

ENOCH CITY COUNCIL NOTICE AND AGENDA

December 2, 2020 at 6:00pm

City Council Chambers

City Offices, 900 E. Midvalley Road

- 1. CALL TO ORDER OF REGULAR COUNCIL MEETING**
 - a. Pledge of Allegiance-**
 - b. Invocation-Audience invited to participate-**
 - c. Inspirational thought-Given by Council Member Stoor**
 - d. Approval of Agenda for December 2, 2020-**
 - e. Approval of Minutes for November 18, 2020-**
 - f. Ratification of Expenditures-**
 - g. Conflict of Interest Declaration for this agenda-**
- 2. PUBLIC COMMENTS**
- 3. PUBLIC HEARING ON CAPITAL IMPROVEMENTS LISTS FOR 2021 AND 2022 THROUGH 2025-The Council will hear comments from the public on the Capital Improvement lists.**
- 4. RESOLUTION NO. 2020-12-02-A A RESOLUTION TO APPROVE THE ONE-YEAR AND TWO TO FIVE-YEAR CAPITAL IMPROVEMENT LISTS-The Council will consider approval of the Capital Improvement lists.**
- 5. PUBLIC HEARING ON THE REVISED 2020-2021 BUDGET-The Council will hear comments from the public on the revised 2020-2021 budget.**
- 6. RESOLUTION NO. 2020-12-02-B A RESOLUTION APPROVING THE REVISED 2020-2021 BUDGET AND CLOSING THE BUDGET-The Council will consider approving the revised budget and closing it.**
- 7. A RESOLUTION APPROVING THE CIVIL PLANS AND FINAL PLAT OF SETTLERS SQUARE SUBDIVISION, PHASE 2-The Council will consider the final plat of Settlers Square, Phase 2.**
- 8. ORDINANCE NO. 2020-12-02-B AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 2, SECTION 2-20, SINGLE FAMILY AND TWO FAMILY DWELLING STANDARDS-The Council will consider adopting changes to the fence height regulations in residential zones.**
- 9. ORDINANCE NO. 2020-12-02-B AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 2, SECTION 2-20, SINGLE FAMILY AND TWO FAMILY DWELLING STANDARDS-The Council will consider adopting changes to the ordinance regarding roof pitches.**
- 10. CONSIDER AMENDING CHANGES TO THE CODE OF REVISED ORDINANCES TO REMOVE UNNEEDED CODES IN ORDER TO GET IT INTO LINE WITH THE PD SMOT LIST SENT TO THE STATE-The Council will review changes recommended by the committee to remove unneeded items from Code and to get it into line with the PD SMOT list on file with the State. (19 pgs.)**

11. **APPROVE COOPERATIVE AGREEMENT FOR BUILDING INSPECTION SERVICES AND AUTHORIZE MAYOR TO SIGN AGREEMENT-**The Council will consider the agreement between Iron County and Enoch City for building inspection cooperative services and give Mayor permission to sign agreement.
12. **COUNCIL/STAFF REPORT**
13. **CLOSED SESSION TO DISCUSS ONE OR MORE OF THE FOLLOWING:** THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, COLLECTIVE BARGAINING; PENDING OR REASONABLY IMMINENT LITIGATION, THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF WATER RIGHTS OR WATER SHARES; DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS; INVESTIGATIVE PROCEEDINGS REGARDING ALLEGATIONS OF CRIMINAL MISCONDUCT. (Requires a roll call vote with 2/3 majority)
14. **ACTION FROM CLOSED MEETING-**
15. **ADJOURN**

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call the City Offices at 586-1119, giving at least 48 hours advance notice. Meetings of the Enoch City Council may be conducted by electronic means pursuant to Utah Code Annotated, Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to the Enoch City Code of Revised Ordinances, Chapter 3-500, regarding meeting procedures including electronic meetings.

CERTIFICATE OF DELIVERY

I certify that a copy of the forgoing "Notice and Agenda" was delivered to each member of the City Council, emailed to "Cedar City Daily News", posted on the Enoch City website, on the City Office door and published on the Utah Public Meeting Notice website on 11-27-20.

 11-27-20
Julie Watson, Recorder Date

**MINUTES
ENOCH CITY COUNCIL
November 18, 2020 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road**

Members present:

Mayor Geoffrey Chesnut
Council Member David Harris
Council Member Jolene Lee
Council Member West Harris
Council Member Katherine Ross
Council Member Shawn Stoor-Zoom

Staff present:

Julie Watson, Recorder-Zoom
Ashley Horton, Treas.-Zoom
Justin Wayment, City Atty.
Hayden White, PW Dir.-Zoom
Robert Dotson, City Mgr.-Zoom
Jackson Ames, PD Chief-Zoom

Public present: Lisa Beck and Sam Grimshaw on Zoom, Daryl Brown, Watson Engineering on Zoom and Leonard Correa

1. **CALL TO ORDER OF REGULAR COUNCIL MEETING**-By Mayor Chesnut at 6:00 pm.
 - a. **Pledge of Allegiance**-Led by Council Member Ross
 - b. **Invocation**-Audience invited to participate-Given by Council Member Lee
 - c. **Inspirational thought**-not given
 - d. **Approval of Agenda for November 18, 2020**-Council Member David Harris made a motion to approve the agenda. Motion was seconded by Council Member Ross and all voted in favor.
 - e. **Approval of Minutes for November 4, 2020**-Council Member David Harris made a motion to approve the minutes. Motion was seconded by Council Member Lee and all voted in favor.
 - f. **Ratification of Expenditures**-none
 - g. **Conflict of Interest Declaration for this agenda**-none stated
2. **PUBLIC COMMENTS**-none
3. **RESOLUTION NO. 2020-11-18 A RESOLUTION GRANTING APPROVAL OF THE MINOR SUBDIVISION FOR TAPIA CONSTRUCTION, LLC**-The Council will consider the application for a minor subdivision for Tapia Const., LLC
City Manager Dotson said in attendance on Zoom is Daryl Brown of Watson Engineering representing the owner. Mr. Brown said this property is north of StorRight Storage Units on Hwy. 91. Council Member Ross said Parcel 2 is on a private road and is not an issue as far as roads and access go. City Manager Dotson said the new owners said this will be an expansion of StorRight Storage and they can access the property through their existing property. Council Member Ross said the Planning Commission sent this to the City Council with a favorable recommendation.
Council Member David Harris made a motion to approve Resolution No. 2020-11-18, a resolution granting approval of the Minor Subdivision for Tapia Construction, LLC. The motion was seconded by Council Member West Harris and a roll call was held as follows:

**Council Member David Harris-Yes
Council Member Ross-Yes
Council Member Lee-Yes**

**Council Member Stoor-Yes
Council Member West Harris-Yes
Motion passed unananimou**

4. OPEN 2020-2021 BUDGET, DISCUSS ADJUSTMENTS AND SET A PUBLIC HEARING FOR DECEMBER 2, 2020-The Council will consider adjustments to the current budget and set a public hearing.

Mayor Chesnut said will consider adjustments and he asked for a motion to open the budget.

Council Member David Harris made a motion to open the 2020-2021 budget. The motion was seconded by Council Member Ross and all voted in favor.

Ashley Horton, Treasurer, told about the proposed adjustments including using impact fees we have saved for the study on parks, streets and public safety. Those will need to be moved to the proper line items to do that. There are a few adjustments in streets and roads which are line item adjustments we have talked about previously. They are in the red so funds will be moved to balance them. There are a few small adjustments to cover overages in some line items and shortages in others. One is in dues and memberships for the Building Department and one is for the Everbridge system which is in the red due to cost increases for that service. If we adjust for \$50,000 in miscellaneous it will more than cover these adjustments. City Manager Dotson explained the \$50,000 adjustment was from an annexation agreement in 2004 where basically, a large land owner to the north of Enoch wanted to annex in. Because he was the major land owner he forced a county subdivision into the City. There were only a few residents and they fought it but they lost because the majority landowner has priority to annex even forcing others in. The landowner that wanted to annex agreed to put in water and sewer into that subdivision. The City did the work and he agreed to pay for it when he sold the land which he recently did. Due to that sale, the fee of \$50,000 reimbursement was paid to the City as agreed. The title company made sure we got what we had coming before the closing on the sale. The water is in for the Chamberlain Subdivision but sewer is not active due to no outfall line being available for that area. Council Member Lee asked about impact fees from parks and Ashley said there are less impact fees now but it is not zero. Ashley said there are some funds for other things planned in the parks. City Manager Dotson clarified we hired Sunrise Engineering to do the impact fees study but it has not started yet because we have the money for it but need to move it into the budget for that project to begin. The impact fees we collect now are based on a study that is 15 years old. This study will update the impact fees we actually need to be collecting to cover growth.

Mayor Chesnut asked about raises for employees. We did not give a COLA in January due to worry about the budget shortfall due to Covid. We also talked about a few positions having raises. Ashley showed it on the screen. We met and talked about some pay comparisons that we researched from surrounding cities and ours are below the average. These increases will bring some positions into a better range for the position. Ashley showed the increases we talked about on the screen. We talked about the COLA for all the employees and what that would do to the budget. Facts and figures were discussed as well as benefits. Ashley recapped the figures for all of it. This adjustment is to bring them closer to local averages for pay. Mayor Chesnut said we had this conversation three years ago. We need to be competitive in wages to keep staff. Others pay more and are always trying to recruit our employees. We knew we were way off on our pay for employees and we have had employees leave us that we hired and trained. We need to get competitive so we can keep people. We don't know long term what the budget impact is yet but it looks like we may need to do Truth in Taxation at some time in the future to keep our good officers in the PD and others. The PD officers especially are being offered a lot more money to move to other cities. They take more responsibility also. We do the best we can to absorb this in the budget before we talk about tax increases. The problem is we are in the middle of places that have larger populations and we are priced out of the market to keep people. We want to be

cautious about this but we need to get in front of it. He asked Ashley to figure out the impact of the potential proposals that we wanted to do before the next year's budget comes up. We have the money for the COLA this year and for some raises. Next year we may not have it. We have this one time money from good fiscal management. Mayor Chesnut said he has concerns. We want to be cautious. Expenditures are allocated and are needed to go on longer than one time money. We need to take it more seriously. Council Member David Harris said people get hired away and we need to keep our good people by being competitive with pay. Inefficiency is expensive too. We had a high turnover and had to continually train and that does not pan out for us fiscally. Mayor Chesnut said rather than unilaterally approve the raises, he wanted to bring it to the City Council and then in the next budget year we will go over it and plan for a way to do it better. He said he did not unilaterally commit to this. Same with COLA being a regular thing that needs to be done. Council Member Lee said it creates morale issues too when we are not competitive. Mayor Chesnut said with that tentative thought we will revisit it again. Even with the pandemic we came out fine on the budget. Mayor Chesnut said he wanted the City Council in on this before committing to do anything. We know people on staff are being offered more money to move and they are telling us about this. We have good people and want to keep them. Council Member Stoor agreed we should be competitive and we have talked about that before but we need to discuss this so it does not keep coming up every year. It should be built in to our budget and we should talk about it being permanent starting in 2021. Ashley asked for questions. Do we want to talk in City Council meeting or do it separately in budget talks later? Mayor Chesnut said let the City Council discuss it and if there is consensus, then we will start this for the next budget cycle. Mayor Chesnut said we need a motion to set a public hearing.

Council Member David Harris made a motion to set a public hearing for 12-2-20 on the 2020-2021 budget. Motion was seconded by Council Member West Harris and all voted in favor.

5. UDOT ENGINEER'S UPDATE OF SR-130 PROJECT-UDOT engineer will update the Council on the project.

Lisa Beck was on Zoom with Sam Grimshaw to talk about the program. Sam said Sunroc was hired and they have a great project manager. Sunroc wants to start work the first part of March or April. The deceleration lanes will come first and then to the roundabout. After the asphalt is done it will take six weeks to finish things up. Lisa asked about the mood of residents and what we are hearing on the street. Council Member David Harris said people are warming up to the idea. At first they thought it was crazy. First time "hearers" are skeptical but more and more they like the idea. Council Member Lee said people are anxious because we just had another fatal accident there. Council Member Lee said she is over the roundabout committee and their ideas are super and very exciting to make this really nice. She gave some details of their ideas. Sam added they have certified and cleared all rights-of-way for the roundabout and they have it all done. There are no impediments to moving forward. They have heard concerns about where trucks will go while this is built and that is a challenge. It will be built in quarters and there will be signs and barrels. It will be in sections. It will be a hassle for a while. Mayor Chesnut said we are excited about it and it is good on the comments. People want it to be done. Lisa said they will come every month so if they have questions or comments she asked that City Manager Dotson call them and they will update. They maintain the website for the public to see and she went on about what they can view. Questions can be filtered through City Manager Dotson from the City Council. That will speed it up so the same question is not asked 500 times. There was discussion of the earlier part of the project on the north interchange. There were some delays and hassles but it is wonderful now. Sam said they did a great job and they put a lot of money in stabilizing the embankment under the bridge. Mayor Chesnut thanked them for the update.

**6. DISCUSS CHAPTER 22. RECREATIONAL VEHICLE PARK RVP-City Mgr.
Dotson will discuss issues with RV's for the Council to consider action.**

Mayor Chesnut asked City Manager Dotson about this. City Manager Dotson said some years ago we had a resident come in that wanted a family member to live in an RV outside their house for a brief time while they had financial troubles. According to our code we said "no". We allow only one housing unit per lot in R-1-18. We are going through the process of updating the Code to match the SMOT list and get rid of things that don't make sense. We have never dealt with the RV Park. We are currently talking to a developer who wants to make an RV park in Enoch. City Manager Dotson said he found something in the chapter that says RV's are not allowed to be occupied as living quarters. This interesting dynamic has come up a lot more where people are living in travel trailers or RV's outside of a home. Council Member Lee said she knows of eight (8) in her neighborhood. People are living in the trailers on someone else's lot. One huge issue is they can't dump into the City sewer according to the EPA and the Cedar Wastewater facility. Also in code it allows an individual to hook up to water for not more than 60 days. We definitely have conflicting issues. We need to know as staff and as the enforcement arm, does the City Council want us to enforce this now or review it and make allowances of some kind for those who are doing this now. Some may be doing this because of finances. We need to know how the City Council feels about this.

Council Member Lee said her feelings about this is that it created a problem and the people who came in for permission tried to do it right and they were told no. She thought we were right and since then she has gotten frustrated because there are so many who are actually doing this and never asked permission. If we have a code we should enforce it. However now she sees it differently and that there may be extenuating circumstances. If people need this accommodation due to hardship before we say no maybe we should talk to them and ask why they are doing this. We could allow it to a certain degree like behind the home but not in the front yard. She said she is frustrated with this. We should be consistent about it for fairness and to keep in line with our Code. Mayor Chesnut said she is proposing we find out what the problem is and if the current code does not fit the real need maybe we change it. We should at least find out what the point of view is from those in this situation. There seems to be a need and we should listen. We don't want them to feel like they are breaking the law or sneaking around.

There was more discussion of situations we are aware of. There is also the situation where people come to visit residents and stay in their RV's while visiting. It was noted there are a lot of RV's parked by homes where they are stored when not in use. Anyone visiting for any length of time would have to dump at the Maverik. We need to ask does this negatively affect others. Who cares if someone's living in an RV on someone's property as long as they are not parked on the street? Why should we not allow it? It was noted R-1-18 and other residential zones means one residence per lot is allowed, guest houses being the exception now. Council Member Lee said we should not be afraid to ask the people. If the RV is blocking the view that is different than if it is in the backyard. Those are good points, Council Member Stoor said. He said he has parked his RV on the street for long of periods of time. If they are on the side yard and out of the way that is not a problem. Mayor Chesnut said it sounds like it shows again we take some things more seriously than others. Maybe we should approach it in a more nuanced way due to family circumstances rather than just yes or no. Council Member Lee said the PD would be enforcing this if we decide to go that way. She would like to see them given tickets or warnings in her neighborhood. The sewer is an issue. Many will not pull up and go to Maverik to dump but will put it in the sewer. Sometimes it is ignorance and sometimes it is deliberate. You can't dump into the sewer directly and that is very serious and hard to enforce. There is a reason for not dumping into the sewer. It can cause serious problems with clogging the sewer system. Council Member David Harris said if someone is living there and you tell them they have to dump at Maverik it could be a problem. People do not realize it is illegal unless you tell them. We should

allow for putting in more RV parks for people to live in with affordable rates to park there. He is not without compassion for those with financial problems. Council Member Lee said what if they are living there in an RV but using the facilities in the home. How would we even verify that? We are talking about people staying more than three months in an RV by someone's house. It is not like someone's relatives staying a few nights. Mayor Chesnut said sometimes people lose their homes in a bankruptcy and all they have is an RV. Most of them, in his experience, are in an RV park. We can discuss this and see why this is becoming such a problem here. We need to find an alternative. Or perhaps we could find someone who we could incentivize into creating a park for this need. Is it fair to the rest of the citizens not doing this? We still have issues with dumping, Council Member David Harris said. Council Member Lee said many don't know this is against the law. It should be fair for all. Mayor Chesnut said that is a good recommendation. Best case is we need clarification for people by giving written notice to those we see doing this. Are the laws necessary and if unnecessary, let's get rid of them. Council Member Stoor said he noticed RVs on the sides of homes. If it is allowed to park them there what is the negative impact if someone is staying in there or not. How does that negatively impact someone else? Council Member Lee said in being consistent, people may be using their RV's for storage. Do they have to be in front yard? Maybe put them in back like the cargo storage units.

Mayor Chesnut suggested maybe it would be good to get a working group for this? Council Member Lee said she is not being contrary but wants to be consistent and have something enforceable. Council Member Stoor said as he drives around there are a lot of RV's in the neighborhoods. Most are just parked there by the owners. Based on how some have come down on this maybe we could put together a premise of what we want to do and have some public input in a public hearing on what we are trying to do. Mayor Chesnut asked if the City Council wants to explore this. City Manager Dotson said we have only dealt with that one request years ago. The main issue is the sewer. We have an agreement with Cedar City for our sewer treatment plant use. We are very heavily regulated by the EPA. We have noticed some are dumping into the sewer and we are letting them know it is illegal and it is against the law to put it into the sewer. They are dumping into the home clean out unit. Council Member Lee referred to the guest house and that all utilities go through the main house. We cared about that but not RV's. Council Member Lee and Council Member Stoor said they would work with others who have more information that could help on this issue and bring it back to the City Council. The City Council agreed. If we need to change it then it goes to the Planning Commission and we need to give them direction from this study. Council Member Stoor asked why now on this. Council Member Lee said she has brought it up before. Mayor Chesnut said this is really showing up in greater numbers and law enforcement has some concerns with enforcement and we want to clarify this for them. City Manager Dotson will work with Council Member Stoor and Council Member Lee. No other action was taken.

7. DISCUSS CAPITAL IMPROVEMENTS LISTS FOR 2021 & 2022-2025 AND SET A PUBLIC HEARING FOR DECEMBER 2, 2020-The lists will be discussed, updated, prioritized and a public hearing set.

Mayor Chesnut asked City Manager Dotson to bring them up to speed. City Manager Dotson said every year we talk about this and we update it with projects and prioritize the projects. This is mostly for CDBG and CIB funding. This year is different because CDBG wants a separate list although it can be the same list but has to be approved separately. The capital improvements are the same. They went through the lists and it was noted they need to set a public hearing and have it done for both. This is required by January 2021. City Manager Dotson said he put together a list for a one-year strategy then two to five year strategy. This does not mean we will apply for this money. We discussed most of this last year and things don't change much. Security fencing for the water tanks has been on list for years. The two to five year list strategy

has the big NRCS things. The new public safety building is part of the impact fee study being done. We are working closely with Cedar City and the Conservancy District to use wastewater from the sewer treatment plant for farmers that will also recharge the aquifer. He went through the lists. There was discussion of the costs and some errors were uncovered and changed on the lists. City Manager Dotson said he will redo the math and fix the lists.

Council Member David Harris made motion to set a public hearing for 12-2-20 on the Capital Improvement lists. The motion was seconded by Council Member West Harris and all voted in favor.

8. COUNCIL/STAFF REPORT

Hayden White said the crew is working on extending on the secondary lines. They are replacing the storm drain on Veteran's Memorial and 5020 N. They are doing lots of meter replacements. He is doing cross-training on garbage truck drivers. They are doing other trainings too. We got Bulloch Dirt Works to clear the water lines and not hit the other utility lines to get the water lines to the school and church.

Chief Ames said they have a few events with the Christmas season. The Festival of Trees that we are part of is a good fund raiser for toys for the children. Shop with a Cop will be a little different due to Covid. They are reaching out to the family and getting lists of items needed. First Responders will go to Walmart and buy the items and deliver them to the families. Devin Mackleprang is officially gone with military service in the National Guard so we are down a full time officer. We will hold his position. They are advertising to put together a roster for hiring part time or maybe even full time officers. That way we have a list to call from when we need to hire. That is the intent. Chief Ames said we have PT officers and that helps us to cover shifts and give our guys some time off so they are not always on call. We could use more help. Dustin Roy used to work for us and he is on PT now. There is a definite impact and we are adjusting our schedule. Regarding finances there are rumor mills online saying that because of pay and other things we may lose an officer.

City Manager Dotson said our legal counsel said the ordinance establishing a water service area required maps which he created for that draft. Last week he and Hayden went to Santaquin with others from the County Commission and Cedar City staff to tour their wastewater treatment facility that reuses 100% of the water that goes into the plant for outdoor irrigation. They talked about all kinds of things so we can try to do that in the future. We will get a plan and put it into pivots in Enoch for crops that will put millions of gallons a day of irrigation water into the aquifer and farmers can shut off pumps. The Cares Act grant for businesses is done. He got documents from the County auditor. A resident asked about an ordinance where we require the width of a building to be not less than 20 feet. When we permitted cargo storage units to be converted to livable spaces we did not consider they are less than 20 feet wide. The 20 foot minimum width does not let the cargo storage units qualify to be converted for use as office or living space. We will need to look at changing that for accessory dwellings only. It will need to go to the Planning Commission to look at that. Also when someone comes in to pay for a water connection we require they pay the impact fee. We have one new property owner who wants to water trees without having to pay the impact fee first. We may have to look into that request. They may never pay that fee and may never build.

Mayor Chesnut said they talked about a Christmas party and we are not sure how we could do that with social distancing and masks. City Manager Dotson proposed that we have an office staff party for just the employees and Mayor Chesnut said he likes that idea. The employees have had a little extra hardship and it would be nice to give a little more Christmas bonus to them and he wanted to let the City Council know he will authorize that for our staff. We have great staff and Enoch giving a bonus when it is unexpected will be a nice thing to thank them. Mayor Chesnut said he has not been in on the wastewater but he talks to City Manager Dotson about it and is glad

to be in on this project working with others. He said we do need a closed meeting for purchase of real property.

Council Member Ross reported December 19th will be a socially distanced “Wreaths Across America” placement of wreaths on our veteran’s graves. She said the Planning Commission is working on PUDs and going in circles.

Council Member West Harris went over the fire station visit report last time. Mayor Chesnut thanked him for that work on this huge important project.

Council Member David Harris said Water Board was canceled. They finished the Cares Act business program and he does not have final numbers yet. There were a couple that applied and some were not granted due to not being able to show losses. Most were helped and did show their losses. They justified the money they gave out. That tiny storm caused a lot of wrecks due to going too fast. Hayden said they did not get out in time but will do better next time. It was a mess on Hwy. 91 and the road structure with ruts makes it almost impossible for snow plows and you can’t plow it when it gets packed. He arranged a meeting to try to work that issue out and met with several people to see what can be done to enhance that road. It would take funding through UDOT and it has to go on a list and it takes time with all the lists. The Rural Transportation Master Plan has potential funding and he got in touch and it is at 50% capacity so that means resurfacing and not widening. We started the conversation and he thinks they are onboard with helping us.

Council Member Lee supports the Christmas bonus for staff. They had a SMOT meeting and are finishing that up and it will come to the Council soon. The roundabout meetings are ongoing and there are good things coming.

Council Member Stoor said on the road discussion, he has concerns about cyclists because the road is not wide enough. How do we get a bike lane? Someone is going to get hit.

9. **CLOSED SESSION TO DISCUSS ONE OR MORE OF THE FOLLOWING: THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, COLLECTIVE BARGAINING; PENDING OR REASONABLY IMMINENT LITIGATION, THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF WATER RIGHTS OR WATER SHARES; DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS; INVESTIGATIVE PROCEEDINGS REGARDING ALLEGATIONS OF CRIMINAL MISCONDUCT. (Requires a roll call vote with 2/3 majority)**

Council Member David Harris made a motion to close the regular meeting and go into a closed meeting for the purpose of discussing the purchase, exchange or lease of real property, including any form of water rights or water shares. The motion was seconded by Council Member Lee and roll call vote was held as follows:

Council Member David Harris-Yes	Council Member Stoor-Yes
Council Member Ross-Yes	Council Member West Harris-Yes
Council Member Lee-Yes	Motion passed unanimously

10. **ACTION FROM CLOSED MEETING-**Administrative staff will proceed as instructed.
11. **ADJOURN-**The regular meeting ended at 8:02 pm.

Julie Watson, Recorder

Date

ENOCH CITY CORPORATION
RESOLUTION NO. 2020-12-02-A

A RESOLUTION TO APPROVE THE ONE-YEAR AND TWO TO FIVE-YEAR CAPITAL IMPROVEMENT LISTS

WHEREAS Enoch City has the responsibility to plan for capital improvements that may be required in the future to meet the needs and expectations of the public; and

WHEARAS in order for Enoch City to be able to apply for CDBG or CIB funding it is required to submit one-year and two to five-year plan lists. Submittal of lists does not imply application for funding will be made but meets the requirement so the City may apply if needed; and

WHEREAS to fulfill these requirements, it is necessary to prioritize the one-year and two to five-year project lists;

WHEREAS the Enoch City Council held a public hearing regarding the one-year and two to five-year capital improvement lists on December 2, 2020,

NOW THEREFORE BE IT RESOLVED that the Enoch City Council does hereby approve the one-year and two to five-year Capital Improvement Project lists attached noting that approval of the lists does not imply intent to apply for funding or approval of the projects.

This Resolution was made, voted upon, and passed by the Enoch City Council at a regular City Council meeting held on the 2nd day of December 2020. This resolution shall become effective immediately upon signing by the Mayor and City Recorder.

DATED THIS 2ND DAY OF DECEMBER, 2020

ENOCH CITY CORPORATION

VOTING:

David Harris

Yea___ Nay___

Katherine Ross

Yea___ Nay___

Jolene Lee

Yea___ Nay___

West Harris

Yea___ Nay___

Shawn Stoor

Yea___ Nay___

Geoffrey L. Chesnut, Mayor

ATTEST:

SEAL:

Julie Watson, City Recorder

Capital Improvements List 2021

ONE YEAR STRATEGY

Prioritize projects as (H)igh, (M)edium, (L)ow. List highest priorities at the top with the others in corresponding order for each category. LIST ALL PROJECTS AND FUNDING SOURCES.

Jurisdiction Name: Enoch City

Local Priority	Project Description	Estimated Total Cost	Funding Source or Type	Funding Amount	Year to Apply
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[illegible]

Capital Improvements List 2022-2025

2-5 YEAR STRATEGY

Prioritize projects as (H)igh, (M)edium, (L)ow. List highest priorities at the top with the others in corresponding order for each category. LIST ALL PROJECTS AND FUNDING SOURCES.

Jurisdiction Name: Enoch City

Local Priority	Project Description	Estimated Total Cost	Funding Source or Type	Funding Amount	Year to Apply
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[illegible]

ENOCH CITY CORPORATION

RESOLUTION NO. 2020-12-02-B

A RESOLUTION APPROVING THE REVISED 2020-2021 BUDGET AND CLOSING THE BUDGET

WHEREAS, expenditure or encumbrance of revenue in excess of current departmental appropriations is prohibited; and

WHEREAS, the Enoch City Council finds it necessary to make some revisions at year end; and

WHEREAS, a public hearing concerning the revised budget was held during a regular City Council meeting on the 2nd day of December, 2020 to receive comments from the public after being advertised at least seven days prior to the meeting.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Enoch, Utah that the attached revised budget as discussed is approved and closed.

This resolution was made, voted upon and passed by at least a majority vote of the Enoch City Council during a regular Council meeting held on the 2nd day of December, 2020. This resolution shall take effect immediately upon being signed by the Mayor and City Recorder.

Dated this 2nd day of December, 2020

VOTING:

ENOCH CITY CORPORATION

VOTING:

David Harris
Katherine Ross
Jolene Lee
West Harris
Shawn Stoor

Yea___ Nay___
Yea___ Nay___
Yea___ Nay___
Yea___ Nay___
Yea___ Nay___

Geoffrey L. Chesnut, Mayor

ATTEST:

SEAL:

Julie Watson, City Recorder

**SENDING 2020-2021
BUDGET AS A
SEPARATE
ATTACHMENT**

ENOCH CITY CORPORATION

RESOLUTION NO. 2020-12-02-C

A RESOLUTION GRANTING APPROVAL OF THE CIVIL PLANS AND FINAL PLAT OF SETTLERS SQUARE SUBDIVISION, PHASE 2

WHEREAS, the civil plans and final plat of Settlers Square Subdivision, Phase 2 was presented to the Planning Commission on November 24, 2020 and the Planning Commission made a motion to send a favorable recommendation for approve of the final plat; and

WHEREAS, the Enoch City Council reviewed the civil plans and final plat of Settlers Square Subdivision, Phase 2 on December 2, 2020 and found that all items for the subdivision have been met;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Enoch, Utah that the attached civil plans and Final Plat of Settlers Square Subdivision, Phase 2 prepared by Go Civil Engineering be approved and accepted with all commitments and obligations pertaining thereto.

This Resolution was made, voted upon and passed by the Enoch City Council at a regular city council meeting held on the 2nd day of December, 2020. It shall become effective immediately.

DATED this 2nd day of December, 2020

VOTING:

ENOCH CITY CORPORATION

VOTING:

David Harris	Yea___	Nay___
Jolene Lee	Yea___	Nay___
West Harris	Yea___	Nay___
Katherine Ross	Yea___	Nay___
Shawn Stoor	Yea___	Nay___

Geoffrey L. Chesnut, Mayor

ATTEST:

SEAL:

Julie Watson, City Recorder

SURVEYOR'S CERTIFICATE

I, **MAURILEY A. KASSEL**, PROFESSIONAL, 5734 LANE SURVEYOR, NO. 28344-0, HOLD A LICENSE IN ACCORDANCE WITH TITLE 16, CHAPTER 23, PROFESSIONAL ENGINEERS AND LAND SURVEYING (ENGINEERING AND SURVEYING) CERTIFY THAT THIS MAP REPRESENTS A SURVEY MADE UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT OF 1967, AS AMENDED, AND THE ENGINEERING AND SURVEYING ACT OF 1967, AS AMENDED, AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERS AND SURVEYORS OF THE STATE OF KANSAS, AND THAT THE SAME ARE CORRECT AND ACCURATE.

BRADLEY N. RHODES P.O. BOX 288645
DATE _____

BOUNDARY DESCRIPTION (15.24 AC)

PLANNING COMMISSION APPROVAL

_____ CHAIRMAN OF THE ENDO CITY COMMISSION, BE HERBY
CERTIFYING THAT THE PLAN OF "SETTLERS SQUARE SUBDIVISION, PHASE 2" IS RECOMMENDED TO THE CITY
COUNCIL FOR APPROVAL.

ENOCH CITY ATTORNEY'S APPROVAL

INFORM CITY ATTORNEY _____

REQUIREMENTS OF PUBLIC CITY CORPORATION PURSUANT TO ITS SALES ORDER CHARACTERISTICS AND IS
 HEREBY RECOMMENDED FOR APPEAL ON THIS THE _____ DAY OF _____ 20____

CERTIFICATE OF APPROVAL

I, _____ MAYOR OF ENUGH CITY CORPORATION, DO HEREBY CERTIFY THAT THIS _____ AT OF "SETTLERS NIGERIA CORPORATION, PHASE 2" HAS BEEN APPROVED BY THE CITY COUNCIL AND IN

BY _____ ATTEST: _____
ENGLISH CITY NAVAL ENGLISH CITY RECORDER

OWNER'S DEDICATION

DATE OF BIRTH: _____ DATE OF _____ A.S. NO. _____

ALLEN INTERIOR - MANAGING MEMBER
ALMC DEVELOPMENT, LLC

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF _____

ON THIS DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED
COUNTY PUBLIC _____, THE SPOUSE OF THE UNDERSIGNED, IN AND FOR THE COUNTY
OF _____ IN THE STATE OF UTAH WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED SAID
DECLARATION FOR THE PURPOSES STATED THEREIN.

REGISTRATION NO. _____
FOR COMMISSION EXAMINER _____
NOTARY PUBLIC

[illegible][illegible]

VICINITY MAP

T-13

The diagram shows a vertical cross-section of a polymer film. At the top, it is labeled "POLYMER FILM". Below this, there is a region labeled "PHASE SEPARATION" which contains several small circles representing dispersed phases. At the bottom, there is a layer labeled "PCL". To the right of the main diagram, there is a smaller inset showing a similar structure but with different dimensions. Dimensions are indicated as 1 cm, 1 mm, and 1 μm.

[illegible][illegible]

TO THE STREET &
ALL NEARBY

POST OFFICE APPROVAL

THE UNITED STATES POSTAL SERVICE HAS APPROVED THE LOCATION SHOWN FOR NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNITS (N.D.C.B.'s).

SETT

FORM NO. 13, 1964.

CERTIFICATE OF RECORDING

I, CLARENCE J. WILSON, COUNTY CLERK OF BIRMINGHAM COUNTY, GEORGIA, DO HEREBY CERTIFY
 THAT THE ABOVE INSTRUMENT WAS RECORDED IN THE PUBLIC RECORDS OF BIRMINGHAM COUNTY, GEORGIA
 IN THE YEAR 1968, IN BOOK _____ PAGE _____ DAY OF _____ A.D. 1968.

RECORDED IN MY OFFICE ON THIS THE _____ DAY OF _____ A.D. 1968.

CLARENCE J. WILSON, COUNTY CLERK

FROM THE VERTICAL

BOOK _____ PAGE _____

COUNTY RECORDER "CARRI JEFFRIES"

ENTRY NO. _____ FILE _____

CHECKED _____

SCALE _____

RECORDED AT THE REQUEST OF _____

IN 40 MINUTES AND NOT BE RECALLED

DATE	10/10/2020	TIME	1:08:31
PAGE	1	NO.	1

PLANNING COMMISSION RECOMMENDATION-SETTLERS SQUARE, PH. 2
ENOCH CITY PLANNING COMMISSION

November 24, 2020 at 5:30pm

City Council Chambers

City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Paul Hardy-Zoom
Commissioner Greg Peterson-Zoom
Commissioner Andrew Meacham-Zoom
Commissioner Debra Ley-Present
Commissioner Bob Tingey-Present

STAFF PRESENT:

Rob Dotson, City Manager-Zoom
Katherine Ross, CC Member-Zoom
Julie Watson, City Recorder-Zoom

7. DISCUSS AND MAKE A RECOMMENDATION TO THE CITY COUNCIL ON THE FINAL PLAT OF SETTLERS SQUARE, PHASE 2-Go Civil Engineering-The Commission will consider the Final Plat of Settlers Square, Phase 2 and make a recommendation to the City Council.

Chairman Tingey asked who was there to represent the owner. Dallas Buckner of Go Civil Engineering said this is the final plat for Settlers Square, Phase 2. The preliminary plat was approved awhile back. They have all the technical studies done and are bringing it for approval of the final plat. This is zoned R-1-11. Chairman Tingey asked for questions or comments. He asked City Manager Dotson is all was in order. City Manager Dotson said the final plat construction drawings are approved by the City engineer. They are bringing the water rights, bonding and other fees next week and that will be done before they can start construction. It will go to City Council next week for approval after all those other requirements are met. There was some discussion of the private irrigation line that runs through the subdivision and that the property owner and the irrigation company owner are working that out privately on the private easement, pipe size and other details that do not involve the City nor do they have any regulation by the City. Commissioner Ley had concerns about the handling of the irrigation system because she had seen the damage done to irrigation system in CA and was concerned that we are treating our farmer's right and respecting their rights to irrigate. She was reassured by City Manager Dotson that it is being handled by the private parties involved and that the City has no say or involvement in it. Our City Attorney advised the City to stay out of it and let the private parties deal with it. Chairman Tingey asked if all is done and in order for this to be approved and a recommendation sent to the City Council. City Manager Dotson confirmed all is in order.

Commissioner Meacham made a motion to send a favorable recommendation to the City Council for approval of the final plat for Settlers Square, Phase 2. The motion was seconded by Commissioner Peterson and all voted in favor by roll call.

**ENOCH CITY CORPORATION
ORDINANCE NO. 2020-12-02-A**

**AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE,
CHAPTER 2, FENCE HEIGHTS**

WHEREAS, the Enoch City Planning Commission has reviewed the changes to Chapter 2 regarding language about fence heights on lots in different circumstances throughout Enoch City; and

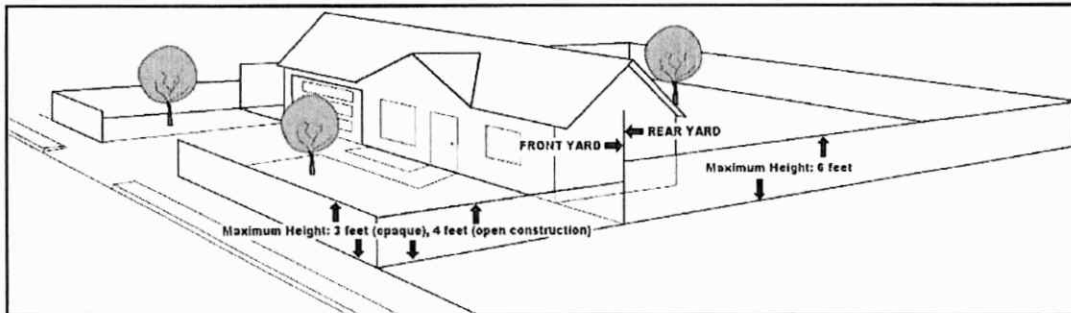
WHEREAS, the Enoch City Planning Commission held a public hearing on November 24, 2020 and sent a favorable recommendation to the City Council for the changes to the Enoch City Zoning Ordinance, Chapter 2 regarding fence heights; and

WHEREAS, the Enoch City Council reviewed the favorable recommendation from the Planning Commission on the addition of language and illustrations as follows;

2-15 MAXIMUM HEIGHT OF FENCES, WALLS AND HEDGES.

1. *Side Yards and Rear Yards.* In any required side or rear yard on lots, the height of fences shall not exceed six feet, unless otherwise allowed herein (See Figure #1).
2. *Front Yards.* Fences in required front yards shall be allowed provided that solid type fences shall not exceed three feet, and open type fences shall not exceed four feet (See Figure #1).

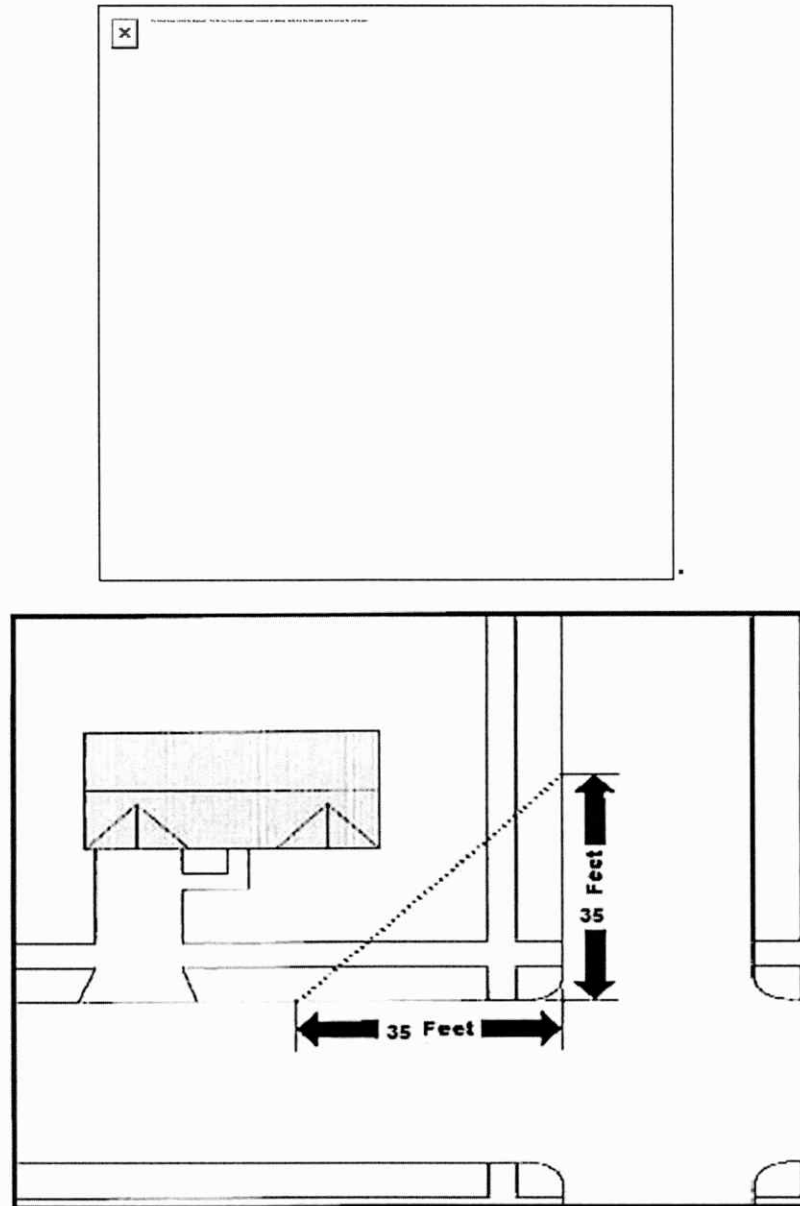
Fence Figure #1. Interior Lot Fence Height Restrictions



3. *Corner Lots.* In addition to the other provisions contained in this section, fences located on corner lots shall be subject to the following provisions (See Figure #2 & 4):
 - a. Any fence, wall, and/or hedge on the front yard setback shall not exceed three feet if opaque construction or four feet if open construction.
 - b. In the side yard setback that fronts on a street, height up to six feet shall be allowed beyond 35 feet from the intersection measured from the

intersecting extended curb lines. Height within the 35 foot area shall conform to the requirements of a front yard setback.

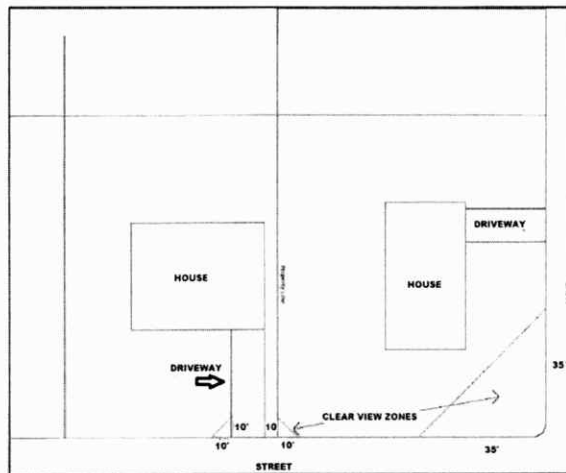
Figure #2: Illustration of a Common 35 Foot Sight Visibility Triangle



- c. A clear view zone shall be maintained free of fencing, except a see-through fence or a view obscuring fence no higher than three feet in height when a driveway exists on the adjacent lot within ten feet of the shared property line. The clear view zone refers to the portion of the corner lot lying within a triangular area formed by measuring back ten feet from the point where the interior

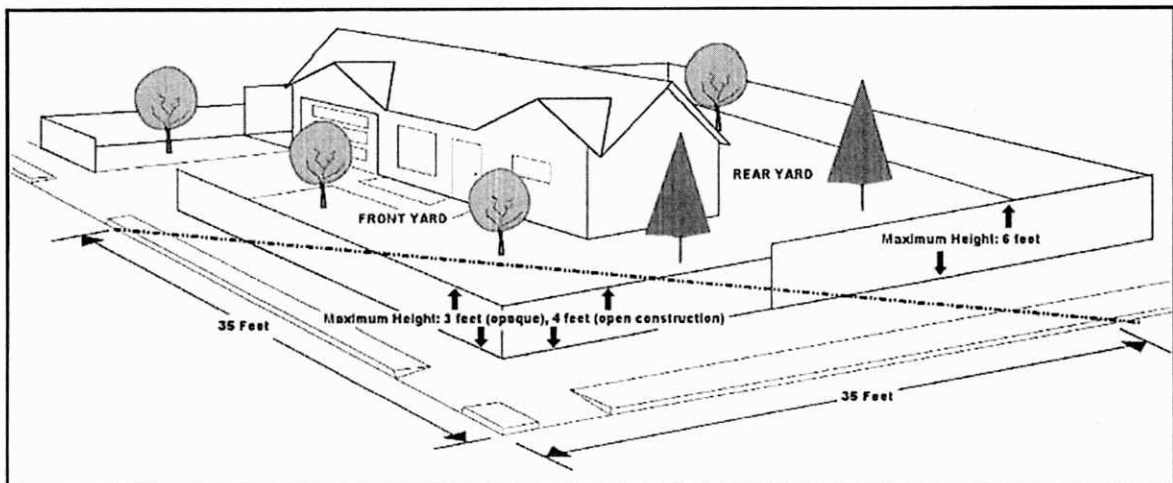
property line shared with the adjacent lot meets the property line along the public right-of-way (see figure #3).

Figure #3 Clear View Zone



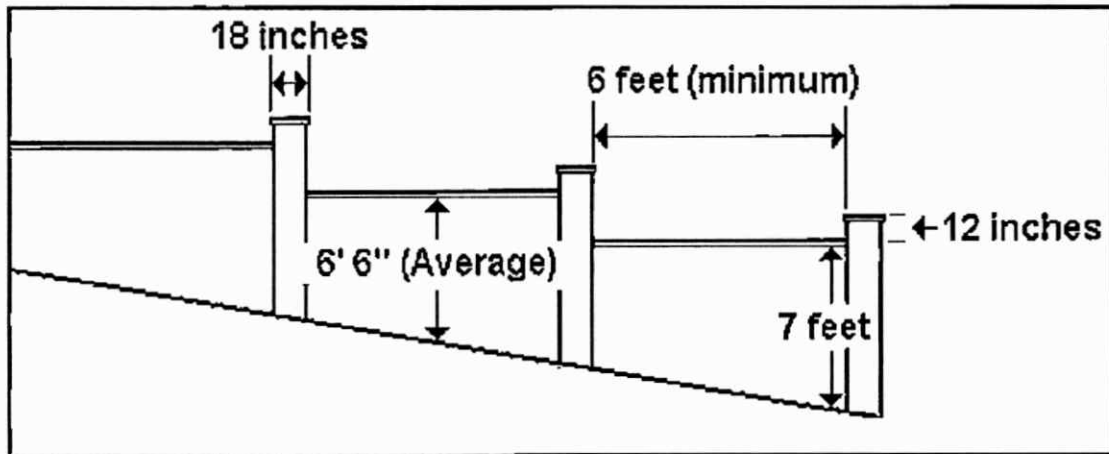
- d. Heights on the rear yard setback and interior side yard setback shall not exceed six feet, unless otherwise allowed herein.

Fence Figure #4. Corner Lot Fence Height Restrictions



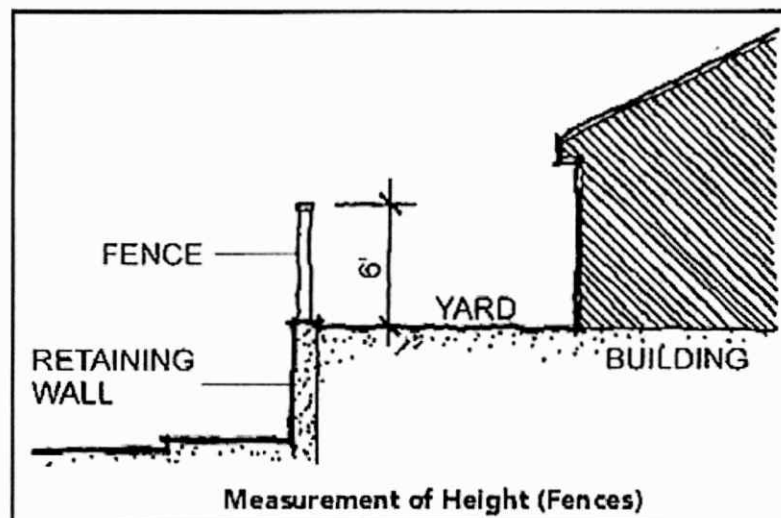
4. *Fences on Slopes.* Fences on slopes may be a maximum of seven feet if the average height of such fence is no greater than six feet six inches, unless otherwise allowed herein (see Figure 5).

Slopes Figure #5



5. *Fence Posts, Gate Posts, Pillars, and Support Columns.* Fence posts, gate posts, pillars, and support columns may extend 12 inches above the maximum fence height when separated by at least six linear feet of fencing (see Figure 5). Gate posts may be as close as three feet of each other with no more than one gate per fence frontage. Structures may not exceed 18 inches in diameter or width.
6. *Measurement of Fence Height.*
- The height of a fence shall be measured from the highest grade.
 - The combined height of a fence and retaining wall shall not exceed 11 feet, unless otherwise allowed herein (see Figure #6).

Height Figure #6



7. Fence heights between commercial/industrial and residential zones shall be a minimum of 6' in height and a maximum of 10' in height and shall be constructed of sight obscuring material. A fence exceeding 6' in height shall require a building permit.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of Enoch City that the Enoch City Subdivision Ordinance is amended as written above. This Ordinance was voted upon and passed by the Enoch City Council at a regular City Council meeting held on the 2nd day of December, 2020. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this 2nd day of December 2020

ENOCH CITY CORPORATION

Geoffrey L. Chesnut, Mayor

ATTEST:

Julie Watson, City Recorder

VOTING:

David Harris	Yea___	Nay___
Jolene Lee	Yea___	Nay___
West Harris	Yea___	Nay___
Katherine Ross	Yea___	Nay___
Shawn Stoor	Yea___	Nay___

SEAL:

PLANNING COMMISSION RECOMMENDATION-FENCE HEIGHTS

MINUTES

ENOCH CITY PLANNING COMMISSION

November 24, 2020 at 5:30pm

City Council Chambers

City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Paul Hardy-Zoom
Commissioner Greg Peterson-Zoom
Commissioner Andrew Meacham-Zoom
Commissioner Debra Ley-Present
Commissioner Bob Tingey-Present

STAFF PRESENT:

Rob Dotson, City Manager-Zoom
Katherine Ross, CC Member-Zoom
Julie Watson, City Recorder-Zoom

2. **PUBLIC HEARING ON ORDINANCE NO. 2020-12-02-A, AN ORDINANCE ADOPTING CHANGES TO THE ENOCH CITY ZONING ORDINANCE, CHAPTER 2, FENCE HEIGHTS**-The Commission will hold a public hearing on fence heights.

Commissioner Ley made a motion to close the regular meeting and open the public hearing on fence heights. The motion was seconded by Commissioner Meacham and all voted in favor by roll call.

Chairman Tingey invited public comments.

Brad Green asked about the fence heights and what we were doing. *Chairman Tingey explained the current ordinance has conflicts and does not cover all contingencies for different placement of homes on lots. This also protects the safety of residents regarding visibility.* Brad said he thinks we should do this for safety but other than that government should stay out of it. Maybe we are trying to fix an ordinance that was not needed anyway. *Chairman Tingey said we talked about this for three meetings and we put diagrams into the ordinance to help explain what we are doing.*

There were no other comments.

Commissioner Peterson made a motion to close the public hearing and open the regular meeting. Motion was seconded by Commissioner Ley and all voted in favor by roll call.

3. **DISCUSS ORDINANCE ON FENCE HEIGHTS AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**-The Commission will discuss fence heights and comments from the public and make a recommendation to the City Council.

Chairman Tingey asked if there were other comments. Commissioner Ley said this looks like they can build a fence legally where they couldn't before. The diagrams clarify what we are trying to do about safety for vision. She noted the public comment is well taken about should there be an ordinance at all. Commissioner Meacham said we've proven that if there is no regulation then we have issues with visibility on many lots for safety. This is mainly for public safety and is warranted.

Commissioner Ley made a motion to send a favorable recommendation to the City Council on Ordinance No. 2020-12-02-A, An ordinance adopting changes to the Enoch City Zoning Ordinance, Chapter 2, fence heights. The motion was seconded by Commissioner Peterson and all voted in favor by roll call.

**ENOCH CITY CORPORATION
ORDINANCE NO. 2020-12-02-B**

**AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE,
CHAPTER 2, SECTION 2-20, SINGLE FAMILY AND TWO FAMILY DWELLING
STANDARDS**

WHEREAS, the Enoch City Planning Commission has reviewed the changes to Chapter 2, Section 2-20, Single Family and wo Family Dwelling Standards regarding roof pitches; and

WHEREAS, the Enoch City Planning Commission held a public hearing on November 24, 2020 and sent a favorable recommendation to the City Council for the changes to the Enoch City Zoning Ordinance, Chapter 2, Section 2-20 regarding roof pitches; and

WHEREAS, the Enoch City Council reviewed the favorable recommendation from the Planning Commission on the amendment to the language as follows:

2-20 SINGLE FAMILY AND TWO FAMILY DWELLING STANDARDS.

Any detached single family or two family dwelling, located on an individual lot outside of a mobile home park or mobile home subdivision, shall meet the following standards in addition to any others required by law:

6. The roof of each dwelling shall have a roof pitch that complies with engineering standards for local snow load. Each dwelling shall have a roof surface of materials which are typical of stick-frame dwellings.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of Enoch City that the Enoch City Subdivision Ordinance is amended as written above. This Ordinance was voted upon and passed by the Enoch City Council at a regular City Council meeting held on the 2nd day of December, 2020. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this 2nd day of December 2020

ENOCH CITY CORPORATION

Geoffrey L. Chesnut, Mayor

ATTEST:

Julie Watson, City Recorder

VOTING:

David Harris	Yea___Nay___
Jolene Lee	Yea___Nay___
West Harris	Yea___Nay___
Katherine Ross	Yea___Nay___
Shawn Stoor	Yea___Nay___

SEAL:

Enoch Zoning Ordinance

2-20 SINGLE FAMILY AND TWO FAMILY DWELLING STANDARDS.

Any detached single family or two family dwelling, located on an individual lot outside of a mobile home park or mobile home subdivision, shall meet the following standards in addition to any others required by law:

5. ~~At least sixty percent (60%) of~~ The roof of each dwelling shall have a minimum roof pitch of five feet to twelve feet (5:12), except for approved structures for architectural purposes, such as Spanish style and Native American styles that complies with engineering standards for local snow load. Each dwelling shall have a roof surface of wood shakes, asphalt, composition, wood shingles, concrete, fiberglass or metal tiles or slate or built up gravel materials or materials which are typical of stick-frame dwellings.

**PLANNING COMMISSION RECOMMENDATION-ROOF PITCH
MINUTES**

ENOCH CITY PLANNING COMMISSION

November 24, 2020 at 5:30pm

City Council Chambers

City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Paul Hardy-Zoom
Commissioner Greg Peterson-Zoom
Commissioner Andrew Meacham-Zoom
Commissioner Debra Ley-Present
Commissioner Bob Tingey-Present

STAFF PRESENT:

Rob Dotson, City Manager-Zoom
Katherine Ross, CC Member-Zoom
Julie Watson, City Recorder-Zoom

- 4. PUBLIC HEARING ON ORDINANCE NO 2020-12-02-B, AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 2, SECTION 2-20, SINGLE FAMILY AND TWO FAMILY DWELLING STANDARDS-The Commission will hold a public hearing on changes to the roof pitch ordinance.**

Commissioner Ley made a motion to close the regular meeting and open the public hearing. Motion was seconded by Commissioner Meacham and all voted in favor.

Chairman Tingey said, for public information, we eliminated any requirements on roof pitch. Any roof style will be required to meet engineering standards.

Chairman Tingey invited public comments.

Brad Green and Austin Strine said they both liked this one and support it.

Commissioner Peterson made a motion to close the public hearing and return to the regular meeting. Motion was seconded by Commissioner Meacham and all voted in favor by roll call.

- 5. DISCUSS ORDINANCE ON ROOF PITCH AND MAKE A RECOMMENDATION TO THE CITY COUNCIL-The Commission will discuss roof pitch changes and comments from the public and make a recommendation to the City Council.**

Chairman Tingey asked if all read the revised ordinance and had any comments or concerns. City Manager Dotson clarified this isn't just about roof pitch. It lists that there could be any type of roof surface typical of stick frame dwellings. It keeps a standard but does not specify it. Chairman Tingey asked for a motion.

Commissioner Ley made a motion to send a favorable recommendation to the City Council on Ordinance No. 2020-12-02-B, An ordinance amending the Enoch City Zoning Ordinance, Chapter 2, Section 2-20, single Family and two family dwelling standards. The motion was seconded by Commissioner Meacham and all voted in favor by roll call.

CHAPTER 8-200. CEMETERIES.

PART 8-220. REGULATION OF CEMETERY AND BURIALS.

8-234. INJURY TO CEMETERY PROPERTY PROHIBITED. It shall be an ~~infraction~~ Class B Misdemeanor for any person to injure, deface, break, destroy or remove any headstone, tombstone, monument, tree, shrub or any other property in the cemetery.

8-304. PARK PROPERTY.

B. Trees, Shrubs, and Animals.

1. **Injury and Removal.** It shall be ~~unlawful~~ an infraction for any person to carve, transplant or remove any tree or plant or injure any tree or plant; nor shall any person attach any rope, wire or other contrivance to any tree or plant. A person shall not dig or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area. Exception: authorized trimming, pruning, or removal for safety purposes.
2. ~~**Climbing Trees, Etc.** It shall be unlawful for any person to climb any tree, monument, fountain, railing, fence, or upon any property not designated or customarily used for such purposes.~~
3. ~~**Hitching of Animals.** It shall be unlawful for any person to tie or hitch an animal to any tree, plant, fence, post, wall or similar structure.~~

C. ~~Wild Animals, Birds, Etc.~~

1. ~~**Hunting.** It shall be unlawful for any person to hunt, molest, harm, frighten, trap, chase, tease, shoot or throw missiles at any animal; nor shall anyone remove or have in their possession the young of any wild bird or the eggs or nest or young of any reptile or bird.~~

8-305. SANITATION.

- A. **Pollution of Waters.** It shall be ~~unlawful~~ an infraction for any person to throw, or otherwise place or cause to be placed in the waters or any fountain, pond, stream or other body of water in or adjacent to any park, any substance, liquid or solid, which will or may result in the pollution of said waters.
- B. **Refuse and Trash.** It shall be ~~unlawful~~ an infraction for any person to dump, deposit or leave any rubbish, waste, garbage or refuse or other trash. No such refuse or trash shall be placed in any waters contiguous to any park or left anywhere on the grounds thereof, but shall be placed in proper receptacles, where these are provided. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

8-306. TRAFFIC.

- A. **State Motor Vehicle Laws Apply.** All persons shall comply with all applicable provisions of the State Motor Vehicle Traffic Laws, together with such regulations as are contained in this and other ordinances.
- B. **Enforcement of Traffic Regulations.** All persons shall obey all traffic officers and City employees, such persons being authorized and instructed to direct traffic whenever needed.

- C. **Obey Traffic Signs.** All persons shall observe all traffic signs indicating speed, direction, caution, stopping or parking, and all others posted for proper control. Violation of such is an infraction.
- D. **Operation Confined to Road.** It shall be ~~unlawful~~ an infraction for any person to drive any vehicle on any area except the park road or parking areas or such other areas as may on occasion be specifically designated by the City.
- E. **Parking.**
 - 1. **Designated Areas.** It shall be ~~unlawful~~ an infraction for any person to park a vehicle in other than a designated parking area or temporarily as allowed on public rights of way.
 - 2. **Immovable Vehicles.** It shall be ~~unlawful~~ an infraction for any person to leave any vehicle anywhere in the park overnight or in any manner fixed or arranged so such vehicle cannot readily be moved by hand.
 - 3. **Double Parking.** It shall be ~~unlawful~~ an infraction for any person to double-park any vehicle on any road or parkway.
- F. **Bicycles.**
 - 1. **Confined to Roads.** It shall be ~~unlawful~~ an infraction for any person to ride a bicycle on other than a paved vehicular road or path designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.
 - 2. ~~**Operation.** It shall be unlawful for any person to ride a bicycle other than on the right hand side of the road paving as close as conditions permit, and bicycles shall be kept in single file when two or more are operating as a group. Bicyclist shall pass on the left of any vehicle they are overtaking, and pass to the right of any vehicle they may be meeting.~~
 - 3. ~~**Rider Prohibited.** It shall be unlawful for any person to ride with any other person on a bicycle without an auxiliary seat.~~
 - 4. ~~**Immobile.** It shall be unlawful for any person to leave a bicycle lying on the ground or paving, or leaning against trees, or in any place where other persons may be injured by them.~~

8-307. RECREATIONAL ACTIVITIES.

- A. **Hunting and Firearms.** It shall be ~~unlawful~~ a Class B Misdemeanor for any unauthorized person to hunt, trap or pursue wildlife at any time on public parks and grounds in Enoch City. (Rev. 4-15-15)
- B. **Picnic Areas.**
 - 1. **Availability.** Use of the individual fireplaces, together with tables and benches follows generally the rule of "first come, first serve," unless otherwise reserved as specified herein.
 - 2. **Non-Exclusive.** It shall be ~~unlawful~~ an infraction for any person to use any portion of the park areas for the purpose of holding any activity to the exclusion of other persons; nor shall any person use such area when reserved as herein provided.
 - 5. **Duty of Picnicker.** It shall be ~~unlawful~~ an infraction for any person to leave a picnic area before a fire is completely extinguished and before all trash is placed in the disposal receptacles where provided. If no such trash receptacles are available, refuse and trash shall be carried away by the picnicker to be properly disposed of elsewhere.

- C. **Camping.** It shall be ~~unlawful~~ an infraction for any person to set up tents, or any other temporary shelter, for the purpose of overnight camping; nor shall any person after closing hours leave in a park any movable structure or vehicle to be used or that could be used for such purpose without the written permission of the City.
- D. **Dangerous Games.** It shall be ~~unlawful~~ an infraction for any person to take part in the playing of any dangerous games involving thrown or otherwise propelled objects such as, but not limited to, stones, arrows, javelins, or gas powered model airplanes and other model vehicles.

8-308. PROHIBITED BEHAVIOR.

- A. ~~Intoxicating Beverages.~~
 - 1. ~~Prohibition.~~ It shall be ~~unlawful~~ for any person to bring alcoholic beverages or drink alcoholic beverages at any time in City parks or on City grounds.
 - 2. ~~Drunkenness.~~ It shall be ~~unlawful~~ for any person to be under the influence of any intoxicating liquor in City parks or on City grounds.
- B. ~~Domestic Animals.~~ It shall be ~~unlawful~~ for any person to allow the entry of any domestic animals (except Seeing Eye or hearing dogs) into areas other than automobile parking and walks immediately adjacent thereto.
- C. ~~Roller blades, Roller skating, and Skateboarding.~~ It shall be ~~unlawful~~ for any person to roller blade, roller skate, or skateboard on City property.
- D. ~~Glass Containers.~~ It shall be ~~unlawful~~ for any person to allow or permit the entry of any glass container on City property.
- EA. **Fires.** It shall be ~~unlawful~~ an infraction for any person to build or attempt to build a fire except in such areas and under such regulations as may be designated by the City. ~~It shall be unlawful for any person to drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material within any park area or on any highway, road or street abutting or contiguous thereto.~~
- F. ~~Fireworks.~~ It shall be ~~unlawful~~ for any person to light or set off any fireworks of any kind in City parks or on City grounds except those sponsored by Enoch City or set off by the Fire Department.
- GB. **Interference with Permittee.** It shall be ~~unlawful~~ a Class C Misdemeanor for any person to disturb or interfere unreasonably with any person or party occupying any area, or participating in any activity under the authority of a permit.
- H. ~~Indecent Exposure.~~ See Code of Revised Ordinances of Enoch, Part 13-972.

8-309. MERCHANDISING, ADVERTISING AND SIGNS.(Rev. 9-2-15)

- A. **Vending and Peddling.** It shall be ~~unlawful~~ an infraction for any person to offer for sale any article or thing; nor shall any person place any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is made to any person or special event acting by and under the authority and regulation of the City.
- B. **Advertising.** It shall be ~~unlawful~~ an infraction for any person to announce, advertise, or call the public attention in any way to any article or service for sale or hire without prior approval of the City.

8-310. PARK OPERATING POLICY.

- A. **Hours.** Except for special activities and use approved by the City, unusual and unforeseen emergencies, parks shall be open to the public every day of the year during hours designated by the City. Park hours may be extended with approval of the City.

- B. **Closed Areas.** Any section or part of any park may be declared closed to the public by the City at any time, either temporarily or at regular and stated intervals, as the City shall find reasonably necessary.

~~8-311. ENFORCEMENT AND PENALTIES. Any person, firm or corporation violating any provisions of this chapter shall be deemed guilty of a Class B misdemeanor.~~

~~8-312~~**1. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or a portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

~~8-313~~**2. ORDINANCES REPEALED.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

CHAPTER 8-400. CONSTITUTIONAL TAKING ISSUES

PART 8-401. POLICY CONSIDERATIONS. There is an underlying policy in ~~the City of Enoch~~ City strongly favoring the careful consideration of matters involving Constitutional Taking claims, in fairness to the owner of private property bringing the claim and in view of the uncertainty and expense involved in defending lawsuits alleging such issues.

TITLE 9-000. LICENSING, CONTROL AND REGULATION OF BUSINESS AND CONSTRUCTION.

CHAPTER 9-100. PROVISIONS RELATING TO THE LICENSING CONTROL AND REGULATION OF BUSINESSES.

9-112. BUSINESS LICENSE REQUIRED. It shall be a class ~~B~~ C misdemeanor for any person to transact, engage in or carry on any business, trade, profession, calling or to operate a vending, pinball or coin-operated machine without first receiving the class or type of license required by the municipality.

PART 9-450 RESIDENTIAL SOLICITATION, CANVASSERS, PEDDLERS AND ITINERANT MERCHANTS

U. **Penalties.** Any person who violates any term or provision of this Chapter shall be guilty of a Class ~~BC~~ C Misdemeanor ~~and shall be punished by a fine of not to exceed \$1,000.00 and/or a jail sentence of not to exceed six (6) months. (Revised 11-19-08)~~

CHAPTER 9-500 BUILDING REGULATIONS.

PART 9-510. BUILDING OFFICIAL.

9-512. STOP ORDER. The building inspector shall have the power to order all work stopped on construction, alteration or repairs of buildings in the municipality when such work is being done in violation of any provisions of any ordinance relating thereto, or in violation of the subdivision or zoning ordinance. Work shall not be resumed after the issuance of such order except on the written permission of the inspector; provided that, if the stop order is an oral one, it shall be followed by a written stop order within one hour. Such written stop order may be served by any peace officer or other authorized person. Violation of a stop order by a property owner is an infraction. Violation of a stop order by a licensed contractor is a Class B Misdemeanor.

PART 9-520. GENERAL PROVISIONS.

9-521. PERMIT REQUIRED - EXCEPTIONS.

- A. It shall be an ~~class C misdemeanor~~ infraction for any ~~homeowner~~ landowner and a class B ~~C~~ misdemeanor for any person who receives payment or anything of value to construct or alter any building or structure, except a fence, without first securing the permit required by this chapter.
- B. ~~This section shall not apply where the retail cost of the materials used in the construction or alteration is less than \$150.00, except that it shall apply in all cases where the construction or alteration results in an enlarged structure or affects the walls of the building or structure.~~

9-522. APPLICATION FOR PERMIT. A building permit shall be secured from the ~~recorder/clerk~~ building department on a written application accompanied by plans and specifications ~~in duplicate~~, which must state the specific nature of the construction or alterations to be made. The plan must be verified by the person who will perform or ~~be in charge of~~ supervise the construction or alteration.

9-523. APPROVAL OF PLAN, VERIFICATION OF INSTALLATION.

- A. An application for municipal water service and/or copies of the proposed construction plans shall be filed with the Enoch City ~~Recorder/Clerk~~. Said documents shall thereafter be forwarded from the recorder/clerk to the building inspector, who shall review the application/plans to determine whether the proposed construction, alteration or location of the home or mobile home conforms to the building codes and ordinances of this municipality.
 - 1. On all new construction or on all new locations of mobile homes, the building inspector shall insure that a water pressure reduction valve is installed and verification thereof filed with the recorder/clerk prior to commencing municipal water service to said home, structure, or mobile home, said water pressure reduction valve being mandatory
 - 2. On alterations to existing homes or structures involving or affecting the existing culinary water system, the building inspector shall determine advisability and/or necessity of installation of a water pressure reduction valve and said determination requiring installation shall make the same mandatory.
- B. As verification, the building inspector shall return the plans and/or application to the ~~recorder/clerk~~ applicant ~~within ten (10) days~~ with the statement "Approved" or "Disapproved" affixed thereto. If the plans/application are disapproved, the reasons therefore shall be ~~separately set forth in writing and annexed thereto.~~

- C. On receipt of an approved plan, the ~~recorder/clerk~~ building department shall issue a building permit to the applicant, together with one set of the approved plans. One set of the plans shall be retained by the building inspector. The building inspector may revoke at any time a building permit, which has been issued for any building constructed or being constructed and/or altered, or which if constructed and/or altered would be in violation of any ordinance of this municipality. An approved plan and/or application shall empower the ~~recorder/clerk~~ City to begin municipal water service to the approved lot, site or location.

9-525. FEE SCHEDULE. The ~~recorder/clerk~~ City shall collect a fee for the application of a permit in the amount set forth in the fee schedule.

9-576. REFUSAL TO COMPLY WITH ORDER OF INSPECTOR. It shall be ~~unlawful~~ an infraction for any owner, agent or occupant of any building or premises to fail, neglect or refuse to repair, remove, replace or change within ten days after written notice to do so from the plumbing inspector, any plumbing condemned by such inspector, provided that this section shall not apply to any occupant not responsible for the installation or repair of the condemned plumbing.

CHAPTER 10-300. DANGEROUS BUILDINGS

10-329. PENALTY FOR FAILURE TO COMPLY.

A. Any owner, occupant or person having responsibility for the property subject to this chapter who shall fail to comply with the notice or order given pursuant to this chapter shall be guilty of a class C misdemeanor ~~for each offense and further sum of \$25.00 for each and every day such failure to comply continues beyond the date fixed for compliance.~~

~~B. Compliance by any owner, occupant or person to whom a notice has been given as provided in this chapter shall not be admissible in any criminal proceeding brought pursuant to this section.~~

CHAPTER 10-400. GARBAGE AND LITTER.

PART 10-410. GARBAGE REGULATION.

10-418. TIME AND PLACE OF PICKUP.

- A. All garbage and refuse subject to garbage collection by the municipality shall be placed at a pickup point at or near the premises designated from time to time by regulations adopted by the governing body and at such time or times as shall be designated by regulations of the governing body.
- B. Until otherwise provided by regulation, garbage and refuse must not be set out upon the street for collection prior to the evening of the day before collection and must be set out on the day of collection before the hour of collection designated by regulations of the governing body.
- C. All empty receptacles must be removed from the street as soon as practicable after being emptied, and in every case, must be removed from the street the same day they are

emptied. Receptacles shall not be permitted to remain on any street longer than may be necessary for the removal of the contents.

TITLE 10-000. FIRE, HEALTH, SAFETY AND WELFARE.

CHAPTER 10-100. FIRES - DEPARTMENT - CODE.

PART 10-180. Wildland Urban Interface Code (WUI)

10-181. Enoch City, by reference, adopts Utah's Wildland Urban Interface Code (WUI). It is also the City's intent to automatically adopt any future amendments to the WUI that the State of Utah may authorize. The WUI will be applicable to the City's currently adopted WUI zone which will change over time as fire risks change. Any exceptions to the City's application of terms contained in the WUI are listed in Section 10-182.

10-182. Exceptions:

- A. Conflicts - If any conflicts arise between the application of the WUI and Enoch City Ordinances, Codes and Rules, the application of the latter shall take precedence.
- B. Scope - Enoch City's application of the WUI shall apply to all new subdivisions and new construction located within the WUI zone.
- C. Enforcement - the WUI will be administered, monitored and enforced by the Enoch City Building Inspector and the Cedar City Fire Department.
- D. Information of Plans and Specifications - the City will accept plans and specifications submitted by electronic means.
- E. Failure to Comply - no fine will be issued to persons who fail to comply with the WUI.

CHAPTER 11-300. STREETS AND PUBLIC WAYS.

PART 11-320. STREETS - TRAFFIC CONTROL.

11-321. ADOPTION OF THE STATE TRAFFIC CODE.

- A. The traffic code of the State of Utah set forth as, Title 41-1-1 through 41-1a-1402, Utah Code Annotated, 1953, renumbered in 1992 and amendments thereto is hereby approved and adopted as the traffic code for ~~the City of Enoch~~ Enoch City, Iron County, Utah, except as hereinafter specifically altered and by this reference is made a part of this Ordinance as though set forth verbatim herein.

PART 11-340. PARKING REGULATIONS.

11-344. UNLAWFUL PARKING.

- A. **Parking at Curb.** No motor vehicle shall be parked with the left side of the vehicle next to the curb, except on one-way streets. It shall be ~~unlawful~~ an infraction to stand or park any motor vehicle in a street other than parallel with the curb ~~and with the two right wheels of the vehicle within twelve inches of the regularly established curb line~~ except on those streets which have been marked for angle parking; then vehicles shall be parked at the angle to the curb indicated by such marks.
- B. **Vehicles for Sale.** It shall be unlawful to park any vehicle on any street for the sole purpose of displaying it for sale, or to park any vehicle from which merchandise is peddled on any business street.
- G. **Parking Prohibited.** It shall be an infraction for any person to park or leave standing on any public road, street, alley or municipal property any motor vehicle ~~for 48 or more consecutive hours in a manner that impedes access to public facilities or private property access~~, and any vehicle so parked or left standing may be impounded or removed by the chief of police. ~~For purposes of impoundment and removal, the chief of police may impound and remove any motor vehicle, which reasonably appears to have remained unmoved for 48 consecutive hours.~~ The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle.
- H. **Parking Vehicles with Hazardous Cargo.** It shall be a class B misdemeanor for any person, firm, corporation, or other entity, owning or operating any vehicle containing the following listed hazardous materials, to leave said vehicle stopped or parked, whether attended or unattended, within the city limits of Enoch without prior written permission of ~~the City of Enoch City~~:
1. Explosive materials of any kind.
 2. Flammable fluids in excess of 100 gallons.
 3. Corrosive, caustic, or radioactive materials of any kind.
 4. Gases or other materials dangerous to life or property.
- I. **Truck Parking Restricted.** No corporation, firm, person, or other entity, owning or operating any truck or other vehicle over 35 feet in length, exempting school buses and municipal equipment, shall leave said vehicle stopped or parked, whether attended or not attended, in the following manner:
- a. On a road right-of-way within 50 feet from an intersection,
 - b. On a road right-of-way around the perimeter of a school or church,
 - c. In a manner that obstructs the use of real and personal property by a separate property owner.
 - d. In a manner that obstructs traffic or creates a safety hazard.
 - e. In a manner that damages or impedes the purposes of infrastructure.

A violation of this subsection (I) is a Class C Misdemeanor. Any subsequent offense of this same subsection (I) within a 12 month period is a Class B Misdemeanor.

PART 11-350. CONSTRUCTION AND REPAIR OF STREETS AND SIDEWALKS.

11-355. PLACING OR MIXING SAND OR GRAVEL MATERIALS ON PAVED STREET OR SIDEWALK. Unless a permit from the Enoch City Manager or designee has been obtained, it shall be ~~unlawful~~ an infraction to:

- A. Place or pile, or permit to be placed or piled, ~~any sand, gravel,~~ lime, cement, mortar, plaster, concrete, or any like substance or mixture, or allow the same to remain on any portion of any paved street or sidewalk.
- B. Make or mix or permit to be made or mixed any mortar, plaster, concrete or any like substance or mixture on any portion of any paved street or sidewalk.

11-356. OVERFLOWING OF WATER ON PUBLIC PROPERTY. It shall be ~~unlawful~~ an infraction for any person to allow water to overflow from any ditch, canal, well, or irrigation stream onto the streets, sidewalks or property of the municipality.

11-~~53~~357. IRRIGATION DITCHES ACROSS SIDEWALKS. All owners or occupants of lots in this municipality who require water from a main ditch for irrigation or other purposes shall dig ditches, erect flumes, lay pipes and install culverts, as needed, and maintain the same to convey water under sidewalks to or from their respective lots. All culverts, ditches, pipes and flumes conveying water under sidewalks shall meet such reasonable standards and specifications as may be established by the Enoch City Manager ~~of~~ or designee. Violation is an infraction.

11-358 REMOVAL OF SOD, EARTH FROM STREETS OR OTHER PROPERTY. ~~No person shall~~ It shall be a Class C Misdemeanor for the public to dig, cut or remove any sod or earth from any street or other public place without a permit from the Enoch City Manager or designee.

11-359. PENALTIES. Any person violating causing or permitting violation of any provision of this part shall be issued warnings and/or penalties as follows: ~~First violation will result in a written warning. Second violation shall classified as a Class "B" misdemeanor and punishable as such. Third violation shall be classified as a Class "B" misdemeanor and will result in a shutdown order for the project.~~

PART 11-360. SIDEWALK REGULATIONS.

11-361. REMOVAL OF SNOW.

- A. It shall be ~~unlawful~~ an infraction for the owner, occupant, lessor, or agent of any property, abutting on a paved sidewalk to fail to remove, or have removed from such paved sidewalk, all hail, snow, or sleet thereon within a reasonable time after such snow, hail, or sleet has fallen. In the case of a storm between the hours of 5:00 p.m. and 6:00 a.m., such sidewalks shall be cleaned before 9:00 a.m. of the same day.
- B. It shall be ~~unlawful~~ an infraction for any person removing snow from the sidewalk, to deposit snow, dirt, leaves or any other material in the gutter so as to clog or prevent the free flow of water therein.

11-362. PLACING TRASH OR OTHER OBSTRUCTION IN STREETS, GUTTER, SIDEWALKS. It shall be ~~unlawful~~ an infraction for any person owning, occupying or having control of any premise to place, or permit to be placed upon or in the sidewalk, parking area, gutter, or on the half of the street next to such premise any material or substance that obstructs or impairs the purposes of such facilities. :

- A. ~~Any broken ware, glass, filth, rubbish, sweepings, refuse matter, ice, snow, water, garbage, ashes, tin cans or other like substances.~~
- B. ~~Any wagon, lumber, wood boxes, fencing, building material, dead trees, tree stumps, merchandise or other thing which shall obstruct such public street, gutter, parking area or sidewalk, or any part thereof, or the passage over and upon the same, or any part thereof,~~

except as expressly authorized by ordinance, without first obtaining the permission of the governing body.

- C. ~~Any permanent or temporary structure, mechanism, device, vehicle or other thing of any kind or character except trees planted pursuant to the provisions of applicable ordinances.~~

CHAPTER 11-400. STREET ADDRESSES AND SIGNS.

PART 11-401. HOUSE NUMBERS REQUIRED.

- A. Every home, building, lot, resident or parcel of real property within the limits of ~~the City of Enoch~~ City shall be assigned a street number for identification and location purposes. Every owner of a home, building or residence shall be required hence forth to display in a prominent location on the side of the structure facing the adjacent public street to which the street number belongs, that number assigned to that particular property. Violation shall be an infraction.
- B. ~~Failure to so display an assigned identification number shall constitute a misdemeanor and may be punished as a Class C misdemeanor upon conviction by a fine and/or jail time as designated by the court of jurisdiction. Rev. 10-7-09.~~

11-402. CIVIL REMEDIES. If any owner of a home, building or residence fails to display his identification number as required in the foregoing section, ~~the City of Enoch~~ City may, through its designated agent display such number without the owner's consent and charge any cost of said display against the owner of the property. Said charge shall become a lien recorded with the County Recorder's Office and collected in the fashion of special improvement district assessments.

CHAPTER 11-500. TELECOMMUNICATIONS RIGHT-OF-WAY.

PART 11-510. DECLARATION OF FINDINGS AND INTENT; SCOPE OF ORDINANCE.

11-511. DECLARATION OF FINDING AND INTENT.

- A. **Findings Regarding Rights-of-Way.** ~~The City of Enoch~~ City finds that the Rights-of-Way within the City:

TITLE 12-000. PLANNING AND ZONING.

CHAPTER 12-100. PLANNING.

12-123. ORGANIZATION AND PROCEDURES.

- J. The appellant shall pay to ~~the City of Enoch~~ Enoch City a filing and processing fee as set in the fee schedule. Such payment shall be paid with the filing of the appeal. The Appeal Authority may give notice to other interested persons and organizations.

TITLE 13-000. POLICE AND PUBLIC OFFENSES.

CHAPTER 13-100. POLICE.

~~13-115. PROPERTY TAKEN FROM THE PERSON ARRESTED - TRIPLICATE RECEIPTS.~~ When money or other property is taken from a person arrested upon a charge of a public offense, the officer taking it must at the time issue triplicate receipts therefore specifying particularly the amount of money or kind of property taken. One of the receipts he must deliver to the person arrested. Another he must forthwith file with the clerk of the court to which the complaint and other papers in the case are required by law to be sent. The third receipt must be sent at once to the office of the police department.

13-1165. REGISTER OF PROPERTY TO BE KEPT. The chief of police must enter or cause to be entered in a suitable book a description of every article of property alleged to be stolen or embezzled and brought into his office or taken from the person of the prisoner and must attach a number of each article and make a corresponding entry thereof.

13-1176. STOLEN PROPERTY DISPOSITION. It shall be the duty of the chief of police to keep all lost or stolen property that comes into the possession of the police department or any of its members. He shall make all reasonable efforts to discover the owners thereof.

CHAPTER 13-200. ANIMAL CONTROL.

PART 13-240. DOGS.

13-258. ANIMAL ENCLOSURE.

- A. Any person who owns, holds, maintains or houses more than three (3) dogs as household pets, ~~as defined by the Enoch City Zoning Ordinance~~, that would require licensure pursuant to Section 13-242, Enoch City Ordinances, shall keep and maintain such dogs in an enclosure complying with the following minimum specifications:
1. a minimum area of thirty (30) square feet per dog;
 2. all sides and top enclosed with fencing or similar materials suitable for preventing escape by any of the dogs;
 3. hard surface floor with adequate drainage; and
 4. provision for suitable protection from the elements, including shade during warm weather.
- B. Dogs kept and maintained within a residence shall be deemed to comply within the specifications set forth in subsection (A) above.
- C. Violation is a Class C Misdemeanor
(Part 13-257 and Part 13-258 adopted 10-07-92)

~~13-262. NOTICE OF SALE OF ESTRAYS.~~ Within three days after an estray shall come into the possession of the pound master, he shall advertise the same in a newspaper published in and having general circulation in the county by publishing a notice in at least one issue of the newspaper, and by posting notices for a period of ten days in three public places in the municipality, one of which places shall be at or near the post office. He shall immediately deliver a copy of such notice to the county clerk or mail the same to him by registered letter. The notice so filed with the clerk should be available during reasonable hours for inspection by the public

free of charge. The notice herein provided for shall contain a description of the animals, including all marks and brands, when taken, and the date, hour, and place of sale, and may be substantially in the following form:

"NOTICE

State of Utah, County of _____,

In the _____ of _____, I have in my possession the following described estray animals, which, if not claimed and taken away, will be sold at public auction to the highest cash bidder at the municipal pound in the _____ of _____, on _____, the _____ day of _____, 20____, at the hour of _____.

(Description of Animals)

The estrays were taken up by me, in this municipality on the _____ day of _____, 20____.

*_____
Pound master of the _____".*

13-263. RETURN TO OWNER ON PAYMENT OF COSTS - SALE. If at any time before the sale of any estrays, such animals shall be claimed and proved to be the property of any person, the pound master shall deliver them to the owner upon receiving from him the cost of impounding, keeping and advertising the same. If the animals are not so claimed and taken away, he shall, at the time and place mentioned in the notice, proceed to sell the same, one at a time, to the highest cash bidder, and shall execute and deliver a bill of sale transferring said animals to the purchaser or purchasers thereof, which bill of sale shall be substantially in the following form:

"I hereby certify that in pursuance of the law regulating the disposal of estrays and trespassing animals, I have this day sold to highest bidder, _____ head of _____ branded with the municipality estray brand and otherwise described as follows, to-wit:

(Description of Animals)

Witness my hand this _____ day of _____, 20____.

*_____
Pound master _____ of _____".
State of Utah*

13-270. NOTICE OF SALE OF DISTRAINED ANIMALS. As soon as any such animals are delivered to the pound master, he shall immediately proceed to advertise the same as hereinafter provided except when the owner is known and has been notified, in which case he shall hold said animals 48 hours before advertising the same. He shall advertise in a newspaper published in and having general circulation in the county, by publishing a notice in a least one issue of said paper, by posting notices in three public places in the municipality, one of which shall be at or near the post office, and he shall deliver a copy of the same to the county clerk or send the same by deputy or by registered mail. The clerk should preserve such notice and post a copy thereof. The notice herein provided for shall state the time when the damage was done and the amount thereof, the name of the party damaged, a description of the animals, including all visible marks and brands, and the day, hour, and place at which such animals will be sold, which shall be not less than ten or more than 20 days from the time of posting such notice. The notices shall be substantially in the following form:

"SALE OF ANIMALS FOR DAMAGE

*State of Utah, County of _____,
In the _____ of _____, I have in
possession the following described animals, which, if not claimed and taken away, will be
sold at public auction to the highest cash bidder at the municipal pound in the
_____ of _____, on the _____ day of _____,
20_____, at the hour of _____.*

(Description of Animals)

*The above described animals are held by me to secure the payment of
\$_____ damages done by those animals on the premises of
_____ on the _____ day of _____,
20_____.*

*_____
Poundmaster of the _____ of _____."*

13-276. RETAKING ANIMAL UNLAWFULLY. It shall be unlawful a Class B Misdemeanor for anyone to take any animal out of the possession of anyone lawfully holding the same under the provisions of this part, either by stealth, force, fraud, or to intercept or hinder any person lawfully taking up or attempting to take up such animals.

CHAPTER 13-300. GENERAL POLICE POWERS.

PART 13-310. OFFENSES RE: MINORS.

13-313. RESPONSIBILITY OF PARENTS, GUARDIANS FOR CURFEW. No person, guardian or other person having legal charge or custody of any person under 15 years of age shall allow or permit any such person or child, ward or other person under such age, while in such legal custody, to go or be in or upon any of the streets, alleys, or public places when such going or being in or upon such streets, alleys, or public places would be a violation by such minor person of any provision of section 13-312.

13-3143. MINOR PROHIBITED WHERE BEER IS SOLD.

PART 13-330. DISTURBING THE PEACE.

~~13-332. FIGHTING-THREATENING.~~ It is a class C misdemeanor for any person to threaten physical force against another person or to challenge, invite or engage in a fight.

~~13-3332. LOUDSPEAKERS.~~

~~13-3343. SALE OR USE OF FIREWORKS/PUBLIC DISPLAY.~~

~~13-3354. THROWING OBJECTS PROHIBITED.~~

~~13-337. INDECENT EXPOSURE.~~

A. ~~It shall be a class B misdemeanor for any person over ten years of age to indecently expose his body in public.~~

B. ~~For the purpose of this section:~~

1. ~~Indecent exposure means:~~

a. ~~The exposed male genital or the covered male genital shown in a discernibly turgid state.~~

b. ~~The exposed female genital or female breasts that are not covered with an opaque covering below a point immediately above the top of the nipple (or the breast with only the nipple covered).~~

2. ~~“Public” means any place open to or frequented by the public or which may be seen from any place open to or frequented by the public and includes private clubs, associations or other places where the public frequents.~~

~~13-338. OFFENSIVE, INDECENT ENTERTAINMENT.~~ It shall be unlawful for any person to hold, conduct or carry on, or to cause or permit to be held, conducted or caused any motion pictures, exhibition or entertainment of any sort which is offensive to decency, or which is of an obscene, indecent or immoral nature, or so suggestive as to be offensive to the moral sense.

~~**Renumbering**~~

~~13-341. UNLAWFUL USE OF RESTROOMS.~~ No person over the age of eight years shall use the restroom and washrooms designated for the opposite sex.

PART 13-350. PUBLIC PROPERTY - DOCUMENTS.

13-352. UNLAWFUL ACTS.

On any public property it is ~~unlawful~~ an infraction for any person to:

E. ~~Urinate or dDefecate~~, except in a public restroom in receptacles placed there for such purpose. This is a Class “C” Misdemeanor

G. ~~Climb any tree or walk, stand or sit on monuments, fountains, railings, fences, planted areas or upon any other property not designed or customarily used for such purposes or to intentionally stand, sit or lie in or upon any street, sidewalk, stairway or crosswalk so as~~

~~to prevent free passage of persons or vehicles passing over, along or across any street, sidewalk, stairway or crosswalk.~~

- ~~H. — Drop, throw, place, discard, dump, leave or otherwise deposit any bottles, broken glass, garbage, ashes, paper, boxes, cans, dirt, rubbish, waste, refuse or other trash on any public property except in waste containers provided therefore. No such refuse or trash shall be placed in any waters contiguous to any park or planted area or left anywhere on the grounds thereof.~~
- ~~I. — Sleep on seats, benches, sidewalks, curbs, planters, walls or other areas.~~
- ~~J. — Expose or offer for sale any article or thing or station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing, without first obtaining a license, except that the governing body may exempt designated areas from this subsection by resolution on such terms and conditions as it may prescribe.~~
- ~~K. — To beg or to go from door to door of private homes or commercial and business establishments or place himself in or upon any public way or public place to beg or to receive money or other things of value.~~

CHAPTER 13-900. OFFENSES AGAINST PUBLIC ORDER AND DECENCY.

PART 13-920. TELEPHONE ABUSE.

~~13-921. TELEPHONE HARASSMENT.~~

- ~~A. — A person is guilty of telephone harassment and subject to prosecution if, with intent to annoy or alarm another, he;~~
 - ~~1. — Makes a telephone call, whether or not a conversation ensues, without purpose of lawful communication; or~~
 - ~~2. — Makes repeated telephone calls at extremely inconvenient hours or in offensively coarse language; or~~
 - ~~3. — Insults, taunts, or challenges another in a manner likely to provoke a violent or disorderly response.~~
- ~~B. — Telephone harassment is a class B misdemeanor.~~

CHAPTER 13-1000. OFFENSES AGAINST PUBLIC SAFETY AND WELFARE.

PART 13-1020. WATERS.

13-1022. TAKING WATER OUT OF TURN OR EXCESS AMOUNT – INJURING FACILITIES. Every person who, in violation of any right of any other person, willfully turns or uses the water, or any part thereof, of any canal, ditch, pipeline, or reservoir, except at a time when the use of the water has been duly distributed to the person or willfully uses any greater quantity of water than has been duly distributed to him, or in any way changes the flow of water when lawfully distributed for irrigation or other useful purposes, except when duly authorized to make the change, or willfully and maliciously breaks or injures any dam, canal, pipeline, water gate, ditch, or other means of diverting or conveying water for irrigation or other useful purposes, is guilty of ~~a class B misdemeanor~~ an infraction.

PART 13-1070. CORPORATION FRAUDS.

13-1070-2. FRAUDULENT SIGNING OF SHARE SUBSCRIPTIONS. Every person who signs the name of a fictitious person to any subscription for, or agreement to take, shares in any corporation existing or proposed, and every person who signs to any subscription or agreement the name of any person, knowing that the person has no means or does not intend in good faith to comply with all the terms thereof, or under any understanding or agreement that the terms of the subscription or agreement are not to be complied with or enforced, is guilty of an ~~class-B misdemeanor~~ infraction.

PART 13-1080. PUBLIC NUISANCES.

13-1081 "PUBLIC NUISANCE" DEFINED

A "public nuisance" is a crime against the public order of this municipality and consists in doing any act or omitting to perform any duty, which act or omission either:

- A. Injures, annoys or endangers the health, comfort, repose or safety of ~~three~~ one or more persons; or
 - 1. Offends public morals or decency; or
 - 2. In any way renders ~~three or more~~ a person insecure in life or the use of property.
- ~~B. An act which affects three or more persons in any of the ways specified in this chapter is still a nuisance regardless of the extent to which the annoyance or damage inflicted on individuals is unequal.~~

TITLE 14-000. UTILITIES.

CHAPTER 14-100. WATER

ENOCH CITY CORPORATION

APPLICATION FOR UTILITY SERVICES

TO THE MUNICIPALITY OF ENOCH, UTAH

~~The undersigned hereby applies for utility services from the municipality of Enoch, Utah, for premises located at _____, and hereby agrees:~~

- ~~1. To pay charges for such utility services as are fixed from time to time by the governing body until such time as I shall direct such services to be discontinued.~~
- ~~2. In the event of a failure to pay utility charges within the due dates fixed by the governing body or of a failure of the occupant of the premises to conform to the ordinances and regulations established by the governing body regulating the use of the utility system, the municipality shall have the right to discontinue the water system service at its election, pursuant to fifteen (15) days or twenty-four (24) hour written notice of the municipality's intention, as defined in Part 14-121 and Part 14-236 of the Code of Revised Ordinances of Enoch, until all utility charges and any reconnection fees imposed are paid in full or~~

~~until any failure to conform to this ordinance or regulation issued there under is eliminated.~~

3. ~~To be bound by the rules, regulations, resolutions or ordinances enacted or adopted by the governing body applicable to the municipality's utility system.
Applicant does hereby deposit \$_____ with the municipality on the filing of this application for utility service, and it is agreed and understood that the municipality may, but need not apply the deposit upon bills due for prior service and that the right of the municipality to shut off service as above provided shall exist even though the deposit has not been applied to the payment of past due bills for services. On final settlement of applicant's account, any unused balance of the deposit will be refunded to applicant upon return of the security deposit receipt issued by the municipality at the time the deposit is made.~~
4. ~~That the deposit shall not be considered as an advance payment for any service. Charges and unpaid accounts shall be considered delinquent notwithstanding the existence of the deposit, and the applicant or user of water service shall not have the right to compel the municipality to apply the deposit to any account to avoid delinquency. In addition, by affixing my signature to this agreement I hereby signify that I have inspected the premises to insure that it is ready for water service, and hereby authorize the City to turn on water service to my property. I also agree that I will indemnify, defend, and hold harmless Enoch City, its agents and employees, elected and appointed officials, from and against all claims, damages, losses that occur due to any condition on the applicant's property arising out of or resulting from the act of turning on water service to the mentioned property. Rev. 5-7-08.~~

Dated this _____ day of _____, 20____, _____
Applicant

CHAPTER 14-200. SEWER

PART 14-205. USE OF PUBLIC SEWER REQUIRED.

14-206. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Enoch City any human excrement, garbage, or other objectionable waste.

ADDENDUM

Enoch City Corporation Service User Charge System

A. ESTIMATED ANNUAL SYSTEM COSTS

UTAH W LOAN	\$ 117,000.00
RURAL DEVELOPMENT AGENCY	10,000.00
ENOCH CITY REPAIR AND REPLACEMENT Q&M	10,000.00

ESTIMATED OPERATION AND MAINTENANCE	41,000.00
WASTEWATER TREATMENT SERVICES	
SALARY, TRAINING FOR COLLECTION OPEATERS	5,100.00
ADMINISTRATION	2,000.00
TOTAL YEARLY	\$ 185,100.00
TOTAL MONTHLY	\$ 15,425.00

B. CURRENT AVERAGE FLOW PER RESIDENTIAL UNIT (BASED ON WINTER FLOW RATES)

AVERAGE DAILY FLOW PER RESIDENTIAL UNIT 400 GALLONS
AVERAGE RESIDENTIAL UNIT FLOW PER MONTH
— 30 DAYS X 400 GALS/DAY = 12,000 GALLONS = 1 ERU

C. <u>ESTIMATED AVERAGE FLOW FROM OTHER USERS</u>	#OF ERU'S
CAFE OR RESTAURANT	36,000 GALLONS PER MONTH — 3
SMALL BUSINESS	12,000 GALLONS PER MONTH — 1
CHURCHES	24,000 GALLONS PER MONTH — 2
ELEMENTARY SCHOOLS	108,000 GALLONS PER MONTH — 9

D. RATE SCHEDULE

\$185,100.00/YEAR	
15,425.00/MONTH	
15,000.00/MONTH DIVIDED BY 600 RESIDENTIAL ERU'S	\$ 25.00
100.00/MONTH DIVIDED BY 4 SMALL BUSINESSES	\$ 25.00
100.00/MONTH DIVIDED BY 2 CHURCHES	\$ 50.00
225.00/MONTH DIVIDED BY 1 SCHOOL	\$225.00

ONE EQUIVALENT RESIDENTIAL UNIT (ERU)	\$25.00/MONTH
RESIDENTIAL USERS	\$ 25.00
CAFE OR RESTAURANT	\$ 75.00
SMALL BUSINESS	\$ 25.00
CHURCHES	\$ 50.00
ELEMENTARY SCHOOL	\$225.00

TITLE. 15-000. HISTORICAL PRESERVATION

CHAPTER 15-100. PRESERVING HISTORIC AND ARCHITECTURALLY SIGNIFICANT DISTRICTS AND LANDMARKS.

PART 15-110. PURPOSE. This chapter is enacted and intended for the purpose of more fully preserving historic and architecturally significant districts and landmarks which are among the City's most valuable cultural, educational and economic assets. The districts and landmarks herein will be preserved for the future use, observation, education, pleasure, and general welfare of the inhabitants of the City of Enoch City.

15-112. CREATION OF HISTORIC PRESERVATION COMMITTEE.

- A. **CREATION.** There is hereby created a Historic Preservation Committee for ~~the City of~~ Enoch City. Said committee shall consist of seven members, five of whom, shall be qualified voters of ~~the City of Enoch City~~, with two at large advisors selected by the committee from the surrounding area (people with preservation experience). One member of the five to be a member of the City Planning Commission or the City Council without respect to his or her political affiliations. They shall serve without compensation, except for reasonable expenses as directed by the Enoch City Council.
- C. **ELECTION OF OFFICERS, MEETINGS.** The Historic Preservation Committee shall elect from among its membership a chairman, a vice-chairman, and a secretary and shall adopt policies, rules, and regulations for its own organization and for the transaction of its business, not in conflict with other ordinances of ~~the City of Enoch City~~ or laws of the State of Utah.
- D. **COMMITTEE JURISDICTION.** This review is to insure that attractive buildings and signs are built for the enhancement of the approaches to ~~the City of Enoch City~~. These structures are not required to be "thematic" nor of certain building materials or styles.

15-116. COMMITTEE ACTION.

The City Council may impose such requirements as it deems fit regarding improvements to be placed on the property after demolition, to include but not to be limited to grass and sprinklers, and may require such bonding as necessary to guarantee the installation and maintenance of those improvements as provided under the sub-division ordinance for ~~the City of~~ Enoch City.

TITLE 16-000. SHADE TREE ORDINANCE

CHAPTER 16-100. ENOCH CITY SHADE TREE ORDINANCE.

16-120. CREATION AND ESTABLISHMENT OF SHADE TREE COMMITTEE. There is hereby created and established a Shade Tree Committee of ~~the City of~~ Enoch City, State of Utah, which shall consist of five members, citizens and residents of this city, who shall be appointed by the mayor with the approval of the City Council. One City Council member shall serve as an ex-officio member of the Shade Tree Committee.

~~**16-210. INTERFERENCE UNLAWFUL.** It shall be unlawful for any person to prevent, delay or interfere with the Shade Tree Committee or any of its agents or with Enoch City personnel while engaged in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees, or trees on private grounds as authorized in this ordinance.~~

**COOPERATIVE AGREEMENT FOR
BUILDING INSPECTION SERVICES**

AGREEMENT made on this 23 day of November, 2020, by and between Iron County, Building and Zoning Department, herein after referred to as "COUNTY", and Enoch City Corporation, a municipality, hereinafter referred to as "CITY."

WHEREAS, COUNTY, and CITY are responsible for providing building inspection for all new construction and remodeling projects to both residential and non-residential clients; and,

WHEREAS, COUNTY and CITY desire to make the most efficient use of their resources by collaborating and sharing with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to a form of Inter-local Cooperation that will work best with geographic, economic, population and other factors influencing the needs and development of local communities and to provide benefit of economy of scale, economic development and utilization of resources for the overall promotion of general welfare of COUNTY and CITY; and,

WHEREAS, the State of Utah has enacted legislation requiring building inspectors to be certified in accordance with Utah State Standards as provided for in Title 58, Chapter 56, section 9, Utah Code Annotated, 1953 as amended; and

WHEREAS, it is a mutual benefit for COUNTY and CITY to assist each other and provide building inspection services for the residents and developers, on an as needed basis.

IN CONSIDERATION of the mutual covenants and promises herein, the parties agree as follows:

1. COUNTY may provide all necessary certified building inspection services to CITY, and CITY may provide all necessary certified building inspection services within a 4 mile radius of the business office of CITY commencing on 23 November 2020
2. Both COUNTY and CITY shall obtain all necessary liability insurance and each will hold COUNTY and CITY harmless, and defend all claims against COUNTY and CITY as related to the building inspection services performed.

3. COUNTY and CITY shall only perform inspections scheduled through COUNTY and CITY staff and agree to schedule inspections in a coordinated effort regarding COUNTY and CITY workloads, schedules, and resources.
4. COUNTY and CITY agree to perform these inspections at no cost.
5. Any party to this agreement may terminate its participation by providing notice, to the other party and in writing, one (1) month prior to the effective termination date.

This agreement constitutes the entire agreement of the parties and may be changed or modified only with the written consent of all parties.

IN WITNESS THEREOF, the parties hereto have affixed their hands on the dates set forth hereafter:


Paul Cozzens, Chair 23 May 2020
Iron County Board of Commissioners DATE

Geoffrey Chesnut, Mayor DATE
Enoch City