

**Garden City Project Checklist**

A complete application packet must be filed with the Garden City Town Clerk by the due date listed on the "Procedure for Submittal Poster" for the meeting when your project will be considered. Incomplete packets will not be accepted. Subdivisions, PUD/PRUD, and Condominium projects are required to follow the Subdivision/PUD/PRUD Process, an AEG pre-meeting before turning in this packet is encouraged.

**INCOMPLETE APPLICATION PACKETS WILL NOT BE ACCEPTED.**

**PLEASE REFER TO ORDINANCES FOR A LIST OF REQUIRED DOCUMENTS TO BE INCLUDED WITH THE FOLLOWING PROJECT APPLICATIONS:**

- Subdivision Plat:** \$3,000 Deposit \* 11E  
     Preliminary Plat: \$500 per plat + \$10 per lot 11E-400  
     Final Plat: \$500 per plat + \$10 per lot 11E-500  
     Amended Plat: \$300 per plat  
     *Subdivision packets must include A, 20 of B, 4 of C, D, E, & F for each plat*
- Condominium Plat:** \$3,000 Deposit \* Must follow Subdivision Ordinance, Chapter 11E and/or Planned Unit Development Ordinance, Chapter 11F and:  
     Condominium Plat: \$500 per plat + \$10 per lot 11E-524  
     Townhouse Plat: \$500 per plat + \$10 per lot 11E-525  
     *Condominium packets must include A, 15 of B, 4 of C, D, E, & F for each plat*
- Planned Unit Development or Planned Residential Development (PUD or PRUD):**  
     \$3,000 Deposit \* 11C-1950, 11F & 11 E  
     Preliminary PUD Development Plan: \$1,000 11F-103  
     Final Development Plan: \$1,000 11F-107  
     *PUD/PRUD packets must include A, 20 of B, 4 of C, D, E, & F for each plat*
- Readjustment of Lot Lines or Lot Splits:** \$250 11E-506  
     *Packets must include A, B, C, D, E, & F, Also, a deed for each lot*
- Vacation of Subdivision:** \$300 11E-523  
     *Packets must include A, 20 of B, 4 of C, D, E, & F*
- Conditional Use Permit:** \$300  
     *CUP packets must include A, 9 of B, D, E, & F*
- Variance:** \$250 11B-308  
     *Variance Packets must include A, B, D, E, & F*
- Annexation:** \$300 for first acre or less, \$20 per acre for each additional acre (Maximum of \$1,000) 11A-300  
     *Annexation packets must include A, 20 of B, 4 of C, D, E, & F*

## Application for Project Review Garden City, Utah

This application must be accompanied with the necessary and appropriate materials, as stated on the project checklist, before it will be accepted for processing. The date upon which the project will appear on an agenda is determined by the notification schedule required by the State of Utah. The project will be scheduled for the next meeting for which a legal notice has not yet been prepared, after an application is accepted as complete by the Town Staff.

Type of Application (check all that apply):

Ordinance Reference:

- |   |   |
|---|---|
| <input type="checkbox"/> Annexation                               | 11A-301                                     |
| <input type="checkbox"/> Appeal                                   | 11B-400                                     |
| <input type="checkbox"/> Conditional Use Permit                   | 11C-500                                     |
| <input type="checkbox"/> Condominium/Townhouse                    | 11E-524 or 11E-525                          |
| <input type="checkbox"/> Encumbrance                              |   |
| <input type="checkbox"/> Extension of Time                        | Subdivision 11E-503/PUD or PRUD 11F-107-A-2 |
| <input type="checkbox"/> Lot Split/Lot Line Adjustment            | 11E-506                                     |
| <input checked="" type="checkbox"/> Plat Amendment (Subdivision)  |   |
| <input type="checkbox"/> PUD Development Plan                     | 11C-1950, 11E-100, and 11F-100              |
| <input type="checkbox"/> PUD Phase Approval/Preliminary or Final  | 11C-1950, 11E-100, and 11F-100              |
| <input type="checkbox"/> PRUD Conceptual                          | 11C-1950, 11E-100, and 11F-100              |
| <input type="checkbox"/> PRUD Phase Approval/Preliminary or Final | 11C-1950, 11E-100, and 11F-100              |
| <input type="checkbox"/> Subdivision                              | 11E-100                                     |
| <input type="checkbox"/> Vacation of Subdivision                  | 11E-523                                     |
| <input type="checkbox"/> Variance                                 | 11B-308                                     |
| <input type="checkbox"/> Water Transfer                           | 13A-1300                                    |
| <input type="checkbox"/> Zone Change                              |   |
| <input type="checkbox"/> AEG Meeting, (Affected Entity Group)     |   |
| <input type="checkbox"/> Other Land Use Permit _____              |   |

Project Name: Lakeview at Bear Lake Current Zone: HE Proposed Zone: HE

Property Address: 400 N

Parcel # 41-17-000-0098,-0099,-0101

Contact Person: Lance Anderson Phone #: 435-713-0099

E-mail address: lance@cachelandmark.com

Mailing Address: 95 W Golf Course Rd. Ste 101

Applicant (if different): Dream Developers / Trent Ferguson Phone #: 801-319-6730

Mailing Address: 276 E Twin Peak Ln, Draper, UT 84020

- Zone Change:** \$300 for first acre or less, \$20 per acre for each additional acre  
(Maximum of \$1,000) 11A-302  
*Zone Change packets must include A, 20 of B, 4 of C, D, E, & F*
- Encumbrance:** \$250  
*Encumbrance Packets must include A, B, D, E, & F*
- Un-Encumbrance:** \$250  
*Un-Encumbrance Packets must include A, B, D, E, & F*
- Appeal:** \$250  
*Appeal Packets must include A and a letter from the property owner outlining the reason for the appeal.*
- Extension of Time:**  
*Extension of Time Packets must include A, and a letter from the Developer explaining the reason for the extension request.*
- Other Land Use Permits:** \$50  
*Packets must include A, B, D, E, & F*
- Water Share Transfer:**  
*Water Share Transfer Packets must include A*
- AEG Meeting, (Affected Entity Group):** \$350 Deposit  
*Packets must include A, 10 of B*

**Note:**

1. Fees are to cover costs of processing application. Applicants may be billed for additional costs.
2. Changes to land, lot lines, etc. may affect access to water connections.
3. The \$3,000 deposit is used to cover engineer costs, attorney costs, recording fees, etc. The balance will be refunded to the developer.

**PACKET DOCUMENTATION REQUIREMENTS**

- A. Completed Garden City "Application for Project Review" form.
- B. 11"x14' or 11"x17' plot plan showing lot dimensions and area, and the location, uses dimensions, and set backs of all existing and proposed buildings. Any right-of-ways or easements must be shown if applicable. **Provide 20 readable copies.**
- C. A "D" size (22" x 34") plot plan showing lot dimensions and area, and the location, uses, dimensions, and set backs of all existing and proposed buildings. When appropriate, include the same information for property from which a new lot is being created. Plot at appropriate scale (e.g. 1"=50' or 1"=100')
- D. A legal description and current ownership plat of the property.
- E. A current Title Report or Preliminary Title Report showing ownership. Must match legal description on plat.
- F. An electronic copy of plat.

**Please review Garden City ordinances for requirements for each type of project. Garden City ordinances can be found at [www.gardencityut.us](http://www.gardencityut.us).**

Property Owner of Record (if different): Dream Developers Phone #: 801-319-6730

Mailing Address: 276 E Twin Peaks Ln, Draper, UT 84020

Project Start date: Constructing Completion date: July 2024

Describe the proposed project as it should be presented to the hearing body and in the public notices.


Rename Elk's Ridge Phase 2 to Lakeview at Bear Lake.

Also, development agreement for the recording of the Final Plat. Final Plat and Construction Drawings were previously approved. Changing the name of the subdivision.

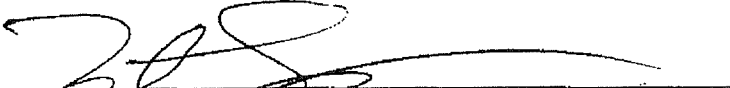
Lot Size in acres or square feet: 0.57-1.5 Number of dwellings or lots: 66

Non-residential building size: N/A

I certify that the information contained in this application and supporting materials is correct and accurate. I have read and understand the requirements and deadlines associated with this application.

  
Signature of Applicant

I certify that I am the Owner of Record of the subject property and that I consent to the submittal of this application. **Owner of Record MUST sign the application prior to submitting to Garden City.**

  
Signature of Owner of Record

\_\_\_\_\_  
Signature of Owner of Record

\_\_\_\_\_  
Signature of Owner of Record

Office Use Only

Date Received: 5/15/24 - Digital Copy  
Fee: \$300.00 PD by CC  
By: SA

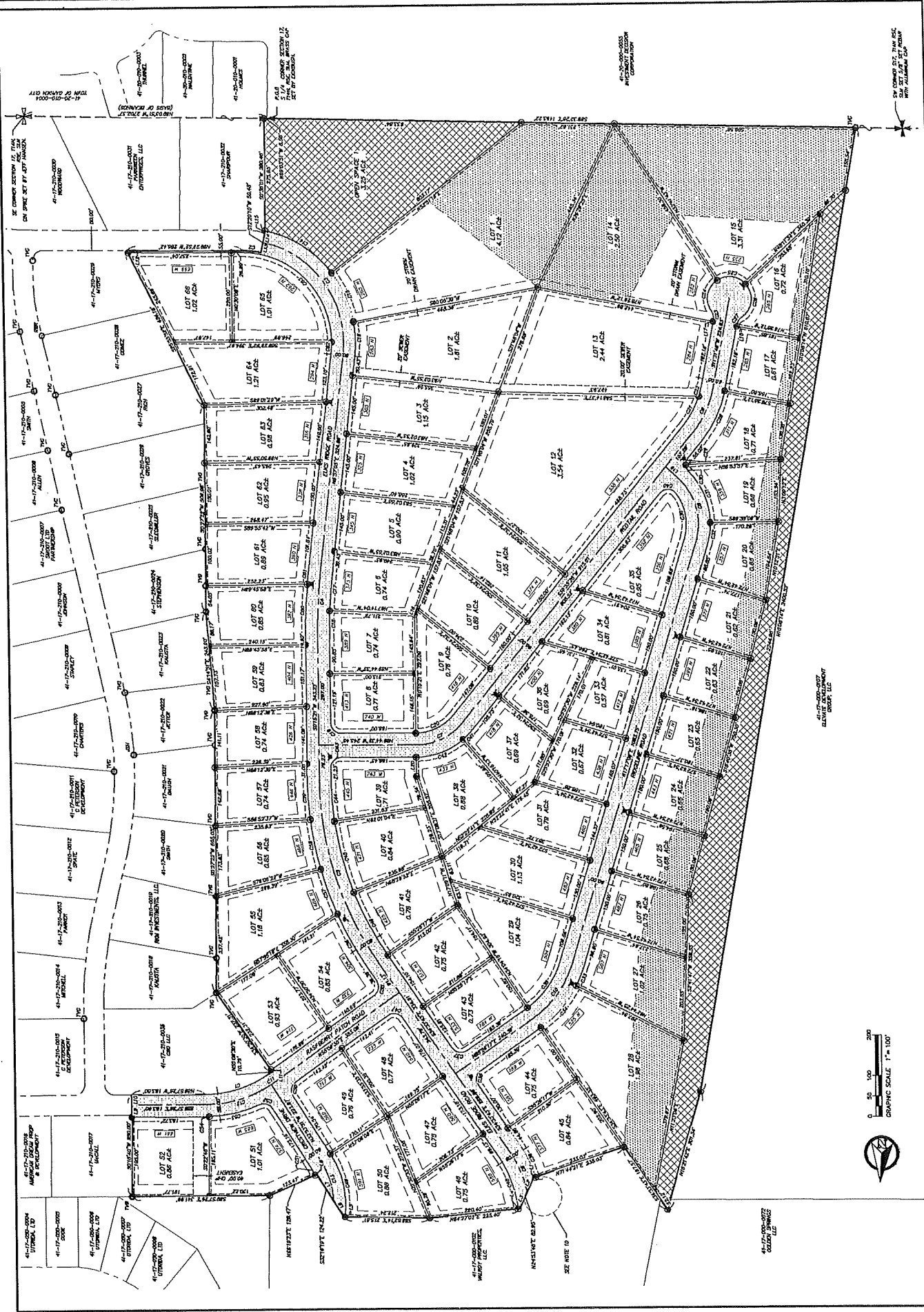




FINAL PLAT

LAKEVIEW AT BEAR LAKE  
GARDEN CITY, UTAH

DATE	11/15/2024
SCALE	1" = 100'
CHECKED BY	J. K. [Name]
DESIGNED BY	J. K. [Name]
PROJECT	LAKEVIEW AT BEAR LAKE
OWNER	BEAR LAKE DEVELOPMENT, LLC
PREPARED BY	J. K. [Name]
PROJECT NO.	12345
DATE	11/15/2024
SCALE	1" = 100'
CHECKED BY	J. K. [Name]
DESIGNED BY	J. K. [Name]
PROJECT	LAKEVIEW AT BEAR LAKE
OWNER	BEAR LAKE DEVELOPMENT, LLC
PREPARED BY	J. K. [Name]
PROJECT NO.	12345



**DEVELOPMENT AGREEMENT  
FOR LAKEVIEW AT BEAR LAKE (previously known as Elk’s Ridge Phase 2)  
GARDEN CITY, UTAH**

This Development Agreement is entered into as of this 1<sup>st</sup> day of April 2024, by and between the Trent Ferguson – Dream Developers (the “Owner” or “Developer” interchangeably hereafter), as the owner and developer of a residential subdivision project known as LakeView at Bear Lake Subdivision, (the “Project” hereafter), and Garden City, Utah, a municipality and political subdivision of the State of Utah.

**RECITALS:**

Developer owns approximately 84 acres of real property located within the municipal boundaries of Garden City, Utah, as more fully described in Exhibit A (the Property), on which it proposes the development of the Project.

City, acting in furtherance of its current land use policies, goals, objectives, General Plan and ordinances as well as existing state and federal law (hereinafter City Laws) requires that subdivision improvements, specifically culinary water mains, sanitary sewer mains, roads, conduits for electrical power installation, and appropriate storm water control elements be developed as part of the LakeView at Bear Lake Subdivision.

In exchange for the rights granted to it by this Agreement, City, acting pursuant to the authority granted by UTAH CODE ANN. Chapter 10-9a, *et seq.*, and City Laws and in the exercise of its legislative discretion, has elected to approve this Agreement as being in harmony with the long-range policies, goals and objectives and in the best interests of City.

NOW, THEREFORE, in consideration of the mutual covenants, conditions and terms as more fully set forth below, Developer and City hereby agree as follows:

1. **Recitals and Exhibits.** The recitals set forth above and all exhibits are hereby incorporated by reference as part of this Agreement.
2. **Property Affected by This Agreement.** The legal description of the Property contained within the Project boundaries is attached and specifically described in Exhibit A.

**ARTICLE 1**

**Responsibilities and Rights of Developer**

**1.1. Vested Rights and Reserved Legislative Powers.**

**1.1.1. Rights Granted by this Agreement.** To the maximum extent permissible under the laws of Utah and the United States, at common law and at equity, City grants Developer all rights to develop the Property in fulfillment of this Agreement, including vested rights, pursuant to UTAH CODE ANN. Section 10-9a-509 and other City Laws. Development of the Property and the Project

are subject to City Laws. Developer shall develop and construct the Project in the general manner, densities and configuration as outlined in Article 4 – Land Use Parameters, and as reflected in the final plat attached as Exhibit B. Through a written amendment to this Agreement, the parties may make necessary modifications of the plan so long as they are consistent with the terms of this Agreement and comply with the general layout agreed upon in the approved concept plan and are approved by appropriate City officials. Revisions to approved construction drawings and specifications, and other Project submittals, shall also be prepared and submitted by Developer to City officials as part of any amendment to the plan authorized under this paragraph.

**1.2. Required Public Improvements By Developer.** As a condition to the rights granted to Developer by this Agreement, Developer agrees to provide and/or construct the following land for rights-of-way and public improvements for the subdivision:

**1.2.1. Land to be Dedicated for Rights-of-Way:** Owner shall dedicate to the City the public transportation rights-of-way as generally shown on the Final Plat and in attachments to this agreement.

**1.2.2. Infrastructure Improvements within the Development**

**1.2.2.1. Roads:**

**1.2.2.1.1. Minor/Local Roads:** Developer shall construct, or cause to be constructed in accordance with the City Laws and City’s design and construction standards, at the Developer’s cost and expense the streets and roads as shown on the Final Plat

**1.2.2.2. Culinary Water:**

The Owner has dedicated to the City a utility easement as shown on the Final Plat for culinary water main lines. The size of these culinary water main lines shall be in accordance with City Culinary Water Master Plan.

**1.2.2.2.2. Main Culinary Water Lines Within the Cul-de-Sacs and “Stub Outs” to Lots:** The Developer shall construct or cause to be constructed at the Developer’s cost and expense the main culinary water lines through the Property and thence connecting the same to the existing culinary main line.

**1.2.2.3. Sewer:** The Developer shall construct or cause to be constructed at the Developer’s cost and expense all of the sanitary sewer main lines and service lines to each lot within the Project, and as required beyond the Project area in order to connect to the existing sewer main lines.

**1.2.2.4. Time for Completion.** Developer shall complete all infrastructure improvements required by this Agreement and the final plat within 6 months of the final plat being recorded.

**1.2.2.5. Guarantee of Completion.**

Before recording of the Final Plat, Developer shall tender to City a financial guarantee or security in the form of a Letter of Credit (the “Security”) which amount represents 110% of the estimated costs of remaining improvements Developer is required to install pursuant to this

Agreement. In the event that Developer fails or neglects to fulfill the obligations under this Agreement, City shall have the right to construct or cause to be constructed any improvements required by this Agreement, the City Laws, or City's Design and Construction Standards, and upon completion of said improvements, Developer shall be liable to pay to, and indemnify City for, the final total cost incurred by City, including but not limited to, engineering, legal and contingent costs, together with any damages which City may sustain on account of the failure of Developer to carry out and execute all of the provisions of this Agreement, which said sums are secured by the Security.

#### **1.2.2.6 Guarantee of Improvements.**

Developer warrants and guarantees the improvements shall be maintained in a state of good repair, free from defective material or workmanship for a period of one year ("Guarantee Period") from the date the improvements are accepted as completed by the City Engineer following inspection.

## **ARTICLE 2**

### **Rights and Responsibilities of City**

**2.1. Authorization of this Agreement.** Subject only to Developer's continuing performance of its obligations under this Agreement, City hereby authorizes Developer to implement this Agreement.

**2.2. General City Services.** Subject to the City's right to withhold, withdraw or terminate city services, as provided in state and city law, City shall provide all city services to the Property that it provides from time to time to other residents and properties within City, including, but not limited to fire and other emergency services, city engineering, planning, parks and recreation and other staff services as well as storm drainage and culinary water. Such services shall be provided to the Property on the same terms and at the same rates as provided to other residents and properties in similar parts of the City.

## **ARTICLE 3**

### **Application Approval Process**

**3.1. All Applications.** City shall cooperate in processing Developer's applications for the Project in accordance with Utah law.

## **ARTICLE 4**

### **General Terms and Conditions**

**5.1. Term of Agreement.** The term of this Agreement shall be until the build-out of the entire Project is complete unless modified by written amendment to this Agreement.

**5.2. Agreement to Run With the Land.** This Agreement shall be recorded in the office of the Rich County Recorder against the Property and is intended to and shall be deemed to run with the land. The benefits and burdens of this Agreement shall inure to successors-in-interest and/or subsequent owners of the Property.

**5.3. Construction of Agreement.** This Agreement shall be construed so as to effectuate the public purposes of implementing long-range planning objectives, obtaining public benefits, and protecting any compelling, countervailing public interest while providing reasonable assurances of continuing vested development rights.

**5.4. Invalid Provisions.** The parties agree, intend and understand that the obligations imposed by this Agreement are only such as are consistent with City Laws. The parties further agree that if any provision of this Agreement is declared invalid, this Agreement shall be deemed amended to the extent necessary to make it consistent with City Laws, as the case may be, and the balance of this Agreement shall remain in full force and effect.

**5.5. Force Majeure.** Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes; labor disputes; inability to obtain labor; materials, equipment or reasonable substitutes therefore; acts of nature; governmental restrictions, regulations or controls; judicial orders; enemy or hostile government actions; wars; civil commotions; fires or other causality beyond the reasonable control of the party obligated to perform hereunder shall excuse performance of the obligation by that party for a period equal to the duration of that prevention, delay or stoppage.

**5.6. Integration.** This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the parties hereto. The final plat as it is completed, and any other applicable agreement will integrate with this agreement as well.

**5.7. Notices.** Any notices, requests or demands required or desired to be given hereunder shall be in writing and shall either be delivered personally or by mail to the parties at the following addresses:

If to Developer:

Dream Developers, LLC

Attn: Trent Ferguson, 276 E Twin Peaks Ln, Draper, UT 84020

If to City:

Garden City

Attn. Mayor

69 N. Paradise Parkway, Bldg B.

Garden City, Utah 84028

With a copy to:

Seth J. Tait, Olson and Hoggan, P.C.

Garden City Attorney

130 S. Main, Suite 200 P.O. Box 525

Logan, Utah 84321

**5.12. Compliance With Development and Other City Regulations.** Developer shall comply with all of the requirements of the City Laws in order to obtain approval of specific phases of the Project; and nothing in this Agreement shall be deemed to relieve Developer from the obligation to comply with all applicable laws and requirements of City necessary for approval of individual Development plats and other aspects of the Project, including the payment of fees and compliance with City's design and construction standards.

**5.13. Phasing.** Developer may proceed with other phases of the project generally in accordance with the approved Preliminary Plat as long as each phase provides for a logical extension of roads, infrastructure and utilities through the Project as approved by City, in conformance with the requirements of this Agreement and City Laws.

**5.14. Transfer of Development.**

A. It is contemplated that Developer may sell various portions of the Property to one or more third parties or developer(s), who will develop specific projects on their respective portions of the Property. Developer shall be entitled to transfer any or all portions of the Property to any third party, subject to the terms of this Agreement, the Concept Plan, and the Final Plat. In the event of any such transfer, the transferee shall be deemed to be Developer for all purposes under this Agreement with respect to that portion of the Property transferred and shall have all of the rights and all of the duties provided Developer under this Agreement.

B. Nothing in this Section shall prohibit Developer from selling any parcels in the ordinary course of the business of developing the Property; nor shall Developer be prohibited from selling a portion of the Property to one or more third parties for the purpose of erecting, constructing, maintaining, and operating (or causing to be erected, constructed, maintained, and operated) improvements thereon consistent with and subject to the requirements of this Agreement and the other applicable ordinances and regulations of City. The provisions of this Section shall not prohibit the granting of any security interests for financing the acquisition and development of residential housing, or other development parcels within the Project, subject to Developer complying with City's Laws and the requirements of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date written above.

**Developer**

Dream Developers, LLC

By: \_\_\_\_\_  
Trent Ferguson

Its: Manager

STATE OF UTAH            )

: ss.

COUNTY of CACHE        )

On the \_\_\_\_ day of \_\_\_\_, 2024, personally appeared before me Trent Ferguson, Manager of Dream Developers, the signers of the within instrument, who duly acknowledged to me that they are authorized to execute this Agreement on behalf of said LLC.

\_\_\_\_\_  
NOTARY PUBLIC

**Garden City**

Attest:

By: \_\_\_\_\_  
Mike Leonhardt

\_\_\_\_\_

Its: Mayor

Cathie Rasmussen, City Recorder

STATE OF UTAH )

: ss.

County of RICH )

On the \_\_\_\_ day of \_\_\_\_\_, 2024, personally appeared before me Mike Leonhardt as Mayor of GARDEN CITY, the signer of the within instrument, who duly acknowledged to me that he executed the same with city approval and authority.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF UTAH )

: ss.

County of RICH )

On the \_\_\_\_ day of \_\_\_\_\_, 2024, personally appeared before me Cathie Rasmussen, as City Recorder of GARDEN CITY, the signer of the within instrument, who duly acknowledged to me that he executed the same with city approval and authority.

\_\_\_\_\_  
NOTARY PUBLIC

Exhibit A

\_\_\_\_\_ as described in Legal Property Description:

Exhibit B  
(Final Plat)

## ORDINANCE #24-15

### AN ORDINANCE UPDATING COMPUTATION OF OFF-STREET PARKING SPACES

**WHEREAS**, the Town of Garden City is a town duly incorporated under the general law of the State of Utah; and

**WHEREAS**, the Garden City Town Council is the governing body for the Town of Garden City and must administer the Garden City Municipal Code; and

**WHEREAS**, The Garden City Town Council is authorized to govern the health, safety and wellness of the citizens and visitors of the Town of Garden City.

**NOW, THEREFORE, BE IT ORDAINED BY THE GARDEN CITY PLANNING COMMISSION AND TOWN COUNCIL THAT ORDINANCE 11C-305, COMPUTATION OF OFF STREET PARKING SPACES, BE UPADATED AS FOLLOWS:**

11C-305 Computation Of Off Street Parking Spaces The table on the following pages contains the minimum parking requirements for specific uses. To clarify the computation of off street parking spaces, the following standards shall apply:

- A. Parking calculations shall be based on gross square footage of a building. Outdoor seating must also be included in parking calculations.
- B. If a fractional number is obtained one parking space shall be required for that fraction.
- C. If more than one use is located on a site, the number of off street parking to be provided shall be equal to the sum of the requirements of each use.
- D. Parking requirements for Short Term Rentals (STRs) see chapter 8-601-G and 8-607-B.
- E. If the gross square footage of an existing nonresidential building is not altered but the use is changed then no additional parking spaces are required.
- F. If gross square footage of an existing nonresidential building is altered regardless of use, then the minimum parking requirements must be calculated.
- G. In the event that off-street parking cannot be reasonably provided in accordance with the provisions of this title, a commercial property owner may be allowed to make a payment-in-lieu of providing parking spaces, according to the following conditions:
  1. The Planning Commission must review all payment-in-lieu of parking requests.
  2. The payment-in-lieu fee shall be established by resolution.
  3. Payment-in-lieu of parking shall be permitted to provide no more than 30% of the parking spaces required by this chapter.

<i>Residential Land Use</i>	Required Parking Spaces	Employee Parking
Duplexes, multi-family dwellings, condominiums, townhouses	Studio 1 space 2 to 3 bedrooms 2 spaces 4 or more bedrooms 3 spaces Guest parking: 1 space for each 3 units <b>In addition to the above requirements, common space parking for guest shall have at least one space for each unit and 50% of such spaces shall be oversized stalls. All guest parking shall be on asphalt or cement and all parking stalls shall be clearly marked.</b>	
Second residential unit	1 space in addition to that required for the primary dwelling	
Senior housing	.5 space for each unit plus 1 guest space for each 10 units	1
Single-Family dwellings	2 spaces per unit	
<i>Non residential land use</i>		
Amusement park/entertainment facilities	Determined by conditional use	
Art galleries, artisan/ craft shop,	1 space per 500 sq. ft	1
Auto and vehicle maintenance and repair	4 spaces for each service bay	1
Auto/vehicle sales and/or parts store	1 space per 400 sq. ft	1
Banks and financial services	1 space per 300 sq. ft	2
ATM's	1 space for each exterior ATM	
Bed & Breakfast (Inns)	1 space per guest unit. An additional oversized stall for more than 3 guestrooms	1
Building material stores	1 space per 500 sq. ft	1
Child day care centers	1 space for each 10 children that the facility is licensed to accommodate	2
Community/Convention Centers, lodges and meeting halls	1 space per 100 sq. ft.	2
Grocery Store	1 space per 250 sq. ft.	2
Hotels	1 space and .2 oversize spaces for each guest hotel room; plus, retail, restaurant, and conference uses calculated at 50% of the requirements of this table.	2
Laundromats	1 space for each 5 washing machines	
Libraries and museums	1 space per 300 sq. ft	1

Medical Clinics, offices, labs, pharmacies, and other outpatient facilities	1 space per 500 sq. ft	3
Night clubs and bars	1 space per 100 sq. ft	3
Offices	1 space per 500 sq. ft	1
Outdoor commercial recreation	Spectator seats: 1 space for each 4 seats Sports courts: 2 spaces per court plus 1 space per 500 sq. ft. of area other than courts	1
Personal services: Barbers/beauty, etc.	1 space per 500 sq. ft.	1
Plant nurseries and garden supply stores	1 space per 500 sq. ft of indoor use area; 1 space per 2,000 sq. ft. of outdoor use area	1
Public safety facilities	1 space per 500 sq. ft	1
Religious facilities, churches, places of worship	1 space per every 4 seats to maximum seating capacity	
Restaurants (indoor and outdoor dining)	1 space per 180 sq. ft	2 spaces for every 1,000 sq. ft.
Retail Stores	1 space per 500 sq. ft.	1
Schools – public and private		
Grade 9 and lower	1 space per classroom	2 per classroom
Grade 10 – 12	5 spaces per classroom	1 per classroom
Service station/Convenience Store	1 space per pump island, does not include parking at the pump	1
Short Term Rental	See ordinance 8-601-G and 8-607-B	
Studios – art, dance, music, photograph, etc.	1 space per 180 sq. ft.	1
Theaters	1 space per 100 sq. ft.	1
Transient Business	1 space per 150 sq. ft of commercial area	2
Utility facilities	1 space per 1,000 sq. ft	1
Veterinarians, animal hospitals, kennels, boarding, pet shops	1 space per 500 sq. ft	1
Warehousing, wholesaling and distribution		1 space per employee
Wholesale design showrooms	1 space per 1,000 sq. ft	1

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**APPROVED AND ADOPTED** this 13th day of June 2024.

APPROVED:

Attest:

\_\_\_\_\_  
Mike Leonhardt, Mayor

\_\_\_\_\_  
Cathie Rasmussen, Town Clerk

Voting:	Aye	Nye
Argyle	—	—
Hansen	—	—
Parry	—	—
Menlove	—	—
Leonhardt, Mayor	—	—

DRAFT

## ORDINANCE #24-16

### AN ORDINANCE UPDATING SHORT TERM RENTAL PARKING REQUIREMENTS AND ADDITIONAL CRITERIA

**WHEREAS**, the Town of Garden City is a town duly incorporated under the general law of the State of Utah; and

**WHEREAS**, the Garden City Town Council is the governing body for the Town of Garden City and must administer the Garden City Municipal Code; and

**WHEREAS**, The Garden City Town Council is authorized to govern the health, safety and wellness of the citizens and visitors of the Town of Garden City.

**NOW, THEREFORE, BE IT ORDAINED BY THE GARDEN CITY PLANNING COMMISSION AND TOWN COUNCIL THAT ORDINANCE 8-601(DEFINITIONS), 8-603(REQUIREMENTS FOR APPLICATION) AND 8-607-B (ADDITIONAL CRITERIA), BE UPADATED AS FOLLOWS:**

8-601 Definitions: The following words and phrases shall have the definitions and meanings set forth below. If any words or phrases are defined elsewhere in this code, and there is a contradiction as to their meaning, the definitions set forth in this section shall control the Short-Term Rental Ordinance.

- A. Application shall mean the application for a Short-Term Rental License, which shall be a form, approved by the Town Council.
- B. Complete Application shall mean an Application that has satisfied all of the submittal requirements set forth in this Short-Term Rental Ordinance and otherwise complies with all of the criteria required for the issuance of a Short Term Rental License.
- C. Clerk shall mean the Garden City Town Clerk or Assistant Clerk.
- D. Floor Plan shall mean a level-by-level plan of the Rental Property with labeling of all enclosed spaces within the structure and dimensions, including without limitation, all sleeping areas.
- E. Nightly/Short Term Rental shall mean the rental of a Dwelling Unit or a portion thereof, including a Lockout Unit for less than thirty (30) days to a single person. Nightly Rental does not include the Use of a Dwelling for Commercial Uses.
- F. Owner shall mean the record titled owner of the residence for which a Short Term Rental License is sought or has been issued. The Owner may be a person or any form of business entity recognized by the State of Utah. If the Owner is a form of business entity, the business entity shall maintain current registration with the Utah Department of Commerce

- G. Parking Space shall mean an area with a width of not less than 10 feet and a length of not less than 24 feet located either within designated garages or designated parking areas. All parking shall be asphalt or concrete. One parking space shall be required for each four (4) occupants.
1. Single Family Dwelling **parking spaces** must be clearly marked and on the property of the dwelling.
  2. **No parking space shall prohibit an emergency response vehicle from driving to within 40 feet of an entrance to the dwelling.**
  2. All Multi-Family Dwelling parking, including approved off premise parking, must be clearly marked, and assigned to each unit.
- H. Property or Short-Term Rental Property shall mean all such residences or dwelling units used for Short Term Rental purposes.
- I. Property Management Company shall mean the Owner's agent for renting the Property, if any.
- J. Sleeping Area shall mean any room that has a bed, bunk beds, daybed, or other furniture for sleeping, including, and without limitation, pull out couch or futon.
- To be a valid sleeping area the sleeping area shall have appropriate exits, ceiling heights, and windows. A sleeping area shall require a minimum of 100 square feet of floor space.
- K. Temporary Access Easement shall mean an easement granted to the Owner to cross over the property of another when such access is necessary to provide entry to the Property being rented. The Temporary Access Easement shall be recorded in the records of the Rich County Recorder and shall terminate on the transfer by the owner granting the Temporary Easement.
- L. Town shall mean Garden City, Utah.
- M. Use With Criteria shall mean the land use approval process contained in the Town's Municipal Code; provided, however, if there are any conflicts, contradictions, or differences between the process and requirements set out in the Municipal Code and the process and requirements set out in this Short Term Rental Ordinance, the terms and conditions in the Short Term Rental Ordinance shall control.
- N. Valid Objection shall mean an objection based on:
1. The Owner's objective failure to file a Complete Application; or
  2. The Owner's failure to meet any of the required criteria for the issuance of a Short Term Rental License.

8-603 Requirements for Application: Short-term rentals shall be allowed in all zones except where Homeowner's Associations do not allow them. Homeowner's Associations must provide the city with a letter stating they do not allow Short-term rentals in their subdivisions along with a copy of their CCR's showing that they are clearly prohibited. The following information and documentation shall accompany the application and be provided to the Clerk:

- A. Completed Application.
- B. Proof of Ownership for each unit.
- C. Site Plan for each unit, including the parking area. **Review 8-601-G and 8-607-B to assure that all parking requirements are met.**
- D. Proof of valid insurance for each unit being licensed for short term rentals.

- E. Proof of valid liability insurance for the following
  - a. Owner
  - b. Property management company/or any other entity
  - c. Contact person.
- F. Floor plan.
- G. Zone designation and street address for each unit.
- H. If direct vehicular access from the Property to a public street is not shown on the Site Plan, the Application must include a Temporary Access Easement from the owners of each property over which vehicles must pass to access the Property. All Temporary Access Easements shall be signed and notarized by the owner or owners of the property or properties granting the Temporary Access Easements. Upon the termination of any Temporary Access Easement, it shall be the responsibility of the Owner to obtain a new Temporary Access Easement from the new property owner. Failure to obtain a replacement Temporary Access Easement shall be cause for termination of the License.
- I. The owner or property management company of any property that is being rented less than 30 consecutive days must provide acceptable documentation that TRT, Sales and Use taxes are being paid to the Town of Garden City.
- J. The name, address, and contact information including a 24-hour contact phone number for the person at the Property Management Company managing the Property; or, if there is no Property Management Company, the name, address and contact information, including a 24-hour contact phone number, of a person living within 15 minutes of the property(s), who may be the Owner or Owner's Agent, and who can be contacted in the event of an emergency.
- K. Inspection by the Garden City Building Inspector/Code Enforcement Officer.
- L. A signed acknowledgement on the application, that the Owner, Property Management Company, and/or Owner's agent, if any, have read all of the Town's regulations pertaining to the operation of a Short Term Rental.
- M. The Owner shall sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations. If there is a Property Management Company or other agent of the Owner managing the Short Term Rental, the agent or an authorized officer of the Property Management Company, or both, shall also sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations.

8-607 Additional Criteria:

- A. Sleeping area will be designated in the application packet, based on the square footage of the allowable sleeping area, and shall be required as part of the License application and approval process.
- B. There shall be at least one parking space on the Property for every four (4) occupants as a condition of the License. Parking shall be based on the total number of occupants the

unit is licensed for. All parking spaces shown on the Site Plan shall be available for parking and shall not be blocked or otherwise unavailable due to the storage of materials or for any other reasons. **No parking space shall prohibit an emergency response vehicle from driving to within 40 feet of an entrance to the dwelling.** All vehicles shall be parked on the Property and shall not be parked on any adjacent property or public right-of-way's. Vehicles including all motorized vehicles and such vehicle's trailers, RV's, boats, motor-homes, etc. shall be parked in license's designated parking areas. Each trailer parked at a licensed property shall be considered a vehicle.

- C. The occupancy or number of guests shall not exceed two (2) persons per 100 square feet of sleeping area. The maximum number of occupancy shall not include children under the age of three (3). Any advertising of occupancy over the allowed number by the license shall be subject to fines as set in the Garden City Code Infraction Schedule.
- D. The Owner or Property Management Company, or Owner's agent shall:
  - 1. Mail or provide directly to the party signing any rental agreement or reserving the Property a copy of all Short Term Rental rules and regulations as soon as possible, but no later than 10 days after reserving the Property; and
  - 2. Prominently display, on the Property, all of the rules and regulations pertaining to Short Term Rentals.
  - 3. Collect appropriate Sales, Resort, and Transient Rental Taxes.
- E. Each Short Term Rental shall have a clearly visible and legible notice within the unit, on or adjacent to the front door, containing the following information:
  - 1. The name of the Property Management Company, agent, and/or Property Owner, living within 15 minutes of the property(s), the contact person's telephone number who may be reached on a 24 hour basis;
  - 2. The maximum number of occupants permitted by the license;
  - 3. The maximum number of vehicles permitted on the property and that all vehicles must be parked on the Property;
  - 4. The number and location of all on-site parking spaces and the parking rules for seasonal snow removal;
- F. The trash pick-up day and notification of all rules and regulations regarding trash removal, including without limitation, when trash may be left out and that animal-roof containers shall be used for all trash.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**APPROVED AND ADOPTED** this 13th day of June 2024.

APPROVED:

Attest:

---

---

Mike Leonhardt, Mayor

Cathie Rasmussen, Town Clerk

Voting:	Aye	Nye
Argyle	—	—
Hansen	—	—
Parry	—	—
Menlove	—	—
Leonhardt, Mayor	—	—

DRAFT

**ORDINANCE NO. 24-17**

**AN ORDINANCE UPDATING COMMERCIAL BUSINESS PARKING REQUIREMENTS**

**WHEREAS**, the Town of Garden City is a town duly incorporated under the general law of the State of Utah; and

**WHEREAS**, the Garden City Town Council is the governing body for the Town of Garden City and must administer the Garden City Municipal Code; and

**WHEREAS**, The Garden City Town Council is authorized to govern the health, safety and wellness of the citizens and visitors of the Town of Garden City; and

**WHEREAS**, the Garden City Town Council shall approve off-street parking requirements for all commercial businesses in the Town of Garden City,

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF GARDEN CITY TOWN COUNCIL THAT ORDINANCE #11C-304 SHALL BE CHANGED AS FOLLOWS:**

11C-304 Parking Space Size. The dimensions of each commercial off-street parking space shall be at least nine (9) feet by eighteen (18) feet for diagonal or ninety-degree spaces; or nine (9) feet by twenty (20) feet for parallel spaces. Oversize Stalls should be nine (9) feet by forty (40) feet.

A.

Type of Space	Minimum Width	Minimum Length
Diagonal	9 feet	18 feet
90° Angle	9 feet	18 feet
Parallel	9 feet	20 feet
Oversized Stalls	9 feet	40 feet

B. Commercial off-street parking shall be asphalt or concrete.

C. Commercial off-street parking spaces shall be marked with permanent striping paint and must be maintained.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**APPROVED AND ADOPTED** this 11<sup>th</sup> day of July 2024.

AN ORDINANCE UPDATING COMMERCIAL  
BUSINESS PARKING REQUIREMENTS  
Page 2

APPROVAL:

Attest:

---

Michael Leonhardt, Mayor

---

Cathie Rasmussen, Town Clerk

Voting	Aye	Nay
Argyle	—	—
Hansen	—	—
Menlove	—	—
Parry	—	—
Leonhardt, Mayor	—	—

## Current Policy

6-04 TRAVEL  
6-04 (1)

This policy is established for the travel of Town employees and Board Members for training and other Town related travel. All travel must be approved by the Employee Supervisor or Mayor for reimbursement.

- a. All lodging must have prior approval from the Town Council. (Traveler makes their own arrangements).
- b. For all approved travel the basic meal allowance will be \$35.00 for a 24 hour period. Tips and tax on meals are included in the meal reimbursement amount.
- c. All approved travel will be done by taking the Town vehicle, unless other arrangements are approved by the Town Council. The Town gas card will be used for fuel when the Town vehicle is used. In the case when a personal vehicle is used the mileage reimbursement will be per Garden City Resolution or actual fuel cost per receipt, not both.
- d. Receipts must be submitted to the Town office within ten (10) working days after completion of travel. All reimbursements need prior travel approval by the Town Council.

# Proposed

## Garden City Travel Policy

This Policy is established for the travel of Garden City Town employees, Town Council members, and various Town Board members who travel for training, meetings, and other Town related business.

1. All travel must be pre-approved by the employee's supervisor or the Town Mayor to be eligible for reimbursement.
2. All travelers make their own lodging arrangements. Lodging costs will be reimbursed as per the actual costs. However, such costs shall not exceed the rates for various cities as outlined in the State of Utah Travel Guide. Lodging costs that exceed the State established rate will be reimbursed at the State rate.
3. For all approved travel, the meal allowance reimbursement will be consistent with the meal reimbursement amounts outlined in the State of Utah Travel Guide.
4. When driving a personal vehicle, milage will be reimbursed at the existing State milage reimbursement rate. Milage will be calculated using a "Google type" program using the most direct travel route available. When traveling in a Town owned vehicle, reimbursement will be for actual expenses (gas, oil, etc.) expended. Receipts will be required for such reimbursement.
5. Town credit cards may be used for travel related expenses. Employees and other travelers will be required to reimburse the Town for any expenses charged to Town credit cards that exceed the rates noted above.
6. All requests for reimbursement along with any necessary receipts required for reimbursements must be submitted to personnel in the Town Office within ten (10) working days after completion of travel.
7. Any variation to this Policy must be approved by the Town Council at a regular monthly meeting of the Council.

## 6A. Travel Guide

Revised 07/01/2022

### A. General Travel Information

1. This is a State Division of Finance mini-Policy and Procedure Guide. The guidelines in this pamphlet are informational only. See *State of Utah Accounting Policies and Procedures* section FIACCT 10-02.00 for actual policy and detailed travel information.
2. For **HELP** regarding procedural information on travel or regarding questions related to the State Travel Office, call the State Travel Office at 385-214-7352.
3. **Travel Agency.** The State has contracted with a travel agency to provide business reservation assistance for the following services:

In-State Travel: Airline, rental car, hotel/motel, rail and bus reservations. (Travelers may secure their own in-state lodging reservations as long as the rate is within the state lodging per diem.)

Out-Of-State Travel: Airline, rental car, hotel/motel, rail and bus reservations.

- Corporate Travel 800-367-3230, statetravel@utah.gov, www.statetravel.utah.gov
- Emergency Line
 

Monday - Friday	800-367-3230 (8:00 a.m.-5:00 p.m.)
After Hours	1-888-739-7018

The Division of Finance will not honor any reimbursement requests for any expenses that are not made in accordance with this policy. Exceptions to this policy may be granted when the travel is being paid for by a third party other than the State and the third party makes the arrangements and payments directly through their own travel agency.

4. **Business Travel Account (BTA).** All airline tickets must be purchased using the Business Travel Account. Airline tickets issued through the Business Travel Account are **not** reimbursed to the employee, but paid directly to the travel card company. The State will not reimburse the employee for the cost of airline travel if it is charged to an individual credit card or to the employee's state purchasing card.
5. **Reimbursement By A Third Party.** When a third party is reimbursing travel related expenses of an employee that travels on state time or for state business, the maximum that the traveler may be reimbursed for meals is the federal meal and incidental per diem rate (M&IE) for their travel destination. The federal M&IE amounts by location are found on the federal GSA website [www.gsa.gov](http://www.gsa.gov), or you can obtain the allowable amount from the State Travel Office. Travel expenses reimbursed by a third party may be treated by an employee in one of the following ways:

**State Reimbursement** – Obtain a regular travel reimbursement from the state and then deposit the total third party reimbursement with the state as a refund of expenditure.

**No State Reimbursement** – Retain the amount reimbursed by the third party, up to the amount allowed by the travel policy, and do not submit a state reimbursement. If the amount reimbursed by the third party is greater than allowed by the travel policy, the difference must be deposited by the employee with the State. The department may return the difference to the third party. If retained by the employee, it must be included in the taxable income on the W-2 of the traveler.

Regardless of which method above the employee selects, upon completion of a trip for which a third party is reimbursing the traveler directly, the following must occur:

1. The traveler must submit a copy of the reimbursement check, itinerary, all receipts that were required, and the third party reimbursement form.
2. This information must be attached and filed with their FI 5 form or uploaded into ESS.

For unique circumstances that prevent you from following the policy, contact the State Travel Manager at 385-214-7352.

6. **Visa Purchasing Card.** Employees should use the card for payment of **official state business travel expenses**. These cards **cannot be used for personal use**. Employees with a state Pcard should charge hotel and car rental expenses to the card. Whenever possible, additional business-related travel expenses such as books, fees, and registrations should be charged to the Pcard. The Pcard policy FIACCT 05-15.00 must be followed. Meals may be purchased on a Pcard, but it is not recommended.

- Customer Assistance 1-800-344-5696
- Lost or stolen cards 1-800-344-5696

7. **Meals included in registration fee and complimentary meals.** The value of meals included in the registration for a function will be deducted according to the meal allowances. If meals are complimentary of a hotel, motel, and/or association, no reimbursement will be made for that portion which is "free." However, meals provided on airlines will not reduce the meal allowance.

8. **Lodging At Other Than a Hotel/Motel.** If a traveler stays with friends or relatives rather than in a motel/hotel or uses a personal camper or trailer home, the travel will be reimbursed as follows:

- \$25 – No receipts required
- Actual cost up to \$40 plus tax – With signed receipt (campground, trailer parks, not a private residence)

9. **Driving a Private Vehicle Instead of Flying.** Prior approval by the executive director/designee is required. Mileage reimbursement will be for the lesser of mileage or air fare unless approved by the executive director/designee. Reimbursement will be limited to the lower of the 44 cent per mile rate or the cost calculated in the personal vs. rental comparison in the below link.

<https://fleet.utah.gov/motor-pool-a/demand-motor-pool/personal-vehicle-vs-rental-vehicle/>

The mileage rate includes toll fees, fuel, etc. For out-of-state travel, rental car rates cannot be used to calculate the private vehicle rate unless no direct flight is available. Meals and lodging are allowed for a reasonable driving time; however, the total cost of the trip cannot exceed the equivalent cost of the airline trip. Travel time taken for driving during the employee's normal work week that is greater than that which would have occurred had the employee flown will be taken as annual leave and deducted on the payroll system.

10. **Gratuities/Tips.** Allowances for meal reimbursements are inclusive of tax and tips. Gratuities/Tips for various services such as assistance with baggage, maid service and bellman may be reimbursed up to a combined maximum of \$5.00 per day. Tips for taxi/shuttle/ground transportation may be reimbursed up to the greater of \$5.00 or 20% for each ride.

- An original receipt is required for each individual incidental item of \$20 or more. Subject to Division of Finance oversight through post-audit, when an original itemized receipt is not available, a Department Finance Director or designee may use discretion on a case by case basis in determining sufficient documentation for the reimbursement request. The Finance Director's approval should be included in the reimbursement documentation

11. **Incidental Ground Transportation and Parking Expenses.** The traveler will be reimbursed for the use of taxi, bus, parking and other ground transportation expenses as follows. **Personal use such as transportation to restaurants is not reimbursable.**

- Individual amounts less than \$20 – Submit a schedule of payments including date, to destination, from destination, type of travel, location, and dollar amount. If using a Pcard all original receipts must be obtained.
- Individual amounts of \$20 or more – Submit an original receipt for each item.
- Airport parking reimbursement is limited to the long-term parking rate at the airport the traveler is flying out of.

12. **Non-Overnight Trips.** An employee may be authorized to receive meal per diem if the destination is at least 100 miles from "home-base." The allowance is **not** considered an absolute right of the employee. The non-overnight meal allowance is taxable and must be claimed using a FI-48 form.

- Breakfast: Traveler leaves home base at or before 6:00 a.m.
- Lunch: When the trip meets one of the following conditions:
- Trip warrants entitlement to breakfast and dinner.
  - Traveler leaves "home-base" before 10:00 a.m. and returns after 2:00 p.m.
  - Department director provides *prior written* approval based on unusual circumstances.
- Dinner: Traveler leaves "home-base" and returns at 6:00 p.m. or later.

13. **Personal Phone Calls While Traveling.** Personal telephone calls made while out of town overnight on state business will be reimbursed as follows:

- One night – actual amount up to \$2.50
- Two nights – actual amount up to \$5.00
- Three nights – actual amount up to \$7.50
- Four nights – actual amount up to \$10.00
- Five to eleven nights – actual amount up to \$20.
- Twelve to thirty nights – actual amount up to \$30.
- More than thirty nights. Start over.

The traveler must provide an original lodging receipt or original phone bill showing the phone number called and the dollar amount for **all personal phone calls**. No personal phone calls will be reimbursed unless documented on a lodging receipt or original phone bill.

## B. Travel Rates

### Effective July 1, 2022

- Use of private vehicle 44¢ per mile or 62¢ per mile if a state fleet vehicle is not available. Agencies have developed internal procedures to determine how to document whether a state fleet vehicle was available to an employee.
- Private vehicle instead of flying 44¢ per mile or airfare, whichever is less
- Private aircraft 62¢ per mile

## C. In-State Travel

1. **Meals** The basic meal allowance for a 24 hour period of travel is \$54, to be computed as follows:

<b>Breakfast</b>	<b>\$13.00</b>
<b>Lunch</b>	<b>\$15.00</b>
<b>Dinner</b>	<b>\$26.00</b>
<b>Total</b>	<b>\$54.00</b>

The meal reimbursement is determined by the time of day the traveler leaves his "home-base" (the location the employee leaves from and/or returns to), the days at the location, and the time of day he returns to his "home-base." Tips and tax on meals are included in the per diem amount. The 24 hour period is divided into four quarters.  
**Alcohol is not reimbursable.**

### Leave Home-Base:

	<b>Reimb. Instate</b>
1st qtr – leave between 12:00 a.m. and 6:00 a.m.	\$54.00
2nd qtr – leave between 6:01 a.m. and 12:00 p.m.	\$41.00
3rd qtr – leave between 12:01 p.m. and 6:00 p.m.	\$26.00
4th qtr – leave between 6:01 p.m. and midnight	\$0.00

### Return to Home-Base:

1st qtr – return between 12:00 a.m. and 6:00 a.m.	\$0.00
2nd qtr – return between 6:01 a.m. and 12:00 p.m.	\$13.00
3rd qtr – return between 12:01 p.m. and 6:00 p.m.	\$28.00

4th qtr – return between 6:01 p.m. and midnight \$54.00

\* Please Note: For breakfast, if a hot food item is offered, it is considered a complimentary meal, no matter how it is categorized by the hotel/conference facility. The meal is considered a continental breakfast if no hot food items are offered.

2. **Lodging**

- Conference Hotel (traveler may make own reservations): Actual cost plus tax
- Non-Conference Hotel:

**Utah Cities with Differing Rates for FY23**

**If an employee cannot obtain the per diem rate, the employee must call State Travel at 800-367-3230 or email them at statetravel@utah.gov to secure a reservation and to ensure reimbursement at actual cost plus tax. Travelers may not demand a certain hotel. If they choose to stay at a hotel above per diem when there are hotels available in the area at the per diem rate, the traveler must pay the difference.**

Exceptions will be allowed for unusual circumstances when approved in writing by the executive director or designee **prior to the trip.**

<b>Ballard</b>	<b>\$100.00 plus tax</b>
<b>Beaver</b>	<b>\$95.00 plus tax</b>
<b>Blanding</b>	<b>\$90.00 plus tax</b>
Bluff	\$100.00 plus tax
<b>Brigham City</b>	<b>\$90.00 plus tax</b>
Bryce Canyon City	\$90.00 plus tax
Cedar City	\$80.00 plus tax
<b>Duchesne</b>	<b>\$100.00 plus tax</b>
Ephraim	\$80.00 plus tax
<b>Escalante</b>	<b>\$85.00 plus tax</b>
<b>Fillmore</b>	<b>\$85.00 plus tax</b>
Green River	\$110.00 plus tax
Heber City	\$85.00 plus tax
<b>Hurricane</b>	<b>\$95.00 plus tax</b>
<b>Kanab</b>	<b>\$95.00 plus tax</b>
Layton	\$90.00 plus tax
La Verkin	\$85.00 plus tax
<b>Logan</b>	<b>\$95.00 plus tax</b>
Mexican Hat	\$90.00 plus tax
<b>Moab</b>	<b>\$150.00 plus tax</b>
<b>Monticello</b>	<b>\$100.00 plus tax</b>
<b>Nephi</b>	<b>\$95.00 plus tax</b>
Ogden	\$95.00 plus tax
Park City / Midway	\$110.00 plus tax

<b>Payson</b>	<b>\$85.00 plus tax</b>
<b>Price</b>	<b>\$95.00 plus tax</b>
Provo / Orem / Lehi / American Fork / Springville	\$85.00 plus tax
Roosevelt	\$90.00 plus tax
Salt Lake City Metropolitan Area (Draper to Farmington), Tooele	\$100.00 plus tax
Springdale	\$85.00 plus tax
<b>St George</b>	<b>\$90.00 plus tax</b>
Torrey	\$95.00 plus tax
Tremonton	\$90.00 plus tax
Vernal	\$95.00 plus tax
<b>Washington</b>	<b>\$95.00 plus tax</b>
All Other Utah Cities	\$75.00 plus tax

#### D. Out-of-State Travel

1. **Meals** The basic meal allowance for a 24 hour period of travel is \$54, to be computed as follows:

<b>Breakfast</b>	<b>\$13.00</b>
<b>Lunch</b>	<b>\$15.00</b>
<b>Dinner</b>	<b><u>\$26.00</u></b>
<b>Total</b>	<b><u>\$54.00</u></b>

#### Tier I Premium Locations

The traveler may choose to accept the per diem rate for out-of-state travel or to be reimbursed at the actual meal cost, with original receipts, up to **\$71** per day. The traveler will qualify for premium location rates on the day travel begins and/or the day travel ends only if the trip is of sufficient duration to qualify for all meals on those days. The traveler may choose different reimbursement methods during the trip; however, the same method of reimbursement must be used for an entire day. Reimbursement is for the traveler only. If more than the traveler's meal is charged on a receipt, this must be deducted to reflect the traveler's costs only. Actual meal cost includes tax and tip. **Alcoholic beverages are not reimbursable.**

#### The Tier I Premium Locations are:

- ◆ **Anchorage** – Anchorage City Limits only
- ◆ **Chicago** – Includes Cook and Lake Counties
- ◆ **Hawaii** – Includes the islands of Hilo, Kauai, Maui, Oahu, Lanai, and Molokai
- ◆ **New York City** – Also includes the Bronx, Kings, Queens, and Richmond Cities
- ◆ **San Francisco** – Includes San Francisco County
- ◆ **Seattle** – Includes King County

#### Tier II Premium Locations

The traveler may choose to accept the per diem rate for out-of-state travel or to be reimbursed at the actual meal cost,

with original receipts, up to **\$61** per day. The traveler will qualify for premium location rates on the day travel begins and/or the day travel ends only if the trip is of sufficient duration to qualify for all meals on those days. The traveler may choose different reimbursement methods during the trip; however, the same method of reimbursement must be used for an entire day. Reimbursement is for the traveler only. If more than the traveler's meal is charged on a receipt, this must be deducted to reflect the traveler's costs only. Actual meal cost includes tax and tip. **Alcoholic beverages are not reimbursable.**

**The Tier II Premium Locations are:**

- ◆ **Atlanta** – Fulton, Dekalb, and Cobb Counties
- ◆ **Baltimore** - Baltimore City only
- ◆ **Boston** – Includes Suffolk County and City of Cambridge
- ◆ **Dallas** – Includes Dallas County
- ◆ **Los Angeles** – Includes Los Angeles, Orange, and Ventura Counties (except the City of Santa Monica)
- ◆ **San Diego** – Includes San Diego County
- ◆ **Washington, DC** – Includes the cities of Alexandria, Falls Church and Fairfax, and the counties of Arlington and Fairfax in Virginia; and the counties of Montgomery and Prince George's in Maryland.

**Tier I Premium Locations**

- If breakfast is provided, deduct \$18, leaving a premium allowance for lunch and dinner of actual up to \$53.
- If lunch is provided, deduct \$19, leaving a premium allowance for breakfast and dinner of actual up to \$52.
- If dinner is provided, deduct \$37, leaving a premium allowance for breakfast and lunch of actual up to \$37.

**Tier II Premium Locations**

- If breakfast is provided, deduct \$16, leaving a premium allowance for lunch and dinner of actual up to \$45.
- If lunch is provided, deduct \$17, leaving a premium allowance for breakfast and dinner of actual up to \$44.
- If dinner is provided, deduct \$28, leaving a premium allowance for breakfast and lunch of actual up to \$33.

For **foreign countries** the traveler may choose to accept the per diem rate for out-of-state travel as shown or to be reimbursed the actual meal cost, **with original receipts**, not to exceed the United States Department of State Meal and Incidental (M&IE) rate for their location. The traveler may combine reimbursement methods during a trip; however, he/she must use the same method of reimbursement for an entire day. Reimbursement is for the traveler only. If more than the traveler's meal is charged on a receipt, this must be deducted to reflect the traveler's costs only. Actual meal cost includes tax and tip. **Alcoholic beverages are not reimbursable.**

\* Please note: For breakfast, if a hot food item is offered, it is considered a complimentary meal, no matter how it is categorized by the hotel/conference facility. The meal is considered a continental breakfast if no hot food items are offered.

**Out-of-State Travelers Who Come to Utah**

When the State of Utah pays for an out-of-state person to travel to Utah, the traveler may be reimbursed up to the out of state meal per diem rates shown above. Exceptions may be allowed for unusual circumstances when approved in writing by the executive director or designee prior to the trip.

The meal reimbursement is determined by the time of day the traveler leaves his "home-base" (the location the employee leaves from and/or returns to), the days at the location, and the time of day he returns to his "home-base." Tips and tax on meals are included in the per diem amount. The 24 hour period is divided into four quarters.

**Leave Home-Base:**

**Amt  
Reimb.**

	<u>Out-of-State</u>
1st qtr – leave between 12:00 a.m. and 6:00 a.m.	\$54.00
2nd qtr – leave between 6:01 a.m. and 12:00 p.m.	\$41.00
3rd qtr – leave between 12:01 p.m. and 6:00 p.m.	\$26.00
4th qtr – leave between 6:01 p.m. and midnight	\$0.00

**Return to Home-Base:**

1st qtr – return between 12:00 a.m. and 6:00 a.m.	\$0.00
2nd qtr – return between 6:01 a.m. and 12:00 p.m.	\$13.00
3rd qtr – return between 12:01 p.m. and 6:00 p.m.	\$28.00
4th qtr – return between 6:01 p.m. and midnight	\$54.00

## 2. Lodging

- Non-Conference Hotel – Traveler will be reimbursed up to the federal per diem lodging rates as listed on [www.gsa.gov](http://www.gsa.gov). Arrangements must be made through the State Travel Office. **Travelers may not demand a certain hotel. If they choose to stay at a hotel above per diem when there are hotels available in the area at the per diem rate, the traveler must pay the difference.**
- Conference Hotel – Actual cost plus tax.

Exceptions will be allowed for unusual circumstances when approved in writing by the executive director or designee **prior to the trip.**

## E. Procedures for Reimbursement

### 1. Forms

Submit the appropriate travel reimbursement form. These forms must have the traveler's original signature verifying the expenditures.

*FI 51A State Employee Travel Reimbursement Request For In-State Travel*  
*FI 51B State Employee Travel Reimbursement Request For Out-Of-State Travel*  
*FI 51C Non-State Employee Travel Reimbursement Request For In-State Travel*  
*FI 51D Non-State Employee Travel Reimbursement Request For Out-Of-State Travel*  
 OR  
*ESS In-State Reimbursement Request Form*  
*ESS Out-of-State Travel Request Form*  
*ESS Out-of-State Travel Reimbursement Form*  
*DFCM In-State Travel Reimbursement Request Form (DFCM employees only)*

### 2. Documentation

Attach appropriate documentation to the reimbursement request. See *State of Utah Accounting Policies and Procedures* section 10-02.02 for required documentation.

When an employee chooses to drive on state business rather than fly, the traveler must attach to the reimbursement form (FI 51A) an air fare printout which shows the lowest prices for flights (15 to 30 day advance purchase fare) to the desired destination. This printout is available only from the State Travel Manager or State Travel Coordinator. The driving vs. flying form can be found on the state travel web page located at [www.statetravel.utah.gov](http://www.statetravel.utah.gov). **Do not contact the travel agents for this documentation.**

## F. Personal time before/after traveling on official state business:

The airfare is calculated by pricing what the fare would have been if traveling for business only. Then price out the

itinerary with the personal portion added. If the fare is higher by adding the personal portion, the ticket is to be paid using the department's BTA account and the traveler must write a check to the state for the difference at the time the ticket is issued.

Other reimbursable expenses:

- Mileage to/from their home-base to the departing airport.
- Long-term parking for the number of days the traveler would have been traveling on business if not taking personal time before the trip. OR, two round trips from their home-base to the airport if being dropped off and picked up.
- Taxi/Shuttle – calculate what the taxi/shuttle cost would have been from the arrival airport to the hotel the traveler is or would have stayed at for business (up to \$19.99 without receipt).
- Lodging - allowable for the night before/after the official state business (with receipt) if the traveler would have been required to stay overnight if traveling on official state business only.
- Any other incidentals as allowed per policy.

Per diem for meals will begin at the time the traveler would have departed or returned to their home base if traveling for business only.

### **G. Groups: Conference, Training Session, Retreat, and Service Award Gatherings.**

(See FIACCT 04-11.00 for complete policy on Group Gatherings)

1. If the estimated cost of the state sponsored group gathering is more than \$1,000, agencies must complete an FI 58 to document the estimated costs and approvals. The executive director or designee, and the head budget officer of the department must approve the form FI 58.
2. If the facility providing accommodations accepts state per diem rates for food and lodging, no further bids are required and State Travel Office approval is not required. If needed, the State Travel Office will provide assistance selecting a facility.
3. If the facility selected by the agency does **NOT** accept state per diem rates for food and/or lodging, then the following policy applies:
  - a. If the total cost of the group gathering is estimated to be \$1,000 or less, the agency may select the best source without seeking competitive bids.
  - b. If the total cost of the group gathering is estimated to cost from \$1,000.01 to \$5,000 then the agency must get two, preferably three bids from other comparable facilities and select the facility with the lowest bid. If the agency cannot get more than one bid then the agency must obtain approval from the State Travel Office.
  - c. If the total cost is estimated to be greater than \$5,000 then the State Travel Office can assist in conducting the procurement. The State Travel Office must approve these gatherings.
4. If the estimated cost of the state sponsored group gathering exceeds \$50,000, then public post requirements of the Utah Procurement Code and Administrative Rule Title R33 apply, there are some exceptions. Contact State Travel Office for assistance.

# Utah Administrative Code

## **R25. Government Operations, Finance.**

### **R25-7. Travel-Related Reimbursements for State Travelers.**

#### **R25-7-1. Purpose.**

The purpose of this rule is to establish procedures to pay travel-related Reimbursements to Travelers of an Agency or a Political Subdivision that is subject to this rule.

#### **R25-7-2. Authority and Exemptions.**

This rule is established pursuant to:

- (1) Section 63A-3-107, which authorizes the Division of Finance to make rules governing in-state and out-of-state travel expenses; and
  - (2) Section 63A-3-106, which authorizes the Division of Finance to make rules governing meeting per diem and travel expenses for board members attending official meetings.
- (3) ESS to Concur system migration:
- (a) Sections R25-7-4 through R25-7-11 of this rule govern Agencies that are still using the ESS system to process travel reimbursements and have not yet fully transitioned to using the Concur system.
  - (b) Sections R25-7-11 through R25-7-18 of this rule govern Agencies that are using only the Concur system to process travel reimbursements.

#### **R25-7-3. Definitions.**

- (1) "Agency" means any department, division, board, bureau, office, or other administrative subunit of state government. This definition includes the executive, legislative, and judicial branches.
- (2) "Board" means a board, commission, council, committee, task force, or similar body established to perform a governmental function.
- (3) "Department" means all executive departments of state government.
- (4) "Executive Director" means a department executive director, department commissioner, chief of staff, or equivalent of a chief executive officer for political subdivision.
- (5) "Federal Travel Reimbursement Rates" means the reimbursement rates established for travel by the following agencies:
  - (a) Rates for the contiguous United States are established by the U.S. General Services Administration as set forth in 41 C.F.R. 301-11.6, which is incorporated herein by reference.
  - (b) Rates for Alaska, Hawaii, U.S. Territories, and Possessions are established by the Department of Defense as set forth in 41 C.F.R. 301-11.6, which is incorporated herein by reference.
  - (c) Rates for foreign travel are established by the Department of State as set forth in 41 C.F.R. 301-11.6, which is incorporated herein by reference.
- (6) "Fleet Vehicle" means a vehicle owned or leased by an agency or political subdivision. This also includes vehicles rented for use as motor pool vehicles by an agency or political subdivision.
- (7) "Home Base" means the location from which the traveler leaves to begin travel and the location to which the traveler returns to end travel. In determining the home base of a traveler, an agency should consider at least the following non-exclusive factors:
  - (a) If the traveler is leaving on travel directly from home, or if there a valid business reason for the traveler to go to a designated work location before leaving for the travel destination, the home base should be the last location the traveler was in, home or designated work location, before leaving on travel.
  - (b) If the traveler is going directly home after the trip, or if there a valid business reason for them to first go to a designated work location before the traveler returns home, the ending home base for travel is the first location the employee goes to when returning from travel.
- (8) "Hotel" means an establishment that provides lodging for travelers.
- (9) "Per Diem" means an allowance paid daily.
- (10) "Political Subdivision" means a county, city, town, school district, local district, special service district, or any entity, other than an agency, subject to this rule by statute.
- (11) "Rate" means an amount of money.
- (12) "Reimbursement" means money paid to compensate a travel for money spent.
- (13) "Sufficient Documentation" means the documents required to identify the payee, the amount paid, proof of payment, the date incurred, and a description of the item purchased, or service received that shows the amount was for a business purpose. Sufficient documentation includes the following official evidence of transaction:
  - (a) Itemized receipts
  - (b) Invoices
  - (c) Canceled checks or other documents reflecting proof of payment/electronic funds transferred
  - (d) Cash register tape receipts
  - (e) Account statements
  - (f) Credit card receipts and statementsA combination of supporting documents may be needed to substantiate all elements of the expense.

(14) "Traveler" means any person who is traveling on business for an agency or political subdivision. This definition includes employees, board members, elected officials, vendors, volunteers, and grant recipients or award beneficiaries.

**R25-7-4. Eligible Expenses.**

- (1) Reimbursements are intended to cover any travel-related normal areas of expenses that are ordinary and reasonable under the circumstances.
- (2) Requests for reimbursement must be accompanied by original itemized receipts for any expenses except those for which flat allowance amounts are established.
- (3) When an original itemized receipt is not available, agency or political subdivision management may use discretion in determining the appropriate amount of alternative documentation before reimbursement of expenses.
- (4) Alcoholic Beverages are not reimbursable.

**R25-7-5. Approvals.**

- (1) For insurance purposes, state business travel, whether reimbursed or not, must have prior approval by an appropriate authority. This also includes non-state employees where the agency or political subdivision is paying for the travel expenses.
- (2) Out-of-state travel must be approved by the Executive Director or designee. The approval of in-state travel reimbursement forms may be considered as documentation of prior approval for in-state travel. Prior approval for out-of-state travel should be documented on form FI5 - "Request for Out-of-State Travel Authorization", in the state's ESS travel system, or in another system with equivalent controls and calculations.
- (3) Exceptions to the prior approval for out-of-state travel must be justified in the comments section of form FI5 "Request for Out-of-State Travel Authorization", in the state's ESS travel system or in another system with equivalent controls and calculations and must be approved by the Executive Director or the designee.
- (4) The Executive Director or designee must approve any travel to out-of-state functions where more than two travelers from the same department are attending the same function at the same time.

**R25-7-6. Reimbursement for Meals.**

- (1) Travelers who travel on business may be eligible for a meal reimbursement.
- (2) The reimbursement will include tax, tips, and other expenses associated with the meal.
- (a) The daily travel meal allowance for in-state travel is \$54 and is computed according to the rates listed in Table 1.

Meals	Rate
Breakfast	\$13.00
Lunch	\$15.00
Dinner	\$26.00
Total	\$54.00

(b) The daily travel meal allowance for out-of-state travel is \$54 and is computed according to the rates listed in the following table.

Meals	Rates
Breakfast	\$13.00
Lunch	\$15.00
Dinner	\$26.00
Total	\$54.00

(3) Tier I premium locations in this subsection are Anchorage, Alaska; Chicago, Illinois; each location in Hawaii; New York City, New York; San Francisco, California; and Seattle, Washington. Tier II premium locations in this subsection are Atlanta, Georgia; Baltimore, Maryland; Boston, Massachusetts; Dallas, Texas; Los Angeles, California; San Diego, California; and Washington, DC.

- (a) When traveling to a Tier I premium location, the traveler may choose to accept the per diem rate for out-of-state travel, as shown in Table 2, or to be reimbursed at the actual meal cost, with original receipts, up to \$71 a day.
- (b) When traveling to a Tier II premium location, the traveler may choose to accept the per diem rate for out-of-state travel, as shown in Table 2, or to be reimbursed at the actual meal cost, with original receipts, up to \$61 per day.
- (c) Subject to Subsections R25-7-6(3)(a) and 6(b), the traveler will qualify for premium rates on the day the travel begins and the day the travel ends only if the trip is of sufficient duration to qualify for meals on that day.

(d) Complimentary meals with lodging accommodations and meals included in event registration costs are deducted from the premium location allowance as follows:

(i) Tier I Location

(a) If breakfast is provided deduct \$18, leaving a premium allowance for lunch and dinner of actual up to \$53.

(b) If lunch is provided deduct \$19, leaving a premium allowance for breakfast and dinner of actual up to \$52.

(c) If dinner is provided deduct \$34, leaving a premium allowance for breakfast and lunch of actual up to \$37.

(ii) Tier II Location

(a) If breakfast is provided deduct \$16, leaving a premium allowance for lunch and dinner of actual up to \$45.

(b) If lunch is provided deduct \$17, leaving a premium allowance for breakfast and dinner of actual up to \$44.

(c) If dinner is provided deduct \$28, leaving a premium allowance for breakfast and lunch of actual up to \$33.

(d) The traveler must use the same method of reimbursement for an entire day.

(e) Actual meal cost includes tips.

(4) When traveling in foreign countries, the traveler may choose to accept the per diem rate for out-of-state travel, as shown in Table 2, or to be reimbursed the actual meal cost, with original receipts, not to exceed the federal reimbursement rate for the location as of the date of travel.

(a) The traveler may use both reimbursement methods during a trip; however, they must use the same method of reimbursement for an entire day.

(b) Actual meal cost includes tips.

(5) The meal reimbursement calculation consists of three parts:

(a) The day the travel begins. The traveler's entitlement is determined by the time of day the traveler leaves their home base, as illustrated in Table 3.

1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
12:01 AM - 6:00 AM	6:01 AM - 12:00 PM	12:01 PM - 6:00 PM	6:01 PM - 12:00 AM
*B,L,D	*L,D	*D	*no meals
In-State			
\$54.00	\$41.00	\$26.00	\$0
Out-of-State			
\$54.00	\$41.00	\$26.00	\$0
*B = Breakfast, L = Lunch, D = Dinner			

(b) The days at the location.

(i) Complimentary meals and meals included in a registration cost are deducted from the total daily meal allowance. However, a continental breakfast will not reduce the meal allowance. Please Note: For breakfast, if a hot food item is offered, it is considered a complimentary meal, no matter how it is categorized by the facility. The meal is considered a "continental breakfast" if no hot food items are offered.

(ii) Meals provided on airlines will not reduce the meal allowance.

(c) The day the travel ends. The meal reimbursement the traveler is entitled to is determined by the time of day the traveler returns to their home base, as illustrated in Table 4.

1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
12:01 AM - 6:00 AM	6:01 AM - 12:00 PM	12:01 PM - 6:00 PM	6:01 PM - 12:00 PM
*no meals	*B	*B, L	*B, L, D
In-State			
\$0	\$13.00	\$28.00	\$54.00
Out-of-State			
\$0	\$13.00	\$28.00	\$54.00
*B = Breakfast	L = Lunch	D = Dinner	

(6) A traveler may be authorized by the Executive Director or designee to receive a taxable meal allowance on an officially approved trip when the traveler's farthest destination is at least 100 miles one way from their home base and the traveler does not stay overnight.

- (a) Breakfast is paid when the traveler leaves their home base before 6 a.m.
- (b) Lunch is paid when the traveler leaves their home base before 10 a.m. and returns after 2 p.m.
- (c) Dinner is paid when the traveler leaves their home base and returns at or after 6 p.m.
- (d) The allowance is not considered an absolute right of the traveler and is authorized at the discretion of the Executive Director or designee.

**R25-7-7. Meals for Statutory Non-Salaried State Boards.**

(1) When a board meets and conducts business activities during mealtime, the cost of meals may be charged as public expense.

(2) Where employees or other advisors or consultants must, of necessity, attend such a meeting to permit the board to carry on its business, the meals of such employees, advisors, or consultants may also be paid. In determining whether the presence of such employees, advisors, or consultants is necessary, the board is requested to restrict the attendance of such employees, advisors, or consultants to those absolutely necessary at such mealtime meetings.

**R25-7-8. Reimbursement for Lodging.**

A traveler who travels on business may be eligible for a lodging reimbursement.

(1) For stays at a conference hotel, the traveler will be reimbursed the actual cost-plus tax and any mandatory fees charged by the hotel for both in-state and out-of-state travel. The traveler must include the conference registration brochure with the travel reimbursement request, form FI 51A, FI 51B, on ESS travel, or equivalent form or system.

(2) For in-state lodging at a non-conference hotel, they will be reimbursed the actual cost up to \$75 per night for single occupancy plus tax and any mandatory fees charged by the hotel except as noted in Table 5.

TABLE 5 Cities with Differing Rates	
Note: The rates described below indicate the nightly single occupancy room rates. Any applicable taxes and mandatory fees are in addition to the rates below.	
City	Rate
Ballard	\$100.00
Beaver	\$95.00
Blanding	\$90.00
Bluff	\$100
Brigham City	\$90.00
Bryce Canyon City	\$90.00
Cedar City	\$80.00
Duchesne	\$100.00
Ephraim	\$80.00
Escalante	\$85.00
Fillmore	\$85.00
Green River	\$110.00
Heber	\$85.00
Kanab	\$95.00
Layton	\$90.00
La Verkin	\$85.00
Logan	\$95.00
Mexican Hat	\$90.00
Moab	\$150.00
Monticello	\$100.00
Nephi	\$95.00
Ogden	\$95.00
Park City/Midway	\$110.00
Payson	\$85.00
Price	\$95.00
Provo/Orem/Lehi/American Fork/Springville	\$85.00
Roosevelt	\$90.00

Salt Lake City Metropolitan Area (Draper to Farmington), Tooele	\$100.00
Springdale	\$85.00
St. George	\$90.00
Torrey	\$95.00
Tremonton	\$90.00
Vernal	\$95.00
Washington/Hurricane	\$95.00
Other Utah Cities	\$75.00

(3) Travelers traveling less than 50 miles from their home base are not entitled to lodging reimbursement. Miles are calculated from the traveler's home base. An Executive Director may use discretion to authorize reimbursement for lodging if the agency or political subdivision determines lodging is reasonable and in the best interest of the state. For example, if the traveler is required to work at the travel destination after normal working hours or early the next day, or when weather or other safety issues exist, lodging may be appropriate.

(4) When an agency or political subdivision pays for a person from out-of-state to travel to Utah, the in-state lodging per diem rates will apply.

(5) For out-of-state travel stays at a non-conference hotel, the traveler will be reimbursed the actual cost per night plus tax and any mandatory fees charged by the hotel, not to exceed the federal lodging rate for the location. For agency travelers, these reservations must be made through the State Travel Office.

(6) For agency travelers, the state will reimburse the actual cost per night plus tax and any mandatory fees charged by the hotel for in-state or out-of-state travel stays when reservations are made through the State Travel Office.

(a) If lodging is not available at the allowable per diem rate in the area the traveler needs to stay, the State Travel Office will book a hotel with the best available rate. In this circumstance, the traveler will be reimbursed at the actual rate booked.

(b) If a traveler chooses to stay at a hotel that costs more than the allowable per diem rate, the traveler will only be reimbursed for the allowable per diem rate plus tax and any mandatory fees charged by the hotel.

(7) Lodging is reimbursed at the rates listed in Table 5 for single occupancy only. For double traveler occupancy, add \$20, for triple traveler occupancy, add \$40, for quadruple occupancy, add \$60.

(8) Exceptions will be allowed for unusual circumstances when approved in writing by the travelers Executive Director or designee before to the trip.

(a) For out-of-state travel, the approval may be on the form FI 5, in the state's ESS travel system, or in another system with equivalent controls and calculations.

(b) Attach the written approval to the travel reimbursement request, form FI 51B, FI 51D, in ESS travel, or in another equivalent form or system.

(9) A proper receipt for lodging accommodations must accompany each request for reimbursement.

(a) A proper receipt is a copy of the registration form generally used by a motel or hotel which includes the following information: name of motel or hotel, street address, town and state, telephone number, receipt date, names of occupants, dates of occupancy, amount and date paid, number in the party, and single, double, triple, or quadruple occupancy.

(10) When lodging is required, a traveler should stay at the lodging facility nearest to the ultimate destination point of travel where state lodging per diem rates are accepted to minimize transportation costs.

(11) A traveler may also elect to stay with friends or relatives or use their personal campers or trailer homes instead of staying in a hotel. With proof of staying overnight away from home on approved business, they will be reimbursed the following:

(a) \$25 per night with no receipts required; or

(b) Actual cost up to \$40 per night with a signed receipt from a facility such as a campground or trailer park, not from a private residence.

(12) A traveler on assignment away from the home base for longer than 90 days will be reimbursed as follows:

(a) First 30 days - follow regular rules for lodging and meals. Lodging receipt is required.

(b) After 30 days - \$46 a day for lodging and meals. No receipt is required.

#### **R25-7-9. Reimbursement for Incidentals.**

Travelers who travel on business may be eligible for a reimbursement for incidental expenses.

(1) A traveler will be reimbursed for actual out-of-pocket costs for incidental items such as baggage tips, maid service, and bellman. Gratuities or tips for various services such as assistance with baggage, maid service, and bellman, may be reimbursed up to a combined maximum of \$5 a day. Include an original receipt for each individual incidental item above \$19.99.

(2) A traveler will be reimbursed for incidental ground transportation and parking expenses.

(a) A traveler shall document all official business use of taxi, bus, parking, and other ground transportation including dates, destinations, parking locations, receipts, and amounts.

(b) Personal use of such transportation to a restaurant is not reimbursable.

(c) The maximum that airport parking will be reimbursed is the economy lot parking rate at the airport the traveler is flying out of. A receipt is required for amounts of \$20 or more.

(d) Gratuities and tips for ground transportation will be reimbursed up to the greater of \$5 or 18% for each ride. Gratuities and tips must be shown on an original receipt.

(3) For an agency, a conference registration should be paid in advance by check or with a purchasing card.

(a) A copy of the approved FI 5 form must be included with the payment voucher or purchase card log for out-of-state registrations.

(b) For an agency, if a traveler must pay the registration upon arrival, and does not have a purchase card or personal credit card, the agency is expected to process a payment document and have the traveler take the state warrant to the event.

(4) A demonstrable expense for a business call will be reimbursed at the actual cost.

(a) The traveler shall list the amount of these calls separately on the travel reimbursement request, form FI 51A, FI 51B, or in ESS travel or equivalent form or system.

(b) The traveler must provide an original lodging receipt or original personal phone bill showing the phone number called and the dollar amount for business telephone calls and personal telephone calls.

(5) An allowance for personal telephone calls made while out of town on business overnight may be based on the number of nights away from home. The traveler must provide an original lodging receipt or original personal phone bill showing the phone number called and the dollar amount for personal telephone calls. Reimbursement must be calculated as follows:

(a) four nights or less, actual amount up to \$2.50 per night;

(b) five to eleven nights, actual amount up to \$20;

(c) twelve nights to 30 nights, actual amount up to \$30; and

(d) more than 30 days, start over.

(6) Laundry expenses up to \$18 per week will be allowed for trips longer than six consecutive nights, beginning after the sixth night. For use of coin-operated laundry facilities, the traveler must provide a list of dates, locations, and amounts.

(7) An amount of \$5 a day will be allowed for travelers away more than six consecutive nights beginning after the sixth night.

(a) This amount covers miscellaneous incidentals not covered in this rule.

(b) This allowance is not available for travelers going to conferences.

(8) An agency or political subdivision may provide for a traveler to return home over a weekend when the business portion of a trip extends longer than ten nights. Reimbursements may be given for costs allowed by these policies.

#### **R25-7-10. Reimbursement for Transportation.**

A traveler who travels on business may be eligible for a transportation reimbursement.

(1) Air transportation is limited to Air Coach or Excursion class. Priority seating charges will not be reimbursed unless preapproved by the Executive Director or designee.

(a) For agency travelers, all reservations should be made through the State Travel Office for the least expensive air fare available when the reservations are made.

(b) Only one change fee per trip will be reimbursed.

(c) The explanation for the change and any other exception to this rule must be given and approved by the Executive Director or designee.

(2) A traveler may be reimbursed for mileage to and from the airport and long-term parking or airport parking.

(a) The maximum reimbursement for parking, whether a traveler parks at the airport or away from the airport, is the long-term parking rate at the airport they are flying out of.

(b) The parking receipt must be included with the Travel Reimbursement Request, form FI 51A, FI 51B, in ESS Travel or equivalent form or system for amounts of \$20 or more.

(c) A traveler may be reimbursed, up to the maximum reimbursement rate, for mileage to and from the airport to allow someone to drop them off and to pick them up.

(3) A traveler may use a private vehicle with approval from the Executive Director or designee.

(a) Only one person in a vehicle may receive the reimbursement, regardless of the number of people in the vehicle.

(b) Reimbursement for a private vehicle will be at the rate of 44 cents per mile or 62 cents per mile if a fleet vehicle is not available to the traveler.

(i) To determine which rate to use, the traveler must first determine if a fleet vehicle is available that meets the traveler's needs. This does not apply to special purpose vehicles. If reasonably available, the traveler should use a fleet vehicle. If a fleet vehicle is not reasonably available, the agency or political subdivision may approve the traveler to use a private vehicle. If a fleet vehicle is not reasonably available, the traveler may be reimbursed at 62 cents per mile.

(ii) If a trip is estimated to average 100 miles or more a day, the agency or political subdivision should approve the traveler to reserve a fleet vehicle if one is reasonably available. Doing so will cost less than if the traveler takes a private vehicle. If the agency or political subdivision approves the traveler to take a private vehicle, the traveler will be reimbursed at the lower rate of 44 cents per mile not to exceed the expense calculated in the link located in Subsection (e).

(c) A reimbursement rate that is more restrictive than the rate established in this section may be established by the agency or political subdivision.

(d) Any exceptions to this mileage rate guidance must be approved in writing by the traveler's Executive Director or designee.

(e) A cost comparison worksheet is available at: <http://fleet.utah.gov/motor-pool-a/demand-motor-pool/personal-vehicle-vs-rental-vehicle/>

(f) Mileage will be computed using Mapquest, GoogleMaps or other generally accepted route planning website, or from the latest official state road map and will be limited to the most economical, usually traveled routes.

(g) If the traveler uses a private vehicle on official business and is reimbursed for mileage, parking charges may be reimbursed as an incidental expense.

(h) For an agency traveler, an approved "Private Vehicle Usage Report", form FI 40, should be included with the documentation reporting miles driven on business during the payroll period.

(i) Mileage reimbursement may be allowed on an approved "Travel Reimbursement Request", form FI 51A, FI 51B, or in ESS Travel, or equivalent form or system, if other costs associated with the trip are to be reimbursed at the same time.

(4) A traveler may choose to drive instead of flying if preapproved by the executive or designee.

(a) If the traveler drives a fleet vehicle, the traveler may be reimbursed for meals and lodging for a reasonable amount of travel time; however, the total cost of the trip must not exceed the equivalent cost of the airline trip. The traveler may also be reimbursed for incidental expenses such as toll fees and parking fees.

(b) If the traveler drives a privately owned vehicle, reimbursement will be at the rate of 44 cents per mile or the airplane fare, whichever is less, unless otherwise approved by the Executive Director or designee.

(i) The lowest fare available within 30 days before the departure date will be used when calculating the cost of travel for comparison to private vehicle cost.

(ii) A comparison printout which is available through the State Travel Office is required when the traveler is taking a private vehicle.

(iii) The traveler may be reimbursed for meals and lodging for a reasonable amount of travel time; however, the total cost of the trip must not exceed the equivalent cost of an airline trip.

(iv) If the traveler uses a private vehicle on official business and is reimbursed for mileage, parking charges may be reimbursed as an incidental expense.

(c) When submitting the reimbursement form, attach a schedule comparing the cost of driving with the cost of flying. The schedule should show that the total cost of driving was less than or equal to the total cost of flying for the trip.

(5) Use of non-fleet rental vehicles must be approved in writing in advance by the Executive Director or designee.

(a) An exception to advance approval of the use of rental vehicles must be fully explained in writing with the request for reimbursement and approved by the Executive Director or designee.

(b) Detailed explanation is required if a rental vehicle is requested for a traveler staying at a conference hotel.

(c) When making rental car arrangements through the State Travel Office, the traveler should reserve the vehicle needed. Upgrades in size or model made when picking up the rental vehicle will not be reimbursed.

(i) A traveler should rent vehicles to be used for business in their own names, using a contract available to the traveler's agency or political subdivision to ensure the agency's or political subdivision's insurance coverage is extended in the rental.

(ii) For agency travelers, a rental vehicle reservation not made through the State Travel Office must be approved in advance by the Executive Director or designee.

(iii) The traveler will be reimbursed the actual rate charged by the rental agency.

(iv) The traveler must have approval for a rental car to be reimbursed for rental car parking.

(6) Travel by private airplane for official business must be approved in advance by the Executive Director or designee.

(a) The pilot must certify to the Executive Director or designee that the pilot is certified to fly the plane being used for business.

(b) If the plane is owned by the pilot, the pilot must certify the existence of at least \$500,000 of liability insurance coverage.

(c) If the plane is a rental, the pilot must provide written certification from the rental agency that the insurance covers the traveler and the agency or political subdivision as insured. The insurance must be adequate to cover any physical damage to the plane and at least \$500,000 for liability coverage.

(d) Reimbursement will be made at 62 cents per mile.

(e) Mileage calculation is based on air mileage and is limited to the most economical, usually traveled route.

(7) For agency travelers, a car allowance may be allowed in lieu of mileage reimbursement in certain cases. Prior written approval from the Executive Director, the Executive Director of the Department of Government Operations, and the Governor is required.

#### **R25-7-11. Limitation on Travel-Related Reimbursements.**

Nothing in this rule may be construed to apply to a person's relocation expenses. Reimbursement for relocation expenses may be covered by policy.

#### **R25-7-12. Eligible Expenses.**

(1) Reimbursements are intended to cover any travel-related normal areas of expenses that are ordinary and reasonable under the circumstances.

(2) Requests for reimbursement must be accompanied by sufficient documentation for any expenses except those for which flat allowance amounts are established.

(3) Alcoholic Beverages are not reimbursable.

**R25-7-13. Approvals.**

(1) State business travel, whether reimbursed or not, must have prior approval by the appropriate authority. This also includes non-employees where the agency or political subdivision is paying for the travel expenses.

(2) The approval of in-state travel reimbursements in the State's Concur travel system may be considered evidence of prior approval for in-state travel. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 5 or FI 51 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(3) Out-of-state travel requests must be preapproved within the State's Concur travel system by the applicable Executive Director or designee. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 5 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(4) Exceptions to the prior approval for out-of-state travel must be approved by the applicable Executive Director or designee and must be justified in the State's Concur travel system. If an agency cannot use the State's Concur travel system, the agency must justify exceptions in the comments section of form FI 5 "Request for Out-of-State Travel Authorization." Political subdivisions may use another system with equivalent controls and calculations.

**R25-7-14. Reimbursement for Meals.**

(1) Travelers who travel on business may be eligible for a meal reimbursement according to the Federal Travel Reimbursement Rates.

(2) Federal Travel Reimbursement Rates include tax, gratuity, and other expenses associated with the meal.

(3) Meal reimbursement calculations will be completed according to the Federal Travel Reimbursement Rates.

(a) The amount received on the first and last day of travel equals 75% of the Federal Travel Reimbursement Rate.

(b) Complimentary meals and meals included in a registration cost are deducted from the total daily meal allowance.

(i) A continental breakfast will not reduce the meal allowance. A meal is considered a "continental breakfast" if no hot food items are offered, no matter how it is categorized by the facility.

(c) Meals provided on airlines will not reduce the meal allowance.

(4) A traveler is eligible for a taxable meal allowance of 75% of the Federal Travel Reimbursement Rate when travel is longer than 12 hours on a non-overnight trip.

**R25-7-15. Meals for Statutory Non-Salaried State Boards.**

(1) When a board meets and conducts business activities during mealtime, the cost of meals may be charged as public expense.

(2) Where employees or other advisors or consultants must attend such a meeting to permit the board to carry on its business, the meals of such employees, advisors, or consultants may also be paid. The board shall restrict the attendance of such employees, advisors, or consultants to only those necessary at such mealtime meetings.

**R25-7-16. Booking and Reimbursement of Lodging.**

(1) A traveler who travels on business may be eligible for lodging reimbursement.

(2) Travelers traveling less than 75 miles from their home base are not entitled to a lodging reimbursement. Exceptions may be allowed for unusual circumstances when approved in writing by the traveler's Executive Director or designee before the trip. Unusual circumstances may include instances where the traveler is required to work at the travel destination after normal working hours or early the next day, or when weather or other safety issues exist. Miles are calculated from the traveler's home base.

(3) Booking of Lodging.

(a) For stays at a conference hotel, the traveler shall book a room at the Federal Travel Reimbursement Rates. If the traveler cannot find a room within the Federal Travel Reimbursement Rates, but there is a negotiated conference rate, the traveler shall book directly with the hotel or conference link. Otherwise, the traveler may book the conference hotel up to 300% of the Federal Travel Reimbursement Rates using the State's Concur travel system or through the State Travel Office. If the conference hotel rate exceeds 300% of the Federal Travel Reimbursement Rates, the traveler shall select a non-conference hotel.

(b) For stays at a non-conference hotel, a traveler shall book lodging up to the Federal Travel Reimbursement Rates through the State's Concur travel system or through the State Travel Office. If the Federal Travel Reimbursement Rates cannot be obtained, the traveler shall book lodging at the best available rate up to 300% of the Federal Travel Reimbursement Rates through the State's Concur travel system or through the State Travel Office. If the available non-conference hotel rates exceed 300% of the Federal Travel Reimbursement Rate, lodging must be reserved through the State Travel Office.

(4) Reimbursement of Lodging.

(a) Reimbursement for conference hotels:

(i) Reimbursement for conference hotels must be processed through the State's Concur travel system. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 51 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(ii) When a traveler booked a conference hotel through the State's Concur system or obtained the negotiated conference rate, the reimbursement will be the actual hotel rate up to 300% of the Federal Travel Reimbursement Rates plus sales tax and any mandatory fees.

(iii) The traveler shall include the conference registration materials as an attachment when submitting a request for reimbursement.

(b) Reimbursement for non-conference hotels

(i) Reimbursement for non-conference hotels must be processed through the State's Concur travel system. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 51 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(ii) When a traveler booked lodging at a rate up to the Federal Travel Reimbursement Rate, the reimbursement will be the actual hotel rate up to the Federal Travel Reimbursement Rate plus sales tax and any mandatory fees.

(iii) If a traveler was not able to obtain the Federal Travel Reimbursement Rate, the reimbursement will be the actual hotel rate up to 300% of the Federal Travel Reimbursement Rates plus sales tax and any mandatory fees.

(iv) When a hotel was available at the Federal Travel Reimbursement Rate, but the traveler booked a hotel with a higher rate, the reimbursement will be limited to the Federal Travel Reimbursement Rate.

(v) If a traveler booked a hotel at rate over 300% of the Federal Travel Reimbursement Rates with the State Travel Office, the reimbursement will be the actual hotel rate plus sales tax and any mandatory fees.

(c) Lodging Receipts. A proper receipt for lodging accommodations must accompany each request for reimbursement. A proper receipt is a copy of the registration form generally used by the motel or hotel which includes the following information: name of motel or hotel, street address, city and state, telephone number, receipt date, names of occupants, dates of occupancy, amount and date paid, and number in the party.

(5) Exceptions will be allowed for unusual circumstances when preapproved in writing by the traveler's Executive Director or designee.

(a) The written pre-approval must be attached to the reimbursement in the State's Concur travel system. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 5 or FI 51 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(6) Other Lodging.

(a) A traveler may elect to stay with friends or relatives. A traveler who stays with friends or relatives will be reimbursed \$25 per night.

(b) A traveler may use their personal campers or trailer homes instead of staying in a hotel. The traveler will be reimbursed the actual cost up to the Federal Travel Reimbursement Rates per night if:

(i) The traveler submits proof of staying overnight away from home on approved business; and

(ii) Sufficient Documentation from a facility such as a campground or trailer park, not from a private residence.

**R25-7-17. Reimbursement for Other Travel-Related Expenses.**

Travelers who travel on business may be eligible for a reimbursement for other travel-related expenses.

(1) Fees and gratuities given to porters, baggage carriers, and hotel staff are considered an incidental expense and included as part of the Federal Travel Reimbursement Rate. These will not be reimbursed separately.

(2) An expense for a verifiable business call will be reimbursed at the actual cost.

(a) The traveler shall list the amount of these calls separately in the State's Concur travel system. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 51 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(b) The traveler shall provide a lodging receipt or non-business phone bill showing the phone number called and the dollar amount for business telephone calls and non-business telephone calls.

(3) Laundry expenses will be covered as an incidental expense and not separately reimbursed.

(4) An agency or political subdivision may provide for a traveler to return home over a weekend when the business portion of a trip extends longer than ten nights. Reimbursements may be given for costs allowed by these policies.

**R25-7-18. Reimbursement for Transportation.**

A traveler who travels on business may be eligible for a transportation reimbursement.

(1) A traveler will be reimbursed for ground transportation.

(a) A traveler shall document all official business use of taxi, ride sharing, bus, and other ground transportation, as well as dates, destinations, receipts, and amounts.

(i) Sufficient Documentation must be included with the travel reimbursement in the State's Concur travel system. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 51 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(b) Non-business use of ground transportation is not reimbursable, such as transportation to a restaurant.

(c) Gratuities for ground transportation that are paid in cash will be considered an incidental expense and not separately reimbursed.

(d) Gratuities for ground transportation will be reimbursed up to the greater of \$5 or 20% for each ride if:

(i) The gratuity is paid with a credit card; and

(ii) The charges for ground transportation and the gratuity are on a single itemized receipt.

(iii) Sufficient Documentation must be submitted to receive reimbursement.

(2) A traveler will be reimbursed for parking.

(a) A traveler shall document all official business needs for parking which includes parking locations and duration.

(i) Sufficient Documentation must be submitted to receive reimbursement.

(b) Parking expenses for non-business use are not reimbursable, such as parking at a restaurant.

(c) Airport parking and long-term parking will be reimbursed at the maximum of the economy lot parking rate at the airport the traveler is flying out of.

(i) Sufficient Documentation must be submitted to receive reimbursement.

(d) Sufficient Documentation must be included with the travel reimbursement in the State's Concur travel system. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 48 or FI 51 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(3) Air transportation is limited to economy fares only. Priority seating charges will not be reimbursed unless preapproved by the Executive Director or designee.

(a) For agency travelers, all reservations must be made through the State's Concur travel system or the State Travel Office for the best available flight considering cost and convenience.

(b) Any change fees or charges for increased airfare must include:

(i) A written explanation for the change; and

(ii) Written approval by the Executive Director or designee.

(4) Travel to and from the airport.

(a) A traveler may be reimbursed for mileage to and from the airport and parking.

(b) A traveler may be reimbursed for round trip mileage to and from the airport to allow someone to drop them off and to pick them up.

(c) A traveler will be reimbursed for parking as outlined in Subsection R25-7-18(2) and mileage as outlined in Subsection R25-7-18(5).

(d) Sufficient Documentation must be included with the travel reimbursement in the State's Concur travel system. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 51 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(5) A traveler may use a private vehicle with approval from the Executive Director or designee. Mileage will be reimbursed as follows.

(a) Mileage reimbursement rates:

(i) Agencies will reimburse at a calculated mileage rate rounded to the nearest cent based on the average of:

(A) the Federal Travel Reimbursement Rate if use of a privately owned automobile is authorized or if no Government-furnished automobile is available; and

(B) the Federal Travel Reimbursement Rate if a Government-furnished automobile is available.

(ii) Political subdivisions may reimburse mileage at the Federal Travel Reimbursement Rates or establish a system that is more stringent.

(b) Number of reimbursable miles. Agencies shall use the State's Concur travel system to calculate mileage. If unable to use the State's Concur travel system, agencies may calculate mileage using a generally accepted route planning website and will be limited to the most economical usually traveled routes. Political subdivisions may use another system or form with equivalent controls and calculations.

(c) Mileage reimbursements must be requested through the State's Concur travel system. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 40 or FI 51 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(d) Only one person in a vehicle may receive the reimbursement regardless of the number of people in the vehicle.

(6) A traveler may choose to drive instead of fly if preapproved by the Executive Director or designee. In granting the approval, the Executive Director or designee shall consider whether the reimbursement cost for the traveler's mileage and time driving exceeds the reimbursement cost of flying and whether the benefit to driving justifies those costs.

(7) Fleet Shared Motor Pool or Rental Vehicles:

(a) For in-state travel, agencies shall make all reasonable efforts to book a fleet shared motor pool vehicle through the Division of Fleet Operations or a rental car through the State Travel Office.

(b) For out-of-state travel, agencies shall book rental vehicles through the State's Concur travel system or the State Travel Office.

(i) Use of rental vehicles for out-of-state travel must be approved in writing in advance by the Executive Director or designee.

(A) An exception to advance approval of the use of rental vehicles for out-of-state travel must be fully explained in writing with the request for reimbursement and approved by the Executive Director or designee.

(B) Justification is required if a rental vehicle is requested for a traveler staying at a conference hotel.

(C) When traveling out-of-state, the traveler must have approval for a rental car to be reimbursed for rental car parking.

(c) When booking rental car arrangements through the State Travel Office or the State's Concur travel system, the traveler shall reserve the type of vehicle based on business needs. Upgrades in size or model made when picking up the rental vehicle will not be reimbursed.

(d) A traveler shall rent a vehicle in their own name, using a contract available to the traveler's agency or political subdivision to ensure the agency's or political subdivision's insurance coverage is extended in the rental.

(e) Payment or Reimbursement for Fleet Shared Motor Pool and Rental Vehicles.

(i) The Division of Fleet Operations shall directly bill agencies for the use of fleet shared motor pool vehicles.

(ii) For agencies, in-state rentals are billed directly to the agencies.

(iii) For out-of-state travel, reimbursements for rental vehicles must be processed through the State's Concur travel system. If an agency cannot use the State's Concur travel system, the agency may use the applicable FI 51 series form. Political subdivisions may use another system or form with equivalent controls and calculations.

(8) Travel by private airplane for official business must be preapproved in writing by the Executive Director or designee.

(a) The pilot must certify to the Executive Director or designee that the pilot is certified to fly the plane being used for business.

(b) If the plane is owned by the pilot, the pilot must certify the existence of at least \$1,000,000 per person and \$3,000,000 aggregate of liability insurance.

(c) If the plane is a rental, the pilot must provide written certification from the rental agency that the insurance covers the traveler and the agency or political subdivision as insured. The insurance must be adequate to cover any physical damage to the plane and at least \$1,000,000 per person and \$3,000,000 aggregate of liability insurance.

(d) Reimbursement will be made at the same rates described in Subsection R25-7-18(5).

(e) Mileage calculation is based on air mileage and is limited to the most economical usually traveled route.

**R25-7-19. Political Subdivisions.**

Political subdivisions that are subject to this rule may establish a system that is more stringent.

**KEY: air travel, per diem allowances, state travelers, transportation**

**Date of Last Change: August 22, 2023**

**Notice of Continuation: February 8, 2018**

**Authorizing, and Implemented or Interpreted Law: 63A-3-107; 63A-3-106**

ORDINANCE NO. 23-12

AN ORDINANCE **UPDATING PARKING SPACE DEFINITION UNDER SHORT-TERM RENTALS**

**WHEREAS**, the Town of Garden City is a town duly incorporated under the general law of the State of Utah; and

**WHEREAS**, the Garden City Town Council is the governing body for the Town of Garden City and must administer the Garden City Municipal Code; and

**WHEREAS**, The Garden City Town Council is authorized to govern the business and licensing of the Town of Garden City; and

**WHEREAS**, the Town of Garden City Town Council shall manage and govern the **short-term rental licensing** in the Town of Garden City.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF GARDEN CITY TOWN COUNCIL THAT ORDINANCE #8-601-G SHALL BE UPDATED AS FOLLOWS:**

**8-601 Definitions:** The following words and phrases shall have the definitions and meanings set forth below. If any words or phrases are defined elsewhere in this code, and there is a contradiction as to their meaning, the definitions set forth in this section shall control the Short-Term Rental Ordinance.

**G. Parking Space** shall mean an area with a width of not less than 10 feet and a length of not less than 24 feet located either within designated garages **or designated parking areas. All parking shall asphalt or concrete.** ~~or impermeable surfaces such as asphalt, concrete, or gravel road base. One parking space shall be equivalent to~~ **required for each** four (4) occupants.


- i. Single Family Dwelling off-premise parking must be clearly marked to only be used by the dwelling it is assigned to and on the property of the dwelling.**
- ii. All Multi-Family Dwelling parking, including approved off premise parking, must be clearly marked, and assigned to each unit. Multi-Family parking must be either asphalt or concrete.**

**APPROVED AND ADOPTED** this 13<sup>th</sup> day of July 2023.

APPROVAL:

  
Michael Leonhardt, Mayor

Attest:

  
Cathie Rasmussen, Town Clerk



ORDINANCE #22-04

AN ORDINANCE **CHANGING PARKING SPOT REQUIREMENTS**

WHEREAS, THE Town of Garden City is a town duly incorporated under the general law of the State of Utah; and

WHEREAS, the Garden City Town Council is the governing body for the Town of Garden City and must administer the Garden City Municipal Code; and

WHEREAS, The Garden City Town Council is authorized to govern the health, safety and wellness of the citizens and visitors of the Town of Garden City.

NOW THEREFORE, be it ordained by the Garden City Town Council and the Planning Commission that Ordinance #11C-304 be changed as follows:

**11C-304 Parking Space Size.** The dimensions of each off-street parking space shall be at least ~~nine (9) feet by twenty (20) feet~~ **ten (10) feet by twenty four** feet for diagonal or ninety-degree spaces; or ~~nine (9) ten (10) feet by twenty-two (22)~~ **twenty-six (26)** feet for parallel spaces.


Type of Space	Minimum Width	Minimum Length
Diagonal	9 feet-10 feet	20 feet-24 feet
90° Angle	9 feet-10 feet	20 feet-24 feet
Parallel	9 feet-10 feet	22 feet-26 feet
Oversized Stalls	9 feet-10 feet	40 feet-48 feet

PASSED AND ADOPTED by the Garden City Town Council, Garden City, UT this 10<sup>th</sup> day of February, 2022.

APPROVED:

ATTEST:

  
Mike Leonhardt, Mayor

  
Cathie Rasmussen, Town Clerk

## **CHAPTER 11C-300 Parking and Loading Space**

**11C-301 Purpose** The purpose of these off street parking requirements is to reduce congestion and traffic hazards in the Town by incorporating adequate, attractively designed off street parking for various land uses. Parking areas shall be designed in such a manner that they will result in maximum efficiency, protection of public safety, provided for the special needs of the handicapped, and where appropriate, insulate surrounding land uses from adverse impacts created by such parking.

### **11C-302 Off-Street Parking Required**

- A. At the time any building or structure is erected or enlarged or increased in capacity or any use is established, there shall be provided off-street parking spaces for automobiles in accordance with the following requirements. A detailed site plan showing the required off street parking spaces shall be presented to the Planning Commission for approval. All off street parking shall comply with all of the standards prescribed in this chapter, and shall be permanently maintained in good condition for the duration of the use or uses served by the facility.
- B. Parking shall be located on the same lot or abutting lot to the requested use. In no case shall required parking be located across a public street without written approval of the Planning Commission and only when the parking area is within 100 feet.
- C. Uses not listed shall be based on the most similar use in the table as determined by the Planning Commission.
- D. Any use of property which, in the effective date of this ordinance, is nonconforming only with the regulations relating to off-street parking may continue in the same manner, provided that parking facilities shall not be further reduced.
- E. Lighting used to illuminate any off street parking area shall be arranged to reflect the light away from adjacent properties and street traffic and shall comply with the dark sky ordinance.
- F. All areas designated for off street parking shall not be used for outdoor storage of materials or equipment.
- G. **Parking Setbacks.** The Planning Commission will determine at design review the appropriate parking setback. The placing of building and parking elements on a site shall be evaluated by the Planning Commission on the basis of the following factors:
  1. Relationship to other buildings both horizontally and vertically.
  2. Natural land features, such as slopes or trees.
  3. Physical features and controlled ingress and egress.
  4. Visibility from vehicular approaches and distant highways.
  5. Type of use and structure.
  6. Building height.
- H. **Connection of interior Parking Lots.** Private parking lots, within any development, shall be required to provide interior access to adjacent parking lots and interior private roadways. When new developments are being constructed adjacent to existing business, the project shall be required to join existing drives and parking lots at property lines. When new developments are proposed adjacent to undeveloped land or underdeveloped business, the new development shall be required to construct connections, which will

allow joining of future roads or parking lots. All access between interior lots and roads shall be open to the public for customer parking and access.

11C-303 Handicap Parking. Handicap parking shall meet the requirements of the most recent amendment of the Americans with Disabilities Act (ADA).

11C-304 Parking Space Size. The dimensions of each commercial off-street parking space shall be at least nine (9) feet by eighteen (18) feet for diagonal or ninety-degree spaces; or nine (9) feet by twenty (20) feet for parallel spaces. Oversize Stalls should be nine (9) feet by forty (40) feet.

Type of Space	Minimum Width	Minimum Length
Diagonal	9 feet	18 feet
90° Angle	9 feet	18 feet
Parallel	9 feet	20 feet
Oversized Stalls	9 feet	40 feet

*is updated*

11C-305 Computation Of Off Street Parking Spaces The table on the following pages contains the minimum parking requirements for specific uses. To clarify the computation of off street parking spaces, the following standards shall apply:

- A. Parking calculations shall be based on gross square footage of a building. Outdoor seating must also be included in parking calculations.
- B. If a fractional number is obtained one parking space shall be required for that fraction.
- C. If more than one use is located on a site, the number of off street parking to be provided shall be equal to the sum of the requirements of each use.
- D. Parking requirements for Short Term Rentals (STRs) see chapter 8-601-G and 8-607-B.
- E. If the gross square footage of an existing nonresidential building is not altered but the use is changed then no additional parking spaces are required.
- F. If gross square footage of an existing nonresidential building is altered regardless of use, then the minimum parking requirements must be calculated.
- G. In the event that off-street parking cannot be reasonably provided in accordance with the provisions of this title, a commercial property owner may be allowed to make a payment-in-lieu of providing parking spaces, according to the following conditions:
  - 1. The Planning Commission must review all payment-in-lieu of parking requests.
  - 2. The payment-in-lieu fee shall be established by resolution.
  - 3. Payment-in-lieu of parking shall be permitted to provide no more than 30% of the parking spaces required by this chapter.

<u>Residential Land Use</u>	Required Parking Spaces	Employee Parking
Duplexes, multi-family dwellings, condominiums, townhouses	Studio 1 space 2 to 3 bedrooms 2 spaces 4 or more bedrooms 3 spaces Guest parking: 1 space for each 3 units	
Second residential unit	1 space in addition to that required for the primary dwelling	
Senior housing	.5 space for each unit plus 1 guest space for each 10 units	1
Single-Family dwellings	2 spaces per unit	
<u>Non residential land use</u>		
Amusement park/entertainment facilities	Determined by conditional use	
Art galleries, artisan/ craft shop,	1 space per 500 sq. ft	1
Auto and vehicle maintenance and repair	4 spaces for each service bay	1
Auto/vehicle sales and/or parts store	1 space per 400 sq. ft	1
Banks and financial services	1 space per 300 sq. ft	2
ATM's	1 space for each exterior ATM	
Bed & Breakfast (Inns)	1 space per guest unit. An additional oversized stall for more than 3 guestrooms	1
Building material stores	1 space per 500 sq. ft	1
Child day care centers	1 space for each 10 children that the facility is licensed to accommodate	2
Community/Convention Centers, lodges and meeting halls	1 space per 100 sq. ft.	2
Grocery Store	1 space per 250 sq. ft.	2
Hotels	1 space and .2 oversize spaces for each guest hotel room; plus, retail, restaurant, and conference uses calculated at 50% of the requirements of this table.	2
Laundromats	1 space for each 5 washing machines	
Libraries and museums	1 space per 300 sq. ft	1
Medical Clinics, offices, labs, pharmacies, and other outpatient facilities	1 space per 500 sq. ft	3
Night clubs and bars	1 space per 100 sq. ft	3
Offices	1 space per 500 sq. ft	1
Outdoor commercial recreation	Spectator seats: 1 space for each 4 seats Sports courts: 2 spaces per court plus 1 space per 500	1

	sq. ft. of area other than courts	
Personal services: Barbers/beauty, etc.	1 space per 500 sq. ft.	1
Plant nurseries and garden supply stores	1 space per 500 sq. ft of indoor use area; 1 space per 2,000 sq. ft. of outdoor use area	1
Public safety facilities	1 space per 500 sq. ft	1
Religious facilities, churches, places of worship	1 space per every 4 seats to maximum seating capacity	
Restaurants (indoor and outdoor dining)	1 space per 180 sq. ft	2 spaces for every 1,000 sq. ft.
Retail Stores	1 space per 500 sq. ft.	1
Schools – public and private		
Grade 9 and lower	1 space per classroom	2 per classroom
Grade 10 – 12	5 spaces per classroom	1 per classroom
Service station/Convenience Store	1 space per pump island, does not include parking at the pump	1
Short Term Rental	See ordinance 8-601-G and 8-607-B	
Studios – art, dance, music, photograph, etc.	1 space per 180 sq. ft.	1
Theaters	1 space per 100 sq. ft.	1
Transient Business	1 space per 150 sq. ft of commercial area	2
Utility facilities	1 space per 1,000 sq. ft	1
Veterinarians, animal hospitals, kennels, boarding, pet shops	1 space per 500 sq. ft	1
Warehousing, wholesaling and distribution		1 space per employee
Wholesale design showrooms	1 space per 1,000 sq. ft	1

(This Ordinance approved on September 8, 2016.)

#### **CHAPTER 11C - 400 Motor Vehicle Access**

11C-401 Roadway Access Management. Roadway access is a means for a motor vehicle to move from roadway to roadway or between private property and the public roadway. An access shall meet the requirements as hereinafter provided or as prescribed in the Utah State Department of Transportation manual entitled Regulations for the Control and Protection of State Highways rights-of way@ (whichever requirements are greater).

11C-402 Public Rights-of-Way. Public rights-of-way shall be identified before any permits for any kind of use are approved.

# Encroachment

## 10-507 Supervision + Inspections

material, otherwise galvanized steel or concrete pipe is required.

2. Galvanized corrugated pipe
3. Concrete pipe

All culverts will be installed with compacted approved road base material, with 3" plus retention rock at both ends.

- B. **Paving** of encroachment driveways after lot construction complete. All driveway encroachment connecting to a **paved** city street shall be asphalted no less than 4-feet from the **paved** city street.
- C. Concrete driveways are not allowed within 4' of the city street **asphalt**.
- D. Review. Any change which is made to the driveway encroachment after the Encroachment Permit is issued, must be reviewed and approved prior to making the change. Final Certificates of Occupancy shall not be issued by the Public Works Director until the Driveway Encroachment is in compliance with this Ordinance. If no current building permit is on file fines may be issued.
- E. Hazards and Sight Distances. Driveway encroachments shall not create hazardous driving conditions. All driveways shall be located such that the minimum stopping sight distances are in accordance with Utah State Code.
- F. General Structure Encroachments. For reasons of safety and snow removal operations, no trees, structures, retaining walls, walls, landscape berms, utility poles, utility box, fire hydrant or other obstacle (all to be referred to as structures) shall be placed in the right-of-way of a City Road without the necessary permit. Exceptions are when a property owner at their own risk, plants grass, flowers, low shrubs, etc. in the City right-of-way without a permit. Garden City shall not be responsible for damage during normal maintenance activities to any landscaping or structures placed within the right-of-way.
- G. Encroachment onto Garden City owned streets, classified as major collector:
  1. May be limited to one (1) access per lot.
  2. Encroachments must be at least three hundred (300) feet between the adjacent lot's current or future access.
  3. Lots may have more than one encroachment when the required three hundred(300) feet between encroachments on same and adjacent lots can be met.

10-508 Violations. Any person violating any provision of this ordinance shall be guilty of an infraction and shall be punishable by a fine set by resolution of the Garden City Council. Each day a continuing violation occurs shall constitute a separate offense.

10-509 Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

# Land Use

## HA-200 Definitions

---

131. Roadway, Alley: An existing or proposed public road having a minimum right of way width of thirty (30') feet, which serves as a secondary means of access to abutting property.
132. Roadway, Arterial: An integrated network of continuous routes that serves to link cities and towns and provide for statewide and interstate travel. Arterials roads provided for travel density greater than collector and local roadway systems.
133. Roadway, Cul-de-sac: A public or private roadway longer than 150' having one open end and terminated at the other end with either a circle not less than 96' in diameter or a T-turn or a V-turn around with each turn around section being at least 110' in length. These turnaround areas shall indicate "No Parking - Fire Lane" with reflective material signs and/or red painted curbs. The roadway leading to the cul-de-sac may not exceed 1000' in length as measured from the center of the intersection of a connecting through street to the center of the turnaround area. Any deviation of this ordinance will require the approval of the local Fire Authority.
134. Roadway, staff portion of flag lot: A road having a minimum right of way width of thirty (30') feet and maximum length of one hundred fifty (150') and meeting Garden City road standards that serves to access the flag portion of the lot.
135. Roadway, Local: An existing or proposed road having a minimum right of way width of sixty (60') feet and a minimum graded asphalt surface of twenty-four (24') feet with limited continuity that serves a smaller number of dwellings and the local needs of the neighborhood. Compacted gravel instead of asphalt may be approved by the Planning Commission on a private roadway.
136. Roadway, Major Collector: An existing or proposed road having a minimum right of way width of one hundred (100') and a minimum graded asphalt surface of thirty-six (36') feet that prohibits on-road parking and serves to convey a high volume of traffic between arterial, minor collectors, and local roads.
137. Roadway, Minor Collector: An existing or proposed road having a minimum right of way width of sixty six (66') feet and a minimum graded asphalt surface of twenty-four (24') feet that serves to convey traffic to more dwellings and includes through traffic between local roads and major collectors. Compacted gravel instead of asphalt may be approved by the Planning Commission on a private roadway.
138. Roomer: One who occupies a hired room in another's house.
139. Set Back. The separation between a building and an adjacent lot line or an imaginary lot line separating buildings in the case of multiple buildings on the same property.
140. Sign means and includes every advertising message, announcement, declaration, demonstration, merchandise display, illustration, insignia, surface or space erected, indirectly illuminated, or forced air, or maintained in view of the observer thereof for identification, advertisement, or promotion of the interests of any person, entity, product, or service, and shall include the sign structure, supports, lighting system, indirect illumination, and any attachments, ornaments, or other features used to draw the attention of observers. Sign does not include any flag, badge, or ensign of any government or governmental agency erected for and used to identify said government or governmental agency.

# 11C-705 - Mobile Home Parks

## F. Mobile Home Park Standards

approval by the Town Council of the plans.

5. Streets and Road: Each mobile home park shall have asphalt-surfaced roads at least twenty-four (24) feet wide to serve each space and common parking areas. Maximum grade shall be 8%. Roads with mobile home parks shall remain privately owned and maintained. A cul-de-sac, court, or similar type street shall be permitted only when necessary. (See ordinance 11A-200 for cul-de-sac requirements and 11A-200 for court requirements.)
  6. Recreation and Play Areas: Recreation and common play areas for the development shall be provided equivalent to 10% of the gross development area, and shall consist of well-kept lawns with both scattered trees and open space.
  7. Storage: A storage area shall be provided in each mobile home park for the storage of accessory items such as boats, recreational vehicles, etc., (at a ratio of 100 square feet per mobile home space in park).
  8. Screening: The boundary of the mobile home park shall be adequately screened from adjacent private property at the discretion of the Planning and Zoning Commission.
  9. Space Numbering: Each space in the mobile home parks shall be marked with its proper space number so that emergency personnel can identify the particular trailer. Each space number shall be of uniform size and placement as required by the adopted uniform address system for Garden City.
  10. Skirting: All mobile homes placed within mobile home parks shall, within thirty (30) days of their installation, be completely skirted with a material harmonious in color and texture with the exterior of the mobile home.
  11. Anchoring: All mobile homes placed within the town of Garden City shall be anchored according to installation instructions in accordance with the construction standards adopted by the State pursuant to section 58-56-4, UCA, 1953 as amended.
  12. Solid Waste: Provisions shall be made for properly covered containers and disposal of solid wastes.
  13. Fire Protection: The mobile home park shall provide fire protection according to the Garden City Fire District requirements and approved by the Town Council.
- G. Performance Bond, Cash Deposit, or Bond. Prior to issuance of final approval of manufactured home park under this section, a cash deposit, performance bond or bond from a financial institute approved by the Planning & Zoning Commission

## 11C-706 Campgrounds

a. Minimum Width: 24 feet, no parking permitted indicated with reflective material signs and/or red painted curbs.

b. Surface Type: Graveled or Asphalt, according to Town standards.

c. Maximum Grade: 8%. If special conditions exist on steeper slopes, a variance through the Board of Adjustments Committee may grant up to 10% grade for a short distance of 200 feet. The 10% grade cannot be on any corner or intersection

d. A cul-de-sac, court, or similar type street shall be permitted only when necessary to the development of the campground. See ordinance 11A-200 for cul-de-sac roadway requirements and 11A-200 for court requirements.

e. A minimum of two (2) ingress/egress required

10. Fire Protection. The campground shall provide fire protection according to the Garden City Fire District requirements and approved by the Town Council.

11. Landscaping. The campgrounds shall be landscaped and maintained according to the following minimum standards and shall be maintained at all times:

a. One tree per each two (2) spaces in the campground shall be planted and within 15' of a site.

b. Trees shall be at least three feet tall and healthy.

12. Screening and Buffer Area. Each campground may be required to provide screening from adjacent uses, as determined by the Planning and Zoning Commission.

13. Registration and Supervision. A manager or attendant shall be available at all times a campground is open and servicing the public.

14. Permanent Alterations or Construction. There shall be no permanent construction to or alteration of any recreational vehicle placed in the campground without a conditional use permit. Traditional recreational vehicles are not permitted to have skirting and wheels may be removed for temporary repairs only. Park Model RVs follow the Mobile Home Park ordinance requirements in 11C-705.

### C. Campground/Recreational Vehicle Park Procedure

1. Application: The developer shall file with the Commission a complete application on a form provided by the Town and drawings as required by this Ordinance.

# Beach Development

\*Lots 7500 sq. ft. or less cannot be split

## 11C-1707 Modifying Regulations.

- A. Side Setbacks. All structures shall have a minimum side setback of 20 feet on the street side of a corner lot.
- B. Rear Setbacks. Private garages and accessory buildings located at least 10 feet behind the main building may have a rear setback of ten (10) feet, provided that on corner lots rearing on the side setbacks of another lot, the minimum rear setback for all buildings shall be 10 feet.
- C. No Stand-Alone Building or Garage is allowed in any Residential Zone.

11C-1708 Occupancy. Year-round housing shall be allowed within this zone. Subdivisions shall comply with sewer and water restrictions.

11C-1709 Developers Requirements. When ingress and egress is adjacent to existing residential homes, developers are required to **pave a** minimum of 100 feet past the existing residence rear property line.

## CHAPTER 11C-1800 M Manufacturing Zone

11C-1801 Purpose. To provide areas where industries necessary and beneficial to the local economy may locate and operate. The regulations of the zone are designed to protect and preserve the environment of the zone and adjacent areas.

### 11C-1802 Permitted Uses.

A.

### 11C-1803 Conditional Uses.

- A. Any manufacturing, processing, assembling, research, wholesale or storage use.
- B. Accessory buildings and uses customarily incidental to the above uses.
- C. Landscaping and gardening.
- D. Restaurants and service stations.
- E. Manufacture of any of the following products from raw materials; acids, asphalt, carbide, caustic soda, carbon or bone black, cellulose, charcoal, chlorine,

## Pertaining to Business Licensing - Parking?

8-109 Local, State and Federal Requirement. Due to the wide variety of business structures and types, no one business will need to follow all the requirements listed. Most businesses must perform the following actions in the beginning:

- A. File articles or certificates of incorporations or organization with the Department of Commerce.
- B. Complete the Utah State Business and Tax Registration application. This includes registering a business name with the Department of Commerce, and applying for certain state tax licenses with the Utah State Tax Commission.
- C. Apply to the IRS for a Federal Employer Identification Number.
- D. Apply for Worker's Compensation Insurance.
- E. Check and comply with zoning requirements.
- F. Check with the Department of Commerce to see if the business requires a special state license; i.e., contractors, food handling, etc.
- G. Obtain Special Permits.

When a business activity requires a variance, zoning conditions or other special terms and conditions of operation, the applicant should first meet with the Board of Adjustments and/or Planning Commission to obtain any applicable license terms and conditions. Upon completion of the required requirements and license application, the applicant must go before the Town of Garden City Town Council for approval of a business license. No business shall be engaged until the license is approved and issued.

The Town Council may impose additional requirements on any Business Licensee if warranted to ensure public safety and welfare.

The Town Council also has the discretion of not requiring any business license conditions that are not needed based upon the circumstances.

(This ordinance was updated October 9, 2014)

8-110 Duty to Display License. Every licensee shall keep the business license or location permit displayed and exhibited in a conspicuous place on the business premises while the license is in force. Every licensee that does not have a fixed place of Business shall carry such license with him at all times while carrying on the Business for which the license is issued and shall produce the license for inspection when requested to do so. (Refer to 8-106B of this Ordinance).

8-111 Place of Business. Each business located within the Town of Garden City must obtain a Business License. Each license authorizes the licensee to engage only in the business licensed at the one specified location and in the manner designated in such license. A business conducting the same type of business, as initially approved, at additional locations must apply for and be approved for a Location Permit for each separate location. A Location Permit may be issued upon approval of the location for that particular type of business.

8-112 Transfer of License Prohibited. No license granted to or issued under any ordinance of the Town of Garden City shall be assigned or transferred to any other person, partnership, corporation, or entity. A license shall not be deemed to authorize any other business, calling, trade or profession than is therein named. Any modification of ownership or business type, shall be cause for the current license to be null and void. Under such a situation a new license must be issued. The Town Council has the option of modifications to this section for individual licenses.

8-113 Inspection of Premises. Upon the application for a business license, the Town Council may request a physical inspection of the business location and structure by a representative of the governing body, a police representative, fire department, health department, building inspector, or any other agency that is deemed necessary prior to the issuance of the business license. No license will be issued unless all required or requested inspections reveal compliance with applicable laws, ordinances and license conditions. Any inspection fees shall be paid by applicant. Existing places of business may be inspected by appropriate agencies periodically for compliance. In the event of non-compliance the licensee shall have 60 days of written notice to correct the infractions or the license will be revoked. If the infraction is a safety issue immediate action will be required and the business could be closed until the infraction is corrected. The infraction clearance must be signed off by the appropriate agency.

The business premises for each business licensed hereunder shall comply with applicable building codes and shall have adequate parking and restroom facilities as determined necessary by the Planning Commission and Town Council.

8-114 Fee Exemptions. No business license fee shall be imposed upon the following persons or businesses:

- A. Any person engaged in business for solely religious, charitable, eleemosynary, or other types of strictly non-profit purposes who is tax exempt in such activities under the laws of the United States and the State of Utah, nor shall any business license fee be imposed on any person engaged in a business specifically exempted from municipal taxation and fees by the laws of the United States and the State of Utah; nor shall any business license fee be imposed on any non-profit corporation duly incorporated according to the provisions of the Utah Non-Profit Corporation and Cooperative Association Act.
- B. Any insurance company or agent, for so long as state law exempts them.
- C. Any contractor holding a valid license issued by the local jurisdiction in which the licensee has its principal place of business, and by the state under Utah Code Annotated, Part 3, Chapter 55, Title 58.
- D. Any alarm company holding a valid business license issued by the local jurisdiction in which the licensee has its principal place of business.

- E. An owner of a building containing two or fewer residential rental dwellings, except rentals by week, day or night;
- F. Any tow truck motor carrier holding a valid business license to perform tow truck service issued by the local jurisdiction in which the licensee has its principal place of business unless the tow truck business is also physically located in the Town of Garden City.
- G. Any other businesses specified by the State of Utah, or United States laws not specifically detailed in this ordinance.

8-115 Permits. A license may be required to obtain a State Permit or Federal Permit. These may include but are not limited to Division of Air Quality, Division of Drinking Water, Division of Water Quality.

8-116 Compliance with the State of Utah Eliminate Alcohol Sales to Youth program. Garden City will comply with the local authority requirements as set forth in the Utah Code 32A-10-103 as it pertains a Garden City business license holder selling alcohol to underage persons.

8-117 Temporary Business License

This section of the Municipal Code facilitates the expeditious approval of a business license under Title 8 of the Municipal Code. The intent of the section is to help businesses to begin operating, where feasible, as soon as is reasonably practicable.

The Town Council reviews and approves or denies business license applications once each month in Town Council meeting. Many of the business license applications are routine in nature and do not present unusual issues that involve land use, variance, or health or safety concerns. Examples of business license applications that usually don't involve major issues include licenses for retail establishments in existing buildings, home-based businesses, and businesses that offer professional or other services in existing buildings.

Temporary business licenses may be approved to expedite the opening of such businesses when accompanied by a complete license application. A complete application packet, for example, requires completion of the steps required for approval (as may be outlined by city staff and Town Council members from time to time). No temporary business license may be issued without the approval of at least two Town Council members, or one Town Council Member and the Mayor. All temporary business licenses must be ratified in the next Town Council meeting, or denied. Absent such ratification, a business that began offering products or services on a temporary basis must immediately cease operations upon denial of a permanent business license by the Town Council.

Temporary business licenses may not be issued for any period during Raspberry Days.

(This ordinance updated May 14, 2015).

**CHAPTER 8-200 Transient Merchant License**

# Land Disturbance Permit Application



<b>Contact Information</b>
Property Owner's Name:
Phone Number:
Address:
Email:
Contractor/Operator's Name:
Phone Number:
Address:
Email:
Point of Contact:
Phone Number:
Email:
<b>Project Information</b>
Project Name:
Date of application:
Project Address:
Parcel # if applicable:
<b>Estimated area to be disturbed during construction activity in sq. ft. or acres:</b>
Project Description:

## Construction Land Disturbance Permits

Please select the option that best matches the work to be done

### Option A:

Construction Land Disturbance Requirements for **Sites that Disturb 1 or More Acres of Land (for Residential/Commercial/Subdividing)** For land disturbance activities that disturb an area greater than or equal to 1 acre.

Required items for Construction General Permit:

*Please include copies of the following with this Application*

- Site Plan showing all Best Management Practices (BMPs)
- BMP Details for all BMPs to be used during the project.
- Public Works Excavation Pamphlet (found at [gardencityut.us/forms](http://gardencityut.us/forms))

### Option B:

**Construction activity that disturbs land near sensitive areas.**

Required items for construction activity that occurs near any sensitive areas.

*Please include copies of the following with this Application*

- Complete copy of the Common Plan SWPPP Template ([construction.stormwater.utah.gov](http://construction.stormwater.utah.gov))
- Letter of Authorization from approving authority. (i.e. Canal Company, etc.)
- Site Plan showing all Best Management Practices (BMPs)
- Site Plan showing all Best Management Practices (BMPs)
- BMP Details for all BMPs to be used during the project.
- Public Works Excavation Pamphlet (found at [gardencityut.us/forms](http://gardencityut.us/forms))

## Fee Schedule

Development of 1 acre or more	\$400.00
Each additional acre	\$100.00
Monthly inspections for projects lasting more than 1 year*	\$50.00 per month

\*additional monthly inspection fees will be due prior to receiving a Certificate of Occupancy

### **Acknowledgement**

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work shall be complied with, whether specified herein or not, the granting of this permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

I understand that this Land Disturbance Permit is required and will remain in effect until the entire project is stabilized and the Notice of Termination (NOT) has been submitted for those that have an NOI. All control measures must be inspected weekly. Any tracking of debris onto the road must be cleaned within a reasonable time frame as needed. Records of all inspections, changes to the site plan and failures of control devices will be kept. The Permittee is required to train all subcontractors, vendors, delivery personnel, and others who will be working on the site as to the requirements of this permit. The Permittee is responsible for compliance of all required permits for the entire site throughout the duration of the project. I understand that a pre-construction inspection will be required before any work can commence.

### **Signatures**

Agent/Owner Date

Contractor Date

**GROUND DISTURBANCE PERMIT**

**MUST COMPLETE BOTH SIDES OF PERMIT**

*This permit is valid during the calendar week it is signed. A new permit will need to be created and approved on Monday for continued work.*

JOB NAME & NUMBER:	LOCATE TICKET #:
COMPANY PERFORMING WORK:	DATE PERMIT OPENED:
COMPETENT PERSON:	PHONE NUMBER:

**IDENTIFY THE TYPE OF GROUND DISTURBANCE ACTIVITY**

- Trenching & Digging    
  Drilling & Driving    
  Boring    
  Grading    
  Install Stakes & Form Pins

COMPLETE THE FOLLOWING INFORMATION FOR THE TYPE OF ACTIVITY BEING PERFORMED

<b>TRENCHING &amp; DIGGING</b>	EXCAVATION LOCATION:	
	PURPOSE OF EXCAVATION:	
	EQUIPMENT TO BE USED:	
	EXCAVATION DIMENSIONS L =                  W =                  D =	POSSIBILITY OF OXYGEN DEFICIENCY OR HAZARDOUS ATMOSPHERE? <input type="checkbox"/> YES <input type="checkbox"/> NO <b>COMPETENT PERSON TO PERFORM AIR MONITORING IF DEEPER THAN 4 FEET</b>
	SOIL TYPE: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> STABLE ROCK	METHOD OF TESTING: <input type="checkbox"/> MANUAL <input type="checkbox"/> VISUAL
	TYPE OF PROTECTION: <input type="checkbox"/> NONE <input type="checkbox"/> SLOPING <input type="checkbox"/> BENCHING <input type="checkbox"/> SHORING <input type="checkbox"/> TRENCH BOX (VERIFY TABULATED DATA)	
	TYPE OF ACCESS/EGRESS: <input type="checkbox"/> RAMP <input type="checkbox"/> STAIRWAY <input type="checkbox"/> LADDER (WITHIN 25' OF ANY WORKER AT ALL TIMES) <input type="checkbox"/> OTHER: _____	
<b>COMPLETE ALL UTILITY LOCATE INFORMATION ON BACK OF FORM</b>		

<b>DRILLING &amp; DRIVING</b>	LOCATION OF DRILLING/DRIVING:	
	PURPOSE OF DRILLING:	DEPTH OF SHEETS TO BE DRIVEN:
	DEPTH OF DRILLING:	WIDTH OF SHEETS TO BE DRIVEN:
	<b>COMPLETE ALL UTILITY LOCATE INFORMATION ON BACK OF FORM</b>	

<b>BORING</b>	LOCATION OF START:		END:
	PURPOSE OF BORING:		STRUCTURES CROSSED OR BORED UNDER (BUILDINGS, ROADS, UTILITIES):
	LENGTH OF BORE:	DEPTH OF BORE:	
	<b>COMPLETE ALL UTILITY LOCATE INFORMATION ON BACK OF FORM</b>		

**END OF DAY PROTECTION (COMPLETE THIS INFORMATION FOR TRENCHING/DIGGING, DRILLING AND BORING ACTIVITIES)**

ANY OPEN HOLES CREATED WILL BE COMPLETELY BACKFILLED TO SURROUNDING GRADE BY END OF SHIFT

METHOD OF PROTECTION:     SNOW FENCE     HARD BARRICADES     COVER/PLATE    (HARD BARRICADES AND/OR PLATES ARE REQUIRED NEAR VEHICLE TRAFFIC)

**ALL OPEN EXCAVATIONS MUST BE PROTECTED ANYTIME THEY ARE TO BE UNATTENDED**

<b>GRADING</b>	LOCATION OF GRADING:	
	EQUIPMENT TO BE USED:	
	DEPTH OF SOIL REMOVED:	<input type="checkbox"/> MARK ALL ABOVE-GROUND UTILITY STRUCTURES IN THE AREA.
	<b>COMPLETE ALL UTILITY LOCATE INFORMATION ON BACK OF FORM</b>	

<b>STAKES, POSTS &amp; FORM PINS</b>	LOCATION OF STAKES/PINS/POSTS INSTALL:	
	PURPOSE OF STAKES/PINS/POSTS:	DEPTH OF UTILITIES IN AREA:
	LENGTH OF STAKES/PINS/POSTS:	DEPTH STAKES/PINS/POSTS ARE TO PENETRATE GROUND:
	<b>COMPLETE ALL UTILITY LOCATE INFORMATION ON BACK OF FORM</b>	

**IF CONDITIONS CHANGE, THE SUBCONTRACTOR WILL BE REQUIRED TO COMPLETE A NEW PERMIT. CHANGING CONDITIONS INCLUDE WEATHER, DISCOVERY OF UNIDENTIFIED UTILITIES, NEW SCOPE, CHANGES TO MATERIAL, ETC**

DAILY REVIEW	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
SUB COMPETENT PERSON							
CLAYCO SUPERINTENDENT							

Nothing in this communication alters or modifies any Subcontractor contractual responsibility for all construction means, methods, techniques, sequences, procedures or coordination of all portions of their Subcontract Work at all times during the performance of the Subcontract Work in accordance with the applicable Subcontract and Contract Documents; nor is this communication a modification or waiver of any Subcontractor's contractually assumed responsibilities with respect to the same.

ALL PRECAUTIONS AND CONTROLS IDENTIFIED ON THIS PERMIT ARE TO BE COMPLETED PRIOR TO STARTING GROUND DISTURBANCE ACTIVITY. ANY CHANGES IN CONDITIONS REQUIRE A NEW PERMIT TO BE SUBMITTED BY THE SUBCONTRACTOR.

UTILITY AVOIDANCE **MARK KNOWN UTILITIES IN THE AREA OF OPERATION:** All utilities must be positively identified before starting work.

PUBLIC UTILITIES:  NONE  GAS  WATER  ELECTRIC  SANITARY  STORM  DATA/PHONE  OTHER: \_\_\_\_\_  
 PRIVATE UTILITIES:  NONE  GAS  WATER  ELECTRIC  SANITARY  STORM  DATA/PHONE  OTHER: \_\_\_\_\_

**The area within 15 feet on either side of a live utility line is called the HOT ZONE - further approval is required.**

ATTACH PICTURES TO THIS DOCUMENT, SHOWING LAYOUT OF UTILITY MARKINGS GROUND DISTURBANCE AREA.

ACTIVITY NEAR UTILITY LINE REQUIRES VISUAL OBSERVATION OF LINE BEFORE DIGGING

SUB INITIALS \_\_\_\_\_ ~~CLAYCO~~ INITIALS \_\_\_\_\_

- Lay-out area of ground disturbance with white paint or flags.
- Notify One Call (811) or other utility-marking service three or more days ahead. Verify that they have marked utilities with paint and/or flags.
- Updated Site Utility Map in Clayco site office is reviewed to identify other lines in the area.
- Conduct walk of disturbance area with affected subs who have installed utilities in the area.

5. Potential for contact with utility line(s) in area? Method of identification: \_\_\_\_\_  
 UNDERGROUND: YES \_\_\_\_\_ NO \_\_\_\_\_ OVERHEAD: YES \_\_\_\_\_ \* NO \_\_\_\_\_

Distance from ground disturbance activity to utilities? \_\_\_\_\_ ft.

Is ground disturbance activity within 15 feet of existing lines? YES \_\_\_\_\_ NO \_\_\_\_\_

Which level of severity do lines fall into (see right)? LEVEL \_\_\_\_\_

LEVEL 1	LEVEL 2
Verified Empty Conduit	Hydro-Excavation
Verified Dead/Abandoned Lines	Electric, Gas, Water,
Irrigation	Sanitary/Storm Sewers,
	Oxygen,
	Compressed Gas

**WORK IN HOT ZONE:** If proposed ground disturbance is within 15 feet of LEVEL 2 utility, the permit must be reviewed by project Superintendent and Project Manager. Submit to the Regional Safety Manager and Regional Operations Manager at least 72 hours before work is to start for review.

Utilities in HOT ZONE are to be located using hydro-excavation for positive identification of location, depth and orientation before work starts. Consult with REGIONALS for details during review process.

*Shovels/picks are not to be used in locating lines*

**WORK OUTSIDE THE HOT ZONE:** If activity is greater than 15' away from line or if Level 1, Clayco Superintendent and Project Manager review is sufficient.

CONTACTED REGIONAL SAFETY MGR:

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

CONTACTED FIELD OPERATIONS MGR:

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

6. Identify location of utility shut-offs (marked on As-Built drawing in Clayco office):

Utility: \_\_\_\_\_ Location: \_\_\_\_\_

Utility: \_\_\_\_\_ Location: \_\_\_\_\_

*For utilities that do not have onsite shutoff, enter utility company phone number in "Location"*

7. Will protection of utilities be required? YES \_\_\_\_\_ NO \_\_\_\_\_

Method of Protection: \_\_\_\_\_

8. Identify emergency contacts other than calling 9-1-1: \_\_\_\_\_

<p><b>The following subs have reviewed the area and verify their lines are either clearly located or do not exist in the area.</b></p> <p><b>ELECTRICAL</b> - Foreman: Signature: _____ <input type="checkbox"/> Check this box if your utilities are not in the work area.</p> <p><b>PLUMBING</b> - Foreman: Signature: _____ <input type="checkbox"/> Check this box if your utilities are not in the work area.</p> <p><b>MECHANICAL</b> - Foreman: Signature: _____ <input type="checkbox"/> Check this box if your utilities are not in the work area.</p> <p><b>OTHER</b> - Foreman: Signature: _____ <input type="checkbox"/> Check this box if your utilities are not in the work area.</p>	<p>I, the operator in this operation, am experienced and proficient in the equipment to be used and understand the parameters of the task to be performed.</p>	<p><b>REQUIRED REVIEW</b></p>
	<p><b>OPERATOR INVOLVED IN OPERATION—1</b></p>	<p><b>SUBCONTRACTOR COMPETENT PERSON</b></p>
	<p>PRINT NAME: _____</p> <p>SIGNATURE: _____</p>	<p>PRINT NAME: _____</p> <p>SIGNATURE: _____</p>
	<p><b>OPERATOR INVOLVED IN OPERATION—2</b></p>	<p><b>SUPERINTENDENT</b></p>
<p>PRINT NAME: _____</p> <p>SIGNATURE: _____</p>	<p>PRINT NAME: _____</p> <p>SIGNATURE: _____</p>	
<p>PRINT NAME: _____</p> <p>SIGNATURE: _____</p>	<p><b>PROJECT MANAGER</b></p>	
<p>PRINT NAME: _____</p> <p>SIGNATURE: _____</p>	<p>PRINT NAME: _____</p> <p>SIGNATURE: _____</p>	



**GOVERNMENTAL ENTITY RESOLUTION TO LEASE, PURCHASE AND/OR FINANCE**

**WHEREAS**, the laws of the State of Utah (the "State") authorize GARDEN CITY (the "Governmental Entity"), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into any necessary contracts; and

the Governmental Entity wants to lease, purchase and/or finance equipment ("Equipment") from Caterpillar Financial Services Corporation and/or an authorized Caterpillar dealer ("Caterpillar") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar; and

the form of the Agreement has been presented to the governing body of the Governmental Entity at this meeting.

**RESOLVED**, that: (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the Governmental Entity enter into the Agreement with Caterpillar and (iii) the Agreement is adopted as a binding obligation of the Governmental Entity; and

that changes may later be made to the Agreement if the changes are approved by the Governmental Entity's counsel or members of the governing body of the Governmental Entity signing the Agreement (the "Approved Changes") and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and

that the persons listed below, who are the incumbent officers of the Governmental Entity (the "Authorized Persons"):

**[PLEASE INSERT NAME AND TITLE OF EACH AUTHORIZED PERSON BELOW]**

Name (Print or Type)	Title (Print or Type)
_____	_____
_____	_____
_____	_____

be, and each is, authorized, directed and empowered, on behalf of the Governmental Entity, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he/she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

that the signatory below is authorized to attest to these resolutions and affix the seal of the Governmental Entity to the Agreement, these resolutions, and any related documents; and

that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that the authority granted by these resolutions will apply equally and with the same effect to the successors in office of the Authorized Persons.

I, \_\_\_\_\_, \_\_\_\_\_ of GARDEN CITY, certify that the resolutions above are a full, true and correct copy of resolutions of the governing body of the Governmental Entity. I also certify that the resolutions were duly and regularly passed and adopted at a meeting of the governing body of the Governmental Entity. I also certify that such meeting was duly and regularly called and held in all respects as required by law, at the Governmental Entity's office. I also certify that at such meeting, a majority of the governing body of the Governmental Entity was present and voted in favor of these resolutions.

I also certify that these resolutions are still in full force and effect and have not been amended or revoked.

IN WITNESS of these resolutions, the signatory named below executes this document on behalf of the Governmental Entity.

**SIGNATURE [To be signed by authorized individual.]**

Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_