

Subject: PC min. 202-06-176 _
Date: Tuesday, June 23, 2026 at 8:25:34 PM Mountain Daylight Time
From: Interlaken Planning Commisson
To: interlaken.mayor@gmail.com, Bart Smith
Attachments: 2026-06-17 Public Hearing Minutes.pdf

Good afternoon Greg and Bart,

Attached are the draft minutes from the PC land use public hearing held on June 17th. The Planning Commission voted to recommend approval of the revised Titles 09 and 11, as presented to the public, to the Town Council. The public hearing was noticed according to the state requirements, and as noted in the minutes, no objections to the proposed revisions were stated either in person, or in written documentation.

Please reach out to me if you have any further questions.

Thanks

Scott Merryweather
Interlaken PC Chair
Cell # 385-241-1132

**Interlaken Town Planning Commission
Building and Land Use Public Hearing Minutes**

**Wednesday, 17 June 2026, 6:30 PM
Meeting Conducted Remotely with Zoom Video Conferencing Software
and at the Town Pumphouse 326 Luzern Rd., Midway**

Zoom Meeting ID: 516 337 9977

Password: 84049

Zoom Meeting Link

<https://us02web.zoom.us/j/5163379977?pwd=QlJNT3loV3J4Nm83TFJOdGVVSUE1dz09>

The public is also invited to attend the meeting in person at the town pumphouse, 326 Luzern Rd., Midway.

1. Call to Order – Planning Commission Chair Scott Merryweather called the public hearing to order at 6:30pm.

2. Roll Call

Scott Merryweather, PC Chair
Bruce Gladwin, PC Member
Brenda McCasland, PC Member
Matt Hermann, PC Member was absent

3. Presentations:

- Proposed Title 09 Building and Construction Revisions
- Proposed Title 11 Land Use Revisions

Bart Smith, Town Administrator, presented the proposed changes to Titles 9 and 11. To see the proposed changes, review the attached marked up titles.

4. Public Comment:

Jill Fuchs, 260 Big Matterhorn Way, mentioned that her neighbor had their outdoor lighting on all the time. Bart said he would reach out to the new owner of that property.

Tash Lingos, 311 Interlaken Dr., was pleased about the new requirement for exterior concrete walls over 6 feet, that they be finished.

5. Planning Commission Discussion and Motion to Approve

Planning Commission members did not have any further comments or discussion.

Motion: PC Member Gladwin moved to approve the proposed Title 9 and 11 revisions, recommending passage by the Town Council.

Second: PC Member McCasland seconded the motion.

Discussion: no discussion.

Vote: The motion was approved with the PC Members unanimously voting Aye.

6. Adjournment

PC member McCasland moved to adjourn the meeting. PC member Gladwin seconded the motion. The motion passed unanimously. The meeting was adjourned at 6:49pm.

**TOWN OF INTERLAKEN
Municipal Code**

TITLE 09 BUILDING AND CONSTRUCTION

CHAPTER 9.01 INTERLAKEN BUILDING PERMITS

**CHAPTER 9.02 TOWN ENGINEER, PLANNING COMMISSION, AND
ADMINISTRATOR**

CHAPTER 9.03 UNIFORM CODES ADOPTED

CHAPTER 9.04 PERMIT FEES

CHAPTER 9.05 SITE DISTURBANCE PERMIT

CHAPTER 9.06 FINAL COMPLETION DEPOSIT

CHAPTER 9.07 REGULATION OF CONSTRUCTION ACTIVITIES

**CHAPTER 9.08 AUTOMATIC FIRE SPRINKLER SYSTEMS UNDER
INTERNATIONAL RESIDENTIAL CODE**

**CHAPTER 9.09 CURRENT EDITION OF THE UTAH WILDLAND URBAN
INTERFACE CODE**

CHAPTER 9.10 ADOPTION OF WILDLAND URBAN INTERFACE MAP

CHAPTER 9.01 INTERLAKEN BUILDING PERMITS

Interlaken Town issues and oversees building activity in town through the Town Engineer, Interlaken Planning Commission, and the Town Administrator. Together they perform the following duties:

- A. To carry out, enforce and perform all duties, provisions and mandates designated, made and set forth in the ordinances of the Town concerning building, plumbing, electrical and mechanical construction, and repair.
- B. To examine and approve all plans and specifications before approval is given to proceed with an application for a building permit.
- C. To collect all fees and deposits payable to the Town associated with the construction project. Fees and deposits are set from time to time through resolution by the Town Council.
- D. To issue an Interlaken Town Site Disturbance Permit before any person or entity may landscape, excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape or increase impervious surfaces upon any parcel of property located in the Town. (see Chapter 9.05)
- E. To verify that all applicants have a valid contractor's license or are exempt under this Chapter.
- F. Administer and enforce the provisions of this Chapter in a manner consistent with the intent thereof, and to inspect, or cause to be inspected, all buildings and structures erected, or proposed to be erected in the Town of all work authorized by any permit, to assure compliance with provisions of this Chapter or amendments thereto, and to verify that all structures meet the minimum requirements of this Chapter.

- G. Condemn and reject all work done or being done, or materials used or being used that do not in all respects comply with the provisions of this Chapter and amendments thereto.
- H. Order changes in workmanship and/or materials essential to obtain compliance with all provisions of this Chapter.
- I. Investigate any construction or work regulated by this Chapter and issue such notice and orders that are necessary to prevent or to correct dangerous or unsanitary conditions.
- J. Authorize any utility to make necessary connections for power, water or gas to all applicants for such power, water, or gas in the Town, when the installation and all facets of the construction or remodel project conform to this Chapter.

CHAPTER 9.02 TOWN ENGINEER, PLANNING COMMISSION, AND ADMINISTRATOR

Section 9.02.010 Town Engineer

Section 9.02.020 Interlaken Planning Commission

Section 9.02.030 Interlaken Town Administrator

Section 9.02.010 Town Engineer

The Town Engineer provides the following services in cooperation with Interlaken Town:

- A. Issue permits to properly licensed contractors and persons, firms or corporations for work to be done within the scope of this Chapter as regulated by Utah Code. Permits applications are available on the Interlaken Town website.
- B. Perform building, plumbing, mechanical, and electrical inspections.
- C. Condemn and reject all work done or being done, or materials used or being used that do not in all respects comply with the provisions of this Chapter and amendments thereto.
- D. Order changes in workmanship and/or materials essential to obtain compliance with all provisions of this Chapter
- E. Investigate any construction or work regulated by this Chapter and issue such notice and orders that are necessary to prevent or to correct dangerous or unsanitary conditions.

Section 9.02.020 Interlaken Planning Commission

The Interlaken Planning Commission provides the following services in cooperation with Interlaken Town:

- A. Reviews submitted plans for compliance with Interlaken Town building codes, including but not limited to building setbacks, building heights, minimum footprint and square footage requirements, landscaping requirements, dumpster and portable toilet requirements, erosion control measures, parking and materials storage requirements, construction hours, wall and fence construction requirements, town road right of way

- restrictions, and compliance with additional Interlaken Town permit requirements.
- B. Regularly inspects construction sites for proper placement of dumpster, portable toilet, and building materials, proper containment of debris, erosion control measures, adherence to approved excavation work not to exceed approved plans, and placement of adequate safety measures for vehicle and pedestrian traffic.
- C. Performs final inspection for compliance with Interlaken Town building codes and the approved site plan and landscaping plan prior to issuance of a certificate of occupancy.
- D. Attends monthly Town Council meetings and reports on building permit status, land use code revisions, and other planning commission activity.

Section 9.02.030 Interlaken Town Administrator

- A. Receives and processes permit applications and sets Town permit fees and deposits based on the Town fee schedule and project scope.
- B. Works with Town Engineer to determine engineering fees for plan review and inspections.
- C. Invoices and collects Town and engineering fees and deposits from applicant.
- D. Distributes plan sets and project descriptions to Town Engineer and Town Planning Commission.
- E. Upon approval for Town Engineer and Town Planning Commission, issues permit to applicant.
- F. Upon final Town Engineer inspection and Planning Commission inspection, issues a Certificate of Occupancy.
- G. Return remaining deposits to permit holder after evaluation of charges held against the permit, including but not limited to, overcharges from the Town Engineer for additional plan review, inspections or other engineering services, damage to town property as a result of construction activity, and fines for violation of Town code.

Chapter 9.03 UNIFORM CODES ADOPTED

Section 9.03.010 International Building Code Adopted

Section 9.03.020 International Mechanical Code Adopted

Section 9.03.030 International Plumbing Code Adopted

Section 9.03.040 National Electrical Code Adopted

Section 9.03.050 International Fire Code Adopted

Section 9.03.060 International Energy Conservation Code Adopted

Section 9.03.070 International Fuel Gas Code Adopted

Section 9.03.080 International Residential Code Adopted

Section 9.03.090 International Existing Building Code Adopted

Section 9.03.010 International Building Code Adopted

Interlaken Town hereby approves and **adopts the current International Building Code** with appendices as adopted and amended by the State of Utah for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and other miscellaneous construction in Interlaken Town, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The current International Building Code is on file in the office of the Town Engineer and is hereby adopted and made a part hereof as if fully set out in this ordinance.

Section 9.03.020 International Mechanical Code Adopted

Interlaken Town hereby approves and adopts the **current International Mechanical Code** with appendices as adopted and amended by the State of Utah for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling, and refrigeration systems, incinerators, and other miscellaneous heat-producing appliances in Interlaken Town, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The current International Mechanical Code is on file in the office of the Town Engineer and is hereby adopted and made a part hereof as if fully set out in this ordinance.

Section 9.03.030 International Plumbing Code Adopted

Interlaken Town hereby approves and adopts the **current International Plumbing Code** with appendices as adopted and amended by the State of Utah for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and other miscellaneous plumbing in Interlaken Town, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The current International Plumbing Code is on file in the office of the Town Engineer and is hereby adopted and made a part hereof as if fully set out in this ordinance.

Section 9.03.040 National Electrical Code Adopted

Interlaken Town hereby approves and adopts the **current National Electrical Code** with appendices as adopted and amended by the State of Utah as the Electrical Code for Interlaken Town. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The current National Electrical Code is on file in the office of the Town Engineer and is hereby adopted and made a part hereof as if fully set out in this ordinance.

Section 9.03.050 International Fire Code Adopted

Interlaken Town hereby approves and adopts the **current International Fire Code** with appendices as adopted and amended by the State of Utah. The Yown hereby approves and adopts Section D101 (General), Section D102 (Required Access), Section D103 (Minimum Specifications), and Figure D103.1 (Dead-End Fire Apparatus Access Road Turnaround) of Appendix D (Fire Apparatus Access Roads) in the current International Fire Code. The current International Fire Code is on file in the office of the Town Engineer and are hereby adopted and made a part hereof as if set out in the ordinance.

Section 9.03.060 International Energy Conservation Code Adopted

Interlaken Town hereby approves and adopts the **current International Energy Conservation Code** with appendices as adopted and amended by the State of Utah for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling, and refrigeration systems, incinerators, and other miscellaneous heat-producing appliances in Interlaken Town, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The current International Energy Conservation Code is on file in the office of the Town Engineer and is hereby adopted and made a part hereof as if fully set out in this ordinance.

Section 9.03.070 International Fuel Gas Code Adopted

Interlaken Town hereby approves and adopts the **current International Fuel Gas Code** with appendices as adopted and amended by the State of Utah for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and other miscellaneous heat-producing appliances in Interlaken Town, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The current International Fuel Gas Code is on file in the office of the Town Engineer and is hereby adopted and made a part hereof as if fully set out in this ordinance.

Section 9.03.080 International Residential Code Adopted

Interlaken Town hereby approves and adopts the **current International Residential Code** published by the International Code Council, as amended by the State Division of Occupational and Professional Licensing, including Chapter One and appendices with all its codes and

standards for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling, and refrigeration systems, incinerators, and other miscellaneous heat-producing appliances in Interlaken Town, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The current International Residential Code is on file in the office of the Town Engineer and is hereby adopted and made a part hereof as if fully set out in this ordinance.

Section 9.03.090 International Existing Building Code Adopted

Interlaken Town hereby approves and adopts the **current International Existing Building Code** with appendices as adopted and amended by the State of Utah for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and other miscellaneous construction in Interlaken Town, and for issuing permits therefore. Permit fees shall be in the amount established, from time to time, by the Town Council by resolution. The current International Existing Building Code is on file in the office of the Town Engineer and is hereby adopted and made a part hereof as if fully set out in this ordinance.

CHAPTER 9.04 PERMIT FEES

The building permit fees shall be as set forth in and adopted by resolution by the Town Council from time to time.

CHAPTER 9.05 SITE DISTURBANCE PERMIT

Section 9.05.010 Purpose and Intent

Section 9.05.020 Definitions

Section 9.05.030 When Required

Section 9.05.040 Application

Section 9.05.050 Proper Operation and Maintenance

Section 9.05.060 Inspection and Entry

Section 9.05.070 Revocation and Suspension

Section 9.05.080 Appeals

Section 9.05.090 Prohibited Activities

Section 9.05.100 Mud, Dirt, Materials, and Debris on Public Roads

Section 9.05.110 Violations and Enforcement

Section 9.05.120 Compliance with Federal and State Law

Section 9.05.010 Purpose and Intent

The purpose of this Chapter is to prevent discharge of sediment, dust, debris, and other construction-related material or pollutants from construction sites. Sediment and debris from construction sites are a major source of pollution to air, waterways and water systems located within Town of Interlaken and surrounding areas. Each year storm-water runoff and snowmelt

off carries tons of sediment from construction sites into local drainage systems, irrigation systems, canals, rivers, and lakes. Sediment from storm-water runoff also clogs and causes damage to public and private property, wildlife habitat, water, and air quality.

Section 9.05.020 Definitions

1. **Grade.** The ground surface elevation of a site or parcel of land.
 - a. **Grade, Existing.** The Grade of a Property prior to any proposed construction activity, including the effects of any previous man-made site disturbance.
 - b. **Grade, Natural.** The Elevation of the existing surface of the land prior to commencement of construction of any proposed improvements or any previous man-made site disturbance. Natural grade, when not readily established due to prior modifications in terrain, shall be fixed by reference elevations and slopes at points where the prior disturbance appears to meet the undisturbed portions of the subject property, or the undisturbed grade of adjacent properties. The estimated Natural Grade shall tie into the elevation and Slopes of adjoining Properties without creating a need for a new retaining wall, abrupt differences in the visual Slope and elevation of the land or redirecting the flow of run-off water. This term is a base point to be used to establish the basis for compliance with Town height limitations in stated circumstances.
 - c. **Grade, Final.** The finished or resulting Grade where earth meets the Building after completion of the proposed Development Activity
2. **Grading.** Any earthwork or activity that alters the Natural or Existing Grade, including, but not limited to, excavation, filling, or embanking.
3. **Slope, Percent.** The level of inclination of land from the horizontal plane, determined by dividing the horizontal run or distance of the land by the vertical rise of distance of the same land and converting the resulting number value into a percentage value. For example, if vertical rise is 2 feet and horizontal run is 10 feet, then percent slope equals 2 divided by 10, multiplied by 100 percent, or 20 percent.

Section 9.05.030 When Required

- A. **Permit Required.** A Town of Interlaken Site Disturbance Permit is required before any person or entity may landscape, excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape or increase impervious surfaces upon any parcel of property located in the Town. No excavating shall be done further than is necessary to place the lot on grade or for building a dwelling and /or garage.
- B. **Exemptions.** The following activities are exempt from the permit requirements of this Chapter:
 - a. Actions by a public utility, the Town, or any other governmental entity to remove or alleviate an emergency condition, including the restoration of utility service or the reopening of a public thoroughfare to traffic;

- b. Actions by any other person when the Town determines, and documents in writing, that the actions are necessary to remove or alleviate an emergency condition;
- c. Construction activities disturbing less than 200 square feet of land and surface area;
- d. Residential landscaping and gardening activities disturbing less 200 square feet of land surface area;
- e. Town of Interlaken capital improvement projects provided that site disturbance control measures are included in the bid specifications and plans for the special improvement project.

Section 9.05.040 Application

Any person or entity desiring a Site Disturbance Permit must first file an application with the Interlaken Town Administrator.

- A. Application Form. The application shall be submitted on a form provided by the Town. If the applicant proposes to obtain the Permit in conjunction with another development activity requiring Town approval, the application for the Site Disturbance Permit will be included as part of the application package for the other development activity. If the applicant proposes to obtain the Permit independent of any other Town approval, the applicant shall apply for the Permit on a separate form prepared by the Town. Application forms will be available from the Interlaken Town Clerk.
- B. Site Disturbance Plan. The applicant shall submit a Site Disturbance Plan with the application. The Site Disturbance Plan is required for both an independent Site Disturbance Permit and a Site Disturbance Permit issued in conjunction with another development project. The Site Disturbance Plan (the Plan) shall contain the following information:
 - 1. Site Description. A site description (including a map with spot elevations and contour lines) which includes a description of the nature and location of the construction activity, a description of the intended sequence of major activities which will disturb soils for major portions of the site (e.g. grubbing, excavation, grading, utilities, and infrastructure installation, etc.), and estimates of the total area of the site that is expected to be disturbed by excavation, grading, or other activities. The site description shall designate and illustrate the limits of disturbance beyond which no disturbance shall occur.
 - 2. Control Description. A description of the proposed control measures that will be implemented during construction activity and/or while the site is not stable. The Plan must clearly describe the times during the construction process that the measures will be implemented for each major activity identified pursuant to subsection (1). The Plan shall also state the name, address and phone number of the person or entity responsible for implementation of each control measure.
 - 3. Control Measures. Control measures shall meet the following goals and criteria:
 - a. Prevent or Minimize Discharge. The proposed control measures shall be designed to prevent or minimize, to the maximum extent practicable, the discharge of sediment, dust, debris, and other construction-related pollutants from the construction site by

storm water runoff into the storm drainage system, as well into the air.

- b. **Prevent or Minimize Construction Debris.** The proposed control measures shall be designed to prevent or minimize, to the maximum extent practicable, the deposit, discharge, tracking by construction vehicles, or dropping of mud, sediment, debris or other potential pollutants onto public streets and rights-of-way.
- c. **Dumpster.** During the performance of work, construction dumpsters or trash containers are required. There will be no storage of these facilities in roadways or Town right-of-way at any time. At all times the lot contractor will keep the work site clean and free of debris; no stockpiling of debris outside the containers. The dumpster shall be made available for the proper disposal of construction site waste materials, garbage, plaster, drywall, grout, gypsum, and other waste materials. These facilities will be emptied regularly and serviced as needed. Such facilities must be removed when construction is completed and before occupancy is granted, or construction is halted for more than 30 days. The contractor must dispose of the materials at an official transfer station or recycling facility. None of the materials are to be deposited in the Interlaken Town trash collection dumpsters.
- d. **Toilet facilities.** Show the location of the portable toilet facilities, required to be provided for workers, on the plan, or if there are permanent facilities workers will be allowed to use, indicate such on the plan. There will be no storage of Toilet facilities in roadways or Town right-of-way at any time
- e. **Use of BMPs.** The proposed control measures shall include Best Management Practices (BMPs) available at the time that the Plan is submitted. BMPs may include, but shall not be limited to, designation of limits of disturbance, temporary silt or sediment fences, sediment traps, gravel construction entrances and wash down pads to reduce or eliminate off-site tracking, straw bale sediment barriers, measures to prevent the blowing of dust or sediment from the site, establishment of temporary grasses and permanent vegetative cover, use of straw mulch as a temporary ground cover, erosion control blankets, temporary interceptor dikes and swales, storm drain inlet protection, check dams, subsurface drains, pipe slope drains, level spreaders, rock outlet protection, reinforced soil retaining systems, and gabions.
- f. **Stabilize Site.** The proposed control measures shall be designed to preserve existing vegetation, where possible. Disturbed portions of the site shall be stabilized. Stabilization practices may include temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of nature vegetation, and other appropriate measures. Use of impervious surfaces for stabilization should be avoided. Stabilization measures shall be initiated as soon as practicable in disturbed portions of the site, but in no case more than 14 calendar days after the construction activity in that portion of the site has temporarily or permanently ceased, except under the following circumstances:
 - (i) If the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceases is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable; or

- (ii) If construction activity on a portion of the site is temporarily ceased, and earth disturbing will resume within 21 days, temporary stabilization measures need not be initiated on that portion of the site.
 - g. Minimize Risk of Discharge of Other Materials. The proposed control measures shall be employed to minimize the risk of discharge of construction-related pollutants (such as paint, thinners, solvents and other chemicals) from the construction site. Such measures may include implementation of storage practices to minimize exposure of the material to storm water as well as spill prevention and response. Control measures must also meet the criteria set forth in the Interlaken Source Protection Plan to preserve the quality of the Interlaken aquifer.
- C. Fee. The applicant for a Site Disturbance Permit shall pay a fee in an amount set by resolution of the Town Council.
- D. Application Approval. The Interlaken Planning Commission, Town Administrator, or other designee shall approve the application and grant the permit if the application is complete and the Site Disturbance Plan meets the requirements of this ordinance. The Town's designee shall deny the application or approve the application with conditions if he or she determines that the measures proposed in the Plan fail to meet the criteria set forth in this ordinance. Conditions set out by the Town's designee in connection with the approval of a Permit may include, but are not limited to, the establishment of specific measures and controls to prevent erosion and the discharge of sediment, debris and other construction-related pollutants from the site by wind or storm water, as well as the control of refuse and debris on the site.
- E. Term. Unless otherwise revoked or suspended, a Site Disturbance Permit shall be in effect for the full period of the construction activity. The construction activity will not be considered to be completed until the following events occur:
 - 1. Site Plans. For Permits associated with a site plan approval, the date that the Permittee has completed all required landscaping and all outside construction work associated with the site plan, with final approval given by the Interlaken Planning Commission, Town Administrator, or other designee.
 - 2. Building Permits. For Permits associated with a building permit application, the date that the property has been revegetated or landscaped in a manner that eliminates erosion and sediment discharge or that brings the property back to its natural state, with final approval given by the Interlaken Planning Commission, Town Administrator, or other designee.
 - 3. Other. For Permits issued that are not tied to other approvals from the Town, the date that the Permittee has completed all work associated with the Permit and takes steps required by the Permit to prevent further erosion and runoff from the site. No Site Disturbance Permit which is not tied to other approvals from the Town shall be considered terminated until the Permittee submits a Notice of Termination of Construction Activity Permit ("Notice") to the Town and the Notice is accepted by the Town. The Town shall accept the Notice if the Permittee has met the requirements of the Permit and this ordinance. The Permittee shall keep and maintain all Permit-required improvements on the site until the Town accepts the Notice.

- F. Amendments. In the event that the proposed construction activity for a site to which a Permit pertains is materially altered from that described in an original Plan in a way that may have a significant impact upon the effectiveness of the measures and controls described in the original Plan, the Permittee shall file an amended Site Disturbance Plan which meets the criteria set forth in this ordinance.

Section 9.05.050 Proper Operation and Maintenance

The recipient of a Site Disturbance Permit (the Permittee) shall install the erosion and sediment control and debris control measures required by the approved Site Disturbance Plan before commencing any construction activity on the site to which the Plan applies or at such times indicated in the Plan. The erosion and sediment control measures shall be properly installed and maintained in accordance with the Permit, the manufacturers' specifications, and good engineering practices. The Permittee shall maintain such measures on the site until the Town accepts the termination of this Permit.

Section 9.05.060 Inspection and Entry

The Permittee shall allow any authorized employees and representatives of the Town, representatives of the State of Utah Division of Water Quality, and representatives of the United States Environmental Protection Agency, to enter the site to which a Permit applies at any time and to inspect the erosion and sediment control measures maintained by the Permittee. The Permittee shall also allow inspection of any records pertaining to the conditions of the Permit.

Section 9.05.070 Revocation or Suspension

A. Revocation or Suspension. A Site Disturbance Permit may be revoked or suspended by the Town upon the occurrence of any one of the following events:

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

B. Notice. The Town shall mail a Permittee written notice of noncompliance before revoking or suspending a Permit. The notice shall state the location and nature of the noncompliance and shall also specify what action is required for the Permittee to avoid revocation or suspension of the Permit. The notice shall allow the Permittee a reasonable time to take the necessary corrective action to avoid revocation or suspension of the Permit which time, in the absence of exceptional circumstances, shall not be less than ten nor more than 30 days. The notice shall be mailed or emailed to the address listed for the Permittee in the Application. If the Permittee fails to correct the problems identified in the notice during

the time specified in the notice, the Town may suspend or revoke the Permit by mailing or delivering written notice of the suspension or revocation to the Permittee. The Permittee may appeal a suspension or revocation of the Permit pursuant to the appeal procedure set forth in this Chapter.

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

D. **Stop Work Order.** A stop work order may be issued upon the revocation or suspension of a Permit, upon discovery of work in violation of or not in accordance with a Permit, or upon the discovery of work being conducted without a required Permit. The stop work order may be issued by the Interlaken Town Planning Commission, Town Administrator, or other designee. No construction activity may be commenced or continued on any site for which a Permit has been revoked or suspended until the Permit has been reinstated or reissued.

E. **Reinstatement.** A Site Disturbance Permit may be reinstated or reissued upon compliance with all provisions of this Article and all Permit conditions, or in the case of a suspension for reasons provided in subsection A.3., upon the filing of an amended Site Disturbance Plan which is designed to correct the deficiencies of the original Plan.

Section 9.05.080 Appeals

An Applicant for a Site Disturbance Permit or a Permittee of a Site Disturbance Permit may appeal a decision or directive made by the Town or its representatives under this Ordinance. The appeal shall be made to the Appeal Authority pursuant to Title 2, provided however that the party desiring to appeal shall file the appeal within ten days of the decision or directive being appealed, notwithstanding any other time periods specified elsewhere. This appeals Section shall not preclude the Town from prosecuting violations of this ordinance separately under other Town of Interlaken enforcement procedures, either criminal or civil, in which case the Town shall so notify the violator, and this appeals Section shall not apply.

Section 9.05.090 Prohibited Activities

The following activities are prohibited and unlawful, and shall be considered a nuisance under Interlaken Town law, regardless of whether or not the violator has a Site Disturbance Permit:

- A. Covering the Right of Way. Covering any portion of the road Right of Way with mud, dirt, debris or material and failing to remove the mud, dirt, debris or material before leaving the site. In no case shall the mud, dirt, debris, or other material be left overnight.
- B. Washing Vehicles and Equipment. Washing any vehicle or equipment in a manner that;
 - 1. leaves concrete, mud, dirt, debris, or other material on any portion of the public right-of-way, or
 - 2. allows concrete, mud, dirt, debris, or other material to enter the storm sewer system.
- C. Vegetative maintenance and noxious weeds. Vegetative growth shall be kept to 8 inches in height. Noxious weeds are undesirable and must be eliminated properly per the Wasatch County requirements.
- D. No tracked vehicles, i.e., bulldozers or backhoes with steel tracks, are allowed on the road surface unless protected by some type of pads.

Section 9.05.100 Mud, Dirt, Materials, and Debris on Public Roads

- A. Clean-up Required. Any person or entity that tracks, spills, deposits, discharges or drops any mud, dirt, debris, or other material on a public road or a public right-of-way within the Town must remove the mud, dirt, debris, or other material by the end of the work day on which it was left on the road or right-of-way. Failure to do so shall be a violation of this ordinance and shall also be considered a nuisance that may be enforced and/or abated pursuant to Town ordinance. The requirement to clean mud, dirt, debris, or other material from roads and the right-of-way applies regardless of whether or not the responsible parties are acting pursuant to a Site Disturbance Permit.
- B. Responsible Parties. The following people and entities shall be considered to be responsible parties for the purpose of enforcing this Section:
 - 1. Driver. The driver and the owner of the vehicle leaving the mud, dirt, debris, or

other material; and

2. General Contractor. The general contractor or owner in charge of the job site from which the mud, dirt, debris, or other material came.

3. The property owner.

C. Possible Remedies. The Town may avail itself of any of the following non-exclusive remedies to enforce this Section if the mud, dirt, debris, or other material is not removed as required herein:

1. Road Damage Deposit. The Town may clean (or may hire an independent contractor to clean) the mud, dirt, debris, or other material, and may deduct the cost of the clean-up, plus an administrative charge in an amount set by resolution of the Town Council, from the Road Damage Deposit for the job site from which the mud, dirt, debris, or other material came.

2. Nuisance Abatement. The violation may be treated as a nuisance under Town of Interlaken law and prosecuted accordingly.

Section 9.05.110 Violations and Enforcement

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

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

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

D. Violators of this Chapter may also be subject to prosecution, fines and penalties from the State of Utah and the United States Environmental Protection Agency.

Section 9.05.120 Compliance with Federal and State Law

Nothing contained in this Chapter is intended to relieve any person or entity from any obligation to comply with applicable federal and state laws and regulations pertaining to clean water and/or storm water runoff.

CHAPTER 9.06 FINAL COMPLETION DEPOSIT

Section 9.06.010 Establishment of Final Completion Deposit

Section 9.06.020 Amount

Section 9.06.030 When Required

Section 9.06.040 Where Deposited

Section 9.06.050 Procedure for Refund of Deposit

Section 9.06.060 Deficiencies at the Time of Final Inspection

Section 9.06.070 Weather-Related Deficiencies

Section 9.06.080 Forfeiture of Final Completion Deposit

Section 9.06.090 Certificate of Non-Compliance

Section 9.06.010 Establishment of Final Completion Deposit

Section 9.06.010 Establishment of Final Completion Deposit

The establishment of the final completion deposit requirement is to assure the proper completion of dwellings, landscaping or site stabilization, and appurtenant supporting improvements so that premises are safe, and for mediation costs associated with securing a site that has been abandoned by the contractor or left in an unsafe condition by the contractor.

Section 9.06.020 Amount

The Final Completion Deposit shall be an amount as set forth in and adopted by resolution by the Town Council from time to time.

Section 9.06.030 When Required

As part of the application process, the Interlaken Town Administrator is authorized and directed to require from the applicant a Final Completion Deposit. The deposit shall be in addition to all other fees which may be required prior to issuance of a building permit. The Town Administrator shall not approve the application until said deposit has been deposited with the Town.

Section 9.06.040 Where Deposited

The completion deposit shall be made with the Town Treasurer and held in a account established by the Treasurer for that purpose.

Section 9.06.050 Procedure for Refund of Deposit

The deposit amount shall be returned to the payee upon request by the payee and upon receipt by the Treasurer from the Town Administrator of notice stating (1) that the dwelling has been completed, (2) that all required inspections of the construction have been made, (3) that the building permit has been closed by the Town Engineer, and (4) that the Site Disturbance Permit has been closed out satisfactorily per this Chapter of this Code, and that there exist no unsafe conditions associated with the site. If a dwelling has been occupied prior to the approval for occupancy, the full deposit amount shall be forfeited to the General

Fund. In addition, any deposit amounts still on deposit with the Town and not claimed by the payee eight (8) years after occupancy of the structure shall be forfeited to the General Fund.

Section 9.06.060 Deficiencies at the Time of Final Inspection

If at the time of making what was to have been the final inspection, any deficiency exists of the building codes or other Town ordinances, the Town Administrator, Planning Commission, or Town Engineer shall provide a notice in substantially the following form: “The following deficiencies found at the time of the final inspection on (date) must be corrected by 90 days after final inspection: If such corrections are not made, and an inspection scheduled and passed, so as to come into compliance with the building code within said 90 Day, one third of the completion deposit will be forfeited to Town of Interlaken. If such corrections are not made, and an inspection scheduled and passed, so as to come into compliance with the building code within 120 days after final inspection, two-thirds of the completion deposit will be forfeited to Town of Interlaken. If such corrections are not made, and an inspection scheduled and passed, so as to come into compliance with the building code within 150 days after final inspection, all of the completion deposit will be forfeited to Town of Interlaken. Forfeiture of all or part of the deposit will not excuse compliance with all Town ordinances and requirements.”

Section 9.06.070 Weather-Related Deficiencies

If it is found that deficiencies cannot be completed within the 90 days because of winter weather, an extension may be granted for those items at the building official’s discretion. The notice in 9.06.060, above shall then also include an additional section stating, “The following deficiencies must be completed and pass a final inspection within ___additional days (date specific stated)”, with the items then enumerated.

Section 9.06.080 Forfeiture of Final Completion Deposit

If the applicant does not comply with the notice provided in this Chapter, or if the site is abandoned by the contractor or left in an unsafe condition, the Town Administrator shall notify the Town Treasurer of such noncompliance upon expiration of the permit. Upon such notification, the Treasurer shall declare the deposit forfeited and pay the amount thereof to the General Fund.

Section 9.06.090 Certificate of Non-Compliance

After the deposit has been declared forfeited, the Town Administrator shall record a Certificate of Non-Compliance against the property with the Wasatch County Recorder’s Office. Said Certificate shall remain on the property until correction items have been inspected and approved. After approval, a Certificate of Completion and Occupancy shall be recorded.

CHAPTER 9.07 REGULATION OF CONSTRUCTION ACTIVITIES

Section 9.07.010 Normal Hours and Days of Work or Construction Activity

Section 9.07.020 Extended Hours with Special Permit

Section 9.07.030 Special Event Regulations

Section 9.07.040 Waste/Debris Disposal

Section 9.07.050 Toilet Facilities for Construction Workers

Section 9.07.010 Normal Hours and Days of Work of Construction Activity

In all zoning districts throughout the Town, construction work shall be allowed between the hours of 7 a.m. and 8 p.m. Monday through Saturday. Construction shall be allowed in all zoning districts throughout the Town between the hours of 9 a.m. and 6 p.m. on Sundays. When work is prohibited, no exterior construction, excavation or delivery of supplies and concrete are allowed. Interior work, however, may be allowed Monday through Sunday, with no limitation hours for the following types of construction, provided the activity does not violate Town Ordinances regulating noise or outdoor lighting:

- A. Interior work on individual single-family home construction or addition projects not involving materials or supply deliveries.
- B. Non-mechanized exterior painting
- C. Non-mechanized landscaping
- D. Survey work not involving grading or use of power equipment to cut vegetation.

Section 9.07.020 Extended Hours with Special Permit

The Mayor may authorize extended hours for construction operations for emergencies only. In such cases, the Mayor shall issue a special permit identifying the extended hours. The contractor shall display the special permit on site.

Section 9.07.030 Special Event Regulations

The Mayor may, at his or her discretion, restrict construction activity, including governmental or special improvement agencies, in order to assure the public safety during special events and projects within the Town

Section 9.07.040 Waste/Debris Disposal

During the performance of work, construction dumpsters or trash containers are required. There will be no storage of these facilities in roadways or Town right-of-way at any time. At all times the lot contractor will keep the work site clean and free of debris; no stockpiling of debris outside any container. The dumpster shall be made available for the proper disposal of construction site waste materials, garbage, plaster, drywall, grout, gypsum, and other waste materials. These facilities will be emptied regularly and serviced as needed. Such facilities must be removed when construction is completed and before occupancy is granted, or

construction is halted for more than 30 days.

Section 9.07.050 Toilet Facilities for Construction Workers

Toilet facilities shall be provided for construction workers whenever any building, remodeling, renovating, or site disturbance is commenced within the Town of Interlaken limits. Such facilities shall be maintained in a sanitary condition. Construction worker toilet facilities of the non-sewer type shall conform to American National Standards Institute A4.3. These facilities must not be located in the right of way.

Chapter 9.08 AUTOMATIC FIRE SPRINKLER SYSTEMS UNDER INTERNATIONAL RESIDENTIAL CODE

Section 9.08.010 Scope of Chapter

Section 9.08.020 Automatic Fire Sprinkler Systems Requirement

Section 9.08.010 Scope of Chapter

This chapter pertaining to automatic fire sprinkler systems applies to the building of all structures governed by the International Residential Code.

Section 9.08.020 Automatic Fire Sprinkler Systems Requirement

Automatic fire sprinkler systems are required under the conditions set forth by the local fire authority, Wasatch Fire District. When required, automatic fire sprinkler systems must be added to structures governed by, and built according to, the International Residential Code.

Chapter 9.09 CURRENT EDITION OF THE UTAH WILDLAND URBAN INTERFACE CODE

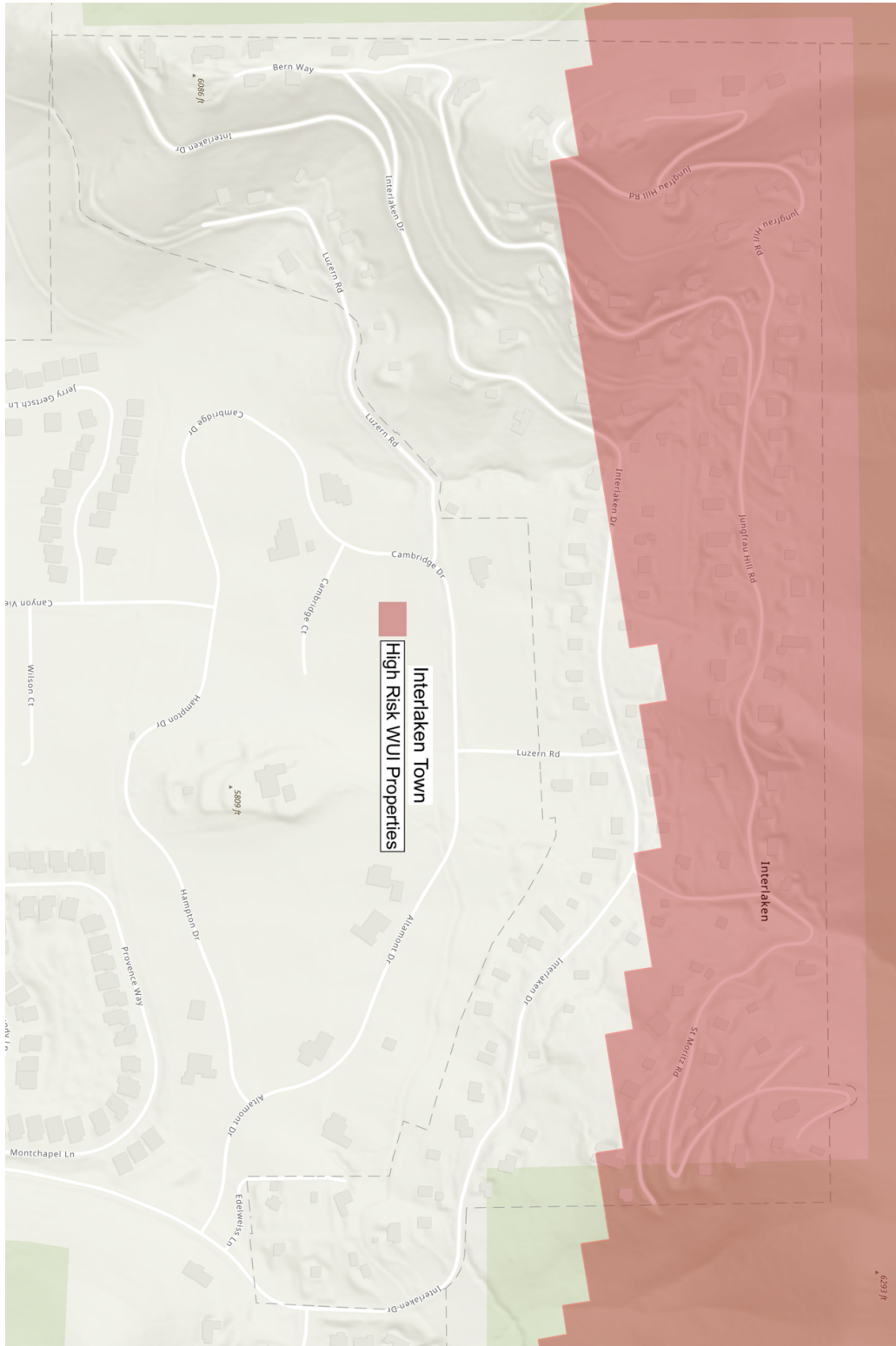
The 2006 Utah Wildland-Urban Interface Code, or the current edition of the Utah Wildland-Urban Interface Code as adopted by the State of Utah and published by the International Code Council is hereby adopted along with its Appendix A and Appendix B with the following amendments:

- A. Section 101.1 is added and shall read as follows:
 - 101.1.1 Applies to Remodels adding more than 15% of the existing structure's total square footage, and all New Construction exceeding a 200 square foot footprint.
- B. Section 101.2.1 is added and shall read as follows:
 - 101.2.1 Purpose. The purpose of this Chapter is to supplement current building and fire codes to assist in providing requirements to reduce the risk of losing a structure in a wildfire due to exposure to firebrands, ground or surface fires, crown fires and other associated hazards.
- C. Section 101.4.1 Applicability. This Chapter shall apply to all new and existing structures within the boundaries of Interlaken Town. Exceptions to this Chapter may be granted by the Fire Code Official on a case-by-case basis.
- D. Section 103.1 shall be modified and shall read as follows:
 - 103.1 Practical Difficulties. Where there are practical difficulties involved in carrying out the

provision of this Chapter, the Fire Code Official is authorized to grant modifications for individual cases upon application in writing by the owner or an owner's authorized agent. The fire Code Official shall first find that a unique circumstance makes enforcement of this Chapter technically infeasible, the vegetation or home-hardening modification is in conformance with the intent and purpose of this Chapter, and the modification does not reduce fire protection requirements to any degree of structural integrity. The details of any action granting modifications shall be recorded by the Interlaken Town Recorder.

Chapter 9.10 ADOPTION OF WILDLAND URBAN INTERFACE MAP

The attached map showing the boundaries of high-risk wildland-urban interface property is hereby adopted.



**TOWN OF INTERLAKEN
Municipal Code**

TITLE 11 LAND USE

CHAPTER 11.01	INTENT AND PURPOSE
CHAPTER 11.02	DEFINITIONS
CHAPTER 11.03	ZONES ESTABLISHED
CHAPTER 11.04	R-1 RESIDENTIAL ZONE
CHAPTER 11.05	M-1 MUNICIPAL ZONE
CHAPTER 11.06	SUPPLEMENTARY REQUIREMENTS IN ZONES
CHAPTER 11.07	SL-OV SENSITIVE LANDS OVERLAY ZONE
CHAPTER 11.08	SIGNS
CHAPTER 11.09	WIRELESS TELECOMMUNICATIONS
CHAPTER 11.10	WIND ENERGY CONVERSION SYSTEMS
CHAPTER 11.11	ENFORCEMENT AND ZONING VIOLATIONS
CHAPTER 11.12	LAND USE ADMINISTRATION

CHAPTER 11.01 INTENT AND PURPOSE

Section 11.01.010 Intent and Purpose

Section 11.01.020 Application

Section 11.01.030 Declaration

Section 11.01.040 Interpretation

Section 11.01.010 Intent and Purpose

It is the intent and purpose of the Town Council of Interlaken Town, Utah, to promote the health, safety, convenience, order, prosperity, and general welfare of the present and future inhabitants of the Town by guiding development within the Town in accordance with a comprehensive plan prepared and adopted by the Town to accomplish the following:

- A. Encourage and facilitate orderly growth and development in the Town.
- B. Facilitate adequate provision for transportation, and other public services.
- C. Promote sanitation and health of the inhabitants.
- D. Promote safety from fires, floods, traffic hazards, and other dangers.
- E. Discourage the overcrowding of land and undue concentration of population.
- F. Discourage undue scattering of population and unnecessary expenditure of monies for excessive streets, water and sewer lines, and other public services.
- G. Stabilize and improve property values.
- H. Protect the residents from objectionable noise, odor, dust, fumes, and other deleterious substances or conditions.
- I. Promote a more attractive and wholesome environment.

J. Promote the retention of Interlaken Town's rural atmosphere and preserve a variety of types of open spaces, scenic vistas, agricultural lands, and natural areas.

Section 11.01.020 Application

The regulations and restrictions as set forth in this Title shall be so interpreted and applied as to further the purposes of this Title.

Section 11.01.030 Declaration

In establishing the zones, the boundaries thereof, and regulations and restrictions applying within each of the zones, due and careful considerations was given, among other things, to the suitability of the land for particular uses, and to the character of the zone, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Town.

Section 11.01.040 Interpretation

In interpreting and applying this Title, the provisions thereof shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, and general welfare. In the case that this Title imposes a greater restriction than is imposed or required by other existing provisions of law or ordinance, then in such case the provisions of this Title shall control.

CHAPTER 11.02 DEFINITIONS

For the purpose of this Title, the following words and phrases shall, unless defined differently in a particular section, have the meanings respectively ascribed to them:

1. **Bay Window.** A window or series of windows projecting from the outer wall of a building and forming a bay in a room and a projection outward from the main wall.
2. **Building.** Any structure built for the support, shelter, or enclosure of persons, animals, or property of any kind.
 - a. **Main building.** The principal building upon a lot.
 - b. **Setback line requirement.** A line requirement designating the minimum distance which buildings must be set back from a street or lot line.
 - c. **Building, accessory.** A subordinate building, the use of which is incidental to that of the main building
3. **Bump-Out.** A cantilevered extension to a building that expands an existing room outward past the structural footings or foundation.
4. **Compost.** Organic matter that has been decomposed and recycled as a fertilizer and soil amendment

5. Carport. A structure with one or two or no walls for the shelter of automobiles with permanent footings.
6. Certified Agency. A public agency with regulatory oversight as delegated by applicable law or regulation.
7. Common Area. Property that a community association, as defined in Utah Code, owns, maintains repairs or administers.
8. Conditional Use. A use which requires a recommendation from the Planning Commission and an approval from the Town Council prior to issuing a permit for construction or prior to the use commencing. Also, a use which requires individual consideration of surrounding conditions and circumstances prior to approval. Approval by the Planning Commission or Town Council may be given with conditions.
9. Development. Disturbance of the property for a structure, road, utility service, retaining wall, or any other improvement that is used to support human habitation or structures of any use.
10. Drainage Corridor. An above-ground water, gully or impression in the landscape that carries storm water runoff or spring water.
11. Dwelling Unit. Any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one family, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.
12. Environmental Assessment Review Statement. A statement prepared by an engineer in conjunction with a geologist, or other person qualified by training or experience, as determined by the Planning Commission, which indicates or describes the impact that the project will likely have on the natural features of the immediate area, and which describes the measures that will be taken to lessen the occurrence of adverse conditions. The impact statement shall describe the impact the project will likely have on the natural features of the immediate area. The statement shall also indicate the measures that will be taken to mitigate any negative conditions that will occur as a result of the project with respect to:
 - a. Re-seeding of cuts and fills.
 - b. Control of erosion within the project area
 - c. Provisions for potable water, including ability of existing or proposed infrastructure to deliver culinary water, provide fire flow, water storage, and any other concerns of the Town Engineer.
 - d. Disposition of geologic hazards which will be hazardous to safety or any aspect of the development. Special attention shall be given to the discussion concerning soil conditions. A soils engineer shall be consulted in the preparation of the impact statement. The statement shall include preliminary information concerning the existing water table, bed rock conditions, and the engineering report.
 - e. Provisions for proper disposal of sanitary sewer wastes, including ability of existing or proposed infrastructure to take sewer water, provide for treatment and storage for treated effluent in the existing facility, and any other concerns of the Midway Sanitation District and Heber Valley Special Service District engineers.

- f. Prevention of the accumulation of weeds and debris both during construction of the infrastructure and throughout the build out of the entire project, including if a project is to be phased into more than one plat.
 - g. Disposition of existing vegetation and the establishment of new vegetation.
 - h. Disposal of surface water run-off and conditions relating to flood hazards for a 25-year, 24- hour storm disposal of storm water run-off in relation to off-site requirements. Study shall also show the effects of a 100-year storm on the development and affected surrounding areas as directed by the Town Engineer.
 - i. Study declaring existence of and showing protection for wetlands, wildlife habitat (including migration patterns) ridgelines/hillsides, stream corridors, subsurface or surface geothermal features and mounds (whether active or not), and other natural features as required in the Sensitive Lands Overlay Zone Chapter of this Title.
 - j. Provisions for disposal of solid wastes
13. Exaction. A requirement imposed as a condition of land use that is subject to the following standard. The Town may impose an exaction or exactions on proposed land use development if:
- a. An essential nexus exists between a legitimate governmental interest and each exaction; and
 - b. Each exaction is roughly proportionate, both in nature and extent, to the impact of the proposed development.
14. Family. One or more persons living together as a single housekeeping unit in a dwelling unit.
15. Fence. A fence up to six (6) feet in height.
16. Floor Area, Gross. The total of all square footage within a given structure measured from outside faces of each wall.
17. Fractional Numbers and Measurements. In meeting the requirements of this Title, all fractions of numbers above one-half shall be construed to mean the next highest whole number. All fractions one-half or less shall be construed to mean the next lowest whole number.
18. Frontage. The distance between the two (2) side lot lines of a parcel, measured along the street (or, on a corner lot, streets) which the parcel is allowed to access. Corner lots shall have the required minimum lot frontage on both streets. For purposes of this title, temporary turnarounds, dead ends of roadways, or emergency accesses shall not be used as frontage.
19. Grade. The ground surface elevation of a site or parcel of land.
20. Grade, Existing. The Grade of a Property prior to any proposed construction activity, including the effects of any previous man-made site disturbance.
21. Grade, Final. The finished or resulting Grade where earth meets the Building after completion of the proposed Development Activity.
22. Grade, Natural. Elevation of the existing surface of the land prior to commencement of construction of any proposed improvements or any previous man-made site disturbance. Natural grade, when not readily established due to prior modifications in terrain, shall be fixed by reference elevations and slopes at points where the prior disturbance appears to meet

the undisturbed portions of the subject property or the undisturbed grade of adjacent properties. The estimated Natural Grade shall tie into the elevation and Slopes of adjoining Properties without creating a need for a new retaining wall, abrupt differences in the visual Slope and elevation of the land or redirecting the flow of run-off water. This term is a base point to be used to establish the basis for compliance with Town height limitations in stated circumstances.

23. Grading. Any earthwork or activity that alters the Natural or Existing Grade, including but not limited to excavation, filling or embanking.
24. Grow Light or Plant Light. An artificial light source, generally an electric light, designed to stimulate plant growth by emitting an electromagnetic spectrum appropriate for photosynthesis.
25. Guest. A person staying in a house by permission of the owner without compensation to the owner.
26. Height of Building. Depending on the slope of the property, Building Height is defined as either the vertical distance from “natural grade” to the top of the building roof, roof element, or building structure directly above, or the vertical distance from the lowest floor plane which has an exterior entrance or a partially or fully exposed wall on the downhill side of the dwelling, to the highest point of the roof or roof element or building structure above. See Section 11.06.070 for specific maximum building height requirements and how to calculate (measure) maximum building height.
27. Home Occupation. Any occupation conducted within a dwelling which is clearly secondary in importance to the home as a dwelling or place to live and carried on only by persons residing in the dwelling.
28. Hydroponics. The cultivation of plants in a nutrient-rich solution rather than in soil under controlled conditions of lights, temperature, and humidity.
29. Landscaping. Some combination of planted trees, shrubs, vines, ground cover, or flowers, or lawns. In addition, the combination of design may include rocks and such structural features as fountains, pools, art works, screens, walls, fences, walks, or benches, but such objects alone shall not meet the requirements of this Title.
30. Land Use Plan. A plan recommended by the Planning Commission and adopted and maintained by the Town Council, which shows how land should be used. It is also an element of the General Plan.
31. Licensed Engineer. A professional or structural engineer licensed to practice in Utah by the Department of Professional Licensing.
32. Lot. A single parcel or tract of land.
 - a. Lot, corner. A lot situated at a junction of two public streets or situated on a curved street where the radius of the curve is 35 feet or less and where the angle formed by the intersection of the tangent is 105 degrees or less.
 - b. Lot, interior. A lot other than a corner lot.
 - c. Lot of record. A lot designated in an approved subdivision or a lot legally created, said lot or subdivision being created prior to the current zoning designation. This lot would be recorded pursuant to statute in the County Recorder's office. A lot of record may or may not coincide with zoning

requirements.

33. Lot Width. The distance between the two (2) side lot lines of a parcel measured at the required minimum building setback.
34. Manufactured Home. See State of Utah law and definitions.
35. Modular Home. See State of Utah law and definitions.
36. Non-Complying Structure. A structure that: (a) legally existed before its current land use designation; and (b) because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations, excluding those regulations which govern the use of land.
37. Non-Conforming Building. A building, structure, or portion thereof, which does not conform to the regulations of the Title applicable to the zone or district in which such building is situated but which was in existence on the effective date of this Title.
38. Non-Conforming Use. A use of land that:
 - a. Legally existed before its current land use designation;
 - b. Has been maintained continuously since the time the land use ordinance governing the land changed; and
 - c. Because of one or more subsequent land use ordinance changes does not conform to the regulations that now govern the use of the land.
39. Overhang. The part of a roof that extends over the side wall or end wall of a building.
40. Parking Space. Space within a building or parking area, exclusive of driveways, ramps, columns, office and working area, for the parking of a motor vehicle, not less than 20 feet in length and not less than nine feet in width.
41. Planting/Landscape Plan. A plan showing the location, type, and size of plants. It shall indicate irrigation equipment, curbs, berms and other protective features around the edge of the planting beds.
42. Recreational Vehicle Camper/Travel Trailer/Motor Home. A vehicle unit, other than a mobile or manufactured home, primarily designed as a temporary dwelling for travel, recreational and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle.
43. Sensitive Overlay Zone Map. A map provided by the Town showing the sensitive areas of Interlaken Town
44. Setback. The shortest distance between the property line and the foundation, wall, a framing member of the building supporting a floor, or roof (a deck shall not be considered a floor; however, a support for a roof over a deck shall be the point for measuring setbacks). For an exterior wall with a Bump-Out, the Setback is measured as the shortest distance between the property line and the exterior wall of the Bump-Out. For a Bay Window that includes livable indoor floor space, the Setback is measured as the shortest distance between the property line and the exterior wall of the Bay Window. For more information regarding setback requirements, see Section 11.04.070.
45. Short Term Rental. A property or portion thereof that is rented or leased for 30 days or less.

46. Sign. Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public but not including a flagpole.
- a. Sign, Accessory. A sign which directs attention to a business or profession, conducted on the premises.
 - b. Sign, Area of. The area of a sign shall be considered to include all lettering, wording, and accompanying designs or symbols together with any background material, whether painted or applied. Where a sign consists of individual letters attached to or painted on a building or wall or window the area of the sign shall be considered to be that of the smallest rectangle which encompasses all the letters or symbols.
 - c. Sign, Non-accessory Billboard. A sign which directs attention to a business, commodity service, or entertainment, which is conducted, sold, or offered elsewhere than on the premises.
47. Slope, Percent. The level of inclination of land from the horizontal plane, determined by dividing the horizontal run or distance of the land by the vertical rise of distance of the same land and converting the resulting number value into a percentage value. For example, if vertical rise is 2 feet and horizontal run is 10 feet, then percent slope equals 2 divided by 10, multiplied by 100 percent, or 20 percent.
48. Street. Any thoroughfare serving as the principal means of access to property.
49. Storm water Drainage Plan. A proposed method for containing the increase of rainwater on the property due to development, so that it doesn't pool up at the foundation, runoff onto neighbors' property, or cause flooding.
50. Subdivision. The division of a tract, lot, or parcel of land into two or more lots, plots, sites, or other division of land for the purpose, whether immediate or future, of sale or for building development.
51. Substantially Complete. The culinary water, secondary water, sewer, and storm water, must be installed sufficiently complete to function for the intended purpose. All electrical and natural gas utilities installed, and all utility conduits have been installed sufficiently complete to function for the intended purpose.
52. Tank. A storage container for storing culinary water.
53. Town Engineer. An approved engineer acting as the Engineer for Interlaken Town.
54. Town Planning Staff. Those members of the Town Staff, including the Town Planner, with the professional experience and responsibility to review and enforce this Title.
55. Variance. A waiver of a specific regulation of this Title granted by the Appeal Authority in accordance with the provisions set forth in this Title for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same zone.
56. Yard. An open space on the same lot with a building unoccupied or unobstructed from the ground upward, except as otherwise provided in this Title.

- a. Yard, front. The minimum horizontal distance between the street line and the front line of the building or any support posts for projections thereof, excluding non-enclosed steps. On a corner lot, the front yard may be applied to either street.
 - b. Yard, Rear. An open area or unoccupied space on the same lot as a building, measured from the rear line of the building (exclusive of steps) to the rear line of the lot, and extending for the entire width of the lot. On a corner lot, the rear yard may be applied to either of the interior lot lines, but does not enter the front or side yard, which faces the street.
 - c. Yard, Side. The open space between the building and the sideline of the lot and extending from the front yard to the rear lot line. On a corner lot, one of the side yards must face upon the remaining street after the front yard street frontage has been designated.
57. Zoning Lot. A tract of land designated for purposes of this Title as the project site. A zoning lot may or may not coincide with a lot of record.

CHAPTER 11.03 ZONES ESTABLISHED

Section 11.03.010	Zones Established
Section 11.03.020	Official Zone Map
Section 11.03.030	Boundaries of Zones

Section 11.03.010 Zones Established

In order to carry out the purposes of this Title, Interlaken Town, Utah is hereby divided into zones as follows:

R-1 Residential Zone
M-1 Municipal Zone
SL-OV Sensitive Lands Overlay Zone

Section 11.03.020 Official Zone Map

The location and boundary of each of the zones are shown on the Official Zone Map of Interlaken Town, Utah, and said map is hereby declared to be an official record and a part of this Title.

Whenever amendments or changes are made in zone boundaries, such amendments or changes shall be made on the Official Zone Map.

Section 11.03.030 Boundaries of Zones

Where uncertainty exists with respect to the boundaries of various zones, the following rules shall apply:

- A. Where the intended boundaries on the zone map are approximately street or alley lines, said street or alleys shall be construed to be the zone boundaries.
- B. Where the indicated boundaries are approximately lot lines, said lot lines shall be construed to be the zone boundaries, unless otherwise indicated.
- C. Where land has not been subdivided into lots, the zone boundary shall be determined by the use of the scale of measurement shown on the map.
- D. Where other uncertainty exists, the Town Council shall interpret the map.

CHAPTER 11.04 R-1 RESIDENTIAL ZONE

Section 11.04.010	Objective and Characteristics
Section 11.04.020	Permitted Uses
Section 11.04.030	Prohibited Uses
Section 11.04.040	Conditional Uses
Section 11.04.050	Area Requirements
Section 11.04.060	Width Requirements
Section 11.04.070	Location Requirements
Section 11.04.080	Size of Dwellings
Section 11.04.090	Supplementary Requirements

Section 11.04.010 Objective and Characteristics

The objective in establishing the R-1 Residential Zone is to encourage the creation and maintenance of residential areas within the Town which are characterized by medium to large size lots on which single-family dwellings are situated, surrounded by trees and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living are also characteristic of this zone. In order to accomplish the objectives and purposes of this Chapter and to promote the characteristics of this zone, the following regulations shall apply in the R-1 Residential Zone.

Section 11.04.020 Permitted Uses

A. One-family dwellings and related accessory buildings and uses. Accessory uses and buildings include garages, storage sheds., personal greenhouses, and carports. A maximum of one dwelling unit and one accessory building will be allowed for each legal lot.

B. Customary household pets, including but not limited to cats, dogs and canaries. This does not include the breeding of dogs and cats or other pets for sale or other use. Notwithstanding the foregoing, no more than three cats and three dogs are permitted at

one time at any single-family residence.

C. Temporary buildings and yards for the storage of materials and equipment incidental to the construction of dwellings when permitted has been approved and other permitted uses, provided that the building is removed upon issuance of a certificate of occupancy.

D. Home Occupations.

Section 11.04.030 Prohibited Uses

Prohibited uses include, but are not limited to:

Short Term rentals. No property or portion thereof may be rented or leased for 30 days or less for any purpose, including, but not limited to any residential or commercial purpose such as vacation rentals, weddings, or other event rentals.

Section 11.04.040 Conditional Uses

There are no conditional uses allowed in this zone.

Section 11.04.050 Area Requirements

The existing legal lots.

Section 11.04.060 Width and Frontage Requirements

The existing legal lots.

Section 11.04.070 Location Setback Requirements

Setbacks are measured according to the definitions provided in Section 11.02 of this Title. A building with Bay Windows or Bump-Outs will be subject to the Setback definition provided in that section.

A. The main dwelling unit shall be set back at least 30 feet from all lot lines or 30 feet from the center of the roadway right of way.

B. The accessory building shall be set back at least 30 feet from all lot lines, or 30 feet from the center of the roadway right of way.

C. A 10-foot setback shall be permitted along the property line that abuts an entity other than Interlaken property, such as the State Park boundary.

D. For corner lots, the main dwelling and any accessory building shall be set back from the rear property line a distance of at least 30 feet.

Section 11.04.080 Size of Dwellings

The ground floor area of all dwellings shall be not less than 800 square feet.

Section 11.04.090 Supplementary Requirements

See Chapter 11.06 Supplementary Requirements in Zones.

CHAPTER 11.05 M-1 MUNICIPAL ZONE

Section 11.05.010 Objective and Characteristics

Section 11.05.020 Permitted Uses

Section 11.05.030 Conditional Uses

Section 11.05.010 Objective and Characteristics

The objective in establishing the M-1 Municipal Zone is to allow Interlaken Town to control use of Town property, and to provide municipal services to the community.

The Municipal Zone includes the Town Pump House parcel and other property owned by the Town as referenced in the IMWC Company Assets Parcel Locations Map.

Section 11.05.020 Permitted Uses

Any use as permitted by Interlaken Town Council for the purpose of serving the community.

Section 11.05.030 Conditional Uses

No Conditional Uses are allowed in the M-1 Zone.

CHAPTER 11.06 SUPPLEMENTARY REQUIREMENTS IN ZONES

Section 11.06.010	Every Dwelling to be on a Zoning Lot
Section 11.06.020	Yards to be Unobstructed – Exceptions
Section 11.06.030	Area of Accessory Buildings
Section 11.06.040	Accessory Buildings Prohibited as Living Quarters
Section 11.06.050	Storage of Commercial Vehicles in Residential Zones Prohibited
Section 11.06.060	Storage of Junk and Debris in Residential Zones Prohibited
Section 11.06.070	Maximum Height Provisions for all Buildings
Section 11.06.080	Minimum Height Required for Buildings
Section 11.06.090	Minimum Width Required for Buildings Containing Dwelling Units
Section 11.06.100	Drainage
Section 11.06.110	Clear View Triangle of Intersecting Streets
Section 11.06.120	Sewage Disposal
Section 11.06.130	Motor Vehicle Access
Section 11.06.140	Landscaping Plan
Section 11.06.150	Maintenance of Undeveloped Areas
Section 11.06.160	Pollution Prevention
Section 11.06.170	Recreational Vehicles, Manufactured Homes, and Mobile Homes
Section 11.06.180	Home Occupations
Section 11.06.190	Moving of Homes
Section 11.06.200	Fences, Walls, and Hedges
Section 11.06.210	Off-Street Parking and Loading
Section 11.06.220	Requirements for Single-Family Dwelling Units
Section 11.06.230	Requirements for Solar Panels
Section 11.06.240	Requirements for Outdoor Lighting
Section 11.06.250	Fireplaces, Fire Pits, and Outdoor Fires

Section 11.06.010 Every Dwelling to be on a Zoning Lot

All buildings which contain a dwelling unit shall be located and maintained on a zoning lot as defined in this Title.

Section 11.06.020 Yards to be Unobstructed – Exceptions

Every part of a required yard shall be open to the sky and unobstructed except for permitted accessory buildings and except for ordinary and customary projection of sills, cornices, and other ornamental features and unenclosed steps and un-walled stoops and porches, which may project up to three feet into a required yard.

Section 11.06.030 Area of Accessory Buildings

Accessory buildings in any residential zone shall not cover more than 25 percent of the rear yard.

Section 11.06.040 Accessory Buildings Prohibited as Living Quarters

Living and sleeping quarters in any building other than the dwelling unit is prohibited.

Section 11.06.050 Storage of Commercial Vehicles on Public Streets Prohibited

With the exception of vehicles actively being used for a construction project, it shall be unlawful to park a double axle truck having a rated of two tons or more on any public street for a continuous length of time of three hours or more except in the case of current Town Public Works projects. It shall also be unlawful to so park any construction equipment, such as graders, compressors, etc. Under no circumstance may any such vehicle, including any vehicle actively being used for a construction project, remain parked outside construction hours as specified in Chapter 9.08 “Regulation of Construction Activities,” in Title 09.

Section 11.06.060 Storage of Junk and Debris in Residential Zones Prohibited

No yard or other open space surrounding an existing building in any residential zone, or which is hereafter provided around any building in any residential zone, shall be used for the storage of junk, debris, or obsolete vehicles; and no land shall be used for such purposes, except as specifically permitted herein.

Section 11.06.070 Maximum Height Provisions for all Buildings

Maximum Building Height must be clearly shown and presented (as a profile drawing detail, at minimum) on the plan drawing submitted for the building permit, as either:

A. The measured vertical distance (in feet) from the natural grade to the highest point of the roof, or roof element, or building structure above (for properties with an average natural grade of less than 25 percent slope).

or

B. The measured vertical distance (in feet) from the lowest flooring level which has an exterior entrance, or a partially or fully exposed wall on the downhill side of the dwelling, and then as measured from that flooring level to the highest point of the roof, or roof element, or building structure above (for properties with an average natural grade of 25 percent slope or greater or properties proposing building construction directly on top of any portion of land with a percent slope of 25 or

greater).

The height of any building shall not exceed 35 feet.

A. The total height shall be measured as follows:

1. For properties with an average natural grade of less than 25 percent slope: the total building height shall be measured as the vertical distance from the natural grade, as defined in this Title, to the highest point of a roof, or roof element, or building structure above.
2. For properties with an average natural grade of 25 percent slope or greater OR properties proposing building construction directly on top of any portion of land with a percent slope of 25 percent or greater: the total building height shall be measured from the lowest flooring level which has an exterior entrance or a partially or fully exposed wall on the downhill side of the dwelling, and then as measured from that flooring level to the highest point of the roof, or roof element or building structure above.

B. Exceptions:

1. Antennas, chimneys, flues, vents, or similar structures may extend up to 5 feet above the specified maximum height limit.
2. Mechanical equipment may extend up to 5 feet above the specified maximum height limit.

C. Special height requirements for buildings constructed on properties with an average natural slope of 25 percent or constructed on top of any bench and/or slope of 25 percent or greater are imposed to support the requirements stated in the Sensitive Lands Chapter of this Title. The restrictions stipulated in Section 11.06.070 on building height shall be applied where applicable.

Section 11.06.080 Minimum Height Required for Buildings

No dwelling shall be erected which has a ceiling height of less than 7 feet 6 inches or one story above grade, whichever is greater.

Section 11.06.090 Minimum Width Required for Buildings Containing Dwelling Units

No dwelling shall be erected, for which the narrowest width is less than 20 feet from outside face of opposing walls. This shall not include bay windows or offsets less than 6 feet in depth.

Section 11.06.100 Drainage

Surface water from rooftops, lots or irrigation ditches shall not be allowed to drain onto adjacent lots or streets. Gravel or debris that drains onto streets from rainstorms, etc. shall, within 48 hours, be cleaned up by property owner where the debris originated.

Section 11.06.110 Clear View Triangle of Intersecting Streets

No obstruction which will obscure the view of automobile drivers shall be placed on a corner lot within a triangular area formed by the street property lines and a line connecting them at points 45 feet from the intersection of the street lines.

Section 11.06.120 Sewage Disposal

Domestic liquid waste facilities in all dwellings and other buildings used for human occupancy which buildings are located within 300 feet to an available public sewer shall be connected to a public sewage system. Where domestic liquid waste facilities are located further away than 300 feet from any available public sewer, a public sewer shall either be extended to connect with such facilities or else the facilities must be constructed in accordance with Wasatch County health department standards before a building permit shall be issued for the building in which the sewage facilities are to be constructed.

Section 11.06.130 Motor Vehicle Access

Access to all lots and parcels of land having frontage on a public street shall be controlled as follows:

- A. Access shall be by not more than two driveways from any one street, except as may be permitted by the Town Council, when it can be shown that additional driveways will promote traffic safety.
- B. On corner lots, no driveway shall be closer than 40 feet to the point of intersection of the front property line with the side property line which abuts upon a street.

Section 11.06.140 Landscaping Plan

A landscaping plan shall be submitted as part of all building permits, and shall demonstrate the following:

1. How the surface of the earth as approved for a building will be maintained to preserve the final grade for the drainage and storm water plan
2. Control of noxious weeds
3. How the danger of wildfire will be limited
4. Economy of maintenance
5. Water use and environmental protection, as well as providing aesthetic enhancement suitable to the project.
6. Lawns are prohibited.
7. No landscaping shall be approved which, upon maturity, shall obstruct the existing views from neighboring properties.

8. For fire protection, trees and tall shrubs shall not be planted closer than 30 feet from new construction.

In all cases, such a plan will show the finished grade, location, type, and size of plants.

Native or naturalized plant species shall be used in order to conserve water.

The purpose of the landscaping requirement in this Title shall be to provide a plan that when implemented, will provide the means to:

- Reasonably protect buildings, utilities, surrounding properties and public facilities from damage from surface drainage
- Conserve water
- Control dust
- Increase efficiency of maintenance for landscaped areas
- Enhance the appearance of buildings
- Protect and enhance the beauty of the property and Town
- Stabilize property values by encouraging pleasant and attractive surroundings and thus create the necessary atmosphere for the orderly development of a pleasant community.

Landscaping also contributes to the relief of heat, noise, and glare through the proper placement of plants and trees.

A. Scope of Requirement. Where landscaping is required, such landscaping shall comply with the requirements set forth in this Section for the specific use and location, and shall be specific enough so that the implementation of the plan can be valued for installation costs, monitored for compliance with the plan by the Town or a third party as approved by the Town and, if required by the terms of this Title, be secured for completion by a construction and a warranty bond.

B. Site Grading Plan. Provide reasonable drainage away from the buildings by establishing grade lines to positively control water in coordination with existing or approved storm water drainage plans, to minimize erosion, and to protect landscaped surfaces from damage by concentrated runoff.

C. When landscaping is required as a part of any project approved under this Title, such landscape plans shall incorporate compliance with all other required conditions of the Town for the project.

D. Maintenance Required. Required landscaped areas shall be maintained in a neat, clean, orderly, and healthful condition. This is meant to include proper pruning, weeding, removal of litter, fertilizing, replacement of dead plants, and the watering as required to establish all native and naturalized plantings.

E. Screening Requirements. Where landscape screening is required, said screening shall consist of evergreen shrubs, closely spaced and maintained at substantially the specified height of said required screening. When not otherwise specified, natural screening shall be maintained at a height of at least 6 feet.

F. Site Plan Required. Where landscaping is required in this Title, a site plan

showing the proposed landscaping development, and use of the property shall be submitted to the Planning Commission. Otherwise, the same plan used to show parking layout or other requirements for the issuance of a building permit may be used to show landscaping, providing all required landscaping is detailed adequately on said plot plan. The Town Council may disapprove such plans if it determines that they are not consistent with the requirements and purposes of this Chapter.

G. Non-Conforming Status. Any use of property, which, on the effective date of this Chapter is non-conforming only as to the regulations relating to landscaping, may be continued in the same manner as if the landscaping were conforming, unless such use constitutes a nuisance.

H. It is not required that any particular species of plants or grasses shall be provided, except that the landscape plan shall explain the choice for each plant material and demonstrate that the plant material is appropriate to the function of the landscape plan and can survive in this climate with little to no irrigation. The landscape plan shall include water wise plantings and must demonstrate how noxious weed species can be controlled within the landscape plan area.

Section 11.05.150 Maintenance of Undeveloped Areas

All undeveloped areas shall be treated for noxious weeds. Noxious weeds, as identified by the Wasatch County Weed Board, shall be controlled using Weed Board-approved treatment procedures for the selected weed species.

Section 11.06.160 Pollution Prevention

Any use which emits or discharges gases, fumes, dust, glare, noise, or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by the Utah State Air Conservation Board or the Board of Health and any use which emits or discharges liquids or solid material onto the soil or water in amounts exceeding the standards prescribed by the Utah State Water Pollution Control Board or the Board of Health, shall be prohibited. This Section shall not prohibit the use of burning for agricultural purposes.

Section 11.06.170 Recreational Vehicles, Manufactured Homes, and Mobile Homes

A. It shall be unlawful to place a mobile home within the corporate limits of Interlaken Town.

B. A recreational vehicle shall not be placed on any lot or parcel of land in an area covered by the zone map and to use the same for human habitation except when temporarily parked on a lot and occupied by relatives or friends of the residing family, but not to exceed 14 days.

- C. All recreational vehicles must have a current registration.
- D. Any two of the following shall be prima facia evidence of human habitation of a recreational vehicle:
 - 1. Connection to an electrical power source.
 - 2. Connection to water source.
 - 3. Connection to a private or public sanitary sewer system.
- E. Manufactured homes may be placed within the residential areas of Interlaken Town, when they meet all zoning criteria for a residential dwelling unit, when the home is placed on a permanent foundation, and when meeting the criteria of State law.

Section 11.06.180 Home Occupations

Home occupations, as described below is a permitted use:

- A. Home occupations are permitted in the zone.
- B. The home occupation is clearly incidental to and secondary to the residential use of the dwelling unit and does not occupy more than 500 square feet or 25 percent of the total floor area of such dwelling unit, whichever is less.
- C. The home occupation is carried on entirely within the dwelling unit by one or more of the residents residing within the dwelling. For the purposes of this Section, a garage, carport, patio, breezeway or any accessory building is not considered to be part of the dwelling.
- D. It shall not be permitted to conduct any activity of the home occupation outside of the dwelling unit or store materials or products outside of the dwelling unit. There shall be no external evidence of the home occupation.
- E. The home occupation shall limit the number of concurrent customer visits to a maximum of 3. Customers may not park on public streets.
- F. The home occupation must comply with all Interlaken Town building and fire codes.

Section 11.06.190 Moving of Homes

The legal moving of a dwelling from one location to another is defined and permitted as follows: Dwellings, which have had prior use, shall be permitted within all zones in which dwellings are permitted when approved by the Town Council, subject to the following conditions:

- A. An application has been filed with the Town Council containing the following

information:

1. Location and address of both the old and new sites.
2. Plot plan of the new site, showing adjacent lots on all sides of the property and indicating all structures and improvements on said lots.
3. Plans and specifications for the proposed improvements at the new location, including plans for landscaping treatment.
4. Certification by a licensed structural engineer that the structure is sound enough to be moved shall be provided to the Building Inspector and a site plan and other documents showing that the condition, location, and use of the building will comply with the Land Use Title and all other applicable codes and ordinances.

B. The Town Council finds:

1. That the building will have no appreciable detrimental effect on the living environment and property values in the area into which the structure is to be moved.
2. That the building is in conformity with the quality of buildings existing in the area into which it is proposed to be moved.
3. That said building and the lot on which the building is to be located will conform to the requirements of the Land Use Title and other applicable sections of the Municipal Code.
4. That the location on the lot does not in any substantial way adversely affect buildings or uses on abutting properties.
5. That all landscaping, walkways and masonry work about the premises and the required dedications and improvements for streets and facilities and buildings shall be provided in conformity with the standards of the Town.
6. That a bond or other assurance has been posted as a guarantee that the building and grounds will be improved as stipulated by the Town Council before the building is occupied, and that the vacated site will be restored to a safe and sightly condition. The amount of the bond or other assurance shall be at least equal to the cost of employing a contractor to make the improvement to the buildings and premises as required by the Town Council.
7. Foundations removed.

Section 11.06.200 Fences, Walls, and Hedges

- A. Chain link, vinyl, electric, or barbed wire fences are not permitted.
- B. Fences, walls, and hedges shall be permitted in all zones to a height of 6 feet unless prohibited in other sections of the code.
- C. Fences, walls, hedges or other obstructions shall not be located in the clear view of intersecting streets as explained in Section 11.06.110.
- D. No fence, wall, hedge or other obstruction over (3) feet in height shall be constructed or placed within 10 feet of any driveway which would interfere with the visibility of pedestrians and traffic.

E. All private fences, walls, hedges or other obstructions, regardless of fence height or property zoning classification, shall be constructed upon private property and not within the street right- of-way.

Section 11.06.210 Off-Street Parking and Loading

The following regulations are established to increase safety and lessen congestion in the public streets, to provide adequately for parking needs associated with the development of land and increased automobile usage, to set standards for off-street parking according to the amount of traffic generated by each use, and to reduce the on-street storage of vehicles.

The minimum number of parking spaces required for residential structures is two parking spaces per unit.

Section 11.06.220 Requirements for Single-Family Dwelling Units

Single-family dwelling units shall be constructed on permanent foundations.

Section 11.06.230 Requirements for Solar Panels

A. The purpose of this section is to regulate the permitting of solar panels for personal use and encourage renewable energy practices with minimal regulation while mitigating negative effects.

B. Flush mounted roof solar panels are allowed as a permitted use as long as the panels are mounted flush (or minimum parallel separation allowed for cooling) with the roof and are a maximum of 4" thick.

C. Structured roof mounted solar panels are permitted. Structured panels are defined as a panel that does not mount flush with the roof but has some type of structure to change the angle of the panel.

D. Free standing solar panel structures are a permitted with the following regulations:

1. A maximum height of 15' from natural grade.
2. A maximum area of 300 square feet.
3. The solar panel structure shall meet all the setback requirements for an accessory structure as required in the zoning district in which it will be located.

E. Solar panels require a building permit in all cases except when all the following requirements are met:

1. The solar panels are not hooked into any local electrical provider's system.
2. The size of the panels is no more than 2' x 2'.
3. No more than 2 amps are produced.

Section 11.06.240 Requirements for Outdoor Lighting

A. Purpose. It is recognized that the topography, atmospheric conditions, and mountainous terrain in Interlaken Town are unique and valuable to the community. The enjoyment of a starry night is an experience the community desires to preserve. The Town of Interlaken, through the provisions herein contained, promotes the reduction of light pollution that interferes with enjoyment of the night sky.

It is the intent of this Section to establish lighting practices and systems to minimize light pollution, glare, and light trespass, and curtail the degradation of the nighttime visual environment.

The requirements in this Section are employed to restrict the use of outdoor artificial illuminating devices emitting undesirable light rays that:

1. Have a detrimental effect on astronomical observations and wildlife activity.
2. Create a public nuisance.

B. Conformance with Applicable Codes. All outdoor electrically powered illuminating devices shall be permitted, inspected, and installed in conformance with the provisions of this Code, the International Building Code, the Electrical Code, and the Illuminating Engineering Society of North America standards. When discrepancies in these Codes exist, the most restrictive shall apply.

C. General Regulations.

1. The provisions of this Section shall apply to all outdoor artificial illuminating devices, outdoor fixtures, lamps, and other devices, permanent or portable, used for illumination. Such devices shall include, but are not limited to search, spot, or flood lights, and other fixtures used to illuminate:
 - a. buildings and structures
 - b. recreational areas, sport courts, patios, driveways, and walkways
 - c. general area and yard lighting (including security lighting and motion sensitive lighting)
2. Every outdoor light source shall be operated so that it does not emit a beam or intense glare beyond the property boundary. Such lighting shall be operated in a way that it is directed away from and shielded from any adjacent property and shall not detract from driver visibility on adjacent streets. Compliance is achieved with fixture shielding, directional control designed into the fixture, fixture location, fixture height, fixture aim, or a combination of these factors.
3. All outdoor artificial illuminating devices, except those devices exempted in 11.06.240 (J), shall be fully shielded as required in this Section.
4. The provisions of this Section are not intended to prevent the use of any material or method of installation that is not specifically prohibited by this

Section, if any such alternative has been approved by the Planning Commission or Administrative Staff. The Planning Commission or Administrative Staff may approve any such alternate as long as the proposed design, material or method:

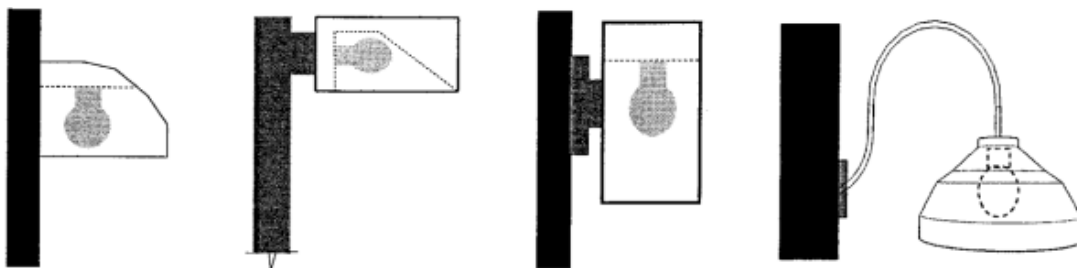
- a. Provides approximate equivalence to those specific requirements of this Section; or
- b. Is otherwise satisfactory and complies with the intent of this Section.

5. All outdoor illuminating devices shall be installed in conformance with the provisions of this Section as well as with all other provisions of the Interlaken Town Land Use and Building Codes, as these are later amended and as applicable. Any language contained in this Section that conflicts with other Sections of the Interlaken Town Municipal Code shall be construed consistent with this Section.

D. Definitions

1. Fully Shielded. (full cut off) Fixtures shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are below a horizontal plane running through the lowest point on the fixture where light is emitted, thus preventing the emission of light above the horizontal. This fixture has a solid housing with a flat lens or bottom, and the bulb is fully within the housing. This type of fixture provides optimum light control. See figure 1 for examples of fully shielded fixtures.

Figure 1



2. Glare. The sensation produced by luminance within the visual field that is sufficiently greater than the luminance to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility.
3. Outdoor Light Output Total. The maximum total amount of light, measured in lumens, from all outdoor light fixtures.
4. Partially Shielded. Fixtures that are shielded in such a manner that the bottom edge of the shield is below the plane centerline of the light source (lamp), minimizing the emission of light rays above the horizontal plane. This type of fixture uses a lamp that is partially exposed and an internal

reflector that directs the light downward and spill light to the side and upward. Such fixtures provide some lighting control. Partially shielded fixtures are prohibited except as allowed in 11.06.240 (J).

5. Unshielded Fixtures. A lamp that provides no lighting control and is totally exposed with no internal reflector, allowing light to be emitted in all directions. This type of fixture provides no lighting control. Unshielded fixtures are prohibited except as allowed in 11.06.240 (J).

E. Shielding. All non-exempt outdoor lighting shall be Fully Shielded.

F. Pathway and Driveway Lighting. The intent of pathway and driveway lighting is to provide pools of light to help direct pedestrians or vehicles along the path or driveway, not to fully illuminate the area. Pathway and driveway lighting shall not be mounted more than eighteen inches (18”) above finished grade, measured from the top of the fixture.

G. Seasonal Display of Lights. Low-Lumen winter seasonal lights that do not cause light trespass or interfere with the reasonable use and enjoyment of property are permitted during the dates and times set below. Seasonal lights are exempt from the Fully Shielded requirement, and any color of lights may be used with the following conditions:

1. Seasonal lights are limited to the fifteenth of November (11/15) to the fifteenth of January (1/15). Seasonal lighting shall comply with the zone-required Setbacks and be turned off by 11:00pm.

H. Prohibited Lighting.

1. Search lighting, laser source lights, or high intensity lighting except by police and fire personnel or at their discretion.
 2. The unshielded or partially shielded outdoor illumination of any building, landscaping, or other purpose, is prohibited.
 3. Recreational lighting, sport courts lighting.
 4. Unshielded Floodlights, Spotlights.
 5. Neon or luminous tube lighting.
 6. Up-lighting
- I. Light Trespass. Light trespass is artificial light that falls beyond the legal boundaries of the property it is intended to illuminate. Outdoor lighting shall be aimed and Fully Shielded so that the direct illumination shall be confined to the property boundaries of the source.
- J. Lighting Exemptions.

1. Temporary emergency lighting in use by law enforcement, Interlaken Town, or other government agencies or at their direction.
 2. Outdoor lighting on facilities and lands owned and operated or protected by the United States Government, the State of Utah, or Wasatch County are exempted by law from all requirements of this Section. Voluntary compliance with the intent of this Chapter at those facilities is encouraged.
 3. The Town Council may grant a special exemption to the Town Outdoor lighting requirements contained herein only upon a written finding that there are extreme geographic or geometric conditions warranting the exemption and that there are no conforming fixtures that would suffice.
 4. Low-Lumen String lights (does not include Seasonal lighting) that are used to light decks, pergolas, and patios are exempt from shielding requirements and can be used year-round on residential properties. The lights shall not strobe or flash. String lights shall comply with zone-required Setbacks and be turned off by 11:00.
- K. Lighting Plan. All building permit applications for new construction or remodeling shall include a lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this chapter. Lighting plans shall include the following:
1. Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of illumination devices, lamps, supports, shielding and reflectors used and installation and electrical details.
 2. Illustrations, such as contained in a manufacturer's catalog cuts, of all proposed lighting fixtures. In the event photometric diagrams are not available, the applicant must provide sufficient information regarding the light fixture and shielding mechanisms to be able to determine compliance with the provisions of this chapter.
- L. Compliance Timeline.
- a. All outdoor lighting in current use which is not exempted shall conform. This requirement is consistent with previous requirements specified in the "Interlaken Outdoor Lighting Specifications," adopted on 9/12/16.
 - b. Property owners shall not replace outdoor lighting with non-compliant fixtures.

Section 11.06.250 Fireplaces, Fire Pits, and Outdoor Fires

- A. No wood-burning fire pits, fireplaces, chimneys, or other wood-based open flames may be permitted outdoors or placed on the exterior wall of any building in any zone.
- B. Spark arrestors shall be installed in every fireplace constructed indoors. Screen openings in such arrestors shall not be in excess of ¼ inch diameter.
- C. Outdoor gas fire pits are permitted provided they meet the following requirements. The fire pit must:
- Be placed on a fireproof surface, such as concrete or stone.
 - Maintain a minimum distance of (15) fifteen feet (15') from any building, ten feet (10') feet from any lot line, and ten feet (10') from any other combustible material.
 - Be Surrounded and enclosed by a noncombustible material such as steel, brick, or masonry.
 - Not have an ignitable area exceeding ten square feet (10 ft²).
- D. Gas fireplaces are permitted outdoors, provided they meet the following requirements:
- Meet all requirements set forth by Chapter 9.03 Uniform Codes Adopted
 - Uses a glass enclosure over the face of the fireplace
- E. Indoor fireplaces that burn solid fuel or wood are required to have a spark arrestor fitted to their chimney that meets the following requirements:
- The net free area of the spark arrestor shall not be less than four times the net free area of the outlet of the chimney flue it serves.
 - The spark arrestor screen shall have heat and corrosion resistance equivalent to 19-gauge galvanized steel or 24-gauge stainless steel.
 - Openings shall not permit the passage of spheres having a diameter greater than ½ inch nor block the passage of spheres having a diameter less than 3/8 inch.
 - The spark arrestor shall be accessible for cleaning, and the screen or chimney cap shall be removable to allow for cleaning of the chimney flue.

CHAPTER 11.07 SL-OV SENSITIVE LANDS OVERLAY ZONE

Section 11.07.010	Purpose
Section 11.07.020	Area and Applicability
Section 11.07.030	Sensitive Lands Identification and Review Procedure
Section 11.07.040	Reference Materials and Resources
Section 11.07.050	Ditches
Section 11.07.060	Spring and Well Protection Zones
Section 11.07.070	Trees and Vegetation
Section 11.07.080	Hillsides, Slopes, and Natural Grade

Section 11.07.010 Purpose

A. This Sensitive Lands Overlay Zone Chapter recognizes and provides protection for the unique sensitive lands features that are of major interest to the Town.

B. Thus, the purposes of this Sensitive Lands Overlay Zone Chapter shall be to provide standards and guidelines for the protection of these natural resources and features for the Town and the public. These purposes include, as examples, but are not limited to:

1. Encourage development designed to reduce risks associated with natural hazards from storm water runoff and erosion by requiring drainage facilities and the minimal removal of vegetation.
2. Minimize the threat and consequential damages of fire in hillside areas by establishing fire protection measures.
3. Preserve natural features, wildlife habitat and open space.
4. Preserve public access to mountain areas and natural drainage channels.
5. Retain natural topographical features such as drainage channels, streams, ridgelines, rock outcroppings, vistas, trees and other natural plant formations.
6. Preserve and enhance visual and environmental quality by the use of natural vegetation and prohibition of excessive excavation and terracing.
7. Establish on-site and off-site traffic facilities that ensure ingress and egress for vehicles (including emergency vehicles) into all developed areas at any time.
8. Encourage location, design and development of building sites to provide maximum safety and human enjoyment while adapting the development to the best use of natural terrain.
9. Encourage the use of creative design teams composed of professional landscape architects, engineers and others.
10. Identify and protect environmentally sensitive areas of the Town.
11. Protect these areas from flooding, erosion, storm water damage or fire hazard.
12. Protect the public safety and public costs thereof.
13. Protect the scenic and natural character and views of these areas.
14. Retain the natural topographic features and natural grade of these areas.
15. Protect the flora and fauna and habitat of these areas.

16. Encourage public access to these areas.

Section 11.07.020 Area and Applicability

A. Area. The Sensitive Lands Overlay Zone and Chapter, and every sensitive land concept incorporated therein, shall apply to the full-incorporated limits of the Town of Interlaken, and to any proposed annexation.

B. Applications Affected. This Chapter shall apply to all land use applications and to any level of development or improvement or other use with the potential to change the sensitive character of the land.

C. Annexations. Annexation petitioners must conduct a sensitive lands analysis of the full area being considered for annexation. Any findings of sensitive lands will be updated into the Town maps and inventories herein described. This initial annexation inventory notwithstanding, future development applications within the annexation must also submit to a future sensitive lands analysis at the time of application for development.

D. Conflict. In the event of overlapping or conflicting requirements between this Sensitive Lands Chapter and other provisions or regulations under other sections of the Town Municipal Code, the more restrictive provision shall apply.

Section 11.07.030 Sensitive Lands Identification and Review Procedure

For every annexation brought before the Town, the owner, developer or proponent shall, as part of the application for Preliminary Approval, evaluate and return the sensitive lands analysis checklist, along with supporting data for each section of the checklist concerning its applicability to the property. This completed checklist is to facilitate a review of the sensitive lands by the Town Planner, Planning Commission, and Town Council. The checklist is by no means comprehensive but is an initial guideline for the benefit of both the Town and the applicant. Upon review, the Town may require further and more comprehensive analysis of any of the sections. Analysis of each of the types of sensitive lands governed by this Chapter, and the applicable requirements contained herein, may be required to be conducted by professionally licensed engineers or the appropriate public review agency, or firms sanctioned by such agencies, at the expense of the owner or developer.

Section 11.07.040 Reference Materials and Resources

The following materials and resources may be available for reference by the applicant. These items are not exhaustive. The requirements of this Chapter apply to the types of sensitive lands described by this Chapter whether or not these materials specifically identify an applicant's particular parcel of land. Under all circumstances, the applicant has the responsibility to identify all sensitive lands on property proposed for

development, and to comply with the requirements imposed by this Chapter for each specified type of sensitive land, regardless of the identification or non-identification of the property by any official or unofficial map, chart, study or survey.

- A. Streams, waterways and ditches map of the 100-year flood plain.
- B. Spring and Well Protection Zone map identifying these locations and protection zones.
- C. Sensitive Hillside or Slope Areas are delineated on the Interlaken Slope Study Map. See Section 11.07.080 for more information.

Section 11.07.050 Ditches

Ditches must be kept clear of obstructions and cannot be filled in as part of any type of construction project.

Section 11.07.060 Spring and Well Protection Zones

A. Policy. Interlaken Town will protect areas within the Source Protection Area of a public drinking water source, as defined in the Interlaken Town Source Protection Plan, or as such zones are defined by the Utah State Division of Drinking Water, from concentrated sources of pollution.

B. Procedure. All development affecting properties within these areas must be reviewed by the Wasatch County Health Department, Town Engineer, and the Interlaken Town Planning Commission, and also may be reviewed by others who have a property interest in the water source. The applicant shall prepare a request considering this information and other material relevant to the use of property within Source Protection Areas. The Planning Commission shall review this request and prepare a recommendation using this information and public health principles. The Planning Commission and Town Council must consider the recommendations of Water Master and the Health Department before development can be approved in these areas.

Section 11.07.070 Trees and Vegetation

The following requirements shall apply throughout the Town:

Existing Trees and Vegetation. Every effort to save all full-size existing trees on a property shall be made by the owner. Existing trees shall not be cut unless absolutely required for placement of structures or infrastructure or for public safety purposes. In areas determined by the Fire Marshal to be highly susceptible to fire hazards, vegetation up to 30 feet from the perimeter of a structure shall be selectively pruned and thinned, but not clear cut, for fire protection purposes.

Section 11.07.080 Hillsides, Slopes, and Natural Grade

- A. Slope analysis and natural grade. Slope analysis and natural grade shall be as determined by the “Interlaken Slope Study Map.”
- B. Boundary Delineation. A sensitive hillside or slope area shall be delineated where any slope is 25 percent or greater.
- C. Identification of Category of Use. Uses in the hillside areas shall be according to the following requirements:
1. Residential land uses shall be allowed on areas up to 30 percent slope if the development meets all the requirements of this Section. Slopes greater than 30 percent shall require a Special Hazard Study.
 2. A geotechnical report is required for building on any slope over 10 percent.
- D. Grading, terracing, filling, benching and retaining wall considerations. The use of grading, filling, terracing or benching to either create or increase building lot size, or to modify building height objectives, is prohibited. However, the practice of excavating to “nest” the basement and better preserve the natural grade is encouraged, so long as the material excavated from the cut is not used to alter the rest of the existing grade, except as noted in this section. This concept notwithstanding, reasonable fill may be used within 30 feet of the dwelling to provide for driveways, parking, yard and public safety access. Grading in hillside areas shall be in accordance with Town standards. In order to preserve the sensitive lands throughout the Town, grading and filling permits and pre-inspections shall be required throughout the entire Town, regardless of slope.
- E. Retaining Walls. Retaining walls are discouraged, and the use of blended natural contours is encouraged. However, if it can be demonstrated by the applicant to the satisfaction of the Town Administrator, the Planning Commission, and the Town Council that there is no other alternative, then a retaining wall may be constructed in order to reduce the impact of cut banks and fill slopes of more than 6 vertical feet. Such retaining walls must be made of natural stone and blend into the colors and contours of the hillside.
- F. Exposed Concrete Walls. Exterior concrete walls which have more than six feet of exposed surface height, as measured from natural grade, in any section within the wall must be finished in accordance with standards set by the Town Administrator and Planning Commission, which may be updated from time to time. Acceptable finishes include:
1. Broom Finish
 2. Stamped Concrete Finish
 3. Exposed Aggregate Finish
- A separate review by the Planning Commission and Town Administrator shall be

required for approval of any other type of exposed concrete finish.

G. Allowable streets, driveways and grade crossings. The following restriction shall be placed upon the development of streets and driveways in a hillside sensitive area:

1. Maximum Grades.

- a. All streets shall be constructed at a maximum of twelve percent slope grade. Streets in grade between 10 percent slope and 12 percent slope shall be no more than 250 feet in length and only upon written approval from both the Town Engineer and Fire Marshal.
- b. Driveways to all residential dwellings shall be constructed at a maximum of 15 percent slope grade. However, driveways may be approved at a grade above 15 percent slope only if they receive written approval from the Town Engineer and Fire Marshal.

2. Criteria for Streets and Driveways Traversing Steep Slopes.

All roads and driveways in hillside areas must receive full review from the Town Engineer, and final approval from the Town Council. Sensitivity to the landforms, erosion, plant life, wildlife and view shed are key considerations. Streets, roads, private access roads, driveways, and other vehicular routes shall not be allowed to traverse slopes between 25 percent slope and 50 percent slope unless specifically authorized by the Town Council upon recommendation from the Planning Commission. Any drive so authorized shall meet the following criteria:

- a. No alternative location for access is feasible or available.
 - b. No individual segment of the street, road, private access road, driveway or other vehicular route that will cross slopes between 25 percent slope and 50 percent slope shall exceed 100 feet in length or, if greater than 100 feet, 10 percent of the total length of the street, road, private access road, or other vehicular route.
 - c. No significant adverse visual, environmental, or safety impacts will result from the crossing.
 - d. Fifty percent slope crossings. Unless a variance is granted, no street, road, private access road, driveway or other vehicular route cross slopes greater than 50 percent slope.
 - e. Natural Contour. Streets, roads, private access roads, driveways and other vehicular routes shall follow the natural contour lines as much as possible. No street or road shall either traverse or follow a ridge or follow up a ridge line.
3. Grading for streets, roads, private access roads, and other vehicular routes shall be limited to the roadway portion of the right-of-way, plus up to an additional 10 feet on either side of the roadway as needed, except that when developing access on slopes in excess of 25 percent, only the roadway portion of the right-of-way shall be graded, plus the minimum area required for any necessary curb, gutter, or sidewalk improvements. The remainder of the access right-of-way shall be left undisturbed to the maximum extent possible.
4. Other Roads. Roads, other vehicle routes, or trails may be required to provide access or maintain existing access to adjacent lands for vehicle, pedestrians, emergency services, and essential service and maintenance equipment.
5. Shared Driveways. Driveways in sensitive land hillside areas may be shared by no more than four residential dwelling units or by four or more principal nonresidential uses, provided such nonresidential uses together do not exceed a total of 25,000

square feet of gross floor area. Shared driveways are strongly encouraged in these areas.

6. Restoration. All cuts, fills, berms, roadside grades or other disturbances created as a result of the road or driveway construction shall be protected from erosion and be restored to as natural a state as possible by restoration of natural vegetation.

H. Landslide considerations. It is the intent of the Town that no construction shall occur in areas susceptible to landslides, nor shall any construction or disturbance create an area more susceptible to erosion or landslides or that will destabilize a pre-existing landslide. Areas with potential for landslides may be identified on Town maps. The applicant is responsible to search for, perform studies that will identify, and disclose any information that is available to identify areas of instability. For all areas identified on Town materials as potential landslide areas, a slope stability analysis must be performed by a licensed geotechnical engineer before development is approved on those sites. The applicant, Planning and Engineering staff, the Planning Commission, and Town Council must then use this information to guide the development of the property.

I. Maximum Height of Buildings. See Section 11.06.070 for this requirement.

J. Exterior lighting. Floodlights shall not be used to light all or any portion of any primary or accessory structure facade. All outdoor light sources mounted on poles or buildings or trees to illuminate streets, sidewalks, walkways, patios, porches, parking lots or driveways or other outdoor areas shall use full cutoff fixtures. All such fixtures shall be installed or shielded so that the point light source or light bulb is not visible beyond the property boundary.

Refer to Section 11.06.250 for additional requirements for outdoor lighting.

K. Vegetation preservation and re-vegetation guidelines. All disturbed slopes of greater than ten per cent grade shall be re-vegetated with native plants and trees and properly maintained.

L. Fire Protection. The following fire protection measures shall be taken when developments are placed in hillside areas:

1. Each development site and building permit shall comply with current fire regulations.
2. Spark arresters shall be installed in every indoor fireplace that burns solid fuel or wood. Screen openings in such arresters shall not be in excess of ¼-inch diameter. Outdoor wood-burning fire pits, fireplaces, chimneys, or other wood-based open flames are not permitted.

Refer to Section 11.06.250 for more information about fireplaces, fire pits, and outdoor fires.

CHAPTER 11.08 SIGNS

Section 11.08.010	Purpose
Section 11.08.020	Definitions
Section 11.08.030	Abandoned or Obsolete Signs
Section 11.08.040	Non-Conforming Signs
Section 11.08.050	Sign Regulations
Section 11.08.060	Real Estate for Sale, Rent, Lease and Open House Signs
Section 11.08.070	Temporary Event Signs

Section 11.08.010 Purpose

These provisions regarding the regulation of signage have been created to promote signage that will be consistent with the nature of the Interlaken Town setting.

Section 11.08.020 Definitions

A. For the general purpose of this Chapter, certain abbreviations, terms, phrases and their derivatives shall be construed as specified herein.

1. Animated sign. The movement or the optical illusion of movement of any part of the sign structure, design or pictorial segment including the movement of any illumination or the flashing, flickering, or varying of light intensity. The automatic changing of all or any part of the facing of a sign or any sign or part of a sign set in motion by movement of the atmosphere shall be considered to be animation under this Chapter.
2. Banner. Any temporary sign of lightweight fabric or similar material intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations of any kind. National flags, flags of political subdivisions or other public entity shall not be considered banners for the purpose of this Chapter. Refer to definition of Flag.
3. Billboard. A sign, regardless of type or size, that has a changeable face or faces, illuminated, electronic or otherwise, and said face or faces are leased for advertising business, services, entertainment, and so forth which is conducted or sold elsewhere than on the premises on which the sign is located.
4. Building-mounted sign. A sign directly mounted to a building. Building-mounted signs shall include canopy, fascia, parapet, projecting and wall mounted signs. Roof mounted signs are not permitted.
5. Canopy Sign. A type of building-mounted sign mounted and supported by a permanent canopy, arcade or portal and the faces of which are near perpendicular to the nearest façade.
6. Center (Business, Commercial, or Industrial). A group of three or more businesses associated by common agreement or under common ownership which comprises a contiguous land parcel unit with common parking facilities.
7. Clear view triangle. The area at a driveway and/or street intersection where signs

or other structures must be placed outside of. It is measured from the right-of-way intersection corner on the subject property, a distance of forty-five (45) feet in both directions, and then connected as a triangle.

8. Decorative Sign. A permanent sign and sign frame used to identify the residential address and name that are made of the following:

- a. Wood or simulated wood (carved, routed, and painted);
- b. Rock or stone. Boulders with engraved lettering or metal lettering: stones set in mortar, combined with wood or metal;
- c. Stucco;
- d. Metal – decorative (containing an element of wrought iron, brass, steel, copper or other painted metals);
- e. Architectural signs that make use of statuary, fountains, and old world/Swiss European architectural elements;
- f. Signs painted on the exterior of the building in a European fashion; or,
- g. A combination of the above.

9. Dedication Plaques. Non-illuminated names of buildings, dates of erection, monument citations, commemorative tables and the like when carved in stone, concrete, metal, or any other permanent type of construction and made an integral part of a permitted structure or made flush to the ground.

10. Development Entrance Sign. A permanent sign erected at the entrance(s) of a residential or commercial development.

11. Directional Sign. Any sign which is designed and erected solely for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed, and which contains no advertising copy.

12. Electronic Sign. A window, wall, or other sign that changes messages through a marquee, reader board, electronic center, or other replaceable copy area.

13. Flag. Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision or other public entity.

14. Freestanding Sign. A sign which is erected on its own self-supporting permanent structure and detached from any supporting elements of a building. Signs on walls or fences which are not an integral part of a building are freestanding signs.

15. Governmental Sign. A sign required by law or sign of a duly constituted governmental body, such as traffic sign, warning sign or no trespassing sign.

16. Grand Opening Sign, Banner, and Display. Those signs, banners, or displays used to announce the opening of a new business.

17. Historic Sign. A sign that by its construction materials, age, prominent location, unique design, or craftsmanship, provides historic character, individuality, and a sense of place or orientation regarding clues to a building's history.

18. Identification Sign. A sign which directs attention to a business, commodity, service, entertainment or product related to uses on the site where the sign is located and which is not otherwise defined in this Chapter.

19. Illuminated Sign. A sign whose surface is lighted internally (backlit) or externally (front lit).

20. Incidental Sign. A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as “no parking”, “entrance”, “loading

only”, “telephone” and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

21. Inflatable sign. A temporary sign consisting of a nonporous bag, balloon or other object inflated by any means and designed to draw attention to a commercial business. Inflatable signs are not permitted in any zone.

22. Maintenance. The repairing or repainting of a sign structure, changing of reader panels or directory signs, or renewing copy of which has been made unusable by ordinary wear or tear of weather or accident, which does not exceed 50 per cent of the total replacement value of the sign or sign structure as determined by the Zoning Administrator. “Maintenance” shall not include copy changes due to ownership changes or name changes.

23. Menu Board. A sign for drive-in and drive-thru businesses which list those items and services available at the premises. This does not include menu boards posted at a restaurant entrance door for review by a diner.

24. Monument or Ground Sign. A freestanding sign whose sign face is supported by a base or by uprights or braces placed upon the ground.

25. Non-conforming Sign. Signs which lawfully existed within the Interlaken Town prior to the effective date of this Chapter, but which do not comply with the requirements of this code Chapter, and which uninterruptedly continue to advertise the same business name and exist past the effective date of this Chapter in a state of non-compliance, shall be deemed non-conforming signs.

26. Off-premises Sign. A sign which directs attention to a business, commodity, service, entertainment or product not related to uses on the premises where the sign is located.

27. Open House Sign. A temporary on-site or off-premises sign to indicate that a particular property is open for viewing by the public.

28. Pennant. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

29. Permanent Sign. A permitted sign that has been reviewed by the VAC and approved by the Zoning Administrator. The sign is permanently attached to a building or to the ground.

30. Political Sign. A temporary sign which supports the candidacy of any candidate for public office or urges action of any other matter on the ballot of primary, general or special elections.

31. Portable Sign. A sign designed to be movable from one location to another and is not permanently attached to the ground or any structure. This includes portable A-frame type signs. Approved styles for portable A-frame signs include weighted slot styles and hinged handle styles with spread bases.

32. Projecting Sign. A type of building-mounted sign, other than a wall or canopy sign, which projects more than twelve inches from and is supported by a wall of a building.

33. Public Utility Sign. Signs placed by a public utility for the safety, welfare, or convenience of the public, such as signs identifying high voltage, public telephone or underground cables.

34. Real Estate For Sale, Rent or Lease Sign. An on-site temporary For Sale, Rent or

Lease sign placed on the property to which the sign refers.

35. Sign. Any identification, description, illustration, or device which is affixed directly or indirectly upon a building, structure or land which directs attention to a product, place, activity, service, person, institution, or business, and which is visible from any public street, alley or public place, but not to include menu boards or banners as defined in this Section. A vehicle- mounted sign on a vehicle that is habitually parked or stationed at the site of a business and serves to advertise or identify the business shall be construed as a sign for the purpose of this Chapter. National flags and flags of political subdivisions shall not be construed as signs.

36. Sign Area. The smallest rectangle which encompasses all the letters or symbols.

37. Sign Structure. The supports and framework of the sign.

38. Street Pole Banners. A banner that is temporarily installed on select Town light poles.

39. Temporary Development/Model Home Sign. A non-illuminated temporary sign allowed to be erected upon a parcel to designate future occupancy by a business, development or other concern designated thereon.

40. Temporary Event Sign. A sign, other than a commercial sign, posted to advertise a community event or series of events sponsored by a public agency, school, church, civic, fraternal organization, or similar noncommercial, not-for-profit organization.

41. Temporary Holiday Decorations. Those temporary decorations used to commemorate a recognized holiday.

42. Temporary detached sale promotion signs or banners. A professionally designed detached sign or banner that is temporarily displayed to identify or describe a promotional item or effort and is appropriately designed for primary exposure on Main Street. These are separate from the portable A-frame signs.

43. Vehicle Sign. Any identification, description, illustration, symbol, or device which is affixed directly or indirectly upon a truck, bus, car, boat, trailer or other vehicle which identifies or directs attention to a product, place, activity, service, person, institution or business. Signs upon a vehicle are exempt from permit requirements, provided that any such vehicle with a sign face of over two (2) square feet is not conspicuously parked so as to constitute a sign. Nothing herein contained shall prevent such a vehicle from being used for bona fide delivery or other vehicular purposes when all of the following conditions are adhered to:

- a. Primary purpose of such vehicle or equipment is not the display of signs.
- b. Such signs are magnetic, decals, or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle.
- c. Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable and actively used in the daily function of the business to which such signs relate.
- d. Vehicles and equipment are not used primarily as static displays, advertising an off-premises event, product or service, nor utilized as storage, shelter or distribution points for commercial products or services for the general public.
- e. During periods of activity exceeding forty-eight (48) hours such vehicles/equipment are not so parked or placed that the signs thereon are displayed to the public; and

f. Vehicles and equipment engaged in construction projects, and the on-site storage of equipment and vehicles offered to the general public for sale, rent or lease, shall not be subjected to this condition.

44. Wall-mounted Sign: A sign mounted flat against a wall, projecting less than twelve inches, or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the face of said wall.

45. Window Sign: Any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed inside a window or upon the windowpanes of glass and is visible from the exterior of the window. Window signs are not regulated in this Chapter.

Section 11.08.030 Abandoned or Obsolete Signs

Any sign which does not correctly direct or exhort any person, advertise a bona fide business, lessor, owner, product, service, activity conducted or product available either on or off the premises where such sign is displayed for a period of ninety (90) days or more shall be considered an obsolete sign. Sign structures that are abandoned or obsolete and not in compliance with this Chapter shall be removed. The owner of said abandoned sign structure may appeal this requirement for removal to the Appeal Authority.

Section 11.08.040 Non-Conforming Signs

Any change to the physical structure, shape, type, or size of an existing non-conforming sign shall immediately terminate the lawful nonconforming status of the sign, and said sign shall be required to come into compliance with this Chapter immediately.

Section 11.08.050 Sign Regulations

Signs shall be regulated according to Table 11.8.A including the notes at the end of the Table.

Table 11.8.A					
<i>NO PERMIT REQUIRED</i>					
Type of sign	Number allowed	Maximum sign sq. ft. size	VAC	Fee	App
RESIDENTIAL					
Nameplates	3	2 sq. ft. each	N	N	N
Address numbers	3	4 sq. ft. each	N	N	N
Real Estate For Sale/ Rent/Lease signs	1	See Section 11.08.060	N	N	N
Open House signs	2	See Section 11.08.060			
Dedication plaques	1	4 sq. ft.	N	N	N
Temporary political signs	no limit	Maximum 6 sq. ft. each. See Sign Table note #21	N	N	N

1. There shall be no illuminated signs in any zone.
2. There shall be no inflated, electronic, exterior exposed neon, flashing, or animated signs allowed in any zone unless specifically allowed elsewhere in this code.
3. No wall, projecting, banner or canopy sign shall project above the parapet or roof line of the building to which it is attached.
4. Back-to-back or double-sided signs shall count as one sign and square footage shall be calculated for one side only.
5. No sign shall be placed in a manner as to interfere in any way with or confuse traffic or present a traffic hazard. Signs shall not be placed within any public right-of-way or within any clear view triangle at intersections.
6. One (1) portable sign, including A-frame type signs, shall be permitted for each one hundred (100) feet of primary frontage (or portion thereof) and one (1) per secondary adjoining street frontage. Properties with less than one hundred (100) feet of frontage shall be allowed one (1) portable sign. In no case are more than three (3) portable signs permitted per business. A maximum of two (2) portable signs may be posted on frontage greater than one hundred (100) feet and, if allowed because of secondary adjoining frontage, the third portable sign must be posted at the secondary adjoining frontage.
7. Government signs, public utility signs, and temporary political signs are allowed in any district with no permit required.
8. Decorative tops may exceed the maximum height of approved decorative signs by six (6) inches.
9. No billboards shall be allowed in any zone.

10. No business signs may be allowed in any zone.
11. No temporary detached sale promotion signs/banners shall be allowed.
12. Total height of the sign, including the frame, is measured from the curb to the highest point of the sign structure; if no curb exists, then the height shall be measured from the existing grade. This is different from the sign area.
13. Vehicle signs advertising off-premises events shall be prohibited.
14. Temporary holiday decorations shall be allowed in all zones.
15. No sign shall be erected that will violate the Clear View Triangle of Intersecting Streets.
16. Signs made from plexiglass or any material that resembles plastic shall not be permitted
17. No signs of any type shall be attached to utility poles.
18. Off-premises signs shall not be permitted within Interlaken Town. The exceptions to this are temporary event signs and open house real estate signs (which must be removed once the open house is over).
19. The sign area shall be measured as follows: The area of the sign shall be considered to be the outside dimensions of the sign.
20. Political signs must be removed within seventy-two (72) hours after the election.
21. Political signs may be placed only on private property with the owner's permission and may not be placed within the Interlaken Town road right of way.
22. Enforcement: Illegally placed signs on public property or public right-of-way are subject to immediate removal and are subject to fines and retrieval fees as approved by Town Council. With reasonable notice to the owner, illegally placed signs on private property are subject to removal and are subject to fines and retrieval fees as approved by Town Council. Any sign retrieved by the Town will be held in the Town Planning Offices for a period of thirty (30) days from the date of retrieval. If not retrieved within thirty (30) days, the Town may and will discard the sign.
23. The Planning Commission may make a determination for reasonable minor exceptions to the size and timelines for signs contained within these regulations.

Section 11.08.060 Real Estate for Sale, Rent, Lease, Open House Signs

- A. One (1) temporary real estate "For Sale", "Rent" or "Lease" sign is permitted on-premises per property (the sign must be located on the actual property being advertised).
- B. Lots and parcels are allowed one (1) four (4) square foot real estate For Sale, Rent or Lease sign.
- C. Two (2) eight (8) square foot temporary off premises "Open House" signs shall be permitted only during the hours that the open house is being held and must be removed once the open house is over. They must be outside the clear view triangle at intersections and may not in any way interfere with vehicular or pedestrian traffic.

Section 11.08.070 Temporary Event Signs

- A. Temporary event signs require approval through the Interlaken Town Planning Commission to verify that all requirements have been met. A graphic representation of the sign, including dimensions, must be submitted to the Town for review.
- B. Temporary event signs shall not exceed eight (8) square feet (recommended dimensions are two (2) feet in height and four (4) feet in width).
- C. Signs shall be displayed for not more than three (3) weeks before the event and shall be removed within two (2) days after the event.
- D. Signs posted more than three (3) weeks prior to the announced event or more than two (2) days after the event shall be deemed unlawful and are subject to removal
- E. Temporary event signs shall be free of any other advertisement.
- F. Temporary event signs shall not be illuminated.
- G. Temporary event signs shall not be located in the public right-of-way.
- H. A maximum of three (3) off-premises temporary event signs for any one (1) event or series of events will be allowed in the Town limits. The signs may be posted on a combination of the designated sites set forth below or on private property.
- I. Temporary event signs must be located on private property
- J. Signs for events offered on Interlaken Town property by not-for-profits are subject to the following criteria:
 - 1. One sign with a maximum size of twenty-four (24) square feet;
 - 2. Displayed no more than fourteen (14) days prior to the event and removed within twenty-four hours after the event;
 - 3. Installation must be supervised by Interlaken Town Clerk;
 - 4. The Town reserves the right to determine the specific location of the sign;
 - 5. Review and approval by the Interlaken Town Planning Commission;
 - 6. Interlaken Town reserves the right to deny any request;
- K. Temporary event signs shall not advertise events other than those sponsored by a public agency, school, church, civic-fraternal organization, or similar non-commercial, not-for-profit organizations or be free to the public. Priority will be given first to the Interlaken Town Other requests from not-for-profit organizations outside of the Town limits may be considered.
- L. The Permanent Message Board located at the Town Pump House is reserved for community announcements at the discretion of the Town and with the approval of the Town Council.

CHAPTER 11.09 WIRELESS TELECOMMUNICATIONS

- Section 11.09.010 Purpose and Intent**
- Section 11.09.020 Permitted Uses**
- Section 11.09.030 Non-Conforming Uses**

Section 11.09.010 Purpose and Intent

The purpose of this Chapter is to establish general guidelines for the site locating of wireless communications towers and antennas.

Section 11.09.020 Permitted Uses

- A. General. The uses listed in this Section are deemed to be permitted uses and shall not require a special use permit.
- B. Permitted Uses are for Municipal purposes only.

Section 11.09.030 Non-Conforming Uses

- A. No Expansion of Nonconforming Use Towers that are constructed, and antennas that are installed in accordance with the provisions of this Chapter, shall not be deemed to constitute the expansion of a nonconforming use or structure.
- B. Pre-existing towers. Pre-existing towers shall be allowed to continue their usage as they presently exist. Routine maintenance shall be permitted on such preexisting towers. New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this chapter.
- C. Rebuilding damaged or destroyed nonconforming towers or antennas. Notwithstanding other provisions of this Chapter, bona fide nonconforming towers or antennas that are damaged or destroyed may be rebuilt without having to first obtain a special use permit and without having to meet the separation requirements specified in this Chapter. The type, height, and location of the tower on-site shall be of the same type and intensity as the original facility approval; provided, however, that any destroyed lattice or guyed tower shall be replaced with a monopole structure only. Building permits to rebuild the facility shall comply with the then- applicable building codes and shall be obtained within 90 days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the tower or antenna shall be deemed abandoned as specified in this Chapter.

CHAPTER 11.10 WIND ENERGY CONVERSION SYSTEMS

Section 11.10.010 Purpose

Section 11.10.020 Permitted Uses

Section 11.10.010 Purpose

The express purpose of this Chapter is to define allowable uses of Wind Energy Conversion Systems in Interlaken Town.

Section 11.10.020 Permitted Uses

Interlaken Town does not allow the construction or use of Wind Energy Conversion Systems in any zone.

CHAPTER 11.11 ENFORCEMENT AND ZONING VIOLATIONS

Section 11.11.010	Building Permits Required
Section 11.11.020	Plans Required
Section 11.11.030	Permits to Comply with Ordinance
Section 11.11.040	Permits Required
Section 11.11.050	Construction and Use to Comply with Application
Section 11.11.060	Severability
Section 11.11.070	Responsibility for Violations
Section 11.11.080	Penalties
Section 11.11.090	Each Day of Violation a Separate Violation

Section 11.11.010 Buildings Permits Required

No person, firm, or corporation shall commence to construct, alter or move a building or structure, excavate, or to make a change in use of any land within Interlaken Town Limits without first submitting an application and obtaining a permit from the office authorized by the Town; provided, however, that permits for the moving of structures shall be granted only after complying with the requirements as set forth in Title 11.

Section 11.11.020 Plans Required

All applications for building permits shall be accompanied by plans which have been drawn to scale showing the accurate dimensions of the lot to be built upon, the size and location of existing buildings, the location and layout of off-street parking, and landscaping, as required by Town standards.

Section 11.11.030 Permits to Comply with Ordinance

Permits shall not be granted for the construction or alteration of any building or structure or for the moving of a building or structure onto a lot if such construction, alteration, moving, or change in use would be a violation of any of the provisions of this Title, nor shall any sewer or water service line or electric utilities be installed to serve the premises until a permit to construct the building has been obtained.

Section 11.11.040 Permits Required

No building or structure shall be constructed, reconstructed, altered, or moved, nor shall the use of any land be changed except after the issuance of a permit for the same by the office authorized by the Town, unless the construction, reconstruction, or alteration is noted as an exemption in the Interlaken Permit Process document prepared by the Town Planning Commission.

Section 11.11.050 Construction and Use to Comply with Application

Building Permit issued on the basis of plans and specifications recommended by the Planning Commission and approved by the Town Council, authorize only the use,

arrangement, and construction set forth in such approved plans and application, and no other use, arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed to be a violation of this Ordinance Title.

Section 11.11.060 Severability

This Code and the various parts, Sections, and clauses are hereby declared to be severable. If any part, Section, paragraph, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, it is hereby declared that the remainder of the Code shall not be affected thereby. The governing body of Interlaken Town, Utah, hereby declares that it would have passed this Municipal Code on each part, Section, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more portions thereof be declared invalid.

Section 11.11.070 Responsibility for Violations

It shall be the duty of all design professionals, contractors, subcontractors, builders and other persons having to do with the establishment of any use of land or the erection, altering, changing, or remodeling of any building or structure to be sure that a proper permit has been granted before work is begun on any project for which a permit is required. Any builder, contractor or other person doing or performing any such work without a permit having been issued is in conflict with the requirements of this Code in the same manner and to the same extent that the owner of the premises or the persons for whom the use is established, or for whom such buildings are erected or altered, and shall be subject to the penalties herein prescribed for violation.

Section 11.11.080 Penalties

A. Declaration of Penalty. Violations of this Code shall be classified as a class C misdemeanor.

B. In addition to the penal remedy stated in this Section, the Town Attorney may bring action before any competent court having jurisdiction to enjoin the continuation of any prohibited condition of nuisance and impose a civil penalty of up to \$1,000.00 per day, plus costs and reasonable attorney's fees.

Section 11.11.090 Each Day of Violation a Separate Violation

Each person, persons, firm, or corporation found guilty of violation shall be deemed guilty of a separate offense for every day during which any violation of any provision of this Code is committed, continued, or permitted by such person, persons, firm, or corporation, and shall be punished as provided in this Code.

CHAPTER 11.12 LAND USE ADMINISTRATION

Section 11.12.010	Public Notice
Section 11.12.020	Notice to Surrounding Governmental Entities
Section 11.12.030	Notice Regarding Changes to Zoning Ordinance Requirements
Section 11.12.040	Findings
Section 11.12.050	Appeal Authority
Section 11.12.060	Amendments
Section 11.12.070	Non-Conforming Buildings and Uses
Section 11.12.080	Non-Conforming Lots of Record
Section 11.12.090	Annexations
Section 11.12.100	Amendments to Ordinance and Map
Section 11.12.110	Vested Rights

Section 11.12.010 Public Notice

Notice of the date, time, and place of all public hearings concerning the adoption or modification of a land use ordinance or zoning map shall be posted and delivered in accordance with Utah State law.

Section 11.12.020 Notice to Surrounding Governmental Entities

In proceedings involving rezoning of land that abuts other municipalities, unincorporated areas of the County, or a combination thereof, copies of the notice of public hearing shall be transmitted to the Planning agency of such governmental unit abutting such land. In addition to notice by publication, the Town may give notice of the hearing in such other manner as it may deem necessary or desirable.

Section 11.12.030 Notice Regarding Changes to Zoning Ordinance Requirements

- A. For public hearings to hear proposed changes to General Plan provisions or Land Use requirements for any one or more of the following subjects, the Town shall provide notice as required in this Chapter:
1. A ten percent or more increase or decrease in the number of square feet or units that may be developed.
 2. A ten percent or more increase or reduction in the allowable height of a building.
 3. An increase or reduction in the allowable number of stories.
 4. A ten percent or more increase or decrease in the setback or open space requirements.
 5. An increase or reduction in permitted uses.
 6. Rezoning proceedings that may change the zoning classification of an individual real property owner's property.

B. The Town shall provide notice to real property owners pursuant to notification procedures for proceedings governed by this Chapter. Notice shall be sent by first class mail to each real property owner, as shown on the latest County assessment records, whose real property is directly governed by the changes; or the Town shall publish a summary of such changes in a newspaper of general circulation prior to the hearing. The summary shall be published in a "display ad" covering not less than one-eighth of a full page.

Section 11.12.040 Findings

Within 30 days after the close of a public hearing:

A. The Planning Commission shall render its recommendation in writing to the Town Council, including the reasons for the recommendation in regard to a General Plan amendment, Land Use Title, or zone changes, or

B. The Town Council shall advise the applicant, in writing, of its decision in regard to an appeal or variance, or

C. The Town Council shall advise the applicant of its decision, in writing, concerning a Special Use Permit, General Plan amendment, Land Use Title, or zone changes.

Section 11.12.050 Appeal Authority

A. The Appeal Authority shall hear and decide requests for variances from the terms of the Land Use Title. An adverse decision by the Appeal Authority in variance matters may be appealed to district court pursuant to Utah law.

B. The Town Council shall be the appeal authority for review of constitutional takings issues.

C. Appeal of an administrative order issued by a Town administrative law judge shall be made directly to district court within 30 days of the issuance of the order.

D. Except as provided in this Section, the Town Council shall be the appeal authority of all non- variance land use decisions in which the Town Council has not first acted as the land use authority. Appeal of such decisions shall be made to the Town Council within 30 days of the decision being appealed. The standard of review by the Town Council shall be *de novo*. An adverse decision by the Town Council acting as appeal authority may be appealed to district court pursuant to Utah law.

E. Appeal shall be made directly to district court of all non-variance land use decisions in which the Town Council has acted as the land use authority. In acting as the land use authority, the Town Council shall keep a written record of its proceedings in the form of minutes or other records.

F. Each appeal authority shall keep a written record of its appeal proceedings.

Section 11.12.060 Amendments

This Interlaken Town Land Use Title and accompanying zoning map may be amended as follows:

A. The Planning Commission shall, after providing the proper notice requirements, hold a public hearing on a proposed amendment to the Land Use Title or zoning map. After holding the public hearing and receiving any public comment on the proposed amendment, the Planning Commission shall make a recommendation to the Town Council on the proposed amendment.

B. The Town Council may amend any provision of the Land Use Title or the accompanying zoning map after the Planning Commission has held a public hearing and made a recommendation to the Town Council on the proposed amendment; provided, however, that the Town Council shall, after providing the proper notice requirements, also hold a public hearing on the proposed amendment before voting on the amendment.

Section 11.12.070 Non-Conforming Buildings and Uses

In view of the fact that no further development or change in use can be undertaken contrary to the provisions of this Code, it is the intent of this Chapter that non-conforming uses shall not be increased nor expanded except where a health or safety official, acting in his official capacity, requires such increase or expansion. Such expansion shall be no greater than that which is required to comply with the minimum requirements as set forth by the health or safety official. Nevertheless, a non-conforming building or structure or use of land may be continued to the same extent and character as that which legally existed on the effective day of the applicable regulations. Repairs may also be made to a non-conforming building or to a building housing a non-conforming use.

A. **Damaged Building may be Restored.** A non-conforming building or structure or a building or structure occupied by a non-conforming use which is damaged or destroyed by fire, flood, wind, earthquake, or other calamity or act of nature may be restored, and the occupancy or use of such buildings, structure, or part thereof which legally existed at the time of such restoration is started within a period of one year from the date of destruction and is diligently prosecuted to completion, and provided that such restoration does not increase the floor space devoted to the non-conforming use over that which existed at the time the building became non-conforming.

B. **Discontinuance or Abandonment.** A non-conforming building or structure or portion thereof or a lot occupied by a non-conforming use which is or hereafter becomes abandoned or is discontinued for a continuous period of 365 days or more shall not thereafter be occupied, except by a use which conforms to the use

regulations of the zone in which it is located.

C. Change to a Conforming Use. A non-conforming use or building may be changed to a conforming use or building. Any non-conforming use or building which has been changed to a conforming use or building shall not thereafter be changed back to a non-conforming use.

D. Change to Another Non-Conforming Use Prohibited. A non-conforming use of a building or lot shall not be changed to another non-conforming use whatsoever. Changes in use shall be made only to a conforming use.

E. Reclassification of Territory. The provision pertaining to non-conforming uses of land and buildings shall also apply to land and buildings, which hereafter become non-conforming due to an amendment in the Land Use Title.

F. Permits Granted Prior to Passage of Amendments to this Chapter. Notwithstanding the issuance of a permit therefore, no building which becomes non-conforming due to an amendment to this Chapter shall be built unless construction has taken place thereon to the extent of at least \$500.00, or an amount set by Town Council from time to time, in replaceable value by the date on which said amendment becomes effective. Replaceable value shall be construed to mean the expenditure necessary to duplicate the materials and labor at market prices.

Section 11.12.080 Non-Conforming Lots of Record

Notwithstanding any other provision of this Code, a one-family dwelling may be permitted on any lot of record in any zone in which dwellings are permitted, even though such lot fails to meet the area or width requirements for one-family dwellings within the zone, provided that where two or more contiguous lots of record having continuous frontage are owned by the same persons at the time of the passage of the controlling ordinance, the land included in the lots shall be considered to be an undivided parcel and no portion of said parcel shall be used as a dwelling site or sold which does not meet the area and width requirements of the zone in which the lot is located. Yard dimensions and other requirements not involving area or width shall conform to the regulations of the zone in which the lot is located except when granted a variance by the Appeal Authority.

Section 11.12.090 Annexations

All land annexed shall be classified as shown on the future zoning map and the General Plan.

Section 11.12.100 Amendments to Ordinance and Map

This Municipal Code, including the zoning map, may be amended as hereinafter provided.

A. Intent with Respect to Amendments. It is hereby declared to be public policy that this Code shall not be amended except to more fully carry out the intent and purpose of the General Plan of the Town and of this Code.

B. Procedure. Any person seeking an amendment of the Municipal Code or zoning map shall submit to the Town a written petition designating the change desired and the reasons therefore and shall pay the required fee to the Town. Upon receipt of the petition and the paying of the filing fee, the Planning Commission shall consider the request and shall certify its recommendations to the Town Council with respect to the request within 30 days from receipt of the request. Failure on the part of the Planning Commission to certify its recommendations to the Town Council within 30 days shall be deemed to constitute approval unless a longer period is granted by the Town Council. The fee required herein shall not be returned to the applicant. The Planning Commission or Town Council may also initiate amendments to this Code or zoning map.

C. Public Hearing Required Before Amending-Notice. Amendments to this Code may be adopted only after a public hearing is held in relation thereto before the Town Council at which parties in interest and citizens shall have an opportunity to be heard. A notice of the time and place of such hearing shall be published in a newspaper of general circulation within the area, or by posting said notice in three public places within the Town. Public notice shall be per Utah law and per Title 11 of the Interlaken Town Municipal Code.

Section 11.12.110 Vested Rights

A. An applicant is entitled to approval of a land use application if the application conforms to the requirements of the Town's zoning map and applicable land use ordinance in effect when a complete application is submitted and all fees have been paid, unless:

1. The Town Council, on the record, finds that a compelling, countervailing public interest would be jeopardized by approving the application; or
2. In the manner provided by local ordinance and before the application is submitted, the Town has formally initiated proceedings to amend its ordinances in a manner that would prohibit approval of the application as submitted.

B. The Town shall process an application without regard to proceedings initiated to amend the Town Code if:

1. 180 days have passed since the proceedings were initiated; and
2. The proceedings have not resulted in an enactment that prohibits the approval of the application as submitted.

C. An application for a land use approval is considered submitted and complete when the application is provided in a form that complies with the requirements of applicable ordinances and all applicable fees have been paid.

D. The continuing validity of an approval of a land use application is conditioned upon the applicant proceeding after approval to implement the approval with reasonable diligence.

E. The Town shall not impose on a holder of an issued land use permit a requirement that is not expressed:

1. In the land use permit or in documents on which the land use permit is based; or
2. In the Town's ordinances.

F. The Town will not withhold issuance of a certificate of occupancy because of an applicant's failure to comply with a requirement that is not expressed:

1. In the building permit or in documents on which the building permit is based; or
2. In the Town's ordinances.

G. The Town is bound by the terms and standards of applicable land use ordinances and shall comply with mandatory provisions of those ordinances.



Interlaken Town Proposed Property Tax Impact Schedule Fiscal Year 2027

Interlaken Town will consider an increase to its property tax rate from .002037 to .002109 (estimated) to generate an additional \$6,955. The following information is intended to provide decision makers and the public with an explanation of how the Town's operations would be affected if the proposed property tax increase is adopted.

Interlaken Town's Current Property Tax Rate	0.002037
Interlaken Town's Current Property Tax Revenue	\$195,528
Proposed Revenue with Tax Change	\$202,483
New Property Tax Revenue to Interlaken Town	\$6,955

Estimated Increase to Interlaken Town's Property Tax Revenue 3.54%

Estimated Increase to a primary residence of \$723,000 \$28.63

Estimated Increase to a business valued at \$723,000 \$52.06

<u>Affected Department</u>	<u>Proposed Budget</u>	<u>Budget without Tax Change</u>	<u>Budget Change</u>
Town Administrator/Clerk	\$130,000	\$127,500	\$2,500

Impact of Tax Increase – Following a public hearing held on 5/5/26, the town council passed ordinance No. 20, Amended Compensation for Interlaken Town Elected and Appointed Officers. This ordinance amended the Town Administrator's hourly wage from \$124 per hour to \$128 per hour, an increase of 3.2%, commensurate with increased cost of living and task related expenses. In addition, the Town Administrator has taken on additional responsibilities including, but not limited to, state regulations related to HB 48, WUI code, increased financial oversight requirements by the state, code revisions, managing additional contract employees, and oversight of town contracts and projects, including the water rate study, and capital improvement master plan. The additional revenue will support both the approved wage increase and the additional responsibilities. Absent the additional allocation of funds, the town risks non-compliance with state regulatory agencies, and adverse financial consequences in budget planning, management, and oversight.

<u>Affected Department</u>	<u>Proposed Budget</u>	<u>Budget without Tax Change</u>	<u>Budget Change</u>
Town Safety and Enforcement	\$4,955	\$500	\$4,455

Impact of Tax Increase – In response to additional enforcement tasks including, but not limited to, The Reserves traffic violations, noxious weed control, parking, public noticing, and building permit compliance, the town council passed a tentative budget on 5/5/26 which included additional funds to hire a safety and enforcement officer. Absent the additional allocation of funds, these enforcement activities would be terminated or performed at a higher cost by the town administrator or public works manager.

Total General Fund Change: **\$ 6,955**

NOTICE OF PROPOSED TAX INCREASE INTERLAKEN TOWN

The INTERLAKEN TOWN is proposing to increase its property tax revenue.

The INTERLAKEN TOWN tax on a \$723,000 residence would increase from \$810.01 to \$838.64, which is \$28.63 per year.

The INTERLAKEN TOWN tax on a \$723,000 business would increase from \$1,472.75 to \$1,524.81, which is \$52.06 per year.

If the proposed budget is approved, INTERLAKEN TOWN would receive an additional \$6,955 in property tax revenue per year as a result of the tax increase. If the proposed budget is approved, INTERLAKEN TOWN would increase its property tax budgeted revenue by 3.54% above last year's property tax budgeted revenue excluding eligible new growth.

The INTERLAKEN TOWN invites all concerned citizens to a public hearing for the purpose of hearing comments regarding the proposed tax increase and to explain the reasons for the proposed tax increase. You have the option to attend or participate in the public hearing in person or virtually.

PUBLIC HEARING

Date/Time: 8/4/2026 6:00 PM

Location: Town Pumphouse Main Room
326 Luzern Rd.
Midway

To obtain more information regarding the tax increase, citizens may contact the INTERLAKEN TOWN at 435-565-3812 or visit <https://www.interlakenut.gov/> Instructions for virtual participation in the public hearing will be available at <https://www.interlakenut.gov/> no later than 24 hours before the public hearing is scheduled to begin.

Tax Increase Instructions

The advertisement shall be published **for at least 14 days before** the day on which the taxing entity conducts the public hearing in the following locations:

- 1) Electronically in accordance with Section 45-1-101: on a website established by the collective efforts of Utah newspapers. **www.utahlegals.com**
- 2) On the Utah Public Notice Website under Section 63A-16-601 **www.utah.gov/pmn/**
- 3) As a Class A notice under Section 63G-30-102.
- 4) Publish the public notice on the entity's official website.

The advertisement shall state that the taxing entity will meet on a certain day, time, and place in the advertisement. The exact wording for the advertisement can be found in 59-2-919.

The scheduled hearing shall not be held less than **ten (10) days after** the mailing of the "Notice of Property Valuation and Tax Change" by the county auditor.

The scheduled meeting on the proposed tax increase may coincide with the hearing on the proposed budget.

The hearing shall begin at or after **6:00 PM**

The public hearing must be open to the public and held at a meeting with no other items on the agenda other than discussion and action on the taxing entity's intent to levy a tax rate that exceeds the taxing entity's certified tax rate, budget, or a special districts fee implementation.

The public hearing needs to be available for individuals to attend or participate either in person or remotely through electronic means.

If another meeting is needed to finalize the tax increase, the details of the meeting (place, date, time) must be announced at the end of the public hearing.

Please see our website for more information.

<https://propertytax.utah.gov/tax-increases/>

Interlaken FY2027 Tentative Budget

		Interlaken Interim FY2027 Budget - Proposal - Amended by Town Council 6/30/26	FY2026 Budget 7/1/25-6/30/26 Estimated	FY2027 Budget 7/1/26-6/30/27 Tentative 6/2/26	FY2027 Budget 7/1/26-6/30/27 Interim Proposed	FY2027 Budget Notes 6/30/26 Amendment
1		General Fund (checking)				
3		General Fund Revenue				
5	60101	Wasatch County PropertyTax Revenue	\$195,528	\$226,000	\$202,483	3.54% Increase, \$6,955 in property tax revenue
6	nnnnn	Wasatch County Additional Revenue	\$21,709		\$24,000	Additional Wasatch County Revenue
8	60102	State Sales Tax Revenue	\$29,600	\$34,000	\$34,000	10% Increase Estimated
10	60800	Interest Income	\$0	\$0	\$0	GVB doesn't pay interest on checking accounts
13	60103	B and C Road Tax Revenue	\$30,857	\$33,000	\$33,000	10% Increase Estimated
15a	60107	Grants-Federal General Fund	\$0	\$0	\$0	
15b		State and Local Grant Revenue	\$0	\$0	\$0	
15c		Miscellaneous Revenue	\$0	\$0	\$0	
15d	60801	Fines for municipal code violations	\$200	\$200	\$200	
16		Total General Fund Revenue:	\$277,894	\$293,200	\$293,683	
18		Transfers into General Fund				
19		Transfer from Building Fund (Application Fees for admin costs)	\$31,325	\$22,000	\$4,000	Expected Actual Permit Fees FY2027
19a		Transfer from Building Fund for Road Damages			\$8,000	From Damage/Completion Deposits - New Budget Line
20		Transfer from Water Revenue for Share of Admin. Expenses	\$200,000	\$105,000	\$105,000	50% of FY2027 Admin Expenses
21		Transfer from Transportation Reserves for Capital expenses	\$0	\$0	\$0	
23		Transfers out of General Fund				
26		Transfers into Transportation Reserve Fund				
28		Transfer of B&C Road Tax to Transportation Reserve Fund	(\$31,000)	(\$33,000)	(\$33,000)	Matches expected revenue
29		Contribution to Capital Improvements	(\$80,000)	(\$25,000)	\$0	Temporary Reduction to balance General Fund prior to TNT Adoption
31		Total Net General Fund Transfers:	\$120,325	\$69,000	\$84,000	
35		General Fund Expenses				
36		Administrative Expenses				
37	70101	Town Council, Commission, Appointee Stipends	(\$5,700)	(\$5,700)	(\$5,700)	
38	70111	Town Administrator and Clerk	(\$127,723)	(\$115,000)	(\$130,000)	Adjusted based on additonal administrative tasks
39	70116	Association Memberships	(\$2,000)	(\$2,000)	(\$2,000)	
40	70114	Web Hosting and IT Services (WIX, GoDaddy, Zoom, Dropbox, ViaSat, Calling Post)	(\$5,500)	(\$1,700)	(\$1,700)	Expected increase
40a	70102	Town Council Equipment and Supplies	(\$500)	(\$1,000)	(\$1,000)	
41	70109	Meeting Advertising	\$0	(\$200)	(\$200)	
42	70103	Accounting and Bookkeeping Fees	(\$22,000)	(\$18,000)	(\$18,000)	
43	70104	Bank Charges, Checks	(\$500)	(\$400)	(\$400)	Reduced based on history
44	70108	Town Attorney	(\$5,000)	(\$6,000)	(\$6,000)	
45a	70100	Animal Control - Interlocal Heber Agreement	(\$3,500)	(\$3,000)	(\$3,000)	
45b	70131	Election Expenses	(\$500)	\$0	\$0	Not a municipal election year
46	70115	Misc. Admin. Expenses	(\$500)	(\$1,500)	(\$1,500)	
47	70120	Insurance	(\$5,500)	(\$5,000)	(\$5,000)	
48	70110	Office Supplies (postage + supplies)	(\$500)	(\$1,500)	(\$1,500)	
51	70106	Additional Consulting Fees	\$0	(\$2,000)	(\$2,000)	
51a	70303	Federal IRS Taxes	\$0			Paid from the Water Revenue Fund
51c	70125	Safety and Enforcement	(\$1,000)	(\$5,200)	(\$5,000)	Additional funding for a civilian enforcement officer for FY2027
51d	70130	Public Works Manager	(\$17,000)	(\$30,000)	(\$25,000)	Adjusted based on history
52		Total Administrative Expenses:	(\$197,423)	(\$198,200)	(\$208,000)	Change in total admin expenses \$10,577
54		Annual Road Maintenance-Repair Expenses - General Fund				
55	70201	Annual Road Repair & Maintenance	(\$84,407)	(\$50,000)	(\$52,000)	Eckles top coat (\$37,770) & select patching and shoulder work
56	70202	Additional Contract Services - Recycling, Noxious Weed Control	(\$12,000)	(\$10,000)	(\$12,000)	
56a	70206	Road Signage	\$0	(\$5,000)	(\$5,188)	Speed limit signs, no parking, pumphouse
57	70204	Contract Service (Snow Removal)	(\$67,500)	(\$67,500)	(\$67,500)	
58	70203	Supplies - Salt, Sand, etc	\$0	\$0	\$0	Supplies included in contract for snow removal
58a		Annual Fire Mitigation Expenses				
58b	70205	Brush Removal and other Wildfire Mitigation	(\$34,700)	(\$25,500)	(\$25,500)	Limit brush pickup to 1 time
59		Annual General Fund Capital Expenses				
59a	71000	Capital Equipment Investment	\$0	\$0	\$0	
60	71000	Capital Investment in Roads	\$0	\$0	\$0	Repairs & Maintenance only for FY2027
60a		DPW Expenses				
60b	71000	DPW Site Construction - Capital Investment	\$0	\$0	\$0	
60c	70118	Annual DPW Site Maintenance Expenses	(\$500)	(\$500)	(\$500)	
61		Total Road Maintenance, Capital, Fire & DPW Expenses	(\$199,107)	(\$158,500)	(\$162,688)	
65		Total General Fund Expenses:	(\$396,530)	(\$356,700)	(\$370,688)	
66	nnnnn	General Fund Balance to be Appropriated	\$0	\$0		Adjusted to match current FY Balances and replace transfers as expens
66a	nnnnn	General Fund Restricted Account			(\$6,995)	Restricted account-Temporary FY2027 ad valorem TNT tax increase
67		Increase/Decrease in General Fund Balance	\$1,689	\$5,500	\$0	
70		Transportation Reserve Fund (savings)				
72		Transportation Reserve Fund Revenue				
73	60800	Estimated Interest	\$800	\$800	\$800	
73a	60106	Revenue From RMA Agreement & 3rd Party Contributions	\$18,000	\$10,000	\$10,000	Snow removal, shoulder brush work, top coating

Interlaken FY2027 Tentative Budget

		Interlaken Interim FY2027 Budget - Proposal - Amended by Town Council 6/30/26	FY2026 Budget 7/1/25-6/30/26 Estimated	FY2027 Budget 7/1/26-6/30/27 Tentative 6/2/26	FY2027 Budget 7/1/26-6/30/27 Interim Proposed	FY2027 Budget Notes 6/30/26 Amendment
73b	60109	Grants-State and Federal Transportation	\$0	\$0	\$0	
74	Total Transportation Reserve Fund Revenue:		\$18,800	\$10,800	\$10,800	
76	Transfers into Transportation Reserve Fund					
77		Trfr from General Fund of B&C Road Tax to Trans. Reserve Capital Fund	\$31,000	\$33,000	\$33,000	Matches expected revenue
78		Transfer from General Fund for Capital Improvement Reserves	\$80,000	\$25,000	\$0	Temporary Reduction to balance General Fund prior to TNT Adoption
80		Transfer from Building Fund of Road Impact Fee	\$16,000	\$4,000	\$4,000	
82	Transfers out of Transportation Reserve Fund					
83		Transfer to General Fund for Transportation Capital Expenses	\$0	\$0	\$0	
84	Total Net Transportation Reserve Fund Transfers:		\$127,000	\$62,000	\$37,000	
85	General Fund Balance to be Appropriated		\$0	\$0	\$0	Adjusted to match current FY Balances
86	Incr/Decr in Transportation Reserve Fund Balance		\$145,800	\$72,800	\$47,800	
88	Water Revenue Fund (checking)					
90	Water Revenue Fund Revenue					
92	60000	Base Usage Water Revenue	\$245,000	\$295,000	\$295,000	Increase in Base Rate 20% to fund water reserves
93	60800	Interest Income	\$0	\$0	\$0	
95	60100	Overage Usage Water Revenue	\$16,000	\$16,000	\$16,000	
95a						
95b	60105	Water Billing Late Fees and Administrative Fees	\$1,200	\$1,200	\$1,200	
95c	60104	Lot Transfer Fees	\$450	\$450	\$450	
95d	60112	Misc. Water Revenue				
95e						
96	Total Water Revenue Fund Revenue:		\$262,650	\$312,650	\$312,650	
98	Transfers into Water Revenue Fund					
100		Transfer from Building Fund (Water Connect Fees)	\$4,200	\$2,300	\$2,300	
101		Transfer from Bond Sinking Fund for current year Water Bond payme	\$0	\$0	\$0	
102		Transfer from Water System Reserves for Capital Improvements	\$0	\$0	\$0	
104	Transfers out of Water Revenue Fund					
105		Transfer to Water System Reserve Capital Fund	(\$80,000)	(\$120,000)	(\$120,000)	Adjusted to match current FY Balances
106						
107		Transfer to Bond Sinking Fund - Next Year's Bond Payment	\$0	\$0	\$0	
108						
109		Transfer to General Fund for Share of Administrative expenses	(\$200,000)	(\$105,000)	(\$105,000)	50% of FY2027 Admin Expenses
110	Total Net Water Revenue Fund Transfers:		(\$275,800)	(\$222,700)	(\$222,700)	
111a	Water Revenue Fund - continued					
112	Water Revenue Fund Expenses					
113	Bond Payment					
114	70312	Water Bond Payment	\$0	\$0	\$0	
115	Operating Expenses					
116	70303	Payroll - Water Masters	(\$31,500)	(\$33,000)	(\$33,000)	Annual adjustment - cost of living
117	70104	Bank Charges, Checks	(\$100)	(\$100)	(\$100)	
118	70301	Chemicals and Monitoring	(\$2,400)	(\$2,400)	(\$2,400)	
119	70304	Telemetry System Operating Costs	(\$2,700)	(\$2,700)	(\$2,700)	
120	70306	Water Share Fee, Water Master Education	(\$450)	(\$450)	(\$450)	
121	70305	Gas Heat	(\$800)	(\$800)	(\$800)	
122	70305	Electricity	(\$7,000)	(\$7,000)	(\$7,000)	
123	70303	Payroll Taxes - Water Masters	\$0	\$0	\$0	
123a	70303	Workman's Comp Insurance for Water Masters	\$0	\$0	\$0	
123b	70309	Misc. Water Expenses	(\$4,000)	(\$4,000)	(\$4,000)	
123e	Capital Investment in Water System					
123f	71001	Purchase of Generator and Installation	\$0	\$0	\$0	
123g	71001	Water System Capital Upgrades, Replacements	(\$30,000)	(\$15,000)	(\$15,000)	Includes fencing around water tank - Fencing was completed in FY2026
123h	71001	Capital Equipment Investment - Water System	(\$1,000)	(\$1,000)	(\$1,000)	
124	Repair and Maintenance					
125	70311	Additional Water System Contract Services	(\$60,000)	\$0	\$0	
126	70308	Annual Generator Maintenance	(\$620)	(\$620)	(\$620)	
126a	70308	General Water System Maintenance and Repair	(\$24,000)	(\$24,000)	(\$24,000)	
127	Total Water Revenue Expenses:		(\$164,570)	(\$91,070)	(\$91,070)	
129	Increase/Decrease in Water Revenue Fund Balance		(\$177,720)	(\$1,120)	(\$1,120)	
131	Water Bond Sinking Fund (money market)					
133	Water Bond Sinking Fund Revenue					
134	60800	Estimated Interest	\$0	\$0	\$0	
135	Total Water Bond Sinking Fund Revenue:		\$0	\$0	\$0	
137	Transfers into Water Bond Sinking Fund					
138		Transfer from Water Revenue Fund	\$0	\$0	\$0	

Interlaken FY2027 Tentative Budget

		Interlaken Interim FY2027 Budget - Proposal - Amended by Town Council 6/30/26	FY2026 Budget 7/1/25-6/30/26 Estimated	FY2027 Budget 7/1/26-6/30/27 Tentative 6/2/26	FY2027 Budget 7/1/26-6/30/27 Interim Proposed	FY2027 Budget Notes 6/30/26 Amendment
140	Transfers out of Water Bond Sinking Fund					
141		Transfer to Water Revenue Fund to pay current year bond	\$0	\$0	\$0	
142	Total Net Water Bond Sinking Fund Transfers:		\$0	\$0	\$0	
144	Increase/Decrease in Water Revenue Bond Sinking Fund Balance		\$0	\$0	\$0	
146	Water Reserve Fund (savings)					
148	Water Reserve Fund Revenue					
149	60800	Interest Income	\$800	\$800	\$800	
150	60108	Grants-State and Federal Water System	\$0	\$0	\$0	
151	Total Water Reserve Fund Revenue:		\$800	\$800	\$800	
153	Transfers into Water Reserve Fund					
154		Trfr from Water Revenue Fund to Capital Reserves	\$80,000	\$120,000	\$120,000	Adjusted to match current FY Balances
154a		Trfr from Water Bond Fund to Capital Reserves				
160	Transfers out of Water Reserve Fund					
161		Transfer to Water Revenue Fund for Capital Improvements	\$0	\$0	\$0	
162	Total Net Water Reserve Fund Transfers:		\$80,000	\$120,000	\$120,000	
164	Increase/Decrease in Water Reserve Fund Balance		\$80,800	\$120,800	\$120,800	
166	Building Fund (checking)					
168	Building Fund Revenue					
168a	60800	Interest Income	\$0	\$0	\$0	
169	60201	Building Permit Application Fees	\$2,900	\$2,000	\$2,000	
170	60602	Water Connect Fees	\$2,300	\$7,000	\$7,000	Increase based on current cost estimate for 1 installation
171	60203	Road Impact Fees	\$5,500	\$4,000	\$4,000	Estimated
172	30100	Damage Deposits - Refundable	\$13,000	\$5,000	\$5,000	Estimated
173	30200	Completion Deposits - Refundable	\$7,000	\$3,000	\$3,000	Estimated
173a	60110	Permit Fees for Town Engineer	\$19,000	\$12,000	\$12,000	
173b	60111	Variance Application Fees	\$0	\$0	\$0	
174	Total Building Fund Revenue:		\$49,700	\$33,000	\$33,000	
176	Transfers into Building Fund					
177		Transfer from General Fund - Special Engineering Projects	\$0	\$0	\$0	
179	Transfers out of Building Fund					
180		Transfer to General Fund - Building Permit Application Fees	(\$31,325)	(\$22,000)	(\$4,000)	Expected Actual Permit Fees FY2027
180a		Transfer to General Fund for Road Damages			(\$8,000)	From Damage/Completion Deposits - New Budget Line
181		Transfer to Water Revenue Fund - Water Connect Fees	(\$4,200)	(\$2,300)	(\$2,300)	
182		Transfer to Transportation Reserve Fund - Road Impact Fees	(\$16,000)	(\$4,000)	(\$4,000)	Estimated
183	Total Net Building Fund Transfers:		(\$51,525)	(\$28,300)	(\$18,300)	
185	Building Fund Expenses					
187	30100	Refunds of Damage Deposits	(\$10,500)	(\$10,500)	(\$10,500)	Estimated
188	30200	Refunds of Completion Deposits	(\$4,000)	(\$4,000)	(\$4,000)	
188a	70105	Plan Review and Inspections-Town Engineer	(\$10,000)	(\$10,000)	(\$10,000)	
188b	70207	Additional Contractual Services-Town Engineer	\$0	\$0	\$0	
188c	70132	Plan Review by Planning Commission	\$0	\$0	\$0	
189	Total Building Fund Expenses:		(\$24,500)	(\$24,500)	(\$24,500)	
191	Increase/Decrease in Building Fund Balance		(\$26,325)	(\$19,800)	(\$9,800)	

195	Fiscal Year Net Increase/Decrease for all Funds				FY2027 Budget Notes	
197	Fund Name	FY2026 Budget 7/1/25-6/30/26 Estimated	FY2027 Budget 7/1/26-6/30/27 Tentative 6/2/26	FY2027 Budget 7/1/26-6/30/27 Interim Proposed		
199	General Fund (checking)	\$1,689	\$5,500	\$0	General Fund is balanced	
200	Transportation Reserve Fund (savings)	\$145,800	\$72,800	\$47,800		
201	Water Revenue Fund (checking)	(\$177,720)	(\$1,120)	(\$1,120)		
202	Water Bond Sinking Fund (money market)	\$0	\$0	\$0		
203	Water Reserve Fund (savings)	\$80,800	\$120,800	\$120,800		
204	Building Fund (checking)	(\$26,325)	(\$19,800)	(\$9,800)		
205	Total Fiscal Year Increase/Decrease	\$24,244	\$178,180	\$157,680		

		Interlaken Interim FY2027 Budget - Proposal - Amended by Town Council 6/30/26	FY2026 Budget 7/1/25-6/30/26 Estimated	FY2027 Budget 7/1/26-6/30/27 Tentative 6/2/26	FY2027 Budget 7/1/26-6/30/27 Interim Proposed	FY2027 Budget Notes 6/30/26 Amendment
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Interlaken 2026 Town Council Meeting Schedule

Meeting Date	Day of Week	Meeting Time
6-Jan-26	Tue	6:30 PM
27-Jan-26	Tue	6:30 PM
3-Mar-26	Tue	6:30 PM
7-Apr-26	Tue	6:30 PM
5-May-26 (a)	Tue	6:30 PM
30-Jun-26 (b)	Tue	6:00 PM
4-Aug-26 (c)	Tue	6:00 PM
11-Aug-26	Tue	6:30 PM
1-Sep-26	Tue	6:30 PM
6-Oct-26	Tue	6:30 PM
3-Nov-26	Tue	6:30 PM
1-Dec-26	Tue	6:30 PM

(a)-Public Hearing to consider approval of Ordinance No. 20 Compensation Amendment, followed by town council meeting

(b)-Public Hearing to consider adopting revised Fee and Fine Schedules, followed by town council meeting

(c)-Public Truth in Taxation Hearing to consider Wasatch County Tax Rates and Public Hearing for FY2027 Budget