



Sunset City Corporation

200 West 1300 North • Sunset City, Utah 84015 • 801-825-1628

Mayor:
Scott Wiggill
Council:
Nancy Smalling
Nakisha Rigley
Hope Thompson
Ricky Carlson
Katherine Hunter

CITY COUNCIL AGENDA REGULAR MEETING

PUBLIC NOTICE IS HEREBY GIVEN that the Sunset City Council will hold a regular meeting at 6:30 p.m. on Tuesday, September 15, 2026 at the Sunset City Office Building, 200 West 1300 North, Sunset, Utah. Any information or items for the Council's consideration must be furnished at least ten (10) working days prior to the scheduled meeting to give the needed time to study the request. Agenda shall be as follows:

REGULAR SESSION

- A. CALL TO ORDER & WELCOME
- B. INVOCATION OR INSPIRATIONAL THOUGHT AND PLEDGE OF ALLEGIANCE by Council Member Smalling
- C. PUBLIC COMMENTS – *This is an opportunity to address the City Council regarding your concerns or ideas. Please limit your comments to three (3) minutes per person. Please note that no action(s) will be taken during public comment.*
- D. APPROVAL OF MINUTES – August 18, 2026
- E. MOTION TO GO INTO A PUBLIC HEARING

PUBLIC HEARING

- F. To Solicit Input from Sunset City Residents for the Ordinance 2026-05 Amending Sections 8-6-3, Storm Water Management and Permit, and 8-6-5, Violations and Enforcement, of Chapter 6, Storm Water Management, of Title 8, Health and Safety of the Sunset City Code, to Establish Explicit Regulatory Authority for Illicit Discharge Detection and Elimination and Storm Water Pollution Prevention Plans; to Authorize Electronic Oversight Inspections; to Codify Technical Low Impact Development Retention Calculations Standards and Infeasibility Procedures; to Codify an Escalating Enforcement Ladder; and to Ensure Compliance with the Utah MS4 General Permit (UTR090000)
- G. Motion to go back into the Regular Session

AGENDA ITEMS

- 1. Consider and Approve Ordinance 2026-05 An Ordinance Amending Sections 8-6-3, Storm Water Management and Permit and 8-6-5, Violations and Enforcement of Chapter 6, Storm Water Management of Title 8, Health and Safety of the Sunset City Code
- 2. Consider and Approve Recommendation from Planning Commission for Land Use Approval- The Vault Gym, Located at 2317 N. Main Street with Exceptions
- 3. Consider and Approve Recommendation from Planning Commission for a Conditional Use Permit – Bubble Bath Car Wash – 1689 – 1691 N. Main Street
- 4. Mayor, Council and Department Head Reports
- 5. Adjourn

Possible closed meeting for reasons allowed by Utah State Code 52-4-205.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Sunset City Offices, (801) 825-1628, at least three (3) working days prior to this meeting. Anchor location for electronic meetings by telephone device is 200 W 1300 N, Sunset UT 84015. With the adoption of Ordinance 1-6-3, the Council may participate per Electronic Meeting Rules. Please make arrangements in advance.

Certificate of Posting and Notice

I, Nicole Supp, certify that I am the City Recorder of Sunset City, Utah and that the foregoing City Council Agenda was posted on September 11, 2026 at the following locations: the bulletin board at City Hall, on the Utah Public Meeting Notice Website at <http://www.utah.gov/pnw>, on the City website at <http://www.sunsetut.gov/>, emailed to local newspapers and delivered to each Council Member.

Nicole Supp, City Recorder

Sunset City Corporation
City Council Minutes
August 18, 2026
Page 1 of 9

Minutes of a regular meeting held August 18, 2026 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Wiggill presiding.

REGULAR SESSION

Mayor and Council Present:

Scott Wiggill	Mayor
Ricky Carlson	Council Member
Katherine Hunter	Council Member
Nakisha Rigley	Council Member
Nancy Smalling	Council Member
Hope Thompson	Council Member (Electronically)

City Employees Present:

Brett Jamison	Police Chief
Jason Monroe	Public Works Director
Recorder Supp	Recorder

Others Present:

Beverly Macfarlane	Sunset
Brenda Ewell	Sunset
Neil Coker	Sunset
Marcia Hamblin	Sunset

The regular session was called to order at 6:32 p.m. by Mayor Wiggill.

Council Member Rigley gave an inspirational thought and led the Pledge of Allegiance.

Public Comments: There were none.

APPROVAL OF MINUTES: Council Member Smalling made a motion to approve the meeting minutes from August 4, 2026 as presented and Council Member Rigley seconded the motion. The motion passed unanimously with Council Members Carlson, Hunter, Rigley, Smalling and Thompson voting yes.

APPROVAL OF VOUCHER – In the amount of \$21,636.00 for a Big T Recreation for Final Invoice For the New Playground and Swings at the Rachael Runyan Park.

Mayor Wiggill presented a voucher in the amount of \$21,636 for Big T Recreation. The voucher represented the final invoice for the new playground and swings installed at Rachel Runyan Park. Mayor Wiggill asked whether the Council had reviewed the voucher and whether there were any questions or opposition.

Council Member Thompson asked about a highlighted notation and star on the invoice regarding installation being added back into Big T's scope and an additional \$800 related to the swing mats. Council Member Thompson asked whether those items had been included in the original quote and why the notation appeared on the invoice. Council Member Hunter explained that the

City had originally planned for City staff to install the wood chips. However, because the installation occurred so close to Fun Days, the City asked Big T Recreation to complete the installation so Public Works employees could focus on other responsibilities. Council Member Hunter believed that accounted for the additional \$800. Council Member Hunter further explained that mats had not originally been planned for the swings. The City later decided to purchase three mats for the areas beneath the swings where users' feet would otherwise kick away the wood chips.

Council Member Carlson asked Director Monroe whether he was satisfied with the quality of the construction; Director Monroe replied yes.

Mayor Wiggill encouraged anyone who had not yet visited the new playground equipment to do so and stated that the project had turned out very well. Mayor Wiggill noted that children had been using the playground each time he had visited the park and that the playground had been particularly busy during Fun Days and the America250 Bash. Mayor Wiggill expressed appreciation to everyone who worked on the project and hoped the community would be able to enjoy the playground for many years.

Council Member Carlson made a motion to approve the voucher for Big T Recreation and Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Carlson, Hunter, Rigley, Smalling and Thompson voting yes.

PUBLIC HEARING – To Solicit Input from Sunset City Residents for the Ordinance 2026-04 Amending Sections 3-10-1, “Definitions,” and 3-10-2, “License Required for Rental Dwellings,” of Chapter 10, “Rental Swelling License,” of Title 3, “Business and License Regulations,” of the Sunset City Code.

Council Member Rigley made a motion to move into the Public Hearing and Council Member Hunter seconded the motion. The motion passed unanimously with Council Members Carlson, Hunter, Rigley, Smalling and Thompson voting yes.

Mayor Wiggill requested that staff provide a plain-language explanation of the proposed amendments.

Recorder Supp explained that the proposed changes primarily clarified definitions to make the rental licensing requirements easier for applicants to understand. The amendments added a definition of "owner occupied." Recorder Supp also explained that one provision previously referred to a "retired person" who possessed 50% ownership in more than one dwelling. The word "retired" was removed because there was no reason for the provision to apply only to retired individuals. Recorder Supp stated that those were essentially the changes being proposed.

Mayor Wiggill asked whether everyone had reviewed the packet and invited residents to comment on the proposed ordinance. No residents came forward to provide comments.

Council Member Thompson asked about Section 2 of the ordinance regarding the effective date, noting that the ordinance appeared to be backdated to August 4. Recorder Supp acknowledged the error and stated that the date would be corrected.

Mayor Wiggill thanked Council Member Thompson for identifying the error and asked whether there were any additional questions or concerns. Hearing none, the Council prepared to close the public hearing and return to the regular session.

Council Member Smalling made a motion to move out of the Public Hearing and Council Member Hunter seconded the motion. The motion passed unanimously with Council Members Carlson, Hunter, Rigley, Smalling and Thompson voting yes.

Regular Meeting

1. **Consider and Approve Ordinance 2026-04 Amending Sections 3-10-1, "Definitions," and 3-10-2, "License Required for Rental Dwellings," of Chapter 10, "Rental Swelling License," of Title 3, "Business and License Regulations," of the Sunset City Code:** Mayor Wiggill returned to the regular agenda and presented Ordinance 2026-04 for consideration and approval. The ordinance amended Section 3-10-1, Definitions, and Section 3-10-2, License Required, for rental dwellings within Chapter 10 of Title 3, Business and License Regulations, of the Sunset City Code. Mayor Wiggill asked whether there were any additional questions or concerns.

Council Member Smalling questioned the wording of the title and noted the distinction between "rental swelling" and "rental dwelling license."

Council Member Rigley reviewed the title on the agenda and discussed the wording with the Council. Noting it was only present on the actual agenda.

Council Member Hunter made a motion to approve Ordinance 2026-04, and Council Member Smalling seconded the motion. The motion passed unanimously with a roll call vote with Council Members Carlson, Hunter, Rigley, Smalling and Thompson voting yes.

Mayor Wiggill thanked the Council for reviewing the ordinance and thanked the Planning Commission for its work reviewing the code and recommending the changes.

2. **Consider and Approve a \$200 Donation to Sunset Elementary for Spirit Shirts:** Mayor Wiggill next presented consideration and approval of a \$200 donation to Sunset Elementary for school spirit shirts. Mayor Wiggill explained that previous Fire Chief Neil Coker had presented the request during the previous City Council meeting and had explained that the effort was intended to provide a shirt to every child at Sunset Elementary. Mayor Wiggill stated that the City had funds budgeted for donation requests and that, under the City's rules, \$200 was the maximum donation the City could provide.

Council Member Hunter asked how much the City had budgeted for donations and whether any of the funding had already been used. It was stated that \$1,200 had been allocated and that none had yet been used.

Council Member Carlson asked what other donations had been received toward the spirit shirt project. Recorder Supp clarified that an additional \$120 had been received. Mayor Wiggill stated that, including the proposed City contribution and the additional contributions collected, the total was \$320 at that point.

Council Member Thompson stated that she had used the QR code to make an additional contribution and had identified the donation as being from Sunset City in hopes that it

would be applied toward the spirit shirt project. Mayor Wiggill thanked Council Member Thompson for the contribution and asked whether there were any additional questions or comments. Hearing none, Mayor Wiggill requested a motion.

Council Member Smalling made a motion to approve the donation to Sunset Elementary, and Council Member Hunter seconded the motion. The motion passed unanimously with Council Members Carlson, Hunter, Rigley, Smalling and Thompson voting yes.

3. **Mayor, Council and Department Head Reports:** Council Member Carlson reported that the Fire Department meeting scheduled for that week had been canceled rather than rescheduled. Council Member Carlson also announced that an Emergency Preparedness Fair was scheduled for September 26th from 9:00 a.m. to 4:00 p.m. in Farmington.

Mayor Wiggill noted that Council Member Thompson had brought in a flyer regarding the Emergency Preparedness Fair so that everyone could review and share the information. Mayor Wiggill thanked Council Member Carlson for mentioning the event and Council Member Thompson for providing the flyer.

Council Member Smalling asked Council Member Thompson whether additional volunteers were still needed for the event. Council Member Thompson confirmed that volunteers were still needed and noted that the matter was part of the report she planned to provide later.

Council Member Carlson continued his report and expressed appreciation for the Planning Commission's work revising City codes. Council Member Carlson noted that although the ordinance considered that evening might not have appeared to involve significant changes, reviewing an entire code in detail required considerable time and discussion. Council Member Carlson stated that additional code revisions were still forthcoming and expressed appreciation for the Planning Commission's efforts.

Council Member Smalling reported on the Mosquito Abatement meeting held the previous week. She stated that there were seven West Nile virus cases in Utah and that the number was somewhat higher than the previous year. Council Member Smalling reported that Arizona, Texas, and California were the top three states among the 143 West Nile virus cases reported across the country. Council Member Smalling stated that Utah's higher numbers could be related to weather conditions that allowed female mosquitoes, which are the mosquitoes that bite and feed, to survive the winter more successfully, feed sooner, and potentially transmit the virus more quickly.

Council Member Smalling also provided an update on renovations occurring at the Davis County Mosquito Abatement property. A creek located behind the facility had been discussed for many years because muskrats and flowing water had caused erosion along the creek banks. The erosion had gradually moved closer to the pesticide storage buildings. As part of the facility remodel and expansion, discussions had occurred for years with Davis County regarding responsibility and funding because the creek was a County responsibility. Council Member Smalling reported that the creek project was finally moving forward. The creek would be enclosed, and the contractors working on the larger construction project would complete the work rather than County Public Works employees. Although using the contractor could cost somewhat more, the County would

not have been able to complete the work until approximately late 2027 or possibly 2028. Additional costs would also have resulted from hauling dirt off the property and bringing dirt back onto the property. For those reasons, it was determined that having the contractor complete the work made more sense despite the slightly higher cost.

Council Member Smalling stated that construction on the Mosquito Abatement facility was progressing well and that favorable weather had assisted the project. Utilities, footings, underground utilities, and other improvements were beginning to go in, and a building pad was expected to become visible within the next couple of weeks. Council Member Smalling noted that the facility was located near the second northbound Kaysville exit from I-15 and that the existing facility was very small considering the services Mosquito Abatement provided throughout Davis County, the amount of equipment it operated, and its storage needs.

Council Member Smalling further reported that Mosquito Abatement was beginning its end-of-season preparations for winter. The agency was beginning to lose seasonal employees because many were students returning to school, but it still had sufficient staffing to complete the remainder of the season's work. Council Member Smalling also reported that the agency was losing its drone pilot because the employee had accepted another opportunity that would be beneficial for the employee and their family. Mosquito Abatement would therefore begin looking for another drone pilot.

Council Member Smalling reported that planning was also beginning for the City's Veterans Program. Additional information, including the date of the program, would be provided once confirmed.

Council Member Smalling concluded by thanking everyone who assisted with the America250 event. Council Member Smalling specifically complimented the City office staff and Public Works staff for their work and stated that their efforts helped make the event enjoyable for residents. Council Member Smalling noted that approximately 250 hot dogs were on the grill at one point during the event and that a significant number of hot dogs had been served. Council Member Smalling thanked City staff and the residents who attended and stated that the fireworks and overall event had received positive feedback.

Council Member Thompson referenced the Emergency Preparedness Fair information previously distributed and reported that confirmation had not yet been received from Sunset Public Works or the Sunset Police Department regarding whether either department would be able to send a representative to the fair. Council Member Thompson stated that it appeared emails requesting participation had been sent in April and May. Each department head informed Council Member Thompson they will email her the following day for more details.

Council Member Hunter confirmed that the Emergency Preparedness Fair was scheduled for September 26th from 9:00 a.m. to 4:00 p.m.

Council Member Thompson requested that the email also include information about anything City personnel might be able to demonstrate or display at the fair. Council Member Thompson explained that the event would include equipment and

demonstrations such as a phone tender, a feedback trailer, and several trash trucks and stated that anything interesting the City could use to educate attendees would be appreciated. Council Member Thompson also requested a point of contact for updated communications information, including the website and social media, because some previous emails had been returned as undeliverable. Recorder Supp stated that communications information could be sent to her and Deputy Recorder Markel.

Council Member Thompson then discussed the need for volunteers and explained that organizers were asking each city to provide at least two volunteers, although additional volunteers would be appreciated. Volunteers were particularly needed to serve as greeters and help tally attendees. Council Member Thompson asked anyone interested in volunteering to provide notice by the 20th, when the next planning meeting would be held. Council Member Smalling volunteered to assist with the event.

Council Member Thompson asked whether Council Member Smalling preferred to volunteer inside or outside. Council Member Smalling stated that she would volunteer wherever assistance was needed. Council Member Thompson thanked Council Member Smalling and stated that the next planning meeting would be held Thursday. Council Member Thompson had nothing further to report.

Council Member Rigley announced that the Mental Health Awareness Craft Fair would be canceled due to a lack of interest. She explained that emails had been sent to previous participants, as was done each year, and normally generated a good response. However, only 12 responses had been received, and none were from mental-health-focused nonprofits or organizations. Council Member Rigley determined that it would not be worthwhile to invest significant time and resources into the event without sufficient participation. Council Member Rigley also noted that attendance had been lower than expected at the City's more popular Fun Days event. Based on those factors, the decision was made to cancel the craft fair before participants paid fees. A couple of individuals may already have paid and would likely need refunds. Council Member Carlson asked whether organizations simply had not responded. Council Member Rigley confirmed that responses had not been received despite a form being sent out.

Council Member Carlson questioned whether the scheduled date could have contributed to the lack of participation. Council Member Rigley acknowledged that the date could have been a factor and stated that one person had reported having another event scheduled at the same time. Council Member Rigley noted that September generally had many events scheduled each weekend as warmer weather came to an end.

Council Member Carlson asked whether the event had been held around the same time the previous year. Council Member Hunter noted that the event had previously been held in August. Council Member Rigley stated that the event had been held in September the previous year, likely around September 13th.

Council Member Rigley then thanked everyone who worked on the America250 Community Barbecue and stated that the event had been enjoyable. She specifically recognized the office staff for working hard and noted Deputy Recorder Markel's efforts serving hot dogs and cake. Council Member Rigley also recognized Gary, a friend who

regularly attended City events, for working hard cooking and serving hot dogs. She reiterated that everyone had done an excellent job and specifically recognized those individuals whose additional efforts had been noticeable. Council Member Rigley thanked everyone involved and stated that attention would now turn toward upcoming events, including the Trunk or Treat and Winterfest.

Council Member Hunter reported that the seniors had held their monthly lunch at Golden Corral and had a large turnout with good conversation. The senior group continued to look for additional participants and individuals interested in serving on the committee. Council Member Hunter encouraged anyone interested, or anyone who knew someone who might be interested, to contact the group. The next senior activity would be a card-making class in September.

Council Member Hunter asked Mayor Wiggill who they had previously spoken with regarding the playground at Wallace Stegner Academy/John G. White Memorial Park. Mayor Wiggill stated that he had the individual's name but couldn't remember it so he said he would provide it to Council Member Hunter later. Council Member Hunter stated that she had been considering ways to update the playground area and improve how the park served the community. She wanted to coordinate with Wallace Stegner Academy because the Academy owned the property where the playground was located, which complicated potential improvements.

Council Member Hunter also shared information about the Clearfield City Youth Commission. The Youth Commission was extending participation to individuals ages 13 through 18 who attended school in Clearfield, which Council Member Hunter believed would include many Sunset City youth. She had spoken with individuals involved with the Clearfield Youth Commission and learned that there had been discussion about eventually asking multiple cities to participate in one larger youth commission. Extending participation to students who attended school in Clearfield appeared to be an initial step toward that possibility. Meetings were held on the second and fourth Wednesdays at 6:00 p.m. at Clearfield City Hall. Council Member Hunter encouraged interested Sunset City youth to consider participating.

Council Member Hunter also announced a free health screening day in Weber. The event was scheduled for September 19th from 9:00 a.m. to 1:00 p.m. at Ogden-Weber Technical College, and no appointment was required. Screenings and services would address a variety of areas, including mental health, physical health, vision, and some dental cleaning services. Council Member Hunter stated that the event could be a valuable resource for community members who needed medical services or might not have health insurance.

Chief Jamison reported that the City's Code Enforcement Officer had begun working several weeks earlier and had been actively addressing issues throughout the City by issuing numerous notices. Chief Jamison stated that the Officer already had significant work to address and would be issuing additional notices. However, based on the response received so far, many residents appeared to be coming into compliance after receiving a notice. Chief Jamison stated that sometimes a notice provided the necessary encouragement for property owners to begin correcting violations.

Chief Jamison reported that school would begin at the end of the week. In preparation, the Police Department would participate in a pedestrian crosswalk campaign initiative. Officers would maintain a presence and actively enforce pedestrian safety in the areas of 250 W and 2300 N and 250 W and 1300 N, where the HAWK system had been installed.

Director Monroe added to Chief Jamison's report and stated that crosswalk markings, speed limit signs, speed limit pavement markings, and related items had been completed throughout the City during the previous week. Director Monroe explained that two Public Works employees had worked a graveyard shift to complete the painting when there was less traffic. The work had been completed and updated.

Director Monroe also reported that the City had crosswalk lights that had previously been removed from the location where the HAWK system was installed. After discussions with Mayor Wiggill and Chief Jamison, two locations had been identified for those lights. One would be installed on 250 W in front of the junior high at the south-end crosswalk. The other would be installed near 2575 N and approximately 75 W at the crosswalk leading into the charter school. The lights would provide smaller flashing warning lights for pedestrians rather than a full HAWK system. Director Monroe explained that there was considerable traffic in the charter school area from drivers attempting to avoid 2300 N.

Director Monroe also reported that additional banners would be installed along Main Street to match those already installed on 1300 N.

Council Member Hunter asked for clarification regarding the crosswalk near the charter school. Director Monroe explained that the crosswalk already existed and that the City would be adding push-button activated flashing lights.

Recorder Supp reminded anyone interested in contributing to the Sunset Elementary spirit shirt project that the City planned to issue the check on Thursday. Anyone wishing to make a contribution through the City was asked to provide their donation before then. Recorder Supp also reminded everyone that the Acts of Kindness program was ongoing and that residents could continue nominating neighbors, friends, or others for acts of kindness.

Mayor Wiggill thanked Recorder Supp and provided a report on the America250 event. Mayor Wiggill thanked the members of the event committee, including Bob Smalling and Council Member Hunter, for their work leading up to the event and stated that their efforts had paid off. Mayor Wiggill described the event as successful and enjoyable. Although attendance had not been as high as hoped, those who attended appeared to have a good time. The event included prizes, a movie, and fireworks, which Mayor Wiggill described as incredible.

Mayor Wiggill recognized several individuals and businesses that had contributed to the event. Don's Meats from Sunset and Syracuse donated most of the hot dogs. Walmart in Clinton donated the soda. Dakine Grindz provided meal cards. Grounds for Coffee donated coffee and coffee cards. HuHot in Layton donated four dinners. Elevation Point of Sunset, the condominium development, provided a generous donation. Mayor Wiggill

also thanked Sam Bartling for work on the fireworks and Gayle Cook and her daughter for making a generous donation.

Mayor Wiggill also thanked City support staff, noting that they continually helped the Council and Mayor succeed. Mayor Wiggill recognized the office Administration, Public Works Department, and Police Department for maintaining a strong presence at the event and thanked everyone for their participation.

Mayor Wiggill reiterated that the Fire Board meeting scheduled for Thursday had been canceled. Mayor Wiggill stated that a report on the numbers would still be provided at the next meeting even though the Board would not meet that week.

Mayor Wiggill again emphasized Council Member Rigley's earlier comments regarding those who assisted with food service at the America250 event. Mayor Wiggill specifically recognized Greg Naylor for cooking a significant number of hot dogs and thanked Deputy Recorder Markel, Council Member Hunter, and Council Member Rigley for serving food and ensuring that the hot dog and cake portions of the event went smoothly.

Mayor Wiggill then discussed a special recognition that had been planned for Sam Sims during the America250 event. Mayor Wiggill explained that Sam had lived in Sunset throughout her life, attended Fremont Elementary and Sunset Junior High, and was attending North Davis when diagnosed with cancer. The City had considered several ideas for recognizing Sam during the event but learned before the celebration that Sam had passed away. Mayor Wiggill stated that Sam's mother attended the event and read a touching poem, sharing the experience with those in attendance. He acknowledged how difficult it must have been to lose a child and then share that experience with the community so soon afterward. Mayor Wiggill thanked everyone who participated in the event, stated that the park looked great, and again recognized the administration and Recorder Supp's team for the significant work completed in preparation for the celebration. Mayor Wiggill stated that the team had done an excellent job and expressed appreciation for their efforts.

Mayor Wiggill concluded by encouraging everyone to be kind and safe.

Council Member Carlson made a motion to adjourn and Council Member Hunter seconded the motion. The motion passed unanimously with Council Members Carlson, Hunter, Rigley, Smalling and Thompson voting yes.

The Regular meeting adjourned at 7:07 p.m.

Approved – September 8, 2026

Scott Wiggill, Mayor

Nicole Supp, Recorder

ORDINANCE NO. 2026-05

AN ORDINANCE OF SUNSET CITY, UTAH, AMENDING SECTIONS 8-6-3, "STORM WATER MANAGEMENT AND PERMIT," AND 8-6-5, "VIOLATIONS AND ENFORCEMENT," OF CHAPTER 6, "STORM WATER MANAGEMENT," OF TITLE 8, "HEALTH AND SAFETY," OF THE SUNSET CITY CODE, TO ESTABLISH EXPLICIT REGULATORY AUTHORITY FOR ILLICIT DISCHARGE DETECTION AND ELIMINATION AND STORM WATER POLLUTION PREVENTION PLANS; TO AUTHORIZE ELECTRONIC OVERSIGHT INSPECTIONS; TO CODIFY TECHNICAL LOW IMPACT DEVELOPMENT RETENTION CALCULATION STANDARDS AND INFEASIBILITY PROCEDURES; TO CODIFY AN ESCALATING ENFORCEMENT LADDER; AND TO ENSURE COMPLIANCE WITH THE UTAH MS4 GENERAL PERMIT (UTR090000)

WHEREAS, Sunset City (the "City") is required by the Utah Division of Water Quality to maintain a Utah Pollutant Discharge Elimination System (UPDES) Permit for its Municipal Separate Storm Sewer System (MS4); and

WHEREAS, Section 4.2.3.2.1 of the MS4 Permit mandates that the City possess adequate legal authority to detect, investigate, eliminate, and enforce against non-stormwater discharges into the MS4; and

WHEREAS, Section 4.2.4.1.2 of the MS4 Permit mandates that the City implement a regulatory mechanism requiring construction site operators to obtain, renew, and terminate coverage under current UPDES Storm Water General Permits; and

WHEREAS, Section 4.2.5.1.2 of the MS4 Permit mandates that new development and redevelopment projects disturbing one acre or more (or less than one acre if part of a larger common plan of development) manage rainfall on-site to prevent off-site discharge from rainfall events less than or equal to the 80th percentile rainfall event; and

WHEREAS, Utah Code §§ 19-5-108.3 and 19-5-108.5 provide for modern electronic inspection methods, specific notification limitations, and Low Impact Development (LID) standards that must be reflected in the Sunset City Code; and

WHEREAS, the City Council has determined that this amendment is necessary and appropriate to ensure the City's continued compliance with the MS4 Permit and is in the best interest of the health, safety, and welfare of the residents of Sunset City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SUNSET CITY, UTAH, AS FOLLOWS:

SECTION 1. AMENDMENT.

Sections 8-6-3, "Storm Water Management And Permit," and 8-6-5, "Violations And Enforcement," of Chapter 6, "Storm Water Management," of Title 8, "Health And Safety," of the Sunset City Code are hereby amended as set forth below.

Section 8-6-3, "Storm Water Management And Permit," of Chapter 6, "Storm Water Management," of Title 8, "Health And Safety," of the Sunset City Code is hereby amended by

adding the following new subsections to Subsection D, "City Stormwater Pollution Prevention Plan" (new text shown as underlined):

8-6-3: STORM WATER MANAGEMENT AND PERMIT:

D. City Stormwater Pollution Prevention Plan:

Add the following subsections:

7. All city permits or applications (meeting the requirement of a SWPPP) shall not be issued or valid until the applicant's SWPPP has been reviewed and approved in writing by the City Stormwater Official.
8. All applicable construction operators must obtain coverage under the current state UPDES Storm Water General Permit for Construction Activities (CGP) or Common Plan Permit (CPP) for the entire duration of the project.
9. Every SWPPP must identify potential pollutant sources and describe the Best Management Practices (BMPs) to be used.
10. Operators shall file a Notice of Intent (NOI), maintain active coverage, execute required permit renewals, and submit a Notice of Termination (NOT) electronically through the EPA NPDES Electronic Reporting Tool (NeT eReporting) portal (utah.gov).
11. Proof of active state coverage and subsequent termination approval must be submitted to the City Stormwater Official.
12. All plans must prioritize Low Impact Development (LID) practices to manage runoff in accordance with Utah Code § 19-5-108.5 and the technical engineering standards set forth in Subsections 13, 14, and 15 below.
13. Hydrologic Calculation Methods And Volumetric Standards:
 - a. Rational Method: The amount of stormwater run-on or runoff from a proposed construction site shall use the Rational Method to calculate the volume of water to be processed on the site. For very large projects, alternative hydrologic modeling methods may be utilized only with the prior written approval of the City Engineer and Public Works Director.
 - b. New Development Retention Requirement: New development projects that disturb land greater than or equal to one (1) acre, including projects less than an acre that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one (1) acre, must manage rainfall on-site. The project must prevent the off-site discharge of precipitation from all rainfall events less than or equal to the 80th percentile rainfall event or a predevelopment hydrologic condition, whichever is less. This objective must be accomplished through practices designed, constructed, and maintained to infiltrate, evapotranspire, and/or harvest and reuse rainwater.

c. **Redevelopment Project Retention Requirement:** Redevelopment projects that disturb land greater than or equal to one (1) acre, including projects less than an acre that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one (1) acre, must provide a site-specific and project-specific plan aimed at a net gain to on-site retention or a reduction of impervious surfaces. If a redevelopment project increases total impervious surfaces by greater than ten percent (10%), the project shall manage rainfall on-site and prevent the off-site discharge of the net increase in volume associated with precipitation from all rainfall events less than or equal to the 80th percentile rainfall event.

14. **80th Percentile Retention Calculation Protocol:** The 80th percentile rainfall event for Sunset City is established as 0.50 inches. The total volume of stormwater required to be stored and retained on-site (V) shall be calculated using the following equation:

$$V = (d_{80} \times 12) \times A$$

Where: d_{80} = 80th percentile rainfall depth in inches (fixed at 0.50 inches); A = total area of the project being physically disturbed, in square feet; and V = minimum required post-construction storage volume, in cubic feet.

Example: For a project on a 1-acre lot where the entirety of the lot is disturbed (43,560 square feet), the required retention volume is computed as $V = 0.50 \text{ in.} \times 12 \text{ in./ft.} \times 43,560 \text{ sq. ft.} = 1,815 \text{ cubic feet}$ of required on-site storage.

15. **Low Impact Development (LID) Implementation And Infeasibility Procedures:**

a. **Design Guidance:** To implement structural controls capable of storing and dispersing the required 80th percentile volume, developers and design engineers may use the technical LID options found in Appendix C of "A Guide To Low Impact Development Within Utah" issued by the Utah Division of Water Quality (DWQ).

b. **Quantification Mandate:** Every new development or redevelopment project must explicitly document and mathematically quantify how infiltration, evapotranspiration, and rainwater harvesting have been utilized to the maximum extent feasible.

c. **Infeasibility Criteria:** A developer may claim full or partial deployment of these on-site retention controls is technically infeasible only when severe site constraints exist. Acceptable justifications for LID infeasibility are strictly limited to: high groundwater tables, designated drinking water source protection areas, poorly infiltrating soil conditions, excessive or unstable slopes, physical site accessibility limits, or documented excessive costs that represent a justifiable constraint.

d. **Alternative Design Review:** If the developer demonstrates that structural LID options cannot function on the project site due to constraints such as those listed above, the developer shall submit a formal, detailed written rationale for the use of an alternate engineering design to the City Stormwater Official.

- e. Documentation Format: Guidance for assessing and documenting site constraints must be prepared using Appendix B (“Storm Water Quality Report Template”) of DWQ’s “A Guide To Low Impact Development Within Utah.” The completed report must be submitted to the City alongside the standard SWPPP submittal package prior to consideration for approval of a permit or application.

Section 8-6-5, “Violations And Enforcement,” of Chapter 6, “Storm Water Management,” of Title 8, “Health And Safety,” of the Sunset City Code is hereby amended by adding the following new subsections and sections (new text shown as underlined):

8-6-5: VIOLATIONS AND ENFORCEMENT:

B. Inspections:

Add the following subsections:

1. Authority To Inspect: The City Stormwater Official, or a designated authorized code enforcement representative, shall have the clear authority to enter and inspect properties and construction sites to verify compliance with approved SWPPPs, track down illicit connections, and investigate potential illegal discharges to the MS4.
2. Electronic Oversight Inspections: Consistent with Utah Code § 19-5-108.3, the City may prioritize the use of electronic site inspections (including time-stamped, geo-located photos, video recordings, or digital logs) for routine compliance monitoring. Electronic submissions shall carry the same legal weight as on-site physical inspections for determining compliance and enforcement.
3. On-Site Inspection Protocol: The City may conduct on-site physical inspections under the following specific conditions:
 - a. To investigate a specific complaint or a verified illicit discharge.
 - b. To mitigate an imminent threat to public health or the environment.
 - c. For non-imminent issues, only following the provision of a forty-eight (48) hour notice to the property owner, operator, or designated site contact.

Add the following sections:

- I. Non-Imminent Violations. For violations that do not pose an immediate threat to the environment, the City shall follow an escalating enforcement ladder consisting of:
 1. Verbal Warning: For minor, first-time technical errors.
 2. First Written Notice: A formal Notice of Violation (NOV) identifying the specific noncompliance element (e.g., failed BMP, illicit discharge, unapproved alternative design, or expired UPDES coverage) and specifying required corrective action.
 3. Second Written Notice: Issued if compliance is not achieved within the timeframe specified in the first notice.

4. Third Written Notice: Final warning issued prior to the assessment of civil penalties.
5. Civil Penalties: Following the third written notice, the City may assess civil penalties of no less than \$100.00 and no more than \$500.00 per day, per violation, until the site is brought into compliance, pursuant to Utah Code § 19-5-108.3(7).
6. Emergency Stop Work Order: The City Stormwater Official reserves the right to bypass the escalating notice steps and immediately issue a Stop Work Order or summary administrative fines under the following emergency conditions:
 - a. A discharge poses an imminent threat to the MS4, public health, or waters of the State.
 - b. The operator fails to remediate a known, significant illicit connection or severe physical site failure after initial contact.

SECTION 2. EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and publication or posting as required by law.

PASSED AND ADOPTED by the City Council of Sunset City, Utah, this 15th day of September, 2026.

Scott Wiggill, Mayor

ATTEST:

Nicole Supp, City Recorder

Council Member Carlson:	☐ AYE	☐ NAY	☐ ABSTAIN	☐ ABSENT
Council Member Thompson:	☐ AYE	☐ NAY	☐ ABSTAIN	☐ ABSENT
Council Member Smalling:	☐ AYE	☐ NAY	☐ ABSTAIN	☐ ABSENT
Council Member Rigley:	☐ AYE	☐ NAY	☐ ABSTAIN	☐ ABSENT
Council Member Hunter:	☐ AYE	☐ NAY	☐ ABSTAIN	☐ ABSENT



Nicole Supp <nsupp@sunsetut.gov>

Planning Commission to City Council Items

Sarah Markel <smarkel@sunsetut.gov>
To: Nicole Supp <nsupp@sunsetut.gov>

Fri, Sep 11, 2026 at 8:36 AM

Nicole,

Here is Braxton's email - bkee@quiktrip.com - and Morgan's email - Morgan.Boyer@kimley-horn.com

I shared/sent you the supporting docs folder from last night and I also shared/sent you the updated proposed ADU code to be reformatted/get ready for Public Hearing.

The motions that will go to you are:

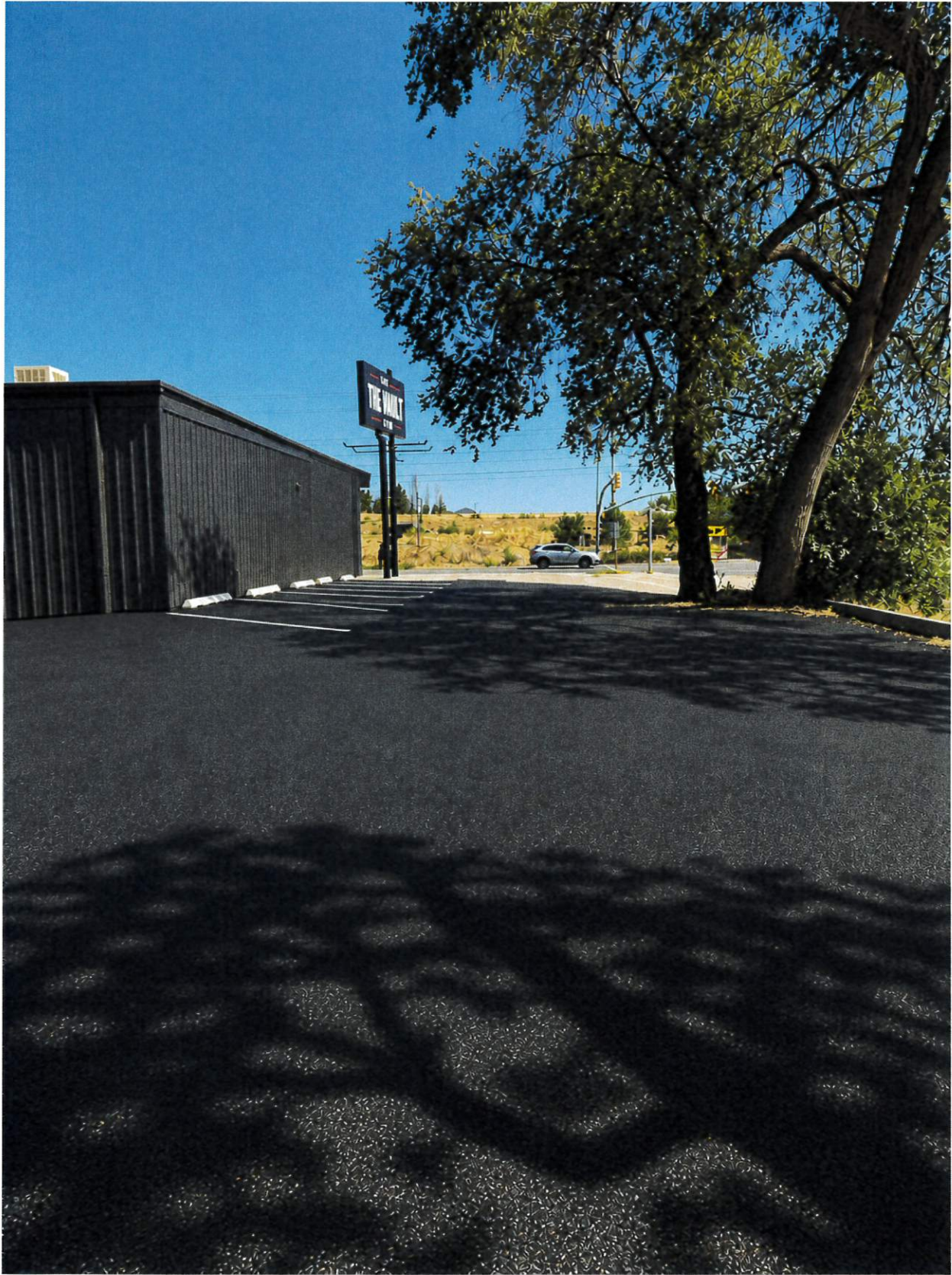
- Motion to recommend to City Council for 2. Land Use Approval – Vault Gym (Ryan & Baylee Clifford) located at 2317 N. Main St. - with an application of the reduction in parking requirements due to the public transit reduction, an exception for the pre-existing freestanding post sign with the stipulation that any future change in signage will adhere to the regulations in the Form-Based Code as well as an exception to the requirement for a main street facing entrance door.
- Motion to recommend to City Council for the Approval of the Conditional Use Permit - Bubble Bath Car Wash – 1689-1691 N. Main St.

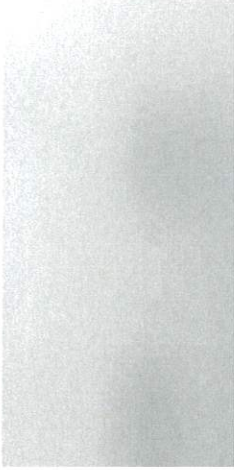
Let me know if you need anything else!

Thank you,
Sarah Markel
Sunset City Deputy Recorder
200 W. 1300 N.
Sunset, UT 84015
(801) 614-9155
email: smarkel@sunsetut.gov





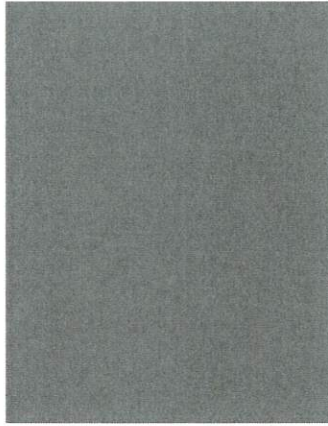




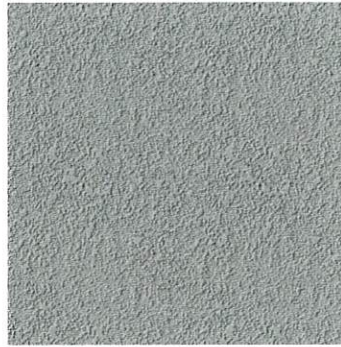
Aluminum - Tubelite
Entry Door/Window Frame



QT BubbleBath
Material Samples
Prepared by: QuikTrip



GRAY Metal Paint -
Bay Doors/Service Doors/Downspouts



EIFS - ICICLE
STO - A100G - Building



RED Metal Paint -
Roof



EIFS - AFRICAN GRAY
STO - A100G - Building



Stacked Stone - Almond Taupe -
Quality Stone Veneer - Building Tower
Physical Sample to be provided by Manufacturer

1 2 3 4 5 6

N
M
L
K
J
H
G
F
E
D
C
B
A



QuikTrip.

4825 S. 102nd St., Suite 200, OK 74142-2020
P.O. Box 1425, Tulsa, OK 74101-1425
818.632.7700



Bubble Bath Pay Kiosk

NOTES

DRAWN BY

ISSUE DATE 07.15.25

SQUARE FOOTAGE

TYPEFACE

INSIDE CAN

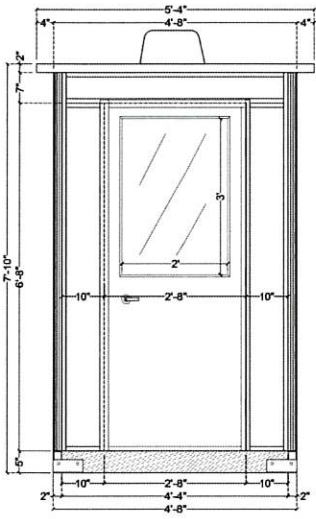
ENTIRE SIGN

SCALE:

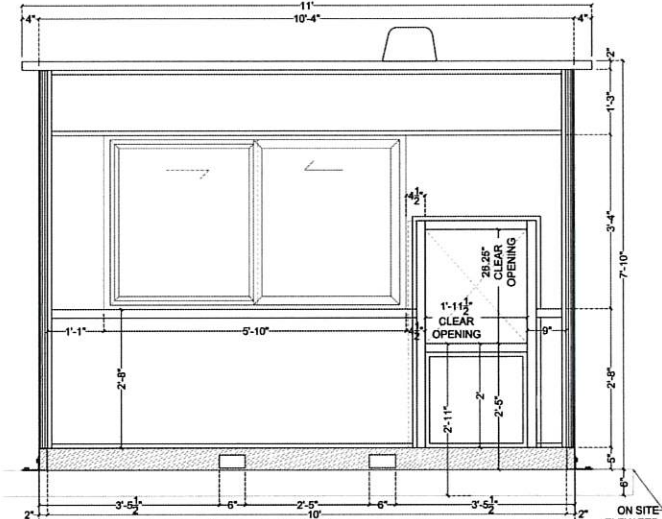
1/4" = 1'-0"

SERIAL NUMBER:

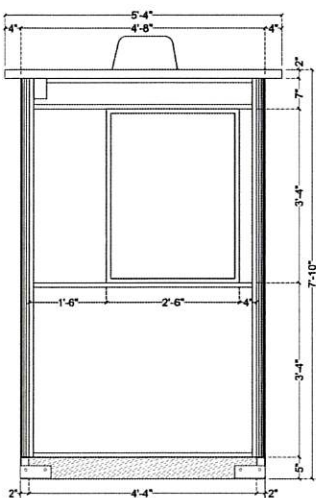
STORE NUMBER:



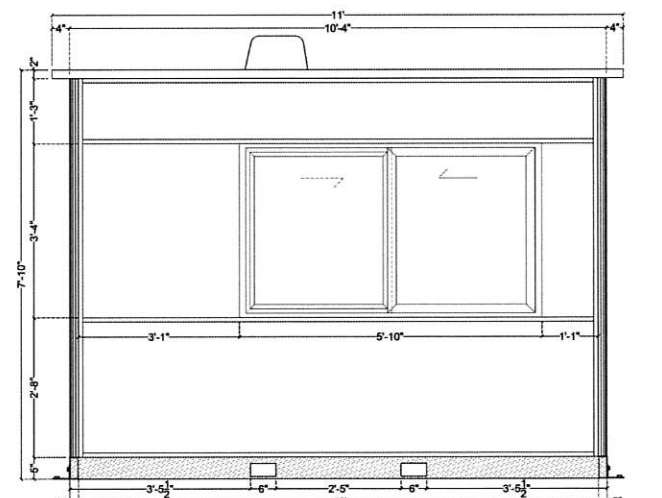
1 FRONT ELEVATION



2 RIGHT ELEVATION



3 REAR ELEVATION



4 LEFT ELEVATION

SPECIFICATIONS:

1 2 3 4 5 6

