

NO FORMAL ACTIONS ARE TAKEN IN A WORK SESSION

5:30 P.M. - WORK MEETING - MULTI-PURPOSE ROOM

CALL TO ORDER

COUNCIL BUSINESS

1. Calendar
 - Aug 13 - Presentation to City Council and City Boards 7:00 p.m. - Multi-Purpose Room
 - Aug 20 - Work Study Meeting at 5:30 p.m., Regular Meeting at 6:30 p.m., Truth and Taxation Meeting at 7:00 p.m.
 - Sep 03 - Work Study Meeting at 5:30 p.m., Regular Meeting at 7:00 p.m.
2. **REVIEW OF THE 7:00 P.M. REGULAR MEETING AGENDA ITEMS**
 - a) Invocation - Councilmember Smith
 - b) Pledge of Allegiance - Councilmember Snelson
 - c) Consent Agenda
 1. Approval of minutes for the July 16, 2024 Work Meeting and Regular Meeting
 2. Approval of an Ordinance amending Springville City Code 4-14-105 Definitions to add Composite Sample - Thad Mosen, WRF Plant Manager
3. **WORK MEETING DISCUSSIONS/PRESENTATIONS**
 - a) Arts Master Plan - Emily Larsen, Museum of Art Director
 - b) VOCA (Victims of Crime Act) Grant - Colleen Coronado, Victim Advocate

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

ADJOURNMENT

CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION

The Springville City Council may temporarily recess the meeting and convene in a closed session as provided by UCA 52-4-205.

7:00 P.M. REGULAR COUNCIL MEETING - CITY COUNCIL ROOM

CALL TO ORDER

INVOCATION

PLEDGE

APPROVAL OF THE MEETING'S AGENDA

MAYOR'S COMMENTS

PUBLIC COMMENT - Audience members may bring any item, not on the agenda to the Mayor and Council's attention. Please complete and submit a "Request to Speak" form. Comments will be limited to two or three minutes, at the discretion of the mayor. State Law prohibits the Council from acting on items that do not appear on the agenda.

CONSENT AGENDA - The Consent Agenda consists of items previously discussed or that are administrative actions where no additional discussion is needed. When approved, the recommendations in the staff reports become the action of the Council. The agenda provides an opportunity for public comment. If after the public comment, the Council removes an item from the consent agenda for discussion, the item will keep its agenda number. It will be added to the regular agenda for discussion unless placed otherwise by the Council.

1. Approval of minutes for the July 16, 2024 Work Meeting and Regular Meeting
2. Approval of an Ordinance amending Springville City Code 4-14-105 Definitions to add Composite Sample - Thad Monsen, WRF Plant Manager

PUBLIC HEARING AGENDA

3. Public Hearing for consideration of a Resolution and Budget Amendment to the FY2024/2025 Springville City Budget - Bruce Riddle, Assistant City Administrator/Finance Director

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

ADJOURNMENT - CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION

The Springville City Council may temporarily recess the meeting and convene in a closed session as provided by UCA 52-4-205.

CERTIFICATE OF POSTING - THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE - POSTED 08/02/2024
In compliance with the Americans with Disabilities Act, the city will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at (801) 489-2700 at least three business days prior to the meeting.
Meetings of the Springville City Council may be conducted by electronic means pursuant to Utah Code Annotated Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to Springville City Municipal Code 2-4-102(4) regarding electronic meetings.
s/s - Kim Crane, MMC, City Recorder



MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, JULY 16, 2024 AT 5:30 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE, UTAH.

Motion: Councilmember Millsap moved to appoint Councilmember Snelson as Mayor Pro Tem until Mayor Packard arrives. **Councilmember Wright seconded** the motion. **Voting Yes:** Councilmember Jensen ABSENT, Councilmember Millsap, Councilmember Smith, Councilmember Snelson, and Councilmember Wright. The motion **Passed Unanimously; 4-0 with 1 absent.**

Presiding and Conducting: Mayor Matt Packard Excused and arrived at 5:43 p.m.

Elected Officials in Attendance: Craig Jensen Excused
Logan Millsap
Jake Smith
Mike Snelson
Mindi Wright

City Staff in Attendance: City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, City Recorder Kim Crane, Community Development Director Josh Yost, Administrative Services Director Patrick Monney, Internal Services Director Scott Sensenbaugher, Library Director Dan Mickelson, Museum of Art Director Emily Larsen, Parks and Recreation Director Stacey Child, Public Works Director Brad Stapley, and Public Safety Director Lance Haight.

CALL TO ORDER - Mayor Pro Tem Snelson welcomed everyone and called the Work/Study meeting to order at 5:30 p.m.

COUNCIL BUSINESS

1. Calendar

- Jul 24 - Pioneer Day Observed (Civic Center Closed - Wednesday)
- Aug 06 - Work Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Aug 13 - Work Study Meeting 5:30 p.m.

2. **DISCUSSION ON THIS EVENING’S REGULAR MEETING AGENDA ITEMS**

- a) Invocation - Councilmember Wright
- b) Pledge of Allegiance - Councilmember Smith
- c) Consent Agenda
 1. Approval of minutes for the July 02, 2024 work meeting and regular meeting
 2. Approval of a Resolution and Olmsted Electric Service Agreement with the Western Area Power Administration - Jason Miller, Power Director

3. Approval of a Resolution and Provo River Project Agreement with UAMPS and the Western Area Power Administration - Jason Miller, Power Director
4. Approval of a condominium conversion approval for Wapiti Commercial Condominiums located at 395 North 2000 West, Springville Utah in the HC-Highway Commercial Zone - Josh Yost, Community Development Director
5. Approval of a Resolution approving a Certificate of Member for 2024 SUVPS Power Bonds - Jason Miller, Power Director

Mayor Pro Tem Snelson asked if there was any discussion on the consent agenda. There was none.

3. DISCUSSIONS/PRESENTATIONS

a. Shooting Range Discussion - John Penrod, Assistant City Administrator/City Attorney

Mayor Pro Tem Snelson welcomed attendees from the shooting club. John presented information about the Memorial Hall Shooting Range, which is located in the same building as the Senior Center. John explained that the range was established in 1959 and has not undergone many updates, with minimal investment from the city. Despite an incident where a bullet went through the floor, there have been no injuries. Garth Killpack facilitated the use of his canyon shooting range by the police department. The Memorial Hall Shooting Range has been instrumental in providing hunter safety certifications to thousands of children. It features pullies for targets that originated from a World War II aircraft carrier and is primarily used for .22 rifles and air rifles.

The city's insurance company toured the range and identified several concerns. They noted the presence of two furnaces and a gas line in the area. The primary concerns were containing projectiles and managing lead exposure. Fortifying the range against projectiles would cost over \$200,000, while improving ventilation for lead would cost approximately \$50,000 for two to three lanes. Additionally, the lead from the bullets, considered hazardous, has not been cleaned up and will require remediation.

John provided recommendations for both immediate and long-term actions. In the short term, he suggested cleaning up the lead, making improvements for air rifle pellets, and implementing some cosmetic enhancements. For the long term, he recommended analyzing facilities to find a new home for the shooting range. This could involve constructing a new range or potentially using the soon-to-be-vacant Oakridge School on the high school campus. Additionally, staff could explore partnerships or collaborations with other ranges. The shooting club has donated funds to support the juniors program and has provided guns, ammunition, and an outdoor range. Additionally, the youth have utilized the indoor shooting range.

Councilmember Snelson stated that the shooting range creates a paradigm of responsibility for the youth, particularly for those who are not interested in traditional sports.

Mayor Packard arrived at 5:43 p.m.

Mayor Packard added that the shooting range also provides an understanding of what a gun does, helping to prevent misunderstandings and fostering a sense of responsibility. John noted that increasing the service level would be beneficial but is not currently budgeted. Councilmember Snelson expressed that partnering with other organizations might be advantageous.

Mayor Packard inquired about who would be the point person for the project. It was decided that Scott Sensanbaugher would oversee facilities, while John and Stacey would handle recreation programming. Mayor Packard requested a follow-up on the process.

88 **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

89 Councilmember Wright inquired about consent item #4, which concerned the approval of a
90 condominium conversion. Troy explained that it involved a for-rent building being converted into
commercial condominiums.

91 Mayor Packard asked if there were any questions regarding the power department items on the
92 consent agenda. Councilmember Millsap inquired about the resources from the Olmstead and Provo
93 River and the amount utilized. Jason explained that these resources constituted a small percentage,
94 approximately 5%, of the total usage. He further elaborated that the agreements were expiring and the
95 renewal would not include any significant changes. Jason outlined the resource contribution, project cost,
96 and explained the SUVPS Certificate of Member Power Bonds.

97 Troy reported on the city's history and the various service levels provided. Efforts are being made
98 to clarify expectations, with each department director taking responsibility and the council providing input
99 on assigning these responsibilities. He noted that the current budget is completely allocated and raised
100 the questions of what actions should be taken and how they will be funded.

101 Councilmember Smith expressed interest in developing a vision for the city's history, noting a
102 recently discovered pioneer-era cabin that he would like to explore and use as a basis for future historical
103 planning. Troy mentioned the increasing difficulty in finding volunteers for programs like the Historical
104 Society and DUP. Councilmember Smith also wanted to learn about how other cities handle their
105 historical preservation. Councilmember Millsap suggested that it might be valuable to have a scholarly
106 book written about Springville's history. Councilmember Snelson recommended that whoever oversees
107 the program could seek assistance from other organizations.

108 Mayor Packard noted that the museum includes elements of history and could emphasize the
109 uniqueness of Springville. Councilmember Millsap stressed the importance of preserving history to
110 prevent it from being lost. Josh pointed out that the city has a library and museum with staff experienced
111 in programming and exhibitions, as well as a Landmarks Commission to manage historical sites. He
112 suggested that leveraging these resources could provide significant benefits at a good value.

113 Councilmember Wright suggested that the city should finalize plans for historical projects in the
114 next budget year, determining which projects to prioritize and then assigning responsibility for their
115 execution.

118 **ADJOURNMENT CLOSED SESSION IF NEEDED - TO BE ANNOUNCED IN MOTION**

119 *The Springville City Council may temporarily recess the meeting and convene in a closed session as*
120 *provided by UCA 52-4-205.*

122 **ADJOURN**

123 **Motion: Councilmember Snelson moved to adjourn the work meeting at 6:49 p.m. Councilmember Smith**
124 **seconded the motion. Voting Yes:** Councilmember Jensen ABSENT, Councilmember Millsap,
125 Councilmember Smith, Councilmember Snelson, and Councilmember Wright. The motion **Passed**
126 **Unanimously; 4-0 with 1 absent.**

127 *This document constitutes the official minutes for the Springville City Council Work/Study Meeting held on Tuesday, July 02, 2024.*
128 *I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County,*
129 *State of Utah. I do hereby certify that the foregoing minutes represent a true, accurate, and complete record of this meeting held on Tuesday,*
130 *July 02, 2024.*

131 *DATE APPROVED:* _____

132 _____
133 *Kim Crane*
134 *City Recorder*



MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, JULY 16, 2024, AT 7:00 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE, UTAH.

Presiding and Conducting: Mayor Matt Packard

Elected Officials in Attendance: Craig Jensen Excused
Logan Millsap
Jake Smith
Mike Snelson
Mindi Wright

City Staff in Attendance: City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, City Recorder Kim Crane, Community Development Director Josh Yost, Administrative Services Director Patrick Monney, Internal Services Director Scott Sensenbaugher, Library Director Dan Mickelson, Museum of Art Director Emily Larsen, Parks and Recreation Director Stacey Child, Power Director Jason Miller, Public Works Director Brad Stapley, and Public Safety Director Lance Haight.

CALL TO ORDER

Mayor Packard called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

Councilmember Wright offered the invocation, and Councilmember Smith led the Pledge of Allegiance.

APPROVAL OF THE MEETING'S AGENDA

Motion: Councilmember Snelson moved to approve this evening's agenda as written. **Councilmember Millsap seconded** the motion. **Voting Yes:** Councilmember Jensen ABSENT, Councilmember Millsap, Councilmember Smith, Councilmember Snelson, and Councilmember Wright. The motion **Passed Unanimously; 4-0 with 1 absent.**

MAYORS COMMENTS

Mayor Packard welcomed the Council, staff, and those in attendance.

PUBLIC COMMENT

Mayor Packard introduced the Public Comment section of the agenda and inquired if there were any written requests to speak.

Sara Rosenloff said she was concerned about the crosswalk in Brookside Subdivision at B Street. There is a lot of traffic. People drive fast and when people are using the crosswalk people blast past it.

42 Anything to help with slowing traffic and the crosswalk being observed would greatly help. Many kids live
in the neighborhood.

44 Councilmember Snelson asked if the problem was with that section or other places as well. Sara
said the main problem is at the B Street area it is used as a throughway.

46 Megan Hartman lives next to the crosswalk. She read from a prepared statement. She observed
drivers do not pay attention to the speed limit or the crosswalk. She witnessed car collisions, and people
48 not paying attention to the speed. She doesn't feel her kids are safe in their front yard. Would like a
solution to make it safer for the children in the area. Many ideas have come about for a raised crosswalk,
50 flashing sign, and radar speed sign.

Lindsay Moss said her primary concern was the crosswalk on 400 South going north and south.
52 The crossing guard is continuously late and feels it is not in a good location. There is a red light in the
area and that would be a safer crossing.

54 Mariah McDonald has a daughter who walks to school every day and crosses B Street every day.
The high school lunchtime traffic is more and the signage needs to be improved, possibly adding orange
56 flags at the crossing. The foot traffic at the crosswalk is a lot...

Travis Farnsworth said the B Street crosswalk is concerning because the traffic is very fast. It is
58 being used as a thoroughfare to the high school and it is a small neighborhood. It needs lighting and high
visibility markings, traffic calming, and direct traffic to other main roads, or a raised crossing.

60 Kari Huffman is concerned about the B Street crosswalk. The crosswalk is used all of the time
with school children and families. The current signs are not enough, for distracted drivers. She wants to
62 be proactive and make a safer crosswalk. Possibly a bulb out to help slow down traffic.

Hunter Huffman is concerned about the crosswalk at B Street. The travel lane has room to create
64 a traffic calming or a bulb out like what is at Meadow Brook Elementary would be helpful.

Judith Newby measured the crosswalk it is approximately 11 feet to work with and needs better
66 signage.

Councilmember Snelson said he grew up in Brookside and there is more traffic now than then, he
68 cycles through the neighborhoods similar to Brookside that have bulb-outs and are effective.

Councilmember Millsap also grew up in Brookside, many crosswalks are of concern to parents,
70 and traffic calming within the city is needed to help with crossings.

Hunter Huffman stated there have been neighbors using small yellow kids at play signs and were
72 told they have to take them down. There have been many attempts to get help.

74 Mayor Packard expressed the council takes it seriously, he suggested they work with Public
Works and contact Brad Stapley.

76 **CONSENT AGENDA**

- 78 1. Approval of minutes for the July 02, 2024 work meeting and regular meeting
- 80 2. Approval of a Resolution and Olmsted Electric Service Agreement with the Western Area Power
Administration - Jason Miller, Power Director
- 82 3. Approval of a Resolution and Provo River Project Agreement with UAMPS and the Western
Area Power Administration - Jason Miller, Power Director
- 84 4. Approval of a condominium conversion approval for Wapiti Commercial Condominiums located
at 395 North 2000 West, Springville Utah in the HC-Highway Commercial Zone - Josh Yost,
Community Development Director
- 86 5. Approval of a Resolution approving a Certificate of Member for 2024 SUVPS Power Bonds -
Jason Miller, Power Director

88 **Motion: Councilmember Wright moved to approve the consent agenda as written. Councilmember Millsap**
90 **seconded** the motion. **Voting Yes:** Councilmember Jensen ABSENT, Councilmember Millsap,
92 **Unanimously; 4-0 with 1 absent. Resolution #2024-20 adopted, Resolution #2024-21 adopted, and**
94 **Resolution #2024-22 adopted.**

94 **REGULAR AGENDA**

96 6. **Consideration of an Ordinance amending Springville City Code 11-4-708(4) to eliminate the**
98 **minimum clear floor-to-ceiling height for townhomes in the Main Street South Gateway Zone -**
100 **Josh Yost, Community Development Director**

98 Josh reported on the amendment to eliminate the minimum clear floor-to-ceiling height. The Main
Street South Gateway Zone was adopted in 2020 and has evolved since that time to better accomplish
100 its stated purpose.

102 The zone originally had minimum floor-to-ceiling clear heights for all building types. Since the
104 adoption of the zone, other zones have been adopted with some similar massing requirements for
townhomes and small single-family detached homes but without any of the minimum floor-to-ceiling clear
106 height requirements. Additionally, no other zone has minimum floor-to-ceiling clear heights for single-
family, or single-family attached homes. These floor-to-ceiling clear height requirements in the MSSG
108 Zone have complicated the design and construction of townhomes. The Planning Commission
considered the amendment at the June 25, 2024 meeting, in a public hearing no comments were made
and it passed with a unanimous vote.

110 **Motion: Councilmember Snelson moved to approve Ordinance #08-2024 to amend Springville Code 11-**
112 **4-708(4) to eliminate the minimum clear floor-to-ceiling height for townhomes in the Main Street South**
114 **Gateway Zone. Councilmember Millsap seconded** the motion. **Voting Yes:** Councilmember Jensen
ABSENT, Councilmember Millsap, Councilmember Smith, Councilmember Snelson, and Councilmember
116 Wright. The motion **Passed Unanimously; 4-0 with 1 absent. Ordinance #08-2024 adopted**

116 7. **Consideration of an Ordinance approving an amendment to Springville City Code Title 14**
118 **Subdivision Regulations to include Application Checklists - Carla Wiese, Planner**

118 Carla reported the Planning Commission reviewed and passed the amendment. The City Council
adopted changes to Title 14 Subdivision Regulations in December of 2023. These changes were made
120 to comply with the changes in state code regarding the residential subdivision review process. Staff
completed the reviews and now the final checklists was before the Council to formally adopt.

122 **Motion: Councilmember Millsap moved to approve Ordinance #09-2024 to adopt Springville City's**
124 **residential and commercial subdivision regulations and application process to include preliminary**
and final plan application checklist. **Councilmember Smith seconded** the motion. **Voting Yes:**
126 Councilmember Jensen ABSENT, Councilmember Millsap, Councilmember Smith, Councilmember
Snelson, and Councilmember Wright. The motion **Passed Unanimously; 4-0 with 1 absent. Ordinance**
128 **#09-2024 adopted**

130 **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

132 Mayor Packard asked for any further comment. There were none.

134

CLOSED SESSION, AND ADJOURNMENT IF NEEDED - TO BE ANNOUNCED IN MOTION

136 *The Springville City Council may adjourn the regular meeting and convene into a closed session as*
138 *provided by UCA 52-4-205.*

ADJOURNMENT

140 **Motion: Councilmember Millsap moved** to adjourn the regular meeting at 7:57 p.m. **Councilmember**
142 **Snelson seconded** the motion. **Voting Yes:** Councilmember Jensen ABSENT, Councilmember Millsap,
144 Councilmember Smith, Councilmember Snelson, and Councilmember Wright. **The motion Passed**
146 **Unanimously; 4-0 with 1 absent**

148 *This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, July*
150 *16, 2024.*

152 *I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of*
154 *Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true, accurate, and complete record of this*
156 *meeting held on Tuesday, July 16, 2024.*

DATE APPROVED: _____
Kim Crane
City Recorder

DRAFT



STAFF REPORT

DATE: July 17, 2024
TO: Honorable Mayor and City Council
FROM: Thad Monsen, Springville WRF Manger
SUBJECT: AMENDMENT OF TITLE 4-14-105: DEFINITIONS TO ADD A DEFINITION OF "COMPOSITE SAMPLE"

Recommended Motion:

Motion to approve the ordinance amending Springville Code 4-14-105 - Definitions to add a definition of "Composite Sample".

Executive Summary:

Springville City Code 4-14-105 currently does not contain the definition for a "Composite Sample". Composite sampling is a method used to capture a representative sample of discharge wastewater from our permitted industries. We require this sampling method to be used by the permitted industries and currently use a third-party definition. This proposed amendment would simply add the definition to Springville City Code.

Focus of Action:

This action will clearly define the term "Composite Sample" in Springville City's Code and allow the Water Reclamation Facility (WRF) Manager to include the definition on the permits of its permitted industries without having to cite an outside definition source.

Background:

The Utah Department of Environmental Quality (UDEQ) requires municipalities to permit and monitor industries that have to potential of discharging heavy metals and contaminants into the waste stream. Currently Springville City has five (5) industries that they permit. As part of the permitting process the industries must take samples of their waste stream and have it analyzed to show its composition and percent of metals. The State requires the use of a composite sample for this analysis. Currently Springville City Code does not have a definition defining what a composite sample consists of. We have been using an outside sources definition to include with the permit requirements.



The proposed code amendment would add the definition to Springville Code and do away with the need to cite a third party. This definition would be added between 4-14-105 (8) "City" and (9) "Control authority" making "Composite sample" the new number nine. The remaining definitions numbers would need to be adjusted to conform with the addition.

(8) "City" means the City of Springville or the City Council of Springville City.

(9) "Composite sample" means a sample collected for monitoring purposes during normal production periods over any 24-hour time interval, using a constant time or flow proportioned sampling method.

(i) A time composite sample consists of discrete (grab) samples of equal volume collected at hourly time intervals at a minimum.

(ii) A flow proportional composite sample is one where the volume collected is proportional to the flow. The proportioning may be based on constant volume with variable collection time or variable volume with constant time intervals.

~~(9)~~10) "Control authority" means the City of Springville.

Discussion:

Composite sampling is used to monitor and enforce the wastewater discharge of the permitted industries, making it essential to include the definition to the Springville City Code.

Fiscal Impact:

No fiscal impact

Thad Monsen

Thad Monsen, Springville WRF Manger

4-14-105 Definitions.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Chapter, shall have the meanings hereinafter designated.

(1) "Act" or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, [33](#) U.S.C. Section [1251](#) et seq.

(2) "Approval authority" means the State of Utah, Department of Environmental Quality, Division of Water Quality (DWQ), or its successor agency.

(3) "Authorized or duly authorized representative of the user" means:

(a) If the user is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiates and directs other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the user is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in subsections (3)(a) through (c) of this section may designate a duly authorized representative if the authorization is in writing. The authorization must specify the individual or position responsible for the overall operation of the facility from which the discharge

originates, or has overall responsibility for environmental matters for the company, and the written authorization is submitted to the POTW Manager.

(4) “Best management practices” or “BMPs” means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section [4-14-304](#)(3). BMPs include, but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

(5) “Biochemical oxygen demand” or “BOD” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at twenty (20) degrees centigrade, usually expressed as a concentration (e.g., mg/l).

(6) “Categorical pretreatment standard” or “categorical standard” means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act ([33](#) U.S.C. Section [1317](#)) that apply to a specific category of users and that appear in [40](#) CFR Chapter I, Subchapter N, Parts [405](#) through [471](#).

(7) “Categorical industrial user” means an industrial user subject to a categorical pretreatment standard or categorical standard.

(8) “City” means the City of Springville or the City Council of Springville City.

(9) “Composite sample” means a sample collected for monitoring purposes during normal production periods over any 24-hour time interval, using a constant time or flow proportioned sampling method.

(i) A time composite sample consists of discrete (grab) samples of equal volume collected at hourly time intervals at a minimum.

(ii) A flow proportional composite sample is one where the volume collected is proportional to the flow. The proportioning may be based on constant volume with variable collection time or variable volume with constant time intervals.

~~(9)~~10) “Control authority” means the City of Springville.

~~(40)~~11) “Cooling water” shall mean water discharged from any use, such as air conditioning, cooler or refrigeration unit, to which the only pollutant added is heat.

~~(41)~~12) “Daily maximum” means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

~~(42)~~13) “Daily maximum limit” means the maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

~~(43)~~14) “Environmental Protection Agency” or “EPA” means the U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

~~(44)~~15) “Existing source” means any source of discharge that is not a “new source.”

~~(45)~~16) “Garbage” shall mean the animal and vegetable waste resulting from processes of a trade or business, distinct from domestic or sanitary waste.

~~(16)~~17) “Grab sample” means a sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.

~~(47)~~18) “Hazardous waste” means hazardous waste as defined in [40 CFR 261.3](#). This reference is incorporated herein and made a part hereof.

~~(48)~~19) “Indirect discharge” or “discharge” means the introduction of pollutants into a POTW from any nondomestic source that is regulated under Section 307(b), (c) or (d) of the Act.

~~(49)~~20) “Industrial wastewater discharge permit” shall mean a permit to deposit or discharge industrial waste into any sanitary sewer under the jurisdiction of the City.

~~(20)~~21) “Industrial waste surcharge” shall mean a charge levied on industrial users of the sewage treatment works for the additional cost of treating waste discharges of abnormal strength or characteristics. This charge includes capital as well as operating and maintenance costs.

~~(24)~~22) “Industrial waste” shall mean the wastewater from industrial processes of a trade or business, as distinct from domestic or sanitary waste.

~~(22)~~²³ “Instantaneous limit” means the maximum or minimum concentration, or load, of a pollutant allowed to be discharged at any time, as determined from the analysis of any discrete grab or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

~~(23)~~²⁴ “Interference” means any discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal, and therefore, is a cause of a violation of the City’s UPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

~~(24)~~²⁵ “Local limit” means specific discharge limits developed and enforced by the City upon industrial or commercial facilities in order to implement the general and specific discharge prohibitions listed and the technical-based local limits listed in Section [4-14-304](#). The documents used to develop the local limit are kept on file at the POTW office and can be reviewed if requested.

~~(25)~~²⁶ “Medical waste” means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes, and waste created or produced by facilities catering to the treatment of humans and animals that are potentially infectious.

~~(26)~~²⁷ “Monthly average” means the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

~~(27)~~²⁸ “Monthly average limit” means the highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

~~(28)~~²⁹ “Natural outlet” shall mean any outlet (including storm sewers) into a watercourse, pond, ditch, lake or other body of surface or ground water.

~~(29)~~³⁰ New Source.

(a) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment

standards under Section 307(c) of the Act that will be applicable to such source if such standards are thereafter promulgated in accordance with that section; provided, that:

(i) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

(ii) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(iii) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of subsection (29)(a)(ii) or (iii) of this section but otherwise alters, replaces, or adds to existing process or production equipment.

(c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(i) Begun, or caused to begin, as part of a continuous on-site construction program:

(A) Any placement, assembly, or installation of facilities or equipment; or

(B) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(ii) Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

~~(30)~~31) “Noncontact cooling water” means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

~~(31)~~³² “Pass through” means a discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City’s UPDES permit, including an increase in the magnitude or duration of a violation.

~~(32)~~³³ “Person” means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

~~(33)~~³⁴ “pH” means a measure of the acidity or basicity of a solution, expressed in standard units.

~~(34)~~³⁵ “Pollutant” means dredged spoil; solid waste; incinerator residue; filter backwash; sewage; garbage; sewage sludge; munitions; medical wastes; chemical wastes; biological materials; radioactive materials; heat; wrecked or discarded equipment; rock; sand; dirt; municipal, agricultural and industrial wastes; and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

~~(35)~~³⁶ “POTW Manager” means the person designated by Springville City to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this Chapter. The term also means a duly authorized representative of the POTW Manager.

~~(36)~~³⁷ “Pretreatment” means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

~~(37)~~³⁸ “Pretreatment requirements” means any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

~~(38)~~³⁹ “Pretreatment standards” or “standards” shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act applying to industrial users, which includes but is not limited to prohibited discharge standards, categorical pretreatment standards, and local limits.

~~(39)~~⁴⁰ “Prohibited discharge standards” or “prohibited discharges” means absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section [4-14-301](#).

(4041) “Publicly owned treatment works” or “POTW” means a treatment works, as defined by Section 212 of the Act ([33 U.S.C. Section 1292](#)), which is owned by Springville City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature, and any conveyances which convey wastewater to a treatment plant. It also includes sewers, pipes and other conveyances if they convey wastewater to a POTW water reclamation facility. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

(4142) “Septic tank waste” means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

(4243) “Sewage” means human excrement and gray water (household showers, dishwashing operations, etc.).

(4344) “Sewer collection section” means a section of the Water Reclamation Facility and Sewer Collections Division of Public Works.

(4445) Significant Industrial User (SIU). A significant industrial user is:

- (a) An industrial user subject to categorical pretreatment standards; or
- (b) An industrial user that:
 - (i) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blow down wastewater);
 - (ii) Contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (iii) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement.
- (c) Upon a finding that a user meeting the criteria in subsection (44)(b) of this section has no reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in [40 CFR 403.8\(f\)\(6\)](#), determine that such user should not be considered a significant industrial user.

(~~45~~46) “Slug load” or “slug discharge” means any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section [4-14-301](#). A slug discharge is any discharge of a nonroutine, episodic nature, including but not limited to an accidental spill or a noncustomary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW’s regulations, local limits or permit conditions.

(~~46~~47) “Storm water” means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

(~~47~~48) “Superintendent” shall mean the Superintendent of the Water Reclamation Facility and Sewer Collections Division of Public Works as provided by Section [4-14-103](#), or his or her authorized agent or deputy.

(~~48~~49) “Total suspended solids” or “suspended solids” means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

(~~49~~50) “User” or “industrial user” shall mean any person who directly or indirectly discharges or causes the discharge of wastewater into a POTW sewer system.

(~~50~~51) “Wastewater” means liquid- and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

(~~51~~52) “Water reclamation facility,” “wastewater treatment plant” or “treatment plant” means the part of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

(~~52~~53) “Water of the State” means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this State or any portion thereof, except that bodies of water confined to and retained within the limits of private property, and which do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish and wildlife, shall not be considered to be “waters of the State” under this definition (Section [19-5-102](#), Utah Code Annotated 1953).

(Ord. No. 07-2014, 03/19/14)

ORDINANCE NO. ____-2024

AN ORDINANCE AMENDING SPRINGVILLE CODE 4-14-105 DEFINITIONS TO ADD THE DEFINITION OF “COMPOSITE SAMPLE”.

WHEREAS the Springville City Sewer Collections/Water Reclamation/Pretreatment Code regulates the collection and treatment of wastewater within Springville City to protect the health, safety, and welfare of the residents of the City, and to provide for maximum public benefit; and

WHEREAS the Springville City Sewer Collections/Water Reclamation/Pretreatment Code sets forth uniform requirements for users discharging into the wastewater collection and treatment system, and enables the City to comply with all applicable local, State and Federal laws, including the Clean Water Act (33 United States Code, Section 1251 et seq.), the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations Part 403), and the Utah Administrative Code R317-8-8 ; and

WHEREAS Springville City may, from time to time, examine the regulatory provisions and definitions within the Code and amend such provisions/definitions; and

WHEREAS the City Council has reviewed the amendment to Springville Code Title 4 Chapter 14 Article 105 Definitions, attached as Exhibit A,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Springville, Utah, that:

Section 1: The amendments to Springville Code Title 4 Chapter 14 Article 105 Definitions, attached as Exhibit A, are incorporated into this ordinance as if fully stated herein.

Section 2: This ordinance shall become effective upon adoption by the Springville City Council and publication as required by law.

ADOPTED by the City Council of Springville, Utah, on the 6th day of August 2024.

Matt Packard, Mayor

ATTEST:

Kim Crane, City Recorder

Exhibit A

Proposed Amendment

4-14-105 Definitions.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Chapter, shall have the meanings hereinafter designated.

(1) “Act” or “the Act” means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, [33 U.S.C. Section 1251](#) et seq.

(2) “Approval authority” means the State of Utah, Department of Environmental Quality, Division of Water Quality (DWQ), or its successor agency.

(3) “Authorized or duly authorized representative of the user” means:

(a) If the user is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiates and directs other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the user is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in subsections (3)(a) through (c) of this section may designate a duly authorized representative if the authorization is in writing. The authorization must specify the

individual or position responsible for the overall operation of the facility from which the discharge originates, or has overall responsibility for environmental matters for the company, and the written authorization is submitted to the POTW Manager.

(4) “Best management practices” or “BMPs” means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section [4-14-304](#)(3). BMPs include, but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

(5) “Biochemical oxygen demand” or “BOD” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at twenty (20) degrees centigrade, usually expressed as a concentration (e.g., mg/l).

(6) “Categorical pretreatment standard” or “categorical standard” means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act ([33 U.S.C. Section 1317](#)) that apply to a specific category of users and that appear in [40 CFR Chapter I, Subchapter N, Parts 405 through 471](#).

(7) “Categorical industrial user” means an industrial user subject to a categorical pretreatment standard or categorical standard.

(8) “City” means the City of Springville or the City Council of Springville City.

(9) “Composite sample” means a sample collected for monitoring purposes during normal production periods over any 24-hour time interval, using a constant time or flow proportioned sampling method.

(i) A time composite sample consists of discrete (grab) samples of equal volume collected at hourly time intervals at a minimum.

(ii) A flow proportional composite sample is one where the volume collected is proportional to the flow. The proportioning may be based on constant volume with variable collection time or variable volume with constant time intervals.

~~(9)~~10) “Control authority” means the City of Springville.

~~(40)~~11) “Cooling water” shall mean water discharged from any use, such as air conditioning, cooler or refrigeration unit, to which the only pollutant added is heat.

~~(41)~~12) “Daily maximum” means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

~~(42)~~13) “Daily maximum limit” means the maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

~~(43)~~14) “Environmental Protection Agency” or “EPA” means the U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

~~(44)~~15) “Existing source” means any source of discharge that is not a “new source.”

~~(45)~~16) “Garbage” shall mean the animal and vegetable waste resulting from processes of a trade or business, distinct from domestic or sanitary waste.

~~(16)~~17) “Grab sample” means a sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.

~~(47)~~18) “Hazardous waste” means hazardous waste as defined in [40 CFR 261.3](#). This reference is incorporated herein and made a part hereof.

~~(48)~~19) “Indirect discharge” or “discharge” means the introduction of pollutants into a POTW from any nondomestic source that is regulated under Section 307(b), (c) or (d) of the Act.

~~(49)~~20) “Industrial wastewater discharge permit” shall mean a permit to deposit or discharge industrial waste into any sanitary sewer under the jurisdiction of the City.

~~(20)~~21) “Industrial waste surcharge” shall mean a charge levied on industrial users of the sewage treatment works for the additional cost of treating waste discharges of abnormal strength or characteristics. This charge includes capital as well as operating and maintenance costs.

~~(24)~~22) “Industrial waste” shall mean the wastewater from industrial processes of a trade or business, as distinct from domestic or sanitary waste.

(~~22~~23) “Instantaneous limit” means the maximum or minimum concentration, or load, of a pollutant allowed to be discharged at any time, as determined from the analysis of any discrete grab or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

(~~23~~24) “Interference” means any discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal, and therefore, is a cause of a violation of the City’s UPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

(~~24~~25) “Local limit” means specific discharge limits developed and enforced by the City upon industrial or commercial facilities in order to implement the general and specific discharge prohibitions listed and the technical-based local limits listed in Section [4-14-304](#). The documents used to develop the local limit are kept on file at the POTW office and can be reviewed if requested.

(~~25~~26) “Medical waste” means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes, and waste created or produced by facilities catering to the treatment of humans and animals that are potentially infectious.

(~~26~~27) “Monthly average” means the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

(~~27~~28) “Monthly average limit” means the highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

(~~28~~29) “Natural outlet” shall mean any outlet (including storm sewers) into a watercourse, pond, ditch, lake or other body of surface or ground water.

(~~29~~30) New Source.

(a) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment

standards under Section 307(c) of the Act that will be applicable to such source if such standards are thereafter promulgated in accordance with that section; provided, that:

(i) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

(ii) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(iii) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of subsection (29)(a)(ii) or (iii) of this section but otherwise alters, replaces, or adds to existing process or production equipment.

(c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(i) Begun, or caused to begin, as part of a continuous on-site construction program:

(A) Any placement, assembly, or installation of facilities or equipment; or

(B) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(ii) Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

~~(3031)~~ (3031) "Noncontact cooling water" means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

~~(31)~~³² “Pass through” means a discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City’s UPDES permit, including an increase in the magnitude or duration of a violation.

~~(32)~~³³ “Person” means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

~~(33)~~³⁴ “pH” means a measure of the acidity or basicity of a solution, expressed in standard units.

~~(34)~~³⁵ “Pollutant” means dredged spoil; solid waste; incinerator residue; filter backwash; sewage; garbage; sewage sludge; munitions; medical wastes; chemical wastes; biological materials; radioactive materials; heat; wrecked or discarded equipment; rock; sand; dirt; municipal, agricultural and industrial wastes; and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

~~(35)~~³⁶ “POTW Manager” means the person designated by Springville City to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this Chapter. The term also means a duly authorized representative of the POTW Manager.

~~(36)~~³⁷ “Pretreatment” means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

~~(37)~~³⁸ “Pretreatment requirements” means any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

~~(38)~~³⁹ “Pretreatment standards” or “standards” shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act applying to industrial users, which includes but is not limited to prohibited discharge standards, categorical pretreatment standards, and local limits.

~~(39)~~⁴⁰ “Prohibited discharge standards” or “prohibited discharges” means absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section [4-14-301](#).

(4041) “Publicly owned treatment works” or “POTW” means a treatment works, as defined by Section 212 of the Act ([33 U.S.C. Section 1292](#)), which is owned by Springville City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature, and any conveyances which convey wastewater to a treatment plant. It also includes sewers, pipes and other conveyances if they convey wastewater to a POTW water reclamation facility. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

(4142) “Septic tank waste” means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

(4243) “Sewage” means human excrement and gray water (household showers, dishwashing operations, etc.).

(4344) “Sewer collection section” means a section of the Water Reclamation Facility and Sewer Collections Division of Public Works.

(4445) Significant Industrial User (SIU). A significant industrial user is:

- (a) An industrial user subject to categorical pretreatment standards; or
- (b) An industrial user that:
 - (i) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blow down wastewater);
 - (ii) Contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (iii) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement.
- (c) Upon a finding that a user meeting the criteria in subsection (44)(b) of this section has no reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in [40 CFR 403.8\(f\)\(6\)](#), determine that such user should not be considered a significant industrial user.

(~~45~~46) “Slug load” or “slug discharge” means any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section [4-14-301](#). A slug discharge is any discharge of a nonroutine, episodic nature, including but not limited to an accidental spill or a noncustomary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW’s regulations, local limits or permit conditions.

(~~46~~47) “Storm water” means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

(~~47~~48) “Superintendent” shall mean the Superintendent of the Water Reclamation Facility and Sewer Collections Division of Public Works as provided by Section [4-14-103](#), or his or her authorized agent or deputy.

(~~48~~49) “Total suspended solids” or “suspended solids” means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

(~~49~~50) “User” or “industrial user” shall mean any person who directly or indirectly discharges or causes the discharge of wastewater into a POTW sewer system.

(~~50~~51) “Wastewater” means liquid- and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

(~~51~~52) “Water reclamation facility,” “wastewater treatment plant” or “treatment plant” means the part of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

(~~52~~53) “Water of the State” means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this State or any portion thereof, except that bodies of water confined to and retained within the limits of private property, and which do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish and wildlife, shall not be considered to be “waters of the State” under this definition (Section [19-5-102](#), Utah Code Annotated 1953).

(Ord. No. 07-2014, 03/19/14)



STAFF REPORT

DATE: August 1, 2024
TO: Honorable Mayor and City Council
FROM: Bruce Riddle, Finance Director
SUBJECT: FY 2025 BUDGET AMENDMENT

RECOMMENDED MOTION

The Finance Department recommends adopting Resolution _____ to open and amend the Vehicle & Equipment Fund budget for capital expenses applying to the Fiscal Year ending June 30, 2025 as outlined in Exhibit A (attached).

EXECUTIVE SUMMARY

This budget amendment will appropriate funds from reserves and operating revenues for activities not budgeted in the original FY 2025 budget. These amendments will affect the Vehicle & Equipment Fund as specified in the attached Exhibit A.

SUMMARY OF ISSUES/FOCUS OF ACTION

The Uniform Fiscal Procedures Act for Utah Cities sets forth the procedures for the governing body to review and increase or decrease the appropriations in operating and capital budgets of the city. The resolution will provide the budget authority for the city to proceed with the projects detailed in the report.

BACKGROUND

In the course of preparing the FY 2026 budget, there was an administrative communication error and several items that were submitted by departments within the Vehicle and Equipment Fund were not included in the version of the budget that was adopted by Council. The amendment resolves those issues and allows affected departments to proceed with planned renewal and replacement purchases.

DISCUSSION

In response to new developments and after reviewing the various fund budgets the Finance Department recommends the following budget amendment. Requests for

appropriation as well as the funding sources are summarized in Exhibit A (attached). A brief description of the recommended action is as follows:

- *Vehicle and Equipment Fund*
 - Internal Service Fund - Information Systems. The IS Department had submitted \$108k from a combination of current-year transfers and prior-year reserves for server and computer equipment renewal and replacement. With the departmental changes and movement of the IS Department to Internal Services, this request was missed. This amendment will resolve the issues and allow the IS department to proceed with scheduled replacements.
 - Fire & EMS. The Fire Department had submitted a budget of \$330k for the replacement of one ambulance and this submission was inadvertently overlooked. The amendment draws on current-year transfers and prior-year reserves to fund the purchase.
 - Clyde Recreation Center. A clerical error was made in the submitted amount for equipment replacement at the CRC. This amendment will correct the \$25k error and provide sufficient budget authority for the CRC to proceed with planned equipment replacements.

ALTERNATIVES

The Council has the alternative of considering different funding sources than those recommended by staff in Exhibit A. However, taking no action at all on the resolution will leave the staff without the budget authority to proceed with this project.

FISCAL IMPACT

The fiscal impacts of the proposed appropriations are included in Exhibit A.



**Exhibit A
City of Springville
Budget Amendment Form**

Fiscal Year Ending June 30, 2025

<i>Item</i>	<i>Fund</i>	<i>Dept.</i>	<i>Acct.</i>	<i>Description</i>	<i>Beginning Budget</i>	<i>Increase</i>	<i>Decrease</i>	<i>Amended Budget</i>	<i>Purpose and Funding Source</i>
Revenues									
				Utilize Reserves		463,000			Reserves and transfers
				Total Revenue Amendments		463,000			
Expenditures									
	48	4130	030	Equipment Replacement	0	108,000		108,000	Server and computer equipment renewal & replacement; transfers
	48	4227	013	Vehicle Replacement	0	330,000		330,000	Ambulance replacement; transfers and reserves
	48	4550	015	Equipment Replacement	210,619	25,000		235,619	CRC equipment replacement; transfers and reserves
				Total Expenditure Amendments		463,000			

RESOLUTION #2024-____

A RESOLUTION OPENING AND AMENDING THE VEHICLE AND EQUIPMENT FUND BUDGET FOR CAPITAL EXPENSES APPLYING TO THE FISCAL YEAR ENDING JUNE 30, 2025 AS OUTLINED IN EXHIBIT A.

WHEREAS, the City Council has received a recommendation from the Administration that the Springville City Vehicle and Equipment Fund budget be opened and amended for operating and capital expenses; and,

WHEREAS, on August 6, 2024 the City Council held a duly noticed public hearing to ascertain and discuss the facts regarding this matter, which facts and comments are found in the meeting record; and,

WHEREAS, after considering the Administration's recommendation, and facts and comments presented to the City Council, the Council finds the proposed appropriations reasonably further the health, safety, and general welfare of the citizens of Springville City.

NOW, THEREFORE, be it resolved by the City Council of Springville, Utah as follows:

PART I:

The Budget Officer is hereby authorized and directed to amend the budgets in the Vehicle and Equipment Fund, for operating and capital expenses as outlined in Exhibit A.

PART II:

This resolution shall take effect immediately.

END OF RESOLUTION.

PASSED AND APPROVED this 6th day of August, 2024.

Matt Packard, Mayor

ATTEST:

Kim Crane, City Recorder

**Exhibit A
City of Springville
Budget Amendment Form**

Fiscal Year Ending June 30, 2025

<i>Item</i>	<i>Fund</i>	<i>Dept.</i>	<i>Acct.</i>	<i>Description</i>	<i>Beginning Budget</i>	<i>Increase</i>	<i>Decrease</i>	<i>Amended Budget</i>	<i>Purpose and Funding Source</i>
Revenues									
				Utilize Reserves		463,000			Reserves and transfers
				Total Revenue Amendments		463,000			
Expenditures									
	48	4130	030	Equipment Replacement	0	108,000		108,000	Server and computer equipment renewal & replacement; transfers
	48	4227	013	Vehicle Replacement	0	330,000		330,000	Ambulance replacement; transfers and reserves
	48	4550	015	Equipment Replacement	210,619	25,000		235,619	CRC equipment replacement; transfers and reserves
				Total Expenditure Amendments		463,000			