



**NOTICE OF A MEETING OF THE
CITY OF HOLLADAY CITY COUNCIL
THURSDAY, MARCH 6, 2025**

- 5:00 p.m.** **Council Dinner** – *Council members will be eating dinner. No city business will be discussed.*
- 5:30 p.m.** **Briefing Session** - *The Council will review and discuss the agenda items; NO decisions will be made*

PUBLIC NOTICE IS HEREBY GIVEN that the Holladay City Council will hold a meeting on **Thursday, March 6, 2025, at 6:00 p.m.** Members of the Council may participate by electronic means if needed. The Council Chambers shall serve as the anchor location.

** Agenda items may be moved in order, sequence and time to meet the needs of the Council*

All documents available to the City Council are accessible on the City's website or in this agenda. Interested parties are encouraged to watch the **live video stream** of the meeting - [agendas/https://holladayut.gov/government/agendas_and_minutes.php](https://holladayut.gov/government/agendas_and_minutes.php)

To provide a public comment or make a comment during any public hearing, may do so in the following ways:

1. **In-person attendance:** at Holladay City Hall
2. **Email** your comments by 5:00 pm on the date of the meeting to scarlson@holladayut.gov

AGENDA

- I. **Welcome** – *Mayor Dahle*
- II. **Pledge of Allegiance**
- III. **Public Comments**
Any person wishing to comment on any item not otherwise on the agenda may provide their comment via email to the Council before 5:00 p.m. on the day of the meeting to scarlson@holladayut.gov with the subject line: Public Comment. Comments are subject to the Public Comment Policy set forth below
- IV. **Public Hearing on Proposed Amendments to the Moderate-Income Housing Plan of the General Plan** *(amendments complete statutory obligation to requirements by the State Legislature)*
- V. **Public Hearing on Amendments to Titles 13.04, 13.100 and Titles 5.54.010 and 5.63 of the City Code with Regards to Microschools and Micro Education Entities** *(modifying provisions set forth by the Legislature & permits microschools in all zones)*
- VI. **Public Hearing on Proposed Amendments to the 2024-2025 Fiscal Year Budgets**
- VII. **Public Hearing on Recodification of Titles 10 & Title 11**
- VIII. **Consideration of Ordinance 2025-01 Amending Title 13.02.030 of the City Code Regarding Roadway Classifications**

- IX. ***Consideration of Ordinance 2025-02 Amending Title 17.08.020 and 17.32.025 of the City Code Regarding Stormwater Regulations***
- X. ***Consent Agenda***
 - a. ***Approval of Minutes - Jan 9 & 23 & Feb. 6, 2025***
- XI. ***City Manager Report - Gina***
 - a. ***Legislative Update***
- XII. ***Council Reports & District Issues***
- XIII. ***Recess City Council in a Work Meeting:***
 - a. ***Discussion on Previous Public Hearings***
 - b. ***MS4 Update - Joe***
 - c. ***Discussion on Holladay Theater Co - Holly***
 - d. ***Calendar***
Council Meetings – March 20, April 3 & 17, May 1, 8 & 15 (tentative May 29), June 5 & 12
 - e. ***Other Business***
- XIV. ***Closed Session For the Purpose(s) Described in U.C.A. 52-4-204 and 205***
- XV. ***Adjourn***

Public Comment Policy & Procedure: During each regular Council Meeting there will be a Public Comment Time. The purpose of the Public Comment Time is to allow citizen's access to the Council. Citizens requesting to address the Council will be asked to complete a written request form and present it to the City Recorder. In general, the Chairman will allow an individual three minutes to address the Council. A spokesman, recognized as representing a group in attendance, may be allowed up to five minutes. Comments which cannot be made within these time limits should be submitted in writing to the City Recorder prior to noon the day before the meeting so they can be copied and distributed to the Council. At the conclusion of the Citizen Comment time, the Chairman may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all Public Hearings.

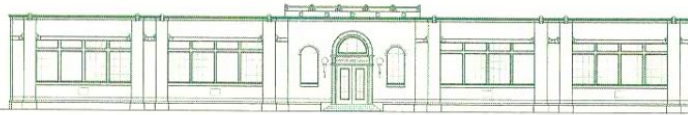
CERTIFICATE OF POSTING

I, Stephanie N. Carlson, the City Recorder of the City of Holladay, certify that the above agenda notice was posted at City Hall, the City website www.holladayut.gov, the Utah Public Notice website www.utah.gov/pmn, and was emailed to the Salt Lake Tribune and Desert News and others who have indicated interest.

DATE POSTED: Monday, March 3, 2025 at 10:30am

*Stephanie N. Carlson MMC,
City Recorder City of Holladay*

Reasonable accommodation for individuals with disabilities or those needing language interpretation services can be provided upon request. For assistance, please call the City Recorder's office at 272-9450 at least three days in advance. TTY/TDD number is (801)270-2425 or call Relay Utah at #7-1-1



City of Holladay
City Council

COUNCIL STAFF REPORT

Meeting Date: March 6, 2025

Subject: Moderate Income Housing Amendments SB462

Staff: Ann Frances Garcia, Economic Development & Housing Manager

ACTION:

Legislative. Ordinance amendments are to be reviewed and considered during a public hearing prior to a motion of final decision/action.

SUMMARY

Community and Economic Development Staff have proposed minor numerical amendments to Chapter 5, Moderate Income Housing of the 2016 General Plan for Land Use Authority review in compliance with state requirements. The purpose of the ordinance amendment is to propose numbering throughout the strategies to further our efforts in reporting annually and demonstrate meaningful progress towards the Plan and stay in compliance.

HB 462 COMPLIANCE PROPOSAL REVIEW

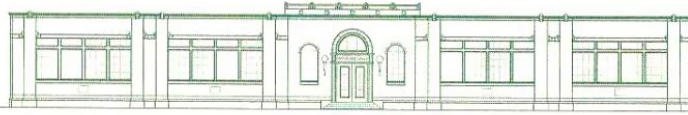
Staff have prepared a minor revision to the currently adopted Chapter 5 MIH Plan. These amendments are numerical only, which will allow for a more efficient reporting process. By adding numbering to each of the action items and tasks associated with them, reporting will be more straightforward in guiding the state reviewer on what has been accomplished.

STRATEGY - ACTION & TASK REVISION:

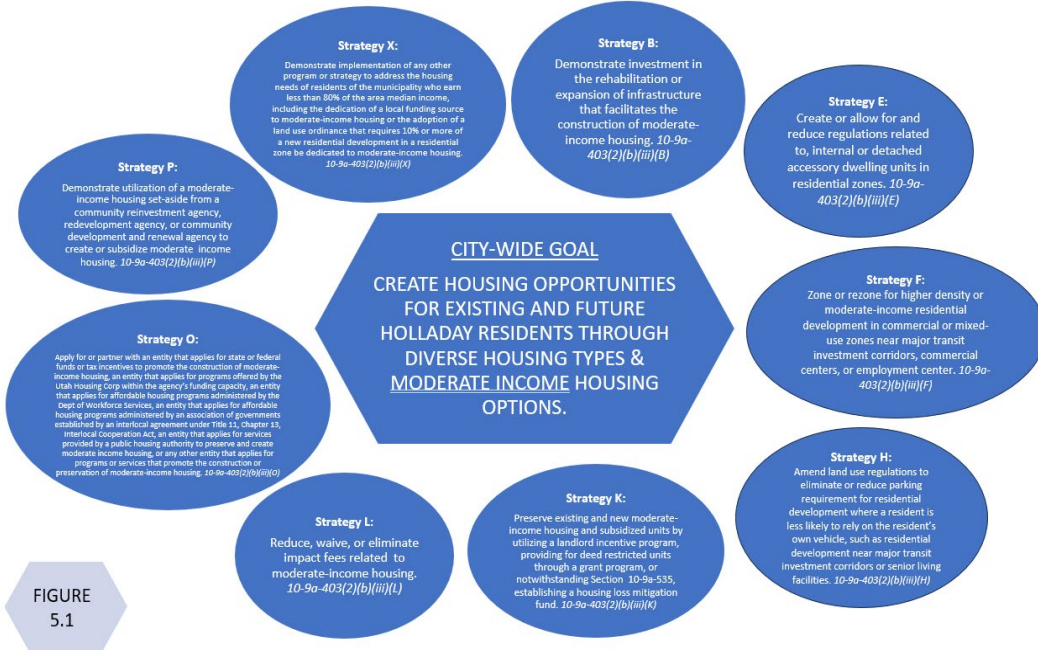
According to the previous goals set by the city and given the land use challenges Holladay must be mindful of, the CED staff proposed nine (9) strategy efforts from the list of twenty-four (24) provided in HB 462. The additions are in red on the strategy tables.

RECOMMENDATION

Staff recommends that the City Council hold the required public hearing and review the positive recommendation from the Planning Commission prior to continuing to a work session



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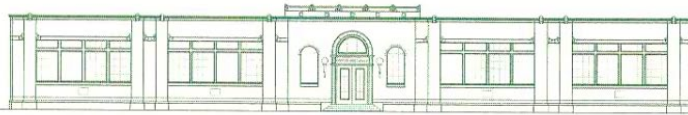


LEGEND: Red Text = Additions

STRATEGY B: Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing. §10-9a-403(2)(b)(iii)(B)

Goal: 1 and 3

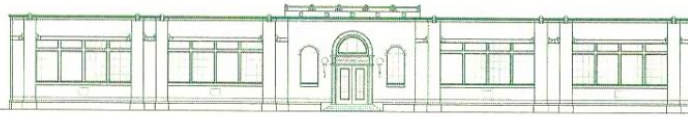
Action Items	Tasks
Action 1: Increase or improve active transportation access to safe pedestrian infrastructure and access to nearby amenities like parks and schools.	Task 1.1: Expanding transportation services will contribute to the goal of building a lifelong community for all stages of life by hiring a contractor to develop a plan for nearby closed Spring Lane Elementary. (Starting 2025) Task 1.2: Improve pedestrian and bike connectivity within mixed use areas and connect into the surrounding neighborhoods and amenities. Review connectivity needs annually. (Starting 2024) (Reported 8/1/2024) Task 1.3: Update our Bike and Trail Plan to show bike routes and public transit connections on and revisit on an annual basis. (Starting 2025) Task 1.4: Share links on the city's website on public transit connections and schedules. Update annually or as needed. (Starting 2024)



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<p>Action 2: Research grants and participate in discussions with regional organizations to help fund for infrastructure projects and rehabilitation.</p>	<p>Task 2.1: Provide information on at least 1 grant application to be submitted or be considered for submittal by the end of the reporting year. (Starting 2024)</p> <p>Task 2.2: Apply for funding to improve Highland Drive and make it more pedestrian friendly for our residents, many who utilize bus transit. Research for funding annually. (Starting 2024) (Reported 8/1/2024)</p> <p>Task 2.3: Research and apply for at least 1 grant annually for further infrastructure improvements like sidewalks and increasing safe routes to school and other destinations. (Starting 2024) (Reported 8/1/2024)</p>
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STRATEGY E: Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones. <u>§10-9a-403(2)(b)(iii)(E)</u>	
Goal: 1, 2 and 3	
Action Items	Tasks & Timeline
<p>Action 1: Conduct public engagement study to determine hinderances to remodeling existing homes and amend ordinances accordingly.</p>	<p>Task 1.1: No Ongoing tasks Action Completed – ADU Ordinance passed Sept. 2021</p>
<p>Action 2: Implement procedures encouraging ADU occupancy of approved “mother-in-law” apartment situations, established via “Second Kitchen Affidavit” policy, in order to identify legal remodels with secondary kitchenettes, etc.</p>	<p>Task 2.1: Monitor Quarterly ADU production (started 2023)</p> <p>Task 2.2: Send an annual letter to residents explaining protection of homeownership rights relating to ADU in residential zones. (Starting 2024)</p> <p>Task 2.3: Educate the community, and provide a summary to the City Council, annually, on ADU’s and encourage those with illegal ADUs to become legal and meet adopted legal building codes. The city will provide education by updating the city’s website, biannually, with information on legalizing their ADU. (Starting 2024)</p>
<p>Action 3: Evaluate the Accessory Dwelling Unit (ADU) program citywide</p>	<p>Task 3.1: Monitor legislative changes annually to determine if further changes are required. (Starting 2024) (Reported on 8/1/2024)</p> <p>Task 3.2: Educate the community, and provide a summary to the City Council, annually, on ADU’s and encourage those with current illegal ADUs to become legal and meet adopted legal building codes by updating our city’s website, biannual, with information on legalizing their ADU. (Starting 2024).</p> <p>Task 3.3: Work with the City Council on defining what an amnesty program would look like for those who currently rent illegal ADUs. Revisit the Amnesty program annually to evaluate the utilization of the program. (Starting 2024)</p> <p>Task 3.4: Quarterly Review and evaluate the code for revisions that may help streamline ADU development. (Starting 2024) (Reported on 8/1/2024)</p> <p>Task 3.5: Conduct proactive code enforcement annually to promote good property maintenance and to educate landlords. (Starting 2025)</p>



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STRATEGY F: Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers. §10-9a-403(2)(b)(iii)(F)

Goal: 2 and 3

Action Items	Tasks
Action 1: Study and review potential housing related amendments to the Office Research and Development (ORD) zone by December 31, 2022, to facilitate new moderate housing types in this major employment center.	Task 1.1: No ongoing tasks <ul style="list-style-type: none"> Action Completed
Action 2: Adopt new mixed-use zone designation for the Holladay Crossroads Small Area Master Plan (HCR-SAMP) by December 31, 2022, as a transit oriented, mixed-use zone available for multi-family residential development.	Task 2.1: No ongoing tasks <ul style="list-style-type: none"> Action Completed
Action 3: Study and review potential housing related amendments to the C-1 and C-2 commercial zones, to recommend facilitating additional housing types in these mixed-use zones.	Task 3.1: Create a Study Committee to address housing related amendments and provide updates on their progress on a biannual basis. (Starting 2024) Task 3.2: Research and develop a list of properties that fall within these zones to have the Committee study and provide recommendations. (Starting 2024)

STRATEGY H: Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities. §10-9a- 403(2)(b)(iii)(H)

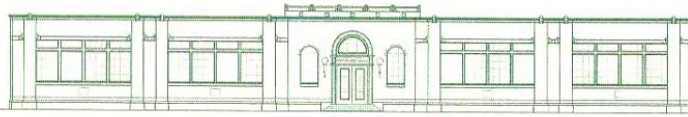
Goal: 1, 2 and 3

Action Items	Tasks
Action 1: Complete a study period proposing a reduction to multi-family and related residential parking requirements with alternative off-street parking options by December 31, 2022.	Task 1.1: No Ongoing Tasks <ul style="list-style-type: none"> Completed in 2022

STRATEGY L: Reduce, waive, or eliminate impact fees related to moderate income housing. §10-9a-403(2)(b)(iii)(L)

Goal: 1, 2 and 3

Action Items	Tasks
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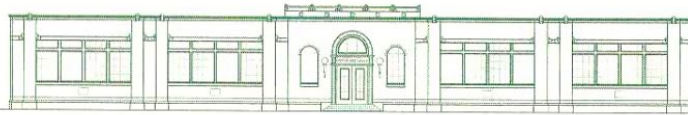
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STRATEGY K: Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund. §10-9a-403(2)(b)(iii)(K)

Goal: 1 and 3

Action Items	Tasks
Action 1: Preservation of subsidized units	<p>Task 1.1: Reference state preservation notice law and start reaching out to owners at least 3-6 years prior to expiration date and revisit on an annual basis with a progress report on communication with property owners. (Starting 2024)</p> <p>Task 1.2: Annually, research the need for Rental Assistance programs for at-risk populations. (Starting 2024)</p>
Action 2: Preserve existing moderate-income housing	<p>Task 2.1: Research properties that have potential to be converted to MIH due to their need for rehabilitation and revisit annually for any changes. (Starting 2024) (Reported on 8/1/2024)</p> <p>Task 2.2: Biannually reach out to property owners of properties that could be converted to MIH and establish relationships and report on progress. (Starting 2024)</p> <p>Task 2.3: Staff will track existing and new moderate-income housing quarterly. (Starting 2024)</p>
Action 3: Promote Housing Preservation and link to programs that will help residents maintain their homes and lower costs for maintaining their homes.	<p>Task 3.1: Partner with organizations that promote programs that assist residents with maintaining their home and provide incentives to preserve their homes and lower costs for maintaining their homes. Review partnerships and progress on a biannual basis. (Starting 2024) (Reported on 8/1/2024)</p>
Action 1: Park Impact Fees may be considered to be waived for proposed new developments, for new MIH housing units.	<p>Task 1.1: Review the RFP's for the General Plan and Spring Lane to evaluate how they will influence the impact study. (Starting 2024)</p> <p>Task 1.2: Create a study committee to review previous and current RFP's that may impact MIH and how impact fees relate to MIH and review on an annual basis. (Starting 2025)</p> <p>Task 1.3: Coordinate for completing an impact study and share progress on an annual basis. (Starting 2025)</p>
Action 2: Complete an impact study to revise the current fee analysis with intent to reduce current Impact Fees as they relate to MIH housing.	<p>Task 2.1: Coordinate the tasks to conduct and complete an impact study, with the intent to reduce impact fees related to MIH housing development and revisit and report on a quarterly basis once started. (Starting 2025)</p>

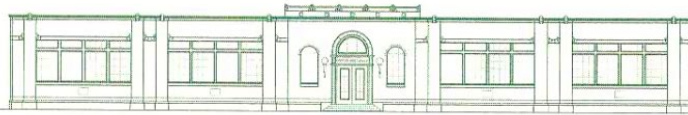
STRATEGY O: Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing. §10-9a-403(2)(b)(iii)(O)



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Goal: 1 and 3

Action Items	Tasks
<p>Action 1: Beginning June 2022 and Bi-yearly thereafter, a meeting shall be convened with the intent to seek out and apply for Salt Lake County incentive programs or partnership with other entities which apply for incentive programs offered by the Utah Housing Corporation, the Department of Workforce Services, or by an association of governments established by an interlocal agreement.</p>	<p>Task 1.1: Partner with Royal Holladay Hills. A development agreement was executed (Completed)</p> <p>Task 1.2: Hire an Economic Development & Housing Manager with the intent to seek out partnerships and research programs that would further the goal of promoting/preserving moderate income housing in the city. (Completed 2023)</p> <p>Task 1.3: Develop a marketing plan for housing programs that can be provided by community-based partners and revise as needed on an annual basis. (Starting 2025)</p> <p>Task 1.4: Create an inventory of housing programs, and revise as needed on a biannual basis, and make that information readily available to existing and new residents seeking homeownership opportunities, housing rehabilitation services and rental assistance. (Starting 2024) (Reported on 8/1/2024)</p> <p>Task 1.5: Maintain a close partnership with the Housing Authority of Salt Lake County to facilitate rental assistance or other eligible programs for residents, research their site quarterly for programs and continue to coordinate meetings on an annual basis. (Started 2023)</p> <p>Task 1.6: Set up a meeting with TURN in 2025 and continue discussions annually – they have a project at Holladay Duplex (focus on population with disabilities) to discuss their plans for the units after their expiration under the OWHLF program that their affordability expires in 2029. (Starting 2025)</p>
<p>Action 2: Apply for CDBG funding, and if awarded to create and offer housing programming to include Home Repair Grant program for moderate income residents.</p>	<p>Task 2.1: Contact CDBG representatives to establish a relationship and get registered for their workshops for application. (Starting 2024) (Reported on 8/1/2024)</p> <p>Task 2.2: Apply for CDBG grant funding, annually, to fund these programs. (Starting 2024)</p> <p>Task 2.3: Monitor annually current partnerships and seek out new partnerships to support these housing programs for our moderate-income residents. (Starting 2024) (Reported on 8/1/2024)</p>
<p>Action 3: Increase access to programs that relate to property resilience. Homes can have conditions that lead to building degradation and make them vulnerable to weather or other disasters. This action will connect residents with resources to keep their homes maintained and possibly mitigate potential health risks.</p>	<p>Task 3.1: Research and develop a plan that helps us partner with housing agencies to provide preservation opportunities and resources for our residents. Update if needed on an annual basis. (Starting 2024)</p> <p>Task 3.2: Educate residents and connect them to resources by posting links and information on our city website, on the programs where funding may be available to reduce conditions within a home that may be harmful to families like water leaks and ventilation issues. Revise quarterly or as needed. (Starting 2024) (Reported on 8/1/2024)</p>



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STRATEGY P: Demonstrate utilization of a moderate-income housing set-aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing. §10-9a-403(2)(b)(iii)(P)

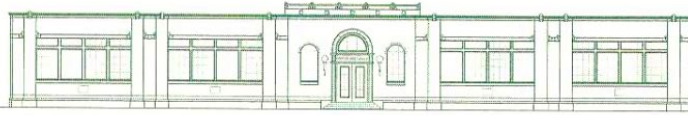
Goal: 1 and 3

Action Items	Tasks
Action 1: We currently have housing funds generated by RDA projects with approximately a million dollars or more earmarked for affordable housing. More than 100 MIH units to be established.	Task 1.1: Establish an RDA partnership (Started in 2022) (Reported on 8/1/2024) Task 1.2: Partner with the County on property within Holladay and coordinate annual conversations. (Started in 2023)
Action 2: Conduct a process and policy establishment study, designed to require new higher density developments to have a minimum percentage of the dwellings to be set aside for lower income households through the possibility of density bonuses and/or other tools	Task 2.1: Create a study committee (including the County) to review mixed use properties and help develop a process and possible inclusionary policy, revisit on an annual basis to make adjustments as needed to the process. (Starting in 2025) (Who to invite to be a part of this study committee?) Task 2.2: Coordinate monthly meetings with the Study Committee to evaluate possible affordable housing opportunities and how we can best use our set-aside funds in new developments. (Starting in 2025)

STRATEGY X: Demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing §10-9a-403(2)(b)(iii)(X)

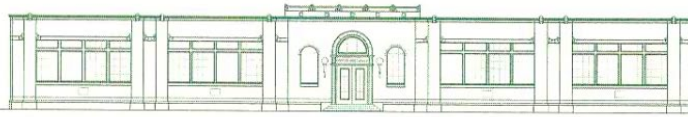
Goal: 1 and 3

Action 1: Collect and access housing and demographic data to determine immediate and future housing needs and goals.	Task 1.1: Collect baseline data, evaluate and analyze and post results on the website on an annual basis. (Starting 2024)
Action 2: Apply for CDBG funds to create a Housing Rehabilitation Program or Neighborhood Improvement Program if awarded.	Task 2.1: Annually budget and apply for CDBG funding. (Starting 2024) Task 2.2: Create a Housing Rehabilitation Program with guidelines and application, revise annually if needed. (Starting 2025 if awarded grant) Task 2.3: On an annual basis identify areas that qualify as eligible census tracts for Moderate Income residents. (Starting 2024)
Action 3: Promote Fair Housing	Task 3.1: Promote on our city's website fair housing practices by making available links and information on agencies that offer fair housing services. Revise annually or as information changes. (Starting 2024) (Reported on 8/1/2024)
Action 4: Promote Senior Housing Opportunities	Task 4.1: Research and build a list of senior housing services to assist our aging population with resources to find housing



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		and services. Revise annually or as information changes (Starting 2024) Task 4.2: Add a list of Senior housing opportunities to the City's website and continue to update annually (Starting 2024)
Action 5: Promote and provide water and energy conservation information to our residents.		Task 5.1: Research programs for residents on water, solar and other energy conservation improvement programs to assist and ease the stress of high housing costs. Update annually or as needed (Starting 2024) (reported on 8/1/2024) Task 5.2: Promote these programs on the city's website and update biannually. (Starting 2024) (Reported on 8/1/2024)
Action 6: Provide residents with a list of apartments with various accommodations.		Task 6.1: Gather all city-wide apartments contact information and update annually on our city's website to assist residents in finding housing in Holladay (Starting 2024)
Action 7: Offer Rental Subsidies or Down Payment Assistance information to eligible residents.		Task 7.1: Provide opportunities to offset rising housing costs and promote reinvestment in existing single family residential areas to MIH residents. Research opportunities on an annual basis. (Starting 2026)



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ADDENDUM:

BACKGROUND

In March of 2022 the Utah State Legislature passed [House Bill 462 \(HB 462\)](#), requiring that municipalities take additional steps to ensure that local planning efforts focus on removing barriers preventing the construction or preservation of needed housing at moderate income levels throughout the state. Moderate income is defined as those persons/families with household incomes less than eighty percent (80%) of the COUNTY area median income level. (AMI).

Specifically, HB 462 requires a municipality to establish baselines of current housing stock. Based upon this data, the Land Use Authority shall adopt strategies within their general plan focused on moving the needle toward increasing numbers based upon population. To accomplish this, the bill provides a “menu” of twenty-four strategies municipalities must select from. In addition to adopting the selected strategies, a municipality shall develop actionable and measurable implementation plans for each chosen strategy, adopt them in their General Plan and provide a yearly report to the state via the Department of Workforces Services on steps the city has accomplished making affordable housing more attainable.

CED staff has identified three additional strategies to the six that have already been identified in the Third Revision from February 2023. There are a total of nine (9) items from the required list that are most supported by current and future goals of the City and that can be most reasonably studied and/or implemented. These amendments are presented for review with a recommendation to forward to the City Council.

KEY FACTS

- Holladay is classified as a “Class 3” municipality, having a population of 30k to 65k.
- Holladay does not have fixed-guideway public transit station (rail or bus rapid transit corridor)
- The FY 2024 HUD AMI is \$115,500 for Salt Lake County
- HB 462 modifies and expands the menu items and requires that municipalities review their moderate-income housing plans and update items with implementation elements.
- Implementation elements must include a timeline that has specific benchmarks for each chosen strategy but provides flexibility for the municipality to make adjustments.
- *Minimum adoption of menu item remains at 3 for cities without fixed guideway transit and 5 for those with fixed guideway transit (one of which is required to be the adoption of Station Area Plan). **If a city selects 5 (or 6 for fixed rail cities) and annually reports on them, then those cities would qualify for enhanced prioritization of state TIF/TTIF and ARPA local match program funds.***

LONG RANGE GOAL:

Staff is confident that the predominant goal for Moderate-Income Housing is clearly stated in Chapter 5 of the 2016 General Plan and the additional statement that was added in the February 2023 revision of the MIH Plan:

1. *Provide the opportunity for development of housing options for different ages, lifestyles, and incomes.*
2. *Accommodate additional new dwellings by focusing appropriate additional dwellings within existing and redeveloping neighborhoods and mixed-use districts, throughout the City.*
3. *Provide a diversity of housing through a range of types and development patterns to expand housing product types which support moderate-income housing options available to existing and future residents.*

COUNCIL STAFF REPORT

MEETING DATE: March 6, 2025

SUBJECT: Code Amendment – Amendments to Title 5 and Title 13 related to Home-based Microschools & Micro-education Entities

SUBMITTED BY: Ann Garcia, Economic Development & Housing Manager

ACTION: *Legislative. Motion of final decision/action*

SUMMARY:

On behalf of City of Holladay, the Community Development Department is proposing to amend Title 5, Business Licenses and Regulations. The amendments have been reviewed by an interdepartmental team consisting of the Public Works, Legal, Community Development, and Public Utilities Departments. The purpose of the code amendments is to implement new state legislation (SB13) relating to Education Entity Amendments and to comply with the provisions of the Utah Municipal Land Use, Development and Management Act. The proposed code changes would effectively permit microschools in all zones across Utah and the law reduces the building occupancy laws.

Background:

During the 2024 Utah Legislative Session, [Senate Bill 13](#) was passed, which provides Home-based Microschools and Micro-education Entities with similar requirements, waivers, and rights as private and charter schools. A Micro-education Entity provides kindergarten through grade 12 education services for up to 100 students, while a Home-based Microschool provides K - 12 education services for up to 16 students from a residential dwelling or property. Of significance is that cities are required to allow both of these schools in all zoning districts within a city, similar to charter and public schools (see UCA 10-9a-305(7)(a)). The proposed code amendments will bring various sections of the City's land use code into compliance with these new state law provisions. The code amendments also bring existing references to charter and public schools into compliance with the Utah Code.

A summary of the key points of [Senate Bill 13](#) are described as follows:

- Definitions for Home-based Microschool and Micro-education Entity are provided (see UCA 53G-6-201):
 - *Home-based microschool* means an individual or association of individuals that registers as a business entity in accordance with state and local laws; and provides kindergarten through grade 12 education services for compensation, to 16 or fewer students from an individual's residential dwelling, accessory dwelling unit, or residential property. A home-based microschool does not include a daycare.
 - *Micro-education entity* means a person or association of persons that registers as a business entity in accordance with state and local laws; and provides kindergarten through grade 12 education services for compensation to 100 students or fewer. A micro-education entity does not include a daycare, home-based microschool, private school, commercial school, or a school within the public education system.

- A municipality is required to allow a home-based microschool and micro-education entity as a permitted use in all zoning districts (see UCA 10-9a-305(7)(a)).
- Cities are authorized to apply certain restrictions on home-based microschool and micro-education entity. For example, cities may require a business license and regulate parking, traffic, hours of operation and site development, as well as regulate the location if it is necessary to avoid risks to health or safety (see UCA 10-9a-305(10)).
- Microschools must have at least 35 square feet per student.
- Micro-Education Entity shall have enough space for at least 20 net square feet per student.
- Microschools must file with the state and municipality as a business.
- Parking requirements for microschools cannot exceed the minimum requirements for other public institutions or schools in the county.
- Microschools may be prohibited from locations that would go against the purpose of a zone for sexually oriented businesses or alcohol sales.
- Local governments can adopt additional standards for microschools, such as parking, traffic, hours of operation, and setback, height, and bulk regulations.
- Home-based microschools must have a minimum of one parking space for each non-resident employee, plus one additional space. They must also have a secure outdoor play area and each room must have a carbon monoxide and smoke detector.
- A micro-education entity may operate a facility that meets Group E Occupancy or a Class B Occupancy requirement as defined by the IBC as incorporated by Subsection [15A-2-103\(1\)\(a\)](#) and UCA [10-9a-305\(7\)](#).

PROPOSED ORDINANCE, CONSIDERATIONS:

The purpose of the code amendments is to implement new state legislation relating to home-based microschools, micro-education entities, charter schools and public schools to ensure Holladay's Code is consistent with the State Code. The proposed code changes would effectively ease zoning and building occupancy laws for these uses.

The changes relating to microschools and micro-education entities in Title 13 included adding definitions of each that match the State's definitions and permitted, with standards in all zones in the table of allowed uses. These changes received a positive recommendation from the Planning Commission on February 4, 2025.

SUMMARY OF CHANGES:

The following is a summary of the proposed changes to Title 5:

- Chapter Addition to Title 5: 5.63 Home Based Microschool and Micro-Education Entities

The following is a summary of the proposed changes to Title 13:

- Amendment to Chapter 13.100 Appendix A – Allowed Uses – Permitted, with standards
- Amendment to Chapter 13.04.040: Definitions

RECOMMENDATION:

Staff recommends that the City Council amend Title 13, Chapter 13.100 and Chapter 13.04.040 in addition to Title 5, chapter addition of 5.63 Home Based Microschool and Micro-Education Entities,

of the Holladay City Code, related to home-based microschools, micro-education entities, charter schools, and public schools as shown in Exhibit “A & B” based on the following:

1. Compliance with new state law provisions of SB13.
2. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within the City of Holladay

ATTACHMENTS:

A: Title 5 Amendments

B: Title 13 Amendments

FISCAL IMPACT:

None

SUGGESTED MOTION:

Continue to Work session

CHAPTER 13.04 DEFINITIONS

HOME-BASED MICROSCHOOL: An individual or association of individuals that registers as a business entity in accordance with state and local laws; and, for compensation, provides kindergarten through grade 12 education services to 16 or fewer students from an individual's residential dwelling, accessory dwelling unit, or residential property. Does not include a daycare. See UCA 53G-6-201.

MICRO-EDUCATION ENTITY: a person or association of persons that: registers as a business entity in accordance with state and local laws; and, for compensation, provides kindergarten through grade 12 education services to 100 students or fewer. Does not include a daycare, a home-based microschool, a private school, or a school within the public education system.

CHAPTER 13.100.010: TABLE OF ALLOWED USES

Use	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-2 1, R-1-4 3, R-1-8 7	R-2- 8/ R-2-10	R-M		PO	HCR		O-R-D	P	RO		NC	C-1	C-2	HV	R/M-U	LU
Use				All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-2 1, R-1-4 3, R-1-8 7	R-2- 8/ R-2-10	R-M	PO	HCR	O-R-D	P	RO	NC	C-1	C-2	HV	R/M-U	LU
	<u>Micro-education Entity</u>			<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>	<u>p23</u>		

23. Business license required and subject to all regulations in Title 5.63 “Home-Based Micro-schools and Micro-Education Entities”

TITLE 5 - BUSINESS LICENSES AND REGULATIONS

CHAPTER 5.63 - HOME-BASED MICROSCHOOLS AND MICRO-EDUCATION ENTITIES

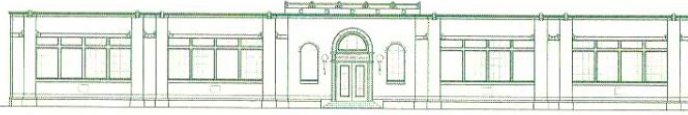
5.63.080: REGULATIONS ON THE LOCATION THAT ARE NECESSARY TO AVOID RISKS TO HEALTH OR SAFETY

While a home-based microschool or micro-education entity is considered a permitted use in all zoning districts within the city, some locations may have risks to health or safety.

- A. Certain designated zones within the city allow for a sexually oriented business or a business which sells alcohol. A charter school or a micro-education entity may be prohibited from a location which would otherwise defeat the purpose for the zone unless the charter school or micro-education entity provides a waiver.

City of Holladay Proposed Budget Amendment				
	FY25 Original Budget	Proposed Change	FY25 Proposed Amended Budget	
General Ledger Account Description				Description
General Fund				
Revenues				
Appropriated Fund Balance	(1,084,153)	(44,311)	(1,128,464)	Appropriation of FB for part-time positions
TOTAL RECOMMENDED REVENUE BUDGET ADJUSTMENTS - GENERAL FUND	\$ (1,084,153)	\$ (44,311)	\$ (1,128,464)	
Expenditures				
Justice Court Salaries & Wages - Full-Time	245,079	15,625	260,705	Additional part-time Court Clerk
Justice Court Employee Benefits	106,942	4,628	111,570	Additional part-time Court Clerk
Community Development Salaries & Wages	503,397	18,560	521,957	Additional part-time Building Inspector
Community Development Employee Benefits	293,413	5,497	298,910	Additional part-time Building Inspector
TOTAL RECOMMENDED EXPENDITURE BUDGET ADJUSTMENTS - GENERAL FUND	\$ 1,148,830	\$ 44,311	\$ 1,193,141	
Arts Fund				
Revenues				
Creative Aging Utah Arts and Mueseums	-	(3,000)	(3,000)	Creative aging grant
Appropriation of Fund Balance	(39,000)	(10,000)	(49,000)	Appropriation of FB for seasonal arts
TOTAL RECOMMENDED REVENUE BUDGET ADJUSTMENTS - ARTS FUND	\$ (39,000)	\$ (13,000)	\$ (52,000)	
Expenditures				
Holladay Theater Company	-	5,000	5,000	Holladay Theater Company Licensing
Salaries & Wages	55,250	5,000	60,250	Seasonal Arts Coordinator
Creative Aging Class	-	3,000	3,000	Creative Aging Grant
TOTAL RECOMMENDED EXPENDITURE BUDGET ADJUSTMENTS - ARTS FUND	\$ 55,250	\$ 13,000	\$ 68,250	
Grants Fund Fund				
Revenues				
TRCC Auditorium Design	-	(22,500)	(22,500)	Holladay City Hall Auditorium Renovation Design
Transfer from Capital Projects	-	(7,500)	(7,500)	Transfer from Capital Projects TRCC Grant
TOTAL RECOMMENDED REVENUE BUDGET ADJUSTMENTS - GRANTS FUND	\$ -	\$ (30,000)	\$ (30,000)	
Expenses				
TRCC Auditorium Design	-	30,000	30,000	Holladay City Hall Auditorium Renovation Design
TOTAL RECOMMENDED EXPENSE BUDGET ADJUSTMENTS - GRANTS FUND	\$ -	\$ 30,000	\$ 30,000	
Capital Projects Fund				
Revenues				
Interest Earnings	-	(550,000)	(550,000)	Previously unallocated interest on CP Fund cash
Approp Fund Balance	(2,643,240)	156,506	(2,486,734)	Reduction of appropriation of FB from interest earnings
TOTAL RECOMMENDED REVENUE BUDGET ADJUSTMENTS - CAPITAL PROJECTS FUND	\$ (2,643,240)	\$ (393,494)	\$ (3,036,734)	
Expenditures				
Murray Holladay Road Signal Reconstruction	-	350,000	350,000	Signal reconstruction Murray Holladay Road
ADDITIONAL PAVING PROJECTS	544,380	(335,988)	208,392	Paving bond projects came in under budget
Bridge repairs	1,036,874	371,982	1,408,856	Reallocating bond proceeds/ Interest to other projects
Transfer to Grants Fund	-	7,500	7,500	Transfer from Capital Projects TRCC Grant
TOTAL RECOMMENDED EXPENDITURE BUDGET ADJUSTMENTS - CAPITAL PROJECTS FUND	\$ 1,581,254	\$ 393,494	\$ 1,974,748	

General Ledger Account Description	FY25 Original		FY25 Proposed		Description
	Budget	Proposed Change	Amended Budget		
Storm Water Fund					
Revenues					
Approp Fund Balance	(8,526,618)	(330,299)	(8,856,917)	Appropriation of bond proceeds interest for projects	
TOTAL RECOMMENDED REVENUE BUDGET ADJUSTMENTS - STORM WATER FUND	\$ (8,526,618)	\$ (330,299)	\$ (8,856,917)		
Expenses					
Holladay Blvd stormwater impro	50,000	(50,000)	-	Storm Water bond project came in under budget	
Casto Lane Stormwater improve	675,000	(114,218)	560,782	Storm Water bond project came in under budget	
Hillsden Drive to BCC	675,000	(85,000)	590,000	Storm Water bond project came in under budget	
Howey Drive Storm Drain Upsize	225,000	(225,000)	-	Storm Water bond project came in under budget	
Jungle Outfall on 1300 E	1,100,000	(315,252)	784,748	Storm Water bond project came in under budget	
Moor Dale Lane realignment	1,750,000	(289,640)	1,460,360	Storm Water bond project came in under budget	
Cottonwood Lane Stormwater Pro	800,000	(249,497)	550,503	Storm Water bond project came in under budget	
Waterways, Curb & Gutter rep	500,000	701,709	1,201,709	Reallocating bond proceeds/ Interest to other projects	
Corragated Metal Pipe Replac	2,500,000	957,198	3,457,198	Reallocating bond proceeds/ Interest to other projects	
TOTAL RECOMMENDED EXPENSE BUDGET ADJUSTMENTS - STORM WATER FUND	\$ 8,275,000	\$ 330,299	\$ 8,605,299		



City of Holladay
CITY COUNCIL

CITY OF HOLLADAY COUNCIL SUMMARY REPORT

MEETING DATE: March 6, 2025

SUBJECT: Budget Amendment for Public Services Projects

SUBMITTED BY: Jared Bunch, P.E., Public Services Director

SUMMARY

The City of Holladay has been completing several projects associated with bond funds. Many of the projects have come in under budget, freeing up available funds for additional projects. In addition, the bond funds have earned just under \$2M in interest. The following is a short narrative of the requested changes to bond budgets to spend the available money.

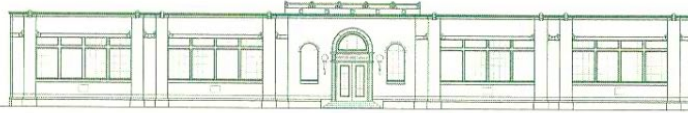
STORM DRAIN PROJECTS:

Storm drain projects on Holladay Blvd, Casto Lane, Hillsden Drive, Howey Drive, Jungle Outfall, Moor Dale Lane, and Cottonwood Lane have been completed under budget. A budget amendment is requested to transfer the leftover balances to other bond projects.

STORM DRAIN LINING BUDGET:

Phase 1 of the Storm Drain Lining Project was found to be very successful and a cost-effective way to retrofit corroded storm drain pipes. As staff have continued to map our storm drain system and video more pipes, it has become apparent that more pipe lining would be warranted. Staff is requesting an additional \$957,198 from the bond budget to continue lining existing storm drain pipes that have been found to be in poor condition. See enclosed before and after photos of a storm drain pipe recently lined.





**City of Holladay
CITY COUNCIL**

CURB & GUTTER AND WATERWAY REPLACEMENT BUDGET:

The curb and gutter replacement program last summer was very popular and very much needed. The project goes a long way in protecting the road structure, increasing aesthetics, and eliminating mosquito breeding opportunities. There are many more curbs in the city in similar conditions. Staff requests an additional \$701,709 from the bond budget to continue replacing sunken and deteriorated curbs throughout the city.

The following is a list of roads with curb and gutter to be replaced in each category.

LONE PEAK DRIVE NEIGHBORHOOD

Fair Oaks Drive	Neighbor Lane/Barcon Road
Edgewood Drive	Winward Drive
Lone Peak Drive	1695 South
Lakewood Drive	

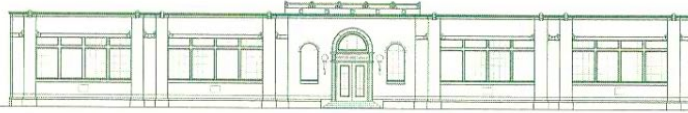
STREETS RECEIVING A MILL AND OVERLAY

Mercury Drive	2700 East
2275 East	Northwood Road
Wayman Lane	Waimea Way
5495 South	Heather Circle
Tolcate Woods Lane	Holladay Blvd

CITIZEN REQUEST SPOT REPAIR

Indian Rock Road	Woodcrest Drive
Gurene Drive	Morningside Drive
3120 East	3075 East
Delsa Drive	4505 South
Beaumont Drive	Holly Lane
Various others	





**City of Holladay
CITY COUNCIL**

HIGHLAND CIRCLE BRIDGE DECK REPLACEMENT BUDGET:

The roadway deck on the Highland Circle Bridge over Big Cottonwood Creek (behind the liquor store) is failing and has many large potholes that have been poorly patched. The rebar in the concrete deck is corroding from the chlorides that have been applied to the concrete to melt ice. Replacement of the deck is recommended. The project includes filling in the open space between the two lanes, repainting the girders, and replacing the barriers to meet current safety standards. Staff recommends approving \$371,982 from the bond budget to increase the funding available for this project.

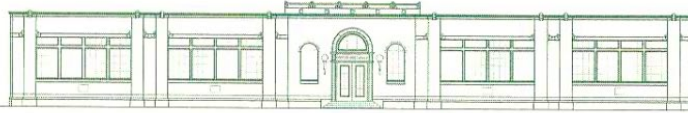
MURRAY HOLLADAY TRAFFIC SIGNAL RECONSTRUCTION

The traffic signal on Murray Holladay Road and 1950 E is old and failing. The conduits have collapsed, the pedestrian push buttons don't work, the signal head shrouds are broken, and the vehicle detection is faulty. Staff recommends approving \$350,000 to reconstruct the signals.

PAVING PROJECTS

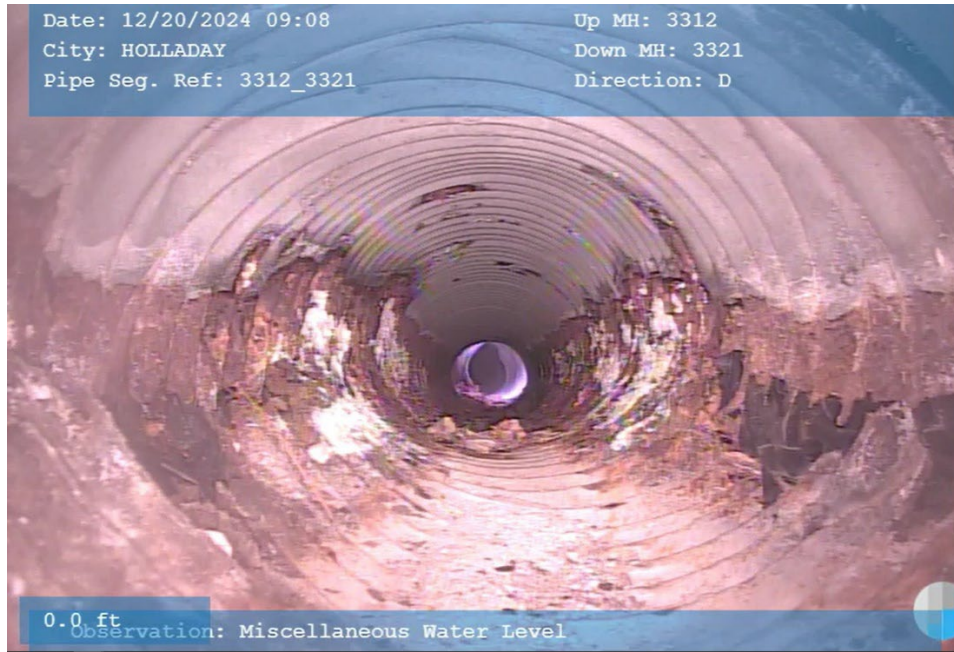
We project an available budget of \$208,92 in the capital project bond fund. Staff recommends programming this budget for mill and overlay pavement preservation.





**City of Holladay
CITY COUNCIL**

**STORM DRAIN LINING
BEFORE:**



AFTER:



TITLE 10

PUBLIC WELFARE

General Provisions	10.01
Interference with Public Officers	10.02
Gambling	10.03
Sex Offenses	10.04
Disorderly Conduct	10.05
Property Damage and Trespass	10.06
Psychoactive Drugs	10.07
Curfew	10.08
Failure to Supervise a Minor	10.09
Weapons	10.10
Deference to State Code	10.11

CHAPTER 10.01

GENERAL PROVISIONS

SECTION

- 10.01.010: **Definitions**
- 10.01.020: **Severability**
- 10.01.030: **Misdemeanor**
- 10.01.040: **Minors; Unlawful Procurement**

10.01.010: **DEFINITIONS**

ADULT TOY: Any object or device primarily used to facilitate sexual pleasure.

ALCOHOLIC PRODUCT: Defined in Utah Code [§ 32B-1-102](#).

CODE BLUE ALERT: Defined in Utah Code [§ 35A-16-701](#).

CUSTODIAN: The parent, guardian, caretaker, or other custodian legally tasked with the care, supervision, and responsibility of a minor.

DELINQUENT ACT: An act which would constitute an infraction, misdemeanor, or felony if committed by an adult.

EDUCATIONAL INSTITUTION: Any institution which provides educational services, including schools, colleges, and universities.

EMERGENCY ERRAND: Any errand or travel taken to prevent or mitigate an emergency. Examples include obtaining medications for illness and seeking assistance from emergency responders for injury, disaster, or criminal activity.

FURNISH: Defined in Utah Code [§ 32B-1-102](#).

GAMBLING PLACE: Any real or personal property where gambling is played, conducted, or dealt upon.

GRAFFITI: Defined in Utah Code [§ 76-6-101](#).

GRAFFITI INSTRUMENT: Any tool, substance, or other article designed or commonly used to create or place illustrations, inscriptions, or other markings.

LOITERING: Idling, wandering, lingering, or otherwise remaining in a location without clear purpose for an extended time.

MINOR: Any unemancipated person who is not a member of the armed forces of the United States and who is under the age of 18 unless (1) otherwise specified; or (2) modified by statute.

PORNOGRAPHIC MATERIAL: Defined in Utah Code [§ 76-10-1203](#).

PROOF OF AGE: Defined in Utah Code [§ 32B-1-102](#).

PUBLIC GROUNDS: Any real property owned—in whole or in part—by the U.S. or state of Utah, upon which camping or sleeping has not been authorized.

PUBLIC PLACE: Any place open to the public—whether publicly or privately owned—such as streets, sidewalks, and commercial establishments.

10.01.020: SEVERABILITY

If any provision of this title is deemed invalid, the remaining provisions shall remain in full effect.

10.01.030: MISDEMEANOR

Unless otherwise specified, a “misdemeanor” denotes a Class-B misdemeanor.
[waiting for prosecutor input]

10.01.040 **MINORS; UNLAWFUL PROCUREMENT**

For any provision of this code that restricts a minor’s access to items or services, it is a misdemeanor for (1) a minor to solicit the help of an adult to procure these restricted items or services; or (2) an adult to procure these restricted items or services for a minor.

CHAPTER 10.02 INTERFERENCE WITH PUBLIC OFFICERS

SECTION

10.02.010: **Obstructing a Legal Process**

10.02.010: **OBSTRUCTING A LEGAL PROCESS**

In addition to obstruction of justice in a criminal proceeding per Utah Code [§ 76-8-306](#), it is a misdemeanor to knowingly resist or obstruct (1) the authorized service or execution of any civil or criminal process; or (2) any court order.

CHAPTER 10.03 GAMBLING

SECTION

10.03.010: **Gambling Places**

10.03.020: **Seizure and Sale of Property**

10.03.010: **GAMBLING PLACES**

- A. Knowingly allowing one’s property to be used as a gambling place is a misdemeanor.
- B. **Revocation of Certificates:** If property is determined to be a gambling place, all licenses, permits, or other certificates related to the business of the property shall be void. No voided certificate shall be reissued (1) to the property within 60 days of the voidance; or (2) to any person convicted of keeping a gambling place within one year of their conviction.

- C. **Public Nuisance:** A gambling place is a public nuisance per Utah Code § 78B-6-1107(1)(b) and may be proceeded against accordingly.

10.03.020: SEIZURE AND SALE OF PROPERTY

- A. **Seizure of Property:** Per Utah Code § 76-10-1112, the city may seize gambling debts, funds, proceeds, or devices obtained or provided in violation of the Utah Code or this chapter.
- B. **Sale of Real Property:** Per Utah Code § 77-11b-202, the court may order seized property pending to a forfeiture proceeding to be sold, leased, or rented to cover any unsatisfied judgment or fine levied under this chapter.

CHAPTER 10.04 SEX OFFENSES

SECTION

10.04.010: **Sex Paraphernalia; Distribution, Display, and Promotion to Minors**

10.04.020: **Production and Distribution of Pornography**

10.04.010: ADULT TOYS; DISPLAY AND PROMOTION TO MINORS

- A. Advertising or otherwise promoting adult toys to minors is a misdemeanor for each day of violation.
- B. **Exceptions**
1. Placing an adult toy on its designating shelving does not violate this section if the toy is not visible from outside the establishment.
 2. This section does not apply to the custodian of the minors involved.
 3. This section is not designed to restrict minors' access to over-the-counter contraceptives.

10.04.020: PRODUCTION AND DISTRIBUTION OF PORNOGRAPHY

Willfully producing, contributing to the production of, distributing, or contributing to the distribution of any pornographic material is a misdemeanor for each day of violation.

CHAPTER 10.05

DISORDERLY CONDUCT

SECTION

10.05.010: **Educational Institutions; Unlawful Acts**

10.05.020: **Consumption or Possession of Open Alcoholic Products in a Public Place**

10.05.030: **Loitering**

10.05.040: **Camping or Sleeping on Public Grounds**

10.05.050: **Fighting**

10.05.010: **EDUCATIONAL INSTITUTIONS; UNLAWFUL ACTS**

The following acts each constitute a misdemeanor:

- A. **Preventing Orderly Conduct:** Preventing or attempting to prevent the orderly conduct of the activities, administration, or classes of any educational institution.
- B. **Disturbing Students or Employees:** Annoying, assaulting, molesting, or otherwise disturbing the students or employees of any educational institution on the grounds thereof.
- C. **Loitering:** Loitering in or about the grounds of any educational institution—either on foot or in a vehicle—without lawful business in connection with the institution, such as taking lawful custody of a student or having written permission from anyone authorized to grant such.
- D. **Obscene Conduct:** Conducting lewd, wanton, lascivious, or otherwise obscene speech or behavior in or about any educational institution.
- E. **Vehicle Conduct:** Positioning a vehicle in the immediate vicinity or on the grounds of any educational institution for the purpose of (1) disturbing the students as described in paragraph B; or (2) inducing or soliciting students or employees to enter the vehicle for unlawful purposes.

10.05.020: **CONSUMPTION OR POSSESSION OF OPEN ALCOHOLIC PRODUCTS IN A PUBLIC PLACE**

Consumption or possession of an open alcoholic product in a public place not authorized by statute or permit is an infraction.

10.05.030: LOITERING

- A. **Prohibited Acts:** In addition to the unlawful acts provided in Utah Code §§ 76-9-702.8 and 76-9-903, the following acts of loitering are prohibited:
1. Loitering under circumstances that warrant alarm for the safety of persons or property in the vicinity.
 2. Loitering in or about a school, college, or university as described in 10.05.010.
 3. Loitering in any public or private place—on foot or in a vehicle—under circumstances which suggest a crime is imminent or taking place.
 4. Loitering in any public place for the purpose of begging.
- B. **Police Inquiry and Request to Vacate:** Upon reasonable suspicion of unlawful loitering, a police officer shall inquire as to the apparent loiterer's purpose. This person must present the police officer with an explanation of their lawful business. If not reasonably sufficient, the apparent loiterer must vacate the premises at the request of the police officer. An explanation is not reasonably sufficient if the person's activity:
1. Causes a breach of the peace;
 2. Causes an obstruction to vehicular or pedestrian traffic; or
 3. Is reasonably consistent with or suggestive of any prohibited act of loitering in paragraph A.
- C. **Penalty:** Each prohibited act of loitering is a misdemeanor if the apparent loiterer fails to comply with the police officer's request to vacate the area.
- D. **Exception:** No person shall be convicted under this section if (1) the person's explanation of their lawful business to the police officer was true; and (2) such explanation would have dispelled the alarm if believed by the police officer.

10.05.040: CAMPING OR SLEEPING ON PUBLIC GROUNDS

- A. Placing or utilizing any sort of shelter or camping equipment—including tents, sleeping bags, cookware, fires, or other camping equipment—or sleeping on public grounds is prohibited. Any violator of this section must remove the equipment and/or cease sleeping on the premises at the request of a police officer.
- B. **Penalty:** A violation of this section is a misdemeanor if the violator fails to comply with the officer's request within five minutes of issuance.

- C. **Exception:** Per Utah Code [§ 35A-16-703](#), when enforcing this ordinance during a code blue alert, law enforcement may not seize any item used for survival in cold weather—including clothing, blankets, tents, and sleeping bags—from homeless individuals.

10.05.050: **FIGHTING**

- A. It is unlawful for two or more persons to engage in physical combat.
- B. **Penalty:** A violation of this ordinance is a Class C misdemeanor.
- C. **Exception:** Per Utah Code [§ 76-2-402](#), an individual engaged in such physical combat is not guilty of violating this ordinance if done so in self-defense.

CHAPTER 10.06 PROPERTY DAMAGE AND TRESPASS

SECTION

10.06.010: **Property Destruction; Offensive-Smelling Compounds**

10.06.020: **Graffiti; Removal Process and Presumptive Evidence**

10.06.030: **Trespass on City Property**

10.06.040: **Trespass from a Public Recreational Trail**

10.06.050: **Placing Printed Matters on Vehicles**

10.06.010: **PROPERTY DESTRUCTION; OFFENSIVE-SMELLING COMPOUNDS**

In addition to the unlawful acts provided in Utah Code [Title 76, Chapter 6, Part 1](#), the knowing deposition of any offensive-smelling compound—such as skunk spray, stink bombs, or deterrent sprays—on property without the permission of the owner constitutes property destruction, a misdemeanor.

10.06.020: **GRAFFITI; REMOVAL PROCESS AND PRESUMPTIVE EVIDENCE**

- A. **Removal Process:** Graffiti shall be removed according to the following provisions:
 - 1. **Notice:** The owner of graffitied property must remove such graffiti. Per Utah Code [§ 76-6-107](#), if the owner fails to remove the graffiti within five days, the city shall issue the owner a notice detailing (1) the presence of the graffiti; (2) the requirements of removal provided by this section; (3) resources

available to assist the owner with removal; and (4) that the graffiti will be removed by the city at the expense of the owner if the owner fails to remove the graffiti within seven days of the date of this notice. The notice shall be issued in person or by certified mail to the owner's last known address.

2. **Appeal:** The owner may object to the required graffiti cleanup by filing an appeal with the city manager or their designee within five days of the date of the notice.
 - a. Per Utah Code [§ 76-6-107](#), if the property owner is unable to remove the graffiti due to physical or financial hardship, the city (1) may not issue a citation or assess a fee to the property owner for failing to remove the graffiti; and (2) shall provide the assistance necessary to remove the graffiti.
 3. **Owner Liability:** If the time for appeal has lapsed and the city has removed the graffiti, the owner shall pay the city for the removal within 20 days of the billing date.
 - a. If the owner fails to pay, the city may sue for the costs of removal and suit, including interest, attorney fees, and court fees.
 4. **Volunteer Services:** The city may seek cleanup supplies and volunteer labor to provide graffiti cleanup services under this chapter.
- B. **Presumptive Evidence:** Possessing any graffiti instrument—such as a spray paint can—under circumstances reasonably suggesting an intent to use such instrument to graffiti another's property—such as possession in a public building, alley, or park—constitutes presumptive evidence of such an intent.

10.06.030: TRESPASS ON CITY PROPERTY

Entering or remaining on city property after being ordered to keep off or vacate by a police officer is a misdemeanor.

10.06.040: TRESPASS FROM A PUBLIC RECREATIONAL TRAIL

Willfully leaving the boundaries of a public recreational trail and travelling across private property which has been clearly marked as such with signage is a misdemeanor for each day of violation.

10.06.050: PLACING PRINTED MATTERS ON VEHICLES

- A. Directly or indirectly distributing any printed matter—including pamphlets, handbills, cards, booklets, or placards—in or on any vehicle is a misdemeanor for each day of violation.
- B. **Exception:** This ordinance does not apply to notices of parking violations or the distribution of any matter the vehicle owner has consented to.

CHAPTER 10.07 PSYCHOACTIVE DRUGS

SECTION

10.07.010: **Proof of Age; Refusing Service**

10.07.010: **PROOF OF AGE; REFUSING SERVICE**

- A. To avoid violating the Alcoholic Beverage Control Act (Utah Code [Title 32B](#)), any establishment licensed to furnish alcoholic products may refuse to sell such products to any individual who is (1) unable to produce valid proof of age; (2) actually or apparently intoxicated; (3) a known habitual drunkard; or (4) a known interdicted person.
- B. To avoid violating Utah Code [Title 76, Chapter 10, Part 1](#), any establishment licensed to furnish cigarette, tobacco, or nicotine products may refuse to sell such products to any individual who fails to produce valid proof of age.

CHAPTER 10.08 CURFEW

SECTION

10.08.010: **Curfew for Minors**

10.08.020: **Curfew for Minors Under 16**

10.08.030: **Custodial Liability**

10.08.040: **Business Liability**

10.08.050: **Exceptions**

10.08.060: **Enforcement**

10.08.010: **CURFEW FOR MINORS**

A minor shall not remain or loiter in any public place between the hours of 1:00 A.M. and 5:00 A.M.

10.08.020: CURFEW FOR MINORS UNDER 16

A minor under the age of 16 shall not remain or loiter in any public place between the hours of 11:00 P.M. and 5:00 A.M.

10.08.030: CUSTODIAL LIABILITY

The custodian of any minor shall not allow the minor to violate the provisions of this chapter.

10.08.040: BUSINESS LIABILITY

A business owner shall not allow a minor to remain on the premises in violation of the minor's applicable curfew unless the minor is an employee.

10.08.050: EXCEPTIONS

The provisions of this chapter shall not apply to any circumstances wherein the minor is:

- A. Accompanied by a custodian.
- B. Working in an occupation which requires the minor's presence in public places for work or travel.
- C. Conducting an emergency errand directed by the minor's custodian.
- D. Travelling on an interstate.
- E. Travelling between the minor's residence and a place where any religious, municipal, social, entertainment, sporting, political, library, or school function is occurring.
- F. Within the immediate vicinity of the minor's residence.

10.08.060: ENFORCEMENT

Arrest and Citation Of Minor: Any minor who violates the provisions of this chapter is subject to arrest and citation.

Return to Custody Of Parent: Following arrest and citation (if issued), the minor shall be returned to the custodian.

Refusal to Take Custody: If a minor violates this chapter and is arrested by a police officer in accordance with this section, it is unlawful for the minor's custodian to refuse to take custody of the minor within a reasonable time of the police officer's request to do so.

Penalty: Unless otherwise specified, any violation of this chapter is a misdemeanor for the specified parties.

CHAPTER 10.09 FAILURE TO SUPERVISE A MINOR

SECTION

10.09.010: **Intent and Purpose**

10.09.020: **Failure to Supervise a Minor**

10.09.030: **Affirmative Defenses**

10.09.040: **Minor's Conviction Not Required**

10.09.050: **Penalty; Counseling**

10.09.010: INTENT AND PURPOSE

The increasing number of criminal episodes committed by children demonstrates a threat to family stability and a breakdown of meaningful parental supervision. Guardians who fail to effectively guide, teach, and control their children should be held accountable. Those who need assistance and training in fulfilling their parental duties should be aided, and those who neglect their duties should be criminally sanctioned. This chapter should be construed to achieve these remedial objectives.

10.09.020: FAILURE TO SUPERVISE A MINOR

A custodian commits failure to supervise a minor if the custodian:

- A. Fails to provide reasonable supervision of the minor or aids, contributes, or becomes responsible for the neglect, abuse, or delinquent acts of the minor. This failure occurs if:
 - 1. Within a two-year period, the minor commits three or more delinquent acts;

2. The custodian fails to fulfill counseling requirements ordered by a court;
 3. The custodian fails to take reasonable disciplinary or remedial action in response to the minor's delinquent acts; or
 4. The custodian's acts or failures to act demonstrate a willful lack of commitment to prevent the minor's future commission of delinquent acts.
- B. Contributes to the delinquency of the minor per Utah Code [§ 76-4-206](#).
- C. Aids, contributes to, or becomes legally responsible for the neglect, abuse, or delinquent acts of the minor.
- D. Abuses, neglects, or abandons the minor in any manner likely to cause the minor unnecessary suffering or serious injury to health or morals.

10.09.030: **AFFIRMATIVE DEFENSES**

The following are affirmative defenses against violations of this chapter:

- A. The custodian was a victim of the minor's delinquent act.
- B. The custodian reported the minor's delinquent act to an appropriate governmental authority at or near the time of the act.
- C. The custodian provided reasonable supervision of the minor given the totality of the circumstances. When assessing the reasonableness of supervision, the court shall consider:
 1. The severity of the minor's delinquent act(s);
 2. The amount of prior delinquent acts committed by the minor;
 3. The custodian's knowledge of the minor's delinquent act(s);
 4. The discipline, counseling, or other remedial measures taken by the custodian after obtaining knowledge of the minor's delinquent acts; and
 5. Any other action by the custodian which demonstrates a reasonable effort to prevent the minor from committing future delinquent acts.

10.09.040: **MINOR'S CONVICTION NOT REQUIRED**

A conviction for the minor's delinquent act(s) is not required to convict a custodian for a violation of this chapter.

10.09.050: **PENALTY; COUNSELING**

A violation of this chapter is a misdemeanor, and convicted custodians shall be punished accordingly:

- A. **Counseling:** Upon first conviction, the court shall require the custodian to complete an appropriate counseling program.
- B. **Community Service; Counseling:** Upon subsequent conviction, the court may require the custodian to perform community service and complete an appropriate counseling program.

CHAPTER 10.10 WEAPONS

SECTION

10.10.010: **Minors; Liability Of Custodian**

10.10.020: **Discharge Prohibited Within City Limits; Exceptions**

10.10.010: **MINORS; LIABILITY OF CUSTODIAN**

In addition to the penalties provided in Utah Code §§ [76-10-509.5](#), [76-10-509.6](#), and [76-10-509.7](#), any custodian or person with control of any minor who allows the minor to possess a dangerous weapon in violation of Utah Code § [76-10-509.4](#) is liable for any damages caused by the minor's use of the dangerous weapon.

10.10.020: **DISCHARGE PROHIBITED WITHIN CITY LIMITS; EXCEPTIONS**

In addition to the restrictions of Utah Code §§ [76-10-508](#) and [76-10-508.1](#), it is a misdemeanor to discharge any firearm within city limits unless done by (1) an individual in self-defense, defense of property, or at a licensed shooting range; or (2) a police officer in the performance of their duty.

CHAPTER 10.11 DEFERENCE TO STATE CODE

Notwithstanding any authorized additions or modifications made by this city code, the city may defer to the Utah Code—and the sections designated herein—for the following unlawful activities. This list is not exhaustive.

ABUSE OF PSYCHOTOXIC CHEMICAL SOLVENTS: § 76-10-107

ADMISSION OR PRESENCE OF MINORS IN LICENSED ESTABLISHMENTS

- A. **Dance or Concert Halls:** § 32B-6-406.1
- B. **Dining Club Licensees & Bar Licensees:** § 32B-66-406
- C. **Hospitality Amenity Licensees:** § 32B-6-1005
- D. **Small Beer-Only Restaurant Licensees:** 32B-6-905.3
- E. **State Stores:** § 32B-2-503
- F. **Unlawful Admittance or Attempt to Gain Admittance to Taverns or Bar Licensees:** § 32B-4-410

ANIMAL CRUELTY: § 76-9-301

ASSAULT: § 76-5-102

CONTRIBUTING TO THE DELINQUENCY OF A MINOR: § 76-4-206

CRIMINAL DAMAGE TO PROPERTY

- A. **Aggravated Arson:** § 76-6-103
- B. **Arson:** § 76-6-102
- C. **Causing a Catastrophe:** § 76-6-105
- D. **Damage or Destruction:** § 76-6-106.1
- E. **Damage Resulting in Economic Disruption:** § 76-6-113
- F. **Damage to or Interruption of a Communication Device:** § 76-6-108
- G. **Graffiti:** §§ 76-6-107 and 76-6-107.5
- H. **Reckless Burning:** § 76-6-104
- I. **Tampering with or Destruction of Critical Infrastructure:** § 76-6-106.3
- J. **Tampering:** § 76-6-106(2)

CRIMINAL TRESPASS TO LAND: § 76-6-206 et seq.

DISORDERLY CONDUCT: § 76-9-102

DISRUPTING A MEETING OR PROCESSION: § 76-9-103

ELECTRONIC COMMUNICATION HARASSMENT: §§ 76-9-201 and 13-25a-108

EMPLOYMENT OF MINORS TO SELL, OFFER, OR FURNISH ALCOHOLIC PRODUCTS: §§ 32B-5-308, 32B-6-406, and 32B-7-202

EMPLOYMENT OF MINORS TO SELL, OFFER, OR FURNISH TOBACCO, CIGARETTE, OR NICOTINE PRODUCTS: § 26B-7-511

EXPOSING A MINOR TO HARMFUL MATERIALS: § 76-10-1206

FAILING TO AID A POLICE OFFICER: § 76-8-307

FAILURE TO DISPERSE: § 76-9-104

GAMBLING: Title 76, Chapter 10, Part 11

- A. **Generally:** § 76-10-1102
- B. **Fraud:** § 76-10-1103
- C. **Promotion:** § 76-10-1104
- D. **Advertisement or Solicitation for Lotteries:** § 76-10-1104.5
- E. **Possessing Gambling Devices or Records:** § 76-10-1105

IMPERSONATING AN OFFICER: § 76-8-512

INDECENT PUBLIC DISPLAYS: § 76-10-1228

INTERFERENCE WITH A POLICE OFFICER: § 76-8-305

INTOXICATION: § 76-9-701

LEWDNESS: § 76-9-702

LOITERING

- A. **Gang Loitering:** § 76-9-903
- B. **In a Privacy Space:** § 76-9-702.8

OBSTRUCTION OF JUSTICE: § 76-8-306

PRODUCTION, SOLICITATION, DISTRIBUTION, AND POSSESSION OF CONTROLLED SUBSTANCES: § 58-37-8

PROFANE AND ABUSIVE LANGUAGE: § 10-8-50

PROSTITUTION: § 76-10-1302

PROVIDING FALSE INFORMATION

- A. **To a Law Enforcement Officer, Government Agency, or Specified Professional:** § 76-8-506
- B. **To a Police Officer:** § 76-8-507

PROVIDING TOBACCO, NICOTINE, OR CIGARETTE PRODUCTS TO A MINOR: §§ 76-10-104 or 76-10-114

PURCHASE, POSSESSION, AND CONSUMPTION OF ALCOHOLIC PRODUCTS BY MINORS: § 32B-4-409

PURCHASE, POSSESSION, AND CONSUMPTION OF TOBACCO, NICOTINE, OR CIGARETTE PRODUCTS BY MINORS: § 76-10-105

RIOT: § 76-9-101

SALE OF ALCOHOLIC PRODUCTS TO MINORS: §§ 32B-4-403, 32B-5-306, and 32B-2-503

SEXUAL OFFENSES COMMITTED AGAINST A MINOR: Title 76, Chapter 5, Part 4; § 76-4-401

A. Invalid Defenses

1. **Consent: § 76-5-406**
2. **Entrapment: § 76-4-401**
3. **Mistake of Age: § 76-2-304.5**

STALKING: § 76-5-106.5

TARGETED RESIDENTIAL PICKETING: § 76-9-109

THEFT: Title 76, Chapter 6, Part 4

A. Unlawful Acts

1. **Generally: § 76-6-404**
2. **By Custodian of Property: § 76-6-410**
3. **By Deception: § 76-6-405**
4. **By Extortion: § 76-6-406**
5. **By Receiving Stolen Property: § 76-6-408**
6. **Creation, Provision, or Possession of an Unlawful Device Used for Theft: § 76-6-409.1**
7. **Manufacture of Unlawful Telecommunication Device: § 76-6-409.9**
8. **Of Lost, Mislaid, or Mistakenly Delivered Property: § 76-6-407**
9. **Of Motor Vehicle Fuel: § 76-6-404.7**
10. **Of Rental Vehicles: § 76-6-410.5**
11. **Of Service: § 76-6-409**
12. **Of Utility or Cable TV Services: § 76-6-409.3**
13. **Possession of Unlawful Telecommunication Device: § 76-6-409.7**
14. **Resulting in Economic Disruption: § 76-6-414**
15. **Sale of Unlawful Telecommunication Device: § 76-6-409.8**
16. **Unauthorized Possession: § 76-6-404.5**
17. **Use of Telecommunication Device to Avoid Payment: § 76-6-409.6**

B. Evidence: § 76-6-403

C. Presumptions: 76-6-402

TRANSFERRING OR PRESENTING FALSE EVIDENCE OF AGE: § 32B-1-403

WEAPONS

A. Weapons: Title 76, Chapter 10, Part 5

B. Explosives: Title 76, Chapter 10, Part 3

C. Weapons of Mass Destruction: Title 76, Chapter 10, Part 4

TITLE 11

VEHICLES AND TRAFFIC

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CHAPTER 11.01

GENERAL PROVISIONS

SECTION

11.01.010: Definitions
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11.01.050: Local Law Enforcement Agency; Authority
11.01.060: Local Law Enforcement Agency; Obedience Required
11.01.070: Prosecution Documents
11.01.080: Penalties

11.01.010: DEFINITIONS

ALLEY: Shall have the same meaning as set forth in Utah Code Ann. § 41-6a-102.

AUTHORIZED EMERGENCY VEHICLES: Means ambulances and emergency vehicles of the United States, state and municipal governments as may be operated on the streets of the city.

BICYCLE: Every device propelled by human power upon which any person may ride, having two (2) tandem wheels, either of which is over twenty inches (20") in diameter, and including any device generally recognized as a bicycle, though equipped with more than one front or rear wheel.

BICYCLE LANE: means a portion of a highway that has been designated by a highway authority through striping, signage, pavement markings, or barriers for the preferential or exclusive use of bicycle, electric assisted bicycle, and motor assisted scooter traffic.

CITY ENGINEER: The City Engineer of the city or the appointed agent of any entity providing engineering services to the city.

CROSSWALK: That portion of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; also, any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

CROSSWALK LINE: A single white line, not less than six inches (6") in width, painted on a street marking the outlying limits of a pedestrian crossing.

DRIVER: Every person who drives or is in actual physical control of a vehicle.

HIGHWAY: Shall have the same meaning as set forth in Utah Code Ann. § 41-6a-102.

INTERSECTION:

- A. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, the lateral boundary lines or the roadway of two (2) streets that join one another at, or approximately at, right angles, or the area within which vehicles, traveling upon different streets joining at any other angle, come in conflict.
- B. Where a street includes two (2) roadways thirty feet (30') or more apart, then every crossing of each roadway of such divided street by an intersecting street shall be regarded as a separate intersection.

LIMITED ACCESS STREET, HIGHWAY OR ROADWAY: Every highway, street or roadway, with respect to which owners or occupants of abutting lands and other persons have no legal right of access except at such points and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

LOW-PROFILE MOTORIZED VEHICLE: For purposes of this section, a low-profile motorized vehicle shall mean any motorized or electric vehicle that is not regulated by the state or by any other city ordinance provision and is not otherwise permitted upon city or public property. This definition includes, but is not limited to, pocket bikes, miniature motorcycles, and any other motor or electric vehicles less than thirty-six inches in height when in its normal operating position, notwithstanding any flag, antenna, or other attachment or modifications made thereto. Low-Profile Motorized vehicle shall not include a motorized or electric device standing less than thirty-six inches, but designed to be

operated or ridden in a standing position such that the rider stands higher than thirty-six inches while in operation of the vehicle.

MOTOR DRIVEN CYCLE: Every motorcycle, including every motor scooter, with a motor that produces more than five (5) horsepower, and every bicycle with a motor attached.

MOTOR VEHICLE: Every vehicle that is self-propelled, but not operated upon rails.

MOTORCYCLE: Every motor vehicle, other than a tractor, having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground.

OWNER: A person who holds the legal title to a vehicle or, in the event a vehicle is subject to an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this title.

PARK: The standing of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of and while actually engaged in loading or unloading.

PEDESTRIAN: Any person afoot.

PRIVATE ROAD OR DRIVEWAY: Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not used by other persons.

RAILROAD: A carrier of persons or property upon cars operated upon stationary rails.

RAILROAD SIGN OR SIGNAL: Any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

RAILROAD TRAIN: A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails.

RIGHT OF WAY: The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

SAFETY ZONE: Shall have the same meaning as set forth in Utah Code Ann. § 41-6a-102.

SIDEWALK AREA: That portion of a street or highway between the curb lines of the lateral lines of a roadway and the adjacent property lines.

STOP: Complete cessation from movement.

STOP OR LIMIT LINE: A single white line not less than twelve inches (12") in width behind which vehicles must stop when directed by the Local Law Enforcement Agency's department or a traffic control device.

STOP, STOPPING OR STANDING WHEN PROHIBITED: Any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Local Law Enforcement Agency's officer or traffic control device.

STREET OR HIGHWAY: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

TRAFFIC CONTROL DEVICE: All signs, signals, traffic markings and devices of the state placed or erected by authority of a public body or official having jurisdiction, for the purposes of regulating, warning or guiding traffic.

VEHICLE: Every device in, upon or by which a person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

11.01.020: ENABLING STATUTE; ROLE OF THE CITY AND CITY ENGINEER

- A. Per Utah Code Ann. § 10-8-30, the city is authorized to regulate the movement of traffic. Per Utah Code Ann. § 41-6a-207, the city—as the “Highway Authority” defined in Utah Code Ann. § 41-6a-102—may adopt any ordinance consistent with or not in conflict with Title 41, Chapter 6a, Section 102 of the Utah Code.
- B. The City Engineer is responsible for executing all decisions made by the city in accordance with this title and the Utah Code.

11.01.030: APPLICABILITY

All vehicles using the roads and highways of the city are subject to this title.

11.01.040: TRAFFIC CONTROL DEVICES

Per Utah Code Ann. § 41-6a-906, the City Engineer, as authorized by the city, shall place and maintain traffic control devices upon city roads and highways as necessary for the provisions of this title. Each traffic control device must conform to the Utah Manual on Uniform Traffic Control Devices.

11.01.050: LOCAL LAW ENFORCEMENT AGENCY; AUTHORITY

Per Utah Code Ann. § 41-6a-102, any peace officer is authorized to enforce the traffic provisions of this title and the Utah Code, including directing traffic, issuing citations, and making arrests as required by this title.

11.01.060: LOCAL LAW ENFORCEMENT AGENCY; OBEDIENCE REQUIRED

- A. It is unlawful for any person to willfully fail or refuse to comply with any lawful order or direction of any peace officer.
- B. A peace officer shall direct all traffic in accordance with the provisions of this title.
- C. Fires: An officer of the fire department in command, or any firefighter designated by him, may exercise the powers and authority of an officer of the Local Law Enforcement Agency's department in directing traffic at the scene of any fire or where the fire department has responded to an emergency call for so long as fire department equipment is on the scene in the absence of the local law enforcement agency, or while assisting the local law enforcement agency in discharging its duties

11.01.070: PROSECUTION DOCUMENTS

The heading on prosecution documents may designate the plaintiff(s) as state of Utah, the city or any other appropriate party, and such documents will operate as a prosecution in the name of the state or in the name of the city, as may be appropriate.

11.01.080: PENALTIES

Unless otherwise stated in this city code or the Utah State Code, any violation of this title is an infraction.

CHAPTER 11.02 TRAFFIC CONTROL REGULATIONS

SECTION

- 11.02.010: Unauthorized Traffic Control Devices Prohibited; Removal
- 11.02.020: Turning at Intersections
- 11.02.030: School Zones; Designation
- 11.02.040: Crosswalks, Safety Zones, and Traffic Lanes; Designation
- 11.02.050: One-Way Highways; Designation
- 11.02.060: Limited-Access Highways; Prohibited Use
- 11.02.070: Recreational Activities on City Roads
- 11.02.080: Emergency Vehicles; Equipment and Operation; Duty of Driver
- 11.02.090: Funeral Processions; Escort; Right-Hand Driving Requirement
- 11.02.100: Highway Use; Restrictions
- 11.02.110: Vehicle Size and Weight; Restrictions
- 11.02.120: Avoiding Intersections; Annoying Patrons

11.02.130: Safety Zone Intrusions
11.02.140: Obstruction of View Prohibited
11.02.150: Truck Routes

11.02.010: UNAUTHORIZED TRAFFIC CONTROL DEVICES PROHIBITED; REMOVAL
Per Utah Code Ann. § 41-6a-309, unauthorized traffic control devices are public nuisances that the city may remove—or cause to be removed—without notice.

11.02.020: TURNING AT INTERSECTIONS

The City Engineer, as authorized by the city, may place—or require the placement of—markers or signage at any intersection that (1) direct vehicles to turn in accordance with the marker's or sign's instruction; or (2) prohibit vehicles from turning altogether.

11.02.030: SCHOOL ZONES; DESIGNATION

Per Utah Code Ann. § 41-6a-303, the City Engineer shall establish reduced-speed school zones at elementary schools. The City Engineer may also establish these zones for secondary schools.

11.02.040: CROSSWALKS, SAFETY ZONES, AND TRAFFIC LANES; DESIGNATION

The City Engineer, as authorized by the city, may designate:

- A. Crosswalks wherever deemed necessary—including to protect pedestrians from danger while crossing the roadway—per Utah Code Ann. § 10-8-25.
- B. Safety zones wherever deemed necessary for the protection of pedestrians.
- C. Traffic lanes wherever deemed advisable and consistent with this title per Utah Code Ann. § 41-6a-710.

11.02.050: ONE-WAY HIGHWAYS; DESIGNATION

Per Utah Code Ann. § 41-6a-709, the City Engineer may designate any highway, roadway, part of a roadway, or specific lanes under the highway authority's jurisdiction for one direction of vehicle travel at all times as indicated by traffic-control devices.

11.02.060: LIMITED-ACCESS HIGHWAYS; PROHIBITED USE

- A. Per Utah Code Ann. § 41-6a-715, the City Engineer may regulate or prohibit the use of any controlled-access highway within its respective jurisdiction by any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic. These regulations and prohibitions shall be indicated via traffic-control devices.

- B. No person shall violate these regulations or prohibitions.

11.02.070: RECREATIONAL ACTIVITIES ON CITY ROADS

- A. Per Utah Code Ann. § 10-8-69, no person may conduct or participate in any recreational activity on roadways, highways, or sidewalks if the conduct interferes with or impedes traffic, including sled riding; skateboarding; playing ball; flying a kite; or riding a bicycle in a manner that impedes traffic.
- B. The city may allow these otherwise prohibited activities in designated areas—indicated by signage—where precautions have been taken to protect the safety of the participants.

11.02.080: EMERGENCY VEHICLES; EQUIPMENT & OPERATION; DUTY OF DRIVER

- A. Equipment & Operation: All emergency vehicles—including police cars, firetrucks, and ambulances—shall be equipped and are authorized to operate during emergencies per Utah Code Ann. § 41-6a-212.
- B. Duty of Driver: Despite these emergency privileges, the driver of an authorized emergency vehicle shall drive with regard for the safety of all persons using the highway and exercise care to avoid colliding with a pedestrian per Utah Code Ann. § 41-6a-1004.

11.02.090: FUNERAL PROCESSIONS; ESCORT; RIGHT-HAND DRIVING REQUIREMENT

- A. Escort: A peace officer may provide an escort for funeral processions to ensure public safety or prevent disruption described in Utah Code Ann. § 76-9-108.
- B. Right-Hand Driving Requirement: A driver in a funeral procession shall drive as near to the right-hand edge of the roadway as reasonable unless a left turn is contemplated.

11.02.100: HIGHWAY USE; RESTRICTIONS

The City Engineer, as authorized by the city, may prohibit the operation of all vehicles upon any highway or road of the city or impose restrictions as to the weight of vehicles thereon for a period up to ninety (90) days in a calendar year, whenever a highway or road might otherwise be seriously damaged by deterioration or climatic conditions. All such restrictions shall be designated by appropriate signs and markings at each end of that portion of the highway affected by this chapter and shall not be effective until and unless such signs are erected and maintained. The City Engineer may prohibit the operation of trucks or other commercial vehicles, or impose limitations as to the weight thereof, on designated highways, which prohibitions and limitations shall be designated by appropriate signs or markings.

11.02.110: VEHICLE SIZE AND WEIGHT; RESTRICTIONS

All vehicles, combinations of vehicles, or combinations of vehicle and load having a length of more than forty-five feet (45'), or a width of more than eight feet (8'), or a height of more than fourteen feet (14') with or without load, are restricted vehicles.

Special permits of duration of more than one month may be issued by the city, or temporary permits for a duration of less than one month may be issued by the Local Law Enforcement Agency's department, upon application in writing and good cause being shown therefore, authorizing the applicant to operate or move a restricted vehicle upon the street of the city, or to park a vehicle in violation of city ordinances.

It is unlawful for any person to drive or move upon the roads or highways of the city any vehicle of a size or weight exceeding the limitations as provided for in this chapter

11.02.120: AVOIDING INTERSECTIONS; ANNOYING PATRONS

No person shall drive a motor vehicle through a private driveway, lot, or similar area—regardless of vacancy—to avoid obeying a traffic regulation or to annoy the area's owner or its patrons.

11.02.130: SAFETY ZONE INTRUSIONS

No person shall drive, park, or otherwise intrude in a safety zone with a motor vehicle.

11.02.140: OBSTRUCTION OF VIEW PROHIBITED

When the City Engineer determines upon the basis of an engineering and traffic investigation that a traffic hazard exists, the city shall notify the owner or occupant and order that the hazard be removed within ten (10) days.

11.02.150: TRUCK ROUTES

- A. Terms Defined: The definition of truck, truck tractor semitrailer and trailer shall have the same meaning as provided in Utah Code Annotated Section 41-6-1.
- B. Streets Designated: The following streets are designated as truck routes:
 - 1. 2300 East as extended by Holladay Boulevard from the northern city boundary to 6200 South;
 - 2. 6200 South from Holladay Boulevard to the I-215 interchange at 6200 South;
 - 3. 4500 South from the eastern city boundary to the western city boundary;
 - 4. Highland Drive from the northern city boundary to the southern city boundary;

5. I-215; and
 6. Wasatch Boulevard from the northern city boundary to the southern city boundary.
- C. Trucks Required To Use Designated Routes: All trucks, truck tractors, semitrailers and trailers and all vehicles carrying flammable liquids in excess of three thousand (3,000) gallons, explosives and corrosives, shall, except as provided herein, follow such designated truck routes and not depart therefrom. The City Manager may designate in writing temporary alternative truck routes and authorize said trucks to depart from the truck routes herein designated, for a temporary period not to exceed thirty (30) days when road repairs or other obstacles block said truck routes. The City Manager shall report such temporary authorization to the city council at the next regular scheduled council meeting.
 - D. Exception: The above truck routes shall not apply to said trucks delivering to or returning from construction sites where it is not possible to use a designated truck route, or to said trucks delivering merchandise to or from local business or local residents.
 - E. Going To Or Returning From Retail Fuel Outlet: An unladen truck or tractor may, for the sole purpose of going to or returning from a retail fuel outlet, depart from the truck routes designated herein; provided, however, said route of travel to a retail fuel outlet must be as reasonably direct as possible.
 - F. Signage Required: The City Manager shall install signs on said truck routes which indicate in words or pictures that such street is a "truck route" and install signs on major streets not designated as truck routes which indicate in words or in pictures that "trucks are prohibited". Where signs are installed indicating that trucks are prohibited, the City Manager or his designee may install additional signs to the effect that "local deliveries are permitted" in accordance with these provisions.

CHAPTER 11.03

VEHICLE CONTROL RESTRICTIONS

SECTION:

11.03.010: Improper Lookout

11.03.020: Low-Profile Motorized Vehicles; Public Property Prohibition

11.03.030: Owner's Responsibility For Improper Use Of Vehicle

11.03.040: Driving When Ill Or Fatigued

11.03.050: Negligent Collision

11.03.010: IMPROPER LOOKOUT

A person shall not drive a vehicle on a road without keeping a proper lookout for other traffic, persons, or objects on or adjacent to the road.

11.03.020: LOW-PROFILE MOTORIZED VEHICLES; PUBLIC PROPERTY PROHIBITION

A. Violation

1. It is unlawful for any person to operate a low-profile motorized vehicle upon any public property within the city including, but not limited to, public right of ways sidewalks, parks and parking lots where there is a posted speed limit in excess of 25 miles per hour.
2. It is unlawful to operate a motorized or electric vehicle that is not regulated by the state or by any other city ordinance provision and is not otherwise permitted upon city or public property which vehicle stands less than 36 inches high but is designed to be operated and ridden in a standing position such that the rider stands higher than 36 inches while in operation of the vehicle upon any public property within the city, including but not limited to, public right of ways, sidewalks, parks and parking lots where there is a posted speed limit in excess of 25 miles per hour.
3. It is unlawful for an owner to knowingly permit the operation of a low-profile motorized vehicle in violation of subsection 1 above.

B. Penalty: A violation of this section is an infraction.

11.03.040: OWNER'S RESPONSIBILITY FOR IMPROPER USE OF VEHICLE

No owner or person in control of a vehicle shall knowingly permit the vehicle to be operated by any person who is physically or mentally disabled to such an extent that such person's judgment or driving ability is impaired.

11.03.050: DRIVING WHEN ILL OR FATIGUED

No driver shall operate a vehicle if there is uncertainty caused from having a physical, mental, or emotional impairment—including fatigue—that may affect driving safety.

11.03.060: NEGLIGENT COLLISION

It is unlawful to operate a vehicle with such lack of due care as to cause the same to collide with any vehicle, person or object.

CHAPTER 11.04 SPEED LIMITS

SECTION:

11.04.010: Designation By City Engineer

11.04.020: Minimum Speed Regulations

11.04.030: Speed Limits In Public Parks

11.04.040: Speed Contests On Highway Prohibited

11.04.010: DESIGNATION BY CITY ENGINEER:

- A. Alteration Or Changing Speed Limits: The City Manager, upon recommendation of the City Engineer may alter or change the prima facie speed limits within the city in accordance with the provisions of Utah Code Annotated §41-6a-603.
1. The prima facie speed therein declared may be found greater than is reasonable or safe under the conditions found to exist at any intersection, and upon the erection of appropriate signs giving notice thereof, the speed limit may be changed to one deemed reasonable and safe.
 2. Higher speeds than those therein authorized may be substituted upon through highways or portions thereof where there are no intersections or between widely spaced intersections, provided appropriate signs are erected giving notice of the authorized speed.
 3. If the City Manager, upon advice from the City Engineer, determines that the prima facie speed permitted upon any highway outside a business or residential district is greater than is reasonable or safe under conditions found to exist the Manager may direct the posting of appropriate signs and notices, to declare a reasonable and safe limit which shall, in no event, be less than thirty five (35) miles per hour. Wherever the drop is ten (10) miles per hour, it must be preceded by a sign giving advance notice of such reduction.
- B. Investigation Required: No changes shall be effective until the City Engineer has made a full investigation of engineering and traffic conditions demanding such change.

11.04.020: MINIMUM SPEED REGULATIONS:

No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or because upon a grade or in compliance with law. The City Engineer may determine on the basis of an engineering and traffic investigation that slow speeds on any part of a road or highway of the city impede the normal and reasonable movement of traffic and constitute a traffic hazard requiring the declaration of a minimum speed limit below which no person shall drive except when necessary for safe operation or in compliance with law. All such minimum speed limits shall be properly posted.

11.04.030: SPEED LIMITS IN PUBLIC PARKS:

The City Engineer shall have authority to regulate the speed of vehicles in all public parks in the city upon posting appropriate signs and markings.

11.04.040: SPEED CONTESTS ON HIGHWAY PROHIBITED:

It is unlawful for any person to engage in any motor vehicle speed contest or exhibition of speed on a highway, and no person shall aid or abet in any such contest or exhibition on any highway.

CHAPTER 11.05 STOPPING, STANDING AND PARKING

SECTION:

- 11.05.010: Erection Of Traffic Control Devices
- 11.05.020: Curb Markings
- 11.05.030: Regulation Of Parking
- 11.05.040: Bus Zones
- 11.05.050: Neighborhood Parking Program
- 11.05.060: Parking Of Trucks And Commercial Vehicles
- 11.05.070: Approach To Parking Space
- 11.05.080: Vehicle Left Unattended
- 11.05.090: Parallel Parking; Required; Exception
- 11.05.100: Angle Parking; Restrictions
- 11.05.110: Double Parking, Standing Or Stopping Prohibited; Exception
- 11.05.120: Obstructing Traffic Prohibited
- 11.05.130: Parking Prohibited When
- 11.05.140: Prohibited Parking In Front Yards On Residential Property
- 11.05.150: Cars Displayed For Sale Upon Vacant Lots Prohibited
- 11.05.160: Liability
- 11.05.170: Removal Of Illegally Parked Vehicle

11.05.010: ERECTION OF TRAFFIC CONTROL DEVICES:

It shall be the duty of the City Engineer to cause traffic signs and other traffic control devices to be erected and to regulate, warn and guide traffic of the city. No traffic control device shall be placed or maintained by the city upon any highway under the jurisdiction of the Utah Department of Transportation.

11.05.020: CURB MARKINGS:

- A. Authorized; Designation Of Colors: The City Engineer is authorized to place and maintain appropriate signs or traffic markings to indicate standing or parking

regulations, and the traffic markings shall designate the zones and shall have the meanings set forth in this chapter:

1. "Red" means no stopping, standing or parking at any time.
 2. "Yellow" means no stopping, standing or parking except as stated on the signs or markings giving notice thereof.
- B. Violation Prohibited: When appropriate signs or traffic curb markings have been erected or placed according to this section, no person shall stop, stand or park a vehicle in any zone in violation of the provisions of this section.

11.05.030: REGULATION OF PARKING:

- A. Placement Of Signs: The City Engineer may place signs or markings on all roads and highways prohibiting or restricting the parking of vehicles where, in his opinion, as evidenced by an order entered in his records, such parking is dangerous to those using the roads or where the parking of vehicles would unduly interfere with the free movement of traffic thereon.
- B. Off Street Parking Facility Or Property: The City Engineer may prohibit, restrict or regulate the parking, stopping or standing of vehicles on any off street parking facility or property that the city owns or operates.
- C. Notice Required: No such regulations shall apply until signs or markings giving notice thereof have been erected or installed.
- D. The provisions of this this section concerning regulation of parking shall be construed so as not to conflict with the provisions of 11.05.050, Neighborhood Parking Program. In any situation where the provisions of this section appear to conflict with the provisions of section 11.05.050, the provisions of section 11.05.050 shall prevail.

11.05.040: BUS ZONES:

It is unlawful for the operator of any vehicle other than a bus to stand or park in an officially designated bus stop. No person shall stop, stand or park a vehicle, other than a bus, in a bus loading and unloading area when the area has been designated as a loading area by City Engineer, School District or designee and identified by appropriate signs or other marking. Notwithstanding the provisions of this section, the driver of a passenger vehicle may stop temporarily therein for the purpose of, and while actually engaged in, loading or unloading passengers, where the stopping does not interfere with any motor bus entering or leaving the loading or unloading area.

11.05.050: NEIGHBORHOOD PARKING PROGRAM:

- A. In the Olympus High School and Crown Colony Baseball Playing Field area, the City Manager is authorized and instructed to create and administer a neighborhood parking program on the public streets to consist of the following elements:
1. It shall be indicated illegal to park a motor vehicle or guest parking on a public street between the hours of seven o'clock (7:00) A.M. and four o'clock (4:00) P.M. on school days, except with a neighborhood parking permit on portions of the following streets and as set forth in exhibit A, which is on file in the City and incorporated herein by reference:
 - a. Camille Street (east side) Capricorn Way to Lincoln Lane;
 - b. Capricorn Way (north side) 2491 E. Capricorn Way to Milky Way;
 - c. Evening Star Drive (north and south sides) Mercury Drive to Milky Way;
 - d. Mercury Drive (east and west sides) 4035 S. Mercury Drive to Capricorn Way;
 - e. Milky Way (east side) Evening Star Drive to Capricorn Way;
 - f. Lincoln Lane (south side) Camille Street to 2300 East;
 - g. Solar Drive (south side) Mercury Drive to 2492 Solar Drive;
 - h. Suada Drive (north and south sides) 2300 East to 2218 E. Suada Drive.
 2. It shall be indicated illegal to park a motor vehicle or guest parking on a public street from March 1 to August 31, except with a neighborhood parking permit on that portion of Kings Row Drive (north side) from 1300 East to Rebecca Circle.
 3. Resident neighborhood parking permit stickers shall be issued upon request to the owners or occupants of the homes located on the streets specified above for each vehicle owned by such owners or occupants.
 4. Guest neighborhood parking permits (mirror hangers) shall be issued upon request to the owners or occupants of homes located on the streets specified above up to two (2) permits per home.
- C. The City Manager is authorized to take such further actions as may be necessary or appropriate to implement this neighborhood parking program.
- D. The City Manager is authorized to take further actions as may be necessary or appropriate to regulate parking in the Olympus High School and Crown Colony Baseball Playing Field areas.

- E. Vehicles parked contrary to the provisions of this section shall be subject to the provisions and penalties of chapter 11.12 of this title.

11.05.060: PARKING OF TRUCKS AND COMMERCIAL VEHICLES:

- A. Definitions: As used in this section:

COMMERCIAL VEHICLE: A vehicle in excess of one ton capacity of whatever make or type used for commercial or agricultural purposes. The term "commercial vehicle" includes, without limitation, all so called "semi" truck tractors and "semi" truck trailers.

RECREATIONAL VEHICLE: A vehicular unit other than a mobile home, primarily designed as a temporary dwelling for travel, recreational or vacation use, which is either self-propelled or pulled by another vehicle. Recreational vehicle also includes a boat, a snowmobile, a personal watercraft, an all-terrain vehicle, a travel trailer, a camping trailer, a motor home, and a fifth wheel trailer.

TRAILER: Any truck trailer or other trailer designed or adapted primarily for the transportation of materials, debris or property of whatever kind, including, without limitation, boats, personal watercraft, snowmobiles, all-terrain vehicles or motorcycles.

TRAVEL TRAILER, CAMPING TRAILER OR FIFTH WHEEL TRAILER: A portable vehicle without motive power, designed as a temporary dwelling for travel, recreational or vacation use that does not require a special highway movement permit when drawn by a self-propelled motor vehicle.

TRUCK: Any truck tractor, tractor trailers, panel truck, pickup or other truck in excess of one-ton capacity.

- B. Restriction: No person shall park any:

1. Commercial vehicle, agricultural vehicle, recreational vehicle, occupied or empty trailer, or truck on any public street adjacent to a lot or parcel containing a residential dwelling, or on any public street within a residential zone of the City for a period of time longer than two (2) hours within any twenty four (24) hour period;
2. Agricultural vehicle, recreational vehicle, occupied or empty trailer, or truck within the front yard area of any residential zone of the City; or
3. Commercial vehicle on any lot or parcel within any residential zone of the City.

- C. Exception: The prohibitions in this section shall not apply to vehicles actively being used in the servicing of adjacent properties or streets.

11.05.070: APPROACH TO PARKING SPACE:

- A. Every driver about to enter a parking space being vacated shall stop his vehicle and wait to the rear of the vehicle in the actual process of vacating the parking space and having so waited shall have prior right to the parking space over all other drivers.
- B. No other driver shall stop his vehicle ahead of a parking space vacated and attempt to interfere with a driver who has waited properly to the rear of a parking space being vacated.
- C. No driver shall stop and wait for a parking space unless the vehicle vacating the space is actually in the process of vacating.

11.05.080: VEHICLE LEFT UNATTENDED:

- A. It is unlawful for any person having control of a motor vehicle to permit such vehicle to stand unattended without first stopping the engine, locking the ignition, and removing the key.
- B. Neither shall any person allow a vehicle to stand upon any perceptible grade without effectively setting the brakes thereon and turning the front wheels to the curb or side of the roadway.

11.05.090: PARALLEL PARKING; REQUIRED; EXCEPTION:

No person shall stand or park a vehicle on a roadway other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement and with the right hand wheels of the vehicle within twelve inches (12") of the curb or edge of the roadway, except as otherwise provided.

11.05.100: ANGLE PARKING; RESTRICTIONS:

The City Engineer may, after placement of appropriate signs and markings, designate certain areas as suitable for angle parking, except that no angle parking shall be permitted or indicated at any place where passing traffic would thereby be caused or required to drive upon the left side of the street or where any vehicle would extend from the curb or edge of the roadway a distance greater than one-third ($1/3$) of the width of the roadway.

11.05.110: DOUBLE PARKING, STANDING OR STOPPING PROHIBITED; EXCEPTION:

No person shall park, stand or stop a vehicle upon the roadway side of another vehicle that is parking, standing or stopped, except while actually engaged in loading or unloading passengers, or in compliance with directions of any officer of the Local Law Enforcement Agency's Department or traffic control device, or when necessary to avoid other traffic.

11.05.120: OBSTRUCTING TRAFFIC PROHIBITED:

No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for free movement of vehicular traffic.

11.05.130: PARKING PROHIBITED WHEN:

It is unlawful for any person who owns or has possession, custody or control of any vehicle to park or knowingly allow to be parked any vehicle on any street:

- A. When it is snowing or snow is on the street during the months of November, December, January, February, March, and April; or
- B. For a period longer than twenty four (24) consecutive hours; or
- C. For any period longer than that allowed by appropriate signs, markings or parking meters giving notice of such parking time limitation.

11.05.140 PROHIBITED PARKING IN FRONT YARDS ON RESIDENTIAL PROPERTY:

- A. Front Yard Area Defined: "Front yard area" means the open space, on the same lot with a building used as a dwelling, between the line of the building and the lot line adjacent to any public street and extending across the full width or length of the lot.
- B. Unlawful: It shall be unlawful to park a motor vehicle, trailer or boat in a front yard area on any residential property.
- C. Exception: This Section shall not prohibit the parking of any vehicle upon concrete slab, compacted gravel/rock, asphalt, permeable surface which is approved by the City Engineer in accordance with 13.14.080C or upon a driveway which leads to legal parking to the rear or side of the building, which slab or driveway is in compliance with the requirements of this title, either under existing provisions or as a nonconforming use.

11.05.150: CARS DISPLAYED FOR SALE UPON VACANT LOTS PROHIBITED:

It shall be unlawful for the owner of a motor vehicle or trailer to park it or allow it to be parked on a vacant lot, parking lot or other real property owned by another person for the purpose of displaying it for sale, unless the owner or lessee of the property on which it is parked has a City business license to engage in the business of selling motor vehicles or trailers at that location. It shall also be unlawful for the owner or lessee of such property to allow another person to park a motor vehicle or trailer on the property for the purpose of displaying it for sale unless such owner or lessee has a City business license to engage in the business of selling motor vehicles or trailers at that location.

11.05.160: LIABILITY:

The fact that an automobile is illegally parked shall be sufficient to constitute a rebuttable presumption that the registered owner was in control of the automobile at the time it was parked.

11.05.170: REMOVAL OF ILLEGALLY PARKED VEHICLE:

Whenever any officer of the Local Law Enforcement Agency's Department or City finds a vehicle parked or standing upon a street in violation of this title, the officer is authorized to move the vehicle or require the driver or other person in charge of the vehicle to move it to a position not in violation of this title.

CHAPTER 11.06 TRAFFIC AND PARKING ON SCHOOL GROUNDS

SECTION:

- 11.06.010: Rules and Regulations Adopted
- 11.06.020: Applicable Regulations Enforced
- 11.06.030: Maximum Speed Limit
- 11.06.040: Limitation Of Vehicular Traffic
- 11.06.050: Vehicles Restricted To Roadways
- 11.06.060: Parking Prohibited Where
- 11.06.070: Regulations Applicable To Students
- 11.06.080: Signposting
- 11.06.090: Enforcement; Liability

11.06.010 Rules and Regulations Adopted

Pursuant to the authority granted by Utah Code Annotated Section 53A-3-504, city enacts and adopts the rules and regulations provided in this chapter relating to control of traffic and parking on school grounds.

11.06.020: APPLICABLE REGULATIONS ENFORCED:

The applicable state, county, or city traffic and parking regulations shall be enforced upon school and school district property.

11.06.030: MAXIMUM SPEED LIMIT:

Maximum speed on school and district premises is ten (10) miles per hour.

11.06.040: LIMITATION OF VEHICULAR TRAFFIC:

Vehicular traffic is limited to entering, exiting and parking. No cruising or loitering will be permitted.

11.06.050: VEHICLES RESTRICTED TO ROADWAYS:

All vehicles are restricted to designated roadways. Motorized vehicles will not be driven on lawns, paths or other prohibited areas.

11.06.060: PARKING PROHIBITED WHERE:

- A. Designated No Parking Areas: No parking will be allowed in the areas where the curb is painted red, designated "no parking" or where such parking would obstruct regular vehicular traffic.
- B. Reserved Areas: Students, staff and faculty shall not park in areas designated "for visitors" or "reserved".

11.06.070: REGULATIONS APPLICABLE TO STUDENTS:

The following rules and regulations relate to the registration, parking and control of vehicles by students:

- A. Regulations Distributed: All district traffic and parking regulations and individual school regulations (if any) will be distributed to every student and faculty member at or before the beginning of each school year.
- B. Registration; Decal: Students must register with the school all motor vehicles that will be driven or parked on school property. A registration decal must be displayed on the vehicle as follows:
 - 1. Cars; left side of rear window or hanging from the rearview mirror;
 - 2. Trucks, rough terrain vehicles (jeeps, etc.); lower right side of front window;
 - 3. Motor bikes and cycles; rear frame or rear fender.
- C. Operator's License Required: Prior to vehicle registration at the local high school and issuance of the decal, the student must possess a valid operator's license issued by Utah or some other state.
- D. Documents Required: Prior to vehicle registration at the local high school and issuance of the decal, the student must provide the following:
 - 1. A parent's or guardian's written permission for the student to bring a motor vehicle to school;

2. A signed statement by the parent and student that they understand that when any car is on school property, the car may be searched if the school authorities have reasonable cause to suspect that materials that are in violation of the state, county, city or school code are stored therein and they further understand that any materials found may be seized and used as evidence in school disciplinary hearings and/or legal proceedings.

3. A valid Utah or other state driver's license.

E. Parking Areas: Students are to park in the designated student parking areas and within parking spaces as directed by painted lines and signs.

F. Prohibited Parking Areas: Faculty and staff parking shall be designated and students are not to park in these areas.

11.06.080: SIGNPOSTING:

All regulatory signs utilized on district or school property shall be placed in conspicuous and appropriate areas of the grounds. All regulatory signs must be approved by the district prior to posting.

11.06.090: ENFORCEMENT; LIABILITY:

The rules and regulations provided in this chapter shall be enforced by the appropriate area law enforcement agencies. Enforcement may include, but shall not be limited to, the following: citations, towing away at owner's expense and/or revocation of the privileges to park and drive on school property. The board of education assumes no responsibility for damage to cars, lost articles, damage to property, or injury to persons by the automobile or its driver while on school district property.

CHAPTER 11.07 DRIVING UNDER THE INFLUENCE OF INTOXICANTS

SECTION:

11.07.010: Incorporation Of State Code Provisions Relating To Driving While Intoxicated

11.07.010: INCORPORATION OF STATE CODE PROVISIONS RELATING TO DRIVING WHILE INTOXICATED:

Utah Code Annotated Sections 41-6a-501, 502.5, and 504 of the Utah Motor Vehicle Act, and their successors, are hereby adopted and incorporated by this reference as violations of city ordinances.

CHAPTER 11.08

BICYCLES

SECTION:

11.08.010: Adoption By Reference

11.08.010: ADOPTION BY REFERENCE:

The City hereby adopts by reference the provisions of Utah Code Ann. §§41-6a, Part 11, Bicycles and Other Vehicles, Regulation of Operations.

CHAPTER 11.09 SKATEBOARDS AND OTHER TOY VEHICLES

SECTION:

11.09.010: Use Prohibited

11.09.010: USE PROHIBITED:

Except in designated areas, no person upon rollerskates, rollerblades, in-line skates, or riding in or by means of any coaster, sled, toy wagon, scooter, skateboard or similar device, shall go upon any park, plaza or city hall property, or within the Holladay Village zone as defined in chapter 13.71, figure 13.71.3 of this code, or its successor, and made a part hereof by reference, or on any other area where prohibited by signs. Violation of this section shall be an infraction.

CHAPTER 11.10 PEDESTRIANS

SECTION:

11.10.010: Responsibility Of Driver To Exercise Caution

11.10.020: Pedestrian Right Of Way At Crosswalk

11.10.030: Use Of Right Hand Side Of Crosswalks And Sidewalks Required

11.10.040: Yield Of Right Of Way When

11.10.050: Walking On Or Along Roadways

11.10.060: Standing In Roadway Prohibited When

11.10.010: RESPONSIBILITY OF DRIVER TO EXERCISE CAUTION:

Notwithstanding the provisions of this title, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any incapacitated person upon a roadway.

11.10.020: PEDESTRIAN RIGHT OF WAY AT CROSSWALK:

- A. **Driver To Yield Right Of Way:** When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if necessary, to a pedestrian crossing the roadway within the crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. Pedestrians shall not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it is impossible for the driver to yield. This provision shall not apply where the pedestrian is crossing at a place other than a crosswalk.
- B. **Vehicles Approaching From Rear:** Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle on either side.

11.10.030: USE OF RIGHT HAND SIDE OF CROSSWALKS AND SIDEWALKS REQUIRED:

Pedestrians shall move, whenever practicable, upon the right half of crosswalks and sidewalks.

11.10.040: YIELD OF RIGHT OF WAY WHEN:

- A. **No Crosswalk:** Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall do so only if no crosswalk exists within three hundred fifty feet (350') of the desired point of crossing.
- B. **Yield To Vehicles:** When so crossing, the pedestrian shall yield the right of way to all vehicles upon the roadway.
- C. **Pedestrian Tunnel Or Overhead Crossing:** Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.
- D. **Between Adjacent Intersections:** Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

11.10.050: WALKING ON OR ALONG ROADWAYS:

- A. **When Prohibited:** Where sidewalks, walkways or paths are provided, it is unlawful for any pedestrian to walk along and upon any adjacent roadway.
- B. **Rules And Regulations:** Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the

roadway or its shoulder facing traffic that may approach from the opposite direction. In no event shall more than two (2) persons walk abreast alongside any city roadway.

11.10.060: STANDING IN ROADWAY PROHIBITED WHEN:

No person shall stand in a roadway for the purpose of soliciting a ride, employment, the parking, watching or guarding of a vehicle, or other business from the occupant of any vehicle.

CHAPTER 11.11
ABANDONED AND IMPOUNDED VEHICLES

SECTION:

11.11.010: Seizure – Circumstances Where Prohibited, Impound Lot Standards

11.11.020: Vehicles Deemed Nuisance

11.11.010: SEIZURE – CIRCUMSTANCES WHERE PROHIBITED, IMPOUND LOT STANDARDS

The City hereby adopts the provisions of Utah Code Ann. § 41-1a-1101, Seizure – Circumstances Where Prohibited, Impound Lot Standards.

11.11.020: VEHICLES DEEMED NUISANCE:

- A. Specified: In addition to vehicles parked in violation of any ordinance of the city or the laws of the state, the following are declared to be nuisances:
1. Any unattended vehicle stopped, standing or parked in violation of any of the provisions of this title;
 2. Any vehicle found upon the streets or alleys of this city with faulty or defective equipment;
 3. Any vehicle left unattended upon any bridge, viaduct, or at any subway where such vehicle constitutes an obstruction to traffic;
 4. Any vehicle upon a street so disabled as to constitute an obstruction to traffic, when the persons in charge of the vehicle are, by reason of physical injury, incapacitated to such an extent as to be unable to provide for its custody or removal;
 5. Any vehicle left unattended upon a street or alley and parked illegally so as to constitute a definite hazard or obstruction to the normal movement of traffic;

6. Any vehicle left parked in the same place on any street or alley continuously for twenty four (24) hours;
 7. Any vehicle wherein the driver has been taken into custody by the Local Law Enforcement Agency's department under circumstances so as to leave such vehicle unattended in a street, alley or restricted parking area;
 8. Any vehicle being driven on the streets which is not in a proper condition to be driven; or
 9. Any vehicle found so parked as to constitute a fire hazard or an obstruction to firefighting apparatus.
- B. Abatement: Such nuisances may be summarily abated by removal by, under the direction of, or at the request of an officer of the Local Law Enforcement Agency's department, to a place of storage within the city, by means of towing or otherwise.

CHAPTER 11.12

PENALTIES, PARTIES AND PROCEDURES ON ARREST

SECTION:

11.12.010: Parties Guilty Of Criminal Offense

11.12.020: Appearance Upon Arrest For Misdemeanor; Setting Bond

11.12.030: Notice To Appear

11.12.040: Notice To Appear In Court; Contents; Promise To Comply; Signing; Release From Custody; Official Misconduct

11.12.050: Violation Of Promise To Appear As Misdemeanor; Appearance By Counsel

11.12.060: Willfully Failing To Appear

11.12.010: PARTIES GUILTY OF CRIMINAL OFFENSE:

Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act declared in this chapter to be unlawful, whether individually or in connection with one or more other person or as a principal, agent or accessory, shall be guilty of the offense; and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provision of this title is likewise guilty of such offense. Every person who knowingly and willfully gives false information concerning the identity of anyone who has committed any act to an officer of the Local Law Enforcement Agency's department investigating such act, known by the officer to have been committed and believed by the officer to have been unlawful shall be guilty of a misdemeanor.

11.12.020: APPEARANCE UPON ARREST FOR MISDEMEANOR; SETTING BOND:

Whenever any person is arrested for any violation of this title punishable as a misdemeanor, the arrested person, for the purpose of setting bond, shall in the following cases, be taken without unnecessary delay before a magistrate in the county or city in which the offense charged is alleged to have been committed and who has jurisdiction of such offense and who is nearest or most accessible with reference to the place where the arrest was made in any of the following cases:

- A. Demand Of Immediate Appearance: When a person arrested demands an immediate appearance before a magistrate; or
- B. Driving While Intoxicated: When a person is arrested on the charge of driving while intoxicated as prescribed in chapter 11.07 of this title; or
- C. Failure To Stop: When a person is arrested on the charge of failure to stop in the event of an accident causing death, personal injuries, or damage to property; or
- D. Refusal To Promise To Appear: In any other event when the person arrested refuses to give his written promise to appear in court as hereinafter provided, or when in the discretion of the arresting officer, a written promise to appear is insufficient.

11.12.030: NOTICE TO APPEAR:

Upon any violation of this title, whenever a person is not immediately taken before a magistrate as provided in section 11.12.020 of this chapter, the officer shall prepare a written notice to appear in court which shall be prepared and delivered in accordance with the provisions of Utah Code Annotated Sections 77-7-18, 77-7-20 and 77-7-21.

11.12.040: NOTICE TO APPEAR IN COURT; CONTENTS; PROMISE TO COMPLY; SIGNING; RELEASE FROM CUSTODY; OFFICIAL MISCONDUCT:

Utah Code Annotated Section 41-6-167 of the Utah Motor Vehicle Act 1, and its successors, is hereby adopted and incorporated by this reference as a city ordinance.

11.12.050: VIOLATION OF PROMISE TO APPEAR AS MISDEMEANOR; APPEARANCE BY COUNSEL:

- A. Violation: Any person willfully violating his promise to appear in court, given as provided in this title, is guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally cited.
- B. Appearance By Counsel: A written promise to appear may be complied with by an appearance by counsel.

11.12.060: WILLFULLY FAILING TO APPEAR:

- A. Misdemeanor Violation: Any person who willfully fails to appear before a court pursuant to a misdemeanor citation issued consistent to the provisions of Section 77-7-18, Utah Code Annotated, and any successor sections, or pursuant to a criminal summons or any other order of a court, is guilty of a class C misdemeanor, regardless of the disposition of the charge upon which the person was originally cited.
- B. Appearance By Counsel: A written promise to appear in court may be complied with by appearance of counsel.

CHAPTER 11.13

MOTOR VEHICLE IDLING WITHIN CITY LIMITS

SECTION:

11.13.010: Purpose

11.13.020: Definitions

11.13.030: Property Subject To This Chapter; Enforcement

11.13.040: Idling Restriction Within City Limits

11.13.050: Penalties

11.13.060: Appeals

11.13.010: PURPOSE:

The purpose of this chapter is primarily education, as well as to protect the public health and improve the environment by reducing emissions while conserving fuel.

11.13.020: DEFINITIONS:

For purposes of this chapter, these definitions shall apply:

DRIVER: Any driver who drives, operates, or is in actual physical control of a vehicle.

IDLE: The operation of a vehicle engine while the vehicle is stationary or not in the act of performing work or its normal function.

VEHICLE: Any self-propelled vehicle that is required to be registered and requires an annual or biannual emissions inspection, and have a license plate by the Utah department of motor vehicles.

11.13.030: PROPERTY SUBJECT TO THIS CHAPTER; ENFORCEMENT:

- A. This chapter shall be enforceable on all public property and on private property that is open to the general public, unless the private property owner:
 - 1. Has a private business that has a drive-through service as a component of the private property owner's business operations and posts a sign provided by or

acceptable to the city informing its customers and the public of the city's time limit for idling vehicle engines; or

2. Adopts an idle reduction education policy approved by the city.

B. Law enforcement personnel shall exercise reasonable caution and utilize customary safety procedures in their enforcement of this chapter.

11.13.040: IDLING RESTRICTION WITHIN CITY LIMITS:

No driver, while operating a vehicle within city limits, shall cause or permit a vehicle's engine to idle for more than two (2) minutes, except for the following kinds of idling:

A. Idling while stopped:

1. For an official traffic control device;

2. For an official traffic control signal;

3. At the direction of a police officer.

B. Idling as needed to operate heaters or air conditioners where the temperature is below thirty two degrees Fahrenheit (32° F) or above ninety degrees Fahrenheit (90° F), as measured at the Salt Lake City Airport and determined by the national weather service, for the health or safety of a driver or passenger, including service animals.

C. Idling for the minimum amount of time required for the operation of defrosters or other equipment to clear the windshield and windows to provide unobstructed views and ensure visibility while driving.

D. Idling as needed for emergency vehicles to operate equipment.

E. Idling as needed to ascertain that a vehicle is in safe operating condition and equipped as required by all provisions of law, and that all equipment is in good working order, either as part of the daily vehicle inspection, or as otherwise needed.

F. Idling as needed for testing, servicing, repairing, installation, maintenance or diagnostic purposes.

G. Idling for the period recommended by the manufacturer to warm up or cool down a turbocharged heavy duty vehicle.

H. Idling as needed to operate auxiliary equipment for which the vehicle was primarily designed or equipped, other than transporting goods, such as: operating a

transportation refrigeration unit (TRU), lift, crane, pump, drill, hoist, ready mixed equipment, except a heater or air conditioner.

- I. Idling as needed to operate a lift or other piece of equipment designed to ensure safe loading and unloading of goods or people.
- J. Idling to recharge a battery or other energy storage unit of a hybrid electric vehicle.
- K. Idling as needed for vehicles that house K-9 or other service animals.
- L. Idling by on duty police officers as necessary for the performance of their official duties.

11.13.050: PENALTIES:

- A. Violation: Violation of section 11.13.040 of this chapter is a civil offense and shall be penalized as follows:
 - 1. First three (3) offenses: A warning, but no fine.
 - 2. Fourth offense within twelve (12) months of the first three (3) offenses: A civil fine of one hundred sixty dollars (\$160.00).
 - 3. Subsequent offenses within twenty four (24) months of the first offense: A civil fine of two hundred ten dollars (\$210.00).
- B. Reduction Of Penalties: The civil penalties specified in subsection A of this section shall be subject to the following:
 - 1. Paid Within Ten Days: Any penalty that is paid within ten (10) days from the date of receipt of notice shall be reduced by the sum of one hundred ten dollars (\$110.00);
 - 2. Paid Within Twenty Days: Any penalty that is paid within twenty (20) days from the date of receipt of notice shall be reduced by the sum of seventy dollars (\$70.00);
 - 3. Paid Within Thirty Days: Any penalty that is paid within thirty (30) days from the date of receipt of notice shall be reduced by the sum of forty dollars (\$40.00);
 - 4. Receipt Of Notice: As used in this section, "receipt of notice" means the affixing of a notice to the vehicle alleged to have been employed in a violation of this chapter, or by delivery of such notice to the owner or driver thereof.
 - 5. Other Fees And Assessments: A forty five dollar (\$45.00) administrative fee shall be assessed for the city's cost of collecting past due debts.

- C. Strict Liability Of Owner: Whenever any vehicle shall have been employed in a violation of this chapter, the person in whose name such vehicle is registered shall be strictly liable for such violation and the penalty therefor.

11.13.060: APPEALS:

- A. Appeal Procedures: A violation of this chapter may be appealed as follows:

1. The city manager shall appoint such hearing officers as he or she deems appropriate to consider matters relating to the unauthorized use of streets.
2. Any person having received notice of such unauthorized use, or the owner of any vehicle employed in such use, may file a notice of appeal within fifteen (15) days of the violation with the city recorder.
3. The city recorder shall deliver the notice of appeal to the hearing officer within two (2) days.
4. The person charged with an offense under this chapter shall present and contest such alleged unauthorized use to the hearing officer.
5. The burden to prove any defense shall be upon the person raising such defense.
6. The hearing officer may find that no unauthorized use occurred and dismiss the ticket.
7. If the hearing officer finds that an unauthorized use occurred but one or more of the defenses set forth in this section is applicable, the hearing officer may dismiss the notice of unauthorized use and release the owner or driver from liability thereunder. Such defenses are:
 - a. At the time of the receipt of the notice, possession of the subject vehicle had been acquired in violation of the criminal laws of the state;
 - b. If the notice of unauthorized use alleges a violation of any ordinance pertaining to a parking meter, such meter was mechanically malfunctioning to the extent that its reliability is questionable;
 - c. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property;
 - d. If the hearing officer finds that the owner of the vehicle is deceased but was living when the ticket was issued;

- e. If the hearing officer finds that the vehicle was sold with the original license plates on, and the ticket was received prior to the sale, provided the sale is reported to the DMV and the bill of sale is provided within twenty (20) days of receipt of the parking notice.
8. If the hearing officer finds that an unauthorized use occurred but one or more of the defenses set forth in this section is applicable, the hearing officer may reduce the penalty associated therewith, but in no event shall such penalty be reduced below the sum of ten dollars (\$10.00). Such defenses are:
- a. At the time of receipt of the notice, possession of the subject vehicle had been acquired pursuant to the written lease agreement or similar written agreement;
 - b. The subject vehicle was mechanically incapable of being moved from such location; provided, however, such defense shall not apply to any vehicle which remains at such location in excess of six (6) hours;
 - c. Any markings, signs or other indicia of parking use regulation were not clearly visible or comprehensible;
 - d. At the time of receipt of notice for expired registration, the vehicle was registered but the sticker not displayed, or if the vehicle is registered within five (5) days of the expiration date;
 - e. At the time of the notice of violation a residential parking permit was valid but not properly displayed;
 - f. Such other mitigating circumstances as the hearing officer may find, with the written approval of the court's traffic manager, which must include the basis for the decision. A report on such decisions is to be provided to the City Manager and city council on a quarterly basis.
9. If the hearing officer finds that an unauthorized use occurred and no applicable defense exists, the hearing officer may, in the interest of justice and on behalf of the city, enter into an agreement for the timely or periodic payment of the applicable penalty.
10. If the penalty imposed pursuant to this chapter remains unsatisfied after forty (40) days from the receipt of notice, or ten (10) days from such date as may have been agreed to by the hearing officer, the city may use such lawful means as are available to collect such penalty, including costs and attorney fees.

DEFERENCE TO STATE CODE

SECTION

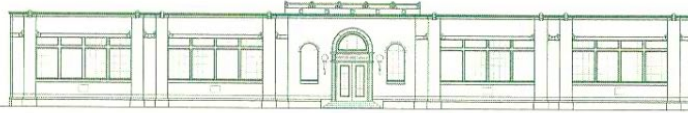
11.14.010: STATUTES INCORPORATED BY REFERENCE:

11.14.010: STATUTES INCORPORATED BY REFERENCE:

For purposes of this title and to the extent applicable, the following statutes are hereby adopted by reference. All violations adopted herein shall be infractions unless otherwise noted:

Utah Code Annotated Section	Description
10-8-1	General Powers
41-1a-201	Vehicle registration requirement
41-6a-210	Failure to Stop for an officer
41-6a-216	Removal of plants or other obstructions impairing view; notice to owner
41-6a-304	Obedying Traffic control devices; improper signage
41-6a-309	Unauthorized traffic control devices
41-6a-311	Traffic Signs; Removing or otherwise damaging
41-6a-524	Reckless Driving
41-6a-601	Speed regulations - safe and appropriate speeds at certain locations - prima facie speed limits - emergency power of the governor
41-6a-704	Overtaking and passing vehicles proceeding in same direction
41-6a-705	Passing upon right - when permissible
41-6a-707	Limitations on driving on left side of road; Limitation on passing - prohibitions
41-6a-708	Signs and markings on roadway - no passing zones - exceptions
41-6a-710	Roadway divided into marked lanes - Provisions - Traffic Control
41-6a-711	Following another vehicle; Safe Distance - Exceptions - Penalty
41-6a-801	Turning - manner - traffic control devices
41-6a-802	Turning around - where prohibited - visibility
41-6a-804	Turning or changing lanes - safety - signals - stopping or sudden decrease in speed - signal flashing - where prohibited
41-6a-901	Right of way between vehicles - unregulated intersection
41-6a-902	Right of way - stop or yield signals - yield - collisions at intersections or junctions of roadways - evidence
41-6a-903	Vehicle turning left - yield right of way
41-6a-903.1	Merging lanes - yielding
41-6a-904	Emergency Vehicles; Vehicle Yield; Stationary Emergency Vehicles
41-6a-907	Failure to stop a vehicle prior to emerging
41-6a-1003	Pedestrians yielding right of way - limits on pedestrians
41-6a-1004	Emergency Vehicles; Pedestrian Yield
41-6a-1201	Driving on tracks

41-6a-1202	Driving through safety zone
41-6a-1401	Standing or parking vehicles – Restrictions and exceptions
41-6a-1501	Proper riding of motorcycles
41-6a-1502	Motorcycles, motor driven cycles, or all terrain type I vehicles - operation on public highways
41-6a-1503	Motorcycle or motor driven cycle - attaching to another vehicle prohibited
41-6a-1504	Motorcycle or motor driven cycle - footrests for passenger - height of handlebars limited
41-6a-1511	Mini motorcycles
41-6a Part 16, in its entirety	Vehicle Equipment
41-6a-1701	Backing - when permissible
41-6a-1702	Sidewalk - driving prohibited - exception
41-6a-1703	Prohibition as to passenger riding on improper portion of motor vehicle - exceptions
41-6a-1704	Vehicle door - prohibited opening
41-6a-1705	Obstruction to driver's view or driving mechanism
41-6a-1706	Occupancy of a trailer or semitrailer while being moved on highway prohibited
41-6a-1707	Entering intersection, crosswalk or railroad grade - sufficient space required
41-6a-1710	Following or parking near fire apparatus prohibited
41-6a-1712	Destructive or injurious materials on roadways
41-6a-1715	Careless Driving
41-8-1	Operation of vehicle by persons under 16 prohibited - exceptions for off highway vehicles and off highway implements of husbandry
41-22-3	Registration of vehicles - application - issuance of stickers and card - proof of property tax payment - records
41-22-10.6	Requiring compliance with traffic laws
41-22-10.7	Vehicle equipment requirements
41-22-12.5	Restrictions on use of privately owned lands without permission - unlawful for person to tamper with signs or fencing on privately owned land
41-22-13	Prohibited uses
53-3-202	Driver's License Requirement
76-9-108	Funeral Processions: Disruption; requirements of participating vehicles
72-7-105	Driving on/across sidewalks
72-7-301	Traffic Signs; Liability for damages
72-7-302	Traffic Signs; Removing or otherwise damaging
72-7-409	Loads on vehicles; limitations; fastening
76-8-420	Traffic Signs; Removing or otherwise damaging



City of Holladay
HOLLADAY CITY COUNCIL

COUNCIL STAFF REPORT -ADDENDUM-

MEETING DATE: March 6th 2025

SUBJECT: Ordinance amendment: Title 13.02.030: Planning Documents

APPLICANT: Ron Hilton

Addendum to staff report dated February 6th 2025

The applicant in this matter has made a records request to the city and has expressed concern that the record is incomplete as it relates to a traffic paper referenced by him and his traffic engineer in presentations before the Planning Commission. The city has no records or studies related to the NACTO paper referenced by the applicant in his records requests to the City and as he has alleged. However, discussions have occurred between staff members, Jonathan Teerlink and Justice Tuffour that relate to the NACTO paper.

Mr. Tuffour is familiar with the NACTO paper that the Applicant's presentation has referenced and he participated in authoring the paper. He has expressed to the Mayor that the references to the study are not complete in their presentation of the conclusions of the study. The Mayor's comments in public meetings have reflected those conversations. The opinions of staff are presented in full in the staff reports on the matter. They reflect the recommendation of staff that the narrowing of the physical section of the roadway is not the approach that the City should take.



CITY OF HOLLADAY

ORDINANCE NO. 2025-01

**AN ORDINANCE OF THE CITY OF HOLLADAY AMENDING SECTION 13.02.030 OF
TITLE 13 OF THE CITY OF HOLLADAY MUNICIPAL CODE RELATING TO ROADWAY
CLASSIFICATIONS**

WHEREAS, the City has received a petition from a property owner requesting that the City amend Section 13.02.030 of the City of Holladay Municipal Code relating to roadway classifications; and

WHEREAS, the Planning Commission has reviewed the proposed revision, has held a public hearing and has recommended denial of the amendment to Title 13; and

WHEREAS, the City Council has held a public hearing and now desires to adopt the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Holladay, Utah as follows:

Section 1. Amendment. Section 13.02.030 of the City of Holladay Municipal Code is hereby amended to read in its entirety as set forth in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this ___ day of March, 2025.

HOLLADAY CITY COUNCIL

By: _____
Robert Dahle, Mayor

EXHIBIT A

13.02 PLANNING DOCUMENTS

13.02.010: Purpose

13.02.020: General Plan

13.02.030: Roadway Classification Map

13.02.040: Standard Details For Public Works Construction

13.02.050: Capital Facilities And Impact Fee Ordinance

13.02.010: PURPOSE:

The purpose of this chapter is to identify planning documents which provide the policy foundation for this title and to set forth the basis for preparing and adopting such planning documents. Such documents shall be filed with the city recorder and in the community development department. (Ord. 2012-15, 9-20-2012)

13.02.020: GENERAL PLAN:

- A. Purpose: In order to accomplish the purposes set forth in this title and to comply with provisions of Utah Code Annotated section 10-9a-401 et seq., regarding general plans, the city has prepared and adopted a long range general plan for present and future needs of the city and for growth and development of land within the city. Such plan shall be known and referred to as the Holladay general plan. The city may amend the general plan as may be necessary and appropriate. The general plan may provide for:
1. Health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, and recreational, educational, and cultural opportunities;
 2. Reduction of the waste of physical, financial, or human resources that result from either excessive congestion or excessive scattering of population;
 3. Efficient and economical use, conservation, and production of the supply of food and water, and drainage, sanitary, and other facilities and resources;
 4. Use of energy conservation and solar and renewable energy resources;
 5. Protection of the urban development;
 6. Protection and promotion of moderate income housing;
 7. Protection and promotion of air quality;
 8. Historic preservation;
 9. Identifying future uses of land that are likely to require an expansion or significant modification of services or facilities provided by each affected entity; and
 10. An official map, as provided in Utah Code Annotated section 72-5-401 et seq., as amended.
- B. Scope: The general plan shall show the city's recommendations for development of the territory covered by the plan, and may consist of text, maps, charts, and descriptive and explanatory matter. The city council shall determine the extent, and format of the general plan and may include areas located outside city boundaries.
1. The general plan shall include:
 - a. A plan for moderate income housing as required by Utah Code Annotated section 10-9a-403, as amended;
 - b. A land use element that:
 - (1) Designates the proposed general distribution and location and extent of uses of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate; and
 - (2) Includes a statement of the projections for and standards of population density and building intensity recommended for the various land use categories covered by the plan;
 - c. A transportation and circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, mass transit, and any other modes of transportation that are appropriate, all correlated with the land use element of the plan;

- 51 2. The general plan may include, among other things:
- 52 a. An environmental element that addresses:
- 53 (1) The protection, conservation, development, and use of natural resources, including the quality of air,
- 54 forests, soils, rivers and other waters, wildlife, minerals, and other natural resources; and
- 55 (2) The reclamation of land, flood control, prevention and control of the pollution of streams and other
- 56 waters, regulation of the use of land on hillsides, stream channels and other environmentally
- 57 sensitive areas, the prevention, control, and correction to the erosion of soils, protection of
- 58 watersheds and wetlands, and the mapping of known geologic hazards;
- 59 b. A public services and facilities element showing general plans for sewage, waste disposal, drainage, local
- 60 utilities, rights of way, easements, and facilities for them, police and fire protection, and other public
- 61 services;
- 62 c. A rehabilitation, redevelopment, and conservation element consisting of plans and programs for:
- 63 (1) Historic preservation;
- 64 (2) Elimination of blight; and
- 65 (3) Redevelopment, including housing sites, business and industrial sites, and public building sites;
- 66 d. An economic element composed of appropriate studies and an economic development plan that may
- 67 include review of municipal revenue and expenditures, revenue sources, identification of base industry,
- 68 primary and secondary market areas, employment, and retail sales activity;
- 69 e. A parks, trails, and open space element that establishes a comprehensive plan for the development of
- 70 parks and trails, and preservation of open space;
- 71 f. Recommendations for implementing the general plan, including the use of land use regulations, capital
- 72 improvement plans, and other appropriate actions; and
- 73 g. Any other elements the city considers appropriate.
- 74 C. Legal Status: The general plan shall be considered an advisory guide for growth and development of the land
- 75 except as specifically provided otherwise in this title or as required by law.
- 76 D. Amendment: The general plan may be amended as provided in section 13.07.020 of this title. (Ord. 2012-15, 9-20-
- 77 2012)
- 78

79 13.02.030: ROADWAY CLASSIFICATION MAP:

- 80 A. ~~Adoption~~: The city of Holladay roadway classification map, appendix A of the general plan, shows existing and
- 81 proposed rights of way, classifications, and is adopted pursuant to Utah Code Annotated section 72-5-401, "official
- 82 map" et seq., as amended.
- 83 B. Amendment: The roadway classification map may be amended in accordance with the general plan amendment
- 84 procedures set forth in section 13.07.020 of this title.
- 85 C. Effect Of Map:
- 86 1. The adopted roadway classification map does not:
- 87 a. Require a landowner to dedicate and construct a street as a condition of development approval, except
- 88 under circumstances set forth in subsection C2 of this section; or
- 89 b. Require the city to immediately acquire property it has designated for eventual use as a public street.
- 90 2. This subsection shall not prohibit the city from:
- 91 a. Requiring a landowner to take into account proposed streets in planning a development proposal;
- 92 b. Acquiring property through purchase, gift, voluntary dedication, or eminent domain; or
- 93 c. Requiring the dedication and improvement of a street if the street is found necessary by the city because
- 94 of a proposed development.
- 95 3. The roadway classification map of the city shall not be used to unconstitutionally prohibit the development of
- 96 property designated for eventual use as a public street.
- 97 4. The adopted roadway classification map shall be available for public inspection upon request.
- 98

99 D. Improvements Pursuant to Roadway Classification Map:

100 1. Murray Holladay Road Through Medium & Low Density District:

- 101 a. Notwithstanding any provisions in this City Code to the contrary, Murray Holladay Road from
- 102 the east boundary of Holladay Village eastward to where it becomes Apple Blossom Lane shall

be narrowed from 55 feet to approximately 42 feet (the pre-existing paved right of way) with such narrowing to occur in the Medium Density District as shown in figure 1 of this subsection and continuing eastward in that narrowed configuration through the Low Density District.

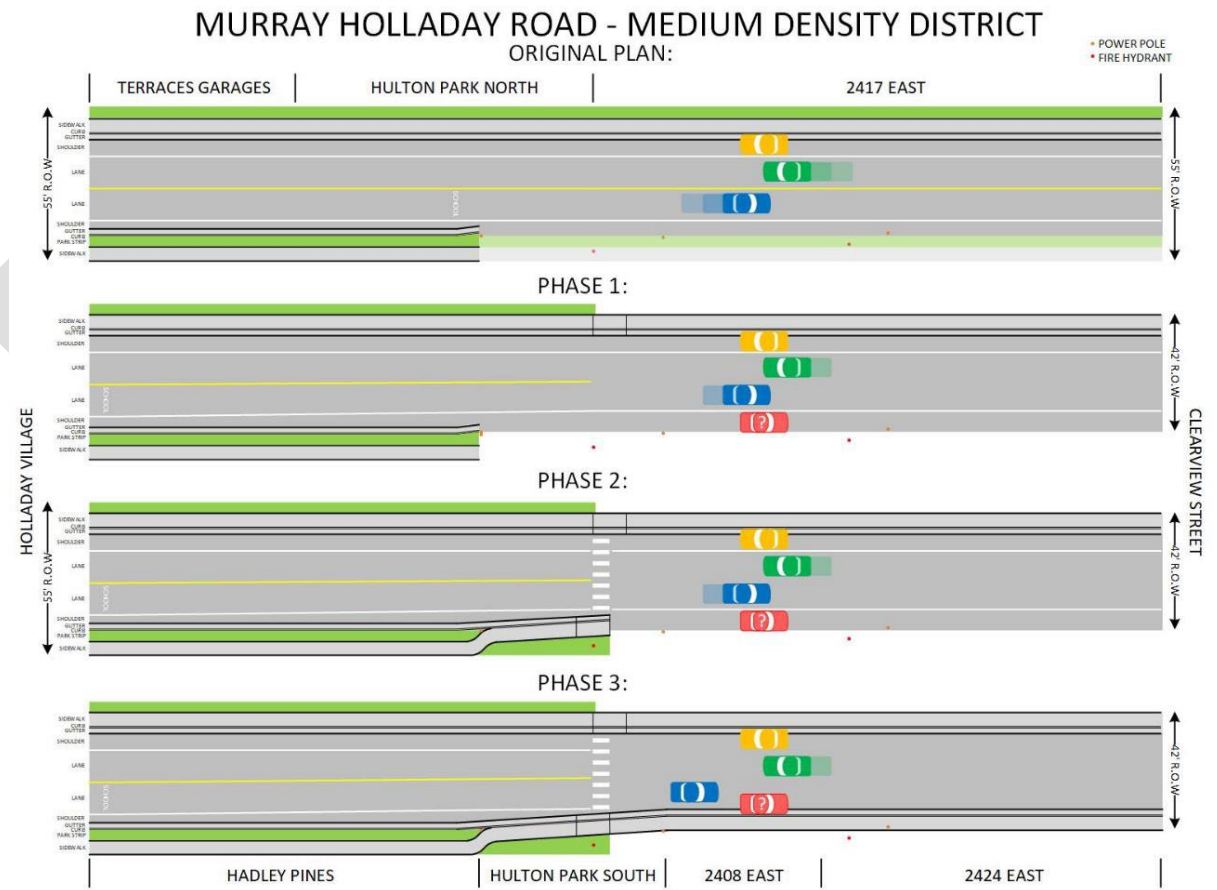
b. The narrowing shall be accomplished in three phases, with the first two phases to be completed by April 11, 2025. Phase 3 may be implemented later, subject to reasonable budgetary considerations.

(1) Phase 1 shall include the removal of the center striping and the south shoulder striping, replacing it with angled striping to approximately 2400 East so as to narrow the travel lanes and widen the south shoulder by a total of approximately 3 feet, terminating the center striping at that point, and continuing the wider south shoulder striping eastward to the end.

(2) Phase 2 shall include the continuation of the pre-existing angled curb and gutter at 2388 East at approximately the same angle to approximately 2400 East, with an integrated sidewalk as shown, and adding a crosswalk at 2400 East across Murray Holladay Road.

(3) Phase 3 shall include the continuation of the angled integrated curb, gutter and sidewalk to meet with and then continue straight along the south shoulder striping to the end, thereby eliminating that striping in the process. The north shoulder striping shall also be eliminated, thus completing the transition of Murray Holladay Road into a secondary residential street, without widening the pre-existing paved right of way.

FIGURE 1



DRAFT AS PROPOSED BY APPLICANT

TEXT AMENDMENT – IMPROVEMENTS PURSUANT TO ROADWAY CLASSIFICATION MAP

TITLE 13

LAND USE AND DEVELOPMENT

...

CHAPTER 13.02

PLANNING DOCUMENTS

...

SECTION 13.02.30

ROADWAY CLASSIFICATION MAP

...

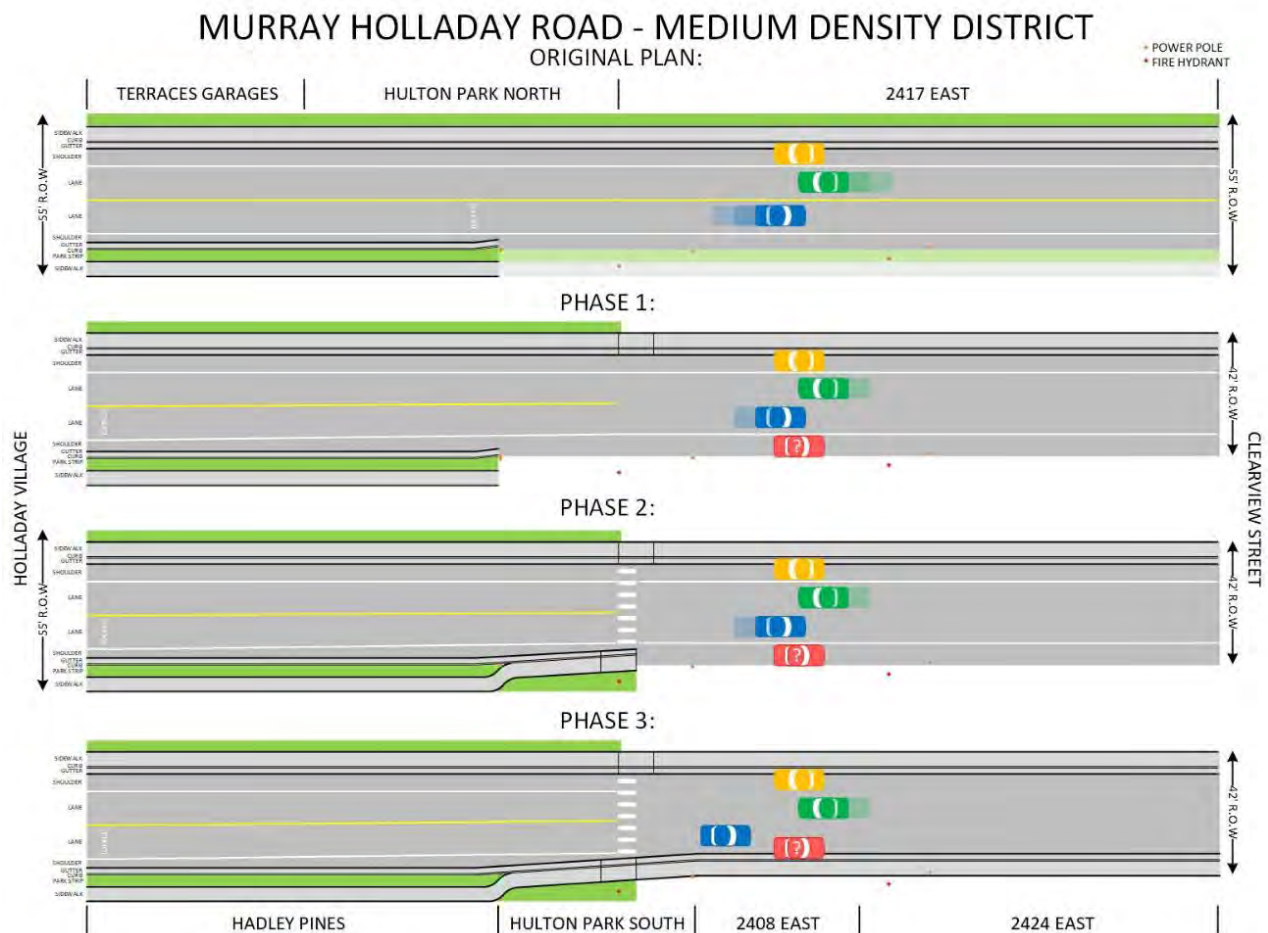
D. IMPROVEMENTS PURSUANT TO ROADWAY CLASSIFICATION MAP

1. Murray Holladay Road Through Medium & Low Density District

(see full text on next page)

- a. Notwithstanding any provisions in this City Code to the contrary, Murray Holladay Road from the east boundary of Holladay Village eastward to where it becomes Apple Blossom Lane shall be narrowed from 55 feet to approximately 42 feet (the pre-existing paved right of way) with such narrowing to occur in the Medium Density District as shown in figure 1 of this subsection and continuing eastward in that narrowed configuration through the Low Density District.
- b. The narrowing shall be accomplished in three phases, with the first two phases to be completed by April 11, 2025. Phase 3 may be implemented later, subject to reasonable budgetary considerations.
 - (1) Phase 1 shall include the removal of the center striping and the south shoulder striping, replacing it with angled striping to approximately 2400 East so as to narrow the travel lanes and widen the south shoulder by a total of approximately 3 feet, terminating the center striping at that point, and continuing the wider south shoulder striping eastward to the end.
 - (2) Phase 2 shall include the continuation of the pre-existing angled curb and gutter at 2388 East at approximately the same angle to approximately 2400 East, with an integrated sidewalk as shown, and adding a crosswalk at 2400 East across Murray Holladay Road.
 - (3) Phase 3 shall include the continuation of the angled integrated curb, gutter and sidewalk to meet with and then continue straight along the south shoulder striping to the end, thereby eliminating that striping in the process. The north shoulder striping shall also be eliminated, thus completing the transition of Murray Holladay Road into a secondary residential street, without widening the pre-existing paved right of way.

FIGURE 1



CITY OF HOLLADAY

ORDINANCE NO. 2025-02

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLADAY AMENDING
PORTIONS OF THE STORMWATER REGULATIONS OF THE CITY**

WHEREAS, the City Council of the City of Holladay desires to amend certain provisions of the Stormwater Regulations of the City; and

WHEREAS, the City Council has determined that the proposed amendments are consistent with state law mandates and will promote public health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Holladay, Utah as follows:

Section 1. Amendment. Section 17.08.020 of the City of Holladay Municipal Code is hereby amended to read in its entirety as shown on Exhibit A, attached hereto and incorporated herein by reference.

Section 2. Amendment. Section 17.32.025 of the City of Holladay Municipal Code is hereby amended to read in its entirety as shown on Exhibit B, attached hereto and incorporated herein by reference.

Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 4. Effective Date. This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this _ day of March, 2025.

By: _____
Robert Dahle, Mayor

[SEAL]

VOTING:

Matt Durham	Yea ____	Nay ____
Ty Brewer	Yea ____	Nay ____
Drew Quinn	Yea ____	Nay ____
Paul Fotheringham	Yea ____	Nay ____
Emily Gray	Yea ____	Nay ____
Robert Dahle	Yea ____	Nay ____

Exhibit A

17.08.020: DEFINITIONS:

Unless the context requires otherwise, the following terms shall have the following meanings:

BEST MANAGEMENT PRACTICES (BMPs): The schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment, operating procedures, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from material storage. BMPs include structural and nonstructural control.

BUILDING PERMIT: All permits except those issued solely for grading or for the purpose of remodeling or repairing any preexisting building or structure; provided, that no increase in impervious surface on the property results from such permit.

DEPARTMENT: The city community development department or its designee.

DESIGN CAPACITY OR CAPACITY OF DRAINAGE SYSTEM: The maximum volume of water per unit of time which can be carried or accommodated by each component of a drainage system, based upon size of the line, slope and any other factors which affect the carrying capacity of a line, or, in the case of detention and retention facilities, the maximum amount of volume that can be stored in the facility.

DETENTION: Temporary accumulation of excess waters and/or other storm waters, and shall include the total or partial accumulation of such waters. In the case of detention, the detention facilities shall include carriage of the released storm water to an intermediate or major drainage system facility, trunk line, natural tributary or final destination. Also, in the case of detention, the detention facilities shall include provision for safely routing overflow in the event that the amount of storm water exceeds the design capacity of the detention facility.

DEVELOPMENT SITE, DEVELOPMENT OR SUBDIVISION: The total area of a subdivision or the total area of the parcel of land on which a building permit is to be issued or the total area of property being improved, including yard space in the case of development of a part of land parcel.

DRAINAGE AREA: That portion of a drainage basin whose drainage or storm waters drain or gravitate toward a natural or artificial channel, conduit, retention or detention area; upon designation of a drainage area on a map referred to in section 17.08.050 of this chapter, "drainage area" shall mean the area so designated.

DRAINAGE SYSTEM: All facilities used to conduct excess waters to, through and from a drainage area to the point of final retention or destination, including, but not limited to, any or all of the following: pipes, conduits, culverts, curbs, gutters, waterways, inlets, swales, ditches, gulches, channels, retention and detention areas, and appurtenant features, as well as easements and rights of way necessary to accommodate the same. In ascending order of size and capacity, components of the drainage system include the following: unit drainage system, intermediate

drainage system, major drainage system, trunk line, natural tributary, final destination. A drainage system may, but need not, contain all of the foregoing components.

EXCESS WATERS: An increase in stormwater runoff as a result of increasing impervious surface creation by development, red-development, or those waters flowing on or across a lot, subdivision, development or other area of real property which are created because of alteration of, or building on, the natural terrain or other increase in the impervious surface of the property, which waters are additional to the waters which would flow on or across the unaltered natural terrain.

GRADING PERMIT: Permit required in accordance to section 17.76.700 of this code.

FINAL DESTINATION: A natural or artificial retention area which serves one or more drainage basins into which excess waters are discharged, without subsequent discharge into any other drainage system, facility or retention or detention area or facility.

IMMEDIATE THREAT: A situation where pollutant discharge to state waters is already occurring or is inevitable without urgent corrective action. This refers to a present and active risk that requires immediate attention to prevent or mitigate further contamination

IMMINENT THREAT: A situation that poses a high likelihood of pollutant discharge to state waters in the near future if corrective actions are not taken. This refers to conditions that suggest a serious risk is developing but has not yet resulted in an actual discharge

INTERMEDIATE DRAINAGE SYSTEM FACILITY: That part of the drainage system which serves one or more single units, subdivision or development drainage system facilities, which conveys excess waters from a unit or subdivision, and which is tributary to a major drainage system facility, a trunk line, natural tributary or final destination. Facilities within this system will be designed to fully accommodate a 10-year frequency flood.

LONG-TERM STORMWATER MANAGEMENT AGREEMENT: An agreement between property owner and city wherein the property owner(s) agrees to inspect and maintain a private Drainage System. The agreement shall be kept on file with the City, which shall be recorded against the property.

MAJOR DRAINAGE SYSTEM FACILITY: That part of the drainage system within a drainage area which is contributed to by one or more unit and intermediate drainage systems. A major drainage system facility is tributary to a trunk line, natural tributary or final destination.

MAYOR: The city mayor or the mayor's designee.

NATURAL TRIBUTARY: That part of the drainage system contributed to by one or more trunk lines, major, intermediate and unit drainage systems that is a natural channel or river which is a tributary solely to a final destination.

100-YEAR FREQUENCY FLOOD: A flood flowrate of the magnitude which is expected to occur on the average of a 100-year frequency or has a one percent (1%) chance of being equaled or exceeded during any one year. Similarly, 2-, 5-, 10- and other year frequency floods bear like definition.

PROFESSIONAL ENGINEER: An engineer licensed in the State of Utah and is qualified to practice work in the area of practice in which he/she does.

RETENTION: The temporary or permanent accumulation of excess waters and/or other storm waters, and shall include the total or partial accumulation of such waters. In the case of partial retention, the retention facilities shall include carriage of the portion not retained to an intermediate or major drainage system facility, trunk line, natural tributary or final destination.

SITE GRADING MANAGEMENT AGREEMENT: Agreement referred to in section 17.24.020 of this title.

STORM WATERS: A storm or flood flow of the magnitude which is expected to occur on the average of a 10-year frequency or has a ten percent (10%) chance of being equaled or exceeded during any one year.

TRUNK LINE: That part of the drainage system contributed to by one or more drainage areas and unit, intermediate and major drainage system facilities within such drainage areas. A trunk line transports excess waters to a natural tributary or final destination.

UNIT OR SUBDIVISION DRAINAGE SYSTEM FACILITIES: That drainage system which drains a subdivision or other development area and which is tributary to an intermediate or major drainage system facility, major drainage system facility, trunk line, natural tributary or final destination. (1999 Code; amd. Ord. 2020-05, 4-16-2020)

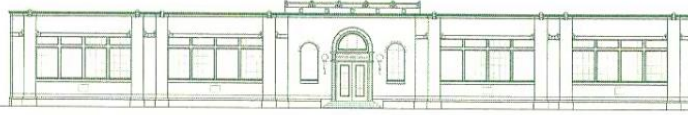
Exhibit B

17.32.025: ADDITIONAL ACTIONS AGAINST CONSTRUCTION ACTIVITY:

A. Notice of Violation: A formal notice using the Oversight Construction Inspection Form that informs a contractor of the status of compliance with state permit regulation or city ordinance/code is to be used to inform the contractor of any violations and demands items be corrected according to a schedule defined by the inspector. The inspector is to communicate (verbal, email, and using Oversight Construction Inspection Form) with the contractor regularly through the permit term to achieve understanding of the state permit regulation and city ordinance/code requirements. Generally, all communication is to be recorded in the "Comments" Section of the Oversight Construction Inspection Form in Utilisync. The Notice of Violation is provided to the contractor using the Oversight Construction Inspection Form in Utilisync. The notice should include correction deadlines. The notice can include language that informs and educates if it is effective at correcting the violation(s).

B. The inspector is to follow up and communicate with the contractor to confirm that Notice of Violation items have been addressed. The inspector should evaluate understanding or expected understanding and issue a Notice of Violation (via email using Utilisync Enforcement form) as necessary. The Notice of Violation should include correction deadlines and a warning that if not addressed adequately, further enforcement may be required including but not limited to a Stop Work Order. The contractor shall have no less than twenty-four (24) hours (immediate threats to water quality) and no more than seven (7) days (imminent threats to water quality) to correct the violation.

C. If the violation continues on the eighth day after the first Notice of Violation, a second Notice of Violation will be issued with a warning that a Stop Work Order can be issued if the violation is not corrected within the new time period (at minimum, another 24 hours). Enforcement, appeals, content of citation and fees are as per title 7 of this code. (Ord. 2020-05, 4-16-2020)



City of Holladay
CITY COUNCIL

CITY OF HOLLADAY COUNCIL SUMMARY REPORT

MEETING DATE: March 6, 2025

SUBJECT: Storm Water Management Plan Amendments

SUBMITTED BY: Joe Bolton, P.E., Assistant City Engineer

SUMMARY:

Staff recommends amendments to the City's Storm Water Management Plan to align with updated state requirements from Utah Code 19-5-108.3, and new UPDES MS4 Permit with the state. Details can be found in the attached List of Amendments.

RECOMMENDATION:

Staff recommends that the amendments to the Storm Water Management Plan be adopted.

ATTACHMENTS:

Storm Water Management Plan

Including New MS4 Permit No. UTR090109 (Appendix A)

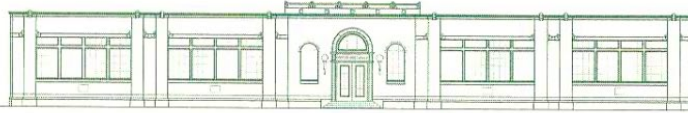
Proof of Permit Coverage

List of Amendments



City of Holladay SWMP Amendments Log

Date	SOP/Program #	Revision Description	Why
02/28/25	Holladay NPDES MS4 Permit	New MS4 Permit from State of Utah	Our Previous Permit was expiring and we will no longer be a co-permittee of Salt Lake County and Jordan Valley Municipalities.
02/28/25	MCM 4.1	Updated Milestone Date In Table 4	Utah Code 19-5-108.3 required updates to City Ordinance 17.32.025
02/28/25	MCM 4.2	Updated Milestone Date In Table 4	Utah Code 19-5-108.3 required updates to SWPPP Review Process
02/28/25	MCM 4.3	Updated Milestone Date In Table 4	Utah Code 19-5-108.3 required updates to Inspection and Enforcement SOPs
02/28/25	SOP #50	Updated SWPPP Review Process	Utah Code 19-5-108.3 required updates to SWPPP Review Process
01/16/25	SOP #50	Removed sections 5&8: Inspections & Violations and Enforcement and created SOPs 51&52 to replace.	Utah Code 19-5-108.3 required updates to these processes
02/28/25	SOP #51	Created SOP #51: Inspections for permitted construction sites	Utah Code 19-5-108.3 required updates to Inspection Process
02/28/25	SOP #52	Created SOP #52: Enforcement for Permitted construction sites	Utah Code 19-5-108.3 required updates to Enforcement Process



City of Holladay
CITY COUNCIL

CITY OF HOLLADAY COUNCIL SUMMARY REPORT

MEETING DATE: March 6, 2025

SUBJECT: Holladay Theatre Company

SUBMITTED BY: Megan Attermann, Arts & Culture Manager

SUMMARY:

The Holladay Arts Council supports incorporating a pilot community theater production with the **Holladay Theatre Company (HTC)** into its FY24-25 and FY25-26 programming and annual budget. By contracting experienced theater professionals, this initiative aims to bring high-quality, engaging community theater to Holladay. With **75% of local arts agencies in Salt Lake County offering community theater**, this program addresses a gap in Holladay Arts' offerings and is expected to be well received by both the community and funders.

Proposed 2025 Production: *Joseph and the Amazing Technicolor Dreamcoat*

Timeline:

- **Auditions:** April 17 & 19
- **Rehearsals:** May 5 – August 5
- **Performances:** August 6–11 (excluding August 10)

Note: The production timeline spans two fiscal years to accommodate summer venue rental at Olympus High School.

Rationale for Production Selection:

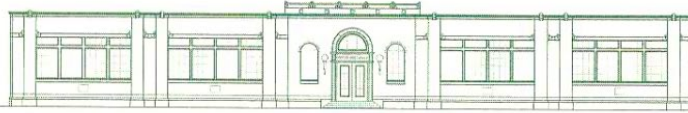
- High-quality costumes and sets are available at no additional cost
- Rights and royalties are currently available
- The show's popularity ensures strong community interest and attendance
- A large, diverse cast allows for broad community participation across all age groups

This initiative represents a significant step in expanding Holladay Arts' programming, fostering local talent, engaging the community in the process of making art and strengthening the city's cultural offerings and identity.

Division of Responsibilities:

Holladay Arts Council (Producer) Responsibilities

- Contract and hire the artistic team
- Secure rights, royalties, and necessary licenses



**City of Holladay
CITY COUNCIL**

- Arrange performance and rehearsal venues
- Develop and execute marketing strategies
- Manage ticketing and audience services (use of an in-house ticketing template can be used in the inaugural year)

Holladay Theatre Company (Artistic Team) Responsibilities

- Oversee all aspects of artistic production and development
- Foster a positive, inclusive environment for volunteers and participants
- Ensure the production stays within budget

**FISCAL IMPACT:
Proposed Budget**

	PILOT PRODUCTION		POTENTIAL FUTURE PRODUCTION
	FY 24-25	FY 25-26	
EXPENSES			
Performance Venue Rental (including 10% deposit)	\$ 1,500	\$ 15,000	\$ 15,000
Rehearsal Venue Rental (including 10% deposit)			\$ 9,000 ¹
Set Design & Construction		\$ -	\$ 10,000 ²
Costume Design & Production		\$ 500	\$ 7,500 ³
Costume Storage			\$ 2,000 ⁴
Rights & Royalties	\$ 5,500		\$ 5,500 ⁵
Artistic Team Stipends		\$ 10,500	\$ 10,500
Marketing & Print Materials		\$ 6,900	\$ 5,000 ⁶
Rehearsal Supplies		\$ -	\$ 1,000 ⁷
Background Checks	\$ 400		\$ 400
Ticketing Platform			\$ 2,750 ⁸
Contingency		\$ 2,100	\$ 1,350 ⁹
TOTAL EXPENSE	\$ 7,400	\$ 35,000	\$ 70,000
REVENUE			
Ticket Sales (500 seats per performance @ \$10, 5 performances)		\$ 25,000	
Princess Party		\$ 3,000	
TOTAL REVENUE		\$ 28,000	¹⁰

Notes:

1 - Rehearsal venue rental added to accommodate City Hall closure.

2 - Pilot Production includes ready-made sets.

3 - Pilot Production includes ready-made costumes with small allocation for alterations.

4 - If costumes are purchased in the future, costume storage will be needed. Costumes can also be rented from neighboring theaters.

5 - Rights & Royalties vary by production.

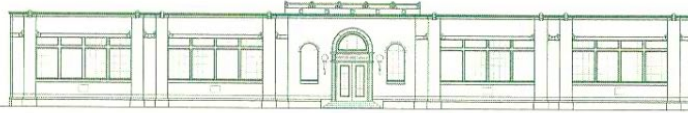
6 - This is a generous marketing budget which could be decreased as the Holladay Theatre Company becomes more established.

7 - Rehearsal supplies were not requested for the Pilot Project but would likely be needed for future productions.

8 - The Arts Council has a system that may work for ticketing, but a more robust system may be needed for the future.

9 - Contingency is higher for the Pilot Project to accommodate any unknowns that may arise.

10 - Revenue could be used to offset the 2025 pilot production or partially fund a future production/community theater program.



City of Holladay
CITY COUNCIL

Beyond the initial financial support outlined on the previous page, there are additional fiscal considerations:

1. **Foregone Rental Income:** Using City Hall as a rehearsal space prevents potential rental revenue. However, rehearsals could easily take place in the less in-demand Little Cottonwood Room.
2. **Staff & Volunteer Time:** City staff will dedicate approximately 160 hours annually to this program. Additionally, Arts Council members and/or volunteers will be needed for ticketing and ushering, totaling an estimated 40 volunteer hours total.
3. **Programming Adjustments:** With Holladay Theatre Company proposing a full summer schedule, some existing summer programming, like the Blue Moon Festival, may need to be adjusted to accommodate this major addition.

COUNCIL POLICY OPTIONS:

1. City of Holladay provides a small grant to Holladay Theatre Company to go toward the 2025 production.
2. City of Holladay delays or denies support of Holladay Theatre Company.
3. City of Holladay incorporates Holladay Theatre Company into the FY24-25 (\$7,400) and FY25-26 (\$35,000) programming of the Holladay Arts Council using the Arts Fund Balance.

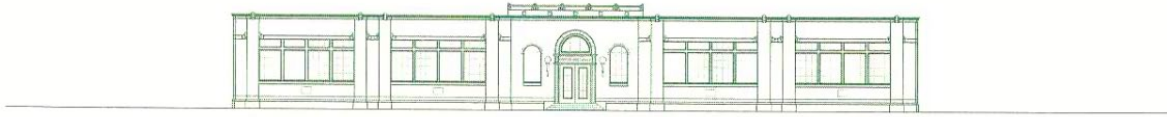
RECOMMENDATION:

The Holladay Arts Council recommends **Policy Option #3**, incorporating Holladay Theatre Company into its FY24-25 and FY25-26 programming. Using the Arts Fund Balance to support the inaugural performance allows the City of Holladay to pilot a community theatre program. This first year will generate valuable data and insights, helping the City Council evaluate the program's impact and determine whether to continue future funding allocations for ongoing programming.

POTENTIAL ACTION:

If the Holladay City Council supports the recommended Policy Option #3, the upcoming FY24-25 budget amendment to be considered by the City Council for approval on March 20, 2025 will include \$7,400 for the pilot production.

The Holladay Arts Council budget proposal for FY25-26 would include the remaining \$35,000 for the 2025 pilot production, with approval by the City Council slated for June 2025.



City of Holladay
CITY COUNCIL

ATTACHMENTS:

Initial budget numbers were provided by Holladay Theatre Company in the attached proposal. Supplemental budget numbers were provided by staff as noted above in the Fiscal Impact section.



Les Misérables



Fiddler on the Roof



Singin' in the Rain



Newsies



A Christmas Carol



The Scarlet Pimpernel



Cinderella

**BUILDING
COMMUNITY
THROUGH
THE
ARTS**



The Little Mermaid

Benefits of Community Theatre for the City of Holladay

1. For the Family

a. **Strengthening Family Bonds and Communication:** Families who engage in artistic activities together often experience stronger communication, improved relationships, and a better ability to resolve conflicts.

b. **Emotional and Cognitive Development for Children:** Participating in community theatre helps children develop emotional intelligence, empathy, and self-regulation. For families, this means healthier emotional dynamics and better coping strategies when faced with challenges.

c. **Shared Positive Experiences:** Participating in the arts can create positive shared experiences, which help families bond in a way that promotes well-being. For instance, performing or watching performances together can give families a shared sense of pride and accomplishment.

2. For the Community

a. **Social Cohesion and Community Building:** Community theaters act as spaces where people from various backgrounds come together, fostering a sense of belonging, social inclusion, and collective identity. This helps reduce social isolation and strengthens community ties.

b. **Economic Benefits:** While not always the primary focus, community theatre contributes to the local economy by creating jobs, supporting local businesses (like costume shops or restaurants), and providing spaces for other cultural activities.

c. **Promotion of Civic Engagement and Social Change:** Community theatre provides a platform for people to express social issues, address collective concerns, and engage in critical conversations. It fosters civic engagement by encouraging participants and audiences to reflect on societal issues and act on them.

d. **Fostering Inclusivity and Social Equality:** Community theatre serves as a platform for marginalized voices, promoting inclusivity and social equality. By providing space for underrepresented groups to participate in the arts, community theaters contribute to reducing inequalities in access to cultural opportunities.

3. For the Individual

a. Emotional Well-being and Mental Health: Participating in the arts, including community theatre, can have therapeutic effects. It reduces stress, promotes emotional expression, and enhances self-esteem. Theatre, in particular, allows for a safe space where individuals can explore different aspects of their identity and emotions.

b. Skill Development and Confidence: Community theatre provides participants with valuable skills in areas such as public speaking, teamwork, and creative problem-solving. These skills can lead to increased confidence, both in personal and professional life.

Susan DeMill



Passionate and accomplished Choreographer, Director, and Teacher with extensive experience in musical theatre productions. Adept at directing, choreographing, and teaching movement in theatrical performances,

Susan is dedicated to creating dynamic and memorable performances through innovative choreography. Recognized for excellence with numerous awards, including the Michael Ballam's Utah High School Musical Award for Choreography, Outstanding Service to the Utah Theatre Association and the Performing Arts Award for Outstanding Choreography across multiple years. Renowned for expertise in Directing and Choreographing, Susan brings excellence passion and a creative mastery to Musical Theatre.

Dean Kaelin



A talented songwriter, musician, performer and arranger, Dean Kaelin is a Level 5 Certified Speech Level Singing Teacher. He has been the voice coach for Star Search Winners, American Idol finalists, and his students have performed on

Broadway, signed major record deals and have performed at every major Theme Park in the U.S. Dean currently teaches private voice and operates a recording studio. He has taught and given Vocal Seminars throughout the world. He began his professional career at the age of 9 and has performed throughout the U.S., Europe and Africa. He has recorded 7 CDs of his own, and produced many for others. As well as his pop and jazz career, he has also performed lead roles in several musicals.

Robin Edwards



Accomplished Theatre Educator and Director with over 38 years of experience in leading and inspiring students through diverse theatrical productions. Renowned for directing a wide range of performances,

including 46 musicals, 34 Shakespearean festivals, numerous plays and one-act productions at both high school and junior high levels and countless community productions. Proven expertise in conceptualizing and executing creative set designs, costumes, and rehearsal schedules. Adept at coaching actors and crafting engaging theatre and scriptwriting. Recognized for excellence with awards such as UACTT's Theatre Teacher of the Year and multiple Best Director accolades. Committed to fostering a vibrant theatre environment that nurtures talent and creativity.

Lisa Wood



Dedicated producer, production coordinator, and production manager, Lisa brings nearly 18 years of experience in community theatre. Her deep passion for the transformative power of community theatre drives her

commitment to fostering engagement, connection, and emotional uplift within local communities. Lisa has successfully led and coordinated over 45 live productions utilizing casts of 20-220 artists, contributing to hundreds of performances that showcase artistic excellence and cultural enrichment. Lisa believes in the profound impact community theatre can have, both as a platform for personal growth and as a means of uniting people, and she has spent almost two decades working to promote access to the arts.

Moments From Past Shows





The Scarlet Pimpernel



Mamma Mia



A Christmas Carol



Mary Poppins



Little Women

This proposal outlines the plans for the establishment of a Holladay Theatre Company, including key dates, venue needs, rehearsal schedules, and requirements from the city.

1. Event Timeline & Key Dates

Performance Dates:

- August 6-11, 2025 (exception of Sunday, August 10)

Audition Dates: *Space will be needed at City Hall for auditions.*

- Thursday April 17/ 5:00 pm - 10:00 pm
- Saturday April 19/ 9:00 am - 1:00 pm

Rehearsal Dates:

- May 5 - August 5
- Tech Week: July 28-August 5, 2025
Tech week involves preparation for the show and requires a venue with appropriate technical resources.

Rehearsal Schedule: *Space will be needed at City Hall for rehearsals.*

- Monday-Thursday: 7:00 PM - 10:00 PM
- Saturday: 9:00 AM - 12:00 PM
No rehearsals: June 29-July 5, July 21-26

2. Venue Requirements

Performance Venue:

- Olympus High School (preferred venue, rented by the city)
Alternative: Olympus Junior High School
Dates: July 28-August 11 (or adjusted dates based on availability)

Rehearsal Venue:

- City Hall
Space will be needed for rehearsals from May 5 through the beginning of August, with the exceptions noted above.

3. What the City Will Need to Provide

Venue Support: Access to Olympus High School or Olympus Junior High School for both rehearsal and performance dates.

Rights and Royalties: Assistance in obtaining the necessary rights and paying royalties for the performance materials.

Ticket Sales: Support for managing and facilitating ticket sales for the event.

Rehearsal Space: Dedicated space at City Hall for rehearsals, as detailed in the schedule above.

Branding and Advertisement: Support for promoting the Holladay Theatre Company, including branding the event and advertising in local channels to ensure public engagement and attendance.

4. Summary of Requests from the City

To successfully launch the Holladay Theatre Company, the following are needed from the city:

- Venue (Olympus High School or Olympus Junior High School) for performances and Tech Week rehearsals.
- Rights and royalties for the performance materials.
- Rehearsal space at City Hall from May 19-August 1 (with exceptions).
- Ticket sales infrastructure for event management.
- Branding and advertisement support to promote the event.

This proposal seeks to create a vibrant cultural opportunity for the residents of Holladay, and we are excited about the potential collaboration with the city to bring this vision to life.

To bring our first production to life, HTC will incur several key expenses associated with casting, rehearsals, and performances. These costs will be spread across personnel, materials, and venue-related expenses. We will provide, at no additional cost, the sets, costumes, and props for this inaugural show.

Item	Estimated Cost <i>Joseph and The Amazing Technicolor Dreamcoat</i>	Estimated Cost Future Show
Venue Rental (for rehearsals and performances)	\$10,000	\$10,000
Set Design & Construction Donated Set by HTC Team	\$10,000 (10,000)	\$10,000
Costume Design & Production Costume Donation HTC Team	\$ 8,000 \$(7,500)	\$ 7,500
Lighting & Sound Equipment	Pre-existing	Pre-existing
Rights & Royalties for Musical	\$ 5,500	\$ 5,500 (Dependent upon Show)
Cast, Crew & Director Stipends	\$10,500	\$10,500
Marketing & Print Materials (Programs, Posters)	\$ 6,900	\$ 6,900
Rehearsal Supplies (Props, etc.)	\$0	\$1,000 (Average, dependent upon show)
Total Production Costs	\$33,400	\$ 51,400
Projected Ticket Sales from 2025 season which can be applied to 2026 show (500 seats per night @ \$10 seat)		\$(50,000)