

## EMIGRATION CANYON

### EMIGRATION CANYON CITY COUNCIL MEETING AGENDA AUGUST 26, 2025

Unified Fire Authority Station 119  
5025 E Emigration Canyon Road  
Salt Lake City, Utah 84108

**PUBLIC NOTICE IS HEREBY GIVEN** that the Emigration Canyon Council will hold a meeting at **7:00 PM** on the **26<sup>th</sup> day of August 2025** at the Emigration Canyon Fire Station, 5025 E Emigration Canyon Road, Salt Lake City, Utah 84108 as follows:

***\*\* Portions of the meetings may be closed for reasons allowed by statute. Motions relating to any of the items listed below, including final action, may be taken.***

#### **7:00 PM – PUBLIC MEETING**

1. Call to Order and Determine Quorum
2. Pledge of Allegiance
3. Recognize Visiting Officials

#### **4. PUBLIC COMMENTS (Limited to 3 minutes per person)**

Comments should be limited to no more than three (3) minutes per person unless additional time is authorized by the Governing Body.

#### **5. STAKEHOLDER REPORTS**

- A. Unified Police Department (UPD) – ***Detective Dawn Larsen***
- B. Unified Fire Authority (UFA) – ***Chief Bryan Case***
- C. Salt Lake County Animal Services – ***Gary Bowen***

#### **6. PROJECT UPDATES - *None***

#### **7. CONSENT AGENDA**

- A. Approval of Council Meeting Minutes
  1. November 19, 2024 Council Meeting Minutes

#### **8. PUBLIC HEARING ITEMS - *None***

#### **9. PRESENTATION ITEMS**

- A. Granite School District Presentation on a Potential District Split and Population Analysis Study – ***Benjamin Horsley, Superintendent***

#### **10. COUNCIL BUSINESS: (Discussion/Motion)**

- A. Discussion and Possible Adoption of **Ordinance 2025-O-10**, Updated Fee Schedule – ***Cameron Platt, Legal Counsel***
- B. Discussion and Possible Adoption of **Ordinance 2025-O-08**, an Ordinance Repealing and Replacing Emigration Canyon’s Special Event Code Chapter 14.56 – ***Cameron Platt, Legal Counsel***

- C. Discussion and Possible Adoption of **Ordinance 2025-O-05**, Ordinance Eliminating the Agricultural Exemption to the Requirement for Building and Land use Permits in Section 19.02.090 of the Emigration Canyon Code and Repealing and Replacing Chapter 19.02 General Provisions and Administration of the Emigration Canyon Code – **Brian Tucker, Planning Manager**
- D. Discussion and Possible Adoption of **Ordinance 2025-O-09**, Rezone RM Parcel to A-20 – **Brian Tucker, Planning Manager**
- E. Discussion and Possible Adoption of **Ordinance 2025-O-07**, An Ordinance Repealing and Replacing Chapter 19.88, Nonconforming Uses and Noncomplying Structures of the Emigration Canyon Code – **Brian Tucker, Planning Manager**
- F. Discussion and Possible Adoption of **Ordinance 2025-O-06**, An Ordinance Repealing Chapters 19.08, 19.44, 19.56, and 19.86 of Title 19 of the Emigration Canyon Zoning Ordinance – **Brian Tucker, Planning Manager**
- G. Discussion and Possible Action on a Lease Renewal for the 6291 E. Emigration Road Property – **Cameron Platt, Legal Counsel**
- H. Discussion Regarding Micropaving – **Stephen Kuhlmeier, Salt Lake County**
- I. Discussion and Possible Adoption of **Ordinance 2025-O-11**, Regarding Stage 2 Fire Restrictions – **Cameron Platt, Legal Counsel**
- J. Dark Sky License Plate Initiative Updates – **Council Member Catherine Harris**
- K. Discussion Regarding Dogwalkers and Dog Waste Dispensers – **Council Member Catherine Harris**
- L. House Bill 48 Updates (Wildland Urban Interface Modification) – **Council Member Catherine Harris**
- M. Healthy Utah Designation Updates – **Council Member Robert Pinon**
- N. Discussion and Possible Action Regarding Franchise and MET Taxes – **Mayor Joe Smolka**

## **11. CITY ATTORNEY UPDATES (Discussion/Motion)**

## **12. COUNCIL REPORTS**

- A. Council Member Brems**
  - 1. Unified Police Department (UPD) & Salt Lake Valley Law Enforcement Service Area (SLVLESA)
  - 2. Emigration Canyon Planning Commission
  - 3. Community Renewable Energy Program
- B. Council Member Harris**
  - 1. Unified Fire Authority (UFA) & Unified Fire Service Area (UFSA)
  - 2. Watershed Plan
- C. Council Member Pinon**
  - 1. Wasatch Front Waste and Recycling District (WFWRD)
  - 2. Utah Broadband
  - 3. Update on Possible High-Density Development
- D. Deputy Mayor Hawkes**
  - 1. Website ([www.emigration.utah.gov](http://www.emigration.utah.gov))
  - 2. CodeRED
  - 3. Association of Municipal Governments
  - 4. Utah League of Cities and Townes
- E. Mayor Smolka**
  - 1. Greater Salt Lake Municipal Services District (MSD)
  - 2. Landfill Council

3. Wasatch Front Regional Council (WFRC) Transportation Committee
4. Council of Governments (COG)
5. Legislative Updates

**13. PUBLIC COMMENTS (Limited to 3 minutes per person)**

Comments should be limited to no more than three (3) minutes per person unless additional time is authorized by the Governing Body.

**14. FUTURE AGENDA ITEMS**

**15. CLOSED SESSIONS IF NEEDED AS ALLOWED PURSUANT TO UTAH CODE §52-4-205**

- A. Discussion of the character, professional competence or physical or mental health of an individual.
- B. Strategy sessions to discuss pending or reasonably imminent litigation.
- C. Strategy sessions to discuss the purchase, exchange, or lease of real property.
- D. Discussion regarding deployment of security personnel, devices, or systems; and
- E. Other lawful purposes as listed in Utah Code §52-4-205

**16. ADJOURN**

**ZOOM MEETING:**

Topic: Emigration Canyon City Council Meeting

Time: August 26, 2025, 7:00 PM Mountain Time (US and Canada)

**Join Zoom Meeting:**

<https://us06web.zoom.us/j/87013454018?pwd=q91NDapMtS0iDb5mpiFbK1t7TM9r5A.1>

**Meeting ID:** 870 1345 4018

**Passcode:** 777539

Upon request with three (3) working days' notice, the Greater Salt Lake Municipal Services District will make reasonable accommodations for participation in the meeting. To request assistance, please call (385) 377-9466 – TTY 711.

***Posted on:*** August 25, 2025



## EMIGRATION CANYON CITY COUNCIL MEETING

**NOVEMBER 19, 2024, 7:00 PM**

UNIFIED FIRE AUTHORITY STATION 119

5025 E. EMIGRATION CANYON ROAD, SALT LAKE CITY, UT 84108

**\*\*DRAFT MINUTES – UNAPPROVED\*\***

### EMIGRATION CANYON CITY COUNCIL MEETING MINUTES NOVEMBER 19, 2024

#### **Council Members Present:**

Joe Smolka, Mayor  
Jennifer Hawkes, Deputy Mayor  
Robert Pinon, Council Member  
David Brems, Council Member  
Catherine Harris, Council Member

#### **Staff Present:**

Cameron Platt, Legal Counsel  
Nicole Smedley, Recorder

#### **Others Present:**

Dawn Larsen, Unified Police Department  
Chief Petty-Brown, Unified Police Department  
Gary Bowen, Salt Lake County Animal Services Representative

#### **1. Welcome and Determine Quorum**

Mayor Smolka, presiding, called the meeting to order at 7:00 PM.

#### **2. Pledge of Allegiance**

The Pledge of Allegiance was not recited as the flag was closed off in a separate portion of the building that was not accessible at the time of the meeting.

#### **3. Recognize Visiting Officials - None**

#### **4. Citizen Public Input – None**

Before moving on to reports from Municipal Providers, Mayor Smolka provided some quick updates on current projects in the canyon. He provided an update on the road widening project, which would extend from approximately 5655 on the main road (near the Red Wall) to

### **EMIGRATION COUNCIL MEMBERS**

MAYOR JOE SMOLKA, DEPUTY MAYOR JENNIFER HAWKES,  
COUNCIL MEMBER CATHERINE HARRIS, COUNCIL MEMBER ROBERT PINON,  
COUNCIL MEMBER DAVID BREMS

the junction of Pinecrest. He explained that the Municipal Services District (MSD) had accepted the federal and state agreement for the project, allowing planning work to move forward. Mayor Smolka emphasized that engineering plans could not be developed until the necessary funding was secured, as the money was required to pay for the planning process. He mentioned a priority to replace the culvert near Quarter Mile Lane because it was out of compliance for flood control and frequently clogged, as well as to conduct slope stabilization work near Pinecrest. An open house for public input was anticipated between spring and summer of 2025, with construction expected to begin in 2026 and possibly extend into 2027. He also indicated the likelihood of adding a bike lane in some areas of the canyon.

Council Member Jennifer Hawkes questioned why the culvert project was not listed under capital improvements and sought clarification on whether it would occur before full funding was in place. Mayor Smolka explained that the intention was to include it in the project plan.

During public comment, a resident asked whether engineering plans already existed. Mayor Smolka reiterated that no plans could be made until funding was secured, which had been approved by the Wasatch Front Regional Council (WFRC) and accepted by the MSD Board. Another resident asked whether accepting the funding committed the community to the entire project. Council Member Hawkes explained that the process began with acquiring funds for a feasibility study, followed by planning if the study determined the project could move forward.

Council Member David Brems confirmed the need to first complete the study and initial plans, which would then be available for review and potential changes based on feedback. He assured residents there would be multiple opportunities for input and expressed interest in traveling through the canyon with community members as part of the process. Residents suggested forming a steering committee, and Council Member Brems responded positively to the idea of collaborative engagement. Mayor Smolka cautioned that no definitive information existed yet about specific impacts, such as property loss, and reiterated that the council and community would have significant opportunities for input. Council Member Brems closed by affirming that public engagement would be ongoing throughout the project's development.

## **5. Reports from other Municipal Providers**

### **5.1 Unified Police Department**

Detective Dawn Larsen reported that there had been 64 calls for service during the past month, 14 of which required formal reports. One incident involved a fleeing suspect encountered by Officer Wilson, who was unable to apprehend the individual. Another incident was a warrant service requested by Summit County, during which a subject with an active arrest warrant was taken into custody. A small bicycle race took place in the area without requiring road closures and without incident. A call was received regarding a dirt bike on the Miners Trail, and the reporting party provided high-quality photographs of both the rider and a driver's license. This evidence allowed officers to issue a citation to the rider. She also provided an update on traffic statistics, noting that the current trailer used for monitoring was unable to register vehicles traveling under 15 miles per hour. As a result, days when the road was closed showed the lowest vehicle counts.

Mayor Joe Smolka inquired about lowering the threshold, but Detective Larsen explained that it was a limitation of the equipment design. Officer Wilson had identified inconsistencies in the recorded data, leading Detective Larsen to contact the Utah Department of Transportation to determine whether they had a traffic counter in the area, though she did not believe they did.

Chief Petty-Brown added that Holladay City used a system called Custom Signals, which functions similarly to the existing trailer by counting vehicles, recording traffic volume by day and hour, and logging speed data including maximum, average, and median speeds. However, this system also would not record vehicles traveling under 15 miles per hour. He noted that the equipment cost approximately \$2,500 in 2020, though the price was likely higher now.

Council Member Catherine Harris suggested positioning the trailer before areas where traffic typically slows, such as near Little Mountain, so that vehicles would be traveling above 15 miles per hour when recorded. Chief Petty-Brown responded that relocating the trailer would be logistically difficult due to traffic and setup constraints but acknowledged that placement options could be evaluated. Council Member Harris emphasized that even approximate vehicle counts could support efforts to obtain funding related to the road's use as an alternate route to Interstate 80.

Council Member Jennifer Hawkes proposed contacting traffic engineering services that offer temporary traffic counts, which might provide a more permanent solution. Detective Larsen noted that if only vehicle counts were required—rather than speed enforcement—alternative equipment might be identified. She also explained that the current trailer's battery life is limited in winter conditions, reducing its operational time to a couple of days, particularly when positioned in shaded areas, and that snowplows often have difficulty around the unit. She said the trailer could be deployed for special events but was typically kept plugged in during winter to maintain functionality.

## 5.2 Unified Fire Authority

Chief Bryan Case reported that Station 119 had experienced limited calls for service over the past month. The first was an erroneous dispatch directing the station to respond to a motor vehicle accident in South Salt Lake, which was canceled before crews arrived. The second involved a 911 report of a fire that was determined to be caused by a malfunctioning oven heating element. Crews inspected the residence, confirmed there was no active fire, assisted the homeowner in addressing the issue, and provided recommendations for follow-up. The third incident occurred on November 2 and involved a fully engulfed vehicle fire at approximately 7100 East Emigration Canyon Road. There were no injuries, and the fire was extinguished by Station 119 personnel. It was noted that the vehicle had recently undergone mechanical work prior to catching fire.

Chief Case stated that the Unified Fire Authority continued to face staffing shortages and had been intensifying recruitment efforts. Sixteen individuals, all transferring from other fire departments, were expected to graduate from an abbreviated training program in mid-January. An additional recruit school with thirty-six individuals was scheduled to begin the first week of February, with graduation planned for May. He also described the Unified Fire Authority's

annual award ceremony, which recognized both individual and team achievements. Unit citations were awarded for responses to several high-profile incidents during the past year, including a trench collapse in Draper, a semi-truck rollover in Little Cottonwood Canyon, a complex medical incident near Kennecott, and an animal attack in Taylorsville. Other awards, such as Officer of the Year and Medal of Valor, were also presented. He concluded by providing a seasonal safety reminder for residents to use caution when cooking during the holidays, particularly when preparing turkeys. He expressed appreciation to Mayor Joe Smolka and the council for their ongoing support of the Unified Fire Authority and indicated he was available to answer any questions.

### **5.3 Salt Lake County Animal Services**

Gary Bowen reported on the recent quarterly meeting, noting that much of the agenda consisted of routine bureaucratic matters. He stated that one of the more notable discussions involved a Salt Lake City resident in his seventies or eighties who inquired about keeping chickens on his property, including licensing requirements and associated fees. This topic occupied roughly ten minutes of the one-hour meeting. Mr. Bowen said that, as a result of this discussion, Tanya Butler, Executive Director of Animal Services, informed the group that Animal Services was in the process of drafting a new animal control ordinance. He emphasized Ms. Butler's clarification that the ordinance would not be a county-wide regulation but instead a model ordinance. This model would be provided to individual municipalities, which could then review and adopt it with any modifications they deemed appropriate. He indicated that the ordinance was expected to be available toward the end of the year.

### **5.4 Salt Lake Valley Law Enforcement Service Area (SLVESA) Potential Tax Increase**

Rachel Anderson, District Administrator and Legal Counsel for the Salt Lake Valley Law Enforcement Service Area (SLVESA), presented remotely due to scheduling conflicts and prior video issues. She was accompanied by Rick Moon, who also addressed the council. Ms. Anderson explained that SLVESA was proposing a property tax increase and was in the process of completing the truth in taxation requirements, including mailing parcel-specific notices to every property owner in the service area. She clarified that, unlike the Unified Fire Service Area where cities were only briefed on tax changes, the law required each member city to vote on the SLVESA tax increase in addition to the SLVESA Board of Trustees' vote.

Ms. Anderson provided background on the request, noting that SLVESA sought to reach the statutory maximum tax rate of 0.0023 to ensure financial stability. Last year's increase was intended to meet that cap, but the requested dollar amount was underestimated and higher-than-expected property values resulted in a lower rate of 0.002038. She explained that recent legislative changes separated law enforcement services between the Salt Lake County Sheriff's Office and the Unified Police Department (UPD), with SLVESA now responsible for paying service bills to both. The current funding model requires SLVESA to pay for law enforcement services across its jurisdictions, but if it could not meet costs, cities would need to cover the difference for additional service levels. The proposed increase would amount to about \$65 per year for a home of average value within the district (\$453,000), with potentially higher amounts in this jurisdiction due to higher property values.

Rick Moon stated that without the increase, SLVLESA would face a negative fund balance of more than \$800,000 in 2025 and, considering the statutory requirement for a 5% minimum fund balance, the deficit would reach approximately \$2.1 million. The proposed increase would generate \$3,276,000, leaving a projected positive balance of about \$1.1 million above the minimum reserve in 2025. Moon also reported that law enforcement costs in the Salt Lake Valley had risen about 45% over the past five years, a rate matched by SLVLESA's budget growth, due in part to wage competition following recent unrest.

Council Member Jennifer Hawkes asked for clarification on the average home value used in the calculation and the tax cap. Moon confirmed the \$453,000 average value and Anderson reiterated the statutory cap of 0.0023. Council Member David Brems, who chairs UPD's benefits and compensation committee, noted that UPD's entry-level officer pay ranked 15th out of 26 law enforcement agencies in Utah and expressed support for the increase to improve recruitment competitiveness.

Anderson explained that the vote by this council was one of several required steps; if all municipalities approved, a simple majority vote by the Salt Lake County Council would follow, but if any municipality voted no, a two-thirds majority from the county council would be required. She noted that Kearns, White City, and Brighton had already approved the proposal, while votes from Magna and Copperton were pending. The final decision would occur after a December 19 public hearing.

During review of the resolution for consideration, Council Member Hawkes pointed out that the term "metro township" appeared in related documents. Mayor Joe Smolka confirmed that those in attendance understood the new city status, and Ms. Anderson explained that the resolution was prepared as a template for all cities to complete, and that any approval could be conditioned on correcting the reference. Staff confirmed the resolution text was correct, with the outdated term appearing only in a supporting memo.

## **6. Council Business**

### **6.1 Consider adoption of Resolution No. 2024-11-01 Approving a 2025 Tax Rate in Excess of the Certified Tax Rate by the Salt Lake Valley Law Enforcement Service Area**

**Council Member Harris moved to approve Resolution No. 2024-11-01, Approving a 2025 Tax Rate in Excess of the Certified Tax Rate by the Salt Lake Valley Law Enforcement Service Area. Council Member Brems seconded the motion; vote was 5-0, unanimous in favor.**

### **6.2 Records Management Best Practices/GRAMA Presentation**

Maren Peterson, Records and Information Management Specialist with the Utah State Archives, presented remotely to provide guidance on proper management of government records. She explained that correct records management ensures that information is easy to locate, non-permanent records are destroyed on schedule, and GRAMA requests can be processed efficiently. She outlined the legal definition of a government record under Utah law, emphasizing that it can be

in any format—paper, electronic, audio, video—and must be reproducible if requested. Ms. Peterson recommended that the first step in records management is to determine whether an item qualifies as a government record, then create an inventory of records, ideally in a shared, centralized storage system such as Google Drive or Dropbox. This inventory should list what records exist, when and by whom they were created, who owns them, and how many versions exist. Once an inventory is established, each record should be matched to a general retention schedule, which specifies how long the record must be kept and whether it is to be destroyed or transferred to the archives. She clarified that permanent and historical records, such as meeting minutes, are preserved by the state, while many other documents, such as financial data or raw materials for reports, are kept for a limited period before destruction.

When asked for examples of non-permanent items, Ms. Peterson noted that personnel records are retained for 65 years due to retirement requirements but are eventually destroyed, while some contracts expire six years after termination. She advised municipalities to establish an annual routine for destroying records that have met retention periods, coordinating with IT for electronic deletions to ensure the records cannot be reproduced. She also addressed the risks of conducting city business on personal devices, explaining that such communications become subject to GRAMA requests. Best practice, she said, is to keep municipal communications and data on separate accounts and devices.

Nicole Smedley and Cameron Platt provided additional clarifications, distinguishing between transitory records—such as confirming meeting dates—which can be deleted immediately, and records involving policy decisions or negotiations, which must be retained. Council members discussed examples, including text messages sent for administrative purposes and whether they should be deleted. Ms. Peterson reiterated that retention depends on the value of the record, and that most transitory communications can be removed once their purpose is fulfilled.

Council Member Jennifer Hawkes raised an email archiving concern, explaining that some communications from the city's former .org accounts had not fully transferred to the new .gov accounts.

Ms. Peterson stated that local government emails have a three-year retention period, after which they can be deleted, and encouraged the city to preserve messages within that timeframe. She stressed that the council's willingness to address records management placed them ahead of many other municipalities. In closing, she recommended creating a standardized file naming convention—often using the date, subject, and document creator—and maintaining organized folders and subfolders to simplify retrieval. She advised the council to choose a system that works for them, but to apply it consistently.

### **6.3 Consider Adopting Ordinance No. 2024-11-01 approving and adopting the 2025 Emigration Canyon Council Regular Meeting Schedule**

The council reviewed the revised proposed 2025 meeting schedule (Attachment A). Mayor Smolka mentioned that November and December meeting dates had been moved up, but Council Member Catherine Harris said she had not seen the revised version and noted that no one expected to meet

on December 23. Nicole Smedley explained that she had not sent the revision because the change would have been within 24 hours of the meeting, but said she could update it after the council determined the preferred dates.

The council discussed avoiding conflicts with other meetings, particularly on the third Tuesday of the month. Council Member David Brems suggested moving the November meeting to November 18, but Harris recommended moving it to Monday, November 17, to avoid recurring conflicts. December was discussed as potentially being unnecessary, but Mayor Smolka noted that a December meeting was sometimes needed, such as for budget adjustments. The group agreed on Monday, December 15, 2025, for that month's meeting.

Council Member Robert Pinon raised the issue of the July meeting, noting that July 22 fell during a time when many people take time off. The council agreed to move it to Monday, July 14, 2025.

The council decided to adopt the 2025 regular meeting schedule as published, with three changes: moving the July 22 meeting to July 14, the November 25 meeting to November 17, and the December 23 meeting to December 15, with all three rescheduled dates falling on a Monday instead of a Tuesday.

**Council Member Harris moved to adopt Ordinance No. 2024-11-01, Approving and Adopting the 2025 Emigration Canyon Council Regular Meeting Schedule with the following changes:**

- moving the July 22, 2025 meeting to July 14, 2025
- moving the November 25, 2025 meeting to November 17, 2025
- moving the December 23, 2025 meeting to December 15, 2025

**Council Member Pinon seconded the motion; vote was 5-0, unanimous in favor.**

#### **6.4 Consider Adopting Ordinance No. 2024-11-02 Amending Title 18 - Subdivision Provisions and Procedures**

Cameron Platt explained that the changes to the subdivision ordinance were required by the state legislature. The revisions established that subdivision applications must be complete upon initial submission, including all necessary information and revisions. He stated that this approach allowed the municipality one opportunity to identify deficiencies in an application and avoided waiving the right to address issues later. He contrasted this with allowing completion at final submission, which carried the risk of missing unresolved issues. He noted that the edits also adjusted dates and timelines to provide Emigration Canyon the maximum time possible for review and response. He added that the last meeting had shown no major concerns, though not all members had fully reviewed the lengthy document.

Council Member Catherine Harris said she had reviewed the document in full and found parts of it clarified matters while other sections raised questions. She asked about a perceived difference

between the planning commission's recommendation for a front-loaded application process and staff's preference for a back-end process.

Mr. Platt responded that early discussions had led to a perception that keeping requirements at the final approval stage would provide a last opportunity for corrections, but in practice it increased the risk of missing issues. He said the recommendation had ultimately been to adopt the front-loaded approach, which was how the ordinance had been drafted.

Council Member Harris confirmed her understanding that the proposal incorporated a previously circulated list of questions for consideration. Mr. Platt said those questions had been developed by a drafter funded by the legislature, sent to both the council and the planning commission, and then incorporated into the draft with input from Polly. Council Member Harris stated that matched her understanding and said she appreciated the plain-language explanation.

**Council Member Brems moved to approve Ordinance 20254-11-02, Amending Title 18 – Subdivision Provisions and Procedures. Council Member Hawkes seconded the motion; vote was 5-0, unanimous in favor.**

## 6.5 Justice Courts

Cameron Platt reported that there had been no new developments regarding the justice court arrangement. He said he had contacted the county, which had not disclosed much information, and had reached out to Holladay and Millcreek without receiving responses. He stated he would need to follow up more persistently.

Council Member David Brems remarked that he suspected an agreement might be reached with Holladay. Mr. Platt explained that the decision would depend on which entity was willing and able to contract to handle Emigration Canyon's justice court work. He said that in early 2023, when the matter was first discussed, county figures showed approximately 600 justice court cases per year, which he characterized as a relatively low workload. He noted that some municipalities operate their justice court only once per month with a judge hired for a single day, and that Emigration Canyon could adopt a similar arrangement if needed. He outlined possible outcomes, including the county retaining the justice court if the administrative officer of the courts did not permit its closure, the Municipal Services District (MSD) creating a justice court for all municipalities, contracting with another jurisdiction, or establishing Emigration Canyon's own court.

Council Member Catherine Harris recalled Mr. Platt's earlier presentation on the subject and mentioned past figures of fewer than 40 cases in a year, including only three in January of that year. He suggested those numbers may have been for a single metro area rather than the total.

Mayor Joe Smolka added that recent MSD figures indicated only four to six cases annually for Emigration Canyon.

Chief Petty-Brown explained that Millcreek contracts with Holladay Justice Court, having ended its own justice court arrangement in July of the previous year. She stated that Holladay Justice Court

also serves Holladay and Cottonwood Heights and that Millcreek had been satisfied with its performance.

Council Member Brems asked whether there were delays or problems with cases being heard.

Mayor Smolka responded that no issues were occurring at present, but noted that any changes would need legislative approval the following spring. Mr. Platt confirmed that the process required six months' notice followed by an additional six to nine months before a justice court could be closed, and reiterated that the county currently did not wish to continue operating it.

## **6.6 Legal Issues - None**

## **6.7 Ongoing Projects**

Mayor Joe Smolka reported that two slope stabilization projects had been completed and the guardrail replacement project was finished earlier that day, noting that some replacements were silver due to unavailable rust-colored materials. He said that large boulders had been installed in the drain at Little Mountain and that jersey barriers would be moved to cover the deep opening. Crack sealing work was ongoing, and crews would address areas in the canyon before working in town.

Council Member David Brems raised the upcoming August acquisition of a property purchased by the city and suggested beginning a feasibility or visioning process to determine potential uses. He recommended hiring a consultant, estimating a cost of around \$50,000, and stressed that the process should include community outreach.

Mayor Smolka agreed with the concept, noting that White City was also pursuing a similar municipal building project and that a Municipal Services District (MSD) long-range planner was researching grant funding opportunities. He said a budget adjustment would be needed to hire a consultant.

Council Member Brems asked if the work should be routed through the MSD, to which Mayor Smolka replied that was the best approach. Council Member Brems expressed criticism of a recent White City request for proposals, calling it poorly written with an inadequate timeline. Mayor Smolka said he did not believe it was significantly off base, but Council Member Brems maintained that it was one of the worst he had seen. Cameron Platt suggested that a Request for Qualifications could be used instead of a proposal to select a capable consultant without restricting them to a narrow scope. Council Member Brems reiterated his desire for a community-focused visioning process. Platt agreed and shared examples of successful public engagement in similar projects, noting that the city would need to issue either an RFP or RFQ and adopt a budget amendment. Council Member Jennifer Hawkes mentioned a recent "Envision Utah" presentation on building towns, saying she would try to obtain materials from it.

Council Member Catherine Harris asked about road striping and was told it had been completed promptly. Council Member Brems then voiced concerns about liability from leaving the property's existing buildings standing after the city took possession, suggesting demolition. Council Member Robert Pinon noted the possibility of extending the lease with the current owner and said rebuilding

would require sufficient funds. Council Member Harris saw little value in the existing structures and questioned the need to keep them. Mayor Smolka proposed adding the property discussion to the next month's agenda and investigating MSD options, including leasing, demolition, or other uses that could reduce liability.

## **6.8 Budget Items**

### **(a) Review of Expenditures**

During the budget discussion, Council Member Harris asked about scheduling conflicts with the Oaks Board meetings. Mayor Smolka and Council Member Harris confirmed that rescheduling to Mondays would avoid conflicts. Mayor Smolka said the city's final restroom project for the year was nearly complete and that standard budget items had been addressed. Council Member Hawkes noted a recent water bill payment, and referenced a property tax bill. Mayor Smolka reported that about \$8,000 to \$12,000 remained to be paid for the FEMA flood planning map and that the remaining American Rescue Plan Act (ARPA) funds had been used on slope stabilization projects to avoid future reporting requirements. He said approximately \$33,000 in ARPA funds had been spent and about \$60,000 in unrestricted CARES Act funds remained, which could be used for items such as replacing aging computers or iPads.

## **7. Council Member Reports**

### **7.1 Council Member Brems**

- (a) Unified Police Department (UPD) & Salt Lake Valley Law Enforcement Service Area (SLVLESA)**
- (b) Emigration Canyon Planning Commission**
- (c) Community Renewable Energy Program**

Council Member David Brems reported that he had been out of the country during the previous month and had not attended the Unified Police Department (UPD) Board meeting at that time. He stated that during the most recent board meeting, it was announced that Mayor Stevenson of Midvale had resigned from both the mayor's position and his role as UPD Board chair. He said that following the resignation, Chief Mazuran had contacted him to request that he assume the role of board chair, which he began on Thursday. He added that it was uncertain whether he would continue as chair next year, though there had been discussions suggesting he might be asked to do so.

Council Member Brems said the board discussed the ongoing benefits study, which is examining approximately 30 different benefits offered by law enforcement agencies, such as tuition assistance and take-home vehicle policies. He emphasized the importance of maintaining UPD's position among the top one to three agencies in the state to attract and retain the best officers, noting that the department had fallen from that standing and would

require additional funding to regain it. He stated that the board intended to maximize the level of fiscal support permitted by the legislature to achieve this goal. Brems reported that officer recruitment efforts were improving, with the staffing gap narrowing rather than widening.

Council Member Brems also attended a Community Renewable Energy Program meeting the previous week, where discussions involved the Public Service Commission and Rocky Mountain Power's request for proposals for renewable energy. He said the timing of the RFP release remained uncertain. He concluded by noting that the planning commission currently had a significant workload and that he would provide a fuller report on their activities in the following month's meeting.

## **7.2 Council Member Harris**

### **(a) Unified Fire Authority (UFA) & Unified Fire Service Area (UFSA)**

#### **(b) Watershed Plan**

Council Member Catherine Harris reported on Unified Fire Authority (UFA) matters, beginning with a reminder about the public meeting scheduled for December 17 regarding a proposed tax increase. She said that once she received official notification, she would request that it be posted on the public meeting website.

Council Member Harris relayed that Chief Case had provided an update on efforts to fill open positions and conduct recruitment camps. Of local interest, she said there would likely be funding in next year's budget for landscaping improvements at Station 119. She explained that the project was intended not only to improve the station's appearance but also to engage the community and promote both waterwise and firewise landscaping practices. She said she had met with Assistant Chief Zach Robertson and other UFA members to review the original landscaping plans, which incorporated some waterwise elements but had not been maintained for over 14 years. She noted that the current condition included overgrowth, noxious weeds, and trees positioned against the building—something fire personnel had flagged as a safety concern.

Council Member Harris said the UFA team was eager to partner with community members on the project. She reported that two volunteers with extensive waterwise gardening and landscaping design experience had already stepped forward, with one volunteer possessing information on potential grant funding. As the project date approached, she said she would begin seeking additional input and assistance from residents.

On watershed matters, Council Member Harris said she had spoken with Sandy, who requested to postpone her update until the next meeting due to her preparation for a major presentation at the Salt Lake County Watershed Symposium scheduled for the following day. Council Member Harris stated she planned to attend both days of the symposium, including Sandy's presentation, and offered to share the event link with anyone interested. She added that she had attended the symposium for several years and found it to contain a wealth of valuable information.

### 7.3 Council Member Pinon

**(a) Wasatch Front Waste and Recycling District (WFWRD)**

**(b) Utah Broadband**

**(c) Update on Possible High-Density Development**

Council Member Robert Pinon reported on the Wasatch Front Waste and Recycling District (WFWRD) public board meeting held the previous night, where the 2025 budget was presented. He said the board approved a \$6.50 per household fee increase. The meeting also included a presentation on the updated paid time off (PTO) benefits package, which would limit the amount of sick leave allotted to employees so that the leave could be integrated into their PTO schedules. Additionally, the board approved funding for the purchase of several new garbage trucks for the coming year. Pinon stated that the WFWRD program continued to operate efficiently and that the meeting was well attended.

Council Member Pinon said there was no update on Utah Broadband, though he had received the mayor's email regarding funding allocation. When Council Member David Brems asked whether Utah Broadband provided internet service at the guard station, Pinon confirmed that it did. Council Member Brems questioned ongoing connectivity and bandwidth issues, to which Council Member Pinon responded that Nicole Smedley had been using a hotspot to cast meetings rather than the facility's Wi-Fi. Council Member Brems suggested establishing an internet account for the fire station, but Council Member Pinon said he believed one was already in place. Ms. Smedley explained she had been advised to use the hotspot and had never tried the Wi-Fi but could test it at the next meeting. Mayor Joe Smolka noted that the internet service had been upgraded as part of the television purchase for the facility and Council Member Harris added that she believed the service was good.

Council Member Pinon concluded with an update on the high-density project at the bottom of the canyon, reporting that the hearing scheduled for that afternoon as a work session had been canceled, and there was currently no progress or further information to share.

### 7.4 Deputy Mayor Hawkes

**(a) Website ([www.ecmetro.org](http://www.ecmetro.org))**

**(b) CodeRED**

**(c) Association of Municipal Governments**

**(d) Utah League of Cities and Towns (ULCT)**

Council Member Jennifer Hawkes reported that the VECC number, which allows residents to register for receiving information, would be updated on the city website. She said she was unsure whether anyone had attended the meeting on the 4th but noted that Brad had sent an

email containing a master plan developed from the recent workshop. She stated she had forwarded the plan to all council members prior to the meeting and encouraged them to review it and share any feedback with her and Brad.

Council Member Hawkes also reported that the League had announced grant opportunities for an upcoming workshop she had attended in the past. She described the workshop as very helpful and suggested that the city submit an application for restroom funding through the Recreation category.

Mayor Joe Smolka suggested adding the property discussion to the next month's agenda so the council could determine how they wanted to proceed with the entire site. Council Member Hawkes noted that a grant workshop was scheduled for December, with applications opening at the start of the year. She said that if the council planned to pursue funding, they should be ready to move quickly, as the process could be complex based on her previous experience. Hawkes stated that this project would align well with the city's parameters and avoid complications associated with the earlier proposal.

Council Member Hawkes also reported that a CodeRED alert would be sent in the next few days regarding a Rocky Mountain Power outage scheduled for Thursday at 9:00 a.m., affecting the Oaks and a few surrounding homes. Council Member Harris commented that Rocky Mountain Power had been good about notifying customers who requested updates. Council Member Hawkes clarified that the outage area would be limited, and Mayor Smolka added that the fire station, the main canyon, and the Oaks would be impacted due to the replacement of a rotting utility pole. Council Member Pinon noted that the power had been flickering during the past week, and Council Member Harris confirmed experiencing the same issue, with other council members reporting similar occurrences. Mayor Smolka said Rocky Mountain Power had called him directly to help disseminate the information and explained the two separate power systems serving the canyon and their coverage areas. Council Member Harris remarked that some parts of the Oaks might not be affected due to system redundancies.

Council Member Hawkes mentioned a recent webinar on municipal powers and duties, saying it could be beneficial for the council and that she still had questions regarding the differences between metro and city authority. Cameron Platt responded that the Utah League of Cities and Towns (ULCT) publishes a "Powers and Duties" handbook, available in both print and Kindle formats, and that it defined a five-member council as including the mayor. Council Member Hawkes requested a copy, and Nicole Smedley agreed to forward the information to the council.

## **7.5 Mayor Smolka**

- (a) Greater Salt Lake Municipal Services District (MSD)**
- (b) Landfill Council**
- (c) Wasatch Front Regional Council (WFRC) Transportation Committee**

**(d) Council of Governments (COG)****(e) Legislative Update**

Mayor Joe Smolka stated that he had completed all required trainings and asked if any council members still needed to complete their open meetings training for the year. He reminded those serving on district boards that they also needed to complete district-specific training. He said he attended the Utah Association of Special Districts (UASD) Conference in Layton, which he described as efficient because it offered all trainings in one afternoon. He noted that all council members were believed to have completed their training through their boards except for Council Member Jennifer Hawkes.

Mayor Smolka said the UASD holds a three-day conference, but he attended for only one day to complete his requirements. He also attended the November 4 Wasatch Front Regional Council meeting, where a map of the valley was presented and leaders drew boundaries indicating areas they did and did not want to see connected or developed. Discussion at the meeting included the recent power outage. He reported that the new Municipal Services District (MSD) offices were progressing well, currently in the drywall phase with ceiling grid installation beginning soon. The new location will be at 860 Levoy Drive in Taylorsville, near 4500 South and 800 West, and will feature ample natural light.

Mayor Smolka invited all council members to attend an informal lunch hosted by the Municipal Service District (MSD) the following day at 11 a.m., noting it would be an opportunity to meet employees in a relaxed setting. Council Member Hawkes asked that such events be placed on the calendar in advance to allow members to plan to attend. Mayor Smolka said there might be another lunch in December and that members would be informed if one was scheduled.

Mayor Smolka added that the landfill council meeting, canceled in November, would be held in early December. He said the next Wasatch Front Regional Council meeting would take place Thursday, with planned changes to the Transportation Improvement Program (TIP) and the 2025–2030 plan, which included only one modification affecting Salt Lake Valley. He reported not attending the most recent Council of Governments meeting and had no updates to report in the legislative area.

**8. Citizen Public Input**

**Janet Haskell** asked what occurred at the recent Municipal Services District (MSD) meeting regarding the road expansion project.

Mayor Joe Smolka responded that an update had been provided at the beginning of that meeting, with the MSD accepting the aid agreement from the federal government, which also included state participation. This acceptance would allow the city to access the necessary funding.

Ms. Haskell asked whether there was any notable discussion, and Mayor Smolka said that Gary Bowen spoke during citizen comments, but no detailed answers could be provided yet

because plans had not been developed. Ms. Haskell clarified whether the engineering plans mentioned were the ones he referred to, and Mayor Smolka confirmed, explaining that funding must first be secured to complete the feasibility study, engineering designs, open houses, and other preliminary work. She then asked if the MSD or County engineer who had previously attended a council meeting would return to provide updates, and Mayor Smolka said this would likely occur next year.

Council Member Jennifer Hawkes read an email she received from resident Brian Bosworth, who stated he had recently received a speeding ticket and believed it was due to inconsistent speed limit signage at the bottom of Emigration Canyon. He claimed that signs had been installed relatively recently, that police enforcement in the area had increased, and that westbound signage from Emigration Oaks to the canyon's base was lacking. He also noted inconsistencies in speed limits depending on travel direction and that GPS applications showed incorrect speed data. Mr. Bosworth sought information to assist in contesting his ticket and advocating for improved signage. Council Member Hawkes told Mr. Bosworth he would need to address the issue with Salt Lake City but also contacted Tolin to drive the stretch for review. She observed that from the fire station to the canyon's mouth there were no speed limit signs, though this met current distance requirements. Given Salt Lake City's speed reductions, she suggested installing a "Reduced Speed Ahead" sign to alert non-local drivers.

Council Member Pinon added that a sign indicating the canyon's speed limit at the bottom could help, since eastbound traffic did not return to 40 mph until reaching Ruth's. The council discussed whether there were existing signs in the stretch, but no consensus was reached. Council Member Harris noted that Google and Apple Maps updated speed limits at the township (now city) line. Council Member Hawkes said her vehicle's sign-recognition system detected signs eastbound but not from the fire station to the bottom. Council Member Harris supported investigating improvements and agreed a "Reduced Speed Ahead" sign would be helpful.

Council Member Hawkes emphasized addressing what was within the city's control. Mayor Smolka asked where a new sign should be placed, and Council Member Hawkes said placement was flexible but necessary. Council Member Harris remarked she had always been surprised there wasn't a sign at the township/city line, as is typical when speed limits change. Council Member Hawkes suggested installing two signs. A discussion followed among the council and attendees, with suggested placements just below Skycrest heading downhill and at Ruth's. They also noted an existing sign near the city line for uphill traffic and one by the concrete barrier. Council Member Hawkes concluded by reporting that the city's .gov website was updated and the redirect from the .org domain was active. Mayor Smolka added that there had been difficulty accessing agendas until they were moved to the .gov domain, and he reminded members to use their .gov email addresses going forward.

## **9. Other Announcements - None**

## **10. Future Emigration Canyon Council Agenda Items – None**

**11. Closed Session per Utah Code §52-4-205**

- (a) Discussion of the Character, Professional Competence or Physical or Mental Health of an Individual.**
- (b) Pending or Reasonably Imminent Litigation.**
- (c) Purchase, Exchange, or Lease of Real Property.**
- (d) Deployment of Security Personnel**

**12. ADJOURN**

**Council Member Harris moved to adjourn the November 19, 2024 City Council Meeting. Council Member Hawkes seconded the motion; vote was 5-0, unanimous in favor.**

The November 19, 2024 Emigration Canyon City Council meeting adjourned at 9:02 PM.

**The November 19, 2024 City Council Meeting Minutes were Approved by the City Council on the 26<sup>th</sup> day of August 2025:**

**ATTEST:**

\_\_\_\_\_  
Joe Smolka, Mayor

\_\_\_\_\_  
Diana Baun, City Recorder



## Emigration Canyon Monthly Report July 2025

Calls for service: 49

### Crime/Police Stats:

In the month of June, Unified Police Department responded to 49 calls for service.

A rollover accident occurred in Pinecrest where the driver had to be extracted. The driver was not wearing their seatbelt and was transported to the hospital.

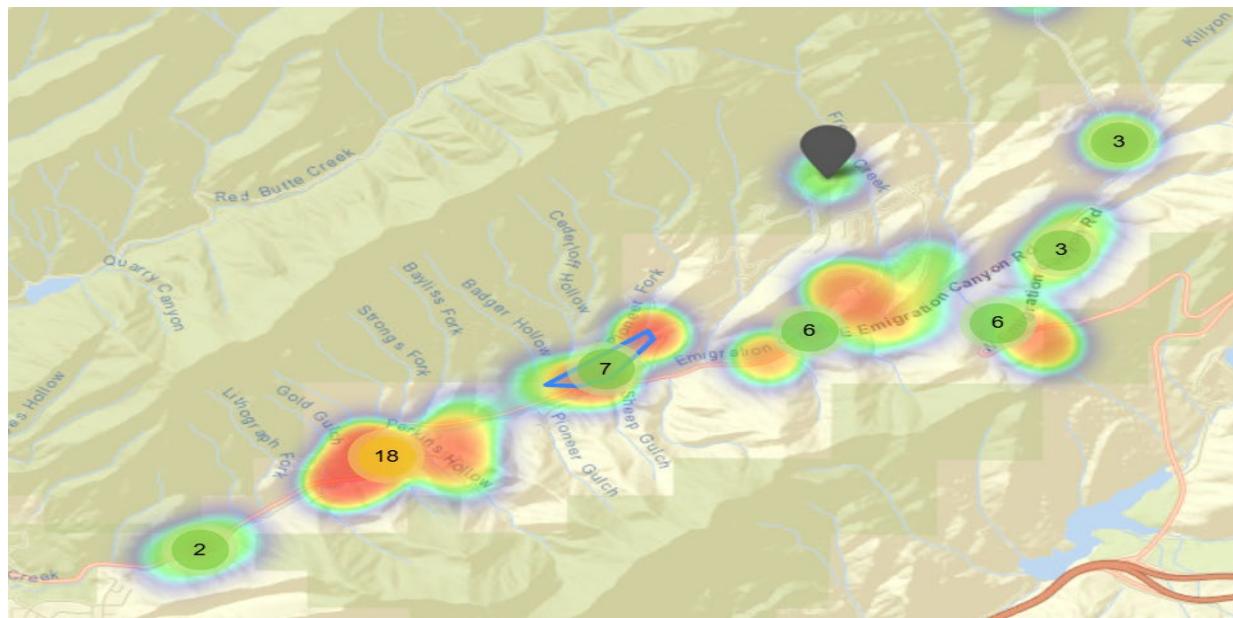
UPD officers assisted the Sheriff's Office with an injured hiker on the back side of Emigration Canyon Road in the Sheriff Office jurisdiction.

There were three vehicle burglaries in the canyon during the month of July, all vehicles were unlocked, however, one of the vehicles was parked in a garage and the garage was broken into. Two of the homes had cameras, but nothing suspicious was observed on the cameras.

The Law Enforcement Memorial Ride went well with a lot of residents coming out to watch the ride.

CALLS FOR SERVICE OFFENSE	COUNTS
Cell Hang Up	9
Traffic Stop/Radar	4
Traffic Hazard	2
Reckless	3
Agency Assist/ Public Order	1
Citizen/Motor Assist	10
Illegal Fireworks	1
Suspicious	1
Domestic	1
Welfare Check	3
Attempt to Locate	1
Ambulance Back	4
Burglary	2
Car Prowl	3
Violation of Protective Order	1
Traffic Accident	3

## Heat Map of Calls for Service in Emigration Canyon



## ANIMAL SERVICES ADVISORY COMMITTEE

Thursday, July 31st, 2025 - 11:00 a.m. – 1:00 p.m.

Electronic Recording Link:

<https://slco.webex.com/slco/ldr.php?RCID=bb388cb28345fc97cacaf634250c8ee0>

### MEETING MINUTES

#### Members in attendance:

Dustin Gettel – Midvale  
Grant Crowell – Bluffdale  
Kevin Severson – Copperton  
Holly Smith – Holladay  
Gary Bowen – Emigration Canyon  
Scott Baird – SLCO Mayor

Alan Peterson – Kearns  
Audrey Pierce – Magna  
Toby Hazelbaker – Salt Lake City  
Julie Ulvestad – Industry Expert  
Rita Lund – Millcreek

#### Members absent:

Brian Wright – Murray  
Linda Price – White City

Dea Theodore – SLCO Council  
Jeff Bossard – Brighton

#### Non-Members Present:

Carrie Sibert – SLCO Animal Services  
Talia Butler – SLCO Animal Services  
Jami Johanson – SLCO Animal Services

Karl Carpenter – SLCO Animal Services  
Alyssa Watts – SLCO Animal Services  
Don Belnap – SLCO Animal Services

### **1. CALL TO ORDER, ROLL CALL – Dustin Gettel, Chair**

1.1. Welcome new member Toby Hazelbaker with Salt Lake City.

### **2. PUBLIC COMMENT (2-minute limit) – Please state name & jurisdiction.**

No public comment given

### **3. CONSENT AGENDA**

#### 3.1. Approval of 4-24-25 Meeting Minutes

Rita Lund motioned, Grant Crowell seconded. All say aye.

### **4. DISCUSSION AND POSSIBLE ACTION ITEMS**

#### **4.1. Free Microchip program, Donald Belnap, Animal Control Officer**

Talia Butler and Don Belnap explained the county's free microchip program that is available to all residents in Salt Lake County and how they can receive one for their pets. Talia Butler displayed examples of pets that have been reunited with their owners due to having a microchip. Don explained the benefits of microchips and how they assist animal control officers in reuniting lost pets to their owners.

#### **4.2. Spaghetti Gala updates and auction items, Jami Johanson, Associate Division Director**

Jami shared event information for this year's Spaghetti gala. Jami also requested that if any of the members jurisdictions would like to donate a basket/any donated items for the auction to help raise money for the spay and neuter program that they reach out to us to turn it in by the beginning of September. Jurisdictions will be advertised for any basket or items donated for the event.

**4.3. Fee Schedule**, Talia Butler, Division Director

Talia explained the proposed revisions to the current fee schedule that if adopted will go into effect in 2026. Talia went over each adjustment and what it entails and highlighted which fees are not changing. Talia explained a few new fees Animal Services would like to form such as a license membership fee that would include perks along with the annual license.

Rita asked for clarification on the microchip fee. Talia explained we only charge a microchip fee for animals that are not in Salt Lake County.

Scott asked if we'd like a vote of support in the proposed changes before it goes to County Council for discussion and possible adoption. Talia stated we'd like a vote of support.

Members took a vote:

Rita Lund Motioned, Audrey Pierce seconded. All say aye.

**4.4. Animal Services Projects**, Talia Butler, Division Director

Talia went over various projects that Animal Services is working on featuring capital projects including: the upcoming outbuilding/overflow kennel space, lobby remodel that will include a new adoption program space separate from the enforcement program and a new security office for the Sheriff deputy, clinic remodel, roof repairs, and parking lot resurfacing.

Talia also went over the capital projects that are scheduled to be completed in 2026 such as: shelter flooring, barn/shed repairs, auditorium updates, and repairs to the Murray shelter.

Talia went over bill initiatives that we are participating in for the 2026 legislative session including: Revising court holds involving animals in our care, rabies administering revisions, rabies information addition to the USISS Database, and First Responder classification for Animal Control Officers.

**4.5. Division Updates**, Talia Butler, Division Director

Talia highlighted the PAWS program. Carrie Sibert explained that we are ensuring we visit each area at least twice and as of Monday 7/28/25 the program performed 682 surgeries so far.

Talia explained that the Animal Care Campus project is currently working on building a master plan and we are trying to locate potential location ideas.

Talia went over recent Animal Services emergency response efforts to local fires that occurred in a couple jurisdictions. Rita Lund provided a summary of the devastating fire that occurred in Millcreek and how the pet owners were affected. Talia explained that we'd like to set up separate meetings with each jurisdiction to ensure contact information is accurate and updated. Animal Services would also establish which types of emergency cases the jurisdictions would like to be informed of. Talia also explained that our humane education program offers training classes on animal emergency preparedness that can assist owners in emergency situations.

Holly Smith asked if neighboring jurisdictions can assist in helping reunite with lost pets from the recent fires. Talia explained that yes, we are sharing information on social media and local rescues are also helping.

Talia explained the successes of our recently formed adoption program and the team that manages the program. Talia explained that the revenue goal from adoptions has greatly increased as the team have greatly improved efforts to find shelter pets new homes.

Talia went over an upcoming Paws for Health event on October 3<sup>rd</sup> that is combining efforts from multiple agencies that is focusing on providing free vaccinations for pets and humans.

Talia highlighted a new incentive that we are offering with our adoptions where we are providing a laser engraved tag that includes a image of the pet and an identifying life saved number.

## 5. MEMBER REPORTS

### 5.1. Updates from member's jurisdictions that may impact Animal Services.

- Alan Peterson – Kearns - None
- Grant Crowell – Bluffdale - None
- Rita Lund – Millcreek – Rita thanked efforts for the fire and highlighted that we will be out there for a licensing and microchipping event.
- Dustin Gettel – Midvale – Dustin updated members on his recent ride along with Sgt. Cantor

and what he experienced. Dustin also extended condolences to those in the Millcreek fire and shared the donation link. Dustin also highlighted their upcoming Harvest Days event.

- Toby Hazelbacker – Salt Lake City – Dustin introduced Toby and welcomed him to the committee. Toby provided his background and his position with Salt Lake City. Toby explained that they still encounter pet related issues in their parks.
- Holly Smith – City of Holladay – Holly explained that they are establishing another new park and may include a dog park within it. Holladay is also updating their entire code and may reach out for the animal section. Holly extended a thank you to Carrie Sibert for her efforts.
- Lt. Brian Wright – Murray – N/A
- Kevin Severson – Copperton – Kevin explained that they've received a lot of complaints about deer in their jurisdiction and asked if anyone has used the urban deer program and have some information on it. No other members have used it before. Grant stated Herriman City may have used it and suggested reaching out to them.
- Jeff Bossard – Brighton – N/A
- Linda Price – White City – N/A
- Audrey Pierce – Magna – Audrey thanked Carrie Sibert for contacting them for the fire in Magna and response efforts. Audrey stated they are a bit concerned on the number of animals involved and look forward to meeting about emergencies.
- Gary Bowen – Emigration Canyon – Gary reported that Rocky Mountain power is doing substantial road work that may impact entry and exiting in the canyon at certain locations. Rita also mentioned Millcreek Canyon is also undergoing some road work that may impact dog walkers and bicyclists.
- Scott Baird – Salt Lake County Mayor – No updated but echoed Dustin's suggestion to members to go out on a ride along with an Animal Control Officers and highlighted the appreciation to our officer's experiences and skill levels.
- Dea Theodore – Salt Lake County Council – N/A
- Juli Ulvestad – Industry Expert – Juli extended a thank you to Sgt Cantor's efforts. Juli appreciated Animal Services efforts on the proposed fee schedule. Juli asked if there will be intake reductions and offered veterinary assistance by the Utah Humane Society to Animal Services while our veterinarian is out on vacation. Talia explained we do have some volunteer and part time veterinary help while Dr. Kelly is off, and intake efforts are being taken to reduce the number of animals entering the shelter but we will utilize their assistance.

## 6. FUTURE AGENDA ITEMS

None

## 7. ADJOURN

Rita Lund motioned, Scott Baird seconded. All say aye.

JOIN US FOR OUR ANNUAL



# SPAYGHETTI

## *& No Balls Gala*

OCT **10<sup>TH</sup>** 2025

6 PM

**THE SHERATON**

*150 West 500 South, Salt Lake City, UT 84101*

*Cocktail Attire*

Games, Music, Dinner, Silent and Live Auctions,  
Puppies, Kittens and so much fun!

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**Tickets On Sale: August 18<sup>th</sup>**

**Silent Auction Opens Online: October 3rd**



# SPAYGHETTI GALA



## WANT TO SUPPORT OUR SPAYghetti AUCTION?

Donate a gift basket or auction item to help raise funds for animals in need!

**To donate, please contact:**

Nicole Simmons – [NSimmons@SaltLakeCounty.gov](mailto:NSimmons@SaltLakeCounty.gov)  
Carrie Sibert – [CSibert@SaltLakeCounty.gov](mailto:CSibert@SaltLakeCounty.gov)  
Jami Johanson – [JJohanson@SaltLakeCounty.gov](mailto:JJohanson@SaltLakeCounty.gov)

**Your generosity & support means the world to us! Thank You!**

# Proposed Fee Schedule 2026 Budget

Enforcement	2023		2026		Notes	Projected Revenue
	Current	Proposed	%	\$		
<b>Impound Fee</b>						
1st Impound	\$50					
2nd Impound within 24 month	\$100	\$150	50%	\$50		\$1,250
3rd Impound within 24 months	\$200	\$250	25%	\$50		\$150
Subsequent Impound within 2	\$400	\$500	25%	\$100		\$300
						\$1,700
<b>Notice of Violation</b>						
First NOV (fee per violation)	\$75	\$100	33%	\$25		\$3,750
Second Violation (fee per viola	\$150	\$200	33%	\$50		\$7,500
Third Violation (fee per violatio	\$300	\$400	33%	\$100		\$1,500
Subsequent Notices of Violatio	\$400	\$600	50%	\$200		\$3,000
						\$15,750
<b>Pet Licenses</b>						
License - Unsterilized	\$50					
License - Sterilized	\$25					
License - senior citizen, steriliz	\$15					
Membership License Fee	\$0	\$100		\$100	Includes license, annual shots, microchip w/plan, ID tag, Pet Crew	\$20,000
License - Transfer fee or replac	\$10			(\$10)		
Late license penalty (applicab	\$50	\$0		(\$3,000)		(\$3,000)
Pet Licenses Sold Affiliate Bus	\$0	\$50	\$25	\$100%	\$3,000 *not valid on renewa	\$3,000
						\$20,000
<b>Permits - 1 year</b>						
Commercial - up to 30 animals	\$250	\$300	20%	\$50		\$2,500
commercial - over to 30 anima	\$400	\$500	25%	\$100		\$5,000
Residential permit	\$75			(\$75)		
Late application renewal fee (i	\$50			(\$50)		
						\$7,500

Services	2023		2026		Projected	
	Current	Proposed	%	\$	Notes	Revenue
<b>Rabies/Vaccines/Microchip</b>						
Rabies Vaccination	\$30	\$40	33%	\$10		\$2,000
Rabies Deposit	\$30	\$40	33%	\$10		\$200
Rabies Test Fee	\$250	\$300	20%	\$50	(plus any third party charges)	\$1,000
Microchip	\$40	\$50	25%	\$10	*out of county only	\$500
						\$3,700
<b>Sterilization</b>						
Sterilization Deposit (mandate)	\$200	\$250	25%	\$50		\$7,500
In-house sterilization	\$150	\$250	67%	\$100		\$15,000
						\$22,500
<b>Livestock</b>						
Dead Livestock Removal	\$400	\$600	50%	\$200	(plus any third party charges)	\$600
Dead Livestock Disposal	\$250	\$300	20%	\$50	(plus any third party charges)	\$150
Brand Inspection Fee	\$50	\$100	100%	\$50	(plus any third party charges)	\$150
Livestock Transportation Fee (	\$100	\$500	400%	\$400	(plus any third party charges)	\$1,200
						\$2,100
<b>Euthanasia and Disposal - Companion Animals</b>						
Euthanasia and disposal of sm	\$10	\$20	100%	\$10		\$250
Euthanasia (dog or cat)	\$75	\$100	33%	\$25		\$2,500
Disposal (dog or cat)	\$75	\$100	33%	\$25		\$2,500
						\$5,250
<b>Other</b>						
Surrender Fee	\$150	\$200	33%	\$50		\$7,500
Surrender Biter Fee	\$300	\$400	33%	\$100		\$2,000
Field Service Fee	\$100	\$200	100%	\$100		\$300
						\$9,800

Total: \$88,300

# OFFICER DON BELNAP



21032

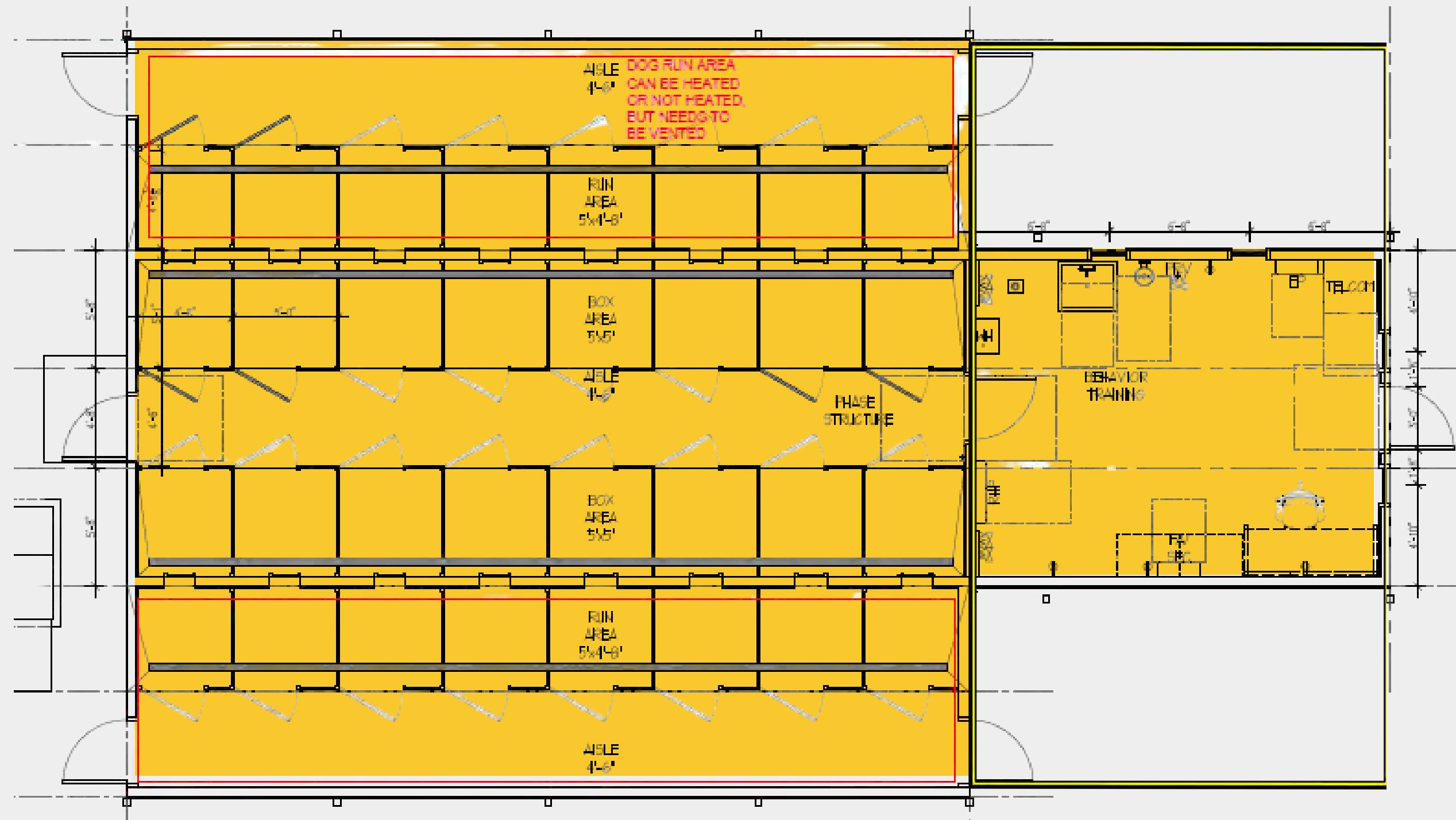
# MICROCHIPS



- FREE FOR ALL COUNTY PETS
- PROVIDED WITH SUPPORT FROM THE SALT LAKE COUNTY COUNCIL
- WALK-INS WELCOME TUESDAY THROUGH SATURDAY 10 AM TO 6 PM
- AVAILABLE AT MULTIPLE SHELTER LOCATIONS ACROSS THE COUNTY

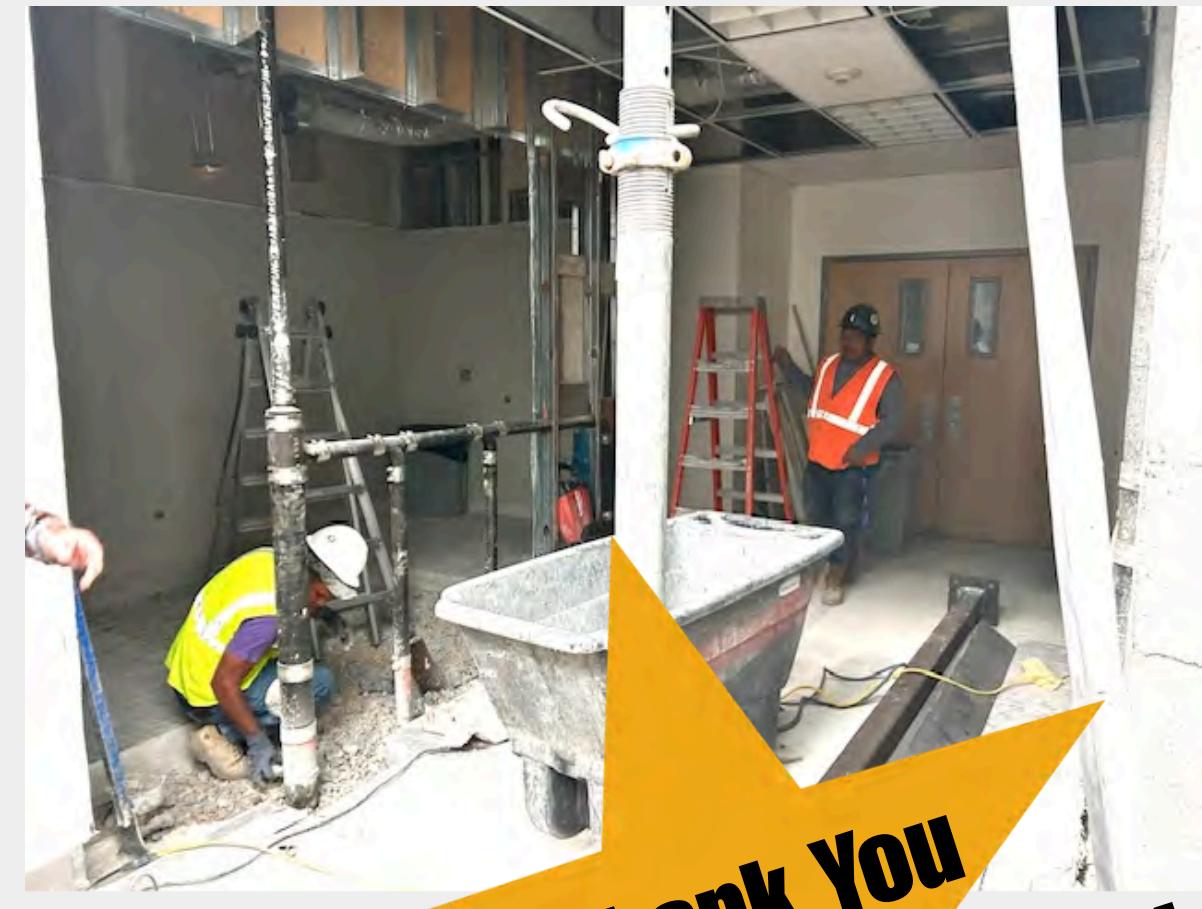
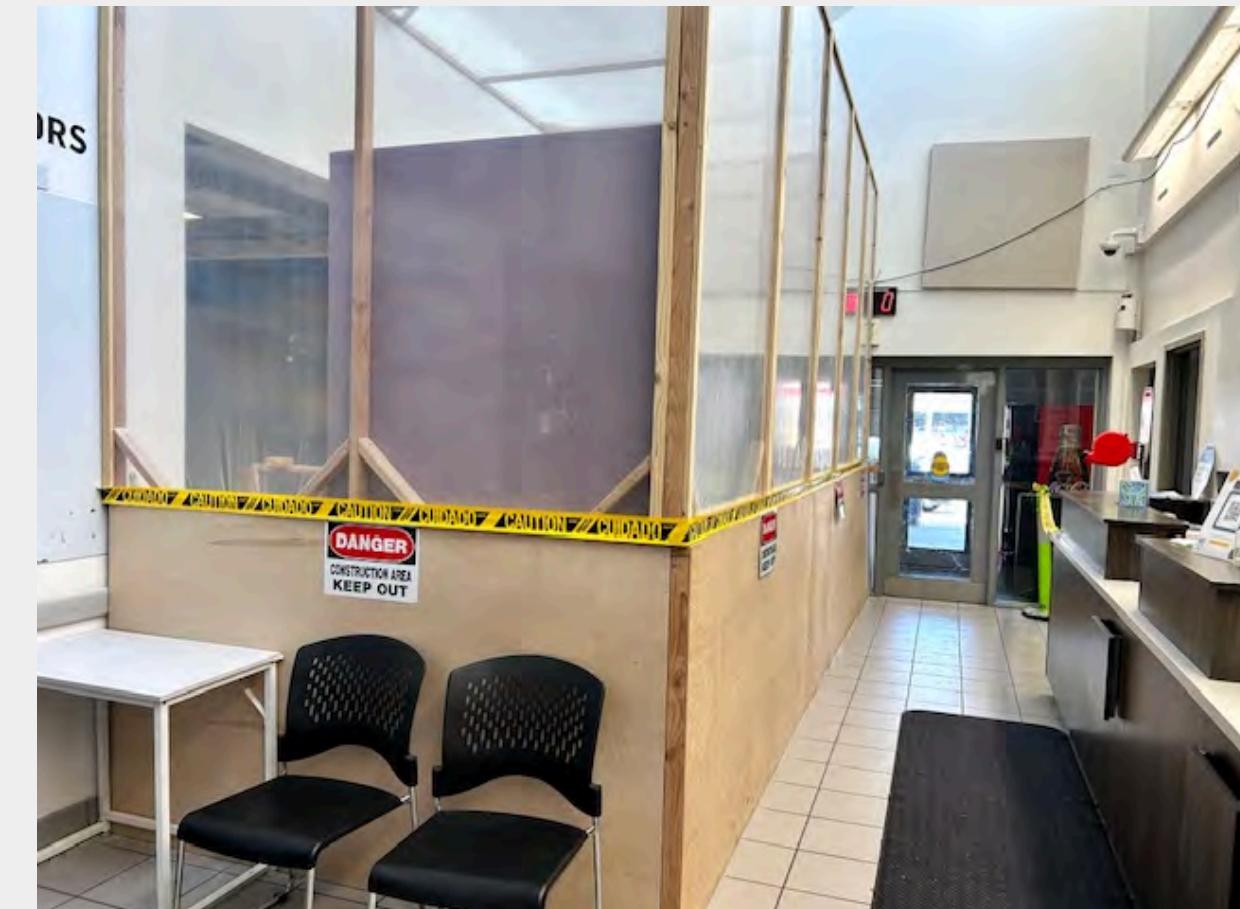
# 2025 CAPITAL PROJECTS

## OUTBUILDING



# 2025 CAPITAL PROJECTS

## LOBBY (ADOPTIONS, SECURITY, VOLUNTEER, RESTROOMS)



**OTHER PROJECTS:**  
ROOF REPAIRS  
CLINIC GROOMING TUB  
FRONT/SIDE PARKING LOT

Thank You  
Mark Miller Subaru

- **Shelter Flooring Project**  
Remove all carpeted areas and damaged floors.
- **Asphalt: South Parking Lot**  
Repair and resurface asphalt in south parking lot.
- **Barn/Shed Area Repair Project**  
Repair/asphalt/resurface barn and shed areas.
- **Auditorium Update**  
Repair windows, animal-friendly blinds, repair partition walls, update chair/table storage area.
- **Employee Area Update**  
Update bathroom, update eye wash station, update disease contamination area, separate kitten feeding area from break room.
- **Murray Door/Window Repair**  
Repair rust damage in doors and window frames, repair thresholds and moisture guard, repair moisture damaged floors and drywall.

# 2026 CAPITAL PROJECT LIST

\*Pending Budget Approval

# LEGISLATIVE INITIATIVES

## Court Holds

Require courts to determine disposition of animals held in cruelty cases at the first scheduled hearing. Does not require owner attendance. Addresses cost of care.

## Allow Rabies/Animal Information to be included in USISS Database

Would allow animal rabies/microchip/license information to be connected to owners in a current state-managed database.

## Rabies Administering

Change the language for rabies vaccinations to not require direct veterinary supervision to be consistent with all other vaccine types. Liability transfer to organization.

## First Responder Classification

Currently the law only includes animal control officers that are part of a police or sheriff agency. Requesting change to include all municipal animal control employees that meet the first responder requirements.

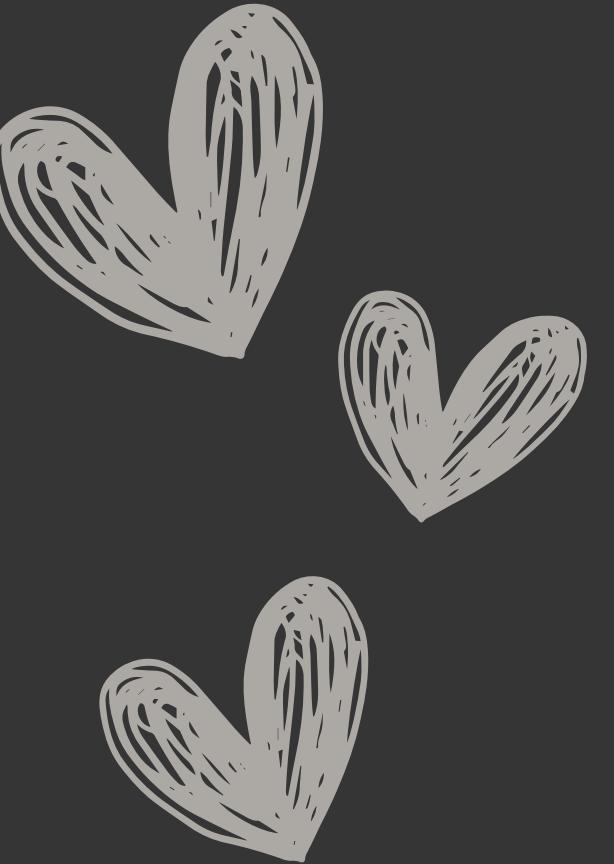


# DIVISION UPDATES

Mobile Unit / Animal Care Campus  
Emergency Response Updates  
Adoption Team Success  
Paws for Health Event

We've been working on something special!  
Every adopter will soon receive a custom keychain celebrating the life they  
saved – complete with their pet's life number as part of our no-kill policy.  
A small token of a big impact. ❤

<https://www.facebook.com/share/v15T4LPjvQC/?mibextid=wwXIfr>





# Should Granite School District Split?

As part of the ongoing [Elementary Boundary and Closure Study](#), Granite School District has received questions about how a district split would impact Granite School District. The District does not take an official position on the idea of a split, nor does the district have the authority to initiate a split. However, data from recent splits in the state of Utah present concerns that warrant consideration.

## Lessons Learned From Other District Splits

- Similar to the Jordan/Canyons split, both smaller districts would need to drastically raise taxes in order to maintain the same level of services.
  - News media reported that [taxes were increased by 20 percent in Jordan and 16.75 percent in Canyons following the 2008 split](#). (Deseret News, 2014)
- If Granite were to split, both smaller districts would still face issues with declining enrollment and high home prices. Housing costs would increase as property taxes would need to be increased. Both districts will still be faced with closure decisions.
- Overall administrative costs would increase across both new districts.
  - News media reported that [administrative costs per student increased from \\$540 before the split to \\$795 in Canyons and \\$575 in Jordan](#). (Deseret News, 2014)

## Equalization

During the last split, ALL Salt Lake County taxpayers were required to subsidize the inequities in funding. Our taxpayers funded the last split. Granite School District participated with other districts in a [Capital Equalization Program](#) (Deseret News, 2008) from 2009 to 2016 at a total estimated net cost to the District of \$5 million. This was money that the State Legislature obligated [Granite to contribute to help](#) (Deseret News, 2009) facilitate the Jordan/Canyons split. The Legislature could once again require additional dollars from a splitting district to pay for any inequities in the remaining district.



# School and District Size: A Report to the Legislative Education Interim Committee.

[Click here to review, “School and District Size: A Report to the Legislative Education Interim Committee.”](#) Among other key findings, this report to the Utah Legislature finds that:

- “One time cost of splitting a district could range from \$3,500,000 to \$45,000,000.” Those estimates are from the year 2000 – the costs would reasonably be far greater now.
  - As reported by the news media, the [Canyons/Jordan split cost \\$59 million](#). (Fox13, 2014)
- “...as the number of students in a district goes up, the costs of educating each student comes down.”
- “Unknown but predictable added costs would be **very substantial**.”

## Reduced Offerings and Higher Costs

- If Granite were to split, both smaller districts would not have the economies of scale in terms of students and funding to have access to Granite Technical Institute, some CTE programming, and other offerings of a larger district.
- If Granite were to split, both smaller districts would lose the current self-funded insurance plan and would likely need to use a more expensive private provider. Employees would no longer have access to the best benefits package in the state.
  - For example, a smaller district in Utah recently had an 18% spike in premiums, while Granite’s self-funded insurance only went up 0.3%.

## Stay Informed

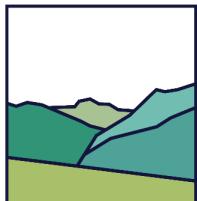
We encourage all district patrons to stay informed about the processes and methodologies that go into managing Granite School District. Here are some helpful links to our [budget](#) and [boundary studies](#) web pages, where you can find data and studies related to district funding, enrollment trends, etc.

2025

# Fee Schedule for Emigration Canyon

adopted May 27, 2025,

effective date July 1, 2025



EMIGRATION  
CANYON

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Emigration Canyon contracts with the Greater Salt Lake Municipal Services District ("MSD") to provide planning and zoning, building permit, business license, and code enforcement services. The MSD provides these services on behalf of and under the direction of the Emigration Canyon Metro Township.

NOTE: Fees and Fines will be applied as approved and set forth in this schedule. The Director of Engineering, Chief Building Official or Director of Planning and Development may on occasion adjust fees/fines in unique circumstances up to \$1,500 per application. The MSD's General Manager may do the same up to \$5,000. These adjustments must be documented and reported on if requested. Adjustments over \$5,000 require approval of the governing body of the jurisdiction to which the application pertains.

## Address Fees

Fee Type	Description	Amount
Assignment of Address	Provide address information on recorded subdivision plat and/or individual parcel/building addresses. Ensure assignments meet addressing standards and are suitable for mail delivery, public safety, utility services and general delivery of services.	\$100.00 base fee plus \$40.00 per lot <sup>a</sup> ; for multi-family units, \$40.00 for the first 8 units in addition to base fee and \$5 per unit for each unit over 8 units
Street Name Change	Confirm that petition includes the required signatures. Document street name change and address change for each property along street by filing an affidavit with the Salt Lake County Recorder's Office. Notify the property owner, Public Safety dispatch and the Salt Lake County Treasurer of the address/street name change.	\$250.00 base fee plus \$50.00 per lot

<sup>a</sup> The per lot fee does not apply to Accessory Dwelling Units (ADU).

## Business License Fees

### General Business Licenses

Fee Type	Description	Amount
General Business License – Commercial Business	For commercial business locations. Includes inspections and verification of zoning compliance.	\$150.00
General Business License – Home-Based Business (simple)	For home-based businesses <u>without</u> on-site visitors and customers.	No Fee
General Business License – Home-Based Business	For home-based businesses with on-site visitors and customers. Includes inspections and verification of zoning compliance.	\$150.00
Per-employee Fee	Includes verification of EIN documentation.	\$6.00
Seasonal Business License	For business operations of up to ___ days per year. Includes inspections and verification of zoning compliance.	\$120.00
Solicitor ID	Includes photograph of applicant and issuance of ID card.	\$65.00
Accessory Dwelling Unit (ADU) License		\$50.00
Administrative Citation	Issued for operating a business without a license or with an expired license.	\$300.00
Business License Appeal	To either Council or Hearing Examiner	\$1,000.00

Notes regarding business license fees:

1. Withdrawn applications are subject to a charge of 25% of the fee amount.
2. Licenses must be renewed prior to the expiration date.
  - o Licenses renewed within 30 days of expiring will not be charged a penalty.
  - o Licenses renewed 31-60 days of expiring will be charged a penalty of 25% of the general license fee.
  - o Licenses renewed more than 60 days of expiring will be charged a penalty of 100% of the general license fee.
3. For appeals, if the appeal is found in favor of the appellant then the fee shall be refunded less a \$100.00 administrative fee.

### **Short-term Rental Licenses**

Fee Type	Description	Amount
Umbrella Short-term Rental License Fee – main license	Primary license for short-term rental management companies with multiple rental units/locations.	\$500.00
Umbrella Short-term Rental License Fee – per unit	Includes inspections and verification of zoning compliance.	\$50.00
Short-term Rental License Fee – homeowner	Short-term rental license for homeowners renting their primary residence. Includes verification of zoning compliance.	\$500.00

### **Alcohol-Related Licenses**

Fee Type	Description	Amount
Off-Premise Beer Retailer		\$250.00
Recreational On-Premise Beer Retailer		\$350.00
Restaurant Liquor		\$500.00
Limited Restaurant Liquor		\$500.00
Beer-Only Restaurant		\$350.00
On-Premise Beer Tavern		\$350.00
Resort		\$500.00
Club Liquor		\$600.00
Banquet & Catering		\$500.00
Single Event		\$150.00
Wholesale Beer		\$300.00
Manufacturing		\$350.00

Alcohol-related business license applications are referred to local communities for consent and approval.

### **Sexually-oriented Business Licenses**

Fee Type	Description	Amount
Sexually Oriented Business - Outcall Services	Includes inspections and verification of zoning compliance.	\$500.00
Sexually Oriented Business - excluding Outcall Services	Includes inspections and verification of zoning compliance.	\$300.00

## Building Permit Fees

Building permits include necessary inspections. If additional inspections are required, applicants will be charged the reinspection fee for each additional visit. Most building permits will require a plan check fee in addition to the building permit fee. Plan check fees are listed separately.

Building permits and mechanical, plumbing & electrical permits will be charged a state surcharge equal to 1% of the permit fee.

Fee Type	Description	Amount
Building Permit – Minimum Fee	<a href="#">For permit only, does not include plan review fees if applicable.</a>	\$70.00
Building Permit - new construction	See below for valuation schedules	Varies <sup>a</sup>
Building Permit - addition or remodel	See below for valuation schedules	Varies <sup>a</sup>
Mobile Home Setup Permit		\$200.00
Mechanical, Plumbing & Electrical Permit	Includes on-site inspection of one system. Additional appliances and fixtures after the first will be charged the per-unit fee listed below.	\$70.00
Fee per additional appliance or fixture	Applies to each additional appliance, fixture, etc. inspected by inspector already on site.	\$20.00
Grading Permit		Varies <sup>b</sup>
Retaining Wall Permit		Varies <sup>c</sup>
Demolition Permit		Varies <sup>d</sup>
Window & Door Replacement – residential	Applies when no other work is being done.	\$70.00
Window & Door Replacement – commercial	Applies when no other work is being done.	Varies <sup>d</sup>
<b>Reroofing Permit Fees</b>		
Reroofing – residential roof with sheathing	Includes inspection of sheathing or decking.	\$125.00
Reroofing – residential roof without sheathing	Shingles only; no decking or sheathing.	\$75.00
Reroofing – small commercial	Commercial roof project under \$10,000 valuation.	\$150.00
Reroofing – medium commercial	Commercial roof project between \$10,000 and \$49,999 valuation.	\$175.00
Reroofing – large commercial	Commercial roof project \$50,000 valuation or higher.	\$250.00
<b>Solar Power System Permit Fees</b>		
Residential/Small Commercial Solar Permit – base fee	Applies to residential and commercial installations up to 20 kW. Does not include fees for required plan check.	\$100.00
Residential/Small Commercial Solar Permit – fee per kW	Additional fee based on size of installation. Does not include fees for required plan check.	\$30.00 per kW
Commercial Solar over 20 kW	Applies to larger commercial installations over 20 kW.	Varies <sup>e</sup>
Battery Storage System	Assumes that inspector is already on site for inspection of installation.	\$2.00 per battery
<b>Additional Inspection Fees</b>		
Reinspection		\$50.00
Pre-inspection	Inspections after a fire or disaster to determine extent of damage and permits needed for repairs.	\$70.00
Multi-unit Inspection		\$100.00

Overtime/After-hours Inspection		\$120.00 (Per hour)
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Administrative Fees		
Cancellation of building permit	Applies when permit is cancelled before work commences.	25% of permit fee (\$200 maximum)
Reinstatement Fee – general	Applies when permit has been expired for more than 30 business days.	50% of permit fee
Reinstatement Fee – final inspection	Applies when only final inspection is required, and permit has been expired for more than 30 business days.	50% of permit fee (\$200 maximum)
Building or grading without a permit	Base fee equal to 200% of building permit fee, plus daily fees commencing 10 business days after notice of violation. Example, if the permit fee would have been \$100, then building or grading without a permit would result in a \$200 permit fee.	200% of permit fee, plus 1% of permit fee per day (\$50 max per day)

<sup>a</sup> Permit fees for new construction, additions and remodels are based on calculated square footage and the current ICC valuation tables (see below). When square footage determinations not practical or possible, permit fees will be based on applicant's declared valuation as reasonably determined by Director or Designee.

<sup>b</sup> Permit fees for grading are based on the number of cubic yards of earth cut or filled.

<sup>c</sup> Permit fees for retaining walls are based on the size of the project in lineal feet.

<sup>d</sup> Permit fees for demolition and window/door replacement are based on declared valuation.

<sup>e</sup> Permit fees for large solar installations are based on applicant's declared valuation as reasonably determined by Director or designee.

## Construction Valuation Tables

The valuations below are used to determine construction valuations for building permit fee calculations. The valuations will be updated automatically as new standards are published by ICC, which is usually twice per year.

Square Foot Construction Costs <sup>a, b, c</sup>

Group (2024 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	337.41	325.40	315.80	303.35	283.46	275.24	292.98	264.14	254.04
A-1 Assembly, theaters, without stage	309.77	297.76	288.16	275.71	256.07	247.85	265.35	236.75	226.65
A-2 Assembly, nightclubs	269.42	261.52	253.31	243.65	228.21	222.01	235.29	207.53	199.66
A-2 Assembly, restaurants, bars, banquet halls	268.42	260.52	251.31	242.65	226.21	221.01	234.29	205.53	198.66
A-3 Assembly, churches	314.40	302.40	292.80	280.35	260.82	252.61	269.98	241.51	231.40
A-3 Assembly, general, community halls, libraries, museums	264.03	252.03	241.42	229.98	209.33	202.12	219.61	190.01	180.91
A-4 Assembly, arenas	308.77	296.76	286.16	274.71	254.07	246.85	264.35	234.75	225.65
B Business	298.43	287.83	277.50	265.76	242.70	234.06	255.55	216.90	206.96
E Educational	282.06	272.26	263.65	252.74	235.87	223.82	244.04	206.65	200.02
F-1 Factory and industrial, moderate hazard	164.17	156.25	146.41	140.89	125.45	119.36	134.33	104.02	96.87
F-2 Factory and industrial, low hazard	163.17	155.25	146.41	139.89	125.45	118.36	133.33	104.02	95.87
H-1 High Hazard, explosives	153.17	145.25	136.41	129.89	115.76	108.67	123.33	94.33	N.P.
H234 High Hazard	153.17	145.25	136.41	129.89	115.76	108.67	123.33	94.33	86.17
H-5 HPM	298.43	287.83	277.50	265.76	242.70	234.06	255.55	216.90	206.96
I-1 Institutional, supervised environment	274.98	265.13	255.66	246.00	225.17	219.12	245.49	202.80	195.56
I-2 Institutional, hospitals	469.18	458.58	448.25	436.51	411.45	N.P.	426.30	385.65	N.P.
I-2 Institutional, nursing homes	323.68	313.08	302.75	291.01	269.45	N.P.	280.80	243.65	N.P.
I-3 Institutional, restrained	314.93	304.33	294.00	282.26	261.70	252.06	272.05	255.55	223.96
I-4 Institutional, day care facilities	274.98	265.13	255.66	246.00	225.17	219.12	245.49	202.80	195.56
M Mercantile	201.08	193.18	183.97	175.31	159.52	154.32	166.95	138.84	131.97
R-1 Residential, hotels	278.14	268.29	258.82	249.16	227.83	221.78	248.64	205.46	198.22
R-2 Residential, multiple family	232.26	222.41	212.94	203.28	183.19	177.15	202.77	160.82	153.58
R-3 Residential, one- and two-family <sup>d</sup>	215.90	210.16	205.11	200.73	194.02	187.11	204.78	180.41	169.09
R-4 Residential, care/assisted living facilities	274.98	265.13	255.66	246.00	225.17	219.12	245.49	202.80	195.56
S-1 Storage, moderate hazard	152.17	144.25	134.41	128.89	113.76	107.67	122.33	92.33	85.17
S-2 Storage, low hazard	151.17	143.25	134.41	127.89	113.76	106.67	121.33	92.33	84.17
U Utility, miscellaneous	117.65	110.72	103.00	98.58	87.79	82.02	93.83	69.49	66.20

a. Private Garages use Utility, miscellaneous

b. For shell only buildings deduct 20 percent

c. N.P. = not permitted

d. Unfinished basements (Group R-3) = \$31.50 per sq. ft.

### **Supplemental Construction Valuation Tables**

The supplemental valuations below may be updated annually as part of the annual fee approval process.

Construction Type	Unit	Valuation
Basements – Unfinished	Square Foot	As provided in the ICC valuation table footnote above
Basements – Finished	Square Foot	\$41.00
Decks (any type)	Square Foot	\$22.00
Carport/Covered Patio	Square Foot	\$22.00
Roof Conversions	Square Foot	\$22.00
Fence (any type)	Lineal Foot	\$20.00
Retaining Wall (any type)	Lineal Foot	\$59.00
Exterior Finish	Square Foot	\$5.00
Fire Sprinklers	Square Foot	\$6.00
Remodel/Alteration	Square Foot	\$39.00
Basement TI	Square Foot	\$28.00
Grading	Cubic Yard Cut and Fill	Equation
Tenant Improvements	Calculated	35% of the valuation for new construction
Shell Only	Calculated	80% of the valuation for new construction

### **Building and Inspection Fee Calculation**

Building permit fees based on valuation are calculated based on the calculations below.

Construction Valuation	Fee
Less than and including \$2,000	\$70.00
\$2,001 to \$25,000	\$76.50 for the first \$2,000 plus \$16.50 for each additional \$1,000 or fraction thereof, to and including \$25,000. Example: Valuation of \$3,400 would be \$76.50 plus \$33.00 (\$16.50 x 2), or \$109.50.
\$25,001 to \$50,000	\$456.00 for the first \$25,000 plus \$12.00 for each additional \$1,000 or fraction thereof, to and including \$50,000.
\$50,001 to \$100,000	\$765.00 for the first \$50,000 plus \$8.50 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001 to \$500,000	\$1,181.00 for the first \$100,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$500,000.
\$500,001 to \$1,000,000	\$3,781.00 for the first \$500,000 plus \$5.50 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.
Over \$1,000,001	\$6,531.00 for the first \$1,000,000 plus \$4.50 for each additional \$1,000 or fraction thereof.

### Plan Check Fees

Plan checks for building permits include up to 4 reviews. Additional reviews will be charged the hourly fee listed below.

Fee Type	Description	Amount
Plan Check Fee – residential construction	<a href="#">Applies to any non-FCOZ parcel.</a>	40% of building permit fee
Plan Check Fee – commercial construction		65% of building permit fee
Plan Check Fee – smaller projects		\$100.00
Plan Check Fee – FCOZ projects	Applies to any parcel within a Foothills & Canyons Overlay Zone.	65% of building permit fee
Land Use Review Fee		\$110.00
Card File Plan Check Fee – single-family or duplex	Includes accessory structures.	\$175.00
Card File Plan Check Fee – multi-family residential		\$350.00
Plan Check Fee – hourly		\$80.00 per hour

### Stormwater Review & Stormwater Pollution Prevention Plans (SWPPP)

#### Stormwater Review & Inspection Fees

Fee Type	Description	Amount
Stormwater Review – base fee	Base fee per project.	\$200.00
Stormwater Review – per-acre fee	Additional fee per acre after the first acre; applies when SWPPP required.	\$30.00
Floodplain Development Permit	Permit is required for any development within a mapped floodplain as required by FEMA.	\$75.00
SWPPP Oversite Inspection – per month	Sites with an NOI are inspected on a monthly basis until project is complete and applicant applies for an NOT	\$60.00

#### SWPPP Control Measures

All penalties and fines may be doubled for a second or third offense. Violations may be referred to the jurisdiction's legal counsel for further action.

Penalty Type	Description	Amount
Working without an approved stormwater permit	Per occurrence and then for each business day beginning the day after the day on which fine was issued	\$500.00
Tracking mud on road	Per occurrence and then for each business day beginning the day after the day on which fine was issued	\$300.00
Failure to clean up or report spills	Per occurrence and then for each business day beginning the day after the day on which fine was issued	\$250.00

Failure to conduct stormwater inspections	Per occurrence and then for each business day beginning the day after the day on which fine was issued	\$100.00
Failure to use general best management practices as determined by the authority	Per site, per occurrence and then for each business day beginning the day after the day on which fine was issued	\$250.00

#### **SWPPP Illicit Discharge Fines**

The table below lists illicit discharges common to construction and maintenance activities. It is a violation to discharge pollutants. The presence of BMPs does not excuse an illicit discharge.

Penalty Type	Description	Amount
Sediment	Per day per violation.	\$1,000.00
Cementitious Material	Per day per violation.	\$500.00
Paints and Solvents	Per day per violation.	\$500.00
Solid Waste	Per day per violation.	\$500.00
Sanitary Waste	Per day per violation.	\$2,000.00
Fuels	Per day per violation.	\$1,000.00
Fertilizers	Per day per violation.	\$500.00
Organics	Per day per violation.	\$250.00
Cleansers	Per day per violation.	\$500.00
Hazardous materials	Any illicit discharge may be assigned to this category depending on the impact. Per day per violation.	\$5,000.00

#### **Land Use Fees**

##### **Permitted and Conditional Uses**

Fee Type	Description	Amount
Building permit site plan	Over-the-counter staff review. Permitted uses not requiring separate land use permit.	\$110.00
Change of Use Permit	Over-the-counter staff review. Includes tenant changes and uses subordinate to an existing Conditional Use Permit.	\$110.00
Sign Permit	Over-the-counter staff review.	\$110.00
Business license review	Over-the-counter staff review.	\$110.00
Accessory Dwelling Unit	Includes limited agency review	\$175.00
Site Plan Review (less than 3 acres)	Includes agency review meeting and technical review.	\$990.00
Site Plan Review (3 acres or more)	Includes agency review meeting, technical review and Planning Commission meeting.	\$1,640.00
Minor Site Plan Amendments	Limited agency review	\$175.00
Residential Development (FCOZ)	Includes agency review meeting and technical review.	\$990.00
Foothills/Canyons	Includes agency review meeting and technical review.	\$990.00

Simple Conditional Use Permit	Home daycare/pre-school, mobile store, condominium conversion, similar uses requiring limited staff review.	\$175.00
Other Conditional Use Permits	Commercial uses, residential uses, or signs needing conditional use approval. Includes agency review, technical review and Planning Commission meeting.	\$1,640.00

#### **Subdivision and Land Development Permits**

Fee Type	Description	Amount
Minor Subdivision (<5 lots)	Includes agency review meeting and technical review.	\$990.00
Major Subdivision (Single Phase)	Includes agency review meeting, technical review and Planning Commission meeting.	\$1,640.00
Major Subdivision with Multiple Phases (Includes Preliminary Plat and First Phase Final Plat)	Includes agency review meeting, technical review and Planning Commission Meeting	\$1,640.00
Final Plat Approval for Phases Two and Beyond	Includes Technical Review	\$535.00
Planned Unit Development (Preliminary approval and First Phase Final Approval/Plat)	Includes agency review meeting, technical review and Planning Commission meeting.	\$1,640.00
Final Planned Unit Development Approval for Phases Two and Beyond	Includes Technical Review	\$535.00
Subdivision amendments	Includes agency review meeting and technical review. In some cases, a Planning Commission and/or Mayors meeting is required. These fees will be added as needed based on the applicable fees in this fee schedule.	\$990.00
Simple Boundary Adjustment	Includes limited staff review.	\$100.00
Full Boundary Adjustments	Includes limited staff review. Applicable when amended plat not necessary.	\$175.00
Extension of Time	Includes review by Director.	\$275.00

#### **Ordinance Adjustments**

Fee Type	Description	Amount
Text Change	Includes Planning Commission meeting and Council meeting.	\$765.00
Zoning Map Change – minor	Changes less than 3 acres. Includes limited staff review, Planning Commission meeting and Council meeting.	\$940.00
Zoning Map Change – small	Changes 3 up to 10 acres. Includes agency review meeting, staff review, Planning Commission meeting and Council meeting.	\$1,755.00
Zoning Map Change – medium	Changes over 10 up to 50 acres. Includes agency review meeting, staff review, Planning Commission meeting, Council meeting, and General Plan fees.	\$1,755.00 plus \$200 per acre
Zoning Map Change – large	Changes over 50 up to 100 acres. Includes agency review meeting, staff review, Planning Commission meeting, Council meeting, and General Plan fees.	\$1,755.00 plus \$300 per acre
Zoning Map Change – Major	Changes over 100 acres.	To be determined by agreement between agency and applicant prior to acceptance of the application.

## Other Land Use Applications

Fee Type	Description	Amount
Land Use Hearing Officer	Needed for appeal of decisions, variances, nonconforming use expansions, takings relief petition, etc.	\$1,000.00 <sup>a</sup>
Land Use Hearing Officer	Double fee if construction has started.	\$2,000.00
Administrative Determination	Requires Director review.	\$275.00
Special Exception to have Use violation declared legal	Planning Commission meeting.	\$650.00
Zoning Verification Letter	Base fee plus costs for research time.	\$25.00 base fee plus \$25.00 per hour
General Plan Amendment	Includes limited staff review, Planning Commission meeting, Council meeting, and General Plan fees.	\$2,440.00
Agency Review Meeting at applicants' request	Agency Review meeting that includes outside agencies.	\$455.00
Other applications requiring preliminary and/or technical review.	Up to 4 total review sessions. Additional charge if 4 total sessions exceeded for any application type.	\$535.00
Other applications requiring Planning Commission meeting	Planning Commission meeting.	\$650.00
Other applications requiring Council or Mayor's meeting	Council or Mayor's meeting.	\$115.00

<sup>a</sup> For appeals, if the Land Use Hearing Officer finds in favor of the appellant then the fee shall be refunded less a \$100.00 administration fee.

## Code Enforcement Fees

Fee Type	Description	Amount
Administrative Citation	All minor violations unless specified otherwise.	\$100.00 per violation
Civil Penalty	Violations of zoning regulations.	As provided in Section 19.94.070
Civil Penalties	All violations of the code other than zoning violations and as otherwise prescribed in the code.	
	Violation per day for first 30 days.	\$100.00 per violation per day
	Violation per day for days 31-60.	\$150.00 per violation per day
	Violation per day over 60 days.	\$200.00 per violation per day
Clean-up Fees	Administrative fee plus costs billed from Public Works or other contracted firm.	\$100.00 plus actual costs
<b>Short-Term Rental Violations</b>		
Operating short-term rental without a business license		\$650.00 per infraction per day
Operating short-term rental for less than two nights for each stay		\$650.00 per infraction per day

Holding special event at short-term rental – first violation		\$650.00 per infraction per day
Holding special event at short-term rental – subsequent violations		\$1,300,000.00 per infraction per day
Other short-term rental violations	Violations not covered in the above categories.	\$100.00 per infraction per day

**Commented [CP1]:** Maximum civil penalty is limited to fine for class B misdemeanor amount. See UCA 10-3-703; 76-3-301.

### Civil Penalties for Violation of Zoning Regulations

Violation of the provisions of Title 19 of the Magna Metro Township Municipal Code shall result in civil penalties pursuant to the following schedule:

#### CIVIL PENALTIES FOR VIOLATION OF ZONING REGULATIONS

WARNING PERIOD: 28 DAYS FOR ALL VIOLATIONS.

### Bond Administration Fees

Fee Type	Description	Amount
Bond Processing Fee	Must be paid prior to acceptance of bond.	\$100.00
Bond Forfeiture	Will be called if improvements are not complete by expiration date.	Varies <sup>a</sup>
Deferred Curb and Gutter		Varies <sup>b</sup>
Bond Reinspection	Inspections required for partial bond release or if applicant fails bond inspections twice.	\$100.00
Overtime/After-hours Inspection		\$120.00 (Per hour)

<sup>a</sup> Based on bond amount.

<sup>b</sup> Based on project size.

### Miscellaneous Service Fees

Fee Type	Description	Amount
Development Agreements		Varies a
Hourly Rate	Per hour fees for staff time not covered under specific fee types.	\$80.00 per hour
GRAMA	Time spent on research and compiling.	Actual cost b
Material Costs	Copies, maps, CDs, USB drives, etc.	Actual cost b
Research	Research related to administrative decisions, zoning compliance letters, or determination of legal status of a lot or parcel.	\$25.00 base fee plus \$25.00 per hour
Health Department Review	Activities performed by the Salt Lake County Health Department.	County fee c
Postage	For noticing mailings, postage is charged per meeting.	Actual cost b
Newspaper Notices	Notices of meetings before Councils.	Actual cost b
Candidate Filing Fee	Fee for Declaration of Candidacy in a Municipal Election	\$50.00

<sup>a</sup> Development agreements will be determined between local government agency and Applicant prior to acceptance of the application.

<sup>b</sup> Customer will be charged actual costs of materials per MSD Records and Access and Management Policy.

<sup>c</sup> Health Department fees will be charged as provided in the Salt Lake County Fee Schedule.

## Engineering Fees

The fees below are collected by the MSD on behalf of the Engineering Division.

<b>Right-of-way Improvement Review &amp; Inspection Fees</b>		<b>Amount</b>
Replacement of existing improvements	Replacement of existing curb & gutter, sidewalk, and drive approach improvements in the same configuration.	No charge
Changes to improvements (existing curb & gutter)	Changes to sidewalks and drive approaches where curb & gutter are already present. Includes review and inspection by County. Design and staking by applicant.	\$20.00 base fee plus \$1.00 per linear foot
Changes to improvements (no existing curb & gutter or sidewalk)	Addition of curb & gutter, sidewalks, and/or drive approaches where no curb & gutter or sidewalk are present. Includes review and inspection by County. Design and staking by applicant.	\$150.00 base fee plus \$1.00 per linear foot
Changes to sidewalk (no existing curb & gutter or sidewalk)	Addition of sidewalk only. Includes review and inspection by County. Design and staking by applicant.	\$100.00 base fee plus \$1.00 per linear foot
Changes to drive approach (no existing curb & gutter or sidewalk)	Addition of drive approaches only. Includes review and inspection by County. Design and staking by applicant.	\$100.00 base fee plus \$0.50 per linear foot
<b>Engineering Plan Check Fees</b>		<b>Amount</b>
For Subdivision Development	Engineering check fee, final subdivision fee and plat filing for subdivisions	Calculated <sup>a</sup>
Amended Subdivision Plat		\$400.00
Non-Subdivision Development		\$150 upon submittal then Calculated <sup>b</sup>
<b>Other Fees</b>		<b>Amount</b>
Road Dedication (non-subdivision development)	Where required for street widening and improvements.	\$150.00
Street Sign	Includes sign and installation by MSD or contracted service provider	\$200.00
<b>Geology/Natural Hazard Review Fees</b>		<b>Amount</b>
Initial Site Assessment	Determination of whether project falls within boundaries of any mapped hazards.	\$200.00
Review of Technical Report	Coordination and review of third-party technical report.	Actual cost of third-party review plus \$300.00 agency review
<b>Traffic Impact Review Fees</b>		<b>Amount</b>
Initial Site Assessment	Determination of whether project meets TIS threshold.	\$200.00
Review of Technical Report	Coordination and review of third-party technical report.	Actual cost of third-party review plus \$100 agency review

<sup>a</sup> Prior to review, 35% of 6% of improvement estimate, default of \$90 per lot, minimum of \$10 or the appropriate calculation. Prior to recording or construction, 100% of 6% of improvement estimate minus fee already paid.

<sup>b</sup> Prior to approval or construction, 4.5% of total improvement estimate for off-site, and on-site storm drainage minus \$150 fee already paid.

## **Public Works – Engineering Special Events**

Special Events within the following areas require the submittal of an application: Town of Brighton, Emigration Canyon, Kearns, Magna, Unincorporated Salt Lake County, and White City.

Insurance certificates, maps, and fees will need to be submitted to the Permit Specialist before your request can be fully processed. See fee schedule below.

<b>Special Event Permit Fees</b>	
<b># of Participants</b>	<b>Fee per day</b>
0 to 100	\$50.00
100 to 200	\$100.00
200 to 400	\$200.00
400 to 600	\$500.00
Over 600	\$1,000.00
Filming Fees	\$200.00

- \$50 fee for Big Cottonwood Canyon and any Unincorporated Salt Lake County areas.
- Special events or Filming held on any state roadway(s) may also require an additional permit from Utah Department of Transportation.
- Special events or Filming held in any canyon may also require an additional permit from United States Department of Agriculture, Forest Service Division.
- Sponsors of block parties will also be required to submit paperwork with the signatures of affected neighbors' concurrence of the road closure. This paperwork should reflect the addresses of each resident, as well as their signature indicating agreement for the road closure. Barricades and security are the responsibility of the applicant.

## **Glossary of Terms**

**Condominium Plat:** The procedure to review and record a condominium plat is subject to the Condominium Ownership Act (57.8- Utah Code). Staff review includes addressing all units, a review to verify compliance with the zoning ordinance and conditions of approval previously imposed and an engineering review to verify compliance with platting requirements.

**Director:** The Director of Planning and Development or designee.

**General Plan Amendment:** Planning Commissions make a recommendation to the Council who must authorize Amendments to a General Plan. A study that includes public involvement is conducted after Council gives the direction to proceed to the Development Services Director.

**Home Daycare / Pre-school Application Fees:** Although a home daycare or pre-school may be operated out of a private residence, it is not considered or reviewed in the same manner as a home business. Therefore, they are listed separately in the fee schedule and in the ordinance.

**Modification to a Recorded Subdivision Plat:** Utah Code requires a specific process be followed to amend, vacate or alter a recorded subdivision plat. This involves application, notice, a public hearing before the planning commission and executive (commonly referred to as a 608 hearing/ Mayor's Meeting). Additionally, an engineering review of the preliminary and final plat prior to approval and recording is required. Fees may include Planning Commission Review, Additional Public Body Review, Technical Review.

**MSD:** Means the Greater Salt Lake Municipal Services District, which the Town of \_\_\_\_\_ has contracted with to provide planning and zoning, building permit, business license, and code enforcement services

**PUD (Planned Unit Development):** In those zones which allow development of a PUD they are listed as a Conditional Use, which requires review by the Planning Commission. For developers who intend to sell individual lots within the PUD both the Planning Commission Review, Conditional Use and a Subdivision Preliminary Plat review would be required , and a Technical Review prior to final approval is also required. Per the fee schedule each of these reviews requires separate fee.

Additionally, because more than one review process is required the application would also involve an Agency Review Meeting. Fees may include: Agency Coordination Meeting, Planning Commission Review (Conditional Use), Planning Commission Review (Preliminary Plat), Technical Review.

The conditional use approval (Planning Commission approval) is required prior to preparation of the subdivision preliminary plat to ensure that the recommendations of the Planning Commission are properly incorporated into the preliminary plat.

**Re-Zone (Zoning Map Amendment):** A request to change the existing zoning (re-zone) requires: review and recommendation from the planning commission (Public Body Review) and final decision by the council (Additional Public Body Review)and technical work (Technical Review) for map and index work.

**Signs:** Signs vary in the type and complexity of review process required therefore they are listed under several review types. It is intended that the fees are assessed per review process and not per sign. For example, a business that had 2 signs requiring Planning Commission review would be charged for 1 Planning Commission review. However, a business which had 1 sign which required Planning Commission review and another sign which did not would be charged for 1 Planning Commission review and 1 staff review.

**Subdivision:** A request to subdivide property requires review and approval of a preliminary plat, and a Technical Review of the Final Plat. Additionally, an Agency Review Meeting is required. Note that in the case of a "one-lot" subdivision there might also be an Administrative Review for the proposed Single-Family Dwelling. Fees may include: Agency Coordination Meeting, Planning Commission Meeting, Technical Review, Staff Review of a Site Plan.

**Valuation:** The estimated construction cost for a project.

## EMIGRATION CANYON

ORDINANCE NO. 2025-O-08

DATE: August 26, 2025

### AN ORDINANCE REPEALING AND REPLACING TITLE 14 CHAPTER 56 “SPECIAL EVENTS” REGULATING EVENTS WITHIN EMIGRATION CANYON

WHEREAS, Utah Code §10-8-84, grants municipalities authority “to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city.”

WHEREAS, Emigration Canyon attracts events and activities from individuals and businesses that affect transportation to and within the municipality, and create negative impacts to residents and businesses such as traffic congestion and road closures, parking problems, noise, etc.

WHEREAS, Emigration Canyon Council (“Council”) finds that amendments to regulating special events will better provide for the safety and enjoyment of visitors, residents, businesses and property owners.

NOW, THEREFORE, BE IT ORDAINED BY THE EMIGRATION CANYON COUNCIL AS FOLLOWS:

SECTION I: Title 14, Chapter 56, is hereby repealed and replaced as set forth in Attachment A.

Section II: Effective Date. This Ordinance shall be effective upon publication.

[Execution on following page]

ADOPTED AND APPROVED at a duly called meeting of the Emigration Canyon Council on this 26<sup>th</sup> day of August 2025.

EMIGRATION CANYON COUNCIL

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By: Joe Smolka, Mayor

ATTEST:

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Diana Baun, City Recorder

Voting:

Mayor Smolka	voting _____
Council Member Hawkes	voting _____
Council Member Brems	voting _____
Council Member Pinon	voting _____
Council Member Harris	voting _____

*(Complete as Applicable)*

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: \_\_\_\_\_

Effective date of ordinance: \_\_\_\_\_

## **Chapter 14.56 SPECIAL EVENTS**

- [14.56.010 Purpose](#)
- [14.56.020 Application of Provisions](#)
- [14.56.030 Definitions](#)
- [14.56.040 Permit Required](#)
- [14.56.050 Exemptions from Permit Requirement](#)
- [14.56.060 Permits Information](#)
- [14.56.070 Permit - Application Procedures](#)
- [14.56.080 Permit - Application Processing](#)
- [14.56.090 Permit - Fees](#)
- [14.56.100 Permit - Approval and Denial](#)
- [14.56.110 Protest Zones](#)
- [14.56.120 Permit - Liability Insurance and Indemnification](#)
- [14.56.130 Appeal Procedures](#)
- [14.56.140 Violation - Penalty](#)

### **14.56.010 Purpose**

The purpose of this chapter is to establish permit requirements for Special Events that impact the public's right to safely and conveniently use public roads, sidewalks, transportation systems, other municipal property, and the quiet enjoyment of private property within the municipality.

The permit requirements and other regulations in this chapter are designed to balance the public's right to exercise free speech on municipal streets and sidewalks and on municipal property with the public's right to safely and conveniently use municipal streets and sidewalks and other municipal property.

### **14.56.020 Application of Provisions**

This chapter imposes regulatory requirements on certain activities which impact public streets, roadways, sidewalks and municipal property, and which are defined as a "Special Event." The requirements imposed by this chapter do not alter, supersede or nullify any requirements contained in other statutes, ordinances or regulations which may also regulate these same activities. These requirements shall be applied in a content-neutral manner and without discrimination as to age, disability, marital status, race, religion, sex, sexual orientation, national origin, political affiliation or other unlawful discriminatory classification.

### **14.56.030 Definitions**

For the purpose of this chapter, the following words shall have the following meanings:

"Athletic Event" means an organized competitive or recreational event, including all commercial events, in which a group of fifty or more people collectively engages in a sport or form of physical exercise, including but not limited to running, jogging, walking,

bicycling or skating, on any municipal street or sidewalk or upon municipal property.

"Bicycling Event" is included in the definition of an Athletic Event, and means an organized, coordinated, competitive, or recreational event in which a group of 10 or more people travel a public road or highway on, or using, bicycles.

"Block Party" means an outdoor public party put on by residents of a neighborhood that requires closing down streets, sidewalks or municipal property.

"Street" means a public or private road or highway within the municipality.

"Entertainment Event" means an organized event, including all commercial events, involving the preplanned participation of more than fifty people, having as its primary purpose the entertainment, celebration, or amusement of a group of people, including but not limited to parades, carnivals, fairs, concerts, weddings, receptions, block parties; Filming Activities, or neighborhood gatherings.

"Filming Activities" means the staging, shooting, filming, videotaping, photographing, or other similar processes.

"Nonpublic Forum" means municipal property that is not designated or traditionally considered a place for public expression or speech. Examples of non-public forums include municipal offices and employee office space, backstage at a theater, or any other municipal property that is not designated or traditionally used for public expression or speech.

"Political Event" means an organized event involving the preplanned participation of more than fifty people, not including an athletic or Entertainment Event, having as its primary purpose the exercise of expressive activities of a political nature, including but not limited to speechmaking, picketing, protesting, marching, demonstrating or debating public issues, on any public road or highway.

"Protest Zone" means an area set aside on municipal property specifically designated for persons to exercise free speech rights.

"Public Forum" means municipal roads, sidewalks, rights-of-way and municipal property that has by tradition been used by the public for assembly and expression, or municipal property that has not traditionally been open for public assembly and debate but that the municipality has opened for use by the public as a place for assembly and expression.

"Sidewalk" means that area between the curb line and the municipal easement or right of way on either side of a public street and not including a highway located within municipality.

"Special Event" means any Athletic Event, Entertainment Event, Political Event, or other organized event whether held for profit, nonprofit or charitable purposes with more than 50 participants.

"Spontaneous Event" means an event that is occasioned by news or affairs coming into

public knowledge less than forty-eight hours prior to the event and is conducted at a public forum.

#### **14.56.040 Permit Required**

- A. It is unlawful for any person, corporation, partnership, association or other entity, public or private, to organize and hold a Special Event without first obtaining a Special Event permit and paying the fees as required in this chapter.
- B. It is unlawful for any person, corporation, partnership, association or other entity, public or private, to impede access to, or cause the closure of, any street, roadway, or sidewalk in association with a Special Event without first obtaining a Special Event permit and paying the fees as required in this chapter. Liability under this chapter shall only apply to organizers and shall not extend to participants of a non-permitted event, unless the participants knowingly act in violation of this chapter or other state or local law.
- C. All permits issued pursuant to this chapter are nontransferable and expire on the date specified.

#### **14.56.050 Exemptions from Permit Requirement**

This chapter shall not apply to:

- A. Gatherings, demonstrations, or protests of fifty people or less who gather at a public forum to exercise their constitutionally protected rights under the First Amendment of the United States Constitution.
- B. A person, organizer or promoter using a municipal facility for Special Events pursuant to a contract with the municipality. Such contracts shall be in standard form and used in accordance with the regular and normal business purposes of the municipal facility.
- C. Any meeting or event that is subject to the Utah Open Meetings Act.
- D. A spontaneous event held at a public forum. This chapter does apply to an event held at a nonpublic forum. Organizers of spontaneous events are encouraged to give as much advanced notice as reasonably possible to permit the municipality to provide services necessary to promote, protect, and assure the safety and convenience of the people in their use of municipal streets and sidewalks and of municipal property. Nothing in this subsection shall preclude the municipality from enforcing other laws, ordinances, or regulations adopted to provide for the health, safety, and welfare of the municipality and its citizens.
- E. Events are exempt from this chapter only if the event complies with all of the following:
  - 1. The event will not involve more than 50 attendees; and
  - 2. The event does not affect the public's right to safely and conveniently use public roads, sidewalks, transportation systems, and other municipal property; and

3. The event does not violate municipal or health department noise regulations; and
4. The organizer has obtained all other required approvals or permits with law enforcement, emergency medical service, the health department, and any County, State, or Federal agency with a regulatory interest in the event. Event organizers shall provide the municipality with a copy of all such approvals or permits as soon as reasonably possible.

#### **14.56.060 Permits Information**

- A. Municipal staff shall be responsible for coordinating and overseeing the issuance of Special Event permits, with the assistance of the local law enforcement, the health department, the engineering division, and any other municipal agency, division, or department with an interest in a Special Events permit application.
- B. The municipal staff shall prepare and distribute checklists and informational materials for use by the public and others regarding the Special Event permit process. These materials shall be designed to give adequate information regarding Special Event permits, explain the permitting process, list those municipal agencies and offices involved in that process, and explain the circumstances in which each agency has a role in issuing a permit.
- C. The municipal staff shall assist members of the public with information to apply for and receive Special Event permits and shall be able to direct persons to those municipal agencies or employees who have a role in issuing a permit.

#### **14.56.070 Permit - Application Procedures**

- A. All applications for Special Event permits in the municipality shall be made on a Special Event permit application form and shall include the following information:
  1. Type and description of event;
  2. Name of the sponsoring entity, contact person, mailing address, email address and direct telephone numbers for the contact person;
  3. Name of the promoting entity, contact person, address and direct telephone number/s;
  4. If the event requires a street closure or restriction, list the proposed date/s, together with beginning and ending times and road closure times, locations, barricade plan (organizer must provide traffic cones/barricades), traffic detour plan, parking, and route map;
  5. Estimated numbers of event staff, security staff, participants and spectators;
  6. Admission fee, donation, or other consideration to be charged or requested;

7. Signature of applicant; and
8. If the event is a Block Party, the applicant must submit with the application form a traffic detour and parking plan that will accommodate affected residents and emergency access.
9. The organizer must obtain all other required approvals or permits with law enforcement, emergency medical service, the health department, and any County, State, or Federal agency with a regulatory interest in the event. Event organizers shall provide the municipality with a copy of all such approvals or permits as soon as reasonably possible.

B. Special Event permit application forms may be obtained from the municipality.

C. Applicants are required to submit application forms to the Town Clerk or municipal staff at least sixty calendar days before the event is scheduled to take place, in order to allow sufficient time to process the application and to allow timely appeal in the event the application is denied. Applications submitted less than sixty calendar days prior to the scheduled event may be denied unless the applicant demonstrates that compliance with the sixty day deadline was impractical or impossible due to the nature of the event. The municipality shall review applications filed less than sixty days before the event and may approve late applications if:

1. All other requirements have been met,
2. The municipality has the ability to evaluate the application in the time provided by the applicant,
3. The municipality has sufficient time to prepare for the event to ensure the safety and general welfare of participants and municipal citizens, and
4. The application is not for an event (a) requiring restricting a public road; or (b) involving a group of more than fifty people.

D. Special Events that cross through the municipality, or that involve multiple governmental jurisdictions, are subject to formal authorization from all relevant governing bodies. Applicants' approved authorization from all relevant governing bodies must be submitted with, or updated in, the organizer's Special Event Application.

#### **14.56.080 Permit - Application Processing**

A. Upon receipt of a Special Event permit application, the municipality shall circulate copies of the application to the following agencies for the purpose of obtaining their approval or denial of the proposed Special Event:

1. Health Department;
2. Unified Police Department and other relevant law enforcement agencies;
3. Unified Fire Authority and other relevant emergency medical services agencies;

4. Utah Department of Transportation;
5. Utah Transit Authority;
6. United States Forest Service
7. Public works department, engineering division, if the Special Event requires the closure of streets or sidewalks; and
8. Any other municipal, county, or state agency that will provide a service in connection with the Special Event.

B. In reviewing an application, the agencies involved shall consider the following:

1. The impact of the Special Event on the traffic, parking, security, health and safety of the public;
2. A determination by the agency of appropriate and reasonable requirements for the mitigation of traffic, parking, security, health and safety concerns, and an evaluation of the measures proposed by the applicant to satisfy those requirements;
3. Assessment of sound levels generated from the event and its impact on neighboring properties and other municipal occupants;
4. The demonstrated ability of the applicant to comply with the requirements necessary to protect the safety, health and welfare of the public;
5. The location and duration of the Special Event and the municipality's ability to accommodate the event with the necessary resources; and
6. Other previously approved Special Events that could cause scheduling conflicts during the same period and cause overextension of the municipality's resources.

C. The agencies involved in reviewing an application may impose additional requirements or conditions necessary to protect the public interest by ensuring traffic management, parking, security of property, or the health and safety of the public.

#### **14.56.090 Permit - Fees**

- A. Each initial application for a Special Event permit shall be accompanied by a nonrefundable fee, set by the council and listed in the consolidated fee schedule, to defray the administrative costs of processing the application. The Special Event application fee amount is listed in the municipality's fee schedule. The municipality may waive, at its discretion, all or a portion of the fee for events that benefit the municipality and/or residents.
- B. In order to promote, protect and assure the safety and convenience of the people in their use of streets, sidewalks and municipal property, local law enforcement shall coordinate the use of professional peace officers if the Special Event requires traffic control, and an additional fee shall be charged by

the local law enforcement to cover the costs incurred. The local law enforcement shall specify the fee required upon its approval of the Special Event permit application, based upon the number of officers and amount of support equipment required by such factors as: The date and time of the event; the route location and length; the anticipated traffic and weather conditions; the anticipated number of participants and spectators; the nature, composition, format and configuration of the event; and the estimated time for the event. The fee charged for traffic control or additional police protection shall be paid prior to the issuing of the Special Event permit.

- C. Additional fees may be charged by for special services, equipment or facilities. Such additional fees shall be specified at the time the agency approves the Special Event permit application and shall be paid directly to the agency prior to the issuing of the Special Event permit.
- D. All Special Events that involve organized, coordinated, competitive, or recreational events, in which a group of 10 or more people travel a public road or highway, and that will affect the free flow of traffic on public roads or highways, shall have a minimum of two local law enforcement officers to monitor and direct the event participants or traffic. Additional officers will be required based on the number of participants and the proposed activity.
- E. The following Special Events shall be exempt from the fees set forth in this section:
  - 1. Political Events that do not require traffic control;
  - 2. Parades of less than one mile in length and that do not require traffic control;
  - 3. Events sponsored in whole or in part by the municipality;
  - 4. Private non-commercial weddings;
  - 5. Block parties; and
  - 6. Revenue-raising events where the revenue flows to the direct benefit of the municipality.

#### **14.56.100 Permit - Approval And Denial**

- A. A Special Event permit application shall be approved and a permit shall be issued to the applicant by the municipality upon approval by all affected departments and agencies, and compliance with the requirements of this chapter. The municipality shall notify all affected agencies of all Special Event permits issued pursuant to this chapter.
- B. The municipality or other applicable agency may deny a permit application for a Special Event if:
  - 1. The proposed Special Event violates a law, ordinance, policy and procedure, or regulation related to the time, place or manner of the proposed Special Event;

2. The proposed Special Event is not consistent with the intended nature and use of the requested municipal property unless the applicant demonstrates that there is no alternative forum by which the applicant may reach the intended audience with the same intended message.
3. The proposed Special Event is scheduled at a place and time that will disrupt the use of an already approved Special Event permit.
4. The proposed Special Event does not provide for adequate adult supervision for minors scheduled to participate.
5. The proposed location or facility is not adequate to accommodate the proposed Special Event, or the nature of the event is such that the municipality does not have sufficient resources available to ensure the health, safety, and welfare of Special Event participants or the general public.
6. The application for permit contains a material falsehood or misrepresentation.
7. The applicant is legally incompetent to contract, or to sue and be sued.
8. The applicant has an unpaid debt to the municipality or any law enforcement agency or personnel for prior costs incurred during a prior Special Event and the applicant has failed to satisfy that debt.

C. The municipality or an affected agency may condition the issuance of a Special Events permit on the applicant satisfying conditions. For example, the municipality may require that the applicant provide adequate bathroom facilities, security, or post a bond for cleaning up or other costs. Any conditions imposed on an applicant should be reasonable and necessary to ensure the health, safety, and welfare of event participants and municipal residents.

D. If the municipality or other agency denies a permit application for a Special Event, it shall:

1. Specify in detail the basis for the denial by citing to the law, ordinance, policy and procedure, or regulation justifying the denial, and describe how the Special Event is not consistent with the cited provision; and
2. Describe how the burden on free speech, if any, brought about by the denial is necessary to facilitate the municipality's interest in protecting the health, safety and welfare of municipal residents.

E. The municipality, in consultation with other relevant offices or departments, in denying a permit application, may authorize a Special Event permit at a date, time, location, or route different from that requested by the applicant. An applicant shall notify the municipality that it will accept an alternative permit within three days of receiving notice of the alternative permit, but no later than three days prior to the scheduled Special Event.

F. The municipality, in consultation with other relevant offices or departments, shall have the authority to revoke any permit upon violation of the conditions or

standards for issuance. The municipality may also revoke a permit in the event of a declaration of emergency.

G. The local law enforcement may disperse a Special Event that is being conducted inconsistent with the conditions of a Special Event permit, or if the event is in-violation of any federal, state or local law.

#### **14.56.110 Protest Zones**

A. The municipality is responsible to establish protest zones at municipal facilities, where appropriate.

1. The need, location and size of protest zones will be established upon consultation and with the approval of the mayor and municipal attorney.
2. Protest zones will be established with due care to ensure safe entry to, exit from, and appropriate use of municipal facilities by patrons and the public.
3. Zones shall generally be located on municipal-owned property. Protest zones will not be placed in the public right-of-way and may not be placed on municipal or private property unless the owners consent to such use.

#### **14.56.120 Permit - Liability Insurance And Indemnification**

A. All Special Events must obtain general liability and property damage coverage as specified in this chapter. Special Event permit shall be issued unless and until the applicant has submitted to the municipality a certificate of insurance, listing the municipality as an additional insured, on an occurrence policy issued by an insurance company authorized to do business in the state, showing comprehensive general liability and property damage coverage for the event with minimum limits of: One million dollars for injury or death for one person in any one occurrence; two million dollars for injury or death for two or more persons in any one occurrence; and one million dollars for property damage in any one occurrence.

B. The following Special Events shall be exempt from the insurance requirements set forth in this section:

1. Political Events;
2. Parade of less than one mile in length;
3. School events located on, or directly adjacent to, school property;
4. Events sponsored in whole by the municipality; and
5. Block parties.

C. In consideration for the issuing of a Special Event permit and the use of municipal streets and sidewalks or municipal property, the applicant agrees to indemnify, hold harmless and defend the municipality, its officers and employees, against any claim for loss, damage or expense sustained by any

person on account of injury, death or property damage occurring by reason of or arising out of the Special Event.

#### **14.56.130 Appeal Procedures**

Any permit applicant desiring to appeal an administrative decision to deny an application for a Special Event permit, or any decision to impose a condition on the issuance of a permit, may petition the Town Clerk within seven calendar days after the date the applicant received notice of the administrative denial or condition. After reviewing the petition appealing the denial and the written denial, the mayor shall, within seven calendar days, issue a written decision. If an applicant submits an application within fourteen calendar days of the event, the municipality will utilize its best efforts to timely process the application and to resolve the appeal on an expedited basis.

#### **14.56.140 Violation -Penalty**

A violation of Section 14.56.040 shall be a class B misdemeanor or may be enforced under the Chapter 12.1 Administrative Code Enforcement. Failure to obtain a permit as required by this chapter may also result in enforcement action by the municipality's local law enforcement which may stop an event that has been issued a permit and/or may issue citations where event staff or participants violate other state statutes or municipal ordinances, including but not limited to traffic rules and regulations, disturbing the peace, public nuisance, failure to disperse, trespass, or other health and safety regulations.

## **ORDINANCE 2025-O-05**

Ordinance No. 2025-O-05

Date: August 26<sup>th</sup>, 2025

### **AN ORDINANCE OF THE EMIGRATION CANYON COUNCIL ELIMINATING THE AGRICULTURAL EXEMPTION TO THE REQUIREMENTS FOR BUILDING AND LAND USE PERMITS IN SUBSECTION 19.02.090 AND REPEALING AND REPLACING CHAPTER 19.02 GENERAL PROVISIONS AND ADMINISTRATION.**

#### **RECITALS**

**WHEREAS**, Emigration Canyon is a municipality and has authority to adopt land use regulations, pursuant to Utah Code § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 9a, Utah Code; and

**WHEREAS**, the Council deems it necessary to amend its land use ordinances to consolidate and update its General Provisions and Administration into Chapter 19.02 of the Zoning Ordinance; and

**WHEREAS**, the Emigration Canyon Planning Commission held a public hearing on July 10<sup>th</sup>, 2025, to consider a land use ordinance eliminating the Agricultural Exemption to the Building and Use Permit requirement in Subsection 19.02.090; and

**WHEREAS**, the Emigration Canyon Planning Commission held a public hearing on July 10<sup>th</sup>, 2025, to consider a land use ordinance to consolidate and update its General Provisions and Administration into Chapter 19.02 of the Zoning Ordinance; and

**WHEREAS**, the agricultural exemption to be eliminated is part of Chapter 19.02 and can be adopted as part of the action to repeal and replace the General Provisions and Administration; and

**WHEREAS**, the Planning Commission has recommended that the Council repeal the existing Chapter 19.02 General Provisions and Administration and replace it with the Chapter 19.02 General Provisions and Administration that includes the elimination of the agricultural exemption to building and use permits attached to this ordinance as Attachment A for the protection and preservation of the public health, safety and general welfare.

#### **BE IT ORDAINED BY THE EMIGRATION CANYON CITY COUNCIL** as follows:

1. Chapter 19.02 General Provisions and Administration is repealed and replaced with the language in **Attachment A** to this Ordinance.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or

specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

3. Direction to Staff. Staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener's, formatting, and numbering errors.
4. Effective Date. This Ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of August 2025.

EMIGRATION CANYON CITY COUNCIL

---

By: Joe Smolka, Mayor

ATTEST

---

Diana Baun, Recorder

Voting:

Mayor Smolka	voting _____
Council Member Hawkes	voting _____
Council Member Brems	voting _____
Council Member Harris	voting _____
Council Member Pinon	voting _____

*(Complete as Applicable)*

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: \_\_\_\_\_

Effective date of ordinance: \_\_\_\_\_

**SUMMARY OF**  
**EMIGRATION CANYON CITY**  
**ORDINANCE NO. 2025-O-05**

On August 26<sup>th</sup>, 2025, the Emigration Canyon Council enacted Ordinance No. 2025-O-05, repealing and replacing Chapter 19.02 General Provisions and Administration.

---

By: Joe Smolka, Mayor

ATTEST

APPROVED AS TO FORM

---

Diana Baun, Recorder

---

Cameron Platt, City Attorney

Voting:

Mayor Smolka	voting <input type="text"/>
Council Member Hawkes	voting <input type="text"/>
Council Member Brems	voting <input type="text"/>
Council Member Harris	voting <input type="text"/>
Council Member Pinon	voting <input type="text"/>

A complete copy of Ordinance No. 2025-O-05 is available in the office of the Emigration Canyon Recorder, 860 Levoy Drive, Suite 300 Taylorsville, UT 84123.

## **ATTACHMENT A**

### **Chapter 19.02: General Provisions and Administration**

#### **19.02.010 - Title For Citation**

This Title is known as "The Zoning Ordinance of the Emigration Canyon City" and is referred to herein as "the Ordinance" or "this Ordinance."

#### **19.02.020 - Reserved**

#### **19.02.030 - Purpose**

A. The Ordinance is intended to promote and support the goals and policies of the Emigration Canyon City's General Plan, and for the following purposes:

1. To promote the general health, safety and welfare of the present and future inhabitants, businesses, and visitors of Emigration Canyon,
2. To support small-scale economic opportunities and business that promote outdoor recreation, community services for residents, environmental preservation, or sustainable transportation,
3. To support sustainable and responsible recreation and tourism,
4. To regulate responsible alteration and development of land that promotes safety for people, wildlife, water, and the natural landscape.
5. To provide for well-planned commercial and residential centers, safe and efficient traffic and pedestrian circulation, preservation of night skies and efficient delivery of municipal services,
6. To secure safety from fire and other dangers, and
7. To regulate housing and development to reduce impacts on the environment.

#### **19.02.040 - Applicability**

A. Territorial Application. All land and parcels of real property within the jurisdictional limits of the Emigration Canyon City are covered by the provisions of this Ordinance.

B. General Applicability.

1. The regulations contained in this Ordinance apply to all uses, structures, and parcels of real property, including those recorded prior to the enactment of this Ordinance.
2. Every dwelling shall be located and maintained on a lot, as defined in this Ordinance. Except for dwelling groups, not more than one (1) dwelling structure may occupy one (1) lot.

C. General Prohibition. No portion or whole of any structure or land may be used, occupied, constructed, moved, enlarged, or structurally altered except as provided by this Ordinance. Land needed to meet

the width, yard, area, coverage, parking or other requirements of this Title for a lot or building shall not be sold or conveyed away from such lot or building.

- D. Private Agreements. This Ordinance is not intended to enforce any private agreement or covenant. If this Ordinance is more restrictive than a private agreement or covenant, this Ordinance prevails.
- E. Other Laws and Regulations. This Ordinance supersedes less restrictive State or municipal statutes, ordinances, or regulations.

#### **19.02.050 - Transition Rules**

- A. In those instances where this Ordinance conflicts with previously applicable zoning regulations, the following rules apply:
  - 1. Division of Consolidated Lots. Previously platted lots consolidated into one taxable parcel may not be re-divided into lots smaller than the minimum area required in the underlying zone.
  - 2. Previously Issued Building Permits. If a building permit for a structure was lawfully issued prior to the effective date of this Ordinance or any amendments to this Ordinance, and if construction has begun within one hundred and eighty (180) days of the issuance of that permit, the structure may be completed in accordance with the plans on the basis of which the building permit was issued and upon completion may be occupied under an occupancy permit for the use originally intended.
  - 3. Previously Granted Approvals.
    - a. All approvals granted prior to the effective date of this Ordinance remain in full force and effect. The recipient of the approval may proceed to develop the property in accordance with the approved plans and any applicable conditions.
    - b. If the recipient has failed to act on an approval before the approval expires, including any periods of extension granted, the provisions of this Ordinance control.

#### **19.02.060 - Inactive Applications**

Applications for property development and/or use permits shall be actively pursued to a final decision by the town. If no activity such as plan submittals, reviews, meetings, or communication by the applicant has occurred on an application for one hundred eighty (180) days, the application will be deemed as inactive, and the file closed. The applicant may submit a written request to maintain the application as active, wherein upon finding that there is good cause and reasonable belief that the application will be pursued to completion, the Director, or their designee may grant a one-time ninety (90) day extension. Once a file is closed, an applicant will be required to reapply for permits or development.

#### **19.02.070 - Severability**

If any provision of this Ordinance is adjudged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate or nullify the remaining provisions of this Ordinance. The effect of the judgment is confined to the provision immediately involved in the controversy in which the judgment or decree was rendered.

### **19.02.080 - Vesting**

- A. An Applicant is entitled to a substantive review and approval of a land Use Application if the Application conforms to the requirements of the Town's Land Use and Zoning Maps, the municipal specification for public improvements application to a Subdivision or Development, and the applicable land Use ordinance in effect when a Complete Application is submitted and all fees have been paid, unless:
  - 1. the land Use authority, on the record, finds that a compelling, countervailing public interest would be jeopardized by approving the Application; or
  - 2. before the Application is submitted, the municipality has formally initiated proceedings by publicly noticing an amendment to its ordinances in a manner that would prohibit approval of the Application as submitted.
- B. The municipality shall process an Application without regard to proceedings initiated to amend the municipality's ordinances if:
  - 1. 180 days have passed since the proceedings were initiated; and
  - 2. The proceedings have not resulted in an enactment that prohibits approval of the Application as submitted.
- A. An Application for a Land Use approval is considered, submitted and complete when the Application is provided in a form that complies with the requirements of applicable ordinances and all applicable fees have been paid.
- B. The continuing validity of an approval of a land Use Application is conditioned upon the Applicant proceeding after approval to implement the approval with reasonable diligence.
- C. A municipality is bound by the terms and standards of applicable land Use ordinances and shall comply with mandatory provisions of those ordinances.

### **19.02.090 - Building and Use Permits Required**

Construction, alteration, repair or removal of any building or structure, or any part thereof, as provided or as restricted in this title, shall not be commenced or proceeded with except after the issuance of a written permit for the same by the Building Official. The use of the land shall not be commenced or proceeded with except upon the issuance of a written permit for the same by the Director or designee.

### **19.02.100 - Time Computation**

- A. In computing any period of time prescribed or allowed by this title, the day of the act, event or decision after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day, which is neither a Saturday, Sunday or a holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and holidays

shall be excluded in the computation. A half-holiday shall be considered as other days and not as a holiday.

B. The date of a decision or recommendation of the planning commission shall be the date of the public meeting or hearing such decision or recommendation is made. If the decision is made by the development services director, the date of the decision shall be the date specified on the property owner's notification letter in the application file.

#### **19.02.110 - Interpretation as Minimum Requirements**

In interpreting and applying the provisions of this title, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

#### **19.02.120 – Permit and Licensing Requirements**

All departments, officials and public employees of the City which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this title and shall issue no permits or licenses for use, building or purpose where the same would be in conflict with the provisions of this title, and any such permit or license, if issued in conflict with the provisions of this title, shall be null and void.

#### **19.02.130 - Land Use Applications**

The Director of Planning and Development Services ("the Director") or the director's designee shall be the administrator of the Emigration Canyon City zoning ordinance. In order to assure that each proposed land use or proposed amendment to an existing land use is handled consistently and fully complies with the provisions of this title, the director or director's designee shall administer application and review procedures as outlined herein unless specific procedures are otherwise provided in the zoning ordinance. Applications shall be diligently prosecuted to completion by the applicant to ensure that any action taken to approve or deny an application is based on current information. An application shall not be considered complete until all application fees have been paid and all required materials have been submitted. The payment of a partial fee and preliminary plans for a pre-submittal review does not constitute a complete application. The land use application process shall consist of the following:

A. An application procedure, which shall include:

1. Submission of an application form, as designed by the Director or designee, which clearly indicates the type and purpose of the application, property address, and applicant information;
2. Submission of a legal description of the property plat, a designated number of site plans, building elevations, and mailing labels (if required) for notifications;
3. Payment of fees, as required under Title 3, Revenue and Finance.

B. A review procedure, which may include:

1. The creation of a planning file by which the applicant, staff, and the public can refer to the proposed land use;

2. An on-site review by the Director or designee as allowed in Utah Code 10-9a-303;
3. Review of the submitted site plan and elevations for compliance with the zoning ordinance;
4. Referral of the application and site plans to those government agencies and/or affected entities necessary to protect the health, safety, and welfare of the public and to ensure the project's compliance with all applicable ordinances and codes;

C. An approval procedure, which shall include:

1. The integration of the recommendations from the other government agencies and affected entities involved in subsection (B)(4) of this section into the final site plan and/or elevations;
2. An approval letter or other written document indicating the approval or denial of the application with appropriate conditions as needed to ensure compliance with all applicable codes, ordinances, and regulations;
3. Provision of the approved site plan and approval letter or denial letter to the applicant in a timely manner.

#### **19.02.140 - Improvements--Performance Bonds**

- A. Any improvements required under this title or by the planning commission, including but not limited to walkways, fences, landscaping, streets, fire hydrants and parking, shall be satisfactorily installed prior to the City authorizing electrical service being provided; or, if no electrical service is required, prior to issuance of any occupancy permit for the land being developed. In lieu of actual completion of such improvements, or in the case of landscaping, in addition to, except where seasonal considerations reasonably preclude installation of live plant materials, and prior to electrical service being provided or occupancy permit, a developer may file with the Director or designee a cash or surety bond or escrow agreement or letter of credit, in an amount specified by the Director or designee, to ensure completion of improvements within one year. Ten percent (10%) of the bond amount for public improvements, such as walkways, road surfacing and fire hydrants, shall extend for a one-year period beyond the date the improvements are completed, to guarantee replacement of such defective public improvements. Ten percent (10%) of the bond amount for live plant materials shall extend for a one-year period beyond the date of planting to guarantee replacement of diseased or dead plants. Upon completion of the improvements for which a bond or escrow agreement has been filed, the developer shall call for inspections of the improvements by the Director or designee.
- B. If the Director or designee determines that the required improvements should be completed in a specified sequence and/or in less than a one-year period in order to protect the health, safety and welfare of the City or its residents from traffic, flood, drainage or other hazards, the Director or designee may require in approving the bond that the improvements be installed in a specified sequence and period which may be less than one year and shall incorporate such requirements in the bond.

- C. Such bonds shall be processed and released in accordance with the procedures set forth in Chapter 3.56 of this code.
- D. When the developer is a school district, municipality, service area, special-purpose district or other political subdivision of the state, the Mayor may waive the bond and accept a letter from the governing body guaranteeing installation of the improvements. Before approving any such waiver, the Mayor shall receive a recommendation from the Municipal Engineer.

## ORDINANCE 2025-O-09

Ordinance No. 2025-O-09

Date: August 26, 2025

### **AN ORDINANCE OF THE EMIGRATION CANYON CITY COUNCIL AMENDING THE ZONING MAP TO CHANGE THE ZONING OF THE 0.88 ACRES OF THE PROPERTY AT APPROXIMATELY 4180 EMIGRATION CANYON ROAD FROM R-M (RESIDENTIAL MULTI-FAMILY) TO FR-20 (FORESTRY RECREATION)**

#### **RECITALS**

**WHEREAS**, the Emigration Canyon City is a municipality and has authority to regulate Zoning in general pursuant to Utah Code Ann. Subsection 10-3c-103 (2); and

**WHEREAS**, Emigration Canyon City has authority to adopt zoning ordinances, including a zoning map pursuant to Utah Code Ann. § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, (“MLUDMA”), Title 10, Section 9a, Utah Code, to establish zones within the city; and

**WHEREAS**, Emigration Canyon Planning Commission have discussed the need for Multi-Family zoning in Emigration Canyon and have reached a consensus that this type of zoning is not appropriate for the canyon; and

**WHEREAS**, the Emigration Canyon Planning Commission proposes the elimination of the Residential Multi-Family (R-M) zoning district; and

**WHEREAS**, in order to eliminate the Residential Multi-Family (R-M) zoning district, that zone must not be applied to any property within the jurisdiction; and

**WHEREAS**, the only parcel zoned Residential Multi-Family (R-M) is 0.88 acres, is owned by Salt Lake City, and is currently used for commercial parking; and

**WHEREAS**, Salt Lake City has not indicated any interest in using the subject parcel for any use other than those that exist.; and

**WHEREAS**, the amendment is compatible with the Adopted General Plan; and

**WHEREAS**, the Emigration Canyon Planning Commission held a public hearing on June 17, 2024, to consider a zoning map amendment for the 0.88 acres of land located at approximately 4180 Emigration Canyon Road; and

**WHEREAS**, the Emigration Canyon Planning Commission has recommended that the Council amend the zoning map for the 0.88 acres of land located at approximately 4180

Emigration Canyon Road from R-M (Residential Multi-Family) to FR-20 (Forestry Recreation) for the protection and preservation of the public health, safety and general welfare.

**BE IT ORDAINED BY THE EMIGRATION CANYON CITY COUNCIL** as follows:

1. The Zoning Map of Emigration Canyon City is hereby amended as follows:

The 0.88 acres located at approximately 4180 Emigration Canyon Road that is zoned R-M (Residential Multi-Family) is hereby reclassified to the FR-20 (Forestry Recreation) Zone.

The rezoned property is the portion of Parcel #: 16-01-200-005 highlighted in Exhibit A:

2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

3. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of August 2025.

EMIGRATION CANYON CITY COUNCIL

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By: Joe Smolka, Mayor

ATTEST

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Diana Baun, Recorder

Voting:

Mayor Smolka voting \_\_\_\_\_  
Council Member Hawkes voting \_\_\_\_\_  
Council Member Brems voting \_\_\_\_\_  
Council Member Harris voting \_\_\_\_\_  
Council Member Pinon voting \_\_\_\_\_

*(Complete as Applicable)*

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: \_\_\_\_\_

Effective date of ordinance: \_\_\_\_\_

**SUMMARY OF**  
**EMIGRATION CANYON CITY**  
**ORDINANCE NO. 2025-O-09**

On August 26, 2025, the Emigration Canyon City Council Enacted Ordinance No. 2025-O-09, amending its zoning map on property located at approximately 4180 Emigration Canyon Road from R-M (Residential Multi-Family) to FR-20 (Forestry Recreational) Zone.

---

By: Joe Smolka, Mayor

ATTEST

APPROVED AS TO FORM

---

Diana Baun, Recorder

---

Cameron Platt, City Attorney

Voting:

Mayor Smolka	voting <input type="text"/>
Council Member Hawkes	voting <input type="text"/>
Council Member Brems	voting <input type="text"/>
Council Member Harris	voting <input type="text"/>
Council Member Pinon	voting <input type="text"/>

A complete copy of Ordinance No. 2025-O-09 is available in the office of the Emigration Canyon Recorder, 860 Levoy Drive, Suite 300 Taylorsville, UT 84123.

## **Exhibit A**



**Meeting Body:** Emigration Canyon Council

**Meeting Date:** August 26, 2025

**Planner:** Brian Tucker, Planning Manager

**File Number:** REZ2024-001197

**Project Type:**

- Re-Zone / Map Revision

**Areas Affected:** This re-zone would apply to the portion of parcel #16-01-200-005 currently zoned R-M.

**Key Findings:**

- Staff propose the elimination of the Residential Multi-Family (R-M) zoning district.
- In order to eliminate the Residential Multi-Family (R-M) zoning district, that zone must not be applied to any property within the jurisdiction.

**Staff Recommendation:** Staff recommends that the Council re-zone the subject parcel, consistent with the analysis presented herein.

**Planning Commission Recommendation:** The Planning Commission Recommended that the Council rezone the subject parcel from R-M to FR-20.



GREATER SALT LAKE  
**Municipal Services  
District**

## SUMMARY

The MSD Planning Staff are working with the Emigration Canyon Planning Commission to repeal and replace Emigration Canyon's Zoning Ordinance. Only one small portion of one parcel is zoned Residential Multi-Family (R-M). This small portion does not have any residential use and is used for a parking lot, garbage and sewage facilities for adjacent commercial uses. Residential Multi-Family (R-M) uses are not envisioned to be part of the proposed ordinance. The R-M can only be eliminated if no parcels within the jurisdiction have that zone applied to them. Rezoning the property to Forestry Recreation (FR-20), the zone applied to the majority of the parcel would facilitate the elimination of the R-M zone from the proposed Emigration Canyon Zoning Ordinance.

## ATTACHMENTS

The following attachments are included as supplementary materials to the end of this staff report:

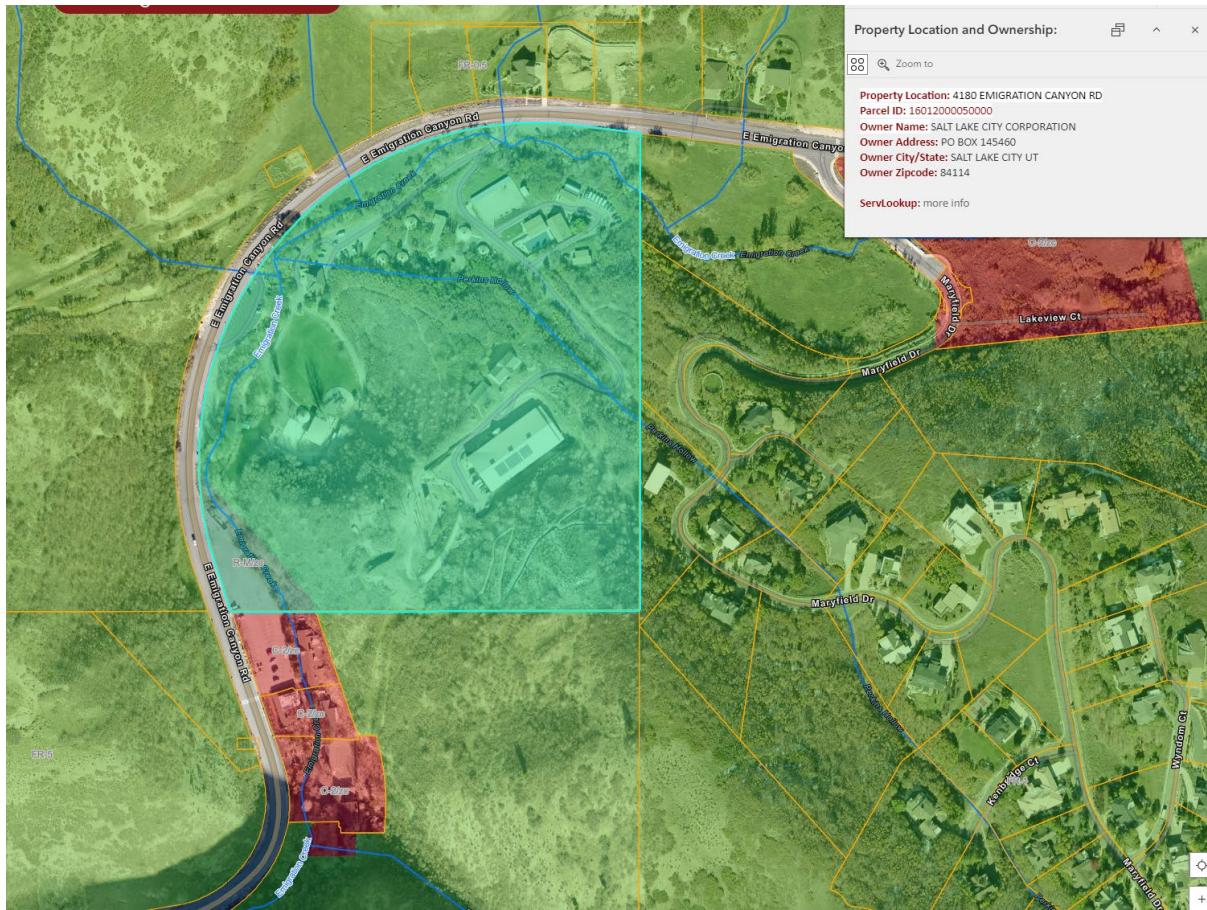
1. Emigration Canyon Code, Ch. 19.88 Nonconforming Uses and Noncomplying Structures.

## BACKGROUND

The MSD Planning Staff are working with the Emigration Canyon Planning Commission to repeal and replace Emigration Canyon's Zoning Ordinance. When it was incorporated, Emigration Canyon adopted a very slightly altered version of Salt Lake County's Zoning Ordinance. Emigration Canyon. As part of this effort to repeal the existing ordinance and replace it with an ordinance built for Emigration Canyon, the City is evaluating which zones to keep, which zones to eliminate, and which zones to create in order to better serve the community and its long term vision.

Parcel #16-01-200-005, owned by Salt Lake City and located at approximately 4180 W Emigration Canyon Road, has two zones applied to it. The majority of the parcel, the 25.13 acres occupied by Camp Kostopoulos, is zoned Forestry Recreation (FR-20). A small portion of the property (0.88 acres), part of the parking lot adjacent to Emigration Brewery, is zoned Residential Multi-Family

(R-M). This small portion of the subject parcel is the only property in Emigration Canyon zoned R-M.



### PROPOSED MAP AMENDMENT

The Planning Staff and Planning Commission have discussed eliminating the R-M zone from the proposed zoning ordinance, which is only possible if the R-M Zone is not applied to any property in the City. The R-M zone was applied to this property only to accommodate the parking, trash and sewage needs for the adjacent commercial establishments. These uses are established and would become legal, nonconforming uses. In Emigration Canyon, a legal, nonconforming use can be maintained, and a noncomplying structure can be enlarged and even moved under certain circumstances.

These nonconforming parking, garbage and sewage facilities are not intended to stay nonconforming in the long term. As part of the repeal and replace effort, the Staff and Planning Commission have been reviewing a proposed Parks and Recreation zone and Public Facilities and Institution zones. In the long term Staff would propose that the entire Camp K parcel be rezoned to either the Parks and Recreation or Public Facilities and Institution zones. As those don't exist in the current ordinance, this proposed FR-20 rezone is an interim step to eliminate the R-M zone. Any future zone change would be subject to the legislative process and the public hearings and meetings associate with that process.

## STAFF ANALYSIS

### **General Plan Guidance:**

The Emigration Canyon General Plan, adopted in 2022, is supportive of this rezone. The subject parcel is part of the Main Canyon Corridor Character Area. The vision for this area includes preserving the commercial area adjacent to the subject parcel and Camp Kostopoulos. The implementation strategies include preserving the unique canyon ecosystem and scenery and supporting land use and development patterns that incorporate nature scale and use into the built environment and increase public awareness and responsibility toward the natural environment.

The current Residential Multi-Family (R-M) is not an appropriate zone for this area given the vision and strategies in the General Plan. Multi-Family residential development is not part of the heritage or existing development pattern in the canyon. The proposed Forestry Recreation (FR-20) zone is a much more appropriate zone for this area.

### **Potential Zone Analysis:**

The proposed rezone will not affect the operations and future vision of Camp Kostopoulos. The rezone will not hamper Salt Lake City's use of the property as the owner of a parcel that has been used for decades as an active recreational use of an open space area. The commercial uses will not be hampered because the existing parking, garbage, and sewage uses will be allowed to continue as they are and have been.

### **Notice:**

Notice has been given in accordance with Utah Code 10-9a-205. Notice was mailed to each affected entity, each property owner within the potential rezone area and each property owner within 300' at least 10 calendar days before the public hearing. Notice was posted on the Utah Public Notice Website.

### **Review Procedure and Criteria:**

The Emigration Canyon Council is the land use authority for zoning map amendments. The Council cannot amend the zoning map without first submitting the amendment to the Emigration Canyon Planning Commission for the Planning Commission's recommendation. The Planning Commission must hold a public hearing and review and recommend an action to the Council. The Council must then hold a public meeting after which they may adopt, adopt with revisions, or reject the zoning map amendment recommended by the Planning Commission.

A rezone can be approved if it is reasonably debatable that the decision could promote the public welfare. It is not necessary to show that the decision actually promotes the public welfare, or is the best alternative, as long as it is reasonably debatable that the public could benefit from the decision. Similarly, a rezone can be denied if it is reasonably debatable that the decision could detrimentally impact the public welfare.

This rezone is being initiated by the Staff, not by the landowner. Salt Lake City and Camp Kostopoulos have both been notified of the proposed rezone. The MSD Staff held a meeting with Salt Lake City Public Works and Camp K to discuss the proposed rezone. Both entities will have the opportunity to present at the public hearing if they choose. Where the property owners did not request the rezone, they may file a written protest no later than 10 days after the day of the first public hearing. The written protest does not preclude the Council from rezoning the property.

### **PLANNING COMMISSION RECOMMENDATION**

On June 17, 2024, the Emigration Canyon Planning Commission, after having held a public hearing, recommended that the Council amend the zoning map for the 0.88 acres of land located at approximately 4180 Emigration Canyon Road from R-M (Residential Multi-Family) to FR-20 (Forestry Recreation).

### **STAFF RECOMMENDATION**

Based on the above review and analysis, staff finds that:

1. MSD Planning Staff and Planning Commission have discussed the need for Multi-Family zoning in Emigration Canyon and have reached a consensus that this type of zoning is not appropriate for the canyon.
2. MSD Planning Staff and Planning Commission propose the elimination of the Residential Multi-Family (R-M) zoning district.
3. In order to eliminate the Residential Multi-Family (R-M) zoning district, that zone must not be applied to any property within the jurisdiction.
4. The one parcel zoned Residential Multi-Family (R-M) is owned by a Salt Lake City.
5. The City has not indicated any interest in using the subject parcel for any use other than those that exist.
6. The Forestry Recreation (FR-20) zone is supported by the General Plan for this area.

Therefore MSD Planning Staff recommend that the subject parcel be rezoned to Forestry Recreation (FR-20).

### **POTENTIAL COUNCIL ACTIONS**

The Emigration Canyon Council could take any of the following actions, among others:

- Option 1. Approval the rezone to Forestry Recreation (FR-20).
- Option 2. Deny the rezone request, leaving the property in the Residential Multi-Family (R-M) zone.
- Option 3. Table the matter, requesting more information from the Planning Staff.

## ORDINANCE 2025-O-07

Ordinance No. 2025-O-07

Date: August 26<sup>th</sup>, 2025

### AN ORDINANCE OF THE EMIGRATION CANYON COUNCIL REPEALING AND REPLACING CHAPTER 19.88 NONCONFORMING USES AND NON- COMPLYING STRUCTURES

#### RECITALS

**WHEREAS**, Emigration Canyon is a municipality and has authority to adopt land use regulations, pursuant to Utah Code § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 9a, Utah Code; and

**WHEREAS**, when Emigration Canyon became a Metro Township in 2017, the then Township adopted Salt Lake County's Zoning Ordinance, including Chapter 19.88 Nonconforming Uses and Noncomplying Structures that the County had adopted in 2008; and

**WHEREAS**, the Council deems it necessary to amend its land use ordinances to update Chapter 19.88 Nonconforming Uses and Noncomplying Structures; and

**WHEREAS**, the Emigration Canyon Planning Commission held a public hearing on July 10<sup>th</sup>, 2025, to consider a land use updating Chapter 19.88 Nonconforming Uses and Noncomplying Structures; and

**WHEREAS**, the Planning Commission has recommended that the Council repeal the existing Chapter 19.88 Nonconforming Uses and Noncomplying Structures and replace it with the Chapter 19.88 Nonconforming Uses and Noncomplying Structures attached to this ordinance as Attachment A for the protection and preservation of the public health, safety and general welfare.

#### BE IT ORDAINED BY THE EMIGRATION CANYON CITY COUNCIL as follows:

1. Chapter 19.88 Nonconforming Uses and Noncomplying Structures is repealed and replaced with the language in **Attachment A** to this Ordinance.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
3. Direction to Staff. Staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to

finalize and post the ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener's, formatting, and numbering errors.

4. **Effective Date.** This Ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of August 2025.

EMIGRATION CANYON CITY COUNCIL

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By: Joe Smolka, Mayor

ATTEST

---

Diana Baun, Recorder

Voting:

Mayor Smolka voting \_\_\_\_\_  
Council Member Hawkes voting \_\_\_\_\_  
Council Member Brems voting \_\_\_\_\_  
Council Member Harris voting \_\_\_\_\_  
Council Member Pinon voting \_\_\_\_\_

*(Complete as Applicable)*

Date ordinance summary was published on the Utah Public Notice Website per Utah Code

§10-3-711: \_\_\_\_\_

Effective date of ordinance: \_\_\_\_\_

**SUMMARY OF**  
**EMIGRATION CANYON CITY**  
**ORDINANCE NO. 2025-O-07**

On August 26<sup>th</sup>, 2025, the Emigration Canyon Council enacted Ordinance No. 2025-O-17, repealing and replacing Chapter 19.88 Nonconforming Uses and Noncomplying Structures.

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By: Joe Smolka, Mayor

ATTEST

APPROVED AS TO FORM

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Diana Baun, Recorder

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Polly McLean, City Attorney

Voting:

Mayor Smolka	voting <input type="text"/>
Council Member Hawkes	voting <input type="text"/>
Council Member Brems	voting <input type="text"/>
Council Member Harris	voting <input type="text"/>
Council Member Pinon	voting <input type="text"/>

A complete copy of Ordinance No. 2025-O-07 is available in the office of the Emigration Canyon Recorder, 860 Levoy Drive, Suite 300 Taylorsville, UT 84123.

## **Attachment A**

### **Chapter 19.88**

#### **Nonconforming Uses and Noncomplying Structures**

##### **19.88.010 - Purpose**

This Chapter regulates the continued existence of nonconforming uses or noncomplying structures as defined in Section 19.04. While nonconforming uses and noncomplying structures may continue, this Chapter is intended to limit enlargement, alteration, restoration, or replacement which would increase the discrepancy between existing conditions and the developments prescribed by this Title. In addition, applications are reviewed to ensure that they are reducing the degree of nonconformity and improving the physical appearance of the structure and site through such measures as site and building design, or the improved functions of the Use in relation to other uses.

##### **19.88.020 - Determination of a Noncomplying Structure of a Nonconforming Use**

The Director or designee shall determine the nonconforming or noncomplying status of properties. As described in Utah Code 10-9a-511, the property owner shall have the burden of establishing the legal existence of a noncomplying structure or nonconforming use through substantial evidence.

- A. The Director or designee shall determine a legal nonconforming use upon finding that:
  1. The use legally existed before its current land use designation;
  2. The use has been maintained and not discontinued for one year or more since the time the land use ordinance governing the land changed; and
  3. Because of one or more subsequent land use ordinance changes, the use does not conform to the regulations that govern the use of the land.
- B. The Director or designee shall determine a legal noncomplying structure upon finding that:
  1. The structure legally existed before the structure's current land use designation; and
  2. Because of one or more subsequent land use ordinance changes, the structure does not conform to the regulations that now govern the use of the land.
- C. Determinations. Upon review of an application, a written determination shall be issued by the Director or designee of the non-conforming or non-complying status on a property.
- D. Appeals. Pursuant to Section 19.12.040 of this title, any person adversely affected by a final decision of the Director or designee may appeal that decision to the land use hearing officer.

##### **19.88.030 - Continuation of Use**

- A. Continuation of a Nonconforming Use. Subject to the limitations in this section, the nonconforming use of land may continue, provided that no such nonconforming use of land can in any way expand or extend either on the same or adjoining property.
- B. Continuation of a Noncomplying Structure. A Non-Complying Structure that was lawfully constructed may be used and maintained, subject to the standards and limitations of this Chapter.

#### **19.88.040 - Abandonment or Loss of a Nonconforming Use**

- A. Abandonment of a Nonconforming Use. A nonconforming use that is discontinued for a minimum period of one (1) year is presumed abandoned and shall not thereafter be reestablished or resumed. Abandonment may also be presumed to have occurred if a majority of the primary structure associated with the nonconforming use has been voluntarily demolished without prior written approval of the Emigration Canyon City regarding the extension of the nonconforming use; or the primary structure associated with the nonconforming use remains vacant for a period of one (1) year.
  - 1. Any party claiming that a nonconforming use has been abandoned shall have the burden of establishing the abandonment.
  - 2. After a nonconforming use has been abandoned, any subsequent use of the building, structure, or land must conform to the regulations for the zone in which it is located.
  - 3. "Majority" is defined as more than fifty percent (50%) of the square footage of the primary structure.
- B. Rebuttable Presumption of Abandonment. After abandonment has been presumed by the Director or designee, the property owner may rebut the presumption of abandonment by submitting sufficient evidence that abandonment has not in fact occurred.

#### **19.88.050 - Nonconforming Use**

- A. Expansion of Use Permitted. A nonconforming use may be extended through the same building, provided no structural alteration of the building is proposed or made for the purpose of the extension.
- B. Change of Use.
  - 1. A nonconforming use may be changed to any use allowed in the most restrictive zone where such nonconforming use is allowed, provided the Planning Commission finds that such use would not be more intensive than the most recent existing legal nonconforming use.
  - 2. Any change of a nonconforming use to another nonconforming use is a conditional use and subject to the conditional use approval standards, except that the proposed nonconforming use need not conform to the adopted General Plan.

3. As part of the change of use, structures cannot be enlarged, removed, reconstructed or otherwise altered except for interior remodeling and exterior restoration or renewal that will make the appearance of the structure more nearly conform to the character of the area in which it is located.
4. As part of the change of use, the existing lot cannot be enlarged or modified except to create landscape, fencing, curb, gutter and sidewalk, road widening or minimum off-street parking to provide a safer and more compatible facility.

#### **19.88.060 - Noncomplying Structure or Structure Occupied by a Nonconforming Use**

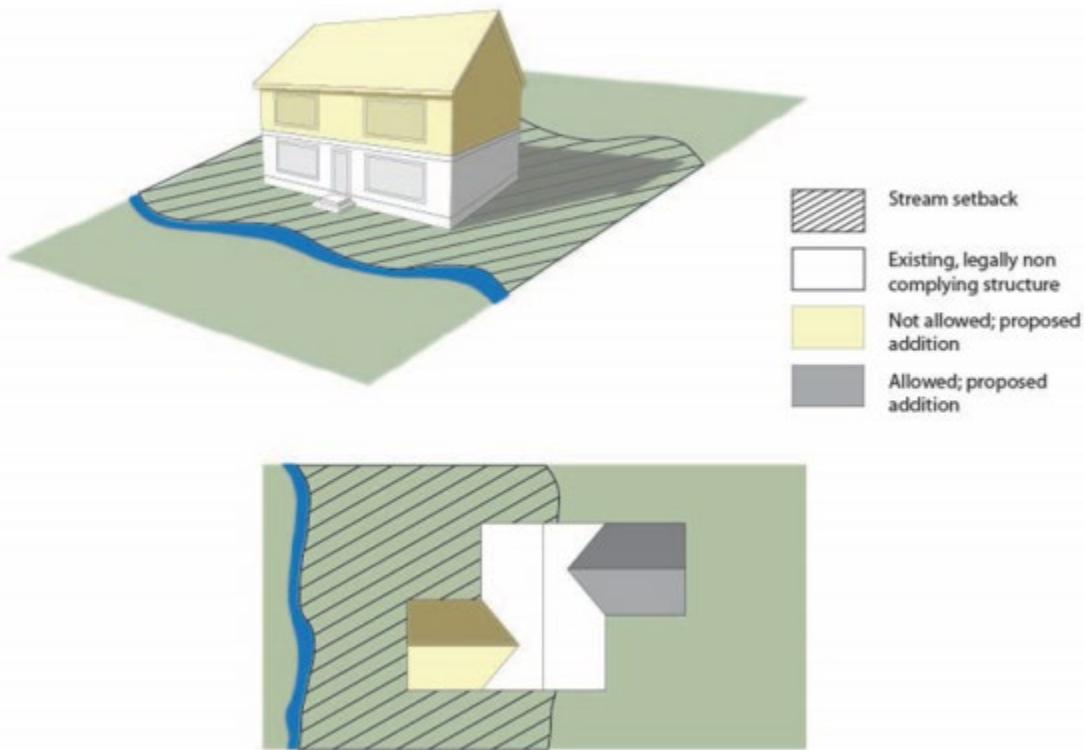
- A. Maintenance, Exterior or Interior Remodeling, or Repairs Permitted. The Owner may complete normal maintenance and incidental repair on a complying Structure that contains a Non-Conforming Use or on a Non-Complying Structure. This Section shall not be construed to authorize any violations of law nor to prevent the strengthening or restoration to a safe condition of a Structure in accordance with an order of the Building Official who declares a Structure to be unsafe and orders its restoration to a safe condition.
- B. Addition, Enlargement, Expansion. A non-complying structure shall not be added to, enlarged, or expanded in whole or in part unless the proposed change complies with all current land use regulations. In other words, all new square footage of building must fully comply with the setback, size, and height regulations set forth in this title (see Figure 1).
- C. Moving or Reconstruction at a New Location. A non-complying structure shall not be moved in whole or in part, for any distance whatsoever, to any other location on the same, or any other lot unless:
  1. The proposed change will lessen the degree of the existing noncompliance and not create any new noncompliance of all or any part of the structure; or
  2. The proposed change complies with all governing land use regulations at the time of the change.
  3. For the purposes of this Chapter, "lessen the degree of existing noncompliance" means:
    - a. To decrease the gross total square footage of structure not in compliance (see Figure 1); and,
    - b. To increase the distance from the ordinary high-water mark, wetlands, and/or property line when the nonconformity pertains to a setback distance.
- D. Remodels Requiring Reconstruction. A noncomplying structure that has deteriorated to a state where a full demolition or construction or reconstruction of a foundation is necessary for interior or exterior remodels may be reconstructed in the same location

subject to current land use regulations. The existing noncompliance may continue if the degree of noncompliance is not increased or a new violation in land use regulations is not created.

1. A noncomplying structure that has deteriorated to a condition that the structure is rendered uninhabitable may not be reconstructed, restored, or substituted, once written notice from the Emigration Canyon City is served to the property owner that the structure is uninhabitable and that the nonconforming use or noncomplying structure will be lost if the property owner does not apply with a complete land use application within one (1) year from the day in which the written notice is served.

E. Damage or Destruction. A noncomplying structure or structure occupied by a nonconforming use that is damaged or destroyed by fire, flood, wind, earthquake or other calamity or act of God or the public enemy, and the damage is not the result of the intentional or reckless disregard of the owners or occupants, may be restored, and the occupancy or use of such structure or part thereof that existed at the time of such damage or destruction may be continued or resumed, provided that such restoration is started within a period of one (1) year following damage or destruction, and the restoration is diligently prosecuted to completion.

19.88.060 Figure 1 Adding to a non-complying structure



## **ORDINANCE 2025-O-06**

Ordinance No. 2025-O-06

Date: August 26<sup>th</sup>, 2025

### **AN ORDINANCE OF THE EMIGRATION CANYON COUNCIL REPEALING CHAPTERS 19.08 F-1 FORESTRY ZONE, 19.44 R-M RESIDENTIAL ZONE, AND 19.56 C-1 COMMERCIAL ZONE FROM TITLE 19 ZONING**

#### **RECITALS**

**WHEREAS**, Emigration Canyon is a municipality and has authority to adopt land use regulations, pursuant to Utah Code § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 9a, Utah Code; and

**WHEREAS**, the Council deems it necessary to amend its land use ordinances to eliminate zones that are not used on Emigration Canyons adopted zoning map;

**WHEREAS**, the Emigration Canyon Planning Commission held a public hearing on July 10, 2025 to consider repealing Chapters 19.08 F-1 Forestry Zone, 19.44 R-M Residential Zone, and 19.56 C-1 Commercial Zone, from Title 19 Zoning (the “Proposed Action”) in accordance with Utah Code §§ 10-9a-205 and 10-9a-502; and

**WHEREAS**, the Planning Commission has recommended that the Council repeal Chapters 19.08 F-1 Forestry Zone, 19.44 R-M Residential Zone, and 19.56 C-1 Commercial Zone from Title 19 Zoning to eliminate unused zones and chapters and for the protection and preservation of the public health, safety and general welfare.

#### **BE IT ORDAINED BY THE EMIGRATION CANYON CITY COUNCIL** as follows:

1. Chapter 19.08 F-1 Forestry Zone is hereby repealed.
2. Chapter 19.44 R-M Residential Zone is hereby repealed.
3. Chapter 19.56 C-1 Commercial Zone is hereby repealed.
4. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
5. Direction to Staff. Staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener’s, formatting, and numbering errors.

6. Effective Date. This Ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of August 2025.

EMIGRATION CANYON CITY COUNCIL

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By: Joe Smolka, Mayor

ATTEST

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Diana Baun, Recorder

Voting:

Mayor Smolka voting \_\_\_\_\_  
Council Member Hawkes voting \_\_\_\_\_  
Council Member Brems voting \_\_\_\_\_  
Council Member Harris voting \_\_\_\_\_  
Council Member Pinon voting \_\_\_\_\_

*(Complete as Applicable)*

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: \_\_\_\_\_

Effective date of ordinance: \_\_\_\_\_

**SUMMARY OF**  
**EMIGRATION CANYON CITY**  
**ORDINANCE NO. 2025-O-06**

On August 26<sup>th</sup>, 2025, the Emigration Canyon Council enacted Ordinance No. 2025-O-06, repealing Chapters 19.08, 19.44, 19.56, and 19.86 of Title 19 Zoning.

---

By: Joe Smolka, Mayor

ATTEST

APPROVED AS TO FORM

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Diana Baun, Recorder

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Cameron Platt, City Attorney

Voting:

Mayor Smolka	voting _____
Council Member Hawkes	voting _____
Council Member Brems	voting _____
Council Member Harris	voting _____
Council Member Pinon	voting _____

A complete copy of Ordinance No. 2025-O-06 is available in the office of the Emigration Canyon Recorder, 860 Levoy Drive, Suite 300 Taylorsville, UT 84123.

To whom it may concern for the Officials of Emigration City

I believe that bicyclists should be encouraged to use East Canyon and discouraged from using Emigration Canyon for a number of reasons, not the least of which is safety for them and for the residents of Emigration Canyon. From the mouth of Emigration Canyon to the top of Little Mountain is 7.5 miles. On the East Canyon side from the Little Dell Golf Course to the top of Big Mountain is 8 miles with lots of turn out spaces, public restrooms half way up and at the top, all within Salt Lake County. There is no development of any kind due to the watershed status of the canyon and no opposition. It has various grades and relatively wide roads through most of the way and limited traffic. It's ideal!

Bicyclists are in the habit of using Emigration Canyon but habits can be broken when there is a superior bicycle park right over the hill.

I also believe the residents want their neighborhoods back and are opposed to the heavy bicycle traffic.

If you feel that there could be some uncertainty surrounding that comment, let's vote on it.

Sincerely,  
DW Jones  
5593

**From:** Robert Pinon  
**To:** [jhawkes@emigration.utah.gov](mailto:jhawkes@emigration.utah.gov); [charris@emigration.utah.gov](mailto:charris@emigration.utah.gov); [jsmolka@emigration.utah.gov](mailto:jsmolka@emigration.utah.gov); [dbrems@emigration.utah.gov](mailto:dbrems@emigration.utah.gov); Diana Baun  
**Subject:** Fwd: Update on the Noise Issue  
**Date:** Tuesday, August 19, 2025 1:54:58 PM

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Please see forward below.

Get [Outlook for iOS](#)

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**From:** Dale Berreth <[d.berreth@icloud.com](mailto:d.berreth@icloud.com)>  
**Sent:** Tuesday, August 19, 2025 1:12:15 PM  
**To:** Roberto Pinon <[robertopinon@gmail.com](mailto:robertopinon@gmail.com)>  
**Subject:** Fwd: Update on the Noise Issue

Robert,  
Hope all is well, I'm forwarding an email I received this morning, I'm totally in support of anything we might do to mitigate our noise & speed problem.  
Dale Berreth  
Sent from my iPhone

Begin forwarded message:

**From:** Dale Berreth <[d.berreth@icloud.com](mailto:d.berreth@icloud.com)>  
**Date:** August 19, 2025 at 1:09:04 PM MDT  
**To:** David Brems <[dbrems@gsbsarchitects.com](mailto:dbrems@gsbsarchitects.com)>  
**Subject: Fwd: Update on the Noise Issue**

FYI  
Sent from my iPhone

Begin forwarded message:

**From:** Deborah Eppstein <[deppstein@gmail.com](mailto:deppstein@gmail.com)>  
**Date:** August 19, 2025 at 12:28:13 PM MDT  
**To:** [kent@kenterickson.com](mailto:kent@kenterickson.com)  
**Cc:** Fred Swanson <[fbswan32@msn.com](mailto:fbswan32@msn.com)>, Kirtly Jones <[kirtly.jones@gmail.com](mailto:kirtly.jones@gmail.com)>, [jessiesteed@gmail.com](mailto:jessiesteed@gmail.com), Dale Berreth <[d.berreth@icloud.com](mailto:d.berreth@icloud.com)>, James Kay <[jim@jameskay.com](mailto:jim@jameskay.com)>, R Macfarlane <[robert.c.macfarlane@gmail.com](mailto:robert.c.macfarlane@gmail.com)>, Jeannie Resetarits <[jean.resetarits@gmail.com](mailto:jean.resetarits@gmail.com)>, Gregory Palis <[gtpalis@gmail.com](mailto:gtpalis@gmail.com)>, Beth Sanguinetti <[els726130@gmail.com](mailto:els726130@gmail.com)>, Mel Halbach <[melhalbach@gmail.com](mailto:melhalbach@gmail.com)>  
**Subject: Re: Update on the Noise Issue**

Kent, that sounds like a great approach. If indeed this device can both quantitate decibels and photograph license place- and then if we can get the county sheriff to agree to issue tickets- it could work!

One question I have is, how is the noise ordinance written? Eg, at what distance from the road are the decibels measured? Perhaps there is no distance specification which would be easiest to monitor.

Thanks for this creative and hopefully productive approach!

Debby Eppstein

On Aug 19, 2025, at 11:06 AM, [kent@kenterickson.com](mailto:kent@kenterickson.com) wrote:

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Since the last email I received from this group in 2021I have learned some things that I thought I would share.

First, the noise problem is as bad as ever and the sign at the bottom of the canyon does precisely nothing.

There was an article in the Wall Street Journal on August 12<sup>th</sup> that discussed the use of noise cameras (see attachment). These are devices with a microphone array that can measure and locate a noise source. A camera photographs the license plate and the offender can be sent a citation. It seems to be effective in various places around the country. I also found that at least one company will provide a free installation of these devices for a share of the ticket revenue. [Not-A-Loud | Services](#) .

Assuming that there is indeed a noise ordinance with a defined level of disturbance, this might be an excellent way to mitigate the problem. I would be interested in the opinion of others and if there is support, I will provide the next council meeting with copies of this information. Please forward this to others who may be interested/afflicted.

Let me know,

Kent Erickson

-----  
<New Noise Cameras Pit Drivers of Fast Cars Against Their Neighbors - WSJ.pdf>

Deborah Eppstein  
deppstein@gmail.com

**From:** [Jennifer Hawkes](#)  
**To:** [Diana Baun](#)  
**Subject:** Fwd: Emigration Canyon Update  
**Date:** Tuesday, August 12, 2025 12:26:12 PM

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Diana,

Could you include this email in our next meeting as a public comment?

Thank you,

Jennifer Hawkes  
Emigration Canyon

----- Forwarded message -----

From: <[ben@lnepresents.com](mailto:ben@lnepresents.com)>  
Date: Mon, Aug 4, 2025 at 8:50 AM  
Subject: Re: Emigration Canyon Update  
To: <[jhawkes@emigration.utah.gov](mailto:jhawkes@emigration.utah.gov)>

Will there be efforts to actually enforce the pedestrian/cyclist restrictions?

I know the favor seems to lie on the cyclists side as of late, but they've been, by and large, unruly and inconsiderate of existing traffic control.

**Ben Allen**

CMO | LNE | Realine Group

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m. 801.688.8763 | o. 801.419.0858

LNE Presents | Reggae Rise Up | Realine Group

On Aug 1, 2025 at 9:04 AM -0600, Emigration Canyon City <[jhawkes@emigration.utah.gov](mailto:jhawkes@emigration.utah.gov)>, wrote:

Can't see this message? [View in browser](#)



# Emigration Canyon Update

Where History, Nature, and Community Thrive



**August 4–15**

## Microsurfacing Paving Notice

2025 Pavement Maintenance Project Microsurfacing

Microsurfacing for the Pavement Maintenance Project will begin August 4 and may continue through August 15, with work occurring in 1–3 mile phases from 7 AM to 5 PM. During this time, access to driveways and streets will be temporarily restricted while the asphalt cures—please plan ahead, as vehicles left in the work zone will be towed. Driving or walking on uncured pavement will damage the new surface.

Delays and brief closures are expected. Pilot cars will guide traffic when safe, and flaggers will manage traffic. One lane of Emigration Canyon Road will be closed during the day to accommodate ongoing construction.

During microsurfacing and curing, pilot cars will guide traffic through temporary road closures along Emigration Canyon Road. Please wait in your driveway until a pilot car arrives, and follow all traffic signage and crew instructions. Delays of 15 to 30 minutes are expected, so plan ahead and allow extra travel time.

Please visit <https://emigration.utah.gov> for contractor notices, project updates, and the most current schedule, as changes may occur throughout the duration of the work.

Thank you for your patience and cooperation during this important improvement project.

If you have any questions or concerns, please call 385-602-7955, email [residents@americanpave.com](mailto:residents@americanpave.com), or visit [www.americanpave.com](http://www.americanpave.com) and click on "Resident Notice" for more information.

### American Pavement Preservation Slurry Seal Resident Video



**Effective August 1, 2025**

## Stage 2 Fire Restrictions

This order will apply to all state lands and all unincorporated private lands within the state of Utah

Stage 2 Restrictions:

- NO OPEN FIRES OF ANY KIND (Compressed or liquid gas grills, stoves, and fire pits with a shutoff valve are allowed, provided there is proper clearance of flammable materials.)

PLUS all restrictions from Stage 1:

- No open fires except within established public facilities in improved campgrounds or picnic areas, or in permanently constructed fire pits at private residences with running water present.
- No smoking, except inside enclosed vehicles, trailers, buildings, developed recreation sites, or areas paved or free of dry vegetation.
- No fireworks, tracer ammunition, or any pyrotechnic devices, including exploding targets.
- No cutting, welding, or grinding metal in areas of dry vegetation.
- No operation of motorcycles, chainsaws, ATVs, or other small internal combustion engines without an approved and functioning spark arrestor.



**Active Fire Restrictions**

Quick Reminder:

Please remember to log your time and expenses for Chipping Day! Tracking this helps us qualify for our Firewise Community designation, which supports wildfire prevention efforts in Emigration Canyon. Every hour and dollar counts  
—thank you for doing your part!

**Log your time and expenses**



## Cross the Line—Safely

### Sharing the Road – Important Safety Reminder

Did you know? Utah law (Utah Code § 41-6a-706.5) allows drivers to safely cross a double yellow line to give bicyclists at least 3 feet of clearance—the legal minimum. This small action helps protect cyclists while keeping everyone safer on the road. Please be patient, pass only when it's safe, and help make Emigration Canyon a safer place for drivers and riders alike.

**Road Respect**

### Emigratoon Canyon

City  
p. 385-240-1400

[www.emigration.utah.gov](http://www.emigration.utah.gov)



This email was sent from [this site](#).

If you no longer wish to receive this email, change your email preferences [here](#).

**From:** [Jennifer Hawkes](#)  
**To:** [Diana Baun](#)  
**Cc:** [cameron](#)  
**Subject:** Fwd: Lane striping in Emigration Canyon follow up  
**Date:** Monday, August 18, 2025 4:54:24 PM

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Diana,

Please add this as public comment and read in our Aug Meeting.

Thank you,

Jennifer Hawkes  
Emigration Canyon

----- Forwarded message -----

From: **Dave Iltis** <[dave@cyclingutah.com](mailto:dave@cyclingutah.com)>  
Date: Mon, Aug 18, 2025 at 1:00 PM  
Subject: Re: Lane striping in Emigration Canyon follow up  
To: <[jhawkes@emigration.utah.gov](mailto:jhawkes@emigration.utah.gov)>

Jennifer,

It looks like they messed up the striping in various places. There are many areas with 12' lanes. The striping is especially bad above the Sun and Moon to the Pinecrest turnoff.

I rode it on Saturday. Other cyclists had the same comments. MSD should redo areas where they messed up.

Can you let me know that you received this?

Thanks,  
Dave Iltis  
Cycling Utah & Cycling West  
801-574-3413 cell  
<https://cyclingwest.com>

On Aug 13, 2025, at 1:06 PM, Dave Iltis <[dave@cyclingutah.com](mailto:dave@cyclingutah.com)> wrote:

Below is the editorial I wrote in 2020 (that I sent to you then) prior to the compromise of 11' lanes for reference.

Thanks,  
Dave Iltis  
Cycling Utah & Cycling West

801-574-3413  
<http://cyclingwest.com>

Dear Mayor Smolka and the Emigration Project Team,

I'm writing to ask that you please consider narrowing the vehicle travel lanes to 10' wide in order to create wider shoulders and thus more room for cyclists and pedestrians/runners. There are a multitude of other reasons to do this, which we spell out here in our editorial.

Also, I do hope that someone from the Team will be attending the Salt Lake County Bicycle Advisory Committee meeting today at 5:30 pm.

See: <http://www.cyclingutah.com/advocacy/road-advocacy/editorial-emigration-canyon-road-design-changes-needed-for-safer-cycling-and-walking/>

Editorial: Emigration Canyon Road Design Changes Needed for Safer Cycling and Walking

By Dave Iltis - July 7, 2020

10 Foot Travel Lanes Would be Safer For Cyclists, Pedestrians, Wildlife, and Motorists

July 7, 2020 – Emigration Canyon in Salt Lake County, Utah is currently being reconstructed from Donner Monument to SR 65 (the road to East Canyon). While cyclists have been concerned about the short term lack of access to the canyon, the problems with the roadway design have far greater long term consequences for cyclists' safety.

The current plan is to keep the road striping the same as it is now, with mostly 12' wide travel lanes from the Salt Lake County line to approximately the Fire Station, 11' foot lanes from there to the Pinecrest turnoff, and 12' lanes to Little Mountain Summit, and finally 11' lanes from the summit to SR 65.

More on the striping plan is below, this from the Emigration Project Team:

Concerning the new striping and lane widths, here is the planned layout.

- From the County line to the Fire Station in the eastbound (uphill) direction there will be a five (5) foot bike lane. Twelve (12) foot travel lane to Skycrest. Eleven (11) foot travel lane from Skycrest to the Fire Station.
- From the County line to the Fire Station in the westbound (downhill) direction it will remain "Share the Road". Twelve (12) foot travel lane.
- Between the Fire Station and Pinecrest it will continue to be "Share the Road" because there is insufficient room through that section to strip for bike lanes. Eleven (11) foot travel lanes in both directions.
- Between Pinecrest and the Summit there will be five (5) foot bike lanes on both sides of the road. Twelve (12) foot travel lanes in both directions.
- From the Summit to SR-65 once again it will be "Share the Road" because of how narrow the road is. Eleven (11) foot travel lanes in both directions.

We very much wanted to expand the bike lanes, but the project simply was not funded to be able to add the width necessary to support additional bike lanes. Travel lanes were only adjusted where necessary to provide five (5) foot bike lanes.

Why are lane widths important? Road design, and in particular lane widths, impact the speed at which motorists feel comfortable driving. According to Jeff Speck's Walkable Cities Rules, 12' lanes have a design speed of 70 miles per hour, while 10' lanes have a design speed of 45 miles per hour. The speed limit in Emigration is 40 mph. So, why are 12' lanes specified?

We asked this question of the project engineers, and they indicated that the leadership of Emigration Township did not want this. We are unclear on the reasoning here.

The new Township encompasses one of the most beautiful areas in Salt Lake City, where hundreds of cyclists and tourists ride and sight see. The canyon is also the site of Brigham Young's Last Camp, prior to declaring "This is the place!" in the Latter Day Saints journey west.

According to Strava data, it is likely the 4th most popular recreational bike route in the country, and the most popular in Utah.

In the Salt Lake City section near the mouth of the canyon, there are adequate bike lanes, although we would like to see narrower travel lanes here, and wider bike lanes, this section is not part of the reconstruction. We do plan on asking Salt Lake City about this.

In the Salt Lake County section, there are really no true bike lanes, but rather just wider shoulders. Riding up the canyon, having adequate room is paramount to cyclists' safety as the speed differential between cyclists and cars is much higher. 10' lanes would provide in some sections 1 to 2 more feet of space to ride. Additionally, this provides more room for pedestrians. We would think that one of the desires of canyon residents is to be able to walk along the road safely, with enough room to not get buzzed by car traffic.

In the downhill direction, there are some parts of the canyon where cyclists can reach 30-35 miles per hour, and can easily take the lane. However, there are many sections in the canyon where cyclists cruise along at lower speeds, and generally will want to ride in the shoulder / 'bike lane'.

A wider shoulder and narrower travel lane would give more room for cyclists to ride, and would lower conflict between motorists and cyclists.

Additionally, in a conversation with one of the Unified Police Department officers that patrol the canyon, they stated to us that motorists in speeding vehicles are one of the main issues that they deal with. Narrower travel lanes by design reduce motorist speeds. This is better on many levels. It would reduce enforcement issues. Slower motorist speeds would reduce the speed differential between cars and cyclists, thus reducing conflict. And, slower motorist speeds would reduce

crashes with wildlife.

We would offer specific recommendations as to where to go to 10' travel lanes, but despite several requests, Salt Lake County would not respond to requests to share the striping plan with us. Additionally, as far as we are aware, no cyclists were contacted for feedback on the current plan.

The 2015 Emigration Canyon Roadway Improvement Committee study (ECRIC study) recommends, “Meet or exceed AASHTO standards regarding road widths, bike lanes and road shoulders.” But, as far as we can tell, the study is silent on vehicle travel lane widths. The only way to gain more width for bike lanes and road shoulders without widening the road (which is difficult because of cost) is to narrow the travel lanes.

The study contains a number of other recommendations. We are not able at this time to tell which of those will be implemented.

All in all, the striping plan in Emigration needs to be reevaluated as soon as possible and needs to take in to consideration modern road design standards that will result in safer conditions for all canyon users and residents.

**From:** [Jennifer Hawkes](#)  
**To:** [Diana Baun](#)  
**Cc:** [cameron](#)  
**Subject:** Fwd: Road mirror sealing disaster  
**Date:** Monday, August 18, 2025 4:49:25 PM

---

Diana,

Please provide as a public comment to be read at our next meeting.

Thank you,

Jennifer Hawkes  
Emigration Canyon

----- Forwarded message -----

From: **George Croft** <[croftco@gmail.com](mailto:croftco@gmail.com)>  
Date: Mon, Aug 18, 2025 at 1:57 PM  
Subject: Road mirror sealing disaster  
To: <[jhawkes@emigration.utah.gov](mailto:jhawkes@emigration.utah.gov)>

Greeting and thank you to the mayor and council members of Emigration Canyon Township for all of you're efforts as well as to all the residents and fellow users of your area for presenting and making available the once almost perfect travel ways through your community and township. The road has been truly world class that I use most every day while solo on my bike or by co-riding up to Ruths Diner as an extended family of often 20 or more young and old family members. I am heart sick that the recently "completed" resurfacing of Emigration Canyon has left the road as well as the shoulders unsafe for bikers, pedestrians and cars traveling either up and down at any speed. It is terrible that the micro paving has turned the canyon from a world class surface to a shoddy, unpredictable and very unsafe surface from top to bottom. I'm totally disappointed in the quality of the job. I fear for my life and that of other canyon users trying to navigate the shoulders and bike lanes with their uneven and loose surface debris even at slow speeds all the while trying to not get pelted with asphalt pebbles being flipped onto me by passing cars. I had hoped this micro surfacing was going to be just an undercoat to apply better asphalt on top of but the township website shows the construction timeline to be completed. Such a shame really.

Thank you for hearing my comments.

Georger Croft