



Laketown Town Council Agenda September 2, 2026 6:00 PM

Notice is hereby given that the Town of Laketown Town Council will hold their regularly scheduled meeting at 6:00PM on Wednesday September 2, 2026, in the Laketown Town Office located at 10 North 200 East Laketown, Utah.

- 1. CALL TO ORDER – Mayor BRANDON WILLIS**
- 2. OPENING CEREMONY – TBD**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF PRIOR MEETING MINUTES**
- 6. BUDGET REVIEW**
- 7. APPROVAL OF BILLS**
- 8. CURRENT TOWN ISSUES/UPDTES**
- 9. ACTIVITY COMMITTEE – Chairman Heidi Hodges**
- 10. UPDATES FROM CLERK'S OFFICE (Lisa)**

The Town Council will not begin discussion on the following agenda items before 6:30 PM

11. QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Any person wishing to comment on any item, not otherwise on the agenda, may address the town council at this point by addressing the mayor and town council and giving his or her name and address for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the mayor. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-agenda items. Some items brought forward to the attention of the town council will be turned over to the clerk to provide a response outside of the town council meeting.

12. PLANNING & ZONING COMMISSION - Chairman Duane Robinson



13. ITEMS OF BUSINESS

- a. Rick Larsen / update on survey of his property
- b. Centra Com Internet at Town Office & Park
- c. Discussion and adoption of Resolution 2026-04: A RESOLUTION DETERMINING THE INELIGIBILITY OF ELECTED AND APPOINTED OFFICIALS FOR RETIREMENT BENEFITS UNDER TIER 2 OF THE UTAH RETIREMENT SYSTEM
- d. Discussion and Review of proposed Ordinance to change the Transient Business License fee and procedure
- e. Discussion on changing zoning and lot sizes
- f. Discussion and possible adoption of ordinance establishing delegation of spending and purchasing approval authority to town council members.
- g. TRT Grant

14. COUNCIL BUSINESS:

- Water Updates – **Burdette Weston**
- Roads & Streets Updates – **Kirsten Gash**
- Park & Recreation Updates - **Denise Johnson**
- Rodeo & Arena Updates - **Kris Hodges**

15. MAYOR'S REPORT:

- Bear Lake Regional Commission Report
- Town Updates

16. EXECUTIVE SESSION (if needed)

17. ADJOURN

*NOTE: The Town Council may vote to go into an executive session pursuant to the Utah Code 52-4-205
On Monday August 31, 2026, at 4:00 PM a copy of the foregoing notice was posted on the Utah Public Notice website at <http://pmn.utah.gov>
and on the Laketown website at www.laketownutah.com. A copy was posted in conspicuous view inside and outside the Laketown Town Office
in Laketown, Utah, and inside of the Laketown post office and at Dee's Service Station. DATED THIS 31st Day of August 2026 in compliance with
the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during
this public hearing should notify the Laketown Town Office at (435) 946-9000, 10 North 200 East, Laketown, Utah, at least three working days
prior to the public hearing. The office hours are Monday and Wednesday 9:00 a.m. to 2:00 p.m. Individuals with speech and/or hearing
impairments may call the Relay Utah by dialing 711. Spanish Relay Utah 1-888-346-3162.
/S/Lisa Johnson, Laketown City Clerk*

Town of Laketown
PO Box 118
Laketown, Utah 84038
(435) 946.9000
clerk@laketown.utah.gov



Mayor Brandon Willis
Town Council Members:
Burdette Weston
Denise Johnson
Kris Hodges
Kirsten Gash

**Laketown Town Council
Public Hearing and Council Meeting Minutes
August 12, 2026
Laketown City Office
10 North 200 East Laketown, Utah**

1. CALL TO ORDER

The Laketown Town Council held their regularly scheduled meeting on Wednesday, August 12, 2026. This meeting was held at the Laketown City Office Building, located at 10 North 200 East, Laketown, Utah. Mayor Brandon Willis welcomed those in attendance and called the meeting to order at 6:00 PM.

Town Council Present:

Mayor Brandon Willis
Council Member Burdette Weston
Council Member Kris Hodges
Council Member Kirsten Gash
Council Member Denise Johnson

OTHERS PRESENT:

Nellie Brown	Duane Robinson	Laura (UGRC) via zoom
Delora Wight	Shelton Taylor	DW2 via zoom
Darrin Wight	Dennis Hodges	Scott Archibald via zoom
Steve Myers	Jason Myers	

2. OPENING CEREMONY

CM Weston conducted the opening ceremony, and CM Gash led the pledge of allegiance

3. ROLL CALL

Mayor Willis asked for a roll call of the council present:
Brandon Willis
Burdette Weston
Kirsten Gash
Denise Johnson
Kris Hodges
Lisa Johnson

4. APPROVAL OF AGENDA

Mayor Willis asked for motion. CM Weston made the motion to approve the agenda. Motion was seconded by CM Johnson. The motion carried unanimously.



5. **PUBLIC HEARING** The purpose of this hearing is to receive public comment regarding a proposed amendment to the Laketown Town Land use Ordinance that would allow the creation of ½ acre residential lots in designated areas outside the tradition town core.

TIME: 6:05 PM Mayor Willis opened the public hearing

The following residents commented:

Duane Robinson, Laketown Utah: member of the community for the last 24 years

Presented information on lot sizes and the costs associated with septic systems and drain fields on small lots. Would like to preserve the small-town rural atmosphere. We are a recreational community, and visitors bring large recreational vehicles, and we need to be aware of where these vehicles will be parked.

Delora Wight, Laketown, Utah: agrees with Duane and his comments, people will take care of an acre lot as well as they would a ½ acre lot. What's the purpose behind driving this change? Quote she heard "Don't sell the soul of Laketown to support tourism."

Darrin Wight, Laketown, Utah: Sees the purpose of ½ acre lots for increased revenue for the town with water hook ups and taxes. People love the room if we start crowding in, we will lose the charm of the town. Would like to leave the bigger lots.

Dennis Hodges, Laketown, Utah: Town of Laketown needs continued growth to remain stainable. ½ acre lots are a good thing, doesn't feel like a lot of ½ acre lots will be developed,

Steve Myers, Laketown, Utah: not opposed to the proposed ½ acre lots that P&Z will propose, believes that the towns setbacks and building guidelines will control the size of houses.

TIME: 6:26 PM Mayor Willis closed the public hearing

Mayor Willis asked for a roll call

Brandon Willis

Burdette Weston

Kirsten Gash

Denise Johnosn

Kris Hodges

Lisa Johnson

6. **APPROVAL OF THE MINUTES**

Mayor Willis asked for a motion. CM Weston made the motion to approve the minutes of July 1, 2026. Motion was seconded by CM Hodges. Motion passed unanimously.

7. **BUDGET REVIEW**

CM Weston commented he would like to add to next year's budget for the rodeo, compensation for use of Ben's sheep.

Lisa reviewed expenses over July, county reimbursed the town the \$6000 for the July 2nd celebration, and did not receive all the rodeo expenses

No additional comments



8. APPROVAL OF BILLS

July bills and payments were passed around for the Council's review and initials. Mayor Willis asked for a motion. CM Gash made a motion to approve the July bills. Motion was seconded by CM Johnson. The motion passed unanimously.

9. CURRENT TOWN ISSUES/UPDATES – Town Council

No Comments

10. ACTIVITY COMMITTEE REPORT – HEIDI HODGES

Heidi was unable to attend meeting. Mayor gave a shout out to the Activity Committee, they made approximately \$27,000 in sales at the rodeo concessions, had lots of good comments on the food that night. Mayor has received lots of positive comments about the end of summer movie night. Heidi has done an amazing job. No update on the next activity committee event.

11. UPDATES FROM CLERK'S OFFICE (Lisa)

Printer is obsolete; therefore, Les Olsen will no longer be able to get parts for our current printer, possible replacement options were presented. It was decided to continue using old printer until it no longer can be repaired and possible budget for an updated printer next year.

Gary Tuescher is lined up to begin Audit of books for Wednesday

We have a Utah Retirement Systems audit, and need information on appointed and elected officials

Water late notice will go out August 17, 2026, Monday

Insurance has been paid, Cemetery and Fire Districts have been invoiced for their shares

UMCA conference end of September in Ogden, applied for scholarship to cover tuition fee.

Banners at the school gyms to support the Athletics department. Mayor Willis asked for a motion.

CM Weston made a motion to approve of paying for the town banners at the school gyms to come from the rodeo fund. Motion seconded by CM Hodges. Motion passed unanimously.

Use of the credit card payment option over the past few months: 3 building permits, 11 mutton busters, and 13 water bills. This payment option is being utilized.

Present information on ULCT legislative board. Representation from Laketown, If anyone wanted to be on the board and attend the next meeting.

Call from representative of QbarS wanting to sale products in a pop-up tent by Steve's Performance on the Highway. Council agreed the transient business license needs to be updated. Item for next month. But currently QbarS would need to follow the current ordinance outlining transient businesses.

TIME: 6:53 PM



The Town Council will not begin discussion on the
following agenda items before 6:30 PM

12. QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

No Comments

13. PLANNING & ZONING COMMISSION REPORT- Duane Robinson

Boundary Line Adjustment for Kelvin Pugmire's house property, house was not actually built on the Pugmire property,

Mayor Willis asked for a motion. CM Johnson made a motion to approve the boundary adjustment for Kelvin Pugmire. Motion seconded by CM Gash. Motion passed unanimously.

Duane asked the question why do we charge for the boundary line adjustment?

Building Permit for Jared & Dana Wahlstrom. Discussion on set back of garage from main house and town code.

Mayor Willis asked for a motion. CM Weston made a motion to approve the Wahlstrom building permit. Motion seconded by CM Gash. Motion passed unanimously.

P&Z is working on the recommendation of lot sizes within the city limits. Discussion on zoning map and possible lot size changes, considering Bear River Health department recommendations and location to Big Creek.

P&Z is working on recommendation of changing the size of a corner lot. Would like to add category for corner lot to Table in ordinance 10.6A.4. Duane will bring back a formal written recommendation from P&Z on these proposed changes.

14. ITEMS OF BUSINESS

- a. **(7:00 PM)** Emma Nielson Utah Geospatial Resource Center (UGRC) – creating an interactive zoning maps for Laketown

Laura represented Emma who had a family emergency. Laura appeared via zoom; she presented an interactive zoning map for the town. Discussion on potential layers such as wetlands, slope maps, state WUI maps, flood hazard, parcel numbers and landmarks

- b. **(7:30 PM)** Scott Archibald – Sunrise Engineering – Discussion on 2nd source water protection

TIME: 7:55 PM

The council was guided through the anticipated process and required steps for developing a second water source, contingent upon funding approval. 1) Coordinate with the Division of Drinking Water on applicable requirements and regulations 2) Complete a Preliminary Evaluation Report PER, using a hypothetical flow rate to evaluate potential contamination zones and anticipated flows. The PER would then be submitted for approval 3) Coordinate with the Division of Water Rights regarding the necessary water rights and permitting 4) obtain a start card for drilling contractor 5) Complete the well design 6) Bid the well construction project 7) select a drilling contractor 8) Drill the well 9) Conduct a pumping and step test to evaluate the well 10) determine capacity of well 11) Conduct a 24 hour pump test to verify that the well can sustain the required production 12) Verify the capacity of the well 13) Complete water quality testing 14) Cap the well and complete the drilling



contractors scope of work 15) bid for well house construction project 16) Construct well house 17) Install the pump and connect the well to the existing tank.

It was noted that the project will involve two primary phases of work: well development and construction of the well house and associated infrastructure.

Following funding approval, the estimated timeframe to complete the project from start to finish is approximately 12-15 months

The Council discussed work that could potentially be completed prior to funding approval to prepare for the project. This could include completing the Preliminary Evaluation Report, beginning the necessary water-rights work, and developing design plans. It may also be possible to bid the project contingent upon funding approval.

Discussion on the 4 protective zones.

Discussion on two potential well sites that have been identified 1) near the cemetery and 2) up the canyon.

The Council also discussed the Town's existing water rights and the need to determine which water rights would need to be transferred or assigned to the proposed well.

TIME: 8:21 PM

c. 2027 TRT Grant

Council discussed potential projects to submit for the TRT Grant money

1. Replace the old wood bleachers
2. Sports Court / Pickle ball courts at the park
3. Splash Pad at the park

CM Hodges will work on preparing the bids and TRT grant application

d. Discussion and possible approval of Centra Com Fiber to the office and Park

Centra com offered internet to the park at no cost and Fiber Internet to the town for \$150/month for 100 MB for a 36-month term

Mayor Willis asked for a motion. CM Weston made a motion to approve the installation of fiber at the town office and town park. Motion was seconded by CM Johnson.

e. Discussion on lot sizes

Discussion on lot sizes was moved to next month pending on Planning and Zoning recommendations

f. Discussion and possible approval of Ordinance 2026-04 Amending the Consolidated Fee Schedule to include a fee in lieu of dedication of required water shares and/or water rights

Mayor Willis is still working with the attorney on the appropriate wording for this ordinance. Add this discussion to next month's agenda.

g. Discussion and possible adoption of ordinance establishing delegation of spending and purchasing approval authority to town council members.

Discussion on this topic will be moved to next month's agenda or a work session

15. COUNCIL BUSINESS

a. Water Updates – Burdette Weston

Dan has submitted the monthly water report



Invoice from Valley Implement and Stringham Construction is for repair of the water line to the rodeo from damage that occurred from Centra Com and the placement of the fiber line. Send an invoice to Centra com to cover these invoices

Winterize the rodeo arena in September

CM Hodges will contact Dan to winterize the water fountain

b. Roads & Streets Updates – Kirsten Gash

Road signs and poles have arrived. Poles are at Gomez's but need to be moved to behind the county road shed. Kirsten is unsure of where to place the poles.

Discussion on placement of signs and locations

c. Park & Recreation Updates – Denise Johnson

A concern was discussed regarding the bathroom door locking when opened. The doorknobs are contacting the wall-mounted door stops, which can cause the doors to lock when an occupant exits the bathroom, leaving the door locked. Denise has asked Austin to install floor-mounted door stops to prevent the doors locking unintentionally.

Discussion on purchasing LED colored lights for the pavilion.

CM Weston made a motion to approve the purchase of the new color-changing LED lights for the pavilion. The motion was seconded by CM Gash. Motion passed unanimously.

d. Rodeo & Arena Updates – Kris Hodges

Mayor thanked everyone who helped with the Rodeo.

Report on the rodeo:

Friday night; Need more help at the gate next year, broken wood bleacher, did not like the wrist bands that were ordered for the reserved section, mix up on seats with Simple tix

Saturday night: needed more side-by-side drivers, kids jumped into arena for chicken chase as a bucking horse was being released ... near disaster was avoided. Issues with bull fighters being inconsiderate to the ticket takers, Sim handled the issue.

Queen presentation went well

Concession Stand: 1) Wiring issues by next year an electrician may need to rewire the stand Dee's services station fridge was used at concession stand, 2) Door lock broke – Jolley's replaced the lock, 3) all appliances have been turned off and has been cleaned and 4) need new light at door

Next year we need to order some event parking signs, handicap signs, banners or metal signs

Need a new sign at the arena – use at your own risk.

Lisa will contact Trey Walker about pictures he took at the rodeo, he told Kris he would share with the town.

Simple Tix switched the rows for sections 4 and 5, so there was some confusion on these seats over the nights of the rodeo, need to be fixed before next year

Great Attendance this year, lots of positive comments on the reserved section

Possibly having a few mutton buster spots for the local contestants, next year.

Confusion when gates open and rodeo start time. Need to advertise better and check Garden City/Raspberry Days sites for correct information



CM Weston reported that the Queen, attendants and Princess did an awesome job and were very appreciative. Council commented on what a great job Racheal Wamsley has done with the queen contest over the past several years. They hope she will continue.

Rodeo Thank you dinner looking at Café Sabor Mid-September, Mayor Willis arrange this dinner

NOTE: the backup recorder turned off, the last 5 minutes of the meeting were not recorded on the back up recorder. The entire meeting audio and video recording is on the Zoom recording.

16. MAYOR'S REPORT

- **Bear Lake Regional Commission**

Discussed regional report, Income from Utah and Idaho. Discussion on South Eden Estate hooking into sewer system

- **Other**

Tyler Hunter is working on vacating property along Main Street. Attorney wants the survey to show current right of ways and they will be preserved. Ordinance will need to be drafted.

17. EXECUTIVE SESSION

No Session needed

18. ADJOURN

Mayor Willis asked for a motion. CM Hodges made a motion to adjourn. Motion was seconded by CM Johnson. Motion carried unanimously. The meeting adjourned at 10:00 PM

Laketown
Operational Budget Report
10 General Fund - 08/01/2026 to 08/31/2026
16.67% of the fiscal year has expired

	Prior YTD	Current Month	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Taxes					
3110 General property taxes - current	277.61	96.67	96.67	26,000.00	0.37%
3120 General property taxes - prior year redemption	0.00	0.00	0.00	400.00	0.00%
3130 General sales taxes	10,157.54	0.00	0.00	72,000.00	0.00%
3170 Fee in lieu of personal property tax	254.09	213.66	213.66	1,500.00	14.24%
3190 Penalties and interest on taxes	3.36	2.58	2.58	50.00	5.16%
Total Taxes	10,692.60	312.91	312.91	99,950.00	0.31%
Licenses and permits					
3210 Business licenses	0.00	0.00	0.00	1,000.00	0.00%
3221 Road Maintenance Fees	0.00	0.00	0.00	7,500.00	0.00%
3222 Special permits	0.00	0.00	0.00	100.00	0.00%
3223 Subdivision fees	0.00	0.00	0.00	400.00	0.00%
3224 Parks and recreation fees	0.00	0.00	0.00	150.00	0.00%
Total Licenses and permits	0.00	0.00	0.00	9,150.00	0.00%
Intergovernmental revenue					
3332 TRT Income	0.00	0.00	0.00	66,000.00	0.00%
3356 Class C road allotment	0.00	0.00	0.00	29,060.00	0.00%
Total Intergovernmental revenue	0.00	0.00	0.00	95,060.00	0.00%
Interest					
3610 Interest earnings	1,098.23	0.00	0.00	10,000.00	0.00%
Total Interest	1,098.23	0.00	0.00	10,000.00	0.00%
Miscellaneous revenue					
3432 Activity Committee Event Revenue	7,672.00	28,473.98	28,473.98	30,000.00	94.91%
3690 Miscellaneous revenue	490.44	0.00	0.00	1,500.00	0.00%
4527 Activity Committee Playground Equipment Donations	96.80	0.00	0.00	0.00	0.00%
4531 Activity Committee Donations	0.00	0.00	0.00	1,500.00	0.00%
Total Miscellaneous revenue	8,259.24	28,473.98	28,473.98	33,000.00	86.28%
Contributions and transfers					
3990 Fund balance appropriated	0.00	0.00	0.00	79,100.00	0.00%
Total Contributions and transfers	0.00	0.00	0.00	79,100.00	0.00%
Building Inspections					
3700 Building Inspection - Permit Deposits	0.00	0.00	0.00	6,000.00	0.00%
3701 Building Inspection - Permit Fee	0.00	0.00	0.00	20,000.00	0.00%
3702 Building Inspection - Renewal Fee	0.00	0.00	0.00	500.00	0.00%
3703 Building Inspection - Plan Review Fee	0.00	0.00	0.00	500.00	0.00%
3704 Building Inspection - State Fee	0.00	0.00	0.00	200.00	0.00%
Total Building Inspections	0.00	0.00	0.00	27,200.00	0.00%
Total Revenue:	20,050.07	28,786.89	28,786.89	353,460.00	8.14%
Expenditures:					
Administrative					
4111 Admin Salaries and wages	1,603.38	941.79	941.79	30,000.00	3.14%
4112 Admin Council expenses	0.00	0.00	0.00	6,500.00	0.00%
4113 Admin Employee benefits	296.20	169.04	169.04	9,000.00	1.88%
4121 Admin Dues and memberships	0.00	0.00	0.00	1,000.00	0.00%
4123 Admin Travel and training	0.00	303.00	303.00	2,000.00	15.15%
4124 Admin Office expense and supplies	308.96	42.31	42.31	6,000.00	0.71%
4127 Admin Office cleaning	250.00	250.00	250.00	3,000.00	8.33%
4128 Admin Utilities	64.29	136.10	136.10	3,000.00	4.54%
4129 Activity Committee Event (& Donations) Expenses	6,996.33	7,681.17	7,681.17	35,000.00	21.95%
4130 Activity Committee Budgeted Expenses	146.28	113.20	113.20	3,000.00	3.77%
4131 Admin Attorney fees	0.00	0.00	0.00	5,000.00	0.00%
4132 Admin Accounting and auditing	0.00	0.00	0.00	15,000.00	0.00%
4133 Admin Engineering	0.00	0.00	0.00	12,000.00	0.00%
4134 Admin Codification	1,505.00	0.00	0.00	8,000.00	0.00%
4135 Admin Information technology	1,585.00	1,786.99	1,786.99	8,000.00	22.34%
4136 Admin Planning and zoning expenses	0.00	0.00	0.00	1,600.00	0.00%
4151 Admin Insurance	(6,523.23)	0.00	0.00	8,000.00	0.00%
4161 Admin Miscellaneous expense	990.44	134.27	134.27	13,760.00	0.98%
4163 Admin Elections	0.00	0.00	0.00	1,500.00	0.00%
Total Administrative	7,222.65	11,557.87	11,557.87	171,360.00	6.74%
Sanitation					

Laketown
Operational Budget Report
10 General Fund - 08/01/2026 to 08/31/2026
16.67% of the fiscal year has expired

	Prior YTD	Current Month	Current YTD	Annual Budget	Percent Used
4344 Mosquito fogging expense	0.00	0.00	0.00	400.00	0.00%
4345 Sanitation	450.00	325.00	325.00	3,800.00	8.55%
Total Sanitation	450.00	325.00	325.00	4,200.00	7.74%
Roads and streets					
4425 Streets Equipment supplies and maintenance	0.00	0.00	0.00	4,500.00	0.00%
4428 Streets Utilities/Lights	0.00	596.12	596.12	4,500.00	13.25%
4446 Streets Snow removal	0.00	0.00	0.00	13,000.00	0.00%
4474 Streets Capital outlay	7,605.00	0.00	0.00	10,000.00	0.00%
Total Roads and streets	7,605.00	596.12	596.12	32,000.00	1.86%
Parks					
4521 Parks League Admin	750.00	0.00	0.00	1,000.00	0.00%
4524 Parks Supplies	251.75	9.39	9.39	700.00	1.34%
4525 Parks Equipment maintenance	253.70	126.68	126.68	1,500.00	8.45%
4526 Parks Maintenance	0.00	0.00	0.00	2,200.00	0.00%
4528 Parks Utilities	0.00	17.62	17.62	1,000.00	1.76%
4530 Parks Restroom Improvement	0.00	72,526.00	72,526.00	75,000.00	96.70%
4574 Parks Capital outlay	0.00	0.00	0.00	3,000.00	0.00%
Total Parks	1,255.45	72,679.69	72,679.69	84,400.00	86.11%
Transfers					
4831 Transfers out to Water Fund (payroll)	0.00	0.00	0.00	30,000.00	0.00%
Total Transfers	0.00	0.00	0.00	30,000.00	0.00%
Building Inspections					
4500 Building Inspection - Inspector Fees	0.00	1,620.00	1,620.00	20,000.00	8.10%
4501 Building Inspection - Office Supplies & Misc	0.00	0.00	0.00	1,000.00	0.00%
4502 Building Inspection - Refund Deposit	0.00	500.00	500.00	10,000.00	5.00%
4503 Building Inspection - State Fee	0.00	0.00	0.00	500.00	0.00%
Total Building Inspections	0.00	2,120.00	2,120.00	31,500.00	6.73%
Total Expenditures:	16,533.10	87,278.68	87,278.68	353,460.00	24.69%
Total Change In Net Position	3,516.97	(58,491.79)	(58,491.79)	0.00	0.00%

Laketown
Operational Budget Report
21 Rodeo Fund - 08/01/2026 to 08/31/2026
16.67% of the fiscal year has expired

	Prior YTD	Current Month	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Charges for services					
3470 Gate sales	27,916.46	2,500.00	2,500.00	25,000.00	10.00%
3471 Pre sale tickets	25,853.84	49,405.59	49,405.59	35,000.00	141.16%
3472 Rodeo banner fees	500.00	0.00	0.00	3,000.00	0.00%
3473 Rodeo chute sponsor fees	0.00	0.00	0.00	3,000.00	0.00%
3476 Mutton Bustin'	60.00	390.00	390.00	700.00	55.71%
Total Charges for services	54,330.30	52,295.59	52,295.59	66,700.00	78.40%
Interest					
3610.1 Interest earnings	576.59	0.00	0.00	3,000.00	0.00%
Total Interest	576.59	0.00	0.00	3,000.00	0.00%
Miscellaneous revenue					
3690 Miscellaneous revenue	21,145.60	580.00	580.00	400.00	145.00%
3692 Rodeo Arena Rental Fees	0.00	0.00	0.00	250.00	0.00%
Total Miscellaneous revenue	21,145.60	580.00	580.00	650.00	89.23%
Contributions and transfers					
3990 Fund balance appropriated	0.00	0.00	0.00	20,600.00	0.00%
Total Contributions and transfers	0.00	0.00	0.00	20,600.00	0.00%
Total Revenue:	76,052.49	52,875.59	52,875.59	90,950.00	58.14%
Expenditures:					
Administrative					
4124 Rodeo Office expense and supplies	940.32	1,731.05	1,731.05	2,000.00	86.55%
Total Administrative	940.32	1,731.05	1,731.05	2,000.00	86.55%
Rodeo					
4525.1 Rodeo Equipment supplies and maintenance	15,668.00	436.50	436.50	35,000.00	1.25%
4526 Rodeo Arena maintenance	0.00	0.00	0.00	1,400.00	0.00%
4528.1 Rodeo Utilities	0.00	91.33	91.33	2,000.00	4.57%
4541.1 Rodeo Cash for Gate Sales	0.00	0.00	0.00	500.00	0.00%
4542 Rodeo Queen contest expense	0.00	0.00	0.00	4,000.00	0.00%
4542.1 Rodeo Arena Chase Contests	1,320.00	1,050.00	1,050.00	1,350.00	77.78%
4543 Rodeo Porta Potties	2,152.00	0.00	0.00	8,000.00	0.00%
4544 Rodeo Dinner	0.00	0.00	0.00	2,000.00	0.00%
4546 Rodeo Contractor	21,400.00	22,000.00	22,000.00	25,000.00	88.00%
4547 Rodeo Clowns	1,900.00	1,950.00	1,950.00	2,000.00	97.50%
4548 Rodeo Mini Bulls	1,800.00	1,950.00	1,950.00	2,500.00	78.00%
4550 Rodeo sales tax	0.00	0.00	0.00	5,000.00	0.00%
4551 Mutton Bustin' Expense	0.00	0.00	0.00	200.00	0.00%
Total Rodeo	44,240.00	27,477.83	27,477.83	88,950.00	30.89%
Total Expenditures:	45,180.32	29,208.88	29,208.88	90,950.00	32.12%
Total Change In Net Position	30,872.17	23,666.71	23,666.71	0.00	0.00%

Laketown
Operational Budget Report
51 Water Fund - 08/01/2026 to 08/31/2026
16.67% of the fiscal year has expired

	Prior YTD	Current Month	Current YTD	Annual Budget	Percent Used
Income or Expense					
Income From Operations:					
Operating income					
5140 Water service	109.57	2,531.86	2,531.86	115,000.00	2.20%
5310 Water Connection fees	0.00	0.00	0.00	15,000.00	0.00%
5320.1 Water Impact Fees - Standard Size	0.00	0.00	0.00	28,500.00	0.00%
5340 Water Transfer fee	150.00	150.00	150.00	300.00	50.00%
5410 Water Late fees	475.00	200.00	200.00	700.00	28.57%
5480 Fee In Lieu of Water Right	0.00	0.00	0.00	6,400.00	0.00%
5490 Water other operating income	0.00	0.00	0.00	700.00	0.00%
Total Operating income	734.57	2,881.86	2,881.86	166,600.00	1.73%
Operating expense					
6110 Water Salaries and wages	1,603.36	941.78	941.78	25,000.00	3.77%
6130 Water Employee benefits	296.12	168.99	168.99	1,700.00	9.94%
6210 Water Dues and memberships	0.00	0.00	0.00	2,000.00	0.00%
6230 Water Travel and training	0.00	0.00	0.00	4,000.00	0.00%
6240 Water Office expenses and supplies	0.00	0.00	0.00	2,900.00	0.00%
6281 Water Utilities	0.00	325.92	325.92	7,800.00	4.18%
6313 Water Professional fees	0.00	0.00	0.00	15,000.00	0.00%
6420 Water Samples	0.00	0.00	0.00	1,500.00	0.00%
6450 Water System equipment and maintenance	1,861.74	2,440.77	2,440.77	40,000.00	6.10%
6610 Water Miscellaneous expense	0.00	0.00	0.00	9,000.00	0.00%
6615 Prepaid Water Hookup Refund	0.00	0.00	0.00	3,000.00	0.00%
6690 Water Depreciation expense	0.00	0.00	0.00	66,000.00	0.00%
Total Operating expense	3,761.22	3,877.46	3,877.46	177,900.00	2.18%
Total Income From Operations:	(3,026.65)	(995.60)	(995.60)	(11,300.00)	8.81%
Non-Operating Items:					
Non-operating income					
5210 Transfers in from the General Fund (payroll)	0.00	0.00	0.00	30,000.00	0.00%
5211 Fund Balance Appropriated	0.00	0.00	0.00	24,300.00	0.00%
5610 Water Interest income	1,024.45	0.00	0.00	8,000.00	0.00%
Total Non-operating income	1,024.45	0.00	0.00	62,300.00	0.00%
Non-operating expense					
6810 Water Principal expense	0.00	0.00	0.00	35,000.00	0.00%
6820 Water Interest expense	0.00	0.00	0.00	16,000.00	0.00%
Total Non-operating expense	0.00	0.00	0.00	51,000.00	0.00%
Total Non-Operating Items:	1,024.45	0.00	0.00	11,300.00	0.00%
Oldham Engineering					
3225 Oldham Subdivision Engineering	0.00	0.00	0.00	12,000.00	0.00%
4475 Oldham Subdivision Engineer Fees	0.00	0.00	0.00	12,000.00	0.00%
Total Oldham Engineering	0.00	0.00	0.00	0.00	0.00%
Total Income or Expense	(2,002.20)	(995.60)	(995.60)	0.00	0.00%

Corner Lot sizes

11.10.3 Lots

G. Corner lots shall be provided in a sufficiently larger size than the minimum lot size required by the zoning district in which they are located to provide for the same quality and size of the building area as interior lots to accommodate the increased setbacks and yard requirements that apply to corner lots.

Revision:

G. Corner lots shall be a minimum of .667 acres to provide for the same quality and size of the building area as interior lots to accommodate the increased setbacks and yard requirements that apply to corner lots.

Laketown Zoning & Roads Map



Laketown, Utah

RESOLUTION 2026-04

**A RESOLUTION OF THE TOWN COUNCIL OF LAKETOWN, UTAH
DETERMINING THE INELIGIBILITY OF ELECTED AND APPOINTED
OFFICIALS FOR RETIREMENT BENEFITS UNDER TIER 2 OF THE
UTAH RETIREMENT SYSTEM**

WHEREAS, the Town participates in the Utah Retirement System ("URS") to provide retirement benefits for its eligible employees; and

WHEREAS, the Town Council wishes to clarify the URS retirement benefit eligibility status for individuals serving the Town in part-time elected or appointed positions.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Laketown, Utah, as follows:

1. **Declaration Of Ineligibility.** The Town's elected and appointed officials, serving in a part-time capacity are ineligible for Utah Retirement Benefits under Tier 2 of URS.
2. **Transmission To URS.** The Town Clerk is hereby authorized and directed to transmit a copy of this Resolution to URS for its records.
3. **Severability.** If any section, clause, or provision of this resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.
4. **Effective Date.** This Resolution shall become effective upon passage.

PASSED AND ADOPTED by Laketown Town Council, this **2nd** day of September, 2026.

BRANDON WILLIS, Mayor
Laketown Town

Attest:

Lisa Johnson, Clerk
Laketown Town

Town Council Vote As Recorded:

	AYE	NAY	ABSTAIN	ABSENT
Kirsten Gash	_____	_____	_____	_____
Burdette Weston	_____	_____	_____	_____
Kris Hodges	_____	_____	_____	_____
Denise Johnson	_____	_____	_____	_____

TRANSIENT MERCHANTS: WHAT CHANGES

Current Town Code compared to the proposed Chapter 3.2

Transient merchants are governed today by Chapter 3.2 (2001 Code) together with the general business license provisions of Chapter 3.1. The proposal replaces Chapter 3.2 in full. Chapter 3.1 continues to apply to ordinary businesses.

	TODAY	UNDER THE NEW CHAPTER
Who decides	Town Council reviews every application at its next meeting (3.1.5.7). Council holds “sole discretion” over the type, number and services allowed, and may limit transient merchants “for any reason” (3.2.2).	Town Clerk issues. A complete application meeting the requirements shall be approved . Denial only on four listed grounds.
Timing	Applicant waits for the next Council meeting. Operating while the application is pending is a class B misdemeanor (3.1.5.10).	Over the counter at the Clerk's desk.
Term and fee	One year, calendar year only, no proration, non-refundable (3.1.4). A weekend vendor pays the same as a year-round business.	30-day short-term or 150-day seasonal license. Fee tied to the Town's cost of administration.
Insurance	\$2,000,000 minimum liability coverage required (3.2.4).	Prohibited as a condition of a license for operation entirely on private property.
Background check	Clerk may run an NCIC check on the business owner (3.2.4).	Prohibited.
Who is exempt	Nobody is exempt from <i>licensing</i> . Agricultural and nonprofit businesses are exempt from the <i>fee</i> only (3.1.13) and still must hold a license.	Six categories exempt from licensing outright: occasional sales, garage and yard sales, minors, agricultural producers, charitable sales, and occasional home-based businesses.
Food trucks	Not addressed. A food truck would need a full annual Laketown license, \$2M insurance, and possibly an NCIC check.	Governed by Utah Code Title 11, Chapter 56. The Town recognizes a license held in good standing from any other Utah jurisdiction.
Trucks at private events	A truck at a wedding or private party would need a Laketown license.	No Town fee or permit required to operate at a mobile business event on private property.
Enforcement	Double fee plus class B misdemeanor (3.2.5). No cure period.	Notice and a reasonable opportunity to correct before penalties, except for an immediate health or safety threat.
Appeals	Revocation gets a Council hearing. A first-time applicant who is denied “need only be informed” of the denial, with no hearing (3.1.9.5).	Any applicant or licensee may appeal a denial, suspension, or revocation to the Council.
Location and safety	No transient-merchant-specific location rules.	Private property only; nothing in the right-of-way; traffic safety and sight distance; UDOT permit where a state highway access is used; no overnight occupancy; site cleanup.

FOUR THINGS WORTH THE COUNCIL'S ATTENTION

- The discretion clause is the largest legal exposure being removed.** Section 3.2.2 gives the Council “sole discretion” to limit transient merchants “for any reason.” Standardless authority over who may do business is difficult to defend if it is ever challenged, and the risk rises if a vendor sells books, art, or political material. The replacement keeps Town control but exercises it through written standards rather than case-by-case judgment.
- The current chapter appears to conflict with state law in at least two places.** Utah Code § 10-1-203 bars a municipality from requiring a license for an occasional business operated by an individual under 18, and for occasional home-based businesses. Chapter 3.2 contains no such exemption. Separately, its silence on mobile businesses leaves the Clerk applying an annual license, an insurance minimum, and a possible background check that Utah Code Title 11, Chapter 56 does not permit for a food truck licensed elsewhere in the state.

3. **The present definition reaches further than anyone intends.** A “transient merchant” is any person who exhibits merchandise for sale from a tent, trailer, roadside stand, or parked vehicle. There is no limit to persons regularly engaged in selling. Read literally, a church bake sale table, a yard sale, and a child's roadside stand each require a license, a state tax number, and \$2 million in liability coverage. The Town does not enforce it that way, but the text says what it says.
4. **The proposal needs one conflicts provision before adoption.** New Chapter 3.2 has the Clerk issuing licenses, while § 3.1.5(7) still routes every application to the Council and § 3.1.4 still imposes a non-refundable calendar-year term. Without a sentence stating that Chapter 3.2 controls where the two conflict, the code will contradict itself. Recommended: *“Where this Chapter conflicts with Chapter 3.1, this Chapter controls.”*

Prepared for Council discussion. Statutory citations should be verified against current text before adoption.

3.2 TRANSIENT MERCHANTS

3.2.1 Purpose and Definitions

The purpose of this Chapter is to allow temporary commercial sales within the Town while protecting private property rights, traffic safety, and the public health and welfare. This Chapter shall be construed to permit temporary sales with the least regulation consistent with those purposes.

Transient Merchant. A person or business that is regularly engaged in selling goods or services and temporarily conducts such business within the Town from a tent, trailer, stand, parked vehicle, temporary structure, or other nonpermanent location.

Occasional Sale. A sale conducted by an individual who is not regularly engaged in the business of selling the goods or services offered, provided the sale does not exceed three (3) consecutive days at a time **and** twelve (12) total days during a calendar year.

Mobile Business. A business meeting the definition of a mobile business under Utah Code Title 11, Chapter 56, the Mobile Business Licensing and Regulation Act.

Seasonal Merchant. A Transient Merchant holding a seasonal license under Section 3.2.5.

3.2.2 Sales Not Requiring a Transient Merchant License

A transient merchant license is not required for:

1. **Occasional Sales.** An occasional sale as defined in this Chapter, including the occasional sale of surplus garden produce, handmade items, or similar goods.
2. **Garage and Yard Sales.** The occasional sale of personal or household property.
3. **Minors.** A business operated only occasionally by an individual under nineteen (19) years of age.
4. **Agricultural Producers.** The direct sale by a producer of raw or unprocessed agricultural products grown, raised, or produced by that seller, including fruits, vegetables, eggs, hay, plants, cut flowers, and live animals. This exemption does not include the commercial sale of processed or packaged meat or prepared food, except to the extent a license or permit is not required under Utah Code Title 4, Chapter 5.
5. **Charitable and Community Sales.** Occasional fundraising sales conducted by schools, churches, charitable organizations, or community organizations.
6. **Occasional Home-Based Businesses.** A business operated only occasionally from a residence, to the extent a license or fee is prohibited by Utah Code § 10-1-203.

An exemption from a Town transient merchant license does not exempt a seller from applicable state or county health, food-safety, tax, or other legal requirements.

3.2.3 Mobile Businesses Governed by State Law

A Mobile Business is governed by Utah Code Title 11, Chapter 56, and is subject to this Chapter only to the extent that chapter permits. In particular:

1. The Town shall not require a Mobile Business that holds a current business license in good standing from another political subdivision in the state to obtain a Town business license.
2. Any license fee charged to a Mobile Business shall not exceed the Town's actual cost of processing the license.
3. The Town shall not require a criminal background check of a Mobile Business, its operators, or its employees.
4. The Town shall not restrict the total number of days a Mobile Business may operate in the Town during a calendar year, and the duration limits in Section 3.2.5 do not apply to a Mobile Business. Where a Mobile Business operates on private property with the owner's consent, the Town shall not limit the number of days it may operate on that property.
5. The Town shall not require a Mobile Business to pay a fee or obtain a Town permit to operate at a mobile business event on private property within the Town, whether or not the event is open to the public.
6. The Town shall not require a Mobile Business to provide the dates, times, or duration of its operation, to provide or keep on file the property owner's written consent, to demonstrate compliance with a land use or zoning ordinance as a condition of license issuance, or to obtain a land use permit for each location at which it operates. Sections 3.2.6 and 3.2.7 apply to a Mobile Business only to the extent consistent with Utah Code Title 11, Chapter 56.
7. A Mobile Business remains subject to any applicable local health department permit and fire safety inspection requirement.

3.2.4 Transient Merchant License Required

A Transient Merchant who is not exempt under Section 3.2.2 and is not a Mobile Business under Section 3.2.3 shall obtain a transient merchant business license from the Town before beginning business.

The Town Clerk may approve and issue a transient merchant license without approval of the Town Council when the application complies with this Chapter.

A complete application meeting the requirements of this Chapter shall be approved.

The license fee shall be established in the Laketown Consolidated Fee Schedule and shall be reasonably related to the Town's cost of administering and regulating the license.

3.2.5 License Duration; Short-Term and Seasonal Licenses

1. **Short-Term License.** Authorizes up to thirty (30) calendar days of operation at the same location during a twelve-month period.
2. **Seasonal License.** Authorizes up to one hundred fifty (150) calendar days of operation at the same location during a calendar year. A seasonal license is issued by the Town Clerk under the same standard as a short-term license, and additionally requires:
 - (a) a simple sketch, photograph, or aerial image showing the proposed location and customer parking;
 - (b) identification of the restroom facilities available to employees and customers; and
 - (c) evidence of any access permit required under Section 3.2.7(5).
3. **Longer Operations.** A business intending to operate at the same location for more than one hundred fifty (150) days in a calendar year shall obtain the business license and land-use approvals otherwise applicable to an ongoing business.
4. A complete application for either license type that meets the requirements of this Chapter shall be approved.

3.2.6 Application

An applicant shall provide the Town Clerk with:

1. The applicant's name and contact information and, if applicable, the name of the business;
2. A brief description of the goods or services to be sold;
3. The private property address where the business will operate;
4. The proposed dates of operation and whether a short-term or seasonal license is requested;
5. Written permission from the property owner, which need not be notarized;
6. A Utah sales tax number, if required by state law; and
7. Proof of any state, county, health, agriculture, or food permit required by law for the proposed activity.

The Town Clerk may request a simple sketch, photograph, or aerial image showing the proposed location of a trailer, stand, tent, or similar setup when necessary to determine compliance with this Chapter.

No criminal background check, bond, or liability insurance shall be required solely because an applicant is a transient merchant operating entirely on private property.

3.2.7 Location and Operating Requirements

1. **Private Property Only.** All transient merchant operations shall be conducted entirely on private property with the permission of the property owner.
2. **No Town Property or Right-of-Way.** No stand, tent, trailer, sales vehicle, merchandise, sign associated with the temporary business, or other portion of the sales operation may be located on Town-owned property or within a public right-of-way.
3. **Zoning.** A transient merchant requiring a license under this Chapter may operate only on private property in a zoning district where the proposed commercial activity is permitted.
4. **Traffic Safety.** The operation shall maintain safe access and shall not materially obstruct traffic, interfere with required sight distance, or create an unreasonable traffic or pedestrian hazard. Customer parking and any queuing shall be accommodated entirely on the private property.
5. **State Highway Access.** Where the operation is served by an access point onto a state highway, the merchant shall obtain or demonstrate the validity of any access permit required by the Utah Department of Transportation for the proposed use of that access.
6. **No Residential Occupancy.** A transient merchant license does not authorize overnight lodging or residential occupancy of a trailer, vehicle, tent, or temporary structure.
7. **Site Condition.** The merchant shall keep the site free of accumulated refuse and shall remove all equipment, materials, and waste at the close of the licensed period.
8. **Temporary Nature.** No permanent structure may be constructed pursuant to a transient merchant license.
9. **Signs.** Signs shall comply with otherwise applicable Town requirements and shall not be placed within a public right-of-way.

10. **Other Laws.** The merchant shall comply with all applicable state, county, and Town laws, including applicable food, health, fire, sales-tax, and zoning requirements.

3.2.8 Denial, Suspension, or Revocation

The Town Clerk may deny an application only if:

1. The application is incomplete or materially false;
2. The proposed location or activity is not permitted under this Chapter or applicable zoning regulations;
3. A permit or license required by state or county law has not been obtained; or
4. The proposed operation would create a clear and substantial threat to public health or safety.

A license may be suspended or revoked for violation of this Chapter, material misrepresentation in the application, loss of a required state or county permit, or operation in a manner creating a clear and substantial threat to public health or safety.

Except when an immediate health or safety threat exists, the Town shall provide the licensee notice of the violation and a reasonable opportunity to correct it before suspending or revoking the license.

An applicant or licensee may appeal a denial, suspension, or revocation to the Town Council.

3.2.9 Enforcement

A transient merchant operating without a required license may be directed to cease operations until the required license is obtained.

Except when an immediate threat to public health or safety exists, the Town shall first provide notice of a violation and a reasonable opportunity to correct the violation before pursuing penalties.

Continued or repeated violations of this Chapter shall be subject to the general penalty provisions of the Laketown Town Code.

Draft.

Laketown, Utah**ORDINANCE 2026-07****AN ORDINANCE AMENDING TITLE 3 BUSINESS LICENSE REGULATIONS, CHAPTER 3.2 TRANSIENT MERCHANTS OF THE LAKETOWN CODE; AMENDING AND ESTABLISHING NEW REQUIREMENTS FOR THE LICENSING, OPERATIONS, AND ENFORCEMENT OF TRANSIENT MERCHANTS, ITINERANT MERCHANTS AND VENDORS WITHIN THE TOWN; PROVIDING FOR REPEALER AND SEVERABILITY**

WHEREAS, §10-1-203 of Utah State Code (as amended) authorizes municipalities to license, tax, and regulate legal business within their boundaries; and

WHEREAS, the pursuant to §10-8-29 of Utah Code (as amended) the legislative body finds it necessary to regulate transient merchants, itinerant merchants and vendors and their associated operations to safeguard public health, ensure local consumer protection, maintain zoning compliance, and prevent the degradation of local sales tax revenues, and

WHEREAS, pursuant to §10-8-84 of Utah Code (as amended) the legislative body may pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by this chapter, and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the municipality and its inhabitants, and for the protection of property in the municipality; and;

WHEREAS, §10-20-501 of Utah State Code (as amended) authorizes a legislative body to weigh policy considerations and enact land use regulations; and

WHEREAS, the Planning Commission duly noticed and held a public hearing on **[INSERT DATE]**, 2026, to discuss the proposed land use regulations and made a positive recommendation to the Town Council for the adoption of the proposed amendments to Chapter 3.2 Transient Merchants of the Laketown Code; and

WHEREAS, upon making the necessary reviews in a duly noticed public meeting, the Town Council finds it to be in the best interest of the Town to update the relevant policy statements found in Title 3, Business License Regulations, Chapter 3.2 Transient Merchants of the Laketown Code, and the Laketown Consolidated Fee Schedule.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Laketown, Utah:

SECTION 1: Repealer. If any provisions of the Laketown Code or Laketown Consolidated Fee Schedule previously adopted are inconsistent herewith they are hereby repealed.

SECTION 2: Amendment. Title 3, Business License Regulations, Chapter 3.2 Transient Merchants of the Laketown Code is hereby amended to read as follows in the attached Exhibit 'A'.

SECTION 3: Amendment. The "Business Licensing" section of the Laketown Consolidated Fee Schedule is hereby amended to read as follows in the attached Exhibit 'B'.

PASSED AND ADOPTED by Laketown Town Council, this _____ day of September, 2026.

 BRANDON WILLIS, Mayor
 Laketown Town

Attest:

 Lisa Johnson, Clerk
 Laketown Town

Town Council Vote As Recorded:	AYE	NAY	ABSTAIN	ABSENT
Burdette Weston	_____	_____	_____	_____
Kirsten Gash	_____	_____	_____	_____
Denise Johnson	_____	_____	_____	_____
Kris Hodges	_____	_____	_____	_____

RECORDED this _____.

PUBLISHED OR POSTED this _____.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with §10-3-713 of Utah State Code, as amended, I, the Clerk of Laketown Town, hereby certify that the foregoing Amendment was duly passed and published or posted at:

- 1) Laketown Town Office
- 2) Laketown United States Post Office
- 3) Dee's Super Service
- 4) Laketown Town Website

on the above referenced dates.

 LISA JOHNSON, Clerk
 Laketown Town

3.2 Transient Merchants, **Itinerant Merchants Or Vendors**

3.2.1 Definitions

In addition to the definitions of Section 3.1.1, the following terms used in this chapter shall have the meaning as herein prescribed:

Merchandise: ~~means a~~ Any personal property displayed, held, or offered for sale by a merchant.

Merchant: ~~means a~~ An owner or operator of any retail mercantile establishment where merchandise is displayed, held, or offered for sale and includes the merchant's employees, servants, or agents.

Transient Merchant, Itinerant Merchant Or Vendor: ~~means a~~ Any person who brings into temporary premises and exhibits to the public merchandise or services for the purpose of selling, or offering to sell, such merchandise or services to the public by way of tent, trailer, roadside stand, parked vehicle or other similar enclosure not attached by permanent foundation.

~~National Crime Information Center (NCIC) A criminal records database allowing criminal justice agencies to enter or search for information about stolen property, missing or wanted persons, and domestic violence protection orders; to get criminal histories; and to access the National Sex Offender Registry.~~

HISTORY:

2001 Code

3.2.2 **Business** License Required

~~Transient Merchant must obtain a License: It shall be unlawful for any person or for any agent or employee to engage in business in Laketown as a transient merchant, itinerant merchant or itinerant vendor to engage in such business in the Town without first filing an application with the Town Clerk and obtaining a business license to do so.~~

~~Limitation on Transient Merchants: The Laketown Town Council has sole discretion as to the type of transient merchants, number of transient merchants and type of transient merchant services allowed and can limit transient merchants for any reason.~~ The Town Council, by ordinance, may restrict or prohibit the type and number of transient merchants, itinerant merchants or vendors within the Town as it deems necessary for the general health, safety, or welfare of the Town and its residents.

HISTORY:

2001 Code

3.2.3 Application Required; Fees For License

~~The cost of applying for and obtaining a business license for transient merchants shall be established by the Town Council and set forth in the Laketown Consolidated Fee Schedule.~~

1. **Contents Of Application.** A transient merchant, itinerant merchant or vendor seeking a business license in the Town shall file an application with the Town Clerk with the following information:
 - a. The name of the applicant, and if the applicant is an employee or agent of a corporation, the name of the corporation.
 - b. The address of the applicant, and in the applicant is an agent or employee of a corporation, the address of the corporation.
 - c. The applicant's state tax number, and if the applicant is an agent or employee of a corporation, the state tax number of the corporation.
 - d. If the applicant is employed by, or an agent of, another person, the name and permanent address of such other person(s), and documentation showing that person is authorized to do business within the state.
 - e. A brief description of the nature of the business and the goods to be sold and from whom or where the applicant obtains the goods to be sold.
 - f. The length of time for which the applicant desires to engage in business within the Town.
 - g. The places within the Town where the applicant proposed to carry on their business.
 - h. A signed, dated, and notarized letter of consent from the property owner where the applicant intends to carry on their business granting explicit permission to the applicant to utilize the site for such purposes.
 - i. A list of the other municipalities in which the applicant has engaged in business within the six (6) month period preceding the date of the application.
 - j. A photograph of the applicant, taken within six (6) months immediately prior to the date of filing the application, which photograph shall be two inches by two inches (2" x 2"), showing the head and shoulders of the applicant in a clear and distinguishing manner.
 - k. A statement as to whether or not the applicant, or any of their employees, have been convicted of any crime, misdemeanor or violation of any

municipal ordinance, including the nature of the offense and the punishment or penalty assessed therefor.

- l. If the applicant desires to sell fresh vegetables, fruits, meats or other food, documents showing proof of registration with the Utah Department of Food and Agriculture, and food handler permit where applicable.
- m. Other requirements as stipulated in Section 3.2.4.

2. Fee.

- a. At the time of filing the application the fee as set forth in the Laketown Consolidated Fee Schedule shall be deposited with the Town Clerk. The application fee shall be non-refundable as the amount reflects the cost of regulation and control of business activity incurred by the Town.

HISTORY:

2001 Code

3.2.4 Other Requirements

~~The requirements for a license for a transient merchant shall be as follows:~~

~~NCIC: The town clerk may obtain an NCIC with the county sheriff's department on the owner of the transient business prior to commencing business.~~

~~State Tax Number: Transient merchant must file with the town clerk documentation of state tax number prior to commencing business.~~

1. **Site Plan.** A clear, scaled sketch or aerial photograph highlighting the exact positioning of any structures (temporary or permanent) and signage which will be utilized by the applicant.
2. **BCI Background Check.** The applicant shall provide the Town with an original or a certified copy of a Bureau of Criminal Identification (BCI) background check dated within the last thirty (30) days.
 - a. To the extent permitted by state and/or federal law, an applicant's BCI background check shall remain a confidential, protected, private record not available for public inspection.
3. **Proof of Insurance.** ~~Transient merchant must file with the town clerk documentation of~~ Proof of insurance from an insurance company licensed to do business in the State of Utah, with a minimum coverage of \$2,000,000, unless otherwise required by the Town Council, naming the Town named as an additional insured.
4. **Bond.** Prior to the issuance of a business license for a transient merchant, itinerant merchant or vendor, the applicant shall file with the Town Clerk a

refundable cash bond or corporate surety bond issued by a surety company licensed to do business in the State of Utah.

- a. The bond shall be in amount as determined by the Town Council, conditioned upon the applicant's strict compliance with all Town ordinances, payment of all local taxes, and the complete remediation and cleanup of temporary business site(s).
- b. A cash bond shall be refunded by the Town Clerk upon the expiration date of the business license or when the business license is surrendered by the licensee, provided there have been no violations by the licensee of any of the conditions for which the cash bond was made. If the licensee applies for renewal of the license, the cash bond shall be renewed or retained for the term stipulated on the renewed business license.
- c. A surety bond shall be released by the Town within thirty (30) days after the licensee informs the Town that they have terminated business operations within the Town, unless the Town has good cause to believe that legal action has been or may be brought against the licensee.
 - i. If the surety bond is not released at the request of the licensee, it shall thereafter be released (in whole or in part):
 1. To claimants, with the consent of the licensee;
 2. To judgement creditors, to satisfy lawful judgements granted against the licensee by a court of competent jurisdiction;
 3. To the licensee, if the Town is reasonably satisfied that actual or potential claims against the licensee have been satisfied or are without merit; or
 4. To the licensee, when the applicable statute of limitations expires.

HISTORY:

2001 Code

3.2.5 Conditions And Requirements For Approval

1. **Hours Of Operation.** A transient merchant, itinerant merchant or vendor may operate between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. On a temporary basis, extended hours may be approved by the Town Council, upon application by the applicant showing substantial justification why extended hours on a temporary basis are appropriate.
2. **Duration Of Business Operations.** A transient merchant, itinerant merchant or vendor shall not operate for more than one hundred and eighty (180) consecutive days on a property or parcel of land within a twelve (12) month period of time.

3. **Zoning District Limitations.** A transient merchant, itinerant merchant or vendor proposing to operate on private property may only be approved by the Town Council in the Commercial (C) Zone.
 - a. For parcels or properties less than one (1) acre in size, only one (1) transient merchant, itinerant merchant or itinerant vendor may be permitted on that site at any single time.
 - b. For parcels or properties greater than one (1) acre in size, one (1) transient merchant, itinerant merchant or itinerant vendor for every two hundred fifty feet (250') of lineal public street frontage shall be permitted any one time.
4. **Compliance With Zoning Regulations Required.** As a condition of approval, a transient merchant, itinerant merchant or vendor shall comply with all applicable requirements of Title 10, Zoning Regulations, of the Laketown Code including sign regulations.
 - a. All aspects of a transient merchant, itinerant merchant or itinerant vendor shall be temporary in nature with no permanent facilities constructed on site.
 - b. No camping, overnight parking or outdoor storage shall be allowed.
5. **Other Requirements.** Approvals shall be based on any other factors or circumstances the Town Council considers necessary to protect the public and enhance the community, such as:
 - a. Pedestrian traffic and site compatibility with proposed operations; and
 - b. Ability of the applicant to manage the operation and maintain compliance with all applicable Town ordinances, and laws.

3.2.6 Revocation Of Business License

Any business license issued pursuant to this chapter may be revoked or suspended by the Town Council after notice and hearing, for any of the following causes:

1. Fraud, misrepresentation or a false statement contained in the application for a business license.
2. Fraud, misrepresentation or a false statement made in the course of carry on their business as a transient merchant, itinerant merchant or itinerant vendor.
3. Any violation of this chapter or applicable state laws.
4. Conviction of any infraction, misdemeanor or felony involving moral turpitude.
5. Conducting the business in such a manner so as to constitute an immediate and present danger to the public health, safety or general welfare.

3.2.57 Penalty

Any transient merchant, ~~itinerant merchant or vendor~~ who fails to obtain a license before doing business in the ~~T~~town shall be required to pay a license fee double the amount set forth in the Laketown Consolidated Fee Schedule. Failure to pay said double fee or obtain a license shall be a class B misdemeanor and, upon conviction, such transient merchant, ~~itinerant merchant or vendor~~ shall be subject to penalty as provided in ~~S~~section 1.4.1 of this code.

HISTORY:

2001 Code ~~¶~~

1 Laketown Consolidated Fee Schedule

...

BUSINESS LICENSING:	
BUSINESS LICENSE APPLICATION	\$30.00
BUSINESS LICENSE RENEWAL	\$30.00 (Annually)
BUSINESS LICENSE RENEWAL LATE FEE	\$15.00
TRANSIENT MERCHANTS, ITINERANT MERCHANTS OR VENDORS BUSINESS LICENSE FEE	\$1,500.00 (One time fee) includes a successive period of 10 days or less. Must have proof of insurance - 2 million dollar policy. \$100.00 (Business License Valid For Up To 180 Consecutive Days Within 12 Month Period) Note: BCI Background Check, Proof Of Insurance, And Bond Required. See Chapter 3.2 For Additional Information.
TRANSIENT MERCHANTS, ITINERANT MERCHANTS OR VENDORS PENALTY FEE (I.E., FAILURE TO OBTAIN A LICENSE BEFORE DOING BUSINESS)	\$100.00 Added To Transient Merchants, Itinerant Merchants Or Vendors Business License Fee.

...

HISTORY:

Ord. No., 2-11-1993
 Res. No. R09-01, 5-14-2009
 Res. No. 2012-02, 6/28/2012
 Res. No. R1-2013, 10/2/2013
 Res. No. R8-1-3.14, 4/2/2014
 Res. No. 8-1-5.15/8-1-4(c).15 , 2/4/2015
 Res. No. R2-16, 6/1/2016
 Res. No. 8-1-3.17/8-1-4(c).17, 11/1/2017
 Ord. No. 2019-04, 7/16/2019
 Ord. No. 2019-13, 3/4/2020
 Ord. No. 2022-04, 2/2/2022
 Ord. No. 2024-06, 6/26/2024
 Ord. No. 2022-05, 3/10/2022
 Ord. No. [2024-02](#), 3/6/2024

TOWN OF LAKETOWN, UTAH

Purchasing and Procurement Policy — Redline

Proposed amendments to Sections 1.10.1 and 1.10.2, and new Section 1.10.3

How to read this document

This document restates Sections 1.10.1 and 1.10.2 in full, showing every proposed change in place. **It is not a separate ordinance layered on top of the existing policy.** Adopting it repeals and replaces those sections.

Plain text is existing language, unchanged.

Underlined blue text is new.

~~Struck red text~~ is deleted.

Green italic notes are drafting notes for the Council. Delete them before adoption.

Why restate instead of amend

The earlier draft ordinance left the existing policy in place and cross-referenced it, with a clause saying the ordinance controls where the two conflict. That requires the Clerk, the Council, and any bidder to read three documents and resolve conflicts between them. It also does not work: the Purchasing Agent definition being amended lives in Section 1.10.1, but the ordinance's conflicts clause reached only Section 1.10.2. Restating both sections eliminates the problem.

Summary of changes

Change	What it does	Why
Delegated spending authority	Council members assigned to departments may approve budgeted purchases up to \$5,000. Mayor has the same authority concurrently.	Routine budgeted purchases no longer wait for a council meeting.
Purchasing Agent redefined	Purchasing Agent is the Mayor. Department approval authority sits with assigned council members.	Current code says the Purchasing Agent is 'usually the department supervisor,' which is undefined.
Competitive bidding covers services and construction	Sealed bidding applies to goods, services, AND construction over \$15,000.	Current 1.10.2(6)(a) says 'goods' only. A \$200,000 services contract needs no bid.
Award standard corrected	Award to lowest responsive and responsible bidder. Best-value awards move to an RFP process.	Current standard mixes sealed bidding with best-value criteria, which is how bid protests are won.
'Proximity' removed as an award criterion	Geographic preference eliminated.	2 CFR 200.319(b) prohibits geographic preference on federally funded procurement. Directly relevant to the \$1.35M water project.
Ethics citation corrected	Replaces Utah Code 17-16a with 10-3-1301 et seq.	17-16a is the COUNTY officers act. It does not apply to a town.
Bid protest chain reversed	Protest to the Purchasing Agent, appeal to the Town Council. Deadlines extended to 7 days.	Current code appeals a Council decision to one person. Two business days is too short to be meaningful.

Construction bonds added	Payment and performance bonds on public construction, with a written waiver option.	If the Town fails to require a payment bond, unpaid subs can claim directly against the Town.
Water late fee waivers	New Section 1.10.3 with defined categories, dollar caps, and reporting.	No current authority exists to waive a late fee.
Emergency purchases	Mayor may exceed limits in a genuine emergency, with ratification at the next meeting.	A pump failure cannot wait for an agenda.

1.10.1 General Provisions

1. **Definitions.** ~~"Purchasing Agent" means a person duly authorized by the governing body of the town to make purchases for the town and is usually the department supervisor. The Purchasing Agent may from time to time appoint another person to undertake all or some of the duties of the Purchasing Agent set forth herein or appointed to him/her.~~

Deleted and replaced with the defined terms below. "Usually the department supervisor" is not a defined office and cannot support delegated spending authority.

As used in Sections 1.10.1 through 1.10.3:

"Appropriated funds" or "budgeted funds" means money appropriated for a specific department or purpose in the Town budget as adopted or amended for the current fiscal year, that remains unspent and unencumbered.

"Council Department Supervisor" means the council member assigned by resolution under Subsection 1.10.2(2) to supervise a particular administrative department or function of the Town.

"Emergency" means a circumstance requiring immediate action to address an actual or imminent threat to public health, safety, or property, or to restore or maintain an essential Town utility service, where the delay required to obtain Council approval would likely result in harm, loss, or interruption of essential service.

"Purchase" or "encumbrance" means any commitment of Town funds for goods, services, or construction, whether by purchase order, contract, or other obligation.

"Purchasing Agent" means the Mayor or the Mayor's written designee.

"Responsible bidder" means a bidder with the capability, integrity, experience, financial resources, and licensure to perform the contract.

"Responsive bid" means a bid that conforms in all material respects to the invitation for bids.

2. **Authority To Enter Into And Execute Contracts.** All contracts ~~are to be approved by the Laketown Mayor~~ shall be approved at the level required by Section 1.10.2 and executed by the Mayor on behalf of the Town. No department, office, advisory or policy board or other organization of the Town of Laketown, nor any officer or employee thereof, shall be empowered to execute any purchase order or contract except as specifically authorized in this ~~ordinance policy~~ or by other applicable law. All contracts in violation of this provision are considered void and may result in the personal obligation and liability of persons at fault for such violations.

The existing sentence reads as if the Mayor approves every contract, which conflicts with the Council approval thresholds in 1.10.2. Rewritten to separate approval (who decides) from execution (who signs).

3. **Conflict Of Interests Prohibited.** No officer, employee, agent, representative or member of any committee of the town shall have a financial interest in any contract, bid, or proposal; receive any compensation or gift from any bidder or proposer; or have any other conflict of interest (See Utah Code ~~67-16 and 17-16a~~ Title 10, Chapter 3, Part 13, Municipal Officers' and Employees' Ethics Act, and Utah Code Title 67, Chapter 16).

An officer or employee with a personal or financial interest in a proposed purchase, contract, bid, or fee waiver may not approve or vote on it and shall refer the matter to the Mayor, or to the Town Council if the

Mayor holds the interest. The disclosure and referral shall be stated on the record and entered in the minutes of the next regular Council meeting.

Utah Code Title 17, Chapter 16a is the County Officers and Employees Disclosure Act. It does not apply to a town. The correct municipal statute is 10-3-1301 et seq. Recusal on the record added — an unrecorded recusal proves nothing later.

4. **Competitive Procurement.** Unless exempted by this policy, all purchases and contracts shall be awarded on a competitive basis, as required by this ordinance policy and applicable State and Federal law.
5. **Participation In State Procurement Unit Agreement And Contracts.** Pursuant to Utah Code 63G-6a-2105, the Town of Laketown may make purchases from or participate in state public procurement unit agreements and contracts, pursuant to the terms of said agreements and contracts without soliciting additional procurement options.
6. **Unethical Purchasing Practices.** Failure of any agent, officer or employee to comply with ethical purchasing requirements may result in suspension, termination, being personally liable for the purchase and/or criminal prosecution. All agents, officers and employees engaged in the procurement process for the Town of Laketown will maintain high ethical behavior in agreement with Utah Code 67-16, Utah Public Officers' and Employees' Ethics Act, and Utah Code Title 10, Chapter 3, Part 13, and avoid the following practices:
 - a. Dividing a procurement to avoid following policy (see Utah Code 63G-6a-2404.3)
 - b. Kickbacks and gratuities (see Utah Code 63G-6a-2404, 67-16-5 through 67-16-6)
 - c. Failure to disclose conflicts (see Utah Code 63G-6a-1205 & 67-16-9)
 - d. ~~Cost-plus-a-percentage-of-cost contracts~~ Cost-plus-a-percentage-of-cost contracts (see Utah Code 63G-6a-1205)
7. The Town of Laketown purchases are not subject to sales tax. For vendors requiring documentation of tax-exempt status, a TC-712G Exemption Certificate for Governments and Schools may be obtained from the town clerk at clerk@laketownutah.com.
8. **Procurements Involving State or Federal Funds.** When a procurement involves the expenditure⁵ of State or Federal funds, the Town of Laketown shall comply with the applicable State and Federal laws and regulations, including the Uniform Guidance at 2 CFR 200.317 through 200.327. Where a requirement of this policy conflicts with a Federal requirement applicable to the funding source, the Federal requirement controls. In particular, and notwithstanding any other provision of this policy:
 - a. The Town shall not apply any geographic or local preference in evaluating bids or proposals, except where expressly mandated by Federal statute (2 CFR 200.319(b));
 - b. Architectural and engineering services shall be procured by qualifications-based selection, with price negotiated only after the most qualified firm is selected (2 CFR 200.320(b)(2)(D)); and
 - c. The Town shall take affirmative steps to solicit small, minority, and women's business enterprises as required by 2 CFR 200.321.

This is the highest-risk item in the packet. The Town has a \$1.35M federal Community Project Funding award for the second water source. The existing award standard in 1.10.2(6)(g) lists "proximity" as a permissible criterion, which is a geographic preference and is prohibited on federally funded procurement. A finding here can mean disallowed costs. Recommend confirming with the funding agency's grant officer before the water project goes to bid.

9. Appropriated Funds Required. No purchase or encumbrance may be approved that exceeds the appropriated budget for the applicable department or that is for a purpose not provided for in the Town budget. Consistent with Utah Code Section 10-5-115, an obligation incurred in excess of appropriations is invalid. A purchase requiring an appropriation not already in the budget requires Council action on a budget amendment before the obligation is incurred.

10. Claims Process and Records. All purchases remain subject to the Town's claims and pre-audit process under Utah Code Section 10-5-123. The Town shall retain quotes, written approvals, purchase orders, contracts, invoices, and bid records consistent with that section and the Town's records retention schedule.

1.10.2 Authorization Requirements For Purchases

1. Approval Levels. Purchases and encumbrances shall be approved as follows:

~~a. Purchases Up To \$1,000. All procurements of services and goods in an amount less than \$1,000 may be approved by the department supervisor, provided such procurements have been budgeted for within the department and are in line with the budgeted purposes and responsibilities of said department.~~

~~b. Purchases Over \$1,000. All procurements of services and goods in an amount over \$1,000 must have purchase approval by the department supervisor prior to the purchase.~~

a. Up to and including \$5,000, within an appropriated budget. A purchase that does not exceed \$5,000 and is within the assigned department's appropriated budget may be approved by the Council Department Supervisor for that department, or by the Purchasing Agent, without prior Council action. A purchase over \$1,000 approved under this subsection shall be documented in writing before the purchase is made.

b. Over \$5,000. All procurements of services, goods, and construction ~~and goods~~ in an amount over \$5,000 must have purchase approval by ~~the department supervisor and~~ the Laketown Town Council. Documentation of the solicitation of three quotes or reference to the exemption of those requirements must be attached. (See quote sheet at the end of this policy).

c. Over \$15,000. All procurements of services, goods, and construction ~~and goods~~ in an amount over \$15,000 must be put out for competitive bid to be prepared ~~and~~ approved by the Laketown Town Council (See ~~section of Competitive Bids~~ Subsection 1.10.2(5) for requirements). Purchases over \$15,000 require a written contract to be approved in an open meeting.

The \$1,000 tier is collapsed into the \$5,000 delegated tier, with written documentation preserved above \$1,000. Note the aggregate: four Council Department Supervisors at \$5,000 each, plus the Purchasing Agent concurrently. The Council should decide that number knowingly.

2. Assignment of Council Department Supervisors.

a. The Town Council shall, by resolution, assign council members to supervise the administrative departments and functions of the Town, including roads and streets, culinary water and water billing, town parks, and Town-sponsored events. The Council should adopt or re-adopt the assignment resolution at the first regular meeting following each municipal general election, and may amend it at any time.

b. Each department or function should be assigned to a single council member. The Purchasing Agent retains the approval authority described in Subsection 1.10.2(1)(a) over any department or function not assigned.

c. Authority under this Section is concurrent, so that a budgeted purchase within a department may be approved by either the assigned Council Department Supervisor or the Purchasing Agent.

Concurrent authority matters in a town this size. A single-approver design fails the first week the assigned member is unreachable.

3. Avoidance Of Approval And Written Contract Requirements. Purchases shall not be divided into smaller purchases for the purpose of evading the approval process required by this policy, or for the purpose of avoiding the need to obtain a written contract, a competitive bidding requirement, or a bonding requirement.

4. Emergency Purchases.

- a. In an Emergency, the Purchasing Agent, or a Council Department Supervisor acting with the concurrence of the Purchasing Agent, may approve a purchase that exceeds the level otherwise applicable under Subsection 1.10.2(1), to the extent reasonably necessary to address the Emergency.
- b. The approving official shall document the nature of the Emergency and the purchase, and shall report it to the Town Council at its next regular meeting. The Council shall consider ratification at that meeting.
- c. This Section does not authorize an expenditure in excess of total available appropriations. If an emergency purchase requires funds not available in the budget, the Mayor shall bring a budget amendment to the Council as promptly as practicable.

5. Reporting and Council Oversight. All purchases approved under delegated authority shall appear on the register of claims or warrants presented to the Town Council at its next regular meeting, identified as delegated approvals with the approving official named. The Town Council retains full oversight of Town spending, including authority to review delegated purchases, adjust the assignments made under Subsection 1.10.2(2), and amend this policy.

Deliberately omits any statement that Council ratification means no official binds the Town acting alone. That is not accurate — the Town is obligated when the purchase order issues and the vendor performs. Approving a claims register authorizes payment; it does not validate the underlying obligation. Stating otherwise in adopted policy creates a sentence that can be quoted against the Town.

6. Competitive Sealed Bids — When Required.

- a. All procurements of goods, services, and construction (public works) which are reasonably anticipated to exceed \$15,000 shall be obtained by competitive sealed bidding. The Laketown Town Council may also require competitive sealed bidding for the procurement of goods ~~and services~~, services, or construction for any amount.

Existing subsection said "goods" only, while 1.10.2(4) said "services and goods." As written, a \$200,000 services or construction contract required no sealed bidding. This closes that.

- b. In the event that bids exceed available funds and the lowest responsive and responsible bid does not exceed funds available by more than five percent, the Laketown Town Council may, where time or economic considerations preclude re-solicitation of work of a reduced scope, negotiate an adjustment of the bid price, including changes in the bid requirements, with the lowest responsive and responsible bidder, in order to bring the bid within the amount of available funds.

- c. Content Of Invitation For Bids. An invitation for bids shall:

- i. State that the Town of Laketown is seeking bids for a procurement;
- ii. Contain information on how to contact the person with the most knowledge about the procurement;
- iii. State the period of time during which bids will be accepted;
- iv. Describe the manner in which a bid shall be submitted;
- v. State the address at which a bid may be submitted, and the person to whom the bid should be submitted;
- vi. Describe the goods or services sought to be procured;

- vii. List or refer to the objective criteria that will be used to evaluate the bids.
- viii. To the extent possible, include or reference significant contractual terms and conditions.
- ix. State the date, time and place for the public opening of all bids.

x. For a contract for the construction, alteration, or repair of a public building or public work, state the bonding and bid security requirements under Subsection 1.10.2(7);

xi. An invitation to bid may require attendance at a pre-bid meeting for the purpose of obtaining additional information relevant to the bid. The invitation shall list the time, date and place of any pre-bid meeting that will take place.

xii. An invitation to bid may require that a bidder obtain additional specifications and objective criteria too lengthy to publish in the invitation for bids. The invitation to bid shall indicate where such information may be obtained.

d. All invitations for sealed bids shall be posted at least once in conspicuous view in the Laketown Town Office in Laketown, Utah, outside the office door, and inside and outside of the Laketown post office, ~~at Dee's Service Station,~~ and on the Utah Public Notice website at <http://pmn.utah.gov>, and on the Laketown website at www.laketownutah.com, and at such other conspicuous public locations within the Town as the Town Clerk may designate, at least 15 days prior to the deadline for submission of a bid.

A named private business as a mandatory posting location makes the ordinance unperformable if that business closes or declines. The general clause lets the Clerk keep posting there without the requirement depending on it.

e. All sealed bids shall be opened by the Laketown Mayor or designated representative in an open public meeting, before one or more witnesses, at the time and place indicated in the invitation for bids. The name of the bidder and the amount of each bid shall be recorded and made available to the public. Bids shall not be accepted after the time for submission of a bid has expired.

~~f. The Laketown Town Council shall reject bids for further evaluation that are: incomplete, illegible, conditional, modify bid requirements, contain additional terms or conditions, divide bid into parts, failed to attend required pre-bid meetings, fail to confirm requirements or specifications, the bidder has a pending dispute with the Town of Laketown on a previous project or where the Laketown Town Council reasonably concludes that the bidder is unable to satisfactorily fulfill the bid requirements or has engaged in unlawful or unethical conduct in attempting to secure the bid.~~ A bid shall be rejected as non-responsive if it is incomplete or illegible, is conditional, modifies the bid requirements, contains additional terms or conditions, divides the bid into parts contrary to the invitation, fails to meet the stated specifications, or was submitted by a bidder that failed to attend a required pre-bid meeting. A bidder may be found non-responsive, and its bid rejected, if the Town Council reasonably concludes on the record that the bidder lacks the capability, integrity, experience, financial resources, or licensure to perform the contract, or has engaged in unlawful or unethical conduct in attempting to secure the bid. Any bidder whose bid has been rejected may obtain from the town clerk a written finding stating the specific reason the bid was rejected.

Two changes. First, responsiveness (defects in the bid) and responsibility (defects in the bidder) are separated — they carry different standards and a responsibility finding requires a record. Second, "the bidder has a pending dispute with the Town on a previous project" is deleted as a mandatory rejection ground. Automatically disqualifying a contractor for having a live claim against the Town penalizes the exercise of legal rights and is the kind of provision that gets a rejection overturned.

g. The Laketown Town Council shall award the ~~bid/contract to the lowest qualified bidder or the bidder who best satisfies the objective criteria described in the invitation for bid which may include: experience, performance ratings, inspection of workmanship, suitability, quality, likely compatibility with existing assets or practices, availability, warrantee, references, licensure, proximity or other criteria reasonable specified in the invitation to bid.~~ contract to the lowest responsive and responsible bidder, applying the criteria for responsiveness and responsibility stated in the invitation for bids. Where the Town determines that award based on factors in addition to price is appropriate, it shall use a request-for-proposals process that discloses the evaluation criteria and their relative weight in the solicitation, rather than competitive sealed bidding. The Town shall not apply a geographic or local preference.

The existing standard lets the Council award a sealed bid to someone other than the low bidder on subjective grounds. That is a best-value award run through an invitation-for-bids process, and it is the single most common way a municipality loses a bid protest. The fix is not to abandon best-value — it is to use an RFP when best-value is what you want, so bidders know the rules before they price the job. "Proximity" is removed for the federal-funds reason noted in 1.10.1(8).

h. Tied bids may be resolved using any reasonable criteria and at the sole discretion of the Laketown Town Council.

i. The Laketown Town Council may cancel the bid process or reject all bids in whole or in part if it determines that; no bids met bid requirements, there are insufficient funds, the item is no longer needed or the specifications or timing does not meet the Town of Laketown's current needs or long-term plans. In the event of a bid cancellation the Laketown Town Council shall publicly state the reason for the cancellation and make that information available for public inspection.

j. Exemptions from competitive bid requirements ~~may include the following: sole source providers, service contracts with professionals or specialists, emergency purchases.~~ are limited to: (i) sole source procurements, where only one source can reasonably supply the goods, services, or construction; (ii) professional services of an architect, engineer, attorney, auditor, physician, or other licensed professional retained for professional judgment rather than a deliverable capable of specification; and (iii) Emergency purchases under Subsection 1.10.2(4). The Purchasing Agent shall sufficiently document the reason for not competitively bidding the procurement and have it approved by the Laketown Town Council in an open meeting before the obligation is incurred, except for an Emergency purchase, which shall be documented and ratified under Subsection 1.10.2(4).

"Service contracts with professionals or specialists" is broad enough to exempt nearly any service contract — almost any vendor can be described as a specialist. Narrowed to licensed professional services retained for judgment. Note that on federally funded work, architectural and engineering services must still use qualifications-based selection under 2 CFR 200.320(b)(2)(D); this exemption does not remove that requirement.

k. ~~Protests to the bidding process shall be submitted to the Laketown Town Council in writing within 2 business days. The Laketown Town Council will respond to the protest within 5 business days of receiving the complaint. The Laketown Town Council's decision may be appealed to the Laketown Mayor in writing within 2 business days. The Laketown Mayor may address the appeal at the next regularly scheduled Laketown Town Council meeting or hold a special meeting to evaluate the merits of the protest appeal.~~ Protests. A protest of a solicitation or an award shall be submitted in writing to the Purchasing Agent. A protest challenging the terms of a solicitation shall be filed before the opening of bids. A protest challenging an award shall be filed within seven (7) days after the protester knows or should have known of the facts giving rise to the protest. The Purchasing Agent shall issue a written decision. A protester may appeal the decision in writing to the Town Council within seven (7) days after the decision, and the Town

Council shall consider the appeal at its next regular meeting or at a special meeting. The Town shall not execute the contract while a timely protest or appeal is pending, unless the Town Council determines in writing that award without delay is necessary to protect the interests of the Town.

The existing chain runs backwards: the Council decides first, then a single officer hears the appeal of the Council's decision. Reversed so review runs upward to the legislative body. Two business days is not a workable protest window. The stay provision is added because a protest process that cannot stop an award before signature accomplishes nothing.

7. Bonds and Bid Security for Public Construction.

a. For any contract for the construction, alteration, or repair of a public building or public work, the Town shall comply with Utah Code Sections 14-1-18 through 14-1-21. The successful contractor shall furnish, before the contract takes effect, a payment bond and a performance bond, each in an amount equal to one hundred percent (100%) of the contract price, issued by a surety authorized to do business in Utah. The Town may also require bid security.

b. The Town Council may waive a bonding requirement under this Section, in whole or in part, on a written determination made in an open meeting that: (i) bonds cannot reasonably be obtained for the work involved; (ii) the cost of the bond exceeds the risk to the Town; or (iii) bonds are not necessary to protect the interests of the Town. A waiver shall not be granted where a payment bond is required by Utah Code Section 14-1-18 or by the terms of a State or Federal funding award.

The waiver provision is essential. The State's own rule for executive branch procurement sets the bond threshold at \$50,000 and permits a written waiver on these three grounds. Without a waiver valve, the Town would require full payment and performance bonds on a \$16,000 waterline repair that the State would not bond at all — and in Rich County the likely result is no bids. The counterweight: if a Utah public entity fails to obtain a required payment bond, unpaid laborers and suppliers may demand payment directly from the entity, so the requirement itself should stay.

8. Review of Thresholds. The Town Council shall review the dollar thresholds in this Section at the first regular meeting following each municipal general election and adjust them as it determines appropriate.

1.10.3 Waiver of Late Fees on Town Water Accounts

Entirely new. No existing provision authorizes waiver of a late fee, which means every informal waiver granted to date rests on nothing.

1. Authority. The Council Department Supervisor assigned to the water function, working with the Town Clerk, may waive or adjust a late fee or penalty on a Town water account under this Section. Neither may act on a request in which either has a conflict of interest under Subsection 1.10.1(3); such a request goes to the Mayor, or to the Town Council if the Mayor holds the conflict.

2. Scope. Late fees and penalties only. This Section does not authorize waiver of the charge for water actually used, or of any other Town charge.

3. Grounds for Waiver.

a. Town error — waived in full. The late fee resulted from a Town billing, metering, or posting error, or from a timely payment the Town applied late.

b. First-time courtesy — one per rolling 12 months. The account holder has no other late payment in the prior 12 months and the account is otherwise in good standing.

c. Documented hardship. The account holder shows a hardship such as a serious medical event, job loss, or a death in the household, supported by a brief written explanation. Limited to \$50.00 per account per fiscal year.

d. Verified delivery failure. The account holder shows that a bill or notice was not delivered for reasons outside the account holder's control.

Set the hardship cap to roughly one billing quarter's worth of late fees under the Town's current fee schedule, so it stays a courtesy rather than material relief.

4. Grounds Insufficient. A repeated pattern of late payment, a request that does not fit Subsection 3, or a request exceeding the limits in Subsection 3 is not granted under this Section. Such a request may be brought to the Town Council.

5. Consistent Treatment. Waivers shall be applied consistently, so that account holders in similar circumstances are treated alike. This Section does not authorize any waiver that would constitute an unlawful gift of public funds.

6. Records and Reporting. The Town Clerk shall log each waiver, including the account, amount, date, ground, and approving official. The Clerk shall report to the Town Council not less often than quarterly. The quarterly report shall state the number of waivers, the total dollar amount, and a breakdown by ground under Subsection 3, without identifying individual accounts or the personal circumstances supporting a hardship waiver. The detailed log shall be available to Council members on request and shall be classified consistent with the Government Records Access and Management Act.

This matters. Hardship grounds include medical events, job loss, and deaths in the household. Putting account-level detail with reasons into a quarterly Council packet publishes protected personal information about identifiable residents in a town where everyone will know whose account it is. Aggregate publicly; keep the detail in a records-classified log.

7. Council Authority Preserved. Nothing in this Section limits the authority of the Town Council to set water rates and fees, to revise this Section, or to review any waiver made under it.

Items Requiring a Council Decision

1. The \$5,000 delegated threshold, in aggregate.

Four Council Department Supervisors at \$5,000 each, plus the Purchasing Agent with concurrent authority over all of it and exclusive authority over anything unassigned. Whether that is right for Laketown is a policy judgment, but the Council should hear the aggregate stated plainly rather than discover it later.

2. Whether "department supervisor" currently means a Town employee.

The existing code assigns approval authority to "the department supervisor" without defining it. If that has in practice meant a Town employee — a water operator or road foreman — this rewrite moves that authority to elected council members. That is a substantive change and should be made openly rather than through a definitional cross-reference.

3. Adopt as one ordinance or three.

Spending delegation, procurement and bonding reform, and water fee waivers are three subjects. Bundled, a council member uneasy about the bonding changes must vote against the water waivers to register it, and any future amendment reopens all three. Three ordinances cost one additional publication and produce a cleaner record.

4. Confirm the federal procurement question before the water project bids.

The Community Project Funding award carries Uniform Guidance procurement requirements that are stricter than this policy in several respects. Worth a written confirmation from the grant officer that the Town's adopted procedures satisfy 2 CFR 200.317 through 200.327 before the second water source goes out to bid, rather than after.

This document is a drafting aid prepared for the Town's consideration. It is not legal advice, and the Town's attorney should review it before adoption.

Dear TRT/TRCC Grant Applicant,

As we begin a new grant funding cycle, the Rich County TRT/TRCC Advisory Board (TTAB) would like to provide guidance to assist you in preparing a strong grant application. These funds are limited and highly competitive, and the Board carefully evaluates each request to ensure the greatest benefit to tourism, recreation, and cultural opportunities within Rich County.

Please note: Applications that do not include all required documentation, including supporting bids or cost estimates, by the application deadline will be considered incomplete and will not be eligible for funding consideration.

- **Provide a reasonable funding request.** Applicants should request funding amounts that are reasonable, well-justified, and directly related to eligible TRT/TRCC purposes. Excessive or unsupported funding requests may reduce the competitiveness of an application.
- **Matching funds are encouraged.** Applicants are encouraged to provide matching funds whenever possible, as projects demonstrating local financial participation are viewed more favorably during the evaluation process. While matching funds are not required, they strengthen an application's competitiveness.
- **Applicant Presentation Requirement.** A representative of the applying organization is required to attend the scheduled TTAB grant meeting. The representative must present the grant application, explain the proposed project and funding request, and be prepared to answer questions from the Board. The representative should have sufficient knowledge of the project, budget, and requested funding to fully respond to Board inquiries. Applications without a qualified representative present to make the presentation and answer questions may be disqualified from consideration.
- **Include cost estimates or bids.** Applications must be complete at the time of submission. All requested documentation, including detailed project cost estimates, contractor/vendor bids, quotes, or other supporting documentation for proposed expenditures, must be included with the application. Applications that are incomplete, fail to provide the required cost documentation, or do not meet the submission requirements by the application deadline will be **automatically disqualified** and will not be considered for funding.
- **Submit a complete application.** All required forms, attachments, supporting documentation, and signatures must be included at the time of submission. Incomplete applications will not be considered for funding.
- **Ensure your project meets TRT/TRCC eligibility requirements.** Proposed projects must directly support tourism, recreation, culture, conventions, or visitor-related infrastructure as outlined in Utah Code and the Rich County TRT/TRCC Program Guidelines.

Thank you for your interest in improving tourism, recreation, and cultural opportunities in Rich County. We look forward to your application.

Rich County TRT/TRCC Advisory Board

RICH COUNTY

Rich County Tourism Tax Advisory Board 2027 Tourism TRT/RT Grant Application

Applications are due September 15th by 4:00 pm

Contact Information	
Organization Name	
Contact Person	
Address	
City, State, Zip Code	
Phone	
Email Address	
General Information	
Project Title	
Grant Amount Requested	
Project Starting Date	
Project Ending Date	
Is this project	☐ One-time ☐ Annual
Location of project	

If you are a municipality, this grant is intended for those who actively contribute to and support the collection of Transient Room Tax (TRT) funds. As part of the grant process, the board may ask how your municipality monitors or ensures that TRT funds are being collected accurately.

Examples of TRT monitoring practices may include:

Regular audits or reviews of lodging businesses to ensure proper registration and remittance of TRT

Cross-checking business licenses with active lodging operations to verify compliance.

Coordinating with the county treasurer or tax office to track TRT filings and identify discrepancies.

Demonstrating these practices shows a strong commitment to fair tax collection and responsible reinvestment of tourism revenues.

Please request a reasonable amount for your project as available funds are limited and we aim to support as many qualifying applicants as possible. Thank you, TTAB

Previous Grant Awards

Have you received TRT/RT grants in the past? If so, give a brief discription of the last grant awarded

Do you have any outstanding grant projects? If so what is the expected completion date?

Project Narrative

Describe your project or event in detail, and how it pertains to tourism.

How will your project or event increase visitation from outside Rich County?

Project Narrative Continued

How will your project or event increase overnight stay in Rich County?

What is unique about your project or event? If done in the past, how will it improve?

--

Budget

Please attach a detailed budget for your project and fill in the information below. The more specific you can be the better. Include copies of estimates, letters of support for in-kind work to be done, etc. Please note that documentation of expenditures will be required at the end of the project.

Project Expenditures (please list)

	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
Total Project Cost	\$	

Project revenue to apply to the project please list all including in-kind amounts, other grants, cash, etc.

TTAB wants to know how much you are contributing to the project that relates to tourism

	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
Total Rich County Tourism Tax Funds Requested	\$	
Total Revenue for the Project	\$	

****Total project cost and total project revenue must match****

