

## NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold its regularly scheduled Council Meeting on Thursday, August 14, 2025, at the Millville City Office, 510 East 300 South in Millville, Utah, at 7:00 p.m.

1. Call to Order / Roll Call – Mayor Hair
2. Opening Remarks / Pledge of Allegiance – Councilmember Ward
3. Approval of agenda
4. Approval of minutes of the last City Council Meeting – July 10, 2025
5. Agenda Items—
  - A. Public comment period (2 min/person)
  - B. Ridgeline High School student representatives
  - C. Canyon View Lawn Care Access Issue – Mayor Hair
  - D. Consideration of ordinance updating City Code Chapter 16.16 – Subdivision Application Requirements – Development Coordinator Everton
  - E. Consideration of ordinance updating City Code Chapter 17.12 – Establishment of Zones – Development Coordinator Everton
  - F. Consideration of ordinance updating City Code Chapter 2.36 – Access to Public Records – Recorder Twedt
  - G. Consideration of ordinance updating City Code Chapters 17.20A, B & C – Development Coordinator Everton
  - H. Consideration of ordinance updating City Code Chapter 9.22 – Noise and Lighting Control – Recorder Twedt
  - I. Consideration of resolution approving the FY25 Fraud Risk Assessment – Recorder Twedt
  - J. Consideration of resolution adopting a Sanitary Sewer Management Plan – Recorder Twedt
  - K. City Reports: Roads, Parks, Water – Public Works Director Kendrick
  - L. Councilmember reports and other items for future agendas
6. Adjournment.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Corey Twedt at (435) 881-2669 at least three days prior to the meeting.

This agenda was posted on August 11, 2025, to the City posting locations, the City Website, and the Utah Public Meeting Notices Website.

  
\_\_\_\_\_  
Corey Twedt, Recorder

**MILLVILLE CITY COUNCIL MEETING**  
**City Hall – 510 East 300 South – Millville, Utah**  
**July 10, 2025**

**PRESENT:** David Hair, Daniel Grange, Clay Wilker, Pamela June, Ryan Zollinger, Jeremy Ward, Chad Kendrick, Corey Twedt, Kara Everton, Darcy Ripplinger, Aaron Stoddard, Jacob Ames, Brian Hair, Kaylee Hair, Sheryl Hair, Kazlie Hair

**Call to Order/Roll Call**

Mayor David Hair called the City Council Meeting to order for July 10, 2025 at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Jeremy Ward, Ryan Zollinger, Clay Wilker, and Daniel Grange were in attendance, with Councilmember Pamela June to arrive shortly.

**Opening remarks/Pledge of Allegiance**

Councilmember Grange welcomed everyone to the Council Meeting and led all present in the Pledge of Allegiance. He then offered a word of prayer.

**Approval of agenda**

The agenda for the City Council Meeting of July 10, 2025, was reviewed.

**Councilmember Grange motioned to approve the agenda for July 10, 2025.**

Councilmember Ward seconded. Councilmembers Ward, Grange, Wilker, and Zollinger voted yes, with Councilmember June to arrive shortly. (A copy of the agenda is included as Attachment “A”.)

**Approval of minutes of the previous meeting**

The Council reviewed the minutes of the City Council Meeting on June 12, 2025.

**Councilmember Zollinger motioned to approve the minutes for June 12, 2025.**

Councilmember Ward seconded. Councilmembers Ward, Grange, Wilker, and Zollinger voted yes, with Councilmember June to arrive shortly.

**Public comment period**

Mayor Hair opened the floor for any public comments. Aaron Stoddard signed up for the public comment portion of the meeting. Aaron said that he lives at 100 E. 300 S. and would like to make a request to add two stop signs to turn that intersection into a four-way stop. He said that he has lived there for seven years and the traffic is worse than ever.

**Councilmember June arrived at this time.**

Mayor Hair told Aaron that for now, the City is in the process of purchasing some of the speed readout signs that can be moved to different areas to potentially slow traffic and collect data to evaluate traffic issues.

**Consideration of resolution updating construction deposits and fees**

Recorder Twedt said that this resolution is not updating amounts on deposits or fees. It is just minor updates to state the obvious about occupancy needing to be granted before someone moves into a home. It also updates the wording to clarify that the timeline for the landscape deposit begins when residents move into their home. The resolution specifies that water may be turned off if residents move into a new home prior to occupancy being granted.

The process and approvals for occupancy permits were briefly discussed.

**Councilmember Ward motioned to adopt Resolution 2025-15.** Councilmember Wilker seconded. Councilmembers Ward, June, Grange, Wilker, and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment “B”).

**Consideration of a resolution accepting a water exchange agreement with the Millville-Nibley Cemetery District**

Mayor Hair reviewed the resolution and the agreement that had been drafted by the City attorney for an exchange of the Millville City ownership in the Skinner Spring for two shares of Garr Spring Water Company owned by the Cemetery District. He said that this isn't new and has been discussed in previous meetings.

Recorder Twedt said that the Cemetery Board met last night and reviewed the agreement at their meeting. There are a couple of minor things to work through and then we think everyone will be on the same page and will be willing to sign the agreement. This resolution, if approved by the City Council, gives the Mayor authority to sign the agreement.

The consensus of the Council was that this has been discussed for a long time and accomplishes what they hoped would work out for a water exchange that benefits both entities.

**Councilmember Grange motioned to adopt Resolution 2025-16.** Councilmember Zollinger seconded. Councilmembers Ward, June, Grange, Wilker, and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment “C”).

**Consideration of resolution setting excavation and boring fees and deposits**

Recorder Twedt reviewed the proposed resolution. He explained that most cities have fees associated with excavation of public roads, because the roads are never the same after road cuts are done. He said that he has done research on what other cities in Cache Valley charge for road cuts and based the proposed resolution on that data.

The Council asked about the different costs based on road age. Recorder Twedt said that the thought process is that newer roads will have received some kind of road treatment that would be diminished with excavation. A road older than three years is getting closer on the schedule to getting a new road treatment and therefore the cost is lower.

Recorder Twedt discussed, as an example, the sewer excavation the City had done on the highway. UDOT is requiring Millville to do a road treatment on that portion of the highway and it is expensive. It is not realistic to require a homebuilder to do a chip/seal or micro seal on a small, excavated area. It would make more sense for the City to collect the fee and then figure out how to rotate that piece of road into the regular treatment schedule.

Councilmember Zollinger said that he was struggling with the cost differential for an excavation permit between an old and a new road. The consensus of the Council was that the \$5,000 may be a little high for a new road. The actual costs of a road treatment for a new piece of pavement over a trench in a road was discussed. Recorder Twedt said that he didn't think the \$5,000 was unrealistic for actual costs and that this is what some other cities have determined is an appropriate cost, but he understands that there are a lot of fees and costs for someone building a new home and he was okay with reducing the fee for excavation on a new road to whatever the Council thought was appropriate. Mayor Hair said that this is a needed fee and it can be adjusted later if needed. Anything would be better than what is in place now where the City doesn't charge anything.

**Councilmember Grange motioned to adopt Resolution 2025-18 with \$3,000 for the new road and \$10 per square foot for areas larger than 300 square feet.** No other changes were made to the proposed resolution. Councilmember Ward seconded. Councilmember Wilker asked if the 90-day time period referenced in the resolution began when a building clearance was granted. Recorder Twedt said that it would be 90 days from the time the excavation permit was issued. Councilmembers Ward, June, Grange, Wilker, and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment "D".)

**Consideration of resolution updating fees and deposits for hillside overlay applications**

Development Coordinator Everton reviewed the resolution for updating the fees for hillside overlay reviews. She explained that Millville has been using a \$1,200 fixed cost for these in the past, but with all the requirements and the sometimes incomplete submittals from builders, the engineering costs are often exceeding the fee that Millville is charging. This resolution would require a \$2,000 deposit from which engineering fees would be used. Any amount not used would be returned to the home builder.



The Council discussed the \$50 administrative fee and asked staff if this was enough to cover the time they spend on hillside overlay permits. Recorder Twedt said that no, this won't cover the time spent, but with how expensive everything is for building on a hillside, they wanted to keep extra charges as low as possible. It may need to change in the future, but he said he felt like this is a good starting point.

Councilmember Zollinger asked if there were ideas on managing the engineers to keep down costs for builders. Development Coordinator Everton said that she now reviews these applications as well as subdivision applications in more detail to ensure the builder is submitting everything that is required. This reduces the time the engineer spends on their reviews. Recorder Twedt said that engineering fees are a constant battle. The City doesn't have an engineer on staff, so we use contract engineers. They are expensive, and we pass on those costs directly to the developer or home builder. We are arguing with engineers on their costs all the time to try and keep them down and staff is doing as much of the review work as possible.

**Councilmember Ward motioned to adopt Resolution 2025-19.** Councilmember Wilker seconded. Councilmembers Ward, June, Grange, Wilker, and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment "E".)

**Consideration of a resolution declaring property as surplus and ordering the sale thereof**

Mayor Hair reviewed the resolution for the surplus property. He said that this had been discussed previously, but with the purchase of the new Public Works trucks, staff plans to sell the 2017 pickup truck and keep the older one for seasonal employees to use.

**Councilmember Zollinger motioned to adopt Resolution 2025-17.** Councilmember Grange seconded. Councilmembers Ward, June, Grange, Wilker, and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment "F".)

**Review of utility adjustments for the fourth quarter of Fiscal Year 2025**

Recorder Twedt reviewed the utility adjustments for the last quarter. There were no concerns from the City Council with the adjustments that had been made.

**Ridgeline High School Baseball Field Lights**

Councilmember Zollinger said that he has been speaking with the high school principal. Councilmember Zollinger has been getting information from residents about the lights and noise still being a problem. The principal was surprised that this was still happening.

Councilmember Ward said that the last time the principal had come to a meeting, he had discussed one or two times a year when a tournament might be held, wherein there may be

a request to have the lights on a little after the 10 p.m. deadline. It was discussed that no tournaments or other uses of the lights had been approved after 10 p.m.

It was discussed that the City court lights were on timers that go out at 10 p.m., and nobody can turn them on after that. The school lights should be on a similar timer.

Councilmember Zollinger said that it was frustrating in that the recent issues were not even school events. These were summer baseball leagues that were not associated with the school.

Mayor Hair said that he feels like the City needs to start issuing fines to make this long-standing issue stop. It was discussed where the fines should be sent. Recorder Twedt said that the Cache County School District owns the property and is responsible for what happens there. He said that he felt the fines needed to go directly to the school district.

Several residents in attendance expressed their disbelief that this was still happening after several years of trying to work on a solution with the school district. The school district was very concerned about people in their parking lots at night, and they had taken immediate action to put a stop to that problem but had taken very little action to resolve the baseball field light issue.

Councilmember Zollinger said that he would reach back out to the principal and athletic director to find a resolution and discuss pending fines if they don't find a solution. He said that he would report back next month.

Councilmember Zollinger also said that for now, the school district is not planning on creating any new parking spaces to deal with the parking capacity issue.

#### **City Celebration review and discussion about next year**

Councilmember Ward said that he felt the City Celebration went well this year.

Councilmember June said that while she was collecting money, she received a lot of positive comments about the Millburger. Councilmember Ward said that he agreed. The people seemed happy they were getting nearly free food. Councilmember Zollinger said that he thought it went well this year. He said that it was difficult to find time to speak with the residents, since the Council was cooking much of the time. Councilmember Ward said that they could consider having the meal catered and charging more of the attendees next year. Recorder Twedt said that he really liked the food trucks from past years in that they provided other food options.

The consensus from the Mayor and City Council was that the dutch oven cook-off went well this year. Mayor Hair said that it might be a little too close to dinner. The Council discussed the possibility of starting the dutch oven food in the morning and eating the food for lunch.

Councilmember Ward said that the race was well attended and enjoyed, as was the pickleball tournament. There may be some new volunteers willing to work on the pickleball tournament for next year. Councilmember Ward said that the Millville Made craft activity was not well attended, and they could probably skip it next year. Everyone thought the magician did a good job. Mayor Hair agreed, but said that it went a little long. Councilmember Ward said that they had requested the magician spend more time, but that it could be kept to an hour next year.

Recorder Twedt said that he thought it would be nice if the band were playing during dinner instead of later in the evening. Development Coordinator Everton recommended they switch the order so that the band plays during dinner and the talent show is later in the evening.

Councilmember Ward recommended that the Council plan on holding the City Celebration each year on the second weekend in June. He said that if it were always scheduled for the same weekend, people could plan for it better.

Councilmember Ward said that the parade was poorly attended. He said that the parade itself is a lot of work and that he felt someone needed to be assigned to work specifically on just the parade.

### **City Reports**

Director of Public Works Chad Kendrick said that a lot of water is being used in the City right now with how dry it is. Testing is completed, and the nitrate levels in the Glenridge Well remains acceptable, so they have turned on that well and are using some water from that source. The new upper well is running about fourteen hours per day.

Director Kendrick said that the new intersection at 550 East 300 South is complete and operational.

For the sewer project, the paver is coming back on Tuesday now. They have been delayed. They will be working on paving sewer trenches that remain, as well as some areas that have settled from the asphalt that was installed last year.

Director Kendrick said that the countertop for the new pavilion has been installed. It is stainless steel and does get a little warm in some parts of the day. Once the new trees to the west mature, it won't be an issue, but they may want to move the counter to the east side for now.

Councilmember Zollinger briefly discussed the shoulder work that was needed with the sewer project. He said that there are issues with some parts of Main Street. Director Kendrick said that the staff has just begun creating a punch list of items that Whitaker Construction will need to get done.

**Councilmember Reports and Items for Future Agendas**

(A copy of the Councilmember Assignments List is included with the minutes as Attachment “G”).)

Councilmember Wilker brought up a complaint that had been emailed to the City Council by Darcy Ripplinger concerning the amount of dust created from trucks passing through the City-owned property off of 550 East. Although the City accesses the property once per day and there are some Garr Spring water users that also access that property, Darcy said that the great majority of the vehicles are from Canyon View Aeration and Lawn Care that are using that property to access the back of the Hobbs property where the trucks and landscaping material are stored.

The Council reviewed the parcel viewer to see the location in question. The Council discussed the property and said that it could be controlled with a gate. Councilmember Wilker said that he felt access to the City property should not be permitted for the landscaping company if it was having a negative effect on the neighboring homes. Councilmember Grange said that he doesn't think they should be using the property of other people to run a business. Councilmember Zollinger said that he was concerned that this was a trespassing issue on City property.

Recorder Twedt said that since the complaint was new, nobody had yet spoken with Trevor Hobbs, the owner of the company. He said that he knows the Council does not want to push this off, but maybe the first step would be to put it on the next City Council agenda so that Trevor could be invited to discuss the concern. The Council agreed to proceed in that manner.

Councilmember Wilker asked if they should require this complaint to be submitted on an official City complaint form instead of by email. Councilmember Zollinger said it didn't matter to him. If there was a trespassing issue, it should be dealt with, no matter how it was brought to the Council.

Councilmember Grange asked that the Ridgeline High School Booster Club fundraising Lonestar Concert be included with the City newsletter again this month. Recorder Twedt said that it was in the newsletter.

Councilmember Ward asked for some clarification on retention ponds and stormwater vs wastewater.

Recorder Twedt asked the Council how they wanted him to proceed after having read the email exchange with Garryn Perrett regarding a missed sewer connection for a lot next to his home. Councilmember Zollinger said that he agreed with the proposed plan of installing the connection when development is ready to go in, and not doing it now. The rest of the Council agreed with this plan.

**Adjournment**

**Councilmember Zollinger moved to adjourn the meeting.** Councilmember Ward seconded. Councilmembers Ward, June, Grange, Wilker, and Zollinger voted yes. The meeting adjourned at 8:51 p.m.

DRAFT



## AGENDA REPORT: CANYON VIEW LAWN CARE ACCESS      August 14, 2025

---

### Background

Millville City received a complaint from a resident who lives on Canyon Road concerning the dust generated by work vehicles from Canyon View Lawn Care. These vehicles are using a dirt path located on a Millville City-owned parcel (03-037-0025) to access the back of the Hobbs property, where the Canyon View Lawn Care business is located.

As discussed in the last City Council meeting, there are other people who access this parcel and dirt road. The Millville City Public Works Department goes there about once per day to check on the water system. Some Garr Spring Irrigation share owners also access this parcel, but according to the complainant, the great majority of vehicles creating the issue are from Canyon View Lawn Care.

In previous years, Millville City has paid for a once-a-year mag road treatment to reduce the dust on this parcel, as well as further south on Canyon Road. In the past, City staff had the treatment done on this parcel since we were already paying to treat the road further south. With the acceptance of the Cold Storage Subdivision and subsequent further pavement of Canyon Road, Millville City is no longer planning to pay for dust treatments on the City parcel in question.

Trevor Hobbs, owner of Canyon View Lawn Care, was sent a notification of the complaint following the last meeting and told that it would be discussed at this meeting. He will also be sent this staff report.

### Included Documents

- Complaint received from neighbor on Canyon Road
- Canyon View Aeration and Lawn Care Business License Application





Corey Twedt <ctwedt@gmail.com>

---

## Fwd: dust

1 message

---

**David Hair** <mayorhair@gmail.com>  
To: Corey Twedt <ctwedt@gmail.com>

Tue, Jul 8, 2025 at 5:17 PM

Sent from my iPhone

Begin forwarded message:

**From:** Darcy Ripplinger <darcyripplinger@gmail.com>  
**Date:** July 8, 2025 at 4:51:48 PM MDT  
**To:** David Hair <mayorhair@gmail.com>  
**Subject:** dust

Hi,

Me and another neighbor are a little annoyed with Canyon View Landscaping. They drive up and down the lane that leads to Garr Springs headgate as well as the city water reservoir. They drive multiple cars and big trucks and trailers up and down the lane multiple times a day. The dust they create is kind a lot. Especially with the big equipment and the speed they travel. It's definitely a nuisance and is impacting us. I am not very familiar with the business license requirements and such. But it's very dusty around here, kind of feels like we don't even have a nicely paved road. The dust finds its way.

I have been told that the city doesn't want to pay to oil that lane this year. I'm wondering if you could approach Canyon View Landscaping and split the cost of the oil on that lane? I have seen the city do these sorts of things to find success in alleviating problems.

Thanks, Darcy Ripplinger



Canyon View Aeration and Lawn Care will be a service to residents of Cache Valley. We will primarily be aerating lawns as well as additional lawn care as needed. The promotion of this service will be door to door sales, Facebook, word of mouth, and potentially temporary yard signs.



**SECTION IV: Additional Information**

- E. Utah State Tax Commission — Sales Tax Number: \_\_\_\_\_ ☒ Not applicable
- F. State & federal regulatory agency licensing info: \_\_\_\_\_ ☒ Not applicable  
(Not referring to an EIN or entity number)
- G. Did you use "One-Stop Online Business Registration" to Register your business with state and federal agencies?  
☐ Completely ☐ Partially ☒ Not at all ☐ I do not know — someone else did it
- H. Previous Business Name: \_\_\_\_\_ ☒ Not applicable
- I. Previous Business Location: \_\_\_\_\_ ☒ Not applicable

**SECTION V: Ownership** (Parent business entity and business officer information)**Parent Entity**

Parent Business Name: \_\_\_\_\_ ☒ same as "A. Business Name DBA"

State Entity Type: ☒ Sole Proprietorship ☐ Partnership ☐ LLC ☐ Corporation ☐ Non-Profit Corporation (w/501 c3 letter)

**Officers (1)**

Officer Name: Trevor Hobbs Contact Ph. 435-213-7612

Home Address: 414 South 550 East Millville Utah 84326  
Street (include unit #) / PO Box Address City, State, ZIP

☒ This person can be contacted in the event of an after-hours police or fire emergency.

**Sole Prop./Partnership**

☒ Owner  
☐ Local Manager

**LLC**

☐ Member  
☐ Manager  
☐ Local Manager

**Corporation**

☐ President  
☐ Director  
☐ Officer  
☐ Local Manager

**Officers (2)**

Officer Name: \_\_\_\_\_ Contact Ph. \_\_\_\_\_

Home Address: \_\_\_\_\_  
Street (include unit #) / PO Box Address City, State, ZIP

☐ This person can be contacted in the event of an after-hours police or fire emergency.

**Sole Prop./Partnership**

☐ Owner  
☐ Local Manager

**LLC**

☐ Member  
☐ Manager  
☐ Local Manager

**Corporation**

☐ President  
☐ Director  
☐ Officer  
☐ Local Manager

**SECTION VI: Notification and Verification of Authority**

- 1) **Mandatory review process** — this application does not constitute a business license. All applications are subject to the review process mandated by Title 5 of the Municipal Code. Incomplete applications will not be processed. Decisions on applications will take 15 days (minimum), and are made based on:  
(i) the information provided on the application, and  
(ii) review of the Mayor and City Council
- 2) **Additional Requirements** — Under the Municipal Code, additional Business License application requirements are necessitated for some business types.
- 3) **Denial of License** — Application denial or subsequent license suspension or revocation are most often the result of:  
(i) an inaccurate or incomplete application, or failure to update information with the City and/or  
(ii) non-compliance with the Municipal Code, Land Use Code, and/or applicable building, fire, and environmental codes.
- 4) **Other regulatory bodies** — It is the applicant's responsibility to determine and comply with any requirements from other regulatory agencies.
- 5) **Signage** — Permanent signage requires a separate Sign Permit Application, which is located on the city web site, Millvillecity.org.
- 6) **Building alterations** — All alterations to buildings or spaces, including electrical, plumbing, and mechanical alterations, require a separate building application.

I/We hereby agree to conduct said business strictly in accordance with the business license regulations as set forth in the Millville City Code, and swear under penalty of law the information contained herein is true.

Trevor Hobbs Trevor Hobbs 1-2-19  
Signature of Owner/Authorized Agent Printed Name Date

**SECTION VII: For administration use only**

**Classification:** ☐ Conforming ☐ Non-Conforming ☐ Child Care ☐ Home Business ☐ Low Impact ☐ Medium Impact

**Conditional Use:** (If box is checked see conditions)

☐ Agree ☐ Do not agree Signature: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Yes ☐ No City Council grants permission Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**FEES** ☐ \$25.00

☐ EXEMPT

**PAYMENT TYPE**

☐ RECEIPT

## HOME-BASED BUSINESS FEE EXEMPTION CERTIFICATION

Business Name Canyon View Aeration and Lawn care

Owner Name Trevor Hobbs

Business Address 414 South 550 East Millville Utah

I hereby attest that the business operations I run from my home do not create any additional offsite impacts in my neighborhood. I see no clients or customers and require no off or on street parking, no large equipment is stored at my home and my business operations will not impact the neighbors through loud noise, odors, traffic or other unusual activity. Other reasons as to why I believe that my business qualifies for a fee exemption from the Millville City business license requirements ([Millville Code 5.04.140](#)) are as follows:

---

---

---

---

---

For all of the foregoing reasons, I hereby request that my home-based business be granted exempt status from the business license fee.

Trevor Hobbs  
Signature

1-2-19  
Date



## **AGENDA REPORT: CITY CODE UPDATES**

**August 14, 2025**

---

### **Background**

On the agenda for this City Council meeting are several proposed minor updates to City Code. Here is a summary of these recommended changes:

- Chapter 16.16 – Subdivision Application Requirements
  - Nothing really new. Just reordering the steps to streamline things and make it easier to follow.
- Chapter 17.12 – Establishment of Zones
  - As discussed in other meetings, in 2018, by a split vote, a section was added to the code requiring that future zoning south of 400 South would be 2-acre minimum lot sizes. Zoning should be considered by the City Council at the time of annexation and based on planning, and not by some weird sentence in the land use code. The ordinance proposed for adoption tonight would remove that restriction.
- Chapter 2.36 – Access to Public Records
  - Minor changes to update the URL for the City website, email address for submitting records requests, and an update in hourly fees to more closely reflect real costs.
- Chapter 17.20A, B, C – Single-Family and Two-Family Residential (R-1, R-2, R-3)
  - Minor updates and the addition of setbacks for accessory buildings. Also, clarification on private lanes with the addition of a public hearing. The changes are the same on each chapter, so you only need to review one of your choice.
- Chapter 9.22 – Noise and Lighting Control
  - Adding in restrictions and curfew times for outdoor sport lighting, and other small updates, and clean up

The Planning Commission has reviewed and recommended adoption of those sections affecting land use after discussion and a public hearing as required by State Code.

### **Included Documents**

- Ordinance 2025-4 – Subdivision Application Requirements
- Ordinance 2025-5 – Removing Zoning Restriction
- Ordinance 2025-6 – Records Requests
- Ordinance 2025-7 – Residential Zoning Updates
- Ordinance 2025-8 – Noise and Lighting Control

**MILLVILLE CITY  
ORDINANCE 2025-4**

**SUBDIVISION CODE UPDATES**

WHEREAS, Chapter 16.16 of the Millville City Code covers subdivision application requirements; and

WHEREAS, the Millville City Planning Commission desired to reorder and clean up this chapter of code for added clarity; and

WHEREAS, the Millville City Planning Commission has discussed the proposed updates and held a public hearing on July 17, 2025; and

WHEREAS, on July 17, 2025, the Millville City Planning Commission recommended that the City Council adopt the proposed code changes;

NOW, THEREFORE, the Millville City Council hereby adopts, passes, and publishes the modifications shown on the included attachment for City Code Chapter 16.16 – Subdivision Application Requirements.

This ordinance shall become effective immediately upon publication or posting as set forth by State Law.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL this 14<sup>th</sup> day of August 2025.

MILLVILLE CITY

---

David Hair, Mayor

ATTEST:

\_\_\_\_\_  
Corey Twedt, City Recorder

<b>COUNCILMEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Jeremy Ward				
Daniel Grange				
Clay G. Wilker				
Pamela June				
Ryan Zollinger				

POSTED: \_\_\_\_\_

**MILLVILLE CITY CODE**  
**TITLE 16 - SUBDIVISIONS**  
**CHAPTER 16.16 - SUBDIVISION APPLICATION REQUIREMENTS**

[16.16.010: CONCEPT PLAN / SKETCH PLAN \(OPTIONAL\)](#)

[16.16.015: PHASED DEVELOPMENT](#)

[16.16.020: PRELIMINARY APPLICATION](#)

[16.16.030: FINAL APPLICATION](#)

[16.16.040: MINOR SUBDIVISION \(1-3 Lots and No New Streets or Other Major Improvements\)](#)

[16.16.050: AGRICULTURAL SUBDIVISIONS](#)

**16.16.010: CONCEPT PLAN / SKETCH PLAN (OPTIONAL)**

- A. If a prospective applicant elects to present a concept plan at a pre-application meeting, the prospective applicant shall present at least eight (8) paper copies and a PDF digital copy of the concept plan, also called a sketch plan, on paper not smaller than 11x17 inches and text of a size and font that is legible and easy to read, to the Commission for an informal review and discussion of the site plan and the general scope and conditions of the proposed subdivision. The concept plan shall include the following:
1. The property boundaries of the proposed subdivision as shown on the most current GIS map;
  2. Names and addresses of adjacent property owners within 600 feet of the proposed subdivision;
  3. Approximate number of lots proposed and the street layout for the entire property controlled by the developer or the developer's affiliates to provide an understanding of the full concept for the complete development, even when multiple phases are planned;
  4. Approximate total acreage of the development as well as lot size range;

5. Description of the type of water (culinary and/or irrigation) system proposed along with the water rights pursuant to subsection 16.04.090 of this Title;
6. Description of the type of sewer system proposed including the ability to connect to the City's system, any proposed or necessary lift stations, and expected sewer pipe sizes;
7. Present zoning;
8. Written description of the stormwater drainage system proposed in compliance with the most current edition of the Cache County Stormwater Design Criteria and Utah Division of Water Quality stormwater permits for both construction and municipal separate storm sewer systems (MS4);
9. A written statement describing the intent of the development;
10. Lots within the hillside development overlay zone.
11. The City-provided concept plan checklist to verify that all required and necessary information is provided to streamline the process. (Ord. 2025-1, 2025: Ord. 2022-2, 2022: Ord. 2019-6, 2019: Ord. 2008-4, 2008: Ord. 2003-4 §§ 1, 2, 2003: Ord. 2002-2 § 2, 2002: Ord. 2000-17 §§ 2, 3: Ord. 94-3 § 1)

## **16.16.015: PHASED DEVELOPMENT**

- A. Due to limited staffing and resources, subdivisions consisting of more than 20 parcels shall be developed in phases. Applicants must submit a preliminary application encompassing the entire subdivision, including all parcels. Subsequent to preliminary approval, applicants shall submit separate final applications for each phase of the subdivision. Each phase shall include no more than 20 parcels per application. Millville may, in its discretion, require applicants to finish all required improvements for a final application before approving any subsequent final applications.
- B. Final platting and construction of improvements may be accomplished in stages (phases) covering reasonable portions of the area of an approved preliminary subdivision plan. When this is done, each final plat shall contain a vicinity map showing the location of the portion being submitted in relation to the area for which the preliminary subdivision plan was submitted. All final subdivision plans so submitted shall be of the same scale, shall have identical titles, legends and other information, and shall have match lines so that mosaics of the entire subdivision can be developed. Each stage

of the subdivision shall be as nearly self-sustaining and complete as possible and shall by itself, or in conjunction with previous stages, meet the design standards set forth in these regulations so that if development of the entire subdivision is interrupted or discontinued after one or more stages is completed, a viable development will result. (Ord. 2025-1, 2025: Ord. 2022-2, 2022: Ord. 2019-6, 2019: Ord. 2008-4, 2008: Ord. 2003-4 §§ 1, 2, 2003: Ord. 2002-2 § 2, 2002: Ord. 2000-17 §§ 2, 3: Ord. 94-3 § 1)

## 16.16.020: PRELIMINARY APPLICATION

A. To be considered complete, a **preliminary** subdivision application must include at least the following elements:

1. A ~~Preliminary~~ ~~Subdivision~~ cover letter and application, including:
  - a. The subdivision name, subdivider name, subdivider agent name and contact information, and year of submittal;
  - b. Names of Developer or Subdivider: The written names, addresses, and phone numbers of the developer or subdivider, and the individual or firm responsible for the preparation of the preliminary plat and plans on the cover page;
  - c. Name of Agent: The developer shall designate, in writing, the name of the agent who shall be available at all times during construction and who shall not be replaced without a written notice to the City Engineer. The agent will be the developer's representative at the site and shall have the authority to act on the developer's behalf;
  - d. Zoning and Land Use: Existing zoning and land use of proposed subdivision and immediately adjacent areas;
  - e. Summary and Identification of Number of Lots: A summary of the total number of acres, number of lots, number of lots within the hillside overlay by each overlay class, acreage of commercial or industrial areas, acreage of open space, amount of land in City and County right of way and other descriptive material useful in reviewing the proposed subdivision. Additionally, the applicant must include the estimated square footage of asphalt that will be required to be sealed by the developer within two years;



- f. Development and Maintenance Responsibility: A statement describing the development and maintenance responsibility for any private streets, ways or open space, and retention/detention ponds;
  - g. Recommendations: The recommendations of a qualified professional engineer regarding soil suitability, erosion control, sedimentation and flooding problems;
  - h. Schedule of Phasing: A description of the phasing and scheduling of phases for the development if it is to be constructed in separate phases;
  - i. ~~Owners of Subdivided Lots: One copy of a list of the names and addresses of all owners of subdivided lots and unplatted land contiguous to or within six hundred feet (600') of the boundary of the proposed subdivision;~~
2. Owners of Subdivided Lots: One copy of a list of the names and addresses of all owners of subdivided lots and unplatted land contiguous to or within six hundred feet (600') of the boundary of the proposed subdivision.

~~An approved land use application that describes how the property will be used after it is subdivided.~~

- ~~a. If the intended use is permitted by right under City code, the land use application must include citations to the specific code(s) that the applicant believes authorizes the intended use.~~
- ~~b. If the intended use requires a conditional use permit or is otherwise conditioned on City approval, the land use application must include an approved, City issued permit authorizing the intended use. Should an applicant seek a use permit concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the use permit is issued.~~
- ~~c. If the intended use is prohibited under City ordinances and requires a variance or rezone, the land use application must include an approved, City issued variance or rezone authorizing the intended use. Should an applicant seek a variance or rezone concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the variance is issued or rezone occurs.~~

- ~~d. If the applicant intends or is required to submit a petition for annexation for any part of the subdivision, this petition must be approved by the City Council before the subdivision application may be considered complete.~~
3. A preliminary plat. The preliminary plat must be drawn to scale, in detail, and in accordance with generally accepted surveying standards and the acceptable filing standards of the County Recorder's Office. The preliminary plat must contain the following information:
- a. The name of the subdivision. The name shall not duplicate or too closely resemble the name of any subdivision previously filed in the County;
  - b. Date of preparation, scale and north arrow. The top of each sheet shall represent north wherever possible;
  - c. A vicinity map ~~drawn at a scale of one inch equals one thousand feet (1" = 1,000')~~ or ~~one inch equals two thousand feet (1" = 2,000')~~, showing the location of the proposed subdivision in the City and its relationship to surrounding developments and boundaries;
  - d. The boundaries, course, and dimensions of all of the parcels.
  - e. A legal description of the subdivision boundary prepared by a Utah licensed surveyor with a certification that the surveyor(s) who prepared the plat is licensed and verified the results of the survey;
  - f. Layout, numbers, frontage, and approximate dimensions of proposed lots and blocks. Do not number blocks. Number lots consecutively;
  - g. Location, dimension and size in acres of all sites proposed to be used for commercial, industrial, multi-family residential, public or quasi-public use with the use noted;
  - h. The boundary lines of the subdivision shown in a heavy, solid black line and referenced to section or quarter section lines, and survey monuments established within Millville City;
  - i. The lot or unit reference; block or building reference; street or site address; street name or coordinate address; acreage or square footage for all parcels, units, or lots; and length and width of the blocks and lots intended for sale.

- j. Every existing right-of-way and recorded easement located within the plat for underground, water, and utility facilities.
- k. Any known and unrecorded water conveyance facility located, entirely or partially, within the plat.
- l. Whether any parcel is intended to be used as a street or for any other public use;
- m. Whether any parcel is reserved or proposed for dedication for a public purpose;
- n. Up to date locations and dimensions of all easements of record. This can be obtained by calling the county recorder's office.
- o. A symbolic description of all monuments, both found and set, which mark the boundary of the subdivision, and a description of all control monuments used in the survey;
- p. Location and extent of any significant natural features such as slopes, rivers, streams, creeks, arroyos, gullies, diversion ditches, spillways or reservoirs;
- q. Location, dimensions, numbers (and names if applicable) of existing roads, streets, sidewalks, alleys, railroad rights of way and structures within one hundred feet (100') immediately adjacent to the proposed subdivision showing how they relate to the proposed subdivision layout;
- r. The substance of all other covenants, grants of easements or restrictions to be imposed upon the use of the land, buildings, and structures;
- s. Parcels completely or partially surrounded by the area being subdivided shall be clearly marked "EXCEPTED", and the common boundary with the subdivision shown in a heavy solid line with bearings and distances;
- t. Signature blocks for the owners of the land to be subdivided, the Planning Commission Chair, the Development Coordinator, and the Mayor.
- u. Number and location of lots within the following slope classes labeled on the plat:
  - i. Slope Class 1 lots: Lot area of a minimum of fourteen thousand (14,000) square feet (see definitions in this title), labeled HO-1.

- ii. Slope Class 2 lots: Lot area of a minimum of twenty thousand (20,000) square feet labeled HO-2.
- iii. Slope Class 3: Lot area of a minimum of twenty six thousand (26,000) square feet labeled HO-3.
- iv. Slope Class 4: Lot area of a minimum of thirty two thousand (32,000) square feet labeled HO-4.
- v. Slope Class 5: Lots that are not eligible for development or construction as defined in this code. Herein defined as Hazard Slope Areas (HS).
  - 1. Slope classification will be reviewed after the improvements have been completed to verify that all parcels still fit within the slope class that was designated on this plat.
  - 2. Applicants will be responsible for any costs necessary for reviewing and verifying the slopes.
  - 3. If there are any discrepancies between the slope listed on the plat and the slope as measured during the review process, the application will be rejected and the applicant must restart the application process, including a new application fee.
- v. Note Regarding Minimum Building Setbacks:
  - i. Setback requirements are per the current City Code at the time of Zoning Clearance
  - ii. For residential subdivisions, all minimum building setbacks shall be shown. No 50-year flow line shall encroach upon any minimum setback line.
- 4. An improvement plan, including engineering plans, created in accordance with applicable portions of this Title and the Millville City Manual of Design and Construction Standards, for all public improvements proposed by the applicant or required by City ordinances. The improvement plan shall be prepared and stamped as to its accuracy by a registered professional engineer licensed to do such work in the State of Utah and identified as "FOR CONSTRUCTION"; All

infrastructure in the public right-of-way will be installed in accordance with the "Millville City Manual of Design and Construction Standards."

The improvement plan must contain:

- a. Plan view of all property under the control of the subdivider and the subdivider's affiliates, even though only a portion is being subdivided, including the prospective lots, street, sewer, storm water, and culinary water systems for the platted and unplatted parts;
- b. Location and width of proposed streets, alleys, pedestrian-ways and easements with the associated details necessary to construct including:
  - i. ~~t~~The plan and profile of existing and proposed grades for each street;
  - ii. ~~-T~~the cross sections of each street showing the width of sidewalks, curb and gutter or grassy swales;
  - iii. ~~t~~The location of utility mains, and labeled slopes of all street tangents in compliance with the Millville City Manual of Design and Construction Standards;
  - iv. Location, size, and grades of existing sewer and stormwater and location and size of water mains, wells (active or abandoned), reservoirs, gas lines, pipelines, power lines, telecommunication lines, or other underground, above ground and at grade utilities or installations within the proposed subdivision and within one hundred feet (100') immediately adjacent thereto;
  - v. Existing irrigation ditches, canals, open waterways, and proposed alignments or realignments within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries; along with a letter from the affected irrigation companies indicating the plans are acceptable must be submitted to the City.
- c. Existing contours at a maximum interval of two feet (2') for slopes greater than two percent (2%). For slopes of two percent (2%) or less, contour intervals shall be one foot (1'), unless waived by the City engineer;
- d. Floodplains as delineated on the FEMA maps. These are ~~available in the office of the City engineer,~~ downloadable from the Automated Geographic Reference Center (AGRC) and the Federal Emergency Management Agency;

~~Number and location of lots within the following slope classes labeled on the plat.¶~~

~~i. Slope Class 1 lots: Lot area of a minimum of fourteen thousand (14,000) square feet (see definitions in this title), labeled HO 1.¶~~

~~ii. Slope Class 2 lots: Lot area of a minimum of twenty thousand (20,000) square feet labeled HO 2.¶~~

~~iii. Slope Class 3: Lot area of a minimum of twenty six thousand (26,000) square feet labeled HO 3.¶~~

~~iv. Slope Class 4: Lot area of a minimum of thirty two thousand (32,000) square feet labeled HO 4.¶~~

~~v. Slope Class 5: Lots that are not eligible for development or construction as defined in this code. Herein defined as Hazard Slope Areas (HS)¶~~

~~(a) Slope classification will be reviewed after the improvements have been completed to verify that all parcels still fit within the slope class that was designated on this plat.¶~~

~~(b) Applicants will be responsible for any costs necessary for reviewing and verifying the slopes.¶~~

~~(c) If there are any discrepancies between the slope listed on the plat and the slope as measured during the review process, the application will be rejected and the applicant must restart the application process, including a new application fee.¶~~

e. Location of Geological Fault Zones;

f. Stormwater Improvements: Plan and profile of the stormwater improvements along each street including all inlets, manholes, pipe alignments, sizes, grades, and materials, outlets, etc. Location, grading, size and capacity of proposed stormwater detention and retention ponds, stormwater low impact development systems (LIDs) as required by the Utah Division of Water Quality, with the associated details necessary to construct in compliance with Millville City Manual of Design and Construction Standards;

- g. Sewer Improvements: Location, size and capacity of proposed sanitary sewer system with the associated details necessary to construct including plan and profile drawings along the centerline of the sewer system, manhole locations, pipe sizes and grades, pipe material, etc. in compliance with Millville City Manual of Design and Construction Standards;
- h. Culinary Water Improvements: Location, size and capacity of proposed culinary water system with the associated details necessary to construct including plan and profile drawings along the centerline of the water system, valves, fire hydrants, services, meters, grades, pipe sizes, pipe material, etc. in compliance with Millville City Manual of Design and Construction Standards;
- i. Irrigation Improvements: Location, size and capacity of proposed irrigation or secondary water system with the associated details necessary to construct including plan and profile drawings along the centerline of the system and showing all necessary appurtenances to construct the system in compliance with Millville City Manual of Design and Construction Standards;
- j. Development Layout Plan: A development layout plan if development is to be constructed in phases.
- k. ~~Variations: Variations from the development standards within the hillside overlay zone will be considered only when a geotechnical (soils) report is prepared and stamp certified by a state of Utah registered professional engineer. The engineer will verify in detail how the proposed building could be safely located on the sloped lot. If retaining systems such as reinforced concrete walls or proprietary retaining wall products such as "reinforced earth" were used as part of the building, they would have to be prepared by a state of Utah registered professional engineer and reviewed by the City engineer. The cost of preparing the soils report and retaining plans would be the responsibility of the developer. A review fee of seven hundred and fifty dollars (\$750.00) is required in addition to the hillside development fee to cover the costs of the City having to review and verify the additional reports, plans, and specifications;~~

5. Additional Studies and/or reports may be requested, including, but not limited to:

~~Construction Drawings: Construction drawings prepared in accordance with the "Millville City Manual of Design and Construction Standards" and this Title.~~

- a. Drainage Report: A drainage report prepared in accordance with the "Millville City Manual of Design and Construction Standards".
- b. Soils Report: A soils report prepared in accordance with the "Millville City Manual of Design and Construction Standards".

~~Development Layout Plan: A development layout plan if development is to be constructed in phases.~~

- c. A traffic study is required for any major subdivision unless determined not necessary by the Planning and Zoning Commission.
- d. Copies of draft stream alteration permits, wetland reports, and any other reports and documentation necessary to obtain building permits;
- e. Other Studies: Other associated studies if required by the Planning and Zoning Commission. (Geological or other hazard studies.)
- f. ~~Minimum Building Setbacks: For residential subdivisions, all minimum building setbacks shall be shown. No 50-year flow line shall encroach upon any minimum setback line.~~
- g. ~~Floodplains as delineated on the FEMA maps. These are available in the office of the City engineer, downloadable from the Automated Geographic Reference Center (AGRC) and the Federal Emergency Management Agency;¶~~
- h. ~~Location of Geological Fault Zones;~~
- i. ~~Location, size, and grades of existing sewer and stormwater and location and size of water mains, wells (active or abandoned), reservoirs, gas lines, pipelines, power lines, telecommunication lines, or other underground, above ground and at grade utilities or installations within the proposed subdivision and within one hundred feet (100') immediately adjacent thereto;~~
- j. ~~Existing irrigation ditches, canals, open waterways, and proposed alignments or realignments within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries; along with a letter~~



~~from the affected irrigation companies indicating the plans are acceptable must be submitted to the City.~~

- ~~k. A traffic study is required for any major subdivision unless determined not necessary by the Planning and Zoning Commission.~~
- ~~l. Stormwater Improvements: Plan and profile of the stormwater improvements along each street including all inlets, manholes, pipe alignments, sizes, grades, and materials, outlets, etc. Location, grading, size and capacity of proposed stormwater detention and retention ponds, stormwater low impact development systems (LIDs) as required by the Utah Division of Water Quality, with the associated details necessary to construct in compliance with Millville City Manual of Design and Construction Standards;¶~~
- ~~m. Sewer Improvements: Location, size and capacity of proposed sanitary sewer system with the associated details necessary to construct including plan and profile drawings along the centerline of the sewer system, manhole locations, pipe sizes and grades, pipe material, etc. in compliance with Millville City Manual of Design and Construction Standards;¶~~
- ~~n. Culinary Water Improvements: Location, size and capacity of proposed culinary water system with the associated details necessary to construct including plan and profile drawings along the centerline of the water system, valves, fire hydrants, services, meters, grades, pipe sizes, pipe material, etc. in compliance with Millville City Manual of Design and Construction Standards;¶~~
- ~~o. Irrigation Improvements: Location, size and capacity of proposed irrigation or secondary water system with the associated details necessary to construct including plan and profile drawings along the centerline of the system and showing all necessary appurtenances to construct the system in compliance with Millville City Manual of Design and Construction Standards;¶~~
- ~~p. Stormwater Pollution Prevention Plan: A Stormwater Pollution Prevention Plan in accordance with the Construction General Permit issued by the Utah Division of Water Quality and the Millville City Manual of Design and Construction Standards as approved by the City engineer;¶~~
- ~~q. Copies of draft stream alteration permits, wetland reports, and any other reports and documentation necessary to obtain building permits;~~

- r. ~~A phased development plan, if applicable;~~
- s. ~~The improvement plan shall be prepared and stamped as to its accuracy by a registered professional engineer licensed to do such work in the State of Utah and identified as "FOR CONSTRUCTION";~~
- t. ~~All infrastructure in the public right-of-way will be installed in accordance with the "Millville City Manual of Design and Construction Standards."~~

~~Certifications, including:~~

- ~~a. An affidavit from the applicant certifying that the submitted information is true and accurate.~~
- ~~b. The signature of each owner of record of land described on the preliminary plat, signifying their consent to the preliminary subdivision application and their intent to dedicate portions of the preliminary plat to the public as described in the application.~~
- ~~c. The mortgagees, if any, shall provide the City with a letter confirming that they are aware of the subdivision and concur with the subdivision filing.~~
- ~~d. Certification that the surveyor who prepared the plat:~~
  - ~~i. Holds a license in accordance with Utah Code 58-22; and~~
  - ~~ii. Either:~~
    - ~~(a) Has completed a survey of the property described on the plat in accordance with state requirements and has verified all measurements; or~~
    - ~~(b) Has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and~~
  - ~~iii. Has placed monuments as represented on the plat.~~
- ~~e. Utility Companies Statements: A statement, obtained by the developer, from each utility company involved, including the culinary water authority and the sanitary water authority, stating that they have reviewed the plan~~

~~and are setting forth their comments concerning the extent of services and the design of utility easement.~~¶

~~¶~~

- ~~f. Letter From U.S. Army Corp Of Engineers: Letter from U.S. Army Corp of Engineers and Utah Division of Water Rights indicating their approval if wetlands, stream alterations or other criteria necessitate their involvement.~~¶

~~¶~~

- ~~g. Proof of adequate water rights to service the proposed subdivision and dedicate to the City as required under this Title.~~¶

6. Stormwater Pollution Prevention Plan: A Stormwater Pollution Prevention Plan in accordance with the Construction General Permit issued by the Utah Division of Water Quality and the Millville City Manual of Design and Construction Standards as approved by the City engineer;

7. Certifications, including:

- a. An affidavit from the applicant certifying that the submitted information is true and accurate.
- b. The signature of each owner of record of land described on the preliminary plat, signifying their consent to the preliminary subdivision application and their intent to dedicate portions of the preliminary plat to the public as described in the application.
- c. The mortgagees, if any, shall provide the City with a letter confirming that they are aware of the subdivision and concur with the subdivision filing.
- d. Certification that the surveyor who prepared the plat:
  - i. Holds a license in accordance with Utah Code 58-22; and
  - ii. Either:
    - (a) Has completed a survey of the property described on the plat in accordance with state requirements and has verified all measurements; or
    - (b) Has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and

- iii. Has placed monuments as represented on the plat.
  - e. Utility Companies Statements: A statement, obtained by the developer, from each utility company involved, including the culinary water authority and the sanitary water authority, stating that they have reviewed the plan and are setting forth their comments concerning the extent of services and the design of utility easement.
  - f. Letter From U.S. Army Corp Of Engineers: Letter from U.S. Army Corp of Engineers and Utah Division of Water Rights indicating their approval if wetlands, stream alterations or other criteria necessitate their involvement.
  - g. Proof of adequate water rights to service the proposed subdivision and dedicate to the City as required under this Title.
8. An approved land use application that describes how the property will be used after it is subdivided.
- a. If the intended use is permitted by right under City code, the land use application must include citations to the specific code(s) that the applicant believes authorizes the intended use.
  - b. If the intended use requires a conditional use permit or is otherwise conditioned on City approval, the land use application must include an approved, City-issued permit authorizing the intended use. Should an applicant seek a use permit concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the use permit is issued.
  - c. If the intended use is prohibited under City ordinances and requires a variance or rezone, the land use application must include an approved, City-issued variance or rezone authorizing the intended use. Should an applicant seek a variance or rezone concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the variance is issued or rezone occurs.
  - d. If the applicant intends or is required to submit a petition for annexation for any part of the subdivision, this petition must be approved by the City Council before the subdivision application may be considered complete.
9. Copies, including:

- a. An electronic copy of all application materials in PDF format.
  - b. Eight (8) printed copies of all application documents.
10. Fees: Payment of any preliminary-application-processing fees required by the City. In addition to the fees on the City's Fee Schedule, the applicant may be liable for the reasonable cost of any legal, engineering, or consulting review of the application that ~~exceed~~~~exceed~~ the posted fees. All fees must be paid prior to consideration. (Ord. 2025-4, 2025: Ord. 2025-1, 2025: Ord. 2022-2, 2022: Ord. 2019-6, 2019: Ord. 2008-4, 2008: Ord. 2004-9, 2004: Ord. 2003-4 § 1, 2003: Ord. 2002-7 § 1, 2002: Ord. 2002-4 §§ 1, 2, 2002: Ord. 2002-2 §§ 2, 3, 2002: Ord. 2000-17 § 2: Ord. 94-3 § 1).

## 16.16.030: FINAL APPLICATION

- A. To be considered complete, a **final** subdivision application must include the following:
- 1. Land Use Authority approval of the applicant's preliminary application, given within the last 180 calendar days.
  - 2. ~~The approved land use application that was accepted during the preliminary application review process.~~
  - 3. A final plat. The final plat should be the version of the preliminary plat approved by the City during the preliminary application review process, plus any other additions and immaterial changes (e.g., formatting) necessary to comply with the recording requirements of the County Recorder's Office, plus:
    - a. The signature of each owner of record of land described on the plat, signifying their dedication and approval of the plat (an "owner's dedication");
    - b. Phased Development: Final platting and construction of improvements may be accomplished in stages (phases) covering reasonable portions of the area of an approved preliminary subdivision plan. When this is done, each final plat shall contain a vicinity map showing the location of the portion being submitted in relation to the area for which the preliminary subdivision plan was submitted. All final subdivision plans so submitted shall be of the same scale, shall have identical titles, legends and other information, and shall have match lines so that mosaics of the entire

subdivision can be developed. Each stage of the subdivision shall be as nearly self-sustaining and complete as possible and shall by itself, or in conjunction with previous stages, meet the design standards set forth in these regulations so that if development of the entire subdivision is interrupted or discontinued after one or more stages is completed, a viable development will result.

- c. A signed certificate by all parties having any titled interest in or lien upon the land, consenting to the recording of the plat and dedicating public ways, grounds, and easements. The certificate shall read:¶

¶

#### **CERTIFICATE OF DEDICATION**

*Know all men by these presents that the undersigned (official name of the subdivider), being the owner, proprietor, or parties of interest in the land shown in this plat, do hereby certify:*

*That the foregoing plat designated as (name of subdivision or addition), is located in (Section, Township, Range, City, County, State), and is more particularly described as follows:*

*(Insert full legal description)*

*and contains an area of (insert acreage) acres, more or less, and that this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with the desires of the undersigned owner(s) and proprietor(s), and that this is a correct plat of the area as it is divided into lots, blocks, streets and easements, and that the undersigned owner(s) of the land shown and described on this plat does (do) hereby dedicate to the City of Millville and its licensees for perpetual public use all streets, alleys, easements for the purposes designated and other lands within the boundary lines of the plat as indicated and not otherwise dedicated for public use.*

*Executed this day of , A.D., 20 , by:*

*(Designation of interest: owner, mortgagee, etc.)*

- d. Certificate of a registered land surveyor as follows:

*I, do hereby certify that I am a registered land surveyor licensed under the laws of the State of Utah in accordance with Utah Code 58-22, that this plat is a true, correct, and complete plat of (Subdivision Name) as*

*laid out, platted, dedicated, and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, easements, and streets of said subdivision as the same are staked upon the ground in compliance with the City of Millville regulations governing the subdivision of land to an accuracy of one part in ten thousand (10,000).*

DATE

(Registered Land Surveyor)

No.

- e. ~~A utility approval block bearing signatures indicating approval of the plat by the local communications companies, and fuel company, or their successors;~~
- f. An approval block for Rocky Mountain Power acceptance stating:
  - i. Pursuant to Utah Code Ann. § 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
  - ii. Pursuant to Utah Code Ann. § 17-27a-603 (4)(c)(ii) Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under:
    - (a) a recorded easement or right-of-way
    - (d) the law applicable to prescriptive rights
    - (c) Title 54, Chapter 8a, Damage to Underground Utility Facilities or
    - (d) any other provision of law.

Representative

Title:

Date:

- g. An approval block for Enbridge Gas stating:

*Enbridge Gas approves this plat solely for the purpose of confirming that the plat contains public utility easements. Enbridge Gas may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set in the owner's dedication and the notes and does not constitute a guarantee of particular terms of natural gas service. For further information, please contact Enbridge Gas.*

- h. Certificate for recording by the County Recorder as follows:

Entry # \_\_\_\_\_  
STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT  
THE REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ FEE \_\_\_\_\_  
\_\_\_\_\_  
CACHE COUNTY RECORDER

- i. If the subdivision is located in whole or in part within three hundred feet (300') of the boundary of an agriculture protection area, the face of the final plat shall contain the following notice:

*Agriculture Protection Area*

*This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities.*



- j. If the subdivision is located within one hundred feet (100') of the centerline of an irrigation canal, the following acceptance block should be completed by the irrigation company:

*The (Name of Company) has reviewed this plat and approves the information shown hereon including easements and irrigation infrastructure.*

*Representative:*

*Title:*

*Date:*

- k. Floodplain: If a subdivision lies within any 100-year floodplain, the following statement shall appear on the face of the final plat and all contracts and agreements relating to the subdivision:

*THIS SUBDIVISION IS (OR THE FOLLOWING LOTS ARE) LOCATED IN THE ONE HUNDRED YEAR FLOOD PLAIN AS DEFINED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.*

- l. Geological Fault Zones: If a subdivision or lot lies within five hundred feet (500') or over a known geological fault, the following statement shall appear on the face of the final plat and all contracts and agreements relating to the subdivision:

*THIS SUBDIVISION IS (OR THE FOLLOWING LOTS ARE) LOCATED WITHIN FIVE HUNDRED FEET OF A KNOWN GEOLOGICAL FAULT.*

- 4. Completion Assurance: A completion assurance for all public improvements required by the approved improvement plan, or a statement that such improvements will be completed before development occurs on the proposed subdivision and before the applicant records the plat. The City Engineer will determine a reasonable value of the required public improvements to guarantee the complete and timely development of any facilities or improvements, which are the subdivider's responsibility. The completion assurance shall be in the form of a performance bond or escrow. The amount of the guarantee shall not exceed 110% of the cost of completing all improvements.

5. Transfer documents for water rights required by this Title as a condition of subdivision approval.
6. Certifications, including:
  - a. A Title Report or Title Insurance Policy for the land to be subdivided verifying property ownership.
  - b. A Tax Clearance Certificate from the state indicating that all taxes, interest, and penalties owing on the land have been paid.
  - c. An affidavit from the applicant certifying that the submitted information is true and accurate.
  - d. The signature of each owner of record of land described on the plat, signifying their consent to the final subdivision application and their dedication and approval of the final plat.
7. Binding dedication documents, including:
  - a. As applicable, formal, irrevocable offers for dedication to the public of streets, City uses, utilities, parks, easements, or other spaces.
  - b. If the plat is to be part of a community association, signed and binding documents conveying to the association all common areas.
  - c. Copies of protective covenants, trust agreements and homeowners' association articles and bylaws, including those required by the City, to govern resubdivision, and other potential changes which might significantly alter the subdivision as approved by the City with regard to the criteria and standards of these regulations.
8. Copies, including:
  - a. A PDF document of the final plat and all other application materials.
  - b. A printed copy of all application materials for City review.
  - c. A final Mylar copy of the plat for signing and recording.
9. Payment of any final-application-processing fees required by the City. In addition to the fees on the City's Fee Schedule, the applicant may be liable for the

reasonable cost of any legal, engineering, or consulting review of the application not covered by the published fees. (Ord. 2025-4, 2025: Ord. 2025-1, 2025).

#### **16.16.040: MINOR SUBDIVISION (1-3 Lots and No New Streets or Other Major Improvements)**

- A. To be eligible for the Minor Subdivision process, the land may be subdivided into no more than 3 lots and must not require any new streets or other major improvements.
- B. The Minor Subdivision process is identical to the process for Preliminary and Final Applications established in section 16.16.020 and 16.16.030. All steps and requirements set forth in these chapters are to be followed EXCEPT FOR:
  - 1. Because a Minor Subdivision does not need major improvements, applicants need not submit a full improvement plan. Applicants can skip the requirements in 16.16.020 A.4 and instead need only submit:
    - a. An improvement plan, including engineering plans with slope classes identified, created in accordance with applicable portions of this Title and the Millville City Manual of Design and Construction Standards, for the construction of public sidewalks along existing roads, as required by City ordinances. (Ord. 2025-1, 2025).

#### **16.16.050: AGRICULTURAL SUBDIVISIONS**

- A. The Agricultural exemption is to be used for land that will continue to be used for agriculture. If the land is likely to be developed for residential or commercial use in the future, please divide the land using the Minor Subdivision exemption above.
- B. Applications to subdivide agricultural land are exempt from preliminary and final plat requirements, the improvement plan requirement, and the completion assurance requirement (but not the other application requirements) of this Chapter if the parcels to be subdivided:
  - 1. Qualify as land in agricultural use under Utah Code §59-2-502;
  - 2. Meet the minimum size requirement of applicable City land use ordinances; and

3. Are not used and will not be used for any nonagricultural purpose.
- C. For subdivision applications for which this exception applies, an applicant may submit to the City—in place of a plat—a record of survey map that illustrates the boundaries of the parcels.
  - D. If the City approves a subdivision application based on a record of survey map, the applicant shall record the map, signed by the City, with the County Recorder's Office.
  - E. If a parcel resulting from a subdivision under this exception ever ceases to be used for agriculture, the subdivision shall become invalid. The City may, in its discretion, require a subdivision amendment before issuing a building permit. (Ord. 2025-1, 2025).

**MILLVILLE CITY  
ORDINANCE 2025-5**

**AN ORDINANCE LIFTING RESTRICTIONS ON ZONING SOUTH OF  
400 SOUTH**

WHEREAS, the Millville City Council is the legislative body responsible for setting zoning regulations in Millville City; and

WHEREAS, there is a section of Millville City Code that restricts the zoning legislative responsibility of the City Council; and

WHEREAS, the Millville Planning Commission reviewed the ordinance and held a public hearing to receive input on July 17, 2025; and

WHEREAS, the Millville City Council reviewed the ordinance at the City Council meeting held August 14, 2025;

NOW, THEREFORE, BE IT ORDAINED, by the Millville City Council, Cache County, State of Utah, as follows:

**Remove from Millville City Code Section 17.12.20: Determination of Zoning District Boundaries:**

**Remove:**

**J. Any property south of 400 South currently zoned as Agriculture (A), or any property south of 400 South annexed into city limits as Agriculture (A), that wants to be considered for a residential zone will only be considered as a Residential (R-3) Zone.**

This ordinance shall become effective immediately upon publication or posting as set forth by State Law.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL, this 14th day of August, 2025.

MILLVILLE CITY

\_\_\_\_\_  
David Hair, Mayor

ATTEST:

\_\_\_\_\_  
Corey Twedt, City Recorder

<b>COUNCILMEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Jeremy Ward				
Daniel Grange				
Clay Wilker				
Pamela June				
Ryan Zollinger				

POSTED: \_\_\_\_\_

**MILLVILLE CITY CODE**  
**TITLE 17 - ZONING**  
**CHAPTER 17.12 - ESTABLISHMENT OF ZONES**

[17.12.010: ESTABLISHMENT OF ZONES](#)

[17.12.020: DETERMINATION OF ZONING DISTRICT BOUNDARIES](#)

[17.12.030: ANNEXED AREAS](#)

[17.12.040: ZONES ESTABLISHED](#)

[17.12.050: PURPOSE OF ZONING DISTRICTS](#)

[17.12.060: APPLICATION OF DISTRICT REGULATIONS](#)

[17.12.070: OFFICIAL ZONING MAP](#)

**17.12.010: ESTABLISHMENT OF ZONES**

The city is divided into zones as shown on the map entitled zoning/city of Millville, which map and boundaries, notations, references, and other information shown thereon shall be as much a part of this title as if the information and matters set forth by the map were all fully described herein. (Ord. 99-02-18-01 § 2)

**17.12.020: DETERMINATION OF ZONING DISTRICT BOUNDARIES**

Where uncertainty exists with respect to the boundaries of the various zones, the following rules shall apply:

- A. Where the indicated boundaries on the zoning map are approximately street, public rights of way, or alleyways, the centerline of the street, public right of way, or alley shall be construed to be the zone district boundaries unless otherwise indicated.
- B. Where the indicated boundaries are approximately lot lines, the lot lines shall be construed to be the zoning district boundaries unless otherwise indicated.

- C. Boundaries indicated as approximately following city limits shall be construed as following such city limits.
- D. Boundaries indicated as approximately following centerlines of streams or canals shall be construed to follow such centerlines.
- E. Boundaries indicated as parallel to or extensions of features indicated above shall be so construed. Distances not specifically indicated on the official zoning district map shall be determined by the scale of the map.
- F. Where a district boundary line divides a lot which was in single ownership at the time of passage of this title, the planning commission shall recommend to the city council, as a special exception, the extension of the regulations for either portion of the lot beyond the district line into the remaining portion of the lot.
- G. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning district map, or in other circumstances not covered in the aforementioned rules, the planning commission shall recommend to the city council the district boundaries.
- H. Where land has not been subdivided into lots and/or blocks, the zoning district boundaries shall be determined by use of the scale measurement shown on the map unless otherwise indicated.
- I. Where uncertainty continues to exist, the planning commission shall recommend its interpretation of the map to the city council. If the council upholds interpretation, then that interpretation may be appealed to the appeal authority.
- J. ~~Any property south of 400 South currently zoned as Agriculture (A), or any property south of 400 South annexed into city limits as Agriculture (A), that wants to be considered for a residential zone will only be considered as a Residential (R-3) Zone.~~  
(Ord. 2025-5, 2025: Ord. 2018-9, 2018; 2007-8, 2007: Ord. 99-02-18-01 § 2)

### **17.12.030: ANNEXED AREAS**

At the time of the annexation of new territory to the city, the City Council, with a recommendation from the Planning Commission, shall classify such territory for zoning. The City shall consider the following when determining zoning for the annexed territory.

- A. The General Plan, including the future land use map and Millville City Master Plans,



- B. Surrounding land use,
- C. The request of the applicant, and
- D. Any applicable State law or regulations (Ord. 2023-8, 2023: Ord. 99-02-18-01 § 2)

## 17.12.040: ZONES ESTABLISHED

For the purpose of this title, the following zones are created and the land within the corporate limits of the city is divided into zoning districts. The boundaries for the zoning districts are shown on the official zoning map of the city. The classification of zoning districts is as follows:

A	Agricultural zone
R-1	Single- and two-family residential zone (minimum 14,000 square foot lot size)
R-2	Single- and two-family residential zone (minimum 21,000 square foot lot size)
R-3	Single- and two-family residential zone (minimum 87,000 square foot lot size)
CG	Commercial general zone
OS	Open space zone
TC	Commercial town center
HO	Hillside development overlay zone

(Ord. 2020-1, 2020: Ord. 2018-6, 2018: Ord. 2012-4, 2012: Ord. 2000-16 § 1: Ord. 99-02-18-01 § 2)

## **17.12.050: PURPOSE OF ZONING DISTRICTS**

In addition to the general purposes of this title identified in chapter 17.04 of this title, the various zoning districts each serve a more specific individual purpose, as described below.

- A. The A (agricultural) zoning district is proposed to provide areas for agricultural and related uses, along with very low density residential uses. This designation shall be applied to land with appropriate topographical conditions where the intrusion of urban uses would be inappropriate or untimely, due to lack or need of urban services and facilities.
- B. The R (residential) zoning districts are created to provide for the diverse needs and desires of the people of the city. These districts shall also allow for other compatible uses which may complement the primarily residential functions of the districts, under certain conditions. Basic urban services and utilities would be available in these zones:
  - 1. The R-1 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family detached dwellings with a minimum lot size of 14,000 square feet.
  - 2. The R-2 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family detached dwellings with a minimum lot size of 21,000 square feet.
  - 3. The R-3 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family detached dwellings with a minimum lot size of 87,000 square feet.
- C. The CG (commercial general) district is intended to provide various commercial uses.
- D. The OS (open space) zone is intended to provide for open space land within the city and to provide for the accommodation of natural features or hazards.
- E. The TC (commercial town center) district is intended to provide a “downtown” feel and provide residents a place to shop, eat and do business.
- F. The HO (hillside development overlay) zone is established to protect and preserve the hillside areas of the city. The goal is to minimize adverse effects of development within these areas. (Ord. 2020-1, 2020: Ord. 2018-6, 2018: 2012-4, 2012: Ord. 2000-16 § 1: Ord. 99-02-18-01 § 2)

## **17.12.060: APPLICATION OF DISTRICT REGULATIONS**

- A. No building or part thereof or other structure shall be erected, altered, added to, or enlarged, nor shall any land, building, structure, or premises be used, designated, or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such building, land, or premises are located.
- B. No building or structure or part thereof shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the district in which such building is located, unless building height exception is expressly allowed.
- C. No building, structure, or part thereof shall be erected, nor shall any existing building be altered, enlarged, rebuilt, or moved into any district, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area, and building location regulations hereinafter designated for the land use and the district in which such building or open space is located.
- D. No yard or other open space provided about any building for the purpose of complying with provisions of this title shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site shall be considered as providing a yard or open space for a building on any other building site. (Ord. 99-02-18-01 § 2)

## **17.12.070: OFFICIAL ZONING MAP**

- A. The boundaries of the districts established in section 17.12.040 of this chapter are established as shown on the official zoning map, which together with all explanatory matter thereon is adopted by reference and declared to be part of this title.
- B. The official zoning map shall be identified by the signature of the mayor of the city, attested by the city recorder, and shall bear the seal for the city under the following words:

*This is to certify that this map is the official zoning map for the City of Millville, Utah, referred to in Section 17.12.070, Millville City Ordinances,*

*together with the date of the adoption of this title.*

- C. No changes of any nature shall be made on the official zoning map except in conformity with the procedures set forth in this title. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this title and punishable as provided under chapter 17.84 of this title.
- D. Regardless of the existence of purported copies of the official zoning map, which may from time to time be made or published, the official zoning district map, which shall be located in the planning commission hearing room, shall be the final authority as to the current status of zoning districts.
- E. In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the city council may, by resolution, adopt a new official zoning map or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the mayor of the city, attested by the city recorder, and shall bear the seal of the city of Millville, Utah, under the following words:

*This is to certify that this official zoning map supersedes and replaces the official zoning map dated adopted (date of adoption of map being replaced) as part of Ordinance No. of the City of Millville, Utah, dated .*

Unless the prior official zoning map has been lost or has been totally destroyed, the prior map or any significant remaining parts thereof shall be preserved together with all available records pertaining to its adoption or amendment. (Ord. 99-02-18-01 § 2)

**MILLVILLE CITY  
ORDINANCE 2025-6**

**AN ORDINANCE REVISING SECTION 2.36 OF THE MILLVILLE CITY  
CODE CONCERNING ACCESS TO PUBLIC RECORDS**

WHEREAS, Millville City (the “City”) is a local political subdivision of the State of Utah, authorized and organized under the provisions of Utah law; and

WHEREAS, revisions were needed for City Code Chapter 2.36 – Access to Public Records to match the new City website domain name and increase fees to better align with actual staff costs spent on public records requests;

NOW, THEREFORE, the Millville City Council hereby adopts, passes, and publishes the following updates as indicated in the attachment.

This ordinance shall become effective immediately upon publication or posting as set forth by State Law.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL, the 14<sup>th</sup> day of August 2025.

MILLVILLE CITY

---

David Hair, Mayor

ATTEST:

---

Corey Twedt, City Recorder

<b>COUNCILMEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Jeremy Ward				
Daniel Grange				
Clay Wilker				
Pamela June				
Ryan Zollinger				

POSTED: \_\_\_\_\_

**MILLVILLE CITY CODE**  
**TITLE 2 - ADMINISTRATION AND PERSONNEL**  
**CHAPTER 2.36 - ACCESS TO PUBLIC RECORDS**

[2.36.010: AUTHORITY AND PURPOSE](#)

[2.36.020: DEFINITIONS](#)

[2.36.030: REQUEST FOR ACCESS](#)

[2.36.040: APPEAL](#)

[2.36.050: FEES](#)

[2.36.060: FORMS](#)

**2.36.010: AUTHORITY AND PURPOSE**

Under authority of Utah Code Annotated §63G-2-701, this ordinance specifies how records in the custody of Millville City may be accessed, and where and to whom requests for access to records shall be directed. All other regulations related to access to public records, including but not limited to, standards for the classification and designation of records; the standards for the management and retention of records; response times for access requests; and time limits for appeals shall be as set forth in Utah Code Annotated Title 63G, Chapter 2.

**2.36.020: DEFINITIONS**

Terms used in this ordinance are defined in Utah Code Annotated §63G-2-103.

**2.36.030: REQUEST FOR ACCESS**

- A. A request for access to records shall be made in writing, include the information required by Utah Code Annotated Section 63G-2-204, and be submitted by first class mail; hand delivery; or electronically to the records officer as follows:

1. Mail or Hand Delivery: City Recorder, 510 E. 300 S., PO Box 308, Millville, Utah 84326.
  2. Electronically submitted ~~by email to the City Recorder to:~~  
~~[recordrequest@millvillecity.org](mailto:recordrequest@millvillecity.org)~~.
- B. Requests submitted in a manner other than set forth herein will not be accepted.
- C. Amending of requests is not permitted. A new request must be filed if the requestor desires to modify the original request. (Ord. 2025-6, 2025)

## 2.36.040: APPEAL

- A. An appeal of a decision of a records officer, shall be in writing, comply with the information required by Utah Code Annotated 63G-2-401(2), and be submitted by first class mail; hand delivery; or electronically to Millville City Mayor, 510 E. 300 S., PO Box 308, Millville, Utah 84326. ~~or [recordrequest@millvillecity.org](mailto:recordrequest@millvillecity.org)~~.
- B. Appeals submitted in a manner other than set forth herein will not be accepted. (Ord. 2025-6, 2025)

## 2.36.050: FEES

- A. Fees may be charged in response to a records request as shown in the fee schedule below:

Type of Service/Document	Fee
Staff time after first 15 minutes in increments of 15 minutes	<del>\$320.00</del> per hour
Black and white copies	\$0.20 per page
Color copies	\$2.00 per page
Flash Drive	\$15.00 per flash drive
Mailing Costs	Actual shipping fee



- B. For requests that are expected to cost more than \$50.00, payment of estimated fees are required before beginning the process of fulfilling the records request; pursuant to Utah Code Annotated Section 63G-2-203(8).
- C. Fees for providing a record may be waived under certain circumstances described in Utah Code Annotated Section 63G-2-203(4). A request for a fee waiver shall be made in writing to the records officer as part of the records request. (Ord. 2025-6, 2025)

## **2.36.060: FORMS**

- A. Request forms are available at [www.millvilleut.gov](http://www.millvilleut.gov)~~millvillecity.org~~, or from the records officer.
- B. These forms are mandatory and a requestor is required to use them when submitting a records request to Millville City. Additional items may be attached to the forms if needed. (Ord. 2025-6, 2025; Ord. 2019-4, 2019)

**MILLVILLE CITY  
ORDINANCE 2025-7**

**CHAPTER 17 – RESIDENTIAL ZONING UPDATES**

WHEREAS, Millville City Code 17.20A, 17.20B, and 17.20C cover single-family and two-family residential zoning regulations and requirements for Millville City; and

WHEREAS, it was determined that various updates to this title of the code were needed to address setback requirements and other small updates; and

WHEREAS, the Millville City Planning Commission reviewed the proposed modifications to the code and held a public hearing on July 17, 2025; and

WHEREAS, on July 17, 2025, the Millville City Planning Commission recommended that the City Council adopt the proposed changes;

NOW, THEREFORE, the Millville City Council hereby adopts, passes, and publishes the following updates to the City Code as indicated in the attachments:

- Chapter 17.20A – Single-Family and Two-Family Residential (R-1)
- Chapter 17.20B – Single-Family and Two-Family Residential (R-2)
- Chapter 17.20C – Single-Family and Two-Family Residential (R-3)

This ordinance shall become effective immediately upon publication or posting as set forth by State Law.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL, the 14<sup>th</sup> day of August 2025.

MILLVILLE CITY

\_\_\_\_\_  
David Hair, Mayor

ATTEST:

\_\_\_\_\_  
Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Jeremy Ward				
Daniel Grange				
Clay Wilker				
Pamela June				
Ryan Zollinger				

POSTED: \_\_\_\_\_

# MILLVILLE CITY CODE

## TITLE 17 - ZONING

### CHAPTER 17.20A - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL (R-1)

[17.20A.010: PURPOSE; DEFINITION](#)

[17.20A.020: PERMITTED USES](#)

[17.20A.030: CONDITIONAL USES](#)

[17.20A.040: REGULATIONS AND REQUIREMENTS](#)

[17.20A.050: ACCESSORY BUILDINGS](#)

[17.20A.060: LOTS LOCATED ON PRIVATE LANES](#)



#### **17.20A.010: PURPOSE; DEFINITION**

- A. Purpose: The purpose of the R-1 zone is to provide appropriate locations where residential neighborhoods may be established, maintained, and protected. The regulations also permit the establishment of, with proper controls, the public and semipublic uses which serve the requirements of families such as churches, schools, libraries, parks, and playgrounds. The regulations are intended to prohibit those uses that would be harmful to a single- and two-family neighborhood.
- B. Definition: "Family" means one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of unrelated adult persons, but not exceeding two (2) and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family. (Ord. 2000-01: Ord. 99-02-18-01 § 2)

## **17.20A.020: PERMITTED USES**

Accessory buildings.

Agriculture.

Apartment in owner occupied, single-family dwelling.

Barbershop.

Beauty shop.

Bed and breakfast.

Childcare and/or education.

Craft store.

Duplex.

Household pets.

Municipal facilities.

Personal services.

Pools.

Public utilities.

Single-family dwelling.

Uses not listed as permitted or conditional are not permitted without approval from the city council. (Ord. 2018-6, 2018: Ord. 2009-4, 2009: Ord. 2004-4, 2004: Ord. 2003-5 §§ 1, 2, 2003: Ord. 2000-9 § 1)

## **17.20A.030: CONDITIONAL USES**

The following may be permitted conditional uses after application and approval as specified in section 17.64.070 of this title:

Education services both public and private. (Ord. 2013-2, 2013: Ord. 2009-4, 2009: Ord. 99-02-18-01 § 2)

## **17.20A.040: REGULATIONS AND REQUIREMENTS**

A. One Main Building: Not more than one main building may be placed upon one lot or parcel of land.

1. Lot corners will be marked with five-eighths inch ( $\frac{5}{8}$ " ) rebar (#5 rebar) that is eighteen inches (18") to twenty four inches (24") long, capped with the surveyor's red cap containing the surveyor's name or license number driven down to ground level.

B. Minimum Conditions: Minimum conditions for a single-family dwelling shall include, but not be limited to:

1. Lot area: Minimum fourteen thousand (14,000) square feet for slope class 1 lots (see definitions in this title); ~~pending septic tank approval.~~

Minimum twenty thousand (20,000) square feet for slope class 2 lots; ~~pending septic tank approval.~~

Minimum twenty six thousand (26,000) square feet for slope class 3 lots; ~~pending septic tank approval.~~

Minimum thirty two thousand (32,000) square feet for slope class 4 lots; ~~pending septic tank approval.~~

2. Lot frontage: Minimum one hundred eight feet (108') of clear ownership of the lot the dwelling is built on.
3. Lot slope requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area, when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.

C. Front Yard Setback: Minimum thirty feet (30') from the lot line.

D. Side Yard Setback:

1. Interior lots:

- a. Minimum fifteen feet (15') from the side property line.
- b. ~~For a~~Accessory buildings:; ~~no m~~Minimum five feet (5') from the property line. ~~setback shall be required, except the drip line shall be on the lot.~~

2. Corner lots:

- a. Minimum fifteen feet (15') from the property line common to an interior lot.
- b. Minimum twenty feet (20') from the property line adjacent to the street.
- c. ~~For a~~Accessory buildings: ~~no m~~Minimum five feet (5') ~~setback from the property line shall be required at~~ common to an interior lot, ~~with a line, except the drip line shall be on the lot.~~ Minimum twenty feet (20') from the property line adjacent to the street.

E. Rear Yard Setback:

1. Interior lots:

- a. Minimum thirty feet (30') from the rear property line.
- b. ~~For a~~Accessory buildings:; ~~no setback requirement except the drip line shall be on the lot.~~Minimum five feet (5') from the rear property line.

2. Corner lots:

- a. Minimum twenty feet (20') from the rear property line.
- b. ~~For a~~Accessory buildings:; ~~no setback requirement except the drip line shall be on the lot.~~ Minimum five feet (5') from the rear property line.

F. Building Height:

- 1. Maximum thirty five feet (35').
- 2. Height shall be measured from the highest point of the building roof to the main entrance threshold.

- G. Distance Between Buildings: Corrals, barns, stables, coops, kennels and other buildings used for the accommodation of animals (except for household pets) must be located at least seventy five feet (75') from owner's existing structure and at least fifty feet (50') from a property line.
- H. Building Size: The finished living area of any dwelling shall be a minimum of nine hundred sixty (960) square feet for a single-story dwelling. Living area shall be calculated excluding basement, open porches, and garages.
- I. Space Compliance: No space needed to meet the width, yard, area, coverage, parking, or other requirements for minimum lot size or setback may be sold or leased apart from such lot or building unless other space so complying is provided.
- J. Minimum Conditions: Minimum conditions for a duplex shall include, but not be limited to:
1. Lot Area: Minimum twenty thousand (20,000) square feet for slope class 1 lots (see definitions in this title); ~~pending septic tank approval.~~  
  
Minimum twenty six thousand (26,000) square feet for slope class 2 lots; ~~pending septic tank approval.~~  
  
Minimum thirty two thousand (32,000) square feet for slope class 3 lots; ~~pending septic tank approval.~~  
  
Minimum thirty eight thousand (38,000) square feet for slope class 4 lots; ~~pending septic tank approval.~~
  2. Lot Frontage: One hundred twenty four foot (124') minimum.
  3. Minimum Parking: Parking spaces for a minimum of four (4) cars shall be provided.
  4. Exterior Elevations: Exterior elevations shall resemble a single-family dwelling.
  5. Living Area: Each living unit shall have at least nine hundred sixty (960) square feet of living area exclusive of porches, garages, and carports.
  6. More Than One Prohibited: Not more than one duplex may be placed upon one lot or parcel of land.
  7. Minimum Distance: Lots with duplexes shall be a minimum distance of three hundred fifty feet (350'), in any direction, from any other lot with a duplex.



8. Repealed.
9. Lot Slope Requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.
- K. Minimum Dimension: All dwellings for human occupancy shall have a minimum dimension of twenty feet (20') (measured wide or deep), be attached to a permanent concrete foundation, and meet minimum uniform building code requirements.
- L. Trash Prohibited Outside Containers: No trash, rubbish, weeds, debris, waste products or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, abandoned automobiles, automobile parts, or restoration projects shall be stored or allowed to remain on any lot in any residential zone unless such objects are out of visible sight of the public.
- M. Odorous Uses Prohibited: A use shall not be permitted which creates objectionable odor in such quantity as to be readily detectable at the boundaries of the site.
- N. Lot Grading Standards: For residential developments, a plan shall be prepared in a manner that will allow the following conditions to be met prior to, or as part of, actual building construction. If necessary, individual lot grading plans will be required prior to issuance of building permits:
1. A minimum fall of six inches (6") in the first ten feet (10') away from any building is required;
  2. A maximum gradient of twenty one percent (21%) within four feet (4') of the foundation;
  3. Usable minimum yard area of three hundred (300) square feet with a maximum slope of five percent (5%);
  4. A minimum foundation exposure of six inches (6") above finished grade;
  5. Slopes of three to one (3:1) and steeper must be sodded and will be accepted only when the developer and engineer can show this to be the most feasible approach;

6. Driveway grades should be maintained between 0.5 percent and five percent (5%) when possible;
  7. Entry walks shall not exceed 5.0 percent;
  8. Lots should be graded so that a minimum slope of two percent (2%) can be maintained between the sewer flow line in the street and the finished grade of the lowest floor elevation;
  9. Minimum depth of any sewer line shall be five feet (5').
- O. Legal Nonconforming Status: Vacant lots which do not meet the current frontage requirement, but can provide division and deed history showing they met historic requirements, may be granted "legal nonconforming" status and receive building permits. Such documentation is to be provided to the development coordinator who shall provide documentation to the planning and zoning commission, mayor and/or city council if needed.
- P. ORIENTATION: Any residence constructed on any buildable parcel must be accessed from a "public street", as defined in Ordinance 17.08.020 "STREET, PUBLIC". Said residence shall have the property entrance located to face the public street to which its address was assigned. (Ord. 2025-7, 2025: Ord. 2018-8, 2018: 2018-6, 2018: Ord. 2012-2, 2012: Ord. 2008-3, 2008: Ord. 2004-6, 2004: Ord. 2004-4, 2004: Ord. 2004-2, 2004: Ord. 2003-2, 2003: Ord. 2002-6 § 1, 2002: Ord. 2002-5 § 1, 2002: Ord. 2002-2 § 3, 2002: Ord. 2000-16 §§ 1, 2: Ord. 2000-9 § 1: Ord. 99-02-18-01 § 2)

## **17.20A.050: ACCESSORY BUILDINGS**

- A. No building permit will be required for a structure up to and including two hundred (200) square feet, unless required by state statute. (~~Ord. 2018-6, 2018: Ord. 99-02-18-01 § 2~~)
- B. All accessory building structures shall be located behind the front yard setback.
- C. Setback: There is a minimum setback of five feet (5') from all property lines, except for those that are on a corner lot and must have a minimum twenty feet (20') setback from the line abutting a street. (Ord. 2025-7, 2025: Ord. 2018-6, 2018: Ord. 99-02-18-01 § 2)

## **17.20A.060: LOTS LOCATED ON PRIVATE LANES**

- A. Public Street Systems Encouraged: Public street systems shall be encouraged for access to all residential dwelling sites. However, the City recognizes that there are cases where it is impossible or impractical to develop a lot according to normal subdivision standards. In situations where insufficient land access exists for a public street system, the Planning Commission may allow for a building lot using frontage from a private lane.
- B. Subdivisions on private lanes may be developed when the following conditions have been met:
  - 1. Development on a private lane would not impede the extension of any adjacent public right-of-way either now or in the foreseeable future; and
  - 2. The development does not impede the necessary access from adjoining properties as required by the master transportation plan.
  - 3. Rights-of-way shall be of sufficient design to service the projected use of property and adjoining properties that may have access across such rights-of-way. All new private lanes shall be fully improved with a hard-packed maintainable surface with a minimum of twenty feet (20') of surface width. Curb and gutter or other appropriate storm drainage methods may be required.
  - 4. Improvements shall include a strategically located turnaround to accommodate emergency vehicles. The turnaround configuration may be in any form compliant with the appropriate fire codes, as determined by the fire marshal or designee. Additional clearance may be required to accommodate emergency vehicle access.
  - 5. Private lanes shall satisfy the frontage requirements for no more than one lot.
  - 6. All necessary public utility easements shall be dedicated on all lots, including full access where required by city officials and workers. Public services, such as garbage collection, will be at the dedicated street only.
  - 7. Minimum yard setback requirements as defined for public streets shall apply to all buildings and uses adjoining private rights-of-way, with setbacks measured from edge of required private lane width or from the width of the future city road in that location.

8. No portion of the private lane may be counted towards required driveway dimensions on individual lots.
9. No portion of the private lane may be counted towards the minimum required building lot size.
10. Private lane area shall not be included in the calculation of buildable area for an individual lot, including determination of allowed square footage for primary and accessory structures.
11. A driveway approach with a minimum of twenty feet (20') by twenty feet (20') of three inches (3") minimum thickness of permanent asphalt from the public street to the lane is required.
12. All lots shall be provided with standard utility connections, furnished by the property owner, including approved fire protection infrastructure. All utilities underneath a private right-of-way shall be deemed private utilities for ownership and maintenance purposes.
13. Private lanes shall be named and identified by means of a suitable permanent street marker according to Millville City standards, to be installed prior to issuance of building permits.
14. All required infrastructure, including road improvements and stormwater controls shall be installed prior to occupancy being granted on a building lot.
15. Each access easement right-of-way shall be recorded with the County Recorder. Such easement shall include all parties with interest in the parcel(s) containing the access easement right-of-way as grantors and all parties retaining access from the access easement right-of-way as grantees. The easement shall extend and connect to Millville City's public street infrastructure to provide clear access from all building lots or parcels to a public right-of-way.
16. There shall be a written and recorded road maintenance agreement that assigns maintenance responsibility for the private lane to the properties the private lane traverses and serves. The City shall have the right to compel enforcement of the road maintenance agreement between the property owners. Should the City be unable to compel enforcement of the agreement, the City may, at its sole discretion, maintain the private lane and assess the property owners the costs associated with such maintenance.
17. Change of Private Right-Of-Way to Public Ownership: Private lanes shall be clearly annotated on the subdivision plat as a private lane. A note shall be placed

on all subdivision plats that contain a private lane that states the following: “The road annotated on this plat as “private lane” was allowed alternative construction standards from adopted public or private streets standards. Millville City shall not take control of said lane unless it is first deemed by the City Council that there is a compelling public interest, the street is brought to public standards and all landowners accessing the street have consented to the dedication.” (~~Ord. 2023-6: 2023~~)

- C. The creation of a private lane is a subdivision of property and follows the same requirements outlined in Chapter 16.16: Subdivision Application Requirements. The Application Review Procedure can be found in Chapter 16.20. A public hearing is required before Final Plat approval. (~~Ord. 2025-7, 2025: Ord. 2023-6: 2023~~)

# **MILLVILLE CITY CODE**

## **TITLE 17 - ZONING**

### **CHAPTER 17.20B - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL (R-2)**

[17.20B.010: PURPOSE; DEFINITION](#)

[17.20B.020: PERMITTED USES](#)

[17.20B.030: CONDITIONAL USES](#)

[17.20B.040: REGULATIONS AND REQUIREMENTS](#)

[17.20B.050: ACCESSORY BUILDINGS](#)

[17.20B.060: LOTS LOCATED ON PRIVATE LANES](#)

#### **17.20B.010: PURPOSE; DEFINITION**

- A. Purpose: The purpose of the R-1 zone is to provide appropriate locations where residential neighborhoods may be established, maintained, and protected. The regulations also permit the establishment of, with proper controls, the public and semipublic uses which serve the requirements of families such as churches, schools, libraries, parks, and playgrounds. The regulations are intended to prohibit those uses that would be harmful to a single- and two-family neighborhood.
- B. Definition: "Family" means one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of unrelated adult persons, but not exceeding two (2) and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family.

## **17.20B.020: PERMITTED USES**

Accessory buildings.

Agriculture.

Apartment in owner occupied, single-family dwelling.

Barbershop.

Beauty shop.

Bed and breakfast.

Childcare and/or education.

Craft store.

Duplex.

Household pets.

Municipal facilities.

Personal services.

Pools.

Public utilities.

Single-family dwelling.

Uses not listed as permitted or conditional are not permitted without approval from the city council.

## **17.20B.030: CONDITIONAL USES**

The following may be permitted conditional uses after application and approval as specified in section 17.64.070 of this title:

Education services both public and private.

## **17.20B.040: REGULATIONS AND REQUIREMENTS**

A. One Main Building: Not more than one main building may be placed upon one lot or parcel of land.

1. Lot corners will be marked with five-eighths inch ( $\frac{5}{8}$ " ) rebar (#5 rebar) that is eighteen inches (18") to twenty four inches (24") long, capped with the surveyor's red cap containing the surveyor's name or license number driven down to ground level.

B. Minimum Conditions: Minimum conditions for a single-family dwelling shall include, but not be limited to:

1. Lot area: Minimum twenty one thousand (21,000) square feet for slope class 1 lots (see definitions in this title)., ~~pending septic tank approval.~~

Minimum twenty one thousand (21,000) square feet for slope class 2 lots,  
~~pending septic tank approval.~~

Minimum twenty six thousand (26,000) square feet for slope class 3 lots, ~~pending septic tank approval.~~

Minimum thirty two thousand (32,000) square feet for slope class 4 lots, ~~pending septic tank approval.~~

2. Lot frontage: Minimum one hundred eight feet (108') of clear ownership of the lot the dwelling is built on.
3. Lot slope requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area, when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.

C. Front Yard Setback: Minimum thirty feet (30') from the lot line.

D. Side Yard Setback:

1. Interior lots:



- a. Minimum fifteen feet (15') from the side property line.
- b. ~~For accessory buildings; no minimum five feet (5') from the property line setback shall be required, except the drip line shall be on the lot.~~

2. Corner lots:

- a. Minimum fifteen feet (15') from the property line common to an interior lot.
- b. Minimum twenty feet (20') from the property line adjacent to the street.
- c. ~~For accessory buildings; no minimum five feet (5') setback from the property line common to shall be required at an interior lot, with a line, except the drip line shall be on the lot. Minimum twenty feet (20') from the property line adjacent to the street.~~

E. Rear Yard Setback:

1. Interior lots:

- a. Minimum thirty feet (30') from the rear property line.
- b. ~~For accessory buildings; no setback requirement except the drip line shall be on the lot. Minimum five feet (5') from the rear property line.~~

2. Corner lots:

- a. Minimum twenty feet (20') from the rear property line.
- b. ~~For accessory buildings; no setback requirement except the drip line shall be on the lot. Minimum five feet (5') from the rear property line.~~

F. Building Height:

- 1. Maximum thirty five feet (35').
- 2. Height shall be measured from the highest point of the building roof to the main entrance threshold.

G. Distance Between Buildings: Corrals, barns, stables, coops, kennels and other buildings used for the accommodation of animals (except for household pets) must be located at

least seventy five feet (75') from owner's existing structure and at least fifty feet (50') from a property line.

- H. Building Size: The finished living area of any dwelling shall be a minimum of nine hundred sixty (960) square feet for a single-story dwelling. Living area shall be calculated excluding basement, open porches, and garages.
- I. Space Compliance: No space needed to meet the width, yard, area, coverage, parking, or other requirements for minimum lot size or setback may be sold or leased apart from such lot or building unless other space so complying is provided.
- J. Minimum Conditions: Minimum conditions for a duplex shall include, but not be limited to:

- 1. Lot Area: Minimum twenty one thousand (21,000) square feet for slope class 1 lots (see definitions in this title), ~~pending septic tank approval.~~

Minimum twenty six thousand (26,000) square feet for slope class 2 lots, ~~pending septic tank approval.~~

Minimum thirty two thousand (32,000) square feet for slope class 3 lots, ~~pending septic tank approval.~~

Minimum thirty eight thousand (38,000) square feet for slope class 4 lots, ~~pending septic tank approval.~~

- 2. Lot Frontage: One hundred twenty four foot (124') minimum.
- 3. Minimum Parking: Parking spaces for a minimum of four (4) cars shall be provided.
- 4. Exterior Elevations: Exterior elevations shall resemble a single-family dwelling.
- 5. Living Area: Each living unit shall have at least nine hundred sixty (960) square feet of living area exclusive of porches, garages, and carports.
- 6. More Than One Prohibited: Not more than one duplex may be placed upon one lot or parcel of land.
- 7. Minimum Distance: Lots with duplexes shall be a minimum distance of three hundred fifty feet (350'), in any direction, from any other lot with a duplex.
- 8. Repealed.

9. Lot Slope Requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.
- K. Minimum Dimension: All dwellings for human occupancy shall have a minimum dimension of twenty feet (20') (measured wide or deep), be attached to a permanent concrete foundation, and meet minimum uniform building code requirements.
- L. Trash Prohibited Outside Containers: No trash, rubbish, weeds, debris, waste products or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, abandoned automobiles, automobile parts, or restoration projects shall be stored or allowed to remain on any lot in any residential zone unless such objects are out of visible sight of the public.
- M. Odorous Uses Prohibited: A use shall not be permitted which creates objectionable odor in such quantity as to be readily detectable at the boundaries of the site.
- N. Lot Grading Standards: For residential developments, a plan shall be prepared in a manner that will allow the following conditions to be met prior to, or as part of, actual building construction. If necessary, individual lot grading plans will be required prior to issuance of building permits:
  1. A minimum fall of six inches (6") in the first ten feet (10') away from any building is required;
  2. A maximum gradient of twenty one percent (21%) within four feet (4') of the foundation;
  3. Usable minimum yard area of three hundred (300) square feet with a maximum slope of five percent (5%);
  4. A minimum foundation exposure of six inches (6") above finished grade;
  5. Slopes of three to one (3:1) and steeper must be sodded and will be accepted only when the developer and engineer can show this to be the most feasible approach;
  6. Driveway grades should be maintained between 0.5 percent and five percent (5%) when possible;

7. Entry walks shall not exceed 5.0 percent;
  8. Lots should be graded so that a minimum slope of two percent (2%) can be maintained between the sewer flow line in the street and the finished grade of the lowest floor elevation;
  9. Minimum depth of any sewer line shall be five feet (5').
- O. Legal Nonconforming Status: Vacant lots which do not meet the current frontage requirement, but can provide division and deed history showing they met historic requirements, may be granted "legal nonconforming" status and receive building permits. Such documentation is to be provided to the development coordinator who shall provide documentation to the planning and zoning commission, mayor and/or city council if needed.
- P. ORIENTATION: Any residence constructed on any buildable parcel must be accessed from a "public street", as defined in Ordinance 17.08.020 "STREET, PUBLIC". Said residence shall have the property entrance located to face the public street to which its address was assigned. (Ord. 2025-7, 2025: Ord. 2018-8, 2018)

## **17.20B.050: ACCESSORY BUILDINGS**

- A. No building permit will be required for a structure up to and including two hundred (200) square feet, unless required by state statute.
- B. All accessory building structures shall be located behind the front yard setback.
- C. Setback: There is a minimum setback of five feet (5') from all property lines, except for those that are on a corner lot and must have a minimum twenty feet (20') setback from the line abutting a street. (Ord. 2025-7, 2025: Ord. 2018-8, 2018)

## **17.20B.060: LOTS LOCATED ON PRIVATE LANES**

- A. Public Street Systems Encouraged: Public street systems shall be encouraged for access to all residential dwelling sites. However, the City recognizes that there are cases where it is impossible or impractical to develop a lot according to normal subdivision standards. In situations where insufficient land access exists for a public street system, the Planning Commission may allow for a building lot using frontage from a private lane.

B. Subdivisions on private lanes may be developed when the following conditions have been met:

1. Development on a private lane would not impede the extension of any adjacent public right-of-way either now or in the foreseeable future; and
2. The development does not impede the necessary access from adjoining properties as required by the master transportation plan.
3. Rights-of-way shall be of sufficient design to service the projected use of property and adjoining properties that may have access across such rights-of-way. All new private lanes shall be fully improved with a hard-packed maintainable surface with a minimum of twenty feet (20') of surface width. Curb and gutter or other appropriate storm drainage methods may be required.
4. Improvements shall include a strategically located turnaround to accommodate emergency vehicles. The turnaround configuration may be in any form compliant with the appropriate fire codes, as determined by the fire marshal or designee. Additional clearance may be required to accommodate emergency vehicle access.
5. Private lanes shall satisfy the frontage requirements for no more than one lot.
6. All necessary public utility easements shall be dedicated on all lots, including full access where required by city officials and workers. Public services, such as garbage collection, will be at the dedicated street only.
7. Minimum yard setback requirements as defined for public streets shall apply to all buildings and uses adjoining private rights-of-way, with setbacks measured from edge of required private lane width or from the width of the future city road in that location.
8. No portion of the private lane may be counted towards required driveway dimensions on individual lots.
9. No portion of the private lane may be counted towards the minimum required building lot size.
10. Private lane area shall not be included in the calculation of buildable area for an individual lot, including determination of allowed square footage for primary and accessory structures.

11. A driveway approach with a minimum of twenty feet (20') by twenty feet (20') of three inch (3") minimum thickness of permanent asphalt from the public street to the lane is required.
12. All lots shall be provided with standard utility connections, furnished by the property owner, including approved fire protection infrastructure. All utilities underneath a private right-of-way shall be deemed private utilities for ownership and maintenance purposes.
13. Private lanes shall be named and identified by means of a suitable permanent street marker according to Millville City standards, to be installed prior to issuance of building permits.
14. All required infrastructure, including road improvements and stormwater controls shall be installed prior to occupancy being granted on a building lot.
15. Each access easement right-of-way shall be recorded with the County Recorder. Such easement shall include all parties with interest in the parcel(s) containing the access easement right-of-way as grantors and all parties retaining access from the access easement right-of-way as grantees. The easement shall extend and connect to Millville City's public street infrastructure to provide clear access from all building lots or parcels to a public right-of-way.
16. There shall be a written and recorded road maintenance agreement that assigns maintenance responsibility for the private lane to the properties the private lane traverses and serves. The City shall have the right to compel enforcement of the road maintenance agreement between the property owners. Should the City be unable to compel enforcement of the agreement, the City may, at its sole discretion, maintain the private lane and assess the property owners the costs associated with such maintenance.
17. Change of Private Right-Of-Way to Public Ownership: Private lanes shall be clearly annotated on the subdivision plat as a private lane. A note shall be placed on all subdivision plats that contain a private lane that states the following: "The road annotated on this plat as "private lane" was allowed alternative construction standards from adopted public or private streets standards. Millville City shall not take control of said lane unless it is first deemed by the City Council that there is a compelling public interest, the street is brought to public standards and all landowners accessing the street have consented to the dedication." (~~Ord. 2023-6: 2023~~)

C. The creation of a private late is a subdivision of property and follows the same requirements outlined in Chapter 16.16: Subdivision Application Requirements. The

Application Review Procedure can be found in Chapter 16.20. A public hearing is required before Final Plat approval. (Ord. 2025-7, 2025: Ord. 2023-6, 2023)

## **MILLVILLE CITY CODE**

### **TITLE 17 - ZONING**

#### **CHAPTER 17.20C - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL (R-3)**

[17.20C.010: PURPOSE; DEFINITION](#)

[17.20C.020: PERMITTED USES](#)

[17.20C.030: CONDITIONAL USES](#)

[17.20C.040: REGULATIONS AND REQUIREMENTS](#)

[17.20C.050: ACCESSORY BUILDINGS](#)

[17.20C.060: LOTS LOCATED ON PRIVATE LANES](#)

#### **17.20C.010: PURPOSE; DEFINITION**

- A. Purpose: The purpose of the R-3 zone is to provide appropriate locations where residential neighborhoods may be established, maintained, and protected. The regulations also permit the establishment of, with proper controls, the public and semipublic uses which serve the requirements of families such as churches, schools, libraries, parks, and playgrounds. The regulations are intended to prohibit those uses that would be harmful to a single- and two-family neighborhood.
- B. Definition: "Family" means one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of unrelated adult persons, but not exceeding two (2) and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family.



## **17.20C.020: PERMITTED USES**

Accessory buildings.

Agriculture.

Apartment in owner occupied, single-family dwelling.

Barbershop.

Beauty shop.

Bed and breakfast.

Childcare and/or education.

Craft store.

Duplex.

Household pets.

Municipal facilities.

Personal services.

Pools.

Public utilities.

Single-family dwelling.

Uses not listed as permitted or conditional are not permitted without approval from the city council.

## **17.20C.030: CONDITIONAL USES**

The following may be permitted conditional uses after application and approval as specified in section 17.64.070 of this title:

Education services both public and private.

## **17.20C.040: REGULATIONS AND REQUIREMENTS**

- A. One Main Building: Not more than one main building may be placed upon one lot or parcel of land.
  - 1. Lot corners will be marked with five-eighths inch ( $\frac{5}{8}$ " ) rebar (#5 rebar) that is eighteen inches (18") to twenty four inches (24") long, capped with the surveyor's red cap containing the surveyor's name or license number driven down to ground level.
- B. Minimum Conditions: Minimum conditions for a single-family dwelling shall include, but not be limited to:
  - 1. Lot area: Minimum eighty seven thousand (87,000) square feet for slope class 1 lots (see definitions in this title), ~~pending septic tank approval.~~  
  
Minimum eighty seven thousand (87,000) square feet for slope class 2 lots, ~~pending septic tank approval.~~  
  
Minimum eighty seven thousand (87,000) square feet for slope class 3 lots, ~~pending septic tank approval.~~  
  
Minimum eighty seven thousand (87,000) square feet for slope class 4 lots, ~~pending septic tank approval.~~
  - 2. Lot frontage: Minimum one hundred thirty two feet (132') of clear ownership of the lot the dwelling is built on.
  - 3. Lot slope requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area, when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.
- C. Front Yard Setback: Minimum thirty feet (30') from the lot line.
- D. Side Yard Setback:
  - 1. Interior lots:

- a. Minimum fifteen feet (15') from the side property line.
- b. ~~For accessory buildings: no minimum five feet (5') from the property line setback shall be required, except the drip line shall be on the lot.~~

2. Corner lots:

- a. Minimum fifteen feet (15') from the property line common to an interior lot.
- b. Minimum twenty feet (20') from the property line adjacent to the street.
- c. ~~AFor accessory buildings: no minimum five feet (5') setback shall be required at from the property line common to an interior lot, with a line, except the drip line shall be on the lot. M~~ minimum twenty feet (20') from the property line adjacent to the street.

E. Rear Yard Setback:

1. Interior lots:

- a. Minimum thirty feet (30') from the rear property line.
- b. ~~For accessory buildings: Minimum five feet (5') from the rear property line., no setback requirement except the drip line shall be on the lot.~~

2. Corner lots:

- a. Minimum twenty feet (20') from the rear property line.
- b. ~~For accessory buildings: Minimum five feet (5') from the rear property line., no setback requirement except the drip line shall be on the lot.~~

F. Building Height:

- 1. Maximum thirty five feet (35').
- 2. Height shall be measured from the highest point of the building roof to the main entrance threshold.

G. Distance Between Buildings: Corrals, barns, stables, coops, kennels and other buildings used for the accommodation of animals (except for household pets) must be located at

least seventy five feet (75') from owner's existing structure and at least fifty feet (50') from a property line.

- H. Building Size: The finished living area of any dwelling shall be a minimum of nine hundred sixty (960) square feet for a single-story dwelling. Living area shall be calculated excluding basement, open porches, and garages.
- I. Space Compliance: No space needed to meet the width, yard, area, coverage, parking, or other requirements for minimum lot size or setback may be sold or leased apart from such lot or building unless other space so complying is provided.
- J. Minimum Conditions: Minimum conditions for a duplex shall include, but not be limited to:
  - 1. Lot Area: Minimum eighty seven thousand (87,000) square feet for slope class 1 lots (see definitions in this title), ~~pending septic tank approval.~~  
  
Minimum eighty seven thousand (87,000) square feet for slope class 2 lots, ~~pending septic tank approval.~~  
  
Minimum eighty seven thousand (87,000) square feet for slope class 3 lots, ~~pending septic tank approval.~~  
  
Minimum eighty seven thousand (87,000) square feet for slope class 4 lots, ~~pending septic tank approval.~~
  - 2. Lot Frontage: One hundred thirty two foot (132') minimum.
  - 3. Minimum Parking: Parking spaces for a minimum of four (4) cars shall be provided.
  - 4. Exterior Elevations: Exterior elevations shall resemble a single-family dwelling.
  - 5. Living Area: Each living unit shall have at least nine hundred sixty (960) square feet of living area exclusive of porches, garages, and carports.
  - 6. More Than One Prohibited: Not more than one duplex may be placed upon one lot or parcel of land.
  - 7. Minimum Distance: Lots with duplexes shall be a minimum distance of three hundred fifty feet (350'), in any direction, from any other lot with a duplex.
  - 8. Repealed.

9. Lot Slope Requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.
- K. Minimum Dimension: All dwellings for human occupancy shall have a minimum dimension of twenty feet (20') (measured wide or deep), be attached to a permanent concrete foundation, and meet minimum uniform building code requirements.
- L. Trash Prohibited Outside Containers: No trash, rubbish, weeds, debris, waste products or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, abandoned automobiles, automobile parts, or restoration projects shall be stored or allowed to remain on any lot in any residential zone unless such objects are out of visible sight of the public.
- M. Odorous Uses Prohibited: A use shall not be permitted which creates objectionable odor in such quantity as to be readily detectable at the boundaries of the site.
- N. Lot Grading Standards: For residential developments, a plan shall be prepared in a manner that will allow the following conditions to be met prior to, or as part of, actual building construction. If necessary, individual lot grading plans will be required prior to issuance of building permits:
  1. A minimum fall of six inches (6") in the first ten feet (10') away from any building is required;
  2. A maximum gradient of twenty one percent (21%) within four feet (4') of the foundation;
  3. Usable minimum yard area of three hundred (300) square feet with a maximum slope of five percent (5%);
  4. A minimum foundation exposure of six inches (6") above finished grade;
  5. Slopes of three to one (3:1) and steeper must be sodded and will be accepted only when the developer and engineer can show this to be the most feasible approach;
  6. Driveway grades should be maintained between 0.5 percent and five percent (5%) when possible;

7. Entry walks shall not exceed 5.0 percent;
  8. Lots should be graded so that a minimum slope of two percent (2%) can be maintained between the sewer flow line in the street and the finished grade of the lowest floor elevation;
  9. Minimum depth of any sewer line shall be five feet (5').
- O. Legal Nonconforming Status: Vacant lots which do not meet the current frontage requirement, but can provide division and deed history showing they met historic requirements, may be granted "legal nonconforming" status and receive building permits. Such documentation is to be provided to the development coordinator who shall provide documentation to the planning and zoning commission, mayor and/or city council if needed.
- P. ORIENTATION: Any residence constructed on any buildable parcel must be accessed from a "public street", as defined in Ordinance 17.08.020 "STREET, PUBLIC". Said residence shall have the property entrance located to face the public street to which its address was assigned. (Ord. 2025-7, 2025: Ord. 2018-8, 2018)

#### **17.20C.050: ACCESSORY BUILDINGS**

- A. No building permit will be required for a structure up to and including two hundred (200) square feet, unless required by state statute.
- B. All accessory building structures shall be located behind the front yard setback.
- C. Setback: There is a minimum setback of five feet (5') from all property lines, except for those that are on a corner lot and must have a minimum twenty feet (20') setback from the line abutting a street. (Ord. 2025-7, 2025: Ord. 2018-8, 2018)

#### **17.20C.060: LOTS LOCATED ON PRIVATE LANES**

- A. Public Street Systems Encouraged: Public street systems shall be encouraged for access to all residential dwelling sites. However, the City recognizes that there are cases where it is impossible or impractical to develop a lot according to normal subdivision

standards. In situations where insufficient land access exists for a public street system, the Planning Commission may allow for a building lot using frontage from a private lane.

B. Subdivisions on private lanes may be developed when the following conditions have been met:

1. Development on a private lane would not impede the extension of any adjacent public right-of-way either now or in the foreseeable future; and
2. The development does not impede the necessary access from adjoining properties as required by the master transportation plan.
3. Rights-of-way shall be of sufficient design to service the projected use of property and adjoining properties that may have access across such rights-of-way. All new private lanes shall be fully improved with a hard-packed maintainable surface with a minimum of twenty feet (20') of surface width. Curb and gutter or other appropriate storm drainage methods may be required.
4. Improvements shall include a strategically located turnaround to accommodate emergency vehicles. The turnaround configuration may be in any form compliant with the appropriate fire codes, as determined by the fire marshal or designee. Additional clearance may be required to accommodate emergency vehicle access.
5. Private lanes shall satisfy the frontage requirements for no more than one lot.
6. All necessary public utility easements shall be dedicated on all lots, including full access where required by city officials and workers. Public services, such as garbage collection, will be at the dedicated street only.
7. Minimum yard setback requirements as defined for public streets shall apply to all buildings and uses adjoining private rights-of-way, with setbacks measured from edge of required private lane width or from the width of the future city road in that location.
8. No portion of the private lane may be counted towards required driveway dimensions on individual lots.
9. No portion of the private lane may be counted towards the minimum required building lot size.

10. Private lane area shall not be included in the calculation of buildable area for an individual lot, including determination of allowed square footage for primary and accessory structures.
11. A driveway approach with a minimum of twenty feet (20') by twenty feet (20') of three inch (3") minimum thickness of permanent asphalt from the public street to the lane is required.
12. All lots shall be provided with standard utility connections, furnished by the property owner, including approved fire protection infrastructure. All utilities underneath a private right-of-way shall be deemed private utilities for ownership and maintenance purposes.
13. Private lanes shall be named and identified by means of a suitable permanent street marker according to Millville City standards, to be installed prior to issuance of building permits.
14. All required infrastructure, including road improvements and stormwater controls shall be installed prior to occupancy being granted on a building lot.
15. Each access easement right-of-way shall be recorded with the County Recorder. Such easement shall include all parties with interest in the parcel(s) containing the access easement right-of-way as grantors and all parties retaining access from the access easement right-of-way as grantees. The easement shall extend and connect to Millville City's public street infrastructure to provide clear access from all building lots or parcels to a public right-of-way.
16. There shall be a written and recorded road maintenance agreement that assigns maintenance responsibility for the private lane to the properties the private lane traverses and serves. The City shall have the right to compel enforcement of the road maintenance agreement between the property owners. Should the City be unable to compel enforcement of the agreement, the City may, at its sole discretion, maintain the private lane and assess the property owners the costs associated with such maintenance.
17. Change of Private Right-Of-Way to Public Ownership: Private lanes shall be clearly annotated on the subdivision plat as a private lane. A note shall be placed on all subdivision plats that contain a private lane that states the following: "The road annotated on this plat as "private lane" was allowed alternative construction standards from adopted public or private streets standards. Millville City shall not take control of said lane unless it is first deemed by the City Council that there is a compelling public interest, the street is brought to public standards and all



landowners accessing the street have consented to the dedication.” (~~Ord. 2023-6: 2023~~)

- C. The creation of a private late is a subdivision of property and follows the same requirements outlined in Chapter 16.16: Subdivision Application Requirements. The Application Review Procedure can be found in Chapter 16.20. A public hearing is required before Final Plat approval. (Ord. 2025-7, 2025: Ord. 2023-6, 2023)

**MILLVILLE CITY  
ORDINANCE 2025-8**

**NOISE AND LIGHTING CONTROL CODE UPDATE**

WHEREAS, Chapter 9.22 of the Millville City Code sets regulations for noise control in Millville City; and

WHEREAS, the Millville City Council sees a need to add additional information for outdoor sports lighting curfews and restrictions; and

WHEREAS, the Millville City Council wishes to clarify the process for seeking a variance to the restrictions in this chapter of code;

NOW, THEREFORE, the Millville City Council hereby adopts, passes, and publishes the modifications shown on the included attachment for City Code Chapter 9.22 – Noise and Lighting Control.

This ordinance shall become effective immediately upon publication or posting as set forth by State Law.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL, this 14<sup>th</sup> day of August 2025.

MILLVILLE CITY

\_\_\_\_\_  
David Hair, Mayor

ATTEST:

\_\_\_\_\_  
Corey Twedt, City Recorder

<b>COUNCILMEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Jeremy Ward				
Daniel Grange				
Clay G. Wilker				
Pamela June				
Ryan Zollinger				

POSTED: \_\_\_\_\_

**MILLVILLE CITY CODE**  
**TITLE 9 - PUBLIC PEACE, MORALS AND WELFARE**  
**CHAPTER 9.22 - NOISE AND LIGHTING CONTROL**

[9.22.010: NOISE CONTROL; DECLARATION OF FINDINGS AND POLICY](#)

[9.22.020: DEFINITIONS](#)

[9.22.030: PROHIBITED ACTS](#)

[9.22.040: EXCEPTIONS AND VARIANCES](#)

[9.22.050: SOUND LEVELS BY RECEIVING LAND ZONE](#)

[9.22.060: MOTOR VEHICLE MAXIMUM SOUND LEVELS](#)

[9.22.070: ENFORCEMENT](#)

**9.22.010: NOISE AND LIGHT CONTROL; DECLARATION OF FINDINGS AND POLICY**

- A. Excessive sound, ~~and~~ vibration, and lighting can be a serious hazard to the public health and welfare, safety, and the quality of life; and

~~A substantial body of science and technology exists by which excessive sound and vibration may be substantially abated; and~~

- B. The people have the right to and should be ensured an environment free from excessive sound, ~~and~~ vibration, and light that may jeopardize their health or welfare or safety or degrade the quality of life; and

- C. It is the policy of the city to prevent excessive sound ~~and~~, vibration, and light which may jeopardize the health or welfare or safety of its citizens or degrade the quality of life.  
(Ord. 2025-8, 2025: Ord. 2000-18 § 2: prior code § 13-331-1)

## **9.22.020: DEFINITIONS**

All terminology used in this section, not defined below, shall be in conformance with the applicable publications of the American National Standards Institute (ANSI) or its successor body.

**A-WEIGHTED SOUND LEVEL:** The sound pressure level in decibels as measured on a sound level meter using the A-weighted network. The level so read is designated dB(A) or dBA.

**COMMERCIAL AREA:** Any area zoned as a commercial retail (CR), commercial service (CS), or commercial manufacturing (CM) district in title 17 of this code.

**CONSTRUCTION:** Any site preparation, assembly, erection, substantial repair, alteration, or similar action, but excluding demolition, for or of public or private rights of way, structures, utilities, or similar property.

**DECIBEL OR dB:** A logarithmic and dimensionless unit for measuring the volume of a sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound to the referenced pressure, which is twenty (20) micropascals (20 micronewtons per square meter).

**DEMOLITION:** Any dismantling, intentional destruction or removal of structure, utilities, public or private right of way surfaces, or similar property.

**EMERGENCY:** Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demand immediate action.

**EMERGENCY WORK:** Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

**GROSS VEHICLE WEIGHT RATING OR GVWR:** The value specified by the manufacturer as the maximum loaded weight of a single motor vehicle. In cases where tractors and trailers are separable, the gross combination weight rating (GCWR), which is the value specified by the manufacturer as the recommended maximum loaded weight of the combination vehicle, shall be used.

**HEALTH OFFICER:** The director of the Bear River health department, or his or her representative, agents, or employees.

**IMPULSIVE SOUND:** Sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts, and the discharge of firearms.

**MOTOR VEHICLE:** Any vehicle which is propelled or drawn on land by a motor, such as, but not limited to, passenger cars, trucks, truck-trailers, semitrailers, campers, go-carts, snowmobiles, amphibious crafts on land, dune buggies, or racing vehicles, but not including motorcycles.

**MOTORBOAT:** Any vessel which operates on water and which is propelled by a motor, but not limited to boats, barges, amphibious craft, water ski towing devices and hovercraft.

**MOTORCYCLE:** An unenclosed motor vehicle having a saddle for the use of the operator and two (2) or three (3) wheels in contact with the ground, including, but not limited to, motor scooters and minibikes.

**MUFFLER OR SOUND DISSIPATIVE DEVICE:** A device for abating the sound of escaping gases of an internal combustion engine.

**NOISE:** Any sound that annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

**NOISE DISTURBANCE:** Any sound that:

- A. Endangers or injures the comfort, health, welfare, hearing, peace, or safety of other persons; or
- B. Annoys or disturbs a reasonable person of normal sensitivities; or
- C. Endangers or injures personal or real property.

**NOISE SENSITIVE ZONE:** Any area designated to certain noise sensitivity activities for the purpose of ensuring exceptional quiet. Noise sensitive activities include, but are not limited to, public and private schools, daycare centers, preschools, libraries, open to public churches, synagogues, mosques, courts, healthcare facilities, housing for the elderly, auditoriums, concert halls, and music shells.

**PERSON:** Individual, association, partnership, corporation or entity, public or private, and includes any officer, employee, department, agency or instrumentality of a state or any political subdivision of a state.

**POWERED MODEL VEHICLE:** Any self-propelled airborne, waterborne, or landborne plane, vessel, or vehicle, which is not designed to carry persons, including, but not limited to, any model airplane, boat, car, or rocket.

**PUBLIC RIGHT OF WAY:** Any street, avenue, boulevard, highway, sidewalk or alley or similar place that is owned or controlled by a governmental entity.

**PUBLIC SPACE:** Any real property or structures thereon that are owned or controlled by a governmental agency.

**PURE TONE:** Any sound that can be distinctly heard as a single pitch or a set of single pitches. For the purposes of this section, a pure tone shall exist if the one-third ( $\frac{1}{3}$ ) octave band sound pressure level in the band with the tone exceeds the arithmetic average of the sound pressure levels of the two (2) contiguous one-third ( $\frac{1}{3}$ ) octave bands by 5 dB for center frequencies of 500 Hz, and above and 8 dB for center frequencies between 160 Hz and 500 Hz, and by 15 dB for center frequencies less than 160 Hz.

**RMS SOUND PRESSURE:** The square root of the time averaged square of the sound pressure, denoted  $P_{\text{rms}}$ .

**REAL PROPERTY BOUNDARY:** An imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person, but not including intrabuilding real property divisions.

**RESIDENTIAL AREA:** Any area zoned as an R-1, R-2, R-3 district in title 17 of this code.

**SOUND:** An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium which internal forces that causes compression and rarefaction of that medium. The description of sound may include the characteristic of such sound, including duration, intensity, and frequency.

**SOUND LEVEL:** The weighted sound pressure level obtained by the use of a sound level meter and frequency network, such as A, B, C, flat, or linear as specified in the American National Standards Institute specification for sound level meters (ANSI 1.4-1985, as amended). If the frequency rating employed is not indicated, the A-weighting shall apply.

**SOUND LEVEL METER:** An instrument which includes at least a microphone, amplifier, output meter, and weighting networks used to measure sound pressure levels.

**SOUND PRESSURE:** The instantaneous difference between the actual pressure and the average barometric pressure at a given point in space, as produced by sound energy.

**SOUND PRESSURE LEVEL:** Twenty (20) times the logarithm to the base ten (10) of the ratio of the RMS sound pressure to the reference pressure of twenty (20) micropascals ( $20 \times 10^{-6} \text{ N/m}^2$ ). The sound pressure level is denoted  $L_p$  or SPL and is expressed in decibels.

**SPORTS LIGHTING:** Lighting designed for active recreation, whether publicly or privately owned. Including, but not limited to parks, baseball and softball diamonds, soccer and football fields, pickleball and tennis courts.

VIBRATION: An oscillatory motion of solid bodies of deterministic or random nature described by displacement, velocity, or acceleration with respect to a given reference point.

WEEKDAY: Any Monday through Friday. (Ord. 2025-8, 2025: Ord. 2013-2, 2013: Ord. 2000-18 § 2: prior code § 13-331-2)

## 9.22.030: PROHIBITED ACTS

No person shall unreasonably make, continue, or cause to be made or continued, any noise or light disturbance. ~~Noncommercial public speaking and public assembly activities conducted on any public space or public right of way shall be exempt from the operation of this section.~~ Specific prohibitions are listed below. For sources of noise other than those specifically listed in this section, determination of noise disturbances may be made through application of the sound level limits listed in section 9.22.050, table 1 of this chapter.

- A. Radios, Television Sets, Musical Instruments, And Similar Devices: The following acts, and the causing thereof, are declared to be a violation of this section: operating, playing or permitting the operation or playing of any radio, television, phonograph or other recorded sound playing device, drum, musical instrument, sound amplifier, or similar device that produces, reproduces, or amplifies sound:
  - 1. Between the hours of ten o'clock (10:00) P.M. and ~~eight~~seven o'clock (78:00) A.M. the following day in such a manner as to create a noise disturbance across a real property boundary or within a noise sensitive zone;
  - 2. In such a manner as to create a noise disturbance at fifty feet (50') from such device, when operated in or on a motor vehicle on a public right of way or public space;
  - 3. This subsection A shall not apply to noncommercial spoken language covered under subsection C of this section.
- B. Loudspeakers/Public Address Systems: The following acts, and the causing thereof, are declared to be a violation of this section:
  - 1. Using or operating for any noncommercial purpose any loudspeaker, public address system, or similar device between the hours of ten o'clock (10:00) P.M. and eight o'clock (8:00) A.M. the following day, such that the sound therefrom creates a noise disturbance across a residential real property boundary or within a noise sensitive zone.



2. Using or operating for any commercial purpose any loudspeaker, public address system, or similar device:
  - a. Such that the sound therefrom creates a noise disturbance across a real property boundary or within a noise sensitive zone; or
  - b. Between the hours of ten o'clock (10:00) P.M. and ~~eight~~seven o'clock (~~7~~8:00) A.M. on the following day on a public right of way or public space.
- C. Street Sales: Offering for sale or selling anything by shouting or outcry, or the causing thereof within any residential area of the city, is declared to be a violation of this section, except by permit as issued by the health officer according to the criteria set forth in subsection 9.22.040B of this chapter.
- D. Animals And Birds: The following acts, and the causing thereof, are declared to be a violation of this section: owning, possessing or harboring any animal or bird which frequently, or for continued duration, howls, barks, meows, squawks, or makes other sounds which create a noise disturbance across a residential real property boundary or within a noise sensitive zone.
- E. Loading And Unloading: The following acts, and the causing thereof, are declared to be a violation of this section: loading, unloading, opening, closing or handling of boxes, crates, containers, building materials, garbage cans, or similar objects between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M. the following day in such a manner to cause a noise disturbance across a residential real property boundary or within a noise sensitive zone
- F. Construction: The following acts, and the causing thereof, are declared to be a violation of this section: operating or permitting the operation of any tool or equipment used for construction, drilling or demolition work:
  1. Between the hours of nine thirty o'clock (9:30) P.M. and seven o'clock (7:00) A.M. the following morning ~~on weekdays or at anytime on Sundays or holidays~~, such that the sound therefrom creates a noise disturbance across a residential real property boundary or within a noise sensitive zone, except for emergency work of public service utilities or by special variance issued pursuant to subsection 9.22.040B of this chapter.
  2. This subsection F shall not apply to the use of domestic power tools subject to section 9.22.050 of this chapter.

- G. Vehicle Or Motorboat Repair And Testing: The following acts, and the causing thereof, are declared to be a violation of this section: repairing, rebuilding, modifying, or testing any motor vehicle, motorcycle or motorboat within a residential area in such a manner as to cause a noise disturbance across a residential real property boundary or within a noise sensitive zone between the hours of nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M. the following day.
- H. Places Of Public Entertainment: The following acts, and the causing thereof, are declared to be a violation of this section: operating, playing, or permitting the operation or playing of any radio, television, phonograph or other recorded sound playing device, drum, musical instrument, sound amplifier, or similar device that produces, reproduces, or amplifies sound in any place of public entertainment at sound level greater than 95 dBA as read by the slow response on a sound level meter at any point that is normally occupied by a customer, unless a conspicuous and legible sign is located outside such place, near each public entrance, stating:

*WARNING: SOUND LEVELS WITHIN MAY CAUSE PERMANENT HEARING IMPAIRMENT.*

- I. Explosives, Firearms, And Similar Devices: The following acts, and the causing thereof, are declared to be a violation of this section: the use or firing of explosives, firearms, or similar devices that create impulsive sound so as to cause a noise disturbance across a real property boundary or on a public space or right of way, without first obtaining a special variance issued pursuant to subsection 9.22.040B of this chapter.
- J. Powered Model Vehicles: The following acts, and the causing thereof, are declared to be a violation of this section: operating or permitting the operation of powered model vehicles so as to create a noise disturbance across a residential real property boundary, in a public space or within a noise sensitive zone between the hours of nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M. the following day. Maximum sound levels in a public space during the permitted period of operation shall conform to those set forth for residential land use in table 1 of section 9.22.050 of this chapter. Maximum sound levels for residential property and noise sensitive zones, during the permitted period of operation, shall be governed by section 9.22.050 of this chapter and subsection N of this section, respectively.
- K. Vibration: The following acts, and the causing thereof, are declared to be a violation of this section: operating or permitting the operation of any device that creates vibration that is above the vibration perception threshold of an individual at or beyond the property of the source if on private property or at fifty feet (50') from the source if on a public space or public right of way. For the purposes of this subsection K, "vibration perception threshold" means a minimum ground or structure borne vibrational motion necessary to

cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects.

L. Stationary Nonemergency Signaling Devices: The following acts, and the causing thereof, are declared to be a violation of this section:

1. Sounding or permitting the sounding of any signal from any stationary bell, chime, siren, whistle, or similar device, intended primarily for nonemergency purposes, from any place;
2. Devices used in conjunction with places of noncommercial purpose such as for religious worship or education shall be exempt from the operation of this subsection L.
3. Sound sources covered by this provision and not exempted under subsection L2 of this section shall be exempted by (appropriate authority) using criteria set forth in section 9.22.040 of this chapter.

M. Emergency Signaling Devices: The following acts, and the causing thereof, are declared to be a violation of this section: the intentional sounding or permitting the sounding outdoors of any fire, burglar, or civil defense alarm, siren, whistle or similar emergency signaling device, except for emergency purposes or for reasonable testing.

N. Noise Sensitive Zones: The following acts, and the causing thereof, are declared to be a violation of this section:

1. Creating or causing the creation of any sound within any noise sensitive zone so as to disrupt the activities normally conducted within the zone; provided that conspicuous signs are displayed indicating the presence of the zone; or
2. Creating or causing the creation of any sound within any noise sensitive zone, containing a hospital, nursing home, or similar activity, so as to interfere with the functions of such activity or disturb or annoy the patients or residents in the activity, provided that conspicuous signs are displayed indicating the presence of the zone.

O. Domestic Power Tools: The following acts, and the causing thereof, are declared to be a violation of this section: operating or permitting the operation of any mechanically powered saw, sander, drill, grinder, lawn or garden tool, snowblower, or similar device used outdoors in residential areas between the hours of nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M. the following day so as to cause a noise disturbance across a residential real property boundary.

- P. Outdoor Recreation and Sports Lighting: Any outdoor or recreation and sports lighting must follow a light curfew. Between the hours of 10:00 p.m. and 6:00 a.m. all lights must be extinguished. Recreational lighting must have a timer with auto shut off controls that prevents use during the light curfew hours. (Ord. 2025-8, 2025: Ord. 2000-18 § 2: prior code § 13-331-3)

## 9.22.040: EXCEPTIONS AND VARIANCES

A. Emergency Exception: The provisions of this section shall not apply to:

1. The emission sound for the purpose of alerting persons to the existence of an emergency; or
2. The emission sound in the performance of emergency work.

B. Special Variances:

1. The ~~City Council~~ ~~health officer~~ shall have authority, consistent with this section, to grant special variances that may be requested ~~required~~. ~~Any variance must be given in writing by the City Council in advance.~~
2. Any person seeking a special variance pursuant to this section shall file an application with the ~~City Council~~ ~~health officer~~. The application shall contain information that demonstrates that bringing the source of sound, ~~light~~, or activity for which the special variance is sought into compliance with this section would constitute an unreasonable hardship on the applicant, on the community, or on other persons. Any individual who claims to be adversely affected by allowance of the special variance may file a statement with the ~~City Council~~ ~~health officer~~ containing any information to support his or her claim. If the ~~City Council~~ ~~health officer~~ finds that sufficient controversy exists regarding an application, a public hearing may be held.
3. In determining whether to grant or deny an application, the ~~City Council~~ ~~health officer~~ shall balance the hardship to the applicant, the community, and other persons of not granting the special variance against the adverse impact on the health, safety, and welfare of persons affected, the adverse impact on property, and any other adverse impacts of granting the special variance. Applicants for special variances and persons contesting special variances may be required to submit any information the ~~City Council~~ ~~health officer~~ may reasonably require. ~~On~~

granting or denying an application shall be done by the City Council in a regularly scheduled public meeting, ~~the health officer shall place on public file a copy and the minutes shall list~~ of the decision and the reasons for granting or denying the special variance.

4. Special variances shall be granted by notice to the applicant containing all necessary conditions, including a time limit on the permitted activity. The special variance shall not become effective until all conditions are agreed to by the applicant. Noncompliance with any condition of the special variance shall terminate it and subject the person holding it to the provisions of the section regulating the source of sound or activity for which the special variance was granted.
5. Application for extension of time limits specified in the special variances or for modification of other substantial conditions shall be treated like applications for initial special variances under subsection B2 of this section. (Ord. 2025-8, 2025: Ord. 2000-18 § 2: prior code § 13-331-4)

## 9.22.050: SOUND LEVELS BY RECEIVING LAND ZONE

- A. Maximum Permissible Sound Levels By Receiving Land Zone: No person shall operate or cause to be operated on private property any source of sound in such a manner as to create a sound level that exceeds the limits set forth in table 1 of this section when measured at or within the property boundary of the receiving land zone.

TABLE 1 - SOUND LEVELS BY RECEIVING LAND ZONE

Receiving Land Use Zone	Time	Sound Level Limit, dBA
R-1 R-2 R-3	7:00 A.M. to 7:00 P.M.	60
	7:00 P.M. to 10:00 P.M.	55
	10:00 P.M. to 7:00 A.M.	50
CR	8:00 A.M. to 9:00 P.M.	65
	9:00 P.M. to 8:00 A.M.	60
CS	6:00 A.M. to 11:00 P.M.	65
	11:00 P.M. to 6:00 A.M.	60

CM	24 Hours/ 7 Days per week	100
TC	24 Hours/ 7 Days per week	100

B. Correction For Character Of Sound: For any source of sound which emits a pure tone or impulsive sound, the maximum sound level limits set forth in subsection A of this section shall be reduced by ten (10) dBA.

C. Exemptions: The provisions of this chapter shall not apply to:

1. Activities covered by the following subsections: 9.22.030F, "Construction"; 9.22.030I, "Explosives, Firearms, And Similar Devices"; 9.22.030L, "Stationary Nonemergency Signaling Devices"; 9.22.030M, "Emergency Signaling Devices"; 9.22.030O, "Domestic Power Tools"; 9.22.060A, "Motor Vehicles And Motorcycles On Public Rights Of Way"; and 9.22.060D, "Recreational Motorized Vehicles Operating Off Public Rights Of Way", of this chapter;
2. The unamplified human voice;
3. Interstate railway locomotives and cars; and
4. Nonstationary farming equipment. (Ord. 2018-6: Ord. 2013-2, 2013: Ord. 2000-18 § 2: prior code § 13-331-5)

## **9.22.060: MOTOR VEHICLE MAXIMUM SOUND LEVELS**

A. Motor Vehicles And Motorcycles On Public Rights Of Way: No person shall operate or cause to be operated a public or private motorized vehicle or motorcycle on a public right of way at any time in such a manner that the sound level emitted by the motor vehicle or motorcycle exceeds the level set forth in table 2 of this section.

TABLE 2  
MOTOR VEHICLE AND MOTORCYCLE SOUND LIMITS\_  
MEASURED AT 50 FEET (15 METERS)  
Sound Level In dBA

<b>Vehicle Class</b>	<b>Speed Limit 35 mph Or Less</b>	<b>Speed Limit Over 35 mph</b>	<b>Stationary Run up</b>
Motor carrier vehicle engaged in interstate commerce of GVWR or GCWR of 10,000 pounds or more	88	90	88
All other motor vehicles of GVWR or GCWR of 6,000 pounds or more	88	90	88
Any motorcycle	86	90	86
Any other motor vehicle or any combination of vehicles towed by any motor vehicle	76	83	76

For the purpose of enforcing the above level, the standard measurement distance may be shortened to no less than twenty one feet (21') or increased to no more than one hundred feet (100'), applying the following correction factors to be added or subtracted from the permitted sound level:

<b>Measurement Distance (Feet)</b>	<b>Correction Limits Of Sound Level, In dBA</b>
21 or more but less than 29	+7
29 or more but less than 32	+6
32 or more but less than 35	+5
35 or more but less than 39	+3
39 or more but less than 43	+2
43 or more but less than 48	+1

48 or more but less than 58	0
58 or more but less than 70	-1
70 or more but less than 83	-2
83 or more but less than 99	-3
99 or more but less than 118	-4

B. Adequate Mufflers Or Sound Dissipative Devices:

1. No person shall operate or cause to be operated any motor vehicle or motorcycle not equipped with a muffler or other sound dissipative device in good working order and in constant operation; and
2. No person shall remove or render inoperative, or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair, or replacement, any muffler or sound dissipative device on a motor vehicle or motorcycle.

C. Motor Vehicle Horns And Signaling Devices: The sounding of any horn or other auditory signaling device on or in any motor vehicle on any public right of way or public space, except as a warning of danger, are declared to be in violation of this section.

D. Recreational Motorized Vehicles Operating Off Public Rights Of Way: No person shall operate or cause to be operated any recreational motorized vehicle off a public right of way in such a manner that the sound level emitted therefrom exceeds the limits set forth in table 3 of this section at a distance of fifty feet (50') (15 meters) or more from the path of a vehicle when operated on a public space or at or across the boundary of private property when operated on private property. This subsection shall apply to all recreational motorized vehicles, whether or not duly licensed and registered, including, but not limited to, commercial and noncommercial racing vehicles, motorcycles, go-karts, snowmobiles, amphibious crafts, campers, dune buggies, and motorboats.

TABLE 3  
RECREATIONAL MOTORIZED VEHICLE SOUND LIMITS



MEASURED AT 50 FEET (15 METERS)

Vehicle Type	Sound Level, dBA
Motorcycle	73
Snowmobile	73
Any other vehicle	73

(Ord. 2000-18 § 2: prior code § 13-331-6)



## 9.22.070: ENFORCEMENT

### A. Penalties:

1. Any person who violates any provision of this chapter shall be guilty of an infraction.
2. Any person who violates any provision of this chapter shall be fined for each offense not more than one hundred fifty dollars (\$150.00).
3. Any person who wilfully or knowingly violates any provision of this chapter shall be fined for each offense a sum not less than fifty dollars (\$1050.00) and not more than two hundred fifty dollars (\$250.00).
4. Each day of violation of any provision of this chapter shall constitute a separate offense.

- B. Abatement Orders: A court of competent jurisdiction may issue an order requiring abatement of any source of sound ~~or~~, vibration, or lighting alleged to be in violation of this chapter within a reasonable time. (Ord. 2025-8, 2025: Ord. 2000-18 § 2: prior code § 13-331-7)



## **AGENDA REPORT: FRAUD RISK ASSESSMENT FY25**

**August 14, 2025**

---

### **Background**

The State Auditor's Office has put together some guidelines and an assessment to determine risk of fraud for entities in the State of Utah. Millville does this assessment yearly, which will be adopted by the City Council and reviewed as part of the independent audit.

Included here is the assessment that was completed for Fiscal Year 2025. One of the most important areas in reducing risk of fraud is by having an adequate level of separation of duties. This is difficult for a staff of our size and we are only able to accomplish this with the oversight of our contract financial advisor CPA.

Recorder Twedt and CPA Scott Swensen regularly meet to discuss potential Millville risk of fraud and how to mitigate those risks. The fraud risk assessment was completed by Scott Swenson and Recorder Twedt.

### **Included Documents**

- Resolution 2025-21 including the FY25 Fraud Risk Assessment

**MILLVILLE CITY  
RESOLUTION 2025-21**

**RESOLUTION ADOPTING THE FISCAL YEAR 2025 FRAUD RISK ASSESSMENT**

WHEREAS, the City is required to provide an annual Fraud Risk Assessment report to the Utah State Auditors; and

WHEREAS, the purpose of this assessment, in part, is to fulfill the requirement set forth by the Utah State Auditor's Office; and

WHEREAS, the Millville City Council supports internal controls, policies, practices and processes that ensure the operations of the City are performed effectively and efficiently; and

WHEREAS, the Millville City Council supports and is dedicated to providing frameworks and guidance on risk management, internal controls and fraud deterrence.

NOW THEREFORE, be it resolved that the Millville City Council adopts the included Millville Fiscal Year 2025 Fraud Risk Assessment.

This resolution shall become effective upon adoption. Passed and approved by the Millville City Council, this 14<sup>th</sup> day of August 2025.

SIGNED:

\_\_\_\_\_  
David Hair, Mayor

ATTEST:

\_\_\_\_\_  
Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Jeremy Ward				
Daniel Grange				
Clay G. Wilker				
Pamela June				
Ryan Zollinger				

# Fraud Risk Assessment

Continued

\*Total Points Earned: \_\_\_\_/395 \*Risk Level: Very Low Low Moderate High Very High  
 > 355      316-355      276-315      200-275      < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	200	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	5	5
b. Procurement?	5	5
c. Ethical behavior?	5	5
d. Reporting fraud and abuse?	5	5
e. Travel?	5	5
f. Credit/Purchasing cards (where applicable)?	0	5
g. Personal use of entity assets?	5	5
h. IT and computer security?	5	5
i. Cash receipting and deposits?	5	5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?	20	20
a. Do any members of the management team have at least a bachelor's degree in accounting?	10	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?	20	20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training ( <a href="http://training.auditor.utah.gov">training.auditor.utah.gov</a> ) within four years of term appointment/election date?	20	20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	20	20
7. Does the entity have or promote a fraud hotline?	20	20
8. Does the entity have a formal internal audit function?	0	20
9. Does the entity have a formal audit committee?	20	20

\*Entity Name: Millville City

\*Completed for Fiscal Year Ending: 6/30/25 \*Completion Date: 7/31/25

\*CAO Name: David Hair \*CFO Name: Corey Tweedt

\*CAO Signature: \_\_\_\_\_ \*CFO Signature: 

\*Required

# Basic Separation of Duties

See the following page for instructions and definitions.

	Yes	No	MC*	N/A
1. Does the entity have a board chair, clerk, and treasurer who are three separate people?	✓			
2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries?			✓	
3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A".			✓	
4. Are all the people who have access to blank checks different from those who are authorized signers?			✓	
5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements?			✓	
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?	✓			
7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A".			✓	
8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A".	✓			
9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A".	✓			
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?	✓			
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	✓			
12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	✓			

\* MC = Mitigating Control





## **AGENDA REPORT: SANITARY SEWER MANAGEMENT PLAN      August 14, 2025**

---

### **Background**

The Utah State Division of Environmental Quality requires all entities that have a sewer collection system to adopt a Sanitary Sewer Management Plan (SSMP) that outlines operating and maintenance procedures for their system. The SSMP needs to be adopted by resolution before the City is permitted to start collecting wastewater from residents in Millville City.

The included SSMP is an initial shot at this, and it will evolve over time. With a brand new collection system, like Millville has, there is less of a need for frequent cleaning and inspections, but those things will become more frequent as years pass and as the City determines specific “hot spot” areas of concern that will require more maintenance.

The Council should review this proposed SSMP and discuss any changes they want to make during this City Council meeting. The goal is to have an adopted SSMP by the end of August.

### **Included Documents**

- Resolution 2025-23 including the proposed SSMP

**MILLVILLE CITY  
RESOLUTION 2025-23**

**ADOPTING A SANITARY SEWER MANAGEMENT PLAN**

WHEREAS, the State of Utah requires Millville City to adopt a Sanitary Sewer Management Plan that establishes operating procedures to manage, operate, and maintain a sewer collection system to reduce and prevent sewer overflows and to minimize the impacts of sewer overflows that occur; and

WHEREAS, the Millville City Council and City staff recognize the responsibility they have to operate the sewer collection system in an environmentally and fiscally responsible manner; and

WHEREAS, the Millville City Sanitary Sewer Management Plan covers operating procedures for the collection system necessary to help fulfill these responsibilities.

NOW THEREFORE, be it resolved that the Millville City Council adopts the included Millville City Sanitary Sewer Management Plan.

This resolution shall become effective upon adoption. Passed and approved by the Millville City Council this 14<sup>th</sup> day of August 2025.

SIGNED:

\_\_\_\_\_  
David Hair, Mayor

ATTEST:

\_\_\_\_\_  
Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Jeremy Ward				
Ryan Zollinger				
Pamela June				
Clay G. Wilker				
Daniel Grange				



**Millville City**

**Sanitary Sewer Management  
Plan (SSMP)**



## Table of Contents

### SANITARY SEWER MANAGEMENT PLAN

- [1. Introduction](#)
- [2. Definitions](#)
- [3. General SSO Requirements](#)
- [4. SSO Reporting Requirements](#)
- [5. Sewer Use Ordinance](#)
- [6. SSMP - General Information](#)
- [7. Operations and Maintenance Program](#)
- [8. Sewer Overflow Action Plan](#)
- [9. Sewer Design Standards](#)
- [10. Grease, Oil, Sand Management Program](#)
- [11. System Evaluation and Capacity Assurance Plan \(SECAP\)](#)
- [12. SSMP Monitoring and Measurement Plan](#)
- [13. Sanitary Sewer System Mapping](#)
- [14. Basement Backup Program](#)

### Appendix A

- [Sewer Defect Report Form](#)
- [Pump Station Inspection Form](#)
- [SSO Notification Form](#)
- [Sewer Back Up Information and Prevention Document](#)

# SANITARY SEWER MANAGEMENT PLAN

## 1. Introduction

Millville City was established in 1860, as a public entity under Utah State Code, and provides sewage collection to the residents and businesses within the Millville City limits. This Sewer System Management Plan (SSMP) has been established to provide a plan and schedule to properly manage, operate, and maintain all parts of the sewer collection system to reduce and prevent sanitary sewer outflows (SSOs), as well as minimize the impacts of any SSOs that do occur. City management recognizes the responsibility it has to operate the sewer system in an environmentally and fiscally responsible manner. As such, this manual will cover aspects of the collection system program necessary to provide such an operation. This plan may refer to other programs or ordinances, and by reference may incorporate these programs into this plan.

## 2. Definitions

The following definitions are to be used in conjunction with those found in Utah Administrative Code R317. The following terms have the meaning as set forth:

- A. "BMP" means "best management practice".
- B. "CCTV" means "closed circuit television".
- C. "CIP" means a "Capital Improvement Plan".
- D. "DWQ" means "the Utah Division of Water Quality".
- E. "FOG" means "fats, oils and grease". This is also referred to as a Grease Oil and Sand Program(GOSI).
- F. "I/I" means "infiltration and inflow".
- G. "Permittee" means a federal or state agency, municipality, county, district, and other political subdivision Millville City of the state that owns or operates a sewer collection system or who is in direct responsible charge for operation and maintenance of the sewer collection system. When two separate federal or state agency, municipality, county, district, and other political subdivision of the state are interconnected, each shall be considered a separate Permittee.
- H. "SECAP" means "System Evaluation and Capacity Assurance Plan".
- I. "Sewer Collection System" means a system for the collection and conveyance of wastewaters or sewage from domestic, industrial and commercial sources. The Sewer Collection System does not include sewer laterals under the ownership and control of an owner of real property, private

sewer systems owned and operated by an owner of real property, and systems that collect and convey stormwater exclusively.

- J. "SORP" means "Sewer Overflow Response Plan"
- K. "SSMP" means "Sewer System Management Plan".
- L. "SSO" means "sanitary sewer overflow", the escape of wastewater or pollutants from, or beyond the intended or designed containment of a sewer collection system.
- M. "Class 1 SSO" (Significant SSO) means a SSO or backup that is not caused by a private lateral obstruction or problem that:
  - 1. affects more than five private structures;
  - 2. affects one or more public, commercial or industrial structure(s);
  - 3. may result in a public health risk to the general public;
  - 4. has a spill volume that exceeds 5,000 gallons, excluding those in single private structures; or
  - 5. discharges to Waters of the State of Utah.
- N. "Class 2 SSO" (Non Significant SSO) means a SSO or backup that is not caused by a private lateral obstruction or problem that does not meet the Class 1 SSO criteria.
- O. "USMP" means the "Utah Sewer Management Program".

### 3. General SSO Requirements

The following general requirements for SSO's are stipulated in R317-801 and are included here as general information.

- A. The permittee shall take all feasible steps to eliminate SSOs to include:
  - 1. Properly managing, operating, and maintaining all parts of the sewer collection system;
  - 2. training system operators;
  - 3. allocating adequate resources for the operation, maintenance, and repair of its sewer collection system, by establishing a proper rate structure, accounting mechanisms, and auditing procedures to ensure an adequate measure of revenues and expenditures in accordance with generally acceptable accounting practices; and,

4. providing adequate capacity to convey base flows and peak flows, including flows related to normal wet weather events. Capacity shall meet or exceed the design criteria of R317-3.
- B. SSOs shall be reported in accordance with the requirements below.
- C. When an SSO occurs, the permittee shall take all feasible steps to:
1. control, contain, or limit the volume of untreated or partially treated wastewater discharged;
  2. terminate the discharge;
  3. recover as much of the wastewater discharged as possible for proper disposal, including any wash down water; and,
  4. mitigate the impacts of the SSO.

#### **4. SSO Reporting Requirements**

R317-801 stipulates when and how SSO's are reported. Following are those reporting requirements as of April 23, 2012:

- A. SSO REPORTING. SSOs shall be reported as follows:
1. A Class 1 SSO shall be reported orally within 24 hrs and with a written report submitted to the DWQ within five calendar days. Class 1 SSO's shall be included in the annual USMP report.
  2. Class 2 SSOs shall be reported on an annual basis in the USMP annual report.
- B. ANNUAL REPORT. A permittee shall submit to DWQ a USMP annual operating report covering information for the previous calendar year by April 15 of the following year.

#### **5. Sewer Use Ordinance**

The Millville City Council has adopted a sewer use ordinance, which contains the following items as stipulated by Utah State Code R317-801:

- A. Prohibition on unauthorized discharges,
- B. Requirement that sewers be constructed and maintained in accordance with R317-3,
- C. Ensures access or easements for maintenance, inspections and repairs,

- D. Has the ability to limit debris which obstruct or inhibit the flow in sewers such as foreign objects or grease and oil,
- E. Requires compliance with pretreatment program [delete if no pretreatment program exists],
- F. Allows for the inspection of industrial users, and
- G. Provides for enforcement of ordinance or rules violations.

## **6. SSMP - General Information**

This plan is intended to be a guidance document and is not intended to be part of a regulatory requirement. As such, failure to strictly comply with documentation requirements is, in and of themselves, not a failure of the program's effectiveness.

Documentation failures are intended to be identified during system self-audits and will be addressed as training opportunities. Significant system failures will be followed up with corrective action plans. This corrective action process will be implemented by all individuals involved in the SSMP program. Not all Millville City employees will be involved in the collection system operations. As such, not all employees will receive program training. Finally, although not a part of this SSMP program, Millville City is an active participant in the Blue Stakes of Utah Utility Notification system. This system, regulated under title 54-8A of the Utah State Code, stipulates utility notification of all underground operators when excavation takes place. The intent of this regulation is to minimize damage to underground facilities. Millville City has a responsibility to mark their underground sewer facilities when notified an excavation is going to take place. Participation in the Blue Stakes program further enhances the protection of the collection system and reduces SSO's.

## **7. Operations and Maintenance Program**

Millville City has established this sanitary sewer system operations and maintenance program to ensure proper system operations, to minimize any basement backups or SSOs, and to provide for replacement, refurbishment, or repair of damaged or deteriorated piping systems. The combined maintenance program should ensure that the environment and health of the public are protected at a reasonable cost for the end users. To this end, the following areas are described and included in this maintenance program:

- A. System Mapping
- B. System Cleaning
- C. System CCTV Inspection
- D. Pump Station/Pressure Lines Inspection
- E. Manhole Inspection
- F. Defect Reporting
- G. Damage Assessment

### **System Mapping**

An up to date map is essential for effective system operations. Millville City will prepare and maintain current mapping for the entire sanitary sewer system. Mapping may be maintained on either paper or in a graphical information system (GIS) or a combination of both. Current mapping is available at the Millville City office.

Should any employee identify an error in the mapping, they should document the error on a defect report and give it to the City Public Works Department.

### **System Cleaning**

Millville City has established a goal to clean the entire system every five years. This frequency is expected to significantly reduce the number of basement backups, control grease problems, and flush any bellies in the system. In addition, if/when Millville City identifies hot spots, they will be maintained at a higher frequency.

Cleaning records will be maintained at the Millville City office. Contractors are required to provide cleaning records associated with their work. Cleaning history may also be entered into the GIS; however, this is not always necessary. Should the cleaning process identify a serious defect, the problem should be reported on a Defect Report Form that will be given to the Director of Public Works for further action. The defect report should be specific as to location and type of problem. A copy of the Defect Report Form is included in Appendix A.

### **System CCTV Inspection**

Closed Circuit TV inspections of the sanitary sewer system are used to assess pipe condition and identify problems or possible future failures which need current attention. The CCTV process also identifies the piping condition to allow for replacement prior to failure. Generally Millville City will conduct CCTV inspections with a contractor. Inspections of the system will occur every 10 to 15 years. This inspection frequency is based on the pipe aging process. As such, once the system has been inspected completely, change usually occurs gradually. CCTV will also be employed when a systems operation or capacity is questioned or when an SSO occurs. Any defects identified during the CCTV process should be reported on a Defect Report Form and the form should be given to the Public Works Department for possible repairs. Documentation of CCTV activities will be maintained at Millville City office. When contractors are employed to inspect the sanitary sewer system they will be required to submit records for their work.

### **Pump Station/Pressure Line Inspection**

Staff inspects the pump station at least weekly for correct operations. Included in this inspection is a visual observation of the pressure line alignment in order to ensure there are no leaks. The pump station is also monitored via a Supervisory Control and Data Acquisition (SCADA) system. This system monitors operations 24 hours a day 7 days a week, and will notify operators if there are problems with the pump station. A copy of the pump station inspection form is included in Appendix A.

During the inspection of the pressure sewer alignment, operators should be looking for unusual puddling. An evaluation will be made to determine if there is an actual leak and appropriate action taken.

### **Manhole Inspection**

Millville City schedules annual inspections of the sanitary sewer manholes (M/H). The M/H inspection involves the identification of foreign objects and surcharging that may be present. When a potential defect is identified the manhole will be flagged and checked by an operator to determine further action. If, during the inspection process, the inspection crew believes a problem is imminent, they should immediately cease inspecting and inform the Public Works Director of the problem. A cleaning crew should be dispatched immediately to ensure correct system operations. All inspection records should be retained for documentation of work performed.

### **Defect Reporting**

Defect Reports generated through any of the above mentioned inspection programs will be prioritized for correction by the Director of Public Works. Any defects which have the potential for catastrophic failure and thus create a sanitary sewer overflow should be evaluated immediately and discussed with the Public Works Director for repair. Repair methods may include:

- A. Spot Excavation Repairs
- B. Spot Band Repairs
- C. Segment Excavation Replacements
- D. Segment Lining
- E. Manhole Rehabilitation

When a defect is not flagged for immediate repair, it should be considered for placement on the “hot spot” list. This will allow for vigilant maintenance to ensure failure and a subsequent sanitary sewer overflow do not take place. Defect reports should be used in the Budget process to determine what financial allocation should be made in the next Budget year.

## Damage Identification

The identification of system damage which may result in an SSO or basement backup is important to prevent environmental, public health, or economic harm. Identification of damage may be from either internal activities or external activities.

Internal activities which may result in the identification of damage include the following:

- A. Collections Maintenance Activities
- B. CCTV Inspection Activities
- C. Manhole Inspection Activities

These three activities are discussed in this Maintenance Program and the identification of damage will result in the generation of a Defect Report. Generally, damage identification is an iterative and continuous process.

External activities which identify damages include:

- A. Contractor Notification of Damage
- B. Directional Drilling Notification of Damage
- C. Public Damage Complaints

All three of these notifications generally require immediate response. Staff should respond and evaluate the seriousness of the damage and the effect on the environment. Damages which include a release to the environment should be handled in accordance with the SORP. Damages which cause a basement backup should trigger the Basement Backup program. Damages which remain in the trench should be de minimus and do not require more action than the repair of the damage.

Whatever the cause of collection system damage, the response should be expeditious to prevent environmental or economic harm. Staff should consider all damages an emergency until it is shown by inspection to be a lower priority.

## Damage Response Actions

When damages occur in the collection system, the following actions help define the path staff should take. These action plans are not inclusive of all options available but are indicative of the types of response that may be taken.

- A. **Stable Damage** - Inspection activities may show a system damage which has been there for an extended period of time. Such damage may not require immediate action but may be postponed for a period of time. When stable damage is identified and not acted upon immediately, a defect report should be prepared. If such a defect is identified and repaired immediately, a defect



report is not needed. An example of stable damage could be a major crack in a pipeline or a severely misaligned lateral connection where infiltration is occurring.

- B. **Unstable Damage** - Unstable damage is damage which has a high likelihood that failure will occur in the near future. Such damage may be a broken pipe with exposed soil or a line which has complete crown corrosion. In these cases, action should be taken as soon as there is a time, a contractor, materials and other necessary resources available. When such unstable damage is identified, if possible, consideration should be given to trenchless repairs which may be able to be completed quicker than standard excavation. Immediately after identification the Public Works Director should be contacted to review and take care of budget considerations.
- C. **Immediate Damage** - When a contractor or others damage a collection line such that the line is no longer capable of functioning as a sewer, this immediate damage must be handled expeditiously. Such damage allows untreated wastewater to pool in the excavation site, spill into the environment or possibly backup into a basement. Under such conditions priority should be given to an immediate repair. Since excavation damage may be a result of contractor negligence or it could be a failure of Millville City to adequately protect the line by appropriately following the Damages to Underground Utilities Statute 54-8A, priority should be given to effecting a repair and not to determining the eventual responsible party.

As can be determined from the above action plans, priority should always be preventing SSO's and attendant environmental damage, to prevent basement backups and financial impacts, and to prevent public health issues.

## 8. Sewer Overflow Action Plan

Whenever sanitary sewage leaves the confines of the piping system, immediate action is necessary to prevent environmental, public health or financial damage from occurring. In addition, quick action is normally needed to mitigate damage which may have already occurred. For the purpose of this section, the following are part of the emergency action plan:

- A. Basement backups
- B. Sanitary sewer overflows
- C. Sanitary sewer breaks which remain in the trench
- D. Sewer lateral backups

All of the above conditions are likely to cause some damage. Each should be treated as an emergency, and corrective actions taken in accordance with Millville City direction. Items A & B above should be reported immediately based on whether they constitute a Class 1 or Class 2 SSO. As stated in the definition section of the SSMP Introduction, a Class 1 SSO is an overflow which affects more than five private structures; affects a public, commercial or industrial structure; results in a significant public health risk; has a spill volume more than 5,000 gallons; or has reached Waters of the State. All other overflows are Class 2 SSO's. All Class 1 SSO's should be reported immediately. Class 2 SSO's should be documented and reported in the annual SSMP report and included in the Municipal Wastewater

Planning Program submitted to the State. Item C may be reported to the local health department if, in the opinion of the responsible staff member, there is potential for a public health issue. An example of where a public health issue may be present is when an excavator breaks both a sewer and a water line in the same trench. In such cases, the local health department representatives should be contacted and the situation explained. If the health representative requests further action on the part of the District, staff should try and comply. If, in the opinion of the responsible staff member, the health department request is unreasonable, the Public Works Director should be immediately notified. Care should always be taken to error on the side of protecting public health over financial considerations. When a basement backup occurs, the staff member responding should follow the Basement Backup Program procedures. Lateral backups, while the responsibility of the property owner, should also be treated as serious problems. Care should be taken to provide advice to the property owner in such cases, but the property owner is ultimately the decision maker about what actions should be taken.

### **Response Activities**

There are specific steps that should be followed once a notification is received that an overflow may be occurring. These are the actions that should be taken when Millville City receives notice that a possible overflow has or is occurring.

- A. Basement Backup
  - a. Notify responsible position
  - b. Make determination of whether the problem is in the main or the lateral
  - c. Remove blockage if in the main
  - d. Provide residence with policy
- B. SSO to Environment
  - a. Notify responsible position
  - b. Remove blockage
  - c. Notify appropriate regulatory authorities based on class of overflow
  - d. Initiate cleanup
  - e. Determine long-term corrective action if needed

### **General Notification Procedure**

When a Class 1 SSO occurs, specific notification requirements are needed. In such cases the following Notification procedure should be followed and documented. Failure to comply with notification requirements is a violation of R317-801.

### **Agency Notification Requirements**

Both the State of Utah Division of Water Quality and the Bear River Health Department should be immediately notified when an overflow is occurring. Others that may require notification include local water suppliers, affected property owners, and notification may be required to Utah Division of Emergency Response and Remediation (if hazardous materials are involved). The initial notification must be given within 24 hours. However, attempts should be made to notify them as soon as possible so they can observe the problem and the extent of the issue while the problem is happening. A notification form is provided to document notification activities (included in Appendix A). After an SSO has taken place and the cleanup has been done, a written report of the event should be submitted to the State DEQ within five days (unless waived). This report should be specific and should be inclusive of all work completed. If possible the report should also include a description of follow-up actions such as modeling or problem corrections that have or will take place.

### **Public Notification**

When an SSO occurs and the extent of the overflow is significant and the damage cannot be contained the public may be notified through proper communication channels. Normally the local health department will coordinate such notification. Should Millville City need to provide notification, it could include press releases to the local news agencies, publication in an area paper, or leaflets delivered to home owners or residents in the area of the SSO. Notification should be sufficient to ensure that the public health is protected. When and if Federal laws are passed concerning notification requirements, these legal requirements are incorporated by reference in this document. In general, notification requirements should increase as the extent of the overflow increases.

### **Overflow Cleanup**

When an overflow happens, care should be taken to clean up the environment to the extent feasible based on technology, good science and financial capabilities. Cleanup could include removal of contaminated water and soil saturated with wastewater and toilet paper, disinfection of standing water with environmentally adequate chemicals or partitioning of the affected area from the public until natural soil microbes reduce the hazard. Cleanup is usually specific to the affected area and may differ from season to season. As such, this guide does not include specific details about cleanup. The responsible staff member in conjunction with the State DEQ, the local health department, and the owner of real property should direct activities in such a manner that they are all satisfied with the overall outcomes.

### **Corrective Action**

All SSO's should be followed up with an analysis as to cause and possible corrective actions. An SSO which is the result of grease or root plug may be placed on the preventative maintenance list for more frequent cleaning. Serious or repetitive plugging problems may require the reconstruction of the sewer lines. An overflow that results from inadequate capacity should be followed by additional system modeling and either flow reduction or capacity increase. If a significant or unusual weather condition caused flooding which was introduced to the sanitary sewer system incorrectly, the corrective action may include working with other agencies to try and rectify the cross connection from the storm sewer to the sanitary sewer or from home drainage systems and sump pumps. Finally, should a problem be such that it is not anticipated to reoccur, no further action may be needed.

## **9. Sewer Design Standards**

Incorporated by reference in this section are the sanitary sewer design standards for Millville City. These design standards are intended to be used in conjunction with Utah Administrative Code R317-3. Where a conflict exists between these two standards, the Administrative Code shall prevail.

## **10. Grease, Oil, Sand Management Program**

Millville City waste water is treated by Hyrum City. Industrial and commercial users in Millville and Hyrum are required to allow random, unannounced onsite inspections of pretreatment facilities, conducted by Hyrum City staff. Millville City will inform Hyrum City each time new industries, businesses, or other commercial entities plan to be established in Millville that could discharge materials subject to pretreatment standards. All commercial and industrial entities that could discharge materials subject to pretreatment permits from Hyrum City, shall obtain such permit from the Hyrum City before Millville City will issue building permits and licenses to do business in Millville. The PreTreatment program is administered by Hyrum City.

## **11. System Evaluation and Capacity Assurance Plan (SECAP)**

Millville City believes that one of the keys to preventing sanitary sewer overflows is to evaluate system capacity and to monitor flows throughout the system in order to ensure that capacities are not exceeded. Should a collection sub-system exceed the capacity of the pipes, the system will be immediately re-evaluated and corrective action taken. The following elements are all part of the Millville City SECAP program.

- A. Initial Capacity Modeling and Master Planning
- B. Flow Monitoring

- C. Surge Flow Analysis
- D. Re-evaluation Modeling and Analysis
- E. Flow Reduction Evaluation and Implementation
- F. Capacity Increase Evaluation and Implementation

The actual implementation process associated with each of the elements above is shown in figure on the next page. This flow chart process forms the backbone of the SECAP.

### **Initial Capacity Evaluation**

Millville City has performed an analysis and modeling of each critical subsystem contained within its collection system. Subsystems are segregated based on the branching of the collection system. Trunk lines and collector lines are evaluated until the system reaches a point where less than 400 residential dwelling unit equivalents (RE) are upstream of that point in the system. The 400 RE point was chosen based on the minimum slope requirements of the State of Utah. An 8-inch pipe constructed on minimum slope will carry the flow from 400 RE based on 3.2 persons per dwelling unit, 75 gpcd and a peaking factor of 4. The RE equivalent is based on typical Utah information and assumes the peaking factor will account for a reasonable amount of inflow and infiltration. If an area is known to have, or flow metering identifies, a significant amount of inflow and infiltration, additional evaluation will be needed. In these areas the capacity of an 8-inch pipe system may be significantly reduced below 400 RE.

### **Flow Monitoring**

In Millville City, sanitary sewer flows are continuously monitored at the Millville lift station. Flow monitoring at this location will play a key role in identifying the scale of I&I issues. This can be accomplished by observing and periodically comparing the current night time flows to historic night time flows. An increase in the night time flow from the historic flows indicates that more I&I is occurring. Through inspection and maintenance of the system, Millville City will work to maintain and reduce (if possible) the levels of night time flow, limiting (to the extent possible) I&I, maximizing the capacity of existing system pipes, and minimizing the power costs to pump waste water. A flow monitoring system may also be installed at the point where the Millville City main line connect to the Hyrum City main line.

### **Surcharge Flow Analysis**

The flow evaluation may result in multiple conclusions, some of which may require further action. Possible conclusions and their further action are listed below. This list is not inclusive nor does it require the specific action detailed. These are given as possible examples and will be used by the Public Works Director to determine correct future action.

- A. **Flow Reduction Evaluation** - Should excessive flows be identified during the surcharge analysis, the solution may be to proceed with an inflow and infiltration study with the ultimate goal of reducing flows. These flow reductions may be achieved by reconstruction of specific areas, internal spot repairs, removing illegal storm water or sump pump connections from homes or storm water systems, and system grouting. Tools used in flow reduction may include extensive in line camera inspection, smoke testing, dye testing, and increased inspection or flow monitoring.
- B. **Foreign Objects or Obstructions** - There are multiple foreign objects which may be found in sewers. These may include objects knocked into sewers during construction, illegally placed in sewer manholes, roots, grease and soaps, bellies in piping systems, etc. Each of these problems should be found during the backup investigation and a plan developed to insure the problem does not reoccur. Types of action may include increased cleaning frequency, spot repairs, greater pretreatment activity, lining of pipes, and other corrective actions which resolve the problem.
- C. **Allowable Surcharging** - Some piping systems may be able to accept surcharges without creating problems. Such systems may be deep and surcharging occurs below the level of basements or manhole rims, or they may be in areas where there are no connections. In such cases the resolution of the observed surcharge may just be additional monitoring.

### **Revised System Modeling**

Where piping system problems cannot be resolved in a less expensive way, the system may be further modeled to determine upgrade needs. Modeling should include known flow information and future projections. Since the system has been shown to have problems, further modeling should be more conservative in flow projections. Revised modeling should follow the guides given next.

### **Re-evaluation Modeling and Analysis**

When a subsystem needs to resolve problems by less costly means, the subsystem should be re-modeled and required action determined. Revised modeling may show that flow reduction may still be viable or it may show that the system can allow current surcharge conditions. Most likely, however, the modeling will normally form the basis for construction to enlarge the subsystem capacity. Millville City will contract with an outside firm to do modeling when and if it is needed. It is important to ensure the modeling is comprehensive and includes all the potential flow sources. While the current area zoning and land use planning should be used in the model development, care should be taken to discuss possible changes with appropriate officials. Where possible zoning changes appear likely, the model should be re-run with the revised zoning alternatives. Once a resolution has been selected, the resulting project should be placed on the capital improvement plan (CIP).

## Capacity Increase Evaluation and Implementation

The capacity evaluation should be expedited based on the impact of the problem on the environment and the possible repeat of the overflow/backup/surcharging. Details on prioritization are given in the next section. Systems requiring additional capacity should be engineered for expansion by qualified staff or engineering consultants. Project design should be based on acceptable engineering standards and should comply with State of Utah regulations found in R317-3. Easements should be obtained, where needed and the design should include an analysis of other utilities in the vicinity. Design review should be done by the applicable regulatory agency, as appropriate. A design report should be prepared for each project. Where appropriate, the subsystem modeling may be substituted for the design report. Finalized projects should be placed on the CIP.

## System Improvement Prioritization

The priority for improvement should follow the following general guidelines:

- A. **High Priority Projects** - When there is significant potential for sanitary sewer overflows, or frequent basement backups, the improvement should be considered a high priority and any available budget should be allocated to the project.
- B. **Medium Priority Projects** - Where the problem is infrequent and the possibility exists that it may not repeat in the near future, the priority for correction is medium. Medium priority projects may be delayed until appropriate budget is available or the priority is adjusted to high priority. Should an SSO or basement backup repeat in the same area, the priority should be immediately revised.
- C. **Low Priority Projects** - If the observed problem is infrequent, there is possibility that it may not repeat in the near future and the possibility that increased flow in the subsystem is low, the correct priority is low. Low priority projects will be placed in the budget process and evaluated against other needs. These projects will eventually be completed, but the work is not prioritized above plant and equipment needs.

## Capital Improvement Plan (CIP)

The CIP is part of the Millville City budgeting process to insure sufficient revenue to address identified weaknesses in the sanitary sewer system. Items which have been identified as needing a structural fix are placed on the CIP list and the cost for each estimated. Sources of funding should be identified for all high priority projects so that SSO's or other failures do not re-occur. Forecasts of available funding for medium and low priority projects should be made to facilitate future revenue needs.

## **12. SSMP Monitoring and Measurement Plan**

The purpose of this plan is to provide appropriate monitoring and measurement of the effectiveness of the SSMP in its entirety.

### **Records Maintenance**

Millville City intends to maintain appropriate records on operations and maintenance of the sanitary sewer system to validate compliance with this SSMP. However, failure to meet standards set by State DWQ or other regulatory agency during an inspection does not constitute a violation of the SSMP. Rather, deficiencies identified during inspections should be viewed as an opportunity for improvement.

### **Operations Records**

Operations records that should be maintained include the following:

- A. Cleaning
- B. CCTV inspections
- C. Manhole inspections
- D. "Hot spot" maintenance
- E. Spot repairs
- F. Major repairs
- G. System capacity information
- H. SSO or basement backup records
- I. Capital Improvement Plan

Records will be maintained by Millville City in a central location. Records may be maintained either on an electronic record or as a paper record. The extent of the record should be sufficient to demonstrate the activity recorded was completed appropriately.

### **Performance Measurement**

Periodically, but not less than annually, Millville City should assess and audit the effectiveness of the elements of this SSMP. All elements should be reviewed for effectiveness as well as all records should be reviewed for completeness. An internal audit report should be prepared preferably annually but no less than once every five years which comments on the following:

- A. Success of the operations and maintenance program
- B. Success of other SSMP elements
- C. Adequacy of the SECAP evaluations



- D. Discussion of SSO's and the effectiveness of the response to the event including corrective action
- E. Review of Defect reports and adequacy of response to eliminate such defects
- F. Opportunities for improvement in the SSMP or in SSO response and remediation

The annual audit report need not be extensive or long. It should however, be sufficient to document compliance with the standards set in the SSMP. The audit reports should be maintained in accordance with the Millville City records retention schedule.

### **SSMP Updates**

When a plan deficiency is identified through an audit, inspection or plan review, and the deficiency requires an SSMP update, the plan may be updated at the discretion of the [responsible position]. SSMP updates should be recorded in a revision index maintained by [responsible position].

### **SSO Evaluation and Analysis**

At least annually in the internal audit and more frequently as needed, Millville City will evaluate SSO trends based on frequency, location and volume. Trend evaluation will be empirical unless a large number occurs sufficient to make a statistical analysis viable. If a trend is identified, a corrective action may be appropriate.

### **Public Communication and Outreach**

Millville City will reach out to the public about the development, implementation and performance of the SSMP. This communication may be accomplished by any of the following methods:

- A. Public hearings
- B. Public meetings
- C. Newsletters
- D. Direct mailing
- E. Leaflets
- F. Other effective methods

Millville City will accept comments, either written or verbal and will review such comments for applicability. Public interest may be difficult to generate, but should be sought, non-the-less.

### 13. Sanitary Sewer System Mapping

Sewer collection system mapping in Millville is done in a Geographical Information System (GIS) and is maintained by City staff. Upon completion of a subdivision by a developer, or a project by the City, staff will incorporate the infrastructure constructed into the GIS.

### 14. Basement Backup Program

Basement backups have a serious impact on a home or business owner. As such, all reasonable efforts should be taken to prevent such backups from occurring. Sewer system backups are the result of several system problems. Such problems include any one or a combination of the following:

- A. Laterals serving real properties are owned by the property owner and lateral maintenance is their responsibility. Roots, low points, structural failure, and grease are primary problems lateral owners face.
- B. Backups caused by main line plugs are usually caused by roots, grease, low points, foreign objects and contractor negligence.
- C. Piping system structural damage may cause basement backups. Such structural problems include age or deterioration damage, installation damage, excavation damage and trenchless technology damage.
- D. Excess flow problems may surcharge a piping system and cause backups into homes. Excess flows usually occur when major storm waters inflow into sanitary sewers. Sanitary sewers are not designed for such flow. In addition, some homeowners may illegally connect foundation drains and sump pumps to the sanitary sewer system.

#### Basement Backup Response

When Millville City is notified about a basement backup, staff will log the complaint in a complaint log. All backup complaints shall be investigated by staff. If the investigation determines that the case of the backup is only in the lateral, staff may offer technical information, but should not take responsibility for cleanup or subsequent restoration. Millville employees may give a copy of the *Millville Sewer Back Up Information & Prevention* document that is included in Appendix A.

When it is determined that the basement backup is the result of a mainline problem, Millville City will follow the policy approved by its governing authority. A copy of this policy should be given to the home owner. It should be noted that all action Millville City takes are on a no-fault basis. Millville City does not accept liability nor does it waive its governmental immunity.

## **Backup Prevention Design Standard**

Millville City promotes system designs which minimize backups and ensure proper operations. To this end, Millville City has a design standard for all system construction. In addition, Millville City complies with state design standards contained in R317-3.

## **Policy on the Installation of Backflow Valves**

### Reference Regulatory Documents

The following regulations are referenced in the establishment of this policy:

- Utah Code Title 15A-2-103(c). This code section adopts the 2009 edition of the International Plumbing Code.
- The 2009 International Plumbing Code, section 715 Sewage Backflow.

### Millville City Policy

- The State of Utah has adopted the International Plumbing Code(IPC) as its plumbing building standard;
- Millville City uses the IPC as their statute for plumbing construction and installation;
- And the IPC requires the installation of a sewage backwater valve “where the overflow rim of the lowest plumbing fixtures are below the next upstream manhole in the public sewer.”

Therefore, for new construction, Millville City requires the installation of backwater valves as stipulated by the IPC already propagated for all new construction.

## Appendix A

[Sewer Defect Report Form](#)

[Pump Station Inspection Form](#)

[SSO Notification Form](#)

[Sewer Back Up Information and Prevention Document](#)

**Sewer Defect Report Form**



**Sewer Defect Report Form**

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

**Location of Defect:** \_\_\_\_\_

**Identified by:** \_\_\_\_\_

**Description of Defect:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Urgency of Needed Corrective Action:**

Immediate Action Required:	<input type="checkbox"/>
Repair or Correct Soon:	<input type="checkbox"/>
Problem Stable:	<input type="checkbox"/>
No Immediate Action Needed:	<input type="checkbox"/>

**Recommended Remedial Action:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Pump Station Inspection Form



### Sewer Lift Station Inspection

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_  
 Inspector: \_\_\_\_\_ Flow Total: \_\_\_\_\_

#### Wet Well Room:

- ☐ Retractable leash in proper working order
- ☐ Harness safety inspection
- ☐ Wet well washed down
- ☐ No excessive grease build up
- ☐ No large objects

#### Control Room:

##### General:

- ☐ Floors swept and clean
- ☐ No garbage
- ☐ No excessive dust
- ☐ No alarm lights

##### Generator:

- ☐ Proper oil level
- ☐ No excessive oil leaks
- ☐ Fuel lines in good condition
- ☐ Fuel level more than 1/2 full
- ☐ Check run times to ensure

# SSO Notification Form



# SSO Notification Form

**Date:** \_\_\_\_\_

**Location of SSO:** \_\_\_\_\_

Agency	Contact Made Yes/No	Who from MV	Time	Notes
Utah DEQ				
Bear River Health				
Utah DERR				
US EPA Region VIII				

**Other Contacts:**

[illegible]

## Sewer Back Up Information and Prevention Document



### Sewer Back Up Information & Prevention

#### **If a Backup Occurs:**

First, take action to protect people and valuable property. Then call Millville City at 435.750.0924, and the City will check the main sewer line. Any blockages found in the main lines will be promptly cleared. If the main line is not blocked, we recommend that you call a plumbing or sewer contractor to check your lateral line. Maintenance and repair of the lateral from the main line to the home is the homeowner's responsibility. Regardless of the location of the blockage, cleanup of the house should be done as soon as possible to minimize damage and potential negative health effects. There are qualified businesses that specialize in this type of cleanup.

#### **Backup Prevention:**

Taking notice of what is flushed down toilets and sinks can prevent most backups. DO NOT flush the following materials (or similar items) down toilets/drains. These items can plug the main and cause damage to your home and the homes of other property owners connected to the sewer.

- Large quantities of toilet paper
- Paper towels
- Feminine napkins (plastic applicators)
- Disposable diapers
- Clothing socks, underwear, etc....
- Plastic, metal, wood etc....
- "Flushable" wipes (these are not flushable and can clog the system)
- Large quantities of cereals or grains (they can swell with water)
- Live seeds, beans, and peas (they may sprout)
- Grease, fats, or oils
- Sand
- Fibrous materials (cotton balls, qtips, baby wipes, hair rags, cigarette butts, etc....)
- Sponges, scouring pads, or shop rags

#### **Insurance:**

Many homeowners' policies exclude sewer back-ups but this coverage often can be added. You should contact your insurance agent for details.



# **Councilmember Assignments 2025**

## **Councilmember Daniel Grange**

- Car Show for City Celebration
- Parks

## **Councilmember Ryan Zollinger**

- Sewer
- School District

## **Councilmember Clay Wilker**

- Ordinance Enforcement
- Fire/EMS/Emergency Preparedness
- Law Enforcement/Animal Control

## **Councilmember Pamela June**

- P&Z
- Youth Council
- Wildfire

## **Councilmember Jeremy Ward**

- City Celebration/Parade
- Trails