

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, November 19, 2020, 7:00 p.m.

Meeting held on Zoom without an anchor location

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

Citizens: Lt. Butler

1-Mayor Truett called the meeting to order. There is a full quorum present. Beckki read the statement regarding the Zoom only meeting without an anchor location due to the COVID-19 pandemic. (See Attachment #1)

2-Pledge of Allegiance – TCM Blake Bingham.

3-Opening Ceremony – TCM Max Ferre'.

4-Public Comments – There were none.

5-Sheriff's Report – There were 21 incidents in Huntsville for October. There was an officer involved shooting, a stolen vehicle and a DUI. There have been multiple suicides in the Upper Valley in the last month. Lt. Butler wanted to arrange for a tour of the Live Crime Center in Ogden. He will contact Mayor Truett to arrange for a time.

ACTION ITEMS:

1 - Approval of Town Council Meeting Minutes, November 5, 2020. (See Attachment #2)
TCM Bingham motioned to approve the Town Council Meeting Minutes for November 5, 2020. TCM Wendy McKay seconded the motion. Roll Call Vote. Votes are reflected below. All votes aye. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Blake Bingham	X			
CM Max Ferre'	X			
CM Richard Sorensen	X			

2 – Discussion and/or action on acceptance of the audit for FY 2019-2020. (See Audit Report on file at Huntsville Town)

Kaela presented the audit report from FY 2019-2020. She presented the opinion as “clean” and “unmodified.” Kay explained to the TC regarding a Fraud Assessment. These requirements are new from the State. Huntsville Town was unaware about the assessment requirements. We have until the end of 2020 to complete the checklist. The purpose of the Fraud Assessment is to get municipalities to look at their internal controls. One of the requirements is training for the Town Council. She will be sending links to the Town Council to do online training by the end of the year.

3 –Discussion and/or action on Ordinance 2020-11-19, Conditional Use Moratorium Extension. (See Attachment #3) Mayor Truett reviewed the history of the Conditional Use Committee. The Conditional Use Committee is done with their proposed changes and the changes have been passed on to the Planning Commission. The Planning Commission has been working on other items and have not schedule a public hearing on the proposed changes yet. The Planning Commission needs additional time. TCM Blake Bingham is proposing an extension of the moratorium with the ordinance. The date would be extended out two months or the first part of February.

TCM Bingham stated the Clawson’s want to submit their application for conditional use as a Bed and Breakfast but have not been able to because of the moratorium. TCM Bingham has reviewed their situation with them and let them know that he would be filing for an extension.

TCM McKay stated the committee allowed for additional bars in the new highway zone. She stated she has been doing research into how many bars they should allow per capita. TCM McKay stated that Washington County only allows one bar per 15,000. Here in Huntsville, we already have two bars. She states it is a safety issue out on the highway and would like to propose they make that change. TCM Bingham stated she could speak at the public hearing and she could propose the change as a Town Council Member before the Ordinance was voted on.

TCM Wendy McKay motioned to approve Ordinance 2020-11-19: Conditional Use Moratorium Extension. TCM Ferre’ seconded the motion. TCM Richard Sorensen asked if there were any other applications for Conditional Use. Beckki replied there hadn’t been any other applications. All votes aye. Roll Call votes are reflected below. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Blake Bingham	X			
CM Max Ferre’	X			
CM Richard Sorensen	X			

4 – Discussion and/or action on Resolution 2020-11-19, Code Compliance Officer. (See Attachment #4) TCM Bingham composed this section of the code and Huntsville's Town Attorney has reviewed this section and proposed changes. The TC is now looking at a red-lined version from our Town Attorney. TCM Blake Bingham reviewed the changes and emphasized this code was designed as a tool to help our neighbors comply with the Town Code and not designed as a punishment to hurt our neighbors. To help ensure the use of the code, there will be a fee for filing a complaint. The fee will be \$50 fee to file a report. The report could be anonymous. If the compliance officer finds their report valid, the person reporting the compliant will get the fee back. If Town Officers file the compliant, there would not be a fee, but the name of the Town Officer would be on the complaint.

TCM Richard Sorensen wanted the Town Official under B.ii more defined. He feels it should be elected officials only. The Town Official should not be the Planning Commission members or the Land Use Coordinator. TCM Sorensen felt the Town Official group was too large a group.

TCM Bigham reviewed additional sections of the resolution stating it was his goal to give the compliance officer the power to do his job without the interference from the TC. The TC must follow the process laid out in the Huntsville Code and not direct the Compliance Officer. TCM Wendy McKay wondered if the Compliance Officer would have regular hours. TCM Bingham stated the Code Compliance Officer will only investigate complaints once made. TCM Ferre' and TCM McKay thought it would be good to try the resolution as is.

TCM Richard Sorensen motioned to approve Resolution 2020-11-19 with the following changes in 10.3.B.ii stating Town Council Member instead of Town Officer. Motion was seconded by TCM Max Ferre'. Roll Call Vote. All votes aye. The votes are reflected below. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Blake Bingham	X			
CM Max Ferre'	X			
CM Richard Sorensen	X			

5 – Discussion and/or action on Automated Chlorine Upgrade. TCM Blake Bingham stated the Water Committee had a capital expenditure scheduled for \$33,000. The project was replacement of filters. The Water Committee has decided there was a more important project for the scheduled \$33,000. The chlorine automated injector will cost \$11,000. They would like to make that upgrade this year. **Mayor Truett motioned to approve the request to update the automated chlorine system.** TCM Sorensen seconded the motion. Roll Call Vote. The votes are reflected below. All votes aye. Motion passes.

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

CM Blake Bingham	X			
CM Max Ferre'	X			
CM Richard Sorensen	X			

6 –Discussion and/or action on Water Connection Application for Dean M. Davies. (See Attachment #5) The LDS Church farm properties next to Trapper's Loop house a two-lot subdivision. One is a three-acre lot owned by Dean Davies. He was planning on building a house there. They asked permission for a culinary water line and the lines and meters were placed in 2007. They cannot find any contract with the Town. Dean Davies is now selling the property and has offered to pay for the connection. He has filled out the application and it is before the Town Council for approval. TCM McKay wanted to know if they could dig a well. TCM Bingham stated the infrastructure is already there. He believes that there is a positive in that Huntsville Town will be able to purchase water hook ups at a discount from the Wishing Well with the money that will be paid for the out of Town connection. Mayor Truett made the point that the LDS Church will be probably come forward to purchase a connection as well.

TCM McKay wanted to know about the ownership of the Wishing Well. Mayor Truett stated Huntsville Town is contracted to a certain amount of water. TCM McKay stated it sounded like there is a small amount of time to purchase water at a discount for future uses. **Mayor Truett motioned to approve the Water Connection Application Dean M. Davis for one culinary connection.** TCM McKay seconded the motion. Roll Call Vote. All votes aye. Votes are reflected below. Application is approved.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Blake Bingham	X			
CM Max Ferre'	X			
CM Richard Sorensen	X			

Mayor Truett left the meeting at 8:25 p.m.

7 – Approval of the Bills, October, 2020. TCM Max Ferre' motioned to approve the bills, October, 2020. TCM Sorensen seconded the motion. All votes aye. October 2020 bills are approved.

COUNCIL MEMBER UPDATES:

TCM Sorensen – The Johnson Family is having an artisan craft fair at The Mercantile this weekend. He also reported the stop sign at the intersection at 7400 East and 200 South was moved and is working out great.

TCM Ferre' – He has been working on street signs and he finally found someone to make the signs at Intermountain Barricade.

Adjournment of Meeting. TCM Blake Bingham made a motion to adjourn. TCM McKay seconded the motion. All votes aye.

Meeting is adjourned at 8:33 p.m.

Beckki Endicott, Recorder

Authorization to Conduct Electronic Meeting Without Anchor Location

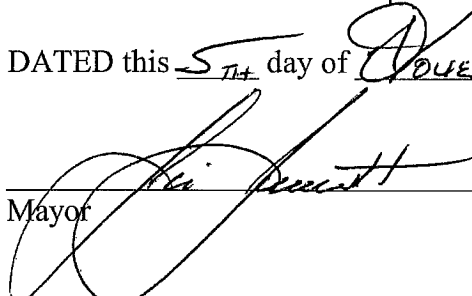
In accordance with Utah Code §52-4-207, the Presiding Officers whose signature appears below hereby authorize the City Council and Planning Commission to convene and conduct an electronic meeting without an anchor location based upon this written determination that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. This written determination is based upon the fact that: the Centers for Disease Control and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease.

Further, that the Public Notice for the meetings will include the following statement which shall also be read before the meeting: "The Centers for Disease Control and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease."

The Public Notice will state that members of the public at the Public Meeting may view the meeting by via Zoom using a link on the web page at: www.huntsvilletown.com Comments on appropriate agenda items may be emailed to: clerk@huntsvilletown.com

This written determination expires thirty (30) days after the date signed below.

DATED this 5TH day of NOVEMBER, 20 20.



Mayor

Chair, Planning Commission

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING
Thursday, November 5, 2020, 7:00 p.m.
Meeting held at Town Hall 7390 East 200 South, Huntsville, UT

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

Citizens: Lt. Butler, Dakota Hyde, Jeff Hyde, Troy May, Ashley Smoot, Liz Poulter

1-Mayor Truett called the meeting to order. There is a full quorum present. Beckki read the statement regarding the Zoom only meeting without an anchor location due to the COVID-19 pandemic. (See Attachment #1)

2-Pledge of Allegiance – Mayor Truett

3-Opening Ceremony – TCM Blake Bingham.

4-Public Comments – There were none.

5-Sheriff's Report – Lt. Butler stated we doubled the amount of calls answered or serviced over 2019. There were three citations for the month of October. All the citations were DUI's. Lt. Butler stated there are down eight officers right now. There are two on administrative leave, two off on injuries, and the others are out with COVID or COVID exposures.

There was an officer involved shooting in Huntsville in October. There was also a stolen vehicle across from the American Legion in October. There have been several stolen vehicles in the past weeks in the Valley. Lt. Butler admonished everyone to lock up their vehicles. Some of the vehicles have had firearms in the vehicles. The firearms have been used in drive-by shootings in the Ogden Area.

6-Security Presentation by Troy May of Digital Defense Surveillance – Troy specializes in building license plate surveillance systems. He has built systems for law enforcement. He has also been protecting construction sites for some time. The cost for a license plate surveillance system in one intersection is \$12,500. TCM Blake Bingham asked about the camera feed and whether it is recorded or monitored. Troy stated the system is flexible and you are able to do a lot with the feed. It can be recorded or monitored. Troy explained monitoring is an extra monthly fee. The cameras are actually reading the license plates and not just taking pictures of the plates. The system then compares the license plates to a list of known license plates.

Troy offered to do a live demo down the road. Mayor Truett would like to learn more about the technology. TCM Blake Bingham wants to be cautious about proceeding but would like to know more about the technology.

ACTION ITEMS:

1 - Approval of Town Council Meeting Minutes, September 17, 2020. (See Attachment #2)
TCM Bingham motioned to approve the Town Council Meeting Minutes for September 17, 2020. TCM Wendy McKay seconded the motion. Roll Call Vote. Votes are reflected below. All votes aye. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Blake Bingham	X			
CM Max Ferre'	X			
CM Richard Sorensen				X

2 – Discussion and/or action on stop sign at 7400 East and 200 South. Mayor Truett motioned to table this agenda item. Seconded by TCM Max Ferre'. Roll Call Vote. Votes are reflected below. All votes aye. Motion passes. .

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Blake Bingham	X			
CM Max Ferre'	X			
CM Richard Sorensen				X

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3 – Discussion and/or action on Resolution 2020-11-5: Establishment of Replacement Permit Fee. (See Attachment #3) Beckki explained she was approached by a heating and air condition company that wanted a permit to replace a heating and air conditioning system. She submitted to Sunrise for a building permit after the company filled out the form for a building permit. Sunrise advised her to put together an over the counter permit for vendors to replace or rework like items. She consulted with Rex and the fee for the permit was determined to be \$100. This resolution would establish that fee. TCM Ferre' felt the mechanism was a good idea but the fee was too high. He would recommend \$25-50. TCM McKay agreed. TCM Bingham felt the permit needed to be equal with the work that was put into it. Beckki stated she spent about 30 minutes on a permit like this. Mayor Truett motioned to accept Resolution 2020-11-5 as written with the exception that the fee be changed to \$30. TCM Blake Bingham seconded the motion. Roll Call Votes. All votes aye. Votes are reflected below. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Blake Bingham	X			
CM Max Ferre'	X			
CM Richard Sorensen				X

4 – Discussion and/or action on Business License for First Lift Coffee. (See Attachment #4)

Dakota Hyde stated they have applied to Huntsville Town for a Class-A, Off Premise Beer license. He explained it is traditional to do sundries sales along with beer in hotels. First Lift Coffee would like to sell beer to their hotel guests. Dakota explained they have been following the state requirements to get approval through the local government so that they can apply for an Off-Premise license through the State of Utah. He stated they would be able to sell beer and other drinks with less than 5% alcohol. Hotel guests would be able to buy beer and take it back to their rooms. The guests will not be able to consume it in the coffee shop or patio.

Dakota explained all employees would have to go through training in order to obtain the license. There are many rules that would be monitored by the State of Utah.

TCM Wendy McKay if they would be able to sell beer to anyone that entered First Lift Coffee. Dakota stated the intent is to sell to their guests, but legally they would be able to sell to the public. TCM McKay wanted to know if Huntsville Town could restrict the approval from Huntsville Town to hotel guests only. Dakota responded that Chevron isn't restricted on selling to the public. TCM Blake Bingham stated he has read the Town Ordinance and it states that we follow the Utah State guidelines.

TCM Richard Sorensen entered the meeting at 7:50 p.m.

TCM Blake Bingham motioned to approve the Off-Premise Beer License for Jeff & Bonnie Hyde/First Lift Coffee. Mayor Truett seconded the motion. Roll Call Vote. All votes aye. The votes are reflected below. The Off-Premise Beer License is approved.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Blake Bingham	X			
CM Max Ferre'	X			
CM Richard Sorensen	X			

5 – Discussion on CDBG Grant. Beckki stated she has attended the orientation for the CDBG grant. There are many rigorous requirements for low to moderate income. She doesn't know if Huntsville would qualify. In order to qualify Beckki feels that they should do a second home

survey. CDBG would be able to eliminate second homes from the income survey if there are less than 30% of the homes in Huntsville fall into that category.

Mayor Truett explained they have been able to fund many infrastructure projects of the past with the CDBG grants. He feels it is a good idea to do the survey. Beckki suggested they use the college student who was looking to do a survey project for the Town. The student had reached out to Max. Mayor Truett suggested we go ahead with the income survey with the projects of First Street improvements and establishing a community center in mind.

6 – Discussion on compliance officer. Mayor Truett explained he would like to table this item. He and TCM Blake Bingham have been reviewing the ordinances regarding the compliance officer. He stated they have a good applicant but aren't ready to move forward yet.

7 – Discussion on Town Christmas Party. Mayor Truett stated COVID is really surging and a traditional holiday party doesn't conform to the current guidelines. Mayor Truett suggested an employee gift would be a good replacement for the party.

8 – Discussion on Second Home Tax. TCM Wendy McKay and Mayor Truett discussed the possibility of an additional tax for second homes. TCM McKay stated second homeowners are not usually contributors to the Town neighborhoods. TCM Sorenson would like to see a municipality tax for future second homeowners, but grandfather those that currently reside here. TCM Blake Bingham stated he is in favor of the tax because the amount of sweat equity residents provide to the Town. He is concerned with the legality of such a tax.

Beckki suggested Mayor Truett check with Attorney Morris about the resort tax. She believes there might be a mechanism for this already in place.

9 – Update on Town Street Signs. TCM Ferre' ordered some additional signs for the new developments and future use. Mayor Truett stated he has used Grizzly Graphics in the past.

10 – Update on the Water Committee Meeting. TCM Bingham summarized the meeting that was held tonight. Ron Gault has been doing a lot of analysis and reporting on the water treatment plant and the maintenance of the plant.

11 – Update on the Self Remodel Permit. TCM Bingham explained the Planning Commission had been given the assignment to look at the self-remodel permit by Mayor Truett. He stated the Planning Commission is divided on whether to have the self-remodel permit. The Planning Commission will continue to work on this.

12 – Update on the Conditional Use Table. The committee continues to work on the Conditional Use Table. He stated the 4-month moratorium is about to expire. Mayor Truett stated the committee was done with the update and it is now in the hands of the Planning Commission. TCM Blake Bingham stated it was going to take time to finish this process. He will bring an extension proposal to the next meeting.

13 – 30 Day Minimum on Rentals. The Planning Commission discussed extending the minimum period of time for rentals beyond 30 day. There were no conclusions. The Planning Commission will continue to discuss.

14 – History Library. TCM McKay stated the history books are being scanned at a good rate.

15 – CERT Supplies. TCM McKay wanted to know if Steve Waldrup was going to make a donation for CERT supplies. TCM Ferre' will check on the status of the donation. TCM McKay have been working hard at organizing the trailer. They have reorganized the captains. She stated this will be great in case of a disaster. Mayor Truett wanted Gary to check the tires on the CERT trailer.

16 – Discussion and/or action on stop sign at 200 South and 7400 East. TCM Richard Sorenson stated the stop sign is set back behind the line of sight at the Mercantile. It is creating a dangerous situation. The stop sign needs to be moved farther out into the street. There is no way to stop at the stop sign and see around it. Mayor Truett suggested TCM Sorenson work with Gary to punch a hole in the concrete and restripe the street.

17 – Snow Plowing. TCM Richard Sorenson asked if the maintenance department could plow the snow farther north on 7400 East to the telephone building. TCM Ferre' will talk to Gary about this.

18 – Approval of the Bills, August 2020. TCM Ferre' motioned to approve the bills. TCM McKay seconded the motion. TCM McKay will ask Kay about the bills for Brisky Plumbing. All votes aye. Roll Call Vote. The votes are reflected below. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Blake Bingham	X			
CM Max Ferre'	X			
CM Richard Sorensen	X			

19 – Approval of the Bills, September 2020. TCM Bingham motioned to approve the bills for September 2020. TCM McKay seconded the motion. All votes aye. Roll Call Vote. The votes are reflected below. Motion passes.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Truett	X			
CM Wendy McKay	X			
CM Blake Bingham	X			
CM Max Ferre'	X			
CM Richard Sorensen	X			

20 – Citizen Comments: **Liz Poulter** stated they have closed the gate at the parking area at Cemetery Point. She would like to know why they have closed the gate. Mayor Truett will put Liz in contact with the Forest Service.

21 - Adjournment of Meeting. TCM Blake Bingham made a motion to adjourn. TCM McKay seconded the motion. All votes aye.

Meeting is adjourned at 8:50 p.m.

Beckki Endicott, Recorder

**HUNTSVILLE TOWN
ORDINANCE 2020-XX-XX**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, EXTENDING A
TEMPORARY LAND USE REGULATION THAT PLACES A MORATORIUM
ON THE ISSUANCE OF CONDITIONAL USE PERMITS.**

- A. WHEREAS**, Huntsville Town (hereafter referred to as “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the Town to regulate land use and development;
- C. WHEREAS**, Section 10-9a-504 of the *Utah Code Annotated*, 1953, as amended, enables the Town to enact temporary land use regulations;
- D. WHEREAS**, the Town’s conditional use regulations have been deemed inadequate to appropriately mitigate potential detrimental effects of conditional uses due to the lack of identifiable standards as required by Section 10-9a-507a of the *Utah Code Annotated*, 1953, as amended;
- E. WHEREAS**, certain conditional uses listed in the Town’s Allowable Use Table are vague and potentially inconsistent with the Town’s General Plan;
- F. WHEREAS**, the inadequacy of the Town’s conditional use regulations constitutes a compelling public interest to extend the existing moratorium on the issuance of conditional use permits for an additional two (2) months in order to provide the Town with adequate time to cure the defects;

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

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

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

Extension of Temporary Moratorium on the Issuance of Conditional Use Permits

Huntsville Town shall extend the temporary suspension of the issuance of conditional use permits under Title 15.4 of the Huntsville Municipal Code for an additional two (2) months. The extended moratorium shall not exceed a total of six (6) months beyond the enactment date of the original moratorium and shall expire automatically on February 6, 2021, unless first repealed by

the Town Council. During the moratorium, the Town shall not accept conditional use permit applications, but shall return any conditional use permit application(s) to the respective applicant(s) without further action and/or consideration.

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

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

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett				
CM Max Ferre'				
CM Wendy McKay				
CM Richard Sorensen				
CM Blake Bingham				

ADOPTED AND APPROVED on this <DATE>.

JIM TRUETT, Mayor

ATTEST:

BECKKI ENDICOTT, Recorder

RECORDED this <DATE>.

HUNTSVILLE TOWN
RESOLUTION 2020-XX-XX

CODE COMPLIANCE OFFICER

**A RESOLUTION OF HUNTSVILLE TOWN, UTAH, -ESTABLISHING THE
POLICY AND DEFINING THE ROLES OF THE CODE COMPLIANCE
OFFICER, OUTLINING THE ENFORCEMENT ACTION PROCEDURES, AND
IMPLEMENTING ESTABLISHMENT OF A CODE VIOLATION COMPLAINT
FEE.**

- A. **WHEREAS**, Huntsville Town (hereafter referred to as "Town") is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. **WHEREAS**, Title 10, Chapter 8, of the *Utah Code Annotated*, 1953, as amended, enables the Town to exercise certain police powers and nuisance abatement powers, including but not limited to providing for the safety and preservation of health, promotion of prosperity, improvement of the good order for the inhabitants and businesses of the Town;
- C. **WHEREAS**, Title 10, Chapter 11, of the *Utah Code Annotated*, 1953, as amended, authorizes the Town to conduct inspection and cleaning of certain property and nuisances;

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

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

Section 2: Amendment. The duties of the Code Compliance Officer are hereby amended to read as follows:

1.

1. Code Compliance Officer Appointment. The Mayor may appoint a Code Compliance Officer subject to with the advice and consent of the Huntsville Town Council. ~~subject to the following provisions: The Town Council may remove a Code Compliance Officer by Majority vote.~~

A. ~~The Town Council may remove a Code Compliance Officer at its own discretion by a majority vote.~~

2. Code Compliance Officer Authority. The Code Compliance Officer is delegated authority to monitor and enforce provisions of the following titles of the Huntsville Municipal Code:

- A. Title 2 - Nuisance.
- B. Title 4 - Land Use Permits.
- C. Title 15 - Land Use Regulations.

3. Enforcement Action Process.

A. Policy. It is the policy of the Huntsville Town to recoup the costs related to Enforcement Actions, discourage complaints that lack probable cause, are duplicative, and/or that are retaliatory in nature.

A.B. Initiation. Enforcement Actions are initiated by the submission of a Code Violation Complaint to the Town Clerk along with the payment of a \$50.00 fee, subject to the following provisions:

- i. Complainants may choose not to identify themselves and may remain anonymous.
- ii. A Town officer, acting in their official capacity, may submit a Code Violation Complaint without paying the respective fee. A Code Violation Complaint submitted by a Town officer shall not be anonymous.
- ii.iii. The fee is refundable where complaints are found to have probable cause is found and enforcement action is pursued.

B.C. Procedure. Upon receipt of a Code Violation Complaint, the Code Compliance Officer shall investigate the complaint and make a determination as to whether or not the alleged offense violates the Huntsville Municipal Code.

- i. If no violation is found, the Code Compliance Officer shall conclude the investigation and terminate the Enforcement Action by filing a brief summary of the investigation with the Town.
- ii. If the Code Compliance Officer concludes that the alleged offense violates the portion Huntsville Municipal Code under, they shall proceed with the Enforcement Action as directed under the respective titles:
 - a. Nuisance Violations. The Code Compliance Officer shall enforce nuisance violations as directed under Title 2, Sections 2.3 and 2.4.
 - b. Land Use Violations. The Code Compliance Officer shall enforce land use violations as directed under Title 15.31, Sections 15.31.4 and 15.31.5.

~~C.D.~~ No elected or appointed Town official shall attempt to influence the efforts or duties of the Code Compliance Officer in any manner that would result in an inequitable application of the Town's enforcement ordinances.

~~D.E.~~ The Town's legal counsel may advise the Code Compliance Officer with regard to questions of law and due process at any time during the Enforcement Action. Complaints may be referred to the Town Prosecutor for criminal charges where appropriate.

4. Appeals. Appeals to enforcement actions shall proceed as directed under the provisions of the following Huntsville Municipal Code titles:

- A. Nuisance Violations Appeals. Appeals to enforcement measures relating to nuisance violations shall proceed as directed under Title 2, Section 2.5 and Title 15.5.
- B. Land Use Violations Appeals. Appeals to enforcement measures relating to nuisance violations shall proceed as directed under Title 15.31, Section 15.31.6 and Title 15.5.

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

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

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett				
CM Max Ferre'				
CM Wendy McKay				
CM Richard Sorensen				
CM Blake Bingham				

ADOPTED AND APPROVED on this <DATE>.

JIM TRUETT, Mayor

ATTEST:

BECKKI ENDICOTT, Recorder

RECORDED this <DATE>.

Huntsville Town

Water Connection Application (Outside Municipal Boundary)

Applicant Name: SUPRA VIEW L.L.C. (Dean M. Davics)
Applicant Mailing Address: [REDACTED]
Email: [REDACTED] Phone: [REDACTED]
Connected Parcel Number(s): 20-109-0002

The undersigned authorize this application for connection to Huntsville Town's Culinary Water System and agrees to the following provisions:

1. The applicant agrees to be governed by the ordinances, resolutions, rules and regulations as may be prescribed by the Huntsville Town Council for the control of the Huntsville Town Culinary Water system
2. The applicant is responsible for hooking to and maintenance of the water system and all infra-structure from the water meter to, and including within, all buildings on the respective parcel or lot.
3. The applicant is prohibited from using water from the Huntsville Town Culinary Water System for irrigation or for other purposes traditional to secondary water usage.
4. Proof of a secondary water source on the respective parcel must be provided prior to connection to the Huntsville Town Culinary Water System. The secondary water connection source be capable of providing no less than 1.0 acre-foot per year during the irrigation season (Apr. 1 – Oct. 31) per parcel.
5. The applicant agrees to pay Huntsville Town an impact fee for each metered connection.

Impact Fee Amount: \$20,000.xx

6. The terms of this application are binding upon, and inures to the benefit of, the parties and their respective successors and assigns.

Applicant Signature: Dean M. Davics Date: Nov. 16, 2020

Title (Authorized Agent): Manager, SUPRA VIEW L.L.C.

For Town Use:

Application Date: _____ Impact Fee Paid: \$ _____

Town Clerk _____

[Handwritten signature]

Huntsville Town Council (Application Approval)

- | | |
|-----------------------------------|---|
| ☐ Approved | ☐ Conditional Approval |
| ☐ Rejected | ☐ Deferred |

Mayor Signature: _____ Date: _____

Notes/Conditions: _____

ATTEST:

_____ Date: _____

Beckki Endicott, Town Recorder

Huntsville Town Engineer (Plans and Contractor Approval)

- | | |
|-----------------------------------|---|
| ☐ Approved | ☐ Conditional Approval |
| ☐ Rejected | ☐ Deferred |

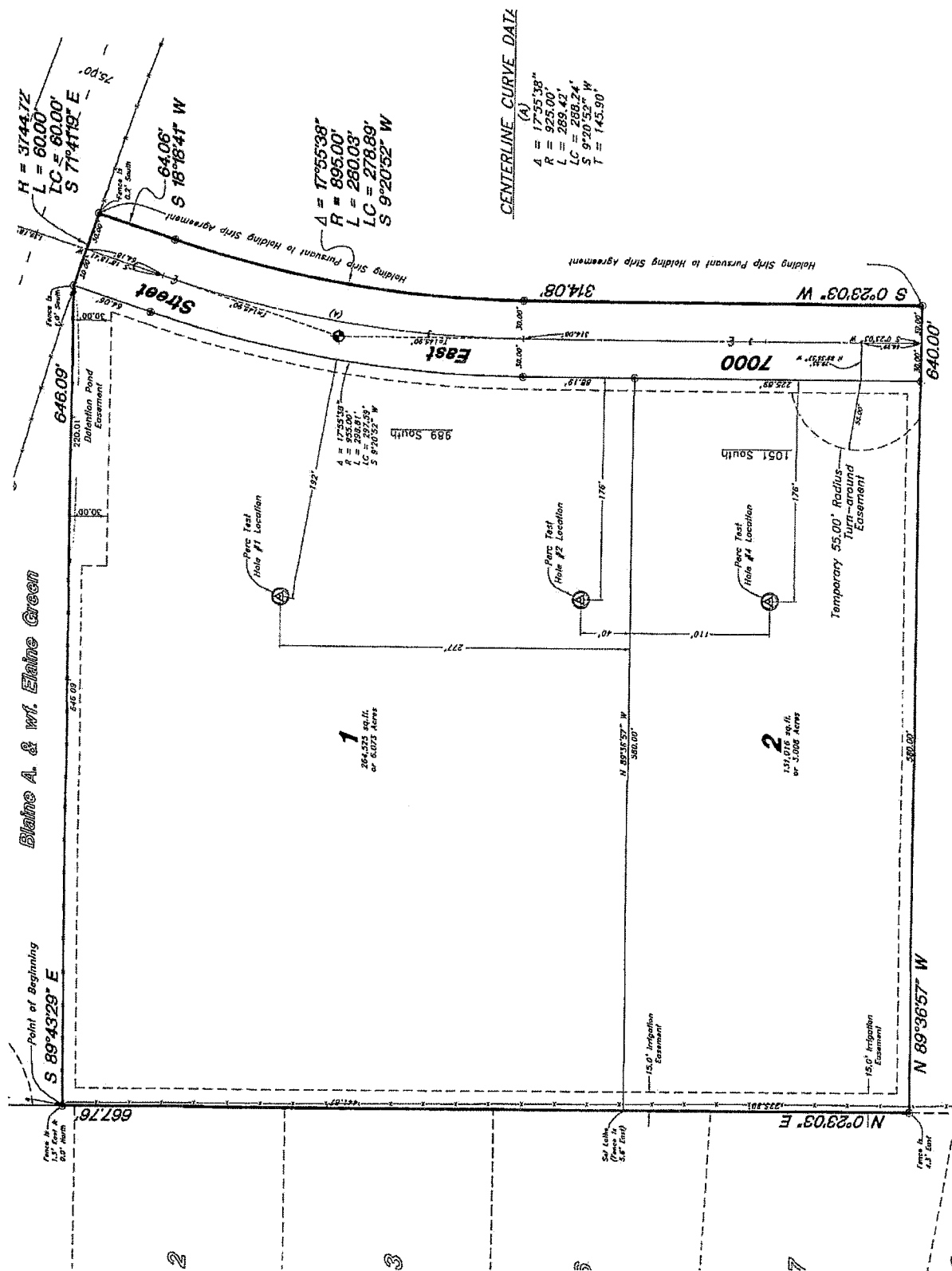
Town Engineer Signature: _____ Date: _____

Notes/Conditions: _____

Water Connection Application (Outside Municipal Boundary) Requirements:

- ☐ Completed & Signed Application Form including:
 - o Map of area to be served.
 - o Maximum number of dwellings to be served.
 - o Detailed drawings of the proposed service lateral(s), in plan and profile, from the area to be served to the closest main line of the Huntsville Town Culinary Water System prepared by a Professional Engineer, licensed in the State of Utah.
 - o Detailed improvement plans, in plan and profile, of the proposed location of all lines, meters, meter boxes, fire hydrants (including sizes of lines) prepared by a Professional Engineer, licensed in the State of Utah.
- ☐ Payment of Impact Fee to Huntsville Town.
- ☐ Water Connection Applications must be reviewed and approved by the Huntsville Town Council.
- ☐ Water line contractor and plan must be approved by Huntsville Town Engineer.
- ☐ Payment of Connection Fee to Huntsville Town (if Huntsville Town elects to install connection).
- ☐ Following plan review and approval by the Huntsville Town Council and Huntsville Town Engineer, all water lines, meters, meter boxes, and fire hydrants must be installed by a qualified licensed contractor or Huntsville Town (at the Town's discretion).
- ☐ Upon completion of the installation, all easements, water rights, source(s) of water, water lines, meters, meter boxes, and fire hydrants, must be transferred to Huntsville Town, including the right of access to repair and maintain all transferred facilities.

RLC



And

July 12, 2007

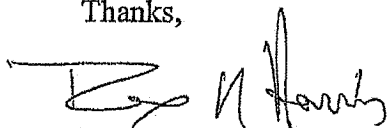
Chad MeyerHoffer
Weber County

Subject: Church Farm Development on SR-39 in Ogden Valley

Chad,

I have inspected the waterline infrastructure connection to the Huntsville Water System at the Church Farm Development on SR-39, and find that it meets with the Town's approval. If you have any questions in regard to this, please contact me at 791-3926.

Thanks,

A handwritten signature in black ink, appearing to read "Rex N. Harris". The signature is stylized with a large initial "R" and a long horizontal stroke.

Rex N. Harris, P.E.
Huntsville Town Engineer

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