City of WASHINGTON TERRACE Utah

Regular City Council Meeting

Tuesday, June 2, 2026
5249 South 400 East
Washington Terrace, UT 84405
801.393.8681
www.washingtonterrace.gov

As a public service, Council Meetings are streamed on the City of Washington Terrace YouTube channel at : www.youtube.com/@WashingtonTerraceCity

1. ROLL CALL **6:00 P.M.**

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. CONSENT ITEMS

4.1 APPROVAL OF AGENDA AND MAY 19, 2026, COUNCIL MEETING MINUTES
Any point of order or issue regarding items on the agenda or the order of the agenda needs to be addressed here prior to the approval of the agenda. Minutes approved in open meeting become the official record

5. CITIZEN COMMENTS
This is an opportunity to address the Council regarding your concerns or ideas that are not on the agenda as part of a public hearing. Please limit your comments to no more than 3 minutes. “Washington Terrace City is committed to civility. We strive to act and speak with dignity, courtesy, and respect at all times. All are asked to join us, and act and speak accordingly.”

6. RECURRING BUSINESS
Recurring Business are agenda items that have previously been brought to Council for discussion

6.1 PRESENTATION: PROPOSED PROPERTY TAX IMPACT SCHEDULE
The Fiscal Year 2026-27 Tentative budget will be presented with a proposed tax rate increase. A Property Tax Impact Schedule will be presented and made available to the public

6.2 DISCUSSION/STATEMENT: STATEMENT OF INTENT TO PREPARE AN IMPACT FEE FACILITIES PLAN AND IMPACT FEE WRITTEN ANALYSIS FOR PARKS, TRAILS AND RECREATION

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283.

CERTIFICATE OF POSTING
The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

6.3 DISCUSSION/MOTION: APPROVAL OF CONTRACT WITH ZIONS BANK TO PREPARE AN IMPACT FEE FACILITIES PLAN AND IMPACT FEE WRITTEN ANALYSIS FOR PARKS, TRAILS AND RECREATION

7. NEW BUSINESS

7.1 PRESENTATION: FRAUD RISK ASSESSMENT
The Council will receive the annual Fraud Risk Assessment developed by the State Auditor

7.2 MOTION/ORDINANCE 26-01: ZONING MAP AMENDMENT: AMENDING THE ZONING FOR A CERTAIN PARCEL; ADOPTING THE CONCEPT PLAN; AND AMENDING THE O-1 ZONE
Amending the zoning map and the O-1 zone (open space zone) to support the proposed Veteran's Cemetery to be located at approximately 5800 South Adams Avenue. A public hearing was held at May 28, 2026, Planning Commission Meeting.

7.3 MOTION/RESOLUTION 26-07: APPROVAL OF THE DEVELOPMENT AGREEMENT BETWEEN WASHINGTON TERRACE CITY AND HARVEST POINTE TOWNHOMES,LLC
Development Agreement under the Infill Ordinance allowing four townhomes to be built, with the existing home remaining, on the property located at 445 West 5100 South

7.4 MOTION/ORDINANCE 26-02: AN ORDINANCE AMENDING TITLE 10 "TRANSPORTATION CODE" OF WASHINGTON TERRACE MUNICIPAL CODE, ADOPTING E-BIKE REGULATION IN ACCORDANCE WITH STATE CODE
Amending the Transportation Code to adopt new state legislation regarding Electronic Bike regulations.

7.5 DISCUSSION: STATUS OF WEBER TRANSFER STATION
Follow up discussion on the future of Weber Transfer Station contract for tipping services

8. COUNCIL COMMUNICATION WITH STAFF
This is a discussion item only. No final action will be taken.

9. ADMINISTRATION REPORTS
This is an opportunity for staff to address the Council pertaining to administrative items.

10. UPCOMING EVENTS
June 12-13th: Terrace Days!!!
June 16th: City Council Meeting (6:00 p.m.)
June 19th: City Offices closed in observance of National Freedom Day (Juneteenth)
June 25th: Planning Commission Meeting (tentative 6:00 p.m.)
July 3rd: City Offices closed for Independence Day Holiday
July 7th : City Council Meeting (6:00 p.m.)
July 21st: City Council Meeting (6:00 p.m.)
July 24th: City Offices closed for Pioneer Day Holiday
July 28th : Town Hall Meeting to discuss Truth-in-Taxation 6:00 p.m.

11. ADJOURN THE MEETING

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283.

CERTIFICATE OF POSTING

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City of Washington Terrace

Minutes of a Regular City Council meeting
Held on May 19, 2026
City Hall, 5249 South 400 East, Washington Terrace City, Utah

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member Anna Davidson
Council Member Zunayid Z. Zishan -excused
Council Member Cheryl Parkinson
Council Member Jeff West
Council Member Michael Thomas
City Treasurer Heidi Gerritsen
Public Works Director Jake Meibos
Finance Director Shari' Garrett
City Recorder Amy Rodriguez
City Manager Tom Hanson

OTHERS PRESENT:

None

1. WORK SESSION **5:00 P.M.**

1.1 PRESENTATION/DISCUSSION: FY 2026-27 TENTATIVE BUDGET AND FY 2028-31 BUDGET PLAN

Garrett, Meibos, and Gerritsen gave an update on the software solution "Yoppify", which was rebranded to "City Alert", stating that it was a new budget item last year.

Meibos stated that the program is being utilized for digital means to notify residents for water shutoffs and emergency situations. He stated that it is being used for road closures, area construction notifications, shut-offs, water leaks and emergencies. He stated that the messaging is efficient and quick. Staff will send the Mayor and Council a test tomorrow to their phones so that they can see what residents receive. Gerritsen stated that it has improved notifications to residents and enhances emergency notifications to large groups to increase awareness. She stated that 84 percent of residents can be reached by text, 81 percent by phone, 91 percent by email and 98 percent by phone. She stated that there is a 98 percent reachability for residents at this time. Gerritsen stated that the department is continually updating resident's accounts. Meibos stated that over the past five months, the Public Works Department has utilized this service five times, alerting residents on closures and disruptions. He stated that if it is determined that someone cannot be reached, a door hangar notification will be used when possible. Meibos stated that previous measures were put on facebook and the website, however, this did not always reach residents, especially if it is after hours. He stated that the program is an opt-out program, residents do not need to sign up.

Gerritsen stated that the Utility Billing Department has transitioned out of the orange door hangar notification of water shut-offs. She stated that the city alert method is more practical and effective. She stated that it makes best use of the Public Works Department time. Gerritsen stated that she can see if residents have read their emails and she is notified if the messages are unsuccessful so that other methods of notifications can be used.

Meibos stated that the program allows for two-way conversations with the residents through text or email. Gerritsen stated that she has received feedback from residents and landlords. She stated that the landlords like the improved notifications so that they can speak with their tenants in real time to make them aware of situations occurring. Gerritsen stated that they have not received feedback from residents that they were unaware of shut offs or planned water shut offs as they once had. Meibos stated that there are settings for times to be sent, unless there is an emergency. In these cases, they can override the time. Council Member Thomas asked if Council could also be included in the texts so that they are aware if residents contact them.
Gerritsen stated that all property owners receive the notifications, and they are responsible for notifying their residents. She noted that they have received positive feedback from landlords and residents. Meibos stated that the application reduces time delivering door hangars, improves communications, enhances emergency notifications, mainstreams the notices to specific groups, and allows for two-way communication between staff and the residents. Gerritsen stated that tenants can sign up for text alerts and email for newsletters and city disruptions. She stated that account specific notices can only go to the property owner. Council Member West suggested that the sign-up information for renters should be posted on social media and in the newsletter so that they are aware of the service. Council Member Parkinson asked if this service is financially reasonable to run the program. Garrett stated that it is $7,000 now, with yearly increase. She noted that we are only into it five months so that there is not enough data to see if it is cost-saving but stated that efficiency has increased and she expects that this service will pay for itself over time.

Garrett reviewed the budget schedule to Council. Mayor Allen stated that the public hearing tonight is only on the tentative budget, and not the tax increase and offset. Garrett stated that the Enterprise Fund transfer is required if the city does not charge itself for utilities that we use in the course of doing business. She stated that if we charge ourselves, it would be a General Fund expense, making it a tax issue and not a utility issue. Hanson stated that we are using the services without charging ourselves. Garrett noted that the biggest chunk of the transfer is culinary water that we use. She stated that if we get to the point where we will go over the capacity of our water that we own (1,000-acre feet), we will have to revisit this practice. She stated that at this time we are using water within our capacity.

Garrett stated that utilities and governmental have overlap but are two separate entities.
She stated that one of strengths is our moderate utility user rates. She stated that low indebtedness is also viewed as a strength as the amortization schedule is being paid down further each year.
She stated that there is a common measure of measuring indebtedness. She stated that the city is required to charge a utility rate to service its debt at a minimum of 1.25 its rate. She stated that this is a requirement, along with a requirement to charge utilities the cost of running the services.

Garrett stated that fewer customers to spread the cost around mean higher increases to customers that we do have. She stated that the low growth is viewed as a weakness. Garrett stated that there is a direct correlation between what you receive and what you pay for.

Garrett stated that utilities have a low reliance on grants, however, we do use them to lower burden on residents when possible.

Garrett stated that the economy is a threat. She stated that wage inflation and the labor market, along with service contracts should be tuned into as they have impacts within the city.

Waste Collection

Garrett stated that the contract with our contractor is increasing 4.7% plus the fuel recovery fee.

Hanson stated that we are on a wait and see on waste disposal, noting that there are two proposals to take over the Weber County Transfer Station.

Culinary Water

Garrett stated that our wholesale water provider is increased by 14-15% and will stay in the double digits for a long time. She stated that 3% has been added in for capital investments. She stated that personnel and overhead has come down to the expected rate of 5%.

Sanitary Sewer

Garrett stated that the increase from Central Weber Sewer is 6%, which is moderate. She noted that the personnel and overhead is back down to the moderate level of 3-5%.

Storm Water

Garrett stated that the biggest driver to the fund is for personnel and overhead, noting that we are required by the state to have a storm water manager. She stated that the overall increase is between 3-4 percent.

Garrett stated that there will be a $3.95 rate increase to the utility fees.
Garrett stated that the fee schedule graduates upward once a user uses more than 5,000 gallons.
Garrett stated that she will send out a notice explaining the increase to the utility rate.

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member Anna Davidson
Council Member Zunayid Z. Zishan - excused
Council Member Cheryl Parkinson
Council Member Jeff West
Council Member Michael Thomas
Finance Director Shari' Garrett
City Recorder Amy Rodriguez
City Manager Tom Hanson
Lt. Sean Endsley, Weber County Sheriff

OTHERS PRESENT:

Ulis Gardiner, K. Craynor

2. ROLL CALL 6:00 P.M.

3. PLEDGE OF ALLEGIANCE

4. WELCOME

5. CONSENT ITEMS

5.1 APPROVAL OF AGENDA AND MAY 5, 2026, COUNCIL MEETING MINUTES

Item 5.1 was approved by general consent.

6. CITIZEN COMMENTS

Ulis Gardiner stated that he noticed how green the grass is around City Hall. He stated that his grass is completely dead and wondered why the city can do things without the residents say.

He suggested that Council should not raise taxes for a year, stating that the government just takes what they want from citizens without asking. He questioned how can anyone trust government after what happened in Brigham City. Mayor Allen stated that the city did not turn on any water for the parks until last Friday, the same as the residents had access.

Gardiner stated that the garbage trucks have to fight to get through the narrow streets with all the cars parked on the streets and suggested that that the city have no parking on the streets on Wednesdays to make it easier for the trucks to get through.

7. RECURRING BUSINESS

Recurring Business are agenda items that have previously been brought to Council for discussion

7.1 MOTION/RESOLUTION 26-05: RESOLUTION ENTERING INTO A INTERLOCAL AGREEMENT WITH WEBER COUNTY FOR R.A.M.P GRANT FUNDING

Rodriguez stated that the Council approved the funding for the Pickleball Phase 4 Project with the application approval in January. The Resolution is a formal acceptance to receive the funding and terms of the RAMP Grant.

Motion by Council Member Parkinson
Seconded by Council Member Thomas
To approve Resolution 26-05 to
Enter the Agreement with Weber County for
RAMP grant funding
Approved unanimously (4-0)
Roll Call Vote

7.2 MOTION/RESOLUTION 26-03: TO AMEND BUILDING PERMIT INSPECTION FEES

Hanson stated that staff presented the amended building inspection fees to Council a few weeks back to consider full cost recovery for the permits. He stated that there has not been a change to the fee for over two decades and felt that it was appropriate to look at the cost recovery approach as directed by Council policy and priorities for fiscal responsibility.

Hanson stated that Council felt that some of the fees felt heavy and staff took the Council request to look at the fees and see what could be scrubbed. Hanson stated that staff was able to look at a couple of categories and cut the costs in half. Hanson stated that the ancillary building permit fees are varied as there are varied rates of staff time and billable Building Inspector time.

He stated that there was a reduction of 50 percent.

Hanson stated that staff pulled fees that did not require a second inspection fee. He stated that if an addition inspection is required, they would be billable.

Hanson stated that staff would like to present the new softer numbers for the fee schedule.

Hanson stated that he worked with Council Member West to review and come up with reasonable accommodation for the fees. Council Member West stated that we may not be at 100 percent cost recovery but feels that it is close. He stated that if something is a small project and not that complex, we can absorb some of that initial processing/set-up and cost of issuance as a service that we provide as a city. He stated that we will find out over time if we are at full cost recovery. He stated that they compared each item individually. He stated that there is value in having a permit and inspection.

Mayor Allen stated that it is time to increase the fees as we have lost money over the years.

Council Member Parkinson stated that Council wants citizens to be at the fore thought of their processes. She stated that the new fees are not 100 percent cost recovery but likes that we can evaluate how it turns out over the year and adjust as needed. Mayor Allen stated that he feels that the fees are fair.

Hanson stated that this is not a service or process just for the city. He noted that it is actually a process for the residents to protect the residents as the project is inspected and is up to code. He stated that residents could be at risk if there are no permits with professional eyes on a project.

Hanson noted that the building inspection permit process is a value on both sides and protects the owner of the project.

Motion by Council Member West
Seconded by Council Member Davidson
To approve Resolution 26-03 to
Amend the Building Permit Inspection Fees
Approved
Roll Call Vote

7.3 PRESENTATION: PROPOSED PROPERTY TAX IMPACT SCHEDULE

Hanson stated that the tentative budget will be presented with a proposed tax rate increase. He stated that the Impact Schedule is projected on the wall, printed out and available on the sign in table, and is presented on several places on our city website. He presented the Property Tax Impact Schedule:

Washington Terrace City will consider an increase to its property tax rate from 0.001667 to 0.00179 (estimated) to generate an additional $98,100. The following information is intended to provide decision makers and the public with an explanation of how the City's operations would be affected if the proposed property tax increase is adopted.
Washington Terrace City's current property tax rate : 0.001667
Washington Terrace City's current property tax revenue: $1,350,283
Proposed revenue with tax change: $1,448,383
New Property Tax Revenue to Washington Terrace City $98,100

Estimated increase to Washington Terrace City Property Tax Rate 7.3%

Estimated increase to a primary residence of $409,000 $29.61
Estimated increase to a business valued at $409,000 $53.83

Affected Department : Police Proposed Budget: $1,300,314 Budget without Tax Change: $1,202,214 Budget Change:$98,100

Impact of Tax Increase – To fund contractual increases for law enforcement services entered into with the Weber County Sheriff's Office.

Hanson stated that if City proceeds with the tax increase, a public hearing will be conducted as required at which members of the public will have an opportunity to provide comments on the proposed increase.

8. SPECIAL ORDER

8.1 PUBLIC HEARING: FISCAL YEAR 2026-27 TENTATIVE BUDGET AND FISCAL YEARS 2028-31 BUDGET PLAN

Hanson stated that the tentative budget has been available on the city website for public review.
He stated that Council has been given the budget and has worked through the budget for several months.
Hanson stated that this public hearing is for the tentative budget and not the "carve out" of the budget for the tax increase.
Hanson stated the tentative budget is reflective of what has been presented to Council over the last several months.
Council Member Parkinson stated that the Council looks at their priorities and staff takes that into consideration. She stated that Council reviewed utilities and how they are reflected in the budget today at the Work Session. She stated that staff recognize the inflationary impact of all the different entities that the city is responsible for working with and noted that as residents are hit with inflationary costs, so is the city. Council Member Parkinson stated that we run a tight ship and look at the inflationary impact and plan for that. Council Member Parkinson stated that she appreciates Garrett's direction that she gives so that Council and the public can be clear on what is being proposed and stated that she appreciates the open-door policy

of staff when questions come through during the budget process.

Mayor Allen opened the public hearing at 6:25 p.m.

Ulis Gardiner asked why doesn't the city publish each employee and how much each employee makes and compare that to what residents make. He said that the city can join with Riverdale and get rid of all the top management and cut our expenses this way. He stated that Council comes to residents and takes whatever they want. He stated that we should join Riverdale where they have more sales tax so that the residents are not given tax increases.

There were no other public comments.

Mayor Allen closed the public hearing at 6:28 p.m.

Council Member West noted that the wages are available to the public and can be viewed on the Utah Transparency website.

8.2 PUBLIC HEARING: ENTERPRISE UTILITY FUND TRANSFER

Hanson stated that the city uses capacity within our utility services to allow the city to use utility services without charging ourselves. Hanson stated that the city pays for 1,000 acre feet of water each year and we use around 750 acre feet. He stated that we use the capacity within the parameters within that utility and others as explained. Hanson stated that we must go through a public hearing when using capacity within utility structure instead of charging ourselves and paying through general fund monies, noting that use of general fund for those purposes would be a tax generated. He clarified that the transfer does not refer to cash, only making the services available to general governmental operations.

Mayor Allen opened the public hearing at 6:32 p.m.
There were no citizen comments.
Mayor Allen closed the public hearing at 6:33 p.m.

9. NEW BUSINESS

9.1 DISCUSSION: DISCUSSION REGARDING THE WEBER COUNTY TRANSFER STATION

Mayor Allen stated that he has been on the Transfer Station committee for 12 years. He stated that the station does not make money on the service, but they try to break even, which they have done over past years. He stated that competition came into the loop a year ago. He stated that the Transfer Station has received two proposals (from Republic Services and Waste Management) to help with the Transfer Station. He stated that no final decision has been made but the preferred proposal has come from Waste Management to operate the Transfer Station as it is currently being operated. Mayor Allen stated that the county is currently working on contracts and leases with Waste Management and has notified Republic Services. Mayor Allen stated that the proposal is to lease the station and everything in it to Waste Management and the county will step away completely allowing Waste Management to run the operations. Mayor Allen stated that the cities will be able to determine where they would like to take their waste management.
Mayor Allen stated that nothing is final until contracts are approved and awarded through the County Commission.

Hanson stated that the city can dictate where our waste stream will go through our agreement with Republic Services unless there was a specific reason prohibiting our provider transferring to a specific location. Hanson stated that we are on hold to see pricing before determining where we will take our waste. He stated that the conversation is to make Council aware of what is going on. He stated that our contract with Weber Transfer Station is expiring at the end of June.
Mayor Allen stated that our tipping fees may go down if there is competition.

9.2 DISCUSSION: PARKS IMPACT FEE SCHEDULE

Hanson stated that the state has become more concerned with having impact schedules.
Hanson stated that there are impacts to the city that would happen because of new growth or reflective of what could happen with new growth that is to come.
Hanson stated that parks is one of the impacts. Hanson stated that a proposal will be brought to Council for the city to work with Zions Bank to get the data needed to support our impact fee system. Hanson stated that we are doing the legwork that is required to do for the analysis to make the impact fee proposals.
Hanson stated that there will be quite a bit of effort put in to justify the bill to developers on these projects.
Hanson stated that we have a long history with Zions Bank on conducting studies. He stated that we will be billed on an hourly rate with a cap of 10,000.
Council Member Parkinson clarified that the impact fees will be for new growth. Hanson stated that residential homes would be charged the park impact fees whereas businesses would not be charged as they would not be using the parks. Council member Parkinson stated that we are land locked and asked if this would only apply to only a few new developments. Hanson stated that if someone tears down a home and rebuilds there would be no impact unless they build a second home on the property. That extra home would be a new impact.

10. <u>COUNCIL COMMUNICATION WITH STAFF</u>

Council Member Davidson thanked Jake Maeibos for his quick response to her questions concerning Rohmer Park.

Council Member Parkinson wanted to say hats off to the community using the Rohmer Park area.
She stated that she was there over the weekend and saw many people with many age ranges enjoying the facilities. She stated that she is glad that the community is benefiting from the improvements that have been made to the park.

Council Member Parkinson asked how water restrictions and lawn care will be addressed by code enforcement, noting that we may not be able to keep lawns green, however, weeds will still grow. Hanson encouraged people to water as directed by Weber Basin and Pine View Water. He stated that they can use the MyWater App and determine how much water they are using. Hanson stated that the city has made it clear to our landscape maintenance that we are using the same water restrictions for city property as anyone else is using, noting that we use the same meter system on our parks and we monitor the information. Hanson stated that if we see that we are reaching our water limit, we reach out to the groundskeeper. Hanson stated that the city intentionally fertilizes to keep the grass green. He stated that some grass grows differently and is greener. Hanson stated that code enforcement will encourage residents to respect and follow water restrictions. He stated that Nish encourages residents to fertilize their grass for nourishment and stick to the water requirements.

Council Member West stated that a few residents have brought a house (136 W 5200 S) to his attention that has some profane signs on his yard right by the school. He stated that he knows there is freedom of speech but asked if anything can be done because children walk by the signs on their way to school. Lt. Endsley stated that there is nothing on criminal code that can be done and suggested speaking to legal about lewdness concerns. He cautioned that we have to be careful on freedom of speech issues.

Council Member Thomas praised Code Enforcement Officer Nish on his work and stated that citizens have told him that they appreciate his work and the work he is doing ripping down old yard sale signs. He wanted the appreciation messaged relayed to Nish.
Council Member Thomas stated that residents have informed him that there are people living in trailers and the garage at 5025 S 150 W. He stated that he reported it on the website and showed the citizens how to use the site for reporting things like that. He stated that he is concerned that people are not only overstuffing a house but living in trailers on the property.

11. ADMINISTRATION REPORTS

Hanson stated that plans have been submitted to Seaman on the permit for the two storage units, stating that they will be brough back to Development Review Committee since the approval is several years old.
Hanson stated that staff is working with Veteran's Cemetery on their project and it will be going to the Planning Commission for zoning items.
Hanson stated that sponsorships has been coming in well for Terrace Days. He stated that we are able to leverage those sponsorships to maximize resources and apply for RAMP grant funding to help with the event.
Hanson stated that there is a stop work order on the pizza place project. Hanson stated that code enforcement is working with them on a non-permitted activity on the property.
Hanson stated that the Road Maintenance Project contractors have received notice to proceed.

12. UPCOMING EVENTS

May 25th : City Offices closed in observance of Memorial Day
May 28th: Planning Commission Meeting 6:00 p.m.
June 2nd: City Council Work Session (5:00 p.m.) City Council Meeting (6:00 p.m.)
June 12-13th: Terrace Days!!!
June 16th: City Council Meeting (6:00 p.m.)
June 19th: City Offices closed in observance of National Freedom Day (Juneteenth)
June 25th Planning Commission Meeting (tentative)

13. ADJOURN THE MEETING

Motion by Council Member Parkinson
Seconded by Council Member Davidson
To adjourn the meeting
Approved unanimously (4-0)
Time: 7:05 p.m.

Date Approved ______________________ **City Recorder** ______________________

City Council
Staff Report

Author: **Amy Rodriguez**
Subject: **Proposed Tax Rate Increase Impact Statement**
Date: **05/19/26**
Type of Item: **Statement**

Summary Recommendation: Statement to be read aloud at the Council Meeting by City Executive Officer (City Manager, Tom Hanson)

Description:

A. **Topic:** Per state code regarding Truth-In-Taxation new processes, an entity must have a separate item on it's agenda whenever a public hearing is held in which the city discusses the city's proposed general fund budget, that the city considering a tax rate that exceeds the certified tax rate and read the Proposed Impact Statement. The city should state that if the city proceeds with the proposed tax rate increase, the city will hold a public hearing for public comment on the proposed increase.

B. **Background:** The Code was updated during the 2026 Legislative Session to include this requirement.

AGENDA ITEM STATEMENT: The Tentative Budget includes a proposed tax rate increase. The City is considering levying a tax rate that exceeds Washington Terrace's certified tax rate The City has prepared a Proposed Property Tax Impact Schedule that is available to the public. The Property Tax Impact Schedule is presented as follows:

(PRESENT PROPERTY TAX IMPACT SCHEDULE)

If the City proceeds with the proposed tax rate increase, the City will provide notice of, and conduct a public hearing, as required at which members of the public will have an opportunity to provide comments on the proposed increase."

WASHINGTON TERRACE CITY, UT

Proposed Property Tax Impact Schedule

WASHINGTON TERRACE CITY will consider an increase to its property tax rate from **0.001667** to **0.001799** (estimated) to generate an additional $98,100. The following information is intended to provide decision makers and the public with an explanation of how the City's operations would be affected if the proposed property tax increase is adopted.

WASHINGTON TERRACE CITY'S Current Property Tax Rate	0.001667
WASHINGTON TERRACE CITY'S Current Property Tax Revenue	$1,350,283
Proposed Revenue with Tax Change	$1,448,383
New Property Tax Revenue to WASHINGTON TERRACE CITY	**$98,100**

Estimated Increase to WASHINGTON TERRACE CITY Property Tax Rate	7.3%

Estimated Increase to a primary residence of $409,000	$29.61
Estimated Increase to a business valued at $409,000	$53.83

Affected Department	Proposed Budget	Budget without Tax Change	Budget Change
Police	$1,300,314	$1,202,214	$98,100

Impact of Tax Increase - To fund contractual increases for law enforcement services entered into with the Weber County Sheriff's Office.

City Council
Staff Report

Author: Tom Hanson
Subject: Impact Fee Proposal
Date: June 2, 2026
Type of Item: Discussion /Action follow-up from May 19th meeting

Summary Recommendation:
Staff are requesting authorization to update the City's Parks Impact Fee Schedule, as the current schedule is outdated and no longer meets statutory expectations. To ensure compliance with Utah law regarding the justification and calculation of impact fees, staff has selected Zions Public Finance to prepare a professional impact fee analysis.

This study will provide the necessary data and methodology to support legally defensible park impact fees. Staff intend to return to the Council at the next meeting with the completed analysis and a recommendation for adoption.

Staff will be intimately involved in the study and will provide necessary information for the successful compleation of the study.

Description:

A. **Topic: Park:**
   Impact Fee analysis

B. **Background:**

   Updating the City's impact fee schedule is essential to maintain compliance with Utah's Impact Fees Act, which requires that all fees be supported by a current, data-driven analysis establishing a clear connection between new development and the need for additional public facilities. An outdated schedule limits the City's ability to appropriately recover growth-related costs and increases exposure to legal challenges. Completing an updated study ensures that park impact fees remain proportionate, transparent, and defensible.

   Staff recommends engaging Zions Public Finance to complete this work. Zions Public Finance has demonstrated strong expertise in impact fee analysis, capital planning, and compliance with Utah law, and has been a reliable partner to the city.

   Additionally, this engagement falls within the parameters of "professional services" as defined in the City's purchasing policy. Given the specialized technical knowledge, legal considerations, and continuity of prior work required for an impact fee facilities plan, staff believes that utilizing Zions Public Finance represents the most efficient and effective option for completing the project and ensuring a high-quality, legally defensible outcome.

C. **Analysis:** Please see that attached proposal reflecting the hourly rate and not exceeding the $9,000 amount. The not-to-exceed amount is considered fair and reasonable for the work that will be performed. The hourly rate is well within industry standards.

D. **Fiscal Impact:** The attached fee schedule is provided for reference purposes, with the understanding that the ongoing impact fee study may result in adjustments to future revenue projections. At this time, precise revenue estimates cannot be determined, as the study has not yet been completed. The final analysis will establish updated assumptions, growth projections, and capital facility needs, which will directly inform the calculation of impact fees and associated revenues.

   The cost of the study is an hourly rate with a total cost not to exceed $10,000.00

E. **Department Review:**

   Staff have identified the need to update the City's Parks Impact Fee Schedule to ensure compliance with Utah law and to reflect current growth, costs, and capital facility needs. An updated Impact Fee Facilities Plan (IFFP) will provide the necessary justification for a defensible and proportionate fee structure.

   Staff recommend contracting with Zions Public Finance to complete this analysis. Zions Public Finance is highly qualified, has extensive experience with Utah impact fee requirements, and has been a reliable partner to the city.

   This work qualifies as a professional service under the City's purchasing policy. Based on their expertise and familiarity with the City, staff believe they are the best option and recommend approval to proceed with contracting for the Parks Impact Fee analysis.

Zions Public Finance, Inc

For the

City of Washington Terrace

PROPOSAL:

Parks, Trails and Recreation Impact Fee Facilities Plan & Impact Fee Analysis

May 2026

ZPFI

15 May 2026

Tom Hanson
tomh@washingtonterrace.gov

RE: PROPOSAL FOR PARKS, TRAILS AND RECREATION IMPACT FEE FACILITIES PLAN (IFFP) AND IMPACT FEE ANALYSIS (IFA)

Dear Tom:

Zions Public Finance, Inc. (ZPFI) enthusiastically submits this Proposal to prepare a Parks, Trails and Recreation Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA) for the City of Washington Terrace. All documents will be prepared in accordance with Utah Code 11-36a and will be easy to understand and legally defensible.

Our consultants have successfully crafted hundreds of fee studies over the years. We stay current on impact fee legislation and are often involved with changes to that legislation so that our fees always reflect the latest legislative updates.

Our proposed fee for creation of the IFFP and IFA, inclusive of all costs, including a Powerpoint summary of the fees for presentation to City staff and Council, is a not-to-exceed fee of $10,000, billed at our hourly rates as follows:

Senior Vice President	$275/hour
Financial Analyst	$150-$175/hour

We have greatly enjoyed working with you in the past and look forward to this opportunity. Please let us know if we can provide you with any further information.

Best Regards,

Susie Becker

Susie Becker
Senior Vice President | Zions Public Finance, Inc.
Susan.becker@zionsbancorp.com
801.540.8679

City Council
Staff Report

Author: Sharí Garrett
Department: Budget & Finance
Subject: Fraud Risk Assessment
Date: June 2, 2026
Type of Item: Presentation

Summary Recommendations:
That the governing body receives the annual Fraud Risk Assessment developed by the State Auditor's Office.

Description:

A. **Topic: FRAUD RISK ASSESSMENT**

B. **Background:** In 2020, the State Auditor's Office (SAO) developed a fraud risk assessment stating that the Assessment was designed to help local governing bodies to understand best practices in fraud detection and prevention. The Assessment assigns an overall risk level of undetected fraud based upon points earned for the implementation of the identified best practices.

   According to the SAO the best practices identified in the Assessment are *not required* but are highly recommended. The Assessment is not a replacement or duplication of the internal control assessment performed by an independent auditor as part of a financial statement audit. While they are both risk assessments, their methodologies and purposes are distinct.

   The Assessment must be completed and presented to the governing board annually.

C. **Analysis:**
   The results of the assessment and related scoring show the City maintaining a *Low Fraud Risk*, scoring 355 / 395 points.

   While the City does not use an audit committee, mitigating controls include the City utilizing members of the governing body to participate in the request for proposals in procuring an qualified independent auditor; providing opportunities to receive direct and open communication with independent auditor as part of the audit process; (if applicable) hotline complaints would be investigated and findings are addressed by the governing body.

   The City does not utilize an independent internal auditor.

D. **Fiscal Impact:**
   None

E. **Department Review: Finance & City Manager**

Fraud Risk Assessment

Continued

*Total Points Earned: _355_/395 *Risk Level:

Very Low	Low	Moderate	High	Very High
> 355	316-355	276-315	200-275	< 200

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

*Entity Name: WASHINGTON TERRACE CITY

*Completed for Fiscal Year Ending: June 30, 2026

*Completion Date: June 2, 2026

*CAO Name: TOM HANSON

*CFO Name: SHARI GARRETT

*CAO Signature: Tom Hanson

*CFO Signature: Shari Garrett

*Required

OFFICE OF THE
STATE AUDITOR

Implementation Guide

Revised December 2020

Fraud Risk Assessment

Background

The Office of the State Auditor (Office) regularly receives complaints of fraud or abuse by local government officials. The Office is also aware of internal investigations performed by local governments of their own officials and employees. Some of these situations receive significant media coverage, while others are resolved with less publicity. In either case, the level of concern by the public and local and state officials is significant. Many have asked the Office for more direction on how to prevent such occurrences in the future. The program outlined in this guide is designed to help measure and reduce the risk of undetected fraud, abuse, and noncompliance in local governments of all types and sizes. This assessment is a starting point, it is the hope of the Office that local governments will add to and adapt this form to improve how they manage their internal controls and the risk of fraud, waste and abuse.

Internal Controls as a Discipline

Professional literature, as well as our own experience, indicates that the solution to the reduction of fraud risk lies in effective internal controls. Internal controls are the policies, practices, and processes that ensure the operations of an organization are performed effectively and efficiently. Internal Controls are also intended to deter or prevent the misuse of public funds. Since internal controls require time and resources, entities should seek to reduce risk to an acceptable level, not eliminate risk altogether. In other words, a lock should never cost more than the item it is intended to protect.

The Committee of Sponsoring Organizations of the Treadway Commission (COSO) is a group of organizations dedicated to providing frameworks and guidance on risk management, internal control, and fraud deterrence. COSO publishes a document "Internal Control – Integrated Framework" (the COSO Framework). The COSO Framework is noted as the gold standard for designing and implementing an entity-wide internal control program for all organizations including governments. The Government Accountability Office (GAO) publishes its own guidance for proper internal controls in government entities known as the Green Book. The Green Book follows the COSO Framework, but adds some specific context that is unique to the government environment. We used both of these publications as resources for this project.

The COSO Framework includes five principles:

- Tone at the Top
- Risk Assessment
- Control Activities
- Communication

- Monitoring

Incorporating these five principles into an organization is a recommended but complex endeavor. Most accountants and auditors have been trained on these principles, but full implementation requires additional training and a commitment throughout the organization to be effective. We recommend every organization with the resources use COSO, GAO, GFOA, or any other reputable source as an aid to implementing a comprehensive internal control program.

Due to the expense, most local governments in Utah lack the resources necessary to completely implement the COSO Framework. Our goal is to take the concepts of the COSO Framework and boil them down to specific measures that every local government can incorporate at minimal cost. If properly implemented, we believe these measures will reduce the risk of undetected fraud, abuse, and noncompliance. We have also developed a risk assessment model that provides a basic evaluation of an entity's fraud risk, based upon required separation of duties and our recommended measures.

Recommended Measures

1. Separate Duties over Cash Accounts (Crucial)

Widely recognized as a crucial internal control, separation of duties includes separating the powers of the treasurer and clerk (the person who performs the accounting function, regardless of title), as required by state law. If the roles and responsibilities of treasurer and clerk are *not* 1) separate, 2) independent, and 3) monitored by the governing board, the risk of financial fraud and abuse increases.

In general, the treasurer is responsible for the collection and custody of funds while the clerk validates payment requests, ensures compliance with policy and budgetary restrictions, prepares checks, and records all financial transactions. In situations where proper separation of duties are not maintained, mitigating controls must be implemented. Because of the extreme importance of this control, we have developed a separate questionnaire (see attached) to help determine if basic separation of duties or mitigating controls are in place.

2. Require a Commitment of Ethical Behavior

Purpose

A critical, fundamental, and far-reaching problem facing government today is the lack of public trust and confidence. Government officials are expected to perform their government duties without using their position for personal benefit. A written statement on ethical behavior will provide clarity and serve as a physical reminder of the aspirations of the organization.

Overview

Maintaining an ethical environment requires setting an example and communicating proper expectations at every level of the organization. Training and re-enforcement of ethical standards must be continuous and applicable. Expectations must point to the highest standards and not excuse bad behavior by anyone for any reason.

Implementation

We recommend the entity set clear expectations and exercise consistent enforcement. We recommend instilling a culture rewarding high ethical standards, rather than rewarding cutting corners or engaging in questionable or self-serving behavior. We recommend that every entity have a written policy and strong practices that address a standard of ethical behavior, including prohibited activities, required disclosures, and clear directions on how and to whom disclosures should be submitted and reviewed. We also recommend that the entity require elected or appointed officials and employees to annually commit in writing to abide by the entity's standards of ethical behavior. This practice will provide an opportunity to review the policy and identify any potential or actual conflicts of interest. Requiring periodic confirmation will deter individuals from acting unethically and identify issues before they become problematic.

3. Adopt and Put Into Practice Written Policies

Overview

The governing body should evaluate policies to make sure they establish proper oversight and direct the organization toward the desired outcomes. The following are key policies along with certain elements that we have identified that are either required by law or best practices to improve the internal control system. As a matter of practical implementation, template policies that contain these elements are available on the Office's website at resources.auditor.utah.gov.

a. Conflict of Interest
  1. Specifies who is required to declare conflicts.
  2. States that if a new conflict arises during course of business it must be reported.
  3. Requires each public official/employee to complete a disclosure form on an at least an annual basis.
  4. Identifies the individual/position responsible to gather disclosure forms.
  5. Disclosure forms provide the user a way to disclose conflicts or indicate that they have no conflicts.
  6. Disclosure forms must list the name and position of the public official/employee.
  7. Disclosure forms must list the name of the business entity and ownership interest or position for a business regulated by the entity for which there is a conflict.
  8. Disclosure forms must list the name of the business entity and ownership interest or position for businesses doing business with the entity.
  9. Disclosure forms must list any investments that may create a conflict with the entity.
  10. The disclosure shall be made in a sworn statement filed with the entity's governing body.

b. Procurement

Seek the best value for the entity and promote a competitive purchasing process.

1. Specifies a small item threshold allowing employee or department discretion.
2. Specifies documentation required for each level of purchasing (e.g. small purchases, medium purchases and purchases requiring competitive bid).
3. Specifies purchasing procedures (e.g. advertising methods and time frames, rejection of bids, appeals) for items requiring competitive bid.
4. Lists exemptions and documentation needed for not following regular bidding requirements (e.g. sole source provider, emergency purchases etc.).
5. Addresses improper or illegal conduct:
    a) Prohibits dividing a procurement to avoid following policy (Utah Code 63G-6a-2404.3)
    b) Prohibits kickbacks (Utah Code 63G-6a-2404)
    c) Requires disclosure of conflicts of interest (Utah Code 63G-6a-2406)
    d) Prohibits cost-plus-a-percentage-of-cost contracts (Utah Code 63G-6a-1205)
    e) Lists other specific activities that are not allowed (Utah Code 67-16 applies to the state and all political subdivisions)
6. Designates a purchasing agent, specify who may sign contracts including requirement for contracts that must go before the governing body.
7. Has an ethics provision and/or reference Utah Code 67-16.
8. Documents consequences of violating the policy (e.g. formal reprimand, suspension, termination or criminal prosecution).

c. Ethical Behavior

1. Prohibits participation in decisions or actions in which the employee or official has real or reasonably perceived conflict (see conflict of interest policy).
2. Prohibits use of authority for personal gain or that of close friends, family, or business associates.
3. Prohibits receiving gifts, loans or bribes.
4. Requires confidentiality regarding any information not subject to GRAMA.
5. Prohibits violation of nepotism laws (Utah Code 52-3).
6. Prohibits misuse of public resources or property (Utah Code 76-8-4).
7. References the Utah Public Officer and Employee Ethics Act (Utah Code 67-16).
8. Establishes individual accountability, including consequences for noncompliance (e.g. suspension, termination).

d. Reporting Fraud and Abuse

1. Requires the reporting of inappropriate actions or behavior.
2. Provides reporting structure, including alternatives if the employee's normal supervisor is involved.
3. Provides guidance on the type of actions and behaviors which must be reported.
4. Provides guidance on the information to be provided (e.g. names, dates, times, descriptions, effects) when reporting fraud or abuse.
5. Provides whistleblower protection or referrers to Utah Code 67-21-3.
6. Provides for the evaluation, investigation and possible consequences of the alleged action or behavior.

7. Provides for feedback to the employee reporting the action and the governing body.

e. Travel
   1. Establishes a process to authorize travel expenditures (i.e. preauthorization).
   2. Defines what constitutes allowable and unallowable travel and clearly establishes reasonable limits.
   3. Establishes a reporting structure with senior management reporting to the governing body.
   4. Establishes individual accountability, including consequences for noncompliance (e.g. suspension, termination, recovery of funds, inability to travel).
   5. Requires adequate record keeping (documentation of time, place, business purpose, and authorization).
   6. Communicates the public nature of purchase records.
   7. Ensures enough information is gathered and communicated to maintain accountability and measure performance.
   8. Has a provision to comply with external reporting requirements (e.g. IRS, Utah Public Finance Website reporting).

f. Credit/Purchasing Cards
   1. Credit/purchase card issuance should be approved by governing body.
   2. Establishes procedures for independent review and reconciliation of each card.
   3. Establishes card holder accountability including consequences for noncompliance (e.g. suspension, termination, recovery of funds, or loss of card privileges).
   4. Establishes required practices to ensure the security of the card (e.g. signing, storing, and who can use the card).
   5. Establishes procedures for card use (e.g. documentation required, timelines, reconciliations, restrictions).

g. Personal Use of Entity Assets
   1. Establishes allowable uses, or disallows use, of entity assets and rates if applicable (e.g. making photocopies, use of heavy equipment).
   2. Establishes individual accountability, including consequences for noncompliance (e.g. suspension, termination, recovery of funds or loss of privileges).

h. IT & Computer Security
   1. Establishes allowable uses of information systems, computer equipment, and the internet.
   2. Discloses to the user that the entity has the right to monitor and limit the activities on entity IT systems.
   3. Establishes individual accountability, including consequences for noncompliance (e.g. suspension, termination, recovery of funds, or loss of privileges).

i. Cash Receipting and Deposit
   1. Establishes a timeline for entering receipts into the accounting system.
   2. Establishes a timeline for depositing funds in the bank that complies with the Utah Money Management Act (3 days).

3. Establishes security measures for holding funds before deposit (e.g. safe, vault).
4. Establishes a receipting process for giving the customer documentation of the transaction and also provide sufficient information to understand the purpose of the transaction for management review or audit.
5. Establishes a procedure for entering credit card and ACH transactions into the accounting system.
6. Establishes a separation of duties between the person receiving payments and the person making deposits (smaller entities may require dual sign-off on deposits).
7. Establishes required documentation for voiding or altering a cash receipt, including that it be reviewed by someone that didn't make the correction.
8. Requires system-generated or sequentially-numbered receipts to allow for a review of completeness.
9. Requires cash deposits and receipts to be reconciled and/or reviewed by someone not receiving cash.

4. Hire and Train Qualified Staff

Purpose

In order to ensure the effective and efficient delivery of government services, each entity should identify the knowledge, skills, and abilities (KSA) needed by its management and employees. In technical areas, KSA often align with formal credentials, such as a degree or license. Accounting is an area where degrees and professional designations usually indicate a level of proficiency.

Overview

A licensed Certified Public Accountant (CPA) is the most common designation of a person who possesses the KSA needed to oversee the day-to-day financial operations of an entity. There are several other designations that may indicate similar KSA, such as Certified Government Financial Manager (CGFM), Certified Management Accountant (CMA), Certified Internal Auditor (CIA), Certified Fraud Examiner (CFE), Certified Government Auditing Professional (CGAP), and Certified Public Finance Officer (CPFO). At a minimum, we recommend that every entity have someone with a bachelor's degree in accounting as part of its staff.

Implementation

While not every local government entity needs a full-time CPA, every entity should utilize a qualified accountant to ensure that its finances are protected and accurately reported. Most accounting firms and professional bookkeeping services provide a variety of services on an as-needed basis. We recommend every local government evaluate the level of KSA possessed by its accounting staff and consider contracting with an accounting professional. The accounting professional could perform some or all of the accounting and ensure that the entity has effectively implemented internal controls and meets reporting requirements.

To aid local government entities in identifying and procuring the services of qualified accounting professionals, the Office maintains a qualified vendor list included on the Office's website at resources.auditor.utah.gov. The firms on this list have met the requirements set forth by the Office to provide bookkeeping, compliance reporting, or financial statement preparation for local governments.

5. Provide Effective Training

Overview

Training is vital to any organization, especially governments, where services are essential to economic prosperity and basic human needs. Public officials and key employees need to possess at least a basic understanding of the legal requirements of their entity. We encourage entities to consider the KSA needed to support the services provided by their entity, then determine the appropriate level of training that is needed to maintain those KSA. The entity should provide resources to attend sufficient and appropriate training on an ongoing basis.

Implementation

The Office provides comprehensive but basic training on financial topics for local government board members and finance officers. However, this training serves only as an introduction for those who are new or previously untrained in local government financial matters. We recommend board members and finance officers identify and participate in organizations that provide more advanced training. These organizations may be specific to the government type (e.g. counties, charter schools), a specific type of operation (e.g. sewer, water), or a specific job within the organization (e.g. treasurer, finance officer).

At a minimum, board members should view our online basic but comprehensive training every four years (see training.auditor.utah.gov). Also, at least one member of the finance team, preferably the chief finance officer, should have 40 hours of financial training each year. Financial training includes: auditing, accounting, budgeting, reporting, internal controls, fraud prevention and detection, software, and any other topic that is related to the management of finances.

6. Implement a Hotline

Definition

A hotline is a means by which the public and employees can anonymously report concerns about improper behavior of an entity's officers or employees or concerning practices of the entity.

Overview

Fraud losses are 50% smaller at organizations with hotlines than those without hotlines. According to the Association of Certified Fraud Examiners, 40% of reported instances of fraud are discovered through a tip. More than half of these tips were provided by an employee of the organization and 46% of fraud cases detected by tip were reported through a hotline.

Implementation

An effective hotline can be implemented at virtually no cost and can be as simple as providing an email address or phone number. Hotline submissions should be sent directly to a person who has the resources and objectivity to evaluate the concern and investigate if warranted. All complaints and the results of investigations should be presented to the audit committee of the entity in a timely fashion.

Hotlines should be promoted and easy to access (most entities put a link to their hotline on the main page of their website). Every entity should have a written policy that includes the following:

1. Methods for receiving complaints (e.g. email, phone number).
2. A provision for anonymous complaints.
3. Sufficient direction to ensure complaints are given adequate treatment as follows:
    a. An initial screening of complaints to be performed by an office not involved in the complaint (this could be accomplished by having it performed by more than one office if an independent internal audit function does not exist or it could be sent directly to the audit committee).
    b. Audit committee:
        i. Reviews available evidence.
        ii. Determines if further investigation is merited. If so;
            - Sets the scope of audit
            - Sets a budget
            - Sets a timeline
            - Provides resources
    c. Audit results are reported to the audit committee.
    d. Audit committee approves findings and recommendations.
    e. Audit committee ensures that findings and recommendations are addressed by the appropriate officers or employees.
    f. Feedback provided to the complainant, if requested.

7. Implement an Internal Audit Function

Definition

An internal audit function is an organizational initiative to monitor and analyze the entity's own operations in order to determine how well it conforms to a set of specific criteria, such as laws, policies, or best practices. Internal auditors are independent of the work they audit, but are very familiar with it so as to allow them to determine compliance with the requirements for that work.

Overview

An internal audit may focus on financial operations, systems, processes, or compliance. As part of the internal audit plan, auditors try to find discrepancies between operational design and operational reality. Internal audits also help uncover evidence of fraud, waste, or abuse. If internal auditors find discrepancies or inappropriate activities, they document and report them to entity leadership who can prioritize and direct corrective action.

The frequency of internal audits will depend on the department or process being examined. Some types of operations may require daily audits for quality control, others may require only an annual audit of records.

Internal audit plans act as a pre-emptive step in maintaining operational efficiency and financial reliability, as well as safeguarding assets.

Implementation

An internal audit function should be formalized by the adoption of an Internal Audit Charter which identifies who is responsible to oversee the internal audit function and who will perform the internal audits.

Those responsible for internal audits should adopt an audit plan which identifies what will be audited and when it will be audited. The audit plan should be reviewed regularly, usually once per year.

Adaptation for small entities

Only the largest of our local governments can justify a full-time internal auditor. Most local governments can execute an effective internal audit program by contracting with an audit professional to work a few days a year. To eliminate added costs entirely, some entities may coordinate with peer entities and utilize each other's financial staff to act as internal auditors. Keep in mind, internal auditors need a solid understanding of audit principles and should use work programs that are designed to effectively identify violations of the laws or policies they are auditing.

8. Use an Audit Committee

Purpose

An audit committee assists the governing body in its financial oversight responsibilities.

Membership

We recommend that members of the audit committee are a subset of the governing body. An audit committee should have a financial expert who is not a member of management. This can be achieved by having a governing body member who is a financial expert, or acquiring the assistance of a volunteer or paid professional financial expert. Finance officers from other local governments should be considered when looking for a financial expert, as they are independent and have a working knowledge of government accounting issues.

Functions

An audit committee must ensure the following:

1. Management develops and enforces systems that ensure the entity accomplishes its mission effectively and efficiently while complying with laws and regulations.
2. The internal audit function objectively assesses the effectiveness of management's internal control program.
3. Financial statement audits are performed by a qualified, independent accounting firm and issues identified during those audits are reviewed and resolved as appropriate.
4. Hotline complaints are investigated and findings are addressed by the governing body.

Risk Score

We have developed a five-level assessment score that is intended to communicate the entity's risk of undetected fraud, abuse, or noncompliance. The levels are based upon points assigned to each of the recommended measures. Since some measures are more effective than others, the most effective measures are assigned the most points. As more measures are adopted the score improves. The higher the score, the lower the risk.

The scale and corresponding levels are as follows:

- Very Low
- Low
- Moderate
- High
- Very High

See the *Fraud Risk Assessment Questionnaire* (attached) for specific points assigned to each measure and how point totals correspond to the risk scale.

OFFICE OF THE
STATE AUDITOR

Questionnaire

Revised December 2020

Fraud Risk Assessment

INSTRUCTIONS:

- Reference the *Fraud Risk Assessment Implementation Guide* to determine which of the following recommended measures have been implemented.
- Indicate successful implementation by marking “Yes” on each of the questions in the table. Partial points may not be earned on any individual question.
- Total the points of the questions marked “Yes” and enter the total on the “Total Points Earned” line.
- Based on the points earned, circle/highlight the risk level on the “Risk Level” line.
- Enter on the lines indicated the entity name, fiscal year for which the Fraud Risk Assessment was completed, and date the Fraud Risk Assessment was completed.
- Print CAO and CFO names on the lines indicated, then have the CAO and CFO provide required signatures on the lines indicated.

Fraud Risk Assessment

Continued

*Total Points Earned: ____/395 *Risk Level:

Very Low	Low	Moderate	High	Very High
> 355	316-355	276-315	200-275	< 200

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

*Entity Name: ____

*Completed for Fiscal Year Ending: _______________ *Completion Date: _______________

*CAO Name: _________________________ *CFO Name: ___________________________

*CAO Signature: ______________________ *CFO Signature: ________________________

*Required

Basic Separation of Duties

See the following page for instructions and definitions.

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

* MC = Mitigating Control

Basic Separation of Duties

Continued

Instructions: Answer questions 1-12 on the Basic Separation of Duties Questionnaire using the definitions provided below.

☺ If all of the questions were answered "Yes" or "No" with mitigating controls ("MC") in place, or "N/A," the entity has achieved adequate basic separation of duties. Question 1 of the Fraud Risk Assessment Questionnaire will be answered "Yes." 200 points will be awarded for question 1 of the Fraud Risk Assessment Questionnaire.

☹ If any of the questions were answered "No," and mitigating controls are not in place, the entity has not achieved adequate basic separation of duties. Question 1 of the Fraud Risk Assessment Questionnaire will remain blank. 0 points will be awarded for question 1 of the Fraud Risk Assessment Questionnaire.

Definitions:

Board Chair is the elected or appointed chairperson of an entity's governing body, e.g. Mayor, Commissioner, Councilmember or Trustee. The official title will vary depending on the entity type and form of government.

Clerk is the bookkeeper for the entity, e.g. Controller, Accountant, Auditor or Finance Director. Though the title for this position may vary, they validate payment requests, ensure compliance with policy and budgetary restrictions, prepare checks, and record all financial transactions.

Chief Administrative Officer (CAO) is the person who directs the day-to-day operations of the entity. The CAO of most cities and towns is the mayor, except where the city has a city manager. The CAO of most local and special districts is the board chair, except where the district has an appointed director. In school districts, the CAO is the superintendent. In counties, the CAO is the commission or council chair, except where there is an elected or appointed manager or executive.

General Ledger is a general term for accounting books. A general ledger contains all financial transactions of an organization and may include sub-ledgers that are more detailed. A general ledger may be electronic or paper based. Financial records such as invoices, purchase orders, or depreciation schedules are not part of the general ledger, but rather support the transaction in the general ledger.

Mitigating Controls are systems or procedures that effectively mitigate a risk in lieu of separation of duties.

Original Bank Statement means a document that has been received directly from the bank. Direct receipt of the document could mean having the statement 1) mailed to an address or PO Box separate from the entity's place of business, 2) remain in an unopened envelope at the entity offices, or 3) electronically downloaded from the bank website by the intended recipient. The key risk is that a treasurer or clerk who is intending to conceal an unauthorized transaction may be able to physically or electronically alter the statement before the independent reviewer sees it.

Treasurer is the custodian of all cash accounts and is responsible for overseeing the receipt of all payments made to the entity. A treasurer is always an authorized signer of all entity checks and is responsible for ensuring cash balances are adequate to cover all payments issued by the entity.

Basic Separation of Duties

See the following page for instructions and definitions.

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

* MC = Mitigating Control

City of Washington Terrace Utah

City Council Staff Report

Author:	Community Development Director/Tyler D. Seaman
Subject:	Ordinance 26-01-Zoning Map Amendment to O-1 and Text Amendment to O-1 Permitted Uses for Cemetery Use
Date:	June 2, 2026
Type of Item:	Legislative Action – Approval of ORdinance
Property:	Approximately 5800 South Adams Avenue, Washington Terrace, Utah
Applicant/Project:	Northern Utah Veterans Cemetery - Phase 1
Request:	Approval of zoning map amendment from existing commercial/residential zoning to O-1 Open Space, adopt the concept plan, and amend Section 17.30.020 to expressly allow cemetery uses and supporting structures/facilities in the O-1 Zone.

Summary Recommendation

The Planning Commission will conduct the public hearing, receive public comment, and forward a recommendation of approval to the City Council for Ordinance 26-01, subject to final review by City legal counsel and correction of any parcel, zoning-district, and exhibit references and give their recommendation to City Council .

Description

The item before the Planning Commission is a legislative land use request associated with the proposed Northern Utah Veterans Cemetery at approximately 5800 South Adams Avenue. The request includes two related actions: (1) amending the Official Zoning Map to place the subject property in the O-1 Open Space Zone; and (2) amending the O-1 permitted use list to expressly include on the cemetery the following: including supporting structures and facilities.

A. Topic

The Planning Commission will hold a pubic hearing and give recommendation regarding Ordinance 26-01: an amendment to the Washington Terrace City Zoning Map for a certain parcel, adoption of the concept plan, and amendment to the O-1 Zone to allow cemetery-related uses.

B. Background

The proposed project is identified in the design documents as the Northern Utah Veterans Cemetery - Phase 1, located at 5800 South Adams Avenue, Washington Terrace, Utah. The submitted 35% utility design review set is dated May 12, 2026 and is marked “Not for Construction.”

The proposed ordinance language would amend Section 17.30.020, Permitted Uses, to include: “Cemetery, including supporting structures and facilities.” The ordinance also proposes to amend the Official Zoning Map and adopt the concept plan as part of the approval package.

C. Analysis

The O-1 Open Space Zone is the most appropriate zoning district for a cemetery use because it is designed for open space, public recreation, conservation, and similar low-intensity land uses. A veterans cemetery is generally consistent with the open space character of the district when supporting improvements are designed and reviewed through the applicable development, engineering, building, fire, utility, stormwater, and public works processes.

The text amendment provides clarity by expressly identifying cemetery use as a permitted use in the O-1 Zone. Including “supporting structures and facilities” is important because a cemetery may require accessory or support improvements such as administration, maintenance, utility, restroom, columbarium, memorial, circulation, parking, stormwater, landscaping, and similar improvements associated with the primary cemetery use.

The submitted concept and utility information shows the project as a phased cemetery development with on-site utilities, access/circulation improvements, storm drain and detention facilities, sanitary sewer, water service, and related infrastructure. Because the plans are currently at a 35% design level and marked not for construction, approval of the zoning and text amendment should not be interpreted as final engineering, building permit, fire access, utility, stormwater, or construction approval.

- Rezonings and text amendments are legislative decisions performed by City Council .
- The proposed O-1 zoning and cemetery text amendment are intended to allow the cemetery use while preserving later technical review of site improvements.
- Final development must comply with applicable City ordinances, engineering standards, public works requirements, utility-provider requirements, building/fire codes, stormwater requirements, and any conditions imposed through the City's approval process.

D. Fiscal Impact

No direct negative fiscal impact is anticipated from the zoning map amendment or text amendment itself. Future project-related fiscal impacts may include staff review time, inspection coordination, utility and public infrastructure review, and long-term coordination associated with public improvements. Any applicable application, review, inspection, impact, utility, or development fees should be handled through the City's adopted fee schedule and project approval process.

E. Department Review

Planning/Zoning, Public Works/Engineering, Building, Fire, and City Attorney review was completed as applicable prior to City Council action. Staff specifically recommends final review of the legal description, parcel number, zoning district references, map exhibit, concept plan exhibit, and the final wording of Section 17.30.020 before adoption.

Recommended Conditions / Clarifications

1. Final ordinance exhibits shall include the correct parcel number/legal description and a clear zoning map exhibit A identifying the property to be rezoned to O-1.
2. Approval of the zoning map amendment and text amendment shall not constitute final site plan, engineering, utility, building permit, stormwater, fire access, grading, or construction approval.
3. Final design and construction drawings shall be submitted for all required City, engineering, public works, building, fire, utility, stormwater, and agency reviews before construction authorization.
4. Any cemetery support structures or facilities shall comply with the adopted construction codes, zoning standards, public works standards, and all applicable federal, state, and local requirements.

Alternatives

A. Approve the Request: The City Council may approve Ordinance 26-01.

B. Deny the Request: The City Council may recommend denial if it finds that the proposed O-1 zoning or text amendment is not appropriate for the property or is not in the public interest.

C. Continue the Item/Impact: The City Council may continue the item to a later meeting if additional information, corrected exhibits, agency comments, legal review, or public input is needed before making a recommendation.

Suggested Motion

"I move that the City Council of approved Ordinance 26-01, amending the zoning map for the subject property at approximately 5800 South Adams Avenue to the O-1 Open Space Zone, adopting the concept plan, and amending Section 17.30.020 to allow cemetery use, including supporting structures and facilities, subject to final legal review and correction of the parcel, exhibit, and existing zoning references prior to City Council action."

Exhibit A - General Zoning/Location Context

CITY OF WASHINGTON TERRACE
ORDINANCE 2026-01

ZONING MAP AMENDMENT

AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH, AMENDING THE ZONING MAP FOR A CERTAIN PARCEL; ADOPTING THE CONCEPT PLAN; AMENDING THE O-1 ZONE; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Washington Terrace (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare; and,

WHEREAS, the City seeks to amend the Official Zoning Map and O-1 Zone to support the proposed Veteran's Cemetery;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on May 28, 2026, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ____________________ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on June 2, 2026;

NOW, THEREFORE, be it ordained by the City Council of the City of Washington Terrace as follows:

Section 1: **Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: **Zoning Map Amendment.** The Official Zoning Map of the City of Washington Terrace is hereby amended for Parcel 070790080 from C-2 and R-1-10 to O-1 as shown in Exhibit "A" attached hereto and incorporated herein by this reference.

Section 3: **Amendment.** Section 17.30.020 of the Washington Terrace Municipal Code is hereby amended to read as follows:

17.30.020 Permitted Uses
In the open space O-1 zone, the following uses shall be permitted:

1. Agriculture;
2. Botanical or zoological garden;
3. Cemetery, including supporting structures and facilities;
4. Conservation areas, botanical or zoological;
5. Fishing ponds, private or public;
6. Golf course, except miniature golf courses;
7. Horse raising, provided it is conducted in a pasture of at least five (5) acres in size and with a maximum density of two (2) horses per acre;
8. Private park, playground or recreation area;
9. Public park, public recreation grounds and associate buildings, but not including privately owned commercial amusement business. Public service buildings;
10. Wildlife sanctuaries.

Section 4: **Severability**. If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 5: **Effective date.** This Ordinance take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _______________, 2026.

____
MARK C. ALLEN,
Mayor

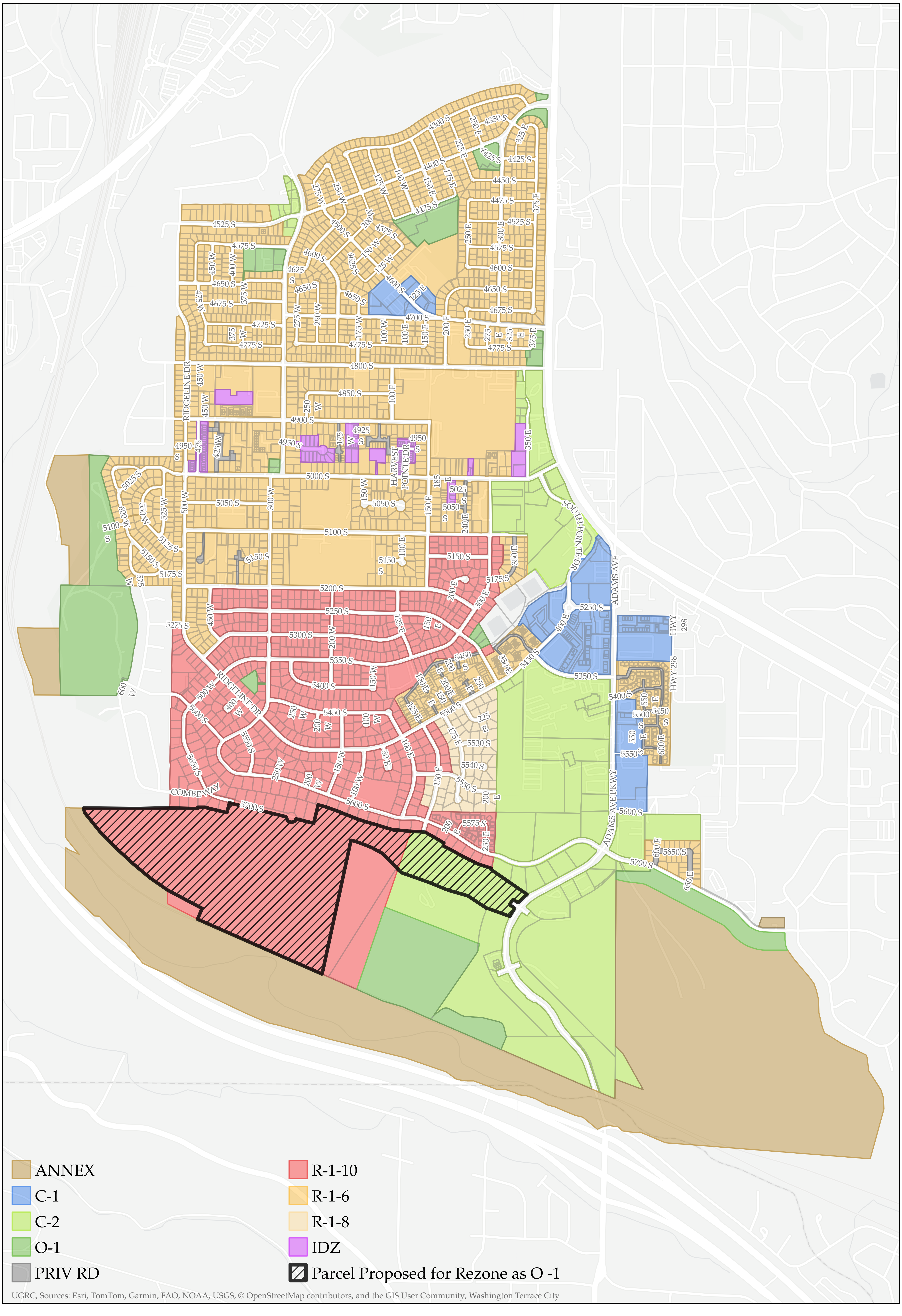
ATTEST:

____
City Recorder

RECORDED this ___ day of ___________, 2026.
PUBLISHED OR POSTED this ___ day of ___________, 2026.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING
According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Washington Terrace, City, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted as required by State Law.

___________________________________ DATE:_______________
City Recorder



Washington Terrace City Zoning

City of Washington Terrace Utah

CITY OF WASHINGTON TERRACE
RESOLUTION 2026-07

HARVEST POINTE TOWNHOMES
DEVELOPMENT AGREEMENT

A RESOLUTION OF THE CITY OF WASHINGTON TERRACE, UTAH, APPROVING A DEVELOPMENT AGREEMENT BETWEEN HARVEST POINTE TOWNHOMES, LLC AND THE CITY.

WHEREAS, the City of Washington Terrace (hereinafter "City") is a municipal corporation, duly organized and existing under the laws of the state of Utah;

WHEREAS, *Utah Code Annotated§* 10-9a-604.5, 1953 as amended, allows the City to enter the Development Agreement attached hereto as Exhibit "A";

WHEREAS, Harvest Pointe Townhomes, LLC**, (**hereinafter “Developer”) and the City have negotiated the Development Agreement;

WHEREAS, Developer has contract rights to certain real property located at 445 West 5100 South, Washington Terrace, Utah, identified as Parcel No. 07-066-0090 (the “Property”);

WHEREAS, the Property is located within the City’s Infill Zone in accordance with the *Washington Terrace Municipal Code* (the “Code”);

WHEREAS, the Property currently contains an existing single-family dwelling and accessory structures which shall remain;

WHEREAS,, Developer proposes to construct four (4) attached Townhome Dwelling Units (the “Units”) fronting 5100 South together with associated site improvements (the “Project”);

WHEREAS, in addition to compliance with the other Code requirements, each Unit shall include two (2) car driveway spaces and an attached two (2) car garage;

WHEREAS, the Planning Commission held a Public Hearing on the Development on April 30, 2026; and subsequently gave a _____________ recommendation to approve the Agreement;

WHEREAS, the City Council desires to approve a Development Agreement;

WHEREAS, *Utah Code Annotated§* 10-3-717, 1953 as amended, authorizes the legislative body to exercise administrative powers by Resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Washington Terrace, Utah, acting as the legislative body, hereby adopts and approves the Development Agreement set forth in Exhibit "A" and incorporated herein by this reference and authorizes the Mayor or his designee to execute the same.

PASSED AND ADOPTED by the City Council this ___ day of _________, 2026.

____
MARK C ALLEN, Mayor

ATTEST:

____
City Recorder

Roll Call Vote
Council Member Davidson ___
Council Member Zishan ___
Council Member Parkinson ___
Council Member West___
Council Member Thomas___

City of Washington Terrace Utah

5249 S. South Pointe Drive
Washington Terrace, UT 84405
801.393.8681
www.washingtonterracecity.com

MEMORANDUM

To: Washington Terrace City Planning Commission
From: Development Review Committee Staff
Date: 5/25/2026
Subject: DRC Recommendation – Harvest Pointe Townhomes/445 West 5100 South/Parcel No. 07-066-0090

The Development Review Committee staff has reviewed the proposed Harvest Pointe Townhomes project located at 445 West 5100 South, Parcel No. 07-066-0090. The application involves four attached townhome units fronting 5100 South while the existing single-family residence remains on the property. The prior staff report identifies the remaining action as approval of the Chapter 17.10 in-fill development requirements, including the Master Development Agreement and project-specific standards.

Following the Planning Commission meeting, Tom Hanson, City Manager, met with residents who attended the meeting and discussed their concerns regarding the proposed development. Those concerns were then reviewed by DRC staff and discussed with the developer. DRC staff has worked through the resident concerns with the developer as part of the continued development review process.

Based on the review completed to date, DRC staff recommends that the Planning Commission forward a recommendation of approval to the City Council, subject to the applicant submitting an updated plat addressing all staff corrections and subject to final DRC staff review and approval of the project CC&Rs.

The updated plat should correct all outstanding technical, formatting, legal-description, city-name, approval-block, easement, access, utility, and subdivision-note issues identified through staff review before the matter proceeds to final recordation or permit issuance. The submitted materials include plat sheets that still contain placeholder language and references requiring correction, including references to "Farr West City," generic subdivision names, incomplete legal descriptions, and other draft plat language.

DRC staff also recommends that final approval remain conditioned on review and acceptance of the CC&Rs. The CC&Rs should clearly address ownership responsibilities, HOA obligations, maintenance of common areas, private access, utilities, drainage easements, fencing, landscaping, snow removal, and any shared or private improvements associated with the townhome units and retained residence.

Recommended Planning Commission Action

DRC staff recommends approval, subject to the following conditions:

1. The applicant shall submit an updated plat addressing all DRC staff corrections before final approval, recordation, or issuance of permits, as applicable.
2. Final CC&Rs, easements, maintenance provisions, access provisions, and related ownership documents shall be reviewed and approved by DRC staff prior to recordation or permit issuance, as applicable.
3. Final approval shall remain subject to City engineering, planning, public works, fire, building, utility, and legal review.
4. The applicant shall continue to coordinate with DRC staff to ensure resident concerns discussed following the Planning Commission meeting have been addressed through the updated plat, CC&Rs, development agreement, or other applicable project documents.

Suggested Motion

I move that the Planning Commission forward a recommendation of approval to the City Council for the Harvest Pointe Townhomes project located at 445 West 5100 South, Parcel No. 07-066-0090, subject to submission of an updated plat addressing all DRC staff corrections, final DRC staff approval of the CC&Rs, continued coordination with DRC staff regarding resident concerns discussed following the Planning Commission meeting, and compliance with all applicable City review comments, ordinances, standards, and conditions of approval.

Tyler D. Seaman

Community Development Director

Washington Terrace City

Washington Terrace City

Planning Commission Staff Report

Meeting Date: April 23, 2026

Project	Harvest Pointe Townhomes - Infill Development Agreement Review	**File/Parcel**	07-066-0090
Applicant	Harvest Pointe Townhomes LLC	**Address**	445 West 5100 South
Request		Recommendation on approval of the remaining Chapter 17.10 in-fill development requirements for Parcel 07-066-0090, including the Master Development Agreement and project-specific development standards for four attached townhome units while the existing residence remains.	
Existing Zoning / GP	Residential / Residential	**Type of Item**	Legislative recommendation to City Council on the remaining in-fill ordinance approvals
Staff Recommendation		Forward a recommendation of approval to the City Council, subject to the conditions listed in this report and subject to revision of the submitted Development Agreement so it reflects that the overlay zone has already been approved.	
Primary Issue		The overlay zone has already been approved. The remaining action is whether the submitted Development Agreement and project standards adequately satisfy the balance of Chapter 17.10 for this parcel.	

Staff note: Because the overlay zone was previously approved, the public hearing and recommendation should be framed around the remaining Chapter 17.10 approvals, not a new overlay zone action. Any ordinance, agreement, and agenda language should be conformed accordingly.

A. Topic

Consideration of a recommendation to the City Council regarding the remaining in-fill development approvals for Parcel No. 07-066-0090 at 445 West 5100 South. The overlay zone for the parcel was approved previously. The current action concerns the Master Development Agreement and the project-specific standards necessary to complete the Chapter 17.10 legislative process for four attached townhome units while retaining the existing single-family residence on the parcel.

B. Background

The submitted Development Agreement describes the property as Parcel No. 07-066-0090, located at 445 West 5100 South, and states the project consists of four attached townhome units fronting 5100 South while the existing home and accessory structures remain on the parcel.

The adopted Washington Terrace Infill Property Map identifies Parcel 07-066-0090 as an eligible in-fill parcel. The density exhibit prepared for the application shows the subject parcel at approximately 1.15 acres, with surrounding qualifying residential development averaging 5.3 units per acre, rounded to 6 units per acre, resulting in an approved density calculation of 6.9 units, rounded to 7 units. The exhibit states the proposal is for 5 total units on the parcel, which is within that calculation.

Based on the applicant's clarification through the City process, the overlay zone itself has already been approved at prior meetings. Staff has therefore revised this report to focus only on whether the remaining ordinance components are acceptable and ready for recommendation to the City Council.

C. Analysis

Staff finds that the remaining request is generally supportable, but the submitted packet should be revised so the agreement and related approval language match the posture of the case. The key review items are summarized below:

Code Section	Review Topic	Status	Staff Comment
17.10.020 / 17.10.050(2)	Eligible parcel on adopted infill map	**Meets**	Parcel 07-066-0090 is shown on the City's adopted infill property map as an eligible infill parcel.
17.10.050(4)(c)	Density calculation	**Meets**	The density exhibit shows 5 total units on the parcel against a calculated allowance of 7 units.
17.10.040	Master Development Agreement posture	**Meets**	Okay on Land-Use Attorney Edits
17.10.040(2)(c)-(h)	Required MDA content	**Meets**	
17.10.050(4)(a)(v)	Height / stories	**Meets**	
17.10.050(4)(b)(i)	Parking	**Meets**	
17.10.060(2)-(4)	HOA / CC&Rs	**Needs condition from Staff Review**	The agreement references future CC&Rs and maintenance concepts, but final approval should be conditioned on DRC review of the CC&Rs.

D. Fiscal Impact

The proposal should generate standard application, review, permit, inspection, and utility-related fees in accordance with City policy.

E. Department Review

- Planning: Supportable, subject to revisions described in this report and consistency with the previously approved overlay zone action.
- Engineering / Public Works: Final review required for access, curb/gutter/sidewalk modifications, drainage, utilities, and any encroachment permits.
- Fire / Life Safety: Final site and building review required for apparatus access, hydrant coverage, addressing, and code-compliant building permits.
- City Attorney: Final review recommended for the Development Agreement, CC&Rs, easement language, conveyance language, liability protections, and approval form.

Alternatives

A. Approve the Request Forward a positive recommendation to the City Council for approval of the remaining Chapter 17.10 in-fill development requirements for Parcel 07-066-0090, subject to the conditions below.

B. Deny the Request Recommend denial if the Planning Commission finds the remaining Master Development Agreement and project standards do not adequately satisfy Chapter 17.10 or do not provide enough information for final legislative action.

C. Continue the Item / Impact Continue the item to allow the applicant to revise the Development Agreement, parking exhibit, height information, and related approval language so the packet accurately reflects the prior overlay approval and the remaining ordinance actions still required.

Recommended Conditions of Approval

1. Final CC&Rs, easements, maintenance provisions shall be approved by DRC prior to recordation or permit issuance, as applicable.
2. All final approvals shall remain subject to City engineering, fire, building, utility, and legal review, and to compliance with all other applicable City codes and standards.

Suggested Planning Commission Motion

I move that the Planning Commission forward a recommendation of approval to the City Council for the remaining Chapter 17.10 in-fill development approvals applicable to Parcel No. 07-066-0090 at 445 West 5100 South, including the Master Development Agreement and associated project standards for four attached townhome units with the existing residence to remain, subject to the conditions stated in the staff report.

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this ___ day of __________, 2026, by and between WASHINGTON TERRACE CITY, a Utah municipal corporation of the State of Utah ("City"), and HARVEST POINTE TOWNHOMES LLC, a Utah limited liability company ("Developer").

RECITALS

WHEREAS, Developer has contract rights to certain real property located at 445 West 5100 South, Washington Terrace, Utah, identified as Parcel No. 07-066-0090 (the "Property");

WHEREAS, the Property is located within the City's Infill Zone in accordance with the *Washington Terrace Municipal Code* (the "Code");

WHEREAS, the Property currently contains an existing single-family dwelling and accessory structures which shall remain;

WHEREAS, Developer proposes to construct four (4) attached Townhome Dwelling Units (the "Units") fronting 5100 South together with associated site improvements (the "Project");

WHEREAS, in addition to compliance with the other Code requirements, each Unit shall include two (2) car driveway spaces and an attached two (2) car garage;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Parties agree as follows:

1. PROJECT APPROVAL AND COMPLIANCE

Development of the Project shall comply with the Code, specifically, the Infill Zone regulations, the approved Site Plan attached hereto as Exhibit B, incorporated herein by this reference, and all applicable building, fire, and engineering standards.

2. PROJECT DESCRIPTION AND SETBACKS

Developer is authorized to construct four (4) Units with access from 5100 South Street, together with associated landscaping, utilities, drainage, and public improvements as shown on the Site Plan. The existing home and outbuildings shall remain. Set-backs shall conform to adjoining setbacks along 5100 South Street.

3. PARKING

Each Unit shall provide a minimum of four (4) off-street parking spaces consisting of two (2) driveway spaces and one (1) attached two (2) car garage. No on-street parking is allowed.

4. ACCESS FROM 5100 SOUTH

Primary vehicular access for the Units shall be from 5100 South Street. Any modifications to curb, gutter, or sidewalk requires approval from the City Engineer in accordance with the applicable Public Works Standards and Technical Specifications along with an Encroachment Permit approved by the City's Public Works Director.

5. ACCESS, OPERATION, AND MAINTENACE

A. Future Conveyance of 25-Foot Strip

Developer agrees that a twenty-five foot (25') wide strip of land located along the east property line of Parcel No. 07-066-0090 (the "East Access Strip") shall be deeded to the Owner of adjacent Parcel No. 07-066-0028 in anticipation of future development of said Parcel. The precise legal description shall be determined by survey and approved by the City Engineer prior to conveyance.

B. Reservation of Access Easement for Existing Residence

At the time of conveyance of the East Access Strip, Developer shall reserve a perpetual, non-exclusive Access Easement benefiting the existing residence located on Parcel No. 07-066-0090. The Access Easement shall provide vehicular and pedestrian access, shall run with the land, and shall be recorded at the Office of the Weber County Recorder along with a recorded copy of the same provided to the City.

C. Maintenance

Developer shall create and establish a separate Home Owners' Association (HOA) under Utah law for the four (4) Units, independent of the existing home, recognizing that this single HOA may not be equitable given the size and scope of the existing home and property. The Developer and subsequent HOA is responsible for the maintenance responsibilities for the East Access Strip and following conveyance all maintenance shall be governed by the Covenants, Conditions and Restrictions (the "CC&Rs) for the Units applicable to the respective Property owners as part of an HOA. In addition, the Developer and the subsequent HOA shall maintain the Property to be free and clear of fallen and overgrown trees, vegetation, and weeds; specifically along the west Property line area.

D. Ownership

Developer shall prioritize sale of each of the Units to individual moderate- or low-income homeowners. Purchase and ownership by any corporation or LLC may be precluded by the HOA.

6. IMPROVEMENTS AND FEES

Developer shall construct all required Public Improvements in accordance with the applicable Public Works Standards and Technical Specifications adopted by the City and pay all applicable fee, including, but not limited to: land use application fees, impact fees, building and permit fees, inspection fees, and utility connection fees required by Code.

In addition the following other Improvements shall be made:

- Install a vinyl fence on the east Property line that substantially matches vinyl fence on the exiting neighboring property.
- Provide a shared mailbox for the Units.

7. TERM

This Agreement shall remain in effect for five (5) years from the date of execution unless extended by mutual written agreement.

8. RECORDATION

This Agreement and its accompanying CC&Rs shall be recorded at the Office of the Weber County Recorder by either Party and shall run with the land.

SIGNATURES

WASHINGTON TERRACE CITY

By: ______________________________

Title: ____________________________

Attest:___________________________

HARVEST POINTE TOWNHOMES LLC

By: ______________________________

Title: ____________________________

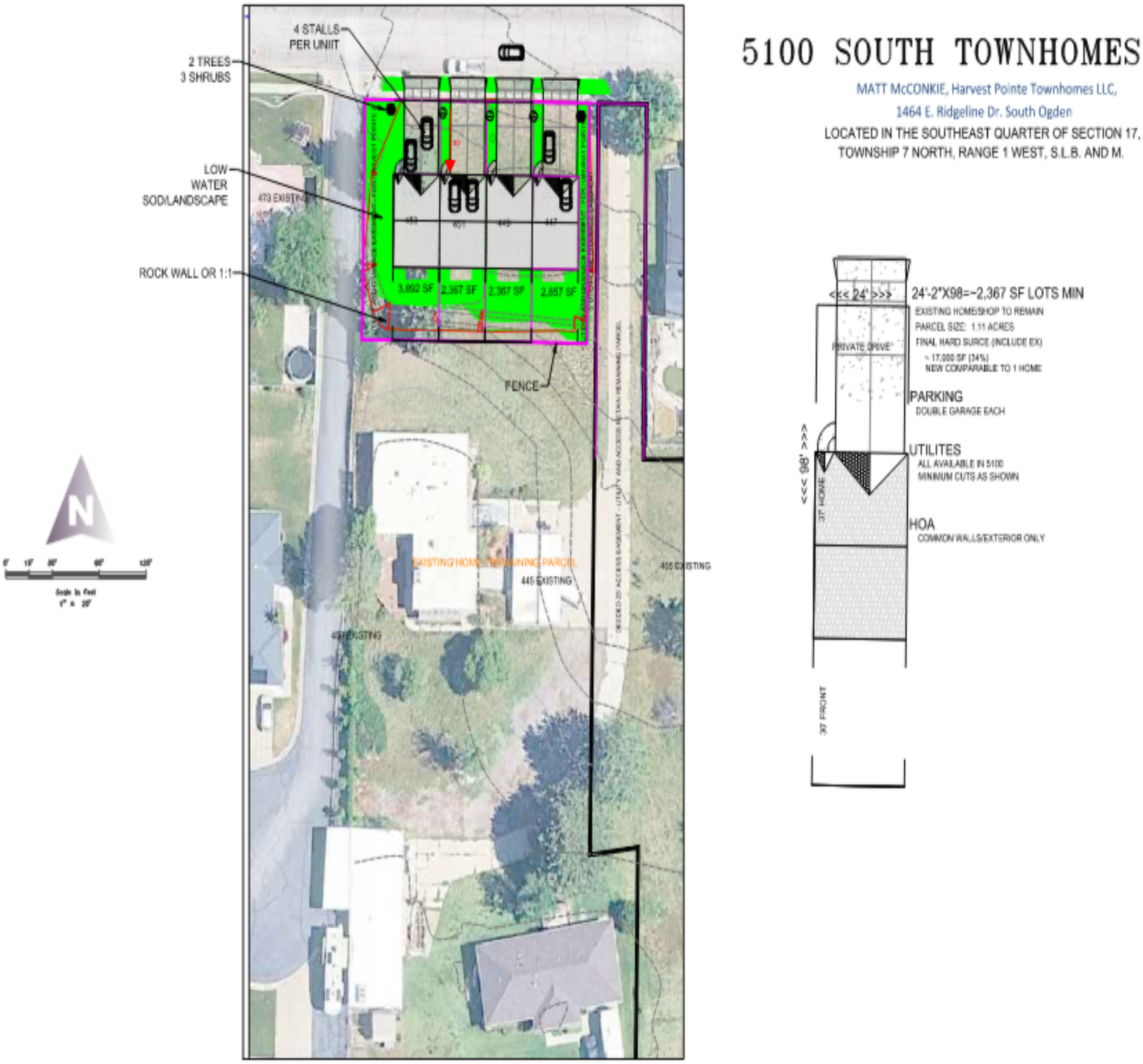
EXHIBIT A

Legal Description of Parcel No. 07-066-0090

PART OF NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH,RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN. BEGINNINGAT A POINT LOCATED SOUTH 00D42'52" WEST 2651.59 FEET ALONG THEWEST LINE OF SAID NORTHWEST QUARTER TO THE SOUTH LINE OF SAIDNORTHWEST QUARTER AND ALONG SAID SOUTH LINE SOUTH 89D13'46"EAST 513.91 FEET AND NORTH 00D51'44" EAST 328.83 FEET FROMTHE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCESOUTH 83D02'38" WEST 65.31 FEET; THENCE SOUTH 78D08'39" WEST29.19 FEET; THENCE SOUTH 22D46'49" WEST 33.42 FEET; THENCESOUTH 34D49'57" WEST 26.55 FEET; THENCE NORTH 86D30'41" WEST26.54 FEET TO THE EAST LINE OF THE LANE SUBDIVISION; THENCEALONG SAID EAST LINE NORTH 00D51'44" EAST 370.13 FEET TO THESOUTH RIGHT OF WAY LINE OF 5100 SOUTH STREET; THENCE ALONGSAID SOUTH RIGHT OF WAY LINE SOUTH 89D16'47" EAST 147.00 FEET;THENCE SOUTH 00D51'44" WEST 303.37 FEET TO THE POINT OFBEGINNING. [NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAINAN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WASCALCULATED BY THE RECORDERS OFFICE FOR TAX PURPOSES.] [NOTE: A DIVISION OF PROPERTY TOOK PLACE ON THIS PARCELWITHOUT WRITTEN AUTHORIZATION AS REQUIRED BY UCA TITLE 10,CHAPTER 9a, PART 6.]

EXHIBIT B

Approved Site Plan



5100 SOUTH TOWNHOMES

MATT McCONKIE, Harvest Pointe Townhomes LLC,
1464 E. Ridgeline Dr. South Ogden

IN FILL ORDINANCE

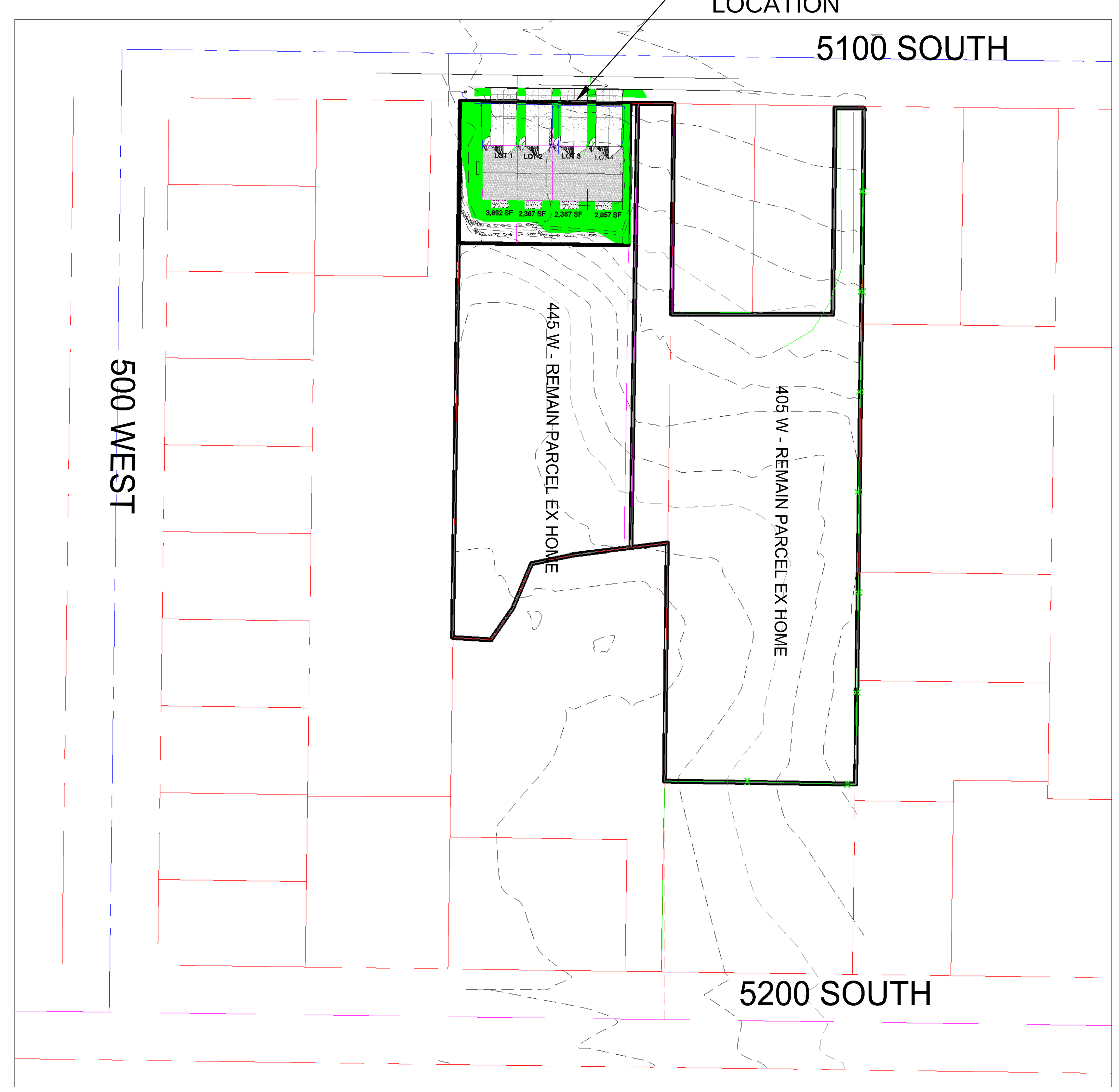
- Acres: ORGNINAL 1.89 ACRES
- AREA AVERAGE: 4,000 SF / UNIT
- 1.89 ACRES * 43,560 / 4,000 = 20.58 HOMES = 20

DRAWING INDEX
1. COVER
2. PRELIMINARY PLAT
3. SITE PLAN
4. LANDSCAPE
5. FINAL PLAT (SURVEYOR)
6-7: PROJECT BUILDING PLATS (ARCHITECT)
8 FINAL PLAT

NO SCALE

TOTAL DEED ACRES: 1.11 LESS
- REMAIN PARCEL HOUSE
- 5100 SOUTH ROADWAY
- 4 LOTS : 2,328 SF MINIMUM EACH

PROJECT PLAT AREA 0.264 AC



CODE / NOTES

CURRENT HOME ADDRESS 445W 5100 S - REMAINING PARCEL

ALL WORK TO COMPLY WITH WASHINGTON TERRACE STANDARDS JONES & ASSOCIATES Consulting Engineers STATED (SC- XX) SEE LINK BELOW

CALL BLUE STAKES AS REQUIRED

TRAFFIC: 4 UNIT X 10 TRIPS/DAY = 40 ADT MINOR IMPACT

SURVEY: GARDNER ENGINEERING

STAMP	REV	DATE	DESCRIPTION
SUBMITTAL			

5100 SOUTH TOWNHOMES SUBDIVISION - COVER
MATT McCONKIE - HARVEST POINTE TOWNHOMES LLC
SECTION 17, T 7N, R 1W, WASHINGTON TERRACE CITY, WEBER COUNTY, UTAH

CASCADE CIVIL, ENGINEERING LLC
5833 CASCADE DRIVE, MOUNTAIN GREEN, UT 84050
PHONE: 801.845.6481
cascadecivil@outlook.com

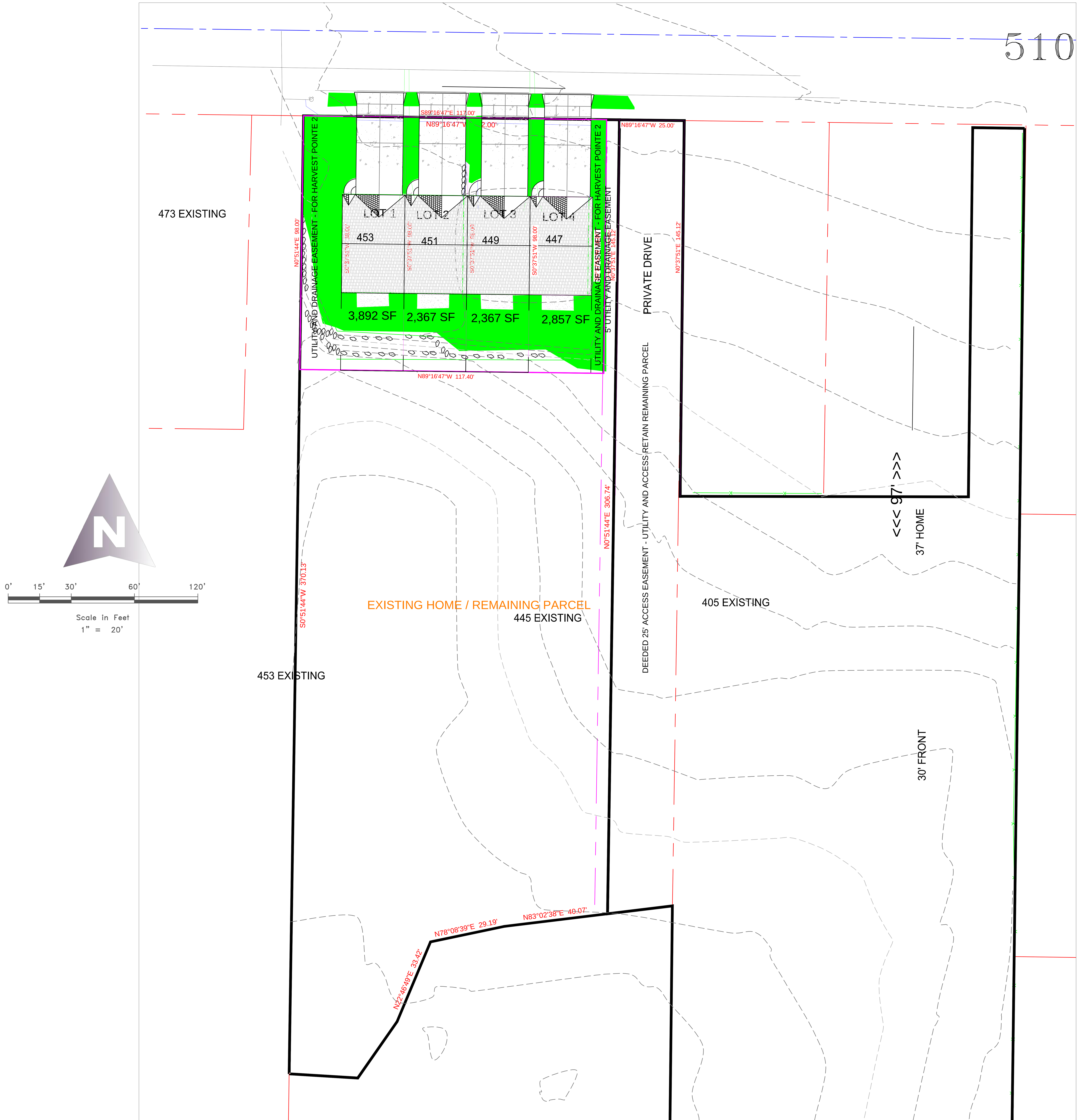
JOB No.: PUMPKIN
DATE: 11/30/18
DWG. BY: CKW
SCALE: 1"=20'

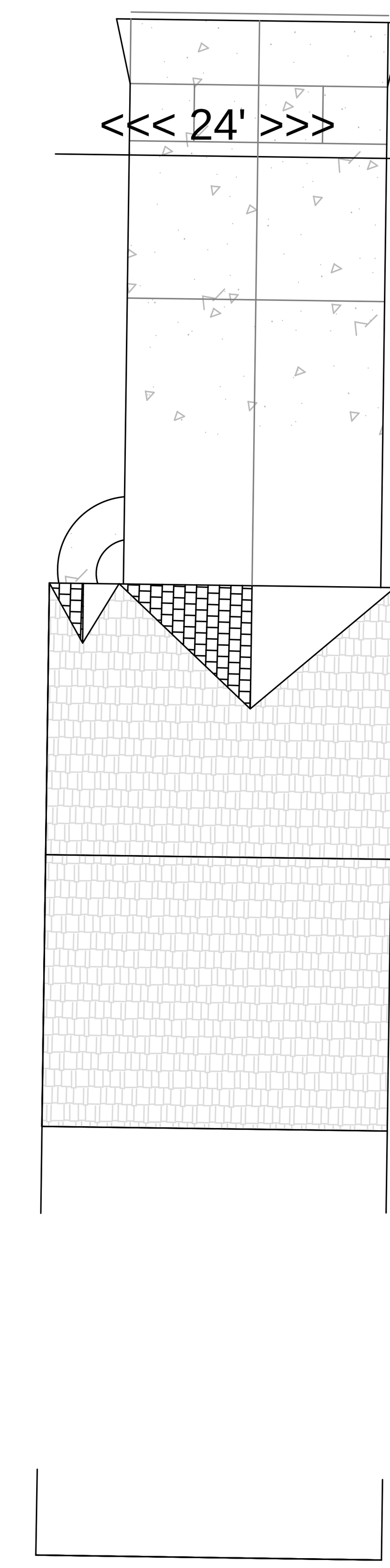
SHEET TITLE
COVER
SHEET 1 OF 8

5100 SOUTH TOWNHOMES

MATT McCONKIE, Harvest Pointe Townhomes LLC,
1464 E. Ridgeline Dr. South Ogden

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17,
TOWNSHIP 7 NORTH, RANGE 1 WEST, S.L.B. AND M.





24'-2"X98=~2,367 SF LOTS
EXISTING HOME/SHOP TO REMAIN
PARCEL SIZE: 1.11 ACRES / PROJECT 0.264 ACRES
FINAL HARD SURCE (INCLUDE EX)
~ 17,000 SF (34%)
NEW COMPARABLE TO 1 HOME

PARKING
DOUBLE GARAGE EACH

UTILITES
ALL AVAILABLE IN 5100
MINIMUM CUTS AS SHOWN

HOA
COMMON WALLS/EXTERIOR ONLY

[redacted]

STAMP	REV	DATE	DESCRIPTION
SUBMITTAL			

811

5100 SOUTH TOWNHOMES SUBDIVISION - PRELIMINARY
MATT McCONKIE - HARVEST POINTE TOWNHOMES LLC
SECTION 17, T 7N, R 1W, WASHINGTON TERRACE CITY, WEBER COUNTY, UTAH

CASCADE CIVIL, ENGINEERING LLC
5833 CASCADE DRIVE, MOUNTAIN GREEN, UT 84050
PHONE: 801.845.6481
cascadecivil@outlook.com

JOB No.: PUMPKIN
DATE: 11/30/18
DWG. BY: CKW
SCALE: 1"=20'

SHEET TITLE
COVER
SHEET 2 OF 8

CUT / FIL [redacted]

STAMP
SUBMITTAL

REV	DATE	DESCRIPTION

811

5100 SOUTH TOWNHOMES SUBDIVISION - SITE PLAN

MATT McCONKIE - HARVEST POINTE TOWNHOMES LLC

SECTION 17, T 7N, R 1W, WASHINGTON TERRACE CITY, WEBER COUNTY, UTAH

CASCADE CIVIL, ENGINEERING LLC
5833 CASCADE DRIVE, MOUNTAIN GREEN, UT 84050
PHONE: 801.845.6481
cascadecivil@outlook.com

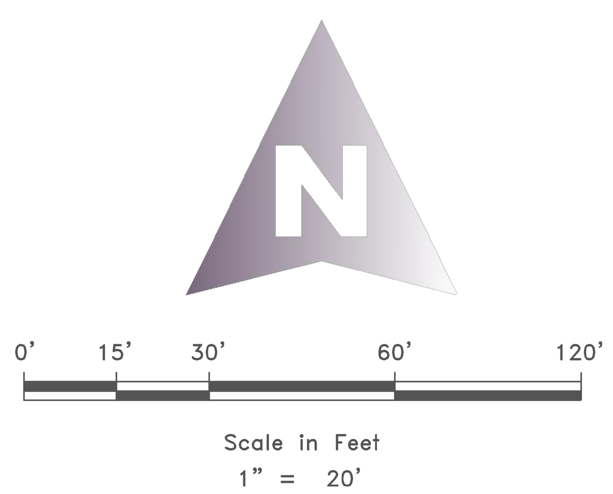
JOB No.: PUMPKIN
DATE: 11/30/18
DWG. BY: CKW
SCALE: 1"=20'

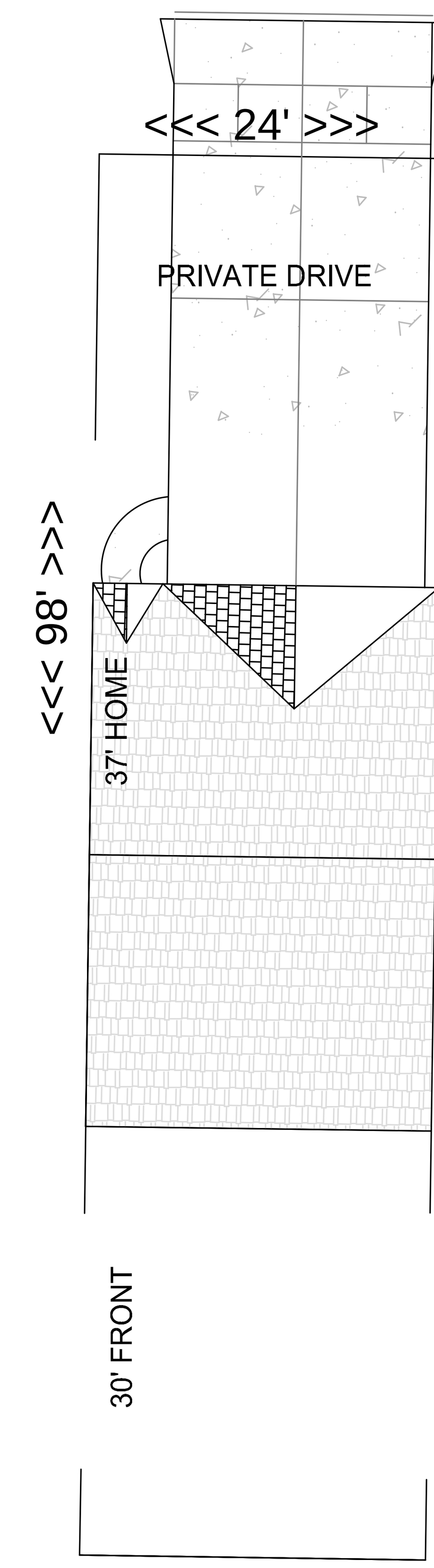
SHEET TITLE
COVER
SHEET 3 OF 8

5100 SOUTH TOWNHOMES

MATT McCONKIE, Harvest Pointe Townhomes LLC,
1464 E. Ridgeline Dr. South Ogden

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17,
TOWNSHIP 7 NORTH, RANGE 1 WEST, S.L.B. AND M.





24'-2"X98=~2,367 SF LOTS MIN

EXISTING HOME/SHOP TO REMAIN
PARCEL SIZE: 1.11 ACRES
FINAL HARD SURCE (INCLUDE EX)
~ 17,000 SF (34%)
NEW COMPARABLE TO 1 HOME

PARKING
DOUBLE GARAGE EACH

UTILITES
ALL AVAILABLE IN 5100
MINIMUM CUTS AS SHOWN

HOA
COMMON WALLS/EXTERIOR ONLY

STAMP	REV	DATE	DESCRIPTION
SUBMITTAL			

811

5100 SOUTH TOWNHOMES SUBDIVISION - LANDSCAPE
MATT McCONKIE - HARVEST POINTE TOWNHOMES LLC
SECTION 17, T 7N, R 1W, WASHINGTON TERRACE CITY, WEBER COUNTY, UTAH

CASCADE CIVIL, ENGINEERING LLC
5833 CASCADE DRIVE, MOUNTAIN GREEN, UT 84050
PHONE: 801.845.6481
cascadecivil@outlook.com

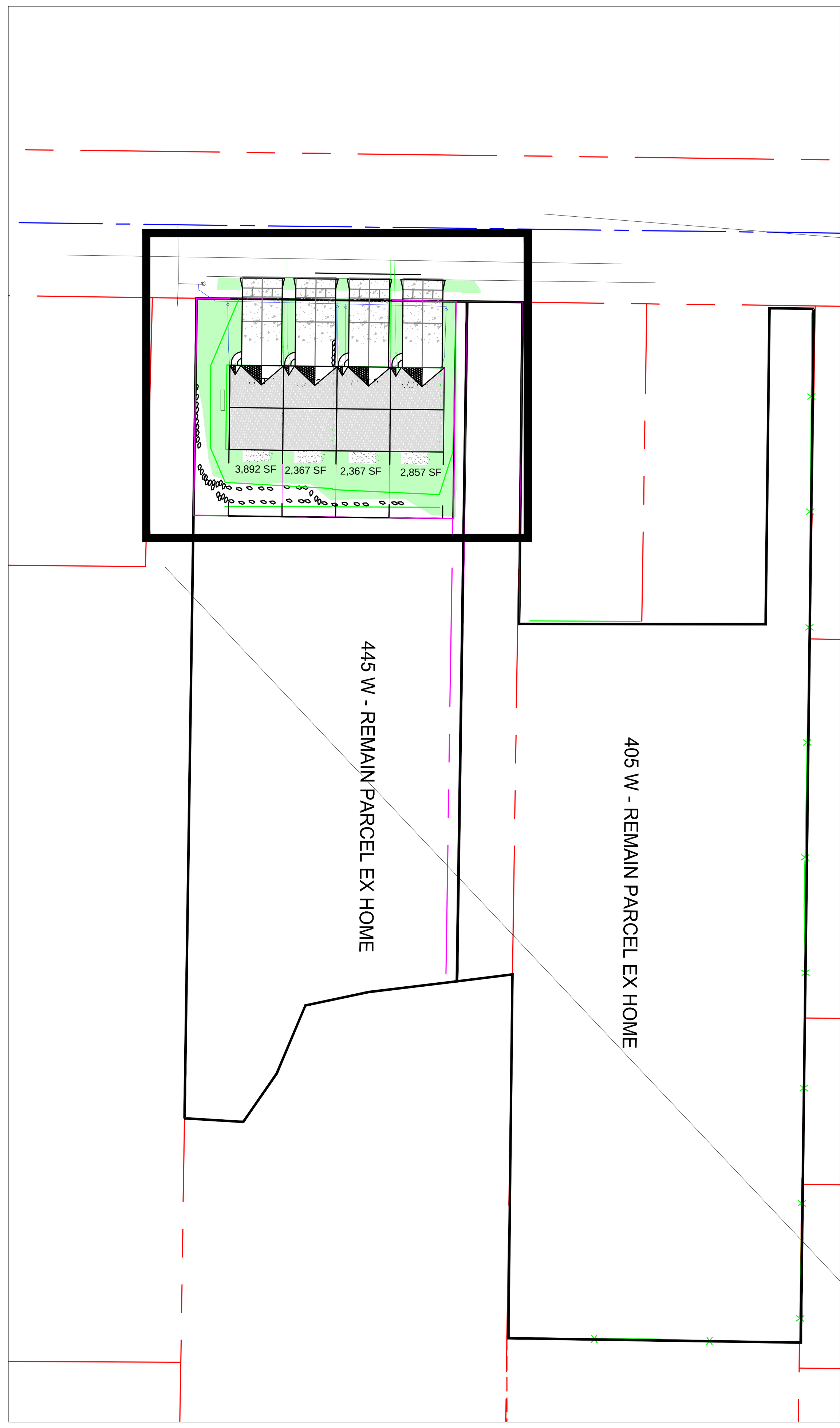
JOB No.: PUMPKIN
DATE: 11/30/18
DWG. BY: CKW
SCALE: 1"=20'

SHEET TITLE
COVER

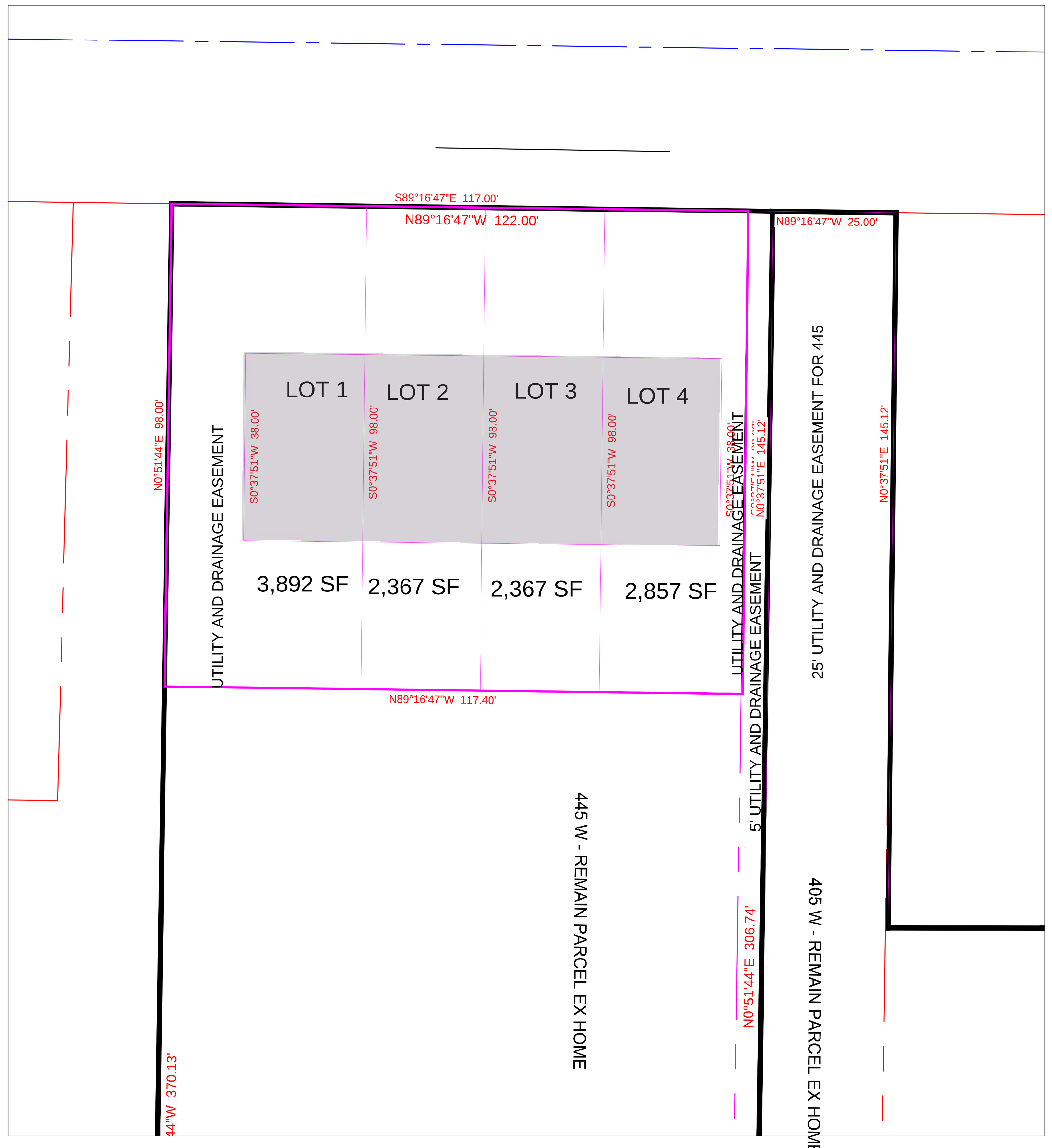
5100 SOUTH TOWN HOMES

LOCATED IN THE XXX QUARTER OF SECTION XX,
TOWNSHIP X NORTH, RANGE X WEST, SALT LAKE BASE AND MERIDIAN,
FARR WEST CITY, WEBER COUNTY, UTAH
MONTH 2019

FULL PROPERTY



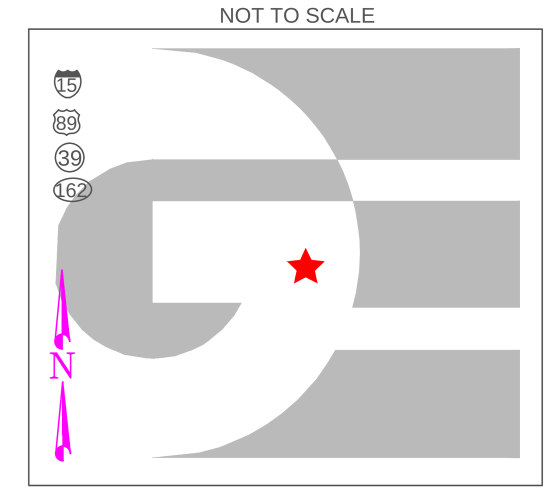
SUBJECT DETAIL

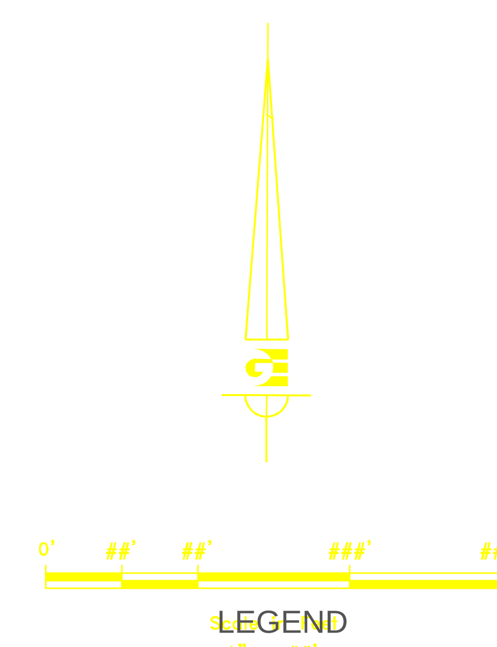


Please correct all clouding before plat is recorded.

VICINITY MAP

NOT TO SCALE





LEGEND

- WEBER COUNTY MONUMENT AS NOTED
- SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
- SUBDIVISION BOUNDARY
- LOT LINE
- ADJACENT PARCEL
- SECTION LINE
- EASEMENT
- EXISTING FENCE LINE
- EXISTING WATER LINE
- EXISTING IRRIGATION LINE
- EXISTING STORM DRAIN
- EXISTING SANITARY SEWER
- EXISTING OVERHEAD POWER
- EXISTING GAS LINE
- EXISTING WATER METER
- EXISTING WATER MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM MANHOLE
- EXISTING CATCH BASIN
- EXISTING SEWER MANHOLE

BOUNDARY DESCRIPTION

A PART OF THE XXX QUARTER OF SECTION XX, TOWNSHIP X NORTH, RANGE X WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
0.264 ACRES

445 REMAINING PARCEL

A PART OF THE XXX QUARTER OF SECTION XX, TOWNSHIP X NORTH, RANGE X WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF

405 REMAINING PARCEL

A PART OF THE XXX QUARTER OF SECTION XX, TOWNSHIP X NORTH, RANGE X WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS SUBDIVISION NAME IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS ________ DAY OF ______________________, 2019.

PROFESSIONAL LAND SURVEYOR
DATE
8227228
Klint H. Whitney
STATE OF UTAH

KLINT H. WHITNEY, PLS NO. 8227228

OWNER'S DEDICATION

I THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

SUBDIVISION NAME

AND HEREBY DEDICATE, GRANT AND CONVEY TO FARR WEST CITY, WEBER COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY FARR WEST CITY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS, AND ALSO DEDICATE, GRANT AND CONVEY TO FARR WEST CITY A TEMPORARY TURN AROUND EASEMENT AS SHOWN HEREON TO BE USED BY THE PUBLIC UNTIL SUCH TIME THAT THE ROAD IS EXTENDED. THE TEMPORARY TURN AROUND EASEMENT SHALL BE REVOKED AND NULLIFIED AT THE EVENT OF THE EXTENSION OF THE ROAD WITHOUT FURTHER WRITTEN DOCUMENT AND THE ENCUMBERED LAND WITHIN THE AFFECTED PROPERTY SHALL BE RELEASED FOR THE FULL AND EXCLUSIVE USE AND BENEFIT OF THE PROPERTY OWNERS.

SIGNED THIS _______DAY OF ____________, 2019.

BY:

ACKNOWLEDGEMENT

STATE OF UTAH)
§
COUNTY OF WEBER)

On this_______day of________________2019, personally appeared before me (NAME OF DOCUMENT SIGNER), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the (TITLE OR OFFICE) of (NAME OF CORPORATION), and that said document was signed by him/her in behalf of said *Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said (NAME OF DOCUMENT SIGNER) acknowledged to me that said *Corporation executed the same.

STAMP

NOTARY PUBLIC

WASHINGTON TERRACE CITY ATTORNEY

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE FARR WEST CITY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.

SIGNED THIS____DAY OF __________, 2019.

CITY ATTORNEY

WASHINGTON TERRACE CITY ENGINEER

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

SIGNED THIS____DAY OF __________, 2019.

CITY ENGINEER

WASHINGTON TERRACE CITY COUNCIL ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE CITY COUNCIL OF FARR WEST CITY, UTAH.

SIGNED THIS____DAY OF __________, 2019

MAYOR, WASHINGTON TERRACE CITY

ATTEST: ________________________________
CITY RECORDER

WASHINGTON TERRACE CITY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION WAS DULY APPROVED BY THE FARR WEST CITY PLANNING COMMISSION.

SIGNED THIS____DAY OF __________, 2019.

CHAIRMAN, WASHINGTON TERRACE CITY PLANNING COMMISSION

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A TWO LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY XXXXXX. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON.THE BASIS OF BEARING IS THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 89°26'19" WEST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING. THE RIGHT-OF-WAY OF XXXXX STREET WAS ESTABLISHED BY HONORING THE PROJECTED RIGHT-OF-WAY DEDICATION OF THE XXXXX SUBDIVISION.

NOTES

1. ZONE (XXX) CURRENT YARD SETBACKS:
2. SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. PER FEMA MAP NO. XXXXXXXXXXX WITH AN EFFECTIVE DATE OF DECEMBER 16, 2005.
3.

AGRICULTURAL NOTE:
AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURE ZONES. AGRICULTURE OPERATIONS AS SPECIFIED IN THE ZONING ORDINANCE FOR A PARTICULAR ZONE ARE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF FARM MACHINERY AND NO ALLOWED AGRICULTURE USE SHALL BE SUBJECT TO RESTRICTION ON THAT IT INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

DEVELOPER:
DEVELOPER
DEVELOPER CONTACT NAME
DEVELOPER ADDRESS
DEVELOPER CITY AND STATE
DEVELOPER TEL NUMBER

S1 / 1

R:\Images\Logo\ge-logo-w-address.jpg

COUNTY RECORDER

ENTRY NO. _________ FEE PAID ________
FILED FOR AND RECORDED ___________,
AT ______. IN BOOK _______ OF OFFICIAL
RECORDS, PAGE ______. RECORDED
FOR ___________________________
COUNTY RECORDER
BY: ___________________________

WASHINGTON TERRACE CITY
ORDINANCE 2026-02

TRANSPORTATION CODE

AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH, AMENDING TITLE 10 OF THE *WASHINGTON TERRACE MUNICIPAL CODE* TO BE ENTITLED "TRANSPORTATION CODE"; ADOPTING E-BIKE REGULATION CONSISTENT WITH STATE LAW; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Washington Terrace (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the state of Utah;

WHEREAS, *Utah Code Annotated* §10-8-8, 1953 as amended, authorizes the City to "lay out, establish, open, alter, widen, narrow, extend, grade, pave or otherwise improve streets. .... "

WHEREAS, *Utah Code Annotated* §10-8-11, 1953 as amended, empowers municipalities to regulate the use of streets, avenues, alleys, sidewalks, crosswalks, parks and public grounds, prevent and remove obstructions and encroachments thereon, and provide for the lighting and sprinkling of the same."

WHEREAS, Utah Code Annotated §10-8-84, 1953 as amended, grants municipalities broad authority to provide for safety and preserve health, promote prosperity, improve morals, peace and good order, comfort, convenience, and for the protection of property;

WHEREAS, Utah Code Annotated §10-8-60, 1953 as amended, grants municipalities broad authority to declare what shall be a nuisance, abate the same, and to impose fines for such nuisances;

WHEREAS, the City is the "Highway Authority" under State Law for certain roads within its jurisdiction;

WHEREAS, the City Council desires to adopt a Transportation Code;

NOW, THEREFORE, be it ordained by the City Council as follows:

Section 1: Repealer. Any word, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Re-enactment. Title 10 and Chapter 12.04 of the *Washington Terrace Municipal Code* is hereby repealed and re-enacted to read as follows:

Title 10
Transportation

Chapters:
10.01 General Provisions
10.03 Traffic Control Regulations
10.05 Operational Restrictions

Chapter 10.01
General Provisions

Sections:

10.01.010 Definitions.

In addition to the definitions of the municipal code, this Chapter adopts the applicable definitions set forth in Title 72 and Title 41 of the Utah Code Annotated.

1. "City" means the local highway authority and the City of Washington Terrace, Utah.
2. "Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner(s) and those having express or implied permission from the owner(s), but not used as a dedicated road.
3. "Enforcement Officer" shall mean any person or agency authorized to enforce the law within the City.
4. "Director" means the Director of the Public Works Department, or their designee(s), including any designated consultant, designated agent, or any designated by the City entity providing traffic engineering or related services to the City.
5. "Road" means any street, highway, or other similar term identifying transportation on the public right-of-way, whether dedicated or prescriptive. Depending on the context or State Law, road may be inclusive of sidewalks and pathways on the public right-of-way, and may also be limited to roads where the City is the highway authority under State Law, or all roads in the City as the case may be.

10.01.020 Highway Authority and Administration.

The City is the highway authority for all roads under its jurisdiction and as provided in State Law. This Title is administered by the Director. The Director may be required to administer this Title in conjunction with the City Engineer where specified in this Title.

10.01.030 Applicability.

This Title also applies to every person or entity operating a vehicle, trailer, transportation device, or any other mode of transportation whatsoever on a road or public right-of-way. No person or entity shall disobey the instructions of any applicable and functioning traffic control device, unless directed otherwise by an appropriate enforcement officer or unless operating an authorized emergency vehicle.

10.01.040 Traffic Control Devices and Standards.
The Director, with the assistance of the City Engineer, shall install and maintain traffic control devices as necessary to carry out the provisions of this Title or otherwise regulate, warn, or guide traffic. All traffic control devices should generally conform to the most current publication of the Manual on Uniform Traffic Control Devices (MUTCD), published by the Federal Highway Administration (FHWA), as adapted and applied by the City. The City may also use the American Association of State Highway and Transportation Officials (AASHTO) as a guideline.

10.01.050 State Code.
The provisions of Title 41 and Title 76, Utah Code Annotated, as amended, are hereby adopted and incorporated herein by this reference City, except those that do not come within the jurisdiction of the classification of the City under State Law, or the jurisdiction of the applicable justice court.

10.01.060 Operation of Law.
This Title shall govern in the event of any conflict of law, except where specifically preempted by federal or state law. Nothing in this Title shall be constructed to prevent the City from enforcing applicable federal law. A citation of the governing title, chapter, and section numbers of the applicable state or federal code, as amended, shall serve the equivalent reference to this Title in any matter of enforcement or otherwise. The caption on enforcement or prosecution documents may designate the plaintiff as the city or state, and such documents will operate as a prosecution of any violation of this Title.

Chapter 10.03
Traffic Control Regulations

Sections:

10.03.010 Compliance with Traffic Control Devices.
Subject to the exceptions granted drivers of authorized emergency vehicles, no person shall disobey the instructions of any applicable traffic control device placed in accordance with this Title unless otherwise directed by an appropriate law enforcement officer. Traffic control devices must be properly installed and maintained at the time and place of the alleged violation in order to be enforceable. Each traffic control device should be sufficiently legible to be visible. Traffic control devices that conform to the MUTCD are deemed to be understood by a reasonable person.

10.03.020 Unauthorized Signs and Devices Prohibited.
The City Council finds that the accumulation of non-traffic signs or devices can distract drivers, cause accidents, injuries, and otherwise threaten public safety. All signs posted on the public right-of-way must be approved by the applicable highway authority or otherwise permitted by code. Any prohibited sign, signal, light, device, or marking is hereby declared to be a public nuisance and may be abated or removed by the City without notice to the owner. No person shall place, maintain or display upon or in view of any road any unauthorized sign, signal, light, marking or other device:

1. That purports to be, imitates or resembles an official traffic control device, sign, or signal, or authorized emergency flashing light.
2. That attempts to direct the movement of traffic.
3. That hides from view or interferes with the effectiveness of any official traffic device or any railroad sign or signal.
4. That is of such brilliant illumination and so positioned as to be in danger of blinding or dazzling a driver on any adjacent road.
5. Is an unauthorized sign, signal, light, device, or marking.

10.03.030 Obstruction Prohibited.

1. Obstructions Generally. It is unlawful for persons owning or occupying property adjacent to any road to permit any tree, plant, shrub, sign, vehicle, fence, or other obstacle of any kind located on said property to block any traffic control device to the vision of oncoming motorists or to obscure the vision of oncoming traffic so as to constitute a traffic hazard. The Director and/or Enforcement Officer may determine that a traffic hazard exists and notify the owner or occupant to immediately remove the hazard or abate the same depending upon severity of the obstruction.
2. Repairs. It is unlawful to conduct any vehicle service or repair of any kind in any right-of-way or road, except in case of a bona fide emergency.
3. Mailbox Standards. The following standards applies for the location and type of mailboxes and/or newspaper boxes (“boxes”) on the public right-of-way:
    a. Location and material type shall conform with the current standard regulations of the Department of Transportation and the U.S. Postal Service.
    b. Location shall be reasonably set back from road to avoid being damaged by snowplows and other vehicles.
    c. Relocation by road construction shall meet current standards and regulation.

d. Boxes which constitute a traffic hazard shall be removed or altered by the owner to conform to current standards and regulations, such removal or alteration shall be at the expense of the owner.
e. The owner is subject to all liability for placement, construction, and otherwise.
f. The City may notify the local postmaster of a violation of this part.

10.03.040 Crosswalks, Safety Zones, and Traffic Lanes.
The Director may designate and maintain, where there is particular risk to pedestrians, any crosswalks along with the applicable devices, marks, or lines upon the surface of the road. The Director may also establish safety zones of such kind and character and at such places as deemed necessary for the protection of the public. The Director may designate traffic lanes on roads at places deemed advisable.

10.03.050 One-Way Roads.
Upon declaration of the City Council, the Director may designate and marks roads as one-way, requiring that all vehicles thereon move in one specific direction as specified by the City Engineer.

10.03.060 Size or Weight Restrictions.
The current vehicle size and/or weight standards as set forth in state code apply to City roads. The City Engineer shall calculate or determine weight size restriction based upon the road load limits. The Director may post appropriate traffic control devices on an affected road to:

1. Prohibit the operation of vehicles upon any City road or impose restrictions as to the weight of vehicles thereon for a period of time for a road project, climactic conditions, an emergency, or otherwise.
2. Prohibit the operations of vehicles on any City road whenever such might be damaged by deterioration or climatic conditions.
3. Prohibit or limit the operation of trucks or commercial vehicles, including imposing weight limitations on certain roads.
4. Review and issue travel permits on City roads to move a vehicle restricted for weight and size where a written application is submitted made to the City and good cause shown.

10.03.070 Truck Routes.
No commercial vehicle, semi-truck, or semi-trailer shall operate on any City roads, unless such road is a designated as a truck route or for local delivery within the City. All state roads are designated as truck routes.

10.03.080 Limited Access Roads.
The Director, upon approval of the City Engineer and City Manager, may designate and regulate limited-access roads. The Director may further prohibit or limit the use on limited access highway by certain vehicles, transportation devices, pedestrians, or other prohibited traffic. A person operating a vehicle may not enter, exit, or cross a limited-access road, except at designated points where access is permitted. Barriers or fencing may be installed or

maintained by the Director to prevent unauthorized access. No person may connect a road, private road, driveway, or otherwise intersect with a limited access road without written approval of the Director.

10.03.090 Dynamic Braking Devices.
It is unlawful for any person to operate any motor vehicle with a dynamic braking device engaged, except for the aversion of imminent danger within the City. A dynamic braking devises includes jake brake, engine brake, compression break, or other device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.

Chapter 10.05
Operational
Restrictions

Sections:

10.05.010 Operation Interference Prohibited.
No driver or other person shall engage in any conduct that interferes with the safe control and operation of a vehicle in motion. This includes the operation of mobile or handheld devices of any kind.

10.05.020 Negligent Collision.
It is unlawful to operate a vehicle with such lack of due care as to cause the same to collide with any vehicle, person, or object.

10.05.030 Covered Loads Required.
It shall be unlawful to operate a vehicle with an uncovered load of debris, gravel, dirt, sand, tree trimmings, grass clipping, or any other material upon any City road.

10.05.040 Transportation Devices.
1. Transportation Devices. Transportation devices operated on a road or the public right-of-way other than a standard motor vehicle. Transportation devices include, but are not limited to, e-bikes and e-scooters governed under Utah Code §41-6a-1115.5, and electric personal assistive mobility devices governed under Utah Code §41-6a-1116. Bicycles are legally classified as vehicles, meaning cyclists possess the same rights and responsibilities as motor vehicle drivers under Utah Code §41-6a-1102 and 41-6a-1105. Transportation devices not governed in State Law are unauthorized and prohibited on all City roads and the public right-of-way. It is mandated that operators of an authorized transportation device comply with all traffic control devices provided by law while also adhering to specific safety and operational rules for the respective transportation device.

A drivers' license and insurance is required where specified in State Law.

2. ADA Accommodations. Devices specifically designed to assist individuals with disabilities or limited mobility are authorized in navigating public and private spaces such as manual wheelchairs that are hand-propelled chairs, mobility scooters powered, battery-operated multi-wheeled devices with steering, and Other Power-Driven Mobility Devices (OPDMDs under legal ADA terminology) for off-road or alternative powered devices, and may include golf carts and UTVs, used by adult individuals with disabilities subject to compliance with all traffic control devices provided by law while also adhering to specific safety and operational rules for the respective transportation device.

Chapter 10.07
Speed Limits

Section:

10.07.010 Speed Limits Established.
The Director may establish speed limits in accordance with Utah Code §41-6a-603, as amended.

10.07.020 Impeding Traffic.
No person shall operate a vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or because upon a grade or in compliance with law. The Director may determine and post a minimum speed limit on certain roads.

Chapter 10.09
Stopping and
Parking

Sections:

10.09.010 Traffic Control.
The Director shall cause traffic control devices to be erected to regulate, warn, and guide all types of traffic on City roads.

10.09.020 Traffic Markings.

When appropriate traffic markings may be placed on the road or curb. Any person operating a vehicle shall comply with the appropriate traffic marking. Traffic markings are not required where signs are duly posted, unless required by applicable law. The Director is authorized to place and maintain appropriate traffic markings. Curb traffic markings apply as follows:

1. “Red” means no stopping, standing, or parking at any time.
2. “Yellow” means a restricted zone where stopping, standing, or parking are limited to certain times as designated.
3. “Blue” means parking for a person with a disability who has the proper display or license plate.
4. “White” means loading or unloading zone.

10.09.030 Parking.

The Director may place signs and/or markings on all City roads to prohibit or restrict stopping, standing, or parking. The Director may prohibit, restrict, or regulate the stopping, standing, or parking on any road, public right-of-way, or City property. Parking on any road is limited to a resident owner or occupant, or their invitee. The following are prohibited from parking on any road, public right-of-way, or City property at any time:

1. Any recreational vehicle, boat, or trailer of any kind for a period of more than twenty-four (24) hours.
2. Any dump truck, heavy equipment, or other object of any kind, except use for on a bona fide utility project, road project, or development approved by the City.

10.09.040 Special Parking Limitation.

1. Business Vehicle Limits. No home business or work vehicle over one (1) ton in gross vehicle weight shall be parked on any road or public right-of-way
2. Commercial and Trailers. No commercial vehicle, tow truck, semi-truck, semi-trailer, utility trailer, other trailer, or storage container shall be allowed to be parked on any road for a period in excess of two (2) hours, except when actively loading or unloading.
3. Construction and Emergency. Parking on any road or public property is allowed for approved and/or permitted construction projects or emergency repairs actively being completed.
4. Presumption. For the purposes of this Section a home business or commercial vehicle is deemed parked, even when the motor is running, if the commercial vehicle is left unattended by the driver for more than fifteen (15) minutes, except when actively unloading or loading.

10.09.050 Sale Parking Restrictions.

It is unlawful to park any vehicle, trailer, or object of any kind on any public property and/or road for the purpose of displaying it for sale or for commercial advertising. Licenses for mobile sales such as food or beverage or as otherwise provided by state law is allowed if properly licensed and permitted under state law.

10.09.060 Liability.
Where any vehicle is illegally parked it constitutes a rebuttable presumption that the registered owner was in control of the vehicle at the time it was parked.

Chapter 10.11
Winter Snow Removal and Parking

Sections:

10.11.010 Snow Removal on City Roads.
The Director is responsible for snow removal on City roads. Snow removal from roads is prioritized in the following order:
1. Arterial roads.
2. Collector roads.
3. Residential roads.

10.11.020 Snow Removal on Sidewalks and Private Property.
1. Responsibility. It is the responsibility of the abutting property owner to remove snow from sidewalks and driveway approaches accessing the road within twenty-four (24) hours of the end of a snowstorm event.
2. Placement. Snow from private property shall remain on private property, including any sidewalk or driveway shall not:
    a. Be placed on any road, travel lane, or in a manner that may create a hazardous condition.
    b. Be pushed across the City road and deposited on the roadside opposite the driveway, except by permit from the City.
    c. Be pushed onto or placed on a City road. There is no public expectation that snow placed in the road will be removed or pushed aside by snowplows.

10.11.030 Winter Parking Restrictions.
1. Winter Parking. In order to adequately remove snow and to avoid property damage as far as possible, it is necessary to keep the city roads clear of all parked vehicles and other obstacles stationed on or adjacent to the travel-way. No person who owns, controls, possesses, or otherwise operates a vehicle, trailer, or object shall park such, or allow such to be placed or parked, upon any public road, including the road shoulder, between the hours of one o'clock (1:00) AM to five (5:00) AM from December 1 until March 1 each year, or otherwise during a winter storm event including seventy-two (72) hours after

such winter storm event. Any such vehicle, trailer, or object so parked or placed, is declared a public nuisance.

2. Existing Violations. Where the registered owner of any vehicle or trailer parked on the public right-of-way is overdue on the satisfaction of an outstanding parking ticket, that vehicle or trailer is hereby declared a public nuisance and may be immediately towed, removed, or relocated by the City at the expense of the owner.
3. Winter Parking Areas. Residents in a designated "Winter Parking Area" may park on soft surfaces within their yard area, at-will and during a snow and or ice event, and/or between December 1 and until March 1 each year notwithstanding regulations otherwise in this Section. All vehicles parked on a soft surface for winter parking must be removed from the soft surface environment by March 1, except where there may be an additional accumulating snow event. The winter soft-surface parking allowance in this Section is subject to the following:
    a. No parking for any type of recreational vehicle, trailer, commercial vehicle, work vehicle, or vehicle used as part of a home business.
    b. That all available parking area at a residence is to be utilized only for authorized vehicle parking area and not for any storage or other use of any kind.
    c. That all parked vehicles owned by the resident are properly licensed, registered, and operable.
    d. Any yard area damaged as a result of winter soft-surface parking authorized by this Section shall be restored to its original or better condition on or before April 30 of each year such is used for parking. In addition to the penalty provided in this Section, any spring restoration that is not completed as provided in this part may be enforced by the City as a nuisance violation.
4. Penalty. A violation of this Section is an infraction subject to a fine not to exceed $750. Any parking violation referred to in this section is an infraction and subject to a fine not to exceed $50.00, per parking violation.

10.11.040 Nuisance Abatement.

An enforcement officer is authorized to abate any vehicle, trailer, transportation device, or other object of any kind in violation of this Title by abating, removing, or impound the same.

10.11.050 Interfering with Snow Removal.

When a City official, employee, or contractor is engaged in snow removal on behalf of the City, it unlawful for any person to:

1. Communicate a threat to commit an assault or any violent felony towards the snowplow operator, or another, in the course of the snowplow operator's duties.
2. Interfere, harm, injure, damage, or destroy the snowplow operator or their equipment.
3. Remove a snowplow operator from their vehicle, or remove any part, component, bolt, or piece from any snowplow equipment unless authorized to do so by the City.
4. Place or maintain in place any obstruction, blockade, barrier, equipment, fence, object, item, or other change in, upon, or across the public right-of-way without first receiving written permission from the City.

5. Stand or place any item on or in front of a snowplow operator in the course of their duties.
6. Throw or otherwise propel snow or any other substance or object at a snowplow operator in the course of their duties.
7. Otherwise inhibit or attempt to inhibit the operation of a snowplow operator in the course of their duties.

Chapter 10.13
Towing and Impoundment

Sections:

10.13.010 Towing of Nuisance Vehicle.

In accordance with Utah Code §10-8-60, as amended, any vehicle described below is hereby determined to be a public nuisance subject to immediate abatement, including towing, by the City or its Enforcement Officer:

1. Any unattended vehicle stopped, stationed, or parked in violation of any of the provisions of this Title, or other law.
2. Any vehicle found upon the road with faulty or defective equipment.
3. Any vehicle left unattended upon any bridge or at any location in the City where such vehicle constitutes an obstruction, hazard, or blocks any access.
4. Any vehicle parked on a closed or restricted road.
5. Any vehicle parked on a road or public property that is a construction area or site, or where an emergency or disaster exists where such vehicle constitutes an obstruction to the situation being addressed.
6. Any disabled or inoperable vehicle on a road.
7. A vehicle the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.
8. A vehicle on public property that is not designated for parking or parked in public parking area more than twenty-four (24) hours.
9. Any vehicle on the road or public property where the person or persons in charge of the vehicle are taken into custody by a law enforcement under such circumstances as would leave such vehicle unattended.
10. Any vehicle found parked in such a manner to constitute a fire hazard or an obstruction to firefighting apparatus, including marked or reasonably identifiable hydrants.
11. Any vehicle that met the circumstances set forth in Utah Code §41-1a-1101, as amended.

10.13.020 Towing Zones.

In accordance with Utah Code §41-6a-1406, the Director may establish towing zones on certain City roads where necessary.

10.13.030 Procedure.
The removal, towing, and/or impoundment of any vehicle, trailer, or object by the City, law enforcement, or towing agent shall be completed in accordance with the procedure of the applicable state law and any agency assisting the City in enforcement.

Chapter 10.15
Pedestrians

Sections:

10.15.010 Driver Caution.
Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any road, shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any pedestrian, cyclist, or animal on any road.

10.15.020 Crossings.
Each crosswalk is defined and governed by state law.

10.15.030 Right-of-Way.
Every pedestrian crossing a road at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall do so only if no crosswalk exists within a reasonable distance to the desired point of crossing. When so crossing, the pedestrian shall yield the right-of-way to all vehicles upon the roadway. Between intersections where traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk or other lawful crossing.

10.15.040 Obstructions Prohibited.
No person or entity shall obstruct any sidewalks, crosswalks, approaches, curb lines, fire hydrant, or encroach into areas prohibited by law or obstruct a City road. No screening, fencing, gate, vegetation, basketball or sports apparatus, or any other obstruction shall infringe upon any public right-of-way. All trees, signs, canopies, or similar structure must have a minimum seven (7) feet clearance above the surface of the sidewalk. Trees that overhang the road must have a minimum fourteen (14) feet clearance from the grade of the road.

10.15.050 Stopping or Standing Prohibited.
The Director may designate a pedestrian “Limited Access Area” to restrict or prohibit pedestrian traffic from stopping, standing, or loitering where public safety necessitates.

Chapter 10.17
Penalties and Procedures

Sections:

10.17.010 Violation Penalties.
Any violations of this Title where governed by state law shall be in accordance with the penalties prescribed by the applicable state law. All other violations of this Title shall be an "infraction" subject to a fine not to exceed $1,000, or the applicable bail schedule as applied by the Court. The penalties and procedures in this Chapter do not apply to public officials in the course of their duties.

10.17.020 Procedures.
Any person who violates this Title may be issued a citation or information for the violation(s) subject to the procedure afforded by law and the applicable court.

Section 3: **Severability**. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: **Effective date.** This Ordinance take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the City Council on this _____day of ______________, 2026.

____
Mayor

ATTEST:

____
City Recorder

RECORDED this ____day of ____________, 2026.
PUBLISHED OR POSTED this ____day of ____________, 2026.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of the City of Washington terrace, Utah, hereby certify that the foregoing Ordinance was duly passed and published and/or posted as required by State Law.

___________________________________ DATE:_______________

City Recorder