



AGENDA – City Council Meeting

Mayor Chris Carn
Mayor Pro Tempore Lance Wadman
Council Member Audrey Barton
Council Member Edon Davenport
Council Member Robert Taylor
Council Member Emma Wilson

CITY OF SARATOGA SPRINGS

Tuesday, February 17, 2026 @ 6:00 pm

City of Saratoga Springs Council Chambers | 319 South Saratoga Road, Saratoga Springs, UT 84045

POLICY MEETING

CALL TO ORDER

1. Roll Call.
2. Moment of Reflection.
3. Pledge of Allegiance.
4. Recognition: Outgoing Planning Commissioners Charlie Carn and Jack Mangum.
5. Oath of Office: Police Officers: Alvaro Nicolia & Collin Larsen.
6. Public Input – *This time has been set aside for the public to express ideas, concerns, and comments for subject matter not listed as public hearing on the agenda. Limit of 3 minutes per speaker, unused time may not be given to another. Time for Public Input is limited to no more than 15 minutes total.*

REPORTS

1. Mayor.
2. City Council.
3. Administration.

CONSENT ITEMS

The Council may approve these items without discussion or public comment and may remove an item to the Business Items for discussion and consideration.

1. Approval of Minutes: February 3, 2026.

BUSINESS ITEMS

The Council will discuss (without public comment) and may approve the following items:

1. Amendments to City of Saratoga Springs City Code, Title 20 – Administrative Code Enforcement; and Updates to the Code Enforcement Manual. Ordinance 26-05 (02-17-26) and Resolution R26-09 (02-17-26).
2. Award of Contract for Construction Management Services for the Saratoga Springs Saratoga Road & Pony Express Parkway Widening Project. Resolution R26-10 (02-17-26).
3. Discussion on Trails Master Plan.

CLOSED MEETING

Possible motion to enter into closed meeting for the purchase, exchange, or lease of property; pending or reasonably imminent litigation; the character, professional competence, or the physical or mental health of an individual; or the deployment of security personnel, devices, or systems.

ADJOURNMENT

Supporting materials are available for inspection on the City Website, www.saratogasprings-ut.gov. Questions and comments to Staff and/or Council may be submitted to comments@saratogasprings-ut.gov. Meetings are streamed live at <https://www.youtube.com/c/CityofSaratogaSprings>.

PLEASE NOTE: The order of items may be subject to change with the order of the Mayor. One or more council members may participate by electronic telecommunication means such as phone, internet, etc. so that they may participate in and be counted as present for all meeting purposes, including the determination that a quorum is present.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 801.766.9793 at least two days prior to the meeting.



MINUTES – City Council Meeting

Tuesday, February 03, 2026

City of Saratoga Springs City Offices

319 S. Saratoga Rd., Saratoga Springs, Utah 84045

POLICY MEETING

CALL TO ORDER

6:00 p.m. by Mayor Chris Carn

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1. **Roll Call** – A quorum was present.

Present:

Mayor Chris Carn, Council: Audrey Barton, Edon Davenport, Robert Taylor, Lance Wadman, Emma Wilson.

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Staff: City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, PR Manager AnnElise Harrison, City Recorder Nicolette Fike, Deputy Recorder Heather Washburn, Planner II Kendal Black, City Engineer/Public Works Director Jeremy Lapin, Planning Director Sarah Carroll, Budget/Finance Administrator Spencer Quain, Finance Director Chelese Rawlings, Economic Developer Director Doug Meldrum,

15

Others: Jason Scarbrough, Garrett Cousins, Taylor Daake, Eric Nilson, Lacy Anderson, Amy Anderson, Bryce Anderson, Ryan Rackman, Cindy Coombs.

2. **Moment of Reflection** – given by Councilmember Wadman.

3. **Pledge of Allegiance** – led by Councilmember Barton.

20

4. **Public Input** –

Garrett Cousins, a resident of Saratoga Springs, expressed concern regarding new parking signage that restricted street parking on Chianti Street and Peony Drive. He felt they had limited parking in the neighborhood especially with the school next to them and suggested allowing overnight parking.

25

Taylor Daake, a resident of Saratoga Springs, shared concerns regarding new parking signage that restricted street parking on Chianti Street and Peony Drive and requested consideration of a temporary solution.

30

Eric Nilson, a member of the Utah Live Steamers Club, provided background information on the development and improvements of the Shay Park Railroad, expressed appreciation for community and corporate support, invited the Council to attend the club's annual meeting, and shared the club's interest in future park expansion and continued development at Shay Park.

35

Lacy and Amy Anderson, residents, expressed concerns about trash being blown into the public park and requested that trash cans be returned to the park near their home.

Bryce Anderson, resident, shared concerns about increased trash following the removal of trash cans at the park near his home and felt that the park's proximity to the community warranted their return.

40

Mayor Carn requested that Staff meet with the public to address the parking concerns.

REPORTS

1. **Mayor:** Mayor Carn reported that the Utah Lake Authority had received a \$7.7 million federal grant to support projects including lake access, carp/phragmites mitigation, and the upcoming nature center.

45

2. **City Council:** Councilmember Wilson stated that she was monitoring legislation affecting cities in the upcoming legislative session and noted that no relevant bills had passed yet.

3. **Administration:** City Manager Mark Christensen stated that the legislative session was about a third of the way complete, noted that many bills were still in flux, and explained that the City was proactively monitoring legislation to mitigate potential impacts.

50 City Engineer/Public Works Director Jeremy Lapin gave an overview of collector road restrictions, noting that there was no on-street parking allowed on collector roads. He explained that the signage was a clarification and not a newly implemented code change. He further discussed multi-family guest parking constraints and the need for consistency in how multi-family parking is addressed by the City.

55 Councilmember Taylor asked whether Peony was held to the same standards as Chianti Street and Peony Drive and whether, aside from site distance considerations related to access to Mountain View Corridor, parking could be allowed without designated parking spaces.

60 City Engineer/Public Works Director Jeremy Lapin explained that Peony does not have bike lanes and is not held to the same standard as Chianti. He said that although Peony originally had no striping, residents in the area had expressed concerns regarding safety and sight distance, which prompted the striping and did not leave room for on-street parking. He noted that while Peony was classified as a local road and would not typically be striped, it was treated as a hybrid due to it being one of the only access points from the Corridor.

65 Councilmember Taylor received clarification from Staff that the City does not typically paint red curb but uses signage in areas that would require it. He said he would like to see suggestions or recommendations for addressing the situation.

- 70 4. **Department Reports:** Police, Fire/EMS in the packet.

70 CONSENT ITEMS

- 75 1. **Approval of Minutes: January 20, 2026**

Motion by Councilmember Barton to approve the items on the Consent Calendar. Seconded by Councilmember Taylor.

Vote:

Council Member Barton Yes

Council Member Davenport Yes

Council Member Taylor Yes

Council Member Wadman Yes

Council Member Wilson Yes

No: None.

Absent: None.

Motion passed 5-0

85 PUBLIC HEARINGS

- 90 1. **Fiscal Year 2025-2026 Budget Amendments. Resolution R26-07 (02-03-26).**

Budget/Finance Administrator Spencer Quain presented the amendments.

Public Hearing open by the Mayor. Receiving no public comments, the Public Input was closed by the Mayor.

95 Councilmember Davenport highlighted the multi-use benefit of the new ambulance bay.

Motion made by Councilmember Taylor to approve the Fiscal Year 2025-2026 Budget Amendments. Resolution R26-07 (02-03-26). Seconded by Councilmember Davenport.

Vote:

Council Member Barton Yes

Council Member Davenport Yes

Council Member Taylor Yes

Council Member Wadman Yes

Council Member Wilson Yes

No: None.

Absent: None.
Motion passed 5-0

BUSINESS ITEMS

110

1. Election of Mayor Pro Tempore (Saratoga Springs City Code Section 2.02.01.3).

Mayor Carn provided an overview of the Mayor Pro Tempore responsibilities.

115

Motion made by Councilmember Barton to Elect Lance Wadman as Mayor Pro Tempore (Saratoga Springs City Code Section 2.02.01). Seconded by Councilmember Wadman.

Vote:

Council Member Barton Yes

Council Member Davenport Yes

Council Member Taylor Yes

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Council Member Wadman Yes

Council Member Wilson Yes

No: None.

Absent: None.

Motion passed 5-0

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2. Site plan for 2429 Stagecoach Drive. Travis Olsen, applicant.

Planner II Kendal Black stated that the applicant, Travis Olson, was unable to attend but submitted a written statement thanking Staff and the Planning Commission. He summarized the project, noting it is regional commercial and that two compliance options were presented, both requiring a nine-space shared parking agreement, and highlighted challenges with interconnection to the north due to grade differences. Building elevations were shown.

130

Councilmember Wilson asked whether Option B provided more parking because it did not include the interconnection.

135

Planner II Kendal Black explained that Option B met code requirements but that the applicant was also requesting the shared parking agreement to provide additional flexibility.

140

Councilmember Davenport noted that she had recently attended another City Council Work Session where shared parking agreements were discussed. She commented that it was important to be mindful that parking utilization can change over time as businesses within a facility change.

145

Councilmember Taylor asked whether the shared parking agreement would remain in perpetuity, whether it would be filed or recorded, or if it was solely a civil agreement between the two property owners.

150

Staff confirmed that the shared parking agreement would be a renewable agreement between the two property owners, recorded with the County, and would include an expiration date agreed upon by the owners. Staff also clarified that Planning verifies sufficient parking whenever a new business applies for a business license.

Councilmember Taylor confirmed with Staff that, if the shared parking agreement were rescinded, the site would still have sufficient parking.

155

City Attorney Kevin Thurman clarified that the agreement has a 15-year term and suggested that the agreement could include an amendment with an automatic extension and be cancelable with 90 days' notice, noting that a 15-year term might expire without parties remembering to renew.

160

Councilmember Wadman received clarification that the grading and stormwater drainage comply with requirements and that the shared parking agreement would be between the property owners, with the owners responsible for notifying tenants.

Councilmember Wilson expressed concern that the project appeared to represent a major traffic increase and asked if the City was prepared for it. She also stated that she wanted to ensure drive-thrus were not located adjacent to residential areas.

165

Motion made by Councilmember Wilson to approve the Site Plan for 2429 Stagecoach Drive. Travis Olsen as applicant, with all Staff Findings and Conditions, the requested shared parking agreement is approved with the amendment that it will auto-renew, the interconnection (to the north) is not required, and the site plan is approved subject to Option B as outlined in section F of the Staff Report. Seconded by Councilmember Wadman.

170

Vote:

Council Member Barton Yes

Council Member Davenport Yes

Council Member Taylor Yes

175

Council Member Wadman Yes

Council Member Wilson Yes

No: None.

Absent: None.

Motion passed 5-0

180

3. Consideration for Revocation or Extension of the Canyon Hollow Development Agreement. Located at 1498 N. Summer Village Rd. Jason Scarbrough as applicant.

Planner II Kendall Black presented the item and stated that the Development Agreement (DA) for the Canyon Hollow Development was entered into on March 15, 2022, and recorded with the County on March 16, 2022. The DA rezoned the property from Agricultural to MF-10 and included a Concept Plan. He noted that no development had occurred and that, under the terms of the DA, the property would revert to Agricultural zoning if development did not begin within two years.

185

The applicant, Jason Scarbrough, was present. He thanked the Council for their time and affirmed his commitment to moving forward with the project if allowed. He confirmed an estimated start of Spring 2026.

190

Councilmember Wilson asked whether an amendment to the Development Agreement was possible at this time.

City Attorney Kevin Thurman explained that the Development Agreement was considered terminated under its original terms. He stated that the Council could choose to extend it and could discuss additional requirements in the DA as part of that action.

195

Councilmember Wilson noted that the state strongly supports affordable housing and that the 13 townhomes were next to other townhomes, making the proposed use appropriate. She asked whether the applicant planned to sell to homeowners or retain them as rentals.

200

The applicant mentioned that they preferred to sell the homes once built but said that they may need to rent some units depending on market conditions.

205

Councilmember Wilson expressed a preference for the units to be owner-occupied, proposing a 12-month owner-occupancy clause. She expressed that the intent would not be to create a burden for the owner but that it could be helpful for residents.

City Attorney Kevin Thurman said that if the Council wanted to pursue an owner-occupancy clause, it could be discussed with the property owner, and that, as noted in the staff report, one of the pros for extending the DA was to address housing.

210

Mayor Carn asked the other Council members for their input.

Councilmember Taylor supported encouraging owner-occupancy but did not want to restrict the developer from renting units if they did not sell, noting that the homes should not be sold as investment properties.

215

220 City Manager Mark Christensen clarified that the DA could include a provision requiring homes to be owner-occupied for one year upon sale, while allowing the developer flexibility to rent units they still owned, and asked if this would meet the Council's objectives.

The applicant expressed his agreement.

225 **Motion made by Councilmember Taylor to approve the requested Development Agreement Extension for the Canyon Hollow Development located at 1498 North Summer Village Drive and restart the two-year timeframe to begin development, with the updated DA returning to City Council at a future meeting. Seconded by Councilmember Wilson.**

Vote:

230 **Council Member Barton Yes**

Council Member Davenport Yes

Council Member Taylor Yes

Council Member Wadman Yes

Council Member Wilson Yes

No: None.

235 **Absent: None.**

Motion passed 5-0

240 Councilmember Wilson stated for those in attendance that the project aligned with state priorities, was well-suited for the area, and represented the best use of the property.

4. **Drinking Water and Pressurized Irrigation Systems Masterplan Update. Resolution R26-08 (02-03-26).**

245 City Engineer and Public Works Director Jeremy Lapin introduced the item. He highlighted past accomplishments, including implementation of a pressurized irrigation system with metering, securing a diversified water supply from Central Utah and local sources, and expanding surface water use. He noted that the City currently uses less than half of its available water resources, has a robust system to handle peak demand, and recently completed a new pump station to improve redundancy and distribution. He emphasized that the master plans provide important guidance for staff, ensure adequate infrastructure for future development, and support water conservation efforts, particularly in drought years.

250 City Manager Mark Christensen explained that the City has been acquiring high-priority water rights to ensure reliable water use and maintain a diverse portfolio, in addition to existing Central Utah water contracts. He noted that additional secondary water purchases were planned and that infrastructure improvements would continue to be phased in with development. He emphasized that the City has proactively planned for growth and that claims of insufficient water were inaccurate.

255 The Council thanked Jeremy Lapin and Staff for their efforts.

260 Councilmember Davenport highlighted that the water master plan demonstrates long-term planning for a 40-year buildout and ensures that the City will have adequate water infrastructure for the future. She added that the plan also highlights the importance of individual conservation efforts, particularly during a tight water year.

265 **Motion made by Councilmember Wilson to approve the Drinking Water and Pressurized Irrigation Systems Masterplan Update. Resolution R26-08 (02-03-26). Seconded by Councilmember Davenport.**

Vote:

270 **Council Member Barton Yes**

Council Member Davenport Yes

Council Member Taylor Yes

Council Member Wadman Yes

Council Member Wilson Yes

No: None.

275 **Absent: None.**

Motion passed 5-0

CLOSED MEETING

280 Motion by Councilmember Wilson to enter into closed meeting for the purchase, exchange, or lease of property, discussion regarding deployment of security personnel, devices, or systems; pending or reasonably imminent litigation, the character, professional competence, or physical or mental health of an individual. Seconded by Councilmember Barton.

285 Vote:
Council Member Barton Yes
Council Member Davenport Yes
Council Member Taylor Yes
Council Member Wadman Yes
Council Member Wilson Yes

290 No: None.
Absent: None.
Motion passed 5-0

A short break was taken.
295 **Meeting commenced at 7:04 p.m.**

Present: Mayor Carn, Council Members Audrey Barton, Lance Wadman, Emma Wilson, Edon Davenport, Rob Taylor, Public Works Director Jeremy Lapin, Assistant City Manager Owen Jackson, City Attorney Kevin Thurman, Deputy Recorder Heather Washburn.

300 **Closed Meeting ended at 7:18 p.m.**

WORK SESSION

305 **1. Council Workshop and training follow up.**

Economic Developer Director Doug Meldrum gave a presentation on Community Reinvestment.

Assistant City Manager Owen Jackson gave an overview on bonds and scheduled another half-day workshop for a tentative future date.

310 **ADJOURNMENT**

Meeting Adjourned Without Objection at 8:35 p.m. by Mayor Chris Carn.

315 _____
Mayor Chris Carn

_____ Date

320 _____
City Recorder



Staff Report - Meeting

Author: Rulon Hopkins, Assistant City Attorney
Department: Legal, Code Enforcement
Subject: Title 20 & Administrative Code Enforcement ("ACE") Manual – Administrative Code Enforcement Update
Date: 2/9/2026
Type of Item: Legislative

Introduction:

The proposed changes are minor updates to procedures that have been discussed with legal, code enforcement, and the administrative court team. These changes are intended to help the process operate more smoothly for both the parties involved and the efficient use of staff time.

Background:

Title 20 of the City Code was originally adopted in 2009 and last updated in 2014. The code and the administrative court were established to allow the City to address code violations without the need to utilize the justice court. This approach significantly improved efficiency and eliminated the risk of creating a criminal record for these matters.

The administrative court is a civil administrative body that reviews code enforcement, animal control, and parking violations for the City. While the code complies with all applicable state law requirements, staff has identified areas for improvement to further enhance the efficiency and effectiveness of the process.

This update designates the City Manager or Assistant City Manager as the Ordinance Enforcement Administrator, unless otherwise designated. The inspection authority language has been clarified to reflect current constitutional requirements. Reinspection fees are made permissive and may be imposed on repeat offenders who misuse city resources. Fee reductions are allowed for vehicles that obtain proof of registration. The requirement to record a lien against the property is changed from mandatory to permissive.

Budget Impact:

None

Department Review:

Code Enforcement, ACE Court, Legal

Recommendation:

Staff recommends that the City Council review and approve the proposed changes to Title 20 of the City Code and the ACE Manual.

Alternatives:

1. Continue the item for further discussion or revisions.
2. Deny the requested changes.

Attachments:

1. Title 20 Code Amendments
2. ACE Manual

Title 20. ADMINISTRATIVE CODE ENFORCEMENT

Chapters:

20.01. General Provisions and Definitions.

20.02. General Authority and Offenses.

20.03. Administrative Code Enforcement Procedures.

20.04. Administrative Code Enforcement Hearing Procedures.

20.05. Administrative and Judicial Remedies.

20.01. General Provisions and Definitions.

20.01.07. Definitions.

19. “Ordinance Enforcement Administrator” means the supervisor of the Ordinance Enforcement and Animal Control Division as designated by the City Manager. If no such person is designated, the Ordinance Enforcement Administrator shall be the City Manager or Assistant City Manager.

20.02.03. Authority to Inspect.

- ~~1. A Code Enforcement Officer is authorized to enter upon any property or premises to ascertain whether the provisions of the City Code or City ordinances are being obeyed and to make any examinations and surveys as may be necessary in the performance of the enforcement duties. This may include the taking of photographs, samples, or other physical evidence. Unless a warrant is obtained, Code Enforcement Officers are authorized to enter any property or premises that are publicly accessible or visible from public areas, including streets, sidewalks, and alleys, to ascertain whether the provisions of the City Code or City ordinances are being obeyed. Officers may take photographs, samples, or other physical evidence from publicly visible areas.~~
2. All inspections, entries, examinations, and surveys shall be done in a reasonable manner based upon cause. Except as otherwise authorized in this Title, if the responsible person refuses to allow a Code Enforcement Officer to enter the property, then the Code Enforcement Officer shall obtain a search warrant or other judicial order.

(Ord. 14-18; Ord. 12-9; Ord. 11-9; Ord. 09-10)

20.03.04. Inspections.

1. It shall be the duty of the responsible person served with a Notice of Violation to request an inspection when his or her property has been brought into compliance. It is prima facie evidence that the violation remains on the property if no inspection is requested.
2. Civil penalties accumulate daily until the property has been inspected and a notice of compliance is issued.
3. A reinspection fee may be assessed if the Responsible Party requests a reinspection and multiple inspections are required due to failure to correct violations within the specified timeframe. The fee will be detailed in the City’s fee schedule. Reinspection fees shall be assessed if more than one inspection is necessary.

(Ord. 11-9; Ord. 09-10)

20.03.06. Demolitions.

1. **Authority.** Whenever the Ordinance Enforcement Administrator, Chief Building

~~Officer~~Official, or Fire ~~Inspector~~Marshal determines that a property or building requires demolition, any one of them may order demolition or removal of the offending structure, or exercise any or all of the powers listed in Section 20.03.05, once appropriate notice has been given to a responsible person pursuant to applicable building codes, fires codes, and state law. The responsible person shall be liable for all costs associated with the demolition. Costs may be recovered pursuant to this Title.

2. **Procedures.** Once all of the notice requirements of the applicable laws have been met, the property will be abated pursuant to the abatement remedy. Other applicable remedies may also be pursued.

(Ord. 14-18; Ord. 12-9; Ord. 11-9; Ord. No. 09-10)

20.03.08. Civil Penalties, Fines, and Fees.

1. **In General.** As specified in the notice of violation or administrative citation, civil penalties may be assessed on a daily basis until the violation is corrected or immediately if an administrative citation is issued. Interest ~~shall~~may be assessed ~~per City policy~~ on all outstanding civil penalties balances until the case has been paid in full. After a judgment, interest shall be at the post-judgment interest rate established by Utah Code § 15-1-4. The City may use one form for both notices of violation and administrative citations. Payment of the penalties, fines, and fees shall not excuse the failure to correct the violations, nor shall it bar further enforcement action by the City if the violation is not corrected.
2. **Amount.** Unless specified otherwise in the more specific section of the City Code or the City's Consolidated Fee Schedule, the penalties shall be as follows:
 - a. Fees for General City Code Violations:
 - i. Administrative Citations:
 - A. First Offense: \$100
 - B. Second Offense (within one year from first offense): \$200
 - C. Third (or more) Offense (within one year from first offense): \$400
 - ii. Civil Penalties per Notice of Violation or Administrative Law Judge Order:
 - A. For each violation during the first ten days following the Notice of Violation deadline, a fine of fifty dollars (\$50) per day will be imposed.
 - B. Starting on the eleventh day after the Notice of Violation deadline and continuing each day thereafter, a fine of one hundred dollars (\$100) per day will be imposed.
 - iii. Fines will continue to accrue until the violation(s) is/are corrected or abated as ordered by the Administrative Law Judge.
 - b. Fees for Violations of Title 13, Traffic and Parking:
 - i. Parking Violations:
 - A. Administrative Citations:
 - I. First Offense: \$25
 - II. Second Offense (within one year from first offense): \$50
 - III. Third (or more) Offense (within one year from first offense): \$100

- B. Civil Penalties per Notice of Violation or Administrative Law Judge Order:
 - I. For each violation during the first ten days following the Notice of Violation deadline, a fine of fifty dollars (\$50) per day will be imposed.
 - II. Starting on the eleventh day after the Notice of Violation deadline and continuing each day thereafter, a fine of one hundred dollars (\$100) per day will be imposed.
 - C. Fines will continue to accrue until the violations(s) is/are corrected or abated as ordered by the Administrative Law Judge.
- ii. Traffic Violations:
- A. Administrative Citations:
 - I. First Offense: \$50
 - II. Second Offense (within one year from first offense): \$100
 - III. Third (or more) Offense (within one year from first offense): \$150
 - B. Civil Penalties per Notice of Violation or Administrative Law Judge Order:
 - I. For each violation during the first ten days following the Notice of Violation deadline, a fine of fifty dollars (\$50) per day will be imposed.
 - II. Starting on the eleventh day after the Notice of Violation deadline and continuing each day thereafter, a fine of one hundred dollars (\$100) per day will be imposed.
 - C. Fines will continue to accrue until the violations(s) is/are corrected or abated as ordered by the Administrative Law Judge.
- c. Hearing Fee for Default Hearings or Administrative Code Enforcement Hearings: \$100 if Responsible Person is unsuccessful or fails to appear after proper notice.

3. Non-Payment of Citation.

- a. If the responsible person fails to make any payments within the time period specified in the notice, the City may send additional notices, file a small claims action, refer the matter to a collection agency, or pursue any remedy in law or equity.
- b. Interest may be assessed on all outstanding amounts at a rate of up to 20 percent per annum. After a judgment, interest shall be charged at the post-judgment interest rate established by Utah Code § 15-1-4.
- c. The City has the authority to collect all costs associated with the filing of such actions, including administrative fees and service costs.

4. Modification of Civil Penalties.

- a. Upon completion of the required action pursuant to the notice of violation, administrative citation, or administrative enforcement order, the Administrative Law Judge may modify the civil penalties on a finding of good cause as defined in this Title.
- b. Civil penalties may be waived or modified by the Administrative Law Judge if there is a finding of good cause based on the responsible person's claim of

nonconforming use, as defined per state law, or conditional use, as defined by the City Code, and:

- i. the City's ability to verify the claim; or
 - ii. the responsible person's filing of an application for either use before the date of the Notice of Violation or Administrative Citation.
- c. **Reductions and Waivers for Animal Violations and Registration.**
- i. The Code Enforcement Coordinator and Administrative Law Judge may grant reductions and waivers of fines for animal violations under the following circumstances:
 - A. Licensing and rabies fines may be dismissed upon proof that the violation has been corrected.
 - B. \$25.00 reduction may be given for first time offenders with good cause.
 - C. Offenders with a history of non-payment should generally not receive a reduction or waiver of fines or fees.
 - D. At the City's discretion, flexible monthly plans may be set up according to responsible person's needs.
 - E. Fines may be dismissed if the animal in violation is deceased.
 - ii. The Code Enforcement Coordinator and Administrative Law Judge may grant reductions and waivers of fines for vehicle registration upon proof that the violation has been corrected.

(Ord. 24-28; Ord. 14-18; Ord. 12-9; Ord. 11-9; Ord. 09-10)

Chapter 20.04. Administrative Code Enforcement Hearing Procedures.

20.04.04. Request for Administrative Code Enforcement Hearing.

1. A person served with one of the following documents or notices has the right to request an administrative code enforcement hearing if the request is filed within ten calendar days from the date of service:
 - a. notice of violation;
 - b. notice of itemized bill for costs;
 - c. administrative citation; or
 - d. notice of emergency abatement.
2. The request for hearing shall be made ~~in writing and filed with to~~ the Code Enforcement Coordinator, who then shall provide a copy of the request to the Administrative Law Judge and serve the request to all parties. The request shall contain the case number, the address of the violation, the signature of the responsible party, and the reason for the hearing including justifications for the offense, defenses, and requests for waiver or reduction in fines.
3. As soon as practicable after receiving the ~~written notice of the~~ request for hearing, the Code Enforcement Coordinator shall schedule a date, time, and place for the hearing.
4. Failure to request a hearing as provided shall constitute a waiver of the right to a hearing

and a waiver of the right to challenge the action.

(Ord. 14-18; Ord. 12-9; Ord. 11-9; Ord. 09-10)

20.04.05. Notification of Administrative Code Enforcement Hearing.

1. Written notice of the date, time, and place of the hearing shall be served or mailed (postmarked) by the Code Enforcement Coordinator or Code Enforcement Officer to the responsible person ~~as soon as practicable~~ no later than fourteen days prior to the date of the hearing before the hearing date.
2. The format and contents of the hearing notice shall be in accordance with rules and policies promulgated by the Administrative Law Judge. In the absence of such rules, the format and contents of the hearing shall be drafted by the Code Enforcement Coordinator so as to be consistent with this Title 20.
3. The notice of hearing shall be served by any of the methods of service listed in Section 20.01.09 of this Title.

(Ord. 14-18; Ord. 11-9; Ord. 09-10)

Chapter 20.05. Administrative and Judicial Remedies.

20.05.01. Recordation of Notices of Violation and Administrative Law Judge Orders.

1. **Declaration of Purpose.**
 - a. The City Council finds that there is a need for alternative methods of enforcement for violations of the City Code and City ordinances that are found to exist on real property. The City Council further finds that an appropriate method of enforcement for these types of violations is the issuance and recordation of notices of violation and Administrative Law Judge Orders.
 - b. The procedures established in this shall be in addition to criminal, civil, or any other remedy established by law that may be pursued to address the violation of the City Code or City ordinances.
2. **Authority.** Whenever a Code Enforcement Officer or Code Enforcement Coordinator determines that a property or violation has not been brought into compliance as required in this Title, the Code Enforcement Coordinator has the authority to record the notice of violation or Administrative Law Judge Order with the Recorder's Office of Utah County.
3. **Procedures for Recordation.**
 - a. If a Code Enforcement Officer issues a notice of violation or administrative citation to a responsible person, and the property remains in violation after the deadline established in the notice of violation or is not corrected after the administrative citation is issued, and no request for an administrative hearing has been filed, the Code Enforcement Coordinator ~~shall~~ may record a notice of violation with the Recorder's Office of Utah County.

- b. If an administrative hearing is held, and an order is issued in the City’s favor, the Code Enforcement Coordinator shall record the Administrative Law Judge’s Administrative Law Judge Order with the Recorder’s Office of Utah County.
 - c. The recordation shall include the name of the property owner, the parcel number, the legal description of the parcel, a copy of the notice of violation, administrative citation, or order, and any other relevant information.
 - d. The recordation does not encumber the property, but merely places future interested parties on notice of any continuing violation found upon the property.
4. **Service of Notice of Recordation.** A notice of the recordation shall be served on the responsible person and the property owner pursuant to any of the methods of service set forth in Section 20.01.09 of this Title.
5. **Failure to Request.** The failure of any person to file a request for an administrative code enforcement hearing when served with a notice of violation shall constitute a waiver of the right to an administrative hearing and shall not affect the validity of the recorded notice of violation.
6. **Notice of Compliance—Procedures.**
- a. When the violations have been corrected, the responsible person or property owner may request an inspection of the property from a Code Enforcement Officer.
 - b. Upon receipt of a request for inspection, the Code Enforcement Officer shall re-inspect the property as soon as practicable to determine whether the violations listed in the notice of violation, administrative citation, or the order have been corrected, whether all necessary permits have been issued, and/or whether final inspections have been performed.
 - c. The Code Enforcement Officer, in conjunction with the Code Enforcement Coordinator, shall serve a notice of compliance to the responsible person or property owner in the manner provided in Section 20.01.09 of this Title if the Code Enforcement Officer determines that:
 - i. all violations listed in the recorded notice of violation or order have been corrected; and
 - ~~ii. all necessary permits have been issued and finalized;~~
 - ~~iii. all civil penalties, fines, and costs assessed against the property have been paid or satisfied; and/or~~
 - ~~iv. ii. the party requesting the notice of compliance has paid all administrative fees and costs.~~
 - d. If a request to issue a notice of compliance is denied, then, upon request, the Code Enforcement Officer, in conjunction with the Code Enforcement Coordinator, shall serve the responsible person with a written explanation setting forth the reasons for the Code Enforcement Officer’s denial. The written explanation shall be served by any of the methods of service listed in Section 20.01.09 of this Title.
7. **Withholding the Issuance of Municipal Permits and Business Licenses.**
- a. The City may withhold permits and business licenses until a notice of compliance has been issued by a Code Enforcement Officer.
 - b. The City may withhold business licenses, permits for kennels, permits for any

alteration, repair, or construction pertaining to any existing or new structures or signs on the property, and any permits pertaining to the use and development of the real property or the structure.

- c. The City may, in its sole discretion, issue permits or business licenses that are necessary to obtain a notice of compliance or that are necessary to correct serious health and safety violations.

8. Cancellation of Recorded Notice of Violation or Administrative Law Judge Order.

In conjunction with the Code Enforcement Officers, if a notice has been recorded against the property, the Code Enforcement Coordinator shall record the notice of compliance with the County Recorder's Office. Recordation of the notice of compliance shall have the effect of canceling the recorded notice of violation, administrative citation, or recorded Administrative Law Judge Order but shall not cancel any outstanding fines, fees, or costs.

(Ord. 14-18; Ord. 11-9; Ord. No. 09-10)

20.05.03. Recovery of Costs.

1. Declaration of Purpose.

- a. The City Council finds that there is a need to recover costs incurred by Code Enforcement Officers and other City personnel who spend considerable time inspecting and re-inspecting properties throughout the City in an effort to ensure compliance with the City Code or City ordinances.
- b. The City Council further finds that the assessment of costs is an appropriate method to recover expenses incurred for actual costs of abating violations, reinspection fees, filing fees, attorney fees, hearing officer fees, title search, and any additional actual costs incurred by the City for each individual case.
- c. The assessment and collection of costs shall not preclude the imposition of any administrative or judicial civil penalties or fines for violations of the City Code or City ordinances.

2. Authority.

- a. Whenever actual costs are incurred by the City on a property to obtain compliance with provisions of the City Code and City ordinances, a Code Enforcement Officer or Code Enforcement Coordinator may assess costs against the responsible person.
- b. Once a notice of violation has been issued, the property shall be inspected one time if the responsible person requests an inspection in writing. A reinspection fee may be assessed if the Responsible Party requests a reinspection and multiple inspections are required due to failure to correct violations within the specified timeframe. ~~Any additional inspections shall be subject to reinspection fees pursuant to the City fee schedule.~~

3. Notification of Assessment of Reinspection Fees.

- a. Notification of reinspection fees may be provided in the notice of violation served to the responsible person.

- b. Reinspection fees assessed or collected pursuant to this Section shall not be included in any other costs assessed.
 - c. The failure of any responsible person to receive notice of the reinspection fees shall not affect the validity of any other fees imposed under this Section.
4. **Failure to Timely Pay Costs.** The failure of any person to pay assessed costs by the deadline specified in the invoice shall result in a late fee pursuant to City ordinances.

(Ord. 14-18; Ord. 11-9; Ord. No. 09-10)

**ADMINISTRATIVE CODE
ENFORCEMENT MANUAL
FOR
THE CITY OF SARATOGA SPRINGS**

**Adopted by the City Council
on ~~November 18~~February 17, 20~~20~~20~~15~~**



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Acronyms:

ACE: Administrative Code Enforcement

ALJ: Administrative Law Judge

CEC: Code Enforcement Coordinator

CEO: Code Enforcement Officer

RP: Responsible Person

SECTION 1: CODE ENFORCEMENT COORDINATOR

A. Service of Process ([20.01.09](#)).

(1) For violations of Titles 1–18 and Title 20, service is effective by mail, posting, personal service, and publication as more specifically provided in [20.01.09\(1\)](#).

(2) For violations of Title 19, service is effective by mail or hand delivery as more specifically provided in [20.01.09\(2\)](#).

B. Receipt of a Request for an ACE Hearing ([20.04.04](#) & [20.04.05](#)).

(1) A person served with one of the documents or notices listed in [20.04.04](#) has the right to request an ACE hearing within ten calendar days from the date of service in accordance with [20.04.04\(2\)](#). The request shall contain:

- i. the case number;
- ii. the address of the violation;
- iii. the signature of the responsible party; and
- iv. the reason for the hearing including:
 - (a) justifications for the offense;
 - (b) defenses; and
 - (c) requests for waiver or reduction in fines.

(2) When the Code Enforcement Coordinator (“CEC”) receives a written request, the CEC will:

- i. provide a copy of the request to the Administrative Law Judge and all parties; and
- ii. schedule a date, time, and place for the hearing as soon as practicable.

(3) After scheduling the hearing, the CEC shall serve written notice to the RP as soon as practicable before the date of the hearing and by any of the methods of service listed in Section 1.A. of this manual. The written notice must contain the:

- i. date;
- ii. time;
- iii. place of the hearing; and
- iv. any other format or content required by the ALJ’s policies.

C. Failure to Request a Hearing and Default Hearings ([20.04.04](#)).

(1) If the Responsible Person (“RP”) fails to request an ACE hearing before the end of the ten day deadline, the RP has waived his or her right to a hearing.

(2) However, the CEC shall schedule a default hearing in the following cases:

- i. Three or more animal violations in a 12-month period or a revocation of animal license ([20.04.12](#));
- ii. Cases in which a notice of violation has been given and the RP fails to come

into compliance within 30 days (This includes cases that have outstanding or unpaid civil penalties, fines, fees, or costs if a hearing on that case has not already been held) ([20.04.06](#)); and

iii. Determination of vicious animal ([9.01.16](#)).

(3) The CEC shall notify the RP of the date, time, and place of the default hearing by one of the methods listed in Section 1.A. of this manual.

D. Procedures for Abatement or Emergency Abatement.

(1) Abatement ([20.05.02](#))

i. If an abatement has occurred according to the process laid out in [20.05.02](#), the CEC shall serve (*see* Section 1.A) on the RP:

(a) the notice of costs,

(b) the itemized bill of costs, and

(c) a demand for full payment within twenty days to the CEC.

ii. If requested in writing by an RP, the CEC shall schedule a hearing for the RP to challenge the itemized bill of costs.

(2) **Emergency Abatement ([20.03.05](#))**. If an emergency abatement has occurred, the CEC shall service notice of the abatement and any itemized bill for the costs of abatement within ten days in accordance with [20.03.05](#).

(3) In either abatement or emergency abatement, if the itemized bill of abatement costs remains unpaid, the CEC shall notify the City Attorney's Office, so that the City Attorney's Office may record a tax lien against the RP. *See Section 4: City Attorney's Office.*

E. Notices of Violation, ALJ Orders, and Notices of Compliance ([20.05.01](#)).

(1) **Recording a Notice of Violation.** The CEC will record the Notice of Violation with Utah County according to [20.05.01\(3\)](#) if a property:

i. Has been issued a Notice of Violation;

ii. Has remained noncompliant after the deadline; and

iii. Has not requested an administrative hearing.

(2) **Recording ALJ Orders.** If an administrative hearing is held, and an order is issued in the City's favor, the Code Enforcement Coordinator ~~shall~~may record the Administrative Law Judge Order with Utah County.

i. The CEC will also provide a copy of this order to the City Attorney's Office.

If the judgment is not paid, the City Attorney's Office can record a tax lien.

(3) **Recording in General.** The recorded document shall include the name of the property owner, the parcel number, the legal description of the parcel, a copy of the notice of violation, administrative citation, or order, and any other relevant information.

(4) **Recording a Notice of Compliance.** If an ALJ Order is recorded against the property. ~~The~~ CEC will record a Notice of Compliance according to [20.05.01\(6\)](#) when the property comes into compliance and all fines and penalties have been paid.

F. Administrative Fees (*Please see [20.05.05](#) for current fees*).

(1) Administrative citations are entered into a case management system by the CEC. The CEC shall enter relevant information such as identifying information, charges, required corrective action, amount due, and due date.

- (2) If the RP pays the citation and all outstanding fees, the payment is recorded in the system and the case is marked as closed. Payment should be made by personal check, cashier's check, or money order and payable to the City of Saratoga Springs.

G. Fines, Reductions, Payments.

- (1) **Definition of Good Cause.** "Good cause" means: incapacitating illness; death; lack of proper notice; unavailability due to unavoidable, unpreventable, or extenuating emergency or circumstance; imminent and irreparable injury; and acts of nature adverse to performing required acts. ([20.01.07](#))

- (2) **Administrative Citations.**

- i. The CEC may grant a 10% reduction without a showing of good cause.
- ii. The CEC may grant a 25% reduction upon a showing of good cause.
- iii. Vehicle registration, Licensing and rabies vaccination fines ~~are~~ may be dismissed upon proof that the violation has been corrected.
- iv. No reductions are offered for offenders with a history of non-payment.

- (3) **Reductions and Waivers of Fines before a Default Judgment.**

- i. If a Notice of Compliance is issued after the deadline contained in the Notice of Violation, but before a default or final judgment is issued, the following reductions may be granted:

- (1) Without a showing of good cause:

- a. CEC may grant a reduction of up to 25% of the fine if the fine is \$1,000 or less.
- b. The City Manager's office may waive up to 25% of a fine if the fine is more than \$1,000.

- (2) With a showing of good cause:

- a. CEC may grant a reduction of up to 50% of the fine if the fine is \$1,000 or less.
- b. The City Manager's office may waive up to 50% of a fine if the fine is equal to or less than \$5,000 but more than \$1,000.
- c. The City Council may waive up to 50% of a fine if the fine is greater than \$5,000. The accrual of the fine will be tolled until the issue can sit before the City Council.

- (4) **Reductions and Waivers of Fines after a Default or Final Judgment is issued.**

- i. If a Notice of Compliance is issued after a default or final judgment is issued, the following reductions may be granted:

- (1) Without a showing of good cause:

- a. CEC may grant a reduction of up to 10% of the fine if the fine is \$1,000 or less.
- b. The City Manager's office may waive up to 10% of a fine if the fine is more than \$1,000.

- (2) With a showing of good cause:

- a. CEC may grant a reduction of up to 25% of the fine if the fine is \$1,000 or less.
- b. The City Manager's office may waive up to 25% of a fine if the fine is equal to or less than \$5,000 but more than \$1,000.

- c. The City Council may waive up to 25% of a fine if the fine is greater than \$5,000. The accrual of the fine will be tolled until the issue can sit before the City Council.

(5) **Payment Plans.** The CEC may authorize and create payment plans. Payment plans should be flexible according to the RP's financial situation as long as the RP keeps in contact and makes payments as agreed. However, payment plans shall adhere to the following standards:

- i. RPs that have a prior ACE case in the last year are not eligible;
- ii. Fines and fees \$500 or less shall be paid within 6 months;
- iii. Fines and fees greater than \$500 shall be paid within 12 months;
- iv. RPs that have any history of nonpayment of fines, fees, or citations are not eligible;
- v. RPs that have any history of nonconformance with payment plan shall not be eligible; and
- vi. RP shall sign a notarized statement indicating their agreement to abide by payment plan.

(6) **Non-Payment of Citation ([20.03.08\(3\)](#)).**

- i. The RP will be responsible for paying the citation within the time frame specified on the citation. If there is no time frame specified, it shall default to 20 days.
- ii. If the RP fails to make any payments after the time set forth in the citation is expired, the CEC will send a courtesy letter reminding the RP of the charges and the amount owed.
- iii. If the RP fails to make any payments within 30 days after the courtesy letter, the CEC will send another letter as a final notice warning the RP that the fees owed may be sent to collections or a Small Claims case may be filed by the City Attorney's office and they may be liable for additional court costs or late fees.
- iv. If the RP fails to make any payments 30 days after the final notice is issued, the matter is sent to collections or to the City Attorney to file a small claims action.

SECTION 2: ADMINISTRATIVE LAW JUDGE

A. Powers of the Administrative Law Judge ("ALJ") ([20.04.03](#)).

- (1) The ALJ may hold hearings, determine if violations exist, order and enforce compliance with the City Code and City ordinances, continue hearings, issue subpoenas, develop policies and procedures, and order an RP to post a code enforcement performance bond as specifically laid out in [20.04.03](#).

B. Adoption of Policies and Procedures.

- (1) The ALJ is authorized to develop policies and procedures in accordance with [20.02.02](#) and [20.04.02](#).

C. Default Hearings and Orders (*Please see* [20.04.06](#)).

D. Procedures at ACE Hearing (*Please see* [20.04.07](#)).

- (1) The procedure and format of the ACE Hearing shall be determined by the ALJ and in accordance with [20.04.07](#).

- (2) In an ACE Hearing, the City bears the burden to show that there is substantial evidence that the violations existed.
- (3) ACE Hearings are informal and open to the public as laid out more specifically in [20.04.07](#). This means that formal rules of evidence and discovery do not apply. For example, hearsay is permitted as long as it is not the only evidence relied upon.
- E. **Failure to Attend ACE Hearing** (*Please see* [20.04.08](#)).
- F. **Administrative Judge Order** ([20.04.09](#)).
 - (1) Once all evidence and testimony are completed, the ALJ may issue any lawful order including any of the orders found in [20.04.09\(3\)–\(7\)](#).
 - (2) The ACE order shall become final when signed.
- G. **Compliance with an Order** ([20.04.10](#)). After the ALJ issues an ACE order, the ALJ may monitor the violations and determine compliance.
- H. **Modification of Civil Penalties** (*Please see* [20.03.08\(4\)](#) and [Section 1.G](#)).

SECTION 3: CODE ENFORCEMENT OFFICERS

- A. **General Enforcement Authority** ([20.02.01](#)). The Code Enforcement Officers (“CEOs”) have the power and authority necessary to gain compliance with the provisions of the City Code and City ordinances. These powers include the powers listed in [20.02.01\(2\)](#).
- B. **Power to Cite** ([20.02.04](#)). Each CEO is authorized to cite any person whenever there is substantial evidence to believe that the person has committed a violation of the City Code or City ordinances.
- C. **Animal Violations.**
 - (1) Animal violations are usually enforced through the issuance of an Administrative Citation. However, the CEO may also issue a Notice of Violation if the circumstances warrant.
- D. **Authority to Inspect** (*Please see* [20.02.03](#)).
- E. **Notice to Comply.**
 - (1) If a property is in violation, the CEO may issue a courtesy Notice to Comply that describes the violation and gives a date for the violation to be corrected.
 - (2) A Notice to Comply is merely a courtesy and does not have to be issued before a Notice of Violation can be issued
 - (3) This notice is served by any of the means in Section I.A.
- F. **Notice of Violation** ([20.03.02](#)).
 - (1) If the RP fails to come into compliance after receiving a Notice to Comply, or if a CEO determines that a violation of the City Code or City ordinances has occurred or continues to exist, the CEO may choose to proceed under the administrative abatement procedures.
 - (2) If this procedure is used, a notice of violation shall be issued to a RP. The notice of violation shall include the information in [20.03.02\(2\)\(a\)–\(k\)](#).
 - (3) The notice of violation shall be served by one of the methods of service listed in Section 1.A. of this manual.
 - (4) More than one notice of violation may be issued against the same RP if it encompasses different dates or different violations.
- G. **Notice of Compliance**
 - (1) **Procedures for Issuing a Notice of Compliance** ([20.05.01](#)).

- i. When the violations have been corrected, the RP may request an inspection of the property from a CEO.
- ii. Upon receipt of a request for inspection, the CEO shall inspect the property as soon as practicable and determine if the requirements found in [20.05.01\(6\)\(c\)](#) have been satisfied.
- iii. If the CEO determines that the property has been brought into compliance based on the above-mentioned requirements, the CEO will issue a Notice of Compliance. A copy will be provided to the CEC and the RP.
- iv. If a request to issue a notice of compliance is denied for failure to meet the above criteria, then, upon request, the CEO shall serve the RP with a written explanation setting forth the reasons for the denial. The written explanation shall be served by any of the methods of service listed in Section 1.A. of this manual.
- v. Daily fees stop accruing as soon as a notice of compliance is issued by the CEO.

(2) Notices of Compliance for Properties that Come into Compliance after a Default Hearing.

- i. If a property becomes compliant, it is the property owner's responsibility to obtain an inspection from the CEO who may then issue a Notice of Compliance. ([20.03.04](#))
- ii. A Notice of Compliance shall be provided to all parties including the RP, the CEC (who will then notify the ALJ), and the City Attorney's office.
- iii. If the property is in compliance and the fines are paid, the case is then closed.
- iv. If a Notice of Violation was recorded with the County, then the CEC shall record a Notice of Compliance with the County to cancel the effect of the recorded Notice of Violation. ([20.05.01\(8\)](#))

H. Emergency Abatement ([20.03.05](#)).

- (1) Whenever a CEO determines that an imminent life or safety hazard exists that requires immediate correction or elimination, the CEO may exercise the powers found in [20.03.05\(1\)\(a\)](#) and may conduct an emergency abatement in accordance with the procedures found in [20.03.05\(2\)](#).

I. Administrative Citations ([20.03.07](#)).

(1) Authority ([20.03.07\(2\)](#)).

- i. Any person violating any provision of the City Code or City ordinances may be issued an administrative citation by a CEO.
- ii. A civil penalty shall be assessed by means of an administrative citation issued by the CEO and shall be payable directly to the CEC. All checks should be made out to the City of Saratoga Springs.

(2) Procedures.

- i. Upon discovering any violation of the City Code or City ordinances, a CEO may issue an administrative citation to a RP according to the procedures found in [20.03.07\(3\)](#).
- ii. The administrative citation shall be issued on a form meeting the content requirements listed in [20.03.07\(4\)](#).

J. Abatement of Violation ([20.05.02](#)).

(1) Authority to Abate.

- i. Subject to federal and state law, the CEO is authorized to enter upon any property or premises to abate any violation of the City Code and City ordinances.
 - ii. The CEO is authorized to assess all costs for the abatement to the RP and use any remedy available under the law to collect the costs.
 - iii. If additional abatement is necessary within two years, treble costs may be assessed against the RP(s) for the actual abatement.
- (2) The procedures for abatement are found in [20.05.02\(2\)\(a\)–\(e\)](#).
- K. Recovery of Costs ([20.05.03](#)).**
 - (1) Whenever actual costs are incurred by the City on a property to obtain compliance with provisions of the City Code and City ordinances, a CEO may assess costs against the RP.
 - (2) Once a notice of violation has been issued, the property shall be inspected one time at the request of the RP. Any additional inspections shall be subject to any applicable re-inspection fees.
 - (3) **Failure to Timely Pay Costs.** The failure of any person to pay assessed costs by the deadline specified in the invoice shall result in a late fee as found in [20.05.03\(4\)](#).
- L. Administrative Fees (*Please see [20.05.05](#) for current rate*).**
- M. Compliance with an Order ([20.04.10](#)).** After the ALJ issues an ACE order, the CEO may monitor the violations, determine compliance, and enforce compliance as provided for in [20.04.10\(2\)](#).
- N. Additional Information.** For additional policies and procedures that may pertain to the duties of the CEOs, see [SECTION 5: GENERAL POLICIES AND PROCEDURES](#).

SECTION 4: CITY ATTORNEY’S OFFICE

- A. Code Enforcement Tax Liens ([20.05.08](#)).**
 - (1) **Authority.** The City Attorney’s Office may record a lien with the County Treasurer’s office according to the power of the [Utah Code § 38-12-102](#). The City Attorney’s Office will record a lien if abatement costs or judgment costs remain unpaid.
 - (2) **Tax Liens for Abatement Costs.**
 - i. If the CEC notifies the City Attorney’s Office of the unpaid abatement costs and wishes to proceed with a tax lien, the City Attorney’s Office must inform the RP that a code enforcement tax lien is being recorded for the amount of actual costs of abatement.
 - ii. The City Attorney’s Office should then submit the notice of lien to the county recorder and a copy of that notice to the RP within 30 days of filing with the county recorder.
 - iii. The notice of lien should include the information specifically detailed in [Utah Code § 38-12-102](#).
 - (3) **Tax Liens for Judgments.**
 - i. Once a judgment has been obtained from the appropriate court imposing costs, fines, or fees against the RP, the City Attorney’s Office may record a code enforcement tax lien against any real property owned by the RP.
 - ii. In order for a judgment to be recorded as a lien, the City Attorney’s Office

must submit a notice of lien to the county recorder in the county in which the RP's real property is located. This should include the judgment or the abstract of the judgment that identifies the judgment debtor and includes the information found in [Utah Code § 78B-5-201\(4\)](#).

- iii. Additionally, a copy of this notice of lien must be sent via certified mail to the last-known address of the person against whom the notice of lien is filed against. This must be sent within 30 days of the submission of the notice of lien to the county recorder.
- (4) **Cancellation of Code Enforcement Tax Lien ([20.05.08\(4\)](#)).**
- i. Once the amount for the outstanding civil penalties and costs is deemed satisfied, the City Attorney's Office shall:
 - a. record a notice of satisfaction of judgment, or
 - b. provide the property owner or financial institution with the notice of satisfaction of judgment so that it can record this notice with the county recorder's office.
 - ii. The notice of satisfaction of judgment shall include the same information as provided for in the original code enforcement tax lien.
 - iii. Such notice of satisfaction of judgment shall cancel the code enforcement tax lien.

SECTION 5: GENERAL POLICIES AND PROCEDURES

A. Administrative Citations ([20.03.08](#)).

(1) Amount.

- i. Fine amounts, as indicated on the front of the citation, are specifically listed in [20.03.08](#).
- ii. These fines are cumulative.
- iii. Interest may be assessed on all outstanding amounts as found in [20.03.08\(3\)](#).

(2) Processing. See [Section 1.F](#) of this manual. Right to Request an ACE Hearing ([20.04.04](#)).

- i. The RP may appeal their citation within 10 calendar days from service by requesting an ACE Hearing according to the procedure found in [20.04.04](#). Failure to properly file a written request for a hearing within 10 calendar days waives the RP's right to a hearing.
- ii. A properly issued request for an appeal will result in an administrative hearing.
- iii. When an appeal is received, the matter is set for a hearing. Police reports and evidence are obtained and witnesses are subpoenaed. The RP is sent a notice with the date and time of hearing.
- iv. The RP may be fined an additional \$100 hearing fee if he or she is found guilty.
- v. When an appeal is received, the fines are put on hold until the hearing.
- vi. After the outcome of the hearing, the RP is mailed a copy of the Final Judgment and Order.

(3) Consequences of Failure to Pay the Fine ([20.03.08\(3\)](#) & [20.04.10](#)).

- i. The failure of any person to pay the fine assessed by the administrative citation within the time specified on the citation or on the request for payment may result in a small claims case being filed or any other legal remedy to collect such money.
- ii. The City has the authority to collect all costs associated with the filing of such actions, including administrative fees and service costs.

(4) Consequences of Failure to Correct Violations ([20.03.08\(3\)](#) & [20.05.02–09](#)).

- i. There are numerous enforcement options that can be used to encourage correction of violations. These options include, but are not limited to civil penalties (fines), abatement, criminal prosecution, civil litigation, and recording the violation with the County Recorder.
- ii. These options can empower the City to collect fines, remove the violation, or make necessary repairs at the owner’s expense.
- iii. Any of the options may be used if the administrative citations do not achieve compliance.

B. Notices of Violation.

(1) Amount. See [20.03.08](#) for current rates.

- i. **Notice of Violation ([20.03.02](#)).** The NOV informs the owner of the violations and the required corrective action and deadline and warns the RP that fees will begin to accrue after a specified date as more specifically provided for in [20.03.02](#).
- ii. The NOV may be served by any of the methods in Section I.A.

(2) Default Hearing ([20.04.06–08](#)).

- i. If the RP appears, the judge may issue a judgment and may suspend certain amounts of the fine. If the RP fails to comply with the judge’s orders, any suspended fines may be reinstated by the ALJ and a Notice of Non-Compliance is recorded with the County Recorder.
- ii. If the RP fails to appear at the default hearing after notice has been given according to the above guidelines, the judge will issue a Default Judgment which is outlined in the notice of hearing that was sent to the RP and an Affidavit of Non-Compliance is sent and recorded with the County Recorder’s Office.
- iii. RP is mailed a copy of the Final Judgment (including a summary of any fines due) from the judge.

C. Obtaining a Release from a Recorded Notice of Violation.

- i. A Notice of Compliance is sent to the County Recorder when a notice of compliance is received from the CEOs and the fine amount is paid. ([20.05.01\(8\)](#))

D. Change of Ownership of a Property in Violation.

- (1) If a property in a state of noncompliance changes ownership, the previous owner and new owner shall be responsible for the violation as follows.
- (2) The previous property owner (the RP) is responsible for the payment of all fines accrued and correcting all property violations before the change in ownership. (It is likely that there will be a notice and a lien on the property that would require the RP to correct the violation and pay before the property can transfer ownership.)

- (3) After 6 months from the date of closing, the new property owner will be responsible for the previous noncompliance of the property and can be cited accordingly. This does not apply to new violations.

E. Withholding the Issuance of Municipal Permits and Business Licenses ([20.05.01\(7\)](#)).

- (1) The City may withhold permits and licenses until a notice of compliance has been issued by a CEO.
- (2) The City may withhold business licenses; permits for kennels; permits for any alteration, repair, or construction pertaining to any existing or new structures or signs on the property; or any permits pertaining to the use and development of the real property or the structure.
- (3) The City may not withhold permits or business licenses that are necessary to obtain a notice of compliance or that are necessary to correct serious health and safety violations.

ORDINANCE NO. 26-05 (02-17-26)

**AN ORDINANCE OF THE CITY OF SARATOGA
SPRINGS, UTAH, ADOPTING AMENDMENTS TO THE
SARATOGA SPRINGS CITY CODE**

WHEREAS, Title 20 of the City of Saratoga Springs City Code, entitled “Administrative Code Enforcement” has been enacted and may be amended from time to time pursuant to Utah Code § 10-3-707; and

WHEREAS, the City Council has reviewed Title 20 and finds that further amendment to Title 20 are necessary and desirable to further the legislative policy of the City Council; and

WHEREAS, the City Council, after careful consideration in a public meeting, has determined that it is in the best interest of the public health, safety, and welfare of the Saratoga Springs citizens that modifications and amendments to Title 20 be adopted.

NOW THEREFORE, the City Council of the City of Saratoga Springs, Utah does hereby ordain as follows:

SECTION I – ENACTMENT

Title 20 is hereby amended as attached hereto as Exhibit A.

SECTION II – AMENDMENT OF CONFLICTING ORDINANCES

If any ordinances, resolutions, policies, or zoning maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION III – EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Saratoga Springs City Council and following notice and publication as required by the Utah Code.

SECTION IV – SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION V – PUBLIC NOTICE

The Saratoga Springs Recorder is hereby ordered, in accordance with the requirements of Utah Code §§ 10-3-710—711, to do as follows:

- a. deposit a copy of this ordinance in the office of the City Recorder; and
- b. publish notice as follows:
 - i. publish a short summary of this ordinance on the Utah Public Notice Website created in Utah Code § 63F-1-701 and on the City’s official website; and
 - ii. publish a short summary of this ordinance in in a public location within the City that is reasonably likely to be seen by residents of the City.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 17th day of February, 2026.

Signed: _____
Chris Carn, Mayor

Attest: _____
City Recorder

Date

CITY COUNCIL VOTE AS RECORDED

Councilmembers:	Yes	No	Abstain	Excused
Audrey Barton	_____	_____	_____	_____
Edon Davenport	_____	_____	_____	_____
Robert Taylor	_____	_____	_____	_____
Lance Wadman	_____	_____	_____	_____
Emma Wilson	_____	_____	_____	_____
Mayor Chris Carn (tie only)	_____	_____		

EXHIBIT A

City Code Amendments

RESOLUTION NO. R26-09 (02-17-26)

**A RESOLUTION OF THE CITY OF SARATGOA
SPRINGS, UTAH, AMENDING THE ADMINISTRATIVE
CODE ENFORCEMENT MANUAL.**

WHEREAS, the City of Saratoga Springs, Utah (the “City”), operates an administrative court that provides a non-criminal approach to City Code violations; and

WHEREAS, Title 20 of the City Code establishes the Administrative Code Enforcement Court and program; and

WHEREAS, the Administrative Code Enforcement Manual sets forth the procedures and instructions governing the operation of the court; and

WHEREAS, on February 17, 2026, the City Council met in regular session and discussed, among other things, proposed updates to the Administrative Code Enforcement Manual, attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Saratoga Springs, Utah, that the Administrative Code Enforcement Manual, attached hereto as Exhibit A and incorporated herein by this reference, is hereby adopted and shall govern the Administrative Code Enforcement program, its operations, and its employees.

BE IT FURTHER RESOLVED that this resolution shall take effect February 17, 2026.

Passed on the 17th day of February, 2026.

Chris Carn, Mayor

Attest: _____
City Recorder

EXHIBIT A

Administrative Code Enforcement Manual



City Council Staff Report

Author: Jeremy D. Lapin, Public Works Director

Subject: Saratoga Road and Pony Express Widening project

Date: February 17,

Type of Item: Resolution

Description: Award of CM Contract

A. Topic:

This item is for the approval of a contract for Construction Management, Inspection, and Materials Testing services for the Saratoga Road and Pony Express Widening project.

B. Background:

The City of Saratoga Springs is nearing completion on the design of the Saratoga Road and Pony Express Widening project which consists of Widening to 5 lanes both Saratoga Road (from Pony Express Parkway to Pioneer Crossing – a distance of approximately 0.8 miles) and Pony Express Parkway (from Saratoga Road to 100 West – a distance of approximately 1.1 miles) and needs to hire a firm to provide Construction Management, Inspection, and Materials Testing services for construction phase of the project.

C. Analysis:

The city solicited proposals from pre-qualified firms for the project. The review committee reviewed the proposals and determined that (FIRM) was the best proposal. All proposals met the scope requirements of the RFP however; it was the price proposal from (FIRMA) as well as their comprehensive proposal which became the determining factor.

D. Fiscal Impact:

The funding for this project was allocated with the FY2025-26 fiscal year budget but in GL 33-4000-764. No budget amendment is expected to be needed to cover the proposed contract.

E. Recommendation

Staff hereby recommends that the City Council approve awarding the contract for Construction Management, Inspection, and Materials Testing services to (FIRM) for the Saratoga Road and Pony Express Widening project.

RESOLUTION NO. R26-10 (02-17-26)

A RESOLUTION APPROVING A CONTRACT WITH [FIRM] FOR CONSTRUCTION MANAGEMENT, INSPECTION, & MATERIALS TESTING SERVICES FOR THE SARATOGA ROAD AND PONY EXPRESS WIDENING PROJECT.

WHEREAS, the City Council of the City of Saratoga Springs has found it in the public's interest to obtain services from qualified contractors to provide CMC services in accordance with the South Fire Station Expansion Project; and

WHEREAS, the City sent a request for proposals (RFP) to qualified firms for Construction Management, Inspection, and Materials Testing services related to the Saratoga Road and Pony Express Widening project to obtain services from qualified contractors; and

WHEREAS, the City received proposals from pre-qualified firms in response to the RFP; and

WHEREAS, the proposals were reviewed by staff based upon standard evaluation criteria and the City's review committee recommended selecting [FIRM]; and

WHEREAS, the City Council has determined that awarding the proposed project to [FIRM] is in the best interest of the public, will further the public health, safety, and welfare, and will assist in the efficient administration of City government and public services.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:

The City of Saratoga Springs does hereby authorize the City Manager to enter into a professional services agreement with [FIRM] for Construction Management, Inspection, and Materials Testing services related to the Saratoga Road and Pony Express Widening project.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

APPROVED AND ADOPTED this 17th day of February, 2026.

Signed: _____
Chris Carn, Mayor

Attest: _____
City Recorder