

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, December 19, 2019

7:00 p.m.

Huntsville Town Hall, 7309 East 200 South, Huntsville, UT

Name	Title	Status
James A. Truett	Mayor	Present
Blake Bingham	Council Member	Present
Bill Wangsgard	Council Member	Present
Max Ferre'	Council Member	Present
Wendy McKay	Council Member	Present
Beckki Endicott	Recorder	Present
William Morris	Legal Counsel	Excused

Citizens: Richard Sorensen, Jon England, Liz Poulter, Tommy Lee, Brent Butler, Kay Larrison, Candy Facer, Jim Facer, Mark Benigni, Alan Wheelwright, David Reed, Aaron Wolthuis

1-Mayor Truett called the meeting to order. There is a full quorum present.

2-The Pledge of Allegiance was led by Tommy Lee and Jon England.

3-Opening Ceremony was led by CM Bill Wangsgard.

4-Citizen Comments. There were none.

5-Approval of the Town Council Work Session Minutes, November 21, 2019. (See Attachment #1) **CM Blake Bingham motioned to approve the minutes for Work Session on November 21, 2019.** CM Wangsgard seconded the motion. All votes aye. Motion passes.

6-Approval of the Town Council Work Session Minutes, December 5, 2019. (See Attachment #2) **CM Wendy McKay motioned to approve the minutes for Work Session December 5, 2019.** CM Ferre' seconded the motion. All votes aye. Motion passes.

7-Approval of the Town Council Meeting Minutes, December 5, 2019. (See Attachment #3) **CM Wangsgard motioned to approve the Town Council Meeting Minutes for December 5, 2019.** CM Ferre' seconded the motion. All votes aye. Motion passes.

8-Presentation from the Huntsville Marathon to 501c3 recipients. Mayor Truett turned the time over to Jim Facer for the presentation. Jim Facer stated this is the eighth year of the Huntsville Marathon. It is a great Marathon that starts on the top of Monte Cristo and has lots of support. This year the Marathon was named the number six marathon in the United States for Boston Qualifiers. It has become a world class marathon.

There are almost 500 people that volunteer for the marathon. The marathon would not be so successful without all the volunteer support. Jim Facer stated the board of the marathon is made of members who don't take any pay for their work. Over the last 8 years they have been able to

donate \$500,000 to non-profits in the Ogden Valley. The Town of Huntsville has been the main recipient but not all the money is donated to the Town. Because so much support comes from the valley, there are other valley organizations that receive donations from the Huntsville Marathon.

Jim Facer turned the time over to Tommy Lee. Tommy says he has the privilege of giving away money to both Valley Elementary and Snowcrest Jr. High. Each school received \$2000.

Richard Sorensen presented the check to Weber Pathways, Mark Benigni and Alan Wheelwright. He presented a check to Pathways for \$1000.

Mayor Truett presented a check to Weber Sheriff's Department for \$1000. He thanked them for everything they do to protect and serve the runners during the Huntsville Marathon. David Reed from Weber Fire received a donation for \$1000. David stated that Mayor Truett wanted to start a program that would pay for an EAP program for retired Fire Fighters. There is an additional donation from the Huntsville Marathon for this EAP program that will address PTSD for the retired fire fighters.

Beaver Creek Home Owners Association was not here tonight but will receive a check for \$1000.

Bill Wangsgard received a check on behalf of the OVCERT for \$1000.

Candace wanted to thank all the volunteers. If it wasn't for the volunteers, they couldn't do what they do. Most of the volunteers love volunteering in Huntsville. Candace explained every year they choose a Hall of Fall recipient. The recipient for this year is Michelle Durrant. Michelle couldn't be here tonight, but she wanted to express her gratitude. Candance stated that Michelle has encouraged so many runners to come and run the Huntsville Marathon. Michelle says it's her favorite marathon. She has run every marathon that Huntsville has put on even when she was receiving chemo treatment. To date, she has run a marathon in all 50 states. She has completed 110 marathons.

Jim Facer presented a check to the Town of Huntsville for \$25,330. Mayor Truett received the check and thanked everyone for being involved. He stated the funds will go to pay for the solar powered speed signs for Town. The signs are expensive and will be used on 7700 East, 100 South and 200 South.

9-Discussion and/or action on Balloon Fest Event. (See Attachment #4) Mayor Truett reviewed the comments received at Town Hall from the public comment period. Overwhelmingly, the comments are against having the Balloon Festival in Huntsville. **Blake Bingham made a motion to deny any event application for the Balloon Festival.** Seconded by Max Ferre'. All votes aye. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Bill Wangsgard	X			

CM Blake Bingham	X			
CM Ferre'	X			

10. CONSIDERATION ON ACTION ITEMS:

a) Discussion and/or action on Resolution 2019-12-5: Land Use Fees. (See **Attachment #5**) **CM Blake Bingham motioned to amend the hard copy to read 2019-12-5 and approve this resolution.** CM Max Ferre seconded the motion. All votes aye. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Bill Wangsgard	X			
CM Blake Bingham	X			
CM Ferre'	X			

b) Discussion and/or action on Resolution 2019-12-19 Arbor Day Proclamation. (See **Attachment #6**) Mayor Truett stated that this is part of the Tree City USA organization. **Mayor Truett made a motion to accept the Resolution 2019-12-19 as the Proclamation of December 24, 2019 as Arbor Day.** Seconded by CM Wendy McKay. All votes aye. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Bill Wangsgard	X			
CM Blake Bingham	X			
CM Ferre'	X			

c) Discussion and/or action on acceptance of Audit Result Presented 12-5-19. **CM Max Ferre motioned to accept the audit results presented on 12-5-19.** CM McKay seconded the motion. All votes aye. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Bill Wangsgard	X			
CM Blake Bingham	X			
CM Ferre'	X			

d) Discussion and/or action on Ordinance 2019-12-19-D: Zoning Map Amendment reverting zoning from C-1 to R-1 pm parcel #241170001, 241170002, #241170003, Dave Booth Property. **(See Attachment #7) CM Blake Bingham motioned to accept Ordinance 2019-12-19-D: Zoning Map Amendment reverting zoning from C-1 to R-1.** CM Bill Wangsgard seconded the motion. All votes aye. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Bill Wangsgard	X			
CM Blake Bingham	X			
CM Ferre'	X			

e) Discussion and/or action on Ordinance 2019-12-19-A: amending procedure to revert zone automatically after concept development plans expire. **(See Attachment #8) Mayor Truett motioned to accept ordinance 2019-12-19-A: Amending procedure to revert zone automatically after concept development plans expire.** Seconded by CM Wendy McKay. All votes aye. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Bill Wangsgard	X			
CM Blake Bingham	X			
CM Ferre'	X			

f) Discussion and/or action on Ordinance 2019-12-19-B: Prohibiting manned aircraft from taking off or landing in Huntsville Town Limits. **(See Attachment #9) Blake reviewed the ordinance with the Town Council. This ordinance includes helicopters, balloons and other small manned aircraft. There are temporary exceptions that can be made, and they are listed in the ordinance. CM Max Ferre' motioned to accept Ordinance 2019-12-19-B.** Seconded by CM Blake Bingham. All votes aye. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Bill Wangsgard	X			
CM Blake Bingham	X			
CM Ferre'	X			

g) Discussion and/or action on Ordinance 2019-12-19-C: Title 4 Edits. **(See Attachment #10) Blake explained this ordinance came to the Town Council several months ago. The**

Council voted to send it back to the Planning Commission to look at the requirement for a Land Use Permit for structures under 200 square feet. Blake explained there was a lot of healthy discussion. The Planning Commission took the requirement for Land Use Permit for structures under 200 square feet or less without plumbing or electrical and didn't have electrical or plumbing, but a recognition that the structure complies with all ordinances including set-backs. **CM McKay motioned to approve Ordinance 2019-12-19-C: Title 4 Edits.** Seconded by CM Blake Bingham. All votes aye. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Bill Wangsgard	X			
CM Blake Bingham	X			
CM Ferre'	X			

Council Member Reports:

11-Mayor Truett:

- a) Huntsville Town has signed a contract with Sunrise Engineering to do building inspections starting January 2020. They will also perform the site plan review. Mayor Truett, Beckki, Bill Morris and Sunrise Engineering met to work out logistics. They will use iworks to track the progress of the building permits and inspections.
- b) Events in the Ogden Valley have not been coordinated in the past. Mayor Truett has met with Scott Mendoza in Weber County. Mayor Truett stated there were 42 events in the Upper Valley last year. Many of these events are "for profit" events. Mayor Truett has proposed to Weber County that the fees collected by the County be put into a fund for the Upper Valley. In addition, he proposed that the fees be scaled by the size of the event and the event is for profit or not for profit.
- c) Solar powered radar signs. – Mayor Truett has been working with Rex on some options. There are two different types of signs. Huntsville Town is looking for permanent signs. Mayor Truett stated that the worst streets in Town for speeding are 7700 East, 200 South, 100 South. Richard Sorenson lives on 7700 East. He believes the more expensive option of the two presented would be best. Richard commented use the least amount possible with the best quality option. Mayor Truett would like to use some of the Huntsville Marathon monies to purchase several signs. Sargent Butler recommended a sign with the actual speed of the car. Blake wanted to know if there are any devices available to do a study of where people speed. Sargent Butler said West Haven has equipment to do this. He recommended doing the study in the spring.

12-CM Blake Bingham:

- a) Feasibility Study Discussion – Blake had the opportunity to attend a meeting with Weber County on a proposed feasibility study about incorporating in the Upper Valley. Blake stated there is not currently a feasibility study for incorporating the Upper Valley. Weber County did preliminary calculations to look at revenue and

expenses and they have determined that there is enough money generated to provide services if the Upper Valley would incorporate. Huntsville Town was invited to the meetings to make sure Huntsville Town had a voice in the discussion. Blake emphasized that there hasn't been a feasibility study done yet. They don't have hard numbers and there are a lot of steps that would have to be taken before incorporation would be proposed. Huntsville Town is simply attending the meetings to represent our interest in the discussion.

The residents of the unincorporated areas would be required to petition for incorporation. The County can't initiate the feasibility study. CM Wendy McKay stated that West Weber has already done a feasibility study. CM Wendy McKay wanted to know what the time frame was for West Weber. Mayor Truett emphasized that the Huntsville Town Council was involved in these discussions because they want to make sure that the Town's interest is protected. Blake emphasized that all the Town Council Members want to make sure that Huntsville Town retains its autonomy. Mayor Truett agreed that it was important to be involved in the process and have good input. Again, Blake stated that the committee is currently meeting just to see if there should be a feasibility study, which has not happened.

13-CM Wendy McKay:

- b) 4th of July – CM McKay made the reservation for the DJ. Blake was able to contact Mike Engstrom for the breakfast. CM Ferre' secured the grills. CM McKay sent out an email for the food vendors.
- c) RAMP Study Grant – CM Wendy McKay is working on the report to RAMP for the Pickle Ball courts and also the skate sharpener and ice shack. Beckki is working on the RAMP grant follow up for the tractor.

14-CM Max Ferre: CM Ferre' wanted to thank CM Bill Wangsgard for everything he has done for the Town. CM Bill Wangsgard has brought many Eagle Scout projects to the Town and Huntsville Town has really benefitted.

15-CM Bill Wangsgard: He wanted the Council to know how much he has enjoyed serving on the Huntsville Town Council. CM Wangsgard has enjoyed being over the mosquito abatement, OVCERT, Town Cemetery, and Town Clean Up. He has been grateful for the friendships he has made with the Town Council over the years.

Mayor Truett wanted to know about the Huntsville Library Computer. CM McKay stated the library has the computer, but it hasn't been hooked up because of the heat in the building. Beckki will follow up with the maintenance department.

16-Citizen Comments: There were none.

17-Approval of Bills, November, 2019: **CM Ferre' motioned to approve the bills for November 2019.** CM Bill Wangsgard seconded the motion. All votes aye. Motion passes. Bills are approved.

18-Adjournment of the Meeting: CM Ferre' motioned to adjourn the meeting. CM Wangsgard seconded the motion. All votes aye.

Meeting is adjourned at 8:42 p.m.

Beckki Endicott, Recorder

WORK SESSION—NOVEMBER 21, 2019
INDEPENDENCE DAY CELEBRATION

Minutes of the Huntsville Town Council Work Session, held at the Huntsville Town Hall, 7309 East 200 South at 6:00 PM regarding the Independence Day Celebration.

Attending: Mayor Truett, CM Bill Wangsgard, CM Wendy McKay, Richard Sorenson, Jeff Larsen, CM Max Ferre, CM Blake Bingham, Terry Murphy, Liz Poulter, Suzanne Ferre

CM Wendy McKay started the meeting by welcoming everyone. She started the meeting by reviewing the smaller celebration that took place in 2019. There was lot of feedback from residents. She stated the celebration was held the weekend before the 4th of July in 2019. The 4th of July falls on a Saturday in 2020. The committee is meeting to decide if the Independence Day Celebration should be held on the actual date of Saturday, July 4th in 2020. CM McKay stated she has heard that residents love the 4th of July on the actual date of the 4th but many really enjoyed the smaller celebration. She asked the committee what they could do to hold the 4th of July on Saturday the 4th for 2020 and still keep the small town feel that the last celebration had.

Mayor Truett stated he would like to see the 4th of July on the 4th but he, also really enjoyed the smaller celebration. He believes the disruption in the schedule last year really cut down on the crowd. Mayor Truett stated Huntsville Town is in good financial shape. He doesn't believe that the 4th of July is needed as a fundraiser, but he would like to see the celebration not lose money. The breakfast event in the past has been an event that supported the financial goals of the celebration. He feels that having a breakfast would be a good thing for residents and help the celebration not to lose money. Mayor Truett commented they should plan the breakfast with limited food and then when they run out, the breakfast would end. He recommends planning on smaller attendance from that of 2 years ago. Mayor Truett also commented there was not a need to advertise the breakfast or the celebration. CM McKay stated she thinks the snack shack will have to be open the whole day and manned in shifts in order to not lose money on the 4th.

CM Max Ferre asked if there were food trucks that could come to the park and pay us for coming. CM Wendy McKay responded that any vendor that came into the Town celebration paid \$300 for coming. CM Bill Wangsgard asked about parking. CM McKay stated the last two years they have not had a parking plan and it has gone very smoothly.

Jeff Larsen stated he has heard residents have missed the breakfast. He didn't want to burden any one person with the responsibility of the breakfast. CM McKay asked how the committee felt about compensating the person that ran the breakfast every year. He also thinks that preselling tickets to residents would allow them to get a good count. Mayor Truett commented again that the breakfast would more than compensate for the expenses for the day. CM Ferre asked if Mike Engstrom could be compensated. Mayor Truett was supportive of this idea.

Liz likes the idea of a small celebration and has supported the American Legion Breakfast in the past.

Blake would like to see a smaller celebration. He is still concerned with using the same volunteers every year and the rate of volunteer burn out. Blake liked the idea of the celebration events in the morning and then letting residents celebrate with their families in the afternoon.

Richard stated he liked the smaller celebration but also like the celebration on the 4th of July.

CM McKay reviewed the events for the day and asked about the DJ and the hypnotist. She felt the cost was worth it. Richard mentioned the DJ was very good, and his time fills up very fast. CM McKay will book the DJ right away.

Mayor Truett asked who would chair the celebration. CM McKay stated she would not be available. She will be out of Town.

Mayor Truett reminded CM McKay of the flag raising and the retiring of the flag. Liz stated her favorite part of the flag retirement is the horses. CM McKay will ask Steve Johnson if he is available to do that.

As far as the games are concerned, CM McKay stated there are families that have volunteered for the games on the 4th.

CM Ferre commented that the grills they usually use for the breakfast were sold and unavailable. CM Wendy McKay asked Max to follow up with the previous owner and see if they would be willing to rent the grills to us.

CM Blake Bingham will reach out to Mike Engstrom regarding running the breakfast. CM McKay stated the Baker's have volunteered to run the games.

CM McKay made a motion to adjourn. CM Wangsgard seconded the motion. All votes aye. Meeting is adjourned.

Meeting was adjourned at 6:50 p.m.

Beckki Endicott, Recorder

WORK SESSION – DECEMBER 5, 2019
BUILDING PERMIT PROCESS

Minutes of the Huntsville Town Council Work Session, held at the Huntsville Town Hall, 7309 East 200 South at 6:00 PM regarding the building permit process for 2020.

Attending: Mayor Truett, Bill Morris, Rex Harris, Beckki Endicott/Recorder, Doug Allen, Liz Poulter, Kay Larrison

Mayor Truett started the meeting by explaining that Weber County is not renewing their contract with Huntsville Town for building inspection services. When the Mayor received a letter with this information, he called Weber County. Weber County told him that Huntsville is the only municipality that Weber County has a contract with. It is up to Huntsville to contract with someone to do the building permitting and inspections.

Mayor Truett received several recommendations from other cities for Sunrise Engineering. He stated they had received a bid from Sunrise for \$79 a day. Mayor Truett asked Bill Morris and the Town Council to look at the bid.

Mayor Truett also had Beckki put together a spreadsheet of fees that compare Land Use Fees for other cities. He explained that Rex had been hired to conduct a lot of service that is done prior to the land owners going to the Planning Commission. This has made the process at the Planning Commission very smooth. However, the process of review that Rex goes through costs the Town money because Huntsville charges minimal fees. He asked those in attendance to review the spreadsheet and comment on what they thought of the fees. He feels that the Town should be reimbursed for the services it provides.

Blake Bingham was not in attendance but contacted Sunrise Engineering and talked to James about a plan review service. Bill Morris explained a little more about the plan review, building permit and inspection process. Bill Morris stated that Pleasant View uses Sunrise entirely.

Beckki wanted to know if our Ordinances needed to be adjusted. Rex stated that our Ordinances stated our Ordinances specify the most updated code would be the standard.

Bill Morris explained there is a table of fees for plan checks and permitting according to the International Building Code. Bill explained the plan check fee is charged in addition to the building permit fees.

Bill Morris explained that the resolution that was presented with the Land Use fees references zoning and other fees associated with Land Use. It is separate from the building permit fees. Bill stated there wasn't a need to put the building permit fees and the land use fees together in the same resolution. Bill Morris recommended they present the resolution and adopt land use fees.

Attorney Morris recommended adopting a worksheet to work the building permit fees. Bill Morris advised Huntsville Town to remember to collect the receipt for Weber Fire District. The building permit will also have to be filed at the County Assessor's Office. Bill will send

Beckki some samples for the worksheets. He recommended that the Mayor and Beckki meet with Sunrise Engineering some time next week. Bill would like to be in on that meeting to hear how their process work.

Doug wanted to ask questions about the Fire District and permits. Doug cited some examples of some of the communications break downs that he perceived with Weber County. Doug stated that any time there was a commercial building with a change of use, there should be a new business license. Bill Morris asked Beckki if notifying the Fire District is part of the Business Licensing Process. Beckki responded that she hasn't done that in the past. Doug expressed concern over the final occupancy permitting. He doesn't believe the process has been consistent in the past.

Doug wanted everyone to have a flow chart that was produced by Ron Gault that shows the permitting process with Huntsville Town and Weber Fire.

Bill Morris explained that business licensing is part of the building permitting process on a commercial property. Huntsville Town needs to include that in the future. Beckki and Bill discussed the current code regarding the business licensing. They will start working on updating this together.

Kay commented that she wanted a consolidated fee schedule for the Town.

Mayor Truett reviewed the Land Use Fees and asked the group if they had questions or comments regarding the fees. Rex asked the Mayor about the Engineering Research Fee. Mayor Truett asked how this fee would be used. Beckki responded that this would be a fee that wasn't associated with an application or approval process. Beckki cited the example of Land Use Research for an appeal or a final occupancy permit that wasn't ever issued this last year.

Rex doesn't want to charge for a Land Use Permit. He believes we need to make it easy to come before the Planning Commission. Rex would consider a nominal fee. Bill Morris recommended changing the site plan review fee on our sheet to a Land Use Permit and making that a nominal fee. The other cities site review plan at \$250 usually refers to a commercial property. The suggestion was made to charge \$50 for any Land Use Permits.

Rex wanted to ask a question regarding the home-based businesses. He wanted to know about how the Allowable Use Table applies to home-based businesses. Bill Morris responded that the residents must still abide by the code.

Bill Morris will look at the building code to see if there needs to be some updates. In the mean time he advised the Town Council to look at the Land Use Fee Resolution. Bill will send some forms to Beckki. Beckki will produce the forms and set up a meeting with Sunrise Engineering.

Meeting was adjourned at 6:49 p.m.

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, December 5, 2019

7:00 p.m.

Huntsville Town Hall, 7309 East 200 South, Huntsville, UT

Name	Title	Status
James A. Truett	Mayor	Present
Blake Bingham	Council Member	Excused
Bill Wangsgard	Council Member	Present
Max Ferre'	Council Member	Present
Wendy McKay	Council Member	Excused
Beckki Endicott	Recorder	Present
William Morris	Legal Counsel	Excused

Citizens: Kate Fickas, Peter Bienik, Michelle Deras, Isaac Davenport, Jessica Davenport, Kay Larrison, Liz Poulter

1-Mayor Truett called the meeting to order. There is a full quorum present.

2-The Pledge of Allegiance was led by Isaac Davenport from Boy Scout Troop 824.

3-Opening Ceremony was led by CM Bill Wangsgard.

4-Citizen Comments. There were none.

5-Eagle Scout Presentation – Isaac Davenport. Isaac Davenport stated he was here from Boy Scout Troop 824. His project was to trim trees at the Huntsville Cemetery. Isaac said that 30 other Scouts attended. The branches in the Huntsville Cemetery were really overgrown. It was becoming a safety hazard for the crew that maintains the cemetery. CM Bill Wangsgard reported that the crew that mowed the lawns were extremely please. Peter Bienik stated he wanted to thank CM Bill Wangsgard for coordinating the many projects the Scouts have done over the years. He states that the LDS is leaving their association with Scouting but he is still planning on working with these boys on service projects and would like to see the projects benefit the Town. Isaac provided pictures from the project. **(See Attachment #1)**

6-Sheriff Department Report: Lt. Pledger. Not available.

7-Approval of Minutes from Town Council Meeting, November 21, 2019. **CM Max Ferre motioned to approve the Minutes from TC Meeting November 21, 2019.** CM Bill Wangsgard seconded the motion. All votes aye. Motion passes. **(See Attachment #2)**

8-Presentation of the Huntsville Town Audit. (Audit on File at Town Hall) Mayor Truett explained that Ulrich and Associates had conducted our financial audit for the year ending June 30, 2019. Mayor Truett explained that on page 3 of the audit the opinion of Ulrich and Associates is that the financial statements present fairly, which is the highest audit opinion given. Mayor Truett went on to outline the financial position of the Town, all of which is recorded in the audit and available at Town Hall for review.

Mayor Truett expressed thanks to Kay for a fantastic year. The Council did not vote on acceptance of the audit. It will be on the agenda for the next Town Council Meeting. **Mayor Truett made a motion to put the acceptance of the audit report ending June 30, 2019 on the next Town Council Agenda on December 19, 2019.** Max Ferre seconded the motion. All votes aye.

9- Presentation regarding water quality at Pineview Reservoir. Kate Fickas-Naleway is from the Division of Water Quality. There have been recent reports of a Harmful Algae Bloom at Pineview Reservoir. Kate is the HAB manager. She has been in her position for about 6 months and appreciates the opportunity to introduce herself to the Town. Kate is working very hard to make communication an important and integral part of her position.

Kate made a presentation regarding Harmful Algal Blooms how they happen, why they happen and the effects it has on residents and visitors in the area. The presentation can be accessed on the audio recording from this Town Council Meeting. Mayor Truett suggested that both Kate and Michelle Deras write some educational pieces for the Valley News to educate residents.

Council Member Reports:

Mayor Truett:

10- Update on CDBG grant: Mayor Truett stated that we are using the rest of our CDBG funds to buy a new computer for the water treatment plant and one computer for Ramona for water billing. Beckki will communicate with Gail and help her make the contact with Travis at our IT company.

11- CM Bill Wangsgard – CM Wangsgard reported that Keith Hill has done a great job taking over at mosquito abatement.

He also let the Town Council know that he has been cleaning out and updating the CERT trailer. Mayor Truett asked Bill Wangsgard to take the trailer to fill up the tires and clean it up at the car wash.

12- CM Max Ferre -- CM Ferre did not have any items.

13-Citizen Comments - There were none.

14-Approval of Bills, November, 2019 – **CM Ferre motioned to approve the bills for November 2019.** CM Wangsgard seconded the motion. All votes aye. Motion passes. Bills are approved.

15-Adjournment of the Meeting - **CM Ferre motioned to adjourn the meeting.** CM Wangsgard seconded the motion. All votes aye. Meeting is adjourned at 8:42 p.m.

Beckki Endicott, Recorder

Beckki Endicott

From: liz poulter [REDACTED]
Sent: Monday, December 16, 2019 3:26 PM
To: Beckki Endicott
Subject: Balloon Festival

Hello, I am a resident of Huntsville town since 1981. We have seen an explosion of recreation in our Ogden Valley. I would like to vote against the Balloon Festival coming to the town of Huntsville for a few reasons.

1. The traffic of this festival is considerable. I usually avoid the part of the valley where it is been held to avoid the congestion.
2. Our volunteers and town workers are in danger of further burnout. Even if it is promised that the festival wouldn't use Huntsville people, reality links the town people with responsibilities and resources.
3. I don't think we need the wear and tear on our lawn and other facilities in the park with such a large influx of people- I imagine a few thousand?
4. If our park were 4 blocks in size, instead of one, I could consider it being worth considering. I think our park is too small to launch multiple balloons, though organizers argue that it is big enough.

Thank you for inviting the town residents' input.

Liz Poulter

Sent from [Mail](#) for Windows 10

Beckki Endicott

From: John Markle [REDACTED]
Sent: Thursday, December 12, 2019 7:35 PM
To: Beckki Endicott
Subject: Balloon Festival

Our questions are:
Will Huntsville town benefit financially through the balloon festival here?
Parking is usually one big issue. Where would that be?
Thank you,
John and MaryJane Markle

Beckki Endicott

From: RONALD GAULT [REDACTED]
Sent: Thursday, December 12, 2019 6:20 PM
To: Beckki Endicott
Subject: Comments on Hosting the Balloon Festival

In response to the Town's request for comments on hosting a Balloon Festival, I offer the following:

Having volunteered as part of the Fourth of July Breakfast crew for over 20 straight years, which I enjoyed doing, I was very pleased with last year's smaller celebrations. I admit to burn out after so many big 4ths in a row. I saw many more neighbors at this summer's version and it was a pleasure to just be able to mingle and visit with them. It reminded me of the way it used to be 20+ years ago. One suggestion I would make is to consider a similar format for the coming years, but do it on the 4th.

All this being said, I view a Balloon Festival as being a function where not many townsfolk would be likely to actively participate in. Nor do I think many townsfolk are interested in being host to a several days long event bringing lots of folks into town using our facilities, that doesn't benefit the town besides some small usage fees? Do we even have any balloon owners in the town? And some of the negatives, extra traffic, parking areas, wear and tear on the park, etc. are real. We already have the marathon which is a tremendous success, but is a one day event and generates a sizeable income that benefits the town. I feel most people, even the 'new comers' are attracted to our small town feel. Doesn't hosting big events like a multi-day Balloon Festival head us in the other direction?

Sincerely,

Ron Gault

Beckki Endicott

From: Sandy Hunter [REDACTED]
Sent: Thursday, December 12, 2019 4:56 PM
To: Beckki Endicott
Subject: Balloon Festival

I love the Balloon Festival in Ogden Valley. I'm not against holding it in Huntsville as long as the people in charge handle all of the volunteers needed. I do not want the citizens of Huntsville to have the responsibility of all of the needed services—volunteers for parking, booths, etc. We know what is involved with our 4th of July celebration!

I don't know how it would work logistically. I don't see how you could have booths and balloons in our park. We have too many trees in our park.

If citizens are interested in having it in Huntsville we would need a presentation from the Balloon Festival people to explain to us their ideas.

Sandy Hunter

Beckki Endicott

From: Regen Sorensen [REDACTED]
Sent: Tuesday, November 26, 2019 4:37 PM
To: Beckki Endicott
Subject: Balloon fiasco

No to balloon fest

Thanks.

Regen Sorensen

Sent from my iPad

Beckki Endicott

From: Alan Buttars [redacted]
Sent: Tuesday, November 26, 2019 11:10 AM
To: Beckki Endicott
Subject: Balloon comment

I'm not in favor for more events happening in our town.

Thanks

Alan and Willow Buttars

Sent from Yahoo Mail for iPhone

Beckki Endicott

From: Gary Probasco [REDACTED]
Sent: Tuesday, November 26, 2019 7:56 AM
To: Beckki Endicott
Subject: Balloon festival

The town is currently addressing the issues with the 4th of July and excessive crowds. Let's not set up for another issue of crowd control problems with our limited access of only two roads in and out of town.

Not in favor of Balloon festival in Huntsville!

Gary

Beckki Endicott

From: SHANNON HANSEN [REDACTED]
Sent: Monday, November 25, 2019 10:24 PM
To: Beckki Endicott
Subject: Balloon Festival

If the town is going to consider this, they need to plan for ADEQUATE parking. The parking needs to not impact residential yards and needs to keep pedestrians safe.

The festival needs to support itself and the Town should not have to contribute. If there is a profit, the Town should receive a portion.

Beckki Endicott

From: Patricia Albertson [REDACTED]
Sent: Monday, November 25, 2019 9:20 PM
To: Beckki Endicott
Subject: Balloon Festival Input

To what extent does the organizers want to "expand" to our park? This is definitely not a place to launch hot air balloons and it shouldn't be used for chase cars because it disrupts the traffic in town. There shouldn't be any reason for booths in our town park because the main launches are generally done in the Eden/Liberty/Wolf Creek area and that is where the draw of watchers go. If this is an idea that people park in our town and are bussed to the events..that us also ridiculous. This is a draw of huge crowds and just because the organizers had some falling out with the other town should not impact our town!

Patricia Albertson

Sent from my iPhone

Beckki Endicott

From: Richard Sorensen [REDACTED]
Sent: Monday, November 25, 2019 7:21 PM
To: Beckki Endicott
Subject: EDEN balloon festival.

NO WAY!

Regards,
Richard Sorensen

Sent from my iPhone

Beckki Endicott

From: Chad McKay [REDACTED]
Sent: Monday, November 25, 2019 5:03 PM
To: Beckki Endicott
Subject: Balloon Festival

They tried expanding it into Huntsville town and it didn't work last time. The trees limit the balloons in town and we don't need another big crowd day. That's the whole "make the Fourth of July smaller" Argument. That's my feeling. Most people in town, don't want ANY outside activities. No races, no festivals nothing that brings people into town. Especially for big events. Thanks Chad

Beckki Endicott

From: Bill White [REDACTED]
Sent: Monday, November 25, 2019 5:02 PM
To: Beckki Endicott
Subject: Balloon festival

Dear Council,

I am opposed to locating the balloon festival in Huntsville Town. The organizer failed to mention that the reason she is leaving the Eden location is because she was booted by the Park Committee. For more information, please contact our Parks Board rep, Jake Songer.

I also feel that it would be worse than the 4th of July for traffic, crowds, etc. I don't think we should trade our peaceful neighborhood for the very few dollars we would collect, after expenses, from this type of event.

Thanks, Bill White

Beckki Endicott

From: Susan Francis [REDACTED]
Sent: Monday, November 25, 2019 4:54 PM
To: Beckki Endicott
Subject: Balloon festival

Ken and Susan Francis would like to vote NO for the festival in Huntsville. Thank You

Sent from my iPhone

Beckki Endicott

From: Mike Engstrom [REDACTED]
Sent: Monday, November 25, 2019 4:46 PM
To: Beckki Endicott
Subject: Balloon Fest

Hi,

I'm in favor of it on the surface. I'd like to know details, but a party is always fun!

Thanks,
Mike Engstrom
[REDACTED]

RESOLUTION 2019-12-5

A RESOLUTION OF HUNTSVILLE TOWN, WEBER COUNTY, UTAH, TO SET FEES LAND USE APPLICATIONS

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

WHEREAS, the Huntsville Town Council recognizes the applications for Land Use changes in Huntsville have become increasingly complex and an investment of time and preparation on behalf of the Town,

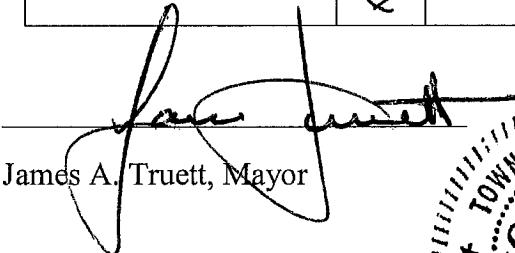
WHEREAS, the Town Council seeks to establish a Land Use Fee Schedule to provide compensation for the many hours spent reviewing resident requests.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF HUNTSVILLE TOWN, WEBER COUNTY, UTAH, THE FOLLOWING:

1. Land Use Permit – \$50
2. Conditional Use Permit: \$150
3. Variance Application: \$ 150
4. Subdivision Application: \$ 250.00 + \$25 per lot
5. Minor Subdivision Application: \$100.00 + \$25 per lot
6. Boundary Line Application: \$100
7. Consolidation Application: \$50
8. Land Use/Engineering Research: \$35 per hour
9. Zoning Map Amendment: \$250
10. Annexation Application: \$500

PASSED and ADOPTED on this 17th day of December, 2019.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	✗			
CM Wendy McKay	✗			
CM Bill Wangsgard	✗			
CM Blake Bingham	✗			
CM Max Ferre'	✗			


James A. Truett, Mayor

ATTEST:


Beckki Endicott, Recorder





Resolution 2019-12-19-A

P.O. Box 267
Huntsville, UT 84317

Phone 801.745.3420
Fax 801.745.1792
Web HuntsvilleTown.com

Mayor
James A. Truett

Town Council
Blake Bingham
Max Ferre'
Wendy McKay
Bill Wangsgard

Town Clerk/Recorder
Beckki Endicott

Treasurer
Kay Larrison

Attorney
Bill Morris

A RESOLUTION OF THE HUNTSVILLE TOWN COUNCIL
PROCLAIMING DECEMBER 24, 2019, AS ARBOR DAY IN
HUNTSVILLE, UTAH

WHEREAS, the Huntsville Town Council of Weber County, Utah, in recognition of this Country's Arbor Day Celebrations observed across the State of Utah as well as the United States of America.

WHEREAS, Huntsville Town recognizes the importance of the decorated evergreen tree as part of the Christmas tradition.

NOW THEREFORE, the Huntsville Town Council, does hereby establish December 24, 2019 as

"Huntsville Towns Official Arbor Day Celebration"

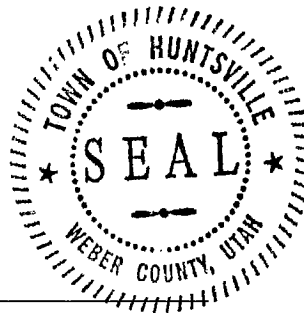
and calls upon the residents of Huntsville to join together in this cause and celebrate their decorated evergreen tree as an important part of the Holiday tradition.

James A. Truett, Mayor

In witness thereof, I set my hand and
affix the Official Seal of the Town of Huntsville,
Utah, this 19th day of December 2019.

ATTEST:

Beckki Endicott, Recorder



**HUNTSVILLE TOWN
ORDINANCE 12-19-2019-D**

ZONING MAP AMENDMENTS

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, REVERTING THE ZONING MAP FOR PARCELS WHERE A ZONING AMENDMENT APPLICATION WAS FILED BUT THE DEVELOPMENT WAS NOT TIMELY PERFORMED; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the Town received an Application to Amend the Zoning Map from Dave Booth and Eco Design LLC, (hereafter “Applicant”) in or about March 4, 2016, requesting that Weber County Parcels 24-117-0001, 24-117-0002, and 24-117-0003 (hereafter “Property”) be amended from the R-1 (Residential) Zone to the Commercial Zone for a proposed Development;

WHEREAS, the Huntsville Municipal Code requires that the Development be completed within two years or the Zoning Map Amendment will be reverted;

WHEREAS, the Development was not completed with the time period required by The Huntsville Municipal Code and now the City seeks to revert the Zoning Map;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on December 16, 2019, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to approve this Ordinance;

WHEREAS, the Town Council received the recommendation from the Planning Commission and held its public meeting on December 16, 2019, and now desires to act upon this Ordinance;

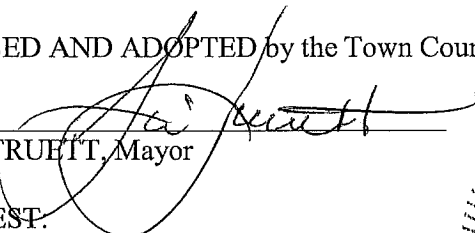
NOW, THEREFORE, be it ordained by the Town Council of Huntsville, Utah as follows:

- Section 1:** **Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.
- Section 2:** **Zoning Map Amendment.** The Official Zoning Map of Huntsville Town, Utah is hereby reverted to the prior Zoning Map designation for Weber County Parcel Numbers 24-117-0001, 24-117-0002, and 24-117-0003, from the C-1 (Commercial) Zone to R-1 (Residential) Zone.
- Section 3:** **Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

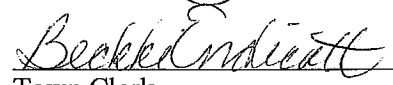
Section 4: **Effective date.** This Ordinance take effect immediately upon mayoral approval and posting.

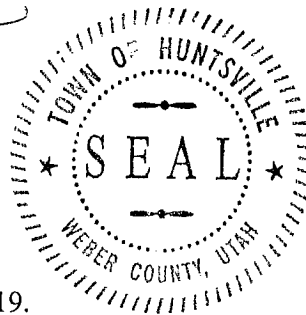
VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett				
CM Max Ferre'				
CM McKay				
CM Bill Wangsgard				
CM Blake Bingham				

PASSED AND ADOPTED by the Town Council on this 19th day of December, 2020.


JIM TRUETT, Mayor

ATTEST.


Town Clerk



RECORDED this 19th day of December, 2019.

PUBLISHED OR POSTED this 19th day of December, 2019.

**HUNTSVILLE TOWN
ORDINANCE 2019-12-19-A**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 15.16,
REGULATING THE PROCEDURES FOR REZONING.**

- A. WHEREAS**, Huntsville Town (hereafter referred to as “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the Town to regulate land use and development;
- C. WHEREAS**, Huntsville Town desires to revise the ordinance governing the reversion of zoning designations within Town;
- D. WHEREAS**, the proposed change in the ordinance would automatically revert the zoning designation of a parcel to its former zone upon failure of the applicant to commence the approved concept development plan within the prescribed time frame unless otherwise extended;
- E. WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on December 16, 2019, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT THIS Ordinance on December 16, 2019;
- F. WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on December 19, 2019 and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the Huntsville Town Council as follows:

Section 1: Repealer. Any word, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. The *Huntsville Municipal Code* is hereby amended to read as follows:

15.16.5 Concept Development Plan Attached to Rezoning

At the time of rezoning approval by the Huntsville Town Council, the Concept Development Plan is also approved and becomes attached to the rezoning and the rezoned land. The petitioner/owner and any assigns or successors in interest, becomes committed to develop only in accordance with the proposals outlined in the plan. Any materially different concept, use,

building arrangement, etc., will not be approved nor will building permits be issued by Huntsville Town until and unless such plan is amended by Huntsville Town Council after recommendations of the Huntsville Town Planning Commission and after public hearing as per the procedure followed for original approval.

15.16.6 Procedure for Processing Development Plan

After rezoning is completed, a Final Development Plan shall be processed and specific plans for all or a phase of the development on the rezoned land shall be reviewed as required by the appropriate zoning titles and other applicable regulations and codes in effect. The Final Development Plan shall be in accordance with the approved Concept Development Plan and any conditions attached thereto.

15.16.7 Development To Take Place Only in Accordance with Approved Plans

Where a Concept Development Plan has been approved in conjunction with the rezoning of land, and where more specific plans, such as a Final Development Plan, which includes engineered site plans, and detailed architectural plans, among other items, have been approved as part of the zoning process for obtaining building permits, such Building Permits shall be issued only for uses, buildings, structures, and site designs approved on the plan. Permits shall be issued and development shall only proceed in such a manner as to assure that all amenities and features of the plan are constructed and all conditions are complied with as development proceeds.

15.16.8 Reversion to Original Zoning Designation

If construction of the development, in accordance with the approved Concept Development Plan and Final Development Plan, has not commenced within two (2) years from the date of zoning, the respective property automatically reverts to its previously designated zone subject to the following provisions:

- A. Upon petition and due cause shown, the Town Council may extend the time-period by one (1) additional year. Said petitioner, or authorized agent, must appear before the Town Council prior to the expiration of the period of time in order to seek an extension of time.
- B. The Town shall provide written notice, by regular mail or hand delivery to the address on file, of the pending reversion of the respective property to its previously designated zone no less than sixty (60) calendar days prior to the expiration of the period of time allowed under 15.16.8, or as extended pursuant to 15.16.8.A.
 - 1. If the period of time allowed under 15.16.8, or as extended pursuant to 15.16.8.A., concludes prior to the service of the written notice by the Town, the property shall not revert to its previously designated zone until sixty (60) calendar days have elapsed from the date upon which written notice was served.
 - 2. Written notice is considered served the date of mailing or hand delivery.

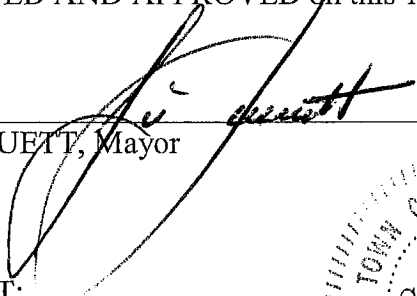
C. The expiration of the period of time allowed under 15.16.8, or as extended pursuant to 15.16.8.A. or 15.16.8.B.1., shall constitute a final decision for the reversion of the property to its previously designated zone.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett	✕			
CM Max Ferre'	✕			
CM McKay	✕			
CM Bill Wangsgard	✕			
CM Blake Bingham	✕			

ADOPTED AND APPROVED on this 19th day of December.


JIM TRUETT, Mayor

ATTEST:


BECKKI ENDICOTT, Recorder



RECORDED this 19th day of December.

**HUNTSVILLE TOWN
ORDINANCE 2019-12-19-B**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 15,
REGULATING THE LANDING AND TAKEOFF OF MANNED AIRCRAFT
WITHIN HUNTSVILLE TOWN.**

- A. WHEREAS**, Huntsville Town (hereafter referred to as “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the Town to regulate land use and development;
- C. WHEREAS**, Huntsville Town desires to establish ordinances governing the landing and takeoff of manned aircraft within Town;
- D. WHEREAS**, the proposed change in the ordinance would prohibit the landing or takeoff of manned aircraft within Town unless otherwise excepted;
- E. WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on December 16, 2019, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT THIS Ordinance on December 16, 2019;
- F. WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on December 19, 2019 and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the Huntsville Town Council as follows:

Section 1: Repealer. Any word, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. The *Huntsville Municipal Code* is hereby amended to read as follows:

15.32 Manned Aircraft Landings and Takeoffs

The landing or takeoff of manned aircraft (including, but not limited to, hot air balloons, helicopters, fixed-wing aircraft, etc.) is prohibited within the municipal boundary of Huntsville Town, subject to the following exceptions:

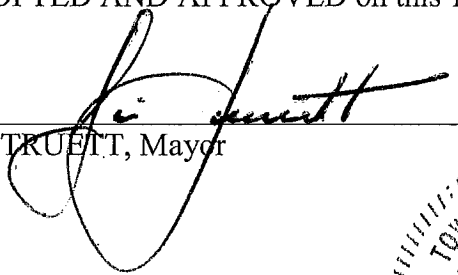
- A. In the event of an emergency involving the safety of any manned aircraft or its passengers.
- B. In those instances where the manned aircraft is involved in the performance of official search, rescue, law enforcement, medical evacuation, or civil defense duties.
- C. The Town Council may grant temporary approval for spot manned aircraft landings and/or takeoffs at specific locations subject to the following requirements:
 - 1. The applicant desiring such approval shall submit a written application to the town which shall describe fully the time and place of the proposed landing/takeoff, the purpose, the aircraft to be used, the pilot, insurance coverage applicable, and all crowd control measures to be employed to safeguard the safety of life and property at the site.
 - 2. The applicant shall agree to reimburse the town for all reasonable costs incurred on the applicant's behalf.
 - 3. The applicant shall agree in writing to indemnify the town against all risk of loss from any cause for injury or death to any person or for property damage arising out of the landing/takeoff.
 - 4. The applicant shall establish to the satisfaction of the Town Council that the landing/takeoff of the aircraft poses no risk to the safety of pedestrians, motor vehicles, or structures.
 - 5. The landing of the aircraft and the subsequent takeoff after completion of the promotional activities shall be supervised by a law enforcement officer at the expense of the applicant. The law enforcement officer shall remain in attendance on the ground location during the entirety of the proposed operation.
 - 6. The applicant shall secure written approval from owners of any adjoining parcels to the temporary landing/takeoff site.
 - 7. The Town Council may waive any of the foregoing requirements if the landing/takeoff is conducted on town property or as part of a town-sponsored event.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett	X			
CM Max Ferre'	X			
CM McKay	X			
CM Bill Wangsgard	X			
CM Blake Bingham	X			

ADOPTED AND APPROVED on this 19th day of December 2019.


JIM TRUETT, Mayor

ATTEST:


BECKKI ENDICOTT, Recorder



RECORDED this 19th day of December 2019.

**HUNTSVILLE TOWN
ORDINANCE 2019-12-19-C**

HUNTSVILLE TITLE 4 EDITS – LAND USE PERMIT UPDATE

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 4 –
LAND USE PERMIT UPDATES**

WHEREAS, Huntsville Town (hereafter referred to as “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the Town to regulate land use and development;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on December 16, 2019 to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT this ordinance on December 16, 2019;

WHEREAS, the Town Council received the recommendation from the Planning Commission and held its public meeting on December 19, 2019 and desires to act on this Ordinance;

ORDINANCE

NOW, THEREFORE, be it ordained by the Huntsville Town Council as follows:

Section 1: Repealer. Any word, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. The *Huntsville Municipal Code* is hereby amended to read as follows:

4.1 Purpose

Building/Land Use permits are essential for the management of building, construction and land use in Huntsville Town, provide an effective vehicle for complying with State laws and adopted building standards, and are necessary to effectively administrate building and construction procedures and to cover the costs of the administration thereof.

Additional information to help clarify the steps needed to follow this Title as outlined in 4.2 can be found on the Town Website or by contacting the Town Building Official.

4.2 Building/Land Use Permit Required

4.2.1 Land Use Permit

Any owner desiring to change (e.g. build a new residence) or add a use of the land shall not proceed until a Land Use Permit has been issued by the Huntsville Town Planning Commission. The only exception to this requirement is for the construction of a structure under 200 square feet that does not contain any combination of electrical, gas, mechanical, or plumbing features, as explained in 4.2.2.1. Any permanent structure being placed on land shall adhere to all land use regulations established for the zone in which that land resides. If the Huntsville Town Planning Commission deems it necessary due to extenuating circumstances, they will submit the permit application to the Huntsville Town Council for their review and approval.

4.2.2 Building Permit

4.2.2.1 New Structures Less than 200 Square Feet

Any owner or authorized agent who intends to engage in new construction of a structure with a footprint less than 200 square feet and has any combination of electrical, gas, mechanical, or plumbing improvements shall only commence work after acquiring a Land Use Permit from the Huntsville Planning Commission. A Land Use Permit is not required for new construction of a structure with a footprint less than 200 square feet that does not include any combination of electrical, gas, mechanical, or plumbing features. No building permit is required for a new structure less than 200 square feet unless electrical, gas, mechanical, or plumbing installation is required; then the owner or authorized agent must follow the requirements of 4.2.2.2 New Structures 200 Square Feet or Greater.

4.2.2.2 New Structures 200 Square Feet or Greater

Any owner or authorized agent who intends to engage in new construction of a structure with a footprint 200 square feet or greater shall only commence work after first, having received a Land Use Permit from the Huntsville Planning Commission, and then, secondly, upon issuance of a Building Permit from the Huntsville Building Official or authorized delegate of the Huntsville Building Official. Exceptions to this rule can be found in 4.2.3 Remodel Permit or 4.2.4 Self Performed Remodel Permit – Residential.

4.2.3 Remodel Permit

For the sake of the safety of the public, any structure owner or authorized agent who intends to install, alter, remove, convert or replace any existing electrical, gas, mechanical or plumbing system, the installation of which is regulated by the adopted Huntsville Town Building Official. Minor replacement or repair of such systems, especially to replace like kind (i.e., replace a water faucet, light switch, light fixture, toilet, etc.), replacement of roof shingles or siding does not require a permit. If the land use change involves excavating,

an excavation permit may be required as specified in Title 17. Exception to these requirements can be found in 4.2.4 Self Performed Remodel Permit – Residential.

4.2.4 Self Performed Remodel Permit – Residential

A Self-Performed Remodel Permit can be granted by the Huntsville Town Building Official or their designee if all the following stipulations are met:

- a. A Land Use Permit is obtained from the Huntsville Planning Commission.
- b. Work is for a remodel/repair of an existing home or for the construction/remodel/repair of an auxiliary building greater than 200 square feet (electrical and plumbing changes for any size building). If more than 25% of the square footage of the home or auxiliary building is over 200 square feet it will be considered as a new construction and will require a Remodel Permit.
- c. Work is self-performed by the owner or a close associate. This means that no compensation either monetarily or in kind for work performed on the project can be tendered.
- d. The homeowner declares on the Self-Performed Remodel Permit form all of the work that will be performed on the project receiving the Self-Performed Remodel Permit.
- e. The home owner certifies by signing the Self-Performed Remodel Permit that they will abide by all of the Utah State construction Code requirements in the construction of their project (including all applicable stamped plans by professionals licensed by the State of Utah).

4.2.5 Validity Period

4.2.5.1 Land Use Permit Validity Period

Land Use Permits shall be valid for a period of one year. If at any time the Land Use Permit expires, the owner or authorized agent must reapply for a Land Use Permit as outlined in 4.2.1. A Land Use Permit will be required to continue work on any unfinished items listed on the Land Use Permit. The owner will be responsible to pay any fees associated with the issuance of this new Land Use Permit.

4.2.5.2 Building Permit Validity Period

Building Permits shall be valid only during the period that a valid Land Use Permit is in effect. The owner may be subject to any penalties that may result from allowing the permit to expire before completion and final inspection of the work is completed.

4.3 Huntsville Town Building Official

The Huntsville Town Building Official, appointed by the Huntsville Town Council, is hereby designated and authorized as the officer charged with the enforcement of this and other applicable titles of the Huntsville Town Ordinances in regards to all building in Huntsville Town. The Huntsville Town Council, by resolution or ordinance, may from time to time entrust such administration and enforcement, in whole or in part, to any other officer or designee of Huntsville Town without amendment to this Title. The Huntsville Town Building Official is authorized to execute the duties required herein including the issuance of building permits.

4.4 Permits to Comply with Title

The Huntsville Town Building Official shall not grant a permit for the construction or alteration of any building or structure if such construction or alteration would be in violation of any of the provisions of the Huntsville Town Land Use Title, nor shall any Huntsville Town Officer grant any permit or license for the use of any building or land if such use would be in violation of this Title.

4.5 Powers and Duties of Huntsville Town Building Official

It shall be the duty of the Huntsville Town Building Official to inspect or cause to be inspected all buildings in the course of construction or repair. They shall enforce all of the provisions of this Title, entering actions in the courts when necessary, and their failure to do so shall not legalize any violation of such provisions. The Huntsville Town Building Official shall not issue any permit unless the plans for the proposed erection, construction, reconstruction, alteration and use fully conform to all Huntsville Town Land Use Title regulations then in effect.

4.6 Building Inspector

The Huntsville Town Building Inspector(s) shall be appointed by resolution of the Huntsville Town Council and be authorized to execute the duties of that office under the direction of the Huntsville Town Council. The appointed Building Inspector must possess a valid combination level State of Utah Building Inspector license including valid International Code Council (ICC, formerly ICBO) certificates for building, electrical, plumbing, and mechanical inspectors.

4.7 Certificate of Occupancy Required

No land shall be used or occupied and no building hereafter structurally altered or erected shall be used or changed in use, except for agricultural purposes, in accordance with Utah State Law until a Certificate of Occupancy shall have been issued by the Huntsville Town Building Official stating that the building or the proposed use thereof, complies with the provisions of this Title. A Certificate of Occupancy either for the whole or a part of a building or structure shall be applied for when the builder is ready. A temporary occupancy permit may be issued for a period of not more than one (1) year and shall be issued within seven (7) days after the erection or structural alteration of such building or structure, or part thereof, shall have been completed and inspected by the Huntsville Town Building Inspector to be in conformity with the provisions of this Title.

4.8 Zones Requiring a Land Use Permit

In order to verify the requirements of the Land Use Title in general, and setbacks for permitted or conditional uses in the A-3, CR-1, S, O, FP, and RC Zones, no structure, including agricultural structures, shall be constructed, changed in use, or altered, as provided or as restricted, until and unless a Building/Land Use Permit is approved and issued by the Huntsville Town Building Permit Official.

The site plan requirements for these zones are specified in the Land Use Title.

4.9 Zones Requiring Site Plan Approval

The location of main and accessory buildings on a site in relation to one another, the provision of off-street parking space, the provision for driveways for ingress and egress, and the provision of other open space on a requested site, and the display of signs, shall be in accordance with a site plan or plans or subsequent amendment thereof, reviewed by the Huntsville Town Planning Commission prior to the issuance of a Building/Land Use permit by the Huntsville Town Building Official.

In considering any site plan hereunder, the Huntsville Town Planning Commission shall endeavor to assure safety and convenience of traffic movement both within the area covered and in relation to access streets, harmonious and

beneficial relation among the buildings and uses in the area covered, and satisfactory and harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods.

4.10 Building Permit Fees

Building/Land Use permit and renewal fee valuations and schedules shall be adopted by resolution of the Huntsville Town Council.

4.11 Impact Fees

An impact fee per building lot shall be assessed of each builder at the time of issuance of a building permit. Such impact fee amount, as described in the Impact Fees Title, shall be adopted by resolution of the Huntsville Town Council.

4.12 Plan Reviewer

The Huntsville Town Planning Commission shall direct the Huntsville Town Building Official, or Building Inspector, to review building and site plans, make a recommendation on plans that are non-compliant with applicable codes to the Huntsville Town Planning Commission and the Huntsville Town Council.

The Huntsville Town Engineer shall review site plans for engineering considerations such as storm drain facilities, structural calculations, and the design of improvements.

4.13 Licensing

All departments, officials and public employees of Huntsville Town, which are vested with the duty or authority to issue permits or licenses, shall conform to the provisions of this Title and shall issue no permit or license for uses, buildings, purposes where the same would be in conflict with the provisions of this Title, and any such permit or license, if issued in conflict with the provisions of the Title, shall be null and void.

4.14 Penalties

Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating or causing or permitting the violation of the provisions of this Title shall be guilty of a Class C misdemeanor and punishable as provided by law. Such person, firm or corporation who intentionally violates this Title shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this Title is committed, continued, or permitted by such person, firm or corporation, and shall be punishable as herein provided.

4.15 Responsibility for Damage to Huntsville Town Streets

The real property owner is responsible to maintain an orderly construction site so as not to cause risk of injury to the public or to Huntsville Town streets. Any debris on or damage to Huntsville Town streets must be immediately remedied at the expense of the real property owner or their authorized agent.

4.16 Appeal Authority

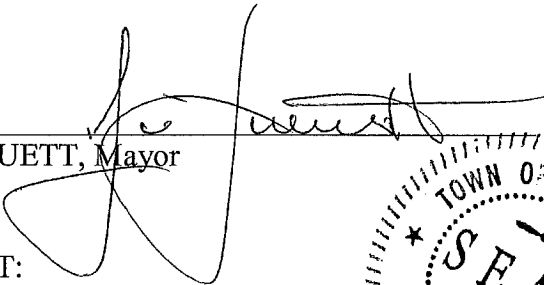
In order to hear and decide appeals in orders, decisions or determinations made by the Huntsville Town Building Official and the Huntsville Town Planning Commission relative to the application and interpretation of this Title, there shall be a Huntsville Town Appeal Authority. The creation, office, and duties of the Huntsville Town Appeal Authority is described in the Appeal Authority Title. The Appeal Authority shall consist of members who are qualified to determine if the intent of the applicable adopted codes have been satisfied. They will not have authority to waive requirements of the code.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett				
CM Max Ferre'				
CM McKay				
CM Bill Wangsgard				
CM Blake Bingham				

ADOPTED AND APPROVED on this 19th day of December, 2019.



JIM TRUETT, Mayor

ATTEST:



BECKKI ENDICOTT, Recorder



RECORDED this 19th day of December 2019