirty (30) days. An Owner who rents or lease their Dwelling shall provide the tenant(s) a copy of the town's ordinances **(the town could provide a summary of restricted activities as well as information about dumpster use, etc and require the landlord to distribute it to their tenants).** The Owner shall provide the town with the names, phone numbers, and emails of their tenants.

[This is a good idea, to come up with a printed document, with a copy online, of general rules and responsibilities for lot owners and renters in town.](#)

The next steps:

- Update municipal code and fine resolutions to include agreed upon extensions to our enforcement policy
- Clarify the town's priorities regarding enforcement and Wasatch County
- Meet with Wasatch County Sheriff to discuss a contract for expanded services
- Review/edit Wasatch County Enforcement contract with the town's attorney
- Present contract for review to Wasatch County and revise as necessary
- Schedule a public hearing to present amended code and proposed contract
- Codify the proposed code amendments and sign the contract

**3. Other Business** - None

**4. Council Comments** - None

**5. Adjournment** - Council member Sue O'Nan moved to adjourn the meeting. Council member Chuck O'Nan seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:00 PM. The next town council meeting is scheduled for November 6th, 2023, at 6:00pm via Zoom.