

The Regular Meeting of the  
Brian Head Town Council  
Via Zoom Meeting ID# 885 0043 8418  
[www.zoom.us/j/88500438418](https://www.zoom.us/j/88500438418)  
**TUESDAY, JULY 28, 2020 @ 1:00 PM**

## **AGENDA**

- A. CALL TO ORDER**
- B. PLEDGE ALLEGIANCE**
- C. EMPLOYEE SERVICE AWARD FOR CHIEF DAN BENSON 20 YEARS**
- D. DISCLOSURES**
- E. APPROVAL OF THE MINUTES:** July 9, 2020, Town Council Meeting
- F. REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS.**
- G. AGENDA ITEMS:**
  - 1. NIGHTLY RENTAL CODE AMENDMENT & LICENSE FEE DISCUSSION.** Bret Howser, Town Manager. The Council will continue a discussion on a proposed amendment to the Nightly Rental Code and a discussion on the Business License Fee Study.
  - 2. TOWN WALKING TRAIL, PHASE 2 PROJECT BID AWARD.** The Council will award the contract for the Town Walking Trail, phase 2 project.
  - 3. ORDINANCE AMENDING THE WATER & SEWER CODE.** Aldo Biasi, Public Works Director. The Council will consider an ordinance amending the Water and Sewer Code.
  - 4. AMENDMENT TO THE BEAUTIFICATION PROGRAM.** Bret Howser, Town Manager. The Council will consider an amendment to the Beautification Program to include lighting.
  - 5. CONSOLIDATED FEE SCHEDULE RESOLUTION.** Wendy Dowland, Public Works. The Council will consider a resolution adopting the Fiscal Year 2021 Consolidated Fee Schedule, a schedule of fees collected by the Town.
  - 6. POTENTIAL FUTURE AGENDA ITEMS.** The Council will discuss potential items for future agendas.
- H. ADJOURNMENT**

**Date: July 23, 2020**

Available to Board Members as per Ordinance No. 11-003 authorizes public bodies, including the Town, to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the public board may participate by means of electronic communications. In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should call Brian Head Town Hall @ (435) 677-2029 at least three days in advance of the meeting.

### **CERTIFICATE OF POSTING**

I hereby certify that I have posted copies of this agenda in three conspicuous locations; The Mall, Post Office and the Brian Head Town Hall and have posted copies on the Utah Meeting Notice Website and the Brian Head Town website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Dated this 23<sup>rd</sup> day of July 2020.  
Nancy Leigh, Town Clerk





## STAFF REPORT TO THE TOWN COUNCIL

**SUBJECT:** Nightly Rental Ordinance Amendment & Business License Fee Study  
**AUTHOR:** Bret Howser  
**DEPARTMENT:** Administration  
**DATE:** July 28, 2020  
**TYPE OF ITEM:** Discussion

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### SUMMARY:

Council will continue the discussion on an amendment to the Town's Nightly Rental Ordinance and a proposed fee nightly rental fee study.

### BACKGROUND:

During the July 14, 2020, Council meeting, the Council received public input on the proposed changes. Several nightly rental business owners gave their input on the proposed changes to both the nightly rental code amendment and the fee study that was presented. The majority of the nightly rental owners were not in favor of either of these changes. Staff also received a written comment after the July 14<sup>th</sup> meeting and is attached for Council's review. From that meeting, staff was instructed to bring back this agenda topic for further discussion.

In spring and early summer of 2019, in response to some complaints from residents in single-family residential zones, the Town Council undertook an effort to update the Town's ordinance regulating nightly rentals. The Council reviewed several drafts/revisions of the ordinance which initially would have held nightly rental licensees responsible for egregious behavior of their guests – potentially resulting in the loss of their license. Ultimately the Council decided to take a softer, more education-oriented approach in which licensees would be responsible for educating their guests, primarily through the use of a "Good Neighbor Policy". A committee of nightly rental owners/managers and residents was assembled to craft the Good Neighbor Policy.

During 2019, Council also briefly considered adjusting the nightly rental business license fees (currently set at \$160 for a new business and \$80 for a renewal) to mirror the fees on other businesses -- \$80 for new business and \$40 for renewal, applied to each business location. Since the proposal included the individual licensing of each business location (ie: each nightly rental unit) this would have increased fees for those operating 3 or more units. The estimated increase in revenue to the Town would have been about \$10,000. After some members of the nightly rental community expressed serious concerns about this change, the Council decided not to individually license units and to leave rates the same, with instruction to staff to track costs of administering nightly rental licenses and return with a new fee study after a year of operating under the amended ordinance.

Short-Term Rental Committee was reconvened on June 1, 2020, to give an overview of how they felt the new nightly rental ordinance functioned during the 2019-2020 winter season. After discussing several issues, the Committee forwarded a recommendation for an amendment to the Nightly Rental Code requiring the license holder be held responsible for regulating the occupancy limits, noise, parking, nuisance, illegal conduct, or any other use that violates the law regarding use or occupancy of their cabin/unit. The Short-Term Rental committee members include residents, rental management company owners, nightly rental

owners, Homeowner Association President, and a Council Member.

The reason given behind the committee's recommendation was due to issues where nightly rental guests violated the nightly rental code and/or nuisance code and/or state law. Some examples presented were exceeding the maximum occupancy limits, parking issues, and trespassing onto neighboring properties. The consensus of the committee was that the license holder should have control over who they rent to and/or the ability to take action when their guests have violated the Town Code or state law.

Council held an initial discussion on this change to the Nightly Rental Code on June 23 and requested that staff make slight alterations to the proposed language and heavily advertise a public hearing set for July 14 and now the Council will continue the discussion on this topic.

## **ANALYSIS:**

### **Nightly Rental Ordinance Revision**

The following language is proposed to be added to §3-2A-21-3 of the Town Code:

*E. Noise, Nuisance, and Occupancy Control: The licensee of rentals under this section are responsible for regulating the occupancy of the unit and noise and nuisance created by the occupants of the unit. Violation of the Town Nuisance Ordinance (§4-3), violation of maximum occupancies, failure to use designated off-street parking, illegal or criminal conduct, or any other abuse which violates any law regarding use or occupancy of the premises, is grounds for revocation under §3-2B-1 of this Title.*

Section §3-2A-21-3(D)(14) would also be removed:

~~*14. Noise And Safety Control: The licensee and the owner of nightly rental facilities under this section shall use their best efforts to reduce/limit noise created by the occupants of the unit.*~~

This change would have the effect of requiring nightly rental licensees to control the behavior of their guests or risk losing their license. The Town's attorney has advised that this language is legal and enforceable under Utah law. Similar ordinances are in effect in other jurisdictions. Specifically, this language was modeled after the ordinance in Park City.

### **Nightly Rental Fee Study**

#### **Administrative Business License Fees**

As part of the Short-Term Rental (STR) code review, staff conducted a business license fee study to better identify the direct administrative costs. Staff concluded that STR businesses accrue differing costs than other businesses, and, therefore, determined that the fee study should be different for STRs and all other businesses. Below the analysis is described for each independent study.

#### ***STR Business License Fee Study***

First, looking specifically at STRs, the fee study looked only at direct administrative costs related to two main categories, staff time and overhead. For example, the staff component looks at the time spent by Town employees to administer the code. Specifically, staff time includes the time taken to process applications/licenses, customer service, required training, required reports, and financial record keeping. Over the course of the past year, staff has recorded time by activity to accurately distribute hours spend on business license administration. As such, it has been determined that on an annual basis the Town Clerk spends 326.82 hours, and the Town Treasurer spends 27 hours administering the business

license code. For short-term rentals specifically, of the 353.82 combined annual hours, 288 hours are attributed to STR businesses, as shown in Table 1 below.

| <b>Town Clerk</b>           | <b>New STR Applications</b> | <b>STR Renewals</b> | <b>Totals</b> |
|-----------------------------|-----------------------------|---------------------|---------------|
| Processing/Customer Service | 80.88                       | 121.68              | <b>202.56</b> |
| Required Training/Reporting | 16.86                       | 50.58               | <b>67.44</b>  |
| <b>Town Treasurer</b>       |                             |                     |               |
| Financial Record Keeping    | 4.5                         | 13.5                | <b>18</b>     |
| <b>Total</b>                | <b>102.24</b>               | <b>185.76</b>       | <b>288</b>    |

***Table 1:** Distribution of Staff hours for administering STR Business Licenses. The table is shown in hours. Does not include time taken to manage STR businesses with more than one rental unit.*

Given the hours distributed in Table 1 above, the following table, *Table 2*, will distribute the cost per STR application/license for both new applications and renewals. The cost assumes the base license with one rental unit. Additional rental units will be discussed later in this report. The cost assumes the average of 36 new STR business applications per year and 108 STR business license renewals per year.

| <b>Town Clerk</b>     | <b>Hours per App</b> | <b>Hourly Rate</b> | <b>Totals</b>   |
|-----------------------|----------------------|--------------------|-----------------|
| New App               | 2.72                 | \$51               | <b>\$138.72</b> |
| Renewal               | 1.60                 | \$51               | <b>\$81.60</b>  |
| <b>Town Treasurer</b> |                      |                    |                 |
| New App               | 0.125                | \$49.74            | <b>\$6.22</b>   |
| Renewal               | 0.125                | \$49.74            | <b>\$6.22</b>   |
| <b>Total</b>          |                      |                    |                 |
| New App               |                      |                    | <b>\$144.94</b> |
| Renewal               |                      |                    | <b>\$87.82</b>  |

***Table 2:** Cost per STR license for staff time.*

With staff time calculated for STR business licenses, the next step is to look at overhead. In reviewing the overhead, the following variables are considered: utilities, paper, printing, stamps, telephone, and email. The calculation for utilities includes power, internet, and natural gas. The telephone line will include both cell phone and office phone. The overhead calculations only assume the portion attributed to staff administering STR business licenses, and only includes the time of those staff members work on STR business license administration. *Table 3* below illustrates the overhead distribution per STR license.

|                | <b>Paper</b> | <b>Stamps</b> | <b>Printing</b> | <b>Utilities</b> | <b>Email</b> | <b>Telephone</b> | <b>Total</b>  |
|----------------|--------------|---------------|-----------------|------------------|--------------|------------------|---------------|
| <b>New App</b> | \$0.04       | \$0.47        | \$0.04          | \$ 0.93          | \$0.12       | \$2.59           | <b>\$4.19</b> |
| <b>Renewal</b> | \$0.03       | \$0.47        | \$0.03          | \$ 0.46          | \$0.06       | \$1.07           | <b>\$2.13</b> |

***Table 3:** Overhead costs per STR business license.*

Conclusively, the staff hours and overhead combined result in a proposed STR business license fee of \$150 for a new application, and \$90 for a renewal, rounded up to the next dollar. The above mention proposed fee is the base rate for the STR business license that includes

one rental unit. It is proposed that additional rental units will accrue an additional fee per rental unit. Table 4 represents the combined proposed fee.

|                | Staff    | Overhead | Total        |
|----------------|----------|----------|--------------|
| <b>New App</b> | \$144.94 | \$4.19   | <b>\$150</b> |
| <b>Renewal</b> | \$87.82  | \$2.13   | <b>\$90</b>  |

**Table 4:** Total proposed STR Business License fee round up to the next dollar.

Now, in determining the administrative cost for additional rental units (more than one) attached to an STR business license, the study assumes all overhead costs are distributed in the main STR business license fee, and, therefore, the additional cost per unit is directly attributed to staff time to process, manage, and complete financial recording. As such, financial record keeping is the same for additional rental units, as it takes the same time and process. In addition, staff time to process and manage additional rental units equates to 0.5 hours for a new application, and 0.25 hours for renewal. Subsequently, *Table 5* shows the comprehensive STR Business License fee proposal based on the fee study.

|                | Base STR BL Fee | Fee per addt'l Unit |
|----------------|-----------------|---------------------|
| <b>New App</b> | \$150           | \$32                |
| <b>Renewal</b> | \$90            | \$19                |

**Table 5:** Proposed STR Business License Fees.

#### Other Business Types - Fee Study

Next, it was determined that all other businesses other than STR's require similar administrative costs, and, therefore, the study concludes in researching a business license fee for all businesses, excluding STR. As mentioned earlier, it has been determined that on an annual basis the Town Clerk spends 326.82 hours, and the Town Treasurer spends 27 hours administering the business license code. For short-term rentals specifically, of the 353.82 combined annual hours, 65.82 hours are attributed to non-STR businesses, as shown in *Table 6* below.

| Town Clerk                  | New STR Applications | STR Renewals | Totals       |
|-----------------------------|----------------------|--------------|--------------|
| Processing/Customer Service | 11                   | 21           | <b>32</b>    |
| Required Training/Reporting | 5.15                 | 19.67        | <b>24.82</b> |
| <b>Town Treasurer</b>       |                      |              |              |
| Financial Record Keeping    | 1.87                 | 7.13         | <b>9</b>     |
| <b>Total</b>                | <b>18.02</b>         | <b>47.8</b>  | <b>65.82</b> |

**Table 6:** Distribution of Staff hours for administering non-STR Business Licenses. The table is shown in hours.

Given the hours distributed in Table 1 above, the following table, *Table 7* will distribute the cost per non-STR application/license for both new applications and renewals. The cost assumes the average of 11 new non-STR business applications per year and 42 non-STR business license renewals per year.

| <b>Town Clerk</b>     | <b>Hours per App</b> | <b>Hourly Rate</b> | <b>Totals</b>  |
|-----------------------|----------------------|--------------------|----------------|
| New App               | 1.52                 | \$51               | <b>\$77.52</b> |
| Renewal               | 1.05                 | \$51               | <b>\$53.55</b> |
| <b>Town Treasurer</b> |                      |                    |                |
| New App               | 0.125                | \$49.74            | <b>\$6.22</b>  |
| Renewal               | 0.125                | \$49.74            | <b>\$6.22</b>  |
| <b>Total</b>          |                      |                    |                |
| New App               |                      |                    | <b>\$83.74</b> |
| Renewal               |                      |                    | <b>\$59.77</b> |

**Table 7:** Cost per non-STR license for staff time.

With staff time calculated for non-STR business licenses, the next step is to look at overhead. In reviewing the overhead, the following variables are considered: utilities, paper, printing, stamps, telephone, and email. The calculation for utilities includes power, internet, and natural gas. The telephone line will include both cell phone and office phone. The overhead calculations only assume the portion attributed to staff administering non-STR business licenses, and only includes the time of those staff members work on non-STR business license administration. *Table 8* below illustrates the overhead distribution per non-STR license.

|                | <b>Paper</b> | <b>Stamps</b> | <b>Printing</b> | <b>Utilities</b> | <b>Email</b> | <b>Telephone</b> | <b>Total</b>  |
|----------------|--------------|---------------|-----------------|------------------|--------------|------------------|---------------|
| <b>New App</b> | \$0.04       | \$0.47        | \$0.04          | \$ 0.66          | \$0.09       | \$1.60           | <b>\$2.90</b> |
| <b>Renewal</b> | \$0.03       | \$0.47        | \$0.03          | \$ 0.33          | \$0.04       | \$0.60           | <b>\$1.51</b> |

**Table 8:** Overhead costs per non-STR business license.

Conclusively, the staff hours and overhead combine result in a proposed non-STR business license fee of \$87 for a new application, and \$62 for a renewal, rounded up to the next dollar. *Table 9* represents the combined proposed fee.

|                | <b>Staff</b> | <b>Overhead</b> | <b>Total</b> |
|----------------|--------------|-----------------|--------------|
| <b>New App</b> | \$83.74      | \$2.90          | <b>\$87</b>  |
| <b>Renewal</b> | \$59.77      | \$1.51          | <b>\$62</b>  |

**Table 9:** Total proposed non-STR Business License fee rounds up to the next dollar.

### Enhanced Service Business License Fees

Under Utah State Statute §10-1-203(5), “The legislative body of a municipality may by ordinance raise revenue by levying and collecting a license fee or tax on... a business that causes disproportionate costs of municipal services.” Those municipal services are limited to a list including (among other things) police, fire, snow removal, transportation.

There has been much discussion regarding the various nuisances caused by guests of nightly rentals in our community. While our Public Safety department reports that call volumes are up quite a bit in general, we still are not receiving a lot of nuisance calls. We are told, however, that the nuisances are an issue whether residents are calling the police or not. Many residents, we are told, are reluctant to call the police to handle such issues for various reasons. Some residents are asking staff to be more proactive in handling these nuisances, and public safety staff has in turn asked for help from the community by reporting these issues in a more formal and timely fashion so they can be investigated and enforced.

If the Town staff are to be more effective in enforcing nuisance issues on both the guests perpetrating the nuisance and the nightly rental licensee who invited the nuisance into our community, we believe more resources are needed. Levying an additional Enhanced Service Business License Fee on nightly rental businesses for purposes of funding nuisance enforcement may be appropriate for raising this revenue.

The Town already charges an Enhanced Service Business License Fee on all businesses for purposes of transportation (shuttle service) and snow removal. This has been in place for decades and is implemented in the form of a gross receipts tax of 1.5%

If the Town were to implement an additional Enhanced Service Business License fee on nightly rentals for nuisance enforcement, we propose the following potential structures:

|                            | Fee per            |                 |                  |                   |                      |
|----------------------------|--------------------|-----------------|------------------|-------------------|----------------------|
|                            | STR License<br>144 | STR Unit<br>455 | Bedroom<br>1,138 | Occupant<br>3,400 | Sales<br>\$7,632,167 |
| 10% of a full-time officer | \$79               | \$25            | \$10             | \$3               | 0.15%                |
| 25% of a full-time officer | \$198              | \$63            | \$25             | \$8               | 0.37%                |
| 50% of a full-time officer | \$396              | \$125           | \$50             | \$17              | 0.75%                |

The data in the table is based on the cost of a full-time officer (\$114,130). Staff believes it is reasonable to assume that at least one-quarter of an officer (10 hours per week) would need to be dedicated to nuisance enforcement of nightly rentals in order to be as effective as the community desires. If this cost were to be split up by STR units, the annual charge for each nightly rental unit would be \$63 for enhanced police service.

As this is a service we have yet to provide in any specific manner, it is difficult to have an in-depth study with cost certainty. One approach may be to implement the fee at a conservative rate (such as the \$63 for a quarter officer) to begin providing the service and then re-evaluate our costs after a year.

Currently, we are looking at a grant through the U.S. Department of Justice that will supplement the remaining 75 percent of the cost of an entry-level officer. In this program, the grant will cover up to 75 percent of the approved entry-level salary and fringe benefits of each newly hired or rehired full-time sworn career law enforcement officer over the three-year (36-month) award period, with a minimum 25 percent local cash match requirement. In addition, if awarded, the local government will be required to fund the position at 100 percent for 12-months following the 36-month award period. It is the recommendation of staff to use the grant as a supplement for the 36-month period and not as a long-term funding source, as there are no extensions available in this grant program. Overall, the program allows us to fund the remaining 75 percent of a new officer now so that we can initiate enhanced code enforcement and give us time to confirm ongoing funding for the position. The grant typically is open in January each year with a deadline of March. So, if the program is available, we would be looking at funding for Fiscal Year 2022.

**FINANCIAL IMPLICATIONS:**

If Council were to adopt the proposed fees, administrative business license fee receipts in the General Fund would increase approximately \$7,200 annually. The impact of adopting an enhanced service business license fee would vary depending on how the Council may elect to proceed (see the table in the analysis section).

**BOARD/COMMISSION RECOMMENDATION:**

The Nightly Rental Committee recommended ordinance language similar to that proposed herein.

**STAFF RECOMMENDATION:**

The proposed ordinance change is purely a matter of policy. Council is weighing out the rights of people to do with their property as they wish (in this case, rent it out), versus the rights of people to live in a single-family residential zone unbothered by crowds/noise/traffic/etc. Staff believes that the only way to achieve zero impact on full-time residents by nightly rentals is to remove nightly rentals as a permitted use in the zone and wait for the grandfathered nightly rentals to dissipate over time. Short of that, we are trying to compromise between the two uses. Staff believes either approach – the educational approach or the more punitive approach – will be similarly effective.

Staff recommends that the Council adopt the proposed administrative fees.

Staff recommends Council consider the enhanced service business license fee on nightly rentals to fund additional public safety hours for enforcement if the ordinance is altered to require additional enforcement on nightly rentals.

**PROPOSED MOTION:**

No motion necessary, the item is a discussion/informational only

**ATTACHMENTS:**

Attachment A - Pulsipher comment.

**JoAnn Pulsipher**

Tue, Jul 14, 2:54  
PM

Nancy:

I have some concerns about the homeowner taking responsibility for the actions of others. I will lay out some ideas that may have some problems.

1. Do these new rules apply to personal use of the cabin? occupancies, what is too loud after 10 PM [should weekends be midnight], would the license be revoked if cited during personal use?

2. If someone is speeding on the road as reported by a person who takes that authority to issue a ticket? is the homeowner responsible?

3. Is the homeowner responsible for a drunk driver who was served liquor at the local bar? DUI for other substances?

The statement "illegal or criminal conduct, or any other abuse which violates any law regarding the use or occupancy of the premises, is grounds for revocation".

4. Where does the licensee responsibility end? Don't open pandora's box for licensees responsibility, for potential lawsuits even with your attorney's approval.

5. Don't force owners to go underground as mentioned by the man from Las Vegas. Over-regulation just like Taxes--People will find loopholes.

Thanks, Dave Pulsipher



## STAFF REPORT TO THE TOWN COUNCIL

**SUBJECT:** Town Trail Phase II & Bristlecone Pond Trail Bid Award  
**AUTHOR:** Aldo Biasi  
**DEPARTMENT:** Public Works  
**DATE:** July 28, 2020  
**TYPE OF ITEM:** Legislative Action

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### SUMMARY:

The Council will discuss the bids for the Paved Town Trail Phase II / Bristlecone Pond Paved trail and will award the bid for construction.

### BACKGROUND:

Council directed staff to design and construct the next portion of the Paved Town Trail. Staff put together a financial plan (see attached) for the proposed budget for the Trail. Staff was able to secure a 50/50 grant match from UDOT and also from the office of Utah Outdoor Recreation. The Condo association of Brian Head Village is also participating in the project by paving the portion of the Town trail in front of their units as part of their parking lot project, for being allowed to extend the parking lot out into the UDOT right of way.

Staff worked with Rosenberg & Associates on putting together a design and bid package that listed out the different options for the three sections of trail construction (a project with UDOT, Pond Trail, and portion with Brian Head Village. Staff held a pre-bid walkthrough with the potential bidding contractors and the Town received four bids for the project from Progressive Contracting, Royal T Enterprises, Skyline Creations, and Sunroc.

### ANALYSIS:

After receiving the bids, staff worked with the engineer to verify bid numbers and to come up with the right combination of the different bid options that were proposed to fit the budget. The following is how the contractors stacked up.

- Progressive Contracting-\$340,052.05 (pulled bid)
- Royal T Enterprises-\$359,628.00
- Skyline Creations-\$378,495.46
- Sunroc-\$351,318.80

Staff was able to come up with these totals by making changes to the following bid items on the bid schedule.

- Item 10.1 All of the rail fencings has been removed resulting in a reduction of (\$29,268)
- From the Alternative Bid Schedule 2.5 "of asphalt instead of 3" of asphalt for the trail surface, resulting in a reduction of (\$24,622)

*Note: The Cross-section of the trail design determined from soil samples along the trail route recommended 3"of asphalt. After speaking with the engineer, it was determined that 2.5" would be ok with the Town understanding that increased maintenance issues in the future may result. The cross-section is*

*2.5" of asphalt over 5" of compacted road base over geogrid over 12" of scarified native recompacted.*

For a total reduction to the project of \$53,890 bringing it into the budget that Staff has been provided with. Based on the above totals Sunroc is the low bidder for the project.

**FINANCIAL IMPLICATIONS:**

Engineering cost for the project is- \$52,000.00 Construction cost for the project is-\$351,318 for a total of \$403,318, The budget for this project is \$410,000 leaving Staff with just under \$7,000.00 for contingency. The Council is advised that any additional funding for this project would come out of the general fund.

*Please note the following:*

- *A physical barrier (rail fence) along the Brian Head Condos is required by UDOT for this project. Staff has spoken with UDOT and has been granted until next spring to get a barrier installed. Staff is working on coming up with a plan for the fence sections that were pulled out.*
- *The construction of the section of Trail in front of Brian Head Village condos is not included in this bid. If for whatever reason Brian Head Village decides to back out. The Town would need to come up with an additional \$42,000.00 for this section to be constructed as part of this project. Staff has spoken with representatives of Brian Head Village as of 7/23/2020 they still plan on moving forward with this section.*

**BOARD/COMMISSION RECOMMENDATION:**

N/A

**STAFF RECOMMENDATION:**

Staff recommends that the Council awards the bid for the Paved Town Trail Phase II and the Bristlecone Pond Paved trail to Sunroc in the amount of \$351,318.80

**PROPOSED MOTION:**

I propose to award the bid for the Paved Town Trail and the Bristlecone Pond Paved trail to Sunroc in the amount of \$351,318.80

**ATTACHMENTS:**

- A – Trail Financial Plan
- B – Recommend Contractor Bid Schedule
- C – Bid Tabulations for all Contractors

## Town Trail Phase II Financial Plan

| Project Costs                                      | Qty   | Units | Unit Cost | Item Cost        |
|----------------------------------------------------|-------|-------|-----------|------------------|
| Mobilization                                       | 6%    |       |           | \$20,954         |
| Clearing & Grubbing                                | 54500 | S.F   | \$0.20    | \$10,900         |
| Grading & Excavation Cut/Fill                      | 2000  | C.Y.  | \$21.20   | \$42,400         |
| Town Trail (2.5" Asphalt over 6" base)             | 29000 | S.F   | \$5.00    | \$145,000        |
| Bristlecone Bond Trail (2.5" Asphalt over 6" Base) | 25500 | S.F   | \$5.00    | \$127,500        |
| Culverts                                           | 10    | Each  | \$800     | \$8,000          |
| Signs                                              | 14    | Each  | \$319     | \$4,466          |
| Re-seeding                                         | 2     | Acres | \$5,480   | \$10,960         |
| <b>Total Construction</b>                          |       |       |           | <b>\$370,180</b> |
| Contingency (10%)                                  |       |       |           | \$37,018         |
| Engineering & CM                                   |       |       |           | \$51,460         |
| <b>Total Project Estimate</b>                      |       |       |           | <b>\$458,658</b> |

| Funding Sources                                                 | Amount           |
|-----------------------------------------------------------------|------------------|
| <b>Approximate Town Trail Cost</b>                              | <b>\$244,057</b> |
| Brian Head Village Portion (based on % of linear feet of trail) | \$50,000         |
| UDOT Funding (secured)                                          | \$130,000        |
| Brian Head Town Funding (RDA Fund Balance)                      | \$64,057         |
| <b>Approximate Pond Trail Cost</b>                              | <b>\$214,601</b> |
| Outdoor Recreation Grant Request (not secured yet)              | \$150,000        |
| Restaurant Tax Grant (secured for restroom connector trail)     | \$13,700         |
| Brian Head Town Funding (RDA and/or General Fund Balance)       | \$50,901         |

Project **11890-20**

Brian Head Town Trail Phase 2

Brian Head, Utah



**ROSENI**  
A S S O C I  
C I V I L E N G I N E E R S • L A

## BID TABULATION WITH CORRECTED QUANTITIES

### BID SCHEDULE A – TOWN TRAIL PHASE 2

|                             |                                                  |       |          | PROGRESSIVE CONTRACTING |                     |
|-----------------------------|--------------------------------------------------|-------|----------|-------------------------|---------------------|
| NO.                         | ITEM                                             | UNIT  | QUANTITY | UNIT PRICE              | TOTAL PRICE         |
| 1.1                         | Mobilization                                     | Lump  | 1        | 3,248.00                | \$3,248.00          |
| 2.1                         | Traffic Control                                  | Lump  | 1        | 5,452.00                | \$5,452.00          |
| 3.1                         | Storm Water Protection                           | Lump  | 1        | 5,800.00                | \$5,800.00          |
| 4.1                         | Clear and Grub                                   | Lump  | 1        | 6,960.00                | \$6,960.00          |
| 4.2                         | Relocate Boulder                                 | Each  | 2        | 116.00                  | \$232.00            |
| 5.1                         | Earthwork                                        | Cu Yd | 277      | 23.20                   | \$6,426.40          |
| 5.2                         | Dispose of Excess Cut Material                   | Cu Yd | 455      | 23.20                   | \$10,556.00         |
| 6.1                         | 8" C900 PVC Storm Drain Pipe                     | Ln Ft | 30       | 25.79                   | \$773.70            |
| 6.2                         | 10" Owner Provided Ductile Iron Storm Drain Pipe | Ln Ft | 70       | 16.24                   | \$1,136.80          |
| 6.3                         | 12" HDPE Storm Drain Pipe                        | Ln Ft | 20       | 25.19                   | \$503.80            |
| 6.5                         | Remove and Replace 18" HDPE Storm Drain Pipe     | Ln Ft | 25       | 32.74                   | \$818.50            |
| 6.6                         | Extend 30" HDPE Storm Drain Pipe                 | Ln Ft | 10       | 58.02                   | \$580.20            |
| 6.7                         | Storm Drain Catch Basin                          | Each  | 2        | 2,577.63                | \$5,155.26          |
| 6.8                         | Reconstruct Water Meter Vault                    | Each  | 1        | 2,253.75                | \$2,253.75          |
| 6.1                         | Concrete Collar                                  | Each  | 1        | 696.00                  | \$696.00            |
| 7.1                         | Rock Riprap – d <sub>50</sub> = 12"              | Cu Yd | 8        | 52.20                   | \$417.60            |
| 8.1                         | Rock-Filled Gabions                              | Cu Yd | 36       | 198.36                  | \$7,140.96          |
| 9.1                         | Re-Work Subgrade                                 | Sq Ft | 19,830   | 0.29                    | \$5,750.70          |
| 9.2                         | Geogrid                                          | Sq Ft | 19,830   | 0.85                    | \$16,855.50         |
| 9.3                         | Granular Base Course 5" Thickness                | Sq Ft | 19,830   | 0.84                    | \$16,657.20         |
| 9.4                         | Bituminous Surface Course 3" Thickness           | Sq Ft | 15,864   | 4.64                    | \$73,608.96         |
| 10.1                        | Three Rail Fence                                 | Ln Ft | 1,560    | 15.02                   | \$23,431.20         |
| <b>Bid Schedule A Total</b> |                                                  |       |          |                         | <b>\$194,454.53</b> |

### ALTERNATE BID SCHEDULE B – BRISTLECONE POND TRAIL

|                             |                                                  |       |          | PROGRESSIVE CONTRACTING |             |
|-----------------------------|--------------------------------------------------|-------|----------|-------------------------|-------------|
| NO.                         | ITEM                                             | UNIT  | QUANTITY | UNIT PRICE              | TOTAL PRICE |
| 2.1                         | Traffic Control                                  | Lump  | 1        | 1,392.00                | \$1,392.00  |
| 3.1                         | Storm Water Protection                           | Lump  | 1        | 5,800.00                | \$5,800.00  |
| 4.1                         | Clear and Grub                                   | Lump  | 1        | 1,392.00                | \$1,392.00  |
| 4.2                         | Relocate Boulder                                 | Each  | 6        | 58.00                   | \$348.00    |
| 5.1                         | Earthwork                                        | Cu Yd | 160      | 23.20                   | \$3,712.00  |
| 5.2                         | Dispose of Excess Fill Material                  | Cu Yd | 100      | 23.20                   | \$2,320.00  |
| 6.2                         | 10" Owner Provided Ductile Iron Storm Drain Pipe | Ln Ft | 40       | 16.24                   | \$649.60    |
| 6.4                         | Repair 18" HDPE Storm Drain End Section          | Each  | 1        | 16.24                   | \$16.24     |
| 6.9                         | Concrete Waterway 4' Width                       | Ln Ft | 60       | 35.03                   | \$2,101.80  |
| 6.1                         | Concrete Collar                                  | Each  | 1        | 696.00                  | \$696.00    |
| 7.1                         | Rock Riprap – d <sub>50</sub> = 12"              | Cu Yd | 8        | 49.74                   | \$397.92    |
| 8.1                         | Rock-Filled Gabions                              | Cu Yd | 105      | 198.36                  | \$20,827.80 |
| 9.1                         | Re-Work Subgrade                                 | Sq Ft | 24,202   | 0.29                    | \$7,018.58  |
| 9.2                         | Geogrid                                          | Sq Ft | 24,202   | 0.85                    | \$20,571.70 |
| 9.3                         | Granular Base Course 5" Thickness                | Sq Ft | 29,246   | 0.84                    | \$24,566.64 |
| 9.4                         | Bituminous Surface Course 3" Thickness           | Sq Ft | 24,202   | 3.94                    | \$95,355.88 |
| 10.1                        | Three Rail Fence                                 | Ln Ft | 275      | 15.02                   | \$4,130.50  |
| <b>Bid Schedule B Total</b> |                                                  |       |          | <b>\$191,296.66</b>     |             |

### ALTERNATE BID SCHEDULE C – TOWN TRAIL PHASE 2 BRIAN HEAD VILLAGE FRONTAGE

|                             |                                        |       |          | PROGRESSIVE CONTRACTING |             |
|-----------------------------|----------------------------------------|-------|----------|-------------------------|-------------|
| NO.                         | ITEM                                   | UNIT  | QUANTITY | UNIT PRICE              | TOTAL PRICE |
| 5.1                         | Earthwork                              | Cu Yd | 83       | 23.20                   | \$1,925.60  |
| 5.2                         | Dispose of Excess Cut Material         | Cu Yd | 83       | 23.20                   | \$1,925.60  |
| 9.1                         | Re-Work Subgrade                       | Sq Ft | 6,690    | 0.29                    | \$1,940.10  |
| 9.2                         | Geogrid                                | Sq Ft | 6,690    | 0.85                    | \$5,686.50  |
| 9.3                         | Granular Base Course 5" Thickness      | Sq Ft | 6,690    | 0.84                    | \$5,619.60  |
| 9.4                         | Bituminous Surface Course 3" Thickness | Sq Ft | 5,355    | 4.64                    | \$24,847.20 |
| <b>Bid Schedule C Total</b> |                                        |       |          | <b>\$41,944.60</b>      |             |

**ALTERNATE BID SCHEDULE D – TOWN TRAIL PHASE 2 ALTERNATE ITEMS**

|                             |                                          |             |                 | <b>PROGRESSIVE CONTRACTING</b> |                    |
|-----------------------------|------------------------------------------|-------------|-----------------|--------------------------------|--------------------|
| <b>NO.</b>                  | <b>ITEM</b>                              | <b>UNIT</b> | <b>QUANTITY</b> | <b>UNIT PRICE</b>              | <b>TOTAL PRICE</b> |
| 8.2                         | Rock-Filled Welded Wire Mesh             | Sq Ft       | 324             | 51.30                          | \$16,621.20        |
| 9.5                         | Bituminous Surface Course 2.5" Thickness | Sq Ft       | 15,864          | 4.29                           | \$68,056.56        |
| <b>Bid Schedule D Total</b> |                                          |             |                 |                                | <b>\$84,677.76</b> |

**ALTERNATE BID SCHEDULE E – BRISTLECONE POND TRAIL ALTERNATE ITEMS**

|                             |                                          |             |                 | <b>PROGRESSIVE CONTRACTING</b> |                     |
|-----------------------------|------------------------------------------|-------------|-----------------|--------------------------------|---------------------|
| <b>NO.</b>                  | <b>ITEM</b>                              | <b>UNIT</b> | <b>QUANTITY</b> | <b>UNIT PRICE</b>              | <b>TOTAL PRICE</b>  |
| 8.2                         | Rock-Filled Welded Wire Mesh             | Sq Ft       | 945             | 51.30                          | \$48,478.50         |
| 9.5                         | Bituminous Surface Course 2.5" Thickness | Sq Ft       | 24,202          | 3.42                           | \$82,770.84         |
| <b>Bid Schedule E Total</b> |                                          |             |                 |                                | <b>\$131,249.34</b> |

**BID SCHEDULE COMBINATIONS**

| <b>COMBINATION</b> |                                                                             | <b>PROGRESSIVE CONTRACTING</b> |
|--------------------|-----------------------------------------------------------------------------|--------------------------------|
| 1                  | A + B                                                                       | \$385,751.19                   |
| 2                  | A (less 9.4 and 10.1) + B (less 9.4 and 10.1) + D (less 8.2) + E (less 8.2) | \$340,052.05                   |
| 3                  | A (less 8.1, 9.4 and 10.1) + B (less 8.1, 9.4 and 10.1) + D + E             | \$377,182.99                   |

Project **11890-20**

Brian Head Town Trail Phase 2

Brian Head, Utah



**BID TABULATION WITH CORRECTED QUANTITIES**

Updated: July 15, 2020

**BID SCHEDULE A – TOWN TRAIL PHASE 2**

| NO.                         | ITEM                                             | UNIT  | QUANTITY | PROGRESSIVE CONTRACTING |             | ROYAL T ENTERPRISES |             | SKYLINE CREATIONS   |             | SUNROC              |             |
|-----------------------------|--------------------------------------------------|-------|----------|-------------------------|-------------|---------------------|-------------|---------------------|-------------|---------------------|-------------|
|                             |                                                  |       |          | UNIT PRICE              | TOTAL PRICE | UNIT PRICE          | TOTAL PRICE | UNIT PRICE          | TOTAL PRICE | UNIT PRICE          | TOTAL PRICE |
| 1.1                         | Mobilization                                     | Lump  | 1        | 3,248.00                | \$3,248.00  | 32,000.00           | \$32,000.00 | 11,000.00           | \$11,000.00 | 40,000.00           | \$40,000.00 |
| 2.1                         | Traffic Control                                  | Lump  | 1        | 5,452.00                | \$5,452.00  | 5,000.00            | \$5,000.00  | 2,800.00            | \$2,800.00  | 5,500.00            | \$5,500.00  |
| 3.1                         | Storm Water Protection                           | Lump  | 1        | 5,800.00                | \$5,800.00  | 5,000.00            | \$5,000.00  | 2,200.00            | \$2,200.00  | 5,000.00            | \$5,000.00  |
| 4.1                         | Clear and Grub                                   | Lump  | 1        | 6,960.00                | \$6,960.00  | 5,000.00            | \$5,000.00  | 3,800.00            | \$3,800.00  | 3,200.00            | \$3,200.00  |
| 4.2                         | Relocate Boulder                                 | Each  | 2        | 116.00                  | \$232.00    | 100.00              | \$200.00    | 490.00              | \$980.00    | 200.00              | \$400.00    |
| 5.1                         | Earthwork                                        | Cu Yd | 277      | 23.20                   | \$6,426.40  | 50.00               | \$13,850.00 | 55.00               | \$15,235.00 | 8.00                | \$2,216.00  |
| 5.2                         | Dispose of Excess Cut Material                   | Cu Yd | 455      | 23.20                   | \$10,556.00 | 10.00               | \$4,550.00  | 58.00               | \$26,390.00 | 13.50               | \$6,142.50  |
| 6.1                         | 8" C900 PVC Storm Drain Pipe                     | Ln Ft | 30       | 25.79                   | \$773.70    | 100.00              | \$3,000.00  | 62.00               | \$1,860.00  | 66.00               | \$1,980.00  |
| 6.2                         | 10" Owner Provided Ductile Iron Storm Drain Pipe | Ln Ft | 70       | 16.24                   | \$1,136.80  | 50.00               | \$3,500.00  | 42.00               | \$2,940.00  | 50.00               | \$3,500.00  |
| 6.3                         | 12" HDPE Storm Drain Pipe                        | Ln Ft | 20       | 25.19                   | \$503.80    | 100.00              | \$2,000.00  | 58.00               | \$1,160.00  | 91.00               | \$1,820.00  |
| 6.5                         | Remove and Replace 18" HDPE Storm Drain Pipe     | Ln Ft | 25       | 32.74                   | \$818.50    | 100.00              | \$2,500.00  | 95.00               | \$2,375.00  | 260.00              | \$6,500.00  |
| 6.6                         | Extend 30" HDPE Storm Drain Pipe                 | Ln Ft | 10       | 58.02                   | \$580.20    | 100.00              | \$1,000.00  | 72.00               | \$720.00    | 200.00              | \$2,000.00  |
| 6.7                         | Storm Drain Catch Basin                          | Each  | 2        | 2,577.63                | \$5,155.26  | 5,000.00            | \$10,000.00 | 1,350.00            | \$2,700.00  | 2,220.00            | \$4,440.00  |
| 6.8                         | Reconstruct Water Meter Vault                    | Each  | 1        | 2,253.75                | \$2,253.75  | 1,000.00            | \$1,000.00  | 850.00              | \$850.00    | 2,310.00            | \$2,310.00  |
| 6.1                         | Concrete Collar                                  | Each  | 1        | 696.00                  | \$696.00    | 1,000.00            | \$1,000.00  | 250.00              | \$250.00    | 985.00              | \$985.00    |
| 7.1                         | Rock Riprap – d <sub>50</sub> = 12"              | Cu Yd | 8        | 52.20                   | \$417.60    | 200.00              | \$1,600.00  | 125.00              | \$1,000.00  | 100.00              | \$800.00    |
| 8.1                         | Rock-Filled Gabions                              | Cu Yd | 36       | 198.36                  | \$7,140.96  | 110.00              | \$3,960.00  | 62.00               | \$2,232.00  | 125.00              | \$4,500.00  |
| 9.1                         | Re-Work Subgrade                                 | Sq Ft | 19,830   | 0.29                    | \$5,750.70  | 1.00                | \$19,830.00 | 1.50                | \$29,745.00 | 0.45                | \$8,923.50  |
| 9.2                         | Geogrid                                          | Sq Ft | 19,830   | 0.85                    | \$16,855.50 | 0.25                | \$4,957.50  | 0.48                | \$9,518.40  | 0.30                | \$5,949.00  |
| 9.3                         | Granular Base Course 5" Thickness                | Sq Ft | 19,830   | 0.84                    | \$16,657.20 | 1.50                | \$29,745.00 | 1.45                | \$28,753.50 | 1.45                | \$28,753.50 |
| 9.4                         | Bituminous Surface Course 3" Thickness           | Sq Ft | 15,864   | 4.64                    | \$73,608.96 | 3.00                | \$47,592.00 | 2.85                | \$45,212.40 | 4.00                | \$63,456.00 |
| 10.1                        | Three Rail Fence                                 | Ln Ft | 1,560    | 15.02                   | \$23,431.20 | 20.00               | \$31,200.00 | 28.00               | \$43,680.00 | 15.95               | \$24,882.00 |
| <b>Bid Schedule A Total</b> |                                                  |       |          | <b>\$194,454.53</b>     |             | <b>\$228,484.50</b> |             | <b>\$235,401.30</b> |             | <b>\$223,257.50</b> |             |

**ALTERNATE BID SCHEDULE B – BRISTLECONE POND TRAIL**

| NO.                         | ITEM                                             | UNIT  | QUANTITY | PROGRESSIVE CONTRACTING |             | ROYAL T ENTERPRISES |             | SKYLINE CREATIONS   |             | SUNROC              |             |
|-----------------------------|--------------------------------------------------|-------|----------|-------------------------|-------------|---------------------|-------------|---------------------|-------------|---------------------|-------------|
|                             |                                                  |       |          | UNIT PRICE              | TOTAL PRICE | UNIT PRICE          | TOTAL PRICE | UNIT PRICE          | TOTAL PRICE | UNIT PRICE          | TOTAL PRICE |
| 2.1                         | Traffic Control                                  | Lump  | 1        | 1,392.00                | \$1,392.00  | 5,000.00            | \$5,000.00  | 1,200.00            | \$1,200.00  | 2,200.00            | \$2,200.00  |
| 3.1                         | Storm Water Protection                           | Lump  | 1        | 5,800.00                | \$5,800.00  | 5,000.00            | \$5,000.00  | 1,800.00            | \$1,800.00  | 5,000.00            | \$5,000.00  |
| 4.1                         | Clear and Grub                                   | Lump  | 1        | 1,392.00                | \$1,392.00  | 5,000.00            | \$5,000.00  | 2,000.00            | \$2,000.00  | 1,800.00            | \$1,800.00  |
| 4.2                         | Relocate Boulder                                 | Each  | 6        | 58.00                   | \$348.00    | 100.00              | \$600.00    | 490.00              | \$2,940.00  | 200.00              | \$1,200.00  |
| 5.1                         | Earthwork                                        | Cu Yd | 160      | 23.20                   | \$3,712.00  | 50.00               | \$8,000.00  | 55.00               | \$8,800.00  | 8.00                | \$1,280.00  |
| 5.2                         | Dispose of Excess Fill Material                  | Cu Yd | 100      | 23.20                   | \$2,320.00  | 10.00               | \$1,000.00  | 58.00               | \$5,800.00  | 13.50               | \$1,350.00  |
| 6.2                         | 10" Owner Provided Ductile Iron Storm Drain Pipe | Ln Ft | 40       | 16.24                   | \$649.60    | 50.00               | \$2,000.00  | 42.00               | \$1,680.00  | 50.00               | \$2,000.00  |
| 6.4                         | Repair 18" HDPE Storm Drain End Section          | Each  | 1        | 16.24                   | \$16.24     | 1,000.00            | \$1,000.00  | 95.00               | \$95.00     | 1,500.00            | \$1,500.00  |
| 6.9                         | Concrete Waterway 4' Width                       | Ln Ft | 60       | 35.03                   | \$2,101.80  | 100.00              | \$6,000.00  | 55.00               | \$3,300.00  | 58.00               | \$3,480.00  |
| 6.1                         | Concrete Collar                                  | Each  | 1        | 696.00                  | \$696.00    | 1,000.00            | \$1,000.00  | 280.00              | \$280.00    | 985.00              | \$985.00    |
| 7.1                         | Rock Riprap – d <sub>50</sub> = 12"              | Cu Yd | 8        | 49.74                   | \$397.92    | 200.00              | \$1,600.00  | 135.00              | \$1,080.00  | 100.00              | \$800.00    |
| 8.1                         | Rock-Filled Gabions                              | Cu Yd | 105      | 198.36                  | \$20,827.80 | 110.00              | \$11,550.00 | 62.00               | \$6,510.00  | 125.00              | \$13,125.00 |
| 9.1                         | Re-Work Subgrade                                 | Sq Ft | 24,202   | 0.29                    | \$7,018.58  | 0.50                | \$12,101.00 | 1.50                | \$36,303.00 | 0.45                | \$10,890.90 |
| 9.2                         | Geogrid                                          | Sq Ft | 24,202   | 0.85                    | \$20,571.70 | 0.25                | \$6,050.50  | 0.48                | \$11,616.96 | 0.30                | \$7,260.60  |
| 9.3                         | Granular Base Course 5" Thickness                | Sq Ft | 29,246   | 0.84                    | \$24,566.64 | 1.50                | \$43,869.00 | 1.45                | \$42,406.70 | 1.45                | \$42,406.70 |
| 9.4                         | Bituminous Surface Course 3" Thickness           | Sq Ft | 24,202   | 3.94                    | \$95,355.88 | 3.00                | \$72,606.00 | 2.85                | \$68,975.70 | 3.40                | \$82,286.80 |
| 10.1                        | Three Rail Fence                                 | Ln Ft | 275      | 15.02                   | \$4,130.50  | 20.00               | \$5,500.00  | 28.00               | \$7,700.00  | 15.95               | \$4,386.25  |
| <b>Bid Schedule B Total</b> |                                                  |       |          | <b>\$191,296.66</b>     |             | <b>\$187,876.50</b> |             | <b>\$202,487.36</b> |             | <b>\$181,951.25</b> |             |

**ALTERNATE BID SCHEDULE C – TOWN TRAIL PHASE 2 BRIAN HEAD VILLAGE FRONTAGE**

| NO.                         | ITEM                                   | UNIT  | QUANTITY | PROGRESSIVE CONTRACTING |             | ROYAL T ENTERPRISES |             | SKYLINE CREATIONS  |             | SUNROC             |             |
|-----------------------------|----------------------------------------|-------|----------|-------------------------|-------------|---------------------|-------------|--------------------|-------------|--------------------|-------------|
|                             |                                        |       |          | UNIT PRICE              | TOTAL PRICE | UNIT PRICE          | TOTAL PRICE | UNIT PRICE         | TOTAL PRICE | UNIT PRICE         | TOTAL PRICE |
| 5.1                         | Earthwork                              | Cu Yd | 83       | 23.20                   | \$1,925.60  | 50.00               | \$4,150.00  | 55.00              | \$4,565.00  | 8.00               | \$664.00    |
| 5.2                         | Dispose of Excess Cut Material         | Cu Yd | 83       | 23.20                   | \$1,925.60  | 10.00               | \$830.00    | 58.00              | \$4,814.00  | 13.50              | \$1,120.50  |
| 9.1                         | Re-Work Subgrade                       | Sq Ft | 6,690    | 0.29                    | \$1,940.10  | 1.00                | \$6,690.00  | 1.50               | \$10,035.00 | 0.45               | \$3,010.50  |
| 9.2                         | Geogrid                                | Sq Ft | 6,690    | 0.85                    | \$5,686.50  | 0.25                | \$1,672.50  | 0.48               | \$3,211.20  | 0.30               | \$2,007.00  |
| 9.3                         | Granular Base Course 5" Thickness      | Sq Ft | 6,690    | 0.84                    | \$5,619.60  | 1.50                | \$10,035.00 | 1.45               | \$9,700.50  | 1.45               | \$9,700.50  |
| 9.4                         | Bituminous Surface Course 3" Thickness | Sq Ft | 5,355    | 4.64                    | \$24,847.20 | 3.00                | \$16,065.00 | 2.85               | \$15,261.75 | 4.00               | \$21,420.00 |
| <b>Bid Schedule C Total</b> |                                        |       |          | <b>\$41,944.60</b>      |             | <b>\$39,442.50</b>  |             | <b>\$47,587.45</b> |             | <b>\$37,922.50</b> |             |

**ALTERNATE BID SCHEDULE D – TOWN TRAIL PHASE 2 ALTERNATE ITEMS**

| NO.                         | ITEM                                     | UNIT  | QUANTITY | PROGRESSIVE CONTRACTING |                    | ROYAL T ENTERPRISES |                    | SKYLINE CREATIONS |                    | SUNROC     |                    |
|-----------------------------|------------------------------------------|-------|----------|-------------------------|--------------------|---------------------|--------------------|-------------------|--------------------|------------|--------------------|
|                             |                                          |       |          | UNIT PRICE              | TOTAL PRICE        | UNIT PRICE          | TOTAL PRICE        | UNIT PRICE        | TOTAL PRICE        | UNIT PRICE | TOTAL PRICE        |
| 8.2                         | Rock-Filled Welded Wire Mesh             | Sq Ft | 324      | 51.30                   | \$16,621.20        | 62.00               | \$20,088.00        | 58.00             | \$18,792.00        | 45.00      | \$14,580.00        |
| 9.5                         | Bituminous Surface Course 2.5" Thickness | Sq Ft | 15,864   | 4.29                    | \$68,056.56        | 2.50                | \$39,660.00        | 2.65              | \$42,039.60        | 2.95       | \$46,798.80        |
| <b>Bid Schedule D Total</b> |                                          |       |          |                         | <b>\$84,677.76</b> |                     | <b>\$59,748.00</b> |                   | <b>\$60,831.60</b> |            | <b>\$61,378.80</b> |

**ALTERNATE BID SCHEDULE E – BRISTLECONE POND TRAIL ALTERNATE ITEMS**

| NO.                         | ITEM                                     | UNIT  | QUANTITY | PROGRESSIVE CONTRACTING |                     | ROYAL T ENTERPRISES |                     | SKYLINE CREATIONS |                     | SUNROC     |                     |
|-----------------------------|------------------------------------------|-------|----------|-------------------------|---------------------|---------------------|---------------------|-------------------|---------------------|------------|---------------------|
|                             |                                          |       |          | UNIT PRICE              | TOTAL PRICE         | UNIT PRICE          | TOTAL PRICE         | UNIT PRICE        | TOTAL PRICE         | UNIT PRICE | TOTAL PRICE         |
| 8.2                         | Rock-Filled Welded Wire Mesh             | Sq Ft | 945      | 51.30                   | \$48,478.50         | 62.00               | \$58,590.00         | 58.00             | \$54,810.00         | 45.00      | \$42,525.00         |
| 9.5                         | Bituminous Surface Course 2.5" Thickness | Sq Ft | 24,202   | 3.42                    | \$82,770.84         | 2.50                | \$60,505.00         | 2.65              | \$64,135.30         | 2.95       | \$71,395.90         |
| <b>Bid Schedule E Total</b> |                                          |       |          |                         | <b>\$131,249.34</b> |                     | <b>\$119,095.00</b> |                   | <b>\$118,945.30</b> |            | <b>\$113,920.90</b> |

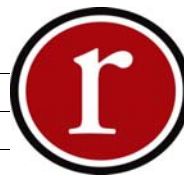
**BID SCHEDULE COMBINATIONS**

| COMBINATION |                                                                             |  |  | PROGRESSIVE CONTRACTING |              | ROYAL T ENTERPRISES |              | SKYLINE CREATIONS |              | SUNROC |              |
|-------------|-----------------------------------------------------------------------------|--|--|-------------------------|--------------|---------------------|--------------|-------------------|--------------|--------|--------------|
| 1           | A + B                                                                       |  |  |                         | \$385,751.19 |                     | \$416,361.00 |                   | \$437,888.66 |        | \$405,208.75 |
| 2           | A (less 9.4 and 10.1) + B (less 9.4 and 10.1) + D (less 8.2) + E (less 8.2) |  |  |                         | \$340,052.05 |                     | \$359,628.00 |                   | \$378,495.46 |        | \$348,392.40 |
| 3           | A (less 8.1, 9.4 and 10.1) + B (less 8.1, 9.4 and 10.1) + D + E             |  |  |                         | \$377,182.99 |                     | \$422,796.00 |                   | \$443,355.46 |        | \$387,872.40 |

Project **11890-20**

Brian Head Town Trail Phase 2

Brian Head, Utah



**ROSENBI**  
A S S O C I A T E S  
CIVIL ENGINEERS • LANDSCAPE ARCHITECTS

## BID TABULATION WITH CORRECTED QUANTITIES

July 15, 2020

### BID SCHEDULE A – TOWN TRAIL PHASE 2

| NO.                         | ITEM                                             | UNIT  | QUANTITY | SUNROC              |             |
|-----------------------------|--------------------------------------------------|-------|----------|---------------------|-------------|
|                             |                                                  |       |          | UNIT PRICE          | TOTAL PRICE |
| 1.1                         | Mobilization                                     | Lump  | 1        | 40,000.00           | \$40,000.00 |
| 2.1                         | Traffic Control                                  | Lump  | 1        | 5,500.00            | \$5,500.00  |
| 3.1                         | Storm Water Protection                           | Lump  | 1        | 5,000.00            | \$5,000.00  |
| 4.1                         | Clear and Grub                                   | Lump  | 1        | 3,200.00            | \$3,200.00  |
| 4.2                         | Relocate Boulder                                 | Each  | 2        | 200.00              | \$400.00    |
| 5.1                         | Earthwork                                        | Cu Yd | 277      | 8.00                | \$2,216.00  |
| 5.2                         | Dispose of Excess Cut Material                   | Cu Yd | 455      | 13.50               | \$6,142.50  |
| 6.1                         | 8" C900 PVC Storm Drain Pipe                     | Ln Ft | 30       | 66.00               | \$1,980.00  |
| 6.2                         | 10" Owner Provided Ductile Iron Storm Drain Pipe | Ln Ft | 70       | 50.00               | \$3,500.00  |
| 6.3                         | 12" HDPE Storm Drain Pipe                        | Ln Ft | 20       | 91.00               | \$1,820.00  |
| 6.5                         | Remove and Replace 18" HDPE Storm Drain Pipe     | Ln Ft | 25       | 260.00              | \$6,500.00  |
| 6.6                         | Extend 30" HDPE Storm Drain Pipe                 | Ln Ft | 10       | 200.00              | \$2,000.00  |
| 6.7                         | Storm Drain Catch Basin                          | Each  | 2        | 2,220.00            | \$4,440.00  |
| 6.8                         | Reconstruct Water Meter Vault                    | Each  | 1        | 2,310.00            | \$2,310.00  |
| 6.1                         | Concrete Collar                                  | Each  | 1        | 985.00              | \$985.00    |
| 7.1                         | Rock Riprap – d <sub>50</sub> = 12"              | Cu Yd | 8        | 100.00              | \$800.00    |
| 8.1                         | Rock-Filled Gabions                              | Cu Yd | 36       | 125.00              | \$4,500.00  |
| 9.1                         | Re-Work Subgrade                                 | Sq Ft | 19,830   | 0.45                | \$8,923.50  |
| 9.2                         | Geogrid                                          | Sq Ft | 19,830   | 0.30                | \$5,949.00  |
| 9.3                         | Granular Base Course 5" Thickness                | Sq Ft | 19,830   | 1.45                | \$28,753.50 |
| 9.4                         | Bituminous Surface Course 3" Thickness           | Sq Ft | 15,864   | 4.00                | \$63,456.00 |
| 10.1                        | Three Rail Fence                                 | Ln Ft | 1,560    | 15.95               | \$24,882.00 |
| <b>Bid Schedule A Total</b> |                                                  |       |          | <b>\$223,257.50</b> |             |

### ALTERNATE BID SCHEDULE B – BRISTLECONE POND TRAIL

|                             |                                                  |       |          | SUNROC              |             |
|-----------------------------|--------------------------------------------------|-------|----------|---------------------|-------------|
| NO.                         | ITEM                                             | UNIT  | QUANTITY | UNIT PRICE          | TOTAL PRICE |
| 2.1                         | Traffic Control                                  | Lump  | 1        | 2,200.00            | \$2,200.00  |
| 3.1                         | Storm Water Protection                           | Lump  | 1        | 5,000.00            | \$5,000.00  |
| 4.1                         | Clear and Grub                                   | Lump  | 1        | 1,800.00            | \$1,800.00  |
| 4.2                         | Relocate Boulder                                 | Each  | 6        | 200.00              | \$1,200.00  |
| 5.1                         | Earthwork                                        | Cu Yd | 160      | 8.00                | \$1,280.00  |
| 5.2                         | Dispose of Excess Fill Material                  | Cu Yd | 100      | 13.50               | \$1,350.00  |
| 6.2                         | 10" Owner Provided Ductile Iron Storm Drain Pipe | Ln Ft | 40       | 50.00               | \$2,000.00  |
| 6.4                         | Repair 18" HDPE Storm Drain End Section          | Each  | 1        | 1,500.00            | \$1,500.00  |
| 6.9                         | Concrete Waterway 4' Width                       | Ln Ft | 60       | 58.00               | \$3,480.00  |
| 6.1                         | Concrete Collar                                  | Each  | 1        | 985.00              | \$985.00    |
| 7.1                         | Rock Riprap – d <sub>50</sub> = 12"              | Cu Yd | 8        | 100.00              | \$800.00    |
| 8.1                         | Rock-Filled Gabions                              | Cu Yd | 105      | 125.00              | \$13,125.00 |
| 9.1                         | Re-Work Subgrade                                 | Sq Ft | 24,202   | 0.45                | \$10,890.90 |
| 9.2                         | Geogrid                                          | Sq Ft | 24,202   | 0.30                | \$7,260.60  |
| 9.3                         | Granular Base Course 5" Thickness                | Sq Ft | 29,246   | 1.45                | \$42,406.70 |
| 9.4                         | Bituminous Surface Course 3" Thickness           | Sq Ft | 24,202   | 3.40                | \$82,286.80 |
| 10.1                        | Three Rail Fence                                 | Ln Ft | 275      | 15.95               | \$4,386.25  |
| <b>Bid Schedule B Total</b> |                                                  |       |          | <b>\$181,951.25</b> |             |

### ALTERNATE BID SCHEDULE C – TOWN TRAIL PHASE 2 BRIAN HEAD VILLAGE FRONTAGE

|                             |                                        |       |          | SUNROC             |             |
|-----------------------------|----------------------------------------|-------|----------|--------------------|-------------|
| NO.                         | ITEM                                   | UNIT  | QUANTITY | UNIT PRICE         | TOTAL PRICE |
| 5.1                         | Earthwork                              | Cu Yd | 83       | 8.00               | \$664.00    |
| 5.2                         | Dispose of Excess Cut Material         | Cu Yd | 83       | 13.50              | \$1,120.50  |
| 9.1                         | Re-Work Subgrade                       | Sq Ft | 6,690    | 0.45               | \$3,010.50  |
| 9.2                         | Geogrid                                | Sq Ft | 6,690    | 0.30               | \$2,007.00  |
| 9.3                         | Granular Base Course 5" Thickness      | Sq Ft | 6,690    | 1.45               | \$9,700.50  |
| 9.4                         | Bituminous Surface Course 3" Thickness | Sq Ft | 5,355    | 4.00               | \$21,420.00 |
| <b>Bid Schedule C Total</b> |                                        |       |          | <b>\$37,922.50</b> |             |

### ALTERNATE BID SCHEDULE D – TOWN TRAIL PHASE 2 ALTERNATE ITEMS

|                             |                                                |       |          | SUNROC             |             |
|-----------------------------|------------------------------------------------|-------|----------|--------------------|-------------|
| NO.                         | ITEM                                           | UNIT  | QUANTITY | UNIT PRICE         | TOTAL PRICE |
| 8.2                         | Rock-Filled Welded Wire Mesh                   | Sq Ft | 324      | 45.00              | \$14,580.00 |
| 9.5                         | Bituminous Surface Course 2.5" Thickness       | Sq Ft | 15,864   | 2.95               | \$46,798.80 |
| 9.6                         | Additional 0.5' asphalt from 8' paving machine | Sq Ft | 992      | 2.95               | \$2,926.40  |
| <b>Bid Schedule D Total</b> |                                                |       |          | <b>\$64,305.20</b> |             |

### ALTERNATE BID SCHEDULE E – BRISTLECONE POND TRAIL ALTERNATE ITEMS

|                             |                                          |       |          | SUNROC              |             |
|-----------------------------|------------------------------------------|-------|----------|---------------------|-------------|
| NO.                         | ITEM                                     | UNIT  | QUANTITY | UNIT PRICE          | TOTAL PRICE |
| 8.2                         | Rock-Filled Welded Wire Mesh             | Sq Ft | 945      | 45.00               | \$42,525.00 |
| 9.5                         | Bituminous Surface Course 2.5" Thickness | Sq Ft | 24,202   | 2.95                | \$71,395.90 |
| <b>Bid Schedule E Total</b> |                                          |       |          | <b>\$113,920.90</b> |             |

### BID SCHEDULE COMBINATIONS

| COMBINATION |                                                                             | SUNROC       |
|-------------|-----------------------------------------------------------------------------|--------------|
| 1           | A + B                                                                       | \$405,208.75 |
| 2           | A (less 9.4 and 10.1) + B (less 9.4 and 10.1) + D (less 8.2) + E (less 8.2) | \$351,318.80 |
| 3           | A (less 8.1, 9.4 and 10.1) + B (less 8.1, 9.4 and 10.1) + D + E             | \$390,798.80 |



## STAFF REPORT TO THE TOWN COUNCIL

**SUBJECT:** Ordinance Amending the Water & Sewer Code  
**AUTHOR:** Aldo Biasi & Wendy Dowland  
**DEPARTMENT:** Public Works  
**DATE:** July 28, 2020  
**TYPE OF ITEM:** Legislative Action

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### SUMMARY:

The Council will consider an ordinance amending the Water and Sewer Code, Title 7, Chapter 1, and Chapter 2 and repealing Chapter 1 C of the Water Code and Chapter 2 A of the Sewer Code.

During the May 26, 2020, Council meeting, Council made recommendations to the second draft of the Water & Sewer Code. Staff has presented five options for Council to consider for the Water Code. The codes that are proposing to be amended and/or repealed are as follows:

- Title 7 Utilities Chapter 1 Water Use and Service
  - Title 7 Utilities Chapter 2 Water Use and Service
  - Article C. Water Facilities Construction Cost Reimbursement Guidelines and Provisions – Proposing to be repealed.
- Title 7 Chapter 2 Sewer Use and Service
  - Title 7 Utilities Chapter 2 Sewer Use and Service
  - Article A. Sewer Facilities Construction Cost Reimbursement Guidelines and Provisions – Proposing to be repealed.

### BACKGROUND:

With the installation on the Mountain View and Salt Pile water lines, the Town has been getting requests for information on what is required to connect and possibly extend the water main line to surrounding areas. The Town Code Title 7- Utilities, either does not address these issues or has grey area on what is allowed. Staff is requesting clarification on certain items which are already in the code, but not necessarily enforced, such as a requirement to connect to the Culinary or Sewer system.

Staff was directed to move forward and to bring back a red lined code for the proposed changes to be approved by the Council. As we extend the Town's service, staff needs to be sure we are doing this in the best way possible for the Town.

### ANALYSIS:

Staff has presented five possible options for language to the code for Council's consideration:

### CULINARY WATER

#### 7-1-3: MANDATORY CONNECTION REQUIREMENTS:

##### Option 1: (Current language with street clarification)

Brian Head Town is a Wildland Urban Interface. The mandatory connection requirement is intended to better the health, safety, and welfare of the Town. It shall be mandatory for any property owner constructing, owning or maintaining a building used for human

occupancy and/or constructing or installing any water fixture utilizing culinary water, to apply and pay for the appropriate water connection, and connect to the Town water system, whenever that system is within three hundred feet (300') of any property line where the waterline is installed in a Town street, right of way or Town approved easement. The system shall be extended to the furthest point of the property when extended inside a Town approved street, right of way or a Town approved easement. All connections shall be through an approved water meter.

**Option 2: (Only new construction is required to connect)**

Brian Head Town is a Wildland Urban Interface. The mandatory connection requirement is intended to better the health, safety, and welfare of the Town. It shall be mandatory for any property owner constructing a new dwelling unit or facility used for human occupancy, and/or constructing or installing any water fixture utilizing culinary water to apply and pay for the appropriate water connection, and connect to the Town water system when the system is within three hundred feet (300') of any property line where the waterline is installed in a Town street, right of way or Town approved easement. The system shall be extended to the furthest point of the property when extended inside a Town approved street, right of way or a Town approved easement. All connections shall be through an approved water meter.

**Option 3: (New Construction when furthest property line is within 300 feet)**

Brian Head Town is a Wildland Urban Interface. The mandatory connection requirement is intended to better the health, safety, and welfare of the Town. It shall be mandatory for any property owner constructing a new dwelling unit or facility used for human occupancy, and/or constructing or installing any water fixture utilizing culinary water to apply and pay for the appropriate water connection, and connect to the Town water system when the system is within three hundred feet (300') of the furthest property line where the waterline is installed in a Town street, right of way or Town approved easement. The system shall be extended to the furthest point of the property when extended inside a Town approved street, right of way or a Town approved easement. All connections shall be through an approved water meter.

**Option 4: (New construction & 50% modification required to connect)**

Brian Head Town is a Wildland Urban Interface. The mandatory connection requirement is intended to better the health, safety, and welfare of the Town. It shall be mandatory for any property owner constructing a new dwelling unit or facility used for human occupancy or modifying an existing dwelling unit or facility in a fashion that expands the square footage of the unit by more than 50% or in a fashion that requires expansion of the existing non-conforming water system/solution for the unit, and/or constructing or installing any water fixture utilizing culinary water to apply and pay for the appropriate water connection, and connect to the Town water system when the system is within three hundred feet (300') of any property line where the waterline is installed in a Town street, right of way or Town approved easement. The system shall be extended to the furthest point of the property when extended inside a Town approved street, right of way or a Town approved easement. All connections shall be through an approved water meter.

**Option 5: Combination of any of the above**

#### **7-1-4: CONNECTION TO SYSTEM:**

- C. **Waiver of Water Connection Requirement:** In the event that a water connection is required by this chapter, but is not practically feasible due to unusual circumstances, a letter of waiver may be provided by the Public Works Director stating the nature of the unusual circumstances. Unusual circumstances shall be determined by the Public Works Director and may include such things as grade, physical barriers, insufficient capacity of the system, distance of home from the property line, topography, etc. Additionally, the Town shall explain its intent to provide, or not to provide, for a future water connection, as well as a statement of acknowledgment for the use of an appropriate on-site water system.

#### **Title 7 Utilities Chapter 2 Water Use and Service Article C. Water Facilities Construction Cost Reimbursement Guidelines and Provisions**

- Staff proposes that this entire section of the Code be repealed. Line extension agreements and collection of payments/reimbursements should not be the responsibility of the Town and should remain between the private parties. (Please see attachments for the entire section of this Code)

#### **SEWER CODE**

#### **Title 7 Utilities Chapter 2 7-2-3 B Connection Required**

- **Connection Required:** Any owner of property located within the Town shall connect (hook up) to the Town system when a sewer mainline is within three-hundred feet (300') and is installed in a Town Street, Right of Way or Town approved easement of any portion of the property boundary as follows:

#### **Title 7 Utilities Chapter 2 Sewer Use and Service Article A. Sewer Facilities Construction Cost Reimbursement Guidelines and Provisions**

- Staff proposes that this entire section of the Code be repealed. Line extension agreements and collection of payments/reimbursements should not be the responsibility of the Town and should remain between the private parties. (Please see attachments for the entire section of this Code)

#### **Enforcement and Moving Forward**

- Staff proposes we start fresh once the Mountain View Line and Salt Pile waterlines are completed and re-designated to distribution lines.
- Town staff will make a GIS layer of the properties that are within the 300-foot mark of water and sewer mainlines for tracking. This layer would be updated annually. Notices will be sent to property owners where connection to the sewer is required.

**FINANCIAL IMPLICATIONS:**

The new connections will have a financial impact on the Town's funds. As more people connect to the system, it will help pay for the cost of the Mountain View and Salt Pile Water Line projects. It will also spread the water mains throughout the area.

**BOARD/COMMISSION RECOMMENDATION:**

N/A

**STAFF RECOMMENDATION:**

Staff recommends the above-mentioned amendments to the Town Code to eliminate gray areas and be able to give clear requirements to people who request information to connect to the Town Services.

**PROPOSED MOTION:**

I move to adopt ordinance No. 20-008, an ordinance amending the Water and Sewer Code, Title 7, Chapter 1 and Chapter 2 of the Town Code with option..... (insert the option for the water code portion and hereby repeal Title 7, Chapter 1 Article C and Chapter 2 Article A as presented.

**ATTACHMENTS:**

A – Ordinance Amending the Town Code - Title 7 Utilities:

Water Code: Chapter 1 & 1 C

Sewer Code: Chapter 2 & 2 A

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 7, UTILITIES, 7.1.3 WATER USE AND SERVICE, MANDATORY CONNECTION REQUIREMENTS, AND 7.2.3 SEWER USE AND SERVICE, USE OF PUBLIC SEWER REQUIRED AND REPEALING CHAPTER 1. ARTICLE C: WATER FACILITIES CONSTRUCTION COSTS REIMBURSEMENT GUIDELINES AND PROVISIONS AND CHAPTER 2, ARTICLE A: SEWER FACILITIES CONSTRUCTION COSTS REIMBURSEMENT GUIDELINES AND PROVISIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Brian Head Town Council has determined it necessary to amend the Town's Water and Sewer Code in order to establish the rules and regulations for water and sewer connections and service of the Town's culinary water system and sewer system; and

**WHEREAS**, the Council determined that it was in the best interest of the Town to repeal Chapter 1, Article C of the Water Code and Chapter 2, Article A of the Sewer Code to eliminate the reimbursement agreements between property owners and the Town when a water or sewer line is installed; and

**WHEREAS**, the Brian Head Town Council has determined that it is in the best interest of the public health, safety, and welfare of Brian Head Town to amend Title 7, Chapter 1.3 of the Water Code, and Chapter 2.3 Sewer Code of the Brian Head Town Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE BRIAN HEAD TOWN COUNCIL, IRON COUNTY, STATE OF UTAH AS FOLLOWS:**

**SECTION 1.** The Brian Head Town Water Code 7.1.3 and Sewer Code 7.2.3 are hereby adopted as follows:

**TITLE 7, CHAPTER 1 WATER USE AND SERVICE:**

**7-1-3: MANDATORY CONNECTION REQUIREMENTS:**

Insert option

**7-1-4: CONNECTION TO SYSTEM:**

- C. Waiver of Water Connection Requirement: In the event that a water connection is required by this chapter, but is not practically feasible due to unusual circumstances, a letter of waiver may be provided by the Public Works Director stating the nature of the unusual

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circumstances. Unusual circumstances shall be determined by the Public Works Director and may include such things as a grade, physical barriers, insufficient capacity of the system, distance of home from the property line, topography, etc. Additionally, the Town shall explain its intent to provide, or not to provide, for a future water connection, as well as a statement of acknowledgment for the use of an appropriate on-site water system.

### **TITLE 7, CHAPTER 2, SEWER USE AND SERVICE:**

#### **7-2-3: USE OF PUBLIC SEWER REQUIRED:**

- B. Connection Required: Any owner of property located within the town shall connect (hook up) to the town system when a sewer mainline is within three hundred feet (300') **and is installed in a Town Street, Right of Way or Town approved easement** of any portion of the property boundary as follows:
1. New Construction: Connection to a public sewer is required where a new dwelling unit or facility used for human occupancy is being proposed, built, reconstructed or altered, and where a building permit is required.
  2. Existing Dwelling Or Facility:
    - a. Failed System: Connection to a public sewer is required when the existing septic system has failed and needs repairs to the leach field or septic tank (treatment outside the building in the septic tank or absorption system).
    - b. Unpermitted System: Connection to a public sewer is required within one year of a notice to comply issued by Southwest Utah public health department when the owner of the property is unable to provide information and materials that a septic system permit has been issued by Southwest Utah public health department.
    - c. Change Of Ownership: Connection to a public sewer is required when the ownership of property changes to another owner.
    - d. New Sewer Service Availability: Connection to a public sewer is required within three (3) years of a new public sewer main line becoming available to an existing dwelling or facility.

**TITLE 7, CHAPTER 1 WATER USE AND SERVICE, ARTICLE C: WATER FACILITIES CONSTRUCTION COSTS REIMBURSEMENT GUIDELINES AND PROVISIONS** are hereby repealed in its entirety.

**TITLE 7 CHAPTER 2 SEWER USE AND SERVICE, ARTICLE A: SEWER FACILITIES CONSTRUCTION COSTS REIMBURSEMENT GUIDELINES AND PROVISIONS** are hereby repealed in its entirety.

**SECTION 2. Effective Date.** Upon this Ordinance being adopted by the Brian Head Town Council of Iron County, Utah, all provisions of this ordinance shall be

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incorporated into the Brian Head Town Code.

**SECTION 3. Repealer:** All provisions of the Brian Head Town Code that are inconsistent with the express terms of this ordinance shall be repealed. All other provisions of the Brian Head Town Code shall remain in full force and effect as codified.

**SECTION 4. Conflict.** To the extent of any conflict between other Town, County, State, or Federal ordinances or regulations, and this ordinance, the more restrictive is deemed to be controlling.

**SECTION 5. Severability Clause.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**PASSED AND ADOPTED BY THE BRIAN HEAD TOWN COUNCIL OF IRON COUNTY, UTAH this \_\_\_\_ day of July 2020, with the following vote.**

**Town Council Vote:**

|                               |          |          |
|-------------------------------|----------|----------|
| Mayor Clayton Calloway        | Aye ____ | Nay ____ |
| Council Member Lynn Mulder    | Aye ____ | Nay ____ |
| Council Member Larry Freeberg | Aye ____ | Nay ____ |
| Council Member Kelly Marshall | Aye ____ | Nay ____ |
| Council Member Shaun Kelly    | Aye ____ | Nay ____ |

***BRIAN HEAD TOWN COUNCIL***  
BRIAN HEAD, UTAH

By: \_\_\_\_\_  
Mayor Clayton Calloway

**ATTEST:**

\_\_\_\_\_  
Nancy Leigh, Town Clerk

(SEAL)

**CERTIFICATE OF PASSAGE AND POSTING**

I hereby certify that the above Ordinance is a true and accurate copy, including all attachments, of the Ordinance, passed by the Town Council on the \_\_\_\_ day of July 2020 and have posted a summary of the adopted ordinance in three conspicuous places within the Town of Brian Head, to-wit: Town Hall, Post Office, and the Mall and a complete copy of the adopted ordinance on the Brian Head Town Website.

Nancy Leigh, Town Clerk

Ordinance No. \_\_\_\_



## STAFF REPORT TO THE TOWN COUNCIL

**SUBJECT:** Resolution Amending the Business Beautification & Dark Sky Program  
**AUTHOR:** Bret Howser  
**DEPARTMENT:** Administration  
**DATE:** July 28, 2020  
**TYPE OF ITEM:** Legislative Action

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### SUMMARY:

Council will consider a resolution amending the Business Beautification Program to include dark-sky compliant lighting projects

### BACKGROUND:

In January 2019, Council adopted an administrative policy known as the Business Beautification Program. The program provides small grants (up to \$2500) for Brian Head businesses proposing improvements to their façade/exterior or landscaping.

Since the implementation of the program in early 2019, only one grant has been formally applied for and awarded.

### ANALYSIS:

In light of the implementation of the Land Management Code adjustments in early 2020 aimed at preserving dark skies through lighting restrictions, the Town Council might consider expanding the Business Beautification Program to allow for grants for projects aimed at retrofitting lighting to be dark sky compliant. The attached changes to the administrative policy would make such an adjustment.

### FINANCIAL IMPLICATIONS:

The grant program is already funded in the budget. Considering the under-utilization of the existing program, staff does not see a reason to adjust the budget.

### BOARD/COMMISSION RECOMMENDATION:

N/A

### STAFF RECOMMENDATION:

Staff recommends that Council adopt a resolution amending the Business Beautification Program to include lighting retrofit projects and rename the program Business Beautification and Dark Sky Program.

### PROPOSED MOTION:

I move to adopt resolution No. 495 amending the guidelines for the Business Beautification & Dark Sky Program as presented.

### ATTACHMENTS:

A –Business Beautification & Dark Sky Program Resolution and Guidelines



**BRIAN HEAD TOWN**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AMENDING THE BUSINESS BEAUTIFICATION PROGRAM FOR THE TOWN OF BRIAN HEAD.**

**WHEREAS**, the Town Council adopted resolution No. 478 establishing the Brian Head Business Beautification Program to enhance the first impression of Brian Head; and

**WHEREAS**, the Town Council amended the Land Management Code to include Dark Skies for lighting requirements and now believes that lighting should also be an option in the Business Beautification program: and,

**WHEREAS**, the Town Council has determined it is in the Town's best interest to amend the Business Beautification Program policy and encourage business owners to beautify their business locations to enhance the first impression of Brian Head.

**NOW THEREFORE BE IT RESOLVED** by the Brian Head Town Council of Brian Head, Iron County, State of Utah, the following attachment "A" Brian Head Town Business Beautification Program Policy is hereby amended.

DATED this \_\_\_\_ day of July 2020

**TOWN COUNCIL VOTE:**

|                               |          |          |
|-------------------------------|----------|----------|
| Mayor Clayton Calloway        | Aye_____ | Nay_____ |
| Council Member Larry Freeberg | Aye_____ | Nay_____ |
| Council Member Lynn Mulder    | Aye_____ | Nay_____ |
| Council Member Kelly Marshall | Aye_____ | Nay_____ |
| Council Member Shaun Kelly    | Aye_____ | Nay_____ |

***BRIAN HEAD TOWN***

\_\_\_\_\_  
Clayton Calloway, Mayor

**ATTEST:**

\_\_\_\_\_  
Nancy Leigh, Town Clerk

(SEAL)



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**Attachment “A”**  
Brian Head Business Beautification Program  
Amended July 2020





## BUSINESS BEAUTIFICATION & DARK SKY PROGRAM GUIDELINES

### Program Purpose:

The Business Beautification & Dark Sky Program provides grants for Brian Head businesses to make exterior improvements which beautify the commercial core, consistent with the Council goal to “Improve the First Impression of Brian Head”, or projects to retrofit lighting to be compliant with the Dark Sky lighting provisions in the Town Land Management Code. The program is funded with property tax increment generated by the Community Development Area (CDA), which funds are dedicated to reinvestment within the CDA boundary for economic development purposes. Total program funding is set at a maximum of \$10,000 annually, or up to four (4) grants of \$2,500 apiece.

### Project Eligibility:

- Business façade/exterior, ~~or~~ landscape improvement, or lighting retrofit projects for commercial businesses (restaurant/retail/office) are eligible
  - Residential and condominium improvements are not currently eligible
    - Condominium lighting retrofit projects may be considered
  - Examples of exterior improvements include, but are not necessarily limited to:
    - Repainting, residing, signage improvements, lighting improvements, façade enhancement, planting trees/shrubs, graveling or hard-surfacing dirt parking areas, etc.
  - Landscaping and lighting projects must bring properties not currently in compliance with §9-12 of the Land Management Code into compliance.
- Proposed improvements must be within CDA boundary
  - Applicant must be owner or tenant of property within the boundary current with all taxes and licensing requirements
  - See Appendix A for eligibility map
- Must have 75% private match
  - Ex: A \$2,000 project may qualify for up to \$500 grant
  - Match may include out-of-pocket costs only – volunteer labor and in-kind match will not be considered in the calculation
- New construction does not qualify under this program, but may request incentives directly from the Town Council through a development agreement
- Projects/improvements which are underway or completed prior the application receipt date or notification of grant approval are ineligible for funding

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### Application Procedure:

- Application packet shall include:
  - Applicant name and contact information
  - Brief explanation of the proposed improvements (no more than one page)
  - Site plan showing parcel and the proposed improvements
  - Color palettes, sample materials, pictures of existing examples and any other illustrations of proposed improvements to ensure adherence to Land Management Code (LMC) guidelines

- Minimum of three (3) quotes from qualified contractors/service providers showing the anticipated costs of the improvements
- Applicant submits application packet to Brian Head Town located at 56 N Hwy 143, PO Box 190068, Brian Head, UT 84719
- Applications will be evaluated on a first come, first served basis, and approval or denial will be granted within six (6) weeks of the date of receipt of a completed application
- Staff will review the application for completeness and make a recommendation to the Planning Commission
- The Planning Commission will review in an open meeting and forward a recommendation to the Town Council
- The Town Council, acting as the CDA Board, will have final approval authority
- If approved, the applicant will be presented an agreement for signature
- The applicant will have 180 days from approval to complete the improvements

#### **Selection Criteria:**

- The proposal improves the aesthetic quality of commercial core and/or enhances preservation of dark skies
- The proposed improvements are strictly consistent with Design Standards identified in the Land Management Code
- The proposal is cost effective

#### **Funding Procedures:**

- Funding will be provided to the applicant as a reimbursement after the applicant has submitted a reimbursement request which includes:
  - Proof of approved permit(s)
  - Proof of purchase or receipts of completed improvements
  - Inspection of the improvements by Town staff for consistency with information provided in completed application



## STAFF REPORT TO THE TOWN COUNCIL

**SUBJECT:** Consolidated Fee Schedule Resolution  
**AUTHOR:** Nancy Leigh, Town Clerk  
**DEPARTMENT:** Administration  
**DATE:** July 28, 2020  
**TYPE OF ITEM:** Legislative Action

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### SUMMARY:

The Council will review and adopt resolution No. 496 amending the Consolidated Fee Schedule with a retroactive effective date of July 1, 2020.

### BACKGROUND:

Every year the Council reviews and approves the Consolidated Fee Schedule for the town. This is typically done once the budget is approved and with an effective date of July 1st.

During the July 14<sup>th</sup> Council meeting, discussion took place regarding the bonds that are placed on the contractor and now proposed on the property owner. The amount of the bond was discussed, and Council tabled the agenda item and directed staff to research and present the Fee Schedule at the next Council meeting. Staff has drafted additional language that additional bond requirements may be applied based on each project. The fee for the grading/landscaping bond increased from \$1,000 to \$2,500. The language for the impact fees has also been adjusted to meet the recommendation of the Council of matching dollar for dollar up to the impact fee.

### ANALYSIS:

This year there were no increases to the utility rates and staff is proposing a few changes to the fee schedule. Some of the proposed changes are:

1. Land Use Fees: Staff researched and determined there should a reduction in the fees for land uses.
2. Publication Fees: The Town purchased a new plotter/scanner in which the costs have increased for the printing of small and large maps, the fees reflect the change.
3. Bonds: Two bonds were added into the Consolidated Fee Schedule. The cleanup bond has always been assessed, but it is now identified in the fee schedule. The grading/landscaping bond will be tied to the property owner instead of the contractor. This will give the Town the ability to enforce landscaping on the property.
4. Impact Fees: During the meeting on July 14, 2020, it was the consensus of the Council to allow a dollar for dollar impact fee reduction, up to the total amount of the impact fee, if water and/or sewer lines were extended by individuals. Staff is identifying this in the fee schedule.
5. Utility Service Fees: A \$1 fee has been added on for those requesting a paper bill. This fee is to incentive utility customers to go paperless.

Attached is the proposed Consolidated Fee Schedule for the Council's review showing the proposed changes in the fee schedule in red font.

**FINANCIAL IMPLICATIONS:**

The fees proposed to reflect a more accurate cost associated with the process.

The other fees will reflect a more accurate cost associated with the process.

**BOARD/COMMISSION RECOMMENDATION:**

N/A

**STAFF RECOMMENDATION:**

Staff recommends the Council approve the proposed changes to the Consolidated Fee Schedule and adopt the fee schedule as presented with a retroactive date of July 1, 2020, for fiscal year purposes.

**PROPOSED MOTION:**

I move to adopt Resolution 496, a resolution amending the Consolidated Fee Schedule as presented with a retroactive effective date of July 1, 2020.

**ATTACHMENTS:**

A – Consolidated Fee Schedule Resolution & Fee Schedule



**Brian Head Town**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING THE CONSOLIDATED FEE SCHEDULE FOR TOWN OF BRIAN HEAD, BRIAN HEAD, UTAH, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Brian Head assesses fees for various zoning procedures, building permits, and other administrative permits, utilities and services provided in the Brian Head Code, and other codes adopted by Brian Head Town; and

**WHEREAS**, a Consolidate Fee Schedule has been adopted by the Town of Brian Head, and amended by resolution, from time-to-time, for all fees provided for or required under Brian Head Town Ordinances into a single document to facilitate more efficient administration and access of the various fees for the public.

**NOW, THEREFORE, BE IT RESOLVED**, by the Brian Head Town Council that the attached "Consolidated Fee Schedule" dated July 01, 2020, is hereby updated, and adopted, to be implemented by the Brian Head Town staff forthwith.

**BE IT FURTHER RESOLVED** this Resolution and associated fees supersedes all previous versions and shall have a retroactive date of July 01, 2020.

**PASSED AND ADOPTED** by the Brian Head Town Council this \_\_\_\_\_ day of July 2020, by the following vote.

**Town Council Vote**

|                               |          |          |
|-------------------------------|----------|----------|
| Mayor Clayton Calloway        | Aye_____ | Nay_____ |
| Council Member Lynn Mulder    | Aye_____ | Nay_____ |
| Council Member Kelly Marshall | Aye_____ | Nay_____ |
| Council Member Larry Freeberg | Aye_____ | Nay_____ |
| Council Member Shaun Kelly    | Aye_____ | Nay_____ |

***BRIAN HEAD TOWN***

\_\_\_\_\_  
Clayton Calloway, Mayor

**ATTEST:**

\_\_\_\_\_  
Nancy Leigh, Town Clerk

(SEAL)



## BRIAN HEAD TOWN

### CONSOLIDATED FEE SCHEDULE

Effective July 01, 2020

#### Land Use Fees

|                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General Plan Amendment                                                                                                                                                                                                                                                                                        | \$1,000/Application                                                                                                                                                                  |
| Zoning Amendment                                                                                                                                                                                                                                                                                              | \$1,000/Application                                                                                                                                                                  |
| Special Assessment Area (SAA)                                                                                                                                                                                                                                                                                 | \$1,000/Application                                                                                                                                                                  |
| Building Concept Review                                                                                                                                                                                                                                                                                       | <del>\$250</del> \$100 Application / \$50.00 Small Bldg. Application                                                                                                                 |
| Conditional Use                                                                                                                                                                                                                                                                                               | \$400                                                                                                                                                                                |
| Variance                                                                                                                                                                                                                                                                                                      | \$400                                                                                                                                                                                |
| Subdivision/PUD Infrastructure                                                                                                                                                                                                                                                                                | 1% of Engineer's infrastructure costs.                                                                                                                                               |
| Subdivision/PUD Schematic                                                                                                                                                                                                                                                                                     | <del>\$750</del> \$500/Application                                                                                                                                                   |
| Subdivision/PUD Preliminary Plat                                                                                                                                                                                                                                                                              | <del>\$1,500</del> \$1000 application fee                                                                                                                                            |
| Subdivision/PUD Final Plat                                                                                                                                                                                                                                                                                    | <del>\$1,250</del> \$500 application fee                                                                                                                                             |
| <del>Subdivision PUD Plat Amendment</del>                                                                                                                                                                                                                                                                     | <del>\$750 application fee</del>                                                                                                                                                     |
| <del>Lot Line Vacation — Plat Amendment</del>                                                                                                                                                                                                                                                                 | <del>\$500 application fee</del>                                                                                                                                                     |
| <del>Lot Line Adjustment — Plat Amendment</del>                                                                                                                                                                                                                                                               | <del>\$250 application fee</del>                                                                                                                                                     |
| Plat Amendment w/ Public Hearing                                                                                                                                                                                                                                                                              | \$500 application fee                                                                                                                                                                |
| Plat Amendment w/out Public Hearing                                                                                                                                                                                                                                                                           | \$250 application fee                                                                                                                                                                |
| Subdivision by Metes & Bounds                                                                                                                                                                                                                                                                                 | <del>\$1,000</del> \$500 application fee                                                                                                                                             |
| Minor Subdivision (Parcel Split)                                                                                                                                                                                                                                                                              | <del>\$750</del> \$250 application fee                                                                                                                                               |
| (Additional mailing costs may be applied if application fee is exceeded)                                                                                                                                                                                                                                      |                                                                                                                                                                                      |
| Development Agreement                                                                                                                                                                                                                                                                                         | \$5,000 Down payment to be applied to actual cost incurred by Town staff to prepare and/or present agreement. A positive balance must be maintained or work on agreement will cease. |
| Annexation Petition                                                                                                                                                                                                                                                                                           | \$500, plus cost associated w/ feasibility impact, infrastructure & admin analysis                                                                                                   |
| Planning Commission Special Meeting                                                                                                                                                                                                                                                                           | \$500                                                                                                                                                                                |
| Trenching and Grading Permit                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                      |
| For each address or single street cut*                                                                                                                                                                                                                                                                        | \$100                                                                                                                                                                                |
| *Verification as licensed contractor, \$5,000 bond, and \$1,000,000 insurance policy with Town as additional insured must be on file with Brian Head Town for any work in any public right-of-way or connection to Town sewer or water mains or grading permit issued prior to an associated building permit. |                                                                                                                                                                                      |
| (Additional bond requirement may be applied based on size, scope, and complexity of the project.)                                                                                                                                                                                                             |                                                                                                                                                                                      |
| Logging/Tree Removal Permit                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                      |
| Individual Trees for Safety/Fire                                                                                                                                                                                                                                                                              | No Fee                                                                                                                                                                               |
| Residential                                                                                                                                                                                                                                                                                                   | \$25                                                                                                                                                                                 |
| Construction                                                                                                                                                                                                                                                                                                  | \$100/Application                                                                                                                                                                    |
| Commercial Logging                                                                                                                                                                                                                                                                                            | \$500/Application                                                                                                                                                                    |
| Burn Permit                                                                                                                                                                                                                                                                                                   | \$10 Residential / \$100 Commercial                                                                                                                                                  |
| Sign Permit, Permanent                                                                                                                                                                                                                                                                                        | \$50/Application                                                                                                                                                                     |
| Sign Permit, Temporary ( <i>Banner</i> )                                                                                                                                                                                                                                                                      | No Charge                                                                                                                                                                            |

## **Administrative Code Violations**

1<sup>st</sup> Violation Notice & Reinspection  
2<sup>nd</sup> Violation or Recurrence

No Charge  
(a) \$100 fine & \$50 per day of continuing violation for the 14 days immediately following notice of violation and \$100 per day thereafter; or  
(b) any higher penalty amount otherwise provided by Town Code  
\$50  
Citation / To Be Determined by Court

Repeat Inspection Fee  
3<sup>rd</sup> Violation or Recurrence

## **Licensing Fees**

Business Licenses:

\$80.00 / New Business Application  
\$40.00 / Renewal of Business License  
\$10.00 / Door-to-Door Solicitation Employee Permit  
\$50.00 / Sexually Oriented Employee Permit  
\$200.00 / Sexually Oriented Business  
\$160.00 / New Application – Nightly Rentals  
\$80.00 / Renewal Application – Nightly Rentals  
No Charge for Special Event Vendor  
\$10 Neutered / \$20 Non-neutered  
\$100  
\$50

Dog License  
Alcohol License, Initial  
Alcohol License, Renewal

## **Publications**

Land Management Code  
General Plan  
Public Works Construction Manual  
Maps

\$30.00 bound copy  
\$20.00 bound copy  
\$30.00 bound copy  
\$0.25 for 11”x17” black/white copy  
\$0.50 for 11”x17” color copy  
\$0.50 for photo copy  
~~\$25~~ \$35 for Small Map  
~~\$50~~ \$60 for Large Map

## **Administrative Fees**

NSF Check  
Copies  
Faxes  
GRAMMA Request

\$25/Returned Check  
\$0.05 per B/W Copy  
\$0.10 per Color Copy  
\$0.10 per page for outgoing faxes  
\$0.10 per page for incoming faxes  
determined on an individual basis per UCA 63-2-203.

## **Inspection Fees**

One-time Building Inspection  
Re-inspection Fee  
Nightly Rental Fire Inspection

Iron County  
Iron County  
\$30.00

**Bonds (Refundable)**

|                                                                                                   |                                    |
|---------------------------------------------------------------------------------------------------|------------------------------------|
| Subdivision Completion Bonds                                                                      | 125% of Engineers Cost to Complete |
| Building Permit Cleanup Bond                                                                      | \$1000                             |
| Grading & Landscaping Bond                                                                        | \$2500                             |
| (Additional bond requirement may be applied based on size, scope, and complexity of the project.) |                                    |

**Building Permit Fees**

COLLECTED BY IRON COUNTY

**Building Permit Fees****VALUATIONS**

1. New Construction \$150/sq ft
2. Finished basements \$50/sq ft
3. Decks \$25/sq ft
4. Remodeling: Value determined by the contractor and approved by the Building Official to reflect the cost of work for code related items.
5. Valuations may be modified by the Building Official when evidence supports raising or lowering the valuation due to circumstances outside the norm or specifically mentioned above.

**Building Permit Calculation Table**

| <b>TOTAL VALUATION</b>   | <b>FEE</b>                                                                                                              |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------|
| \$1 to \$500             | \$24                                                                                                                    |
| \$501 to \$2,000         | \$24 for the first \$500; plus \$3 for each additional \$100 or fraction thereof, to and including \$2000               |
| \$2,001 to \$40,000      | \$69 for the first \$2,000; plus \$11 for each additional \$1,000 or fraction thereof, to and including \$40,000        |
| \$40,001 to \$100,000    | \$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof, to and including \$100,000      |
| \$100,001 to \$500,000   | \$1,027 for the first \$100,000; plus \$7 for each additional \$1,000 or fraction thereof, to and including \$500,000   |
| \$500,001 to \$1,000,000 | \$3,827 for the first \$500,000; plus \$5 for each additional \$1,000 or fraction thereof, to and including \$1,000,000 |
| \$1,000,001 and over     | \$6,387 for the first \$1,000,000; plus \$4 for each additional \$1,000 or fraction thereof.                            |

**Plan Review & Other Applicable Fees Collected by Iron County**

**New Service Utility Deposit** **\$300.00**

**Impact Fees**

|                      |                                       |
|----------------------|---------------------------------------|
| <b>Water</b>         | <b>\$5,250.88</b> x Conversion Factor |
| <b>Sewer</b>         | <b>\$1,096.91</b> x Conversion Factor |
| <b>Public Safety</b> | <b>\$153.00</b> x Conversion Factor   |

**\*\*Individuals who extend water or sewer lines may qualify for an impact fee reduction equal to their incurred costs for the extension, up to the full amount of the impact fee, with verification of submitted construction costs.**

### IMPACT FEE CONVERSION FACTOR

|                            |                                             |
|----------------------------|---------------------------------------------|
| <b>Single Family/Condo</b> | <b>1 ERC</b>                                |
| <b>All Others</b>          | <b>Per Actual Fixture Unit Calculations</b> |
|                            |                                             |

\*One ERC (Equivalent Residential Connection) is equivalent to 24 water fixture units as calculated in Table 604.3 of the 2006 International Plumbing Code, and 20 drainage fixture units as calculated in Table 709.1 of the 2009 International Plumbing Code.

### Connection Fees

#### Water

**Residential: \$1,750**

Installation by contractor, vault, and meter provided by the Town.

**Commercial: \$350 Inspection**

Meter, vault, and all associated materials to be provided by the contractor per Brian Head Public Works Standards. Payment is for town inspection only.

Inspection services by Town, Street opening & closing by separate permit.

#### Sewer

**\$350**

### Utility Service Fees

| <b>Water</b>                                               | <b>Monthly Base Rate/Demand Charge</b> |
|------------------------------------------------------------|----------------------------------------|
| Residential .5 ERC <sup>1</sup>                            | \$38.00                                |
| Residential 1ERC <sup>2</sup>                              | \$76.00                                |
| Commercial                                                 | \$150.00                               |
| Commercial Business in a Multi-family complex <sup>3</sup> | \$150.00                               |

<sup>1</sup>One Half (.5) ERC- A single unit (regardless of ownership) consisting of (1) room, intended for temporary living and sleeping purposes and including a separate, exclusive bathroom and food storage, preparation and serving accommodations consisting of not more than a single bowl sink, a refrigerator of not more than 5 cubic feet, and an electrical outlet which may be used for a microwave oven. Water consumption for this type of unit will be calculated at .5 of an ERC with a maximum calculated consumption of 2500 gallons per unit per month.

<sup>2</sup>Full ERC (1), Residential Unit, Dwelling Unit, or Condo Unit- A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Water consumption for this type of unit will be calculated at 1ERC with a maximum calculated consumption of 5000 gallons per unit per month.

<sup>3</sup>Where a commercial business shares a water meter within a multi-family residential or hotel project, and installing a separate commercial meter is not feasible, the Town shall calculate estimated monthly water consumption for the commercial business based on comparable businesses (in Brian Head or other communities) and bill that amount in addition to the base monthly charge.

**Residential (Single Family, Condo, Townhouses)**  
**Base Rate includes 5,000-gallon allowance**

|                                                        |               |
|--------------------------------------------------------|---------------|
| Above 5,001 but less than 10,000 gallons               | \$3.70/K-gal  |
| Above 10,001 gallons but less than 15,000 gallons      | \$4.46/K-gal  |
| Above 15,001 gallons but less than 20,000 gallons      | \$5.17/K-gal  |
| Above 20,001 gallons                                   | \$12.26/K-gal |
| Monthly rate for disconnected Service (5/8", 3/4", 1") | \$59.00       |

**Commercial Uses <sup>4</sup>****Base Rate includes 10,000-gallon allowance**

|                                       |              |
|---------------------------------------|--------------|
| 10,001 to 150,000 gallons             | \$4.46/K-gal |
| Above 150,000 gallons                 | \$5.17/K-gal |
| Monthly rate for disconnected Service | \$118.00     |

**Construction Water**

|                                                  |               |
|--------------------------------------------------|---------------|
| \$125.00 monthly meter charge, \$1500.00 Deposit | \$10.00/K-gal |
|--------------------------------------------------|---------------|

**Bulk Water**

|                |              |
|----------------|--------------|
| \$100.00/K-gal | Non-Resident |
| \$75.00/K-gal  | Resident     |

<sup>4</sup>Where a commercial business is located within a multi-family residential or hotel project, and installing a separate commercial meter is not feasible, the Town shall calculate estimated monthly water consumption for the commercial business based on comparable businesses (in Brian Head or other communities) and bill that amount in addition to the base monthly charge. The monthly utility bill shall be calculated by adding the base allowance (5,000 gal for 1 ERC, 2,500 gal for .5 ERC) use for each unit in the building and subtracting that from the total water meter reading. The remainder (if there is any) shall be charged using the commercial water rate table.

Example #1: 50 unit condo with a shared meter commercial facility having 30,000 gallon and a meter reading of 300,000 gallons of water.

50 ERC X 5,000 gallons= 250,000 gallons  
 300,000 gallon meter read – 250,000= 50,000 gallon remainder.  
 50,000 remainder – 10,000 credit for commercial allowance = 40, 000 gallon excess use  
 40,000 gallon excess use x 4.46 per thousand gallons= \$178.40.

|                                   |           |
|-----------------------------------|-----------|
| Resulting Bill: 50 ERC x \$76.00= | \$3800.00 |
| Commercial Base Fee=              | \$150.00  |
| Excess Water Use=                 | \$178.40  |
| Total=                            | \$4128.40 |

Example #2: 50 unit condo with a shared meter commercial facility having 30,000 gallon and a meter reading of 230,000 gallons of water.

50 ERC X 5,000 gallons= 250,000 gallons  
 230,000 gallon meter read – 250,000= -20,000 gallon remainder.  
 Where the remainder is a negative there is no overage charge

|                                   |            |
|-----------------------------------|------------|
| Resulting Bill: 50 ERC x \$76.00= | \$3800.00  |
| Commercial Base Fee=              | \$150.00   |
| Total=                            | \$3,950.00 |

| <b>Sewer</b>                                  | <b>Monthly Base Rate/Demand Charge</b>                |
|-----------------------------------------------|-------------------------------------------------------|
| Residential .5 ERC                            | \$19.50 per month                                     |
| Residential 1ERC                              | \$39.00 plus 60% of water overuse charge              |
| Commercial                                    | 60% of water bill                                     |
| Commercial Business in a Multi-family complex | 60% of water bill after residential use is subtracted |

|                                                               |         |
|---------------------------------------------------------------|---------|
| Monthly rate for disconnected service for single family house | \$34.00 |
| Monthly rate for disconnected commercial service              | \$71.00 |

|                                   |                 |
|-----------------------------------|-----------------|
| <b>Trash</b>                      |                 |
| Residential (.5 and 1 ERC)/Office | <b>\$12.00</b>  |
| Residential/Office Recycle Fee    | \$0             |
| Retail                            | <b>\$81.00</b>  |
| Restaurant/Lounge                 | <b>\$110.00</b> |
| Commercial Recycle Fee            | \$0             |

|    |                   |               |
|----|-------------------|---------------|
| ** | Late Penalty      | 5% / month    |
|    | Reconnect Fee     | \$100.00      |
|    | Disconnect Fee    | \$100.00      |
|    | Meter Re-read     | \$50.00       |
|    | <b>Paper Bill</b> | <b>\$1.00</b> |

### **Special Events**

*\*Special fees or exceptions may be granted by Administration for local non-profit organizations or civic functions. Additional fees may be charged if there are special needs or setup/takedown.*

|                                |                                                                                                                                                                                                                                                                                                                            |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Town Hall Rental               | \$150.00 p/day – Council Chambers<br>\$75.00 for half day up to four hours<br>\$50.00 p/day – Conference Room<br>\$25.00 for half day up to four hours – Conference Room<br>\$25.00 p/day – Kitchen<br>\$15.00 for half day up to four hours - Kitchen<br>\$250.00 Refundable Deposit                                      |
| Public Safety Building Rental  | \$200.00 p/day – Large Multi-Purpose Room<br>\$100.00 for half day up to four hours – Multi-Purpose Room<br>\$100.00 p/day – Small Conference Room<br>\$50.00 for half day up to four hours – Conference Room<br>\$25.00 p/day – Kitchen<br>\$15.00 for half day up to four hours - Kitchen<br>\$250.00 Refundable Deposit |
| Town Pavilion Rental           | \$50.00 per day<br>\$25.00 for half day up to four (4) hours<br>\$250.00 Refundable Deposit                                                                                                                                                                                                                                |
| Trail Restoration              | Actual Costs to restore trail                                                                                                                                                                                                                                                                                              |
| Fire Station Tables            | \$5.00 per table                                                                                                                                                                                                                                                                                                           |
| Police Officer                 | \$50.00 p/hr.                                                                                                                                                                                                                                                                                                              |
| Police Officer with Vehicle    | \$120.00 p/hr.                                                                                                                                                                                                                                                                                                             |
| Traffic Cone rental            | \$0.50 per day per cone minimum \$10.00                                                                                                                                                                                                                                                                                    |
| Traffic Warning sign rental    | \$15.00 per day per sign                                                                                                                                                                                                                                                                                                   |
| Traffic Cone/Sign drop off     | \$120.00 after hours                                                                                                                                                                                                                                                                                                       |
| Garbage Dumpster               | \$125.00 plus after hour costs if applicable                                                                                                                                                                                                                                                                               |
| Motor Grader                   | \$177.00 per hour w/operator                                                                                                                                                                                                                                                                                               |
| Dump Truck                     | \$125.00 per hour w/operator                                                                                                                                                                                                                                                                                               |
| Dump Truck w/plow and sander   | \$175.00 per hour w/operator                                                                                                                                                                                                                                                                                               |
| Large Loader 938               | \$106.00 per hour w/operator                                                                                                                                                                                                                                                                                               |
| Large Loader 938 w/snow blower | \$141.00 per hour w/operator                                                                                                                                                                                                                                                                                               |
| Small Loader 930               | \$98.00 per hour w/operator                                                                                                                                                                                                                                                                                                |
| P/W employee                   | \$50.00 per hour                                                                                                                                                                                                                                                                                                           |
| P/W employee w/pick up         | \$120.00 per hour                                                                                                                                                                                                                                                                                                          |

### **Miscellaneous Town Code Violations:**

DRAFT

|                                            |          |
|--------------------------------------------|----------|
| Alarm System Violation                     | \$50.00  |
| E.A.S.Y Program 2 <sup>nd</sup> Violation  | \$250.00 |
| E.A.S.Y. Program 3 <sup>rd</sup> Violation | \$500.00 |