



PROVO MUNICIPAL COUNCIL

Regular Meeting Agenda

5:30 PM, Tuesday, March 24, 2026

Council Chambers (Room 100)

445 W. Center Street, Provo, UT 84601 or

<https://www.youtube.com/provocitycouncil>

The in-person meeting will be held in the **Council Chambers**. The meeting will be available to the public for live broadcast and on-demand viewing on YouTube and Facebook at: [youtube.com/provocitycouncil](https://www.youtube.com/provocitycouncil) and [facebook.com/provocouncil](https://www.facebook.com/provocouncil). If one platform is unavailable, please try the other. If you do not have access to the Internet, you can join via telephone following the instructions below.

TO MAKE A VIRTUAL PUBLIC COMMENT:

To participate in the public comment portion(s) of the meeting, call in as an audience member as the presentation is wrapping up. Be sure to mute/silence any external audio on your end to reduce feedback (if you are viewing the live proceedings on YouTube, mute the YouTube video; you will be able to hear the meeting audio through the phone while you are on the line).

Press *9 from your phone to indicate that you would like to speak. When you are invited to speak, the meeting host will grant you speaking permission, calling on you by the last four digits of your phone number. Please begin by stating your first and last name, and city of residence for the record. After you have shared your comment, hang up. If you wish to comment on a later item, simply re-dial to rejoin the meeting for any subsequent comment period(s).

March 24 Council Meeting: Dial 346 248 7799. Enter Meeting ID **833 0415 1585** and press #. When asked for a participant ID, press #. To join via computer, visit zoom.us and enter the meeting ID and passcode: **185104**.

Decorum

The Council requests that citizens help maintain the decorum of the meeting by turning off electronic devices, being respectful to the Council and others, and refraining from applauding during the proceedings of the meeting.

Opening Ceremony

Roll Call

Prayer

Pledge of Allegiance

Presentations, Proclamations, and Awards

- 1 A ceremony recognizing the Provo City employee of the month (26-007)
- 2 A ceremony recognizing Provo City's Epic Sports Park as the Utah Sports Complex of the Year (26-007)

- 3 A presentation of a \$1,000,000 contribution from the Metropolitan Water District of Provo to support the new drinking water treatment plant project (26-007)

Public Comment

Fifteen minutes have been set aside for any person to express ideas, concerns, comments, or issues that are not on the agenda:

Please state your name and city of residence into the microphone.

Please limit your comments to two minutes.

State Law prohibits the Council from acting on items that do not appear on the agenda.

Action Agenda

- 4 An ordinance amending Provo City Code to require planning commissioners running for public office to take a leave of absence (26-006)
- 5 An ordinance enacting anti-idling restrictions for certain commercial trucks. (26-021)
- 6 An ordinance requiring payment of civil fines to renew a rental dwelling license. (26-022)

Adjournment

If you have a comment regarding items on the agenda, please contact Councilors at council@provo.gov or using their contact information listed at: provo.gov/434/City-Council.

Materials and Agenda: agendas.provo.org

Council meetings are broadcast live and available later on demand at youtube.com/ProvoCityCouncil.

The next Council Meeting will be held on Tuesday, April 14, 2026. The meeting will be held in the Council Chambers, 445 W. Center Street, Provo, UT 84601 with an online broadcast. Work Meetings generally begin between 12 and 4 PM. Council Meetings begin at 5:30 PM. The start time for additional meetings may vary. All meeting start times are noticed at least 24 hours prior to the meeting.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the ADA, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting are invited to notify the Provo Council Office at 445 W. Center, Provo, Utah 84601, phone: (801) 852-6120 or email kmartins@provo.gov at least three working days prior to the meeting. Council meetings are broadcast live and available for on demand viewing at youtube.com/ProvoCityCouncil.

Notice of Telephonic Communications

One or more Council members may participate by telephone or Internet communication in this meeting. Telephone or Internet communications will be amplified as needed so all Council members and others attending the meeting will be able to hear the person(s) participating electronically as well as those participating in person. The meeting will be conducted using the same procedures applicable to regular Municipal Council meetings.

Notice of Compliance with Public Noticing Regulations

This meeting was noticed in compliance with Utah Code 52-4-207(4), which supersedes some requirements listed in Utah Code 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at agendas.provo.org. Council meeting agendas are available through the Utah Public Meeting Notice website at utah.gov/pmn, which also offers email subscriptions to notices.

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: KMARTINS
Presenter: Tad Smallcomb, Interim Director of Energy
Department: Recorder
Meeting Date: 3/24/2026
Requested Duration (Minutes): 5 minutes
CityView or Issue File Number: 26-007

SUBJECT: 1 A ceremony recognizing the Provo City employee of the month (26-007)

ADMINISTRATIVE RECOMMENDATION: NA

ADMINISTRATIVE MEMO: The Council will recognize the Provo City Employee of the Month. This ceremony honors a city employee who has demonstrated exceptional service, dedication, and contributions to the community and organization. The recognition highlights the employee's achievements and expresses the City's appreciation for their work.

FISCAL IMPACT: NA

COUNCIL STAFF MEMO:

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: KMARTINS

Presenter: Dan Farnes, Sport Field Management Association
President from the Intermountain Chapter and Director of
Fields and Grounds for Real Salt Lake

Department: Recorder

Meeting Date: 3/24/2026

Requested Duration (Minutes): 5 minutes

CityView or Issue File Number: 26-007

SUBJECT: 2 A ceremony recognizing Provo City's Epic Sports Park as the Utah Sports
Complex of the Year (26-007)

ADMINISTRATIVE RECOMMENDATION: Presentation only

ADMINISTRATIVE MEMO: The Parks & Recreation Department recently received the Utah Sports Complex of the Year award for Epic Sports Park from the Sport Field Management Association – Intermountain Chapter. This recognition highlights the quality, design, maintenance, and community impact of the facility, which has quickly become a premier sports venue in the region. Representatives from the association will briefly present the award and recognize the City Council, staff, and community partners who contributed to the development and success of Epic Sports Park.

FISCAL IMPACT: NA

COUNCIL STAFF MEMO:

**PROVO MUNICIPAL COUNCIL
COUNCIL MEETING
STAFF REPORT**



Submitter: KMARTINS
Presenter: Dan Johnson, Manager of the Metropolitan Water District of Provo
Department: Recorder
Meeting Date: 3/24/2026
Requested Duration (Minutes): 5 minutes
CityView or Issue File Number: 26-007

SUBJECT: 3 A presentation of a \$1,000,000 contribution from the Metropolitan Water District of Provo to support the new drinking water treatment plant project (26-007)

ADMINISTRATIVE RECOMMENDATION: Presentation Only

ADMINISTRATIVE MEMO: Dan Johnson on behalf of the Metropolitan Water District of Provo will present a contribution of \$1,000,000 to Public Works to put toward construction of the new drinking water treatment plant project.

FISCAL IMPACT: NA

COUNCIL STAFF MEMO:

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: TTAGUCHI
Presenter: Tanner Taguchi, Council Policy Analyst
Department: Recorder
Meeting Date: 3/24/2026
Requested Duration (Minutes): 5 Minutes minutes
CityView or Issue File Number: 26-006

SUBJECT: 4 An ordinance amending Provo City Code to require planning commissioners running for public office to take a leave of absence (26-006)

ADMINISTRATIVE RECOMMENDATION: 1) Pass the ordinance as written. 2) Pass the ordinance with amendments.

ADMINISTRATIVE MEMO: This proposed text amendment was drafted as part of an issue request sponsored by Councilor McKay and seconded by Councilor Christensen. The purpose of this amendment is to ensure that the Planning Commission, which is seen by the sponsors as a high-profile public body, cannot be used as a platform for political campaigning. This amendment would add language that would require sitting planning commissioners who declare candidacy for public office to immediately take a leave of absence from the commission. Additionally, it would automatically vacate the seat of that commissioner upon their election, appointment to public office, or end of candidacy.

The only substantive change to the ordinance language since this item's presentation in the Council Work Meeting is changing the phrase "until the election is over" to "until their candidacy is over." This change was made at the recommendation of City Attorney Brian Jones who pointed out that candidates eliminated from the election after a primary or convention would no longer be actively campaigning.

FISCAL IMPACT: None

TIME SENSITIVITY:

COMPATIBILITY WITH CITY GOALS: This proposed text amendment is consistent with the council's mandate under Utah Code to "define the functions and duties" of city organizations and its responsibility under Municipal Code to adopt "the Provo City Code [and] other ordinances and resolutions."

ORDINANCE <<Document Number>>

AN ORDINANCE AMENDING PROVO CITY CODE TO REQUIRE
PLANNING COMMISSIONERS RUNNING FOR PUBLIC OFFICE TO TAKE
A LEAVE OF ABSENCE (26-006)

RECITALS:

It is proposed that Provo City Code be amended to require 1) that planning commissioners take a leave of absence upon declaring candidacy for public office and 2) that the seats of planning commissioners who are elected or appointed to public office are automatically vacated;

On February 25, 2026, the Planning Commission held a public hearing to consider the proposed amendment, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 9-0;

On March 24, 2026, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering the facts presented to the Municipal Council, the Council finds that (i) the proposed action should be approved, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Provo Municipal Council ordains as follows:

PART I:

Provo City Code 14.04.010 is amended as shown in Exhibit A.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.

- 41 C. This ordinance takes effect immediately after it has been posted or published in accordance
42 with Utah Code Section 10-3-711, presented to the mayor in accordance with Utah Code
43 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
44
- 45 D. The Municipal Council directs that the official copy of Provo City Code be updated to
46 reflect the provisions enacted by this ordinance.

Exhibit A

14.04.010 Planning Commission Created - Chair - Rules

(1) A Provo City Planning Commission is hereby created. Said Commission shall consist of nine (9) members, each of whom shall be a resident of Provo City and each of whom shall be appointed by the Mayor with the advice and consent of the Municipal Council.

(2) The terms of office for all members of the Planning Commission shall be no more than three (3) years. Terms shall be staggered to ensure that one-third of Commission Member appointments shall expire each year. Members may be removed with or without cause by a majority vote of the Municipal Council.

(3) Members shall be selected without respect to political affiliation and shall serve without compensation except for payment of reasonable expenses.

(4) The Planning Commission shall:

(a) Elect from its membership a chair who shall serve a one (1) year term;

(b) Pursuant to Section 14.04.040, Provo City Code, adopt reasonable policies and rules for the transaction of business, which shall not conflict with any of the provisions of this Chapter; and

(c) Keep a public record of its proceedings.

(5) A quorum of the Commission shall consist of four (4) members, and at least four (4) votes must be cast in order to render a decision of the Commission. All members present, including the chair, are encouraged to participate in discussion and vote, unless recusing themselves due to conflict of interest.

(6) When a regularly scheduled and noticed meeting of the Planning Commission does not occur because a quorum of the Commission is not present, all action items scheduled to be heard on that date shall be continued to the next regularly scheduled meeting of the Commission.

(7) If any member of the Planning Commission files as a candidate for election to a public office, they must take a leave of absence from the Planning Commission immediately upon filing and until their candidacy is over. If any member of the Planning Commission is elected or appointed to any public office, their seat as a member of the Planning Commission becomes vacant upon election or appointment to the public office.

Proposed Text Amendment

Requiring Planning Commissioners Running for Office to Take a Leave of Absence

Effect of the Proposal

- Requires sitting planning commissioners to take a *leave of absence upon filing for candidacy* for public office.
- Automatically vacates the seat of a sitting planning commissioner who is elected or appointed to public office.

Planning Commissioners Have More Public Engagement

2025	Arts Council	Parks and Recreation Board	Landmarks Commission	Neighborhood Districts	Planning Commission	City Council
Number of Meetings	4	8	3	4	18	23
Avg. Online Views	0	0	16	119	88	158

Proposal Mirrors Existing Language

Proposed Addition to 14.04.010

(7) If any member of the Planning Commission files as a candidate for election to a public office, they must take a leave of absence from the Planning Commission immediately upon filing and until their candidacy is over. If any member of the Planning Commission is elected or appointed to any public office, their seat as a member of the Planning Commission becomes vacant upon election or appointment to the public office.

Existing Language of 2.29.040

(8) *Candidates for Public Offices.* If any member of an Executive Board files as a candidate for election to a public office, they shall take a leave of absence from the Executive Board immediately upon filing and until the election is over. If any member of an Executive Board is elected or appointed to any public office, their seat as a member of the Executive Board shall become vacant upon election or appointment to the public office.

Clarifications on Terms of Absence

- The leave of absence will be taken *upon filing* for candidacy **not** the end of the latest filing period.
- Absent members ***will not be replaced***, even temporarily. If assembling a quorum becomes difficult, Council/Mayoral action may be required.
- “Public office” includes any executive or legislative office with authority to enact public policy.



Questions

Anti-Idling Ordinance for Commercial Trucks

Addressing Potential Impacts on Quality of Life

Effect of the Proposed Ordinance

- Prohibits engine idling for vehicles requiring a Class A Driver License (i.e., Heavy Tractor-Trailers)
 - Applies only on public property and private property open to the public
 - Allows for exceptions for traffic congestion, repairs, and public safety operations

Truck Stop Shortages Are Driving Demand for Undesignated Parking

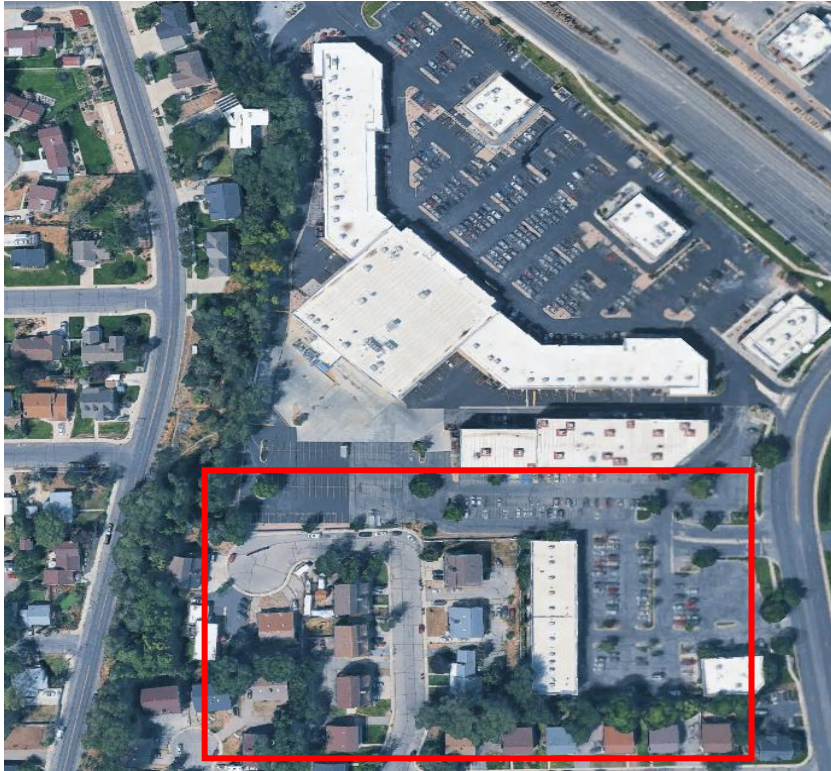


Over 12,000 trucks pass through Provo's section of I-15 Daily



190 Public Truck Parking Spaces in Utah County

Provo Has Several Commercial Residential Interfaces



Walmart
Neighborhood
Market



Cougar Blvd.
Shopping Center

Potential Benefits

- Doesn't legally prohibit the use of commercial parking lots
- Simplifies the enforcement of noise complaints involving heavy trucks
- Addresses potential localized pollution and odors

Considerations on Enforcement

- This policy will likely be strictly reactionary, dependent on resident complaints to be enforced.
- Per state statute, it is primarily educational and will likely accrue insignificant fine revenue.



Proposed Action:

Adopt the Proposed Ordinance as Written

Class A



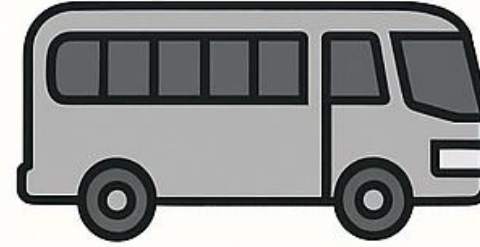
Combination of
vehicles with a
GVWR of 26,001
lbs or more

Class B



Single vehicle
with a GVWR of
26,001 lbs or
more

Class C



Designed to
transport 16+
passengers or
hazardous
materials

The Proposed Ordinance Only Affects Heavy Tractor-Trailers

9.06.040 Noise Limits.

(1) Noise level limits in this Section are based on continuous noise for two (2) minute intervals or intermittent noise that exceeds the maximum level five (5) or more times within a ten (10) minute period. Exceeding the following limits constitutes a violation of this Chapter:

Classification of Property Receiving the Noise	At Property Line or Beyond Between 10:00 p.m. and 7:00 a.m.	At Property Line or Beyond Between 7:00 a.m. and 10:00 p.m.
Residential	Maximum of 55 dBA	Maximum of 65 dBA
Industrial	Maximum of 75 dBA	Maximum of 75 dBA
All Other Areas	Maximum of 65 dBA	Maximum of 70 dBA

Violation	Paid on Time (within 10 days) ¹	Paid Late (11 or more days) ^{1, 2}
Disability Space – 41-1a-1306 UCA	\$175.00	\$218.75
Skateboard, etc., Violation – Section 9.32.170 , Provo City Code	\$55.00	\$68.75
All Other Regulations Listed in Subsection (2) of this Section	\$55.00	\$68.75

¹ Days are defined as business days (Mon. – Fri.), excluding weekends (Sat. and Sun.) and any Provo City recognized holiday.

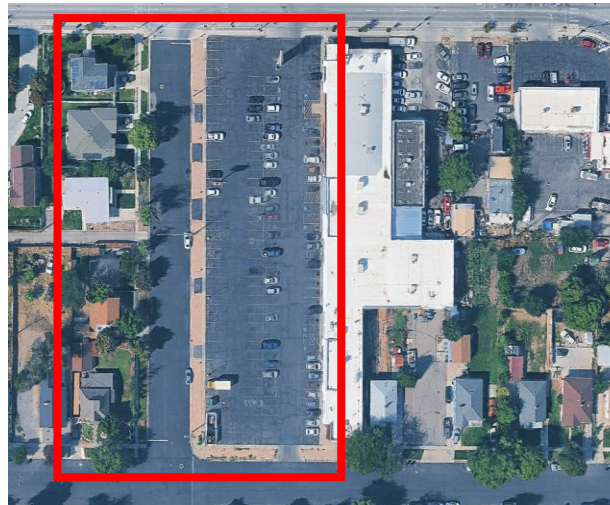
² The fee for a violation paid or contested eleven (11) or more business days after a notice of infraction is issued shall be assessed a twenty-five percent (25%) late fee.



Smith's



Provo Towne
Centre Mall



300 South
Retail Lot

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: TTAGUCHI
Presenter: Tanner Taguchi, Council Policy Analyst
Department: Recorder
Meeting Date: 3/24/2026
Requested Duration (Minutes): 15 minutes. minutes
CityView or Issue File Number: 26-021

SUBJECT: 5 An ordinance enacting anti-idling restrictions for certain commercial trucks.
(26-021)

ADMINISTRATIVE RECOMMENDATION: Pass the draft ordinance prohibiting heavy commercial trucks, requiring a Class A license to operate, from idling for over one minute within city limits with certain exceptions.

ADMINISTRATIVE MEMO: This draft ordinance is sponsored by Councilor Bogdin and seconded by Councilor Whipple. Given the close proximity of certain retail lots used for heavy truck parking to residential and other public spaces, this ordinance is meant to simplify the process of responding to complaints related to heavy commercial trucks. I've spoken to law enforcement, parking enforcement, the city traffic engineer, and similar experts in other cities. I also worked with Brian Jones to finalize the language for the ordinance.

FISCAL IMPACT: There is no expected fiscal impact associated with this draft ordinance.

TIME SENSITIVITY:

COUNCIL STAFF MEMO: Due to a lack of designated public truck parking (i.e., truck stops) along the Wasatch Front, heavy commercial trucks frequently use available space in industrial and commercial areas to take needed and often legally required breaks. The sponsor wishes to allow trucks to continue this practice, but to reduce the negative impacts of noise and air pollution on Provo residents. This ordinance would prohibit engine idling for heavy commercial trucks requiring a Class A license to operate. This would be easily identifiable to enforcement officers as a semi-truck. This ordinance would likely be reactionary, meaning that officers would not go looking for this issue, but could respond to complaints raised by residents. Instead of requiring a noise verification for enforcement of a noise ordinance, complaints made against trucks could be immediately addressed under this new ordinance. This would also address the issue of increased air pollution in the areas near undesignated truck parking that are adjacent to residential or other public spaces.

Summary

This ordinance addresses potential effects from heavy commercial tractor-trailer (“truck”) operators idling in retail lots on residents’ quality of life. In accordance with state restrictions, it would prohibit trucks from engine idling after one minute, require officers to give a warning prior to issuing a citation, and provides for certain exceptions. This ordinance was drafted in response to the presence of trucks in retail lots in Provo and is similar to ordinances passed in eight other cities in Utah. Depending on the number of trucks, the duration of idling, and other conditions, engine noise and pollution could adversely affect the quality of life for residents who live or conduct business in areas with idling trucks.

Context/Cause

Due to shortages of designated truck parking (i.e., truck stops), private commercial parking lots are being used to meet demand. Thousands of trucks pass through Utah County’s portion of I-15, yet there are only 190 designated public truck parking spaces along it. While not all who use this stretch of highway need to park, a significant portion will need a place to take a break or to stay overnight.

Observations of truck idling in Provo and Springville confirmed the presence of these trucks, but not on the scale of a truck stop. The most trucks observed at the Springville Walmart was six. The most observed in Provo’s East Bay Shopping Center was three. Comparatively, observation of two designated truck stops and the surrounding areas had many more, often filling their lots during nighttime hours¹. In the past five years, the Provo Police Department has received five calls related to idling trucks. All these calls were made from residential areas not adjacent to commercial zones.

Criteria

UCA 41-6a-208(3)(c) requires that any municipal ordinances prohibiting idling to be primarily educational, provide that at least one warning be given before issuing a citation, follow the municipality’s parking fee schedule, and provide for certain exemptions.

Eight other cities in Utah have enacted anti-idling ordinances for all vehicles. None distinguish by vehicle type. In addition to the state requirements, some municipalities have elected to include various exceptions where idling is allowed. The longest list of exceptions contains twelve while the shortest contains five. Some exceptions are specific while others are vague². I spoke with enforcement officers in every city with an anti-idling ordinance, all reported that enforcement is rare, and none could verify ever imposing a fine. Despite the low frequency of enforcement, some officers voiced that they appreciated having this policy codified for rare, extreme cases where idling does effectively become a nuisance.

Effect

Trucks have higher noise and fuel emissions than passenger vehicles. Depending on the conditions of the idling and the sensitivity of affected residents this could be an issue in the future.

Air Quality Impact

The effect of particulate matter (PM) pollution from idling is most significant in the area immediately around the source. PM disperses quickly into the surrounding area and the impact of PM on respiration

¹ A UDOT study of truck parking in Utah showed that the highest demand for truck parking occurs between 8:00pm and 4:00am.

² Regarding temperature exemptions, one city allowed idling when “the health and safety of [passengers]” requires it, while another listed an exact temperature range as measured from a predetermined source.

decreases as it spreads. Depending on the number of idling trucks and the duration of idling, PM levels could increase, but whether PM from trucks alone would significantly affect localized air quality depends significantly on atmospheric conditions.

Odor Impact

Diesel exhaust emitted by most trucks contains sulfur dioxide and nitrogen dioxide. Both have pungent odors detectable at low concentrations. These odors are most pronounced in the immediate vicinity of the exhaust and quickly disperse and lose concentration as it spreads. Whether residents will be affected by diesel odors depends on their distance from the exhaust, the amount of exhaust released, individual sensitivity, and atmospheric conditions. Enabling enforcement officers to prevent engine idling at the request of residents may prevent the negative conditions described above.

Noise Impact

Noise emitting from a truck engine idling is above 80 decibels at 50 feet. This significantly exceeds the daytime noise limits under current city code and could be harmful with long term exposure. Like air pollution and odors, the way residents could experience noise pollution depends on the distance from the source, the presence of sound barriers, individual sensitivity, and atmospheric conditions. While the noise ordinance could be enforced in many cases with the same effect, the addition of the anti-idling ordinance streamlines the enforcement process as it applies to trucks because there is no measurement requirement.

ORDINANCE <<Document Number>>

AN ORDINANCE ENACTING ANTI-IDLING RESTRICTIONS FOR
CERTAIN COMMERCIAL TRUCKS. (26-021)

RECITALS:

It is proposed that City Code be amended to include a restriction on idling by some commercial vehicles, with certain exceptions, on public property and areas open to the general public in accordance with UCA 41-6a-208(3)(c);

On March 24, 2026, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering the facts presented to the Municipal Council, the Council finds that (i) the proposed action should be approved, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Provo Municipal Council ordains as follows:

PART I:

Provo City Code Chapter 9.33 (Idling Restrictions) is enacted as shown in Exhibit A.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.
- C. This ordinance takes effect immediately after it has been posted or published in accordance with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
- D. The Municipal Council directs that the official copy of Provo City Code be updated to reflect the provisions enacted by this ordinance.

Exhibit A

Chapter 9.33 Idling Restrictions

9.33.010 Certain Vehicles Prohibited from Idling

It is unlawful for any driver, while operating a motor vehicle that is subject to Class A licensing requirements, including heavy commercial tractor-trailers, within Provo city limits, to cause or permit the vehicle's engine to idle for more than one minute, unless:

- (1) the vehicle is forced to remain motionless on a roadway because of traffic conditions;
- (2) the vehicle is an authorized emergency vehicle used in an emergency situation;
- (3) vehicle idling is necessary for repair or inspection of the vehicle;
- (4) vehicle idling is necessary to operate a hydraulic lift that is part of the vehicle.

9.33.020 Scope

(1) This Chapter applies only when the idling vehicle is on:

- (a) public property; or
- (b) private property that is open to the public.

(2) Notwithstanding subsection (1)(b), this Chapter does not apply on private property if the owner, lessee, or manager:

- (a) operates on the property a private business that has a drive-through service as a component of the business operation and posts a sign provided or approved by the Municipal Council informing its customers and the public of Provo's time limit of one minute for idling vehicle engines; or
- (b) adopts an idle reduction education policy approved by the Municipal Council and posts approved signage in furtherance of the policy.

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

9.33.030 Penalties

After receiving one warning citation, violators must pay a penalty in an amount set forth for parking violations in Provo City Code 9.17.060 (8).

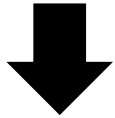
Denial of a Rental Dwelling License Based on Failure to Pay Civil Fines

Effects of the Draft Ordinance

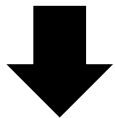
1. Makes failure to pay outstanding fines related to a rental property grounds for (1) denial or (2) suspension/revocation of a residential dwelling license (RDL) application
2. Adds clarity to the existing provision allowing for denial, suspension, or revocation of an RDL based on code violations related to rental properties



Violation



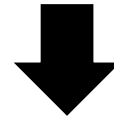
Owner Resolves Without
Accruing Fines



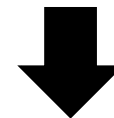
Current: No Risk of RDL Loss
Proposed: No Change



Violation



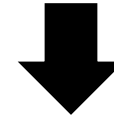
Owner Doesn't Resolve
and Accrues Fines



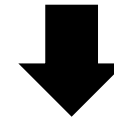
Current: Potential RDL Loss
Proposed: No Change



Violation



Owner Resolves After
Accruing Fines



Current: No Risk of RDL Loss
Proposed: Potential RDL Loss

**This Proposal Mainly Affects Owners Who Resolve
Violations After Accruing Fines**

Potential Benefits

- Incentivizes prompt payment of civil fines related to rental properties
- Strengthens justification for a denial in the unlikely event of an appeal



Proposed Action:

Adopt the Proposed Ordinance as Written

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: TTAGUCHI
Presenter: Tanner Taguchi, Council Policy Analyst
Department: Recorder
Meeting Date: 3/24/2026
Requested Duration (Minutes): 15 Minutes minutes
CityView or Issue File Number: 26-022

SUBJECT: 6 An ordinance requiring payment of civil fines to renew a rental dwelling license. (26-022)

ADMINISTRATIVE RECOMMENDATION: Pass the draft ordinance that would allow the code enforcement/customer service team to deny, suspend, or revoke a residential dwelling license application based on a failure to pay civil fines related to code violations on rental properties covered under the license.

ADMINISTRATIVE MEMO: This draft ordinance is sponsored by Councilor McKay and seconded by Councilor Christensen. The issue addressed in this draft ordinance is separate from other issues regarding the code enforcement division that the council has discussed in recent meetings. This issue was raised after Scott Johnson of the Code Enforcement Division explained via email that the failure to pay civil fines related to code violations on rental properties was not in and of itself grounds for denial of an RDL.

This draft ordinance addresses that issue by adding two provisions. First it adds a provision that empowers the code enforcement/customer service team to deny an RDL application (including a renewal application) due to failure to pay civil fines related to code violations on licensed rental properties. Second, this draft ordinance empowers the code enforcement/customer service team to suspend or revoke an RDL based on failure to pay fines. Council staff have spoken with four members of the code enforcement team, Scott Johnson, and Bill Pepperone regarding the content of the draft ordinance, and they have all viewed it favorably. In their view, adding the ability to deny a RDL application or renewal application adds teeth to the city's ability to disincentivize severe and repeat offenders from committing zoning code violations. For example, if the ordinance was enacted, if a landlord failed to pay an outstanding fine and code enforcement denied their license application then the landlord would start to accrue even more civil fines if they continued to rent out their properties. In researching this issue, council staff found one other city, Orem, which explicitly includes failure to pay fines as grounds for RDL denial. Additionally, the code enforcement team views adding failure to pay fines as a ground for suspension/revocation of an RDL as positive because if code enforcement chooses to revoke a license for violations and for failure to pay fines, those multipole violations would strengthen code enforcement's case should

the case be appealed. Council staff have not found other cities that explicitly provide for the city to suspend or revoke a license based on failure to pay fines.

Council staff had spoken with Brian Jones about the language of the draft ordinance and has implemented his feedback. For the Council's information, it is his opinion that the current language of the code allows the code enforcement/customer service team to deny an RDL application or renewal application which would include all properties under the license, even if only one is in violation. Consequently, there is no need for a code change to allow them to deny a license for all properties for a single ongoing violation. However, the new language in this draft ordinance perhaps clarifies that any violation of the zoning code is grounds for a denial.

FISCAL IMPACT: There is no fiscal impact associated with this draft ordinance.

COUNCIL STAFF MEMO:

Summary

This ordinance empowers Code Enforcement to deny, suspend, or revoke (“loss/lose”) a Residential Dwelling License (RDL) based on a property owner’s failure to pay fines relating to rental properties, which is not allowed under current code. Orem and Ogden also list failure to pay fines/penalties relating to violations as grounds for loss of an RDL. Adding this provision, adds accountability measures by making continued rental operations contingent on paying fines. Also, additional grounds for denial could strengthen justifications for loss of an RDL during a property owner’s appeal.

Context/Condition

Code Enforcement recently informed the sponsors that property owners are not required to pay fines relating to code violations before receiving or renewing an RDL. Code Enforcement data shows that most code violations are resolved without levying fines. However, there are cases where property owners are uncooperative necessitating fines or criminal prosecution to incentivize compliance.

2025 Cases Resolved	1,307
2025 Cases with Civil Fines	19

To date, final notices on tens of thousands of dollars’ worth of fines have been issued to violators. Individual fine balances in some cases can exceed \$25,000. Overdue balances should be referred to collections but haven’t been. Upon initial review, misunderstandings between these departments are the reason the balances haven’t been referred.

According to Code Enforcement, currently there are seven cases where property owners have come back into compliance and rental operations are continuing despite significant unpaid fines¹. That number will rise to 15 at the end of March if balances on other cases are not paid.

Leaders in both Code Enforcement and Customer Service reported that in their recent memory Provo has not revoked an RDL.

Criteria

Business licensing is a standard practice in cities. In Utah, many cities have a separate designation for rental businesses while others do not. Among those offering RDLs, the analyst looked at five other cities. Orem and Ogden have provisions that allow the loss of an RDL based on failure to pay fines.

Code Enforcement staff and leadership as well as Economic Development leadership favor this change.

Effect

After discussions with Code Enforcement staff, this change will likely not affect day-to-day operations. The new authority to deny, suspend, or revoke an RDL based on failure to pay fines will likely only apply when a property owner willfully refuses to pay civil fines. There are two main benefits to the city:

- 1) Adds Accountability for Property Owners Who Delay Compliance

¹ Fine invoices are sent to property owners after the property is brought into compliance. Those who refuse to bring their properties into compliance will continue to accrue fines without being invoiced. Once they receive the invoice; they have 60 days to pay the balance or create a payment plan. After the 60-day period ends, the Code Enforcement will wait an additional 45 days before referring the balance to a third-party collection agency.

If a property owner accrues civil fines while delaying coming into compliance, they must pay all outstanding fines to continue operating any rental properties. Failure to pay could result in loss of the RDL. If the owner continues to lease properties after losing the RDL, they could be subject to new fines for operating a rental without a license². In effect, this proposal functions as an incentive to pay outstanding fines.

2) Simplifies the City's Case for Denying/Revoking a License During an Appeal

When a property owner loses an RDL they are entitled to an appeal. A third-party arbitrator reviews the facts of the case and decides as to whether the city is justified in its decision³. The arbitrator confirmed that her criteria for upholding the denial is whether the city properly applied the grounds for RDL loss in Provo City Code 6.26.070 and 6.26.080. By adding failure to pay outstanding fines as a criterion for loss of an RDL, the arbitrator will also consider an owner's payment status in their determination of justification. This could make upholding the city's decision simpler.

² If an owner accrues fines on properties that are still out of compliance, the same principle applies. In that case, the loss of an RDL and imposition of the new fine would simply accelerate the accrual of fines.

³ According to Code Enforcement, in 2025, two of Provo's 100 RDL denials were appealed to the arbitrator. This was out of 764 total applications.

ORDINANCE <<Document Number>>

AN ORDINANCE REQUIRING PAYMENT OF CIVIL FINES TO RENEW A
RENTAL DWELLING LICENSE. (26-022)

RECITALS:

It is proposed that Provo City Code be amended to allow the city to deny a rental dwelling licensee application if the applicant has failed to pay in full any outstanding civil fines or penalties related to violations of the Provo City Code 6.26;

It is also proposed Provo City Code be amended to allow the City to suspend or revoke a rental dwelling license for failure to pay in full any outstanding civil fines or penalties related to violations of Provo City Code 6.26;

On March 24, 2026, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering the facts presented to the Municipal Council, the Council finds that (i) the proposed action should be approved, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Provo Municipal Council ordains as follows:

PART I:

Provo City Code section 6.26.070 is amended to read as indicated in Exhibit A.

Provo City Code section 6.26.080 is amended to read as indicated in Exhibit B.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.

- 42 C. This ordinance takes effect immediately after it has been posted or published in accordance
43 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code
44 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
45
- 46 D. The Municipal Council directs that the official copy of Provo City Code be updated to
47 reflect the provisions enacted by this ordinance.

Exhibit A

6.26.070 License Denial.

An application for a rental dwelling business license, [including a renewal application](#), may be denied for any of the following reasons:

- (1) The applicant does not meet the qualifications for a license as provided in this Title.
- (2) For a new application, nonpayment and return of a check for the required license fee. For a renewal application, nonpayment of the required license fee plus any penalty assessed for late payment.
- [\(3\) Violation of this Title or the Provo City Zoning Code with regard to any property to be licensed under that application, including failure to pay outstanding fines or penalties imposed for such violations.](#)
- ~~(3)~~ (4) A reviewing City department recommends disapproval of the application pursuant to an applicable provision of the Provo City Code.
- ~~(4)~~ (5) An application contains false or incomplete information.
- ~~(5)~~ (6) The rental dwelling does not comply with applicable Health Department regulations governing the premises, or any City, State or federal law.

67
68 **Exhibit B**
69

70 6.26.080 License Suspension or Revocation.
71

72 The City may suspend or revoke a rental dwelling business license for any of the reasons set forth
73 in Section 6.01.160 of this Title and for any of the following reasons:
74

- 75 (1) the licensee does not meet the qualifications for a license as provided under this Title;
76 (2) the licensee gave false or incomplete information on the licensee's application;
77 [\(3\) Violation of this Title or the Provo City Zoning Code with regard to any property to be](#)
78 [licensed under that application, including failure to pay outstanding fines or penalties imposed for](#)
79 [such violations;](#)
80 ~~(3)~~ (4) the licensee has allowed the licensed premises to be occupied or operated in a manner
81 contrary to the conditions set forth in the license; or
82 ~~(4)~~ (5) the licensee has, or the licensee's agents or employees have, violated the provisions of the
83 license, this Title, or any other law while acting in relation to any rental dwelling authorized by
84 the license.