

Thursday, August 27, 2020
PERRY CITY COUNCIL MEETING AGENDA
This is an “Electronic Meeting” Web/Teleconferencing will be used to participate
Go to www.perrycity.org for meeting access instructions

The Centers for Disease Control and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease.

The Perry City Council will hold an electronic meeting via web/teleconference on the Thursday identified above, starting at approximately 7:00 PM, after a 6:00 PM Work Session Meeting. Members of the public at the Public Meeting may view the meeting via Zoom using a link and instructions on the web page at: <https://www.perrycity.org/whats-new.htm.htm>. Agenda items may vary depending on length of discussion, cancellation of scheduled items, or agenda alteration. Numbers and/or times are estimates of when agenda items will be discussed. Action on public hearings will always be later in the same meeting or at a subsequent meeting. Every agenda item shall be a discussion and/or action item, unless otherwise indicated.

Approx. 6:00 PM – Budget Work Session

Approx. 7:00 PM – Regular City Council Meeting

- 1. Call to Order**
- 2. Procedural Issues**
 - A. Conflicts of Interest Declaration(s), If Any
 - B. Pass out Warrants to Council Members
- 3. Presentations**
 - A. Report from City Prosecutor, Blair Wardle
- 4. Action Items (Roll Call Vote)**
 - A. Approval of Warrants
 - B. Resolution 2020-15 Adopting a Final Tax Rate and Budget for Fiscal Year 2021
 - C. Ordinance 20-N Amending Title 15 Regarding Auction Establishments
 - D. Ordinance 20-O Amending Chapter 15-27 Regarding Signs
 - E. Ordinance 20-P Amending Title 15 Regarding Temporary Uses and Structures
 - F. Ordinance 20-Q Amending the Perry Municipal Code Regarding Urban Livestock
- 5. Minutes & Council/Mayor Reports (Including Council Assignments)**

No Council Action May be Taken if an Item is not specifically on the Agenda

 - A. Approval of Consent Items
 - July 23, 2020 City Council Work Session Minutes
 - July 23, 2020 City Council Meeting Minutes
 - B. Mayor’s Report
 - C. Council Reports
 - D. Staff Comments
 - E. Planning Commission Report
- 6. Executive Session (if needed)**
 - A. Discussion of the purchase, exchange, lease, or sale of real property, when public discussion would disclose the value of the property or prevent the authority from completing the transaction of the best possible terms.
 - B. Strategy session to discuss the character, professional competence, or physical or mental health of an individual.
 - C. Strategy session to discuss collective bargaining.
 - D. Strategy session regarding pending, or reasonably imminent litigation.
 - E. Strategy session to discuss the deployment of security personnel, devices, or systems.
 - F. Discussion of investigative proceedings regarding allegations of criminal misconduct.
- 7. Approx. 8:45 PM - Adjournment**

Certificate of Posting

The undersigned duly appointed official hereby certifies that a copy of the foregoing agenda was sent to each member of the City Council and was posted in three locations: the Perry City Offices, Centennial Park, Perry City Park; and was emailed to the Ogden Standard-Examiner, Box Elder News Journal; and posted on the State Public Meeting Notice Website on this 20th day of August, 2020. Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).

Shanna S. Johnson, Chief Deputy Recorder

Report Criteria:

Detail report.
Invoices with totals above \$2000.00 included.
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Box Elder County								
104	Box Elder County	8/06/2020	Building Inspections per Contract	07/31/2020	9,761.88	9,761.88	08/06/2020	
Total Box Elder County:					9,761.88	9,761.88		
Delco Western								
12385	Delco Western	20-1427	4 way Pilot Valve Replacement	07/17/2020	2,443.85	2,443.85	08/06/2020	
Total Delco Western:					2,443.85	2,443.85		
Hoffman Utah, Inc.								
11560	Hoffman Utah, Inc.	6600001533	Maintenance	06/30/2020	2,005.54	2,005.54	08/10/2020	
Total Hoffman Utah, Inc.:					2,005.54	2,005.54		
Jones & Associates								
11552	Jones & Associates	19759	Development Reviews	08/01/2020	3,318.25	3,318.25	08/14/2020	
11552	Jones & Associates	19759-A	Development Reviews	08/01/2020	3,318.25	3,318.25	08/18/2020	
11552	Jones & Associates	19760-A	Capital Projects Meetings	08/01/2020	312.50	312.50	08/18/2020	
11552	Jones & Associates	19760-A	street Maintenance	08/01/2020	6,851.75	6,851.75	08/18/2020	
11552	Jones & Associates	19760-A	street Maintenance	08/01/2020	125.00	125.00	08/18/2020	
11552	Jones & Associates	19760-A	street Maintenance	08/01/2020	123.75	123.75	08/18/2020	
11552	Jones & Associates	19760-A	Culinary Water	08/01/2020	1,178.00	1,178.00	08/18/2020	
11552	Jones & Associates	19760-A	mapping	08/01/2020	287.00	287.00	08/18/2020	
11552	Jones & Associates	19760-A	Culinary Water	08/01/2020	125.00	125.00	08/18/2020	
11552	Jones & Associates	19760-A	Culinary Water	08/01/2020	1,748.00	1,748.00	08/18/2020	
11552	Jones & Associates	19760-A	Culinary Water	08/01/2020	1,159.00	1,159.00	08/18/2020	
11552	Jones & Associates	19760-A	Culinary Water	08/01/2020	62.50	62.50	08/18/2020	
11552	Jones & Associates	19760-A	Culinary Water	08/01/2020	318.50	318.50	08/18/2020	
11552	Jones & Associates	19760-A	sanitary Sewer	08/01/2020	234.50	234.50	08/18/2020	
Total Jones & Associates:					19,162.00	19,162.00		
Meterworks								
10590	Meterworks	6567	meters & supplies	06/30/2020	3,276.00	3,276.00	08/06/2020	
Total Meterworks:					3,276.00	3,276.00		
Ormond Construction								
10217	Ormond Construction	8/04/2020	1200 W South End Water and Se	06/15/2020	120,073.51	120,073.51	08/04/2020	
10217	Ormond Construction	8/04/2020	1200 W South End Water and Se	06/15/2020	1,721.44	1,721.44	08/04/2020	
Total Ormond Construction:					121,794.95	121,794.95		
Rocky Mountain Power								
2501	Rocky Mountain Power	8/04/2020	WWTP Power	06/14/2020	5,666.19	5,666.19	08/04/2020	
Total Rocky Mountain Power:					5,666.19	5,666.19		
SKM INC.								
11814	SKM INC.	19309	Willard Scada Upgrade	07/21/2020	4,547.50	4,547.50	08/04/2020	
11814	SKM INC.	19621	WWTP	08/07/2020	4,547.50	4,547.50	08/19/2020	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total SKM INC.:					9,095.00	9,095.00		
The Bancorp Bank								
12149	The Bancorp Bank	479885	F 150 Vin 1194 Lease	07/31/2020	5,979.03	5,979.03	08/06/2020	
Total The Bancorp Bank:					5,979.03	5,979.03		
Grand Totals:					179,184.44	179,184.44		

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

- Detail report.
- Invoices with totals above \$2000.00 included.
- Paid and unpaid invoices included.

**PERRY CITY
RESOLUTION 2020-15**

ADOPTING FINAL TAX RATES AND BUDGET

**A RESOLUTION OF PERRY CITY, UTAH, ADOPTING THE FINAL
TAX RATES AND BUDGET.**

WHEREAS, Perry City (hereafter City”) is a municipal corporation duly organized and existing under the laws of the state of Utah;

WHEREAS, on July 11, 2020, the City Council adopted Resolution 2020-11 setting the proposed Tax Rate of 0.002175 for FY 2020-2021 which is the same amount as the FY ending June 30, 2020;

WHEREAS, the City Council has opted to maintain the current Tax Rate for the ensuing FY 2020-2021;

WHEREAS, the City has numerous expenses for public services and facilities that have been under-funded or require extensive maintenance;

WHEREAS, the City Council finds that an effective method to maintain public services and infrastructure is by implementing a policy of maintain the Tax Rate of 0.002175 from year-to-year;

WHEREAS, the City desires to adopt the Resolution on the Form PT-800 provided by the Utah State Tax Commission attached hereto and incorporated herein by this reference;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Perry City, Utah, that the Tax Rate of 0.002175 is hereby approved and adopted along with Form PT-800 from Utah State Tax Commission attached hereto.

IT IS FURTHER RESOLVED, that the Final Budget for FY 2020-2021 is hereby adopted as attached and Mayor is hereby authorized to execute any other form or documents necessary to effectuate the Tax Rate provided herein and the approval of the Final Budgets.

PASSED AND APPROVED by the Perry City Council this ____ day of _____, 2020.

Mayor

ATTEST:

City Recorder

Adopted Budget Form for: Cities, Towns & Counties	Name	Perry City
	Fiscal Year Ended	6/30/2021

Basic Form Instructions

- As required by Utah statutes, budget forms submitted must present a balanced budget, meaning budgeted expenditures must equal budgeted revenues.
- If prior year surplus amounts are to be appropriated in this budget, the amount is to be presented as a source of revenue in the budget. Also, any budgeted increase in a fund balance must be presented as an expenditure within the appropriate budget.
- A copy of the final budget should be sent to the State Auditor's Office within 30 days of adoption.**
- Please report amounts rounded to the nearest dollar.
- Some items may not apply to your entity.
- If you have questions about the form, call Jeremy Walker at (801) 538-1040, or send an email to jeremywalker@utah.gov.
- Upload completed budgets to reporting.auditor.utah.gov.** Choose Option 1 (Upload a budget, financial statement, impact fee, or other document), and log-in or register. Choose Option 1 again and follow the instructions. If you have any questions related to the uploading of your document, please contact our office at 801-538-1025 or stateauditor@utah.gov.

Definitions: *Current Budget Year*: The budget year in which a local government is currently operating. *Ensuing Budget Year*: The next upcoming budget year, also known as the "incoming" budget year

Part I General Fund Revenues

FY20 Amendment

Source of Revenue (a)		Prior Year Actual Revenue (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
Taxes				
1.1	General Property Taxes - Current	743769	664781	763873
1.2	Prior Years' Taxes - Delinquent			
1.3	General Sales and Use Taxes	818332	889856	781938
1.4	Franchise Taxes	238579	229881	238400
1.5	Transient Room Tax	10236	8396	8400
1.6	Re-appraisals			
1.7	Assessing and Collecting - State-wide Levy			
1.8	Assessing and Collecting - County Levy			
1.9	Fee-in-Lieu of Property Taxes		94672	96685
1.10	Penalties and Interest on Delinquent Taxes			
1.11	Other (specify): Transit Tax	458420	500004	445012
Licenses and Permits				
2.1	Business Licenses and Permits	14074	19000	20200
2.2	Non-business Licenses and Permits	1244	7539	2550
2.3	Building, Structures, and Equipment	152704	120563	108610
2.4	Marriage Licenses			
2.5	Motor Vehicle Operation			
2.6	Cemetery - Burial Permits			
2.7	Animal Licenses	2375	2700	2700
2.8	Other (specify):			

CONTINUE PART I ON PAGE 2

Name Perry City		Fiscal Year Ended		6/30/2021
General Fund Revenue - Continued				
Source of Revenue (a)		Prior Year Actual Revenue (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Charges for Services			
3.1	General Government			
3.2	Court Costs, Fees, and Charges (Clerk)			
3.3	Recording of Legal Documents (Recorder)			
3.4	Zoning and Subdivision Fees	2600	15287	1000
3.5	Sale of Maps and Publications	105	23	100
3.6	Auditor's Fees			
3.7	Surveyor's Fees			
3.8	Treasurer's Fees			
3.9	Public Safety			
3.10	Special Police Services			
3.11	Special Protective Services			
3.12	Corrective Fees (Jail)			
3.13	Streets and Public Improvements			
3.14	Street, Sidewalk, and Curb Repairs	1000	-420	
3.15	Parking Meter Revenue			
3.16	Street Lighting Charges			
3.17	Sanitation			
3.18	Sewer Charges			
3.19	Street Sanitation Charges			
3.20	Refuse Collection Charges			
3.21	Sale of Waste and Sludge			
3.22	Weed Removal and Cleaning Charges			
3.23	Health			
3.24	Parks and Public Property	2848	2257	2700
3.25	Cemeteries			
3.26	Miscellaneous Services	43929	28837	25250
3.27	Other (specify): Sale or Lease of Property	13200	41767	15200
	Fines and Forfeitures			
4.1	Fines	79039	70577	66550
4.2	Forfeitures			
4.3	Other (specify):			
CONTINUE PART I ON PAGE 3				

Name Perry City		Fiscal Year Ended		6/30/2021
General Fund Revenue - Continued				
Source of Revenue (a)		Prior Year Actual Revenue (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Intergovernmental Revenue			
5.1	Federal Grants			
5.2	General Government	16960	19571	30000
5.3	Public Safety	11126	8225	6265
5.4	Highways and Streets			
5.5	Health			
5.6	Cultural - Recreation			
5.7	Federal Payments in Lieu of Taxes			
5.8	State Grants		21487	10500
5.9	State Shared Revenue			
5.10	Class "C" Road Fund Allotment	246078	247734	220000
5.11	Liquor Fund Allotment	3904	4442	4500
5.12	Grants from Local Units	477669	360197	262280
5.13	Other (specify): Parks Impact Fee	42000	67636	51400
	Miscellaneous Revenue			
6.1	Interest Earnings	39799	42349	34000
6.2	Rents and Concessions			
6.3	Sale of Fixed Assets - Compensation for Loss			
6.4	Sale of Materials and Supplies			
6.5	Sales of Bonds			
6.6	Other Financing - Capital Lease Obligations			
6.7	Other (specify):			
	Contributions and Transfers			
7.1	Transfer From: Restricted Funds		32850	
7.2	Transfer From:			
7.3	Transfer From: Debt Service Fund		50,000	
7.4	Transfer From:			
7.5	Transfer From:			
7.6	Loan From:			
7.7	Loan From:			
7.8	Contribution from Private Sources			
7.9	Beg. Class "C" Road Fund Bal. to be Appropri.			95550
	Beg. General Fund Bal. to be Appropriated		135455	204003
	TOTAL REVENUES	3419990	3685666	3497666
CONTINUE ON PAGE 4 WITH PART II				

Name Perry City		Fiscal Year Ended		6/30/2021
General Fund Expenditures				
Expenditure (a)		Prior Year Actual Exp. (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	General Government			
	Administrative/Legislative	724080	804062	732318
	Commission or Council			
	Legislative Committees and Special Bodies			
	Ordinances and Proceedings			
	Judicial	26151	22750	22750
	City and Precinct Courts			
	Juvenile Court			
	District and Circuit Courts			
	Law Library			
	Executive and Central Staff Agencies			
	Executive			
	Boards and Commissions			
	Central Purchasing			
	Personnel			
	Budgeting			
	Data Processing			
	Microfilming			
	Administrative Agencies			
	Auditor			
	Clerk			
	Treasurer			
	Recorder			
	Attorney			
	Surveyor			
	Assessor			
	Non-Departmental			
	General Governmental Buildings			
	Elections			
	Planning and Zoning			
	Education and Community Promotion			
	Other Professional Services			
	Other (specify):			

CONTINUE PART II ON PAGE 5

Name Perry City		Fiscal Year Ended		6/30/2021
General Fund Expenditures - Continued				
Expenditure (a)		Prior Year Actual Exp. (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Public Safety			
	Police Department	761804	843990	977367
	Fire Department	25654	31609	30261
	Corrections (Jail)			
	Protective Inspections			
	Other Protective			
	Agricultural Inspection			
	Animal Control and Regulation	540	300	300
	Flood Control			
	Emergency Services (Civil Defense)			
	Other (specify): First Responders	31918	21950	34634
	Other: Misc Public Safety	1614		
	Public Health			
	Health Services			
	Infirmaries			
	Other (specify):			
	Highway and Public Improvements			
	Highways	534923	790618	802254
	Class "C" Road Program			
	Sanitation			
	Sewage Collections and Disposal			
	Shop and Garage			
	Construction			
	Repair and Maintenance			
	Other (specify):			
	Parks, Rec., and Public Property			
	Park and Park Areas	133475	129138	117859
	Park Lighting			
	Recreation and Culture			
	Libraries			
	Cemeteries			
	Other (specify): Gun Range	44275	117627	30208
CONTINUE PART II ON PAGE 6				

Name Perry City		Fiscal Year Ended		6/30/2021
General Fund Expenditures - Continued				
Expenditure (a)		Prior Year Actual Exp. (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Community and Economic Development			
	Community Planning			
	Community Development	617997	676799	598227
	Urban Redevelopment and Housing			
	Economic Development and Assistance			
	Economic Opportunity			
	Other (specify):			
	Debt Service			
	Principal and Interest	29890		
	Other (specify):			
	Transfers and Other Uses			
	Transfer To: Sewer Fund			
	Transfer To: City Hall & Public Safety Facility	25000	117162	
	Transfer To: 1200 West South	36414		
	Transfer To: 1200 West North	37662		
	Transfer to: Park s Equipment & Improvements	10000	10000	32329
	Transfer To: Debt Service Fund (Pointe Perry)	119661	119661	119159
	Loan To:			
	Use of Restricted/Reserved Fund Balance			
	Class "C" Road Funds			
	Miscellaneous			
	Judgments and Losses			
	FEMA Reimbursement of Flood Costs			
	Other Flood Costs			
	Other (specify):			
	Budgeted Increase in Fund Balance	258932		
	TOTAL EXPENDITURES	3419990	3685666	3497666
CONTINUE ON PAGE 7 FOR PART III				

Name	Perry City	Fiscal Year Ended	6/30/2021
Part III	Special Revenue Fund		
Nature of the Fund:			
Description (a)	Prior Year Actual (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
Revenues			
Other Sources			
Usage of Beginning Fund Balance			
Transfer From:			
TOTAL REV AND OTHER SOURCES	0	0	0

Expenditures			
Other Uses			
Budgeted Increase in fund Balance			
Transfer To:			
TOTAL EXP AND OTHER USES	0	0	0

Name	Perry City	Fiscal Year Ended	6/30/2021
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Part IV	Debt Service Fund
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Description (a)	Prior Year Actual (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
Revenues			
Bond Issues (Except Enterprise)			
Property Taxes	41052	39953	38192
Fee-in-Lieu of Property Taxes			
Interest Income	9269		
Transfer From: General Fund	119900	119661	119158
Other: Charges for Service	60882	45594	36443
Other Source			
TOTAL REVENUE	231103	205208	193793

Beginning Fund Balance	473647	517442	534658
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TOTAL AVAILABLE FOR APPROPRIATION	704750	722650	728451
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Expenditures			
Debt Service	162000	170000	178000
Retirement of bonds			
Interest on bonds	25308	16252	8313
Agent's Fees			
Other:		1740	890
TOTAL EXPENDITURES	187308	187992	187203

Ending Fund Balance	517442	534658	541248
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Name	Perry City	Fiscal Year Ended	6/30/2021	
Part V	Capital Projects Fund			
Nature of the Fund:		City Hall & Public Safety/Fire Facility		
Description (a)		Prior Year Actual (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
Amend				
	Revenues			
	Transfers from General Fund	25000	117162	
	Interest Income			
	Other Additions			
	Transfer from Fire & Police Impact Fees		42838	
	Transfer from Storm Drain Impact Fees		40000	
	TOTAL REVENUE	25000	200000	0
	Beginning Fund Balance	175000	200000	400000
	TOTAL AVAILABLE FOR APPROPRIATION	200000	400000	400000
	Expenditures			
	Land Purchase for future City Building			400000
	TOTAL EXPENDITURES	0	0	400000
	Ending Fund Balance	200000	400000	0

Name	Perry City	Fiscal Year Ended	6/30/2021	
Part V	Capital Projects Fund			
Nature of the Fund:		1200 W South		
Description (a)		Prior Year Actual (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Revenues			
	Transfers from General Fund	36414		
	Interest Income			
	Other Additions - TIF Grant Revenue		2078149	
	TOTAL REVENUE	36414	2078149	0
	Beginning Fund Balance	172500	208914	
	TOTAL AVAILABLE FOR APPROPRIATION	208914	2287063	0
	Expenditures			
	TIF Grant Project Expenditure		2287063	
	TOTAL EXPENDITURES	0	2287063	0
	Ending Fund Balance	208914	0	0

Name	Perry City	Fiscal Year Ended		6/30/2021
Part V	Capital Projects Fund			
Nature of the Fund:		1200 W North		
Description (a)		Prior Year Actual (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Revenues			
	Transfers from General Fund	37662		
	Interest Income			
	Other Additions			
	TOTAL REVENUE	37662	0	0
	Beginning Fund Balance	180000	217662	217662
	TOTAL AVAILABLE FOR APPROPRIATION	217662	217662	217662
	Expenditures			
	TOTAL EXPENDITURES	0	0	0
	Ending Fund Balance	217662	217662	217662

Name	Perry City	Fiscal Year Ended	6/30/2021	
Part V	Capital Projects Fund			
Nature of the Fund:		Parks Equipment / Improvements		
Description (a)		Prior Year Actual (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Revenues			
	Transfers from General Fund	10000	10000	32329
	Interest Income			
	Other Additions			
	TOTAL REVENUE	10000	10000	32329
	Beginning Fund Balance		10000	20000
	TOTAL AVAILABLE FOR APPROPRIATION	10000	20000	52329
	Expenditures			
	TOTAL EXPENDITURES	0	0	0
	Ending Fund Balance	10000	20000	52329

Name	Perry City	Fiscal Year Ended	6/30/2021	
Part VI	Other Fund			
Nature of the Fund:				
Description (a)		Prior Year Actual (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Revenues			
	Transfers from General Fund			
	Interest Income			
	Other Additions			
Beginning Fund Balance to be Appropriated				
TOTAL REVENUE		0	0	0
	Expenditures			
Appropriated Increase in fund Balance				
TOTAL EXPENDITURES		0	0	0

INSTRUCTIONS:

- The enterprise budget form is an accrual basis budget. While we acknowledge that a cash flow analysis is critical to the effective operation of any organization, it is more important to know whether the enterprise is operating at a profit or loss on current year revenues and expenses in a fiscal year period. Since enterprise funds are required to follow the same accounting principles for determining profit or loss that a private company is, it must be recognized that certain items such as bond proceeds are not revenues even though they provide cash, and items such as construction and major improvements of systems and debt repayment are not expenses even though they use cash. Accordingly, it would be helpful for the town to use the cash reconciliation section provided at the bottom of the form for cash flow analysis. Net income (loss) should not reflect retained earnings.
- A separate budget should be submitted for each enterprise function, such as water and electric. A combined budget may be prepared only if the function of the enterprise is closely related, such as water and sewer.
- Bonds to be repaid from enterprise funds should be budgeted and reported in the enterprise fund rather than the debt service fund.

See page 2 of section IV.C.02 in the Uniform Accounting Manual

Name	Perry City	Fiscal Year Ended	6/30/2021	
Part VII	Enterprise or Internal Service Fund:	Fleet Lease		
	Description (a)	Prior Year Actual (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Operating Revenue			
	Charge for Services	70607	88785	93280
	Interest Earned			
	Other:			
	Other:			
	Other:			
	TOTAL OPERATING REVENUE	70607	88785	93280
	Operating Expense			
	Personnel Services			
	Contractual Services			
	Material and Supplies			
	Depreciation	70607	88785	93280
	Other:			
	Other:			
	Other:			
	TOTAL OPERATING EXPENSE	70607	88785	93280
	Non-Operating Revenue (Expense) and Transfers			
	Gain (loss) on sale of assets	27770		
	Interest Expense	-4583		
	Capital Contributions From Outside Sources			
	Impact Fee Collected			
	Operating Transfers From:			
	Operating Transfers From:			
	Operating Transfers From:			
	Operating Transfers From:			
	Impact Fee Spent			
	Operating Transfers To:			
	Operating Transfers To:			
	Operating Transfers To:			
	Operating Transfers To:			
	Other: Net Assets Beginning	61898	85085	85085
	NET INCOME (LOSS)	85085	85085	85085
	Cash Operating Needs			
	Net Income (Loss)	85085	85085	85085
	Plus: Depreciation			
	Plus:			
	Plus:			
	Plus:			
	Less: Major Improvements and Capital Outlay			
	Less: Bond Principal Payments			
	Less:			
	Less:			
	Less:			
	TOTAL CASH PROVIDED (REQUIRED)	85085	85085	85085
	Source of Cash Required			
	Cash Balance at Beginning of Year			
	Sale of Investment and Other Current Assets			
	Issuance of Bonds and Other Debt			
	Loans from Other Funds			
	Other:			
	Other:			
	TOTAL CASH PROVIDED (REQUIRED)	0	0	0

Name	Perry City	Fiscal Year Ended		6/30/2021
Part VII	Enterprise or Internal Service Fund:	Utility Fund		
	Description (a)	Prior Year Actual (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Operating Revenue			
	Charge for Services	693994	729559	744150
	Interest Earned	91097	22282	22300
	Other: Misc Operating Income	7150	10473	8378
	Other:			
	Other:			
	TOTAL OPERATING REVENUE	792241	762314	774828
	Operating Expense			
	Personnel Services	191834	192511	194323
	Contractual Services	249820	235583	237700
	Material and Supplies	25675	160428	191720
	Depreciation	117936	110752	114882
	Other: Utilities	75837	74796	76700
	Other: Repairs & Maintenance	31776		
	Other:			
	TOTAL OPERATING EXPENSE	692878	774070	815325
	Non-Operating Revenue (Expense) and Transfers			
	Connection Fees			
	Interest Expense	-525		
	Capital Contributions From Outside Sources			
	Impact Fee Collected	100866	137881	110305
	Operating Transfers From:			
	Operating Transfers From:			
	Operating Transfers From:			
	Operating Transfers From:			
	Impact Fee Spent			
	Operating Transfers To:			
	Operating Transfers To:			
	Operating Transfers To:			
	Operating Transfers To:			
	Other: Miscellaneous Revenues	1052	7541	1226
	NET INCOME (LOSS)	200756	133666	71034
	Cash Operating Needs			
	Net Income (Loss)	200756	133666	71034
	Plus: Depreciation	117936	110752	114882
	Plus: Change in Pension Liability			
	Plus: Impact Fees			
	Plus:			
	Less: Major Improvements and Capital Outlay		67036	102898
	Less: Bond Principal Payments	41000		
	Less:			
	Less:			
	Less:			
	TOTAL CASH PROVIDED (REQUIRED)	277692	177382	83018
	Source of Cash Required			
	Cash Balance at Beginning of Year	2057078	2334770	2512152
	Sale of Investment and Other Current Assets			
	Issuance of Bonds and Other Debt			
	Loans from Other Funds			
	Other:			
	Other:			
	TOTAL CASH PROVIDED (REQUIRED)	2057078	2334770	2512152

Name	Perry City	Fiscal Year Ended		6/30/2021
Part VII	Enterprise or Internal Service Fund:	Sewer Fund		
	Description (a)	Prior Year Actual (b)	Current Year Estimate (c)	Ensuing Year Approved Budget Appropriation (d)
	Operating Revenue			
	Charge for Services	994631	1029920	1105560
	Interest Earned	54728	38897	38900
	Other: Misc Operating Income	650	845	676
	Other: Refund of Debt Reserve			153000
	Other:			
	TOTAL OPERATING REVENUE	1050009	1069662	1298136
	Operating Expense			
	Personnel Services	217574	226058	223930
	Contractual Services	26519	41200	42000
	Material and Supplies	15470	103488	116822
	Depreciation	423736	421503	434007
	Other: Utilities	74661	68745	64500
	Other: Repairs & Maintenance	55657	2667	3000
	Other: Insurance Expense	18057	19500	18600
	Other: Bad Debt Expense	1268		
	Other: Miscellaneous	198		
	TOTAL OPERATING EXPENSE	833140	883161	902859
	Non-Operating Revenue (Expense) and Transfers			
	Connection Fees			
	Interest Expense	-253800	-238800	-147000
	Capital Contributions From Outside Sources			
	Impact Fee Collected	115500	177545	141750
	Operating Transfers From: General Fund	0	0	0
	Operating Transfers From:			
	Operating Transfers From:			
	Operating Transfers From:			
	Impact Fee Spent			
	Operating Transfers To:			
	Operating Transfers To:			
	Operating Transfers To:			
	Operating Transfers To:			
	Other: Miscellaneous - Contribution	5160		
	NET INCOME (LOSS)	83729	125246	390027
	Cash Operating Needs			
	Net Income (Loss)	83729	125246	390027
	Plus: Depreciation	423736	421503	434007
	Plus: Other Revenue			
	Plus: Proceeds from Impact Fees			
	Plus:			
	Less: Major Improvements and Capital Outlay		215756	73503
	Less: Bond Principal Payments	600000	622000	422000
	Less: Interest Paid on Bond			
	Less: Misc			
	Less:			
	TOTAL CASH PROVIDED (REQUIRED)	-92535	-291007	328531
	Source of Cash Required			
	Cash Balance at Beginning of Year (unrestricted)	2728556	2636021	2345014
	Sale of Investment and Other Current Assets			
	Issuance of Bonds and Other Debt			
	Loans from Other Funds			
	Other:			
	Other:			
	TOTAL CASH PROVIDED (REQUIRED)	2728556	2636021	2345014

Staff Report

August 27, 2020

Perry City Council



Ordinance 20-N Auction Establishments

Summary

Planning Commission was requested to consider an ordinance amendment allowing auction establishments in the IC zone. The accompanying ordinance was forwarded with a unanimous recommendation. The ordinance shows 'Vehicle Auction' as a permitted use in the IC zone. There are four accompanying regulations related to the type of items to be auctioned, the length of time a vehicle can remain stored on the property (six months), the surfacing of the facility, and fencing/buffering.

Ordinance 20-O Signs

Summary

Planning Commission is planning significant changes to the sign ordinance, which will require more time. But, while the ordinance was under consideration a timely issue arose regarding signage at Walmart. Walmart would like to add a sign to their new pick-up area, but their current signage already exceeds the limits of our ordinance. This ordinance would increase the total area of signage allowed (still based on frontage of the business property). In addition the ordinance clarifies confusion regarding who is the land use authority for such signs, making the Community Development Director the land use authority. This ordinance was recommended to City Council with a unanimous vote.

Ordinance 20-P Temporary Uses and Structures

Summary

This ordinance is intended to address temporary uses such as corn mazes, food trucks, and temporary construction offices and yards. Many of these uses are not currently addressed in our ordinances. Temporary uses and structures are recommended in this amendment to be Conditional Use Permits approved by staff. The reason for this is that the types of uses involved and the area of the City they could be located can vary greatly. It was deemed important to be able to customize the permit and address potential impacts such as hours of operation, noise, and lighting on a case by case basis. This ordinance was recommended by unanimous vote.

Ordinance 20-Q Urban Livestock

Summary

Urban Livestock is a fancy name for animals allowed in residential areas. We currently allow chickens on residential lots with a license. This ordinance would do away with licensing requirements and allow more animals such as ducks, geese, rabbits, and pygmy goats. The ordinance provides several regulations and sets up a point system for the number of animals depending upon the size of property and type of animals. This ordinance was recommended with a unanimous vote.

**PERRY CITY
ORDINANCE 20-N AUCTION ESTABLISHMENTS**

WHEREAS, The Perry City Council finds a need to update the land use chart to address proposed uses; and,

WHEREAS, The Perry City Council deems it prudent to develop appropriate regulations to respond to impacts of certain uses;

NOW THEREFORE, be it ordained by the Council of Perry City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “15.05.070.7 Commercial Uses” of the Perry Municipal Code is hereby *amended* as follows:

AMENDMENT

15.05.070.7 Commercial Uses

Commercial Uses	A	A L	R 1 A	RE 1/2	R 1/ 2	R 1/ 3	R 1	R 2	E S	C	C 1	I C	N C 2	N C 3	M U- C	M U- O	M U- R	M /I L	M /I
Body and Fender Shop	~	~	~	~	~	~	~	~	~	~	C	~	C	C	~	~	~	~	P *
Cabinet Shop	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P *
<u>Vehicle Auction¹</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>P</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>
Vehicle Repair	~	~	~	~	~	~	~	~	~	~	C	C	C	C	~	~	~	~	P *
Vehicle Sales	~	~	~	~	~	~	~	~	~	~	P *	P *	C	C	~	~	~	~	~
Vehicle Wash	~	~	~	~	~	~	~	~	~	P *	P *	P *	C	C	P*	~	~	~	~
Construction Yard (See Note#3)*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *
Firearms Retail/Repair (See Note #2)*	C	C	C	C	C	C	C	C	~	P *	P *	P *	P *	P *	P*	~	~	~	~
																			P

Fix It Shop	~	~	~	~	~	~	~	~	~	~	~	~	C	C	P*	~	~	~	*
Grocery Store	~	~	~	~	~	~	~	~	~	P*	P*	P*	C	C	P*	~	~	~	~
Laundromat/Dry Cleaners	~	~	~	~	~	~	~	~	~	~	P*	P*	P*	P*	P*	~	~	~	~
Machine Shop	~	~	~	~	~	~	~	~	~	~	~	~	P*	P*	~	~	~	P*	P*
Mortuary	~	~	~	~	~	~	~	~	~	~	P*	~	P*	P*	P*	~	~	~	~
Nursery (Plants)	P	P	~	~	~	~	~	~	~	~	~	~	P*	P*	~	~	~	~	~
Planing Mill or Welding Shop	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P*
Sexually Oriented Business	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P*	~
Wholesale Outlet	~	~	~	~	~	~	~	~	~	P*	P*	P*	C	C	P*	~	~	~	P*
Small Retail (Less than 20,000 sq.ft.)	~	~	~	~	~	~	~	~	~	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Large Retail (More than 20,000 sq.ft.)	~	~	~	~	~	~	~	~	~	P*	P*	P*	P*	P*	~	~	~	P*	P*

*Notes-see PMC 15.07.100.4
Permitted in Zone

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

~

Use not Permitted

1. Vehicle auction establishments are permitted with the following regulations:

- a. Items to be auctioned are limited to vehicles and other similar items including boats, trailers, RV's, farming equipment, and construction equipment.
- b. No vehicles or similar items shall be stored on the property for more than six (6) months.
- c. The area established for the auction yard and vehicle storage shall be paved with asphalt for a minimum of fifty percent (50%) of the area. The remaining area shall be gravel and shall be kept free of weeds.
- d. An eight 8' foot tall, solid, sight-obscuring fence shall be installed around the perimeter of the auction yard. An exception to this requirement may be granted when the adjacent property does not need buffered or when the fence would be ineffective for mitigating views of the auction yard. Landscaping shall be

established in a location and manner to enhance the most visible areas of the site.

PASSED AND ADOPTED BY THE PERRY CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Nathan Tueller	_____	_____	_____	_____
Councilmember Blake Ostler	_____	_____	_____	_____
Councilmember Toby Wright	_____	_____	_____	_____
Councilmember Esther Montgomery	_____	_____	_____	_____
Councilmember Andrew Watkins	_____	_____	_____	_____

Presiding Officer

Attest

Kevin Jeppsen, Mayor, Perry City

Susan Obray, City Recorder Perry
City

**PERRY CITY
ORDINANCE 20-O SIGNS**

WHEREAS, Perry City has received a unanimous recommendation from the Planning Commission and finds it appropriate and needful to update the City's sign ordinance;

NOW THEREFORE, be it ordained by the Council of Perry City, in the State of Utah, as follows:

SECTION 1: AMENDMENT “15.27.050.1 Business Advertising Signs For A, AL, C, C-1, M/I, NC2, And NC3 Zones” of the Perry Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.27.050.1 Business Advertising Signs For A, AL, C, C-1, M/I, NC2, And NC3 Zones

The following requirements for business advertising signs for the aforementioned zones are:

1. ~~Business advertising signs require approval from the Planning Commission (after a recommendation from the Community Development Department).~~ Total square footage of flat or projecting signs that are attached to the building shall not exceed three (3) square feet in combined total area for each linear foot of occupied frontage EXCEPT that the size of any one sign shall not exceed four hundred (400) square feet in area, and the total area of all signage shall not exceed ~~six~~ eight hundred fifty ~~(600)~~ (850) square feet.
2. A roof sign shall not extend more than eight (8') feet above the building and must be included in the overall square footage allowance. The roof sign shall be included in the overall height of the building.

PASSED AND ADOPTED BY THE PERRY CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Nathan Tueller	_____	_____	_____	_____
Councilmember Blake Ostler	_____	_____	_____	_____
Councilmember Toby Wright	_____	_____	_____	_____
Councilmember Esther Montgomery	_____	_____	_____	_____
Councilmember Andrew Watkins	_____	_____	_____	_____

Presiding Officer

Attest

Kevin Jeppsen, Mayor, Perry City

Susan Obray, City Recorder Perry
City

PERRY CITY
ORDINANCE 20-P TEMPORARY USES AND STRUCTURES

WHEREAS, Perry City has received a unanimous recommendation from the Planning Commission and finds it appropriate and needful to address certain uses that have heretofore been unaddressed in the PMC;

NOW THEREFORE, be it ordained by the Council of Perry City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “15.29.020.1 Required Permit” of the Perry Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.29.020.1 Required Permit

A Conditional Use Permit shall be required for all uses listed as conditional uses in the zone regulations, land use chart or elsewhere in Perry City ordinances. No building permit or other permit or license shall be issued for a use requiring a Conditional Use Permit without first being reviewed by the ~~Perry City Planning Commission and approved by the Perry City Council~~ Land Use Authority. The Planning Commission shall be the Land Use Authority where none is specified. A Conditional Use Permit is transferable with the title to the underlying property so that an applicant may convey or assign an approved project without losing the approval. The applicant cannot transfer the permit off of the site on which the approval was granted.

SECTION 2: **ADOPTION** “15.32 Temporary Uses And Structures” of the Perry Municipal Code is hereby *added* as follows:

A D O P T I O N

15.32 Temporary Uses And Structures(*Added*)

SECTION 3: **ADOPTION** “15.32.010 Purpose And General Provisions” of the Perry Municipal Code is hereby *added* as follows:

A D O P T I O N

15.32.010 Purpose And General Provisions(*Added*)

Temporary Uses and Structures within City limits provide the opportunity for businesses to conduct business for a short period of time. Some uses are highly popular and provide a great community service and economic development opportunity. Temporary structures can be beneficial in assisting companies to complete work more efficiently.

Government entities and properties are not regulated by this section.

SECTION 4: **ADOPTION** “15.32.020 Permit And Land Use Authority” of the Perry Municipal Code is hereby *added* as follows:

ADOPTION

15.32.020 Permit And Land Use Authority(*Added*)

Temporary Uses and/or Structures shall be Conditional Uses. The Land Use Authority for such Conditional Use Permits shall be the Community Development Director or designee.

SECTION 5: **ADOPTION** “15.32.020” of the Perry Municipal Code is hereby *added* as follows:

ADOPTION

15.32.030 Temporary Uses(*Added*)

Regulations

1. Temporary Uses shall first obtain, by application, a temporary use permit through the Community Development Director or designee.
2. Temporary Uses, excluding food trucks, food carts, and construction yards/offices, shall not exceed one hundred eighty (180) days within a calendar year for the use operator and for each parcel involved, counting the days from season opening to closing, including the days in between when the business may be closed.
3. Temporary Uses associated with a permitted construction project (construction yards/offices) may be approved for not more than one year, but may be renewed for one additional year.
4. Food truck(s) and/or food cart(s):
 - a. may operate on a particular property for up to thirty (30) days in a calendar year. If the truck is located on a property for more than thirty (30) days, it must be permitted as a permanent business.

- b. operating in Perry City shall obtain a Perry City business license.
 - c. operators shall comply with all applicable State Code requirements (11-56-103 or its successor statute).
- 5. Parking shall be provided on the property. On-street parking shall not be allowed.
- 6. Temporary Uses shall comply with all State, County, and City retail sales tax regulations.
- 7. Temporary Uses shall comply with all applicable Bear River Health Department requirements.
- 8.

SECTION 6: **ADOPTION** “15.32.040” of the Perry Municipal Code is hereby *added* as follows:

ADOPTION

15.32.040 Temporary Structures(*Added*)

Regulations

Temporary Structures, associated with an approved Temporary Use, shall comply with the following regulations:

- 1. Temporary Structures are structures that will be in place for no more than one hundred eighty (180) days.
- 2. Temporary Structures shall be placed within a thirty foot sight triangle at intersections.
- 3. Contractor's offices, equipment sheds, temporary buildings, and storage yards incidental to a permitted construction project may be approved. Sleeping accommodations shall not be allowed. The permit shall be valid for not more than one year but is renewable for one additional year. All temporary buildings, offices, sheds, and materials shall be removed upon completion of the project.
- 4. A temporary real estate office may be approved in a subdivision which has been approved in accordance with the subdivision ordinance and shall make sales and do business only in conjunction with the subdivision wherein the office lies. The permit shall be valid for not more than one year but is renewable. A model home may be used as a temporary sales office. The office shall be removed upon completion of the development of the subdivision.
- 5. Temporary Structures shall first obtain, by application, a Temporary Use permit through the Community Development Director or designee.

SECTION 7: **ADOPTION** “15.32.050 Nuisance And Standards” of the Perry Municipal Code is hereby *added* as follows:

ADOPTION

15.32.050 Nuisance And Standards(*Added*)

Temporary Uses and/or Structures shall not create a nuisance or substantial negative impacts. Impacts from noise, dust, lights, odors, and storm water management shall be mitigated. Excessive negative impacts and/or nuisance shall be cause for revocation or denial of the Temporary Use permit. The Land Use Authority shall place conditions on the permit, or deny the permit, to prevent or mitigate nuisance and negative impacts. Temporary Uses and/or Structures located near to residential developments shall have more strict conditions placed upon the permit to ensure residential properties do not experience negative impacts. The Land Use Authority shall determine the hours of operation in such a way to mitigate negative impacts.

The standards for Conditional Uses (15.29.040) shall apply. The site development standards for permanent businesses and developments shall not apply.

SECTION 8: **ADOPTION** “15.32.040 Application” of the Perry Municipal Code is hereby *added* as follows:

ADOPTION

15.32.060 Application(*Added*)

Application for a Temporary Use permit shall be made to the Community Development Director or designee and shall contain, at a minimum, the following information:

1. Applicant, property owner, business, and mailing information.
2. A description of the property to be used and a site plan including all information necessary to accurately portray the property and proposed use.
3. Type of business activity.
4. A description of the proposed use, including hours of operation.
5. Sufficient information to determine the yard requirements, sanitary facilities, sanitary clean-up, signage, and availability of parking.

SECTION 9: **AMENDMENT** “15.05.070.8 Special Commercial Uses” of the Perry Municipal Code is hereby *amended* as follows:

AMENDMENT

15.05.070.8 Special Commercial Uses

Special Commercial Uses	A	A L	R 1 A	R E 1/2	R 1/ 2	R 1/ 3	R 1	R 2	E S	C	C 1	I C	N C 2	N C 3	M U - C	M U - O	M U - R	M /I L	M /I
Alcohol Retail, Off Premises, Note 2 *	~	~	~	~	~	~	~	~	~	P *	P *	P *	C	C	~	~	~	~	~
Hotel/Motel (w/ or w/o Alcohol), Note 2 *	~	~	~	~	~	~	~	~	~	C	C	C	~	C	C	~	~	~	~
Restaurant w/on Prem. Alcohol, Note 2 *	~	~	~	~	~	~	~	~	~	C	C	C	C	C	C	~	~	~	~
Restaurant Without On Prem. Alcohol	~	~	~	~	~	~	~	~	~	P *	P *	P *	C	C	P *	P *	P *	P *	P *
Other Alcohol On Premises, Business	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
<u>Temporary Uses and Structures (see PMC 15.32)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>~</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>

***Notes-see PMC 15.07.100.4 Permitted in Zone**

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

~

Use not Permitted

SECTION 10: **AMENDMENT** “1.03.010 Definitions” of the Perry Municipal Code is hereby *amended* as follows:

AMENDMENT

1.03.010 Definitions

The following words and phrases, whenever used in the ordinances of the City of Perry, shall be construed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

ACCESSORY USE OR BUILDING: A use or detached, subordinate building on the same lot with, but of a nature clearly incidental and subordinate to, the principal use of the property or building.

AGENT OF OWNER: Any person who can show written proof that he is acting for the property owner and with the property owner's knowledge and permission.

AGGREGATE: Coarse to medium grained particulate material in the form of sand, gravel, and crushed stone.

AGRICULTURE: the tilling of the soil, the raising of crops, horticulture, and food production for humans or animals, but not including the keeping or raising of domestic animals or businesses such as fruit-packing plants, fur farms, animal hospitals, stables, kennels or other similar uses.

AGRICULTURAL LANDS: Agricultural Lands shall mean those lands upon which a bona fide agricultural operation exists, or areas of vacant ground consisting of five (5) or more contiguous acres of land.

AGRICULTURAL OPERATION: Agricultural Operation means any facility for the production for commercial purposes of crops, livestock, poultry, livestock products, or poultry products.

ALLEY: A public access-way less than twenty-six (26) feet in width, which is designed to give secondary access to lots or abutting properties; an alley shall not be considered a street, for the purpose of this Ordinance.

APARTMENT: Apartment means a habitable residential unit that was duly approved by the City that is rented by its owner for residential occupation. For the purposes of this Title, this definition does not apply to an apartment building consisting of two units or less where the property Owner occupies one of the units or the same premise as the Tenant(s), notwithstanding that the Owner complies with the other applicable relevant portions of the City's land use ordinances.

APPEAL AUTHORITY: The land use appeal authority, also known as the Hearing Officer, decides appeals when there is an error in administration or grants a variance to the requirements of an ordinance under special circumstances, and which replaced the Board of Adjustment and the Special Uses and Appeals Board.

APPLICANT: Person or persons who formally make an application.

AVERAGE PERCENT OF SLOPE. An expression of rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of land to the lowest point of land within a parcel or lot. A vertical rise of one hundred (100) feet between two points, one hundred (100) feet apart measured on a horizontal plane is a one hundred (100) percent slope.

BASEMENT: The portion of a building that is partly (twelve (12) inches or more) or completely below the grade or level of the abutting ground.

BERM: Raised barrier separating two areas.

BIKEWAY: A path or lane for the use of bicycles.

BLOCK: The land surrounded by streets or other right-of-way, other than an alley, or land which is designated as a block on any recorded subdivision plat.

BOARD OF ADJUSTMENT: A five (5) member board previously organized to decide appeals when there is an error in administration or grant a variance to the requirements of an ordinance under special circumstances, but which has been replaced by the Hearing Officer.

BUILDING, ACCESSORY: A detached subordinate building on the same lot with, and of a nature customarily incidental and subordinate to, the principal building is a building accessory. See – Accessory Use or Building.

BUILDING, HEIGHT OF: The vertical distance from the average, finished grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a pitch or hip roof is the building height.

BUILDING INSPECTOR: The person designated as the building official or building inspector for the local jurisdiction by the governing body as having authority charged with administration and enforcement of the adopted building code. The building inspector may also be the zoning administrator, if so designated.

BUILDING OFFICIAL: A building official is the official, or his duly authorized deputy, charged with the administration and enforcement of this ordinance.

BUILDING PERMIT REQUIRED: The construction, alternation, repair, or removal of any building, structure, or part thereof as provided or as restricted in this Ordinance shall not be commenced or continued except after the issuance of a written permit from the building inspector. Work not started within one hundred eighty (180) days will require a new permit.

BUSINESS: Means all kinds of vocations, occupations, professions, trades, enterprises, establishments, services provided, and all other kinds of commercial activities and matters, including the keeping of a machine, which are conducted for private profit or benefit, either directly or indirectly, on any premises in the City or anywhere else within its jurisdiction.

BUSINESS LICENSE: A written business license certificate issued by the business licensing authority allowing a person to operate and maintain a home occupation or business under the provisions of the Perry City Business License Code and regulations issued hereunder.

BUSINESS LICENSE APPEAL AUTHORITY: Business License Appeal Authority means the official or board charged with hearing and acting upon an appeal of a final action or decision of a Licensing Authority; also known as the Hearing Officer.

BUSINESS LICENSE INSPECTION AND ENFORCEMENT AUTHORITY: Any federal, state, county, or local authority that may inspect, investigate, or enforce upon a business compliance with any governing law.

CARPORT: A carport is any covered, private vehicle parking area not completely enclosed by walls or doors that is attached to a dwelling or accessory building. For the purposes of this Ordinance, a carport shall be subject to all the regulations prescribed for a private garage. A carport shall be considered part of a dwelling if the carport and dwelling have a roof in common.

CITY: The City of Perry, or the area within the territorial limits of the City, and such territory outside the City over which the City has jurisdiction or control by virtue of any constitutional or statutory provision.

CITY ATTORNEY: The attorney employed by or officially representing the local jurisdiction.

CITY COUNCIL OR COUNCIL: The City Council of the City. “All its members” or “All Council members” means the total number of Council members holding office.

CITY ENGINEER: The engineer employed by or under contract with and officially representing the local jurisdiction.

CITY STANDARDS: A set of standard drawings and specifications adopted by Perry City.

CLUSTER HOUSING: A subdivision of land in which the lots have areas less than the minimum lot area of the zoning district in which the subdivision is located, but which complies with the cluster subdivision provisions of the Perry City Land Use Ordinance and in which a significant part of the land is privately reserved or dedicated as permanent common open space to provide low-density character for the residential lots in the subdivision.

COMMONS: A public area usually central to a neighborhood, town or city.

COMMUNITY DEVELOPMENT DIRECTOR: The director of the Community Development Department of Perry City, the City Planner, or the Planner.

COMMUNITY GARDEN: A piece of land that is cultivated (not with Weeds) by a group of people rather than a single family or individual.

CONDITIONAL USE: The use of a building or land indicated by “C” on the land use chart which may require special conditions to mitigate impacts and meet the standards outlined in the PMC.

CONDOMINIUM: The ownership of a single unit in a multi-unit project together with an undivided interest in common in the common areas and facilities of the property.

CONSERVATION LAND: Conservation Land means land containing unique, historic, cultural, archaeological, natural or other significant features, including, but not limited to, Meadows, Grasslands, Tree Stands, Streams, Stream Corridors, Flood Walls, Berms, Watercourses, Farmland (including orchards), Wildlife Corridors and/or Wildlife Habitats, historic buildings and/or sites, archaeological sites and open space.

CONSERVATION SUBDIVISION PLAN: A plan used to show the number, location, and size of parcels, as well as the location, layout, and type of open spaces for property proposed for development as Conservation Subdivision.

CONSERVATION SUBDIVISION: A subdivision of land in which the lots have areas and setbacks less than the minimum dimensions of the zoning district in which the subdivision is located, but which complies with the Conservation Subdivision provisions of PMC 15.07.130. In a Conservation Subdivision, a predetermined minimum portion of the subdivision is preserved as permanent open space.

CONSTRAINED AND SENSITIVE LAND: Constrained and Sensitive Land means land that is generally unbuildable and that contains constrained and sensitive features including, but not limited to, wetlands, floodplains, steep slopes, faults and other geologically or environmentally sensitive features.

CONVENTIONAL SUBDIVISION: A subdivision of land in which lot area, Frontage, setback and other requirements of the underlying zoning district in which the subdivision is located are met, as required by PMC 15.07.

CONVENTIONAL SUBDIVISION PLAN: A hypothetical plan used to determine the base number of Dwelling units that a Conventional Subdivision design would yield for any given property proposed for development as a Conservation Subdivision.

CORRAL: A space, other than a building, less than one (1) acre in area, or less than one hundred (100) feet in width, used for the confinement of animals or fowl.

COUNCIL: The City Council of the City of Perry “All its members” or “all Council members” means the total number of Council members holding office.

COUNTY: This term refers to the county of Box Elder.

COURT: An open space, unobstructed to the sky, other than a yard which is located at or above grade level and bounded on two or more sides by walls or a building(s).

CROSSWALK OR WALKWAY: A right-of-way dedicated to public use, to facilitate access through a subdivision block; designed for use by pedestrians and not for use by motor vehicles; may be located within or without a street right-of-way, at grade, or separated from vehicular traffic.

CUL-DE-SAC: The term "cul-de-sac" (dead-end street) means a street, existing or proposed, which has access from one open end and is terminated by a vehicular turn-around at the other end, as defined by Perry City Standards.

DAY: This term refers to a calendar day.

DENSITY: The number of families, individuals, dwelling units or housing structures per unit of land; usually that unit is expressed as an acre. The control of density is one of the basic purposes of zoning. Gross density includes land for streets, schools and parks. Net density does not include area for public spaces.

DENSITY, CONTROL OF: Density control is limitation on the occupancy of land. Density can be controlled through zoning by one or a combination of the following methods: use restrictions (single or multiple dwellings); minimum lot size requirements; floor area ratios; setback and yard requirements; minimum house-size requirements; establishing ratios between lot and house size; limitations on units per acre; and other means.

DESIGN, SUBDIVISION: These include:

1. Street alignment, grades and width; and
2. Width and alignment of easements and rights-of-way for drainage, water systems, sanitary sewer lines, and other utilities; and
3. Minimum lot area, width, and depth, etc.

DEVELOPMENT IMPACT FEE: A fee or charge imposed on a developer to pay for the costs to the community of providing services to a new development. It is a means of providing.

DIVISION OF AGRICULTURAL LAND FOR AGRICULTURAL PURPOSES: A bona fide division or partition of agricultural land for agricultural purposes shall mean, for purposes of this ordinance, the division of a parcel of land into three (3) or more parcels which meet all of the following conditions:

1. None of the parcels created can be smaller than five (5) acres in area for irrigated land and ten (10) acres for un-irrigated land.
2. The purpose of the division shall be to use each of the lots for agriculture, not for investments, building development, recreational use, cabin or other housing use, livestock feed yard, or any other agricultural industry or business.
3. Each of the parcels created have access to a public street or highway or to a private street approved by the Planning Commission and the governing body.
4. Each of the parcels created shall be capable, in the opinion of the Planning Commission and the governing body, of producing an income from the sale of agricultural products

sufficient to justify its existence as a separate agricultural-lot entity. Among the factors used in making a decision as to whether a division of land is or is not bona fide division or partition of agricultural land for agricultural purposes, the Planning Commission and the governing body may consider the availability of water for irrigation or stock-watering purposes; the class of the soil and depth of the soil mantle; the slope of the land; and, past history of agricultural production.

5. The owner seeking a bona fide division of agricultural land for agricultural purposes shall record a "Restrictive Covenant Precluding the No agricultural Use of Land" at the County Recorder's Office in a form approved by the city attorney.

DISQUALIFYING STATUS: In relation to residential solicitors, anything specifically defined in the PMC as requiring the denial or suspension of a certificate or license, and any of the following:

1. The applicant or registered solicitor has been criminally convicted of:
 - a. Felony homicide; Physically abusing, sexually abusing, or exploiting a minor; The sale or distribution of controlled substances, or Sexual assault of any kind.
2. Criminal charges currently pending against the applicant or registered solicitor for:
 - a. Felony homicide;
 - b. Physically abusing, sexually abusing, or exploiting a minor;
 - c. The sale or distribution of controlled substances, or;
 - d. Sexual assault of any kind.
3. The applicant or registered solicitor has been criminally convicted of a felony within the last ten (10) years.
4. The applicant or registered solicitor has been incarcerated in a federal or state prison within the past five (5) years.
5. The applicant or registered solicitor has been criminally convicted of a misdemeanor within the past five (5) years involving a crime of:
 - a. Moral turpitude, or
 - b. Violent or aggravated conduct involving persons or property.
6. A final civil judgment been entered against the applicant or registered solicitor within the last five (5) years indicating that:
 - a. The Applicant or Registered Solicitor had either engaged in fraud, or intentional misrepresentation, or
 - b. That a debt of the Applicant or Registered Solicitor was nondischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a)(2), (a)(4), (a)(6), or (a)(19).
7. The applicant or registered solicitor currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device.
8. The applicant or registered solicitor has an outstanding arrest warrant from any jurisdiction.
9. The applicant or registered solicitor is currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction.

DOOR-TO-DOOR SOLICITATION: The practice of engaging in or attempting to engage in conversation with any person at a residence, whether or not that person is a competent individual, while making or seeking to make or facilitate a home solicitation sale, or attempting to further the sale of goods and or services.

DRIVEWAY: A private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located.

DWELLING: Any building or portion thereof that is designed or used as the more or less permanent Residence of one or more individuals or families for residential purposes such as sleeping and taking meals. The following are not a Dwelling: tents, hotels, apartment hotels, boardinghouses, rooming houses, tourist courts, commercial assisted living center, nursing home, recreational vehicle, camper trailer, and other similar facilities

EASEMENT: A quantity of land set aside or over or under which a liberty, privilege, or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public. No permanent structures as defined and reviewed by the Planning Commission are allowed in any recorded easements.

EDUCATIONAL FACILITY: A teaching or instructional Business (except a Home Preschool) operated as a Home Occupation or as a commercial facility.

ENTITY: Entity includes a corporation, partnership, limited liability company, or other lawful entity, organization, society or association.

ESCROW AGREEMENT: In relation to Subdivisions and land development an Escrow Agreement sets the terms for the fund of monies established to ensure completion of work required by state statute and the PMC.

ESSENTIAL FACILITIES: Essential facilities are any utility, sanitary, and public safety facilities provided by a public utility or governmental agency for overhead or surface or underground services, excluding any building, electrical sub-station or transmission line of fifty (50) K or greater capacity.

EXCAVATION USES: Mines, gravel pits, sand pits, clay pits (including concrete batching plants and/or asphalt plants installed in connection with pits) rock quarries, rock crushers, and buildings or structures in connection, therewith (see PMC 15.31, for regulations).

EXPLORATION: In relation to aggregate extraction means, the search for aggregate by geological, geophysical, geochemical, or other techniques, including but not limited to sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent, or quantity of aggregate present.

FAMILY: One or more persons related by blood, marriage or adoption, or a group of not more than four unrelated persons living together as a single nonprofit housekeeping unit.

FARMLAND: Land specifically used for agriculture purposes in the raising of crops or livestock, including fruit crops.

FINAL CIVIL JUDGMENT: A civil judgment that would be recognized under state law as a judgment to which collateral estoppels would apply.

FINAL PLAT: A subdivision map prepared in accordance with the provision of the Subdivision Ordinance which is designed to be placed on record in the office of the County Recorder.

FIRE PROTECTION: Such water supply, water lines, fire hydrants and/or other protective devices as may be required in the provisions of the Perry City Land Use Ordinance for adequate elimination of fire hazards.

FLAG LOT: A flag or L-shaped lot comprised of a staff portion contiguous with the flag portion thereof (subject to special conditions).

FLOOD HAZARD: A hazard to land or improvements due to inundation or overflow of water having sufficient velocity to transport and/or deposit debris, scour the surface soil, dislodge or damage buildings and/or erode the banks of water courses.

FLOOD WALL: Primarily a vertical barrier that (temporarily or permanently) contains the waters of a river or other Waterway.

FRONTAGE: Frontage is any area of a lot facing the street of public right-of-way. All property fronting on one side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

GARAGE, PRIVATE: An enclosed vehicle parking area attached to a dwelling or an accessory building designed or used for the storage of not more than four automobiles, owned and used by the occupants of the main building to which it is accessory, provided, that on a lot occupied by a multi-family dwelling, the private garage may be designed and used for the storage of a minimum of one and one-half times as many automobiles as there are dwelling units in the multiple dwelling. A garage shall be considered part of a dwelling if the garage and dwelling have a roof or wall in common.

GENERAL PLAN: A long range generalized plan of the City of Perry for development and zoning approved by the Planning Commission and adopted by the Governing Body for the Local Jurisdiction, including maps, reports or both as required by law.

GEOLOGICAL HAZARD: A hazard that is inherent in the crust of the earth or artificially created which is dangerous or potentially dangerous to life, property and/or improvements due to movement, failure and/or shifting of the earth is a geological hazard.

GOODS: One or more tangible items, wares, objects of merchandise, perishables of any kind, subscriptions, or manufactured products offered, provided, or sold.

GOVERNING BODY: The elected legislative body of the local jurisdiction that is the City Council for Perry City.

GRASS: Vegetation typically consisting of shorter-height plants that (1) are usually green in color, (2) grow over large areas, and (3) are not Weeds. Kentucky bluegrass is a common type of grass used in the State.

GRASSLAND: An open area of land covered with Grass, but not Weeds.

HAUL ROAD. A road designated as a haul road on the Circulation, Road or Master Transportation Plan or as defined by the Planning Commission. Haul Roads shall require special negotiation of construction standards with the City Engineer before any improvement of existing roads or development of proposed roads is approved.

HEALTH OFFICER: The health officer or department employed or officially representing the local jurisdiction in health related matters.

HEARING OFFICER: The person designated to hear and decide certain appeals, variances, and administrative code enforcement hearings in relation to the Land Use Ordinances and business license regulations of the City.

HEIGHT OF BUILDING. See - Building, Height of.

HOME DAYCARE: A child-care facility licensed by the State with a regularly scheduled, ongoing enrollment operated in a Dwelling.

HOME OCCUPATION: Every trade, profession, occupation, business or activity engaged in within a Residence or Dwelling with the object of economic profit, benefit or gain, directly or indirectly and carried on by Persons residing on the premises and is ongoing in nature as opposed to temporary (Example: garage sales, lemonade stands) and is incidental and secondary to the use of the property as a Residence or Dwelling.

HOME SOLICITATION SALE: Home solicitation sale means to make or attempt to make a sale of goods or services by a solicitor at a residence by means of door-to-door solicitation regardless of the means of payment or consideration used for the transaction, or the time of delivery of the goods or services, or the previous or present classification of the Solicitor as a Solicitor, peddler, hawker, itinerant merchant, or similar designation.

HOMEOWNER'S ASSOCIATION: A non-profit organization operating under recorded legal agreements running with the land. Generally, each lot owner in a condominium or similar planned development becomes a member upon purchase and each lot is subject to a charge for a proportionate share of the expenses for the organization's activities, such as landscaping, maintaining common areas, recreation facilities, parking areas and enforcement of CC&Rs (Conditions, Covenants & Restrictions).

HOME PRESCHOOL: A teaching or instructional Business for children who have not yet entered the first grade level offered by Box Elder School District operated as a Home Occupation.

HOUSEHOLD PETS: Animals or fowl ordinarily permitted in and around the house or yard, and kept for company or pleasure, such as dogs, cats, and canaries, but not including the keeping of normally dangerous animals, such as lions, tigers, etc. or domesticated farm animals such as pigs, horses, cows, goats, ducks, pigeons etc. (see PMC Title 9, Perry City Animals Ordinance for limitations on household pets.)

IMPROVEMENTS: Work, objects, devices, facilities or utilities required to be constructed or installed in a subdivision. Such improvements may include, but are not limited to, streets, paving, grading, construction to required standards, water systems, sewer systems, sidewalks, curbs and gutters, drainage facilities, street trees, street signs, streetlights, traffic control or safety devices, fire hydrants, and such other facilities or construction as is required by the Subdivision Ordinance, subdivision regulations, or by the Planning Commission and/or City Council for the necessary, proper development of a proposed subdivision.

INFRASTRUCTURE: Facilities and services needed to sustain industrial, manufacturing, residential and commercial activities. It includes sewer and water lines, streets and roads, communication lines and public facilities such as fire houses, parks, etc.

INUNDATION: Water of sufficient depth and/or motion to damage property by presence of water, moving debris or deposit of silt is known as inundation.

KENNEL/CATTERY: The keeping of three or more dogs/cats, with equipment and supplies for the business of breeding, raising, and/or boarding of dogs/cats for business purposes. A business license is required for a kennel or cattery.

LATERAL SEWER: A lateral sewer is any sewer line that discharges into another sewer line and has only the building sewage as a tributary to it.

LAW: This term denotes applicable federal law, the Constitution and statutes of the state of Utah, the ordinances of the City, and when appropriate, any and all rules and regulations which may be promulgated thereunder or by any governing authority.

LICENSING AUTHORITY: Licensing Authority means the City authority designated to administer this Code in relation to business licenses, issue a business license, or review and/or revoke a business license.

LIMITED NUMBER OF LIVESTOCK: The keeping of livestock shall not exceed six (6) large animals per acre, such as any combination of the following examples: Horses, cattle, sheep, goats, pigs, etc. and shall not exceed 18 small animals per acre, such as chickens, turkeys, ducks, geese, pigeons, peacocks, rabbits and other small fur bearing animals, etc.

LOCAL ATTORNEY: The attorney employed by or officially representing Perry City.

LOCAL BUILDING INSPECTOR: The building inspector employed by or officially representing Perry City.

LOCAL ENGINEER: The engineer employed by or officially representing Perry City.

LOCAL JURISDICTION: Local jurisdiction refers to Perry City.

LOCAL SURVEYOR: The surveyor employed by or officially representing Perry City.

LOT: A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown by a parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a larger tract. A parcel of land occupied or to be occupied by a building or a group of buildings, together with such yards, open spaces, with width and area as are required by Perry City Ordinance; having frontage upon a street, or upon a right-of-way approved by an Appeal Authority. These regulations may be waived by a Land Use Authority or Appeal Authority, as allowed by any Planned Unit Development, Cluster Housing Development, or other City ordinance. Not more than one dwelling structure shall occupy any one lot.

LOT, CORNER: A corner lot is any lot abutting on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees.

LOT, RESTRICTED: A lot requiring adherence to special conditions and/or requirements to be met before a building permit can be issued or has an “R” designation on the recorded subdivision plat and a listed condition to be met for a building permit. The slope of the lot may be a reason for the restriction.

LOT RIGHT-OF-WAY: A strip of land of not less than sixteen (16) feet in width connecting a lot to a dedicated street or right of way for use as private access to that lot.

LOT, UNRESTRICTED: A lot having an average slope less than is prohibited by the Foothill Development Ordinance, Chapter 15.09 (Perry City Land Use Ordinance), and having the buildable area designated on the subdivision plat in which the lot is located with no “R” designation with the number.

MAIN BUILDING: The principal building or dwelling on a lot recognized as the primary use of the property on which it is located.

MAINTENANCE PLAN: A plan that identifies the means for permanent maintenance of the Conservation Land within the Conservation Subdivision.

MASTER PLAN: A plan adopted by Perry City Council describing a certain aspect of the city or infrastructure for future development or current use such as the Transportation Master Plan, Trails Master Plan, Master Plan for Dale Young Park, etc. as subsidiary plans that may or may not be included as components of the General Plan

MAY: The word “may” is permissive.

MAYOR: The duly elected mayor of the City.

MEADOW: A field habitat vegetated by Grass and other non-woody plants, but not Weeds.

MINING OPERATION(S): Mining Operation(s) means those activities conducted on the surface of the land for the exploration for development of or the extraction of mineral deposits and/or raw materials from its natural occurrences, including surface mining and surface effects of underground mining including on-site transportation and other primary processing.

MOBILE HOME: A detached, single-family dwelling unit not less than six-hundred square feet in area, designed for long-term occupancy, and to be transported on its own wheels or on flatbed or other trailers or detachable wheels; containing a flush toilet, sleeping accommodations, a tub or shower bath, kitchen facilities, and plumbing and electrical connections provided for attachment to appropriate external systems, and ready for occupancy except for utility connections and other minor work. Pre-sectionalized, modular, or prefabricated houses not placed on a permanent foundation shall be regarded as mobile homes. If placed upon a permanent foundation, such structures which meet all applicable building and housing codes, shall not be considered as mobile homes, but shall be regulated as conventional housing; and mobile homes which are so placed on permanent foundations and meet all applicable building and housing codes shall be regulated as conventional housing.

MOBILE HOME LOT: A lot within a mobile home subdivision designed to be used for the accommodation of one (1) mobile home.

MOBILE HOME PARK: An area designed and approved by Planning Commission and City Council for occupancy by mobile homes, to be under a single ownership or management for mobile home space rental or lease. All requirements of the Mobile Home Parks and Mobile Home Subdivisions Chapter shall be met.

MOBILE HOME SPACE: A space within a mobile home park designed to be used for the accommodation of one (1) mobile home.

MOBILE HOME SUBDIVISION: A subdivision designed and intended for residential use where the lots are to be individually owned or occupied by mobile homes exclusively. All requirements of the Mobile Home Parks and Mobile Home Subdivisions Chapter shall be met.

MODULAR/MANUFACTURED HOME: A permanent dwelling structure built in prefabricated units, which are assembled and erected on the site, or at another location and brought as a unit to the site; or as integral parts which have been built or assembled prior to incorporation in the building. A modular/manufactured home is classed as a mobile home until it is placed on a permanent foundation and complies with all governing building codes.

MONTH: One calendar month.

MULTI-FAMILY DWELLING: A building which is designed, built, or remodeled to consist of multiple attached dwellings that are owned separately. Not an apartment.

MUNICIPAL SERVICE: Municipal Service means public utilities; services for police, fire and other emergencies and protection; storm water runoff; traffic control; parking; transportation; beautification; or snow removal.

MUST/SHALL: These are each mandatory terms.

NONCONFORMING BUILDING OR STRUCTURE: A building or structure or portion thereof, lawfully existing at the time this chapter became effective which does not conform to all the height, area, and yard regulations herein prescribed in the zone in which it is located.

NONCONFORMING USE: A use which lawfully occupied a building or land at the time the zoning ordinance became effective and which does not conform to the use regulations of the zoning district in which it is located.

OATH: An oath includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed.”

O&M Costs: The regular and periodic costs of operating and maintaining Conservation Land within a Conservation Subdivision.

OFFICIAL MAP: A map which has been adopted as the official map of the local jurisdiction, showing existing public streets, streets on plats of subdivision which have been approved by the Planning Commission, and/or other street extensions, widenings, narrowings, or vacations which have been accurately surveyed and definitely located.

OFF-STREET PARKING SPACE: The space required to park one (1) passenger vehicle, which space shall meet the requirements of the Zoning Ordinance, Parking Ordinance and is located off of the public right of way.

OPEN SPACE: Areas reserved in parks, courts, playgrounds, golf courses, subdivisions and other similar open areas to meet the density requirements of planned unit developments.

OPERATOR: Any person, firm, corporation, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, agent, or other organization or representative of any kind either public or private, owning, controlling, or managing mining operations or proposed mining operations including exploring for or developing of mineral deposit sites.

OWNER: Any person, corporation, association, partnership, or other representative of any kind, either public or private, owning, or controlling an entity recognized by law, and his or its lessees, permittees, assignees, or successors in interest.

PARCEL OF LAND or PARCEL: A contiguous quantity of land, in possession of, owned by or recorded as the property of the same person and/or entity. (Land recorded as the same ownership, but physically divided by a public highway, road or street is not considered contiguous and is therefore, two or more individual parcels.)

PARK: A Mini-park, Neighborhood Park, Community Park or Regional Park/Park Preserve, as these terms are defined in PMC, or an other similar type of park designated in PMC.

PARKING LOT: An open area, other than a street, used for the parking of more than four motor vehicles and available for public use, whether free, for compensation or as an accommodation for clients and customers.

PEDESTRIAN WAY: A right of way designed for use by pedestrians and not intended for use by any vehicle or animal that is ridden or led. It may be a crosswalk, walkway, sidewalk or path and may be located with or without a street right of way, at grade or grade separated from vehicular traffic.

PERCENT OF SLOPE OR GRADE: An expression of rise or fall in elevation along a line perpendicular to the contours of the land, connecting the highest point of land to the lowest point of land within an area or within a lot.

PERSON: A natural person, receiver, assignee, trustee in bankruptcy, joint venture, joint stock company, partnership, association, society, club, company, corporation, business, firm, trust, estate, organization, or other group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit, or otherwise, or the manager, lessee, agent, servant, officer or employee of any of them.

PERSONAL PROPERTY: Money, goods, chattels, things in action and evidences of debt.

PICNIC AREA: An area of land suitable and set aside for picnicking and sometimes provided with tables.

PLAN, SKETCH: A generalized layout of a proposed subdivision or development, with accompanying general proposals and intentions of the developer, relating the proposed subdivision or development to its area, to public utilities, facilities, and services, and to special problems which may exist in the area.

PLANNED UNIT DEVELOPMENT (PUD): An integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements.

PLANNING COMMISSION: The administrative body charged with the development of the General Plan, formulation and administration of the zoning map and ordinance and the review of any other land-use matters designated by the Mayor and City Council. The Commission is an advisory board to the City Council and City Officials (see Chapter 15.03, Perry City Land Use Ordinance).

PLAYGROUND: An area used for outdoor play or recreation, especially by children, and often, but not limited to, (1) containing recreational equipment such as, but not limited to, slides and swings and (2) located in a Park or school grounds.

PLAYING COURT OR FIELD: A space arranged for playing a certain game or sport such as, but not limited to, badminton, baseball, basketball, football, soccer, tennis or volleyball.

PLOT PLAN: A drawing of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, setbacks and other such information as may be required by the Planning Commission or Building Inspector.

POLITICAL POSITION: Any actually held belief, or information for, against, or in conjunction with any political, social, environmental, or humanitarian belief or practice.

PRECEDING/FOLLOWING: These terms mean next before and next after, respectively.

PRELIMINARY PLAT: A drawing, to scale, representing a proposal for a subdivision of land, meeting the preliminary plat requirements (dimensions, topography, existing structures, etc.) of PMC Title 14, Subdivision Ordinance, Including Special Exceptions and Flag Lots.

PRINCIPLE USE: A principal use is any main use of land, a building, an area, or a structure that is distinguished from conditional, accessory, or secondary uses. (Example: A home is a principal use on a lot. Pools, detached garages or sheds are accessory uses.)

PROPERTY: The term includes real and personal property.

PROTECTION STRIP: A strip of land between the boundary of a subdivision and a street within the subdivision for the purpose of controlling the access to the street by property owners abutting the subdivision is a protection strip.

PUBLIC ROAD: Any road, street, alley, lane, court, place, viaduct, tunnel, culvert, or bridge laid out or erected as such by the public, or dedicated or abandoned to the public, or made such in an action for the partition of real property, and includes the entire area within the right-of-way.

REAL PROPERTY: This term includes lands, tenements, and hereditaments.

RECLAMATION: Actions performed during or after mining operations to shape, stabilize, re-vegetate, or otherwise treat the land affected in order to achieve a safe, stable, ecological condition. The mined lands will be reclaimed to a useable condition which is readily adaptable to alternate land uses and create no danger to public safety. These rehabilitated or reclaimed conditions will be consistent with the Perry land use plan in the immediate area. The reclamation process may extend to affected lands surrounding the mined lands and may require backfilling, grading, re-soiling, re-vegetation, soil compaction, stabilization, and other measures.

REGISTERED SOLICITOR: Any person who has been issued a current certificate by the City.

REGULATING AUTHORITY: Regulating Authority means any federal, state or local authority, or professional organization that holds authority to regulate a Person or Business. A Regulating Authority includes such entities as the Utah Division of Occupational and Professional Licensing, the local health department, the Utah State Bar, the fire Marshall or related designee, the local planning commission, any land use authority, and similar authorities.

RELIGIOUS BELIEF: Any sincerely held belief, or information for, against, or in conjunction with, any theistic, agnostic, or atheistic assumption, presumption or position, or religious doctrine, dogma, or practice regardless of whether or not the belief or information is endorsed by any other person or public or private entity.

REMAINDER: the portion of land or Parcel created by a Subdivision that falls outside the Subdivision boundary and does not receive approval for development.

RESIDENCE: Any living unit contained within any building or structure that is occupied by any Person as a Dwelling consistent with the City's zoning laws, together with the lot or other real property on which the living unit is located. This does not include the sidewalk, public street, or public rights-of-way.

RESPONSIBLE PERSON OR ENTITY: In relation to Residential Solicitation, that person or entity responsible to provide the following to an applicant, registered solicitor, and the competent individual in a residence to whom a sale of goods or services is made or attempted to be made by means of a residential solicitation:

1. Maintaining a state sales tax number, a special events sales tax number, computing the sales taxes owed, paying the sales taxes, and filing any required returns or reports;
2. Facilitating and responding to requests from consumers who desire to cancel the sale pursuant to applicable contractual rights or law; and
3. Refunding any monies paid or reversing credit card charges to those persons who timely rescind any sale pursuant to applicable contractual rights or law.

SALE OF GOODS OR SERVICES: The conduct and agreement of a solicitor and the competent individual in a residence regarding a particular good(s) or services(s) that entitles the consumer to rescind the same within three days under any applicable federal, state, or local law.

SENSITIVE AREA DESIGNATION PLAN: A schematic plan that identifies all Constrained and Sensitive Lands within the property boundaries and within 400 feet outside of the property boundaries, including, but not limited to, floodplains wetlands, steep slopes and restricted areas. The Sensitive Area Designation Plan identifies natural or cultural resources present on the property and within 400 feet outside of the property, such as Meadows, Grasslands, Tree Stands, Streams, Stream Corridors, Flood Walls, Berms, Watercourses, Farmland, Wildlife Corridors and/or Wildlife Habitats; historic buildings and/or sites; archaeological sites; cultural features and green space.

SERVICES: Those intangible goods or personal benefits offered, provided, or sold to a competent individual.

RURAL ROAD: A street (not completed to Perry City's minimum standards), existing, designated and approved by the Planning Commission and City Council, which is supplementary to a collector street and of limited continuity, which serves or is intended to serve the local needs of a neighborhood and gives access to abutting property. A Rural Road has less construction requirements for a temporary period as determined by City Council. Abutting property owners must sign agreements pertaining to the installation of improvements to the road at a later date.

SIDEWALK. That portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

SIGN, PERMANENT: A sign constructed or erected for advertising, informational or directional purposes and intended to be used on an on-going basis.

SIGN, TEMPORARY: A sign used for advertising, informational, directional or political purposes and intended to be used for a short, defined time period. Temporary signs are intended to advertise seasonal products or special events. Temporary signs shall be removed as soon as the event is ended or products advertised are sold.

SILVICULTURE: The growing and cultivation of trees.

SITE PLAN REVIEW: The process whereby local officials, Planning Commission and/or staff review the site plans of a developer to assure that the plans meet all ordinance requirements, the purposes and standards of the zone, provide for public facilities and protect adjacent property.

SOLICITING, SOLICIT, OR SOLICITATION: Any of the following:

1. Seeking to obtain sales or orders for the exchange of goods, wares, merchandise, services, or perishables of any kind, for any kind of remuneration or consideration, regardless of whether advance payment is sought.
2. Seeking to obtain prospective customers to apply for or to purchase insurance, subscriptions to publications, or publications;
3. Seeking to obtain contributions of money or any other thing of value for the benefit of any person or entity;

4. Seeking to obtain order or prospective customers for goods or services;
5. Seeking to engage an individual in conversation at a residence for the purpose of promoting or facilitating the receipt of information regarding religious belief, political position, charitable conduct, or home solicitation sale: or
6. Other activities falling within the commonly accepted definition of soliciting, such as hawking or peddling.

SOLICITOR(S): A persons(s) engaged in door-to-door solicitation.

SPECIAL ASSESSMENT AREA: An area designated by the City for the purpose of funding the costs of improvements, operation and maintenance, or economic promotion activities that benefit property within the area.

SPECIAL USE APPLICATION: An application for any of the following:

1. A Conditional Use Permit; or
2. A non-conforming use or non-complying structure; or
3. A limited non-conforming use or limited non-complying structure; or
4. A special exception; or
5. A zoning location/boundary policy decision; or
6. Any other special application.

SPOT ZONING: There is no statutory reference to spot zoning in the Utah Code Annotated. The definition and legal status of spot zoning are founded entirely upon Utah case law. The cases relative to “Spot Zoning” are generally cases where a particular small tract of land within a large district specially zoned so as to impose upon it restrictions not imposed upon the surrounding land. The creation of a small (single parcel) zoning district for a use that is generally incompatible with surrounding zoning is a logical suspect for a claim of “Spot Zoning.”

STATE: The State of Utah

STORY: The space within a building included between the surface of any floor and the surface of the ceiling next above.

STORY, HALF: A story with a least two of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the floor immediately below it.

STREAM: A typically small, narrow body of water with a current, confined within a bed and stream banks.

STREAM CORRIDOR: An ecosystem comprising a Watercourse (usually a Stream), flood plains and transitional fringe.

STREET: A thoroughfare which has been dedicated or abandoned to the public and/or accepted by proper public authority which has been made public by right of use and has been accepted by the City or State as a street.

STRUCTURE: Anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground; includes "building".

SUBDIVIDER: The word "subdivider" means an individual, corporation, or registered partnership owning or controlling any tract, lot, or parcel of land to be subdivided; or a group of two or more persons owning any tract, lot or parcel of land to be subdivided who have given their power of attorney to one of their group or to another individual to act on their behalf in planning, negotiating for, in representing or executing the purpose of the subdivision.

SUBDIVISION: Any land that is divided, resubdivided or proposed to be divided into two or more Lots, Parcels, sites, units, Lots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

SUBDIVISION, CLUSTER: A subdivision of land in which the lots have areas less than the minimum lot area of the district in which the subdivision is located, but which complies with the Cluster Subdivision provisions of the Zoning Ordinance and in which a significant part of the land is privately reserved or dedicated as permanent common open space to provide low-density character for the residential lots in the subdivision.

SUBDIVISION LAND USE AUTHORITY: The group, board, or council designated and given authority to approve and otherwise act on subdivisions and all matters related thereto, in behalf of Perry City.

SUBSTANTIATED REPORT: An oral, written, or electronic report:

1. Submitted to and documented by the City by a:
 - a. A competent individual who is willing to provide law enforcement or other City employees with publicly available identification of their name, address, and any other reliable means of contact;
 - b. City Law enforcement or licensing officer; or
 - c. Any other regularly established law enforcement agency at any level of government.
2. That provides any of the following information regarding a registered solicitor:
 - a. Documented verification of a previously undisclosed disqualifying status of a registered solicitor;
 - b. Probable cause that the registered solicitor has committed an act that could result in disqualifying status which has not yet been determined to be a disqualifying status.
 - c. Documented, eye-witness accounts that the registered solicitor has engaged in repeated patterns of behavior that demonstrates failure by the registered solicitor to adhere to the requirements of this chapter; or
 - d. Probable cause that continued licensing of the registered solicitor creates exigent circumstances that threaten the health, safety, or welfare of any individuals or entities within the City.

SURFACE MINING OPERATIONS: All or any part of the process involved in the mining of aggregate by open-pit mining of aggregate exposed naturally or by removing over burden, or surface work incident to the foregoing. Surface mining operations shall include, but are not limited to:

1. In-place distillation, retorting or leaching;
2. The production and disposal of mining waste;
3. Exploration activities; and
4. Rock crushing plants, aggregate washing, screening and drying facilities and equipment, and concrete batching plants.

TEMPORARY LICENSE: Temporary License means any Business License issued to a Person for a period of forty-five (45) calendar days or less.

TEMPORARY STRUCTURE: Structures associated with an approved Temporary Use including, but not limited to contractor's offices, real estate offices, equipment sheds, temporary buildings, storage yards, structures used by seasonal vendors, and structures incidental to a permitted construction project or other permitted Temporary Use.

TEMPORARY USE: A use allowed for a limited time with the intent to discontinue the use upon expiration of the period. Uses include, but are not limited to, food trucks, food carts, carnivals, circuses, Christmas tree sales, fireworks sales, corn mazes, haunted houses, outdoor concerts, seasonal vendors, and other similar uses or activities.

TENANT/OCCUPANT: Any person who occupies the whole or a part of a building or land, whether along or with others.

TOWNHOUSE: Condominium Development. A single family dwelling of one, two or three stories connected to another house by a common wall placed in a high density or commercial zone. Condominium standards apply with reduce density.

TRAIL: A marked, paved or beaten path or course, often, but not limited to, one that has been planned for a particular purpose.

TRANSITION ZONE: Buffer lots for reduction of zones between developments. See note under sketch or concept plan.

TREE STAND: A group of multiple trees of mature age.

UTILITIES: Public services including but not limited to culinary water lines, pressure and gravity irrigation lines, sanitary and storm sewer lines, natural gas lines, electric power, cable T.V., and telephone transmission lines, together with all poles, wires, underground conduit and junction boxes, guy wires and bracing, etc.

VARIANCE: A device which grants a property owner relief from certain provisions of the zoning ordinance, because of particular physical surroundings, shapes, or topographical conditions of the property. .

VICINITY PLAN: A map or drawing, to scale, showing the physical relationships of a proposed development to existing or proposed streets, buildings, and utilities; other relevant information such as special terrain or surface drainage; and existing zoning classifications of all land within three hundred (300) feet of the property proposed for development.

VILLAGE GREEN: A common open area within a neighborhood, town or city, typically a Grassland and a small body of water at the center of an agricultural or other rural settlement, but in all composition not including Weeds.

WATERCOURSE OR WATERWAY: A natural channel conveying water.

WEED: A plant considered undesirable, unattractive, troublesome or injurious, especially one that grows where it is not wanted and often grows or spreads fast and/or takes the place of desired plants, and including, but not limited to, noxious weeds and all other similar terms defined in State Law.

WIDTH OF LOT: The distance between the side lot lines at the distance back from the front lot line required for the depth of the front yard.

WILDLIFE CORRIDOR: An area of habitat connecting wildlife populations separated by human activities or structures (such as roads, development or logging).

WILDLIFE HABITAT: The natural environment in which wildlife lives.

WOODED AREA: An area of land that is dominated by Tree Stands and other woody plants.

WRITTEN: Printed, typewritten, mimeographed, multigraphed, typed, handwritten, or otherwise reproduced in permanent visible form.

YARD: A space on a lot other than a court, unoccupied and unobstructed from the ground upward by buildings except as otherwise provided herein.

YARD, FRONT: A space on the same lot with a building, between the front line of the building the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line for the building.

YARD, REAR: A space on the same lot with a building between the rear line of the building and the rear lot line that extends the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building. The rear yard shall be located opposite of the front yard.

YARD, SIDE: A space on the same lot with a building that is between the side line of the building and side lot line and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and side of building. On corner lots, the property owner may choose either frontage as the side yard.

YARD, STREET SIDE: A space on the same lot with a building and is between the side of the building and the street.

YEAR: This term refers to a calendar year.

ZONE: A district as described on the zoning map or in the zoning ordinance.

ZONING ADMINISTRATOR: The local official designated by the local governing body to enforce the regulations of the Zoning Ordinance. The Zoning Administrator may also be the Building Inspector or a City Council Member.

ZONING MAP: The officially adopted map of Perry City specifying the districts and/or areas zoned and the zoning designation of each is the zoning map.

ZONING ORDINANCE: The Zoning Ordinance of Perry City defining zoned areas and permitted land uses within zones and other related information and requirements regarding land use within the City also known as the “Perry City Land Use Ordinance”.

PASSED AND ADOPTED BY THE PERRY CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Nathan Tueller	_____	_____	_____	_____
Councilmember Blake Ostler	_____	_____	_____	_____
Councilmember Toby Wright	_____	_____	_____	_____
Councilmember Esther Montgomery	_____	_____	_____	_____
Councilmember Andrew Watkins	_____	_____	_____	_____

Presiding Officer

Attest

Kevin Jeppsen, Mayor, Perry City

Susan O Bray, City Recorder Perry
City

PERRY CITY
ORDINANCE 20-Q URBAN LIVESTOCK

WHEREAS, Perry City has received a unanimous recommendation from the Planning Commission and desires to allow more animal rights to properties with residential zoning;

NOW THEREFORE, be it ordained by the Council of Perry City, in the State of Utah, as follows:

SECTION 1: **REPEAL** “9.12.010 Conditions For Keeping Residential Chickens” of the Perry Municipal Code is hereby *repealed* as follows:

REPEAL

~~9.12.010 Conditions For Keeping Residential Chickens (Repealed)~~

~~Chickens may be kept on single-family residential lots with the following restrictions:~~

- ~~1. A permit for keeping chickens in a residential zone must be obtained prior to keeping chickens and, thereafter, renewed annually through the City. Each permit holder must read and sign the supplemental educational materials supplied by the City as part of the annual permit process. The annual permit fee shall be from time to time set by resolution by the Perry City Council.~~
- ~~2. A maximum of twelve (12) chickens are permitted on any residential lot.~~
- ~~3. Chickens must be kept in a manner that will not disturb the use and enjoyment of neighboring lots due to noise, odor, or other adverse impacts. Noise restrictions for chickens shall be enforced in accordance PMC 8.03.~~
- ~~4. Chickens must be cared for in a humane manner with adequate feed, water, and shelter at all times. Coops must be kept clean and well-maintained.~~
- ~~5. Chickens must be kept securely in a coop overnight. The coop must be enclosed, well-constructed, weather resistant, well-ventilated, predator resistant, and provide a minimum of two (2) square feet of area per chicken. If the chickens are kept in the coop at all times then the coop must have at least six (6) square feet per chicken. Portable coops (chicken tractors) are allowed, but must meet the requirements of stationary coops outlined above.~~
- ~~6. Coops shall:
 - ~~a. be located in the back yard of the property;~~
 - ~~b. not be located closer than fifteen (15) feet of any neighboring residential dwellings;~~
 - ~~c. be treated as an accessory buildings pursuant to PMC 5.07.110; and~~
 - ~~d. be subject to easement restrictions.~~~~
- ~~7. If chickens are allowed to roam, in addition to coops, an adjoining fenced outdoor area sufficient to contain chickens on the owner's property shall be provided allowing a~~

minimum of three (3) square feet per chicken. A securely fenced rear yard is acceptable for the run. Chickens must be kept in a manner that they are not allowed to roam to neighboring properties or public right-of-ways.

8. Storage of excess feed shall be kept in a manner so it is not available to other pets, wild birds, rodents or potential predators. Feed must be kept in a rodent and predator proof container.
9. Slaughter of chickens is permitted, but must be done cleanly and discreetly in an enclosed area, outside of the public's view, unless adjoining neighbors give written consent otherwise.
10. Litter and droppings must be disposed of, composted, or used as fertilizer in an environmentally responsible manner. Dead chickens, remains, and discarded or rotting eggs shall be removed as soon as possible, but no longer than twenty-four (24) hours, and shall be disposed of properly. Byproducts must not produce odors or unclean conditions.

SECTION 2: **REPEAL** “9.12.020 Violations And Enforcement” of the Perry Municipal Code is hereby *repealed* as follows:

REPEAL

~~9.12.020 Violations And Enforcement~~ (*Repealed*)

~~Any violation of the provisions of this Section, either by failing to do those acts required herein or by doing any act prohibited herein, shall be considered a Class B Misdemeanor unless otherwise specifically stated in this Section; and/or shall be a civil violation punishable by fine in the amount of up to \$50.00 per day the violation continues after being notified of the violation as follows:~~

- ~~1. Upon report or complaint of violation, the City shall cause a letter or an enforcement officer be sent to notify the permit holder and the permit holder must come into compliance immediately.~~
- ~~2. If the violation continues the City and the City's enforcement officers and personnel may revoke the permit and enter the premises to remove and dispose of the chickens.~~
- ~~3. All costs incurred by the City to bring the violation into compliance, including the notice of violation, revocation of the permit, and the removal and disposal of the chickens, shall be payable by the permit holder and/or land owner.~~

SECTION 3: **AMENDMENT** “9.12 Residential Chickens” of the Perry Municipal Code is hereby *amended* as follows:

AMENDMENT

9.12 ~~Residential Chickens~~ Urban Livestock

SECTION 4: AMENDMENT “15.05.070.1 Agricultural Uses” of the Perry Municipal Code is hereby *amended* as follows:

AMENDMENT

15.05.070.1 Agricultural Uses

Agricultural Uses	A	A L	R 1 A	RE 1/2	R 1/ 2	R 1/ 3	R 1	R 2	E S	C	C 1	I C	N C 2	N C 3	M U - C	M U - O	M U - R	M /I L	M /I
Accessory Uses and Buildings	P	P	P*	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Agricultural Experiment Station	P*	P*	~	~	~	~	~	~	~	P*	~	~	~	~	~	~	~	P*	P*
Animal Hospital	P*	~	~	~	~	~	~	~	~	P*	~	~	C	C	~	~	~	~	P*
Animal Kennel/ Cattery Breeding Establishments	P*	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Animal Training Schools	P*	P*	~	~	~	~	~	~	~	~	~	~	~	P*	~	~	~	~	~
Apiaries	P	P	~	~	~	~	~	~	P*	~	~	~	~	~	~	~	~	~	~
Aviaries	P	P	P*	P*	~	~	~	~	P*	~	~	~	~	~	~	~	~	~	~
Cannabis Production Establishment	P	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P
Dairy or Creamery	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Domesticated Animals, Family Food-Production/Pleasure (See Note 1)*	P	P	P	P	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Egg Candling and																			

Sales	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Fertilizer and Soil Condition Manufacturing and Sales	P*		~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Field Crops, Row Crops, Orchards, Hay Chopping	P	P	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P	P*
Grazing	P	P	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P*	P*
Fruit and Vegetable- Wholesale	P	P	~	~	~	~	~	~	~	P*	~	~	P	P	~	~	~	~	~
Fruit and Vegetable Stands- Retail	P	P	~	~	~	~	~	~	~	P*	P*	P*	P	P	P*	~	~	~	~
Fruit and Vegetable long-term Storage	P*	P*	~	~	~	~	~	~	~	~	~	~	C	C	~	~	~	P*	P*
Greenhouses & Nurseries- Commercial	P*	P*	P*	~	~	~	~	~	~	P*	P*	P*	P*	P*	~	~	~	~	P*
Livestock Feed or Sales Yard	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Milk Processing Plant	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Soil Composting, Manufacturing, & Sales	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Stock Yard	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P*	~
<u>Urban Livestock (9.12.010)</u>	~	~	~	~	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	~	<u>P</u>	<u>P</u>	~	~	~	~	~

*Notes-see PMC 15.07.100.4
Permitted in Zone

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

~

Use not Permitted

SECTION 5: **ADOPTION** “9.12.010 Regulations” of the Perry Municipal Code is hereby *added* as follows:

ADOPTION

9.12.010 Regulations(*Added*)

Urban livestock may be kept on single-family residential lots

1. Allowance: Where permitted, the type and quantity of domestic farm animals allowed on a property shall be determined by the allotted animal points specified based on the acreage of the property, as shown in tables (a) and (b) of this section. The applicant shall not exceed the number of animal points allowed per lot size. One (1) hive of bees with no more than one (1) swarm per hive is allowed. Other similar animals may be allowed within these limits as approved by the Community Development Director.

<u>a.</u>	Type of Animal	Number of Animal Points
	Chickens, rabbits, pheasants, ducks, pigeons	3 points each
	Turkeys, geese	10 points each
	Goats	50 points each
	Roosters, donkeys, pigs, cows, horses, ostriches, sheep, llamas	Not Allowed
	Nuisance animals (i.e. raccoons, skunks, etc.)	Not Allowed
	Any non-domesticated animal, including exotic pets	Not Allowed

<u>b.</u>	Lot Size (in Square Feet)	Number of Animal Points Allowed
	8,000 to 14,520	18 points
	14,521 to 21,780	45 points
	In excess of 21,780	45 points, plus 1 point for every 500 square feet of lot size beyond 21,780, up to a maximum of 90 points

2. Additional requirements

- a. Goats must be miniature, dwarf, or pygmy. Goats must also be dehorned and male goats must be neutered.
- b. All beehives must be set back a minimum of ten (10) feet from any property line

- and twenty five (25) feet from a primary dwelling on an adjacent property.
- c. Should a beehive become populated with Africanized honeybees, it must either be immediately destroyed or "re-queened" using industry accepted procedures resulting in a swarm that is not Africanized.
 - d. Except for bees, all urban livestock shall be kept in a fashion so as to be contained and to prevent them from exiting the property at any time.
 - e. Urban livestock must be cared for in a humane manner with adequate feed, water, and shelter at all times. Coops and pens must be kept clean and well-maintained.
 - f. Coops shall:
 - i. be located in the backyard of the of the property;
 - ii. not be located closer than twenty five (25) feet from any property line;
 - iii. be treated as an accessory building pursuant to PMC 5.07.110;
 - iv. be subject to easement restrictions.
 - g. Urban livestock must be kept in a manner that will not disturb the use and enjoyment of neighboring properties due to noise, odor, or other adverse impacts.
 - h. Storage of excess feed shall be kept in a manner so it is not available to other pets, wild birds, rodents, or potential predators. Feed must be kept in a rodent and predator proof container.
 - i. Litter and droppings must be disposed of, composted, or used as fertilizer in an environmentally responsible manner. Dead animals, remains, and discarded or rotting eggs shall be removed as soon as possible, but no longer than twenty-four (24) hours, and shall be disposed of properly. Byproducts must not produce odors or unclean conditions.
 - j. Slaughtering of urban livestock is strictly prohibited.
3. Additional requirements for chickens and/or fowl.
- a. Chickens and/or fowl must be kept securely in a coop overnight. The coop must be enclosed, well-constructed, weather resistant, well-ventilated, predator resistant, and provide a minimum of two (2) square feet of area per chicken and/or fowl. If the chickens and/or fowl are kept in the coop at all times, then the coop must have at least six (6) square feet per chicken and/or fowl. Portable coops (chicken tractors) are allowed, but must meet the requirements of stationary coops outlined above.
 - b. If chickens and/or fowl are allowed to roam, in addition to coops, an adjoining fenced outdoor area, sufficient to contain chickens on the owner's property, shall be provided allowing a minimum of three (3) square feet per chicken and/or fowl. A securely fenced rear yard is acceptable for the run. Chickens and/or fowl must be kept in a manner that they are not allowed to roam to neighboring properties or public right-of-ways.

SECTION 6: **ADOPTION** “9.12.020 Violation And Enforcement” of the Perry Municipal Code is hereby *added* as follows:

ADOPTION

9.12.020 Violation And Enforcement(*Added*)

Any violation of the provisions of this Section, either by failing to do those acts required herein or by doing any act prohibited herein, shall be considered a Class B Misdemeanor unless otherwise specifically stated in this Section; and/or shall be a civil violation punishable by fine in the amount of up to \$50.00 per day the violation continues after being notified of the violation as follows:

1. Upon report or complaint of violation, the City shall cause a letter or an enforcement officer be sent to notify the owner and the owner must come into compliance immediately.
2. If the violation continues the City and the City's enforcement officers and personnel may enter the premises to remove and dispose of the urban livestock.
3. All costs by the City to bring the violation into compliance, including the notice of violation and the removal and disposal of the urban livestock, shall be payable by the land owner.

PASSED AND ADOPTED BY THE PERRY CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Nathan Tueller	_____	_____	_____	_____
Councilmember Blake Ostler	_____	_____	_____	_____
Councilmember Toby Wright	_____	_____	_____	_____
Councilmember Esther Montgomery	_____	_____	_____	_____
Councilmember Andrew Watkins	_____	_____	_____	_____

Presiding Officer

Attest

Kevin Jepps, Mayor, Perry City

Susan O Bray, City Recorder Perry
City

PERRY CITY WORK SESSION
PERRY CITY OFFICES
JULY 23, 2020

6:00 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Esther Montgomery, Blake Ostler, Nathan Tueller, Toby Wright, and Andrew Watkins

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder; Robert Barnhill, City Planner; Scott Hancey, Chief of Police; Bill Morris, City Attorney; Tyler Wagstaff, Public Works Director

OTHERS PRESENT: Chris Crockett

ITEM 1: Welcome to Order and Welcome

Mayor Jeppsen welcomed everyone and called the meeting to order.

ITEM 2: FY 2021 BUDGET PLANNING

Shanna Johnson made a presentation to the Council and public that included comments from the Council, items that have been discussed through the year, and the consolidated capital improvements list demonstrating the need to keep the tax rate the same as the previous year and gain the revenues from doing that. The presentation showed the need analysis including:

- Tax rate has not been raised since 2008.
- Expenses in General Fund have increased 128% in the last decade.
- The City has many needs that funding is not available to meet.
- Transportation study that was done showed an additional \$97,620=5.26-year service life.
- Over the next four years over \$2 million in needed projects.
- Class C funds for streets would cover 66% of needs including money that has been set aside for streets from capital project funds.
- New revenue coming in next year would cover 17% and would leave a remainder of \$361,602 needed.
- If the City maintains the tax rate from last year it would generate \$73,756 per year and would generate \$295,016 over the next four years.
- The remaining amount may be covered by growth but looks at only short term and mid- term needs, not addressing long term needs of a City Hall that would fit in police and first responders or getting a Cemetery.

Shanna presented the updated capital improvements list highlighting what could be done with the \$73,756 the first year as well as through 2025.

Shanna reviewed in detail the needs coverage analysis

- Street projects would look a little different because to have a 5-year service life on roads, there would need to be an additional \$97,620 applied to streets each year. The needs coverage review

over 4 years shows a total of new class C funds will cover \$1,385,000 needed to maintain roads. Saved class C funds will cover \$382,000 and over 4-year period will cover \$961,000 leaving a needed amount of \$42,500.

-Park Equipment for Dale Young and Mountain View park, trees for soccer park and trail head would be \$204,000 with \$30,000 saved shows remaining need of \$174,000.

-Building improvements needed are estimated to be at \$250,000 including a police remodel, paint, flooring and exterior to get the building in a condition to maintain until the City can have enough money for a new City Hall.

-Police listed additional operational needs at \$102,950.

-Public Works equipment and yard improvements require \$117,400 in additional funding.

-First Responders operations were cut down earlier this year and to put them back at original level it would cost \$34,752.

Shanna added up the total need at \$721,000. She estimated that the City would be able to shift an additional \$360,000 to these expenses starting next year after the SID payment is retired. If the proposed tax rate if passed, that would generate \$295,000 leaving the remaining need at \$66,586 that would need to be analyzed to see if growth would cover the balance.

Shanna proposed what could be done the first year and discussed the percentages and amounts that would be portrayed to the public. She stated that following the 4-year plan she has presented, should take care of the short term and mid-term needs. She stated that the average home's property tax would increase \$37.19 per year which averages to \$3.10 per month. This would provide valuable improvements to benefit citizens increasing street service life, improving sidewalks, signs, parks, and trails, making a more efficient public safety team, more prepared EMS, improved equipment and facilities.

The Council reviewed and discussed the presentation. Council Member Tueller brought up concerns regarding why the Class C funds have not been spent on roads and expressed his opinion that those funds need to be spent yearly instead of saved.

Shanna discussed her meeting with Division of Water Quality discussing the terms of the wastewater bond refinance. She informed the Council that one of the items that needs to be addressed is setting a sewer rate that will allow the debt coverage ratio of 1.25%. After analyzing what that number would need to be with the new budget, it was determined that a rate of \$49.50 would be needed. She noted that had the City not refinanced the sewer bond and got the lower interest rate and extended years, the rate would have needed to go up to \$67.00 to cover the payment. By doing the refinance it is saving the residents from paying a much higher rate than the current \$44.28 they pay now. She also stated that the utility users need to be notified of the changes and presented the information that would be sent out to the residents in the newsletter to the Council. The Mayor stated that he realizes the timing is not the best as the Truth in Taxation is also happening at the same time, but that it is in the best interest of the community in the bigger

93 picture. Shanna discussed the need to look at the rates yearly and to evaluate growth more
94 frequently. The Mayor asked if the Council agreed with the anticipated \$49.50 rate and the Council
95 agreed.

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98 Mayor Jeppsen closed the work session.

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100 The meeting adjourned at 7:00 PM.

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106 _____
107 Susan O Bray, City Recorder

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107 Kevin Jeppsen, Mayor

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114 Shanna Johnson, Chief Deputy Recorder

1 PERRY CITY COUNCIL
2 MEETING PERRY CITY OFFICES
3 July 23, 2020

7:02 PM

6 OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Toby
7 Wright, Andrew Watkins, Nathan Tueller, Esther Montgomery, and
8 Blake Ostler

10 CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder
11 Robert Barnhill, City Planner
12 Scott Hancey, Chief of Police
13 Bill Morris, City Attorney
14 Tyler Wagstaff, Public Works Director

17 OTHERS PRESENT: Chris Crockett

19 **ITEM 1: CALL TO ORDER**

21 Mayor Jeppsen called the City Council meeting to order.

23 **ITEM 2: PROCEDURAL ISSUES**

24 **A. CONFLICT OF INTEREST DECLARATION**

25 None.

27 **B. PASS OUT WARRANTS TO COUNCIL MEMBERS (AND POSSIBLE DISCUSSION)**

28 Shanna Johnson passed out the warrants.

30 **ITEM 3: PUBLIC HEARING AND/ OR PUBLIC COMMENT**

32 **A. PUBLIC COMMENTS**

33 None.

35 **ITEM 4: ACTION ITEMS**

37 **A. APPROVAL OF THE WARRANTS**

38 The Council and Staff clarified and discussed the warrants.

40 **MOTION:** Council Member Montgomery made a motion to approve the warrants. Council
41 Member Watkins seconded the motion.

43 **ROLL CALL:** Council Member Watkins, Yes Council Member Ostler, Yes
44 Council Member Wright, Yes Council Member Tueller, Yes
45 Council Member Montgomery, Yes

47 **Motion Approved.** 5 Yes, 0 No.

49 **B. Ordinance 20-L Amending Title 15 regarding Accessory Dwelling Units (ADU)**

Bob Barnhill presented the Ordinance highlights to the Council and explained an accessory dwelling unit as being when there is a dwelling added to a property that already has a single-family dwelling on it.

- The primary dwelling and the accessory dwelling are tied together on the property; they cannot be sold separately from each other.

- The property owner must maintain the primary dwelling as their primary residence.

- This is a strategy implemented from the General Plan regarding SB34 which was passed regarding affordable housing. Accommodating ADU's takes steps toward following that plan.

- When the property is sold with an ADU on it there will be an affidavit recorded on the property with a new affidavit of compliance for the new owner.

- The Planning Commission proposed that when a new ADU is approved, 40% of the regular impact fees would be paid.

- The Planning Commission also suggested ADU's be allowed in all residential zones with a suggested amendment to also allow any non-conforming single-family property in another zone. This would allow homes in commercial zones that were pre-existing in that area before the zone changes to be included.

Council Member Montgomery asked for clarification on the impact fees. Bob explained that the fees would cover the additional cost of having extra people that would be living in the ADU affecting increase in utility usage.

Bob stated that if this were approved, that a fee schedule and application fee would need to be set. Building permit fees would be separate.

Council Member Tueller inquired about the setbacks for an ADU. Bob stated that it would be an accessory structure and use the outlines for that. He also asked about the sewer hookups and if they would be tied into the existing sewer. Bob stated that it would tie into the existing sewer and water meter.

Council Member Ostler questioned the reasons for regulating ADU's from a City standpoint. The Council discussed the benefits/reasons of regulating ADU's. They also discussed that the cost of the impact fees at 40% may discourage compliance from residents wanting to rent out ADU's. Council Member Tueller suggested making it more affordable by lowering impact fees for residents wanting to do this and make sure that parking and other things are enforced. Council Member Montgomery suggested the impact fee being at 20% for when someone establishes an ADU instead of the 40%. Chris Crockett, legal counsel at the meeting, wanted to make a note that the 20% impact fee would be appropriate but wanted to make it known for the record that any additional household does have an impact on services.

The Council discussed changing the wording on the total area of a garden cottage (detached structure) to be no more than 40% of existing structure.

Bob reviewed the items to consider if a motion is made to approve the Ordinance including:

- Change wording to allow any existing family property regarding the zone it is in instead of only residential

- Total square foot at 40% applies to a detached garden cottage

- Percentage of Impact Fees

MOTION: Council Member Tueller made a motion to approve Ordinance 20-L Amending Title 15 regarding Accessory Dwelling Units with 3 notes stated allowing existing single family homes not just residential zone, 40% of the square footage applies to detached/garden cottage, and impact fees would start at 20% and evaluate from there. Council Member Andrew Watkins seconded the motion. Council Member Ostler wanted to know if passing this motion makes existing ADU's legal or if they would have to go through the process. It was clarified that they would have to go through the process.

ROLL CALL: Council Member Watkins, Yes Council Member Ostler, Yes
Council Member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes

Motion Approved. 5 Yes, 0 No.

C. Ordinance 20-M Amending the Perry City Fee Schedule

Bob Barnhill addressed the fee schedule highlighting a few areas. He stated that the amount charged for reserving the soccer fields for games was not included in the fee schedule. The amount being charged was \$15 per game so for the season it produced about \$100-200 dollars. After discussion with Tyler Wagstaff, Public Works Director, it was discovered that it cost \$200 for the initial painting of the field. Once the paint is down it costs about \$100 to refresh the paint. Bob stated the proposed amount to reserve the field for games would be \$100 per day of games so that it would be closer to the amount it would cost to cover field use.

Bob also proposed charging an additional fee for subdivision and site plans. This would include two reviews initially and if they need additional reviews there would be an extra charge. He discussed the details of possibly tracking the hours that Jones and Associates uses to charge an hourly rate.

Bob discussed business license late fees and the possibility of updating the table to show the fees.

The last item he addressed is the fee for gravel pits. He discussed the details of the fee for gravel pits and explained how it is currently set up is confusing. He said that Bret Jones suggested that they change it to a \$300 fee to start and then charge the engineer fees after for additional hours needed.

Council Member Montgomery wondered who would pay the \$100 soccer fee for the day of games if it was charged by day instead of per game. Tyler Wagstaff stated that it is usually the same league that plays the whole day. She also asked what Brigham City charges for their fees to compare. Council Member Ostler suggested not subsidizing the soccer leagues since they are like a business and when they reserve the parks no one else can use it. He also stated that the City should never subsidize or get upside down from fees from the additional Engineer reviews as it would have to be covered by public funds making up the difference and receiving no benefit. Bob stated that as of right now in the ordinance the City is not allowed to back bill for site plan reviews.

Council Member Wright suggested tabling this item until the changes are in place from the comments made. Bob reviewed the changes that were suggested being as follows:

- Business licensing update the table rather than relying on title 5.
- Remove the section about plan review fees for subdivisions and rely on ordinance that allows back charging and take a policy approach to that instead of a fee schedule.
- Soccer will be discussed more with Tyler and Bob and come up with a fee suggestion.

Tabled.

D. Final Approval for Perry Canyon Subdivision Ph 1, 1st Amendment, Applicant: Scadden, Location 143 West 1550 South, #03-159-0130

Tabled.

E. Final Approval for Mount Pleasant Estates Phase 2 Subdivision, Applicant: Bryan Loveless, Located at approximately 2045 S 150 W, #03-156-0026

Bob Barnhill reviewed the application for 14 new building lots ranging in size from 0.3 to 1.25 acres. This subdivision was started under the old subdivision code. Planning Commission recommended it come to City Council. Brett Jones showed two minor corrections that were made. The Fire Marshall and Irrigation company have been involved and have given their approval of what is being proposed for subdivision. There are 4 flag lots proposed along the East bench next to the canal with private driveways which were reviewed by Brett Jones and the Planning Commission. The Council discussed the subdivision and the egresses.

MOTION: Council Member Montgomery made a motion to grant Final Approval for Mount Pleasant Estates Phase 2 Subdivision, Applicant: Bryan Loveless, Located at approximately 2045 S 150 W, #03-156-0026. Council Member Tueller seconded the motion.

ROLL CALL: Council Member Watkins, Yes Council Member Ostler, Yes
Council member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes

F. Discussion and or Action Regarding Resolution 2020-13 Adopting an Interlocal Agreement to Provide police Services to Mantua City

Tabled.

ITEM 5: DISCUSSION ITEMS

A. Title 2 Amendments

Bill Morris, City Attorney, stated that he would put this out to the Council and get the comments back from them and go through it that way since it is lengthy.

B. Bonding for Infrastructure Projects

Council Member Ostler suggested doing a bond for past due maintenance and ensuring that the City understands what it takes going forward to keep roads nice. He discussed the amounts/rates and length of the bond suggestion and explained it in detail. Council Member Tueller stated that the \$75,000 from the tax rate increase and Class C funds could be used to pay for bonds and get more done to catch up on maintenance. The Council discussed the annual maintenance fees. Shanna Johnson suggested studying this more to find out what the true maintenance fee is and whether the City can afford it. Council

Member Tueller discussed wanting to maximize the \$75,000 from the tax increase and the increase in the property tax to fund it with the Class C road funds as collateral. Shanna clarified that what Council Member Tueller is suggesting is using the entire tax increase exclusively for roads and that this is what would be presented to the citizens. Bob expressed his thoughts that a long-term sustainable plan could be done without debt and losing money to interest payments from his perspective. Council Member Watkins stated based on public opinions from 2 years ago streets was 4th out of 5 suggesting it is not as important possibly to the public for the money to go all towards streets. Shanna explained that the truth in taxation meeting has been set for August 13th when the presentation to the public will be. She expressed a need for a decision of how the money will be spent for this current year. She stated this could be spent differently in the future. She clarified that how it is presented to the public is how it will have to be spent this year. The budget can be amended in the future if the Council decides to use bonds in the future. The Council discussed what they wanted to have in the presentation to the citizens showing the needs of the City. They also discussed having another work session before the budget being passed on August 27th.

ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

- **June 11, 2020 City Council Work Session Minutes**
- **June 11, 2020 City Council Meeting Minutes**

MOTION: Council Member Montgomery made a motion to approve June 11, 2020 City Council Work Session Minutes and June 11, 2020 City Council Meeting Minutes. Council Member Wright seconded the motion.

ROLL CALL: Council Member Watkins, Yes Council Member Ostler, Yes
Council Member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes

Motion Approved. 5 Yes, 0 No.

- **June 25, 2020 City Council Work Session Minutes**
Tabled.
- **June 25, 2020 City council Meeting Minutes**
Tabled.

B. MAYOR REPORT

Mayor Jeppesen reported attending a couple of meetings regarding the sewer bond and expressed that it was a good idea to do the refinance because it saved the residents from having to pay a much higher rate increase. He informed the Council that Mantua City ended up hiring their own police Chief instead of entering into an agreement with Perry City to provide police services to Mantua City.

C. COUNCIL REPORTS

Council Member Wright stated there is a lot to consider with the budget and hopes that everyone can work together to do what is best for the City.

Council Member Ostler apologized for bringing up the bonding for the road's stating he felt it created more confusion than adding value to conversation. He also stated that he saw the new street signs and commented that they looked very good.

Council Member Montgomery complimented Shanna on her hard work on the budget. She also stated that she appreciated Council Member Ostler's suggestions.

D. STAFF COMMENTS

None.

Motion: Council Member Montgomery made a motion to extend the meeting. Council Member Wright seconded the motion.

Roll Call: Council Member Watkins, Yes Council Member Ostler, Yes
Council Member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes

Motion Approved. 5 Yes, 0 No.

E. PLANNING COMMISSION REPORT

Commissioner Kerr stated that the Planning Commission will be discussing urban livestock and chickens as an action item at the next meeting. She also stated they will be working on signs, food trucks, and Title 15.

ITEM 7: EXECUTIVE SESSION

- None required.

ITEM 8: ADJOURNMENT

MOTION: Council Member Montgomery made a motion to adjourn the City Council Meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 10:03 P.M.

Susan Obray, City Recorder

Kevin Jepps, Mayor

Shanna Johnson, Chief Deputy Recorder