

SOUTH JORDAN CITY  
CITY COUNCIL STUDY SESSION

October 21, 2014

**Present:** Mayor David Alvord, Councilman Steve Barnes, Councilman Chuck Newton, Councilman Chris Rogers, Councilman Mark Seethaler, Councilman Don Shelton, CM Gary Whatcott, City Attorney Rob Wall, Assistant City Attorney Ryan Loose, Fire Chief Chris Evans, Planner Jake Warner, Strategic Services Director Don Tingey, CFO Sunil Naidu, IS Director Jon Day, City Council Secretary MaryAnn Dean

**Others:** Attachment A

STUDY SESSION – 4:00 PM  
EXECUTIVE CONFERENCE ROOM

Mayor Alvord welcomed everyone present. He noted and expressed appreciation to the employees working to send a letter to every household as part of the outreach and public process for the Mulligans question.

A. Invocation: *By City Manager Gary Whatcott*

CM Whatcott offered the invocation.

CM Whatcott noted that item E would be tabled to a future meeting.

B. Review of Law Regarding Role of Chair in Council Meetings.

Mayor Alvord said a lack of decorum in meetings reflects poorly on the entire City and City Council. The residents deserve for them to work things out peacefully. He said the Mayors only power is to chair the meetings. To deny the chair that right is similar to him denying the City Council the right to vote.

Mayor Alvord passed out a handout outlining procedures for decorum in the meeting (Attachment B).

Mayor Alvord said work meetings are less formal and the City Council may not have to be recognized in order to speak, unless order in the meeting is needed.

City Attorney Wall said the Mayor can just recess a meeting without a vote. If the City Council objects to the recess, they can appeal the decision of the chair. If the meeting is recessed, they should not reconvene in groups of more than 2, and they should discuss issues outside of the Council Chambers.

Mayor Alvord said he will now have a gavel to bring the meeting to order. If they are speaking while the gavel is hitting, that is not proper decorum.

It was also noted that the recording of the meeting would be turned off during the recess. The live broadcast will also be stopped at that time.

Councilman Seethaler said the place that meetings get out of hand is during public comment. No matter what, the City Council should not respond to the comments made. It is a time to listen, not debate.

The City Council discussed the need to respond in some way or explain that the City Council is intentionally silent. Councilman Newton said the people that are speaking generally want answers to a situation, and they should not frustrate the situation further. CM Whatcott said most of the issues that come in public comment, staff is dealing with them.

The City Council determined to have the Mayor make a statement so the residents understand why the Council doesn't debate the issues during public comment. They asked Strategic Services Director Tingey to be in charge of talking with the residents at the meeting and making sure they have the appropriate contact information to address their concern.

Mayor Alvord noted that speaking cards are now required to be turned in before public comment.

Mayor Alvord asked what if someone calls a point of order that the chair does not agree with? City Attorney Wall said the Mayor can determine if a point of information is not in order. The City Council can appeal the decision of the chair.

Mayor Alvord said he wants to be fair to all in the meeting. He said there are ways to sanction members of the City Council through public reprimands. He does not ever want to do that.

C. Discussion: AED Ordinance. *(By Mayor Alvord)*

Assistant City Attorney Loose said Chief Evans was going to bring forward most of the amendments proposed to the AED Ordinance (Attachment C). Mayor Alvord said Fire Chief Evans is happy with the Ordinance as it stands. Fire Chief Evans does not endorse all of the changes, but has had input with them.

Fire Chief Evans said he is not opposed to the rebate program, but he does have concern about sustaining it long term.

Mayor Alvord said this change would maintain the program, but it changes the funding. He said he has now become a proponent of the program. The one point that he has always disagreed with is how it was funded. His understanding is that the AED units are intended to serve the public. They are not just for the employees and patrons of the business. With this change, he is trying to align who the program serves with who pays for it. He said the proposal is for the funds to be appropriated by the City Council. They have not determined the amount yet. They don't know how many will apply for a rebate. It was noted that the cost of one AED, including the cabinet

and sign, is \$1400. The replacement batteries for the AEDs commonly used in the City are \$30-\$60. The batteries are replaced every 5 years. The electrodes for AEDs commonly used in the city are \$140, to be replaced every 5 years.

Mayor Alvord asked if the City Council agreed that if the AEDs are meant to benefit the public as a whole, should the public pay for it and not burden the private sector? He said Chief Evans identified a potential funding source as the transport revenue. Any money taken from there is less than they would have towards a new fire station. One amount they have discussed for funding is \$50,000 a year.

Chief Evans said they anticipate the rebate could be as low as \$25,000 a year. In about 10 years, there is a year that they anticipate the rebates could be \$130,000-\$140,000. They made assumptions on how many new AEDs would be added, inflation rates, and how many would take advantage of the rebate.

Mayor Alvord said to apply the rebate retroactively, it would be \$325,000. Councilman Rogers said he does not want to competitively advantage a new business with a rebate if they have not done that for the other businesses. Councilman Barnes said they could agree to fund a certain amount per year, and offer it on a first come first serve basis.

It was noted that a few individuals have AEDs. Only those required to purchase AEDs, per Ordinance, would be eligible for a rebate.

Councilman Rogers asked who is responsible for having AEDs at sporting events in the city? Staff indicated that some teams have done fund raisers to purchase AEDs. The city has loaners that they can use. If there is a tournament, the person in charge of the tournament may bring one.

Councilman Rogers asked about sporting events held at the Equestrian Center? Fire Chief Evans said the event organizer would be responsible. He noted that Salt Lake County has 2 AEDs. Mr. Tingey said there is 1 AED used at the city park. Most of the leagues have been informed of the requirement and the fire department has done spot checks at sporting events. Mr. Tingey said the majority of the recreation programming is done at the city park.

Mayor Alvord asked how they would communicate to the businesses about the rebate?

Councilman Newton said he has concerns about the sustainability of the program. He said it would be reasonable to rebate 30-40 percent of the new units purchased, but not maintenance costs. He said he is okay if they use the transport fees, but they will need to identify another funding source in the future because those fees will decrease. Fire Chief Evans said they anticipate the fees to increase. Eventually, it will decline and level off. They do not foresee the fees going away. Councilman Newton said the primary focus of that fund is to provide for a fire station. He would like to find another funding source. He is concerned about the long term viability of funding.

The City Council discussed the requirement for schools to have AEDs. Fire Chief Evans said there is a grant for schools.

Mr. Tingey said the AED requirement is part of the event permitting process.

Mayor Alvord said whatever amount if funded, they should rebate the AED 100 percent. Councilman Newton said he is not in favor of reimbursing maintenance costs.

Councilman Newton said they require homes to have a smoke detector, which the homeowners pay for. Some commercial buildings are required to have a fire suppression unit, which they pay for. He feels they should treat AEDs like smoke detectors and fire extinguishers.

Councilman Newton recommended they strike item 5, as it is covered under state law.

Councilman Rogers said if they feel this is so important, they should fund it. If the cost is too grievous for the budget, they could change the levels to reduce the burden.

Mayor Alvord said there is distribution of the units where there is a lot of population. What is a sensible number that they are willing to dedicate to the project? One recommendation was for \$50,000 a year.

Councilman Newton said he does not feel orthodontists should be required to have an AED.

Mayor Alvord noted that the ADA has not taken a position on AEDs. He said dentists and their staff are CPR certified, and would be able to go through the steps required to use an AED.

Councilman Rogers said they could start the funding at \$50,000, and test it out. Mayor Alvord said the amount that they need for the program depends on how much they publicize the rebate program.

Councilman Barnes said he favors re-evaluating the list of those required to have an AED. They could just require it in places where there is 150 or more people.

Councilman Newton said they could limit the requirement to larger building sizes, assisted care facilities, and facilities where people engage in physical activity.

Mayor Alvord said Chief Evans has studied the issue. He is sincere and earnest in his desire to save lives. He would like to trust Fire Chief Evans' recommendation. He said his whole issue has always been how the program is funded.

Councilman Seethaler said they should not require something above and beyond the requirement for the profession or the building code, but there has to be a limit of the expenditure.

Councilman Newton said he would rather fund this from the general fund, and not take it out of the transport fund.

CFO Naidu said the best way is to budget this during the budget process. CM Whatcott said if they don't have a direct funding source, a future City Council will likely cut the funding. He said

it is safer to use the transport fund rather than taking it from the general fund. It would be easier to get funding for the fire station out of the general fund. Fire Chief Evans agreed with CM Whatcott, as long as they can roll the funds over and allow it to build. That will help sustain the program as the number of AEDs grows in the future.

Councilman Seethaler asked about remote release AEDs. Fire Chief Evans said that is a secured unit that would be released by dispatch. The technology exists, but they do not have it.

Assistant City Attorney Loose said the Ordinance would not include a rebate for individuals, or government entities. Childcare would be eligible for a rebate.

Councilman Newton recommended that they fund it at \$100,000, at a 100 percent rebate to be used from the ambulance transport fund. He said that would just be a marker for the program. They could add more if needed, roll the money over, or put it back into the transport fund.

Assistant City Attorney Loose said they would make it retroactive for past businesses. He said they would be amending the budget in January and can do it at that time.

Councilman Newton said there needs to be a time element, after the initial period. For example, they can rebate the retroactive AEDs until March 2015. After that, people would have 6 months to get a rebate on new AEDs.

The City Council indicated that they want to start the rebate program January 1, 2015.

Staff will bring back this item on November 18<sup>th</sup>. Staff will circulate a draft to the City Council before that time.

D. Discussion: Proposed Revisions to Residential Accessory Building Regulations.  
(By Planner, Jake Warner)

Planner Warner reviewed the proposed revision to residential accessory building regulations (Attachment D).

Councilman Seethaler asked if there is a differential for a building in a back yard versus a building facing a street? Mr. Warner said no. A property line is a property line.

Mr. Warner estimated that approximately 15 buildings per year come in that would meet the requirements. There are hundreds of buildings in the city that would be out of compliance with these changes. It was noted that these changes don't apply to the agricultural zone.

Councilman Newton asked if they can make the minimum setback requirement 15 feet? Mr. Warner explained how the formula is used to determine the setback. Councilman Newton noted that some people are as close as 3 ft. from their property line.

Mr. Warner noted that the concerns that have been expressed had less to do with the 12 ft. setback, and more to do with the windows and lack of privacy that were problematic for the neighbors.

The City Council determined to continue this item in the regular City Council meeting.

- E. Executive Session: Discuss the character, professional competence, or physical or mental health of an individual.

The Executive session was not held.

## **ADJOURNMENT**

The October 21, 2014 study session adjourned at 6:00 p.m.

**This is a true and correct copy of the October 21, 2014 Council Study Session meeting minutes, which were approved on November 18, 2014.**

*Anna M. West*  
**South Jordan City Recorder**



A few things to consider.

- 1) It's in the interest of the Mayor to be fair to the council. I do not have a vote unless there is a tie. I may need any council member's vote for future decisions, so it is in my interest to be fair about how I run the meetings.
- 2) It's in the individual council-member's interest to respect the chair and to keep good relations with the Mayor. Political support, decorum, perceived unity of the council. It's also the rules we have adopted.

What I'll say if I determine that you are out of order:

- 1) I will first say "Mr. \_\_\_\_\_ you are out of order"
- 2) You then have the option to ask the chair to be recognized. If the chair refuses to recognize you, you can appeal the ruling of the chair. "I move to appeal the ruling of the chair".

That motion needs a second. If the motion fails to receive a second, the person is required to respect the decision of the chair.

If the motion to appeal receives the majority vote, then the person is officially recognized and is now "in order".

- 3) If a councilman does not respect this process, and persists in speaking out of order, I will call for a recess.
- 4) If we return from recess and the person continues to defy the ruling of the chair, I will call for a motion to remove this individual from the meeting.

Let's show proper decorum. It's in everybody's best interests.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 8.32 "PROJECT CARDIAC REACT" OF THE SOUTH JORDAN MUNICIPAL CODE MAKING TECHNICAL CHANGES AND ESTABLISHES A REBATE PROGRAM FOR THE PURCHASE AND MAINTENANCE OF AED.**

**WHEREAS**, on June 2, 2009 the South Jordan City Council adopted Ordinance 2009-08 enacting "Project Cardiac React" which requires the location of an Automated External Defibrillator (AED) in certain existing and new occupancies; and

**WHEREAS**, existing occupancies are now in compliance and therefore certain language in the Ordinance is no longer applicable; and

**WHEREAS**, the implementation has demonstrated a need to clarify certain issues; and

**WHEREAS**, during the 2013 Legislative session the Utah Legislature amended certain provisions in the Utah Sudden Cardiac Arrest Survival Act some of which are referenced herein and therefore must be updated; and

**WHEREAS**, the South Jordan City Council desires to provide a rebate for the purchase of an AED or other equipment or supplies as required to comply with this Chapter; and

**WHEREAS**, the South Jordan City Council finds it is in the best interest of the public health, safety and welfare of persons within the City to amend Chapter 8.32 of the South Jordan City Code to clarify certain requirements related to Project Cardiac React.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH AS FOLLOWS:**

**SECTION 1. Amendment. Chapter 8.32**

**PROJECT CARDIAC REACT**

**8.32.010: PURPOSE:**

The purpose of this Chapter is to reduce heart damage, improve the quality of life and increase survivability of persons who experience a heart attack or sudden cardiac arrest (SCA) while in the City of South Jordan.

**8.32.020: DEFINITIONS:**

Unless otherwise defined herein, the applicable definitions in the Utah Sudden Cardiac Arrest Survival Act, as set forth in Utah Code Annotated Section 26-8b-102 et seq., as currently adopted and hereinafter amended, are adopted as the definitions for this Chapter. Additionally, as used in this Chapter:

CITY: The City of South Jordan, Utah.

FIRE DEPARTMENT: The City of South Jordan Fire Department.

FITNESS CENTER: A building or structure, or portion thereof, which contains facilities and/or equipment for people to maintain or improve their physical fitness, or participate in bodybuilding, figure development, martial arts or other similar activities.

OCCUPANT LOAD: The maximum number of persons for which the building or structure is designed for as outlined in the building code as adopted by the state of Utah. (Ord. 2009-08, 6-2-2009, eff. 7-1-2009)

**8.32.030: PROGRAM REQUIRED:**

A. Administration Of Programs Or Services: The Fire Department shall develop, implement and maintain programs or services that:

1. Encourage persons to call 911 for cardiovascular related emergencies;
2. Provide for early administration of CPR to SCA victims as appropriate;
3. Provide for early defibrillation of SCA victims as appropriate; and
4. Provide advanced pre-hospital treatment for cardiovascular emergencies by first responders and advanced life support personnel. (Ord. 2009-08, 6-2-2009, eff. 7-1-2009)

**8.32.040: TRAINING:**

A. Instruction Courses: Individuals who may perform CPR or use an AED are encouraged to complete a course of instruction in the administration of CPR and use of an AED. (Ord. 2009-08, 6-2-2009, eff. 7-1-2009)

**8.32.050: PUBLIC ACCESS AUTOMATED EXTERNAL DEFIBRILLATOR:**

~~A. Applicability: As of the effective date of this Chapter, are required to have an AED as outlined herein, shall comply prior to the issuance of a certificate of occupancy by the City.~~

A. Where Required: AEDs shall be required in the following locations:

1. All Fire Department vehicles.
2. All Police Department patrol and school resource vehicles.
3. All buildings or structures, or portion thereof, occupied by:
  - a. A licensed healthcare provider. Subsection 8.32.050(B)(3)(a) does not apply to an Audiologist, Chiropractor, Optometrist, Pharmacist, Podiatrist, Psychiatrist or Psychologist unless local anesthesia, general anesthesia, conscious sedation or deep sedation is used; or it is otherwise required under B6 of this section.
  - b. A dentist.

- c. A fitness center or swimming pool of one thousand two hundred (1,200) square feet or larger. ~~Exception:~~ Subsection 8.32.050(B)(3)(c) does not apply to a fitness room or swimming pool at a private residence.
- d. People who are cared for or living in a supervised environment and having physical limitations because of health or age, are harbored for medical treatment or other care or treatment, or people who are detained for penal or correctional purposes. Subsection 8.32.050(B)(3)(d) does not apply to a private residence or licensed childcare facilities that provide accommodations for less than fifty (50) children for less than twenty four (24) hours.

~~4. All hotels or motels.~~

4. All municipal and private golf courses.

5. Buildings or structures, or portion thereof, with an occupant load of more than fifty (50) people and occupied by:

- a. A governmental agency (city, county, state and federal).
- b. A public, charter, or private primary or secondary school.
- c. A licensed childcare facility.

6. All public or private buildings or structures, or portion thereof, not otherwise identified above and with an occupant load of greater than one hundred fifty (150) people.

7. All public or commercial recreation and sporting fields during sporting events at which more than one hundred fifty (150) people are in attendance at any given time.

B. General Requirements: AEDs shall be installed, maintained, and used in accordance with this Chapter and applicable federal, state and local laws and regulations.

C. Quantity and Distribution:

~~1. AEDs shall be distributed such that the maximum travel distance from any portion of the building or structure to an AED does not exceed four hundred twenty five feet (425').~~

1. Where required pursuant to subsection 8.32.050, AEDs shall be located as follows:

- a. one (1) AED shall be placed in the lobby of the primary public entrance of the building or structure.
- b. in multi-story buildings where more than one AED is required due to travel distance, additional AEDs shall be located near the elevator on other levels as required to ensure the maximum travel distance to an AED does not exceed the travel distance outlined in 8.32.050(D)(1)(C),
- c. if the travel distance from any portion of the building, structure or area to the AED exceeds four hundred twenty-five feet (425') an additional AED(s) shall be required and distributed such that the maximum travel distance from any portion of the building, structure or area does not exceed four hundred twenty-five feet (425').

D. AED to Serve Multiple Occupancies: In buildings, structures, or other areas with multiple occupancies, an AED may be shared by two (2) or more occupancies when:

1. the AED is placed in a common area accessible to all occupants and visitors of each building, structure or portion thereof, and at any time the building, structure or any portion thereof is occupied; and
2. the maximum travel distance to an AED from any portion of the building or structure served by the AED does not exceed four hundred twenty five feet (425').

~~D. General Requirements: AEDs shall be installed, maintained, and used in accordance with this Chapter and applicable federal, state and local laws and regulations.~~

E. Location and Accessibility of AEDs:

1. AEDs required pursuant to 8-32-050 (3-6) shall be:
  - a. located in a conspicuous location along normal paths of travel and readily accessible to members, employees, agents, clients, customers, or invitees who are granted access to the building, structure or any portion thereof.
  - b. unobstructed from view or use.
  - c. housed in an enclosed cabinet permanently affixed to a wall and in accordance with the following:
    - (i) the height of the AED shall be a minimum of forty-two inches (42") and a maximum of forty-eight (48") measured vertically, from the floor to the top of the AED carrying handle;
    - (ii) the AED cabinet shall include a clear window in the cabinet door and an audible alarm signaling the opening of the door.
    - (iii) the AED cabinet door shall not be locked except as follows:
      - 1) in areas where the AED is subject to theft or vandalism, the door may remain locked when visual identification panels of glass or other approved transparent frangible material that is easily broken and allow rapid access is used; or
      - 2) when secured in an AED cabinet incorporated into an emergency communication device that is monitored twenty-four (24) hours a day seven (7) days a week and, without delay the monitoring agency has the ability to remotely release the AED locking mechanism for a caller who is responding to a potential sudden cardiac arrest.
- b. The location of the each AED shall be marked by a multi-directional sign containing the letters "AED" and the universally recognizable AED symbol.

- (i) The sign shall be affixed to the wall directly above the AED cabinet and be plainly legible, visible and of an approved size to provide adequate visibility.
- (ii) The height of the sign shall be a minimum of eighty-four inches (84") and a maximum of one hundred twenty inches (120"), measured vertically from the floor to the bottom of the AED sign.
- (iii) On multi-story buildings a directional sign shall be placed near the elevators on every floor which does not contain an AED.

2. AEDs required pursuant to 8-32-050 (7) shall be:

- a. located in a conspicuous location and readily accessible to members, employees, agents, clients, customers, coaches, players, spectators or invitees who are granted access to the recreational or sporting field.
- b. unobstructed from view or use.

~~1. Location: Located in a conspicuous location along normal paths of travel and readily accessible and immediately available for use by employees and members of the general public, including disabled persons.~~

~~2. View Of: Unobstructed: Unobstructed from view or use. 3. Cabinet: Housed in a cabinet permanently affixed to a wall or durable portable stand and in accordance with the following:~~

- ~~a. The height of the AED shall be a minimum of forty two inches (42") and a maximum of forty eight inches (48") measured vertically, from the floor to the top of the AED carrying handle.~~
- ~~b. The AED cabinet shall include a clear window in the cabinet door and an audible alarm signaling the opening of the door.~~
- ~~c. Cabinets used to house AEDs shall not be locked.~~

F. Access to Property, Building, Structure, or any Portion Thereof: ~~4. Access: Accessible to members employees, agents, clients, customers, or invitees who are granted access to the building, structure or any portion thereof. However~~ Nothing in this Chapter is intended, nor shall it be construed, to diminish or alter in any way the right of every business, corporation, partnership, entity, or other association required to provide an AED by this Chapter to: (a) determine who may enter or remain on its property, free of any burden or interference; or (b) set the hours when its property may be open or in operation.

~~5. Exceptions:~~

- ~~a. Applicability. This Subsection E does not apply to AEDs deployed in vehicles, intended for use by a designated emergency medical response team, or temporarily deployed at a recreational field as required in Subsection B7 of this Section.~~

~~b. Access. In areas where the AED is subject to theft or vandalism, the cabinet door may remain locked when visual identification panels of glass or other approved transparent frangible material that is easily broken and allows rapid access is used; or when secured in an AED cabinet incorporated into an emergency communication device that is monitored twenty four (24) hours a day seven (7) days a week and, without delay the monitoring agency has the ability to remotely release the AED locking mechanism.~~

~~F. AED Signs: The location of each AED shall be marked by an approved multidirectional sign containing the letters "AED" and the universally recognizable AED symbol. The sign shall be affixed to the wall directly above the AED and be plainly legible, visible and of an approved size to provide adequate visibility.~~ **8.32.060: TAMPERING WITH AN AED:**

As set forth in Utah Code Annotated Section 26-8b-501 et seq., as currently adopted and hereinafter amended, it shall be unlawful for any person to remove, tamper with or otherwise disturb any AED, AED cabinet or enclosure, or AED sign except as provided for in U.C.A. 26-8b-501.

**8.32.070: REPORTING LOCATION OF AEDs:**

Reporting: As set forth in Utah Code Annotated Section 26-8b-301 et seq., as currently adopted and hereinafter amended, a person who owns or leases an AED shall report the name, address and phone number of the AED owner and the exact location of each AED, in writing or by the provided web-based AED registration form, to Salt Lake Valley Emergency Communications Center.

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**8.32.080: NOTICE OF VIOLATION REQUIRED:**

A. Violation Notice: When a building, structure, vehicle, or outdoor area is found to be in violation of any requirement of this Chapter except subsection 8.32.060, the Fire Chief, or his/her designee, shall issue a written notice of violation prior to taking further action. A notice of violation issued pursuant to this Chapter shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation by personal service or mail. The notification can be delivered to the owner's property and left with a person of responsibility upon the premises.

B. Time to Comply: A reasonable time shall be given for the person to comply with this Chapter which shall not be less than thirty (30) days after written notice of violation is served. (Ord. 2009-08, 6-2-2009, eff. 7-1-2009)

**8.32.090: PENALTIES:**

The violation of this Chapter shall be a class C misdemeanor punishable by law. The violation of one section or subsection shall be a separate violation from the violation of another section or subsection. (Ord. 2009-08, 6-2-2009, eff. 7-1-2009)

### **8.32.100: IMMUNITY:**

A. Immunity: Nothing in this Chapter shall limit or otherwise restrict the immunity from civil liability provided under the Utah Sudden Cardiac Arrest Survival Act, Good Samaritan Act, and/or other applicable federal or state law. (Ord. 2009-08, 6-2-2009, eff. 7-1-2009)

B. Private Right of Action: This Chapter is not intended, nor shall be construed, to create or support a private right of action against any person, entity, business, or other association covered by this Chapter.

### **8.32.110: AED REBATE PROGRAM:**

A. Restricted Account: Within the (insert fund) there shall be a restricted account known as the AED Rebate Account; the purpose of which is to provide a rebate to eligible entities for the purchase of a public access AED, or other related supplies and equipment as required to comply with the provisions of this Chapter, and authorized herein.

B. Administration of Account: The fire chief, or his/her designee, shall administer the account in accordance with the rules as approved by the South Jordan City Council through the Budget process.

C. Funding of Account: The restricted account shall consist of the following:

1. funds as appropriated by the South Jordan City Council; and

2. grant, donation, or other public or private funds provided to the City and specifically for the purchase of a public access AED or related equipment and supplies.

D. Distribution of Funds: The chief shall distribute funds deposited in the account to reimburse eligible entities for the purchase of any of the following:

1. a public access AED as required to comply with this Chapter;

2. for each required public access AED:

b. an AED electrode;

c. an AED battery or as appropriate batteries;

d. an AED wall-mounted cabinet.

3. AED wall mounted signs as required to comply with this Chapter.

E. Maximum Rebate: The maximum rebate amount is restricted to the lesser of the actual cost or the established per item limit as outlined in the rebate rules approved by the South Jordan City Council.

F. Eligibility: The rebate is subject to available funding and eligibility is limited to the owner of a business or other building or structure:

1. when said building or structure is located within the geographical boundaries of the City of South Jordan; and
2. the building or structure located within the geographic boundaries of the City of South Jordan is subject to the provisions of this Chapter; and
3. the eligible item(s) purchased, as outlined in 8.32.110(d), have been placed installed in the building or structure located within the City of South Jordan; and
4. the eligible item(s) were purchased on or after July 1, 2015.

**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, provisions and words of this Ordinance shall be severable.

**SECTION 3. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

# ZONE TEXT AMENDMENT: ACCESSORY BUILDING REGULATIONS



**Original:**  
**Sept. 16, 2014**

**Revised:**  
**Oct. 21, 2014**

# PROPOSED REVISIONS: HEIGHT

## Current Requirement

- Staff review
- A-5, A-1: 35'
- All other zones: 25'

## Proposed Revisions

- Planning Commission approval required **as a CUP** if height exceeds house.
  - Notice to include 300' and all owners in subdivision.
  - In no case shall height exceed 25'.

# PROPOSED REVISIONS: FOOTPRINT

## Current Requirement

- Staff review
- Allowed Footprint:
  - A-5: not specified
  - A-1: 5,000 s.f. (over 5,000 s.f with CUP)
  - R-1.8, R-3, R-4, R-5, R-M: not to exceed house
  - R-2.5: not to exceed 60% of house

## Proposed Revisions

- Planning Commission approval required **as a CUP** when footprint exceeds ~~80%~~ **60%** of house.
  - Exception: footprint in A-5, A-1, & R-1.8 allowed to match house.
  - Notice to include 300' and all owners in subdivision.
  - In no case shall footprint exceed house.

# PROPOSED REVISIONS: SETBACKS

## Current Requirement

- In a side yard: side setback same as house (10').
- In a rear yard: 3' to rear and side property line, additional 1' for every foot the structure exceeds 16' tall . (12' for a 25' tall building)

## Proposed Revisions

- ~~20' to habitable space above the ground floor.~~
- ~~When adjacent to right of way: 3' to property line, additional 2' for every foot the structure exceeds 16' tall.~~

# EXAMPLES



# PROPOSED REVISIONS: ARCHITECTURAL STANDARDS

## Current Requirement

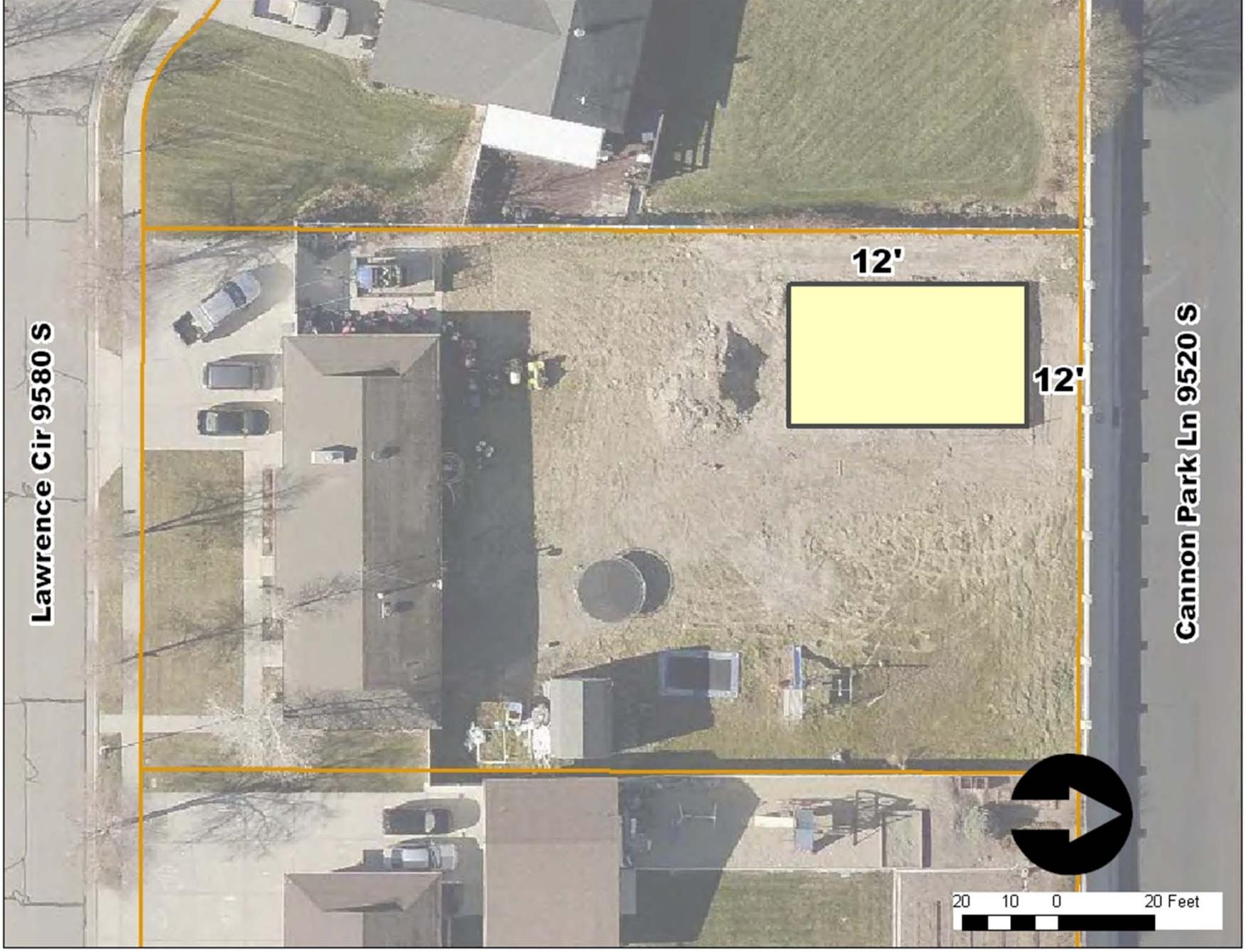
- N/A

## Proposed Revisions

- **For portions within 20' of a property line, unless approved by the Planning Commission as a CUP:**
  - **No exterior openings (windows or doors) permitted for habitable space when the floor height exceeds 4' above the property line.**
  - **Average wall height shall not exceed 16'.**
  - **Notice of Planning Commission meeting to include 300' and all owners in subdivision.**
- **Majority of roof structure to be constructed with a minimum 4/12 roof pitch for structures over 200 sq. ft.**

# EXAMPLE: WENZEL ACCESSORY BUILDING





**Lawrence Cir 9580 S**

**Cannon Park Ln 9520 S**

**12'**

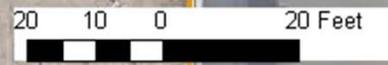
**12'**

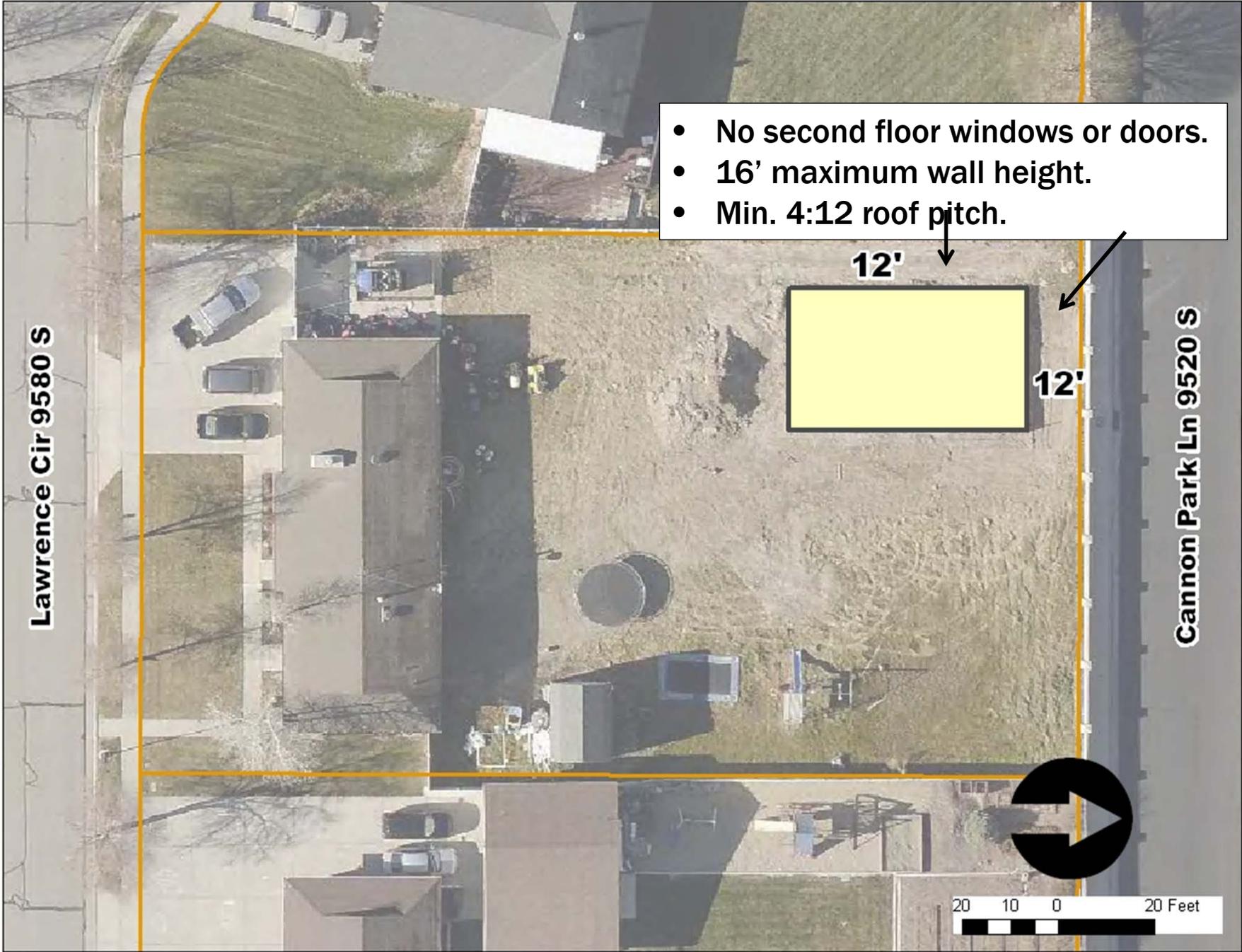
20 10 0 20 Feet



**Lawrence Cir 9580 S**

**Cannon Park Ln 9520 S**





Lawrence Cir 9580 S

Cannon Park Ln 9520 S

- No second floor windows or doors.
- 16' maximum wall height.
- Min. 4:12 roof pitch.

12'

12'

20 10 0 20 Feet

# PROPOSED REVISIONS: HOME OCCUPATION

## Current Requirement

- Not allowed.

## Proposed Revisions

- Home occupations **commonly conducted in a primary dwelling** may be conducted in an enclosed and properly permitted accessory building.

# PROPOSED REVISIONS: MISCELLANEOUS STAFF PROPOSALS

- Under ~~8'~~ **10'** tall in a side yard: allowed to be ~~3'~~ **5'** from the property line.
- Distance between structures: 5' rather than 6'.
- Permitted use changed from “Residential Accessory Buildings” to “Accessory Buildings”.
- “Community Development Department” references changed to “Development Services Department.”
- Home Occupations allowed to occupy an area of not more than 35% of the floor area of the main building, and not to exceed 1,000 s.f. Currently restricted to 800 s.f.
- Removal of restriction against street side garages on a corner lot.
- Removal of the automatic denial for a home occupation due to a received objection.

Lawrence Cir 9580 S

Cannon Park Ln 9520 S

20'

Side Yard:	20'
Setback to Prop. Line:	5'
Setback to house:	<del>3'</del> 5'
Buildable Width:	<del>12'</del> 10'

