



Pleasant View City Council

Meeting Agenda

Tuesday, May 12, 2026

5:30 p.m.

- 5:30 P.M. **1. Introduction.**
- Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought: *(Councilmember Dave Marriott)*
 - Declaration of Conflicts of Interest
 - Public Comments/Questions for the Mayor & Council (limited to 3 minutes)
- 5:35 P.M. **2. TUF Work Session.** Transportation Utility Fee (TUF) work session. *(Presenter: Sarah Wichern with Jones & Associated)*
- 6:05 P.M. **3. Appointment to the Planning Commission.** Consideration to appoint Nic Bennion as an alternate member of the Pleasant View City Planning Commission for a 4-year term. *(Presenter: Mayor Gibson)*
- 6:10 P.M. **4. Award recognition.** Recognition of Cienna Henderson, Aaron Robertson, Isaac Higbee and Mayan Gongora as the Youth City Council 2025-26 Scholarship Recipients. *(Presenters: Council Member Urry and Cindy Harrison)*
- 6:20 P.M. **5. Public Works Standards.** Discussion and possible action to adopt the 2026 Development, Design, and Construction Standards. (Presenters: Dana Shuler and Tyson Jackson)
- 6:35 P.M. **6. Subdivision Ordinance Amendments.** Discussion and possible action to amend Chapters 17.18 (Subdivision Development Standards) and 17.20 (Required Improvements and Guarantees) of the Subdivision Ordinance, Ordinance 2026-10. (Presenters: Dana Shuler and Tyson Jackson)
- 6:50 P.M. **7. Storm Water Management Plan- Public Hearing.** Discussion and possible action to approve the Storm Water Management Plan, Resolution 2026-E. (Presenters: Dana Shuler and Tyson Jackson)
- 7:05 P.M. **8. Storm Water Ordinances Revisions – Public Hearing.** Discussion and possible action to approve revisions to Chapters 13.08 – Storm Water Utility, 13.09 – Storm Drainage, and 13.10 – Storm Water Permits, Ordinance 2026-11. (Presenters: Dana Shuler and Tyson Jackson)
- 7:20 P.M. **9. Consolidated Fee Schedule.** Discussion and possible action to amend the Consolidated Fee Schedule to add Storm Water Fines as prescribed in Chapters 13.09 and 13.10, Resolution 2026-F. *(Presenter Dana Shuler and Tyson Jackson)*
- 7:30 P.M. **10. Interlocal Agreement.** Discuss entering into an Interlocal Agreement with North Ogden City for use of their Green Waste Facility. *(Presenter: Andrea Steiniger)*
- 7:45 P.M. **11. Canal Crossing License Agreement.** Discussion and consideration to enter into a Canal Crossing License Agreement with USA through the Bureau of Reclamation to

utilize a portion of land to accommodate vehicular, pedestrian, and residential utility infrastructure to serve a new subdivision (Grand Legacy Phase 6). *(Presenter: Andrea Steiniger)*

7:55 P.M. **12. Street Lights – Award bid.** Discussion and possible action to approve the purchase of Street Lights in the amount of \$175,066.00. *(Presenter: Tyson Jackson)*

8:00 P.M. **13. Budget Workshop.**

8:45 P.M. **14. Proposed Tax Rate Increase-City Council Discussion.** Discuss a proposed tax rate increase for the 2026-2027 fiscal year. *(Council discussion)*

8:55 P.M. **15. Property Tax Impact Schedule.** Presentation of a Property Tax Impact Schedule. *(Presenter: Laurie Hellstrom)*

9:00 P.M. **16. Proposed Tax Rate Increase-Budget Officer Statement.** Possible action, Budget Officer intends to state that the Tentative Budget for the 2026-2027 fiscal year includes a proposed tax rate increase, Resolution 2026-G. *(Presenter: Laurie Hellstrom)*

9:10 P.M. **17. Proposed Tax Rate Increase.** Possible action, Budget Officer intends to state the following:

- a. The entity is considering levying a tax rate that exceeds the fiscal year taxing entity's certified tax rate; and
- b. The approximate dollar amount of and purpose for additional ad valorem tax revenue that would be generated by the proposed tax rate increase; and
- c. The approximate percentage increase in ad valorem tax revenue for the fiscal year taxing entity based on the proposed tax rate increase; and
- d. The entity, if they proceed with the proposed tax rate increase, the taxing entity will provide notice of and conduct a public hearing at which members of the public will have an opportunity to provide comments on the proposed tax rate increase.
Resolution 2026-H. *(Presenter: Laurie Hellstrom)*

9:20 P.M. **18. Tentative Budget.** Adopt the Tentative Budget for the 2026-2027 fiscal year, Resolution 2026-I.

9:30 P.M. **19. Set Public Hearings.** Set public hearings to consider amending the 2025-2026 fiscal year budget and adopting the 2026-2027 fiscal year budget

9:35 P.M. **20. Other Business.**

10:00 P.M. **21. Adjournment.**

Public Notice is hereby given that the City Council of Pleasant View, Utah will hold a Public Meeting in the city office at 520 West Elberta Dr. in Pleasant View, Utah on Tuesday, May 12, 2026, commencing at 5:30 PM.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Pleasant View City Office at 801-782-8529, at least 24 hours prior to the meeting.

The City Council at its discretion may change the order and times of the agenda items.

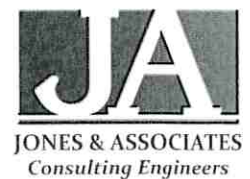
Pleasant View City Corporation

Transportation Utility Fee Study



May 2026

Prepared by
JONES & ASSOCIATES
Consulting Engineers



Transportation Utility Fee Study

for

PLEASANT VIEW CITY

DRAFT

Prepared by

JONES & ASSOCIATES
Consulting Engineers

6080 Fashion Point Drive
South Ogden, Utah 84403
(801) 476-9767

Transportation Utility Fee Study May 2026

Executive Summary

The deterioration and poor condition of the roads in Pleasant View, as well as insufficient funding, has been a concern for many years. To address these concerns, a Transportation Utility Fee study was conducted. The study included a visual assessment and quantitative evaluation of the condition of all streets throughout the City for which the City is responsible for maintaining. The current remaining service life (RSL) of each street was determined. Funding needs were assessed, and potential funding options explored. The results of this study determined that to raise the overall street conditions (RSL) to the desired level of service and reduce the higher cost of delayed maintenance, the current monthly utility fee would need to be increased.

This study presents several options to improve the level of service of the roads in Pleasant View while also funding maintenance that will decrease the overall spending required to maintain the roads. The transportation utility fee is currently collected and used in addition to the funding received from both State and Local sources. The utility fee is restricted and can only be used for transportation needs. To meet Utah State Code, the City is required to notice for and hold a public hearing, adopt the new fee by ordinance, and adopt an ordinance to establish an appeals process for an individual or entity that wishes to challenge the user classification assigned to them.

Background & Purpose

Streets are one of the most prominent services provided by a City and must be maintained to continue to provide the City's desired level of service. New streets are designed for a minimum 20-year life. There are many factors that affect the actual life provided by a road. Preventative maintenance in the early stages of a road's service life decreases maintenance costs by 40% - 60% and can extend the life of the road an additional 20-40 years. Essentially, spending \$1 today on prevention saves \$6 - \$10 on the cost of future maintenance and eventual rebuilding of the road. The City, however, has not had the funding necessary to meet the preventative maintenance needs on all roads throughout the City. Therefore, many roads have gone without or received very little preventative maintenance and have passed the point where preventative maintenance is effective in extending the life of the road. These roads now require much more expensive treatments or complete rebuilds in order to meet an acceptable level of service. The continuation of this trend ultimately leads to deteriorated roads throughout the city and a very poor level of service. The costs to raise the level of service at that point becomes financially infeasible.

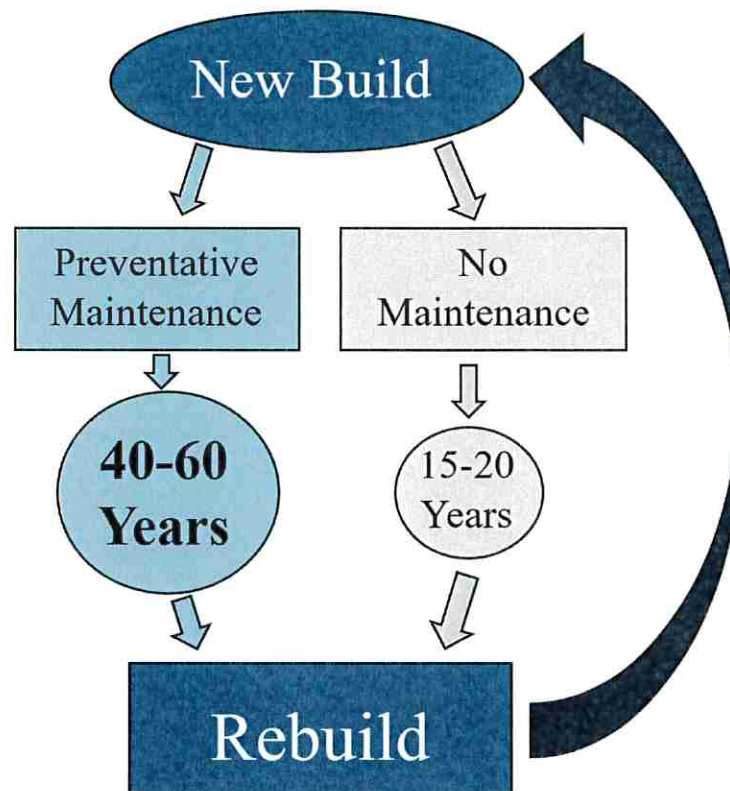
The purpose of this study is to quantify the current level of service of the City's street network system and identify funding options and the amounts needed to achieve a sustainable level of service.

Pavement Life Cycle

Figure 1 below depicts the life cycle paths of a typical street and the positive impacts that preventative maintenance can have on the overall life of the pavement. A typical road without preventative maintenance (chip seal, crack seal, and overlay) will last approximately 15-20 years

before it needs to be rebuilt. This life, however, can be increased by 20-40 years with preventative maintenance.

Figure 1 - Pavement Life Cycle



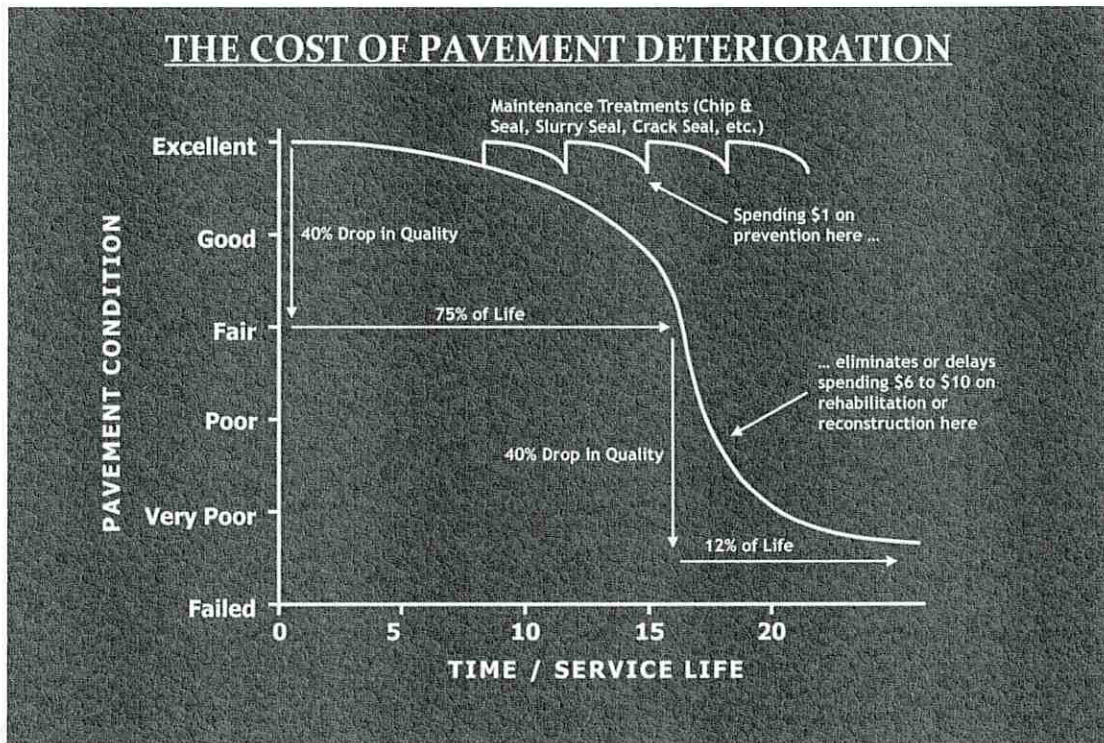
The Cost of Pavement Deterioration

When a road is first constructed in accordance with the City’s Development, Design, and Construction Standards, it is considered to be in excellent condition and is typically designed for a service life of about 20 years. Over time, however, normal use and environmental factors cause this condition to decline. This deterioration can be slowed—and the life of the pavement extended—through timely preventative maintenance.

It is more economical to preserve roads than to delay maintenance and rely on full reconstruction. Prioritizing only the worst roads is costly and inefficient; under this approach, limited funding allows for only a small number of roads to be repaired. In contrast, the “keep the good roads good” philosophy emphasizes preventative maintenance, enabling the City to treat more roads and preserve overall network quality. Roads in poor condition are still addressed, but not at the expense of allowing well-performing roads to deteriorate due to neglect.

Preservation is not only more cost-effective, it also helps maintain consistent road conditions. Keeping roads in good repair reduces public complaints and minimizes vehicle damage caused by deteriorating pavement. Importantly, pavement deterioration follows an exponential—not linear—cost curve. If maintenance is deferred by just two to three years, repair costs can increase by four to five times compared to timely, proactive treatment. Figure 2 below illustrates the cost of pavement deterioration.

Figure 2 - Cost of Pavement Deterioration



Recommended Preventative Maintenance

Regular chip seal application is a critical component of roadway maintenance, as it mitigates surface deterioration and preserves the integrity of the underlying base materials. When applied at appropriate intervals, chip sealing extends pavement life and reduces the need for more costly rehabilitation measures.

Climatic conditions in Utah necessitate a more frequent maintenance cycle than is typical in less extreme environments. Seasonal freeze-thaw cycles during winter months, combined with high temperatures and sun exposure during the summer, accelerate pavement wear and surface degradation.

Based on these conditions, chip seal treatments on Utah roadways are generally required at intervals ranging from approximately three to seven years. The appropriate frequency within this range is influenced by traffic volume and loading.

Funding Sources

At the time of the study, the following were the available funding sources:

Class C: This funding program was established by the Utah Legislature in 1937 as a means of providing assistance to counties and incorporated municipalities for the improvement of roads and streets throughout the state. The funds differ from ordinary local revenues because they are subject to administrative direction by the State in accordance with legislative provision. The Utah Department of Transportation (UDOT) is the administrative authority on behalf of the State.

Prop 1 Local Option Sales Tax: Weber County adopted the .25% optional local sales tax in 2015 to fund transportation improvements, including road repairs, construction, and trail projects. This optional sales tax is not determined by the City; therefore, no additional funds can be generated from this source.

City's General Fund: This money comes from property tax and is allocated each year during the City's budgeting process. Allocation of this tax money to street projects is at the discretion of the City Council.

Transportation Utility Fund: This money is charged to residents and businesses based on their access and usage of the road system. This is a franchise fee and can only be used by the city for transportation-related uses. Current fee is \$4/residential use.

As shown in Table 1, at the time of this study, the funding was evaluated as follows:

Table 1 - Available Funding

Class C	\$610,000
General Fund	\$200,000
Prop 1 Local Option Sales Tax – Estimated	\$235,000
Transportation Utility Fund (\$4/ERU)	\$185,000
Total Annual Funding	\$1,230,000

Current Expenses

This study focuses on the expense of road surface improvements and costs related to those improvements. Other expenses exist in the city for road safety that are paid for with the funding listed in Table 1. These include expenses to maintain vehicles used for snow removal, streetlights, improvements to sidewalk for trip hazards and other concrete improvements such as waterways. After these expenses are accounted for, \$804,000 is available for street surface maintenance and rebuilding. At the time of the study, the following were the budgeted transportation expenses **outside of road surface treatments and rebuilding**, shown in Table 2:

Table 2 – Road Safety and Vehicle Expenses (Excluding Road Surface)

Vehicle Maintenance	\$156,000
Road Striping	\$50,000
Sidewalk Trip Hazard Program	\$30,000
Streetlights	\$170,000
Misc. Concrete	\$20,000
Total	\$426,000

Evaluation Process

The City evaluated all possible sources of additional funding for the amount needed to, at a minimum, maintain, and increase the City’s overall streets remaining service life (RSL). The following steps outline the typical process for determining and implementing a Transportation Utility Fee (TUF):

1. Assess the current conditions of all City streets and determine the overall RSL.
2. Analyze various sources for additional funding.
3. Estimate the cost of road maintenance and improvements, along with the associated extension of service life.
4. Determine fee rates for various classifications of users based on their impact.
5. Analyze various scenarios for additional funding.
6. Adopt and implement Transportation Utility Fee.

The details and process for each individual step are provided in the sections below.

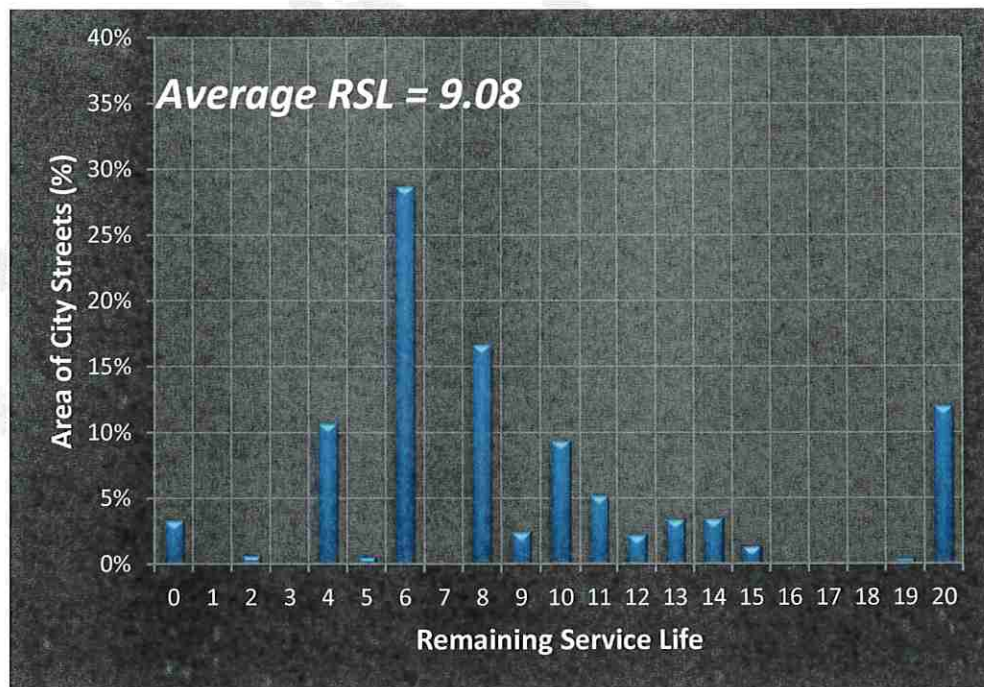
1. Assess the Current Conditions of all City Streets and Determine the Overall RSL.

The City contracted with IWorQ Systems, a SAAS-Based Software Company located in Northern Utah, to visually evaluate and assess all streets and assign a rating based on both the assessment and IWorQ System’s pre-determined algorithm. The algorithm prioritizes issues (fatigue, transverse/longitudinal cracks, patching, edge, rutting, and roughness) and performs a weighted calculation that equates to the street’s RSL rating. Based on the rating, IWorQ Systems recommends a course of treatment to increase the rating and life of the road. This assessment was completed in 2024; any maintenance performed after the study was accounted for through estimated increases in remaining service life (RSL) associated with the applicable treatment.

IWorQ Assessment

As illustrated in the following figure (Figure 3), the streets in Pleasant View City have an average RSL of 9.08 or 9 years of life remaining. There were 44% of City streets with an RSL of 6 years or less and 72% with an RSL of 10 years or less. To bring these streets to an RSL above 10, it would cost approximately \$12 million.

Figure 3 – Current Road Conditions



If current funding remains in place with no additional funding source provided, the current average RSL of 9.08 will drop to approximately 7.36 over the next 10 years. Additionally, the percentage of roads in failure will increase from 3% to 21%.

2. *Analyzing Various Sources for Additional Funding*

The City's current funding for maintenance is not keeping up with the deterioration of the streets. Four funding sources were studied:

Increase Street Funding from General Fund. The City has already included \$200,000 from the general budget for the street budget. Other systems in Pleasant View are facing maintenance and underfunding issues and so further funding from the general fund is not likely.

Bonding. This option would be a one-time source of supplemental funding. Bonding would allow the City to make significant progress to increase the average RSL rating but it would not meet the on-going needs of yearly maintenance and repairs. If bonding were considered, adequate funding from the streets budget would need to cover bond repayment, including interest, and yearly maintenance.

Increase Property Tax. This source of income is one that is already in place. While the City could increase the current property tax rate, these funds would become unrestricted monies that future City Councils could defer to other City needs. This option also does not provide an equitable nexus between the value of a home and the use of City streets.

Update Utility Fee. Pleasant View City currently collects a Transportation Utility Fee of \$4 per residential unit. This fee was adopted nearly 10 years ago at a rate significantly lower than the study recommended. It is now one of the lowest transportation utility fees in the state. Because the proposed updated fee is based on both access and usage of the roads, it is an equitable solution to increase road funding. State Law requires that the funds collected become guaranteed restricted monies that can only be used for transportation needs.

3. *Estimate the Cost of Road Maintenance and Improvements, Along with the Associated Extension of Service Life.*

The cost of each type of treatment was determined by analyzing the work related to the treatment type, and determining the per square foot cost based on current construction rates and the number of added years each treatment provides. It's important to note that total project cost was considered, not just the specific treatment listed. For example, a chip seal project would include the chip seal in addition to all other costs charged by the contractor including mobilization and incidental improvements like concrete collars or waterways affected by the project extents. The following table (Table 3) lists the unit cost and number of added years for each type of treatment.

Table 3 - Cost of Treatments

Description	Unit Cost [\$/s.f.]	RSL Added (years)
Chip Seal	\$0.75	5
Mill & Overlay	\$2.50	15
Reconstruct	\$4.00	20

Using this information, we could determine the funding needed to maintain and/or improve road conditions in Pleasant View. Pleasant View currently has just over 9 million square feet of road to maintain. This means 15% - 20% of the roads would need to be chip sealed every year to meet the minimum chip seal maintenance requirements. This equates to a budget of approximately \$981,000 to \$1,374,000 for chip seal alone. More money would be required to repair/rebuild roads that have deteriorated past the point in which chip seal would improve their condition. Reconstructing 1% of the roads in Pleasant View would cost approximately \$370,000. Mill and overlay for 1% of the roads in Pleasant View would cost approximately \$230,000. Roads under an RSL of 5 would likely need either mill and overlay or reconstruction.

4. Determine Fee Rates for Various Classifications of Users Based on Their Impact

Three (3) main factors determine the impact a particular user has on a transportation system. These factors and how their impact was calculated is as follows:

1. **Road Network Service Area.** The service area supporting a specific use was defined based on the area of its zoning designation.
2. **Traffic Counts.** Trip counts from the ITE Trip Generation Manual, 12th edition, were used to determine the traffic generated from uses.
3. **Traffic Loading.** The weight of a vehicle has an exponential impact on the wear on the pavement and structural road base. This impact is calculated using the AASHTO Equivalent Single Axle Load calculation. This calculation involves many variables that are not known precisely in our study but by using the fourth power law we can approximate the impact of an average heavy truck to that of a passenger vehicle. The fourth power law states that the pavement damage increases roughly to the fourth power of the axle load ratio. Using this approximation each heavy truck trip is the same as 200 trips in a passenger vehicle. See Appendix A for calculations regarding the heavy traffic load factor.

Utah code states that a city, “shall establish different rates within a transportation utility fee for different classifications of users of a transportation facility if the rates and classifications have a reasonable basis.” Two categories were established based on their distinct impacts on the city:

1. Residential
2. Commercial (including all non-residential uses)

Institutional uses, such as churches and schools, were determined to have impacts similar to commercial uses and were therefore analyzed within the commercial category.

Residential. Residential traffic’s primary impact is reflected in the extent of the street network dedicated to neighborhood circulation. To approximate this share, the area of Pleasant View zoned for residential use was compared to the City’s total area, indicating that approximately 81% is residential. Accordingly, 81% of the Transportation Utility Fee (TUF) revenue is allocated to residential users. Based on the ITE Trip Generation Manual (12th Edition), a typical single-family residence generates about nine (9) trips per day; for this analysis, all residences are assumed to generate similar trip levels. The residential rate is therefore calculated by dividing 81% of total TUF revenue by the number of residential units. This unit is defined as one Equivalent Residential Unit (ERU), and each residence is assigned one ERU.

Commercial (Including all Non-Residential Uses). Commercial user charges were determined based on estimated trip generation and heavy truck usage. Users were grouped into four (4) categories reflecting relative roadway demand, with the lowest category defined as the base commercial unit. Higher-use categories were assigned proportionally as multiples of this base unit. Businesses with regular heavy truck activity were assigned additional units to reflect their increased roadway impact. Total commercial units were then allocated across the remaining required Transportation Utility Fee (TUF) revenue after residential contributions were applied. For consistency, all commercial units were converted to ERUs, including additional ERUs assigned for heavy truck use. The resulting categories, trip counts, and ERU assignments are summarized in Table 4:

Table 4 - Commercial Categories

Category	Trip Counts	Commercial Units	ERU
A	Under 99	1	1.64
B	100-199	2	3.28
C	200-599	4	6.57
D	Greater than 600	8	13.13
HTF*	200 per HT trip	+4	+6.57

*Heavy Truck Factor

Average weekday trip counts were used or approximated based on known data. Non-residential uses that do not operate all year were adjusted for their seasonal use.

5. Analyze Various Scenarios for Additional Funding

To estimate the amount of funding needed to maintain or improve road conditions over a 10-year period (2026-2036), three (3) scenarios were included. For consistency among the various scenarios, each scenario included 2 components: Road Rebuilding and Chip seal. Each scenario included a yearly budget of roughly \$370,000 to rebuild or repair roads. The budget for chip

seal maintenance changed with the frequency at which the chip seal was applied. No inflation was added to the pricing. All revenue and expenses for each scenario can be seen in Appendix B.

The analysis resulted in the following:

Scenario 1: 7-year chip seal frequency. A monthly fee of \$13.86 for each ERU will add approximately \$545,000 to the current funding. This amount of additional funding is estimated to provide enough money to chip seal all roads once every 7 years and rebuild 1% of city roads yearly. By year 10, the average RSL is estimated to increase from 9.08 to 10.58 with 58% of roads with an RSL of 10 or less.

Scenario 1 would improve the level of service in Pleasant View, however, while a 7-year cycle may be adequate for some roads, many will need chip seal more frequently. These roads will fall into disrepair before funds are available to chip seal leaving them to require maintenance at a much higher cost down the road.

Scenario 2: 6-year chip seal frequency. A monthly fee of \$16.96 for each ERU will add approximately \$708,000 to the current funding. This amount of additional funding is estimated to provide enough money to chip seal all roads once every 6 years and rebuild 1% of city roads yearly. By year 10, the average RSL is estimated to increase from 9.08 to 12.02 with 27% of roads with an RSL of 10 or less.

Scenario 2 allows for a hybrid of timelines allowing for chip seal at a more frequent cycle for some roads. With 27% of roads with an RSL of 10 or less there will still be some loss due to inadequate chip seal funding and some projects may need to be funded at a higher cost later.

Scenario 3: 5-year chip seal frequency. A monthly fee of \$21.32 for each ERU will add approximately \$938,000 to the current funding. This amount of additional funding is estimated to provide enough money to chip seal all roads once every 5 years and rebuild 1% of city roads yearly. By year 10, the average RSL is estimated to increase from 9.08 to 14.04 with 8% of roads with an RSL of 10 or less.

Scenario 3 provides funding for the most likely chip seal needs. Due to high usage or repeat treatments, some roads may last 7 years between chip seals and some may only last a couple of years. This scenario allows for the most cost-efficient maintenance because it reduces the need for additional road rebuilding funding in the future.

Table 5 shows the fee schedule that would be applied to various users based on the 3 calculated scenarios.

Table 5 – Fee Schedule

User	Scenario 1	Scenario 2	Scenario 3
Residential	\$13.86	\$16.96	\$21.32
Commercial Category A	\$22.75	\$27.85	\$34.98
Commercial Category B	\$45.49	\$55.69	\$69.97
Commercial Category C	\$90.99	\$111.38	\$139.93
Commercial Category D	\$181.97	\$222.76	\$279.87
HTF*	+\$90.99	+\$111.38	+\$139.93

*Heavy Truck Factor

6. Adopt and Implement Transportation Utility Fee

After selecting a fee option, the City must comply with applicable Utah statutory procedures prior to imposing the transportation utility fee. This includes providing at least seven days' notice and holding a public hearing (separate from, but permitted in conjunction with, the budget hearing), adopting the fee by ordinance through a separate vote, and simultaneously establishing an appeals process for user classifications. The City must continue to use their dedicated transportation fund into which all fee revenues are deposited and used exclusively for transportation purposes, without commingling or transferring to other funds. Following adoption, the fee remains in effect for up to ten years unless reauthorized, and the City must conduct an annual review and submit a written report as required.

Appendix A

Heavy Truck Factor

30-Apr-26



Technical Vehicle Description	Description	Gross Vehicle Weight (GVW)
Passenger Vehicle (PV) Weights		
Light Duty Vehicles (Passenger Cars)	Sedans and Station Wagons	4,000-5,000 lbs.
Light Duty Trucks 1	Most small SUVs, most small pickups	Up to 6,000 lbs.
Light Duty Trucks 2	All minivans, "compact" SUVs and T100 pickups	Up to 6,000 lbs.
Light Duty Trucks 3	Most 1/2-ton pickups, base full size vans and intermediate SUVs	6,001-8,500 lbs.
Light Duty Trucks 4	Some 1/2 and 3/4 ton pickups, some full size vans, and larger SUVs	6,001-8,500 lbs.
	Minimum (PV) =	4000 lbs.
	Maximum (PV) =	8500 lbs.
	Average (PV) =	6250 lbs.
Heavy Truck (HT) Vehicle Weights		
Class 4 Heavy Duty Vehicles	Flat bed Trucks, Medium Delivery Trucks and Box Trucks	14,001-16,000 lbs.
Class 5 Heavy Duty Vehicles	Flat bed Trucks, Large Delivery Trucks, Bucket Trucks and Step Vans	16,001-19,500 lbs.
Class 6 heavy Duty Vehicles	Beverage Truck, Single-Axle Trucks and School Buses	19,501-26,000 lbs.
Class 7 Heavy Duty Vehicles	Garbage trucks, Fuel trucks, Dump Trucks, and Tractor/Trailer Trucks	26,001-33,000 lbs.
Class 8 Heavy Duty Vehicles	Fuel Trucks, Dump Trucks, Concrete Trucks and Tractor/Trailer Trucks	Over 33,000 lbs.
	Minimum (HT) =	14001 lbs.
	Maximum (HT) =	33000 lbs.
	Average (HT) =	23500 lbs.
	Heavy Truck Factor (HT / PV) =	3.76
	Heavy Truck Equivalent Single Axle Load* =	200

***Fourth Power Law**
 Damage \propto (Load_{HT}/Load_{PV})⁴

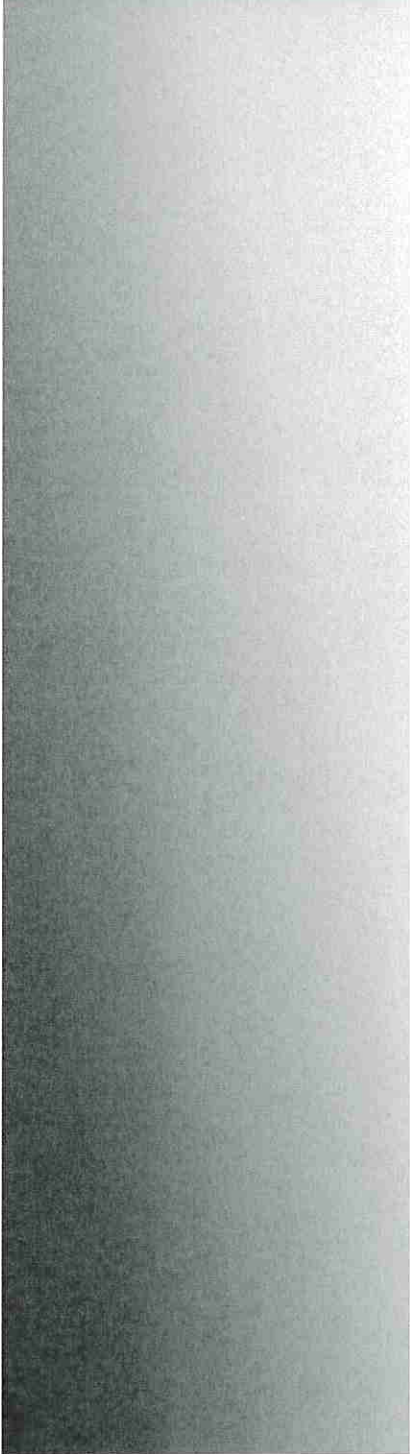
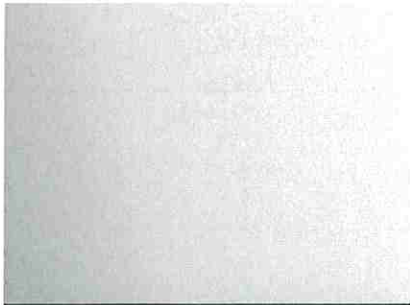
Appendix B

Street Funding Scenarios

5-May-26



	Scenario 1 7 year Chip Seal Frequency	Scenario 2 6 year Chip Seal Frequency	Scenario 3 5 year Chip Seal Frequency
EXPENSES			
Vehicle Maintenance	\$ 156,850	\$ 156,850	\$ 156,850
Striping	\$ 50,000	\$ 50,000	\$ 50,000
Sidewalk Trip Hazard Program	\$ 30,000	\$ 30,000	\$ 30,000
Streetlights	\$ 170,000	\$ 170,000	\$ 170,000
Misc. Concrete	\$ 20,000	\$ 20,000	\$ 20,000
Chip Seal	\$ 981,522	\$ 1,145,109	\$ 1,374,131
Reconstruct 1% of Roads every year	\$ 366,435	\$ 366,435	\$ 366,435
Total Expenses	\$ 1,774,807	\$ 1,938,394	\$ 2,167,416
REVENUE			
Class C Funds	\$ 610,000	\$ 610,000	\$ 610,000
Sales Tax Funds	\$ 235,000	\$ 235,000	\$ 235,000
General Fund	\$ 200,000	\$ 200,000	\$ 200,000
Total Revenue	\$ 1,045,000	\$ 1,045,000	\$ 1,045,000
Shortfall -Total TUF Revenue Required	\$ 729,807	\$ 893,394	\$ 1,122,416
TUF Breakdown			
Cost/ERU	\$ 13.86	\$ 16.96	\$ 21.32
Cost/Commercial Unit	\$ 22.75	\$ 27.85	\$ 34.98
Residential ERUs	3554	3,555	3554
Commercial Units	508	508	508
Residential TUF Contribution (81%)	\$ 591,144	\$ 723,649	\$ 909,157
Commercial TUF Contribution (19%)	\$ 138,663	\$ 169,745	\$ 213,259
Total TUF Revenue	\$ 729,807	\$ 893,394	\$ 1,122,416





CITY COUNCIL MEETING STAFF REPORT

MEETING DATE

May 12, 2026

PREPARED BY

Dana Q. Shuler, P.E.

City Engineer's Office

Jones & Associates
Consulting Engineers

ITEM TYPE

Legislative

ATTACHMENTS

[Development, Design, and
Construction Standards](#)

AGENDA ITEM

Consideration to adopt the 2026 Pleasant View City Development, Design, and Construction Standards.

PURPOSE

The Development, Design, and Construction Standards (also known as the Public Works Standards) must be approved and adopted as a land use regulation, per the Municipal Land Use, Development, and Management Act.

RECOMMENDATION

Staff recommends approval of the revised Public Works Standards.

BACKGROUND

The Public Works Standards details the development processes, design parameters, and construction specifications and details for all development and projects within the City. The document was last revised in 2019, other than the addition of the street light standards in 2021.

Over the past several months, Public Works personnel and Jones & Associates have meticulously reviewed, redlined, and revised the Standards. The attached document contains the proposed final version. It contains the following:

1. General (information)
2. Development Standards
3. Design Standards (general, sanitary sewer, culinary water, streets, storm drainage)
4. Construction Standards
5. Technical Specifications
6. Standard Drawings



CITY COUNCIL MEETING STAFF REPORT

MEETING DATE

May 12, 2026

PREPARED BY

Dana Q. Shuler, P.E.

City Engineer's Office

Jones & Associates
Consulting Engineers

ITEM TYPE

Legislative

ATTACHMENTS

Redlined and Proposed
versions of Chapters 17.18
and 17.20

AGENDA ITEM

Consideration of the amendment of:

Chapter 17.18 – Subdivision Development Standards

Chapter 17.20 – Required Improvements and Guarantees

PURPOSE

Revisions to Chapters 17.18 and 17.20 of the City Ordinances.

RECOMMENDATION

Staff recommends approval of the City Ordinance amendments.

BACKGROUND

During the process of revising the Public Works Standards, it was found that several items in the subdivision chapters of the City Code need to be revised in order to make the terminology consistent with and avoid conflicts with the proposed Public Works Standards.

Additional miscellaneous clarifications and revisions are proposed.

Revisions of note include:

1. Added exception requests when limited by topography, hazards, other physical constraints
2. Updated the number of permanent accesses versus number of lots or units served
3. Removed minimum and maximum street grades (now included in the Public Works Standards)
4. Revised Lot arrangement and design, including the location of access
5. Updated Street lights to be paid and installed by developer
6. Deleted Special Exception for Sidewalk under Conditional Acceptance
7. Added Special Exception for Street Lighting under Conditional Acceptance

ORDINANCE 2026-10

AN ORDINANCE AMENDING THE PLEASANT VIEW MUNICIPAL CODE CHAPTER 17.18-SUBDIVISION DEVELOPMENT STANDARDS & CHAPTER 17.20-REQUIRED IMPROVEMENTS AND GUARANTEES

WHEREAS, Pleasant View City has updated its Public Works Standards; and

WHEREAS, It was found that several items in the subdivision chapters needed revisions to be consistent with and avoid conflict with the updated Public Works Standards; and

WHEREAS, Pleasant View City finds that such an amendment is in the best interest of the City; and

WHEREAS, Section 10-20-802 of the Utah State Municipal Code provides for the amendment of subdivision ordinance after receiving a recommendation from the Planning Commission; and

WHEREAS, The Pleasant View City Planning Commission made a positive recommendation for approval of the proposed amendments during its May 7, 2026 meeting.

NOW THEREFORE, be it resolved by the Pleasant View City Council as follows:

1. Chapter 17.18-Subdivision Development Standards & Chapter 17.20-Required Improvements and Guarantees are hereby amended as stated in "Exhibit A." (attached).
2. This ordinance shall take effect immediately upon approval and posting.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2026.

PLEASANT VIEW CITY, UTAH

Steve Gibson, Mayor

Attest:

Laurie Hellstrom, City Recorder

This ordinance has been approved by the following vote of the Pleasant View City Council:

- CM Arrington _____
- CM Ferry _____
- CM Marriott _____
- CM Urry _____
- CM Wilkinson _____

17.18 - SUBDIVISION DEVELOPMENT STANDARDS

17.18.010 Relation to Adjoining Street Systems:

1. Arrangement of Streets: The arrangement of streets in new subdivisions shall make provisions for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) as required for public utilities and improvements. The street arrangement shall not cause unnecessary hardships to owners of adjoining property when such property is subdivided and access is required.

2. Master ~~p~~Planned Streets: All streets designated on the City's Master Street Plan shall be incorporated in the development design.

3. Street improvements, including all utilities, shall extend to the subdivision boundary. Exceptions for infeasible extensions may be granted by the Development Review Committee (DRC). ~~Angle of Minor Streets: Minor streets shall approach the major or collector streets at an angle of not less than eighty (80) degrees. (Ord.2008-5, dated 4/8/08)~~

17.18.020 Streets, ~~and Alley Widths~~, Cul-de-sacs, Alleys, Trails, and Easements:

1. Street Dedication: All streets in subdivisions in the City shall be dedicated to the City, except that private streets may be approved under special circumstances as determined by the ~~City Council~~Approval Authority. Except for width, walks and curbing designs specifically approved otherwise by the ~~city~~City Council as part of a special approval development, design and construction of all streets shall comply with Development, Design, and Construction Standards (also known as the City Standards) and be approved by the City Engineer.

2. Collector and Arterial~~Major and Collector~~ Streets: Collector and arterial ~~Major and collector~~ streets shall conform to the width designated on the ~~major street plan~~Master Street Plan wherever a subdivision falls in an area for which a ~~major street plan~~Master Street Plan has been adopted. For territory where such street plan has not been completed at the time the preliminary plat is submitted to the Planning Commission, ~~major or collector~~collector and/or arterial streets shall be provided as required by the Planning Commission, with minimum right-of-way widths of ~~sixty-six feet (66) feet for minor collector streets, seventy (70) feet for major collector streets, and eighty (80) feet or one hundred feet ten (110) feet for major~~minor arterial streets ~~and sixty-six feet (66) feet for collector streets.~~

3. Minor or Local Streets: Minor or local residential streets shall have a minimum width of sixty feet (60) feet.

4. Minor Terminal Streets (Cul-De-Sacs):

a. Length. Minor terminal streets (cul-de-sacs) shall be not longer than ~~six hundred and fifty (650) feet~~ as measured from the center of the intersecting street to the center of the turnaround. Where topography or existing street geometry causes infeasibility of meeting this maximum distance, a variance request together with any proposed mitigation measures may be submitted to the DRC for review and possible recommendation to the Approval Authority.

a-b. Turnaround Diameter. Each cul-de-sac must be terminated by a turnaround of not less than ~~one hundred feet (120100) feet~~ in diameter of the right-of-way. If surface water drainage is into the turnaround, due to the grade of the street, necessary catch basins and drainage easements shall be provided.

b-c. ~~Minor terminal streets (Cul-de-sacs)~~ shall not be allowed to be back-to-back or adjacent to each other (without an intervening street). In such circumstances, looping of streets or eliminating one of the cul-de-sacs is required.

~~c.d.~~ Temporary Dead-End. Except where a temporary dead-end is not greater than 150 feet, ~~where a street is designed to remain only temporarily as a dead-end~~ dead-end street, an adequate temporary turning area shall be provided at the dead end thereof to remain and be available for public use so long as the ~~dead-end~~ dead-end condition exists. Such streets may only be allowed where reasonable opportunity for potential development exists, as determined by the city. Except in special circumstances, as determined by the city, no subdivision may be approved containing more than one (1) such dead end street (looping of streets would be required).

~~d. Subdivisions with a single permanent access may contain no more than twenty (20) lots.~~

~~5. Except as specifically approve otherwise by the Land Use Authority, all subdivision of five or more lots must have a minimum of two permanent access points, subdivisions of more than fifty (50) lots including all phases must have three or more access points as determined appropriate by the city.~~ Access. For the safety and protection of citizens, permanent access shall be provided as follows:

a. A cul-de-sac may serve a maximum of twenty (20) lots or units, not including the corner lots.

b. A single permanent access may serve a maximum of thirty (30) residential lots or 100 multi-family units, not including corner lots located at the single access point.

c. Two (2) permanent accesses may serve a maximum of 100 residential lots or 200 multi-family units, provided that the accesses are approved by the City Engineer and Fire Code Official and are designed to meet applicable fire apparatus access requirements, including but not limited to access road width, grade, turning radius, dead-end road limitations, hydrant access, emergency response circulation, and access separation. Additional access may be required where site conditions, project phasing, topography, traffic circulation, emergency response needs, or applicable fire code provisions warrant additional access. Access counts listed above are minimum subdivision access standards and shall not relieve the applicant from complying with applicable fire code, building code, public works, engineering, and emergency access requirements.

d. Commercial and industrial subdivision access shall be evaluated on a case-by-case basis by the DRC.

~~5.e.~~ Special exceptions may be made by the DRC if justified by topography, hazards, or other physical constraint(s).

6. Marginal Access Streets: Marginal access streets of not less than forty ~~feet~~(40) feet in right-of-way width may parallel all limited access major streets, as required by the City Engineer and approved by the City Council.

7. Half Streets: Half streets proposed along a subdivision boundary or within any part of a subdivision are prohibited.

8. Standard Street Sections: All proposed streets, whether public or private, shall conform to the street cross section standards as ~~recommended by the city engineer and adopted by the City.~~ found in the City Standards, unless otherwise approved by City Council via a development agreement or other means.

9. Street Grades: Minimum and maximum grades for all streets shall be as found in the City Standards. ~~not be less than 0.5 percent. Except where due to special circumstances, street grades for any length of road at any point shall not exceed the following percentages:~~

a. Major public streets eight percent (8%);

b. Collector streets twelve percent (12%);

~~c. Minor public streets twelve percent (12%);~~

~~d. Private streets twelve percent (12%).~~

10. Alleys: Alleys may be required in the rear of business lots, but will not be accepted in residential blocks unless part of a PRUD or other Special Approval Development as determined by the City Approval Authority.

11. Trails: Trail accesses and connections to existing and planned trails shall be considered in the subdivision design.

12. Protection strips: Where a subdivision street parallels contiguous property of other owners, the city Approval Authority may approve the retention of a protection strip of not less than one (1) foot in width between the street and adjacent property, provided, that an agreement with the city and approved by the city attorney has been made by the applicant, contracting to dedicate the one (1) foot or larger protection strip free of charge to the city for street purposes upon payment by the then owners of the contiguous property to the applicant of a consideration named in the agreement, such consideration to be equal to the fair cost of the street improvements properly chargeable to the contiguous property, plus the value of one-half (1/2) of the land in the street at the time of the agreement, together with interest at a fair rate from time of agreement until time of subdivision of such contiguous property. Said agreement shall not be valid for longer than twenty (20) years.

~~13. Pioneering agreement: The city may require and enter into a pioneering agreement for construction of roads off site of the project as the need is determined by the city.~~ Public Utility Easements. Public utility easements parallel to street rights-of-way of not less than ten (10) feet in width shall be dedicated to the City.

~~13.~~14. Natural Drainage, Municipal Utility, and Other Easements: The City may require easements for drainage from or through adjoining property be provided by the Applicant for any natural or historical drainage area and may allow or require piping and other improvements to protect adjoining property and/or water rights. Municipal Utility Easements of not less than twenty (20) feet in width shall be provided in the subdivision where required by the City for culinary water, sewers, and storm drainage. Other easements may be required by other utility providers. (Ord.2022-8, dated 3/8/22 and Ord.2008-5, dated 4/8/08)

17.18.030 Lots: ~~All lots shall comply with standards as found herein.~~

1. Lot Arrangement and Design:

a. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography and to existing and future development.

b. Reasonable access shall be provided to each lot.

c. Lots shall be arranged, whenever possible, such that access is to a local/residential road.

d. Unless restrained by topography, access for corner lots shall be onto the road of lesser classification.

e. Lots shall generally be rectangularly shaped with four (4) sides. Irregularly shaped lots are discouraged. Where lots are irregularly shaped, side and rear yard lines shall be defined on the subdivision plat.

~~1.~~

2. Compliance with Zoning Ordinance: All lots shown on the subdivision plat must comply with requirements of the Zoning Ordinance.

3. Abut on Public or Private Street: Each lot shall abut on a public street or private street dedicated by the subdivision plat or an existing publicly dedicated street. Interior lots having

frontage on two (2) streets shall be prohibited unless specifically determined by the City Approval Authority that such design is the most appropriate use of the property, would not create any additional nuisance or hazardous conditions, and vehicular access to one (1) of the streets (except for commercial or industrial uses), as determined by the City, is prohibited as recorded on the plat.

4. Side Lines: Side lines of lots shall be approximately at right angles, or radial to the street line for not less than the front yard setback distance. Special exceptions may be made by the DRC if justified by topography, hazards, or other physical constraint(s).

5. Remnants: All remnants of parcels or lots below the minimum size required in the zone, left-over after subdividing a larger tract, must be added to adjacent lots, rather than allowed to remain as unusable parcels.

~~5. Natural Drainage And Other Easements: The City may require easements for drainage from or through adjoining property be provided by the Applicant for any natural or historical drainage area and may allow or require piping and other improvements to protect adjoining property and/or water rights. Easements of not less than ten feet (10') in width for water, sewers, drainage, power lines and other utilities shall be provided in the subdivision where required by the City.~~

~~6. All lots shall have a reasonable building area (defined as land with a slope less than 15%) of at least 7500 square feet with a minimum width of 50 feet.~~

~~7. Trail accesses and connections to existing and planned trails shall be considered in the subdivision design.~~

6. Flag Lots: Flag lots are not allowed.

7. Skyline Drive: No new lots shall access Skyline Drive (4300 N) between 900 West and Pleasant View Drive unless no other physical option remains, as determined by the DRC.

8. Corner Lots: For all corner lots, a no-access line shall be shown on the plat along the street rights-of-way for a distance of the lesser of one-half of the frontage or fifty (50) feet, beginning at the apparent intersection of the right-of-way lines. (Ord.2022-8, dated 3/8/22 and Ord.2008-5, dated 4/8/08)

17.18.040 Blocks:

1. The maximum length of blocks generally shall be ~~thirteen hundred~~ 1,300 feet, and the minimum length of blocks shall be ~~five hundred~~ 500 feet. Greater block lengths may be permitted when topography prohibits such, as determined by the DRC. Blocks over ~~eight hundred~~ 800 feet in length may, at the discretion of the City, be required or approved with a dedicated walkway through the block at approximately the center of the block. Such walkway shall not be less than ten (10) feet in width.

2. The width of blocks shall be sufficient to allow two (2) tiers of lots or as otherwise approved by the City because of design, terrain, or other unusual conditions.

3. Blocks intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities. (Ord.2008-5, dated 4/8/08)

17.18.050 Slope Special Requirements:

In order to appropriately evaluate and protect against any potential impacts to adjacent properties and city infrastructure and services, the following special requirements apply to all development in the city.

1. Based on a contour map at intervals no greater than ten (10) feet, a slope calculation is required for the average slope of the site, ~~subdivision~~, or sub-area prior to any grading, utilizing

the following formula:

$$S = .00229 (I) (L) / A$$

Where:

- S is the average slope I is the contour interval in feet
- L is the summation in length in feet of all contour lines
- A is the total number of acres

Alternate methods of calculation may be approved by the City Engineer.

2. If the calculation results in an average slope exceeding 15%, then additional standards and evaluations shall be placed on the subdivision including:

- a. As overall slope increases, density shall decrease.
 - i. Slopes ~~between~~ greater than 15% and up to and including 20% shall have no more than one (1) unit per acre.
 - ii. Slopes greater than 20% and up to and including 25% shall have no more than one (1) unit for every two (2) acres.
 - iii. Slopes greater than 25% and up to and including 30% shall have no more than one (1) unit for every five (5) acres.
 - ~~a~~-iv. No development is allowed on slopes greater than 30%.
- b. As slope increases, allowable impermeable surfaces shall decrease.
 - i. For lots with slopes greater than 15% and up to and including 20%, ~~of 15-20%~~, not more than 25% of the lot shall be impermeable surfaces.
 - ii. For lots with slopes greater than 20% and up to and including 25%, not more than 15% of the lot shall be impermeable surfaces.
 - ~~b~~-iii. For lots with slopes of greater than 25% and up to and including 30%, not more than 7.5% of the lot shall be impermeable surfaces.
- c. Either by natural topography or mass grading, ~~A~~all lots having an average slope exceeding 15% shall have a reasonable building area (defined as land with a slope less than 15%) of at least 7,500 square feet ~~and~~ with a minimum ~~width~~-dimension of fifty (50) feet.
 - d. Additional fire safety/emergency vehicle related reviews may be required including but not limited to, access, fire hydrants, driveway (grades, lengths, and widths), road surfacing, turnarounds, building distances from the street, and so on.
 - e. Spark arresters shall be installed on all indoor and outdoor fireplaces.
 - f. A grading and drainage plan shall be submitted with the subdivision improvement drawings. The plan shall clearly identify how the developer intends on grading each lot to ~~insure~~ensure that storm water runoff is either directed to the fronting or intersection roadways or collected and conveyed in such a manner that it will not have an adverse effect on adjacent or neighboring properties. Building ~~pad~~ areas and elevations, ~~;~~ cuts and fills, drainage swales, slopes, and proposed drainage easements shall be minimum design elements and shall assure reasonable access and safety.
 - g. Existing vegetation shall be preserved to the greatest extent possible. A map of areas to be disturbed shall be submitted. Disturbed areas shall be re-vegetated within two months, in accordance with an approved re-vegetation plan. Rock outcropping shall be avoided.
 - ~~h. Trail accesses and connections to existing and planned trails shall be considered in the subdivision design.~~

3. For any portions of one-half (1/2) acre or greater of the subdivision that have slopes over 15%, the appropriate design and safety provisions above (2b thru fg) shall apply to the development of sub-areas within the subdivision where such slopes are found. (Ord.2008-5,

dated 4/8/08)

17.18.060 Adequate Public Facilities Ordinance:

Every subdivision, new development, conditional use permit, and site plan resulting in additional impact on existing infrastructure shall also meet and are subject to the terms and conditions of the Adequate Public Facilities requirements of the City described in *Chapter 18.70 Adequate Public Facilities*. (Ord 2017-2, dated 2/15/17; prior code: Ord.2014-6, dated 7/22/14)

17.20 - REQUIRED IMPROVEMENTS AND GUARANTEES

17.20.10 Required improvements: The applicant/owner of any land to be part of a subdivision shall, at his own expense, ~~design and construct~~ install all required improvements and guarantee the installation of such improvements, as provided herein, as per this Title 17, and as required by ~~the Development, Design, and Construction Standards according to the City Development Standards and Specifications~~ (also known as the City Standards), and as inspected and approved through the office of the City Engineer. All utilities, including power, gas, phones, cable, fiber optic, and as found herein, shall be provided for all lots in the subdivision and shall be underground facilities unless specifically approved otherwise by the city engineer.

1. Water Supply:

a. The applicant(s) shall install culinary water lines, or shall contract with the local culinary water distributing agency to make the water supply available to each lot within the subdivision, including laterals to a point at least fifteen (15) feet beyond the property line of each lot with a permanent mark approved by the city placed on the curb. Information concerning the residual water pressure in the existing mains at the approximate point of connection shall be provided to the city engineer. ~~The City Engineer applicant(s) shall have an engineer~~ determine the adequacy of the existing water system to provide culinary water and fire protection as required by the ~~State Office Utah Department of Environmental Quality, and Division of Drinking Water, and shall submit the information to the City Engineer for review and approval.~~

b. The applicant(s) shall install secondary water lines, and shall contract with the local secondary water distributing agency to make the water supply available to each lot within the subdivision, including laterals to the property of each lot as required by the water distributing agency or fifteen (15) feet beyond the property line with a permanent mark approved by the city placed on the curb.

2. Sewage Disposal: All sanitary sewer systems are required to connect to the public sanitary sewer system and provide adequate lateral lines to a point at least fifteen (15) feet beyond the property line of each lot with a permanent mark approved by the city placed on the curb. Such sewer connections and subdivision sewer systems shall comply with the ~~City Development Standards and Specifications~~ and shall be approved by the City Engineer.

3. Storm Water: The applicant(s) is/are required to dispose of storm water and surface drainage into an approved City storm drain system. If easements are required across adjoining property to permit drainage of the subdivision, it shall be the responsibility of the applicant(s) to acquire such easements. ~~Initial~~ Detention of storm water may be required for all subdivisions, as determined by the City Engineer. All construction shall comply with the City storm water management plan.

4. Street Grading and Surfacing: ~~Design and construction shall be as per this Title 17 and as required by the City Development City Standards and Specifications.~~

5. Curbs, Gutters and Sidewalks: Curbs, gutters and sidewalks shall be installed on existing and proposed streets by the applicant(s) unless specifically determined by the ~~City Council Approval Authority~~ that such is not necessary for safety or other reasons such as in a PRUD or other Special Approval Development. ~~Unless otherwise approved, design and construction shall be as required by the City Standards.~~

6. Street Drainage: Drainage infrastructure shall be as required by the City ~~Standards Drainage structures shall be required by the City Engineer where necessary.~~

7. Monuments: Permanent monuments shall be accurately set and established at such

points as are necessary to definitely establish all lines of the plat. Monuments shall be of a type approved by the City Engineer. All subdivision plats shall be tied to at least two (2) approved county monuments.

8. Street Trees: Street trees may be required by the Approval Authority to be planted along street rights-of-way by the applicant(s).

9. Fire Hydrants: Fire hydrants shall be installed. Such fire hydrants shall be of the type, size, number and be installed in such locations as determined by the City Engineer in concert with the City Fire Marshall.

10. Street Signs: Street signs shall be paid for by developer and installed by the City ~~and the cost of labor and materials charged to the applicant(s).~~

11. Street Lighting: ~~The applicant shall provide appropriate street lighting, as a part of any development, as required by the City.~~ Street lights and appurtenances shall be provided and installed by the Applicant in accordance with the City Standards.

~~11.~~12. Chip Seal: Chip seal shall be paid for by developer and installed by the City.

~~12.~~13. Fencing:

a. A solid board, chain link, or other non-climbable fence not less than six (6) feet ~~(6')~~ in height shall be installed on both sides of existing irrigation canals, bordering open reservoirs, parks, sloughs, railroad rights-of-way or non-access streets, and which are located within or adjacent to the subdivision, except where the Approval Authority determines that park areas, including streams or bodies of water, shall remain unfenced. The Approval Authority shall determine the appropriate fence in each case. ~~Such fences shall be installed prior to the issuance of any building permit in the subdivision.~~

b. The Approval Authority ~~may~~ also require a fence of the type to be determined in each instance to be erected when any subdivision adjoins a use to which uncontrolled access might result in damage or nuisance to the subdivision or adjoining property, or where the Approval Authority determines that the absence of a fence may create a nuisance or hazard to the welfare of the residents of the subdivision or adjoining property. Specific consideration shall be given for requiring fencing where the subdivision is adjacent to existing animal uses and producing agriculture uses. ~~Such fences shall be installed prior to the issuance of any building permit in the subdivision.~~

~~13.~~14. Staking of Lots: Survey stakes shall be placed at all lot corners, and nails shall be placed in curbing, so as to completely identify the lot boundaries on the ground.

~~14.~~15. Pioneering agreement: The city may require and enter into a pioneering agreement for installation of off-site improvements and upsizing of roads and/or utilities to serve other properties as the need is determined by the city.

~~15.~~16. Special Improvements: The applicant shall install and guarantee any and all special improvements required by the City as part of subdivision or development approvals. (Ord.2011-1, dated 2/22/11; prior codes: Ord.2008-5, dated 4/8/08)

17.20.20 Installation of Improvements, Improvement Completion Assurance and Warranty

1. ~~Installation of improvements~~ Construction may commence upon a) the approval of the Preliminary Subdivision Application by the approval authority, and b) the holding of a preconstruction meeting.

~~1.2.~~ All subdivision improvements shall be completed within two (2) years of the earlier of the date of approval of the final plat by the city, the preconstruction meeting or the date of final subdivision recordation. The city engineer may, for good cause, extend this completion time

requirement for no more than one (1) additional year, provided that the completion assurance required to be filed with the city, as set forth below, is extended for the same one (1) year period.

3. Prior to the expiration of the final subdivision application approval, ~~the~~ applicant shall provide the city with an acceptable improvement completion assurance. Said improvement assurance shall be:

- a. ~~A~~ corporate surety bond for any amount deemed necessary,
- b. ~~a~~ A cash bond or escrow account for any amount deemed necessary, or
- c. ~~a~~ A letter of credit ~~option when with a~~ the total improvement completion amount ~~of is~~ \$~~1-1~~ million ~~dollars~~ or more,

~~2-~~ as acceptable assurances to the city in an amount to be determined by the city engineer and in accordance with Utah Code Ann. § ~~10-9-604.5~~ 10-20-807. An agreement associated with the improvement assurance and terms of application, approved as to form by the city attorney, shall be approved by the City Council and recorded in the Weber County Recorder's Office concurrently with the approved final plat.

~~3-4.~~ The applicant shall warranty said improvements in the amount equal to 10% of the total cost of the improvements, according to the estimate approved by the city engineer and in accordance with Utah Code Ann. § ~~10-9-604.5~~ 10-20-807. Warranty shall be provided by means of a corporate surety bond, a cash bond, or a letter of credit as acceptable to the city.

4.5. The accepted and approved improvement guarantee form, (surety bond, cash bond, escrow account, or letter of credit) shall be filed with the city recorder. (Ord.2023-2, dated 1/24/23; prior code: Ord.2011-1, dated 2/22/11; prior codes: Ord.2008-5, dated 4/8/08)

17.20.030 Administration: The Mayor or City Administrator is authorized to prescribe by administrative rule or regulation, forms and procedures to ensure the orderly, regular and efficient processing of applications for the approval of a proposed subdivision, and compliance with the requirements of this title. (Ord.2011-1, dated 2/22/11; prior code: Ord.2008-5, dated 4/8/08)

17.20.040 Phased Development: Whenever the applicant(s) develops a subdivision a portion at a time, such development shall be in an orderly manner and in such a way that the required improvements will be continuous and all of the said improvements will be made available for the full, effective and practical use and enjoyment thereof by the lessees or grantees of any of the lands subdivided within the time hereinabove specified. (Ord.2011-1, dated 2/22/11: prior codes: Ord.2008-5, dated 4/8/08)

17.20.50 Inspection of Improvements:

1. The City Engineer shall inspect or cause to be inspected all improvements to public systems including but not limited to streets; water, sewer, and storm drain lines and appurtenances; mass grading; and detention/retention ponds, ~~fire hydrants and water supply, storm water and sewage disposal systems in the course of~~ during construction, installation, ~~or~~ and/or repair.

~~2.— Excavations for fire hydrants, water, storm water and sewer mains and laterals shall not be covered over or backfilled until such installation shall have been approved by the City Engineer or his designee. If any such installation is covered before being inspected and approved,~~

it shall be uncovered after notice to uncover has been issued to the applicant(s) or responsible party by the City Engineer.

~~3. — Televiewing Lines: Prior to approval and acceptance by the city, applicant shall inspect all sanitary sewer and storm water pipe lines by means of remote televiewing equipment and shall record the entire televiewing inspection on video tape or other acceptable reproduction means for review by city officials.~~

4.2. The eCity eEngineer shall inspect or cause to be inspected, ~~in the course of~~during construction, installation or repair, all special improvements required by the City as part of a subdivision or development approval.

~~5.3.~~ The applicant shall be responsible for the payment of all costs for such inspections. (Ord.2011-1, dated 2/22/11; prior code: Ord.2008-5, dated 4/8/08)

17.20.60 Condition of Improvements Guaranteed:

1. Except as found elsewhere in this section, the applicant shall warrant and guarantee that the improvements provided for herein and every part thereof, will remain in good condition for a period of one (1) year, ~~after the City Engineer has initially accepted the improvements~~following Conditional Acceptance, and agree to make all repairs to and maintain the improvements and every part thereof in good working condition during the guarantee period with no cost to the City.

2. Conditional Acceptance to begin the guarantee period may be granted by the City Engineer once all improvements required for the development have been installed, inspected and approved, all outstanding fees have been paid, and as-built drawings in a form acceptable to the eCity eEngineer have been provided.

a. The applicant, in accordance with Utah Code ~~10-9a-509.5~~10-20-807, may request a determination of acceptance or rejection of completed improvements, and the city shall respond with due diligence.

3. A special exception for Conditional aAcceptance may be granted by the City Engineer if the following items are not completed:

~~a. — Special Exception for Sidewalk: The city engineer, at his discretion, may allow the applicant developer an additional one year from the date of conditional acceptance of the improvements to install the sidewalk in the subdivision provided that:~~

~~i. — The subdivision does not front on a major street where installation of the sidewalks is necessary for the safety of the general citizenry;~~

~~ii. — All lots built on in the subdivision have sidewalk installed on the lot where shown on the construction plan;~~

~~iii. — Sidewalk must be installed prior to the issuance of a Certificate of Occupancy for any dwelling in the subdivision;~~

~~iv. — No more than 75% of the lots are built on in the subdivision. When the percentage of lots built on exceeds 75%, all sidewalks must be installed before any additional building permits are issued;~~

~~v. — Guarantee Period. Once completed, the applicant shall warrant and guarantee that the sidewalk will remain in good condition for a period of one year after the date of conditional acceptance by the city and shall make all repairs to and maintain the sidewalk in good condition during the guarantee period at no cost to the city. The determination of the necessity for repairs and maintenance or work rests with the city engineer, whose decision upon the~~

~~matter shall be final and binding on the developer.~~

~~vi. The escrow for any uncompleted sidewalk is to be kept in place, plus 15% of the engineer's estimate for all sidewalk in the project. The city may allow the establishment of a separate escrow guarantee, by agreement as found herein and based on current estimates approved by the City Engineer.~~

~~vii. Final acceptance of the sidewalk will follow the same procedure as outlined in number 4.~~

~~b. Seal coat: Where the city determines that the application of the seal coat is not appropriate due to weather or other factors, the guarantee period may be started without completing the seal coat provided the escrow for such, plus any anticipated cost increases, is kept in place.~~

~~a. Street signs and lighting: Where the city is ordering and/or installing street signs and street lighting, the guarantee period may be started begin provided the escrow guarantee amount remains in place for such items.~~

~~b. Street lighting: Where the applicant has installed all related improvements (conduit and boxes) and can provide proof of street light order, the guarantee period may begin provided the guarantee amount remains in place for such items.~~

4. Upon completion of all required improvements, the applicant must request in writing to the city planner a review of the project status. The planner shall refer the request to the city engineer and shall also notify all property owners in the project by mail or in person of the request and allow such owners two weeks for comments, to the planner, regarding the status of the project. The planner shall endeavor to resolve, with the applicant and city engineer, any problems received. If matters cannot be resolved, and at the discretion of the planner, the request may be referred to the City Council for resolution. Final acceptance may be granted by the City Engineer provided all required improvements have been completed, any problems addressed with the city planner and/or City Council are resolved, and improvements are judged to be in acceptable condition. The city may allow a separate escrow for special exception items as found in ~~number paragraph 3 three~~, to be established by agreement, and acceptance may then be granted on original items.

5. The applicant shall be responsible for all inspection costs.

6. As allowed in Utah Code ~~10-9-604.5~~ 10-20-8074, if the city determines, based on the specifics of the applicant's property or prior performance, that a two (2) year guarantee period is necessary to protect the public health, safety, and welfare, the city may require such two (2) year guarantee period. (Ord.2011-1, dated 2/22/11; prior code: Ord.2008-5, dated 4/8/08)



CITY COUNCIL MEETING STAFF REPORT

MEETING DATE

May 12, 2026

PREPARED BY

Dana Q. Shuler, P.E.

City Engineer's Office

Jones & Associates

Consulting Engineers

ITEM TYPE

Presentation

ATTACHMENTS

2026 Storm Water
Management Plan

AGENDA ITEM

Consideration of the adoption of the 2026 Storm Water Management Plan

PURPOSE

Provide public hearing to receive public comment; adopt 2026 Storm Water Management Plan

RECOMMENDATION

Staff recommends approval of the Storm Water Management Plan.

BACKGROUND

The Utah Division of Water Quality has nearly completed an audit of the City's Municipal Separate Storm Sewer System (MS4) permit. To complete the audit, the City must complete several remaining items, including: (1) adopt the updated SWMP, (2) provide a minimum of two (2) opportunities annually for the public to provide comments about storm water-related information or items through public comment, and (3) adopt the updated storm water ordinances (separate agenda item).

This 2026 SWMP outlines Pleasant View City's strategy for managing stormwater runoff in compliance with the Utah Pollutant Discharge Elimination System (UPDES) and state/federal regulations. The plan's primary goal is to reduce pollutants in stormwater, protect water quality, and meet public safety/environmental standards.

The document details six minimum control measures required under UPDES:

1. Public Education & Outreach – Increasing community awareness about stormwater impacts.
2. Public Involvement/Participation – Engaging residents in reporting and pollution prevention.
3. Illicit Discharge Detection & Elimination – Mapping, monitoring, and enforcing against illegal discharges.
4. Construction Site Runoff Control – Enforcing erosion/sediment control during construction.
5. Post-Construction Stormwater Management – Long-term water quality controls for new developments.
6. Pollution Prevention/Good Housekeeping – Ensuring municipal operations reduce pollutant runoff.

It also describes measurable goals, implementation timelines, and responsible departments, along with compliance tracking and reporting methods. Special focus is placed on public engagement, enforcement, and interdepartmental coordination to ensure effectiveness.

RESOLUTION 2026-E

A RESOLUTION APPROVING THE 2026 STORM WATER MANAGEMENT PLAN.

WHEREAS, The Utah Division of Water Quality has nearly completed an audit of the City’s Municipal Separate Storm Sewer System (MS4) permit; and

WHEREAS, To complete the audit, the City must complete several remaining items, one of which is to adopt the updated Storm Water Management Plan (SWMP); and

WHEREAS, The 2026 SWMP outlines Pleasant View City’s strategy for managing stormwater runoff in compliance with the Utah Pollutant Discharge Elimination System (UPDES) and state/federal regulation; and

WHEREAS, The primary goal of the 2026 SWMP is to reduce pollutants in stormwater, protect water quality, and meet public safety/environmental standards.

WHEREAS, Pleasant View City finds that such an amendment is in the best interest of the City.

NOW THEREFORE, be it resolved by the Pleasant View City Council as follows:

1. The 2026 Pleasant View City Storm Water Management Plan is hereby adopted as stated in “Exhibit A.” (attached).
2. This resolution shall take effect immediately upon approval and posting.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2026.

PLEASANT VIEW CITY, UTAH

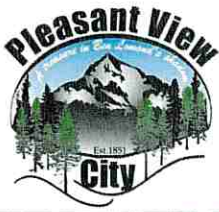
Steve Gibson, Mayor

Attest:

Laurie Hellstrom, City Recorder

This ordinance has been approved by the following vote of the Pleasant View City Council:

- CM Arrington _____
- CM Ferry _____
- CM Marriott _____
- CM Urry _____
- CM Wilkinson _____



CITY COUNCIL MEETING STAFF REPORT

MEETING DATE

May 12, 2026

PREPARED BY

Dana Q. Shuler, P.E.

City Engineer's Office

Jones & Associates
Consulting Engineers

ITEM TYPE

Presentation

ATTACHMENTS

Chapter 13.08 Storm Water
Utility
Chapter 13.09 Storm Drainage
Chapter 13.10 Storm Water
Permits

AGENDA ITEM

Consideration of the amendment of:

Chapter 13.08 Storm Water Utility

Chapter 13.09 Storm Drainage

Chapter 13.10 Storm Water Permits

PURPOSE

Revisions to Chapters 13.08, 13.09, and 13.10 of the City Ordinances

RECOMMENDATION

Staff recommends approval of the City Ordinance amendments.

BACKGROUND

The Utah Division of Water Quality has nearly completed an audit of the City's Municipal Separate Storm Sewer System (MS4) permit. To complete the audit, the City must complete several remaining items, including: (1) adopt the updated SWMP (separate agenda item), (2) provide a minimum of two (2) opportunities annually for the public to provide comments about storm water-related information or items through public comment, and (3) adopt the updated storm water ordinances.

These ordinances have been revised to be better aligned with the MS4 permit, and in accordance with State regulations.

Revisions of note include:

1. Updated definitions to match MS4 permit and Public Works Standards
2. Removed specific references to sanitary sewer overflows
3. Updated storm water easements
4. Updated legal authority reference
5. Updated violations and enforcement to align with State Code
6. Updated storm water permits types and definitions
7. Added City Council as Appeal Authority

ORDINANCE 2026-11

AN ORDINANCE AMENDING THE PLEASANT VIEW MUNICIPAL CODE CHAPTER 13.08-STORM WATER UTILITY, 13.09-STORM DRAINAGE & 13.10-STORM WATER PERMITS

WHEREAS, The Utah Division of Water Quality has nearly completed an audit of the City’s Municipal Separate Storm Sewer System (MS4) permit; and

WHEREAS, To complete the audit, the City must complete several remaining items, one of which is to adopt the updated storm water ordinances; and

WHEREAS, The following ordinance amendments will better align with the MS4 permit and in accordance with State regulations; and

WHEREAS, Pleasant View City finds that such an amendment is in the best interest of the City.

NOW THEREFORE, be it resolved by the Pleasant View City Council as follows:

1. Chapter 13.08-storm water utility, 13.09-storm drainage & 13.10-storm water permits are hereby amended as stated in “Exhibit A.” (attached).
2. This ordinance shall take effect immediately upon approval and posting.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2026.

PLEASANT VIEW CITY, UTAH

Steve Gibson, Mayor

Attest:

Laurie Hellstrom, City Recorder

This ordinance has been approved by the following vote of the Pleasant View City Council:

- CM Arrington _____
- CM Ferry _____
- CM Marriott _____
- CM Urry _____
- CM Wilkinson _____

Chapter 13.08 - Storm Water Utility

13.08.010 Findings.

The City Council makes the following findings regarding storm water runoff and the City's storm water system:

- A. The City's existing storm water system consists of a network of man-made and natural facilities, structures and conduits, including groundwater and aquifers, that collect and route storm water runoff.
- B. Uncontrolled or inadequately controlled storm water runoff endangers the City's groundwater supply.
- C. Uncontrolled or inadequately controlled storm water runoff causes erosion and property damage.
- D. Uncontrolled or inadequately controlled storm water runoff hinders the City's ability to provide emergency services to its residents.
- E. Uncontrolled or inadequately controlled storm water runoff impedes the regular flow of traffic in the City.
- F. Uncontrolled or inadequately controlled storm water runoff poses health hazards to the citizens of the community.
- G. Storm water runoff carries concentrations of oil, grease, nutrients, chemicals, heavy metals, toxic materials and other undesirable materials that may jeopardize the integrity of ground waters and receiving waters, including the City's culinary water supply.
- H. All developed properties in the City contribute to the need for the storm water system by converting natural ground cover into impervious surfaces.
- I. All developed properties in the City make use of or benefit from the City's operation and maintenance of the storm water system.
- J. The City has prepared and must comply with its Storm Water Management Plan.
- K. Absent effective maintenance, operation, regulation and control, existing storm water drainage conditions in the City constitute a potential hazard to the health, safety and general welfare of the City, its residents, and its businesses.
- L. A storm water utility is the most equitable and efficient method of managing storm water in the City and ensuring that each property in the City pays its fair share of the amount that the property contributes to, benefits from, and otherwise uses the storm water system.
(Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.08.020 Purpose.

The purpose of this Chapter is to protect the health, safety and welfare of the City and its inhabitants

by improving the City's storm water system, managing and controlling storm water runoff, protecting property, preventing polluted waters from entering the City's water supply and other receiving waters, and establishing a viable and fair method of financing the construction, operation and maintenance of the storm water system. (Ord.2011-2, dated 3/22/11)

13.08.030 Definitions.

The following bolded words and phrases shall be defined as follows in this Chapter and for all other chapters relating to storm water:

- A. **Best Management Practices (BMPs).** A wide range of management procedures, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices which have been demonstrated to effectively control the quality and/or quantity of storm water runoff and which are compatible with the planned land use. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw material storage. A list of sample BMP's can be found in the Pleasant View City Storm Water Management Plan, current version (available at the Pleasant View City Hall.)
- B. **Catch Basin.** A structure designed to capture and convey storm water into the City's storm water system and keep out large or obstructive matter.
- C. **City or Municipality** or similar term means Pleasant View City, Utah, its geographical boundaries, jurisdiction, and its contract providers as the context may dictate. The City may also be referred to as a Municipal Separate Storm Sewer System (MS4).
- D. **City Council** or **Council** means the governing body of the City.
- E. ~~“Common Plan of Development **Plan.**” means~~One plan for development or sale, separate parts of which are related by any announcement, piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, plat, blueprint, contract, Permit application, zoning request, computer design, etc.), physical demarcation (including contracts) that identify the scope of the project. A plan may still be a common plan of development or sale even if it is taking place in separate stages or phases, is planned in combination with other construction activities, or is implemented by different owners or operators.~~development that is contiguous to an area where multiple separate distinct construction activities may be taking place at different times or different schedules under an overall plan. For example, if a developer buys a large parcel and subdivides lots, builds roads, installs pipes, and runs electricity with the intention of constructing homes or other structures, this would be considered a common development plan. If the land is parceled off or sold, and construction occurs on plots that are less than one (1) acre by separate, independent builders, this activity still would be subject to storm water permitting requirements. The common development plan also applies to other types of land development such as industrial or business parks.~~
- E.F. **Debris.** Any dirt, rock, sand, vegetation, rubbish or litter.
- G. ~~“Detention Basin.” means a~~An area designed to detain peak flows from storm water runoff and to regulate release rates of that water into the storm drainage system, also allowing debris to

settle out. Detention basin outlets may also be connected to downstream storm drains. Flows entering detention basins are released via outlet piping.

1. Regional Detention Basins means a large detention basins owned and maintained by the City.
2. Local Detention Basins mean a smaller basins typically in a development or subdivision that is constructed by the development or subdivision which, following construction and acceptance, the ownership, operation, and maintenance may either be conveyed and maintained by the City, association, or private owner(s), as determined by the City.

~~F. **Detention Basin.** An area designed to detain peak flows from storm water runoff and to regulate release rates of that water into the City's storm drainage system, also allowing debris to settle out. Detention basin outlets are connected directly to downstream storm drains. All flow entering detention basins are released via outlet piping. Regional Detention Basins are defined as large detention basins owned and maintained by the City. Local Detention Basins are defined as smaller basins typically in subdivisions and constructed by developers. Following conditional acceptance of the construction, the operation and maintenance may either be conveyed and maintained by the City or owned and maintained by private property owners.~~

~~G-H.~~ **Developed Property or Site.** Any property that has been altered from its natural condition by grading, filling, or the construction of improvements or other impervious surfaces.

~~H-I.~~ **Development or Land Development.** Any man-made change to improved or unimproved real estate, including but not limited to site preparation, filling, grading, paving, excavation, development of a parcel, lot, subdivision plat or site plan and construction of buildings or other structures.

~~I-J.~~ **Director.** The Public Works Director ~~or Superintendent~~ of Pleasant View City or his duly appointed deputy, agent, or representative.

~~J-K.~~ **Disturb.** To alter the physical condition, natural terrain or vegetation of land by clearing, grubbing, grading, excavating, filling, building or other construction activity.

~~K-L.~~ **Drain Inlet.** A point of entry into a sump, detention basin, or storm drain system.

~~L-M.~~ **Drinking Water Source Protection Zone.** Zones determined by Geo-Hydrology designed to protect groundwater aquifers of a well in a Culinary Water System.

~~M-N.~~ **Equivalent Residential Unit ("ERU").** The average amount of impervious surface, expressed in square feet, on developed single family residential parcels in Pleasant View.

~~N-O.~~ **Hazardous Material.** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious

characteristics may cause, or significantly contribute to, a substantial presence or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Hazardous material includes, but is not limited to, any hazardous substance designated under 40 CFR part 116 pursuant to section 311 of the Clean Water Act.

~~Q-P.~~ **Illicit Connection.** Illicit connection means either of the following:

1. Any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system. Examples include, but are not limited to, any conveyances which allow non-storm water discharge such as sewage, process wastewater, or wash water to enter the storm drain system, and any connections to the storm drain system from indoor drains or sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency; or
2. Any drain or conveyance connected to or discharging to the storm drain system, which has not been (1) documented in plans, maps, or equivalent records submitted to the City, and (2) approved in writing by the City.

~~Q.~~ **Illicit Discharge.** Any non-storm water discharge to the storm water system. Illicit discharges include both direct connections (e.g. wastewater piping either mistakenly or deliberately connected to the storm water system) and indirect connections (e.g. infiltration into the storm water system or spills collected by drain inlets).

~~R.~~ **"Immediate Threat."** ~~means a~~ situation where pollutant discharge to state waters is already occurring. This refers to a present and active risk that requires immediate attention to prevent or mitigate further contamination.

~~P-S.~~ **"Imminent Threat."** ~~means a~~ situation that poses a high likelihood of pollutant discharge to state waters within forty-eight (48) hours if corrective actions are not taken. This refers to conditions that suggest a serious risk is developing but has not yet resulted in an actual discharge.

~~Q.~~

~~R-T.~~ **Impervious Surface.** Any hard surface, other than the natural surface, that prevents or retards the absorption of water into the soil, or that causes water to run off the surface in greater quantities or at a greater rates of flow than the natural surface (including roofs, concrete, etc.).

~~U.~~ **Municipal Separate Storm Sewer System (MS4).** A conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, ~~or~~ and storm drains.

~~S.~~

~~T. **NPDES Permit.** A general permit obtained by the State of Utah from the Environmental Protection Agency under the National Pollutant Discharge Elimination System (NPDES), as authorized by the Clean Water Act, under which the City's discharges of storm water are regulated.~~

U.V. **Percolation.** The ability of a soil to absorb water. Typically measured by a Standard Percolation Test in units of minute per inch.

V.W. **Person.** Any individual, corporation, partnership, association, company or body politic, including any agency of the State of Utah and the United States government.

W.X. **Pollutant.** Dredged spoil; solid waste; incinerator residue; filter backwash; sewage sludge; munitions; chemical wastes; biological materials; radioactive materials; wrecked or discarded equipment; rock; sand; cellar dirt; industrial, municipal and agricultural waste; paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, that may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete resins); and noxious or offensive matter of any kind.

X.Y. **Redevelopment.** Alterations of a property that change the footprint of a site or building or impervious area ~~in such a way that disturbs one acre of land or more.~~

Y.Z. **Retention Basin.** ~~Means a~~An area designed to retain flows from storm water runoff and to encourage infiltration into surrounding sub-surface soils. ~~Retention basins do not have outlet piping connected into a storm water system. A retention basin allows debris to settle out.~~

Z.AA. **Sanitary Sewer Overflow (SSO).** A discharge of untreated sanitary wastewater. ~~SSOs are illegal and must be eliminated. All SSOs must be reported to the Division of Water Quality.~~

~~AA. **Storm Drain.** A closed conduit for conducting collected storm water.~~

BB. **Storm Water.** Any flow that occurs during or following any form of natural precipitation. Storm water includes only the portion of such flow that is composed of precipitation.

~~— "**Storm Water Construction Activity Plan**" means a plan approved by the City before any person may excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape in the City of one (1) acre or more, or any part of a common development plan. This plan approval is required in conjunction with a SWPPP.~~

CC. **Storm Water Management Plan.** The written plan that is used to describe the various control measures and activities the City will undertake to implement the storm water management program.

~~“Storm Water Program” means the overall approach by the City in administering, funding, creating and implementing policies that support the objectives of The Act, EPA, and DEQ relating to storm water management in conjunction with the ongoing maintenance and operation of the storm water system.~~

~~CC.DD.~~ **“Storm Water Pollution Prevention Plan or (SWPPP)”** means the required plan as approved by DEQ and the City before any construction activity occurs as part of a development A site-specific, written document that, among other things: (1) identifies potential sources of storm water pollution at the construction site; (2) describes storm water control measures to reduce or eliminate pollutants in storm water discharges from the construction site; and (3) identifies procedures the operator will implement to comply with the terms and conditions of one or more of the State’s UPDES permits.

~~DD.EE.~~ **Storm Water System.** The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, detention and retention basins, curbs, gutters, ditches, natural channels, man-made channels, sumps, ~~storm drains~~ pipes and culverts, and ground water) owned and operated or utilized by the City, which is designed and used for collecting or conveying storm water. The storm water system is also referred to as a “municipal separate storm sewer system” or “MS4”.

~~EE.FF.~~ **Storm Water Runoff.** Water that is generated by storm water flows over land.

~~GG.DD.~~ **Sump.** A formalized underground structure, surrounded by drain rock, that acts as a detention basin to allow the slow release of water into the surrounding sub-soil. Sumps usually receive storm water runoff from paved areas such as streets, parking lots, building roofs, etc. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

HH. **UPDES Permit(Utah Pollutant Discharge Elimination System).** A general permit obtained by the State of Utah from the Environmental Protection Agency under the National Pollutant Discharge Elimination System (NPDES), as authorized by the Clean Water Act.

II. ~~“Violation.” means an act that goes against a law, regulation, plan, or permit, such as failure to implement or maintain preferred best management practices failure to implement or maintain preferred best management practices-(See Aalso Utah Code 19-5-108.3).~~

13.08.040 Storm Water Utility.

A. **Creation.** The Storm Sewer Utility created by Ordinance No. 99-13 shall henceforth be known as the Storm Water Utility. The storm water utility shall plan, design, construct, maintain, administer and operate the City’s storm water system.

B. **Enterprise Fund.** The storm water utility enterprise fund established by Ordinance No. 99-13 shall handle all income, expenses and other financial transactions related to the storm water utility. All storm water utility service charges shall be deposited in the enterprise fund. Money in the storm water utility enterprise fund shall not be commingled with or transferred to other

City funds. However, the storm water utility may pay other City funds for services and expenses directly attributable to the storm water utility. The enterprise fund shall be operated according to State law and City policy.

- C. **Facilities and Assets.** The storm water utility shall operate independently of City operations funded by the general fund. The storm water utility shall have the same relationship to the City as other City utilities, such as the water utility and the sanitary sewer (waste water) utility. Upon creation of the utility by Ordinance No. 99-13, all of the City's storm water facilities and assets (other than streets and other facilities and assets designated by the City Council) were transferred to the storm water utility in consideration for the storm water utility's agreement to take primary responsibility for planning, designing, constructing, maintaining, administering and operating the City's storm water system. (Ord.2011-2, dated 3/22/11)

13.08.050 Storm Water Utility Fee.

- A. **Imposed.** Each developed parcel of real property in the City shall be charged a storm water utility fee.
- B. **ERU.** The fee shall be based on the number of equivalent residential units (ERU's) contained in the parcel. The City Council finds that the ERU is the most accurate measurement for determining the amount that each parcel contributes to, benefits from, and otherwise uses the storm water utility. The storm water utility fee shall be based on the number of ERU's contained in the parcel. ~~The ERU for one single family residential lot is an average of 3,000 square feet of impervious surface.~~
- C. **Calculation.** The City Council finds that each ~~single family~~ single-family residential parcel contributes approximately the same amount of storm water runoff; therefore, each developed single family residential parcel shall pay a base rate of one (1) ERU. All non-single family residential parcels shall pay a multiple of this base rate, expressed in ERU's, according to the measured impervious area on the parcel.
- D. **Charge per ERU.** The amount charged for each ERU shall be established by resolution of the City Council.
- E. **Exemptions and Credits.** The City Council may establish exemptions and credits to the storm water utility fee by resolution.
- F. **Policies.** The City may adopt policies, consistent with this Chapter and any resolutions passed by the City Council, to assist in the application, administration and interpretation of this Chapter and any resolutions related to the storm water utility.
- G. **Appeals.** Any person or entity that believes that this Chapter, or any storm water utility rate resolution, was interpreted or applied erroneously may appeal to the City Council. The appeal shall be in writing, shall state any facts supporting the appeal, and shall be made within ten (10) days of the decision, action, or bill being appealed. The City Council's decision shall be final and binding on all parties. (Ord.2011-5, dated 9/27/11 and Ord.2011-2, dated 3/22/11)

13.08.060 Billing.

- A. **Consolidated Utility Bill.** The City's culinary water distribution system, sanitary sewer system, storm water system, and solid waste collection system are interrelated services that are part of a unified city plan to provide for the health, safety and welfare of the city and its residents in an environmentally responsible manner. Therefore, the storm water utility fee shall be included on the city's regular utility bill for any given property.
- B. **Applies to All Developed Properties with Impervious Surface.** All developed properties with impervious surface within the city shall be charged the storm water utility fee, regardless of whether or not the owner or occupant of the property requests the storm water utility service. The city shall mail a written statement for the storm ~~sewer~~-water utility fee once each month or such other regular intervals as the city council shall direct. The statement shall separately specify the amount of the bill and the place of payment and date due.
- C. **Late Penalties.** If any person fails to pay storm water utility or any combination of city utility charges by the 10th day of the month following the date due, a penalty will be charged on the unpaid balance. If the balance remains unpaid for 30 days of the date due, under the direction of the utility superintendent, the customer may be given notice in writing of intent to discontinue the water service to the customer unless the customer pays the bill in full ten days from the date of notice. The customer will be charged a fee for the notice given of the intent to discontinue the water service as set by resolution of the governing body. If there is no water service for the property, the storm water utility fee shall be deemed a civil debt owed to the city by the person or entity paying for city utility services provided to the property.
- D. **Restoration of Service.** If the water service is thereafter discontinued for failure to make payment, then before the water service to the premises shall again be provided, all delinquent charges must have been paid to the city or arrangements made for their payment in a manner satisfactory to the city. In the event a prepared notice was generated for the water service to be turned off for nonpayment of charges, the customer shall pay, in addition to all delinquent water charges, such extra charge for the preparation of the notice a fee as established by resolution of the governing body. The fee will be charged whether or not the water service was turned off. (Ord.2024-8, dated 3/12/24; prior code: Ord.2011-2, dated 3/22/11)

(Ord.2011-2, dated 3/22/11 repealed and replaced Chapter 13.08 in its entirety which consisted of the following ordinances: Ord. 87-15.04(x), 1987 and Ord. 91-5, 7/9/91)

Chapter 13.09 - Storm Drainage

13.09.010 Prohibited Obstructions.

A. It is unlawful for any person to:

1. Obstruct the flow of water in the storm water system.
2. Contribute to the obstruction of the flow of water in the storm water system.
3. Cover or obstruct any drain inlet.

B. The following obstructions are exempt from the prohibitions of this section:

1. Street and/or storm water improvement projects authorized by the City.
2. Flood control and prevention activities performed by the City.
3. Obstructions approved by the City as part of a site's storm water drainage plan.
4. Obstructions serving as best management practices as part of a Storm Water Pollution Prevention Plan.
5. ~~Obstructions occurring during clean-up periods established by the City, provided that the materials are placed according to City directions and do not obstruct drain inlets.~~ (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.09.020 Prohibited Discharges.

A. It is unlawful for any person to discharge non-storm water discharges to the MS4 including spills, illicit connections, illegal dumping and sanitary sewer overflows ("SSOs") into the storm sewer water system. ~~All SSOs must be reported to the Division of Water Quality and to the MS4s local wastewater treatment facility.~~

~~B. A list of discharges to the storm water system that are exempt from the prohibitions of this section are found in the City's Storm Water Management Plan, current version. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)~~

13.09.030 Prohibited Storage and Littering.

A. It is unlawful for any person to maintain, store, keep, deposit or leave any pollutant or hazardous material, or any item containing a pollutant or hazardous material, in a manner that is likely to result in the discharge of the pollutant or hazardous material to the storm water system (e.g. open containers of paint or chemicals, rusted items, etc.). (Ord.2011-2, dated 3/22/11)

13.09.040 Best Management Practices.

A. Any person connecting to the storm water system, or developing or redeveloping a commercial or industrial site shall employ Best Management Practices (BMPs) approved by the City. A menu of BMPs that may be used to satisfy this requirement are found in the City's Storm Water Management Plan. The BMPs may be structural and/or non-structural, depending on the needs of the site. The BMPs shall be designed to ensure that the quality and quantity of

storm water released to the City's storm water system meets the requirements of federal, state and local laws and regulations and the City's UPDES permit, and will not exceed the designed capacity of the storm water system or jeopardize the integrity of the storm water system. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.09.050 Easements.

A. The Director and his assigns agents may enter all private properties through which the City holds an easement, written or prescriptive, for the purposes of inspecting, observing, measuring, sampling, repairing or maintaining any portion of the storm water facilities lying within the easement, or the performance of any other duties pertinent to the operation of the storm water system. All entry and subsequent work, if any, on an easement, shall be completed according to any special terms of the easement.

B. Easement Area Defined.

1. **Piped Facilities.** Unless otherwise expressly stated in a recorded easement, a storm water easement for underground piping shall include the width necessary to accommodate the pipe, appurtenances, and reasonable access for installation, maintenance, and replacement, and shall extend laterally a minimum of ten (10) feet on each side of the centerline of the pipe.
2. **Open Channels.** For open channels, ditches, swales, or other above-ground conveyances, the easement area shall include the entire top width of the channel, including side slopes, together with additional width as reasonably necessary for access, maintenance, and stabilization, but not less than ten (10) feet from the top of bank on each side, unless otherwise specified in a recorded easement.

C. Reasonable Access. All storm water easements shall provide the City with reasonable and unobstructed access for vehicles, equipment, and personnel necessary to operate, maintain, repair, replace, and inspect storm water facilities. Property owners shall not construct or maintain any improvements that unreasonably interfere with such access.

D. Obstructions Prohibited; Maintenance by Owner.

1. No structure, fence, wall, landscaping, fill, storage of materials, or other obstruction shall be placed within a storm water easement that would interfere with the City's use of the easement or the proper functioning of the storm water system, as determined by the Director. Landscaping within a storm water easement shall be limited to ground cover, plants, and non-woody bushes. No trees or woody vegetation shall be planted within a storm water easement.
2. Property owners shall keep easement areas free and clear of debris, excessive vegetation, and obstructions that may impede storm water flow or access, except as otherwise approved in writing by the City.
3. The City may remove any prohibited obstruction within an easement. If removal is necessitated by a violation of this section, the cost of removal may be charged to the property owner.

- E. **Alteration of Drainage Prohibited.** No person shall pipe, cover, fill, relocate, obstruct, or otherwise alter any natural or constructed open drainage, channel, swale, or storm water facility within an easement or road right-of-way without the express prior written approval of the City. Any unauthorized alteration is subject to removal and restoration at the property owner's expense.
- F. **Restoration.** Following entry and work within an easement, the City shall restore the disturbed area to a condition reasonably similar to its pre-entry condition, subject to the City's rights under the easement and the need to maintain access and functionality of the storm water system.

(Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.09.060 Authority to Inspect.

- A. Whenever necessary to make an inspection to enforce any provision of this Chapter, or whenever the City has cause to believe that there exists, or potentially exists, a condition which constitutes a violation of this Chapter, the City may direct its qualified personnel to request entrance to the premises at all reasonable times to inspect, detect, investigate, eliminate and enforce any suspected non-storm water discharges, including illegal dumping, into the City's storm water system. During the same time the City may inspect and copy records related to storm water compliance. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

~~B.~~

- ~~C.B.~~ A long-term storm water ~~maintenance~~-management agreement is required on private property that is ~~vested~~-developed or redeveloped subsequent to the effective date of this Chapter including both construction-phase and post-construction access and where owner/operators or a qualified third party conduct maintenance as provided herein. Standard long-term storm water agreement template shall be approved by City Council. Said maintenance agreement shall be promulgated in the form and manner as determined by the Director so long as the agreement at a minimum:

1. Allows the City inspection and oversight authority of the storm water measures;
2. Includes a provision that the agreement acts as a covenant that runs with the land;
3. Allows the City to perform necessary maintenance or corrective actions neglected by the owner/operators or the qualified third party; and
4. Allows the City to recoup the costs from the owner/operator as necessary to cover the expenses for actions conducted by the City.

- C. This Title shall be interpreted and applied in a manner consistent with the Constitution of the United States and the Constitution of the State of Utah, including the protection of private property rights. It is the intent of the City that these regulations not be construed or applied

to result in an unconstitutional taking of private property, a physical occupation of property without lawful authority, or an unlawful interference with vested rights.

- D. The City recognizes and will apply applicable federal and Utah law governing property rights, including principles related to vested land use rights and lawful nonconforming uses. A property right shall be considered vested in accordance with applicable Utah law in effect at the time a complete land use application is submitted, unless otherwise provided by statute.
- E. These regulations shall be interpreted to avoid constitutional conflicts where reasonably possible. In the event of ambiguity, provisions shall be construed in a manner consistent with applicable law and the overall purposes of this Title, while giving due consideration to the protection of private property rights.

~~D.F. The City interprets this regulation as secondary and subservient to the United States Constitution and the Utah State Constitution as applied to property rights, land use, development, and similar rights. Specifically, the intent of this regulation is not to be applied to violate vested property rights nor to be a physical invasion of property rights as determined by the United States Supreme Court in Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419 (1982). The City recognizes that the United States Supreme Court interprets property right in conjunction with the laws and constitutions of each state. Therefore, Utah law also plays an important role in defining property rights. For the purpose of determining when a property right is vested the City shall continue to apply the Utah Supreme Court ruling in Western Land Equities, Inc. V. City of Logan, 617 P.2d 388 (1980) that states a property owner is vested to follow the City's regulations in effect at the time a land use application is filed. Furthermore, where there is vagueness in any land use regulation, including the storm water regulations, it shall be interpreted in favor of the property owner. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)~~

13.09.070 Requirement to Monitor and Analyze.

- A. If City tests or inspections indicate that a site is causing or contributing to storm water pollution, illegal discharges, and/or non-storm water discharges to the storm water system or waters of the United States, and if the violations continue after notice from the City, the City may require any person engaged in the illicit activity and/or the owner of operator of the site to provide, at their own expense, monitoring and analyses required by the City to determine compliance with this Chapter. (Ord.2011-2, dated 3/22/11)

~~13.09.080 Enforcement Procedures.~~

~~Whenever the City finds that a person, organization, or institution (not to exclude the State or Federal government) has violated a prohibition or failed to comply with a requirement of this Chapter, the Director or his designee will order compliance by the following procedure:~~

- ~~A. A verbal warning shall be given. The verbal warning shall be documented in the City records by the qualified person (code enforcement officer, city inspector, public works employee) who issued the warning. The City may skip the requirements set forth in this Section and immediately proceed with other more severe actions against the violator if:
 - ~~1. The violator has committed the same violation in the past, or~~~~

~~2. The violation, in the opinion of the City, creates a serious risk to persons, the environment or property, or~~

~~3. The City deems the violation to constitute an emergency.~~

~~B. Issue a written notice of violation to the responsible person(s), company or institution. The notice of violation shall be documented in the City records by the qualified person who issued the notice. Such notice may require without limitation:~~

~~1. The performance of monitoring, analyses, and reporting;~~

~~2. The elimination of illicit connections or discharges;~~

~~3. That violating discharges, practices, or operations shall cease and desist;~~

~~4. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;~~

~~5. Payment to cover administrative, remediation, monitoring, analyses, and reporting costs; and~~

~~6. The implementation of source control or treatment BMPs.~~

~~The City may skip the notice requirements set forth in this Section and immediately proceed with criminal and/or civil action against the violator if:~~

~~1. The violator has committed the same violation in the past, or~~

~~2. The violation, in the opinion of the City, creates a serious risk to persons, the environment or property, or~~

~~3. The City deems the violation to constitute an emergency.~~

~~C. Issue a citation, penalty or stop work order. The citation, penalty, or stop work order shall be documented in the City records by the qualified person who issued it. Such violations may penalize the violator as follows:~~

~~1. The violation of any provision of this Chapter is a Class B misdemeanor. Each day that a violation occurs shall constitute a separate offense.~~

~~2. If, as the result of the violation of any provision of this Chapter, the City or any other party suffers damages and is required to make repairs and/or replace any materials, the cost of repair and/or replacement shall be borne by the violating party and shall be in addition to any criminal or civil fines and/or penalties.~~

~~3. In addition to the provisions of 1 and 2 above, violators of this Chapter may also be subject to prosecution, fines and penalties from the State of Utah and the United States EPA, as provided by the Small MS4 General UPDES Permit No. UTR090000,~~

Utah stormwater regulations, and the Clean Water Act. As circumstances warrant, the City may request that the State of Utah and/or the United States EPA assist with enforcement.

4. ~~The Small MS4 General UPDES Permit, Permit No. UTR090000 defines the maximum penalties for violations of Permit conditions as follows:~~

a. ~~The *General UPDES Permit* provides that any person who violates a Permit condition implementing provisions of the [Utah Water Quality] Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates Permit conditions or the Act is subject to a fine not exceeding \$25,000 per day of violation. Any person convicted under *UCA 19-5-115(2)* a second time shall be punished by a fine not exceeding \$50,000 per day.~~

b. ~~The *General UPDES Permit* provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000.00 per violation, or by imprisonment for not more than six months per violation, or by both. Utah Code Ann. § 19-5-115(4).~~

c. ~~The *General UPDES Permit* provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this Permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.~~

5. ~~A stop work order may be issued upon the discovery of work being conducted without a permit as required by Chapter 13.10. The stop work order may be issued by inspectors in the Public Works or Community Development Departments (including Building Inspection and Code Enforcement). No construction activity may be commenced or continued on any site for which a Permit has been revoked or suspended until the Permit has been reinstated or reissued. (Ord.2011-2, dated 3/22/11)~~

13.09.080 Violation and Enforcement

Where a person has violated the municipal code storm water regulations, the following procedure applies:

- A. **First Notice of Violation.** A written notice of violation shall be issued to the Contractor or Property Owner and documented in the City records by the Director who issued the warning. The notice should include an explanation / identification of each specific violation, associated reference from the Permit and a deadline to correct each violation.

1. **Correction Period.** The City shall give no sooner than one (1) business day for immediate threats to water quality and no longer than seven (7) calendar days for imminent threats for the violation(s) to be corrected.
 2. **Follow-Up Inspection.** A follow-up inspection shall be conducted following the correction period. The City shall provide the Contractor or Property Owner written that the violation(s) are either deemed resolved or escalated to a Second Notice of Violation.
- B. **Second Notice of Violation.** A written notice of violation shall be issued to the Contractor or Property Owner and documented in the City records by the Director who issued the violation. The notice should include an explanation / identification of each specific violation that remains from the First Notice of Violation, associated reference from the Permit, a deadline to correct each violation, and warning that a fine can be issued if the violation(s) are not corrected within the new timeframe specified.
1. **Correction Period.** The City shall give no sooner than twenty-four (24) hours for immediate threats to water quality and no longer than seven (7) calendar days for imminent threats for the violation(s) to be corrected.
 2. **Follow-Up Inspection.** A follow-up inspection shall be conducted following the correction period and the violation either deemed resolved or escalated to a Third Notice of Violation. The City shall provide the Contractor or Property Owner written notice that the violation(s) are either deemed resolved or escalated to a Third Notice of Violation.
- C. **Third Notice of Violation.** A written notice shall be issued to the Contractor or Property Owner stating that the previously noticed violation(s) have not been addressed, and fines have now been imposed for each associated violation. The notice should include an explanation / identification of each specific violation that remains from the Second Notice of Violation, associated administrative fine amount for each violation, and timeframe specified for payment and correction.
1. **Correction Period.** The City shall give no sooner than twenty-four (24) hours for immediate threats to water quality and no longer than seven (7) calendar days for imminent threats for the violation(s) to be corrected.
 2. **Follow-Up Inspection.** A follow-up inspection shall be conducted following the correction period and the violation either deemed resolved or escalated to a Third Notice of Violation. The City shall provide the Contractor or Property Owner written that the violation(s) are either deemed resolved or additional fines imposed.
 3. **Administrative Fines.** An administrative fine for each occurrence shall be imposed for each business day that the specific violation continues beginning on the day after the day on which the authority issues the administrative fine; and within thirty (30) days

after the day on which the applicant corrects the violation. Fines collected shall be deposited into the City's Storm Water Education and Outreach program.

- a. Fines shall be as found in the Consolidated Fee Schedule. ~~follows:-~~
 - ~~— \$500 per occurrence for working without an approved storm water permit;~~
 - ~~— \$300 per occurrence for tracking mud on road;~~
 - ~~— \$250 per occurrence for failure to clean up or report spills;~~
 - ~~— \$100 per occurrence for failure to conduct storm water inspections (only applicable if Contractor has agreed to conduct own inspections);~~
 - ~~— \$100 per occurrence for failure to maintain storm water records;~~
 - ~~and~~
 - ~~— \$500 per occurrence for failure to use general best management practices, as determined by the City.~~
- b. Fine(s) imposed shall be paid directly to the City within thirty (30) days of issuance.
- c. Failure to pay fine(s) may result in additional action by the City including, but not limited to, the deduction of the amount of the fine from an existing escrow account, withholding acceptance or final approval, or referral of unpaid fine(s) to City Attorney.

D. **Stop Work Order.** The City may issue a Stop Work Order if there is clearly documented reason articulating an immediate threat to water quality.

A Stop Work Order may not be issued if the Contractor or Property Owner has selected the preferred best management practice for site conditions and is properly implementing said practice, but a violation results from a deficiency in the preferred best management practice.

E. **Special Cases.**

1. The City can issue a Stop Work Order earlier than in the process described in this Section if the City can document that the violation imposes an immediate and/or imminent threat to water quality.
2. The City can correct a violation for the Contractor or Property Owner and recoup the costs if the Contractor or Property Owner refuses to correct the violation and there is imminent significant harm to water quality or the storm water system.
3. The City cannot issue a Stop Work Order if the violation is a result of a properly installed and maintained BMP per specifications from the preferred BMP list.

13.09.090 Damage or Alteration to Storm Water System.

- A. Any person who damages any portion of the storm water system, including pipes, ditches, man-made channels, and natural channels, shall be responsible for repairing the damages.
- B. Owners of property affected by easements for the storm water system or adjacent to any portion of the storm water system shall be responsible for maintaining their property in a manner that does not damage the storm water system.
- C. Any damages shall be repaired by a licensed contractor bonded and insured to do work in the City and shall be repaired in accordance with the City's ~~Construction~~ Public Works Standards and Specifications at the sole expense of person or persons responsible for the damage.
- D. It is unlawful to remove or alter any portion of the storm water system, ditches, man-made channels, and natural channels, without permission from the Director.
- E. Open ditches shall not be piped without permission from the Director.
(Ord.2011-2, dated 3/22/11)

13.09.100 Manhole Covers.

It shall be unlawful to open, modify, or remove any storm water manhole or other storm water fixture (such as grates, lids or inlets) without permission from the Director. (Ord.2011-2, dated 3/22/11)

13.09.110 Compliance with Federal and State Law.

Nothing in this Chapter shall be interpreted to relieve any person from an obligation to comply with an applicable Federal, State or local law ~~relating to storm water discharges or drinking water protection~~. (Ord.2011-2, dated 3/22/11)

(Ord.2011-2, dated 3/22/11 repealed and replaced Chapter 13.09 in its entirety which consisted of the following ordinances: Ord. 99-13, dated 6/8/99, Ord. 99-16, dated 7/27/99, Res. 2009-B, dated 2/27/09, Ord.2000-14, dated 5/23/00, and Ord.2010-16, dated 6/8/10)

Chapter 13.10 - STORM WATER PERMITS

13.10.010 Purpose and Intent.

The purpose of this Chapter is to provide a way to monitor, inspect, and track activity that affects the City's storm water system through permitting and enforcement. By doing so, the goal is to prevent the discharge of sediment and other construction-related pollutants from construction sites. Sediment and debris from construction sites are a major source of pollution to waterways and water systems located within the City and surrounding areas. Each year storm water runoff carries tons of sediment from construction sites into local drainage systems, irrigation systems, canals, rivers, and lakes. Sediment from storm water runoff also clogs and obstructs storm drains, culverts, and canals and causes damage to private property, wildlife habitat and water quality. (Ord.2011-2, dated 3/22/11)

13.10.015 Permits - Types

The following permits pertain to storm water and are further described in this chapter:

- A. Storm Water Construction Activity Permit
- B. Construction General Permit
- C. Common Plan Permit
- D. Storm Water Connection Permit

13.10.020 Storm Water Construction Activity Permit - When Required.

A Pleasant View City Storm Water Construction Activity Permit is required before any person or entity may excavate, grub ~~and~~ or clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape upon any of the following types of property located within the City:

- A. **One Acre or More.** Any ~~parcel, lot or land development~~ project site that will disturb ~~which is~~ equal to or greater than one acre (43,560 square feet) in size or less than one acre ~~and~~ but part of a larger common plan of development or sale that will ultimately disturb one or more acres of land. ~~A subdivision development greater than or equal to one acre in size qualifies under this subsection even if each of the individual lots in the subdivision is smaller than one acre.~~
- B. **Part of a Common Plan of Development.** Any project site related to a residential building on an individual lot or parcel that disturbs a total of one acre or less over the duration of the construction project ~~parcel, lot, or land development that is less than one acre but part of a larger common plan of development or sale.~~
- C. **Special Concern Areas.** Any parcel, lot or land development, regardless of size, for which the City determines that because of the nature or type of the parcel, lot or development, disturbance of the land is likely to result in erosion or the transport of sediment off of the site by storm water to a degree substantially greater than that which would occur under natural landscape conditions. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.10.030 Storm Water Construction Activity Permit - Application.

- A. Any person or entity ~~desiring~~ requiring a Storm Water Construction Activity Permit must first file an application with the City.
- B. The application shall be submitted with, or as part of an application for a site plan, ~~or~~ subdivision, ~~approval~~ or building permit, if applicable.
- C. Any person or entity ~~desiring~~ requiring a Storm Water Construction Activity Permit must also prepare and submit those items found in the Submittal Checklist on the permit application form. ~~a Storm Water Pollution Prevention Plan and submit a Notice of Intent (NOI) with the State of Utah and maintain the State issued NOI until construction is complete.~~

~~A. **Content.** The application shall include a Storm Water Pollution Prevention Plan which meets the criteria set forth in Section 13.10.040.~~

~~B.D. **Timing.** The applicant shall file the application on or before the following dates:~~

- 1. ~~**Subdivision.** The earlier of 1) the date of the preconstruction meeting, or 2) 14 days prior to commencement of construction. ~~The date that the applicant submits the preliminary subdivision plat application if the applicant proposes to develop a subdivision.~~~~
- 2. ~~**Site Plan.** The earlier of 1) the date of the preconstruction meeting, or 2) 14 days prior to commencement of construction. ~~The date that the applicant submits a site plan application if the applicant proposes to develop a site plan or amended site plan.~~~~
- 3. ~~**Building Permit.** The date that the applicant submits a building permit application if the applicant proposes to construct a building on an existing lot or parcel.~~
- 4. ~~**Other.** At least ~~two (2) weeks~~ 14 days ~~before the developer intends~~ prior to performing any type of work not listed above that would require a Storm Water Construction Activity Permit pursuant to this Chapter.~~

B. Compliance.

- 1. If an applicant's development comes under more than one of the categories listed above, then the applicant shall submit the Storm Water Construction Activity Permit Application on the earliest of the listed dates.
- 2. Failure to comply with the application dates set forth above is not a criminal offense, but may delay the applicant's project.

~~—Failure to acquire a required Storm Water Construction Activity Permit is grounds for denying a related ~~subdivision application, site plan application, conditional use permit application, or building permit application, may result in a stop work order, and subject to party to ~~penalties~~ penalties as stated in Section 13.09.080.~~~~

3. It is unlawful to commence work (move dirt) on a development site before obtaining a required Storm Water Construction Activity Permit.

~~C.4.~~ Violations, enforcement, and penalties of this Chapter are set forth in Section 13.09.080.

~~D.C.~~ **Fee.** The applicant for a Storm Water Construction Activity Permit shall pay a fee in an amount set by resolution of the City Council.

~~E.D.~~ **Application Approval.** The City shall approve the application and grant the permit if the application is complete and meets the criteria set forth in Section 13.10.040. The City shall deny the application or approve the application with conditions if the City determines that the measures proposed in the Plan fail to meet the criteria set forth in Section 13.10.040. Conditions the City may impose in connection with the approval of a Permit include, but are not limited to, the establishment of specific measures and controls to prevent erosion and the discharge of sediment, debris and other construction-related pollutants from the site by storm water.

~~F.E.~~ **Term.** Unless otherwise revoked or suspended, a Storm Water Construction Activity Permit shall be in effect for the full period of the construction activity. The construction activity will not be considered to be completed until the following events occur:

1. **Subdivisions.** For Permits associated with a subdivision plat approval:
 - a. The Permittee must complete all required subdivision improvements; and
 - b. One of the following three events must occur:
 - i. The City issues a final certificate of occupancy for each lot in the subdivision, or
 - ii. Individual Storm Water Construction Activity Permits have been issued for each lot in the subdivision not having a final occupancy permit, or
 - iii. The property has been re-vegetated or landscaped in a manner that eliminates erosion and sediment discharge or that brings the property back to its natural state.
2. **Site Plans.** For Permits associated with a site plan approval, the date that the Permittee has completed all required landscaping and all outside construction work associated with the site plan.
3. **Building Permits.** For Permits associated with a building permit application, the date that the City issues a final occupancy permit for the structure covered by the building permit.
4. **Other.** For Permits issued that are not tied to other approvals from the City, the date that the Permittee has completed all work associated with the Permit and

takes steps required by the Permit to prevent further erosion and runoff from the site.

G.F. Termination. No Storm Water Construction Activity Permit shall be considered terminated until the Permittee notifies the City of the completion of the project and a final inspection is performed by an authorized City inspector to verify site stabilization. When the City inspector has verified the site is stabilized a Notice of Termination shall be submitted to the State of Utah by the Permittee. The Permittee shall keep and maintain all Permit-required improvements on the site until the City accepts the Notice of Termination.

H.G. Amendments. In the event that the proposed construction activity for a site to which a Permit pertains is materially altered from that described in an original Plan in a way that may have a significant impact upon the effectiveness of the measures and controls described in the original Plan, the Permittee shall file an amended Storm Water Pollution Prevention Plan which meets the criteria set forth in Section 13.10.040. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.10.040 ~~Storm Water Pollution Prevention Plan~~ Construction General Permit and Common Plan Permit.

A. Coverage under State Permit. As applicable, coverage under one of the two State permits must be maintained throughout the duration of disturbance until final stabilization.

- 1. Construction General Permit.** This permit covers all types of construction disturbances of an acre or more. This permit also covers non-residential disturbances less than an acre that are part of a common plan of development.
- 2. Common Plan Permit.** This permit covers disturbances of an acre or less on a single residential lot that were subdivided for separate sale after Oct. 1992.

A.B. Required Information. ~~The~~ A Storm Water Pollution Prevention Plan (SWPPP) shall be required for all sites disturbing one acre or greater and for sites that are less than one acre that are part of a common plan of development or sale. The SWPPP shall contain the following information, though the following is not a comprehensive list of required elements of a Storm Water Pollution Prevention Plan. For complete requirements, see the General Permit for Construction Activities, which can be found at the State of Utah Division of Water Quality.

- 1. Site Description.** A site description (including a map with spot elevations and contour lines) which includes a description of the nature and location of the construction activity, a description of the intended sequence of major activities which will disturb soils for major portions of the site (e.g. grubbing, excavation, grading, utilities, and infrastructure installation, etc.), and estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;
- 2. Control Description.** A description of the proposed measures and controls that will

be implemented during construction activity and/or while the site is not stable.

The Plan must clearly describe the times during the construction process that the measures will be implemented for each major activity identified pursuant to subsection (A). The Plan shall also state the name, phone number, and email address of the person or entity responsible for implementation of each control measure.

B-C. Goals and Criteria. The proposed measures and controls described in the Plan shall be designed to meet the following goals and criteria:

1. **Prevent or Minimize Discharge.** The proposed measures and controls shall be designed to prevent or minimize, to the maximum extent practicable, the discharge of sediment, debris and other construction-related pollutants from the construction site by storm water runoff into the storm drainage system.
2. **Prevent or Minimize Construction Debris.** The proposed measures and controls shall be designed to prevent or minimize, to the maximum extent practicable, the deposit, discharge, tracking by construction vehicles, or dropping of mud, sediment, debris or other potential pollutants onto public streets and rights-of-way. Any such discharge shall be cleaned up and removed immediately upon notification to the Permittee or when it otherwise comes to the attention of the Permittee. At a minimum, the deposit or discharge shall be cleaned and removed at the end of the work shift in which the deposit occurred, or at the end of the work day, whichever comes first.
3. **BMPs.** The proposed measures and controls shall consist of Best Management Practices (BMPs) available at the time that the Plan is submitted. BMPs may include, but shall not be limited to, temporary silt or sediment fences, sediment traps and detention ponds, gravel construction entrances and wash down pads to reduce or eliminate off-site tracking, straw bale sediment barriers, establishment of temporary grasses and permanent vegetative cover, use of straw mulch as a temporary ground cover, erosion control blankets, temporary interceptor dikes and swales, storm drain inlet protection, check dams, pipe slope drains, rock outlet protection, reinforced soil retaining systems, and gabions.
4. **Stabilization.** The proposed measures and controls shall be designed to preserve existing vegetation, where possible. Disturbed portions of the site shall be stabilized. Stabilization practices may include temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. Use of impervious surfaces for stabilization should be avoided. Stabilization measures shall be initiated as soon as practicable in disturbed portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased, except under the following circumstances:
 - a. If the initiation of stabilization measures by the 14th day after construction

activity temporarily or permanently ceases is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable; or

- b. If construction activity on a portion of the site is temporarily ceased, and earth disturbing will resume within 21 days, temporary stabilization measures need not be initiated on that portion of the site.

- 5. **Minimize Risk of Discharge of Other Materials.** The proposed measures and controls shall be employed to minimize the risk of discharge of construction-related pollutants (such as paint, thinners, solvents and other chemicals) from the construction site. Such measures may include implementation of storage practices to minimize exposure of the material to storm water as well as spill prevention and response. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.10.050 Proper Operation and Maintenance.

The recipient of a Storm Water Construction Activity Permit (the Permittee) shall install the erosion and sediment control measures required by the approved Storm Water Pollution Prevention Plan before commencing any construction activity on the site to which the Plan applies or at such times indicated in the Plan. The erosion and sediment control measures shall be properly installed and maintained in accordance with the Permit, the manufacturers' specifications, and good engineering practices. The Permittee shall maintain such measures on the site until the City accepts the termination of the Permit pursuant to Section 3.10.030(G). (Ord.2011-2, dated 3/22/11)

13.10.060 Inspection and Entry.

The Permittee shall allow any authorized employees and representatives of the City, representatives of the State of Utah Division of Water Quality, and representatives of the EPA, to enter the site to which a Permit applies at any time and to inspect the erosion and sediment control measures maintained by the Permittee. The Permittee shall also allow inspection of any records pertaining to the conditions of the Permit. See Section 13.09.060 for further information on inspection authority. (Ord.2011-2, dated 3/22/11)

~~**13.10.070 Revocation or Suspension of Storm Water Construction Activity Permit.**~~

- ~~A. **Revocation or Suspension.** A Storm Water Construction Activity Permit may be revoked or suspended by the City upon the occurrence of any one of the following events:~~

- ~~1. Failure of a Permittee to comply with the Plan or any condition of the Permit; or~~
- ~~2. Failure of a Permittee to comply with any provision of this Chapter or any other applicable law, ordinance, rule or regulation related to storm water; or~~
- ~~3. A determination by the City that the erosion and sediment control measures implemented by a Permittee pursuant to the Plan are inadequate to prevent or minimize, to the maximum extent practicable, the discharge of sediment, debris or other pollutants from the construction site by storm water.~~

~~B. **Notice.** The City shall mail and/or personally deliver a Permittee written notice of noncompliance before revoking or suspending a Permit. The notice shall state the location and nature of the noncompliance and shall also specify what action is required for the Permittee to avoid revocation or suspension of the Permit. The notice shall allow the Permittee a reasonable time to take the necessary corrective action to avoid revocation or suspension of the Permit which time, in the absence of exceptional circumstances, shall not be less than ten (10) nor more than thirty (30) days. The notice shall be mailed to the address listed for the Permittee in the Application. If the Permittee fails to correct the problems identified in the notice during the time specified in the notice, the City may suspend or revoke the Permit by mailing or delivering written notice of the suspension or revocation to the Permittee.~~

~~C. **Exceptional Circumstances.** For purposes of this Section, exceptional circumstances include, but are not limited to, situations which involve a risk of injury to persons, damage to storm drain facilities, or damage to other property or the environment. The City may take any steps the City deems necessary to alleviate any such exceptional circumstances as defined above, and may bill the owner, developer, or contractor responsible for creating the exceptional circumstances for the cost of alleviating said circumstances.~~

~~D. **Stop Work Order.** A stop work order may be issued upon the revocation or suspension of a Permit, or upon the discovery of work being conducted without a required Permit. The stop work order may be issued by inspectors in the Public Works or Community Development Departments. No construction activity may be commenced or continued on any site for which a Permit has been revoked or suspended until the Permit has been reinstated or reissued.~~

~~E. **Reinstatement.** A Storm Water Construction Activity Permit may be reinstated or reissued upon compliance with all provisions of this Chapter and all Permit conditions, or in the case of a suspension for reasons provided in subsection (A)(3), upon the filing of an amended Storm Water Pollution Prevention Plan which is designed to correct the deficiencies of the original Plan. (Ord. 2011-2, dated 3/22/11)~~

13.10.080-070 Storm Water Connection Permit.

A. **Permit Required.** No person shall connect to the City's storm water system, either directly or indirectly, without first obtaining a storm water connection permit from the City.

B. **When Permit Required.**

1. Any person requesting to connect to the storm water system shall first obtain a storm water connection permit. ~~beginning new construction (development of an undeveloped parcel) or redevelopment (as defined in this Chapter) in the City shall obtain a Storm Water Connection Permit before commencing construction.~~

B.2. Approval of a subdivision or site plan shall be deemed approval of a storm water connection with no separate permit being required.

- C. **Application.** The applicant for a Storm Water Connection Permit shall submit the following to the City ~~as part of the Building Permit or Subdivision Approval:~~
1. **Application Form.** A completed application form. Application forms ~~will be~~ available at the City.
 2. **BMP Plan.** A plan incorporating storm water BMPs that meet the requirements of Section 13.09.040.
 3. **Maintenance Plan.** A plan outlining how the applicant will maintain the storm water improvements listed in the application.
 4. **Fee.** A fee in an amount set by resolution of the City Council.
- D. **Review.** The Storm Water Connection Permit application shall be reviewed by the ~~City Engineer or Building Official, or his designee~~ Director, ~~for respectively subdivision and commercial site plans or private residences.~~
- E. **Factors.** A Storm Water Connection Permit application will be approved if:
1. The application complies with applicable City ordinances and policies.
 2. The application complies with the Pleasant View City Storm Water ~~Master-Management Plan and the Storm Water Capital Facilities Plan.~~
 3. The proposed connection incorporates effective Best Management Practices.
 4. The proposed connection does not introduce pollutants into the storm water system.
 5. The proposed connection does not create a safety hazard.
 6. The proposed connection does not negatively affect the integrity of the storm water system infrastructure.
 7. The proposed connection does not endanger the City's drinking water.
 8. The applicant has submitted a maintenance plan ensuring the proper maintenance and upkeep of the applicant's connection and on-site storm water improvements.
- F. **Failure.** Failure to construct or maintain storm water improvements in accordance with an approved Storm Water Connection Permit shall be a violation of this Chapter.
- G. **As-Builts.** Any person connecting to the storm water system shall provide the City's Storm Water Utility with "as-built" plans showing the details and the location of the connection and all system extensions. The plans shall be in a format that is acceptable to the City.
- H. **Discharge Rate.** Connections to the storm water system shall be designed so that the

discharge to the storm water system meets the requirements found in the Development, Design, and Construction Standards, current version at the time of application.

~~I. Exempt Connections. The following connections to the storm water system are exempt from the permitting requirements of this section:~~

~~1. Connections from single family residences, provided that the runoff from the residences is handled according to a plat or site plan approved by the City. However, any person desiring to use a basement pump, foundation drain, or other related fixture directly or indirectly connecting to the storm sewer system must obtain a Storm Water Connection Permit.~~

~~Connections made by the City. (~~

~~2. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)~~

~~13.10.090-080~~ **Violations and Enforcement, Violations, Penalties, and Appeals.**

A. Violations, enforcement, and penalties of this Chapter are set forth in Section 13.09.080 and as established in Utah Code 19.5.108.3, as amended.

B. For purposes of this chapter, the City Council shall be the Appeal Authority. All appeals of actions taken under the authority of this chapter shall be heard by the City Council. Appeal requests must be submitted to the Public Works Director in writing, stating the facts supporting the appeal, within ten (10) days of the decision being appeals. All appeals shall be handled in accordance with the procedure in the municipal code for the appeal authority. The decision of the appeal authority shall be final.

~~A. The violation of any of the provisions of this Chapter shall be a Class B misdemeanor. Each day that a violation occurs shall constitute a separate offense.~~

~~B.C.~~ Violators of this Chapter are also subject to any penalties that may be imposed by the State of Utah, under the authority of the Utah Water Quality Act, Title 19, Chapter 5 of the Utah Code.

~~C.D.~~ In addition to any criminal fines and/or penalties which may be assessed for a violation of this Chapter, the City shall have the right to issue a stop work order or to install and/or maintain appropriate erosion and sediment control measures on any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed as required by this Chapter. The City shall have the right to have such measures installed or maintained by City personnel or to hire a private contractor to perform such work and the contractor and/or the property owner shall be liable for any and all expenses related to performing such work plus a 25% penalty charge. The City may assess said charges against the bond posted by the contractor and/or property owner.

~~D. Inasmuch as they are applicable, the City may utilize the same enforcement procedures as outlined in Section 13.09.080 of the Pleasant View City Code to enforce the provisions of this Chapter.~~

- E. Violators of this Chapter may also be subject to prosecution, fines and penalties ~~form~~ from the State of Utah and the United States EPA. (Ord.2011-2, dated 3/22/11)

13.10.~~100-090~~ Exemptions.

The following activities are exempt from the requirements of this Chapter:

- A. Actions by a public utility, the City, or any other entity to remove or alleviate an emergency condition, restore utility service, reopen a public thoroughfare to traffic, or otherwise protect public health and safety and welfare.
- B. Bona fide agricultural and farming operations which constitute the principal use of any lot or tract of ground located within the City and which meet the requirements of the zoning code of the City. (Ord.2011-2, dated 3/22/11)

13.10.~~110-100~~ Compliance with Federal and State Law.

Nothing contained in this Chapter is intended to relieve any person or entity from any obligation to comply with applicable federal and state laws and regulations ~~pertainig to clean water and/or storm water runoff~~. (Ord.2011-2, dated 3/22/11)



CITY COUNCIL MEETING STAFF REPORT

MEETING DATE

May 12, 2026

PREPARED BY

Dana Q. Shuler, P.E.

City Engineer's Office

Jones & Associates

Consulting Engineers

ITEM TYPE

Presentation

ATTACHMENTS

Consolidate Fee Schedule
Addition

AGENDA ITEM

Consideration of the amendment of Consolidate Fee Schedule

PURPOSE

Removed fines the Storm Water Chapters of the City Ordinances and added them to Consolidated Fee Schedule; updated fee schedule to align with State Code

RECOMMENDATION

Staff recommends approval of the Consolidated Fee Schedule.

BACKGROUND

In conjunction with updating the City's storm water ordinances, upon the advice of the City Attorney, the fines were removed from the ordinances and placed in the Consolidated Fee Schedule. It is the intention to make the fines easier to reference/locate and also update as State Code updates.

RESOLUTION 2026-F

A RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE.

WHEREAS, the City Council has a responsibility to periodically review the various fees contained in the consolidated fee schedule to assure appropriate revenues and cost coverages are in place; and

WHEREAS, the City Council has the authority and responsibility to establish appropriate fees relating to services, permits and licenses, fines and development in the city; and

WHEREAS, Pleasant View City has completed updates to the Storm Water Chapters of the City’s Municipal Code; and

WHEREAS, Pleasant View City wishes to remove fines from the Storm Water Chapters of the City’s Municipal Code and add them to the Consolidated Fee Schedule.

NOW THEREFORE, be it resolved by the City Council of Pleasant View, Utah,

SECTION ONE: the Storm Water Fines are hereby added to the Pleasant View City’s Consolidated Fee Schedule as follows:

Storm Water Fines (as prescribed in Chapters 13.09 and 13.10):

Working Without an Approved Storm Water Permit.....	\$500.00 per occurrence
Tracking Mud on Road	\$300.00 per occurrence
Failure to Clean Up or Report Spills.....	\$250.00 per occurrence
Failure to Conduct Storm Water Inspections	\$100.00 per occurrence
(only applicable if contractor has agreed to conduct own inspections)	
Failure to Maintain Storm Water Records	\$100.00 per occurrence
Failure to Use General Best Management Practices	\$500.00 per occurrence
(as determined by the City)	

SECTION TWO: The above fees shall take effect immediately.

DATED this 12th day of May, 2026.

PLEASANT VIEW CITY, UTAH

Steve Gibson, Mayor

Attest:

Laurie Hellstrom, City Recorder

This ordinance has been approved by the following vote of the Pleasant View City Council:

- CM Arrington _____
- CM Ferry _____
- CM Marriott _____
- CM Urry _____
- CM Wilkinson _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
OGDEN RIVER PROJECT
OGDEN-BRIGHAM HIGHLINE CANAL

LICENSE AGREEMENT BETWEEN THE
UNITED STATES OF AMERICA
AND
PLEASANT VIEW CITY

THIS LICENSE AGREEMENT, effective upon date of signature by the Authorized Officer of the Bureau of Reclamation (the "Effective Date"), in pursuance of the Act of Congress of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto, particularly the Reclamation Project Act of 1939 (53 Stat. 1187), between the UNITED STATES OF AMERICA, acting by and through the Bureau of Reclamation, Department of the Interior, hereinafter referred to as the United States, represented by the officer executing this agreement, hereinafter referred to as the Contracting Officer, and PLEASANT VIEW CITY, hereinafter referred to as the Licensee,

WITNESSETH THAT:

WHEREAS, the Licensee proposes to utilize, at its sole cost and expense, United States lands acquired for the Ogden River Project, hereinafter referred to as Project lands, and the granting of a License Agreement to utilize a portion of Project lands in the manner and at the location hereinafter described will not be incompatible with Project purposes; and

WHEREAS, the Licensee is seeking the right to install a roadway crossing to accommodate vehicular, pedestrian, and residential utility infrastructure serving the new subdivision; and

NOW, THEREFORE, in consideration of the mutual agreements and covenants herein contained, the United States, to the extent of its interest in the Project lands, hereby grants to the Licensee, upon the terms hereinafter provided, a license for the following purposes and in the location described below:

1. PROJECT DETAILS:

A. Purpose: The Licensee will install, operate, and maintain an Asphalt roadway and road base crossing Project Lands for the Ogden-Brigham Canal, located approximately at pipeline station 2+50, near 4960 West 2000 North, Ogden, Utah. Roadway specifications to be approximately 52 feet in length and 71 feet in width.

Related structures and facilities include:

- Concrete curb, gutter, and sidewalks
- Subgrade preparation and grading

- c. Any operation and maintenance work done by the Licensee or its assignees pertaining to this crossing inside the property must be approved by the Association in advance to coordinate necessary protection measures of the Ogden-Brigham Highline Canal.
 - d. The Licensee, or their contractor are required to pothole the Ogden-Brigham Highline Canal at all crossings and must notify the Association no less than 48-hours in advance of the above-mentioned work so that a Association inspector may be present to witness the potholing.
 - e. The allowable period of construction to be at the sole discretion of the Association. In no case, shall the duration of construction be permitted to hinder or impede operation or maintenance of the facility to be encroached.
3. WORK SATISFACTORY. The Licensee shall perform all work under this License Agreement in accordance with the plans, drawings, and maps attached hereto and, in a manner, satisfactory to the United States and the Association.
4. RIGHTS RESERVED. This License Agreement and all rights hereunder shall be held by the Licensee at all times subject to the rights of the United States. United States jurisdiction and supervision over the concerned lands are not surrendered or subordinated by issuance of this License Agreement. The United States reserves the right to issue additional licenses, rights-of-way, or permits for compatible uses of the lands involved in this License Agreement; provided, however, any such license, right-of-way, or permit shall be conditioned on such licensee, grantee, or permittee paying the Licensee's expenses to relocate its facilities as may be required for such compatible use. There is also reserved the right of the United States, its officers, agents, employees, licensees, and permittees, at all proper times and places to have free ingress to, passage over, and egress from all of said lands for the purpose of exercising, enforcing, and protecting the rights reserved herein.
6. HOLD HARMLESS.
- a. The United States, the Association, and their officers, agents, employees, and assigns do not assume any liability resulting from the granting of this License Agreement or the exercise thereof and the Licensee agrees to indemnify and hold the United States, the Association, and their officers, agents, employees, and assigns harmless for injury or damage to any persons or property that may result from the exercise of any of the privileges herein conferred or the work performed hereunder.
 - b. The Licensee further agrees that the United States, the Association, and their officers, agents, employees, and assigns, shall not be held liable for any damage to the Licensee's improvements or works by reason of the exercise of the rights herein reserved; nor shall anything contained in this paragraph be construed as in any manner limiting other reservations in favor of the United States contained in this License Agreement.

scarring, or defacing of the natural surroundings in the vicinity of the work. Except where clearing is required for permanent works, all trees, native shrubbery, and vegetation shall be preserved and shall be protected from damage which may be caused by the Licensee's construction operations and equipment. Movement of crews and equipment within the area described in Article D hereof and over routes provided for access to the work shall be performed in a manner to prevent damage to grazing land, crops, or property.

b. Upon completion of the work, the construction site shall be smoothed and graded in a manner to conform to the natural topography of the landscape and shall be repaired, replanted, reseeded, or otherwise restored as directed by the Contracting Officer at the Licensee's expense.

16. EXTRAORDINARY MAINTENANCE OR REPAIR COSTS. The Licensee agrees that if the construction, reconstruction, maintenance, or repair of any or all Project structures and facilities located on such lands should be made more expensive by reason of the existence of improvements or works of the Licensee thereon, the Licensee will pay to the United States, the Association, or their agents or assigns responsible for Project operation and maintenance, the full amount of such additional expense within 30 days of receipt of an itemized bill therefore.

17. SPECIAL PROVISIONS.

- a. Prior to the expiration of the term of this License Agreement, and upon application in writing by the Licensee and approval by the United States and the Association, this License Agreement may be renewed for such period as the parties hereto may agree upon. If so renewed, the consideration to be paid for renewal will be determined by reappraisal by the United States. Furthermore, the renewed License Agreement will be subject to the regulations existing at the time of renewal and such other terms and conditions as may be deemed necessary by the United States and the Association to protect the public interest or its projects.
- b. The installation of the crossings shall take place as agreed upon in this agreement. The Licensee shall notify the United States at (801) 379-1000 and the Association at (801) 621-6555 five (5) days in advance of its intent to commence any construction operations associated with rights herein granted.
- c. Existing gravity drainage of the United States rights-of-way must be maintained. No new concentration of surface or subsurface drainage may be directed onto or under the United States rights-of-way without adequate provision for removal of drainage water or adequate protection of the United States rights-of-way.
- d. During construction, operation, and maintenance, the Licensee shall be particularly alert to take all reasonable and necessary precautions to protect and preserve historic or prehistoric ruins and artifacts on or adjacent to the lands herein described. Should sites, ruins, or artifacts be discovered during these operations, the Licensee will immediately suspend work involving the area in question, and advise the United

- l. If unusual conditions are proposed for the encroaching pipeline or unusual field conditions within United States rights-of-way are encountered, the United States reserves the right to impose more stringent criteria than those prescribed herein.
- m. All backfill material within United States rights-of-way shall be compacted to 95 percent of maximum density unless otherwise shown. Mechanical compaction shall not be allowed within 6 inches of Project works whenever possible. In no case will mechanical compaction using heavy equipment be allowed over Project works or within 18 inches horizontally of Project works.
- n. The backfilling of any excavation or around any structure within the United States rights-of-way shall be compacted in layers not exceeding 6 inches thick to the following requirements: (1) cohesive soils to 90 percent maximum density specified by ASTM Part 19, D-698, method A; (2) noncohesive soils to 70 percent relative density specified by ANSI/ASTM Part 19, d-2049, par. 7.1.2, wet method.
- o. Any nonmetallic encroaching pipeline below ground level shall be accompanied with warning tape with a metallic strip. Metal pipe shall also be accompanied with warning tape. All tape shall be located 12 inches above the pipeline and extend throughout all right-of-way.
- p. No use of United States land or right-of-way shall be permitted that involves the storage of hazardous material.
- q. Utility pipe crossing of Reclamation pipelines must be approved on an individual basis. Metal pipes which do not have a dielectric coating will require a polyethylene plastic wrap for corrosion protection of Reclamation pipeline by induced current from utility crossings.
- r. For all utility crossings, a permanent placard shall be placed at each point that the utility enters or exits the right-of-way of the United States. This placard shall identify the type of utility located below it, the name of the utility company and a telephone number where the utility company can be contacted.

18. In accordance with 43 CFR 429.16 Subpart D, any applicant requesting a right-of- use over Reclamation land must remit a nonrefundable application fee of One Hundred Dollars (\$100). The receipt of this application fee is hereby acknowledged, which amount represents the initial review of your application.

19. In accordance with 43 CFR 429.16, Subpart E, any applicant requesting a right-of- use over Reclamation land must remit a use fee which amount represents the appraised fair market value of the rights granted herein for the Twenty-five (25) year period. You are required to remit a use fee determined to be Four Thousand Two Hundred Dollars (4,200.00\$). Deposit and payments are to be made to the Bureau of Reclamation at 302 East Lakeview Parkway, Provo, Utah 84606.

EXHIBIT "A"

**Contract No. 26-LM-41-6180
NW1/4 of the SW1/4 of Section 20
Township 7 North Range 1 West**



Approx. Location of Roadway and utility crossings

Exhibit "A" Pages 1 of 1

ENSGN
THE STANDARD IN ENGINEERING

LAYTON
515 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SANDY
Phone: 801.255.0229

TOOELE
Phone: 435.443.3359

CEAR CITY
Phone: 435.465.1453

RICHFIELD
Phone: 435.896.2933

WWW.ENSGN.COM

FOR THE PROJECT:
THE LEGACY CROSSING SUBDIVISION
CONTRALL LUTHEIN
JAMES MCNEEL
PHONE: 801.747.7444

GRAND LEGACY SUBDIVISION
PLEASANT VIEW, UTAH
3950 NORTH ST. 200 WEST

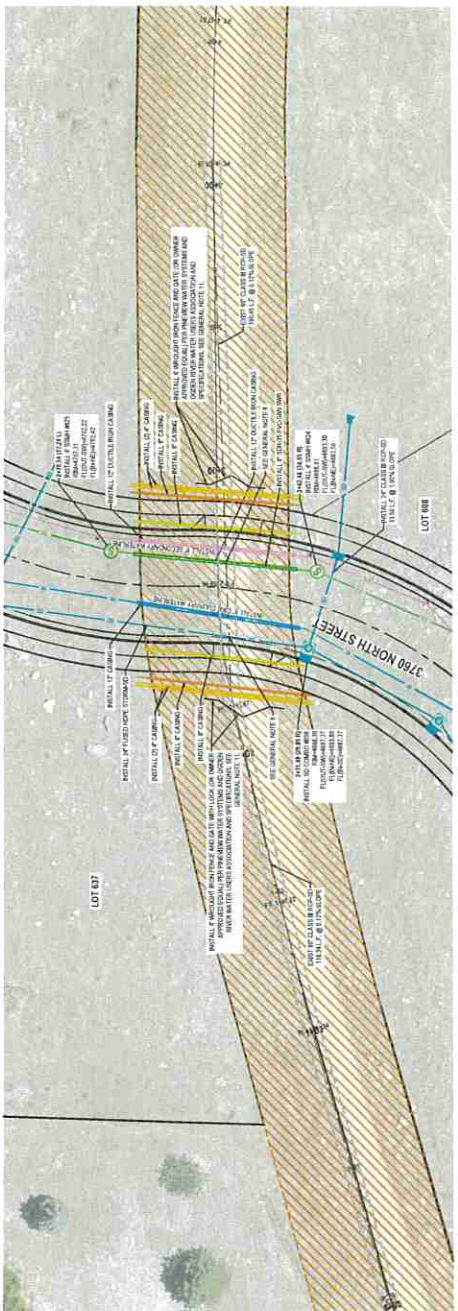
**BOR CROSSING
PLAN AND PROFILE**

DATE: 12/15/2023
BY: [Signature]
CHECKED BY: [Signature]

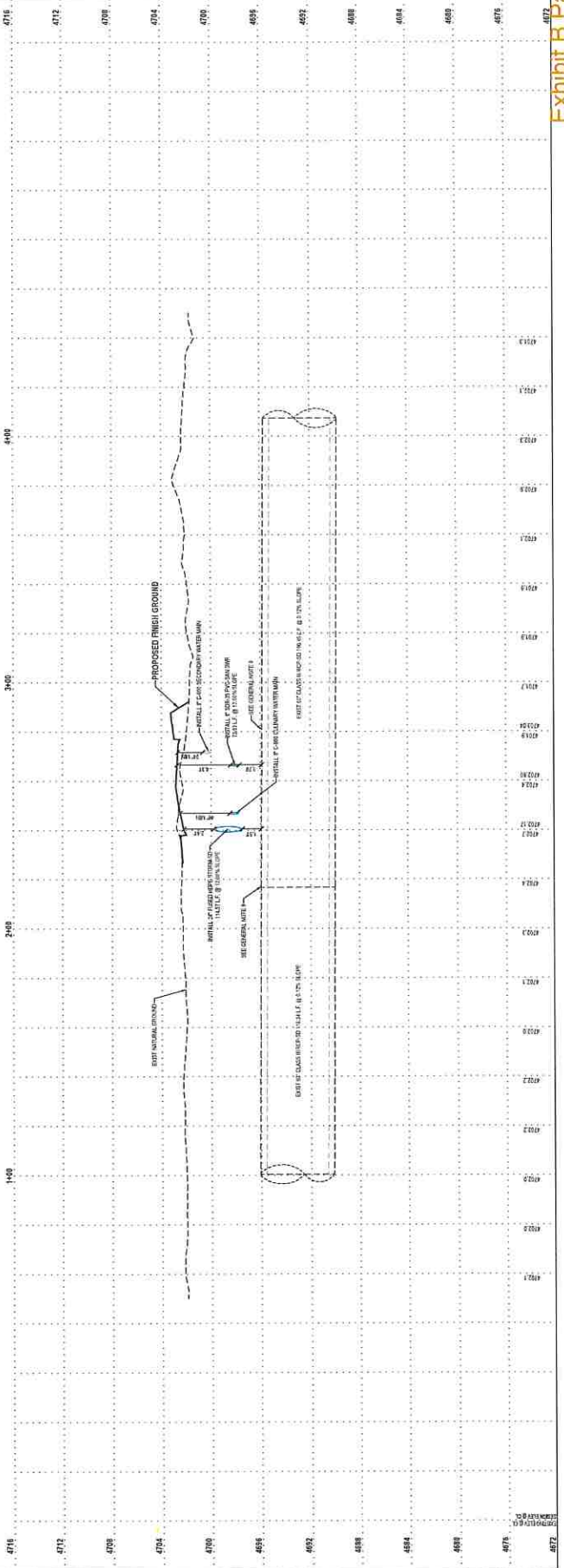
PP-BOR-1

- COLOR LEGEND**
- PROPOSED SANITARY SEWER
 - PROPOSED STORM DRAIN
 - PROPOSED CULVERT
 - PROPOSED CULVERT WITH SIDEWALK
 - PROPOSED CULVERT WITH SIDEWALK
 - PROPOSED POWER LINE
 - PROPOSED GAS LINE
 - PROPOSED COMPACTION DEFE
 - EXISTING CULVERT
 - PROPERTY LINE

- GENERAL NOTES**
- ALL WORK TO COMPLY WITH UTAH AND FEDERAL SPECIFICATIONS.
 - ALL IMPROVEMENTS MUST COMPLY WITH UTAH AND FEDERAL SPECIFICATIONS.
 - ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE UTAH AND FEDERAL SPECIFICATIONS.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 - ALL WATER PIPING SHALL BE INSTALLED PER UTAH AND FEDERAL SPECIFICATIONS.
 - PROFIT DITCHES OF ANY KIND SHALL NOT BE INSTALLED PER UTAH AND FEDERAL SPECIFICATIONS.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 - ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 - ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.



STORM DRAIN CROSSING



811
CALL BEFORE YOU DIG
UTAH

BERKMARK
SOUTHWEST CORNER OF SECTION 26
T4S R10E W10E
SALT LAKE BASIN AND MERIDIAN
ELEV = 4164.47

Customer Quote For: PLEASANT VIEW CITY

ROYAL - OGDEN

Quote: Q1128878

Revision #: 001



1406 W 3300 S
 OGDEN UT 84401
 Tel: (801)621-6730 Fax: (801)394-1928

Contact Name: CLINT MANN

Job Name: TYSON JACKSON
 Attn:
 Ship To: PLEASANT VIEW CITY

Quote Date: 04/07/26
 Updated On: 04/07/26
 Expires On: 05/07/26

Customer PO #: CITY LIGHTING
 Customer PO Date:
 FOB: SHIPPING POINT
 Freight: PREPAID

LN	Product	Qty	Price	Per *	Ext Price
01	RESIDENTIAL LP-1				
02	SPL AT50-C-196L1150WW-G2-3-UNV-DMG-CR30-DA-GRD-BK AT50C196L1150WWG23UNVDMGCR30DAGRDBK	9	\$0.00	E	\$0.00
03	SPL M20G-1A-R5-BK M20G1AR5BK	9	\$0.00	E	\$0.00
04	SPL CL-RSA-19-5R-.188-9BP-342-GBLK-7PIN DB10-5" STR ALUM ROUND POLE W/DECO BASE	9	\$0.00	E	\$0.00
05	SPL EK4536KL EK4536KL	9	\$0.00	E	\$0.00
06	SPL LOT PRICE RESIDENTIAL RESIDENTIAL LOT PRICE	1	\$57,830.00	E	\$57,830.00
07	COORIDOR LP-2				
08	SPL AT50-C-196L1150WW-G2-3-UNV-DMG-CR30-DA-GRD-BK AT50C196L1150WWG23UNVDMGCR30DAGRDBK	2	\$0.00	E	\$0.00
09	SPL M20G-1A-R5-BK M20G1AR5BK	2	\$0.00	E	\$0.00
10	SPL CL-RSA-21-5R-.250-12BP-136-GBLK-GFIK-DB10-5-CST BNNR-24"-SGL CLRSA215R.25012BP136GBLKGFIDB105CSTBNNR24"SGL	2	\$0.00	E	\$0.00
11	SPL EK4536KL EK4536KL	2	\$0.00	E	\$0.00
12	SPL WPL5100BL WPL5100BL	2	\$0.00	E	\$0.00
13	SPL GFCI GCI	2	\$0.00	E	\$0.00
14	SPL LOT PRICE COORIDOR COORIDOR LOT PRICE	1	\$13,027.00	E	\$13,027.00
15	INTERSECTION LP-3				
16	SPL RFM-160W48LED3K-G2-R3M-UNV-DMG-FAWS-RCD7-BK RFM160W48LED3K2R3MUNVDMGFAWSRCD7BK	20	\$0.00	E	\$0.00
17	SPL AC6-1A-R4-BK AC61AR4BK	20	\$0.00	E	\$0.00
18	SPL CL-RSA-18-5R-.250-12BP-136-GBLK-GFIK DB10-5-CST BNNR-24"-SGL CLRSA185R.25012BP136GBLKGFIDB105CSTBNNR24"SGL	20	\$0.00	E	\$0.00
19	SPL EK4536KL EK4536KL	20	\$0.00	E	\$0.00
20	SPL WPL5100BL WPL5100BL	20	\$0.00	E	\$0.00
21	SPL GFCI GFCI	20	\$0.00	E	\$0.00
22	SPL LOT PRICE INTERSECTION INTERSECTION LOTPRICE	1	\$103,400.00	E	\$103,400.00

PLEASE NOTE: THIS IS NOT AN OFFER TO CONTRACT, BUT MERELY A QUOTATION OF CURRENT PRICES FOR YOUR CONVENIENCE AND INFORMATION. ORDERS BASED ON THIS QUOTATION ARE SUBJECT TO YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS LOCATED AT SALES.OUR-TERMS.COM, WHICH WE MAY CHANGE FROM TIME TO TIME WITHOUT PRIOR NOTICE. WE MAKE NO REPRESENTATION WITH RESPECT TO COMPLIANCE WITH JOB SPECIFICATIONS.

* Per E = Each, C = Hundred, M = Thousand

Customer Quote For: PLEASANT VIEW CITY

ROYAL - OGDEN

Quote: Q1128878

Revision #: 001

LN	Product	Qty	Price	Per *	Ext Price
23	CLAMP ON BANNER ARM SET 24"				
24	SPL CLAMP ON BREAKAWAY BANNER ARM SET 24" LONG CLAMP ON	4	\$0.00	E	\$0.00
25	SPL LOT PRICE BANNER ARMS BANNER ARMS LOT PRICE	1	\$809.00	E	\$809.00

Merchandise: \$175,066.00
Additional Sales Tax May Apply:
Total: \$175,066.00

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