RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY – MAY 19, 2015

5:30 p.m. – Work Session *(City Council Conference Room)*
No motions or decisions will be considered during this session, which is open to the public.

6:00 p.m. – Council Meeting *(Council Chambers)*

A. Welcome & Roll Call

B. Pledge of Allegiance

C. Moment of Silence

D. Open Communications

(This is an opportunity to address the City Council regarding your concerns or ideas. Please try to limit your comments to three minutes.)

E. Presentations and Reports

1. Mayor's Report

2. City Administration Report
   a. Departments

   b. Employee Recognition of staff whose anniversaries fall in May
      i. Vicky Barrett, 30 years

   c. Staffing Authorization Plan

F. Consent Items

1. Consideration of setting a public hearing June 16, 2015 to adopt a Certified Tax Rate

2. Consideration of setting a public hearing June 2, 2015 concerning the possibility of declaring certain personal property as surplus to the needs of Riverdale City

3. Consideration of approving language for anodized historical marker plaque as part of Riverdale City's Historical Preservation Project
   Presenter: Council member Brent Ellis

G. Action Items

1. Consideration of Ordinance 868 approving a proposed Rezone request from A-1 to R-2, R-3 or R-4 for a parcel of land located at 4829 S.1700 W.
   Petitioner: Cole Eskelson and Jason Bickley

2. Consideration of Ordinance 867 approving changes to Title 8 Chapter 1 Water Use and Service
   Petitioner: Shawn Douglas, Public Works Director

H. Discretionary Items

I. Adjournment

- The public is invited to attend all Council meetings.
- In compliance with the Americans with Disabilities Act, persons in need of special accommodation should contact the City Recorder at 394-5541 x 1232.
- This agenda has been properly posted and a copy provided to local news media.

RIVERDALE CITY
CITY COUNCIL AGENDA
May 19, 2015

AGENDA ITEM: E2a

SUBJECT: City Administrator's Report

ACTION REQUESTED BY PETITIONER: Information only

INFORMATION: April Department Reports

Community Development Projects Status Report

BACK TO AGENDA

Mayor & City Council Monthly Summary Report
April 2015

City Administration:

1. Rodger Worthen:
   - Finalized UTA bus stop improvement plans with UTA
   - Received final amended WACOG funds and agreement with Weber County on 4400 South project funds
   - Attended URMMA executive meeting
   - Participated in BCTC meetings and activities
   - Tentative budget creation, budget meeting with dept. heads
   - Held weekly update meetings with Community Dev Director and Mayor
   - Met with Ogden City on Burch property boundary line agreement
   - Police open house attendance and organization
   - Attended Senior Center activities
   - Attended ULCT St. George spring conference and training
   - UCMA conference training
   - HB362 resolution
   - Held various developer meetings regarding RDA property on West bench and 550 West
   - Region One UDOT meeting on Riverdale road access points near 550 West
   - Held weekly staff meetings
   - Staff interviews
   - RDA loan work within the 550 West RDA
   - Preliminary budget work with Lynn Fortie and staff
   - Clean up Riverdale week support
   - Weber Pathways on trail connection to Romer Park.
   - Lunch with the Mayor event.

2. Lynette Limburg:
   - General customer service, information to the public, follow-up on information requests and support for administrative events.
   - Prosecution –Prepared files and additional information in regard to prosecution process
   - Prepared paperwork & files for 77 pre-trials & 6 trials. Follow-up and filing of court dispositions after pre- trial or trial
   - Record requests – 15 GRAMA requests for police reports, videos and other miscellaneous city records
   - Community Development Department - 9 Building permits issued
   - Building inspections scheduled and logged.
   - Support for Employee Training
   - 1 Utility lien recorded with Weber County
   - 2 Utility lien releases recorded with Weber county
   - Lodging & registration arrangements made for ULCT's Conference

3. Recorder: No information submitted

Business Administration:

Lynn Fortie:

Routine phone & computer problem resolution. Routine management issues and resolution. Routine accounting issues. No further work has been done on the fire department backup server project but it should be completed by the end of the fiscal year. Budget preparation work.

Stacey Comeau / HR:

New Hires:	Amy Wright	Community Services
	Chad Lockwood	Community Services
	Tristan Buckner	Community Services
Promotions:	Raelyn Boman	Business Administration
Terminations:	Angie Pierce	Business Administration

Chris Stone:

- Attended and took pictures for "Lunch with the Mayor".
- Set up and support for Quarterly Employee Training.
- Various website and social media updates.
- Completed the City newsletter for May.
- Completed the employee newsletter for May.

Rich Taylor:

Youth Baseball: Finished registration and drafted the boys. Games will start May 11th. We have 67 participating in this league.

Youth Softball: Finished registration and placed everyone on teams. We purchased new equipment and started working the fields at Golden Spike and Riverdale Park. We coordinated with South Ogden, Washington Terrace, Ogden and South Weber to prepare playing schedules and teams. We have 65 participating in this league. Games will start May 11th.

Youth Coach Pitch: Finished registration, organized teams and prepared schedules. We have 93 participants.

Total Softball & Baseball Participation: 225

Live Fit Riverdale: We have 72 families that signed up to participate. We started April 11th and will end May 18th.

Intramurals: The activity of the month is Two Man Carry. There are 57 children participating.

Special Assignments:

1. Continued preparations for Old Glory Days
2. Started prep for Summer Fun
3. Prepared for Memorial Day Ceremony
4. Prepared and attended "Live Fit Riverdale" activity
5. Covered for Shawn at the Senior Center while he was off for the first two weeks of April

Fire Department:
No information submitted

Police Department:
PATROL
Officer Bingham, Officer Atkinson and Sgt. Jones were dispatched to a report of a drug sale taking place. The suspects left the area of 4175 S. Parker Dr. in a vehicle and were eventually stopped at 31st and Wall Avenue. There were 4 suspects in the vehicle and Officer Atkinson could smell marijuana in the vehicle. The suspects were asked to exit the vehicle. One suspect threw a bag of marijuana on the floor as he got out. Two loaded firearms were found inside the vehicle within reach of all of the suspects. Everyone in the vehicle was a restricted person and could not possess a firearm. Ogden City PD and the gang unit responded and stated one of the suspects was being investigated for drive by shootings in their city. Officers found cocaine on one individual and spice inside the vehicle which was being sold by one of the suspects to support his drug habit. Two of the suspects had warrants and DNA was obtained from all four suspects to determine who had been in possession of the guns found in the car. Three of the four suspects were taken into custody and booked into jail for drug related charges, warrants and possession of a firearm by a restricted person. The driver was taken into custody for DUI metabolite as he had been smoking marijuana.

Officers responded to Motel 6 on a disturbance. It was reported that a party was going on in a room. When police arrived three individuals jumped out of the second story window of the room. One of the suspects landed on the hood of a car causing substantial damage to the car. Officers were able to detain most of the individuals who were involved who were either juveniles or minors. They located alcohol and marijuana in the room where the party was occurring. Seven people were cited, or arrested for unlawful consumption, or possession related charges. The suspect who caused damage to the vehicle was also charged.

Officers responded to the area of 4400 S. the I-15 bridge on report of a female who appeared to be contemplating jumping off the bridge. Officer McBride located the suspect driving away from the scene and stopped her. The female was very upset and said she had been standing on the bridge and was going to jump on to I-15. Officer McBride spoke to her a while and then transported her to the hospital to get some help.

Officers responded to the trailer park at 4375 S. Weber River Dr. on report of a female who was found deceased inside her trailer. The victim who is 57 years of age was located on the living room floor and was deceased. Officers and detectives investigated and documented the scene. The cause of death is unknown at this time. There was nothing suspicious located at the scene that would suggest any type of foul play.

Officer Thompson and Bingham responded to the 4750 S. block of 575 W. on an unconscious 25 year old female. The female was in the bathroom with the door closed and her body was blocking the door from entry. Officer Thompson had to forcefully remove the door to attend to the victim who had overdosed on spice. The victim was transported to the hospital for treatment. 12 hours later, Officer McBride was dispatched to the same residence on the same female who was unconscious because of an overdose. He found the victim with a bag of spice in her hand, unconscious and convulsing on the floor. She was transported to the hospital for treatment and will be charged with possession of spice and paraphernalia.

Officer Clark and Kelley were asked to assist Roy PD on a weapon disturbance with shots fired. Officers located one of the individuals involved who was the victim. He reported an altercation took place and a male suspect fired multiple shots at him. Officer Kelley located 5 spent casings in

the driveway of a residence from a 9mm handgun. Roy PD investigated and conducted interviews with the victim and witnesses.

INVESTIGATIONS

There were 3 sex related offenses reported to the Riverdale Police Department in the span of 12 hours on Friday 04-24-2015.

A teenage girl from the Military Academy Charter School reported another male touched her breast without her permission in the hall way at school. Officer Bingham interviewed the suspect whom confessed to unlawfully groping the teenage girl. He was referred to the juvenile court.

Officers responded to the Mountain View Apartments on a dispute between a boyfriend and girlfriend. The female reported she told her boyfriend she didn't want to have sex with him. She at one point gave into his requests for sexual intercourse, but then reported other unwanted sexual contact occurred which was investigated by Detective Pippin. The victim has stopped cooperating with police and wants the case dropped.

The police department was given a complaint that was relayed to police. The complainant reported a young girl was engaging in sexual acts with a dog in her back yard. Detective Pippin conducted follow up and found the girl wasn't aware what the dog was doing to her. She believed the dog was just playing. The girl's parents were notified so they could prevent future incidents and educate the children in the home.

Detective Pippin investigated a date rape. A young woman told a young man several times she didn't want to have sex. The two engaged in sexual activity which led to sexual intercourse. Detective Pippin is in the process of screening the case for criminal charges.

Detective Pippin summonsed a male for retail theft at Wal-Mart. The suspect pretended to scan items at the self- checkout register and then left the store without paying for them. The suspect was arrested on a previous occasion doing the exact same thing.

Detective Engstrom conducted follow up on a retail theft that occurred at Wal-Mart. The suspect stole a BBQ grill. The suspect confessed to the theft and was subsequently cited and released for retail theft.

Detective Pippin summonsed a male for issuing bad checks at Shopko.

Detective Pippin utilized Facebook to identify a woman suspect involved in a retail theft. The suspect was summonsed.

Detective Engstrom summonsed a female for retail theft for acting as the getaway driver. The suspect responded to Wal-Mart with two other unidentified accomplices. The suspect waited in her car while the other two suspects entered the store and stole merchandise. Security chased the suspects from the store. They jumped into the car and the suspect sped off. The getaway driver refused to cooperate and identify the other two suspects.

Detective Pippin investigated an ongoing custodial dispute where the mother of a child refuses to allow the father visitation rights. The mother refused visitation to the father on Easter. The mother was cited for custodial interference.

Detective Pippin located and summonsed two juveniles for stealing shoes from the shoe carnival.

Detective Engstrom conducted follow up on a retail theft from Adrenaline RC. A male and female stole a remote control car valued at $636.00. Detective Engstrom and Officer Atkinson interviewed the suspects and they confessed to stealing the remote control car and selling it. Both the male and female were cited for retail theft.

Public Works Department:

- Continued work with FEMA.
- Completed Water Tank painting project.
- Worked on water line replacement under I 84.
- Continued remote read meter project.
- Continued 4400 S trail project.
- Completed River Restoration work.
- Worked on Sanitary Sewer Projects.
- Continued cleanup of the Birch property.
- Opened park and trail restrooms.
- Started work on Chip Seal projects.

Legal Services Department:

- Resolutions/Ordinances work–
- Legal work concerning - Tanks, Anderson, Bingo, Special events, floods, PRUD, Fire interlocal, Elections, in-fill lots, Comm devel, Personelle, Legal dept. issues, Bankrupcy, McGregor, Special events
- Legal research/review –
- Legal Department meetings/work – chairs/carpet
- Planning commission review/ordin/mtgs/minutes
- Walk-ins/Police reviews/Public records requests/Court/Court screenings/Court filings/ Annual reviews
- Formal training attended- State Bar Convention
- RSAC- Drug Court -
- Legal reviews of minutes/resolutions/ordinances

COURT MONTHLY REPORT

229 Total traffic cases — YTD 2853 (Jul. 2014 to June. 2015)

03 DUI	107	Moving violations	0	FTA	
0 Reckless/DUI red.	143	Non-moving violations	0	Other	
22 License violations	0	Parking			

34 Total Misdemeanor cases — YTD 450 (Jul. 2014 to June. 2015)

2	Assault	0	Ill. sale Alc.	1	Dom. Animal	2	Dom. violence
12	Theft	2	Other liq. viol.	0	Wildlife	7	Other misd./infrac
0	FTA	15	Contr. subst vio.	0	Parks/rec.		
2	Public intox	0	Bad checks	2	Planning zon./Fire/Health		

NR Total cases disposed of this month	2479	Total number of cases disposed of for the year (July 1, 2014 to June. 2015)
263 Total offenses this month	3355	Total offenses for year (July 1, 2014 to June. 2015)

Small Claims Total number of cases for the year (Jan. 2014 to Dec. 2014) -- Filed=29 Settled/Dismissed=81 Default=9

6 Cases filed	1 Trials
2 Settled/dismissed	0 Default judgment

# CITATIONS BY AGENCY		**YTD (Jul. 2014 to June. 2015)**
Riverdale City	NR	1566
UHP	NR	667

MISC.		**YTD (July 2014 to Jun. 2015)**
Total Revenue collected	$56,170.77	$ 613,447.01
Revenue Retained	$38,151.47	$ 456,126.59
Warrant Revenue	$ NR	$ 279,096.00
Issued warrants	NR	440
Recalled warrants	NR	662

RSAC MONTHY REPORT

28	participants	224	drug tests given	1	walked away/warrants issued
0	orientations	2	in jail/violations	1	ordered to inpatient
2	new participant	6	positive UA's/tests/dilutes	0	other
0	graduates	0	incentive gifts		
0	terminated/quit	24	spice tests given		

Community Development Department:

- AtHome: Meeting with representative; plumbing inspection
- Bravo Arts Academy: Framing, insulation, lath and plaster, stucco, gas line inspections
- 860 West Commercial: Paint booth and fire inspection
- Mountain View Apartments: Four-way and fire protection inspection
- Fire Station: Above ceiling inspection
- Sportsman's Warehouse: Water line and valve inspection
- Home inspections for various projects on residential lots
- RDA program associated inspections
- Issuance of stop work order by building official
- Preconstruction meeting for Public Works Department project
- Assistance on project for Public Works Department
- Storm water system inspections completed
- Meetings with UDOT, Kurt Landes, and Mr. Huang re: Riverdale Road property access
- Meeting with Mike Medina re: 550 West RDA area
- Economic development opportunities update and discussion meetings
- Employee training participation by department members
- Riverdale Park Advisory Committee kick-off meeting attendance by department member
- International Code Council local meeting attendance by department member
- International Code Council conference attendance by department member
- Local Emergency Planning Committee meeting attendance by department member

Fire Inspection / Code Enforcement Report:

Case Detail Report

04/01/2015 - 05/12/2015

Site Address	Case #	Case Date	Owner Name	Owner Address	Code	Status	Closed Date	Description
4848 S 900 W	463	5/8/2015			41-1a-414	SENT TO COURT		Parking privileges for persons with disabilities.

Violations

Violation Status	Notes
003. Sent to court	

Site Address	Case #	Case Date	Owner Name	Owner Address	Code	Status	Closed Date	Description
4045 S Riverdale Road	462	5/8/2015			41-1a-414	SENT TO COURT		Parking privileges for persons with disabilities.

Violations

Violation Status	Notes
003. Sent to court	

Site Address	Case #	Case Date	Owner Name	Owner Address	Code	Status	Closed Date	Description
4366 S 1000 W	461	5/5/2015	HOFFMANN, MARLIN &ILENE HOFFMANN TRUSTEES	111 W 4350 N	RCC 4-5-3(B)(13)	CLOSED		Accumulation Of Junk

Violations

Violation Status	Notes
002: Closed	

Site Address	Case #	Case Date	Owner Name	Owner Address	Code	Status	Closed Date	Description
4949 S 900 W	460	5/5/2015			41-1a-414	SENT TO COURT		Parking privileges for persons with disabilities.

Violations

Violation Status	Notes
003. Sent to court	

Site Address	Case #	Case Date	Owner Name	Owner Address	Code	Status	Closed Date	Description
4848 S 900 W	459	5/5/2015			41-1a-414	SENT TO COURT		Parking privileges for persons with disabilities.

Violations

Violation Status	Notes
003. Sent to court	

Site Address	Case #	Case Date	Owner Name	Owner Address	Code	Status	Closed Date	Description
	458	5/1/2015	WAL MART REAL ESTATE BUSINESSTRUST 1/3 ETAL	P O BOX 8050 MS 0555	RCC 4-5-3(B)(33)	OPEN		Unmanaged Growth

Violations

Violation Status	Notes
001: Open	

Site Address	Case #	Case Date	Owner Name	Owner Address	Code	Status	Closed Date	Description
Parcel#: 060300042	457	4/30/2015	HUANG, LONG TONG ETAL	1092 E 4925 S	RCC 4-5-3(B)(33)	OPEN		Unmanaged Growth

Violations

Violation Status	Notes
001: Open	

Site Address	Case #	Case Date	Owner Name	Owner Address	Code	Status	Closed Date	Description
Parcel#: 060310049	456	4/29/2015	ZNARB LLC	4868 CHUKAR LN	RCC 4-5-3(B)(33)	CLOSED		Unmanaged Growth

Violations

Violation Status	Notes

Site Address	Case #	Case Date	Owner Name	Owner Address	Code	Status	Closed Date	Description
Parcel#: 060300044	455	4/29/2015	ZNARB LLC	4868 CHUKAR LN	RCC 4-5-3(B)(33)	CLOSED		Unmanaged Growth

Violations

Violation Status	Notes

Site Address	Case #	Case Date	Owner Name	Owner Address	Code	Status	Closed Date	Description
Parcel #060310048	454	4/29/2015	ZNARB LLC	4868 CHUKAR LN	RCC 4-5-3(B)(33)	CLOSED		Unmanaged Growth

Violations

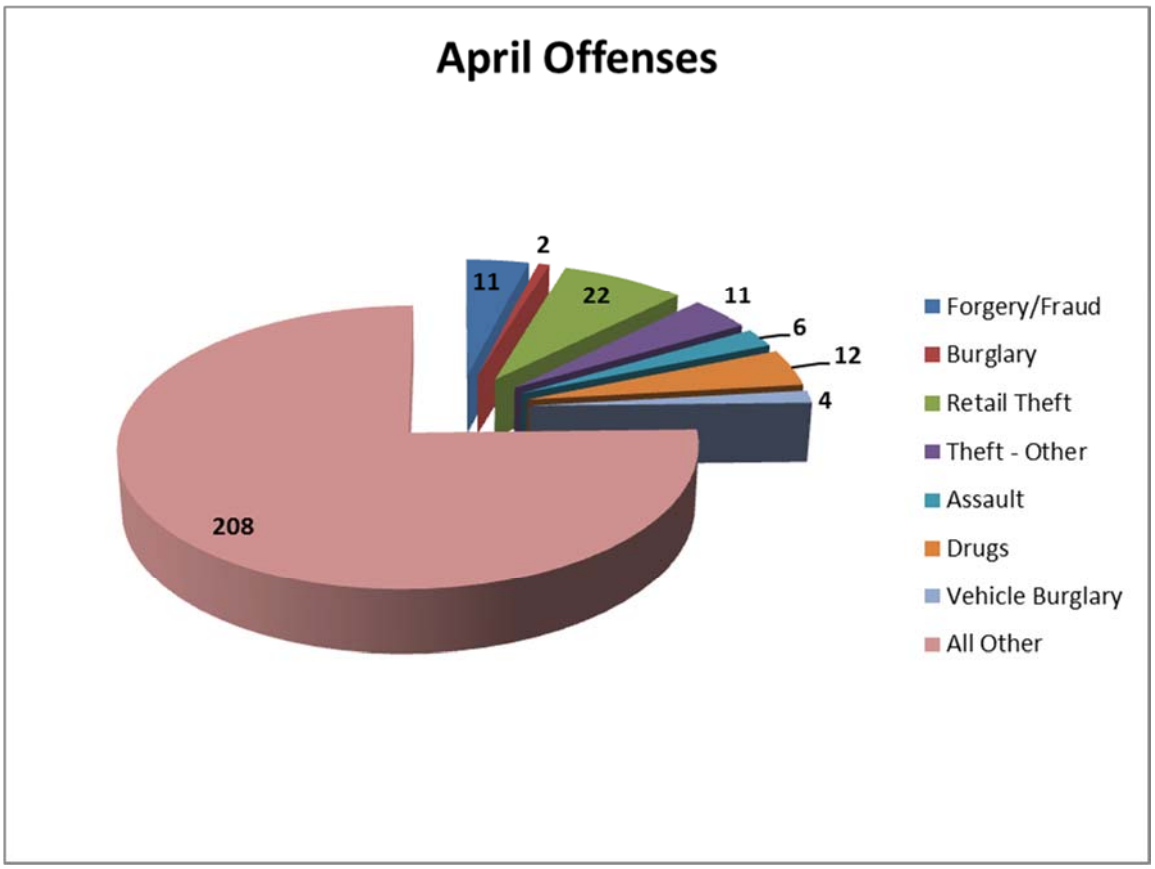
Violation Status	Notes
002: Closed	

Inspection Date Scheduled	Occupancy Name	Inspection Inspector Full Name	Inspection Shift	Inspection Passed
3/31/2015	CAREYS MOTORCYCLE CENTER	Matthew Slater	B	Yes
3/31/2015	Chick-Fil-A	Matthew Slater	B	Yes
3/31/2015	Del Taco	Bret Felter	B	Yes
3/31/2015	Del Taco	Bret Felter	B	Yes
3/31/2015	In N Out Burger	Matthew Slater	B	Yes
3/31/2015	PANDA EXPRESS	Bret Felter	B	Yes
3/31/2015	PEP BOYS MANNY MOE & JACK THE 784	Bret Felter	B	Yes
3/31/2015	SINCLAIR RETAIL #43037	Bret Felter	b	Yes
3/31/2015	STAPLES THE OFFICE SUPERSTORE 703	Bret Felter	B	Yes
3/31/2015	STONEY BROOKE	Matthew Slater	B	Yes
3/31/2015	THE RUBY RIVER #406	Bret Felter	B	Yes
3/31/2015	YUCON DBA CRABTREE AUTO CO	Bret Felter	B	Yes
3/31/2015	Anna's	Randy Koger	FI41	No
4/1/2015	LIGHTHOUSE HOLDINGS, LLC	Paul Flaig	B	Yes
4/1/2015	Pelican Cafe	Paul Flaig	B	Yes
4/6/2015	DISCOVERY CLUBHOUSE	Paul Flaig	B	No
4/6/2015	Blue Hills Dental		B	Yes
4/6/2015	CORNERSTONE CHIROPRACTIC		B	Yes
4/6/2015	DISCOUNT TIRE COMPANY, INC.	Matthew Slater	B	Yes
4/6/2015	JANETS BABYSITTING	Matthew Slater	B	Yes
4/6/2015	ROSS DRESS FOR LESS #504		B	Yes
4/7/2015	DESERET BOOK COMPANY	Matthew Slater	B	Yes
4/8/2015	AMERICA FIRST CREDIT UNION DATA CENTER	David Ermer	C	Yes
4/13/2015	BURGER KING 2228	Bret Felter	B	Yes
4/13/2015	MK Studio	Bret Felter	B	Yes
4/13/2015	R C WILLEY	Bret Felter	B	Yes
4/14/2015	Kickback Coatings	Randy Koger	FI41	No
4/16/2015	Griffin Fast Lube "Jiffy Lube"	Matt Hennessy	A	No
4/16/2015	GWNE INC EDWIN WATTS GOLF SHOP	Matt Hennessy	A	No

4/16/2015	MATTRESS WAREHOUSE	Matt Hennessy	A	No
4/16/2015	Adrenaline RC Hobbies	Curtis Leishman	A	Yes
4/16/2015	Cosmo Pro	Nate Tracy	A	Yes
4/16/2015	D & E Piano Gallery	Nate Tracy	A	Yes
4/16/2015	Fast Signs	Curtis Leishman	A	Yes
4/16/2015	Larry Miller Auto Group	Nate Tracy	A	Yes
4/16/2015	PETSMART INC #166	Nate Tracy	A	Yes
4/16/2015	Shoe Carnival	Curtis Leishman	A	Yes
4/16/2015	TONY DIVINO TOYOTA	Nate Tracy	A	Yes
4/16/2015	Vaper Mania	Curtis Leishman	A	Yes
4/17/2015	APPLEBEES NEIGHBORHOOD GRILL	Nate Tracy	A	Yes
4/17/2015	KEYES INSURANCE SERVICES INC	Nate Tracy	A	Yes
4/30/2015	Hertz Car Sales	Randy Koger	FI41	No
5/1/2015	Hertz Car Sales		FI41	No
5/1/2015	Hertz Car Sales	Randy Koger	FI41	Yes
5/12/2015	Bravo Arts Acad	Randy Koger	FI41	No
5/12/2015	Bravo Arts Acad	Randy Koger	FI41	No

RIVERDALE DEPARTMENT OF PUBLIC SAFETY
CRIME BULLETIN

April 2015
Report #12-4



OFFENSES

There were **11** forgery/fraud cases reported throughout the month of April. There were **6** assaults, **22** Family Offenses, and **12** complaints involving drugs. There were **22** retail theft complaints reported in April, and **11** cases of theft from persons. There were **208** case reports generated for citizen assists, traffic control, warrant service, civil cases, lost property complaints, disorderly conduct, juvenile problems, and reported suspicious activity.

TRAFFIC ACCIDENTS

April traffic accidents included **16** non-serious accidents which involved minor damage, no injuries, and were not reported to the State. There were **20** accidents reported to the State due to damage totals, and/or injuries. Officers made **1** DUI arrest, and also issued citations for **210** moving violations, and **67** non moving violations.

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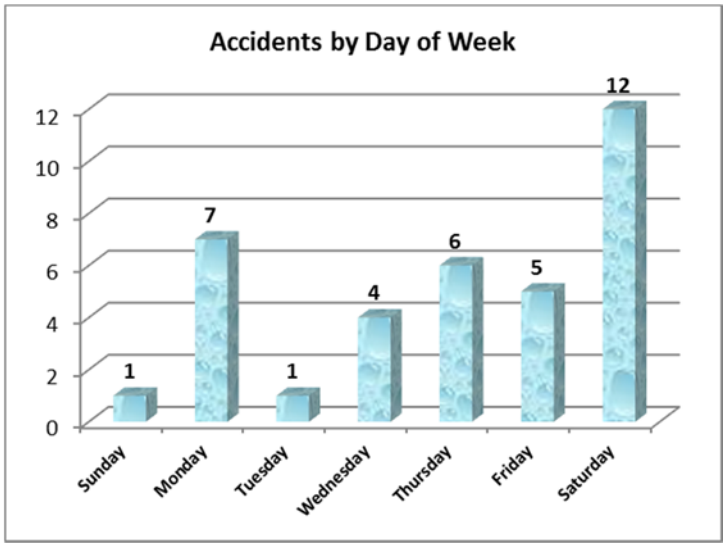

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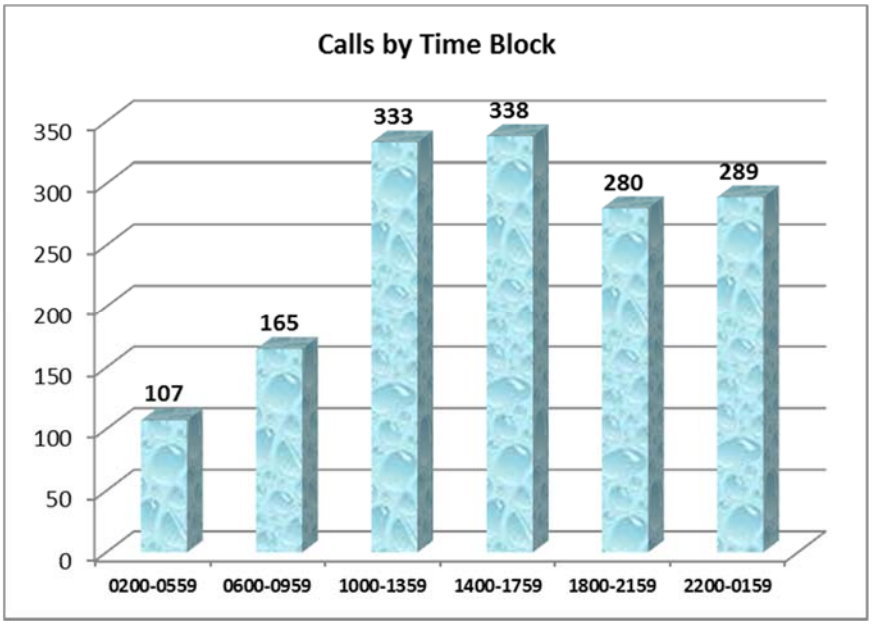
FOR LAW ENFORCEMENT USE ONLY!

RIVERDALE DEPARTMENT OF PUBLIC SAFETY
CRIME BULLETIN

April 2015
Report #12-4

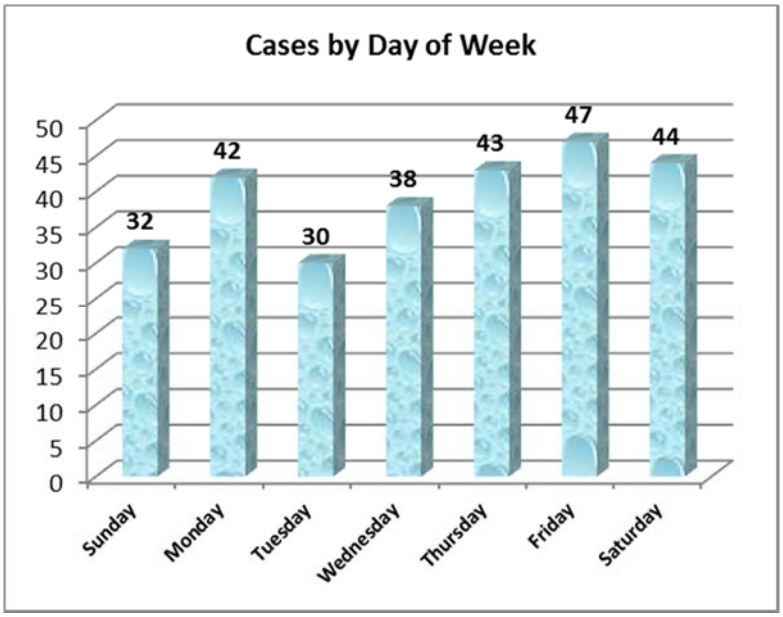


CALLS FOR SERVICE

There were **1512** calls for service during the month of April. There were **276** Case Reports written, **27** street checks conducted, and **1** noise ordinance violation reported. Officers had contact with **5** documented gang members throughout the month.

The number of case reports shows fairly consistent throughout the week with a noticeable increase on Mondays and Weekends. The busiest time of day for calls for service spikes between the hours of **1000-2200**, still remaining active later in the day than in previous months. The largest drop between **0200** and **0600** remains consistent with previous months.

There were **56** adults arrested for various crimes and violations throughout the city, and **14** juveniles referred to Juvenile Court.



The Investigations Division received **27** new cases assigned to them during April of 2014.

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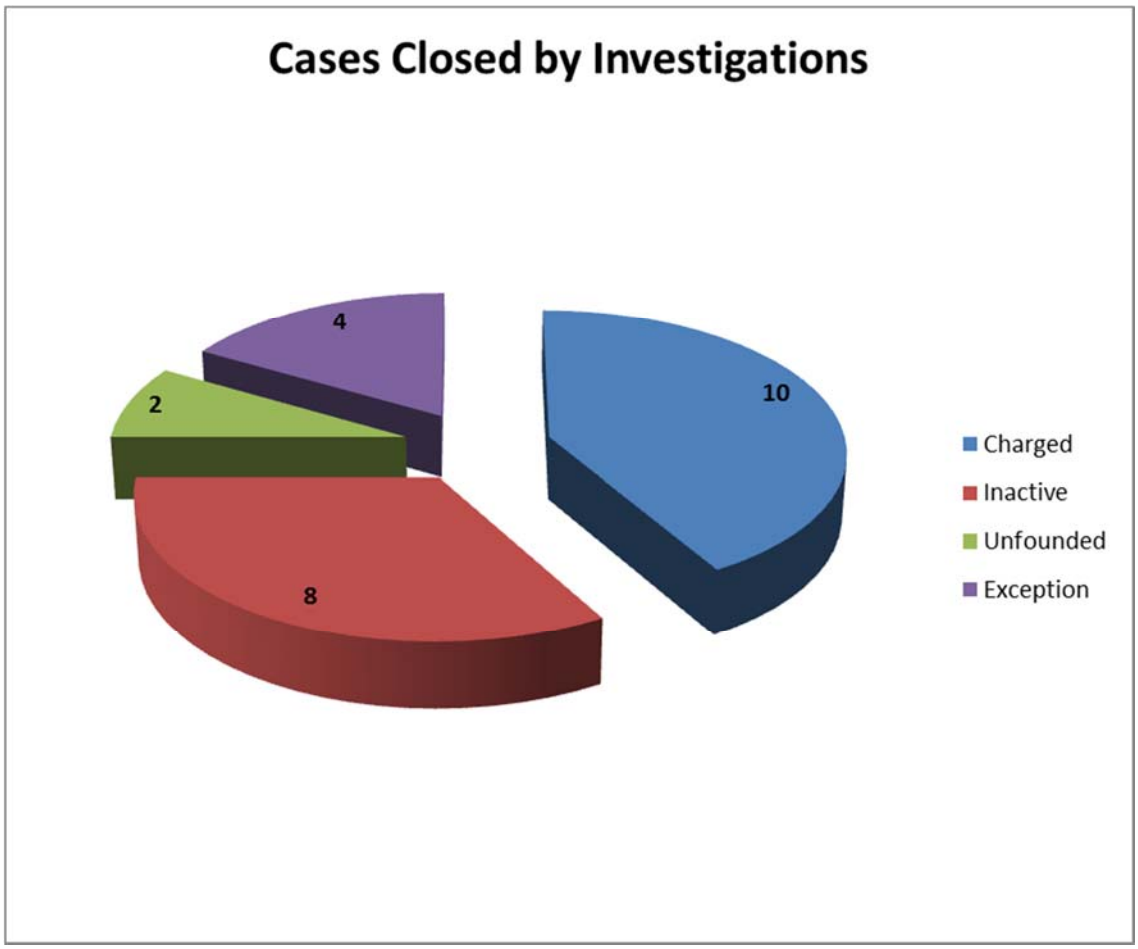
RIVERDALE DEPARTMENT OF PUBLIC SAFETY
CRIME BULLETIN

April 2015
Report #12-4



Investigators closed **24** cases in April. These cases were closed as follows:

10 - Charged - Individual(s) were charged with a crime
8 – Inactive (No information came to light that would further the investigation)
2 - Unfounded (No crime was found to have actually occurred, or incident was determined to be civil)
4 – Exception (Victim refused to cooperate or Prosecutors declined to file)

Of the individuals charged with a crime by investigations, **10** were adults, and **1** juvenile.
Investigators were able to recover **$317** worth of property this month, however restitution will likely be ordered through the courts on the cases where an arrest resulted.

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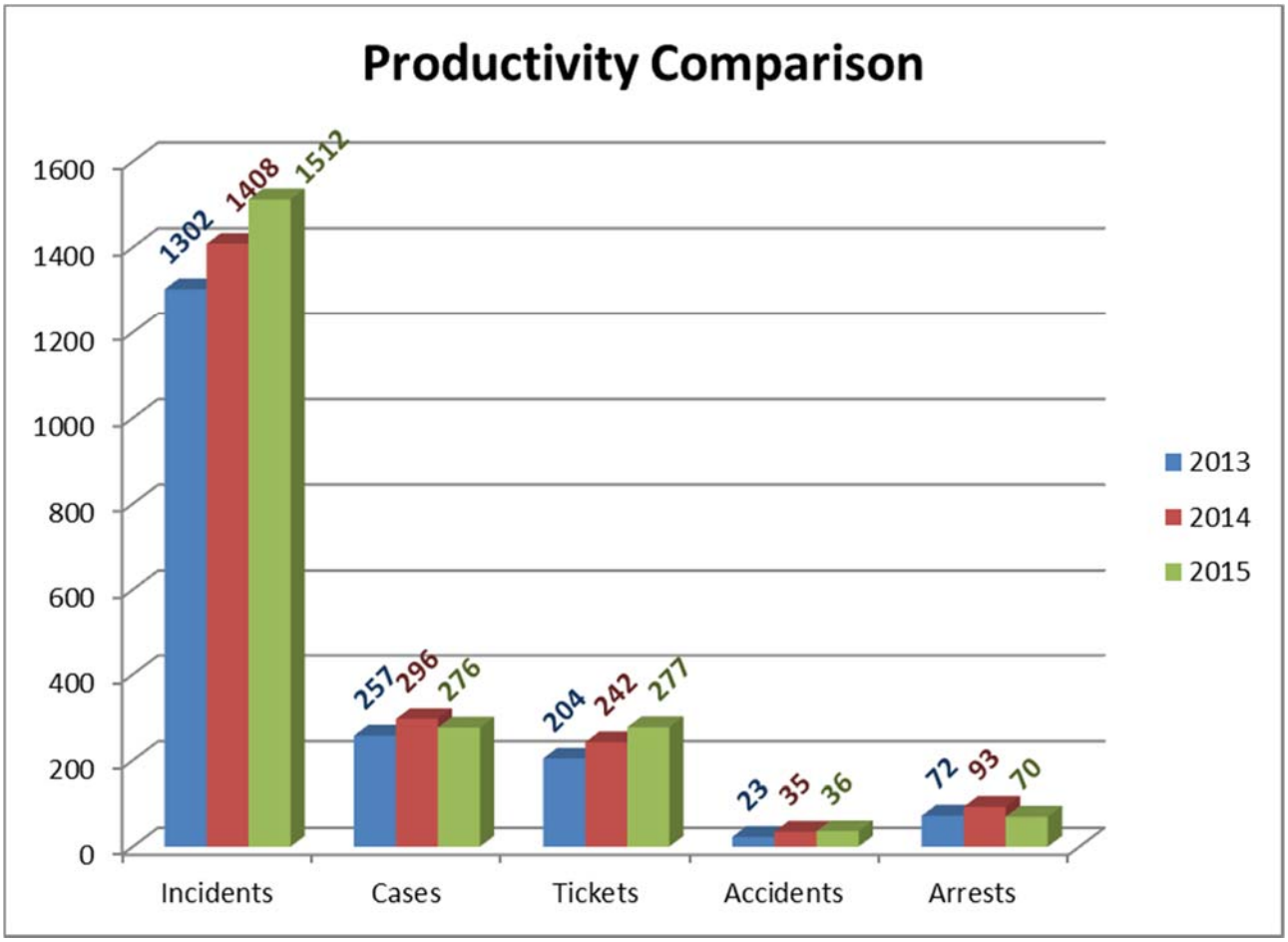
RIVERDALE DEPARTMENT OF PUBLIC SAFETY
CRIME BULLETIN

April 2015
Report #12-4

Chart shows departmental statistics for April 2013, 2014 and 2015.



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FOR LAW ENFORCEMENT USE ONLY!

COMMUNITY DEVELOPMENT PROJECTS STATUS REPORT

May 15, 2015

NEW & ONGOING DEVELOPMENTS

At Home, a home décor superstore, will open in the old Macey's building. Remodeling has started. They are expected to be open in August.

Advance Auto Parts will open a store in the Nicklecade building located at 4046 S. Riverdale Road

Bravo Arts Academy and Daycare has started construction of their new facility located at 5165 South 1500 West.

Riverdale Business Park

Construction on phase two of the Riverdale Business Park located at 5175 South 1500 West will begin soon.

RIVERDALE CITY
CITY COUNCIL AGENDA
May 19, 2015

AGENDA ITEM: E2b

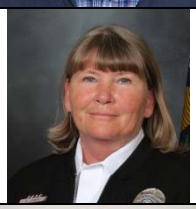
SUBJECT: City Administrator's Report

b. Employee Recognition of staff whose anniversaries fall in the month of April

ACTION REQUESTED BY PETITIONER: Information only

INFORMATION: Employee Recognition of staff with anniversaries in April

BACK TO AGENDA

Employee Recognition – May 2015 Anniversaries			
Years	Employee		Department
30		Vicky Barrett	Public Works
24		Shawn Douglas	Public Works
17		Bonnie Jones	Police
9		Abraham Torres	Public Works
4		Travis Gibson	Public Works
1		Jake Peterson	Public Works

RIVERDALE CITY
CITY COUNCIL AGENDA
May 19, 2015

AGENDA ITEM: E2c

SUBJECT: City Administrator's Report

c. Staffing Authorization Plan

ACTION REQUESTED BY PETITIONER: Information Only

INFORMATION: Staffing Authorization Plan

BACK TO AGENDA

Staffing Authorization Plan

As of December 31, 2005		
Department	*FTE Authorization*	*FTE Actual*
City Administration	3.00	3.00
Legal Services	5.50	5.50
Community Development	3.50	3.50
Bus Admin - Civic Center	5.75	5.50
Bus Admin - Comm Services	10.00	6.75
Public Works	12.00	11.00
Police	26.00	26.00
Fire	11.50	12.75
Total	77.25	74.00

As of April 30, 2015		
Department	*FTE Authorization*	*FTE Actual*
City Administration	3.00	3.00
Legal Services	5.00	5.00
Community Development	3.00	3.00
Bus Admin - Civic Center	5.25	5.25
Bus Admin - Comm Services	8.50	8.00
Public Works	11.00	11.00
Police	22.75	21.75
Fire	15.50	15.25
Total	74.00	72.25

Staffing Reconciliation – Authorized to Actual		
Department	*FTE Variance*	*Explanation*
Legal Services	0.00	
Bus Admin - Civic Center	0.00	
Community Development	0.00	
Bus Admin - Comm Services	0.00	
Bus Admin - Civ Ctr	0.00	
Public Works	0.00	
Police	(1.00)	Unfilled position
Fire	(0.25)	PT position unfilled
Totals	(1.25)	Staffing **under** authorization

Actual Full Time Employees	56.00
Actual Part Time Employees	51.00
Seasonal Employees	1.00

RIVERDALE CITY
CITY COUNCIL AGENDA
May 19, 2015

AGENDA ITEM: G1

SUBJECT: 1. Consideration of Ordinance 868 approving a proposed Rezone request from A-1 to R-2, R-3 or R-4 for a parcel of land located at 4829 S.1700 W.

PETITIONER: Cole Eskelson and Jason Bickley

ACTION REQUESTED BY PETITIONER: Consideration of Ordinance 868 approving a proposed Rezone request from A-1 to R-2, R-3 or R-4 for a parcel of land located at 4829 S.1700 W.

INFORMATION: Executive Summary

Ordinance 868

Rezone Request Maps

Notice of Public Hearing and Proof of Publication

Rezone Request Application

Affected Entities Notice Listing

Certification of Sign Placement

Letter from UDOT

Draft Planning Commission Meeting Minutes May 12, 2015

BACK TO AGENDA

Riverdale City

City Council
Executive Summary

For the Council meeting on: 5-19-2015	Petitioner: Cole Eskelson & Jason Bickley

Summary of Proposed Action

Petitioners Cole Eskelsen and Jason Bickley have applied for a rezone of the Cecil and Sheila Roberts Trust property located at approximately 4829 South 1700 West from the current Agricultural A-1 zone to a proposed Single-Family and Single-Family with Rental Unit Residential R-2, Multi-Family Residential R-3, or Multi-Family Residential R-4 zoning. This request is for approximately 0.52 acres of land that would be affected by the proposed rezone request (see the attached zoning map document for more information). A public hearing was held with the Planning Commission and public comments were shared regarding the proposed amendment to the zoning map. Following the public hearing, the Planning Commission recommended that the City Council grant the rezone request from the Agricultural A-1 zone to a Single-Family and Single Family with Rental Unit Residential R-2 zone. At the conclusion of discussion in this matter, the City Council may act accordingly to support the Planning Commission's recommendation for rezone on this property, consider other alternative rezone options for this property, or not support the Planning Commission's recommendation and not change the zoning on this property based upon sufficient findings of fact to support the City Council's decision.

Title 10 Ordinance Guidelines (Code Reference)

This rezone request is regulated under City Code 10-5 "Rezone Requests" and is affected by City Codes 10-9C "Single-Family and Single-Family with Rental Unit Residential Zone (R-2)", 10-9D "Multi-Family Residential Zone (R-3)", and 10-9E "Multi-Family Residential Zone (R-4)".

The petitioner's properties are currently listed in the County Records under the ownership of Cecil L. Roberts and Sheila S. Roberts Revocable Living Trust. These properties are undeveloped and have been maintained as agricultural properties or otherwise unused land that was historically connected to a neighboring residential property for many years. At this time, the property is listed for sell by the property owners.

The appropriate application and supporting documentation have been submitted and provided to the Planning Commission for your review (please see attached documentation for more). The four questions, as written on the application, have been answered by the applicant on an attached response sheet.

This request for rezone is **not** in agreement with the General Plan for this location as this property is established in the General Plan Land Use section as Residential - Low Density use. Any future plans to develop the property would be required, following the subdivision/site plan processes established within the City Code, and would need to be reviewed by the Planning Commission and City Council (as outlined in City Code 10-21, 10-24, and 10-25 respectively).

Public hearing notifications required by State and City Codes have been completed in conformance with the standards established by these Codes and as reflected in the attached documentation. On May 12, 2015 the advertised public hearing was held before the Planning Commission wherein public comments were presented by members of the public in attendance.

Staff would encourage the City Council to act accordingly by showing support for the Planning Commission's

recommendation for rezone on this property, consider other alternative rezone options for this property, or not support the Planning Commission's recommendation and not change the zoning on this property based upon sufficient findings of fact to support the City Council's decision.

Below are excerpts from City Codes (as listed above) that have direct application to this rezone request:

Title 10 Chapter 9 Article C:

ARTICLE C. SINGLE-FAMILY & SINGLE-FAMILY WITH RENTAL UNIT RESIDENTIAL ZONE (R-2)

10-9C-1: PURPOSE AND INTENT:
The purpose of the R-2 zone classification is to accommodate a need for low density residential districts incorporating both single-family dwelling units and single-family dwelling units with a residential rental unit. (1985 Code § 19-18-1; amd. 2001 Code)

10-9C-2: PERMITTED USES:

Accessory building and use that is incidental to a dwelling on the same lot or property and in compliance with all Riverdale City ordinances that regulate the use of accessory buildings.

Agriculture.

Church, synagogue or similar permanent building used for regular religious worship.

Educational institution.

Golf course, except miniature golf course.

Greenhouse, noncommercial only.

Household pets.

Parking lot accessory to uses permitted in this zone.

Public building, public park, public recreation grounds and associated buildings.

Single-family dwelling.

Temporary building and use incidental to construction work. Such building shall be removed upon the completion or abandonment of the construction work. (1985 Code § 19-18-2; amd. Ord. 784, 4-19-2011)

10-9C-3: CONDITIONAL USES:

The following uses shall be permitted only when authorized by a conditional use permit as provided in chapter 19 of this title:

Cemetery with customary incidental uses, including, but not limited to, mortuary, mausoleum, crematory, staff housing, service shops and chapel.

Home occupation.

Private park, playground or recreation area, but not including privately owned commercial amusement business.

Public utility substation or water storage reservoir developed by a public agency.

Single rental unit created only by owner occupied homes, located within, underneath or above the primary single-family dwelling unit. Any conditionally permitted rental unit shall be incidental to the primary residential use and shall meet the following minimum standards:

The square footage of the rental unit shall not exceed fifty percent (50%) of the overall square footage of the dwelling structure;

The rental unit shall be designed with a secondary entrance in a manner that the primary dwelling appears visually and functionally as if it were a single-family dwelling without a rental unit;

The rental unit shall have its own off street parking provided on the primary dwelling premises. Exiting units will be grandfathered until the property is sold and the new owner must be a residence of one of the units. (Ord. 655, 4-4-2006)

10-9C-4: SITE DEVELOPMENT STANDARDS:

Minimum lot area:	
One-family dwelling	8,000 square feet
One-family dwelling with rental unit	10,000 square feet
Minimum lot width:	
One-family dwelling	70 feet
One-family dwelling with rental unit	80 feet
Minimum yard setbacks:	
Front	25 feet except average of existing dwellings where 50 percent frontage is developed but not less than 20 feet
Side:	
Main building	8 feet, with total width of 2 side yards of not less than 18 feet and 20 feet each side for other main buildings
Accessory building	8 feet, except 1 foot if located at least 6 feet in rear of main building; but not closer than 9 feet to dwelling on adjacent lot
Zero side yards	In accordance with subsection 10-14-4J of this title
Side; facing street on corner	20 feet, except average where 50 percent frontage is developed, but not less than 15 feet
Rear:	

	Main building	25 feet
	Accessory building	When the accessory building is attached to the main building, in any manner whatsoever, then the minimum rear setback is 20 feet from the property line. When an accessory building is detached from the main building, and the accessory building is located at least 6 feet behind the main building, then the rear setback for the accessory building may be no less than 1 foot from the property line. If a dwelling has an existing detached accessory building in the rear yard, and the property owner wants to add on to the dwelling (after fire department review); the new addition must be a minimum of 8 feet from the accessory building, and the new addition shall meet the minimum rear yard requirements. The opposing side yard must meet minimum side yard requirements and be open at all times to rear yard access
Building height:		
	Minimum	1 story
	Maximum	$2^1/_2$ stories or 35 feet

Title 10 Chapter 9 Article D:

ARTICLE D. MULTI-FAMILY RESIDENTIAL ZONE (R-3)

10-9D-1: PURPOSE AND INTENT:

The purpose of the R-3 zone classification is to provide residential areas that will accommodate the development of dwelling types from single-family through multiple-family units with their associated necessary public services and activities. It is also to provide an orderly transition from less intensive, lower density uses to more intensive, higher density uses. (1985 Code § 19-19-1)

10-9D-2: PERMITTED USES:

Accessory building and use that is incidental to a dwelling on the same lot or property and in compliance with all Riverdale City ordinances that regulate the use of accessory buildings.

Agricultural.

Bachelor and/or bachelorette dwelling with twenty four (24) or less dwelling units.

Church, synagogue or similar permanent building used for regular religious worship.

Educational institution.

Golf course, except miniature golf course.

Greenhouse, noncommercial only.

Group dwelling with twenty four (24) or less dwelling units in accordance with chapter 24 of this title.

Household pets.

Library or museum, public or nonprofit.

Multiple-family dwelling with twenty four (24) or less dwelling units.

Parking lot accessory to uses permitted in this zone.

Planned residential unit development, in accordance with chapter 22 of this title.

Public building, public park, public recreation grounds and associated buildings.

Single-family dwelling.

Temporary building for use incidental to construction work. Such building shall be removed upon the completion or abandonment of the construction work.

Two-family dwelling. (1985 Code § 19-19-2; amd. Ord. 784, 4-19-2011)

10-9D-3: CONDITIONAL USES:

The following uses shall be permitted only when authorized by a conditional use permit as provided in chapter 19 of this title:

Bachelor and/or bachelorette dwelling with twenty five (25) or more dwelling units.

Cemetery with customary incidental uses, including, but not limited to, mortuary, mausoleum, crematory, staff housing, service shops and chapel.

Group dwellings with twenty five (25) or more dwelling units in accordance with chapter 24 of this title.

Home occupation.

Multiple-family dwelling with twenty five (25) or more dwelling units.

Nursing home.

Private park, playground, or recreation area, but not including privately owned commercial amusement business.

Public utility substation or water storage reservoir developed by a public agency. (1985 Code § 19-19-3)

10-9D-4: SITE DEVELOPMENT STANDARDS:

Minimum lot area:			
	One-building dwelling:		
		Single-family	6,000 square feet
		Two-family	7,500 square feet
		Multiple-family	7,500 square feet plus 2,000 square feet for each dwelling in excess of 2
		Bachelor or bachelorette	Same as above plus 1,000 square feet for each occupant in excess of 4 in each dwelling unit

Group dwelling	7,500 square feet for each building plus 2,000 square feet for each dwelling unit in excess of 2 in each building; bachelor or bachelorette same as above plus 1,000 square feet for each occupant in excess of 4 in each dwelling unit
Other main building	7,500 square feet for nursing home and additional 750 square feet for each guest or patient accommodations in excess of 4
Minimum lot width:	60 feet
Minimum yard setbacks:	
Front	25 feet, except average of existing dwellings where 50 percent frontage is developed, but not less than 20 feet
Side:	
Main building:	
One-building dwelling and group dwelling	8 feet with total width of 2 required yards of not less than 18 feet plus 1 foot each side for each 1 foot main building is over 35 feet high
Other main building	20 feet each side plus 1 foot each side for each 1 foot building is over 35 feet high
Accessory building	8 feet, except 1 foot if located at least 6 feet from rear of main building, but not closer than 8 feet to dwelling on adjacent lot
Zero side yard	In accordance with subsection 10-14-4J of this title
Side; facing street on corner lot	20 feet, except average where 50 percent frontage is developed, but not less than 15 feet
Rear:	
Main building	30 feet
Accessory building	1 foot, except 8 feet where an accessory building located on a corner lot rears on side yards of adjacent lots
	If a dwelling has an existing detached accessory building in the rear yard, and the property owner wants to add on to the dwelling (after fire department review); the new addition must be a minimum of 8 feet from the accessory building, and the new addition shall meet the minimum rear yard requirements. The opposing side yard must meet minimum side yard requirements and be open at all times to rear yard access
Building height:	
Minimum	1 story
Maximum	Nursing home 21/2 stories or 35 feet, none for other buildings
Lot coverage	No building or group of buildings with their accessory buildings

	shall cover more than 40 percent of the lot area
Open green space	At least 40 percent
Special regulations	In no case shall the ratio of total floor area in the building to the total lot area exceed one to one (1:1)

Title 10 Chapter 9 Article E:

ARTICLE E. MULTI-FAMILY RESIDENTIAL ZONE (R-4)

10-9E-1: PURPOSE AND INTENT:

The purpose of the R-4 zone is to provide higher density residential areas with their associated necessary public services and activities. It is also to provide an orderly transition from less intensive, lower density uses to more intensive, higher density uses. (1985 Code § 19-20-1)

10-9E-2: PERMITTED USES:

Accessory building and use that is incidental to a dwelling on the same lot or property and in compliance with all Riverdale City ordinances that regulate the use of accessory buildings.

Agriculture.

Bachelor and/or bachelorette dwelling with twenty four (24) or less dwelling units.

Boarding and lodging house.

Church, synagogue or similar permanent building used for regular religious worship.

College or university.

Educational institution.

Golf course, except miniature golf course.

Greenhouse, noncommercial only.

Group dwellings with twenty four (24) or less dwelling units in accordance with chapter 24 of this title.

Household pets.

Library, museum, public or nonprofit.

Multiple-family dwelling with twenty four (24) or less dwelling units.

Parking lots accessory to uses permitted in this zone.

Planned residential unit development in accordance with chapter 22 of this title.

Public building, public park, public recreation grounds and associated buildings.

Single-family dwellings.

Temporary building for use incidental to construction work. Such building shall be removed upon completion

or abandonment of the construction work.

Two-family dwelling. (1985 Code § 19-20-2; amd. Ord. 784, 4-19-2011)

10-9E-3: CONDITIONAL USES:

The following uses shall be permitted only when authorized by a conditional use permit as provided in chapter 19 of this title:

Bachelor and/or bachelorette dwelling with twenty five (25) or more dwelling units.

Cemetery with customary incidental uses, including, but not limited to, mortuary, mausoleum, crematory, staff housing, service shops and chapel.

Daycare/preschool center.

Fraternal and beneficial societies, orders and social clubs of nonprofit nature.

Fraternity or sorority house.

Group dwelling with twenty five (25) or more dwelling units in accordance with chapter 24 of this title.

Home occupation.

Hospital, sanatorium, clinic.

Multiple-family dwelling with twenty five (25) or more dwelling units.

Nursing home, nursery for children.

Private park, playground or recreation area, but not including privately owned commercial amusement business.

Professional and business offices in which goods or merchandise are not commercially created, exchanged or sold.

Public utility substation.

Studio for professional work, teaching, performances or exhibitions of the fine arts; provided, that such performances or exhibitions are limited to the work product of the studio involved.

Wedding chapel; provided, that light refreshment only shall be served and the service or consumption of food or refreshment shall be strictly incidental to the principal use. (1985 Code § 19-20-3; amd. Ord. 802, 4-3-2012)

10-9E-4: SITE DEVELOPMENT STANDARDS:

Minimum lot area:	
One-building dwelling:	
Single-family	6,000 square feet plus 1,500 square feet for each additional dwelling unit; for bachelor and bachelorette dwelling same as above plus 1,000 square feet for each occupant in excess of 4 in each unit

Group dwelling	6,000 square feet for first building plus 2,000 square feet for each additional building plus 1,500 square feet for each building; for bachelor and bachelorette dwelling, same as above plus 1,000 square feet for each occupant in excess of 4 in each unit
Other main building	7,500 square feet for nursing home, an additional 500 square feet for each guest or patient in excess of 4; and 20,000 square feet for hospital, fraternal, or beneficial society or wedding chapel
Minimum lot width	60 feet
Minimum yard setbacks:	
Front	20 feet except average of existing dwellings where 50 percent is developed but not less than 15 feet
Side:	
For any dwelling, nursery school, office, clinic, fraternity, sorority, boarding house, or lodging house	6 feet with total of 2 side yards not less than 16 feet, plus 1 foot each side for each 1 foot any main building is over 35 feet high
Accessory building	8 feet except 1 foot if located at least 6 feet from rear of main building, but not closer than 8 feet to dwelling on adjacent lot
Zero side yard	In accordance with subsection 10-14-4J of this title
Side; facing street on corner lot	15 feet except average where 50 percent frontage is developed but not less than 10 feet
Rear:	
Main building	30 feet
Accessory building	1 foot except 6 feet where an accessory building located on a corner lot rears on side yards of adjacent lots
	If a dwelling has an existing detached accessory building in the rear yard, and the property owner wants to add on to the dwelling (after fire department review); the new addition must be a minimum of 8 feet from the accessory building, and the new addition shall meet the minimum rear yard requirements. The opposing side yard must meet minimum side yard requirements and be open at all times to rear yard access
Building height:	

Minimum	1 story
Maximum	None
Lot coverage	No building or group of buildings with their accessory building shall cover more than 50 percent of the lot area
Open green space	At least 30 percent of the lot area
Special regulation	In no case shall the ratio of the total floor area in the building to the total lot area exceed 2:1

General Plan Guidance (Section Reference)

Listed as Residential-Low Density use.

Legal Comments - City Attorney

Steve Brooks, Attorney

Administrative Comments - City Administrator

Rodger Worthen, City Administrator

ORDINANCE NO. 868

AN ORDINANCE AMENDING THE ZONING OF PROPERTY AND THE CITY'S LAND USE MAP, TO CHANGE THE LAND USE DESIGNATION OF LAND LOCATED AT 4829 SOUTH 1700 WEST FROM A-1 TO A RESIDENTIAL DESIGNATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Cole Eskelson and Jason Bickley, for and on behalf of the landowner, the Cecil and Shelia Roberts Trust (Petitioner), has requested that approximately 0.52 acres, with a current zoning designation of A-1 (Agriculture), located at approximately 4829 South 1700 West in Riverdale City, Weber County; be rezoned to a land use designation of a residential nature either R-2 (Single family and Single family with Rental Unit Residential Zone), R-3 (Multi Family Residential Zone) or R-4 (Multi Family Residential Zone), for the subject property

WHEREAS, the City Council of the Riverdale City, pursuant to the Municipal Land Use Development and Management Act, and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan that outlines future and projected growth and development goals, desires and intentions and provides for the planning and mapping of said matters; and

WHEREAS, the Riverdale City Planning Commission held a duly advertised public hearing in May, 2015, to receive comments on the proposed amendment and has considered all comments received as required by state law and local ordinance and approved a recommended motion to grant the requested rezone and amendment to the land use map; and

WHEREAS, the Planning Commission has recommended that the Council designate an R-2 (Single family and Single family with Rental Unit Residential Zone) zoning modification for the affected property. The petition has now been passed on to the City Council to adopt the recommendation of the Planning Commission and allow the rezone and plan amendment; and

WHEREAS, the Riverdale City Council City has conducted a duly advertised public meeting on the proposed amendment and finds that the proposed amendment ordinance is in the best interest of the citizens of the City of Riverdale.; and

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

Section 1.

After reviewing the material presented to the Planning Commission in the public hearing, and all subsequent information and evidence presented in addition thereto, the Riverdale City Council finds that it IS in the best interest of Riverdale City and does meet the goals or policies of the City's current land use development plan and does not raise significant issues or concerns about the impact on the City's resources and services. The Council hereby approves the rezone request made by the land owner to amend approximately 0.52 acres, with a current zoning designation of A-1 (Agriculture), located at approximately 4829 South 1700 West in Riverdale City, Weber County; to be rezoned to a land use designation of R-2 (Single family and Single family with Rental Unit Residential Zone).

Section 2.
That the Land Use Map designation is hereby amended from a A-1 to a land use designation of R-2 for the property legally described and outlined in the attached Exhibit(s) (attached hereto and incorporated by reference), and that the Maps shall be hereby amended as outlined and be hereby incorporated and adopted into the City's General Plan and said updates shall replace currently existing portions in conflict therewith and, along with any and all unchanged portions of the currently existing Plan, shall be known as the Riverdale City General Plan and be on file in the Riverdale City Recorder's Office and readily available for public inspection.

Section 3.
That the Planning and Community Development Department is further authorized to make the necessary map change to reflect the change authorized by this Ordinance. The Community Development Department shall take all necessary steps to insure that the intent of this Ordinance is duly recognized and recorded. The City Attorney is authorized to prepare further written findings on the matter, consistent with this finding, should they be needed.

Section 4. Repeal of Conflicting Ordinances.
All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 5. Severability.
If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the intent to pass the Ordinance without such unconstitutional or invalid part therein, and the remainder of this Ordinance shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 6.
The effective date of this amendment shall be effective immediately.

PASSED, ADOPTED AND ORDERED POSTED this ____ day of May, 2015.

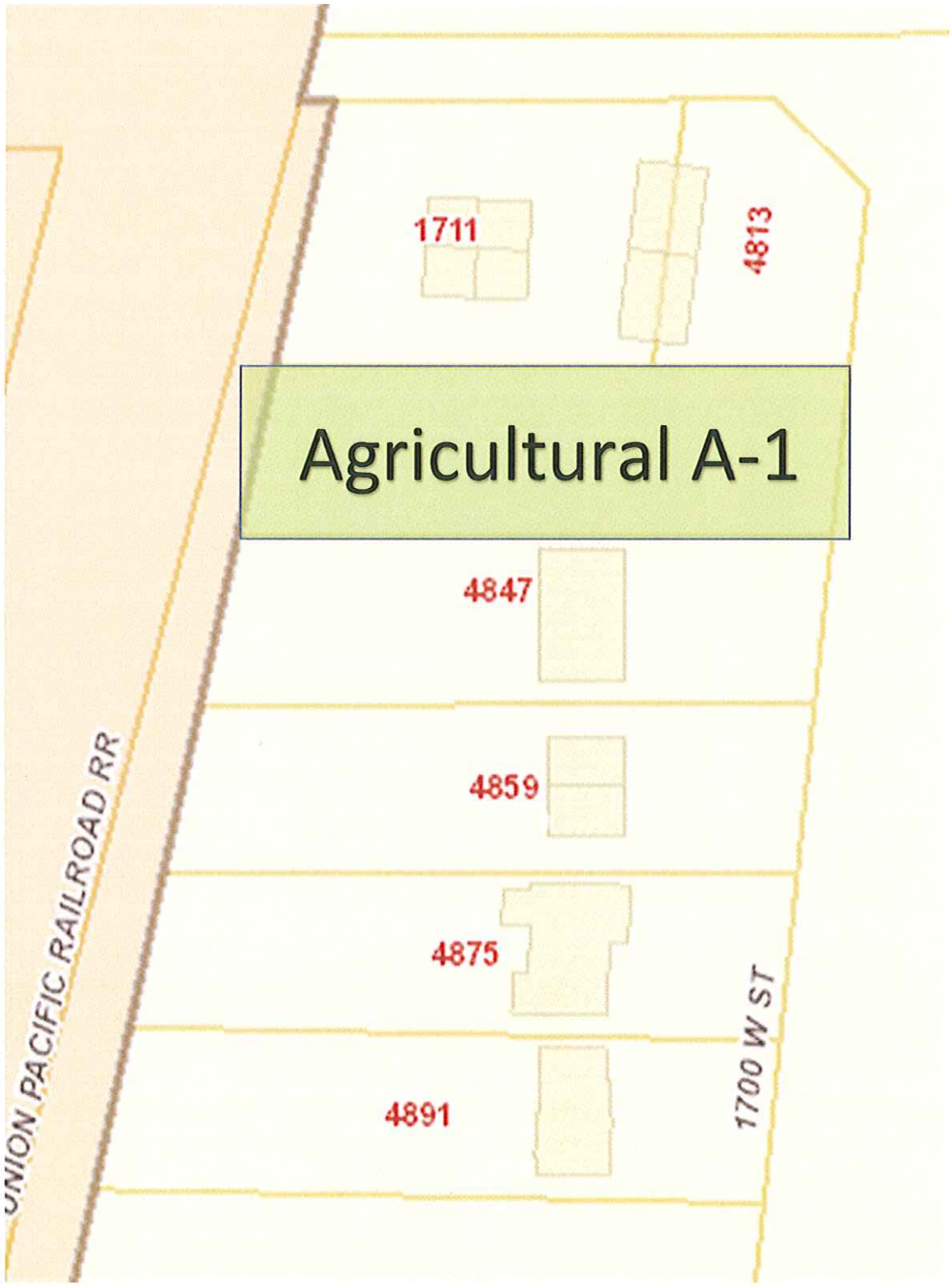
_____
Norm Searle, Mayor

Attest:

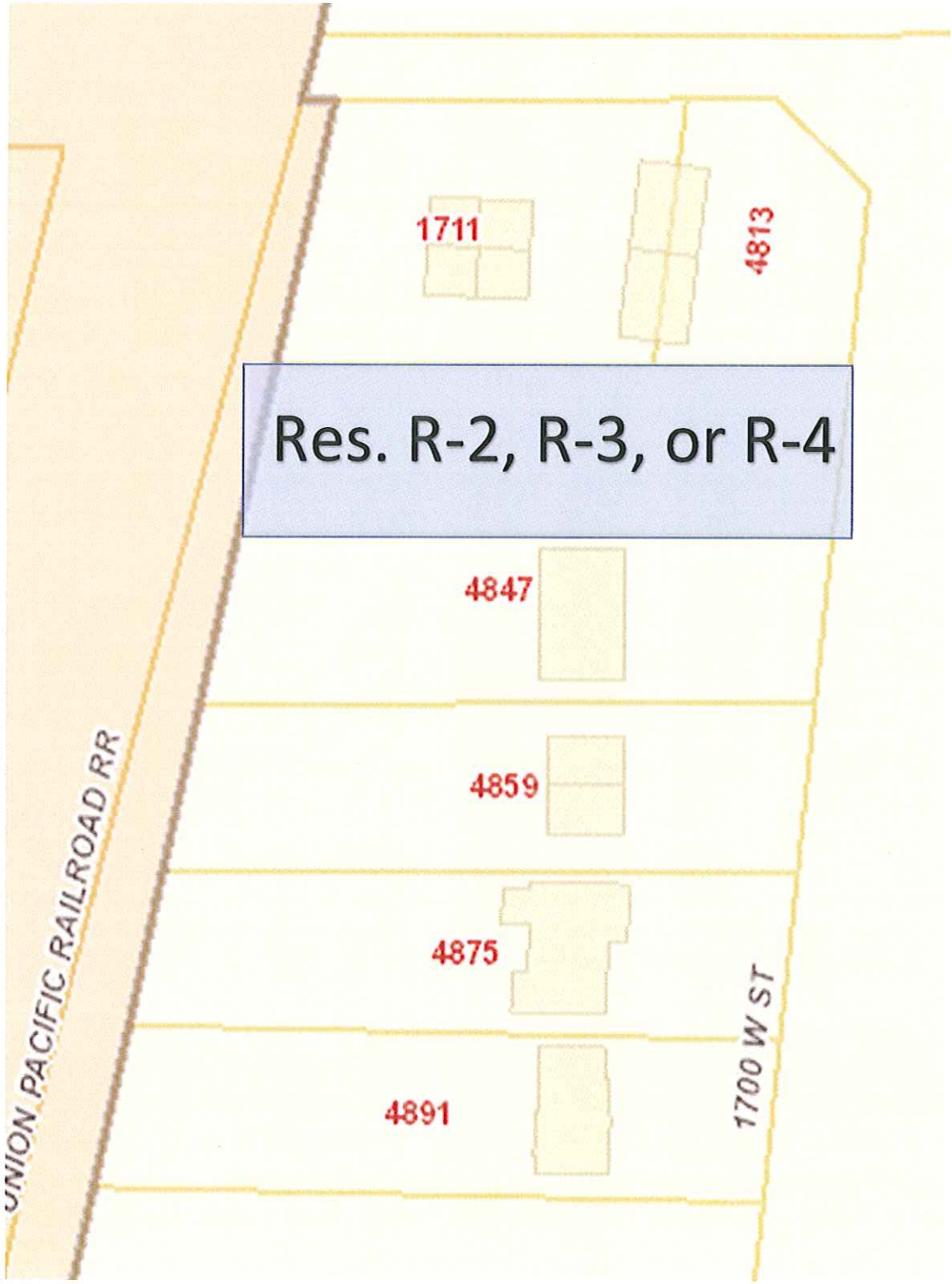
_____
Acting City Recorder

Rezone Request – Approx. 4829 South 1700 West

Current Zoning Status

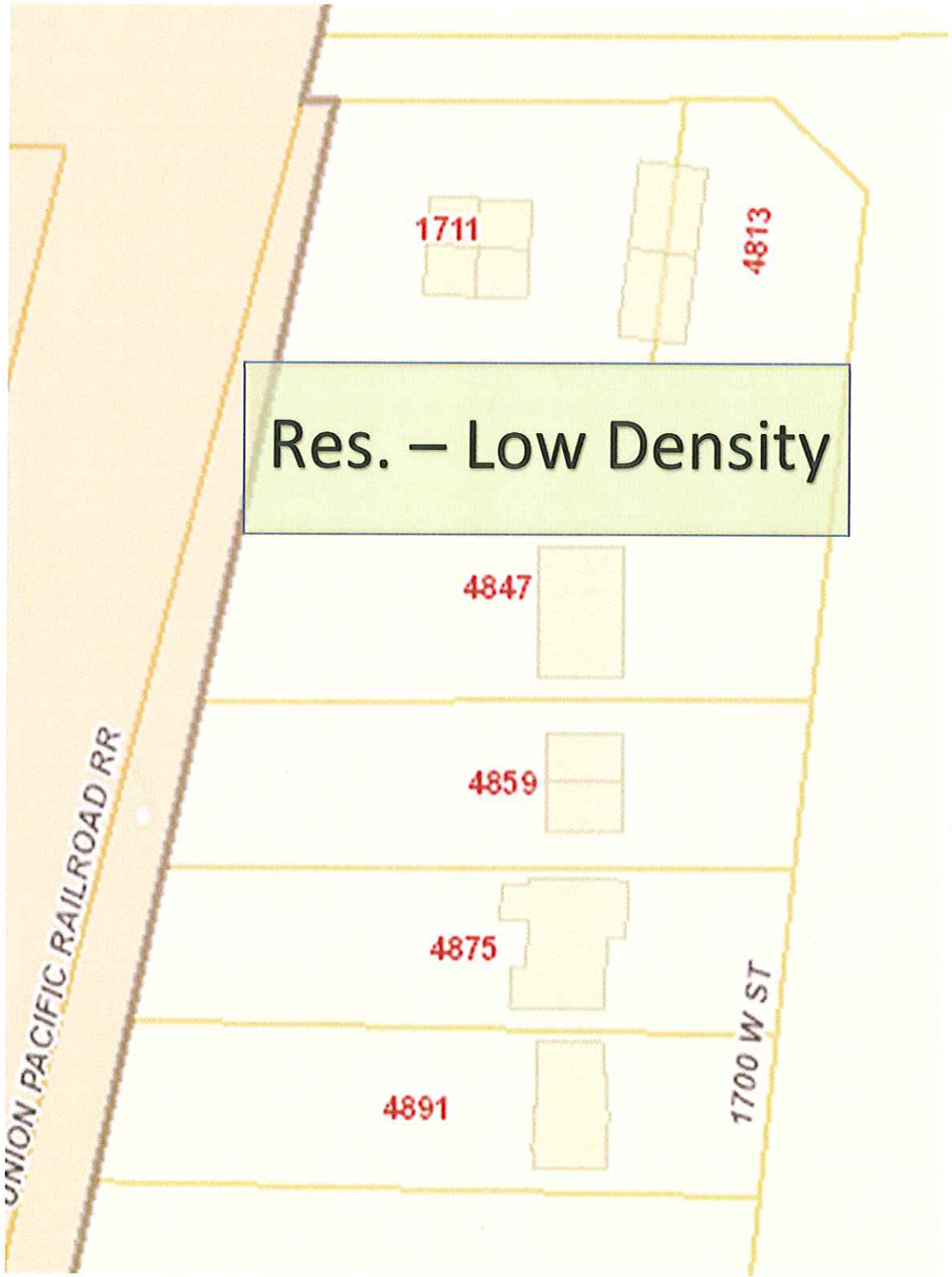


Proposed Zoning Change



Rezone Request – Approx. 4829 South 1700 West

Current Land Use General Plan Status



Riverdale City

Administrative Offices
4600 So. Weber River Drive
Riverdale, Utah 84405

April 23, 2015

Notice of Public Hearing

Riverdale Planning Commission
Tuesday, May 12, 2015
Which begins at 6:30 p.m.

Riverdale Civic Center
4600 Weber River Drive
Riverdale, Utah

Riverdale City's Planning Commission will hold a public hearing to receive and consider public comment on a proposed rezone request from A-1 to R-2, R-3 or R-4 for a .52 acre parcel located between 4813 S. and 4847 S. on 1700 West in Riverdale. All residents are invited and encouraged to attend.

- The public is invited to attend all public meetings.
- In compliance with the Americans with Disabilities Act, persons who have need of special accommodations should contact the City Recorder at 394-5541.

April 23, 2015

TO: Standard Examiner Legal Notices

PUBLIC NOTICE

Riverdale City gives notice that on Tuesday, May 12, 2015, during the regular Planning Commission meeting, which begins at 6:30 p.m., at the Riverdale City Civic Center, 4600 South Weber River Drive, Riverdale, Utah, a public hearing will be held to receive and consider public comment on a proposed rezone request from A-1 to R-2, R-3 or R-4 for a .52 acre parcel located between 4813 S. and 4847 S. on 1700 West in Riverdale. All residents are invited and encouraged to attend.

Publish one time by April 28, 2015.

PROOF OF PUBLICATION REQUIRED

Please acknowledge receipt of notice by return fax or e-mail to:

Ember Herrick
City Recorder
Phone: 801-436-1232
Fax: 801-399-5784
eherrick@riverdalecity.com

Notice received by Standard Examiner _____
Date

By: _____
Name

STANDARD EXAMINER
OGDEN PUBLISHING CORP
PO BOX 12790
OGDEN UT 84412-2790

ORDER CONFIRMATION

Salesperson: LEGALS | Printed at 04/24/15 10:47 by vchriste

Acct #: 100310 | Ad #: 572991 | Status: N

RIVERDALE CITY CORP
4600 S WEBER RIVER DR
RIVERDALE UT 84405-3782

Start: 04/27/2015 | Stop: 04/27/2015
Times Ord: 1 | Times Run: ***
LEGL 2.00 X 1.11 Words: 92
Total LEGL 2.50
Class: 30090 LEGALS
Rate: LEGLM | Cost: 63.37
Affidavits: 1

Contact: EMBER HERRICK
Phone: (801)394-5541ext
Fax#: (801)399-5784ext
Email: @riverdalecity.com
Agency:

Ad Descrpt: NOTICE RIVERDALE -MAY 12
Given by: EMAIL EMBER HERRICK
Created: vchri 04/24/15 10:42
Last Changed: vchri 04/24/15 10:46

COMMENTS:
emailed proof 4/24 VALI

PUB	ZONE	ED	TP	START	INS	STOP	SMTWTFS
SE	A		97 S	04/27			

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type) | Name (signature)

PUBLIC NOTICE
Riverdale City

Riverdale City gives notice that on **Tuesday, May 12, 2015,** during the regular Planning Commission meeting, which begins at **6:30 p.m.**, at the Riverdale City Civic Center, 4600 South Weber River Drive, Riverdale, Utah, a public hearing will be held to receive and consider public comment on a proposed rezone request from A-1 to R-2, R-3 or R-4 for a .52 acre parcel located between 4813 S. and 4847 S. on 1700 West in Riverdale. All residents are invited and encouraged to attend.

Pub.: April 27, 2015. 572991

Riverdale City

Community Development
4600 So. Weber River Drive
Riverdale, Utah 84405

RIVERDALE CITY
REZONE REQUEST APPLICATION

DATE SUBMITTED: 4-20-15 FEE SCHEDULE: $250

APPLICANT NAME: Cole Eskelsen PHONE NUMBER: 330.840.8596

APPLICANT ADDRESS: 4625 W. 5100 S.
Ogden, UT 84405

ADDRESS OF SITE: Not assigned, parcel # 08103001A

PROPERTY OWNER: Cecil & Sheila Roberts

PRESENT ZONING: A-1

PRESENT USE: Vacant Land

PROPOSED ZONING: R-2, R-3, or R-4

PROPOSED USE: Duplex or fourplex
R-2, R-3, R-4 (Preference for R-4)

PROPERTY ACREAGE: .52 Acres

Answer the following questions with specifics on a separate sheet. This information will be forwarded to the Planning Commission members for review.

A. Why should the present zoning be changed?

B. How is the proposed change in harmony with the City General Plan for this area?

C. If the proposed change is not in harmony, what conditions and circumstances have taken place in the general area since the General Plan was adopted to warrant such a change?

D. How is the change in the public interest as well as the applicant's desire?

Signature of Applicant

Cecil S. Roberts Sheila S. Roberts
Signature of Property Owner

I authorize _____ to act as my representative in all matters relating to this application.

1. Why should current zoning be changed?

The property is located in a bit of a unique area. There are multifamily homes to the north and around the corner in the adjacent properties. It is also across the street with a pretty high amount of noise pollution. We feel that the zoning of multifamily would be the best use of the property given the circumstances of the surroundings.

2. How is the proposed change in harmony with the City General Plan for this area?

City General Plan online is Agriculture. This is Not inline with it.

3. If the proposed change is not in harmony, what conditions and circumstances have taken place in the general area since the General Plan was adopted to warrant such a change?

Attached Is A Map That Best Demonstrates The use of The general Area 6 of The 8 Adjoining Properties Are Being used As Multi-Family or Commercial And it is unknown on The other Two. This change would Best Bring The parcel in Line with The Local Area.

4. How is the change in the public interest as well as the applicants desire?

The Lot is currenty Vacant, with Debris Scattered Along The Back. Now That The 4 Plex To the North is cleaned up and Rented This Lot is The Next Needing cleaned up To Continue to improve the Area. The Lot Has Been for Sale for A Number of Months As Single family, However The Markets Failed interest Demonstrates Single Family is Not A good use. Therefore we propose Bringing it More Inline with The Use of the general area.

N.E. 1/4 OF N.W. 1/4

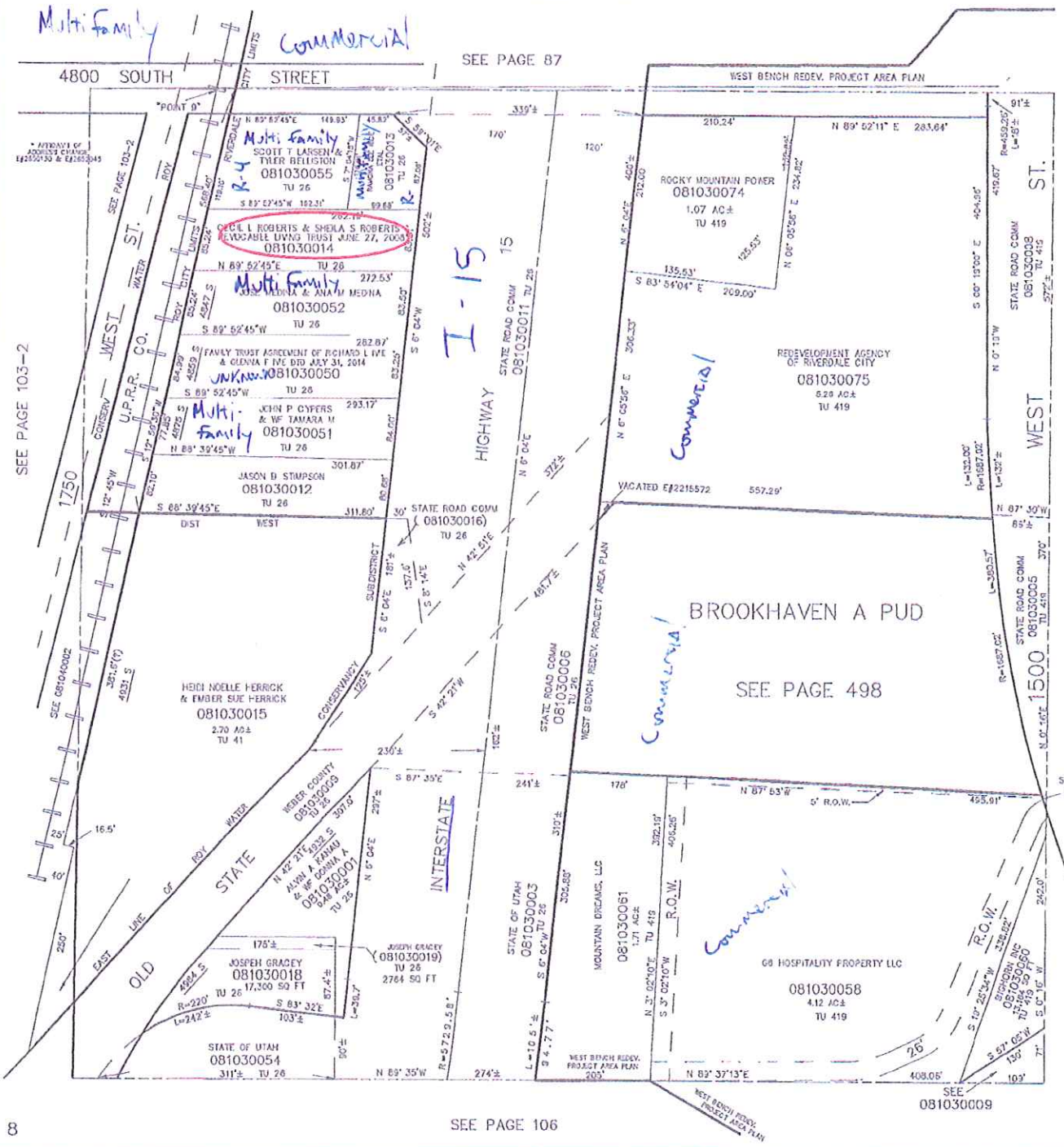
SECTION 13, T.5N., R.2W., S.L.B. & M.

IN RIVERDALE CITY

TAXING UNIT: 26, 157, 419

SCALE 1" = 100'

103-1



8

L.D.T. 5-87

RIVERDALE CITY CORPORATION
4600 SOUTH WEBER RIVER DRIVE
RIVERDALE UT 84405

394-5541

Receipt No: 15.490257

Apr 21, 2015

COLE ESKELSON-JASON BICKLEY

Previous Balance:	.00
MISCELLANEOUS - REZONE REQUEST APPLICATION	250.00
10-34-1500 ZONING & SUB. FEES	
Total:	250.00
CHECK Check No: 102	250.00
Total Applied:	250.00
Change Tendered:	.00

04/21/2015 10:11AM

4829 South 1700 West – Checklist Regarding Public Hearing Notice for Land Use Amendment/Re-zone/General Plan Amendment

☒ Notice Sent to Affected Entities (10 days before hearing date)

☒ Documented List Verifying Date Sent

☒ Form Letter Sent to Affected Property Owner(s) Due to Rezone per 10-9a-205(4)(b) (10 days prior to hearing date)

☒ Notice in Newspaper of General Circulation (10 days prior to hearing date)

☒ Notice on City Website (10 days prior to hearing date)

☒ Sign Placed on Subject Property (10 days prior to hearing date)

☒ Picture and Certification of Sign Placement Completed

☒ Notice Placed on State Public Meeting Notice Website (10 days prior to hearing date)

Affected Entities Notice Listing Information

Affected entity notice was sent to the following groups on the dates listed below.

1. UDOT – Region One: sent on April 28, 2015
2. Weber School District: sent on April 28, 2015
3. Weber County Government: sent on April 28, 2015
4. Roy Water Conservancy District: sent on April 28, 2015
5. Weber Basin Water Conservancy District: sent on April 28, 2015
6. Comcast: sent on April 28, 2015
7. Century Link: sent on April 28, 2015
8. Rocky Mountain Power: sent on April 28, 2015
9. Questar Gas: sent on April 28, 2015

Riverdale City

Community Development
4600 So. Weber River Drive
Riverdale, Utah 84405
801-394-5541

April 28th, 2015

CenturyLink
850 S. Main Street
Layton, Utah 84041

To Whom It May Concern at CenturyLink:

Below is a notice of public hearing for a proposed rezone request for properties located at approximately 4829 South 1700 West in Riverdale City.

Notice of Public Hearing
Riverdale Planning Commission
Tuesday, May 12, 2015
Which begins at 6:30 p.m.

Riverdale Civic Center
4600 South Weber River Drive
Riverdale, Utah

The Riverdale Planning Commission will hold a public hearing to receive and consider public comment on a proposed rezone request from Agricultural (A-1) to Single-Family and Single-Family with Rental Unit Residential (R-2), Multi-Family Residential (R-3), or Multi-Family Residential (R-4) for property located at 4829 South 1700 West in Riverdale. Further information regarding the proposal can be viewed at www.riverdalecity.com. Public comment is invited.

Also, please feel free to contact me with any follow-up questions, comments, or concerns that you may have regarding this matter via telephone at 801-394-5541 ext. 1215 or email at meggett@riverdalecity.com.

Thank you,

Michael Eggett

Riverdale City
Community Development Director/RDA Deputy Exec. Director

Riverdale City

Community Development
4600 So. Weber River Drive
Riverdale, Utah 84405
801-394-5541

April 28th, 2015

Cecil L Roberts & Sheila S Roberts Revocable Living Trust
5952 Tabby Ln
Tabiona, Utah 84072-2026

Dear Trustees of the Cecil L Roberts & Sheila S Roberts Revocable Living Trust:

Below is a notice of public hearing for a proposed rezone request for property located at approximately 4829 South 1700 West in Riverdale City. You are receiving this notice because your property may be directly affected by this rezone request.

Notice of Public Hearing
Riverdale Planning Commission
Tuesday, May 12th, 2015
Which begins at 6:30 p.m.

Riverdale Civic Center
4600 South Weber River Drive
Riverdale, Utah

The Riverdale Planning Commission will hold a public hearing to receive and consider public comment on a proposed rezone request from Agricultural (A-1) to Single-Family and Single-Family with Rental Unit Residential (R-2), Multiple-Family Residential (R-3), or Multiple-Family Residential (R-4) for property located at 4829 South 1700 West, Riverdale City. Further information regarding the proposal can be viewed at www.riverdalecity.com. Public comment is invited.

You may review the current and proposed zoning on our city website (www.riverdalecity.com) under the "City Code" tab. The C-3 zoning language is found under Title 10, Chapter 8, and the R-2, R-3, and R-4 zoning language is found under Title 10, Chapters 9C, 9D, and 9E respectively.

As a potentially affected owner of property at the proposed rezone location, you may, no later than 10 days after the day of the first public hearing, file a written objection to your inclusion of property to this rezone request. Any formal protests should be submitted by mail to Riverdale Civic Center, 4600 So. Weber River Drive, Riverdale, UT 84405, or by email to meggett@riverdalecity.com. Any formal protests submitted to the City will be shared with the Planning Commission and City Council respectively throughout the process.

Please feel free to contact me with any follow-up questions, comments, or concerns that you may have regarding this matter via telephone at 801-394-5541 ext. 1215 or email at meggett@riverdalecity.com.

Thank you,

Michael Eggett

Riverdale City
Community Development Director

Riverdale City

CERTIFICATION OF SIGN PLACEMENT

This is to certify that on this 27th day of April, 2015, I supervised the placement of a sign on property located at approximately 4829 South 1700 West, Riverdale, Utah as a notice of a rezone request. I further certify that said sign was posted in compliance with all requirements of Riverdale Municipal Ordinance Code 10-5-3(A).

Dated this 27th day of April, 2015.

Jeff Woody

Jeff Woody, Community Development Department

Riverdale
City
NOTICE OF
REZONE REQUEST
FOR INFORMATION, CONTACT RIVERDALE CITY AT:
801-394-5541 X 1215

State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.
Executive Director

SHANE M. MARSHALL, P.E.
Deputy Director

April 30, 2015

Mr. Michael Eggett
Community Development Dir./RDA Deputy Exec. Dir.
Community Development
Riverdale City
4600 South Weber Drive
Riverdale, UT 84405

Dear Mr. Eggett:

Thank you for the notice of the public hearing for a proposed rezone request for properties located at approximately 4829 South 1700 West in Riverdale City to be held on May 12, 2015. The Utah Department of Transportation (UDOT) does not have any comment regarding this proposal, expecting that we would appreciate your help informing the applicant that UDOT does not provide noise mitigation for properties building or developing adjacent to I-15.

If you have further questions, please contact me at (801) 620-1640.

Sincerely,

Kris T. Peterson, P.E.
Region One Director

KTP/jkm

cc: Project File

Region One Headquarters • 166 West Southwell Street • Ogden, Utah 84404
telephone (801) 620-1600 • facsimile (801) 620-1665 • www.udot.utah.gov

Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday **May 12, 2015 at 6:30** p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present:

Blair Jones, Chairman
David Gailey, Commissioner
Cody Hansen, Commissioner
Lori Fleming, Commissioner
Kathy Eskelsen, Commissioner

Excused: Steve Hilton, Commissioner
Michael Roubinet, Commissioner

Others Present: Mike Eggett Community Development Director, Lynette Limburg Administrative Assistant and members of the public: John Cypers, Jason Bickley, Jason Stimpson, Tia Stimpson, Stephen Peterson, Ember Herrick, Heidi Herrick, David Ivie, Richard Ivie, Alvin Kunau, Loren Kunau, Charles Roberts, Joseph Gracey

DRAFT

A. Welcome & Roll Call

Chairman Jones welcomed everyone to the meeting and stated for the record that all of the Planning Commission members were present with the exception of commissioners Michael Roubinet and Steve Hilton who were excused.

B. Open Communications

Chairman Jones asked for any open communications. There were none.

C. Presentations & Reports

Mr. Eggett stated that:
AtHome continues to progress in their renovation.
Advanced Auto Parts is moving forward in the process to move into the building currently occupied by Niclecade.
Bravo Arts Academy is also progressing as is the Riverdale business Park.

D. Consent Items

1. Consideration of meeting minutes
April 14, 2015 Work Session
April 14, 2015 Planning Commission

Chairman Jones asked for any additions or corrections to the minutes and none were noted.

Motion: Commissioner Eskelsen moved to approve the consent items.

Commissioner Gailey seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

D. <u>Action Items</u>

1. a. Public hearing to receive and consider public comment on a proposed Rezone request from A-1 to R-2, R-3, or R-4 for a parcel of land located at 4829 S. 1700 W.

b. Consideration of a proposed Rezone request from A-1 to R-2, R-3, or R-4 for a parcel of land located at 4829 S. 1700 W

Chairman Jones asked Mr. Eggett to review briefly the property to be discussed this evening. Mr. Eggett stated that the property is currently under the ownership of Cecil and Sheila Roberts. It is located at 4829 S 1700 W. which is currently zoned Agricultural A-1. Under its current zone it does not have the acreage to be developed. The property to the south at some point was separated from this property. He noted that a rezone was not in agreement with the general plan as it is in a residential-low density section. He noted that any future development plans would require a subdivision process as noted in City Code 10-21, 10-24, & 10-25.
He noted that R-2 would allow a single family with a rental or a duplex but it would need to look like a traditional home and be owner occupied.
He stated that R3 zoning would allow up to 24 units and requires 40% open green space and 40% building area leaving 20% for hardscape (parking).
He stated that R4 zoning would also allow up to 24 units that can be a bit smaller than in R-3. There is a change in the coverage percent with the building area at 50%, open space at 30% and 20% hard scape.
He stated that any R-2 use on the property for rental use of a residence would also be a conditional use and would have to follow that process for approval of a rental unit in a residence built on this property.

Mr. Eggett then noted that tonight's public hearing was properly posted and noticed in accordance with state law and Chairman Jones opened the public meeting.
The following members of the public spoke:

John Cypers 4875 S 1700 W stated that he had lived there for 43 years. He noted that there are three homes on the street that are multi-family, his being one of them. He also state that they are all owner occupied. He stated that this is an agricultural area and there has been no new construction for years and he likes it that way. He said that he has heard that the property won't sell unless it is rezoned for more than one home. In his opinion the property hasn't sold because the Roberts are asking too much for the property. He personally knows of several people interested in buying but the price was too high. He feels that there is no compromise either the neighborhood interest or the applicant interests are going to be met. It can't go both ways. He realizes that you can't stop the clock but he hopes the city will take this opportunity to cater to or go with the wishes of

those on the street who have lived there a long time rather than go with the new people wanting to make changes.

Charles Roberts, lawyer for the Roberts family, he is also their son and grew up on this street. He noted that this lot is right next to the freeway with railroad behind the lot, the airport to the north and HAFB to the south. There is also a warehouse which houses a church just to the north. He also stated that there has been no new building on the street for years and the location may contribute to that. He counts 4 multi-family units and cannot see the impact of one more. He states that there is no interest in the property unless it is rezoned to allow development of some kind. He would ask the commission to recommend a rezone.

Ember Herrick 4931 S. 1700 W. stated that she and her sister Heidi bought her grandmother's house and orchard several years ago and they have focused on improving the north end of the property, they will work on the south end in the future. The freeway does not bother them they love where they are. She feels that if there is a multifamily dwelling it should be owner occupied in order to maintain the property. When she bought her property they cleaned up the orchard cutting down all the weeds and discovered that they had problems with vagrants littering and loitering on her property. She also stated that children from the apartments to the west have no place to play so they come across the tracks and play on her property. When they would chase them off she said that they headed across the tracks toward the apartments in Roy. She also noted that the four-plex down the street was cleaned up and the front yard looks better but they don't maintain the back yard. She provided pictures of the area which included the warehouse with four tenants. One of the tenants is a church and when they have any activities it creates litter and traffic congestion on her street. She would prefer to see a single family dwelling on the street rather than multi-unit housing. She hopes that that the commission will consider the needs of the community.

Heidi Herrick 4931 S 1700 S noted that the current zone is A-1 and she would like to see the zone stay the same. She has seen many problems with multi-family housing and in her opinion this is not a good fit for the area. She states that currently she has numerous problems on her property from litter to stealing fruit that has cost her 1000's of dollars. Her property has been in the family for 75 years and she does not want any changes that may negatively affect the neighborhood. All the neighbors on the street are friends and she wants to keep the area the way it is with no changes.

Joe Gracey 4984 S 1700 W moved in 10 years ago and he likes the freeway. He likes driving down the street seeing people taking care of their property. Please keep it the way it is and sell the property for a single family dwelling

Jason Bickley, applicant for Rezone, stated that he and his partner Cole Eskelson are looking in Riverdale to own rental properties. They are not developers but have chosen to invest their money in rentals. They own a few properties and they take pride in the appearance of what they own. He realizes that there are apartments to the west and children that may wander should not have a bearing on the decision to rezone the

property or not. He would recommend a rezone of the property so that it can be developed in one way or another.

Jason Stimpson 4891 S 1700 W. stated that his grandfather built the house he lives in and he love the neighborhood, keep it the way it is.

Brent Ellis 4804 S 1500 W. spoke about it being interesting that when the four-plex was built on the corner the strongest opponent was Cecil Roberts. Now Mr. Roberts wants a rezone so he can sell his property. Mr. Ellis thinks that a single family dwelling would be best.

Richard Ivie 4851 S 1700 W stated that he lives next door to John Cypers and the neighbors are like family. It is an ideal place to live and he does not want it changed. He has watched people come across the tracks from Roy and just wander around. He asked that everything be kept as it is.

David Ivey stated that his father owns the duplex on the street. Several years ago when he (David) asked Mr. Roberts what he wanted for his property he was told $70,000. He wants to see it left alone, leave it A-1

There were no other members of the audience requesting to speak.

Motion: Commissioner Eskelsen moved to close the public hearing.
Commissioner Fleming seconded the motion

There was no discussion on the motion

Call the Question: The motion passed unanimously

Mr. Eggett stated again that the property as currently zoned has no potential of development. With an R-2 zone there would be the possibility of a single family dwelling or single family with apartment or a duplex. A two family dwelling would become a conditional use and have to qualify with certain criteria one being that it is owner occupied.

Mr. Hansen asked about the zone discrepancy mentioned in the work session that shows a parcel in the area being R-4. Mr. Eggett stated that he is sure that is an error and he will check with the county on that. He also stated that the discrepancy should not have an effect on any decisions made this evening. He is certain that the area in question along 1700 West, per City records, is A-1.

Commissioner Fleming clarified that if nothing is done with the zone the city is basically tying the hands of the owner to do anything with his property. Mr. Eggett concurred with that statement.

DRAFT

Mr. Hansen said that based comments this evening and the General Plan and respect to the wishes of the land owner he would be comfortable with an R-2 zone recommendation.

Mr. Bickley, the applicant, was asked what his intention was for developing this parcel. Mr. Bickley stated that neither he nor Mr. Eskelson planned to live in the area. They both have their own homes and their intention was not to occupy a residence built on this property.

Chairman Jones noted that there are a lot of rental properties in Riverdale and he is inclined to recommend an R-2 Zone. Commissioner Eskelsen agreed with the R-2 recommendation.

Motion: Commissioner Hansen moved to send a favorable recommendation to the City Council of a proposed Rezone request from A-1 to R-2, for a parcel of land located at 4829 S. 1700 W. Commissioner Fleming seconded the motion.

There was no discussion on the motion

Call the Question: The motion passed unanimously

E. <u>Discretionary Items</u>

Commissioner Hansen wanted to publicly thank Councilor Staten and his family for the work they did on putting the new bike park together. They did a really nice job.

Commissioner Gailey thanked those who came to express their feelings on the matter at hand this evening.

F. <u>Adjournment</u>

Motion: There being no further business to come before the Planning Commission, Commissioner Fleming moved to adjourn the meeting. Commissioner Eskelsen seconded the motion. The motion passed unanimously. The meeting adjourned at 7:10 p.m.

Approved: May26, 2015

Attest:

_____
Blair Jones, Chairman

_____
Lynette Limburg
Administrative Assistant

DRAFT

RIVERDALE CITY
CITY COUNCIL AGENDA
May 19, 2015

AGENDA ITEM: G2

SUBJECT: Consideration of Ordinance 867 approving changes to Title 8 Chapter 1 Water Use and Service

PETITIONER: Shawn Douglas, Public Works Director

ACTION REQUESTED BY PETITIONER: Consideration of Ordinance 867 approving changes to Title 8 Chapter 1 Water Use and Service

INFORMATION: Executive Summary

Ordinance 867

Title 8 Chapter 1

BACK TO AGENDA

Riverdale City

City Council Executive Summary

For the Council meeting on:	Petitioner:
May 19, 2015	Shawn Douglas, Public Works Director

Summary of Proposed Action

Consideration of Changes to Title 8 Chapter 1 Water Use and Service

Summary of Supporting Facts & Options

With the current water shortages I feel it would be wise to update our water ordinance to provide ways to address people who continually waste water. We would continue to educate people about water usage and the revised ordinance would allow us deal with people who continue to waste water. These changes would also allow us to put water restrictions in place if they were needed. I would recommend approval.

Legal Comments - City Attorney

Steve Brooks, Attorney

Fiscal Comments - Treasurer/Budget Officer

Lynn Fortie, Business Administrator

Administrative Comments - City Administrator

Rodger Worthen, City Administrator

ORDINANCE NO. 867

AN ORDINANCE AMENDING RIVERDALE MUNICIPAL ORDINANCE CODE, TITLE 8, WATER AND SEWER TO ADD SECTIONS CONCERNING THE USE OF CITY WATER FOR LANDSCAPING PURPOSES; PROVIDING FOR SEVERALBILITY AND AN EFFECTIVE DATE.

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

WHEREAS, Utah Code Annotated §10-9-102 empowers municipalities of the state to enact all ordinances and rules that they consider necessary for the use and development of land located within the municipality; and

WHEREAS, the City finds it is in the best interest of the community and its citizens to become more aware of the value of water and to allow the City a means to better regulate and conserve water as a precious resource; and

WHEREAS, the Riverdale City Council held a public meeting and considered all competent evidence offered in support of and opposed to said proposed amendment; and

WHEREAS, the Riverdale City Council finds that said will promote health, safety, and the general welfare of the community; and

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RIVERDALE:

Section 1. Repealer. Any provision of the Riverdale Municipal Ordinance Code found to be in conflict with this ordinance is hereby repealed.

Section 2. The Riverdale Municipal Ordinance, TITLE 8, WATER AND SEWER, CHAPTER 1, WATER USE AND SERVICE, SECTIONS 11, 12 and 13, are hereby added to establish new sections concerning the timing, restrictions and prohibited uses of city water for landscaping purposes. And further, that the old Sections 11, 12 and 13 are renumbered as 14, 15 and 16, as outlined in Attachment 1, attached hereto and incorporated hereby.

Section 3. All other titles, chapters and sections not otherwise amended hereby shall remain unchanged, in full force and effect.

Section 4. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 5. Effective date. This ordinance shall take effect immediately upon its adoption and posting.

PASSED, ADOPTED AND ORDERED POSTED this ____ day of May, 2015.

_____

Norm Searle, Mayor

Attest:

_____

Acting City Recorder

Attachment 1
(10 pages)

WATER USE AND SERVICE

8-1-1: APPLICATION FOR SERVICE:

8-1-2: FEES, RATES AND CHARGES:

8-1-3: TERMINATION OF SERVICE; DELINQUENCY:

8-1-4: METERS:

8-1-5: EXTENSIONS; PERMIT REQUIRED:

8-1-6: PRIVATE FIRE PROTECTION SYSTEMS; PERMIT, FEE:

8-1-7: FIRE HYDRANT USE:

8-1-8: REPAIR OF PRIVATE LINES:

8-1-9: DISCONNECTION OF ABANDONED SERVICE LINES:

8-1-10: USE FOR SPECIFIC MACHINERY RESTRICTED:

8-1-11: TIMING OF LANDSCAPE WATERING:

8-1-12: RESTRICTION OF WATER USE:

8-1-13: WASTE PROHIBITED:

8-1-141: ACCESS TO PREMISES:

8-1-152: DISPUTE RESOLUTION:

8-1-163: PENALTY:

8-1-1: APPLICATION FOR SERVICE:

A. Information Required: Written application for water service shall be made by the owner, or his or her duly authorized agent, of the property receiving the water. The application shall list the address of the property receiving water and the actual address of the owner if he or she does not reside at the service address. The owner shall at all times be responsible for keeping the city advised of his or her current address.

B. Occupant Or Tenant: Before granting service to an occupant or tenant, the owner of the property shall be required to sign an agreement to be responsible for the water bill in the event the occupant or tenant does not pay. Failure to pay past due water bills will result in a denial of future water service to that location. The owner may request that the bill be sent to the occupant or tenant but this in no way absolves the landlord from making the payment if defaulted.

C. Delinquency; Lien Against Property: In the event that any water bill becomes six (6) months past due, the delinquency shall become a lien against the real property receiving the water service. The city may file notice of the lien with the office of the county recorder. The written application signed by the owner of the premises shall state that such delinquency will become a lien against the property. (Ord. 782, 10-19-2010, eff. 10-19-2010)

8-1-2: FEES, RATES AND CHARGES1:

A. Connection Fee:

1. The city shall charge a water connection fee for connecting to the city waterworks system. The fees for water connection shall be prescribed by resolution of the city council.

2. The connection fees shall be paid into the city before a permit may be issued and before any connection can be made to any public water main in the city.

B. Water Rates:

1. The city shall charge for the use of its municipal culinary water. The rates for water use shall be set by resolution of the city council.

2. The city shall not supply free water service to any person, corporation, firm or public agency. All use shall be metered with a city water meter or otherwise accounted for as directed by the public works department.

3. A utility service fee waiver (water, sewer, garbage, recycle and storm) is available to all residents on active military deployment who submit a fee waiver form and provide a copy of their orders.

4. A billing adjustment of fifty percent (50%) of the leak amount for underground water service lines is available to all residents and businesses with verification that the water service line has been repaired within two (2) weeks of notification of the leak.

A service line is the main service line from the water meter to the home or business, which includes the connection for the sprinkler system from the stop and waste valve to the main service line. (Ord. 834, 4-16-2013)

8-1-3: TERMINATION OF SERVICE; DELINQUENCY:

A. Payment Due: Payment for water bills shall be due fifteen (15) days from the billing date. In the event payment is not received within thirty (30) days from the billing date, the city shall send, by mail, a final notice to both the owner and the occupant of the premises, advising them that water service will be terminated in ten (10) days if the past due bill is not paid. (Ord. 795, 10-4-2011)

B. Termination Of Service: Except as hereinafter provided, water service shall be terminated if:

1. Payment is not received within ten (10) days of the final notice, or

2. Costs are incurred by the city to abate a nuisance on the property for purposes of enforcing title 4, chapter 5, "Nuisances", of this code, and required payments have not been made.

At the time service is terminated, the city will leave, on the door of the service premises, a notice advising the occupant who to contact to restore water service. Water service will not be turned off on any weekend or legal holiday, nor after one o'clock (1:00) P.M. on the day preceding any weekend or legal holiday.

The city water department may defer final water service termination in those cases wherein the customer's outstanding balance is less than twenty five dollars ($25.00). (Ord. 825, 11-20-2012)

C. Transfer Of Service: Water service terminated under subsection B of this section, will not be transferred to any person, new owner, occupant, tenant, etc., until all amounts owing on the account are paid in full. (Ord. 795, 10-4-2011)

D. Turning On Or Off; Authorized Personnel: It shall be a class B misdemeanor for any person other than an authorized employee of the city to turn on or off any water connection to serviced premises and upon conviction such person shall be punished as is provided in section 1-4-1 of this code. (1985 Code § 18-1-15; amd. Ord. 795, 10-4-2011)

E. Restoration: Water service shall not be restored until the delinquent bill is paid, together with a service fee established by resolution of the city council. If the customer is unable to pay both the water bill and service fee, the city may accept payment of the full delinquent amount and add the service fee onto the customer's account.

F. Nonowner Delinquent: In the event that an owner who does not reside at the service address becomes delinquent in his or her bill, the city shall not terminate service without giving at least ten (10) days' notice to the occupant of the impending termination. This notice shall be sent by mail. (Ord. 825, 11-20-2012)

8-1-4: METERS:

A. Installation Requirements: All water meters and connections to the culinary water system of the city shall be made according to the following requirements: (1985 Code § 18-1-1)

1. All meters shall be of a type and manufacturer approved by the city.

2. All meters shall be installed per standard drawings and specifications.

3. All meters shall be installed so that the top of the meter is eighteen inches (18") below the meter box lid.

4. All meters two inches (2") and over must be provided with a bypass line. The meter must be placed on the direct water line.

5. No meter larger in size than the tap on the water main will be installed on any service.

6. All meters shall be set by an authorized representative of the city, or under the direct supervision of such authorized representative of the city; and shall be set, or the main opened, only after proper permit has been obtained from said city after payment of the fees prescribed by resolution. (1985 Code § 18-1-1; amd. 2001 Code)

B. Improper Installation; Penalty: Any installation made contrary to the provisions of this chapter shall be deemed to be unlawful, and any person making such installation, or permitting such installation, shall be guilty of a class B misdemeanor and upon conviction, subject to penalty as provided in section 1-4-1 of this code; and in addition, the city may refuse to permit the use of such installation until the same is made in accordance with the provisions of this chapter. (1985 Code § 18-1-2; amd. 2001 Code)

8-1-5: EXTENSIONS; PERMIT REQUIRED:

No person shall make any extension of any pipe or water fixture attached to the city water system for any purpose whatever without first obtaining a permit from the city. Within twenty four (24) hours after the completion of any plumbing connection with the city water system, such work must be reported to the city. (1985 Code § 18-1-10)

8-1-6: PRIVATE FIRE PROTECTION SYSTEMS; PERMIT, FEE:

For the purpose of this chapter, a private protection system is an automatic sprinkler system or water spray system designed or intended to protect the premises in case of fire. All private fire protection systems shall be subject to the following regulations: (1985 Code § 18-1-5; amd. 2001 Code)

A. Permit Required; Application: No private fire protection systems will be installed without a written permit from the public works director. Applications for such permits shall be accompanied by two (2) sets of plans for the proposed system, including all service lines and the maximum estimated flow. The plans must be approved by the city before a permit may be issued or construction on the system commenced. Service lines for a fire protection system shall be no larger than the main to which it is connected, and in no case larger than ten inches (10") in diameter. Such fire protection systems must conform with currently adopted codes and standards.

B. Requirements Of Applicant: The permit as approved by the public works director for this type of installation shall provide that the applicant will: (1985 Code § 18-1-5; amd. 2001 Code; Ord. 854, 5-6-2014)

1. Maintain and use the private fire protection system and service solely for firefighting purposes.

2. Comply with all rules and regulations of the city.

3. Pay all damages of any nature which the city may sustain due to the installation or operation of the private fire protection system.

4. Save the city and any officer, agent or employee thereof harmless from any and all claims by any person whatsoever, including the applicant, for damages suffered because of the installation, maintenance or operation of the private fire protection system, or by reason of the inadequacy or failure of the water supply.

5. Reimburse the city for all damage suffered by it because of any violation of the rules and regulations of the city or because of improper use of the fire protection service by the customer.

6. Maintain the private fire protection system in its entirety, including service lines and related valves, free from leaking, improper operation or improper connection.

7. Report to the city immediately any leakage, breakage, improper connection, or improper use of the private fire protection system or service. If, after ten (10) days' written notice from the city, the owner or occupant fails to correct any leaks or terminate any improper use by himself or others, the city may shut off water from the system until the owner or occupant complies with the notice. The city may require the installation of detector checks in a line in the event of frequent leakage or improper use.

C. Connection Fee: There shall be assessed a connection fee in the amount set forth in the consolidated fee schedule set forth in title 1, chapter 12 of this code. (1985 Code § 18-1-5; amd. 2001 Code)

8-1-7: FIRE HYDRANT USE:

A. Authorized; Conditions: Water service may be supplied to a private person through a public or private fire hydrant or through other connections designed primarily for the use of the city only upon issuance of a special written permit by the public works director after a determination by him or her that it is impractical to render the desired service through any other means. Permits may be revoked for failure to comply with the rules and regulations of the water department or this chapter. Such service may be rendered only through facilities and connections approved and connected by the water department. Such facilities and connections shall be so designed and installed as to permit the use of the fire hydrant or other connection for public use for its primary purpose with a minimum of delay in making required adjustments. (1985 Code § 18-1-7; amd. 2001 Code; Ord. 854, 5-6-2014)

B. Application: Application for the use of water from fire hydrants or other connections shall be made upon forms furnished by the city stating the purpose for which the water is to be used and the justification for issuance of a permit. All water shall be accounted for as directed by the public works department. The amount of water used shall be paid for as set forth in the consolidated fee schedule set forth in title 1, chapter 12 of this code. The hydrant must be operated in accordance with the instructions and the rules and regulations of the city. Only hydrant wrenches approved by the city shall be used in operating the hydrant. Any damage to the fire hydrant or the equipment of the city will be charged to the applicant. (1985 Code § 18-1-7; amd. 2001 Code)

8-1-8: REPAIR OF PRIVATE LINES:

Whenever it shall become necessary to repair or alter any private water line, the size of the line, the size of the tap onto the city water system, and the sizes, types and locations of meter boxes, angle stops and

other facilities must conform to standards established in this title and as may be set by the public works director. If there is a water main of the city that is accessible to the residents served by such private line, the users of such private line may make connections directly to the city water system rather than repair the private line and bring it into conformity with current standards. All repairs or alterations made to such private water lines shall be made at the expense of the property owner. (1985 Code § 18-1-8; amd. 2001 Code; Ord. 854, 5-6-2014)

8-1-9: DISCONNECTION OF ABANDONED SERVICE LINES:

In the event any service line that is or has been delivering water to any building, house or area is abandoned for any reason whatsoever, it shall be the responsibility of the owner thereof to disconnect the service line from the water main and to cap the corporation stop at expense of the said owner. The disconnection must be inspected and approved by the public works department before any permit for demolition is issued. (Ord. 618, 6-17-2003)

8-1-10: USE FOR SPECIFIC MACHINERY RESTRICTED:

No water shall be supplied from the pipes of the city water system for the purpose of driving any motor, siphon, turbine or other wheels, or any hydraulic engines or elevators, or for driving or propelling machinery of any kind whatsoever, nor shall any license be granted or issued for any such purpose, except by special permission of the city council. (1985 Code § 18-1-11)

8-1-11: TIMING OF LANDSCAPE WATERING:

A. Sprinkler Irrigation of Public and Private Landscapes is prohibited between the hours of 10:00 a.m. and 6:00 p.m. The provisions of this ordinance shall apply to all landscapes within Riverdale City with the following exceptions:

1. New lawns or landscaping that require frequent irrigation for establishment purposes within 90 days of planting.

2. Short cycles required for testing, inspecting and maintaining irrigation systems.

3. Where pressure problems exist in the Water Infrastructure requiring an alternate watering time as approved by the Public Works Department.

4. Use of culinary water for irrigation of commercial stock and commercial gardens or plant nurseries that are licensed by the City, provided that the licensee or a representative is personally on the premises at the time the irrigation is taking place.

5. Special permit issued by the Public Works Director.

B. Any Person who continues to violate this schedule after written notice may be subject to termination of water service.

8-1-12: RESTRICTION OF WATER USE:

1. Generally: Whenever the mayor, after investigating the various needs for water in the city and the supply of water available to meet such needs, determines that it is in the best interests of the city to place restrictions on the use of water distributed in the city, he shall have the authority, by administrative order, to place reasonable restrictions, as to time, manner and place, on the use of water for any purpose whatsoever within the limits of the city. All such orders shall take effect when filed with the city recorder and published once in a newspaper of general circulation in the city.

2. Emergency: Whenever any immediate threat arises to the quantity or quality of the city water supply, or any part thereof, that creates an emergency necessitating immediate remedial action, the mayor shall have the authority to promulgate such temporary rules as are reasonably necessary in effect when published once in a newspaper of general circulation in the city or, if such publication is not immediately available, when such rules are announced through other means of communication calculated to give the public reasonable notice.

8-1-13: WASTE PROHIBITED:

A. It shall be unlawful for any Person to wastefully use water from hydrants, faucets, stops, through basins, toilets, urinals, sinks, other appliances, sprinkler systems, leaky joints, pipes, or to use the water for purposes other than for those which he/she has paid. All users of water service shall be required to keep their sprinklers, faucets, valves, hoses and all apparatus connected to the water system in good condition at their own expense and all waterways closed when not in use. When it shall be found that any fixture on the user's premises is broken or not in serviceable condition, the user shall be notified. The use of water in violation of the rules and regulations controlling the water supply is also prohibited. With the following exceptions:

1. Water used for the operation and maintenance of the water system is permitted.

2. Water for firefighting purposes and hydrant testing is permitted.

B. After notification of violation, the City may terminate any service found in violation of this section if, within a reasonable time period, the condition has not been remedied.

8-1-14~~1~~: ACCESS TO PREMISES:

The city, by its agents, shall at all ordinary hours have free access to places supplied with water from the city water system for the purpose of examining the water meter and ascertaining the amount of water used and the manner of its use. The city shall not be liable for any damage to a water user by reason of stoppage or interruption of his or her water supply caused by fire, scarcity of water, accidents to works or mains, alterations, additions, repairs or from any other unavoidable cause. The city council may by resolution regulate, restrict or limit the use of water during any water shortage periods and shall have the power to take all necessary steps and make any necessary regulations as circumstances may require to protect the users of the city water. (1985 Code § 18-1-12; amd. 2001 Code)

8-1-152: DISPUTE RESOLUTION:

If a dispute arises concerning the amount or accuracy of an owner or occupant's water bill, he or she is entitled to the protection of the following dispute resolution procedures:

A. Inspection: If requested, an inspection of the premises and the water meter will be undertaken by an employee of the city.

B. Informal Conference: Prior to the scheduled termination date, the customer may request an informal conference with a supervisory employee of the water department. At this conference, each party shall be permitted to present any information regarding the disputed bill. The customer shall be notified in writing of the city's decision within two (2) days. This notice of decision shall inform the customer that he or she has seven (7) days in which to appeal the decision to an impartial hearing officer to be designated by the city.

C. Hearing: In the event the customer requests a hearing before a hearing officer, the city shall appoint someone who is not an employee of the water department to act as hearing officer. A hearing shall be held at which the customer and the city may present any evidence they have on the accuracy of the bill. A decision shall be made solely on the evidence presented at the hearing and both sides shall be notified in writing of the decision within ten (10) days.

D. Service Not Terminated During Dispute: No water service shall be terminated if the owner or occupant of the premises is pursuing his or her rights under these dispute resolution procedures. (1985 Code § 18-1-16)

8-1-163: PENALTY:

Any person or corporation who violates any provisions of this chapter shall be guilty of a class B misdemeanor and upon conviction such person shall be punished as provided in section 1-4-1 of this code. (1985 Code § 18-1-13; amd. 2001 Code)

Footnotes - Click any footnote link to go back to its reference.

Footnote 1: See also title 1, chapter 12 of this code for the consolidated fee schedule.