

BOULDER TOWN, UTAH PUBLIC NOTICE

Governing Body: TOWN COUNCIL
Notice Type: Regular Meeting and Public Hearing
Date and Time: Tuesday, September 1 2026, at 7:00 p.m.
Location: Boulder Community Center, 351 North 100 East, Boulder, Utah

In accordance with the Utah Open and Public Meetings Act, [Utah Code § 52-4-202](#), this Agenda and Notice is hereby provided.

Meeting materials are available for public review on the Utah Public Notice website, provided in PDF format, and may also be accessed via the following link:

 [BT-2026_MATERIALS_20260901_MeetingRegularAndPublicHearing_TC_DR...](#)

AGENDA

I. OPENING PROCEDURES

- 1.1. Call to Order
- 1.2. Determination of Quorum
- 1.3. Pledge of Allegiance
- 1.4. Motion to Adopt the Agenda (Action Item - Motion Required)
- 1.5. Declaration of Conflicts of Interest (Information)

II. PRESENTATIONS AND REPORTS (Information/Discussion)

- 2.1. Cougar and Rotenone Presentation by Constance Lynn
- 2.2. Five County AOG Summit:
Thursday, September 10 from 5:30 - 8:30 at Ruby's Inn
Attendance is strongly encouraged for all Members
- 2.3. Amending Ordinances
 - Report from Planning Commission on the Consideration of Adopting Residential Short-Term Rental Ordinances Amendments; Chapters 112 and Section 153.204
 - Memorandum from Town Attorney Jayme Blakesley on Proposed Amendments to Chapters 110, 111, and 112
 - Report on Amending Fire Restriction Ordinance

III. PUBLIC COMMENT ON AGENDA ITEMS (Public Input) (≤ 20 minutes)

Speakers must state their name for the record and are limited to 3 minutes.

IV. DEPARTMENT REPORTS (Information)

- 4.1. Members
- 4.2. Staff
- 4.3. Mayor

V. CONSENT AGENDA (Action Item - Motion Required)

- 5.1. Acceptance of Financial Reports
- 5.2. Acceptance of Expenditures: None
- 5.3. Approval of Proposed Minutes: July 7, 2026, Regular Meeting and August 11, 2026 Special Meeting and Public Hearing
- 5.4. Approval of Proposed Expenditures: None

VI. PUBLIC HEARING (Public Input Only, Motion to Enter/Exit)

The public hearing aims to gather community feedback on several proposed town code amendments:

Updates to Chapters 110 (General Business), 111 (Alcoholic Beverages), 112, and Section 153.204 (Residential Short-Term Rentals) to improve administrative clarity, enforceability, and permitting workflows based on legal counsel recommendations and Planning Commission deliberations from August 18, 2026.

Amendments to Chapter 130 to set a default annual restriction period from May 1 through October 31 (adjustable by resolution) and align definitions and prohibited acts with State and County Stage 1 and Stage 2 restrictions.

In compliance with Utah Code §10-9a-204, a public hearing will be held to receive public comments on the following:

- 6.1. Draft Ordinance No. 2026-D: Amendments to Boulder Town Code Section 153.204 (Residential Short-Term Rentals regarding Land Use and Zoning)
- 6.2. Draft Ordinance No. 2026-C: Amendments to Boulder Town Code Chapter 112 (Residential Short-Term Rentals as Businesses)
- 6.3. Draft Ordinance No. 2026-A: Amendments to Boulder Town Code Chapter 110 (General Business Provisions)

- 6.4. Draft Ordinance No. 2026-E: Amendments to Boulder Town Code Chapter 111 (Alcoholic Beverages)
- 6.5. Draft Ordinance No. 2026-F: Amendments to Boulder Town Code Chapter 130 (Fire Restrictions)

VII. ADMINISTRATIVE ACTION ITEMS (Motion Required)

- 7.1. Approve Resolution No. 2026-20: Public Entity Update
- 7.2. Consideration of Hiring Recommendation of Deputy Clerk/Recording Secretary
- 7.3. Consideration of Resolution No. 2026-U: Planning Commission Seat 1 and Resolution No. 2026-V: Planning Commission Alternate
- 7.4. Consideration of Contract No. 2026-03: Fire Protection And Water Access Agreement With Boulder Farmstead Water Company
- 7.5. Consideration of Proposed Resolution No. 2026-M: Predator Management Study
- 7.6. Consideration of Tree City Official Proclamation for Arbor Day

VIII. LEGISLATIVE ACTION ITEMS (Motion Required)

- 8.1. Consideration of Draft Ordinance No. 2026-D: Amendments to Boulder Town Code Section 153.204 (Residential Short-Term Rentals regarding Land Use and Zoning)
- 8.2. Consideration of Draft Ordinance No. 2026-C: Amendments to Boulder Town Code Chapter 112 (Residential Short-Term Rentals as Businesses)
- 8.3. Consideration of Draft Ordinance No. 2026-A: Amendments to Boulder Town Code Chapter 110 (General Business Provisions)
- 8.4. Consideration of Draft Ordinance No. 2026-E: Amendments to Boulder Town Code Chapter 111 (Alcoholic Beverages)
- 8.5. Consideration of Draft Ordinance No. 2026-F: Amendments to Boulder Town Code Chapter 130 (Fire Restrictions)
- 8.6. Consideration of Draft Resolution No. 2026-W: Fee Schedule

IX. WORK SESSION (Discussion Only - No Action Taken)

- 9.1. Meeting File Storage & Management Review

X. GENERAL PUBLIC COMMENT (Public Input) (≤ 20 minutes)

Speakers must state their name for the record and are limited to 3 minutes.

XI. CLOSING BUSINESS

- 11.1. Review of Outcomes, Assignments, and Counsel Recommendations

- 11.2. Future Agenda Items
- 11.3. Confirmation of Next Regular Meeting:
Tuesday, October 6, at 7:00 PM

XII. CLOSED SESSION (Action - Motion Required To Enter/Exit)

XIII. RETURN TO REGULAR MEETING (Discussion & Possible Action)

IVX. ADJOURNMENT

NOTICE

SPECIAL ACCOMMODATIONS (ADA)

In compliance with the Americans with Disabilities Act (ADA), individuals needing reasonable accommodations should notify the Boulder Town Office at 435-335-7300 or townclerk@boulder.utah.gov at least one week before the meeting.

ELECTRONIC OR TELEPHONE PARTICIPATION

Zoom Link: <https://us06web.zoom.us/j/4353357300>

Meeting ID: 4353357300 Password: 84716 Phone: +1 346 248 7799

Policy: Ensure your Zoom name includes the first and last names of attendees

CERTIFICATE OF POSTING

This Agenda and Notice was publicly posted on the following locations:

- The Utah Public Notice website (<http://pmn.utah.gov>)
- Boulder Town's website (<http://www.boulder.utah.gov>)
- Boulder Town's Bulletin Board

Date Published: **August 28, 2026**

/s/ Elizabeth Julian, Town Clerk

A Vigil Walk On Behalf of Our Cougar Kin....(and Wild Water)
<https://youtu.be/jPf3Hfl4zmU>

with gratitude,

 **constance lynn**

www.nightravenrewilding.org

follow us on Instagram at:
cougarwildlandsinitiative



Five County AOG and ULCT Presents

FIVE COUNTY AOG SUMMIT

Join elected and appointed leaders, staff, and planning commissioners for dinner and an evening of practical training, collaboration, and expert guidance to help your community meet today's challenges and prepare for tomorrow's opportunities.



DATE

10 SEPTEMBER 2026

5:30-8:30PM



LOCATION

**RUBY'S INN,
BRYCE CANYON CITY**

TOPICS INCLUDE:

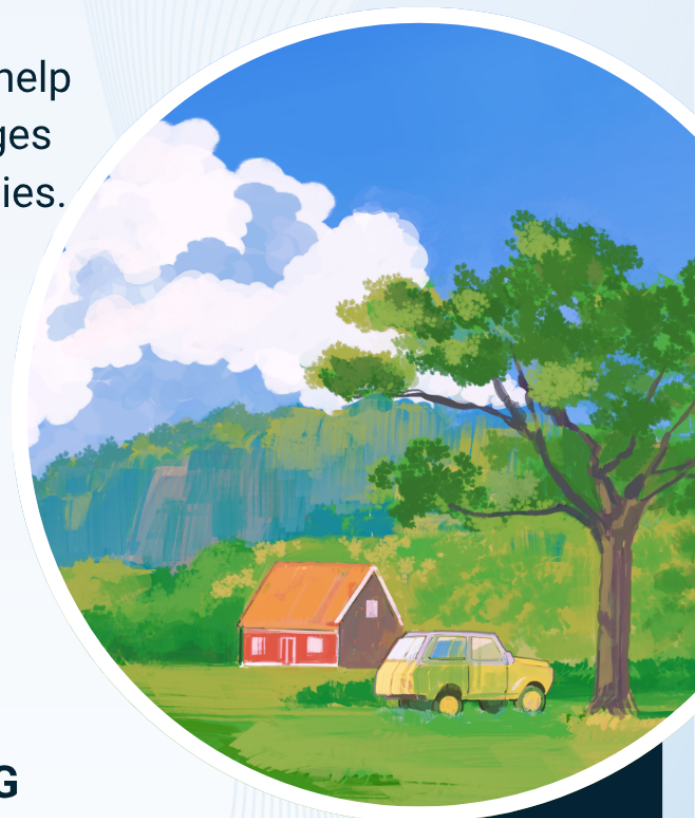
COUNCIL TRAINING

PLANNING COMMISSION TRAINING

NETWORKING AND MORE



Questions? Reach out to rcarter@fivecounty.utah.gov



UTAH LEAGUE OF
CITIES AND TOWNS



Five County
Association of Governments

TOWN OF BOULDER, STATE OF UTAH

Report: Consideration of Adopting Residential Short-Term Rental Ordinance Amendments; Chapters 112 and Section 153.204

Governing Body: Town Council
Meeting Date: Tuesday, September 1, 2026

Agenda Item: Presentations and Reports
Item Type: Information

Contributors: Planning Commission
Prepared by: Elizabeth Julian

Date Submitted: August 21, 2026

EXECUTIVE SUMMARY

This report summarizes the Planning Commission's formal recommendations and proposed code revisions to the Town Council for the scheduled September 1, 2026, regular meeting and public hearing.

The Planning Commission, following its own public hearing and deliberation on August 18, 2026, voted unanimously (5-0) to recommend that the Town Council adopt the proposed amendments to Boulder Town Code Chapter 112 (Residential Short-Term Rentals) and Section 153.204 (Residential Short-Term Rentals - Land Use and Zoning), subject to incorporating several critical, targeted revisions and annotations detailed herein.

These changes are designed to clean up administrative inconsistencies, make the application process easier for residents, and ensure our rules are clearer for town staff and applicants.

BACKGROUND

In December 2025, the Town Council amended the municipal code following extensive community input and Planning Commission recommendations. These updates were designed to simplify processes and ensure the town's regulations were easy to follow and enforce. Subsequently, Zoning Administrator Erin Smith drafted

updated accompanying application forms for review by the Town Council and legal counsel. During this review, it was determined that the codes could be cleaned up to carry out the intentions of the Town Council and to ensure the codes are clear and able to be carried out administratively and to the public.

To resolve these issues, Town Attorney Jayme Blakesley reviewed the current code and drafted a coordinated set of amendments across four distinct areas of the Boulder Town Code. This structural overhaul is designed to separate and clarify overlapping regulatory functions:

Chapter 110 (General Business Provisions)

Establishes the foundation for the business-licensing framework. It simplifies the licensing process by eliminating complex license classes (e.g., home occupation, temporary, general), establishing a uniform annual renewal schedule (expiration on the last day of February, renewal on or before March 1), assigning administration to the 'Mayor or designee' for flexibility, and shifting fees to the Town Fee Schedule.

Chapter 111 (Alcoholic Beverages)

Replaces the Town's outdated, duplicative municipal alcohol-licensing system. Under this chapter, the State of Utah retains final licensing authority, while the Town's role is strictly focused on the granting or denying of local consent. This separates the land-use/zoning compliance of alcohol-related businesses from the state's licensing requirements.

Chapter 112 (Residential Short-Term Rentals - Business Licensing)

Supplements Chapter 110 by adding requirements specific to the operation of RSTRs (such as primary residency rules, guest conduct standards, tax remittance, and listing license numbers online). It treats RSTRs as a business once the applicable land-use requirements have been satisfied.

Section 153.204 (Residential Short-Term Rentals - Land Use and Zoning)

Regulates RSTRs as a land use, including where they are permitted, the process for obtaining a Conditional Use Permit (CUP), neighborhood character protections, and the overall cap on active authorizations (set at 12 active permits).

SUMMARY OF PLANNING COMMISSION PUBLIC HEARING

In compliance with Utah Code § 10-9a-204, the Planning Commission held a regular meeting and public hearing on Tuesday, August 18, 2026, at 7:00 p.m. at the Boulder Community Center. Acting Chair Elena Hughes presided over the meeting.

A quorum was established with five voting members present:

- Elena Hughes (Acting Chair / Chair Pro Tem)
- Phoenix Bunke (Commissioner)
- Darrell Fuller (Commissioner, arrived 7:05 PM)
- Nick Vincent (Commissioner)
- Jen Bach (Alternate, seated as a voting member for the proceedings)

Additionally, Boulder Town Mayor Cheryl Cox, Town Council Member Tina Karlsson (via Zoom), Town Clerk Elizabeth Julian, and Five County AOG Advisor Roger Carter (via Zoom) were present.

Following the opening procedures, Commissioner Phoenix Bunke disclosed that her partner's family operates a RSTR and that she assists with cleaning, and that she is currently seeking a business license for her own business. Commissioners Nick Vincent and Elena Hughes also disclosed that they hold active business licenses for businesses within Boulder. The Commission determined that these interests did not require abstention but noted them for transparent record-keeping.

The public hearing was formally opened following a unanimous 5-0 vote to receive input on proposed amendments to Chapter 112 (Draft Ordinance No. 2026-C) and Section 153.204 (Draft Ordinance No. 2026-D). No members of the public in attendance or participating remotely offered comments during the hearing period. Consequently, the hearing was closed, and the Commission re-entered regular session to deliberate and vote on recommendations for each proposed ordinance.

Note: During the public comment period at the end of the August 18, 2026, meeting, Ray Gardner addressed the commission. Mr. Gardner noted his prior service on the Town Council, including his presence at the December 2025 meeting at which the RSTR amendments were adopted. He stated that he was outvoted at that time but continues to hold the view that the most equitable and enforceable approach to managing RSTRs is conditions-based rather than cap-based. He expressed the opinion that clear, enforceable, and reasonable conditions would address much of the ambiguity the commission had been

discussing. He further stated that the imposition of a numerical cap on RSTRs, in his view, amounts to Boulder Town suppressing one industry — short-term rentals — in order to support another, referencing comments made by a motel owner at the December meeting who argued that RSTRs had harmed their business. Mr. Gardner suggested this constituted an inappropriate government selection of economic winners and losers, and that competition, rather than suppression, would be the more appropriate response.

SPECIFIC ORDINANCE REVISIONS AND POLICY RECOMMENDATIONS

During their deliberations, the Planning Commission scrutinized the draft ordinances and identified several crucial areas requiring amendment, clarification, or alignment before final adoption by the Town Council. These revisions represent the primary additions and policy adjustments the Planning Commission would like the Town Council to consider.

Summary of Endorsed Revisions and Recommendations

Code Section	Original Draft Provision (V2.0)	PC-Endorsed Revision (V3.0)	Policy Justification & Intent
§ 112.02 (Eligibility)	Eligibility criteria (CUP, nonconforming, or pre-2025 use) joined by default 'and'. Included a redundant sub-item 'c'.	Join eligibility pathways using 'OR' instead of 'AND'. Remove the redundant subsection 'c' at the end.	An applicant cannot meet all three pathways simultaneously; they are distinct alternative methods to establish eligibility.
§ 112.03(A) (Residency & On-Site)	Drafted text regarding required residency and on-site presence was grammatically incoherent	Rewrite the residency and on-site presence requirement into a clear, grammatically sound standard.	Resolves draft copy-paste errors and ensures administrative clarity for applicants and staff.

Code Section	Original Draft Provision (V2.0)	PC-Endorsed Revision (V3.0)	Policy Justification & Intent
	(merged sentences).		
§ 112.03 & § 153.204 (Transferability)	Silent on whether RSTR business licenses or CUPs are transferable upon the sale/transfer of a property.	Add explicit language stating that neither RSTR business licenses nor RSTR CUPs are transferable.	Prevents RSTR authorizations from becoming a transferable property right, preserving the town's ability to regulate new owners.
§ 153.204(C)(4) (Lottery vs. Waitlist)	Contained contradictory language: referenced a 'lottery' in one sentence and a 'first-come, first-served waiting list' in another.	Adopt consistent 'first-come, first-served waiting list' language and eliminate all references to a lottery.	A waiting list is significantly easier to administer and provides an orderly, predictable, and fair queue for applicants.
§ 153.204(E)(4) (CUP Discretion)	Grants the PC broad, open-ended discretion to impose site conditions based on vague criteria (e.g., 'etc.').	Town Council should review and establish objective, documented guidelines to replace subjective PC discretion.	Requested that the Council address the lack of sufficient backbone in the current language to ensure conditions are applied objectively and consistently.

Code Section	Original Draft Provision (V2.0)	PC-Endorsed Revision (V3.0)	Policy Justification & Intent
§ 110.01(H) (Business Penalties)	Imposes a strict Class B misdemeanor for operating any business without a required local license.	Town Council should monitor and consider starting with warning letters and civil penalties in the enforcement framework.	Promotes Suggests a stepwise enforcement process (starting with a warning letter, followed by a fine, then civil charges) to ensure proportional enforcement while reserving criminal penalties as a last resort.
Business License Application	Included references to specific business license classes	Revise application forms to remove all references to license classes	Ensures alignment with Chapter 110 amendments which eliminate complex license classes

Detailed Discussion of Key Revisions and Recommendations

Establish Non-Transferability of RSTR Licenses and CUPs

The Planning Commission recommends that the Town Council add clear rules to Chapter 112 and Section 153.204 stating that RSTR business licenses and CUPs cannot be transferred. If a property is sold, the license and permit should expire immediately. New owners must apply for their own authorizations. This ensures all operators are vetted and prevents these permits from being sold as property assets.

Elimination of Lottery in Favor of a Waiting List

Version 2 of the draft of Section 153.204(C)(4) is confusing because it mentions both a lottery and a waiting list. The Planning Commission recommends using a first-come, first-served waiting list instead of a lottery. A waiting list is more transparent, predictable, and easier for staff to manage.

Establishing Objective Standards to Limit Subjective PC Discretion

The Planning Commission identified concerns regarding Section 153.204(c)(4) (Discretionary CUP Conditions, subsections b and c), noting that the current language grants broad, undefined discretionary authority to impose conditions on CUP applicants. Commissioners highlighted that criteria such as "reasonably anticipated detrimental effects" and open-ended lists—including "etc."—are imprecise and lack sufficient backbone. While the Commission acknowledges that discretion is appropriate when grounded in objective, documented criteria, they recommend that the Town Council review these subsections to either strengthen them with defined standards or revise them to reduce ambiguity, with the final direction left to the Council's discretion.

Note: During the second public comment period at the August 18, 2026, meeting, Town Council Member and Planning Commission Liaison Tina Karlsson commented that she believed the existing CUP framework and review process, including the RSTR-specific criteria, already provides a mechanism to address some of the discussed ambiguity, depending on individual application circumstances. She further acknowledged agreement with aspects of Mr. Gardner's position and noted that the Town Council would continue discussing related issues.

Prioritize Civil Enforcement over Criminal Penalties

In reviewing Chapter 110 (General Business Licensing), Commissioners questioned the severity of classifying unlicensed business operations as a Class B misdemeanor. Mayor Cheryl Cox clarified that Town Attorney Blakesley recommended retaining this criminal penalty as a legal tool consistent with other sections of the Town Code.

The Commission recommends that the Town Council focus on civil enforcement, like warning letters and fines, first. A Class B misdemeanor should only be used as a last resort for serious or repeat violations.

Addressing Table of Uses Inconsistencies

The Planning Commission flagged a broader zoning alignment issue: the Table of Uses (§ 153.117) referenced in Section 153.204 does not currently align with the proposed RSTR amendments.

The Planning Commission recommends updating the Table of Uses (§ 153.117) to match these new RSTR rules. This will ensure the entire town code is consistent and easy to follow.

Business License Application

The Planning Commission directs Zoning Administrator Erin Smith to update the business license application forms to remove all references to license classes, ensuring they align with the proposed amendments to Chapter 110.

CORRECTION TO MEETING RECORD

It is noted for the record that during the August 18, 2026, Planning Commission meeting, the drafts of Chapter 110, Chapter 112, and Section 153.204 were inadvertently referred to as 'Version 2,' with the subsequent version referred to as 'Version 3.' In fact, the drafts presented were Version 1, and the drafts incorporating the Planning Commission's recommendations constitute Version 2.

ATTACHMENTS

- A. Jayme Blakesley Memo Regarding Amending Ordinances  BT-2026_M...
- B. Administrative Report Regarding Amending Ordinances  BT-2026_R...
- C. Planning Commission Meeting Materials with Annotations on Redline Drafts • 2026 AUG 18  BT-2026_M...
- D. Planning Commission Draft Minutes • 2026 AUG 18  BT-2026_M...
- E. Audio Recording of Planning Commission Regular  BT-2026_R...

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- F. Version 2 of Draft Ordinance No. 2026-D: Amendments to Boulder Town Code Section 153.204 (Residential Short-Term Rentals) —With PC Recommendations  BT-2026_O...
- G. Version 2 of Draft Ordinance No. 2026-C: Amendments to Boulder Town Code Chapter 112 (Residential Short-Term Rentals) —With PC Recommendations  BT-2026_O...
- H. Version 2 of Draft Ordinance No. 2026-A: Amendments to Boulder Town Code Chapter 110 (General Business Provisions) —With PC Recommendations  BT-2026_O...
- I. Version 3 of Draft Ordinance No. 2026-E: Amendments to Boulder Town Code Chapter 111 (Alcoholic Beverages) —With PC Recommendations (Note: Redline revision based Council Member Josh Ellis’ Submitted AI-generated draft)  BT-2026_O...
- J. Version 2 of Draft Residential Short-Term Rental Application —As submitted to Planning Commission; no additional modifications proposed  BT-2026_A...
- K. Version 2 of Draft Business License Application —As Presented to PC, pending recommended revisions  BT-2026_A...



MEMORANDUM

To: Town Planning Commission
Town Council
BOULDER, UTAH

From: Jayme Blakesley, Boulder Town Attorney 
HAYES GODFREY BELL, P.C.

Date: August 13, 2026

Subject: Proposed Amendments to Chapters 110, 111, and 112 of Boulder Town Code —
Business Licensing, Alcoholic Beverages, and Residential Short-Term Rentals

I. Introduction

Boulder Town (“Boulder” or “Town”) is considering related amendments to three chapters of Title XI of the Town Code:

Chapter 110 — General Business Provisions;
Chapter 111 — Alcoholic Beverages; and
Chapter 112 — Residential Short-Term Rentals.

The proposed ordinances are intended to work together. Chapter 110 would establish the Town’s general business-licensing rules. Chapter 111 would clarify the Town’s role in the State’s alcohol-licensing process. Chapter 112 would retain additional licensing and operating requirements that apply specifically to residential short-term rentals (“RSTRs”).

Taken together, the amendments are intended to simplify the Town’s licensing procedures, remove outdated provisions, clarify the relationship between different Town and State approvals, and provide a more consistent framework for administering and enforcing the Town’s business regulations.

The Planning Commission will consider the proposed ordinances and make a recommendation to the Town Council. The Town Council will then consider whether to adopt the ordinances.

II. Chapter 110 – General Business Licensing

Chapter 110 provides the foundation for the proposed regulatory framework. The revised chapter would continue to require businesses operating within the Town to obtain a business license unless an exemption applies, but would substantially simplify the existing licensing process.

Among the principal changes are:

- **Elimination of license classes.** The existing distinctions among general business, home occupation, and temporary business license classes would be eliminated. Businesses would generally receive a Town business license, with temporary businesses addressed separately as necessary.
- **Simplified applications.** Rather than prescribing detailed application procedures in the Code, the Mayor or designee would establish application forms and request information reasonably necessary to determine whether the business complies with applicable requirements.
- **Mayor or designee administration.** The chapter would generally assign administrative licensing responsibilities to the “Mayor or designee,” rather than assigning individual functions to particular Town positions. This provides administrative flexibility without changing the substantive requirements for obtaining a license.
- **Uniform renewal schedule.** Annual business licenses would expire on the last day of February and be renewed on or before March 1. The adopting ordinance includes a transition provision for existing licenses that currently operate on a different renewal schedule.
- **Fees established by the Town Fee Schedule.** License fees and applicable late fees would be established through the Town Fee Schedule rather than fixed in the Code.
- **Administrative appeal.** An applicant or license holder may appeal a final administrative licensing decision to the Town Council. The appeal is based on the administrative record rather than being a new hearing of the application. The Council may reverse or modify the decision only under the standards stated in the ordinance.

- **Enforcement.** Operating a business without a required license would continue to constitute a Class B misdemeanor.¹

Importantly, a Town business license is only one required approval. The revised chapter expressly provides that a business license does not replace zoning approval, a conditional use permit, building or fire requirements, alcohol approval, a required state license, or other applicable authorization. Conversely, receiving one of those approvals does not eliminate the requirement for a Town business license when one is required.

III. Chapter 111 – Alcoholic Beverages

Chapter 111 addresses a different type of approval. The proposed amendment would replace the Town’s existing municipal alcohol-licensing system with a framework that better reflects the division of responsibility between the State and the Town under Utah law.

Under the proposed chapter, the State of Utah, through the Utah Department of Alcoholic Beverage Services and the Alcoholic Beverage Services Commission, would remain responsible for issuing, renewing, suspending, and revoking state alcohol licenses. The Town would not issue a separate municipal alcohol license. Instead, when state law requires local consent, the Town Council would consider whether to grant that consent.

This change removes outdated local alcohol-license classifications and avoids duplicating the State’s licensing process. It does not, however, remove the Town from the regulation of alcohol-related businesses.

An alcohol-related business would remain subject to applicable Town zoning, land-use, business-licensing, building, fire, nuisance, health and safety, and other regulations. Local consent from the Town Council does not constitute a business license or land-use approval, and a state alcohol license does not authorize a business to operate in violation of Town requirements.

The proposed chapter therefore separates two questions that are currently combined in the Code: whether the Town will provide any local consent required for a state alcohol license, and whether the business otherwise complies with Boulder Town Code.

¹ **Enforcement discretion.** The enforcement provisions in Chapter 110 identify the remedies available to the Town; they do not require the Town to pursue enforcement in every instance in which a violation may exist. The provisions in this section and other sections of Town Code are better understood as a “menu” of enforcement tools that allows the Town to select an appropriate response based on the circumstances. Depending on the nature and seriousness of a violation, the Town may pursue informal compliance, administrative licensing remedies, civil enforcement, criminal enforcement, or another remedy authorized by the Code. This enforcement discretion must, however, be exercised lawfully and may not be applied on a discriminatory or otherwise impermissible basis.

IV. Chapter 112 – Residential Short-Term Rentals

Chapter 112 serves another distinct purpose. Chapter 153 of the Town Code regulates RSTRs as a land use, including whether an RSTR is permitted at a particular location and whether a conditional use permit is required. Chapter 112 regulates an RSTR as a business once the applicable land-use requirements have been satisfied.

The proposed Chapter 112 therefore continues to require an annual business license for regulated short-term lodging. Eligibility remains tied to the RSTR's land-use status, including existing lawful RSTRs, RSTRs with an approved conditional use permit, and qualifying nonconforming uses.

Chapter 112 also retains requirements that are specific to operating an RSTR and therefore would not appropriately be included in the general business-licensing chapter. These include residency and on-site requirements where applicable, proof of residency, compliance certifications, tax obligations, building and health requirements, compliance with conditions imposed through a conditional use permit, guest conduct and nuisance requirements, and inclusion of the Town business-license number in online short-term-rental listings.

Chapter 112 is therefore intended to supplement, rather than duplicate, Chapter 110. Chapter 110 establishes the general licensing framework applicable to Town businesses; Chapter 112 adds requirements that apply because of the particular characteristics of residential short-term lodging.

V. How the Chapters Work Together

The three ordinances are designed to separate regulatory functions that have previously overlapped.

Chapter 110 answers the general question: What does a business need to do to obtain and maintain a Boulder Town business license?

Chapter 111 answers a narrower question for alcohol-related businesses: When state law requires Boulder's local consent for a state alcohol license, how does the Town consider that request?

Chapter 112 answers the additional question for RSTRs: What additional requirements apply to obtaining and operating under an RSTR business license?

Land-use questions remain governed by the applicable provisions of the Town's zoning ordinance, including Chapter 153. Building, fire, nuisance, code-enforcement, and other applicable requirements likewise remain independently enforceable.

This structure is intentional. Obtaining one Town or State approval does not automatically establish compliance with all others. A business must obtain and maintain each approval applicable to its particular use and operation.

VI. Recommendation

The proposed amendments should be considered together as a modernization of the Town's business-regulation framework. They simplify general business licensing, clarify the Town's more limited role in state alcohol licensing, retain appropriate RSTR-specific business regulations, and more clearly distinguish business licensing from land-use and other regulatory approvals.

I recommend that the Planning Commission review the proposed ordinances and make a recommendation to the Town Council. Following the Planning Commission's recommendation and required public process, the Town Council may consider the ordinances for adoption.

Report Title: Amending Fire Restrictions Ordinance

Governing Body: Town Council

Meeting Date: April 7, 2026

Agenda Item: Discussion on Amending the Fire Restrictions Ordinance

Item Type: Discussion

Contributors: Cheryl Cox, Josh Ellis, Corry Johnson, and Elizabeth Julian

Prepared by: Elizabeth Julian

Date Submitted: March 31, 2026

RECOMMENDED ACTION

It is recommended that the Town Council adopt a new ordinance to amend Boulder Town Code §130.01 based on the following:

1. Amend the default annual fire restriction period to May 1 to October 31, with provisions to shorten or expand this timeframe by resolution.
2. Align the definitions and prohibited acts with the Stage 1 and Stage 2 language and structure used by the State of Utah Division of Forestry, Fire, and State Lands and Unincorporated Private Property in Garfield County.
3. Follow the required process for amending an ordinance, including scheduling and holding a public hearing.

BACKGROUND

The Town Council has historically had to pass a resolution to extend the fire restriction period defined in Boulder Town Code §130.01 Fire Restrictions due to increasing fire danger and associated weather conditions.

Councilmember Josh Ellis recommended updating the ordinance to set a default restriction period from April or May through October or November, with the option to shorten the period by resolution during rare wet seasons.

It is suggested that the ordinance language be reviewed and updated to align with the State of Utah's Division of Forestry, Fire, and State Lands' Stage 1 and Stage 2 restrictions, which affect public and unincorporated private land in Garfield County.

This alignment is recommended because the current disparity between the town's ordinance and the state's restrictions may lead to public confusion, as demonstrated by the Fire Ban and Safety Reminders Public Notice issued on June 27, 2025.

The State's restrictions are governed by Utah State Law, Section 65A-8-212, and apply to all unincorporated private and state lands.

KEY DISCREPANCIES

The current Boulder Town Ordinance (§ 130.01) is often insufficient for the actual fire season, and the discrepancies with State/County regulations have caused public confusion (as seen in the June 27, 2025 Public Notice).

- Restriction Period: The existing Town ordinance (June 1 to October 31) is too short for the fire season.
- Prohibited Acts: The Town's current language (open fires, smoking, fireworks) is less restrictive and comprehensive than State/County standards.
- Specific Gaps: The current Town Code does not explicitly mention the Stage 1 prohibitions on dangerous activities such as:
 - Cutting, welding, or grinding metal in dry vegetation.
 - Operating small engines without a spark arrestor.
 - Requirement for running water to be available for established fire pits.

PROCESS AND TIMELINE

- Drafting Period: Assigned Town Council Member and/or Administrative Staff will draft the new ordinance language, incorporating the May 1–October 31 timeframe and aligning prohibited acts with State/County Stage 1 and Stage 2 restrictions. The draft must clearly define which stage (1 or 2) is in effect when the Town Council declares restrictions.
- Review: The draft ordinance will be reviewed by the Town Attorney prior to presentation to the Town Council.
- May 5, 2026: Schedule and hold a Public Hearing on the proposed revised ordinance.
- June 2, 2026: Consider adoption of the amended ordinance.

ATTACHMENTS

A. BT Code	Boulder Town Code 130.01 Fire Restrictions	 BT-2026_CODE_BT_130...
B. Public Notice	Boulder Town Public Notice Fire Ban and Safety Reminders June 27, 2025	 2025 June 27 Notice Fir...
C. Fire Restriction	Southwest Utah Fire Restriction Order (Stage 1) Effective June 1, 2025	 State Stage 1 Restrictio...
D. Website: Active Fire Restrictions	Utah Active Fire Restrictions with State 1 and 2 defined	https://utah-fire-info-utahdnr.hub.arcgis.com/pages/ba47d998e6b04639bbf50954cf5aa8c7
E. UT Code	Utah State Code C65A-8-S212 Fire Control	 BT-2026_CODE_UT_C6...
F. Website: Iron County Fire	Iron County's Current Fire Restriction: Stage 1 ...	https://ironcountyut.gov/fire

BOULDER FARMSTEAD WATER COMPANY
PO BOX 1356 BOULDER ,UTAH 84716

MEMORANDUM

STOCKHOLDERS BOULDER FARMSTEAD WATER COMPANY

The Annual Meeting For All Stockholders will be held:

SEPT. 16, 2026

Place : Town Hall

Time: 7:00 PM

Agenda For This Meeting Will Be:

- 1- Call to Order
- 2- Reading of the notice of the meeting.
- 3- Reading of the minutes of the preceding meeting and approval thereof
- 4- Secretary - Treasure's report on the number of shares present in person or by proxy.
- 5- Reports of officers, directors, and committees. -
 - 811 contact before digging or planting trees , post holes
 - Lead and copper service line project
 - PFFA samples required
 - State surcharge to all water systems for Annual water usage
- 6- Election of directors
- 7- Unfinished business
 - Shareholders information needed for certificate update , copy of your existing certificate, Tax ID # or Parcel # Along with current email address and Phone # for emergency. (water leaks, emergency shut off of system.)
- 8- New business
 - Asset management plan review for the system.

A proxy vote form is included if you desire to use it.

Nomination for Board Members will be made and voted on at the meeting.

The Proxy vote must be sent to Evonne Roundy by the 13 th of September if you are voting proxy.

Please plan to be in attendance.

PROXY VOTE

I, ----- BEING legally entitled to
vote as a stockholder in Boulder Farmstead Water Company, do hereby authorize,
----- To vote in my absence and
on my behalf at the Boulder Farmstead Water Company Stockholders meeting to be held
on **September 16 2026**

Sign: ----- Date:-----

Please return by September 13

Boulder Farmstead Water Co.

STATEMENT OF ACCOUNT

PTIF

UTAH PUBLIC TREASURERS' INVESTMENT FUND

Marlo M. Oaks, Utah State Treasurer, Fund Manager

PO Box 142315

350 N State Street, Suite 180

Salt Lake City, Utah 84114-2315

Local Call (801) 538-1042 Toll Free (800) 395-7665

www.treasurer.utah.gov

ESC-BOULDER TOWN-LANDFILL

JULEE LYMAN

PO BOX 1329

BOULDER, UT 84716

Account

Account Period

2117

July 01, 2026 through July 31, 2026

Summary

Beginning Balance	\$ 19,368.60	Average Daily Balance	\$ 19,368.60
Deposits	\$ 64.52	Interest Earned	\$ 64.52
Withdrawals	\$ 0.00	360 Day Rate	3.8684
Ending Balance	\$ 19,433.12	365 Day Rate	3.9222

Date	Activity	Deposits	Withdrawals	Balance
07/01/2026	FORWARD BALANCE	\$ 0.00	\$ 0.00	\$ 19,368.60
07/31/2026	REINVESTMENT	\$ 64.52	\$ 0.00	\$ 19,433.12
07/31/2026	ENDING BALANCE	\$ 0.00	\$ 0.00	\$ 19,433.12

STATEMENT OF ACCOUNT

PTIF

UTAH PUBLIC TREASURERS' INVESTMENT FUND

Marlo M. Oaks, Utah State Treasurer, Fund Manager

PO Box 142315

350 N State Street, Suite 180

Salt Lake City, Utah 84114-2315

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BOULDER TOWN-GENERAL

TOWN CLERK

PO BOX 1329

BOULDER, UT 84716

Account

Account Period

9061

July 01, 2026 through July 31, 2026

Summary

Beginning Balance	\$ 592,640.45	Average Daily Balance	\$ 533,953.12
Deposits	\$ 23,347.97	Interest Earned	\$ 1,778.68
Withdrawals	\$ 74,000.00	360 Day Rate	3.8684
Ending Balance	\$ 541,988.42	365 Day Rate	3.9222

Date	Activity	Deposits	Withdrawals	Balance
07/01/2026	FORWARD BALANCE	\$ 0.00	\$ 0.00	\$ 592,640.45
07/02/2026	DS 07/01	\$ 0.00	\$ 37,000.00	\$ 555,640.45
07/07/2026	DS 07/02	\$ 0.00	\$ 37,000.00	\$ 518,640.45
07/22/2026	Add TrnL	\$ 790.55	\$ 0.00	\$ 519,431.00
07/22/2026	RESORT	\$ 10,527.77	\$ 0.00	\$ 529,958.77
07/22/2026	ROOM TX	\$ 2,434.59	\$ 0.00	\$ 532,393.36
07/22/2026	SALES TX	\$ 7,784.96	\$ 0.00	\$ 540,178.32
07/22/2026	TELE TAX	\$ 31.42	\$ 0.00	\$ 540,209.74
07/31/2026	REINVESTMENT	\$ 1,778.68	\$ 0.00	\$ 541,988.42
07/31/2026	ENDING BALANCE	\$ 0.00	\$ 0.00	\$ 541,988.42

Boulder Town
Operational Budget Report
10 General Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Current Month Actual	Current YTD Actual	2026 Annual Budget	Reamining Budget	% Eanred/ Used
Change In Net Position					
Revenue:					
Taxes					
3110 Property taxes - current	0.00	0.00	19,860.00	19,860.00	0.00%
3130 General sales taxes	0.00	0.00	83,082.00	83,082.00	0.00%
3150 Transient room taxes	0.00	0.00	21,491.00	21,491.00	0.00%
3155 Resort taxes	0.00	0.00	85,548.00	85,548.00	0.00%
3160 Telecom - Franchis taxes	0.00	0.00	2,707.00	2,707.00	0.00%
Total Taxes	0.00	0.00	212,688.00	212,688.00	0.00%
Licenses and permits					
3210 Business licenses	0.00	0.00	1,250.00	1,250.00	0.00%
3211 Application fees	55.00	55.00	1,000.00	945.00	5.50%
Total Licenses and permits	55.00	55.00	2,250.00	2,195.00	2.44%
Intergovernmental revenue					
3358 State liquor allotment	0.00	0.00	150.00	150.00	0.00%
3371 County fire grants	0.00	0.00	6,929.00	6,929.00	0.00%
Total Intergovernmental revenue	0.00	0.00	7,079.00	7,079.00	0.00%
Charges for services					
3439 Zoning & Subdivision	0.00	0.00	3,000.00	3,000.00	0.00%
3440 Landfill fees	50.00	50.00	2,000.00	1,950.00	2.50%
3483 Opening and closing - cemetery	0.00	0.00	300.00	300.00	0.00%
3484 Rental income	0.00	0.00	1,500.00	1,500.00	0.00%
Total Charges for services	50.00	50.00	6,800.00	6,750.00	0.74%
Interest					
3610 Interest earnings	1,923.08	1,923.08	23,000.00	21,076.92	8.36%
Total Interest	1,923.08	1,923.08	23,000.00	21,076.92	8.36%
Miscellaneous revenue					
3690 Miscellaneous revenue	55.00	55.00	0.00	(55.00)	0.00%
3691 Donations	797.00	797.00	300.00	(497.00)	265.67%
Total Miscellaneous revenue	852.00	852.00	300.00	(552.00)	284.00%
Contributions and transfers					
3990 Fund balance appropriated from prior years	0.00	0.00	7,615.00	7,615.00	0.00%
Total Contributions and transfers	0.00	0.00	7,615.00	7,615.00	0.00%
Total Revenue:	2,880.08	2,880.08	259,732.00	256,851.92	1.11%
Expenditures:					
Administration					
Governing Body					
4021 Council Dues and memberships	0.00	0.00	600.00	600.00	0.00%
4022 Council Public notices	0.00	0.00	100.00	100.00	0.00%
4023 Council Postage and shipping	0.00	0.00	600.00	600.00	0.00%
4024 Council Office supplies	0.00	0.00	1,500.00	1,500.00	0.00%
4025 Council Equip, supplies and maint	0.00	0.00	500.00	500.00	0.00%
4026 Council Travel and training	0.00	0.00	1,000.00	1,000.00	0.00%
4036 Committees Travel and training	0.00	0.00	1,000.00	1,000.00	0.00%
4037 Committees Equip, supplies and maint	0.00	0.00	600.00	600.00	0.00%
Total Governing Body	0.00	0.00	5,900.00	5,900.00	0.00%
Clerk/Recorders					
4111 Clerk/Rec Salaries and wages	75.31	75.31	70,457.00	70,381.69	0.11%
4113 Clerk/Rec Employee Taxes	0.00	0.00	10,568.00	10,568.00	0.00%
4121 Clerk/Rec Dues and memberships	0.00	0.00	200.00	200.00	0.00%
4123 Clerk/Rec Travel and training	0.00	0.00	1,000.00	1,000.00	0.00%
Total Clerk/Recorders	75.31	75.31	82,225.00	82,149.69	0.09%
Administrative					
4131 Admin Legal fees	0.00	0.00	17,000.00	17,000.00	0.00%
4132 Admin Accounting and auditing	0.00	0.00	7,000.00	7,000.00	0.00%
4135 Admin Software and information tech	0.00	0.00	17,000.00	17,000.00	0.00%
4151 Admin Insurance	0.00	0.00	3,000.00	3,000.00	0.00%
4161 Admin Miscellaneous expenditures	0.00	0.00	0.00	0.00	0.00%
Total Administrative	0.00	0.00	44,000.00	44,000.00	0.00%
Planning & Zoning					

Boulder Town
Operational Budget Report
10 General Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Current Month Actual	Current YTD Actual	2026 Annual Budget	Reamining Budget	% Eanred/ Used
4211 Plan Comm. Salaries and wages	0.00	0.00	5,000.00	5,000.00	0.00%
4213 Plan Comm. Employee Taxes	268.07	268.07	750.00	481.93	35.74%
4226 Plan Comm. Travel and training	0.00	0.00	500.00	500.00	0.00%
4247 Plan Comm. Inspections	0.00	0.00	750.00	750.00	0.00%
Total Planning & Zoning	268.07	268.07	7,000.00	6,731.93	3.83%
Total Administration	343.38	343.38	139,125.00	138,781.62	0.25%
Public safety					
Fire					
4320 Fire Expenditures	0.00	0.00	3,000.00	3,000.00	0.00%
4325 Fire Travel and training	0.00	0.00	7,000.00	7,000.00	0.00%
4327 Fire Propane	0.00	0.00	2,500.00	2,500.00	0.00%
4328 Fire Electricity	0.00	0.00	1,000.00	1,000.00	0.00%
4329 Fire Telephone and internet	0.00	0.00	1,200.00	1,200.00	0.00%
4351 Fire Insurance	0.00	0.00	3,000.00	3,000.00	0.00%
Total Fire	0.00	0.00	17,700.00	17,700.00	0.00%
Total Public safety	0.00	0.00	17,700.00	17,700.00	0.00%
Public Works					
Transportation					
4401 Transp Supplies	0.00	0.00	500.00	500.00	0.00%
4402 Transp Contract Labor	0.00	0.00	2,000.00	2,000.00	0.00%
Total Transportation	0.00	0.00	2,500.00	2,500.00	0.00%
Solid Waste & Recycling					
4411 Solid Waste Salaries and wages	0.00	0.00	5,603.00	5,603.00	0.00%
4413 Solid Waste Employee Taxes	0.00	0.00	750.00	750.00	0.00%
4446 Solid Waste Contract labor	0.00	0.00	2,600.00	2,600.00	0.00%
4455 Solid Waste Waste Managment Fee	0.00	0.00	500.00	500.00	0.00%
Total Solid Waste & Recycling	0.00	0.00	9,453.00	9,453.00	0.00%
Cemetery					
4525 Cemetery Equipment supplies and maintenance	0.00	0.00	700.00	700.00	0.00%
4528 Cemterey Water	0.00	0.00	900.00	900.00	0.00%
4546 Cemetery Contract labor	0.00	0.00	300.00	300.00	0.00%
Total Cemetery	0.00	0.00	1,900.00	1,900.00	0.00%
Total Public Works	0.00	0.00	13,853.00	13,853.00	0.00%
Community					
Administration					
4611 B&G Salaries and wages	0.00	0.00	35,834.00	35,834.00	0.00%
4613 B&G Employee taxes	0.00	0.00	5,375.00	5,375.00	0.00%
4625 B&G Janitorial and custodial	0.00	0.00	2,000.00	2,000.00	0.00%
4626 B&G Fuel	0.00	0.00	900.00	900.00	0.00%
4627 B&G Equip, supplies and maint	0.00	0.00	12,000.00	12,000.00	0.00%
4628 B&G Water	440.11	440.11	7,300.00	6,859.89	6.03%
4630 B&G Telephone and internet	0.00	0.00	2,000.00	2,000.00	0.00%
4651 B&G Insurance	0.00	0.00	3,000.00	3,000.00	0.00%
4670 B&G Property services	0.00	0.00	2,000.00	2,000.00	0.00%
Total Administration	440.11	440.11	70,409.00	69,968.89	0.63%
Parks & Recreation					
4725 Parks Maintenance	0.00	0.00	500.00	500.00	0.00%
4727 Parks Equipment & Supplies	0.00	0.00	0.00	0.00	0.00%
4728 Parks Water	216.20	216.20	4,800.00	4,583.80	4.50%
4761 Parks Recreation & Culture	0.00	0.00	125.00	125.00	0.00%
4774 Parks Capital outlay	0.00	0.00	60.00	60.00	0.00%
4780 Independence Day Expenses	0.00	0.00	3,600.00	3,600.00	0.00%
4802 Tree Trimming	0.00	0.00	0.00	0.00	0.00%
Total Parks & Recreation	216.20	216.20	9,085.00	8,868.80	2.38%
Library					
4828 Library Telcommunication	0.00	0.00	1,560.00	1,560.00	0.00%
Total Library	0.00	0.00	1,560.00	1,560.00	0.00%
Total Community	656.31	656.31	81,054.00	80,397.69	0.81%
Transfers					
4921 Transfer to LBA	0.00	0.00	8,000.00	8,000.00	0.00%

Boulder Town
Operational Budget Report
10 General Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Current Month Actual	Current YTD Actual	2026 Annual Budget	Reamining Budget	% Eanred/ Used
Total Transfers	0.00	0.00	8,000.00	8,000.00	0.00%
Total Expenditures:	999.69	999.69	259,732.00	258,732.31	0.38%
Total Change In Net Position	1,880.39	1,880.39	0.00	(1,880.39)	0.00%

Boulder Town
Operational Budget Report
12 Class C Road Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Current Month Actual	Current YTD Actual	2026 Annual Budget	Reamining Budget	% Eanred/ Used
Change In Net Position					
Revenue:					
Intergovernmental revenue					
3356 Class C road allotment	0.00	0.00	46,000.00	46,000.00	0.00%
3357 Mass Transit	0.00	0.00	7,200.00	7,200.00	0.00%
Total Intergovernmental revenue	0.00	0.00	53,200.00	53,200.00	0.00%
Interest					
3610 Interest earnings	0.00	0.00	12,000.00	12,000.00	0.00%
Total Interest	0.00	0.00	12,000.00	12,000.00	0.00%
Total Revenue:	0.00	0.00	65,200.00	65,200.00	0.00%
Expenditures:					
Miscellaneous					
4999 Budgeted increase in fund balance	0.00	0.00	65,200.00	65,200.00	0.00%
Total Miscellaneous	0.00	0.00	65,200.00	65,200.00	0.00%
Total Expenditures:	0.00	0.00	65,200.00	65,200.00	0.00%
Total Change In Net Position	0.00	0.00	0.00	0.00	0.00%

Boulder Town
Operational Budget Report
21 Local Building Authority - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Current Month Actual	Current YTD Actual	2026 Annual Budget	Reamining Budget	% Eanred/ Used
Change In Net Position					
Revenue:					
Interest					
3610 Interest earnings	0.00	0.00	0.00	0.00	0.00%
Total Interest	0.00	0.00	0.00	0.00	0.00%
Contributions and transfers					
3810 Transfer from general fund	0.00	0.00	8,000.00	8,000.00	0.00%
Total Contributions and transfers	0.00	0.00	8,000.00	8,000.00	0.00%
Total Revenue:	0.00	0.00	8,000.00	8,000.00	0.00%
Expenditures:					
Debt service					
4711 Debt service - principal	0.00	0.00	8,000.00	8,000.00	0.00%
Total Debt service	0.00	0.00	8,000.00	8,000.00	0.00%
Total Expenditures:	0.00	0.00	8,000.00	8,000.00	0.00%
Total Change In Net Position	0.00	0.00	0.00	0.00	0.00%

Boulder Town
Operational Budget Report
41 Capital Projects Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Current Month Actual	Current YTD Actual	2026 Annual Budget	Reamining Budget	% Eanred/ Used
Change In Net Position					
Revenue:					
Contributions and transfers					
3990 Fund balance appropriated	0.00	0.00	20,000.00	20,000.00	0.00%
Total Contributions and transfers	0.00	0.00	20,000.00	20,000.00	0.00%
Total Revenue:	0.00	0.00	20,000.00	20,000.00	0.00%
Expenditures:					
Administration					
Administrative					
4174 Admin Capital outlay	0.00	0.00	20,000.00	20,000.00	0.00%
Total Administrative	0.00	0.00	20,000.00	20,000.00	0.00%
Total Administration	0.00	0.00	20,000.00	20,000.00	0.00%
Total Expenditures:	0.00	0.00	20,000.00	20,000.00	0.00%
Total Change In Net Position	0.00	0.00	0.00	0.00	0.00%

Boulder Town
Standard Financial Report
10 General Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	<u>Prior Year Actual</u>	<u>Current Month Actual</u>	<u>Current Year Actual</u>
Net Position			
Assets:			
Current Assets			
Cash and cash equivalents			
1111 MACU Checking 50	35,843.56	37,000.00	72,843.56
1112 MACU Money Market 07	(350,903.25)	0.00	(350,903.25)
1113 MACU Reserve Fund 02	(8,051.94)	0.00	(8,051.94)
1115 MACU MyExpress Debit 58	6,762.00	0.00	6,762.00
1116 State Bank of Southern Utah	3,977.02	27,938.66	31,915.68
1121 PTIF 9061 General	519,435.04	(51,442.58)	467,992.46
1122 PTIF 2117 Landfill Escrow	19,368.60	64.52	19,433.12
1170 Cash on hand	9.36	0.00	9.36
1175 Undeposited receipts	(50.00)	55.00	5.00
Total Cash and cash equivalents	226,390.39	13,615.60	240,005.99
Receivables			
1352 Property tax receivable - deferred	6,693.00	0.00	6,693.00
1361 Taxes receivables	21,591.47	(20,778.74)	812.73
Total Receivables	28,284.47	(20,778.74)	7,505.73
Total Current Assets	254,674.86	(7,163.14)	247,511.72
Total Assets:	254,674.86	(7,163.14)	247,511.72
Liabilities and Fund Equity:			
Liabilities:			
Current liabilities			
2131 Accounts payable	(12,767.21)	(484.27)	(13,251.48)
2211 Accrued wages payable	(7,289.32)	7,289.32	0.00
2220 Payroll liability clearing	(2,238.48)	2,238.48	0.00
2221 Accrued federal payroll taxes	(8,219.40)	0.00	(8,219.40)
2222 Accrued state payroll taxes	2,200.90	0.00	2,200.90
2225 Other payroll liabilities	(95.89)	0.00	(95.89)
Total Current liabilities	(28,409.40)	9,043.53	(19,365.87)
Deferred inflows			
2380 Deferred inflows - property taxes	(6,693.00)	0.00	(6,693.00)
Total Deferred inflows	(6,693.00)	0.00	(6,693.00)
Total Liabilities:	(35,102.40)	9,043.53	(26,058.87)
Equity - Paid In / Contributed			
2971 Restricted	(29,998.00)	0.00	(29,998.00)
2981 Fund balance	(156,073.41)	(1,880.39)	(157,953.80)
2991 Prior Period Adjustment	(33,501.05)	0.00	(33,501.05)
Total Equity - Paid In / Contributed	(219,572.46)	(1,880.39)	(221,452.85)
Total Liabilities and Fund Equity:	(254,674.86)	7,163.14	(247,511.72)
Total Net Position	0.00	0.00	0.00

Boulder Town
Standard Financial Report
10 General Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Prior Year Actual	Current Month Actual	Current Year Actual	{YEAR} Year Budget	Reamining Budget	% Earned/ Used
Change In Net Position						
Revenue:						
Taxes						
3110 Property taxes - current	17,748.96	0.00	0.00	19,860.00	19,860.00	0.00%
3125 Property taxes - Fee in lieu	129.76	0.00	0.00	0.00	0.00	0.00%
3130 General sales taxes	73,636.82	0.00	0.00	83,082.00	83,082.00	0.00%
3150 Transient room taxes	18,615.26	0.00	0.00	21,491.00	21,491.00	0.00%
3155 Resort taxes	77,459.83	0.00	0.00	85,548.00	85,548.00	0.00%
3160 Telecom - Franchis taxes	2,436.81	0.00	0.00	2,707.00	2,707.00	0.00%
Total Taxes	190,027.44	0.00	0.00	212,688.00	212,688.00	0.00%
Licenses and permits						
3210 Business licenses	3,794.45	0.00	0.00	1,250.00	1,250.00	0.00%
3211 Application fees	590.00	55.00	55.00	1,000.00	945.00	5.50%
3221 Building permits	975.00	0.00	0.00	0.00	0.00	0.00%
Total Licenses and permits	5,359.45	55.00	55.00	2,250.00	2,195.00	2.44%
Intergovernmental revenue						
3358 State liquor allotment	0.00	0.00	0.00	150.00	150.00	0.00%
3371 County fire grants	0.00	0.00	0.00	6,929.00	6,929.00	0.00%
Total Intergovernmental revenue	0.00	0.00	0.00	7,079.00	7,079.00	0.00%
Charges for services						
3439 Zoning & Subdivision	0.00	0.00	0.00	3,000.00	3,000.00	0.00%
3440 Landfill fees	1,396.80	50.00	50.00	2,000.00	1,950.00	2.50%
3483 Opening and closing - cemetery	600.00	0.00	0.00	300.00	300.00	0.00%
3484 Rental income	1,045.00	0.00	0.00	1,500.00	1,500.00	0.00%
Total Charges for services	3,041.80	50.00	50.00	6,800.00	6,750.00	0.74%
Interest						
3610 Interest earnings	16,580.13	1,923.08	1,923.08	23,000.00	21,076.92	8.36%
Total Interest	16,580.13	1,923.08	1,923.08	23,000.00	21,076.92	8.36%
Miscellaneous revenue						
3690 Miscellaneous revenue	3,977.29	55.00	55.00	0.00	(55.00)	0.00%
3691 Donations	768.00	797.00	797.00	300.00	(497.00)	265.67%
Total Miscellaneous revenue	4,745.29	852.00	852.00	300.00	(552.00)	284.00%
Contributions and transfers						
3990 Fund balance appropriated from pri	0.00	0.00	0.00	7,615.00	7,615.00	0.00%
Total Contributions and transfers	0.00	0.00	0.00	7,615.00	7,615.00	0.00%
Total Revenue:	219,754.11	2,880.08	2,880.08	259,732.00	256,851.92	1.11%
Expenditures:						
Administration						
Governing Body						
4021 Council Dues and memberships	0.00	0.00	0.00	600.00	600.00	0.00%
4022 Council Public notices	94.00	0.00	0.00	100.00	100.00	0.00%
4023 Council Postage and shipping	0.00	0.00	0.00	600.00	600.00	0.00%
4024 Council Office supplies	143.55	0.00	0.00	1,500.00	1,500.00	0.00%
4025 Council Equip, supplies and maint	59.99	0.00	0.00	500.00	500.00	0.00%
4026 Council Travel and training	913.77	0.00	0.00	1,000.00	1,000.00	0.00%
4036 Committees Travel and training	0.00	0.00	0.00	1,000.00	1,000.00	0.00%
4037 Committees Equip, supplies and	0.00	0.00	0.00	600.00	600.00	0.00%
Total Governing Body	1,211.31	0.00	0.00	5,900.00	5,900.00	0.00%
Clerk/Recorders						
4111 Clerk/Rec Salaries and wages	94,160.88	75.31	75.31	70,457.00	70,381.69	0.11%
4113 Clerk/Rec Employee Taxes	26,243.31	0.00	0.00	10,568.00	10,568.00	0.00%
4121 Clerk/Rec Dues and memberships	1,897.28	0.00	0.00	200.00	200.00	0.00%
4123 Clerk/Rec Travel and training	1,552.35	0.00	0.00	1,000.00	1,000.00	0.00%
4124 Clerk/Rec Office supplies	1,281.17	0.00	0.00	0.00	0.00	0.00%
4125 Clerk/Rec Equip, supplies and mai	2,489.39	0.00	0.00	0.00	0.00	0.00%
Total Clerk/Recorders	127,624.38	75.31	75.31	82,225.00	82,149.69	0.09%
Administrative						
4131 Admin Legal fees	12,945.50	0.00	0.00	17,000.00	17,000.00	0.00%
4132 Admin Accounting and auditing	12,604.34	0.00	0.00	7,000.00	7,000.00	0.00%
4135 Admin Software and information te	14,672.53	0.00	0.00	17,000.00	17,000.00	0.00%
4146 Admin Elections	1,930.00	0.00	0.00	0.00	0.00	0.00%

Boulder Town
Standard Financial Report
10 General Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Prior Year Actual	Current Month Actual	Current Year Actual	{YEAR} Year Budget	Reamining Budget	% Earned/ Used
4151 Admin Insurance	14,216.63	0.00	0.00	3,000.00	3,000.00	0.00%
4160 Admin Bank charges	9.04	0.00	0.00	0.00	0.00	0.00%
4161 Admin Miscellaneous expenditures	16,562.89	0.00	0.00	0.00	0.00	0.00%
Total Administrative	72,940.93	0.00	0.00	44,000.00	44,000.00	0.00%
Planning & Zoning						
4211 Plan Comm. Salaries and wages	1,439.93	0.00	0.00	5,000.00	5,000.00	0.00%
4213 Plan Comm. Employee Taxes	2,013.88	268.07	268.07	750.00	481.93	35.74%
4225 Plan Comm. Expenditures	657.73	0.00	0.00	0.00	0.00	0.00%
4226 Plan Comm. Travel and training	887.80	0.00	0.00	500.00	500.00	0.00%
4247 Plan Comm. Inspections	0.00	0.00	0.00	750.00	750.00	0.00%
Total Planning & Zoning	4,999.34	268.07	268.07	7,000.00	6,731.93	3.83%
Total Administration	206,775.96	343.38	343.38	139,125.00	138,781.62	0.25%
Public safety						
Fire						
4320 Fire Expenditures	2,670.73	0.00	0.00	3,000.00	3,000.00	0.00%
4322 Fire School Expenditures (training)	4,434.88	0.00	0.00	0.00	0.00	0.00%
4325 Fire Travel and training	950.00	0.00	0.00	7,000.00	7,000.00	0.00%
4327 Fire Propane	0.00	0.00	0.00	2,500.00	2,500.00	0.00%
4328 Fire Electricity	2,094.65	0.00	0.00	1,000.00	1,000.00	0.00%
4329 Fire Telephone and internet	1,000.47	0.00	0.00	1,200.00	1,200.00	0.00%
4351 Fire Insurance	2,680.53	0.00	0.00	3,000.00	3,000.00	0.00%
Total Fire	13,831.26	0.00	0.00	17,700.00	17,700.00	0.00%
Total Public safety	13,831.26	0.00	0.00	17,700.00	17,700.00	0.00%
Public Works						
Transportation						
4401 Transp Supplies	1,119.06	0.00	0.00	500.00	500.00	0.00%
4402 Transp Contract Labor	180.00	0.00	0.00	2,000.00	2,000.00	0.00%
Total Transportation	1,299.06	0.00	0.00	2,500.00	2,500.00	0.00%
Solid Waste & Recycling						
4411 Solid Waste Salaries and wages	1,407.66	0.00	0.00	5,603.00	5,603.00	0.00%
4413 Solid Waste Employee Taxes	112.67	0.00	0.00	750.00	750.00	0.00%
4446 Solid Waste Contract labor	7,765.00	0.00	0.00	2,600.00	2,600.00	0.00%
4455 Solid Waste Waste Managment Fe	250.00	0.00	0.00	500.00	500.00	0.00%
Total Solid Waste & Recycling	9,535.33	0.00	0.00	9,453.00	9,453.00	0.00%
Cemetery						
4525 Cemetery Equipment supplies and	132.30	0.00	0.00	700.00	700.00	0.00%
4528 Cemterey Water	55.00	0.00	0.00	900.00	900.00	0.00%
4546 Cemetery Contract labor	600.00	0.00	0.00	300.00	300.00	0.00%
Total Cemetery	787.30	0.00	0.00	1,900.00	1,900.00	0.00%
Total Public Works	11,621.69	0.00	0.00	13,853.00	13,853.00	0.00%
Community						
Administration						
4611 B&G Salaries and wages	0.00	0.00	0.00	35,834.00	35,834.00	0.00%
4613 B&G Employee taxes	0.00	0.00	0.00	5,375.00	5,375.00	0.00%
4625 B&G Janitorial and custodial	0.00	0.00	0.00	2,000.00	2,000.00	0.00%
4626 B&G Fuel	0.00	0.00	0.00	900.00	900.00	0.00%
4627 B&G Equip, supplies and maint	14,055.16	0.00	0.00	12,000.00	12,000.00	0.00%
4628 B&G Water	14,333.72	440.11	440.11	7,300.00	6,859.89	6.03%
4630 B&G Telephone and internet	4,547.32	0.00	0.00	2,000.00	2,000.00	0.00%
4651 B&G Insurance	3,042.00	0.00	0.00	3,000.00	3,000.00	0.00%
4670 B&G Property services	0.00	0.00	0.00	2,000.00	2,000.00	0.00%
Total Administration	35,978.20	440.11	440.11	70,409.00	69,968.89	0.63%
Parks & Recreation						
4725 Parks Maintenance	769.69	0.00	0.00	500.00	500.00	0.00%
4726 Parks Fuel	433.41	0.00	0.00	0.00	0.00	0.00%
4727 Parks Equipment & Supplies	1,835.66	0.00	0.00	0.00	0.00	0.00%
4728 Parks Water	2,696.91	216.20	216.20	4,800.00	4,583.80	4.50%
4761 Parks Recreation & Culture	125.00	0.00	0.00	125.00	125.00	0.00%
4774 Parks Capital outlay	0.00	0.00	0.00	60.00	60.00	0.00%
4780 Independence Day Expenses	3,560.88	0.00	0.00	3,600.00	3,600.00	0.00%
4801 Tree City Expenditure	218.86	0.00	0.00	0.00	0.00	0.00%

Boulder Town
Standard Financial Report
10 General Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Prior Year Actual	Current Month Actual	Current Year Actual	{YEAR} Year Budget	Reamining Budget	% Earned/ Used
4802 Tree Trimming	1,645.00	0.00	0.00	0.00	0.00	0.00%
Total Parks & Recreation	11,285.41	216.20	216.20	9,085.00	8,868.80	2.38%
Library						
4828 Library Telcommunication	1,045.82	0.00	0.00	1,560.00	1,560.00	0.00%
Total Library	1,045.82	0.00	0.00	1,560.00	1,560.00	0.00%
Total Community	48,309.43	656.31	656.31	81,054.00	80,397.69	0.81%
Transfers						
4921 Transfer to LBA	8,000.00	0.00	0.00	8,000.00	8,000.00	0.00%
Total Transfers	8,000.00	0.00	0.00	8,000.00	8,000.00	0.00%
Total Expenditures:	288,538.34	999.69	999.69	259,732.00	258,732.31	0.38%
Total Change In Net Position	(68,784.23)	1,880.39	1,880.39	0.00	(1,880.39)	0.00%

Boulder Town
Standard Financial Report
12 Class C Road Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	<u>Prior Year Actual</u>	<u>Current Month Actual</u>	<u>Current Year Actual</u>
Net Position			
Assets:			
Current Assets			
Cash and cash equivalents			
1111 MACU Checking 50	(146,328.24)	0.00	(146,328.24)
1112 MACU Money Market 07	292,903.25	0.00	292,903.25
1121 PTIF 9061 General	73,205.41	790.55	73,995.96
Total Cash and cash equivalents	<u>219,780.42</u>	<u>790.55</u>	<u>220,570.97</u>
Receivables			
1351 Intergovernmental receivables	8,944.79	(790.55)	8,154.24
Total Receivables	<u>8,944.79</u>	<u>(790.55)</u>	<u>8,154.24</u>
Total Current Assets	<u>228,725.21</u>	<u>0.00</u>	<u>228,725.21</u>
Total Assets:	<u>228,725.21</u>	<u>0.00</u>	<u>228,725.21</u>
Liabilites and Fund Equity:			
Equity - Paid In / Contributed			
2981 Fund balance	(228,725.21)	0.00	(228,725.21)
Total Equity - Paid In / Contributed	<u>(228,725.21)</u>	<u>0.00</u>	<u>(228,725.21)</u>
Total Liabilites and Fund Equity:	<u>(228,725.21)</u>	<u>0.00</u>	<u>(228,725.21)</u>
Total Net Position	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Boulder Town
Standard Financial Report
12 Class C Road Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Prior Year Actual	Current Month Actual	Current Year Actual	{YEAR} Year Budget	Reamining Budget	% Earned/ Used
Change In Net Position						
Revenue:						
Intergovernmental revenue						
3356 Class C road allotment	47,926.85	0.00	0.00	46,000.00	46,000.00	0.00%
3357 Mass Transit	6,878.31	0.00	0.00	7,200.00	7,200.00	0.00%
Total Intergovernmental revenue	54,805.16	0.00	0.00	53,200.00	53,200.00	0.00%
Interest						
3610 Interest earnings	5,812.16	0.00	0.00	12,000.00	12,000.00	0.00%
Total Interest	5,812.16	0.00	0.00	12,000.00	12,000.00	0.00%
Total Revenue:	60,617.32	0.00	0.00	65,200.00	65,200.00	0.00%
Expenditures:						
Public Works						
Transportation						
4710 Road Chip Seal	152,184.83	0.00	0.00	0.00	0.00	0.00%
Total Transportation	152,184.83	0.00	0.00	0.00	0.00	0.00%
Total Public Works	152,184.83	0.00	0.00	0.00	0.00	0.00%
Miscellaneous						
4999 Budgeted increase in fund balance	0.00	0.00	0.00	65,200.00	65,200.00	0.00%
Total Miscellaneous	0.00	0.00	0.00	65,200.00	65,200.00	0.00%
Total Expenditures:	152,184.83	0.00	0.00	65,200.00	65,200.00	0.00%
Total Change In Net Position	(91,567.51)	0.00	0.00	0.00	0.00	0.00%

Boulder Town
Standard Financial Report
21 Local Building Authority - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Prior Year Actual	Current Month Actual	Current Year Actual
Net Position			
Assets:			
Current Assets			
Cash and cash equivalents			
1111 MACU Checking 50	8,000.00	0.00	8,000.00
1113 MACU Reserve Fund 02	8,051.94	0.00	8,051.94
Total Cash and cash equivalents	16,051.94	0.00	16,051.94
Total Current Assets	16,051.94	0.00	16,051.94
Total Assets:	16,051.94	0.00	16,051.94
Liabilites and Fund Equity:			
Equity - Paid In / Contributed			
2981 Fund balance	(16,051.94)	0.00	(16,051.94)
Total Equity - Paid In / Contributed	(16,051.94)	0.00	(16,051.94)
Total Liabilites and Fund Equity:	(16,051.94)	0.00	(16,051.94)
Total Net Position	0.00	0.00	0.00

Boulder Town
Standard Financial Report
21 Local Building Authority - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Prior Year Actual	Current Month Actual	Current Year Actual	{YEAR} Year Budget	Reamining Budget	% Earned/ Used
Change In Net Position						
Revenue:						
Interest						
3610 Interest earnings	1.98	0.00	0.00	0.00	0.00	0.00%
Total Interest	1.98	0.00	0.00	0.00	0.00	0.00%
Contributions and transfers						
3810 Transfer from general fund	8,000.00	0.00	0.00	8,000.00	8,000.00	0.00%
Total Contributions and transfers	8,000.00	0.00	0.00	8,000.00	8,000.00	0.00%
Total Revenue:	8,001.98	0.00	0.00	8,000.00	8,000.00	0.00%
Expenditures:						
Debt service						
4711 Debt service - principal	8,000.00	0.00	0.00	8,000.00	8,000.00	0.00%
Total Debt service	8,000.00	0.00	0.00	8,000.00	8,000.00	0.00%
Total Expenditures:	8,000.00	0.00	0.00	8,000.00	8,000.00	0.00%
Total Change In Net Position	1.98	0.00	0.00	0.00	0.00	0.00%

Boulder Town
Standard Financial Report
41 Capital Projects Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Prior Year Actual	Current Month Actual	Current Year Actual
Net Position			
Assets:			
Current Assets			
Cash and cash equivalents			
1111 MACU Checking 50	111,451.48	0.00	111,451.48
1112 MACU Money Market 07	58,000.00	0.00	58,000.00
1113 MACU express debit 58	(6,762.00)	0.00	(6,762.00)
1116 State Bank of Southern Utah	(11,850.00)	0.00	(11,850.00)
Total Cash and cash equivalents	150,839.48	0.00	150,839.48
Total Current Assets	150,839.48	0.00	150,839.48
Total Assets:	150,839.48	0.00	150,839.48
Liabilites and Fund Equity:			
Equity - Paid In / Contributed			
2981 Fund balance	(150,839.48)	0.00	(150,839.48)
Total Equity - Paid In / Contributed	(150,839.48)	0.00	(150,839.48)
Total Liabilites and Fund Equity:	(150,839.48)	0.00	(150,839.48)
Total Net Position	0.00	0.00	0.00

Boulder Town
Standard Financial Report
41 Capital Projects Fund - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	<u>Prior Year Actual</u>	<u>Current Month Actual</u>	<u>Current Year Actual</u>	<u>{YEAR} Year Budget</u>	<u>Reamining Budget</u>	<u>% Earned/ Used</u>
Change In Net Position						
Revenue:						
Contributions and transfers						
3990 Fund balance appropriated	0.00	0.00	0.00	20,000.00	20,000.00	0.00%
Total Contributions and transfers	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>20,000.00</u>	<u>20,000.00</u>	<u>0.00%</u>
Total Revenue:	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>20,000.00</u>	<u>20,000.00</u>	<u>0.00%</u>
Expenditures:						
Administration						
Administrative						
4174 Admin Capital outlay	17,364.75	0.00	0.00	20,000.00	20,000.00	0.00%
Total Administrative	<u>17,364.75</u>	<u>0.00</u>	<u>0.00</u>	<u>20,000.00</u>	<u>20,000.00</u>	<u>0.00%</u>
Total Administration	<u>17,364.75</u>	<u>0.00</u>	<u>0.00</u>	<u>20,000.00</u>	<u>20,000.00</u>	<u>0.00%</u>
Total Expenditures:	<u>17,364.75</u>	<u>0.00</u>	<u>0.00</u>	<u>20,000.00</u>	<u>20,000.00</u>	<u>0.00%</u>
Total Change In Net Position	<u>(17,364.75)</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>

Boulder Town
Standard Financial Report
91 General Fixed Assets - 07/01/2026 to 07/31/2026
8.33% of the fiscal year has expired

	Prior Year Actual	Current Month Actual	Current Year Actual
Net Position			
Assets:			
Non-Current Assets			
Capital assets			
Property			
1611 Land & Rights	95,170.00	0.00	95,170.00
1621 Buildings	1,111,387.00	0.00	1,111,387.00
1661 Equipment	358,039.00	0.00	358,039.00
1671 Infrastructure	451,500.00	0.00	451,500.00
Total Property	2,016,096.00	0.00	2,016,096.00
Accumulated depreciation			
1721 AccDpn Buildings	(441,806.72)	0.00	(441,806.72)
1761 AccDpn Equipment	(336,953.20)	0.00	(336,953.20)
1771 AccDpn Infrastructure	(451,500.00)	0.00	(451,500.00)
Total Accumulated depreciation	(1,230,259.92)	0.00	(1,230,259.92)
Total Capital assets	785,836.08	0.00	785,836.08
Total Non-Current Assets	785,836.08	0.00	785,836.08
Total Assets:	785,836.08	0.00	785,836.08
Liabilites and Fund Equity:			
Equity - Paid In / Contributed			
2971.1 Invested in capital assets	(2,016,096.00)	0.00	(2,016,096.00)
2972 Total depreciation charged	1,230,259.92	0.00	1,230,259.92
Total Equity - Paid In / Contributed	(785,836.08)	0.00	(785,836.08)
Total Liabilites and Fund Equity:	(785,836.08)	0.00	(785,836.08)
Total Net Position	0.00	0.00	0.00

**Boulder Town
Cash Summary
All Bank Accounts as of 07/31/2026**

Description	Amount
State Bank of Sothern Utah	\$20,065.68
MACU Checking 50	\$45,966.80
PTIF 9061 General	\$541,988.42
PTIF 2117 Landfill Escrow	\$19,433.12
UNDEPOSITED PAYMENTS	\$5.00
General Ledger Cash Total:	\$627,459.02

DRAFT MINUTES PENDING APPROVAL

BOULDER TOWN, UTAH PUBLIC NOTICE

Governing Body: TOWN COUNCIL

Meeting Type: Regular Meeting

Date and Time: Tuesday, July 7, 2026, at 7:00 p.m.

Location: Boulder Community Center, 351 North 100 East, Boulder, Utah

In accordance with the Utah Open and Public Meetings Act, [Utah Code Ann. § 52-4-202](#), the minutes for the above-referenced meeting are provided below.

MINUTES

I. OPENING PROCEDURES

1.1. Call to Order

Mayor Cheryl Cox called the Boulder Town Council Regular Meeting to order at 7:00 PM on Tuesday, July 7, 2026, at the Boulder Community Center, 351 North 100 East, Boulder, Utah.

1.2. Determination of Quorum

The Mayor conducted a roll call. All Town Council members were present, establishing a quorum.

Town Council Present:

Mayor Cheryl Cox

Council Member Lacy Allen

Council Member Josh Ellis

Council Member Tina Karlsson

Council Member John Veranth

Staff Present:

Henry Davis, Deputy Clerk

Erin Smith, Zoning Administrator

1.3. Pledge of Allegiance

Mayor Cheryl Cox led the Pledge of Allegiance.

1.4. Motion to Adopt the Agenda

A note was made of a typographical error in the agenda listing the next regular meeting. Council Member Veranth additionally requested that a closed session be included at the end of the meeting, which was confirmed as already appearing on the agenda.

Motion: Council Member Josh Ellis moved to accept the agenda as presented. Council Member Tina Karlsson seconded.

Vote: Voice Vote – All members voted in favor.

Result: Approved unanimously 5-0

1.5. Declaration of Conflicts of Interest

No conflicts of interest were declared.

II. PRESENTATIONS AND REPORTS (Information/Discussion)

2.1. Erin Smith, Zoning Administrator Report on Land Boundary Alignment Rectifications and Associated Application

2.1. Erin Smith, Zoning Administrator Report on Land Boundary Alignment Rectifications and Associated Application

Zoning Administrator Erin Smith reported that the Municipal Land Use Development and Management Act (LUDMA) was renumbered from Title 10, Chapter 9a to Chapter 20 beginning in November of the prior year, rendering two Boulder Town Code ordinances—§152.201 and §152.202—out of date. She explained that §152.202 in particular would require substantive revision, as the new state code eliminates the requirement for a land use authority to review and approve boundary adjustment applications, while the current town code still mandates such review. The matter arose from a citizen inquiry regarding the boundary adjustment process. Zoning Administrator Smith requested that the matter be referred to the Planning Commission for a deeper review and that guidance be provided for the interim period.

DRAFT MINUTES PENDING APPROVAL

Councilmember Veranth advised that good governance requires a timely response to citizen requests, and suggested that: (1) a broader disclaimer be added to town ordinances clarifying that references to state code sections reflect the intent to follow applicable state law, such that clerical or recodification errors do not invalidate an ordinance; and (2) the applicant be given the option to proceed under the existing code or wait for a legislative update. He also referenced the plain-language provision of state law, which requires decisions to favor applicants when conduct is not explicitly prohibited.

Motion: Council Member John Veranth moved to direct the boundary adjustment ordinance matter to the Planning Commission and request that they act on it promptly. Council Member Josh Ellis seconded.

Vote: Voice Vote – All members voted in favor.

Result: Approved unanimously 5-0

Action Item Assigned: Zoning Administrator Smith to work directly with the inquiring party to facilitate progress on the boundary adjustment request in the interim, while the ordinance revision proceeds through the Planning Commission.

2.2. 4th of July Events Report and Volunteer Appreciation

Mayor Cox recognized the Fourth of July event committee, which included the original committee of Peg Smith, Gladys LeFevre and Cheryl Cox. Additional members were added and have been meeting since October of the prior year. Committee members recognized included Jen Bach, Chris Bigler, Breck Crystal, Stacy Davis, Pam Furches, Tina Karlsson, Susan Kelly, Andria Rice, Karen Terry, Nancy Tosta, Jill Trombley, Barbara VanQuill, and Jeanne Zeigler. Special thanks was made to Gladys LeFevre who provided lodging at Annie's Place, for the band. Mayor Cox reported that the dinner component of the event came in well under its \$2,000 budget, with community donations returning approximately half the cost. The partnership with the Boulder Arts Council in bringing the band Page and the Overtones was well received. Final financial totals were noted as pending completion of reimbursement requests.

III. PUBLIC COMMENT ON AGENDA ITEMS (Public Input)

Judith Geil (representing the Wildfire Council) commented on agenda item 9.9, requesting that any review of the Emergency Response Plan specifically address the

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Emergency Operation Plan (American Legal Publishing, Title 3, Chapter 33), with particular focus on the Emergency Operation Center concept, 911 communication systems for residents, and Section 33.1 regarding the chain of command, which has not had defined responsibilities. She noted that the current document designates the mayor and town council as the chain of command and encouraged the Council to consider their preparedness for that role and the associated responsibilities.

Darrell Fuller (town resident and registered voter) cited Utah State Code §20A-2-105(4)(f) and §20A-2-105(1)(a), which define residency and principal place of residence for voting purposes. He stated that he presented this as one data point related to a pattern of trust concerns reflected in recent community survey comments, and offered to submit the referenced code section to be included in the meeting record.

Jennifer Geerlings (Boulder Town resident, participating online via Zoom) expressed support for the Planning Commission's ongoing work on the general plan. She urged the Council to recognize that 130 residents responded to the Planning Commission's survey and that many more participated in public input sessions, and cautioned against dismissing that participation regardless of direction taken.

Ray Gardner (full-time Boulder resident and property taxpayer) expressed opposition to the general plan as presented by the Planning Commission, characterizing it as government overreach without adequate support from agricultural operators and larger parcel owners in Boulder. He encouraged the Council to rein in the Planning Commission's scope and warned of potential legal issues with some of the proposals.

Donna Owen (full-time Boulder resident) commented on the boundary adjustment matter, noting that after extensive personal research she had concluded that Boulder's ordinances may not require any town review of boundary adjustments, and that the county recorder's position on requiring a town form had created confusion. She expressed frustration that the matter had not been resolved sooner following the November 2025 state code change.

IV. DEPARTMENT REPORTS (Information)

4.1. Members

Council Member Josh Ellis reported on the following: a five-county hazard mitigation plan meeting was held the prior week; the fire department responded to

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an iPhone auto-call of a reported accident at mile post 100 that proved unfounded—the third such false dispatch at that location—and the department has decided it will not respond to such automated calls without human confirmation; the landfill audit is scheduled for later in the month, with progress made on nonconformances; and no updates on the landfill itself.

Council Member Tina Karlsson reported that Planning Commission matters would be discussed later in the meeting. She noted that she and Council Member Josh Ellis had updated the tree committee ordinance, placing liaison oversight responsibility with the designated council liaison. The tree committee is scheduled to meet and will provide a report at the next meeting on proposed Arbor Day tree locations.

Council Member John Veranth reported that road signs have been received and that two-part anchors have been ordered for public safety reasons; installation by town staff is anticipated upon receipt. Signs to be installed include street signs, a hidden driveway sign, a speed limit sign on Burr Trail, the 100 North sign near the Andy Rice turnoff, subdivision signage, and handicap signs. He also addressed a citizen email regarding cattle drives, advising that cattle drives predate paved roads and the Boulder municipality, that they constitute an established legal right and part of agricultural heritage, and that the town has no basis for interfering. He noted that many such concerns are best resolved between neighbors rather than through town intervention.

Council Member Tina Karlsson reported on behalf of the Planning Commission, which held two meetings in May. The Commission worked on updating goals and actions for the general plan and received substantial public input at its regular meeting. The Commission's next regular meeting was scheduled for June 23. A public comment display was planned for the Community Center from June 9 through June 16. Council Member Karlsson also reported on Tree City activities, noting that the urban forester Ryan Johnson visited on June 6 to assist with pruning and tree assessment in the park. Utah Trees had offered trees to the town and was seeking placement recommendations.

Council Member Lacy Allen reported on a meeting with EMT liaison Tara Owen, which was productive and may result in the acquisition of needed equipment for the EMTs. She confirmed that Boulder currently has only two active EMTs, and that strategies for recruiting additional volunteers were discussed.

Mayor Cheryl Cox reported the following: (1) Deputy Town Clerk Henry Davis has

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submitted his letter of resignation and will be departing for Washington state; Town Clerk Elizabeth Julian will assume his duties temporarily while recruitment for a replacement is initiated, with a job announcement planned for release the following day and a closing date of July 24th; (2) the cemetery committee placed flags for the Fourth of July and is considering a fall cleanup of dead trees; (3) the new HVAC unit is operational; (4) the Arts Council exhibit from the Utah Arts and Museums is on display through August 15th; and (5) a meeting was held with County Commissioner David Tebbs, Kara Owen, Corry Johnson, Brenda Johnson of Boulder Wellness, and community member Jessica Lowery to discuss use of a fire vehicle for medical response, Starlink mobile connectivity (a unit has been ordered), and an EMT pipeline through volunteer training steps including a "Stop the Bleed" event planned for Music in the Park in August.

Council Member Veranth recommended that the job announcement for the replacement clerk position be placed in the regional Insider publication and noted that a significant portion of the role could be performed remotely, to attract candidates from communities such as Escalante or Torrey.

Council Member Ellis noted that zoning ordinance §153.118, the setbacks table, was codified incorrectly following the late 2024 ordinance revision. The online version on American Legal is incorrect. He advised that any applicant needing accurate setback information should contact the town for the approved version, and that going forward, all ordinance revisions will follow a repeal-and-replace format to prevent recurrence.

4.2. Staff

Deputy Clerk Henry Davis presented the administrative staff report, covering three items: (1) the annual Transient Room Capacity Report required for the Resort Communities Tax was submitted to the state on June 17, 2026, confirming a total capacity of 272 units as of June 1, 2026 (68 standard lodging units, 17 recreational lodging units); (2) a mandatory inspection by Kelly Shaw of the Division of Waste Management has been rescheduled to July 20, 2026, and the town has submitted the 2024 and 2025 annual reports and the first two quarterly reports for 2026; and (3) staff is streamlining phone and internet systems, having disconnected dedicated lines for the library and firehouse, ended long-distance service at the town office, and is transitioning to Grasshopper as a new long-distance provider. A mobile Starlink Mini has been set up for the fire department for emergency connectivity.

4.3. Mayor

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(Covered under Section 4.1 above)

V. CONSENT AGENDA

Mayor Cox noted that the HVAC expenditure was being separated from the general consent agenda at Councilmember Veranth's request, as it affects the capital budget and requires a fund transfer.

Motion: Council Member John Veranth moved to approve the consent agenda excluding the HVAC expenditure, encompassing the financial reports for May and June from Dave Sanderson and the minutes from the June 2, 2026, Regular Meeting and Public Hearing. Council Member Lacy Allen seconded.

Vote: Voice Vote – All members voted in favor.

Result: Approved unanimously 5-0

Regarding the HVAC expenditure, Mayor Cox explained that this was the second HVAC unit replaced, necessitated by how the first new unit had been reconnected, requiring a new installation configuration and a higher cost. The expenditure was treated as an emergency to allow work to proceed ahead of the regular budget process.

Motion: Council Member John Veranth moved to treat the HVAC equipment replacement, in the amount of approximately \$11,000, as an emergency expenditure, with a transfer from capital funds to be addressed at a future budget adjustment. Council Member Lacy Allen seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 5-0

VI. PUBLIC HEARING (Public Input Only, Motion to Enter/Exit)

None scheduled.

VII. ADMINISTRATIVE ACTION ITEMS (Motion Required)

7.1. Authorization for Town Credit Account and State Fuel Card Applications

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Mayor Cox explained that the town lacks a municipal credit card, requiring staff to use personal credit cards for town purchases—a practice that should be remedied. A state fuel card would eliminate payment of state fuel taxes on town vehicles and equipment. State Bank of Southern Utah has been identified as the provider of the credit card, and a formal motion of approval is required to proceed with the application.

Motion: Council Member Josh Ellis moved to obtain a general municipal credit card and enroll in the Utah State Fuel Card Program. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 5-0

VIII. LEGISLATIVE ACTION ITEMS (Motion Required)

None scheduled

IX. WORK SESSION (Discussion Only - No Action Taken)

9.1. Truth In Taxation: Next Steps

Mayor Cox reported that the proposed tax rate has been submitted to the state and that the Truth in Taxation public hearing has been scheduled for August 11, 2026. She noted a significant compliance issue discovered: state law prohibits holding any other meeting on the same day as the Truth in Taxation hearing, meaning the regular August meeting cannot be held on that date. An additional open question is whether the Council may vote to adopt the tax rate at the Truth in Taxation hearing itself, or whether a separate meeting is required. The deadline for adoption is September 1st. Meeting date alternatives were discussed later under Closing Business (Section 11.3).

9.2. Planning Commission Progress on General Plan

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Planning Commission Chair Nancy Tosta provided a status update. She reported that the Commission has been working on the general plan since fall 2024 and is approximately three-quarters complete, with written context, goals, and actions drafted for most sections. The Commission's next meeting in two weeks will focus on reviewing public comments received and making edits, deletions, and additions. Chair Tosta noted that the Commission has an outline from consultant Kevin Smedley on required zoning code components and intends to begin reworking the zoning code following completion of the general plan draft. She emphasized that the process has been broadly inclusive, that the current draft is more oriented toward agriculture than the prior plan, and that the Commission has received substantial positive informal feedback from community members.

The Council then engaged in an extended discussion of the general plan process and the current draft. Key positions expressed were as follows:

Council Member Karlsson acknowledged the Planning Commission's openness in the process but expressed concern about public perceptions of the process design, and noted that ultimate adoption is the Council's decision.

Council Member Allen expressed reservations about the current draft, stating that she has heard significant negative feedback from long-time residents and agricultural operators, and that she was hesitant to move forward with the document as it stands.

Council Member Veranth stated that the process has been flawed and that the general plan draft, in its current form, is not something he could vote for. He cited concerns including the lack of quality control on the original survey, leading questions, an overly broad scope, and a process that has divided rather than united the community. He proposed that the Council rescind the March 2026 Planning Commission charge and ask the Commission to pause the general plan rewrite, refocusing on the commercial zoning deficiencies that were the original priority.

Council Member Ellis expressed agreement that the process is fundamentally flawed, stating that the planning process should begin by identifying problems from the ground up through community engagement, not by presenting solutions for comment. He stated the current draft contains scope beyond land use matters and that the well of community trust has been poisoned. He formally moved to rescind the charge.

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Mayor Cox offered a dissenting perspective, characterizing the process—though painful—as working as intended by generating broad community dialogue. She acknowledged some earlier overreach by the Commission that was subsequently corrected based on feedback, and recommended allowing the Commission to complete one more meeting incorporating the public comments received before shifting focus to the zoning ordinances, rather than rescinding the charge.

Motion: Council Member Josh Ellis moved to rescind the Planning Commission charge approved at the March 2026 meeting and suspend the current general plan rewrite. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Nay, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Nay.

Result: Approved 3-2

Council Member Veranth subsequently moved to provide the Planning Commission with a new charge at the August meeting, focused on commercial zoning issues, to be developed by a subcommittee with Planning Commission participation.

Motion: Council Member John Veranth moved to provide the Planning Commission a new charge at the August meeting focused on commercial land use issues. Council Member Josh Ellis seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Abstained, Council Member John Veranth - Aye, Council Member Lacy Allen - Abstained, Mayor Cheryl Cox - Nay.

Result: Failed 2-1-2

9.3. Fire Restrictions: Proposed Amendment

The town attorney is currently working on a fire restriction amendment to align Boulder Town's fire restrictions with county and state standards. No action taken; item is in progress.

9.4. Purchasing Policy: Proposed Amendment

The town attorney is reviewing a proposed purchasing policy drawing on existing drafts and input from comparable municipalities. No action taken.

9.5. Alcoholic Beverages Ordinance: Proposed Amendment (RES-2026-M)

A simplified draft Council Member Ellis prepared with AI assistance has been submitted to the town attorney for review alongside the previously red-lined version. No action taken.

9.6. Predator Management Study: Review Proposed Resolution

Mayor Cox reported that a proposed resolution has been drafted with a scope focused on the town's proper jurisdiction: personal safety of residents, protection of property and domestic animals, and the business impact of perceived danger to visitors. Concern was noted that the state predator management study proposes increasing the regional deer population from 200,000 to 400,000—a level with no historical precedent in the area—which could significantly impact agricultural operations and road safety. A recent incident in which a resident's horse stepped in a snare trap while guiding customers for his business was cited as a specific, concrete harm. The draft resolution has not yet been reviewed by the town attorney and will be submitted for that review prior to a future vote. Council feedback was generally positive regarding the revised, narrower scope.

9.7. Fee Schedule: Review Proposed Amendment

Mayor Cox presented a draft fee schedule revision developed with input from a small committee. Key changes included separating kitchen and community room rental fees, adding a fee category for pavilion use at the park for major events, and updating permit fees. Councilmember Josh noted that many application fees listed in the schedule are not legally authorized under current ordinance language—a deficiency that would be corrected as part of the zoning ordinance rewrite—and recommended zeroing out those fees until enabling language is in place. Councilmember Veranth noted that fees for general plan amendment requests should be eliminated entirely as a matter of principle, since requesting legislative action is a citizen right. A committee of Councilmember Josh and Councilmember Veranth was designated to review the fee schedule and bring a revised proposal to the next meeting.

Action Item Assigned: Councilmember Ellis and Councilmember Veranth to review and revise the fee schedule for future Council consideration.

A separate motion was made to immediately suspend the \$150 cleaning deposit for building rentals while the broader fee schedule revision is completed.

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Motion: Council Member Josh Ellis moved to suspend the \$150 cleaning deposit for building rental. Councilmember Lacey seconded. Council Member Lacy Allen seconded.

Vote: Voice Vote – All members voted in favor.

Result: Approved unanimously 5-0

9.8. Boulder Farmstead Water Contract: Review

Mayor Cox reported that a revised draft contract has been developed through meetings with Boulder Farmstead Water representative Camille Hall and she has consulted with Randy Catmull. The primary change from prior drafts is that the contract is no longer tied to specific hydrant maintenance obligations but rather to general water access and fire protection assurance. The contract has been submitted to the town attorney for review. Council Member Ellis noted that a figure of \$500 per year was discussed as the town's proposed payment, representing a significant reduction from the approximately \$3,500 previously paid per hydrant—particularly given that the water company's USDA grant already requires them to provide fire flow, and that the prior payment period did not result in the delivery of required maintenance records for the ISO insurance audit. The \$500 figure will be presented to the water company as a starting point for negotiation. The contract is anticipated to be ready for approval at the next meeting.

Action Item Assigned: Council Member Ellis to follow up with Corry Johnson regarding backflow prevention device requirements.

9.9. Emergency Response Plan: Review & Create Committee

Mayor Cox reported that graduate students at Southern Utah University, working with Roger Carter, can develop emergency response plans based on examples from comparable municipalities such as Orderville and Minersville. She proposed forming a committee to work with Roger Carter and the students to develop a Boulder-specific plan. Council Member Veranth recommended that before a standalone Boulder plan is developed, the Council should first coordinate with Garfield County at the mayor's level, noting that virtually any emergency affecting Boulder would also affect surrounding county areas—including the Draw, Boulder Mesa, and Peterson Pasture—and that dispatch, highway patrol, and county sheriff coordination are all essential elements. The consensus was to direct Mayor Cox to

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raise this matter at the upcoming county mayor's meeting and to work toward a plan that supplements and integrates with the county's emergency framework rather than operating in isolation.

Action Item Assigned: Mayor Cox to coordinate with Garfield County at the mayor's meeting level and work with Roger Carter and his team on an integrated emergency response plan.

9.10. Ethical Behavior Pledge Form & Code of Ethics Policy: Review

Mayor Cox reported that the Council's ethical behavior pledge forms have not yet been fully signed and attested, in part because certain provisions—including those regarding outside employment and political participation—raised questions when read without accompanying context. The town attorney provided a sample state-based Code of Ethics for review. Council Member Josh Ellis noted that as written, the policy could effectively disqualify volunteers or part-time officials with local business ties, and recommended that it be modified to distinguish between officer and employee obligations given Boulder's small-town context. Council Member Veranth observed that the state auditor's sample policy is more expansive than what is required under the statutory ethics provisions in Utah Code §10-3, Part 13, which focuses primarily on disclosure. The Council agreed that the pledge forms should be signed and attested once Town Clerk Julian returns, and that a Boulder-specific Code of Ethics should be developed as a future agenda item, drawing on comparable small-town examples and staying closer to statutory requirements.

Action Item Assigned: All Council members to sign the ethical behavior pledge form; Town Clerk Julian to attest upon return. A Boulder-specific Code of Ethics to be developed as a future agenda item.

Councilmember Veranth also noted that annual conflict of interest statements are required by state law to be posted on the town website within 10 days of filing, and that this requirement does not appear to have been met.

Action Item Assigned: Town Clerk Julian to post conflict of interest statements on the town website upon return.

9.11. "Welcome to Boulder" Sign: Thank You and Discussion

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Mayor Cox acknowledged a community member, Bob Rugar, who created and installed a welcome sign at the park for the Fourth of July. The sign was well received and prompted discussion about installing permanent welcome signs at the town's entry points. Council Member Veranth noted that existing signs at the entry from the south are faded and unreadable, and suggested that new placard faces could be added to the existing structures. Mayor Cox indicated she would discuss the possibility of additional sign contributions with Mr. Rugar. The topic will be revisited in coordination with a planned meeting with UDOT regarding traffic and road safety concerns through town.

9.12. Land Boundary Alignment Rectifications and Associated Application

Addressed under Agenda Item 2.1 and during Public Comment. No additional action or discussion beyond the directive already given.

X. GENERAL PUBLIC COMMENT (Public Input)

Donna Owen raised two matters. First, she requested town support in addressing the removal of county dumpsters, which has created significant waste management burdens and costs for local businesses, arguing that resort communities tax revenue is intended in part to address tourist-generated waste impacts. Second, she commented on the general plan discussion, affirming the importance of having a general plan as a guide for ordinances, and expressed that the zoning administrator should have clearer authority to respond to administrative requests without repeated escalation. She expressed appreciation for the work of the Council and staff.

Jennifer Geerlings (Boulder Town resident, participating online via Zoom) expressed disappointment that the Council decided to suspend the general plan rewrite without allowing the Planning Commission an additional month to integrate public feedback, highlighting this as disrespectful to the significant time and expertise the Commission had invested. She also critiqued the tone of the meeting, praising Mayor Cox for her inclusive attitude, but voiced concern over dismissive remarks. She urged Council members to maintain respectful dialogue to foster volunteer participation on the Planning Commission and within the community.

Deputy Town Clerk Henry Davis offered brief personal remarks, thanking the Council and community for the opportunity to serve, acknowledging the limitations

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of his tenure in terms of longevity and investment in the community, and recommending that future administrative hires prioritize individuals with long-term ties to Boulder. He also expressed concern about the workload carried by Town Clerk Julian relative to her compensation and benefit structure, noting that retaining her is important to the town's continuity.

XI. CLOSING BUSINESS

11.1. Review of Outcomes, Assignments, and Counsel Recommendations

Deputy Town Clerk Davis summarized the key action items and outcomes from the meeting, including: (1) direction to Zoning Administrator Smith to expedite the boundary adjustment matter; (2) the HVAC expenditure approved as an emergency with a future capital fund transfer; (3) approval of the municipal credit card and state fuel card applications; (4) the motion to rescind the Planning Commission's March 2026 charge (passed 3-2); (5) the failed motion to issue a new charge in August; the formation of a fee schedule committee; the suspension of the \$150 building rental cleaning deposit; (6) the \$500 per year figure to be presented in the Farmstead Water contract negotiations; and (7) the direction to coordinate emergency response planning with the county.

11.2. Future Agenda Items

Anticipated items for the next meeting include: (1) the proposed alcohol beverages ordinance, (2) business license updates, (3) the revised fee schedule, (4) the purchasing policy, (5) the RSTR (with associated business license revisions), and (6) the predator management resolution. It was noted that the town attorney will present the RSTR revision to the Planning Commission first, with the presentation to be recorded for Council review.

11.3. Confirmation of Next Regular Meeting

Given that the Truth in Taxation hearing is scheduled for August 11, 2026—and that state law prohibits holding another meeting on the same day—the Council discussed alternative dates for the August regular meeting. Council members noted conflicts with travel and other commitments throughout much of August. The Council agreed on the following schedule:

- **Truth in Taxation Hearing:** August 11, 2026 (already posted and confirmed)

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- **August 25, 2026:** A special meeting to be held if it is determined that the tax rate must be adopted before September 1st and cannot be approved at the Truth in Taxation hearing or a subsequent meeting
- **September 1, 2026:** Next regular town council meeting

The Planning Commission was informally noted as likely to have limited direction until September, given the suspension of the general plan rewrite and the Council's schedule, with the boundary adjustment ordinance revision as their primary remaining near-term task.

XII. CLOSED SESSION (Action - Motion Required To Enter/Exit)

Motion: *Council Member Josh Ellis moved to enter closed session to discuss the character, competence, or health of an individual. Councilmember Lacy Allen seconded.*

Vote: *Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.*

Result: *Approved unanimously 5-0. Closed session commenced.*

XIII. RETURN TO REGULAR MEETING (Discussion & Possible Action)

Motion: *Council Member Josh Ellis moved to close the closed session and return to the open regular meeting. Council Member Tina Karlsson seconded.*

Vote: *Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.*

Result: *Approved unanimously 5-0. Regular meeting resumed.*

No action was taken following the return from closed session.

XIV. ADJOURNMENT

Mayor Cox adjourned the regular meeting at 10:42 PM.

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CERTIFICATE

BOULDER TOWN, STATE OF UTAH

[First and Last Name], Title

ATTESTATION:

[First and Last Name], Title

Date Approved by the Town Council:

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TOWN OF BOULDER, STATE OF UTAH

Governing Body: TOWN COUNCIL

Meeting Type: Public Hearing

Date and Time: Tuesday, August 11, 2026, at 6:00 p.m.

Location: Boulder Community Center, 351 North 100 East, Boulder, Utah

In accordance with the Utah Open and Public Meetings Act, [Utah Code Ann. § 52-4-202](#), the minutes for the above-referenced meeting are provided below.

MINUTES

I. OPENING PROCEDURES

1.1. Call to Order

The Mayor called the public hearing meeting of the Boulder Town Council to order on Tuesday, August 11, 2026. The meeting was held at the Boulder Community Center Meeting Room. The Mayor noted the meeting was being conducted both in person and via Zoom.

1.2. Determination of Quorum

A quorum was established.

Town Council Present:

Mayor Cheryl Cox

Council Member Tina Karlsson

Council Member John Veranth

Town Council Absent:

Council Member Lacy Allen

Council Member Josh Ellis

Also Present:

Elizabeth Julian, Town Clerk

Roger Carter, Local Administrative Advisor, Five County AOG (joined the meeting remotely via Zoom at approximately 6:00 pm)

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1.3. Pledge of Allegiance

Mayor Cheryl Cox led the Pledge of Allegiance.

1.4. Motion to Adopt the Agenda

Motion: Council Member Tina Karlsson moved to adopt the agenda as written. Council Member John Veranth seconded.

Vote: Voice Vote – All members voted in favor.

Result: Approved unanimously 3-0

1.5. Declaration of Conflicts of Interest

No conflicts of interest were declared.

II. PRESENTATIONS AND REPORTS (Information/Discussion)

2.1. Fiscal Year 2027 Final Budget and the Truth In Taxation Process

The Mayor introduced the presentation and acknowledged Town Clerk Elizabeth Julian for her extensive work preparing the budget materials and researching Truth in Taxation processes statewide. Town Clerk Julian then delivered the fiscal year 2027 budget presentation, covering the following key points.

General Fund Budget. The Town Council proposed a balanced general fund budget. A strategic reallocation of town cash into higher-yielding accounts increased interest revenue from a historic baseline of approximately \$5,800 to a substantially higher projected figure of approximately \$23,000. General fund expenditures are organized into four state-mandated pillars: General Government at \$139,125; Public Safety at \$17,700; Public Works at \$13,853; and Community Services at \$81,054. The budget also includes three other governmental funds: the Class C Roads Fund with projected revenue of \$65,200; the Building Authority Debt Service Fund balanced at \$8,000; and the Capital Improvements Fund allocated \$20,000.

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Regional Tax Comparison. Boulder has historically maintained the lowest municipal property tax rate in Garfield County, excluding Bryce Canyon City, which carries a zero rate. The current certified rate is 0.000192, compared to neighboring municipalities such as Tropic at 0.000373, Henrieville at 0.000381, and Panguitch at 0.001136. The Town's share of a typical \$849.68 total property tax bill amounts to \$22.22, or 2.7%, with the remaining 97.3% distributed to the local school district, state school funds, and the county.

Proposed Tax Rate Adjustment. Boulder Town has operated on a flat property tax revenue baseline of approximately \$6,960 annually for over 20 years, while operational costs have risen with inflation. The Town has been drawing on savings and emergency reserves to cover routine operating expenses, which the Town Council determined was unsustainable. The proposed certified rate adjustment moves the rate from 0.000192 to 0.000502, generating an additional \$12,897 in annual property tax revenue and raising total budgeted property tax revenue from approximately \$6,960 to \$19,860—a 184.68% increase. For a typical residential property with a market value of \$300,000, the annual town tax would adjust from \$31.68 to \$82.83, an increase of \$53.79 per year.

Intended Use of New Revenue. Newly generated property tax revenues would be directed to the general fund for operational balance, with a dedicated focus on technology infrastructure improvements. Specific projects include: redeveloping the town website to achieve ADA compliance in accordance with new state requirements; implementing an emergency and community notification system; establishing a digital meeting management platform; and upgrading municipal ordinance management software. Any funds collected above \$19,500 and up to a cap of \$20,000 would be applied strictly to the technology infrastructure budget line.

Statutory Notice. Town Clerk Julian confirmed that the statutory public notice was published on the Utah Legals website, Utah Public Notice website, Boulder Town's website, and the town's physical bulletin board, and was also included in property tax notices distributed by the county.

III. PUBLIC HEARING (Public Input Only, Motion to Enter/Exit)

3.1. Truth In Taxation & Adoption Of The Certified Tax Rate

***Motion:** Council Member Tina Karlsson moved to enter the public hearing. Council Member John Veranth seconded.*

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***Vote:** Roll Call Vote – Council Member John Veranth — Aye, Council Member Tina Karlsson — Aye, Council Member Cheryl Cox — Aye.*

***Result:** Approved unanimously 3-0*

The public hearing was declared open at 6:37 PM. The Mayor outlined public comment guidelines: each speaker was allotted three minutes; all written comments submitted before the close of the meeting would be included in the meeting record.

The following public comments were received:

Scott Bigler asked whether the Town was currently running a deficit, to which the Mayor confirmed the Town had been drawing on its savings account to cover operating shortfalls in recent years, as well as unbudgeted expenses such as expenditures related to HVAC replacements, road chip-sealing, and back tax penalties from 2023–2024. Mr. Bigler noted that while the 184.68% increase sounds significant, the actual dollar amount generated is modest, and asked about the ADA website compliance requirement. Town Clerk Julian explained that new state legislation mandates ADA-compliant websites for municipalities requiring an overhaul of the existing site. Mr. Bigler also asked whether this tax increase was a one-time event. The Mayor responded that while another increase was not anticipated, she could not make an unconditional guarantee, noting that the Town would commit to full transparency in any future adjustments and that regular, smaller Truth in Taxation reviews every five years may be advisable.

Judith Geil asked whether the Town had any influence over the distribution of property tax dollars between the municipality and the county at large, and whether green belt properties had been considered in the tax discussion. She expressed willingness to support a property tax increase and greater community services.

Ashley Coombs asked whether the Town could achieve its goals with approximately half the proposed increase, expressing concern about the cumulative tax burden on property owners—including his parents—given recent increases by the school district and other entities. The Mayor acknowledged the concern, stating the council takes requests for public funds seriously and considers the proposed amount to be a minimal ask given

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historical flat revenue.

Darrell Fuller (via Zoom) requested greater budget granularity and line-item transparency. He also cautioned against prematurely contracting for ADA website services, suggesting that rapidly advancing AI tools may substantially reduce the cost and complexity of such work within the near term, and advised careful scrutiny of consulting and professional expenditures.

The Mayor acknowledged Darrell Fuller's point on budget categorization, noting that the current budget reflects a deliberate effort to reclassify expenditures more clearly. Noting that the community services category is attributable to a reclassification of administrative expenses, and that this work may be refined further.

Following the conclusion of public comments, the Mayor entertained a motion to exit the public hearing.

Motion: Council Member Tina Karlsson moved to exit the public hearing. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member John Veranth — Aye, Council Member Tina Karlsson — Aye, Council Member Cheryl Cox — Aye.

Result: Approved unanimously 3-0

The public hearing was closed and the meeting returned to special session.

IV. LEGISLATIVE ACTION ITEMS(Motion Required)

4.1. Discussion and Possible Action to Adopt Draft Resolution No. 2026-S Adopting a Final Tax Rate of 0.000502

Council Member John Veranth stated that following multiple public meetings, deliberate review, and respectful consideration of citizen comments, the reasoning for the proposed rate was sound, and he spoke in favor of the motion.

Motion: Council Member Tina Karlsson moved to approve, adopt, and certify the tax rate of 0.000502 and direct staff to forward the executed documents to the Garfield County Auditor by resolution. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member John Veranth — Aye, Council Member Tina Karlsson — Aye, Council Member Cheryl Cox — Aye.

Result: Approved unanimously 3-0 — Resolution No. 2026-18 adopted; staff directed to submit Form PT-800 to the Garfield County Auditor and the State Tax Commissioner.

4.2. Discussion and Possible Action to Adopt Draft Resolution No. 2026-T Adopting the FY27 General Fund Budget

Council Member John Veranth commended staff for producing a well-organized and clearly categorized budget document, noting that full budget detail is available in the meeting materials.

Mayor Cheryl Cox noted that the landfill closure and post-closure plan is being coordinated with the Garfield County Engineer, and that a dedicated PTIF savings account exists for that purpose.

The Mayor expressed appreciation for the budget process undertaken throughout the year, and affirmed a commitment to accurate, detailed expense categorization for future budget cycles.

Motion: Council Member Tina Karlsson moved to approve and adopt the Fiscal Year 2027 budget as set forth in Exhibit A by resolution. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member John Veranth — Aye, Council Member Tina Karlsson — Aye, Council Member Cheryl Cox — Aye.

Result: Approved unanimously 3-0 — Resolution No. 2026-19 adopted; FY27 General Fund and other governmental funds budget adopted, effective July 1, 2026.

V. CLOSING BUSINESS

5.1. Confirmation of Next Regular Meeting

DRAFT MINUTES PENDING APPROVAL

The Mayor announced that the next Town Council meeting is scheduled for Tuesday, September 1, 2026, and recommended changing the start time to 6:00 PM rather than 7:00 PM, to accommodate a potentially longer agenda that will include action on several pending ordinances and public hearings. No objection was raised.

Action Item: Next Town Council meeting confirmed for Tuesday, September 1, 2026 at 6:00 PM, Boulder Community Center.

VI. ADJOURNMENT

The meeting was adjourned at 7:13 PM.

CERTIFICATE

BOULDER TOWN, STATE OF UTAH

[First and Last Name], Title

ATTESTATION:

[First and Last Name], Title

Date Approved by the Town Council:

Boulder Town Council
09/01/2026 Meeting

Hello,

My name is Luke Hodgson, I am a new permanent resident of Boulder on the Lower Boulder Road. My wife Bekky and I recently built and moved into our house down there after buying the property about 14 years ago. Over those years we slowly worked towards building and living here, spending time lurking here as our jobs allowed. I am excited to be here and to be a part of this small, vibrant community!

I regret that I cannot be at the Sept 1st council meeting in person. I am currently on a work assignment away from home. In lieu of that, I respectfully submit the following comments regarding the updates to the RSTR related ordinances.

Like many in the community, I do not wish to see Boulder morph into a town of remotely managed RSTR investment properties. I support some restriction of RSTRs in the community in order to prevent this, and to control unreasonable impacts to neighbors in residential zones. I also hold the belief that government regulation should be minimal, clear, and effective.

Specifically as it relates to the issues at hand:

TLDR: Support limiting RSTR licenses to “official” residents/property owners. Opposed to cap; Opposed to requiring licensee to be on site at all times; CUP stipulation permit process too squishy.

1. I support the provision limiting RSTR licenses to property owners who are town residents.
 - I believe this provision in and of itself is the most effective at accomplishing the goals of the council. It both limits the number of RSTRs and allows for effective policing of violations of the rules of behavior related to RSTRs.
2. I do not support the provision capping RSTR permits to 12 and creating a town administered lottery or waiting list.
 - I believe this is unnecessary for accomplishing the goals of the council/community. As stated above, the provision limiting RSTR licenses to resident property owners and provisions regarding rules of behavior amply achieves the goals.
 - The provision unnecessarily inhibits economic opportunity and impinges on property rights. For many, Boulder is a difficult place to make ends meet. All property owner/ residents should have the opportunity to make additional money through the short term rental market as a regular activity or occasional use. Overnight guests in our community support our other businesses and help Boulder see some revenue from the many thousands of tourists passing through the town.
 - The provision creates a beauracratc process administered by a town with a small, sparsely compensated staff (which regularly changes) and small budget. While this is one seemingly small drag on administrators, the continuous adding of small burdens quickly leads to overburdening.
3. I do not support the provision requiring the owner to be on site for duration of stay
 - Primarily, this provision is unenforceable. Who will investigate potential violations of this provision and collect evidence meeting the standard of proof for a civil infraction.
 - Not being able to have guests at a RSTR while you run errands, deal with an emergency, or travel out of town for school sports seems unreasonable.

- I support a provision requiring the owner, a local agent or a contact to be in the vicinity and available by phone or in person in case issues arise during a guests stay.
4. I do not support paragraphs 4(b) and 4(c) of the RSTR CUP application process in its current form. As the planning commission has commented themselves, worded as is, the provision offers no clear standards for either the public to adhere to, or the planning commission hold to. Denials or conditions imposed under these terms would be unlikely to hold up under legal action. I believe most of these concerns are better addressed as general stipulations for all licensees or in the rules of behavior for guests, and violations of the rules of behavior can result in a denial or cancellation of the SUP.
 5. Somewhat related.. I am curious of the town's ability to enforce criminal misdemeanor violations. Does the town have a contract or agreement with the Garfield County Sheriffs Office or other entity to investigate town criminal ordinances? My experience in other Utah counties has been that the town has its own hired or contracted law enforcement officer or contracts with the county sheriffs office for those services. To be clear, this does not pertain to civil infractions.

Thank you for your time and efforts in local government!

A handwritten signature in black ink, appearing to read 'Luke Hodgson', with a long horizontal line extending to the right.

Luke Hodgson
Lower Boulder Road



Office of the
State Treasurer

Public Entity Resolution

1. Certification of Authorized Individuals

I, Cheryl Cox (Name) hereby certify that the following are authorized: to add or delete users to access and/or transact with PTIF accounts; to add, delete, or make changes to bank accounts tied to PTIF accounts; to open or close PTIF accounts; and to execute any necessary forms in connection with such changes on behalf of Boulder Town (Name of Legal Entity). Please list at least two individuals. Each individual must have a unique email.

Name	Title	Email	Signature(s)
Cheryl Cox	Mayor	cheryl.cox@boulder.utah.gov	
Lacy Allen	Council Member; Treasurer	lacy.allen@boulder.utah.gov	
Elizabeth Julian	Town Clerk	elizabeth.julian@boulder.utah.gov	

The authority of the named individuals to act on behalf of Boulder Town (Name of Legal Entity) shall remain in full force and effect until written revocation from Boulder Town (Name of Legal Entity) is delivered to the Office of the State Treasurer.

2. Signature of Authorization

I, the undersigned, Mayor (Title) of the above named entity, do hereby certify that the forgoing is a true copy of a resolution adopted by the governing body for banking and investments of said entity on the 1st day of September, 2026, at which a quorum was present and voted; that said resolution is now in full force and effect; and that the signatures as shown above are genuine.

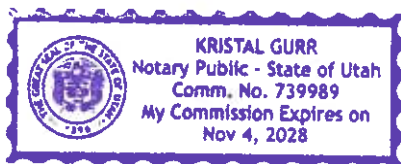
Signature	Date	Printed Name	Title
	09 01 2026	Cheryl Cox	Mayor

STATE OF UTAH

COUNTY OF Garfield

Subscribed and sworn to me on this 1st day of September, 2026, by Cheryl Cox (Name), as Mayor (Title) of Boulder Town (Name of Entity), proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(seal)



Signature

BOULDER TOWN, UTAH PUBLIC NOTICE

Governing Body: TOWN COUNCIL

Notice Type: Information

VACANCY: PLANNING COMMISSION

Boulder Town is seeking applicants to fill the current vacancy on the Planning Commission. Serving as a Planning Commissioner is an excellent way to learn about land use, receive essential training, and directly contribute to informed, well-researched decisions that guide the town's growth and preservation.

What is the Planning Commission?

The Planning Commission plays a vital role in our local government by acting as an advisory board to the Town Council to review and make recommendations on matters related to land use, zoning, and development in accordance with the Boulder Town General Plan and the Utah Land Use, Development, and Management Act (LUDMA) (Utah Code Title 10, Chapter 9a).

Responsibilities of a Planning Commissioner

- Attend and actively participate in regular monthly meetings, as well as additional work meetings or training sessions as required.
- Collaborate with fellow Commissioners to arrive at fact-based, reasoned, and researched decisions on land-use matters:
 - Conditional Use Permit applications.
 - Subdivision applications (providing recommendations to the Town Council).
 - Proposed amendments to Land Use Ordinances, Zoning Maps, or the General Plan.
- Maintain the technical skills necessary for the position, including:
 - The ability to send/receive email and manage file attachments.
 - Competence in using the internet and locating information within Boulder's codified ordinances.
 - The capability to connect to virtual meetings.
- Occasional travel to training or conferences may be offered to assist with professional development in compliance with LUDMA, though this is optional.

Available Vacancy

Currently accepting applications for one open positions on the board:

- Seat 1: A partial, 4-year term, filling a current vacancy through December 2028.

How to Apply

1. **Submit in Writing:** A letter of interest in the Planning Commission vacancy must be received no later than **Tuesday, August 25, 2026**. You may submit your letter in one of three ways:
 - **Email:** Send it to townclerk@boulder.utah.gov.
 - **Drop Off:** Place a letter in the Town Office dropbox, which is located below the bulletin board to the right of the Community Center front door.
 - **Mail:** PO Box 1329, Boulder, Utah 84716
2. **Attend Town Council Meeting:** Plan to attend the next Town Council meeting **on Tuesday, September 1, 2026, at 7:00 PM** to formally present your application and answer any questions from the Town Council.

Questions?

If you are curious and want to learn more about this role, please contact Planning Commission Liaison Tina Karlsson at tina.karlsson@boulder.utah.gov or reach out to a current or previously serving Planning Commissioner or Clerk.

NOTICE

CERTIFICATE OF POSTING

This Agenda and Notice was publicly posted on the following locations:

- The Utah Public Notice website (<http://pmn.utah.gov>)
- Boulder Town's website (<http://www.boulder.utah.gov>)
- Boulder Town's Bulletin Board

Date Published: **August 3, 2026**

/s/ Elizabeth Julian, Town Clerk



Elizabeth Julian <elizabeth.julian@boulder.utah.gov>

P&Z

Mark Austin <markaustin222@gmail.com>
To: Boulder Town <townclerk@boulder.utah.gov>

Thu, Aug 20, 2026 at 1:34 PM

I am submitting my name to serve on P&Z commission.

Mark Austin
P.O. Box 1346
Boulder, Utah 84716
C 435-616-7325



Elizabeth Julian <elizabeth.julian@boulder.utah.gov>

Application for Planning Commission

Jen Bach <jen.bach@boulder.utah.gov>

Mon, Aug 3, 2026 at 12:46 PM

To: Elizabeth Julian <townclerk@boulder.utah.gov>

Mayor and Boulder Town Council Members,

I would like to please be considered for being moved from Planning Commission Alternate to the regular Planning Commission.

I hope I have proven my dedication and commitment to serving Boulder Town during these past few months as the PC Alternate.

Thank you for your consideration.

Sincerely,
Jen Bach



Elizabeth Julian <elizabeth.julian@boulder.utah.gov>

planning vacancy

donna owen <do.45@hotmail.com>

Wed, Aug 19, 2026 at 4:11 PM

To: "townclerk@boulder.utah.gov" <townclerk@boulder.utah.gov>

To whom it may concern;

I would like to put my name in to fill the current vacancy on the Boulder Planning commission.

As a 40-year resident of Boulder, a business owner, 22 years as an EMT and a property owner, I feel I have a vested interest, multiple qualifications and obviously years of experience. I've watched the Town struggle and triumph with growth issues. There's so much more work to do, and I'd like to be involved.

Thank you

RESOLUTION NO. 2026-U

BOULDER TOWN, STATE OF UTAH

A RESOLUTION OF THE TOWN COUNCIL OF BOULDER TOWN, UTAH, APPOINTING A MEMBER TO THE BOULDER TOWN PLANNING COMMISSION, SEAT 1

WHEREAS, the Town of Boulder (hereafter “Town” is a municipal corporation duly organized and existing under the laws of the U State of Utah; and

WHEREAS, the Town's municipal code, in accordance with the Utah Land Use Development and Management Act (LUDMA), Utah Code Annotated § 10-9a-101, *et seq.*, provides for a Planning Commission to prepare and recommend a general plan and land use ordinances; and

WHEREAS, pursuant to Town Code § 153.042, the Mayor, with the advice and consent of the Town Council, is authorized to appoint individuals to the Planning Commission for a term of five years; and

WHEREAS, a vacancy exists on the Planning Commission due to the expiration of a term or resignation; and

WHEREAS, the Town Council has reviewed the qualifications of [Appointee's Full Name] and finds them to be a suitable candidate to serve as a member of the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF BOULDER, STATE OF UTAH, AS FOLLOWS:

1. **Appointment and Term of Service.** [Appointee's Full Name] is hereby appointed to serve as a member of the Boulder Town Planning Commission for a term expiring on December 31, 2028, or until a successor is appointed and qualified.
2. **Effective Date.** This resolution shall take effect immediately upon passage and adoption.

3. **Severability Clause.** If any part of this Resolution is found invalid, it does not affect the remaining portions.

ADOPTED by the Boulder Town Council this [date] day of [Month] 2026.

Motion: Councilmember [Full Name] to adopt the resolution for the appointment of [Appointee's Full Name] to the Planning Commission, Seat 1, with a term ending December 31, 2028. Councilmember [Full Name] seconded.

Vote: Roll Call – Council Member Josh Ellis - [vote], Council Member Tina Karlsson - [vote], Council Member John Veranth - [vote], Council Member Lacy Allen - [vote], Mayor Cheryl Cox - [vote].

Motion [outcome]

CERTIFICATION:

BOULDER TOWN, STATE OF UTAH
PRESIDING OFFICER:

/s/ Cheryl Cox, Mayor

ATTESTATION:

/s/ Elizabeth Julian, Town Clerk

Effective Date of Resolution: [Month Date, Year]

RESOLUTION NO. 2026-V

BOULDER TOWN, STATE OF UTAH

A RESOLUTION OF THE TOWN COUNCIL OF BOULDER TOWN, UTAH, APPOINTING A MEMBER TO THE BOULDER TOWN PLANNING COMMISSION, ALTERNATE

WHEREAS, the Town of Boulder (hereafter “Town” is a municipal corporation duly organized and existing under the laws of the State of Utah; and

WHEREAS, the Town's municipal code, in accordance with the Utah Land Use Development and Management Act (LUDMA), Utah Code Annotated § 10-9a-101, *et seq.*, provides for a Planning Commission to prepare and recommend a general plan and land use ordinances; and

WHEREAS, pursuant to Town Code § 153.042, the Mayor, with the advice and consent of the Town Council, is authorized to appoint individuals to the Planning Commission for a term of five years; and

WHEREAS, a vacancy exists on the Planning Commission due to the expiration of a term or resignation; and

WHEREAS, the Town Council has reviewed the qualifications of [Appointee's Full Name] and finds them to be a suitable candidate to serve as a member of the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF BOULDER, STATE OF UTAH, AS FOLLOWS:

1. **Appointment and Term of Service.** [Appointee's Full Name] is hereby appointed to serve as a member of the Boulder Town Planning Commission for a term expiring on December 31, 2028, or until a successor is appointed and qualified.
2. **Effective Date.** This resolution shall take effect immediately upon passage and adoption.

3. **Severability Clause.** If any part of this Resolution is found invalid, it does not affect the remaining portions.

ADOPTED by the Boulder Town Council this [date] day of [Month] 2026.

Motion: Councilmember [Full Name] moved to appoint [Appointee's Full Name] as the alternate for the Planning Commission with the term coinciding with Seat 1 expiring on December 31, 2028 by resolution. Councilmember [Full Name] seconded.

Motion: It was moved by Council Member [Full Name] to adopt the resolution for the appointment of [Appointee's Full Name] to the Planning Commission, Alternate, with a term ending December 31, 2028. Councilmember [Full Name] seconded.

Vote: Roll Call – Council Member Josh Ellis - [vote], Council Member Tina Karlsson - [vote], Council Member John Veranth - [vote], Council Member Lacy Allen - [vote], Mayor Cheryl Cox - [vote].

Motion [outcome]

CERTIFICATION:

BOULDER TOWN, STATE OF UTAH
PRESIDING OFFICER:

/s/ Cheryl Cox, Mayor

ATTESTATION:

/s/ Elizabeth Julian, Town Clerk

Effective Date of Resolution: [Month Date, Year]

CONTRACT NO. 2026-03

TOWN OF BOULDER, STATE OF UTAH

FIRE PROTECTION AND WATER ACCESS AGREEMENT

Between

BOULDER FARMSTEAD WATER COMPANY

And

BOULDER TOWN

This Fire Protection and Water Access Agreement ("Agreement") is entered into this ____ day of _____, 2026, between the Boulder Farmstead Water Company, a Utah non-profit corporation, of Boulder, Garfield County, State of Utah ("**Water Company**"), and Boulder Town, a municipal corporation, of Garfield County, State of Utah ("**Town**"). This Agreement supersedes all prior Agreements between the Water Company and Town.

RECITALS

- A. The Water Company is a non-profit company organized for the purpose of collecting and distributing culinary water to its patrons who are primarily residents of Boulder, Garfield County, State of Utah.
- B. The Town is a Municipal corporation organized for the purpose of providing various services to the persons and property within its boundaries, including fire protection.
- C. Town is authorized to enter into such agreements pursuant to Chapter 13, Title 11 of the Utah Code Annotated 1953, as amended, governmental entities can enter into agreements, Utah Code Section 10-1-202; and
- D. The culinary water supply within the area, including the water lines and hydrants, is owned by the Water Company.

- E. Parties desire to make reasonable efforts to provide fire protection for residents and their property for the area in which both parties operate.
- F. The Water Company shall provide maintenance and repair for the fire hydrants within the water system as part of its maintenance of its water distribution facilities. The Water Company's knowledge and expertise in performance of such responsibilities will prove mutually beneficial. Additionally, the Water Company shall benefit from direct control of hydrant flow testing, main flushing, and valve maintenance.

AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants contained in this Agreement, the parties agree as follows:

1. Duration of Agreement

This Agreement shall become effective upon execution by the parties. Subject to early termination as provided below, this Agreement shall be for a term of two (2) years from the date of this Agreement and thereafter shall automatically renew for additional 2-year periods upon agreement.

2. Termination of Agreement

This Agreement shall remain in effect for an initial term of two (2) years. Thereafter, it shall automatically renew for successive two-year terms unless either party provides written notice of nonrenewal at least ninety (90) days before the expiration of the then-current term.

However, either Party shall maintain the absolute right to terminate this Agreement for acts constituting material breach of this Agreement within thirty (30) days after receipt of notice from the non-breaching party.

Parties expressly agree that the Town's failure to make any payment due to the Water Company under this Agreement shall constitute a material breach.

3. Use of Fire Hydrants

- 3.1. The Water Company agrees to make available its water resources, pipelines, and hydrants to the Town for use in fire suppression training and in responding to fire emergencies at no additional charge by the Water Company to the Town.
- 3.2. Except in times of emergency, the Town agrees to provide notice to the Water Company operator(s) of any planned activity that involves the use of hydrants at least seventy-two (72) hours in advance to such activity and agrees to reschedule such activity upon the Water Company's reasonable request.
- 3.3. Except in times of emergency, the Town agrees that the Water Company will be given the opportunity to manage the use of hydrants for nonemergency activities such as training exercises to prevent harm to the water system.
- 3.4. The Town agrees to notify the Water Company operator(s) of any emergency requiring the use of hydrants as soon as practicable during the emergency or immediately thereafter.
- 3.5. When using hydrants for any purpose, the Town agrees to connect to the hydrant using a double-check backflow device and a gate valve.

4. Maintenance of Fire Hydrants

- 4.1. The Water Company agrees to assume, maintain, repair, and test all fire hydrants in the water system according to USFC 507-5-2 Inspection and Maintenance.
- 4.2. The Town agrees to pay the cost for repair or replacement of any hydrant, equipment, or pipeline damaged through the use of the water system by the Town.
- 4.3. The Water Company is not financially responsible for the installation of additional fire hydrants, enlarging lines, or making other alterations. All such modification or alteration will be constructed under the direction and control of the Water Company. The location of fire hydrants shall be consistent with the requirements of the Town's

adopted fire code and as determined by the local fire code official and shall not be unreasonably denied.

- 4.4. The Water Company shall provide snow removal around each hydrant in a timely manner.
- 4.5. The Water Company shall immediately notify the Town Fire Chief if a hydrant becomes non-serviceable for any reason and shall make reasonable efforts to return the hydrant to service as quickly as possible.

5. Fees

- 5.1. The Town shall pay the Water Company an annual fee for Fire Protection and Water Access. Such fee shall be fixed for the duration of each two-year agreement period. The fee charged to the Town by the Water Company will begin upon execution of this agreement at \$_____ per year.
- 5.2. The Water Company agrees to provide the Town an invoice at the beginning of each year of this Agreement. Payments are due within thirty (30) calendar days of receipt of such invoice. Payments made after the due date are subject to a penalty of five percent (5%) of the amount due, plus interest at the rate of one percent (1%) per month from the time due until paid.
- 5.3. Prior to the end of a two-year term, the Water Company may, with six (6) months written notice, increase the fee to be charged to the Town for the next two-year term. However, the Water Company shall not be allowed to increase the fee by more than fifteen percent (15%) over the then-existing fee.

6. Indemnification

The Town agrees to indemnify or hold harmless the Water Company from any and all damages, claims, or liability resulting from the Town's use of the fire hydrants and other water facilities.

Additionally, the Water Company agrees to indemnify or hold harmless the Town resulting from its providing this service. Should a fire hydrant fail, parties agree the Town is not liable for resulting damage.

7. Insurance Requirements

Water Company agrees to obtain and maintain liability coverage in minimum liability limits of One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate for its conduct creating liability exposures regarding this agreement. The insurance policy or policies shall provide coverage for those events that occur during the term of the policy, despite when the claim is made.

Water Company will furnish to Town certificates of insurance setting forth the amount of coverage, policy number and date(s) of expiration and shall provide at least sixty (60) days' prior written notice to the Town of cancellation or material alteration of insurance.

8. Notices

Unless otherwise specified in this Agreement, any notice or other communication required in writing shall be sent to the address given below for the party to be notified, or to such other address as may be provided:

If to Town:

PO Box 1329
Boulder, UT 84716

If to Water Company:

PO Box 1356
Boulder, UT 84716

Copies to:

J. Craig Smith
Smith Hartvigsen
257 East 200 South, Suite 500

Salt Lake City, UT 84111

Jayne Blakesley
Hayes, Godfrey Bell Law Firm
2118 E. 3900 S., Suite 300
Salt Lake City, UT 84124

9. Miscellaneous Provisions

- 9.1. Authorization to Contract. Each party represents and warrants that it has authorization to enter into this Agreement and therefore bind its agency in performance of its respective obligations.
- 9.2. Further Assurances. The parties shall execute and deliver such documents, agreements, instruments, and notices and shall take other such actions as may be necessary or appropriate to effectuate the intent and purpose of this Agreement.
- 9.3. Assignment: Binding Effect. This Agreement shall not be assigned without the written prior approval of the governing boards of the Parties.
- 9.4. Waiver. The failure of any party at any time or times to require performance of any provision hereof shall in no manner affect the right at a later time to enforce the same. No waiver by any party of any condition, or of any breach of any term, covenant, representation, or warranty contained herein, in any one or more instances, shall be deemed to be or construed as a further or continuing waiver of any such condition or breach or waiver of any other condition or of any breach of any other term, covenant, representation or warranty.
- 9.5. Entire Agreement: Modification. This Agreement contains the entire agreement of the parties with respect to the matters addressed herein. This Agreement may not be amended without written consent of both parties.
- 9.6. Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Utah.

- 9.7. Headings. The headings which appear at the commencement of each section are descriptive only and for convenience in reference to this Agreement. Should there be any conflict between any heading and the section itself, the section itself and not the heading shall control as to construction.
- 9.8. Time of the Essence. Time is of the essence in this Agreement.
- 9.9. No Third-Party Rights. Except for the parties indemnified pursuant to this Agreement, the parties expressly disclaim the creation of any right in any third party whatsoever under this Agreement. There are no third-party beneficiaries. The only parties who may enforce this Agreement and any of the rights under this Agreement are the parties here to.
- 9.10. Legal Relations. No liability shall attach to the parties by reason of entering into this Agreement except as expressly provided herein.
- 9.11. Severability. If any section, paragraph, sentence or clause of this Agreement or any work order executed pursuant hereto is declared by a court of competent jurisdiction to be unenforceable or void by reason of public policy or otherwise, then the remaining provisions of such agreement shall nonetheless remain in force to the fullest extent permitted by law.
- 9.12. Litigation and Attorney Fees. In the event any action at law or in equity is instituted between the parties in connection with this Agreement, the prevailing party in the action will be entitled to its costs, including reasonable attorney fees and court costs, from the non-prevailing party.

IN WITNESS WHEREFORE, the parties have caused this Agreement to be executed as of the day and year written above.

PASSED AND APPROVED this ____ day of _____, 2026.

BOULDER TOWN:

By: Cheryl Cox, Mayor

Vote:

Lacy Allen	Yea ____	Nay ____	Abstain ____	Absent ____
Josh Ellis	Yea ____	Nay ____	Abstain ____	Absent ____
John Veranth	Yea ____	Nay ____	Abstain ____	Absent ____
Tina Karlsson	Yea ____	Nay ____	Abstain ____	Absent ____
Cheryl Cox	Yea ____	Nay ____	Abstain ____	Absent ____

Attested: Elizabeth Julian, Town Clerk

BOULDER FARMSTEAD WATER COMPANY:

By: Camille Hall, President

Date: _____

DEPOSITED in the office of the Town Clerk this ____ day of _____, 2026.

RECORDED this ____ day of _____, 2026.

RESOLUTION NO. 2026-M

TOWN OF BOULDER, STATE OF UTAH

A RESOLUTION EXPRESSING THE TOWN OF BOULDER'S POSITION ON COUGAR REMOVAL ACTIONS IN THE BOULDER MANAGEMENT UNIT AND REQUESTING SAFEGUARDS, TRANSPARENCY, AND PUBLIC SAFETY MEASURES IN REGARDS TO: PREDATOR MANAGEMENT STUDY (WRI PROJECT #7707)

WHEREAS, the Town of Boulder, Utah (the “Town”) is a rural community located adjacent to and reliant upon public lands, wildlife habitat, outdoor recreation, and quiet use; and

WHEREAS, residents, local businesses, and visitors regularly use the surrounding lands for lawful recreation and livelihood, including hiking, hunting, ranching, tourism, and travel; and

WHEREAS, cougar management decisions and methods have the potential to affect public safety, domestic animals, recreation use, wildlife populations, and the Town’s economic stability and reputation; and

WHEREAS, the Town of Boulder recognizes the State of Utah’s authority and responsibility to manage wildlife and to support sustainable mule deer populations; and

WHEREAS, intensified cougar removal efforts—including methods such as trapping and/or snare use—will create an unacceptable, significant, and foreseeable risk of non-target injury and/or death to wildlife, domestic animals, and working dogs, and may increase safety concerns, conflict, and concern among residents and visitors; and

WHEREAS, the Town of Boulder believes that effective governance requires transparency, defined limits, accountability, and community safety safeguards, specifically when management actions may affect residents and high-use recreation landscapes;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF BOULDER TOWN, UTAH, THAT:

1. **Formal Objection.** The Town of Boulder expresses formal objection regarding intensified cougar removal actions through the Predator Management Study (WRI Project #7707) within or affecting the Boulder Management Unit, specifically because the proposed expansion of baiting, trapping, and/or snare use is indiscriminate, inhumane, and poses a grave and unacceptable public safety hazard to residents, visitors, and domestic animals.
2. **Request for Tool Restrictions.** The Town of Boulder requests that the Director of the Utah Division of Wildlife Resources (DWR) PROHIBIT trapping and snares as tools for broad cougar reduction efforts within the Boulder Management Unit and immediately establish exclusion zones of not less than fifteen (15) miles from the Town and all high-use recreation areas to eliminate non-target risk.
3. **Limits and Stop Conditions.** The Town of Boulder requests explicit limits and stop conditions on cougar removals and any study/removal program within or affecting the Boulder Management Unit, including clear endpoints, evaluation triggers, and a defined, finite timeline for review before additional lethal escalation.
4. **Transparency and Independent Oversight.** The Town of Boulder requests independent oversight and comprehensive, transparent public reporting to be shared with the Town Council prior to any action, and pre-action public safety alerts.
5. **Prioritizing Mule Deer Recovery Strategies.** The Town of Boulder encourages mule deer recovery strategies that reduce community conflict and improve long-term outcomes, including preserving ecological integrity; significant and sustained habitat and winter range investment; monitoring chronic wasting disease; migration protections; and targeted localized management where warranted.
6. The Town of Boulder directs the Town Clerk to transmit this Resolution to the Garfield County Commissioners, the Director of the Utah Division of Wildlife Resources, the appropriate Regional Advisory Council, the Governor's Office, and the Utah State legislative representatives.
7. **Effective Date.** This resolution shall take effect immediately upon passage and adoption.

8. **Severability Clause.** If any part of this Resolution is found invalid, it does not affect the remaining portions.

PASSED AND APPROVED this [date] day of [Month], 2026.

Boulder Town Council

[seal]

By: Cheryl Cox, Mayor

Voting:

Lacy Allen	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Josh Ellis	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
John Veranth	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Tina Karlsson	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Cheryl Cox	Yea ☐	Nay ☐	Abstain ☐	Absent ☐

Attest: Elizabeth Julian, Town Clerk

DEPOSITED in the office of the Town Clerk this [date] day of [Month], 2026.

RECORDED this [date] day of [Month], 2026.



OFFICIAL PROCLAMATION

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, _____, Mayor of the City of _____, do hereby proclaim _____ as **ARBOR DAY**

In the City of _____, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED THIS _____ day of _____, _____

Mayor _____



ORDINANCE NO. 2026-D

TOWN OF BOULDER, STATE OF UTAH

**AN ORDINANCE OF THE TOWN OF BOULDER, UTAH, AMENDING THE
BOULDER TOWN CODE CHAPTER 153.204: RESIDENTIAL SHORT-TERM
RENTALS**

WHEREAS, as previously directed by the Town Council, Town staff has prepared policy updates and amendments to Chapter 153.204 of Town Code; and

WHEREAS, the Town Council has held a public hearing and has determined that the proposed amendments will serve the public interest;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Boulder, Utah as follows:

1. **Amendment.** Chapter 153.204 of the Boulder Town Code is hereby amended to read in its entirety as set forth in Exhibit A, attached hereto and incorporated herein by reference.
2. **Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.
3. **Effective Date.** This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this [date] day of [Month], 2026.

Boulder Town Council

[seal]

By: Cheryl Cox, Mayor

Voting:

Lacy Allen	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Josh Ellis	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
John Veranth	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Tina Karlsson	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Cheryl Cox	Yea ☐	Nay ☐	Abstain ☐	Absent ☐

Attest: Elizabeth Julian, Town Clerk

DEPOSITED in the office of the Town Clerk this [date] day of [Month], 2026.

RECORDED this [date] day of [Month], 2026.

EXHIBIT A

§ 153.204 RESIDENTIAL SHORT-TERM RENTALS.

(A) Purpose. The purpose of this section is to establish land use regulations for the use of privately-owned, owner- or tenant-occupied dwelling units as short-term rentals in a manner to preserve residential and neighborhood character, protect public safety and residents' and guests' health, and promote goals of the general plan.

(B) Definitions.

LICENSE HOLDER is the person who resides on the property and is legally responsible for compliance with all Town ordinances pertaining to the rental.

MANAGER is the designated agent or representative of the licensee who is responsible for compliance with this Code and available to respond to guests via phone within three hours.

RESIDENTIAL SHORT-TERM RENTAL (RSTR) is a dwelling unit or portion thereof that is not zoned or licensed as commercial lodging and that is rented for monetary compensation for a period of less than 30 consecutive days. This term includes bed and breakfast inns that may or may not serve hot meals to guests.

GUEST RANCH is lodging that is permitted under the guest ranch provisions in § 153.415. Guest Ranches are exempt from this section §153.204.

(C) General provisions.

(1) Allowed zones: RSTRs are allowed as indicated in § 153.117 Table of Uses.

(2) No more than one of the approved dwellings on a lot (the primary dwelling, an internal auxiliary dwelling unit, an external dwelling unit, or a camping unit) shall be occupied by RSTR guests at any given time.

(3) Non-commercial use of a residence, including visits by friends and family, charitable donations, and home sharing, are exempt from zoning regulation as RSTRs provided no money is paid to the owner in compensation for lodging.

~~(4) The maximum number of RSTR CUPs issued at one time shall not exceed 12 without legislative amendment to this subsection. If at any time the number of pending applications for a new RSTR CUP exceeds the number of allowed CUPs, the assignment of the available license shall be processed in the order received. The maximum number of Residential Short-Term Rental Conditional Use Permits ("RSTR CUPs") issued and active at any one time shall not exceed twelve (12).~~

For purposes of this subsection, all RSTRs shall count toward the limitation, including: (a) RSTRs recognized under subsection (D)(1); (b) RSTRs determined to

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be lawful nonconforming uses pursuant to subsection (D)(2) and § 153.255 et seq.; and (c) RSTRs operating pursuant to an approved Conditional Use Permit.

Complete applications shall be processed in the order received. Once the maximum number of authorized Residential Short-Term Rentals has been reached, additional complete applications shall be placed on a waiting list and considered in the order received as permits become available through expiration, revocation, abandonment, discontinuance, or voluntary surrender of an existing authorization.

The numerical limitation is intended to preserve neighborhood character, maintain the predominantly residential nature of residential zoning districts, prevent excessive concentration of transient lodging uses, and balance tourism-related lodging opportunities with the preservation of long-term residential occupancy.

No natural person, corporation, limited liability company, partnership, trust, or other legal entity, nor any affiliated entity under common ownership or control, shall hold more than one (1) Residential Short-Term Rental authorization at any time.

Nothing in this subsection guarantees approval of an application. Each application shall independently satisfy all requirements of this chapter and applicable law.

(5) Neither RSTR business licenses nor RSTR CUP's are transferable.

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(D) Residential short-term rentals existing before 2025.

(1) The four RSTRs with valid business licenses and previously approved CUPs as of 2025, the one RSTR holding a valid CUP (2022) but no business license in 2025, and the 2025 licensed Bed and Breakfast Inn are acknowledged as legal uses and are eligible for continued business license renewal according to Chapter 112.

(2) For RSTRs in use prior to 2020 and in regular use since, establishment of payment of the required taxes in 2020 and onward shall be considered an adequate condition for determination as a nonconforming use by the Board of Adjustment per § 153.255 et seq. These RSTRs are not required to obtain a CUP.

(3) Existing RSTRs that lack an onsite licensee must identify a local manager to be available when guests are present.

(4) The RSTRs recognized under this subsection shall count toward the maximum number of RSTRs authorized under § 153.204(C)(4).

(E) RSTR conditional use permit process.

(1) A Residential Short-Term Rental (RSTR) requires a Conditional Use Permit (CUP) that complies with the requirements outlined in § 153.204 of the Boulder Town Code and is submitted on the RSTR CUP Application Form available on the Town website. An RSTR is exempt from the requirements outlined in § 153.152 Site

Development Plan Requirements, § 153.155 (B), allowing a CUP without 6 months of continuous use to be revoked, and the commercial standards in § 153.415.

(2) A CUP application shall be submitted on the form provided on the Boulder Town website. The fee for filing an application is set by the Boulder Town Council and found in the Boulder Town Fee Schedule and may be changed at any time by resolution.

(3) The documentation required for an application for an RSTR CUP is as follows:

(a) A completed RSTR Business License Application and documentation demonstrating eligibility for issuance of a business license under Chapter 112, including Business license application and proof of primary residence at the address of the proposed RSTR as described and required by § 112.03. Approval of a CUP does not authorize operation of an RSTR. Operation shall not commence until the applicant obtains a valid business license under Chapter 112.

(b) A signed affidavit indicating that the applicant shall be on-site with guests during their stay and will enforce/comply with all terms of the business license and CUP.

(c) Address and parcel number for the RSTR location.

(d) A map that shows all dwellings, RSTR location, property lines, adjacent private property boundaries and owners, fire/disaster escape route, and parking spaces for guests.

(e) Documentation that the site plan and dwelling unit configuration is consistent with the license holder living on site while guests are present.

(f) A Garfield County building department STR Inspection Report.

(4) The process for submitting and considering an application for an RSTR CUP is as follows:

(a) The applicant submits an RSTR CUP application with accompanying documentation to the Town Zoning Administrator. The Zoning Administrator forwards the application to the Planning Commission after the application is determined to be complete.

(b) The CUP review process shall be limited to identifying reasonably anticipated detrimental effects of the proposed RSTR and determining whether those effects can be substantially mitigated through the imposition of reasonable conditions. In making this determination, the Planning Commission may consider the following, to the extent applicable to the proposed RSTR: :

1. The location and capacity of on-site parking and the adequacy and safety of driveway access;

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Deleted: any site-specific conditions that would result in reasonably anticipated detrimental impacts from the RSTR under consideration. The CUP review may consider whether conditions are proposed or shall be imposed to mitigate issues related to impacts to neighbors, building/use setbacks, the County STR inspection, dwelling unit count/configuration and relation to contiguous lot boundaries, time of year/duration of use, maximum number of guests, health and sanitation, parking amount/location, driveway access, outdoor lighting and lighting trespass, noise, and neighborhood visibility of activities/guests. Required mitigation may include limitations on number of guests and vehicles, limitations on outdoor activities after dusk, requiring fencing or vegetative barriers, etc

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2. The number and configuration of dwelling units on the property and their proximity to adjoining properties and dwellings;
3. The proposed maximum number of guests in relation to the size and configuration of the RSTR and available parking;
4. Compliance with applicable building, fire, health, and sanitation requirements, including the County STR inspection;
5. The location and orientation of outdoor areas proposed for guest use and their proximity to adjoining properties and dwellings; exterior lighting and reasonably anticipated lighting trespass onto adjoining properties;
6. Reasonably anticipated noise or other impacts from outdoor guest activities; and
7. Other site-specific physical characteristics of the property that the Planning Commission finds are reasonably likely to create a detrimental effect from operation of the proposed RSTR.

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Any condition imposed by the Planning Commission shall be reasonably necessary to mitigate a reasonably anticipated detrimental effect identified in the record and shall be reasonably related to and proportionate to that effect. Conditions may include limitations on the number of guests or vehicles, restrictions on the location or hours of outdoor guest activities, or requirements for fencing, screening, or vegetative barriers when reasonably necessary to mitigate an identified detrimental effect.

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(c) The Planning Commission shall approve the CUP application if the reasonably anticipated detrimental effects of the proposed RSTR can be substantially mitigated through the imposition of reasonable conditions. The Planning Commission's decision shall identify any reasonably anticipated detrimental effect requiring mitigation and the condition imposed to mitigate that effect. Conditions shall be consistent with this section, other applicable provisions of the Boulder Town Code, and applicable law.

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(d) Prior to approving an RSTR CUP, the Planning Commission shall find that the applicant has demonstrated eligibility to obtain and maintain a Residential Short-Term Rental business license under Chapter 112. Approval of a CUP does not authorize operation of a Residential Short-Term Rental. Operation shall not commence until the applicant obtains and maintains a valid business license under Chapter 112.

(F) Violations and enforcement.

(1) Operating an RSTR without a valid CUP, providing false information on a CUP application, or failure to comply with the applicable town regulations for RSTRs shall be a civil infraction and shall be enforced in accordance with the Boulder Town Code.

(2) If a violation of the RSTR zoning regulations is suspected, the Town Attorney shall send a certified letter to the owner of the real property or to the

license holder describing the alleged violation with a formal request to come into compliance.

(Ord. 2019-2, passed 5-2-2019; Ord. 2025-8, passed 12-2-2025)

ORDINANCE NO. 2026-C

BOULDER TOWN, STATE OF UTAH

**AN ORDINANCE OF THE TOWN OF BOULDER AMENDING CHAPTER 112
OF TOWN CODE RELATING TO RESIDENTIAL SHORT-TERM RENTALS**

WHEREAS, as previously directed by the Town Council, Town staff has prepared policy updates and amendments to Chapter 112 of Town Code; and

WHEREAS, the Town Council has held a public hearing and has determined that the proposed amendments will serve the public interest;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Boulder, Utah as follows:

1. **Amendment.** Chapter 112 of the Boulder Town Code is hereby amended to read in its entirety as set forth in Exhibit A, attached hereto and incorporated herein by reference.
2. **Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.
3. **Effective Date.** This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this [date] day of [Month], 2026.

Boulder Town Council

[seal]

By: Cheryl Cox, Mayor

Voting:

Lacy Allen	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Josh Ellis	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
John Veranth	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Tina Karlsson	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Cheryl Cox	Yea ☐	Nay ☐	Abstain ☐	Absent ☐

Attest: Elizabeth Julian, Town Clerk

DEPOSITED in the office of the Town Clerk this [date] day of [Month], 2026.

RECORDED this [date] day of [Month], 2026.

EXHIBIT A

CHAPTER 112: RESIDENTIAL SHORT-TERM RENTALS

Section

- 112.01 General requirements
- 112.02 Eligibility for obtaining a lodging business license
- 112.03 Business license administration
- 112.04 Operation of a licensed RSTR
- 112.05 Enforcement

§ 112.01 GENERAL REQUIREMENTS.

(A) These business regulation requirements apply to residential short-term rentals in non-commercial zones, bed and breakfast inns, and guest ranches as defined in Chapter 153 of Boulder Town Code.

(1) Rentals for periods longer than 30 consecutive days are exempt from this section.

(2) Businesses in the Commercial zone § 153.116 or that were approved under the commercial standards § 153.415 are exempt from this section.

(3) Non-commercial use of a residence, including visits by friends and family, charitable donations, and home sharing, are exempt, provided no money is paid to the owner in compensation for lodging.

(B) All short-term lodging businesses are required to have an annual, renewable Class I business license.

(Ord. 2025-8, passed 12-2-2025)

§ 112.02 ELIGIBILITY FOR OBTAINING A LODGING RESIDENTIAL SHORT-TERM RENTAL BUSINESS LICENSE.

§ 112.02 ELIGIBILITY FOR OBTAINING A RESIDENTIAL SHORT-TERM RENTAL BUSINESS LICENSE.

(A) A person shall be eligible to obtain and renew a Residential Short-Term Rental ("RSTR") business license only if:

(1) the property is subject to an active Residential Short-Term Rental Conditional Use Permit issued pursuant to § 153.204;

(2) the property has been determined by the Board of Adjustment to be a lawful nonconforming Residential Short-Term Rental pursuant to § 153.255 et seq.;

(3) the property is a Residential Short-Term Rental expressly recognized as an existing lawful use under § 153.204(D)(1); or

(4) the applicant satisfies all residency, operational, tax, and other requirements established by this chapter.

(B) Eligibility for a business license shall not excuse compliance with any condition of approval imposed through a Conditional Use Permit or any requirements applicable to a lawful nonconforming use.

(C) Possession of a business license does not constitute zoning approval and does not authorize operation of a Residential Short-Term Rental absent all land use approvals required by the Boulder Town Code.

(D) A business license issued under this chapter authorizes only the conduct of the licensed business and does not create any vested land use right, zoning entitlement, or exemption from compliance with applicable land use regulations.

(Ord. 2025-8, passed 12-2-2025)

§ 112.03 BUSINESS LICENSE ADMINISTRATION.

Businesses previously licensed as, or holding an approved CUP as, a Guest Ranch per § 153.415 are not subject to the requirements of this section § 112.03. In addition to the General Requirements of § 112.01, the following shall apply to RSTR business licenses:

(A) The RSTR business license holder must be a natural person who is a permanent resident of Boulder, and the license holder shall reside on the same property as the RSTR and shall be present on-site with their guests during guest stays. RSTRs licensed prior to the enactment of this ordinance (2025) are exempt from the requirement that the license holder must be present on-site during guest stays.

(B) The following shall be acceptable proof of residency:

(1) Garfield County tax statement showing that applicant's physical address qualifies for the primary residential exemption under Utah Code § 59-2-103; or,

(2) At least two (2) of the following: a Utah driver's license or state ID showing the license holder's current physical address; current Utah voter registration

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Deleted: The following are eligible to be issued an annual, renewable business license for short-term lodging:¶

(A) The existing RSTRs (as defined in § 153.204 (D)(1)), bed and breakfast inns, and guest ranches that were licensed by Boulder in 2025.¶

(B) RSTRs that have been reviewed by the Planning Commission for compliance with the zoning requirements for short term rentals in § 153.204, and have received an approved Conditional Use Permit.¶

Deleted: (C) RSTRs that have been determined by the Board of Adjustment to be non-conforming uses per § 153.255 et seq.

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showing the license holder's current physical address; or other state or federal document showing residence physical address.

(C) Issuance or renewal of an RSTR business license shall require annual certification by the license holder, on a form approved by the Town, that:

(1) the license holder continues to satisfy the primary residence requirements of this chapter and, where applicable, the on-site presence requirements of § 112.03(A);

(2) all required sales taxes, transient room taxes, resort taxes, and other applicable taxes have been timely collected, reported, and remitted to the appropriate governmental entity;

(3) the Residential Short-Term Rental remains in compliance with all conditions of approval imposed through any Conditional Use Permit and with any conditions applicable to a lawful nonconforming use;

(4) the premises remain in compliance with applicable building, fire, health, safety, sanitation, and occupancy requirements;

(5) all information provided in connection with the original application and any renewal application remains true and correct, or has been updated and disclosed to the Town; and

(6) the Residential Short-Term Rental is otherwise being operated in compliance with the Boulder Town Code.

The Town may require supporting documentation reasonably necessary to verify compliance with this subsection. Certifications made pursuant to this subsection are subject to audit, inspection, and verification by the Town. Submission of false, misleading, or materially incomplete information shall constitute grounds for suspension, revocation, or non-renewal of the business license. (D) A license holder is shall be entitled to only one (1) RSTR business license. No person or affiliated entity under common ownership or control may directly or indirectly obtain, hold, or control more than one (1) RSTR business license. For purposes of this section, entities shall be considered affiliated when they share common ownership, management, control, or beneficial ownership.

(E) Some or all of the above may not be applicable to non-conforming uses, as determined by the Board of Adjustment per § 153.255 et seq.

(F) Neither RSTR business licenses nor RSTR CUP's are transferable.

(Ord. 2025-8, passed 12-2-2025)

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Deleted: (C) Issuance or renewal of an RSTR business license shall require self-certification by the license holder that they are in compliance with the residence and, as applicable, presence requirements in § 112.03 (A), applicable building code and health regulations, have paid required sales, resort, and transient room taxes, and are implementing/maintaining any specific mitigation measures required by the Conditional Use Permit. Self-certifications are subject to audit or verification at the Town's discretion.

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§ 112.04 OPERATION OF A LICENSED RSTR.

(A) All applicable taxes shall be collected and remitted to the appropriate agency. This includes sales, resort, and transient room tax, and property tax.

(B) The premises shall be kept in compliance with all building codes, public health, nuisance, and safety regulations that apply to single family dwellings.

(C) The license holder shall require guests to comply with all applicable federal and state laws and Boulder Town ordinances. This requirement includes necessary measures to insure that guests do not trespass on others property, do not create noise out of character with the noises customarily heard in the surrounding areas by shouting, fighting, playing loud music, racing cars, or engaging in other outside recreational activities after 10 PM and before 10 AM; violate fire restrictions; or allow pets or animals to create incessant noise, roam the neighborhood, or create any type of mess that is not cleaned up by the owner of the pet or animal.

(D) The license holder is required to include the Boulder business license number on any listing on a short-term rental website in accordance with Utah Code § 10-8-85.4.

(Ord. 2025-8, passed 12-2-2025)

§ 112.05 ENFORCEMENT.

(A) Operating a regulated lodging without a valid business license or providing false information on a business license application shall be a civil infraction and shall be enforced in accordance with the Boulder Town Code.

(B) The on-site licensee is responsible for the conduct of guests and shall use reasonably prudent business practices to ensure that the occupants of the short-term rental do not violate any applicable law, rule, or regulation pertaining to the use and occupancy of the short-term rental.

(C) If a violation of the RSTR regulations is suspected, the Town Attorney shall send a certified letter to the owner of the real property or to the license holder describing the alleged violation with a formal request to come into compliance.

(D) In accordance with Utah Code 10-8-85.4, the town may request removal of a non-licensed RSTR from an online website and may notify the county auditor of possible tax non-compliance.

(E) Appeals of RSTR business application decisions and enforcement actions shall be in accordance with Boulder Town Code.

(Ord. 2025-8, passed 12-2-2025)

§ 112.06 SUSPENSION, REVOCATION, DENIAL OF RENEWAL, AND CONDITIONS.

(A) Grounds for Administrative Action.

The Town may suspend, revoke, deny renewal of, or impose additional reasonable conditions upon a Residential Short-Term Rental ("RSTR") business license upon a determination that:

(1) the license holder made a material misrepresentation or omission in an application, renewal application, certification, affidavit, or other document submitted to the Town;

(2) the license holder has failed to maintain eligibility for the business license under this chapter;

(3) the license holder or guests have committed repeated violations of Boulder Town ordinances or applicable state laws related to operation of the Residential Short-Term Rental;

(4) the Residential Short-Term Rental is being operated in a manner inconsistent with an approved Conditional Use Permit, an approved site plan, or any condition of approval imposed by the Town;

(5) the license holder has failed to collect, report, or remit required taxes, fees, or assessments associated with operation of the Residential Short-Term Rental;

(6) the license holder has failed to comply with a written notice of violation issued by the Town within the time specified in the notice; or

(7) continued operation of the Residential Short-Term Rental presents a threat to public health, safety, or welfare.

(B) Notice.

Prior to suspension, revocation, denial of renewal, or imposition of additional conditions, the Town shall provide written notice to the license holder describing:

(1) the alleged violation or basis for the proposed action;

(2) the corrective action, if any, necessary to achieve compliance;

(3) the deadline for responding or curing the violation; and

(4) the license holder's right to request a hearing.

Notice may be provided personally, by certified mail, by regular mail, or by electronic mail to the address provided by the license holder.

(C) Opportunity to Cure.

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Except in cases involving an immediate threat to public health or safety, the license holder shall be provided not less than fifteen (15) days to cure the violation or submit information demonstrating compliance.

(D) Hearing.

If the violation is not cured within the time allowed, or if the Town determines that revocation, suspension, denial of renewal, or additional conditions remain warranted, the Town shall provide notice of an administrative hearing before the Hearing Officer or other body or individual designated by the Town Council.

At the hearing, the license holder shall have the opportunity to present evidence, call witnesses, and be represented by legal counsel.

(E) Decision.

Following the hearing, the hearing body may:

- (1) dismiss the matter;
- (2) issue a written warning;
- (3) impose additional operational conditions;
- (4) suspend the business license for a specified period;
- (5) revoke the business license; or
- (6) deny renewal of the business license.

The decision shall be in writing and shall include findings supporting the action taken.

(F) Emergency Suspension.

If the Town determines that continued operation presents an immediate threat to public health, safety, or welfare, the Town may temporarily suspend the business license pending a hearing. A hearing shall be scheduled as soon as reasonably practicable following the suspension.

(G) Appeal.

A final decision under this section may be appealed by filing a written notice of appeal with the Town Recorder within ten (10) calendar days after issuance of the written decision. Appeals shall be heard by the Town Council if the original decision was made by a Hearing Officer or other administrative official. Decisions of the Town Council shall constitute final administrative action for purposes of judicial review.

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ORDINANCE NO. 2026-E

TOWN OF BOULDER, STATE OF UTAH

**AN ORDINANCE OF THE TOWN OF BOULDER AMENDING CHAPTER 110
OF TOWN CODE RELATING TO GENERAL BUSINESS PROVISIONS**

WHEREAS, as previously directed by the Town Council, Town staff has prepared policy updates and amendments to Chapter 110 of Town Code; and

WHEREAS, the Town Council has held a public hearing and has determined that the proposed amendments will serve the public interest;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Boulder, Utah as follows:

1. **Amendment.** Chapter 110 of the Boulder Town Code is hereby amended to read in its entirety as set forth in Exhibit A, attached hereto and incorporated herein by reference.
2. **Transition of Existing Business Licenses.** Notwithstanding any provision of the Boulder Town Code to the contrary, any annual business license that is valid on the effective date of this ordinance shall remain valid until the last day of February immediately following its otherwise scheduled expiration date. No additional license fee shall be required for the extension of the license term created by this section. Beginning March 1 immediately following that extended expiration date, the license shall be subject to the annual renewal requirements of Chapter 110 of the Boulder Town Code.
3. **Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.
4. **Effective Date.** This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this [date] day of [Month], 2026.

Boulder Town Council

[seal]

By: Cheryl Cox, Mayor

Voting:

Lacy Allen	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Josh Ellis	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
John Veranth	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Tina Karlsson	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Cheryl Cox	Yea ☐	Nay ☐	Abstain ☐	Absent ☐

Attest: Elizabeth Julian, Town Clerk

DEPOSITED in the office of the Town Clerk this [date] day of [Month], 2026.

RECORDED this [date] day of [Month], 2026.

EXHIBIT A

CHAPTER 110: GENERAL BUSINESS PROVISIONS

§ 110.01 PURPOSE; APPLICABILITY; BUSINESS LICENSE REQUIRED.

- (A) **Purpose.** The purpose of this chapter is to regulate businesses operating within the Town in order to protect the public health, safety, and welfare, promote compliance with applicable laws, and provide for the orderly administration of business licensing.
- (B) **Applicability.** Except as otherwise provided by this Code or state law, every person engaging in business within the Town shall obtain and maintain a valid business license issued under this chapter.
- (C) **Separate approvals required.** A business license issued under this chapter does not constitute or replace any zoning approval, conditional use permit, building permit, alcohol approval, state license, or other authorization required by law. Likewise, obtaining any other governmental approval does not eliminate the requirement to obtain a Town business license when otherwise required.
- (D) **Responsibility.** Every person conducting business within the Town is responsible for obtaining and maintaining any required business license.
- (E) **Separate locations.** A separate business license is required for each business location unless otherwise approved by the Mayor or designee.
- (F) **Multiple business activities.** A person conducting multiple business activities at a single location may be required to obtain separate business licenses or may, in the discretion of the Mayor or designee, be issued a single license identifying all approved business activities.
- (G) **Exemptions.** Unless otherwise required by law, the following are exempt from the licensing requirements of this chapter:
- a. businesses engaged solely in wholesale or resale activities without a place of business within the Town;

- b. agricultural production;
- c. incidental business activities producing less than the amount established by Town Council resolution;
- d. nonprofit organizations exempt from taxation under federal law;
- e. businesses expressly exempted by state or federal law; and
- f. businesses exempt under a valid reciprocity agreement authorized by law.

(H)Criminal penalty. It is unlawful to engage in business without a license required by this chapter. The Town may enforce this chapter through one or more remedies available under this Code or applicable law, including a notice of violation, administrative or civil enforcement, suspension or revocation of a business license, injunctive relief, or criminal prosecution.

Deleted: required

Unless another penalty is specifically provided, a violation of this chapter constitutes a Class B misdemeanor. The Town is not required to pursue any particular remedy or sequence of remedies before pursuing another remedy authorized by law.

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§ 110.02 LICENSE ADMINISTRATION.

(A)Administration. The Mayor or designee shall administer this chapter.

(B)Duties. The Mayor or designee may:

- a. prescribe application forms;
- b. receive and review applications;
- c. investigate applications as reasonably necessary;
- d. inspect business premises for compliance with applicable laws;
- e. issue business licenses;
- f. deny applications that do not satisfy applicable requirements;
- g. renew, suspend, or revoke licenses as authorized by this chapter; and
- h. perform all other administrative duties necessary to implement this chapter.

(C)Assistance. The Mayor or designee may consult with or request assistance from the Town Attorney, Building Official, Fire Official, Code Enforcement

Officer, Planning and Zoning Administrator, Garfield County, or other governmental agencies as reasonably necessary.

§ 110.03 APPLICATIONS.

- (A) **Application required.** An application shall be submitted on forms approved by the Mayor or designee.
- (B) **Required information.** The application shall contain information reasonably necessary to determine compliance with this Code and applicable law, including:
 - a. applicant name;
 - b. business name;
 - c. business address;
 - d. mailing address;
 - e. description of the proposed business;
 - f. ownership information;
 - g. contact information;
 - h. any state or federal license required for the proposed business; and
 - i. any other information reasonably necessary to administer this chapter.
- (C) **Certification.** Applications shall be signed by the applicant certifying that the information provided is true and complete.
- (D) **Fees.** The application shall be accompanied by the applicable license fees as established in the Town Fee Schedule, as amended from time to time.

§ 110.04 REVIEW; ISSUANCE; DENIAL; RENEWAL.

- (A) **Review.** The Mayor or designee shall review each application for compliance with this Code and applicable law.
- (B) **Grounds for denial.** A license may be denied if:
 - a. the application is incomplete;
 - b. the application contains materially false information;
 - c. the proposed business lacks required zoning approval or other Town approval;
 - d. the applicant lacks a required state or federal license;

- e. issuance would violate this Code or applicable law; or
- f. the applicant has failed to satisfy outstanding requirements that lawfully preclude issuance.

(C) **Written notice.** If an application is denied, the Mayor or designee shall provide written notice stating the reasons for denial.

(D) **Renewal.** Business licenses shall be renewed annually.

(E) **Renewal date.** Unless otherwise provided by this Code, every annual business license expires on the last day of February and shall be renewed on or before March 1.

(F) **Temporary businesses.** Temporary businesses may be issued licenses for a period established by the Mayor or designee consistent with applicable zoning regulations.

§ 110.05 APPEALS.

(A) **Appeal.** An applicant or license holder aggrieved by a final decision of the Mayor or designee under this chapter may appeal the decision to the Town Council by filing a written notice of appeal with the Town within ten (10) business days after the decision is issued.

(B) **Record on appeal.** The Mayor or designee shall transmit to the Town Council the application, supporting materials, written decision, and any other materials considered in making the decision.

(C) **Standard of review.** The Town Council shall review the decision based upon the administrative record and shall uphold the decision unless the appellant demonstrates that the decision:

- a. exceeded the authority granted by this Code or applicable law;
- b. was based upon an erroneous interpretation or application of this Code or applicable law;
- c. was arbitrary, capricious, or an abuse of discretion; or
- d. was not supported by substantial evidence contained in the administrative record.

(D) **Additional evidence.** The Town Council may receive additional evidence only upon a determination that the evidence is material and that there was good cause for failing to present it to the Mayor or designee during the administrative review. If additional evidence is received, the Town Council may remand the matter to the Mayor or designee for further consideration.

(E) **Decision.** The Town Council may affirm, reverse, modify, or remand the decision. The Town Council's decision shall be in writing and shall constitute the Town's final administrative action.

§ 110.06 LICENSE CERTIFICATE.

(A) Each license shall identify:

- a. the license holder;
- b. the business name;
- c. the business location;
- d. the authorized business activity;
- e. the effective date;
- f. the expiration date; and
- g. any conditions placed upon the license.

(B) The license shall be displayed at the licensed premises whenever reasonably practicable.

§ 110.07 LICENSE FEES.

(A) License fees shall be established by resolution in the Town Fee Schedule.

(B) Fees shall be paid before issuance or renewal of a license.

(C) Applications submitted after September 1 may be assessed a prorated fee as established by resolution.

(D) License fees are nonrefundable after issuance unless otherwise authorized by the Town Council.

(E) Any renewal fee not paid by March 1 shall be delinquent.

(F) Renewal fees paid after March 1 shall be subject to late fees established by the Town Fee Schedule.

(G) A business operating after February 28 without a valid business license shall be considered to be operating without a license and shall be subject to the penalties provided by this chapter and other applicable laws.

DRAFT / REDLINE / V2.0

ORDINANCE NO. 2026-A

TOWN OF BOULDER, STATE OF UTAH

**AN ORDINANCE OF THE TOWN OF BOULDER AMENDING CHAPTER 111
OF TOWN CODE RELATING TO ALCOHOL**

WHEREAS, as previously directed by the Town Council, Town staff has prepared policy updates and amendments to Chapter 111 of Town Code; and

WHEREAS, the Town Council has held a public hearing and has determined that the proposed amendments will serve the public interest;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Boulder, Utah as follows:

1. **Amendment.** Chapter 111 of the Boulder Town Code is hereby amended to read in its entirety as set forth in Exhibit A, attached hereto and incorporated herein by reference.
2. **Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.
3. **Effective Date.** This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this [date] day of [Month], 2026.

Boulder Town Council

[seal]

By: Cheryl Cox, Mayor

Voting:

Lacy Allen	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Josh Ellis	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
John Veranth	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Tina Karlsson	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Cheryl Cox	Yea ☐	Nay ☐	Abstain ☐	Absent ☐

Attest: Elizabeth Julian, Town Clerk

DEPOSITED in the office of the Town Clerk this [date] day of [Month], 2026.

RECORDED this [date] day of [Month], 2026.

EXHIBIT A

CHAPTER 111: ALCOHOLIC BEVERAGES

Section

§ 111.01 Purpose and Authority.

§ 111.02 Definitions.

§ 111.03 License Required; Role of the Town.

§ 111.04 Local Consent Procedure.

§ 111.05 Finality of Decision.

§ 111.06 Penalties and Enforcement.

§ 111.01 Purpose and Authority.

A. The purpose of this ordinance is to acknowledge that the ~~licensing, sale, storage, service, furnishing, and consumption of alcoholic products within the Town are regulated primarily by the State of Utah under Title 32B of Utah Code (the “Alcoholic Beverage Control Act”), and to establish the Town’s procedures for providing local consent where required by state law.~~

~~The Town’s role under this ordinance is limited to acting as the local authority for purposes of Title 32B by granting or denying local consent when required as part of the State’s alcohol licensing process. Final authority to issue, deny, suspend, revoke, or renew state alcohol licenses remains with the Utah Department of Alcoholic Beverage Services and the Alcoholic Beverage Services Commission.~~

~~Nothing in this ordinance shall be construed to limit or impair the Town’s authority to regulate the location, construction, occupancy, operation, or use of property or businesses through zoning, land use regulation, business licensing, building and fire codes, nuisance abatement, public safety regulations, or any other authority granted by federal, state, or local law.~~

~~The granting of local consent under this ordinance does not constitute, replace, or satisfy any separate approval, permit, license, land use authorization, or regulatory requirement otherwise required by the Town. Likewise, the issuance of a state alcohol license does not exempt any person or business from compliance with applicable municipal ordinances or authorize any use prohibited by local law.~~

Deleted: (1)

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Deleted: ,

Deleted: and administered by the Utah Department of Alcoholic Beverage Services and the Alcoholic Beverage Services Commission,

Deleted: (2)

Deleted: process for granting or denying “local consent.”

Commented [1]: This section appropriately recognizes that Utah has adopted a centralized alcohol licensing system under Title 32B of Utah Code and that retail alcohol licenses are issued by the Utah Department of Alcoholic Beverage Services and the Alcoholic Beverage Services Commission rather than municipalities.

It also correctly identifies local consent as the Town’s principal role in the licensing process.

You will want to consider, however, whether by trying to reassure applicants, this language may unintentionally suggest that the Town has relinquished regulatory authority that state law expressly preserves to municipalities over zoning, land use, business licensing, building and fire code compliance, and other exercises of the Town’s police powers.

I offer a few light edits to address this concern.

Deleted: B. This ordinance is intended to mirror state law and to satisfy state requirements for written consent of the local authority. It does not create additional substantive licensing, operational, training, insurance, proximity, or other requirements beyond those imposed by Utah Code Title 32B and rules of the Utah Department of Alcoholic Beverage Services.

§ 111.02 Definitions.

Unless otherwise expressly provided in this chapter, words and phrases used in this chapter shall have the meanings assigned to them in Title 32B, Utah Code, as amended.

As used in this chapter:

“Act” means Title 32B, Utah Code Annotated, the “Alcoholic Beverage Control Act,” as amended.

“Commission” means the Alcoholic Beverage Services Commission created in Section 32B-2-201 of Utah Code.

“Department” means the Utah Department of Alcoholic Beverage Services.

“Alcoholic product” and “alcoholic beverage” have the meanings assigned in the Act and include products containing at least 0.5% alcohol by volume.

“Local authority” means, for premises located within the incorporated town, the governing body of the Town.

"Local consent" means the written consent of the Town, acting as the local authority, that is required under Title 32B of Utah State Code as part of the State's alcohol licensing process.

§ 111.03 License Required; Role of the Town.

A. State license required. State License Required. No person may manufacture, store, sell, offer for sale, furnish, or permit the consumption of an alcoholic product except as authorized by Title 32B and pursuant to a retail license or other authorization issued by the Utah Alcoholic Beverage Services Commission, when required by law.

B. When Title 32B requires local consent as part of an application for a state retail license, an applicant shall obtain the Town's written local consent before the application may be considered by the Commission. The Town's approval constitutes local consent only and does not authorize the sale, service, manufacture, storage, or distribution of alcoholic products unless and until the Commission issues the applicable state license.

C. No separate Town alcohol license. The Town does not issue a standalone Town alcohol license and does not guarantee state licensure. With respect to alcohol

Deleted: For purposes of this ordinance

Commented [2]: This section restates a few of the definitions from state code and does not add any new definitions. This is a good practice that will minimize conflict with state law and ensure consistency with the same.

Because state code includes additional terms that are not included here, I recommend a one-sentence introduction noting the source of the definitions and the interrelation between state and town code.

Added definitions for other terms used in the ordinance but not previously included in the definitions section.

Deleted: “Local consent,” as used in this ordinance, means the written consent of the Town, acting as the local authority, that must be submitted to the Department as part of an applicant’s state alcohol license application under Utah Code §32B-5-201(2)(d).

Deleted: Before any person may store, sell, or offer for sale an alcoholic product on premises in the Town as a retail licensee, that person must first obtain the appropriate retail license issued by the Alcoholic Beverage Services Commission under Title 32B, regardless of whether the person holds a local license or permit. A violation of this requirement is classified by state law as a class B misdemeanor.

Deleted: Local consent required. As part of the state licensing process, an applicant must submit proof of “Local consent”.

licensing, the Town's role is limited to granting or denying local consent under this ordinance.

D. Other Municipal Approvals. Nothing in this chapter relieves any person from complying with any other applicable provision of the Boulder Town Code or other law, including requirements relating to zoning, land use, business licensing, building and fire codes, health and safety regulations, nuisance enforcement, or other lawful municipal authority. The issuance of local consent does not constitute approval under, or satisfy the requirements of, any other municipal ordinance, permit, or approval process.

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Commented [3]: This section correctly recognizes that the State, rather than the Town, issues retail alcohol licenses. However, it does not accurately reflect the statutory framework in several respects: Subsection A implies that an applicant first obtains a state license, when local consent is actually a prerequisite to issuance of many state retail licenses. Subsection B overstates the requirement for local consent by suggesting it applies to every retail license rather than only those for which Title 32B requires local consent. Subsection C should clarify that, although the Town no longer issues a separate alcohol license, alcohol-related businesses remain subject to the Town's generally applicable business licensing, zoning, land use, building, fire, nuisance, and other municipal regulations.

I offer revisions to more clearly distinguish the State's licensing authority from the Town's continuing regulatory authority.

§ 111.04 Local Consent Procedure.

A. Application for Local Consent. An applicant requesting local consent shall submit a written request to the Town Clerk or Recorder together with the information reasonably necessary for the Town Council to determine whether local consent should be granted. The Town may rely upon materials submitted as part of the applicant's state alcohol license application and shall not require duplicate submissions unless additional information is reasonably necessary to evaluate the request.

The application should identify:

1. the applicant and the proposed licensed premises;
2. the type of state alcohol license sought;
3. the proposed use of the premises;
4. the status of any applicable zoning, land use, business licensing, or other municipal approvals; and
5. any additional information reasonably requested by the Town that is relevant to the Town's local consent determination.

B. Public meeting requirement.

1. The Town Council is the “local authority” for premises located within the Town.
2. The Town Council shall consider any request for local consent in an open and public meeting held in compliance with the Utah Open and Public Meetings Act (“OPMA”).

C. Agenda item.

1. An applicant seeking local consent shall ask to be placed on a regular or special Town Council meeting agenda.
2. The Town Clerk or Recorder shall place the request on the next regular or special Town Council agenda that is reasonably practicable and complies with applicable notice.

C. Council review.

1. During the public meeting, the applicant (or the applicant’s representative) may present the nature of the proposed business and the type of state alcohol license sought.
2. The Town Council may ask questions and request additional information reasonably necessary to determine whether local consent should be granted. In

Commented [4]: I like the overall structure of this section and the effort to provide applicants with a clear process.

One suggestion is to simplify the procedure so that it more closely reflects the Town's limited role in the State's licensing process. Rather than duplicating information already reviewed by DABS, consider requesting only the materials reasonably necessary for the Town's local consent determination.

It may also be helpful to identify the factors the Town will consider when acting on a request for local consent (such as zoning, land use, and compliance with other applicable municipal regulations) while avoiding matters that are evaluated by the Commission as part of the State licensing process.

I also recommend adding a brief statement clarifying that local consent does not guarantee issuance of a state license and does not replace any other Town permit or approval.

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making its determination, the Town Council may consider whether the proposed use complies with applicable zoning, land use, business licensing, and other municipal requirements, together with any other factors that Title 32B authorizes the local authority to consider. The Town Council need not independently evaluate licensing qualifications or other matters committed by law to the Department or the Commission.

3. The Town Council shall then vote in the open meeting to either grant or deny local consent.

D. Form of local consent.

1. If the Town Council grants local consent, the Council's approval shall be recorded in the meeting minutes.
2. The Mayor, or another official designated by majority vote of the Town Council at that same meeting, is authorized to sign the written local consent form or letter for submission to the Department.

3. The Town's written local consent constitutes only the Town's approval for purposes of Title 32B. It does not authorize the sale, service, manufacture, storage, or distribution of alcoholic products unless and until the applicable state license has been issued.

E. Denial.

If the Town Council votes to deny local consent, the denial and the principal reasons supporting the decision shall be stated on the record during the public meeting and reflected in the meeting minutes. The reasons should be based upon applicable municipal regulations or other considerations authorized by Title 32B.

§ 111.05 **Finality of Decision.**

The Town Council's decision to grant or deny local consent shall constitute the Town's final action for purposes of this chapter. Nothing in this chapter limits the Town Council's authority to reconsider a prior action in accordance with its rules of procedure and applicable law. § 111.06 Penalties and Enforcement.

Nothing in this chapter limits the Town's authority to enforce the Boulder Town Code or other applicable law. Violations of applicable zoning, land use, business licensing, building, fire, nuisance, or other municipal regulations may be enforced through any remedy authorized by the Boulder Town Code or other applicable law.

Nothing in this chapter creates a separate municipal offense for violations of Title 32B or limits the authority of the Utah Department of Alcoholic Beverage Services.

Deleted: The Town Council may ask questions necessary to confirm that the applicant intends to comply with Title 32B and all applicable state prerequisites to licensure (e.g., including but not limited to those described in Utah Code §32B-5-201 such as personal qualifications/background, criminal record, age, business licensing, insurance, floor plan, responsible alcohol service plan, etc.).

Deleted: If the Town Council votes to deny local consent, the denial and the reasons for denial shall be stated on the record in the public meeting and noted in the minutes.

Deleted: Appeals / Reconsideration

Commented [5]: Query whether this section is necessary. Because the Town Council is the local authority and makes the initial decision on local consent, there is no higher municipal decision-maker to hear an appeal. Creating a formal appeal or reconsideration process appears to add procedural requirements not contemplated by Title 32B and may unnecessarily complicate the Town's limited role in the State licensing process.

I recommend deleting this section entirely and treating the Town Council's decision as final, subject to any reconsideration the Council may undertake through its ordinary meeting procedures.

Commented [6]: I recommend simplifying this section. Because the Town does not issue alcohol licenses or enforce Title 32B, the ordinance should avoid creating separate municipal penalties for conduct already regulated by state law.

Instead, the enforcement provisions should be limited to violations of the Boulder Town Code or conditions imposed under other lawful municipal authority. I recommend that any reference to penalties should rely on the Town's existing general enforcement provisions rather than creating a separate penalty structure for alcohol-related businesses.

This approach more clearly reflects the division of authority between the State and the Town and avoids duplicative enforcement mechanisms.

Deleted: A. An applicant whose request for local consent is denied may submit a written request for reconsideration to the Town Clerk or Recorder within 30 calendar days after the Town Council's vote.[¶]

B. Upon receipt of a timely request for reconsideration, the Town Clerk or Recorder shall place the reconsideration item on the agenda of the next practical Town Council meeting[¶]

C. After reconsideration, the Town Council shall take final action in an open meeting. Nothing in this section limits any remedy the applicant may pursue directly with the Department or under applicable state law.[¶]

the Utah Alcoholic Beverage Services Commission, or any other governmental entity to enforce state law.

Deleted: A. It is unlawful for any person to store, sell, offer for sale, furnish, or permit consumption of an alcoholic product on premises within the Town without first obtaining the required state retail license and, where applicable, local consent as required by Utah Code §32B-5-201. A violation of this requirement is a class B misdemeanor under state law.¹

B. Any person or entity found operating in violation of this code shall be assessed an administrative penalty of \$500. Each day of operation in violation of this ordinance may be charged as a separate offense to the extent allowed by law.

ORDINANCE NO. 2026-F

TOWN OF BOULDER, STATE OF UTAH

AN ORDINANCE OF THE TOWN OF BOULDER REPEALING THE CURRENT PROVISIONS OF CHAPTER 130 OF THE BOULDER TOWN CODE, RELATING TO FIRE RESTRICTIONS, AND ADOPTING THE PROVISIONS OF NEW RECODIFIED CHAPTER 130.

WHEREAS, as previously directed by the Town Council, Town staff has prepared policy updates and amendments to Chapter 130 of Town Code; and

WHEREAS, the Town Council has held a public hearing and has determined that the proposed revision and recodification of Chapter 130 will better serve the public health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Boulder, Utah as follows:

Section 1. Legislative Findings. The Town Council finds that:

- A. Wildfire poses a significant threat to the public health, safety, welfare, property, and natural resources of Boulder Town.
- B. The existing annual fire restriction period has required frequent modification to reflect actual fire conditions and no longer adequately corresponds to the modern wildfire season.
- C. Aligning the Town's fire restrictions with the State of Utah's Stage 1 and Stage 2 fire restriction framework will promote consistency, improve public understanding, and reduce confusion.
- D. This ordinance is adopted pursuant to the Town's authority under Utah law to protect the public health, safety, and welfare and is intended to complement applicable federal, state, and county fire restrictions.

Section 2. Repeal. Chapter 130 of the Boulder Town Code is hereby repealed in its entirety.

Section 3. Adoption and Codification. A revised and recodified Chapter 130 of the Boulder Town Code, as more particularly set forth in Exhibit A, attached hereto and incorporated herein by reference, is hereby adopted and codified.

Section 4. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 5. Effective Date. This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this [date] day of [Month], 2026.

Boulder Town Council

By: Cheryl Cox, Mayor

[seal]

Voting:

Lacy Allen	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Josh Ellis	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
John Veranth	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Tina Karlsson	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Cheryl Cox	Yea ☐	Nay ☐	Abstain ☐	Absent ☐

Attest: Elizabeth Julian, Town Clerk

DEPOSITED in the office of the Town Clerk this [date] day of [Month], 2026.

RECORDED this [date] day of [Month], 2026.

EXHIBIT A

CHAPTER 130: FIRE RESTRICTIONS

Section 1. Legislative Findings.

The Town Council finds that:

- A. Wildfire poses a significant threat to the public health, safety, welfare, property, and natural resources of Boulder Town.
- B. The existing annual fire restriction period has required frequent modification to reflect actual fire conditions and no longer adequately corresponds to the modern wildfire season.
- C. Aligning the Town's fire restrictions with the State of Utah's Stage 1 and Stage 2 fire restriction framework will promote consistency, improve public understanding, and reduce confusion.
- D. This ordinance is adopted pursuant to the Town's authority under Utah law to protect the public health, safety, and welfare and is intended to complement applicable federal, state, and county fire restrictions.

§ 130.01. Purpose.

The purpose of this chapter is to reduce the risk of wildfire within Boulder Town by establishing seasonal fire restrictions, authorizing additional restrictions when fire danger warrants, promoting consistency with the fire restriction framework administered by the Utah Division of Forestry, Fire, and State Lands pursuant to Utah Code Section 65A-8-212, and protecting the public health, safety, and welfare.

§ 130.02. Definitions.

As used in this chapter:

APPROVED FIRE PIT means a permanently constructed stone, masonry, concrete, or metal fire pit or fireplace designed to contain open flames and prevent the spread of fire.

FIRE CHIEF means the chief of the Boulder Town Fire Department or the chief's designee.

FIREWORKS has the meaning provided in the Utah Fire Prevention and Safety Act.

OPEN FIRE means any outdoor fire or combustion of combustible material, whether for warmth, cooking, recreation, disposal, or any other purpose, excluding devices specifically exempted by this chapter.

PYROTECHNIC DEVICE has the same meaning as provided by Utah law and includes exploding targets and similar devices designed to produce combustion, explosion, heat, smoke, or light.

SPARK ARRESTOR means a properly installed and maintained device designed to prevent the emission of sparks or flaming particles from an internal combustion engine.

STAGE 1 FIRE RESTRICTIONS mean restrictions established pursuant to § 130.04.

STAGE 2 FIRE RESTRICTIONS mean restrictions established pursuant to § 130.05.

§ 130.03. Annual Fire Restriction Season.

(A) Unless otherwise provided by resolution of the Town Council, the annual fire restriction season shall begin on May 1 and continue through October 31 of each year.

(B) The Town Council may, by resolution:

1. begin restrictions before May 1;
2. terminate restrictions after October 31;

3. shorten the annual restriction period when fire conditions warrant; or
4. declare that Stage 1 Fire Restrictions, Stage 2 Fire Restrictions, or no seasonal restrictions shall be in effect.

(C) In determining whether restrictions should be imposed, modified, or terminated, the Town Council may consider:

1. recommendations of the Boulder Town Fire Department;
2. recommendations of the Utah Division of Forestry, Fire, and State Lands;
3. restrictions imposed by Garfield County or federal land management agencies;
4. weather conditions;
5. fuel moisture;
6. drought conditions;
7. wildfire activity; and
8. any other factors affecting public safety.

§ 130.04. Stage 1 Fire Restrictions.

Unless otherwise modified by resolution, the following restrictions apply whenever the Town Council declares Stage 1 Fire Restrictions.

(A) No person shall build, maintain, attend, or use an open fire except:

1. within an approved fire pit located on private property where running water is immediately available; or
2. within an established fire ring or other facility specifically designated for fires by the Town or another governmental agency.

(B) No person shall smoke outdoors except:

1. within an enclosed vehicle;
2. within an enclosed building;
3. within a developed recreation site; or
4. while stopped in an area paved or otherwise free of dry vegetation.

(C) No person shall discharge or use fireworks, pyrotechnic devices, tracer ammunition, or exploding targets.

(D) No person shall cut, weld, or grind metal in an area containing dry vegetation.

(E) No person shall operate a motorcycle, chainsaw, all-terrain vehicle, utility terrain vehicle, or other small internal combustion engine unless equipped with a properly functioning spark arrestor.

§ 130.05. Stage 2 Fire Restrictions.

Whenever the Town Council declares Stage 2 Fire Restrictions, the following restrictions apply in addition to all Stage 1 Fire Restrictions.

(A) No person shall ignite, maintain, or use any open fire.

(B) The prohibition in subsection (A) does not apply to propane, natural gas, or other compressed-gas cooking appliances equipped with an on/off valve and used in an area cleared of combustible material.

(C) The Town Council may impose additional restrictions by resolution when reasonably necessary to protect public health, safety, and property.

§ 130.06. Relationship to Other Laws.

(A) This chapter establishes minimum fire restrictions within Boulder Town.

(B) This chapter is intended to complement, and not replace, applicable fire restrictions adopted by the United States, the State of Utah, Garfield County, or any other governmental entity having jurisdiction.

(C) Compliance with this chapter does not excuse compliance with any applicable federal, state, county, or other lawful fire restriction.

(D) When multiple restrictions apply to the same activity, the more restrictive provision shall govern.

§ 130.07. Emergency Restrictions.

Nothing in this chapter limits the authority of the Town Council to adopt emergency fire restrictions by resolution whenever extraordinary fire danger exists.

§ 130.08 Construction.

Nothing in this chapter shall be construed to authorize any act prohibited by the Utah Fire Code, the Utah Fire Prevention and Safety Act, or any other applicable provision of state or federal law.

§ 130.09. Enforcement.

This chapter may be enforced by:

1. Boulder Town law enforcement officers;
2. the Garfield County Sheriff's Office;
3. the Boulder Town Fire Department; and
4. any other person authorized by law.

§ 130.10. Violations and Penalties.

(A) A violation of this chapter constitutes a misdemeanor as provided in the Town's general penalty provisions unless another penalty is specifically provided by Utah law.

(B) Each separate act, each prohibited fire, and each individual firework or pyrotechnic device discharged constitutes a separate offense.

§ 130.11. No Duty Created.

Nothing in this chapter creates a duty on the part of Boulder Town, its officers, employees, or agents to inspect property, discover violations, prevent fires, or protect any person or property from wildfire.

TOWN OF BOULDER, STATE OF UTAH

Report: Amending Municipal Fee Schedule

Governing Body: Town Council

Meeting Date: Tuesday, September 1, 2026

Agenda Item: Consideration of Draft Resolution No. 2026-W: Fee Schedule
Item Type: Legislative Action Item

Contributors: Town Council, Planning Commission, Administration
Prepared by: Elizabeth Julian

Date Submitted: August 27, 2026

RECOMMENDED ACTION

Adopt the Municipal Fee Schedule by resolution and the Town Council revisit this schedule monthly initially to refine fees based on real-world application, workflow data, and further amended applications and ordinances before transitioning to a standard annual or biennial review or as needed.

Recommended Motions

"I move to adopt the Municipal Fee Schedule by resolution."

SUMMARY

Proposing two key updates for Boulder Town: a unified, transparent Fee Schedule and a new, compliance framework.

- **Fee Schedule:** Move from a multi-tab spreadsheet to a simple, printable document to improve transparency and accessibility for the public
- **Compliance:** Replace criminal penalties for minor licensing infractions and non-compliance with a step-by-step process, shifting the focus from punishment to education and voluntary compliance.

- Initial Notice (Day 1): Courtesy notice sent. 30-day grace period to fix the issue. (\$0)
- First Penalty (Day 31): \$150 fine if the issue persists.
- Follow-up Penalty: \$250 every 30 days for ongoing non-compliance.
- Appeals: \$50 filing fee to request a hearing.

FEE ADJUSTMENTS

The proposed fee structure shifts Boulder Town toward a self-sustaining cost-recovery model, reducing the reliance on general tax dollars for administrative and services. See the legacy fee schedule spreadsheet, Attachment B, for an itemized breakdown of the proposed changes.

Summary of Adjustments

- **Permit & Licensing Increases:** Most administrative fees—including Conditional Use Permits (CUPs), Business Licenses, and Zoning applications—have been adjusted upward to better reflect actual staff time, inspection costs, and overhead.
- **Facility Rental Rebalancing:** To encourage usage and improve usability and overhead, rental rates have been reduced for local residents as well as refundable clearing deposits removed.
- **New Cost-Recovery Fees:** Fees have been introduced for services that were previously unrecovered, specifically separation of kitchen facility usage, off-site municipal chair rentals, and cemetery opening/closing operations.
- **Policy Shifts:**
 - **Compliance:** Moving away from misdemeanor-only penalties to a progressive civil fee structure (\$150 initial, \$250 follow-up) to prioritize education and voluntary compliance.
 - **Transparency:** GRAMA search and copying costs are now included in the fee schedule instead of referring to Utah state code.

PROPOSED ADOPTING RESOLUTION

The attached draft resolution represents the legal vehicle proposed to adopt Boulder Town's Municipal Fee Schedule, to formally adopt the outlined fees, stepwise civil enforcement penalties, late fees, and general notes & policies.

PROPOSED MUNICIPAL FEE SCHEDULE

This constitutes the clean, consolidated public-ready fee schedule. In compliance with council directives, all historical fee columns have been removed, displaying only the active 'Fee' structure and cross-referenced municipal ordinance authorities.

ATTACHMENTS AND RESOURCES

To establish a formal record for the Town Council and public hearings, the following supplemental resources and source documents are officially attached or referenced as parts of this consolidated administrative package:

- A. **Boulder Town Legacy Fee Schedule Spreadsheet** ➕ Fee Sche...
The historical fee schedule maintained under Resolution No. 2025-3, serving as the baseline for all suggested fee adjustments.
- B. **Proposed Adopting Resolution No. 2026-XX**
The standalone legal drafting vehicle providing the formal recitals, statutory authority references, stepwise civil timeline enactments, and signature blocks.
- C. **Proposed Exhibit A: Municipal Fee Schedule** ☰ BT-2026...
The clean, public-ready fee schedule contains the nine fee tables, integrated 10% / \$20 late penalties, stepwise compliance values, and general notes/policies.
- D. **Planning Commission Draft Minutes** ☰ BT-2026...
August 18, 2026 minutes and recommended revisions establishing waitlists, and prioritizing civil compliance.

TOWN OF BOULDER, STATE OF UTAH

MUNICIPAL FEE SCHEDULE

Exhibit A to Resolution No. 2026-XX | Effective September 1, 2026

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I. GENERAL NOTES & MUNICIPAL POLICIES

These policies and fees apply to all applications, permits, and rentals listed in this schedule.

1.1. Timing of Payment of Application Fees

All application fees, rental rates, and administrative fees set forth in this schedule must be paid in full at the time of submission of the application or request. No initial review, staff processing, or scheduling of any public hearing or meeting before the Planning Commission, Town Council, or Appeal Authority will occur until payment of the application fee has been rendered in full.

1.2. Professional Review Fees

The Town of Boulder engages third-party professionals, such as attorneys, surveyors, and engineers, to conduct specialized reviews of applications, permits, plat maps, and other technical or legal matters not specifically listed herein. The costs of these professional services vary, depending on the specific application, permit, plat map, or document/matter reviewed. The Town shall estimate and assess fees in addition to those listed in this schedule to cover the actual and necessary costs of these third-party professional services. Reviews and processing shall not proceed until sufficient escrow or estimated payment is deposited.

1.3. Publication, Mailing & Associated Expense Fees

The actual cost of any required publication of notice, certified mailings of notice, or physical posting of notice as required under any Title of the Boulder Town Code or the Utah Municipal Land Use, Development, and Management Act (Utah Code Annotated § 10-9a-101 et seq.) must be paid by the applicant as a requirement before any corresponding land use application or permit approval. The applicant is also responsible for any associated costs and expenses the Town may incur in relation to processing land use applications or permits, including but not limited to: updating of the Town's zoning maps and GIS data, General Plan amendments, special meeting noticing, and additional staff fees and research fees. The applicant

will be sent an invoice for all said charges from the Town, which must be paid in full prior to the approval or issuance of a permit, license, or release of information.

1.4. Non-Refundability of Fees

No municipal fees of any kind set forth in this schedule, other than refundable cleaning, security, or damage deposits, are refundable under any circumstances. Once an application is submitted, staff processing and administrative review starts as soon as submitted, utilizing public resources that cannot be recouped; therefore, all application, licensing, zoning, subdivision, and rental fees are strictly non-refundable.

1.5. Late Payment Penalty

A 10% or \$20.00 fee, whichever is greater, applies to all overdue billing, assessed every 30 days past due. This applies universally to all fees and charges in this schedule.

II. PUBLIC FACILITY & PAVILION RENTALS

Renting public facilities for private, commercial, or community-oriented activities. Local rates apply strictly to physical residents within Zip Code 84716. Outside rates apply to all other organizations or individuals.

2.1. Daily Rental Fees & Usage Requirements Table

Service / Item	Fee	Notes / Reference
Entire Community Center	\$100.00 / day (Local) / \$200.00 / day (Outside)	Local: Checklist; Outside: \$150 Deposit
Community Room	\$30.00 / day (Local) / \$60.00 / day (Outside)	Local: Checklist; Outside: \$150 Deposit
Meeting Room	\$30.00 / day (Local) / \$60.00 / day (Outside)	Local: Checklist; Outside: \$150 Deposit
Kitchen	\$50.00 / day (Local) / \$100.00 / day (Outside)	Local: Checklist; Outside: \$150 Deposit
Pavilion & Park	\$30.00 / day (Local) / \$60.00 / day (Outside)	Local: Checklist; Outside: \$150 Deposit
Tables (Off-Site)	\$5.00 / table	Checklist
Chairs (Off-Site)	\$1.00 / chair	Checklist

2.2. Deposit and Usage

Outside organizations are subject to a \$150.00 refundable cleaning deposit. Local users are exempt from the deposit but must complete a detailed cleanup checklist; failure to do so will result in denial of future use.

2.3. Community Property Damage Assessment

The renter shall be held liable for the full cost of any damages sustained by municipal property during the rental period, whether caused by the renter or their associates. In instances where a security deposit has been collected, such funds will be applied first toward remediation costs. If repair or replacement expenses exceed the deposit amount, the renter must remit the remaining balance to the Town within 30 days of the event. This assessment includes all materials, professional labor, and administrative overhead required to restore the facility to its prior condition.

2.4. Fee Waivers for Sponsored Events

Fees are waived for community-oriented events sponsored by Boulder Town and its governing bodies, as well as Boulder Fire Department, Garfield County EMS, Boulder Wildfire Council, Friend of the Library, Boulder Arts Council, Boulder Wellness Network, Boulder Tree City, Boulder Irrigation Company, Boulder Farmstead Water Company, Boulder Ward, Boulder Elementary School, and Boulder Community Alliance.

2.5. Courtesy Rentals for Town Officials

Town Council, Planning Commission, and Board of Adjustment members receive one courtesy rental of one venue per calendar year at no cost for personal, non-commercial use.

III. PUBLIC RECORD REQUESTS (GRAMA)

Fulfillments of public record requests in compliance with the Government Records Access and Management Act (GRAMA) under Utah Code § 63G-2-203.

3.1. Public Records Request (GRAMA) Fee Table

Service / Item	Fee	Notes / Reference
GRAMA Record Search & Compilation	First 15 minutes are free of charge; Actual Staff Time (See Notes)	Hourly rate of the lowest-paid employee capable of searching and compiling records, per Utah Code § 63G-2-203.
GRAMA Copying (Black & White)	\$0.15 / page	Base rate for one-sided printouts when electronic delivery is not feasible or at staff discretion.

IV. MUNICIPAL LANDFILL CHARGES

Waste disposal costs for landfill (dump) operations authorized by municipal policies and resolution.

4.1. Landfill Fee Table

Service / Item	Fee	Notes / Reference
Landfill Use (Open Hours)	\$0.00 (Free)	Saturdays 12:00 PM – 4:00 PM. Note: A \$15.00 per load fee was approved by the Town Council in March by policy, but has not yet been implemented.
Landfill Off-Hours (Initial Load)	\$50.00	Flat fee assessed to dispatch town staff to open the gate outside regularly scheduled hours.
Landfill Off-Hours (Additional)	\$25.00 / load	Assessed for each additional load brought during the same scheduled off-hours opening.

V. CEMETERY FEES

Resident cemetery plot allocations and grave excavation services.

5.1. Cemetery Fee Table

Service / Item	Fee	Notes / Reference
Cemetery Plot Purchase	\$0.00 (Free)	Exclusively reserved for verified local residents (Zip Code 84716).
Cemetery Grave Opening & Closing	\$300.00	Flat service rate to cover professional backhoe excavation, leveling, and grave closing.

Commented [1]: this is what has been charged, but where was the rate established?

VI. CIVIL CODE ENFORCEMENT & NON-COMPLIANCE

Universal stepwise civil enforcement policy and standard fines applied across all municipal, zoning, licensing, and land-use violations before criminal misdemeanor escalation.

6.1. Code Enforcement & Non-Compliance Penalties Fee Table

Service / Item	Fee	Notes / Reference
Initial Courtesy Notice	\$0.00	Issued upon verification of a municipal code violation. Grants a mandatory 30-day grace period for voluntary remediation.
First Non-Compliance	\$150.00	Assessed automatically on Day 31 if the violation remains uncorrected after the initial 30-day grace period.
Subsequent 30-Day Penalty	\$250.00 / 30 days	Assessed automatically for each additional 30-day period that the property remains non-compliant.
Administrative Appeal Fee	\$50.00	Filing cost to appeal a citation with the Administrative Hearing Officer. Strictly non-refundable.

VII. GENERAL BUSINESS LICENSING

General business operations, annual renewals, and municipal alcoholic beverage local consent certificates under Chapter 110 & 111.

9.1. General Business Licensing Fee Table

Service / Item	Fee	Notes / Reference
New Business License	\$70.00	Code § 110
Renewal Business License	\$35.00	Code § 110; Annual regulatory oversight fee. Due on or before March 1 of each calendar year.
Temporary Business License	\$35.00	For short-term, seasonal, or transient merchant operations.
Late Renewal Penalty	\$25.00	Code § 110; Assessed for licenses renewed between 31 and 90 days late.
Alcohol Consent Certificate	\$50.00	Code § 111

VIII. TEMPORARY USES & PERMITS

Oversight of temporary land use activities, mobile housing setups during construction, and special events.

8.1. Temporary Uses & Permits Fee Table

Service / Item	Fee	Notes / Reference
Special Events Permit	\$50.00 Base + \$25.00/day starting day 2	Code § 153.172
Temporary Land Use Permit	\$50.00	Code § 153.172
Temporary RV Use Permit	\$50.00	Code § 153.156

IX. PROJECT APPLICATIONS & CONSTRUCTION PERMITS

Zoning clearance reviews, physical inspections, and public right-of-way street excavation permit requirements under Chapter 151. Please note that Garfield County issues building permits after project approval is granted by Boulder Town.

9.1. Project Application & Construction Permits Fee Table

Service / Item	Fee	Notes / Reference
Project Application Approval	\$50.00	Code § 151
Owner/Builder Filing Certificate	\$50.00	Code § 151
Business License Inspection	\$50.00 / hour	Assessed when professional safety or zoning re-inspections are necessary.
Excavation Permit	\$50.00	Code § 91.12

Commented [2]: Is this correct?

Commented [3]: What code does this refer to?

X. LAND USE & ZONING APPLICATIONS

Administrative and Planning Commission hearings, conditional use approvals, zoning map amendments, and Board of Adjustment appeals.

10.1. Land Use and Zoning Fee Table

Service / Item	Fee	Notes / Reference
Conditional Use Permit (CUP) Application	\$100.00	Updated from \$75; Code § 153.150
Permitted Use Certificate	\$50.00	Updated from \$25; Code § 153.136
Map-Amendment Application	\$50.00	Updated from \$25; Code § 153.074
Variance Application	\$100.00	Updated from \$75; Code § 153.311
Interpretation Application	\$50.00	Updated from \$25; Code § 153.026
Nonconforming Use Application	\$50.00	Updated from \$25; Code § 153.259
Zoning Code Text/Map Amendment	\$500.00 + \$70.00 / hr	Plus actual costs of professional consultants; Code § 153.075
General Plan Amendment	\$500.00 + \$70.00 / hr	Plus actual costs of professional consultants; Code § 153.070
Appeal Application	\$500.00 + \$70.00 / hr	Refunded in full if Town is found in error; Code § 153.273
Sign Application	\$35.00	Code § 153.202

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XI. SUBDIVISION APPLICATIONS (CHAPTER 152)

Preliminary and final subdivision plats, boundary line agreements, and technical appeal panels. Billed hourly for actual professional review time.

11.1. Land Use and Zoning Fee Table

Service / Item	Fee	Notes / Reference
Boundary Line Agreement Review	\$50.00	Code § 152.202
Conceptual Subdivision Plan (Initial)	\$0.00 (Free)	Initial introductory workshop/ review, free of charge; Code § 152.302
Conceptual Subdivision Plan (Re-review)	\$70.00 / hour	Assessed for each review after the initial; Maximum of four reviews; Code § 152.302
Preliminary Subdivision Application	\$400.00 + \$70.00 / hr	Plus actual pass-through costs of engineering and legal consultants; Code § 152.303
Final Subdivision Application	\$400.00 + \$70.00 / hr	Plus actual pass-through costs of engineering and legal consultants; Code § 152.304
Subdivision Appeal Panel Fee	\$1,000.00	Filing cost to assemble independent review panel on final disputes; Code § 152.304 / UCA § 10-9a-508(5)(d))

RESOLUTION NO. 2026-

TOWN OF BOULDER, STATE OF UTAH

A RESOLUTION CONSOLIDATING THE BOULDER TOWN FEE SCHEDULE, IMPLEMENTING A PROGRESSIVE STEPWISE CIVIL ENFORCEMENT PROTOCOL, AND ESTABLISHING MUNICIPAL GENERAL NOTES AND ADMINISTRATIVE POLICIES

WHEREAS, Boulder Town possesses statutory authority under Utah Code Annotated § 10-9a-508 to establish, adjust, and collect reasonable administrative, application, and utility fees by resolution; and

WHEREAS, Boulder Town has previously maintained its municipal fees in a multi-tab legacy spreadsheet format, which community members and business operators reported was difficult to navigate and access; and

WHEREAS, the Boulder Town Council desires to simplify regulations, expand public access, and eliminate severe criminal Class B misdemeanor penalties for first-time business licensing infractions in favor of a cooperative civil framework; and

WHEREAS, the Boulder Planning Commission, after a formal public hearing held on August 18, 2026, voted unanimously to recommend that the Town Council adopt a stepwise civil compliance framework prioritizing written warnings and structured civil fines over immediate criminal charges; and

WHEREAS, the Town Council seeks to establish fair, objective standards for public facility rentals, public records requests (GRAMA) at a state-compliant \$22.00/hour rate with the first 15 minutes free, landfill gate openings (\$50.00 initial/\$25.00 additional), and resident cemetery plot exemptions (\$0.00 plot/\$300.00 open-close); and

WHEREAS, comparative research of other small Utah municipalities indicates that Boulder Town must implement a standardized pass-through policy for professional reviews and notice publications to safeguard public tax funds.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BOULDER, UTAH, AS FOLLOWS:

1. **Adoption Of Consolidated Fee Schedule.** The Boulder Town Council hereby adopts and approves the Municipal Fee Schedule, incorporated herein as 'Exhibit A'.
2. **Stepwise Civil Compliance Timeline.** Boulder Town hereby establishes a standardized civil compliance protocol for code, licensing, and permitting enforcement: (a) Initial Courtesy Notice at \$0.00 (Day 1, granting a mandatory 30-day grace period); (b) First Non-Compliance Penalty at \$150.00 (Assessed automatically on Day 31); (c) Subsequent 30-Day Re-Inspection Penalty at \$250.00 per 30 days of ongoing non-compliance; and (d) Administrative Appeal Fee at \$50.00 (strictly non-refundable).
3. **Section Late Fees.** Any municipal invoice, fee, landfill bill, or civil citation set forth in Exhibit A shall be subject to an automatic recurring surcharge of a 10% increase or a flat rate of \$20.00 for every thirty (30) days the payment remains past due, whichever is greater.
4. **Integration Of General Policies.** The Town hereby incorporates five policies as binding administrative regulations: (a) Professional Review Fees (full pass-through attorney/engineer cost-recovery); (b) Publication, Mailing, & Associated Expense Fees (billed to applicant as a condition precedent); (c) Timing of Payment (due at submission before reviews begin); (d) Strict Non-Refundability (no fees other than deposits are refundable once processing begins); and (e) Late Payment Penalty: A 10% or \$20.00 fee, whichever is greater, applies to all overdue billing, assessed every 30 days past due. This applies universally to all fees and charges in this schedule.
5. **Specific Adjustments And Services.** (a) Special event permits under temporary uses are hereby amended to a \$50.00 Base Application Fee plus \$25.00 per day of the event, pursuant to Code § 153.172; (b) GRAMA requests are billed at actual staff time of the lowest-paid capable employee (\$22.00/hour) under Utah Code § 63G-2-203, with the first 15 minutes free; (c) Landfill gate openings are \$50.00 initial and \$25.00 additional, with open Saturdays remaining free; and (d) Cemetery plots remain \$0.00 for local residents, with grave opening/closing set at a flat \$300.00.
6. **Repeal Of Conflicting Actions.** All prior resolutions, municipal fee schedules, or portions of ordinances in direct conflict with the provisions of

this Resolution (including Legacy Resolution No. 2025-3) are hereby repealed and superseded in their entirety.

7. **Effective Date.** This Resolution and the Municipal Fee Schedule (Exhibit A) shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this [date] day of [Month], 2026.

Boulder Town Council

[seal]

By: Cheryl Cox, Mayor

Voting:

Lacy Allen	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Josh Ellis	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
John Veranth	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Tina Karlsson	Yea ☐	Nay ☐	Abstain ☐	Absent ☐
Cheryl Cox	Yea ☐	Nay ☐	Abstain ☐	Absent ☐

Attest: Elizabeth Julian, Town Clerk

DEPOSITED in the office of the Town Clerk this [date] day of [Month], 2026.

RECORDED this [date] day of [Month], 2026.

EXHIBIT A

 **[BT-2026_FINANCE_20260901_FeeSchedule_DRAFT_V1.0_ADMIN](#)**

Note: This link references the draft fee schedule version. The final version will be incorporated upon formal adoption of this Resolution, not a link.