NIBLEY CITY COUNCIL MEETING AGENDA
Thursday, August 26, 2021 – 6:30 p.m.

In accordance with Utah Code Annotated 52-4-207 and Nibley City Resolution 12-04, this meeting may be conducted electronically. The anchor location for the meeting will be Nibley City Hall, 455 West 3200 South, Nibley, Utah. The public may also participate in the meeting via the Zoom meeting link provided at www.nibleycity.com. Public comment should be submitted to cheryl@nibleycity.com by 6:30 p.m. and will be read into the public record.

1. Opening Ceremonies (Councilmember Sweeten)
2. Call to Order and Roll Call (Chair)
3. Approval of the August 12, 2021 Meeting Minutes and the Current Agenda (Chair)
4. Public Comment Period[1] (Chair)
5. **Discussion & Consideration** – Resolution 21-23: Approving A Water Share Agreement with Ridgeline Park (First Reading)
6. **Discussion & Consideration** – Amending the Street Improvement and Dedication Agreement for 2600 South between Highway 89/91 and 1200 west (Applicant: Wesley Nelson Farms) (First Reading)
7. **Discussion & Consideration** – Ordinance 21-18: Amending NCC 15.02.030 Fees; New Developments, Contributions (First Reading)
8. Truth in Taxation Hearing
9. **Discussion & Consideration –** Resolution 21-22: ADOPTING THE FINAL BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2021-22 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES (First Reading)
10. **Discussion & Consideration** – Ordinance 21-19: Amendments to Nibley City Nuisance Code 07.02 (First Reading)
11. **Discussion & Consideration** – Resolution 21-20: Amending Nibley City's Consolidated Fee Schedule; Appeal and Variance Applications (Third Reading)
12. **Discussion & Consideration** – Ordinance 21-16: Amending Animal Land Use Regulations (First Reading)
13. **Discussion & Consideration –** Ordinance 21-17: Lot Line and Parcel Boundary Adjustments Review Process (First Reading)
14. Council and Staff Report

In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, please call (435) 752-0431.

---

[1] *Public input is welcomed at all City Council Meetings. 15 minutes have been allotted to receive verbal public comment. Verbal comments shall be limited to 3 minutes per person. A sign-up sheet is available at the entrance to the Council Chambers starting 15 minutes prior to each council meeting and at the rostrum for the duration of the public comment period. Commenters shall identify themselves by name and address on the comment form and verbally for inclusion in the record. Comment will be taken in the order shown on the sign-up sheet. Written comment will also be accepted and entered into the record for the meeting if received prior to the conclusion of the meeting. Comments determined by the presiding officer to be in violation of Council meeting rules shall be ruled out of order.*

[2] *Items on the Consent Agenda are considered to be routine and/or non-controversial and will be approved in one vote.*

Nibley City Council
Agenda Report for
Aug 26, 2021

Agenda Item #5

Description	**Discussion & Consideration –** Resolution 21-23: Approving A Water Share Agreement with Ridgeline Park (First Reading)
Presenter	Justin Maughan, Manager
Recommendation	Discuss the Water Share Agreement with Ridgeline Park and move to approve Resolution 21-23: Approving A Water Share Agreement with Ridgeline Park, for first reading
Reviewed By	Mayor, City Manager, City Planner, City Attorney

Background:

Staff has been working with Ridgeline Park for some time on the issue of water to be supplied to the City to serve the culinary needs of the development. Early questions involved the amount of water, and how the amount is calculated based on City Code. Ord 21.12.020.B.1, says

> "In calculating the amount of water needed, the City shall follow Utah Administrative Code Rule R309-510: Facility Design Operation: Minimum Sizing Requirements, as may be amended."

R309 – 510 can found on the states website at:
https://documents.deq.utah.gov/drinking-water/rules/DDW-2017-004422.pdf

Important note, these are rules set by the Division of Environmental Quality, not ordinance or code from the Legislature. The Legislature has given the Division the authority to set these rules.

This rule has been used by Municipalities for a long time for two things interchangeably. One is the amount of water that a developer is required to give to the City with a development. The second is to size the physical parts of the water system. Examples would be: water main lines need to be large enough to supply that amount of water to homes, wells have to produce that amount of water, and storage tanks need to be big enough to store that amount of water.

The code references 146,000 gal per year per residence for indoor water use. This is a lot of water, and has drawn a lot of criticism from Developers. Partly because it's a large number, but more so because no one seems to have any idea where the number came from, or how it was calculated, or data to back it up.

The State legislature has been under pressure for a while now from developers to lower the number. In 2018, Utah code 19-4-104 was amended to give the Water Quality Board the authority to establish by rule other types of water data required to be collected and alternative methods for calculating the water use data required to be submitted to the state. They also changed 19-4-114 to give guidance on how to size water systems, and a timeline required for systems to implement the guidance. (a summary included in the box titled: State Guidance on Water). The interesting thing is that the guidance is system specific, and not one number to use across the State. The other interesting thing is that the rule (R309-510) has not been changed yet.

In 2020, Nibley City updated the Water Master Plan following the new guidance that has been issued by the State, even though, the rule (R309-510) has not been updated. When Ridgeline was submitted for approval, preliminary amount of water required was calculated using R309-510. This required the development to bring to the City roughly 350 acre - feet.

Shortly after, the developer submitted a water use engineering study conducted by Civil Solutions, specific to Ridgeline Development. The study suggested that the amount of water originally required by the City was too high and unfair. Nibley City Staff, then used the process outlined by the State and the Water Master Plan, and came up with a similar number as the developer's study. The following is an email sent on 25 May 2021 outlining what City staff had agreed to be required for the Ridgeline Park Subdivision.

> The State of Utah has issued some guidance for Cities to size their water facilities based on measured data within each City. Although not yet rule, this method was utilized in the last Water Master Plan update in 2020 completed by Jones and DeMille Engineering. What was determined in the Master Plan by utilizing the States methodology is that a housing unit within Nibley City uses 1.21 acre-ft of water per year. This number is calculated using source water data and number of housing units. The indoor portion of that amount is 0.26 acre-ft, based on winter time usage data. If there are 498 housing units in Ridgeline = 498*.26 = 129.48 acre-ft for indoor water use. Also per Master Plan, each Commercial unit is 3.43 x a housing unit for indoor water. With 2 Commercial pads = 1.78 acre-ft. Bringing the total amount of indoor water to 131.26 acer-ft of water.
>
> Outdoor water is more generalized in the master plan, and the data presented by Civil Solutions is sufficient to agree to 78.3 acre – ft for outdoor use.
>
> This would bring the total water required to 209.5. (Sorry, I think I told Levi and incorrect number yesterday 204?)

> I feel that although calculated differently, these numbers are pretty close to what Civil Solutions calculated. If I understood correctly, the data they were using to back calculations are end user meter data. As a water provider, we see around a 15% loss in the system, so to produce the 190 acre-ft of water presented by Civil Solutions, we have to pump somewhere around 218 acre-ft of water out of the ground and into the system. Hence the method the State is recommending uses source water meter data.
>
> I am good with 209 if everyone else is in agreement.

So the agreement was made with the developer that they would be required to bring 209 acre-feet of water with the development, including the area for the dedication of the park.

Since that time, we have received some communications with Layne and Kim Ropelato, the previous owners of the land that Ridgeline Park is being constructed on. The letters address the fact that they do not have the amount of water needed for the development. It is staff's understanding that the contract between the developer and the Ropelato's, is that the Ropelato's are required to provide the necessary water for the development as part of the transfer of land.

The letters essentially ask for vesting regarding the cost of water, based upon the subdivision application which was submitted on 10 June 2020. The City Council changed the fee schedule in Sep 2020 in regard to purchasing water from the City, and they are asking that they be held to what the fee was when the application for the subdivision was submitted. Nibley City Attorney reviewed the request, and determined that this is not the case, and standing for the previous amount is not warranted. A formal request to purchase the water was never received by the City prior to the change in the fee schedule. He also likened the situation to an impact fee, and said that the impact fee could change between the time a development was approved, and when a building permit was applied for, which is when the fee is imposed. In this specific case, Nibley City code referenced the fee as $500 per acre of developed land, and was changed in the fee scheduled to be $2500 per acre foot of water. The diversion amount for a Nibley Blacksmith Fork share is 3 acre-feet, hence the letter referencing $7,500 per share. In addition, the code does not say the City shall sell water to a developer, but that it may if the City Council chooses to do so (see Nibley City Code 15.02.030.D). As a side note, this code needs to be addressed and removed, because it is replaced by 21.12.020.B.1 and the fee schedule.

Possible outcomes:

- Per Ropelato proposal of 35 shares at $500 share, the total cost would be $17,500.
- Per old code of $500/acre foot of 17 acres of developed land, the total cost would be $8,500.
- Per new code at $2500 per acre –foot for 35 shares (105 acre-feet), the total cost would be $262,500.

To resolve the discrepancies, the City Council should decide on a fee to charge, given the situation, and pass a resolution which applies to the Ridgeline Park Development.

RESOLUTION 21-23

A RESOLUTION APPROVING A WATER SHARE AGREEMENT WITH RIDGELINE PARK

WHEREAS, Ridgeline Park Subdivision application was submitted to Nibley City on June 11, 2020.

WHEREAS, On Sep 24, 2020, Nibley City Council created a fee on the Consolidated Fee Schedule for $2,500 per acre-foot of water purchased from the City, superseding language in code 15.02.030.d in regards to how fee in leu of providing physical water to the City with a development was to be charged;

WHEREAS, The Ridgeline Park subdivision application was made prior to the changes outlined above;

WHEREAS, The City Council has discretion about which of the two approaches to use, and the application was made and agreements were entered into in good faith based on ordinances on the books at the time the application was made;

WHERAS, a detailed review by the City Attorney determined that it would be in the best interest of the City for the Council to specifically address the issue in a Resolution specific to the Ridgeline Park Development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

1. Nibley City Council approves the use of 35 water shares from the Nibley Blacksmith Fork Irrigation Company, currently owned by Nibley City to fulfill the water supply requirement of the Ridgeline Park subdivision.
2. The Developer is responsible to pay the Nibley City a fee in-leu of providing physical water in the amount of $17,500.00.

PASSED and ADOPTED BY THE NIBLEY CITY COUNCIL THIS ______ DAY OF ___________, 2021.

____
Shaun Dustin, Mayor

ATTEST:

____
Cheryl Bodily, City Recorder

Mayor Dustin,

Thank you for taking the time to meet with us this week to discuss the water issues involved in the Ridgeline development. With this letter we are offering a proposal which will hopefully lead to a quick resolution for all parties.

It is our understanding that for the development to proceed as originally planned an additional 45-55 water shares are needed. Through great effort and expense, we are in a position that if the city would consider selling us approximately 35 shares at a reasonable rate the development may proceed without delay.

At the time we contracted to sell our land, it was our understanding that the City water shares were selling at a rate of $500 per share. During the process of finalizing the sale of our land to the developer the water share price increased substantially, to $7,500 per share. Unfortunately, we are unable to purchase all the shares needed at the increased rate.

We are asking for a determination that this development project had standing to purchase the needed water shares at the original rate of $500 per share. We believe that this would be a fair resolution, allowing all parties to move forward without further expense or possible legal entanglements. We sincerely ask that you as the Mayor, the city manager, and perhaps the City Counsel will accept this proposal.

We have always appreciated and taken pride in being residents of Nibley city. We hope that this development proves to be a success for the City of Nibley and a legacy for our family. If this proposal is accepted, we could purchase the shares needed to avoid any delay in the development. We hope to hear back from you in the near future with your response.

Respectfully yours,

Lane Ropelato 8/8/21 — Lane Ropelato

Kim Ropelato 8-8-21 — Kim Ropelato

Mayor Dustin,

Thanks for taking the time to talk to us this week about how we can resolve the water issues with the Ridgeline development.

For us it's an issue of basic fairness. The land was sold with all the water we had attached to it. It looks like it's still 40-50 shares short for the type of development that is going in there. We appreciate the effort that has gone in to bringing that to a number that makes more sense, but we are being held responsible for providing water on a development we didn't pursue on land that we sold with all the water we had for that land.

We know that the City needs to be able to demonstrate to the state that the paper water exists to service the new development.

We know that the City has enough water shares to cover the development.

We also believe that the City changed the price of the water shares it has available after this development was well in process.

What we are asking is that you and the City Manager determine that the project had standing before the Council changed the price of the water, and that we be allowed to purchase the necessary water at the price before the change. To go from a project at $500 an acre to $7500 and acre with no warning or working in period is hard and not fair to us. We've been good neighbors and good partners for a long time. We want this to be a great project for the City and a great legacy for our family. But this issue is one we can't back away from. If worse comes to worse, we will end up in court because the money just isn't there at $7500, and that's terrible for all of us. The project won't get built till this gets resolved, the fields won't get farmed because no one will know who has the right, and the whole thing will just be a mess. None of us wants that. It's not a threat, it's just where things end up when nobody knows what else to do, and without you or the Council's help, that's where we are right now.

If you and Justin can't make this determination, we ask that you bring it to the City Council. They set the rate and they can change it.

Sincerely,

Lane Ropelato 8/8/21

Lane Ropelato

Kim Ropelato 8-8-21

Kim Ropelato

Summary of New Water Use Data Reporting and Water System Minimum Sizing Requirements
(2018 Legislative Revisions to Utah Code 19-4-104 and 114)

I. Annual Water Use Data Reporting by All Community Water Systems Serving 500 People or More

Water Use Data to Be Collected:	Reporting Frequency:	Report Data to:	Reporting Due:
1. Peak Day Source Demand 2. Average Annual Demand 3. Number of Retail Equivalent Residential Connections *[Number of Total ERCs]* 4. Quantity of Non-revenue Water	Annual	Division of Water Rights (**DWRi**)	**March 1, 2019** for 2018 data; as specified by DWRi for future years

II. Schedule of Water Use Data Reporting and Minimum Sizing Requirements for Community Water Systems (CWS)

Water System Type	3 Years of Data Due	Report Data to	DDW Sets System-Specific Sizing Requirements by
Community Water Systems serving over 3,300 people	March 1, 2019	• DWRi – Annual Water Use Data described in 19-4-104(6)(a) • DDW – Engineering Study	After Division of Drinking Water (**DDW**) receives acceptable data
Community Water Systems serving between 500 and 3,300 people	March 1, 2023	• DWRi – Annual Water Use Data described in 19-4-104(6)(a) • DDW – Engineering Study	October 1, 2023
Community Water Systems serving fewer than 500 people	TBD	DWRi – Water Use Data (as previously required by DWRi)	TBD
Wholesale Water Suppliers that serve a total population of more than 10,000 people and the wholesale population is 75% or more of the total population served	March 1, 2019 (assume to be same as CWS serving over 3,300 people)	DWRi – Annual Water Use Data	Not Applicable

III. Non-Community Water Systems
DDW Director to establish minimum source and storage sizing standards - no water use reporting or deadlines given for water systems

Process of Analyzing Water Use Data and Establishing Minimum Sizing Requirements

Data Submission: Water systems certify and report the water use data to Division of Water Rights (DWRi) each year.

Data Review: The water use data are processed and reviewed by DWRi and Division of Water Resources (DWRe). The processed data are forwarded to Division of Drinking Water (DDW).

Process "per ERC" Data: The DDW program calculates and converts the DWRi data to three data types (see D.1):

- **"Peak Day Demand per ERC" Data**
- **"Average Annual Demand per ERC" Data**
- **"Equalization Storage per ERC" Data**

Set Minimum Sizing Requirements: The DDW program evaluates the "per ERC" data, selects a specific value from each "per ERC" data type for further calculation, and checks for anomalies that trigger further evaluation. If no anomalies are identified, the DDW program then applies a "system-specific variation factor" to the selected value and sets the corresponding "per ERC minimum sizing requirement" (see D.4.a through e):

- **Peak Day Demand per ERC Minimum Sizing Requirement**
- **Average Annual Demand per ERC Minimum Sizing Requirement**
- **Equalization Storage per ERC Minimum Sizing Requirement**

Set Customized Minimum Sizing Requirements: If a water system's "per ERC" data trigger further evaluation in the DDW program, a DDW committee reviews the data and selects a specific value from each "per ERC" data type for further calculation. The DDW committee determines a customized "system-specific variation" factor, applies the factor to the selected value, and sets the corresponding "per ERC minimum sizing requirement" (see D.4.f).

Capacity Evaluation: When source/storage capacity evaluation of a water system's current/future needs are needed:

- The "Peak Day Demand per ERC Minimum Sizing Requirement" and the "Average Annual Demand per ERC Minimum Sizing Requirement" are used to evaluate the water system's source capacity. (see E.2)
- The "Equalization Storage per ERC Minimum Sizing Requirement" is used to evaluate the water system's storage capacity. (see E.3)

To Calculate the Data:

Quantity of Non-Revenue Water (in gallons) =
[Average Annual Demand] **–** [Water Volume Metered/Billed] **–** [Wholesale Delivery Outflow]

"Peak Day Demand per ERC" Data (in gallons/day) = $\dfrac{\text{[Peak Day Source Demand]}}{\text{[Total Number of ERCs]}}$

"Average Annual Demand per ERC" Data (in gallons/year) = $\dfrac{\text{[Average Annual Demand]}}{\text{[Total Number of ERCs]}}$

"Equalization Storage per ERC" Data (in gallons) = $\dfrac{\text{[Average Annual Demand per ERC]}}{\text{[Operational Days in a Year]}}$

To Calculate the "per ERC Minimum Sizing Requirements":

System-Specific Variation Factor = $\dfrac{\text{[Highest Data Value]} - \text{[Lowest Data Value]}}{\text{[Lowest Data Value]}}$

Peak Day Demand per ERC Minimum Sizing Requirement (in gallons/day) =
["Peak Day Demand per ERC" selected value] × [1 + System-Specific Variability Factor]

Average Annual Demand per ERC Minimum Sizing Requirement (in gallons/year) =
["Average Annual Demand per ERC" selected value] × [1 + System-Specific Variability Factor]

Equalization Storage per ERC Minimum Sizing Requirement (in gallons) =
["Equalization Storage per ERC" selected value] × [1 + System-Specific Variability Factor]

To Calculate Source Capacity:

Source Capacity Needed to Meet the Peak Day Source Demand (in gallons/day) =
[Peak Day Demand per ERC Minimum Sizing Requirement] × [Total Number of ERCs]

Source Capacity Needed to Meet the Average Annual Demand (in gallons/year) =
[Average Annual Demand per ERC Minimum Sizing Requirement] × [Total Number of ERCs]

To Calculate Storage Capacity:

Total Storage Capacity Required (in gallons) =
[Equalization Storage] + [Fire Suppression Storage] + [Emergency Storage (optional)]

Equalization Storage Required in Utah (in gallons) =
[Equalization Storage per ERC Minimum Sizing Requirement] × [Total Number of ERCs]

Fire Suppression Storage Required by Local Fire Code Authority (in gallons) =
[Required Fire Flow (in gallons per minute)] × [Required Duration (in minutes)]

APPENDIX B. EXISTING SYSTEM LAYOUT

Ben Steele
Project Manager
Visionary Homes
North Logan, UT
bsteele@visionaryhomes.com

Re: Ridgeline Park – Expected Water Consumption

Dear Ben,

Per your request, we are preparing this letter to explain our estimate of expected residential indoor water consumption and outdoor water consumption at the Ridgeline Park project at full build-out. As you have explained it, City staff has requested that you dedicate water shares/rights in accordance with Section 21.12.020 of the City Code:

> *B. Subdividers and developers shall be required, in all zones, to provide Nibley City with water shares or water rights sufficient to serve the culinary needs of the subdivision or development. Water rights or shares shall be required for all new subdivisions, and new commercial or industrial construction or any change of commercial or industrial use that requires additional water to service the proposed use. The amount required shall be determined by the City Engineer as part of the preliminary plat or site plan review.*
>
> > *1. In calculating the amount of water needed, the City shall follow Utah Administrative Code Rule R309-510: Facility Design Operation: Minimum Sizing Requirements, as may be amended.*

However, as the Ridgeline Park Subdivision has been approved for an R-PUD overlay zone, the conditions of its approval differ from those of other established zones since subdivision layout, road standards, and other design standards are open for discussion and legislative action by the City Council as noted in Section 19.32.010 of the City Code:

1. *Intent: This section provides enabling authority and standards for the review and approval of applications for Residential Planned Unit Developments (R-PUD's). The intent of this ordinance is to achieve local economic development goals, provide a diversity of housing options, create walkable neighborhoods,* ***and protect air, water and open space resources*** *by providing an alternative to traditional subdivision design;* ***by encouraging innovation and offering flexibility in design*** *of residential developments with an emphasis on the permanent preservation and creation of a variety of amenities for the enjoyment and benefit of the citizens of Nibley.*
2. *Purpose: An R-PUD is an overlay rezone. That is, applicants apply for the overlay to be applied, allowing them to receive the density outlined herein in exchange for public amenities, all while retaining the original zoning of the property.* ***The Planning Commission and City Council may approve, deny or approve the R-PUD with conditions****, and no applicant has any entitlement to the approval of an R-PUD.*

Given the City Council's legislative discretion in regards to subdivisions in an R-PUD overlay zone, we suggest that you propose that your water assessment be based on actual local and national residential consumption rates. We also suggest that outdoor water consumption rates be calculated accounting for the split between turf, drip irrigation, and non-irrigated conditions.

National Culinary Usage Data for All Housing Types

Nibley City currently requires the dedication of shares or rights totaling 0.45 ac-ft or 146,000 gallons per residential unit regardless of housing type (mansion, average single-family dwelling, patio homes, townhomes, or condo). This number is derived from section R309-510 of the state code that deals with "Facility Design and Operation: Minimum Sizing Requirements". This section of the state code provides required parameters for municipal designing water distribution systems, but does not dictate the amount of water shares that a City must own per number of dwelling units.

The 0.45 ac-ft figure is derived from the 1999 "Residential End Uses of Water" (REU) Study sponsored by the Water Research Foundation, which surveyed combined indoor and outdoor water usage bills from 12,055 households primarily located in the western and southwestern United States. The indoor consumption was 0.20 ac-ft and the outdoor 0.25 ac-ft. Unfortunately, it appears that the state (and Nibley City by extension) has inappropriately applied this value to indoor water usage alone. At the 1.87 ac-ft/acre irrigation duty rate assigned Cache Valley by Table 510-3 of Section R309-510 of the State Code, the remaining 0.25 ac-ft would be sufficient to irrigate 0.14-acre of landscaping typical of a 10,000sf lot. Perhaps the state applied this value because Utah has the highest average household size in the nation of 3.08 as of 2019? If so, this wouldn't make sense as the United States average is 2.53, while Utah's average is only 22% greater than the national average as compared with the 125% discrepancy between 0.20 ac-ft and 0.45 ac-ft.

Furthermore, water usage data more recent than 1999 is available. The REU Study was redone in 2016 with a larger sample size of 23,749 which produced an average water consumption of 0.27 ac-ft. However, the second study's households were spread more diversly throughout the United States. As a result, the 1999 and 2016 studies show extreme variation in climate and weather, and therefore it can be supposed that household swill vary greatly in outdoor water use. It is more useful and appropriate to compare the indoor water use between the two studies. Indoor water usage per household in 1999 was 0.20 ac-ft, but then decreased by 22% to 0.15 ac-ft by 2016 (see "Residential End Uses of Water, Version 2: Executive Report from the Water Research Foundation"). A good portion of this was attributable to more efficient plumbing fixtures across the nation. Indoor water reductions averages would be even higher for new neighborhoods with entirely new fixtures and appliances.

Nibley City Culinary Usage Data for Townhomes

The only existing townhome project within Nibley City's service area is the Spring Creek Crossing project near 1200 West and 2350 South. Representative water bills from winter 2018-2019 and winter 2019-2020 representing 90 townhome units and one clubhouse were analyzed. In order to isolate culinary usage from outdoor usage only winter bills were examined. The quarterly indoor water usage total was multiplied by four to represent the calendar year, divided by the number of units and then averaged across two years. Average per unit indoor water consumption was found to be 0.15 ac-ft. These results are summarized in Table 1.

	Spring Creek Crossing, Off-Season Water Usage (gallons)						
Account #	**Dec-18**	**Jan-19**	**Feb-19**	**Dec-19**	**Jan-20**	**Feb-20**	
1240500	51,877	87,107	46,011	55,325	67,599	53,787	
1241500	12	11	11	13	14	9	
1242500	32,878	54,275	38,754	48,365	39,838	39,838	
1243001	53,401	81,554	49,565	53,401	81,554	49,565	
1243501	40,494	73,415	44,852	47,213	54,411	43,704	
1244001	31,521	109,403	61,100	53,618	66,870	50,097	
1244501	29,987	50,133	28,042	34,359	44,651	39,652	
1245501	36,559	58,272	40,442	37,159	41,168	41,471	
1240250	3,019	5,284	3,968	65	77	82	
	1,111,947			1,043,905			quarterly usage all units (gallons)
	4,447,788			4,175,620			yearly usage all units (gallons)
	48,877			45,886			yearly usage per unit (gallons)
	6,534			6,134			yearly usage per unit (cf)
	0.15			0.14			yearly usage per unit (ac-ft)
	0.15						**average yearly usage per unit (ac-ft)**

Table 1. Average Per Unit Indoor Water Consumption for Townhomes in Nibley

The 0.15 ac-ft per unit rate is exactly in line with the national average described above. It is anticipated that condo water usage would be less than that of townhomes given smaller average household sizes.

North Logan City Culinary Usage Data for Senior Living

Champlin Development, the largest builder of senior living developments in Cache Valley, was kind enough to provide winter off-season culinary water usage data for 24 units of their Heritage project in North Logan located near 2400 N and 400 E. Again, in order to isolate culinary usage from outdoor usage only winter bills were examined. The quarterly indoor water usage total was multiplied by four to represent the whole year, and then divided by the number of units. Average per unit indoor water consumption was found to be 0.07 ac-ft. These results are summarized in Table 2.

	Heritage Senior Living North Logan, Off-Season Water Usage (gallons)			
Unit #	**Dec**	**Jan**	**Feb**	
1&2	4000	7000	4000	
4&5	1000	3000	1000	
7&8	3000	4000	2000	
9&10	3000	4000	3000	
12 thru 27	31000	37000	22000	
	129,000			quarterly usage all units (gallons)
	516,000			yearly usage all units (gallons)
	21,500			yearly usage per unit (gallons)
	2,874			yearly usage per unit (cf)
	0.07			**yearly usage per unit (ac-ft)**

Table 2. Average Per Unit Indoor Water Consumption for Senior Living Dwellings in North Logan

Nibley City Culinary Usage Data for Traditional Single-Family

Winter water bills covering 80 days for 27 occupied single-family dwellings in the Apple Creek Subdivision were analyzed as shown in Table 3. Scaling this data from 80 days to 365 days estimates that the annual indoor water usage across the subdivision was found to be 0.15 ac-ft. This figure is perfectly in line with the 2016 REU study. These newer structures (built between 2018 and 2020) are equipped with modern efficient appliances and fixtures representative of other current new construction. However, they are also significantly larger (perhaps averaging twice so) than the detached patio homes proposed at the Ridgeline Park Subdivision with only 1,600 sf of floor space. Smaller home size typically means smaller household size which in turn translates to less water usage. Accordingly, single-family dwellings at Ridgeline Park are expected to consume less water than the 0.15 ac-ft national average.

	Apple Creek Subdivision, Off-Season Water Usage (gallons)			
Unit Address	Dec	Jan	Feb	
3211 S 520 W	4,705	2,894	5,331	
3225 S 520 W	3,049	1,888	3,920	
3237 S 520 W	4,096	2,327	4,844	
3261 S 520 W	3,016	2,018	4,130	
3285 S 520 W	3,562	2,152	3,960	
3297 S 520 W	4,755	3,146	5,385	
526 W 3300 S	4,720	2,934	5,274	
3319 S 490 W	4,917	2,950	5,781	
3290 S 520 W	4,727	2,984	5,509	
3278 S 520 W	3,910	2,690	4,798	
3266 S 520 W	4,548	3,142	5,854	
3242 S 520 W	2,597	1,744	3,181	
499 W 3220 S	4,427	2,787	4,408	
3227 S 470 W	1,755	1,077	1,751	
3239 S 470 W	2,333	1,516	2,612	
3251 S 470 W	3,207	1,639	3,805	
3263 S 470 W	3,725	2,414	3,622	
3275 S 470 W	2,949	2,082	3,349	
3287 S 470 W	4,162	1,171	2,245	
3309 S 450 W	2,180	1,268	2,427	
3286 S 470 W	4,923	3,225	5,580	
3274 S 470 W	4,696	4,174	8,087	
3262 S 470 W	1,706	1,223	2,126	
3250 S 470 W	4,295	2,635	4,742	
3238 S 470 W	7,856	4,536	9,454	
3226 S 470 W	4,126	2,853	4,734	
472 W 3220 S	4,111	2,557	5,336	
		293,324		80-day usage all units (gallons)
		329,990		90-day usage all units (gallons)
		1,319,958		yearly usage all units (gallons)
		48,887		yearly usage per unit (gallons)
		6502		yearly usage per unit (cf)
		0.15		**yearly usage per unit (ac-ft)**

Table 3. Average Per Unit Indoor Water Consumption for Single-family Dwellings in Nibley

Expected Culinary Usage for Retail/Commercial Pads
The commercial lots in the Ridgeline Park subdivision total approximately 5.98-acres. Given typical parking and landscaping requirements, it is estimated that buildings will encumber 25% of the gross lot area totaling 65,000 sf. The estimated usage breakdown is as follows:

- Office – 50% (32,500 sf)
- Retail – 25% (16,250 sf)
- Restaurant – 25% (16,250 sf)

Annual water demand for these uses was determined using the rates in Table 510-2 of Section R309-510 of the State Administrative Code:

- Office – 15 gpd per employee
- Retail – 500 gpd per bathroom
- Restaurant – 35 gpd per seat

Additional assumptions were made as follows to calculate the totals:

- Office – Mid-density at 200 sf per employee → 163 employees → 2.7 ac-ft
- Retail – 8 suites each with 2 bathrooms → 8.9 ac-ft
- Restaurant – Typical layout → 60% sf as seating area, 15 sf per seat → 650 seats → 25.4 ac-ft

Total indoor demand from the commercial pads is **37.0 ac-ft.**

Culinary Usage Totals

Where the majority of the units in the Ridgeline Park Subdivision will be composed of townhomes and condos, the average per unit consumption should run less than the national household average of 0.15 ac-ft. It would seem a reasonable compromise to apply the national average 0.15 ac-ft to all units within the project regardless of housing type (condo, townhome, patio home, detached single-family). The project is currently planned to have a total of 498 units. At 0.15 ac-ft per unit the total residential water required would come to **74.7 ac-ft**. Combined commercial and residential indoor demand totals: **111.7 ac-ft**.

Outdoor Water Usage Calculations

Wetlands, creek beds, and wetland mitigation areas have been excluded from outdoor water usage calculations. The City Park is estimated to be 10% impervious walkways, plazas and sports courts. 10% of the pervious area is expected to be dripped planter beds and the remaining vast majority irrigated turf. Within the residential portions of the project, it is expected that approximately 25% of the pervious areas dripped planter beds and/or shrubbery while the remainder will be turf grass. Commercial areas are assumed to be 20% landscaping split evenly between turf and planters. The 1.87 ac-ft per acre depletion rate for Cache Valley is based on Table 510-3 of Section R309-510 of the Utah State Administrative Code. Tabulations and totals are provided in Table 4.

		City Park 15.0 Pervious Acres*			Westside (Ph 1-3) 13.7 Pervious Acres			Eastside (Future Phases) 25.6 Pervious Acres			Commercial Pads 1.2 Pervious Acres		
Irrigation Type	**Irrigation Rate**	**Acres**	**%**	**Ac-ft**	**Acres**	**%**	**Ac-ft**	**Acres**	**%**	**Ac-ft**	**Acres**	**%**	**Ac-ft**
Turf	1.87 ac-ft/ac	8.3	55%	15.5	10.3	77%	19.2	17.2	67%	32.2	0.6	50%	1.1
Drip**	0.47 ac-ft/ac	0.9	6%	0.4	3.4	26%	3.2	6.4	25%	6.0	0.6	50%	0.6
Natural Landscape	0 ac-ft/ac	5.8	39%	0.0	0.0	0%	0.0	2.0	8%	0.0	0.0	0%	0.0
Total Water Usage (ac-ft):				15.9			22.4			38.2			1.7
Total Outdoor Water Usage (ac-ft):													**78.3**

*Excludes 10% for impervious walkways, plazas and sport courts.

**Assumes 50% less consumption than turf or overhead sprinklers.

Table 4. Outdoor Water Usage Totals

The total indoor and outdoor water requirements come to 190.0 ac-ft.

Should you have any questions regarding my assumptions, analysis and recommendations, please feel free to contact me.

Sincerely,

Civil Solutions Group, Inc.

Michael Evan Taylor

Michael Evan Taylor, PE

Agenda Item #6

Description	**Discussion & Consideration –** Amending the Street Improvement and Dedication Agreement for 2600 South between Highway 89/91 and 1200 west (Applicant: Wesley Nelson Farms)
Presenter	Justin Maughan, City Planner
Recommendation	Move to approve Amending the Street Improvement and Dedication Agreement for 2600 South between Highway 89/91 and 1200 west (Applicant: Wesley Nelson Farms)
Reviewed By	Mayor, City Manager, City Planner

Background:

On July 8, 2021, The Nibley City Council approved a series of agreements regarding the construction of 2600 South from Hwy 89/91 to 1200 West. Typically, the City obtains right of way when a property subdivides and development occurs. In this case, the agreements outlined dedicating to the City an easement, allowing the construction and public use of the 2600 South roadway across private parcels of property. The intent would be that the easement would become standard right of way, when further development and subdivision happens in the area.

In a standard subdivision process, City code requires that security be provided to the City in the form of a bond or letter of credit, so that in the event the developer is unable to finish a project midway through, the City could step in, and have the funds to finish the project. This requirement was included in the agreement with Nibley Development LLC (Wesly Nelson Farms), who is the major developer of the roadway. This agreement was approved by City Council at the July 8 meeting and was signed on 29th of July 2021, by Al Bingham. Since that time, Al has requested that the security requirement be removed from the agreement.

In discussing the request with the City Attorney, we do not have specific code to apply in this unique case. In his terms, it's a judgement call on whether or not the Council wants assurance that it will get completed, or be willing to live with the consequences if it only gets partially completed. There is nothing in the agreements that ties the City financially to anything. As staff sees it, the major risk if the developer failed to finish the roadway, would be the potential delay in development of the surrounding area. Parcels could get tied up in lengthy legal discussions that could go on for years before being sorted out. It is Staff's understanding that there is significant incentive for the developer to complete the project. In order to keep moving on the project, in leu of a bond or letter of credit, the developer has written a check for Nibley City to hold, until this matter is discussed and a decision made by the City Council. The contractor is mobilizing on site and starting construction.

Commented [LR1]: We should provide more detail about this check. What is the purpose of this?

Agenda Item #7

Description	**Discussion & Consideration –** Ordinance 21-18: Amending NCC 15.02.030 Fees; New Developments, Contributions (First Reading)
Presenter	Justin Maughan, Manager
Recommendation	Move to approve Ordinance 21-18: Amending NCC 15.02.030 Fees; New Developments, Contributions (First Reading), for first reading
Reviewed By	Mayor, City Manager

Background:

???

ORDINANCE 21-18

AMENDING NCC 15.02.030 FEES; NEW DEVEOPMENTS, CONTRIBUTIONS

WHEREAS, Methodology behind how water supply requirements for subdivisions are becoming more complex; and

WHEREAS, Nibley City desires to be fair and exact in the amount that should be required from a development as well as protect existing citizens access to water supply; and

WHEREAS, The State of Utah has passed legislation giving guidance to municipalities on minimum sizing requirements for water system infrastructure; and

WHEREAS, Nibley City Council has created ordinance and implemented changes to the Consolidated Fee Schedule, that are in conflict with the current wording of 15.02.030.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF NIBLEY, UTAH THAT:

1. Section D of NCC 15.02.030 shall be deleted and removed from City Ordinance

PASSED BY THE NIBLEY CITY COUNCIL THIS ________ DAY OF __________________, 2021.

____
Shaun Dustin, Mayor

ATTEST:

____
Cheryl Bodily, City Recorder

15.02.030 Fees; New Developments, Contributions

1. Service Rates And Connection Fees: The rates, penalty fee for delinquency in payment, connection fee, reservoir fee, inspection fee and other charges incidental to connection and services from the city water system shall be fixed from time to time by resolution enacted by the city council. The city council may from time to time promulgate rules for levying, billing, guaranteeing and collecting charges for water services and all other rules necessary for the management and control of the water system. Rates for services furnished shall be uniform with respect to each class or classes of service established or that may hereafter be established.
2. Special Rates: The city council may from time to time fix by agreement or resolution special rates and conditions for users using exceptionally large amounts of water service or making use of the water system under exceptional circumstances, upon such terms and conditions as they may deem proper.
3. Complaints; Corrections: The city council is hereby constituted a board of equalization of water rates to hear complaints and make corrections of any assessments deemed to be illegal, unequal or unjust. They may, if they see fit, rebate all or any part of the water bill of any indigent person.
4. ~~Water Stock Or Water Right Contribution; Waiver:~~
    1. ~~Each owner or developer of real property consisting of one acre or more shall contribute one share of water stock per acre to be developed to the city as a condition precedent to the city's authorization for the development of the owner's or developer's real property for residential, industrial or commercial purposes. In addition, the city shall have the first option or right to purchase all other water shares or stock owned by the real property owner or developer and which are appurtenant to such real property, which water shares or stock are in excess of those that are required to be contributed to the city as provided above. If the required water shares or stock are not owned by the real property owner or developer, nor are they available to such owner or developer for contribution, the city council may approve the transfer of equivalent water right to the city or the payment of a specified fee on the amount of five hundred dollars ($500.00) per acre, in lieu of the contribution of water stock or shares, or rights. The required contribution of water stock or shares or water right or fee payment shall relate to each one acre of real property proposed for development, or fraction thereof, and shall be prorated in each instance when less than one acre is proposed for development. (For example, a development of 2.75 acres would require the contribution of 2.75 shares or 2.75 times the stated fee in lieu.)~~
    2. ~~Anyone proposing the building of a home on an area in excess of one acre shall contribute the equivalent of one share or payment in lieu.~~
    3. ~~The city council may waive the requirements of this subsection if the owner or developer of any existing or future development submits plans for, and constructs, a secondary water system which makes irrigation water available for use by all lots in the development. To qualify for a waiver, the developer or owner must submit plans for and construct a secondary water system acceptable to the city council and also make adequate provision for the secondary system and the water related to it, to be transferred to the city, and made a part of any future secondary water system built and operated by or for the city, if it is feasible to incorporate the developer's system into the municipal system. If the developer's system cannot be incorporated into the municipal system, it shall remain privately operated by or for the owners within the development. To be acceptable to the city council, the system shall be built according to the specifications provided by the city engineer or other advisors.~~

Agenda Item #8

Description	Truth in Taxation Hearing
Presenter	Justin Maughan, City Manager
Recommendation	Hold the hearing and receive comments from Nibley City residents.
Reviewed By	Mayor, City Manager, City Treasurer

Background:

The FY 2021-2022 Annual Budget proposes to maintain the previous year's historic property tax rate of 0.001667. It has been the City's practice to adjust the tax rate up or down back to the City's historic rate of 0.001667 each year. Property tax revenue is determined by multiplying the property tax rate by the value of property in the City. The County reviews property valuations annually and new valuations are released each June. Based on the valuations determined by Cache County, the County adjusts the City's tax rate to a level that, when multiplied against the new year's property value, generates the same amount of revenue for the City as was generated the previous year.

If property values go up, that results in the tax rate being established at a lower amount than the previous year's tax rate. This rate is referred to as the Certified Rate. The Certified Rate provided to Nibley City by Cache County is 0.001484. In order to allow the property tax revenue, the city receives to grow with inflation and expansion, and to maintain sustainable and predictable service as the City grows, it is the City's practice to adjust the City's tax rate annually. This may be an increase or decrease depending on the state of the economy. If the certified rate is raised or lowered by Cache County, a vote of the City Council is required to adjust the tax rate back to the historic level of 0.001667.

The projected revenue for the next fiscal year, based on keeping the same rate of 0.001667 and adding the value from all of the new homes built in the past year, would be approximately $788,000, based on the new property values. Homeowners are taxed on 55% of the value on their primary residence. The average home value in Nibley is $353,000, up from $299,000 last year. This is an increase in assessed valuation of approximately18% over last year, and would add $35.53 to an average home's yearly tax assessment, which would total $588.45.

In order to adjust the rate up to the historical rate, the City is required to hold Truth in Taxation Hearing.

A small number of changes have been made to the budget since its tentative adoption in June. Staff will highlight those changes in the presentation.

Nibley City
Truth In Taxation Hearing

FY 2021/2022

Tax Rate Fun Facts

- Property Tax has historically been a primary source of revenue for states and cities
- Property Tax revenue has historically been more stable than other taxes – except for rare exceptions such as the Great Depression and the Great Recession
- Property Taxes are used by multiple agencies, including schools, the county, the health department and mosquito abatement district.
- Property Tax is an “Ad Valorem” Tax, which means it is based on property value

How Truth in Taxation Works

- County Issues a Certified Rate that would provide the same dollar amount of Property Tax Revenue
- Increasing home prices = decreasing property tax rate
- Keeping the rate the same is considered a tax increase, because more property tax will be collected than last year
- Nibley City's Tax RATES did not increase, home VALUES INCREASED

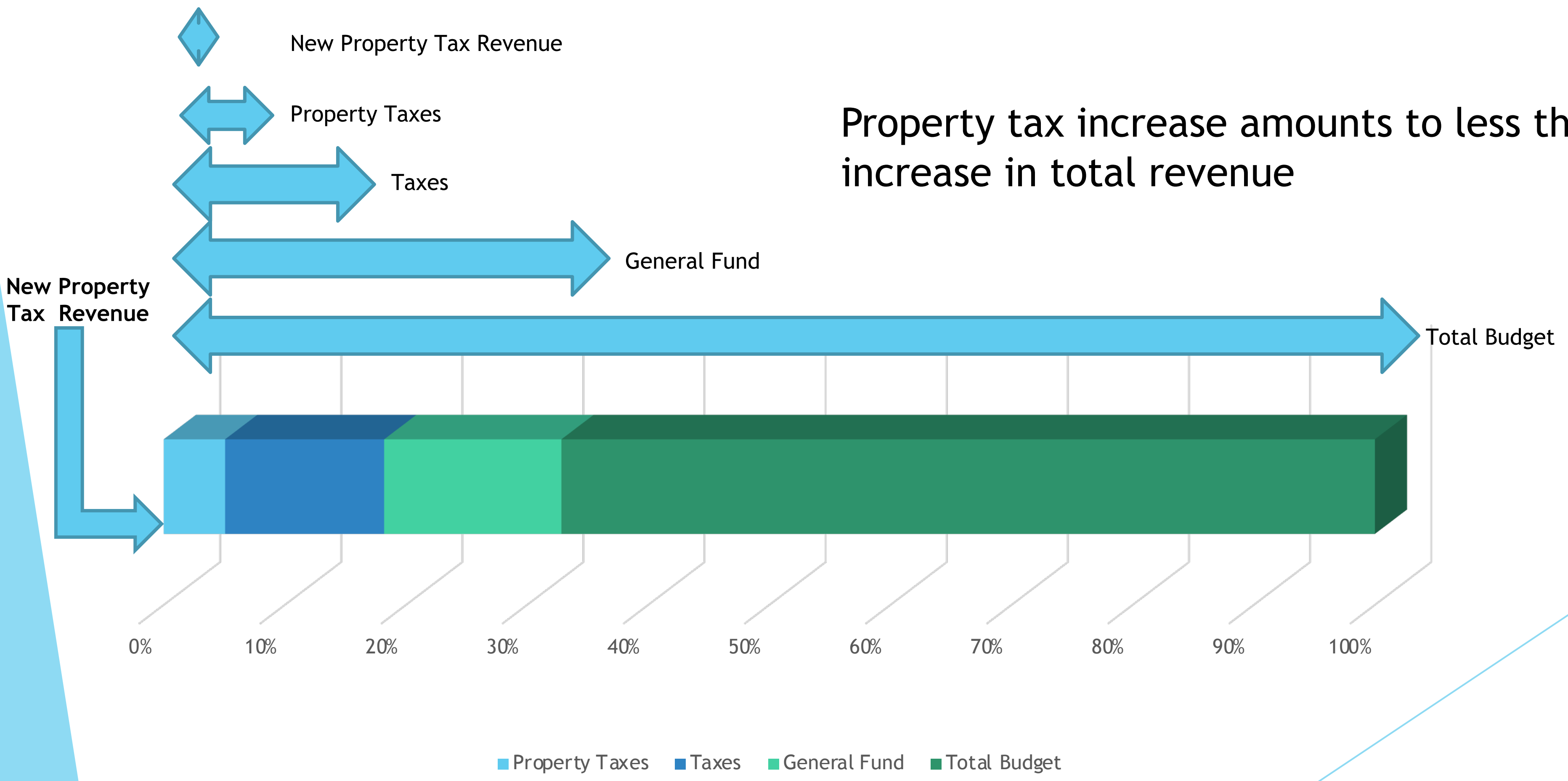
Tax Rate Fun Facts

- Nibley City has had the historic rate of 0.001667 for decades.
- Homeowners are taxed on 55% of their primary residence home value.
  - Farmers get Greenbelt Exemptions
- The average home value in Nibley City is $353,000.00
- Property tax on a $353,000 primary residence would increase from $288.12 to $323.65 which is $35.53 per year or $2.96 per month.

How Truth in Taxation Works

- Keeping the rate fixed allows the city to keep up with inflation
- Costs for infrastructure and construction have increased
- Cost of maintenance equipment & materials have increased
- The increase in property tax revenue amounted to a 1% increase in total revenue

Property Tax Increase as Percentage of Total Budget



Property tax increase amounts to less than a 1% increase in total revenue

How does a small increase affect the City and Citizens?

- Small increases add up over time

- If not made, they would have to be made up in big chunks at some point rather than incremental bumps

Truth in Taxation Public Hearing

NIBLEY

NOTICE OF PROPOSED TAX INCREASES

The following taxing entities are proposing to increase property tax revenue within Cache County

Data is based on the taxing entity's average value shown below. The same value is used for both residential and commercial property.

CONCERNED CITIZENS ARE ENCOURAGED TO ATTEND THE PUBLIC HEARINGS LISTED

Per Utah Code 59-2-919(6)(e)(ii)(B)the purpose of a truth in taxation hearing is: to hear comments regarding any proposed increase AND to explain the reasons for the proposed increase

FOR FURTHER INFORMATION CONTACT THE INDIVIDUAL ENTITIES AT THE NUMBERS SHOWN BELOW

Entities Proposing Tax Increases	Avg Value	If approved, each entity's annual tax revenue will increase forever			Parcel Avg Dollar Increase	Entity Proposed Budget	Entity Certified Budget	Entity Budget $ Increase	Entity Budget % Increase	Public Hearing Information		
		Avg Parcel	From:	To:						Date/Time	Location	Phone
CLARKSTON TOWN	$ 257,000	Residential:	$144.18	$188.98	$44.80	$53,730	$40,987	$12,743	31.03%	August 18, 2021 7:00 p.m.	50 S Main Clarkston	435-563-9090
		Commercial:	$262.14	$343.61	$81.47							
HYDE PARK CITY	$ 414,000	Residential:	$217.23	$250.47	$33.24	$551,274	$478,105	$73,169	15.25%	August 25, 2021 7:00 p.m.	113 E Center Hyde Park	435-563-6507
		Commercial:	$394.96	$455.40	$60.44							
LEWISTON CITY	$ 285,000	Residential:	$310.68	$358.64	$47.96	$388,435	$336,485	$51,950	15.42%	August 19, 2021 7:30 p.m.	29 S Main Lewiston	435-258-2141
		Commercial:	$564.87	$652.08	$87.21							
MILLVILLE CITY	$ 385,000	Residential:	$142.08	$163.26	$21.18	$147,400	$128,238	$19,162	14.90%	August 12, 2021 7:15 p.m.	510 E 300 S Millvile	435-881-2669
		Commercial:	$258.34	$296.84	$38.50							
NIBLEY CITY	$ 353,000	Residential:	$288.12	$323.65	$35.53	$788,124	$701,605	$86,519	12.32%	August 26, 2021 6:30 p.m.	455 W 3200 S Nibley	435-752-0431
		Commercial:	$523.85	$588.45	$64.60							
RICHMOND CITY	$ 339,000	Residential:	$198.76	$254.88	$56.12	$281,571	$219,572	$61,999	28.22%	August 17, 2021 8:00 p.m.	90 S 100 W Richmond	435-258-2092
		Commercial:	$361.37	$463.41	$102.04							
WELLSVILLE CITY	$ 366,000	Residential:	$163.46	$191.03	$27.57	$255,038	$215,220	$39,818	16.84%	August 3, 2021 6:10 p.m.	75 E Main Wellsville	435-245-3686
		Commercial:	$297.19	$347.33	$50.14							

This list is for informational purposes only and should not be relied on to determine a taxpayer's property tax liability.
For specific property tax liability information the taxpayer should review their "Notice of Valuation and Tax Change".

Agenda Item #9

Description	**Discussion & Consideration –** Resolution 21-22: ADOPTING THE FINAL BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2021-22 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES (First Reading)
Presenter	Justin Maughan, City Manager
Recommendation	Move to approve Resolution 21-22: ADOPTING THE FINAL BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2021-22 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES, and waive the second reading.
Reviewed By	Mayor, City Manager, City Treasurer, Department Heads

Background:

The first draft and a public hearing, regarding the FY 21/22 budget was presented to the City Council on June 10, 2021. A second reading occurred on June 24, 2021. At that time staff presented and reviewed various changes and proposals in the budget. A tentative final budget was adopted on June 24.

Adoption of this resolution would adopt the final budget for the current fiscal year. Approval of this resolution would increase the stormwater fee from $7.75 to $8.00 per month per residence and proposes to keep the property tax rate at its current rate of 0.001667. Cache County certified a tax rate slightly lower than this rate. Therefore, this rate will not become the final adopted rate until the City Council adopts this rate after the Truth in Taxation hearing.

A small number of changes have been made to the budget since its tentative adoption in June.

- Water Department Engineering changed to Engineering and Planning, $5,000 to $10,000 to cover the cost of the impact fee analysis

- Water Department Engineering changed to Engineering/Planning, $25,000 to $10,000 to cover the cost of the impact fee analysis

- Emergency Medical Services Fund was brought back into use to track the EMS fee that was implemented to cover the cost of the County Emergency Management Contract. Revenue and expenses were removed from the Public Safety Fund, and put into this EMS fund. Excess revenue generated from the EMS fee will be tracked and stay in the Fund.

- Capital Projects – Active transportation account. Apple Creek Trail was put back into the budget and allocated $75,000 as well as $9,000 for Design of connector trails through Morgan Farm.

- Capital Projects – Anhder Parking Lot - $100,000 was allocated for paving the parking lot west of bike track and east of ball field.

- Gen Fund Revenue – Fines/Misc – American Rescue Plan Act- Amount received reduced from $800,000 to $422,216. This amount was received on July 16th of this year. It expected that another $422,216 be deposited next fiscal year. This money is just being held as budget neutral as revenue from Fines/Misc and as an expense from the Non-Departmental account.

Nibley City Budget

Fiscal Year 2021-2022

OUR MISSION:

Our mission is to make life better for our residents.

OUR VISION:

We envision a community where residents, businesses, and government work together to develop the city in harmony with its natural environment, historical surroundings, and in accordance with Nibley's General Plan.

OUR VALUES:

We value fiscally sound municipal services and a safe, attractive, creative and viable community.

NIBLEY

Aug 26, 2021

TABLE OF CONTENTS

6/10/2021

Honorable Members of the Nibley City Council and Citizens of Nibley,

I am pleased to present the Nibley City Budget for Fiscal Year 2021-22.

I would like to thank everyone who helps to prepare and manage the City's budget. Our fiduciary responsibility to our residents is among our most sacred duties as public servants. Their efforts to create an open and transparent budget puts government in the hands of the hardworking people who pay to make it happen.

Our goal is as always to maintain our conservative approach to funding City operations; we conservatively project revenues and we do our best to maximize the use of existing resources to maintain or increase levels of service.

Nibley is in a strong financial position. We continue to show progress toward meeting departmental and citywide goals and initiatives. Our budget growth is stable, with our General Fund remaining at approximately $5 million, and all funds combined totaling more than $14 million. Recent economic changes related to the COVID-19 pandemic have affected our revenue.

My property tax rate proposal is to continue the City's practice of maintaining the rate at 0.001667, the rate that has historically proven appropriate for sustainably funding City needs. We may wish to revisit this when we fianlize the budget in August given the impact of increasing property values in Nibley on taxpayers. We are still in the process of evaluating the latest data from the Assessor and until that is complete, I am not comfortable mvoing from our longstanding practice that has served our Citizens so well over the years.

I am excited about the future and the opportunities that exist for Nibley City moving forward. I am grateful to the Council, the Planning Commission, staff members and our volunteers for their vision and their dedication to efficient stewardship. I pledge to continue working to make Nibley the best city it can be for our families.

Respectfully submitted,

Shaun Dustin
Mayor

Budget Highlights

The City's General Fund accounts for the financial resources necessary to carry out basic governmental activities for the City that are not accounted for in other funds. The General Fund supports essential city services such as law enforcement and fire protection, street maintenance, recreation, and parks and open space maintenance. General Fund revenue is collected from taxes (property, sales, and utility), licenses and permits, service fees, fines, and grants.

Conservative Revenue Growth

General Fund revenues in Fiscal Year 21-22 are expected to remain stable. This budget estimates a consistent number of building permits due to several continuing and new subdivision projects being constructed. As of April 14, 2021, there are roughly 67 building lots available in Nibley City. In addition to those existing lots, additional subdivisions and additional phases of current subdivisions are expected to add hundreds of new lots.

Nibley has continued to add new real estate value; 62 new home building permits were issued in calendar year 2020. The City issued 200 total permits over the 12 month period from April 2020 through March 31, 2021, of which 84 were new homes. Budget projections related to home building in the FY 21-22 budget are based on an estimated 50 homes being built in the next fiscal year. Home values have gone up about 5 percent over the past year. Sales tax revenue is expected to continue to grow as Nibley's and Utah's economies and populations grow.

Tax Levels and Assessing Fair and Reasonable Fees

The FY 21-22 budget proposes to keep property tax at the same rate as last year. The City's property tax policy is to annually adjust the property tax rate to the historic rate of 0.001667, the rate that allows the City to maintain services at the current level. When there is growth in real estate value, Cache County will certify a lower rate than Nibley's current property tax rate. Therefore, if Nibley maintains the same rate as the previous year, state law considers that to be a tax increase, which would require the City to hold a Truth in Taxation hearing in August.

The sewer revenue amount in this budget reflects a $1 rate increase for Nibley utility users, as adopted by the Nibley City Council in 2018. Logan City has increased the sewer treatment fee it charges Nibley. The increased rate being charged by Logan City increases by 10% each July 1st, beginning in 2017 and continuing through 2021. The sewer fee Nibley City charges residents is currently $53 per month. The fee paid to Logan City is increasing due to the cost of constructing a new wastewater treatment facility.

There is a proposed 25 cents per month per residence increase in the residential stormwater fee. This will set the residential stormwater rate at $8.00 per month. Commercial rates are set by a formula that uses the residential rate as a basis. This increase is part of an incremental fee adjustment recommended in the City's 2013 Capital Facilities Finance Plan prepared by Zion's Bank. The increase was deemed necessary based on infrastructure and compliance requirements placed upon Nibley City by federal and state stormwater regulations.

Grant Revenue

Cache County awarded Nibley City $315,000 in Recreation Arts Parks and Zoo (RAPZ) grant funding to develop the 20 acres the city purchased west of Virgil Gibbons Heritage Park into a nature park called Firefly Park. The City matched these grants with $315,000 from the Park Impact Fee Fund. These funds were used to complete the first and second phase of development at Firefly Park. The next phase of constuction is expected to install a restroom, class-room type seating, bird hides and fence along the northern boundary.

CARES Nibley City received just over $600,000 ($607,866.00) in Cares Act funds. Nibley City allocated those funds to three major categories;

1. Personal Protection Equipment (PPEs) and Sanitization Supplies and Equipment,
2. Remote work/communications/IT/AV equipment, and
3. Items to allow for easier social distancing

Just under $200,000 was spent on Personal Protective Equipment (PPEs) and Sanitization Supplies and Equipment, with the largest purchase being a Kubota vehicle and sprayer that is being used to sanitize outdoor equipment, including playgrounds, picnic tables etc. The city also replaced chairs used by the public with chairs that are easier to sanitize and replaced the flooring in the community room with flooring that is easier to sanitize. Other items purchased include general cleaning supplies and equipment and personal protective equipment.

Remote work/communications/IT/AV equipment, supplies, and infrastructure was the category that was allotted the most money out of all three categories, totaling more than $340,000. Some items that were purchased include fiberoptic broadband connections to city buildings and city hall IT equipment upgrades to support remote work and city meeting broadcasting. This included laptops and office equipment, server upgrades, and audio-visual equipment upgrades to allow for broadcasts of public meetings etc.

Approximately $50,000 was spent on social distancing improvements. The city purchased more bleachers and picnic tables for our parks to allow for people to spread out farther apart from each other, as well as other smaller items such as stanchions and plexiglass barriers for city hall.

American Rescue Plan: Information and details on this money are still foth coming. It is expected that Nibley City will receive around $800,000 over two fiscal years. These funds are shown as a nutreal budget item. It has been suggested

Maintaining Core Services

As a community, Nibley continues to place the highest of priorities on funding core municipal services to residents. As a result, please note that the FY 21-22 budget reflects the funding of programs and resources across all operating departments that will allow the City to increase or maintain levels of service.

- Continued construction of Firefly Park
- 1200 West and 3200 South Roundabout
- 3200 South Asphalt Replacement
- Construction of missing links in the City's sidewalk and trails network

Some planned equipment purchases include:

- Replacing 7 Leased Pickup Trucks - Stormwater, Parks, Sewer, Recreation/Community Development, City Manager, City Engineer, and Public Works Director.
- Replace Vac-Truck
- Replace one backhoe with a Mini Excavator in lease program

Other Key Changes to the Budget

- New public works inspector position
- Implementation of EMS fee
- lIncrease in Sheriff's contract
- Capital Projects

There was a fund transfer from General Fund surplus dollars at the end of the 19-20 fiscal year into the Capital Projects Fund. The General Fund transfer was around $500,000.

Community Development and Recreation: The Nibley City Recreation Department is responsible for coordinating sports and recreation programs, pursuing funding opportunities for City recreation, and organizing and supporting cultural events and other community development programs. It has started a new soccer program and is planning future recreation programs, such as Ultimate Frisbee, summer camp, clinics and tournaments, and fitness and family programs. The City will also continue to provide many of the successful programs offered in years past, such as Heritage Days, the BOOnanza, baseball, softball and more.

Planning: The planning department has been busy handling subdivision applications in the past year, along with updating ordinances, and made an update to the Capital Project Plan and to the Sewer Master Plan. The City Council has made it a practice to set aside funds on an annual basis for planning. In the next year, Nibley City will work on an update to the City's Stormwater Master Plan. This is particularly important in light of continued rapid growth.

Budget Documentation

Nibley City staff members continue to revise and improve the structure of this budget document in order to make it more easily understandable and compliant with the standard recommended by the Government Finance Officers Association.

Qualified and Motivated Workforce

The ability to provide quality services to Nibley residents is made possible by the City's qualified and motivated workforce. It is Nibley's policy to continue to invest in training and education in order to continue to maintain that standard of quality.

It has also been the City's practice to adjust the employee pay scale by 2% annually as a cost-of-living adjustment. Some Nibley City employees also receive merit pay adjustments until they reach the top of their particular pay grade. The FY 21-22 budget includes the usual COLA of 2% for employees and elected officials and accounts for increases in benefit payment amounts, including retirement contributions.

Proposed Timeline for future meetings and approval

- May 13 – First presentation and adoption of tentative budget
- June 10 – Public Hearing and possible budget workshop
- August 12 or 26 – Truth in Taxation Hearing and Final Adoption

Nibley City Financial Oversight

Nibley Citizens

Mayor & City Council

<u>Mayor</u>	<u>Council</u>
Budget Officer	Budget Approval Oversight/Policy

City Manager/ Recorder

Ex-Officio Auditor, Payment Authorization, Financial Reports, Budget Management

City Engineer
- Public Works Director
- PW Purchasing
- PW Projects
- PW Staffing
- Infrastructure Maintenance

Outside Accountant
- Accounting
- Transparency Reporting
- Bank Reconciliation
- Budget Consulting
- Financial Reports

Office Clerks
- Purchasing
- Payment Processing

Planner
- Development Fees

Accounting Clerk
- Accounts Payable
- Accounting
- Tax Refunds

City Treasurer
- Accounts Receivable
- Utility Fees
- Cash Receipting
- Investments
- Fees
- Budget Prep
- Payroll
- Grant Reimbursements

Outside Auditor
- Annual City Audit

Budget Timeline

January	• Make any mid-year adjustments to current fiscal-year budget • Begin anticipating upcoming capital projects
February	• Meet with department heads to review accomplishments and upcoming priorities
March	• Project expenses for department priorities • Compile anticipated revenue worksheets • Begin compiling salary/benefit information for upcoming year
April	• Finance team meets to review projected revenue and expenditures • Prepare initial draft of budget
May	• Present tentative budget to the City Council by the first meeting in May • Council workshops of budget (As needed) • Public hearing on budget
June	• Adoption of the Budget not later than the 24th of June (If no tax increase)
August	• Truth in Taxation Hearing and Final Adoption • Submit budget to State Auditor's office • Submit budget for GFOA certification

Should Nibley City find a need to make an amendment to the budget subsequent to its adoption, a public hearing is held prior to adopting changes. Other less-significant budget amendments are made at year-end, as part of the process of adopting an amended current-year budget.

Fiscal Policies

Nibley City examines statistical and demographic information as part of the financial decision-making process. Nibley City has grown from a population of 2,040 in the 2000 Census to approximately 8,000. More than 40% of the City's population is under the age of 18.

The City currently employs 19 full-time employees, 17 part-time employees, 7 seasonal employees, and has multiple contracted positions, including the City Attorney, Engineers, Auditor, Accountant, and Commercial Building Inspector. Nibley also contracts with other agencies for Court, Library, Wastewater Treatment, Solid Waste Disposal, Fire, Law Enforcement, Prosecuting, Animal Control and Ambulance services.

Nibley City uses the modified-accrual basis for all budgeted funds, which is also used in preparation of the City's annual financial reports. Modified accrual is a governmental accounting method whereby monies are accounted for when they become measurable and available, which typically occurs when the City is invoiced for the payment. Budgets are subject to ongoing review by City staff. The Nibley City Council and public are provided with monthly financial statements to keep them updated on the status of each budget department.

Revenue projections are made by analyzing the City's population and expenditure growth and projecting the upcoming year's growth based on those trends. Expenditures are, to the extent possible, anticipated and projected in the preparation of each department's budget, and most capital expenditures are accounted for in the preparation of Capital Improvement Plans.

In compliance with the requirements of the laws of the State of Utah, Nibley City staff members present a balanced budget to the City Council for adoption. In order to meet the balanced budget requirements, one of the following must occur: revenues exceed expenditures, revenues equal expenditures, or revenue and any appropriated fund balances equal expenditures.

In preparing and executing each fiscal year's adopted budget, Nibley City adheres to the following principles:

1. Nibley City will practice fiscal conservativism.
2. Nibley City will focus on holistic budget issues and not dedicate unreasonable effort to a single project or item.
3. Nibley City will take responsible steps to pay off the City's debts in a timely manner.
4. Nibley City will make contributions to the City's long-term savings, so that the City will be adequately prepared in the event of a fiscal crisis.
5. Nibley City will keep its residents, City Council and staff apprised of budgetary decisions, so that those decisions can be made in a transparent manner.
6. Nibley City recognizes that, from time to time, it may be necessary to update these principles in order to reflect changes in financial planning practices.

Debt Limit

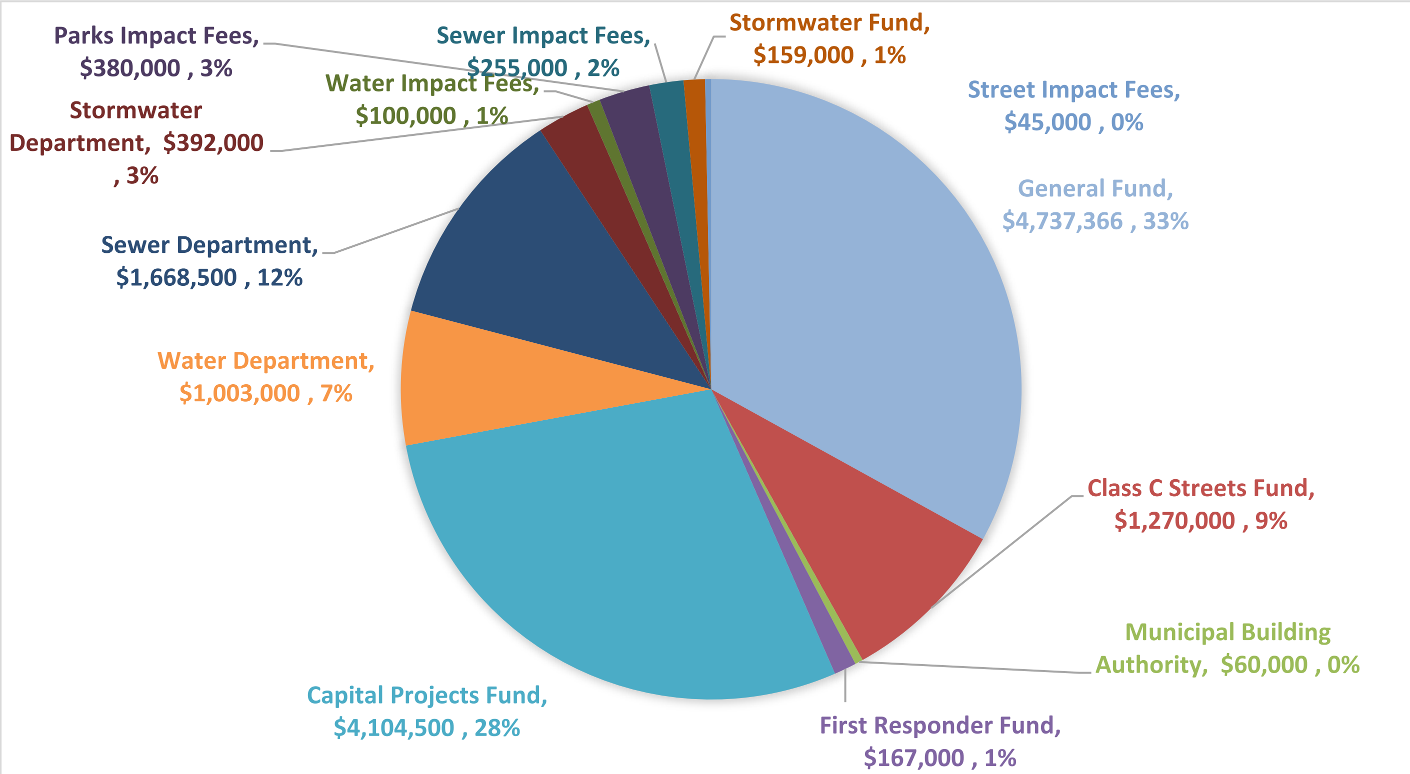
Estimated Market Value	$	699,252,940
Legal Debt Limit (4% of market value)	$	27,970,118
Current Outstanding General Obligation Debt	$	-
Legal Debt Margin	$	27,970,118

Sewer	$	3,377,000
Municipal Building Authority (City Hall Debt)	$	600,000
Total	$	3,977,000

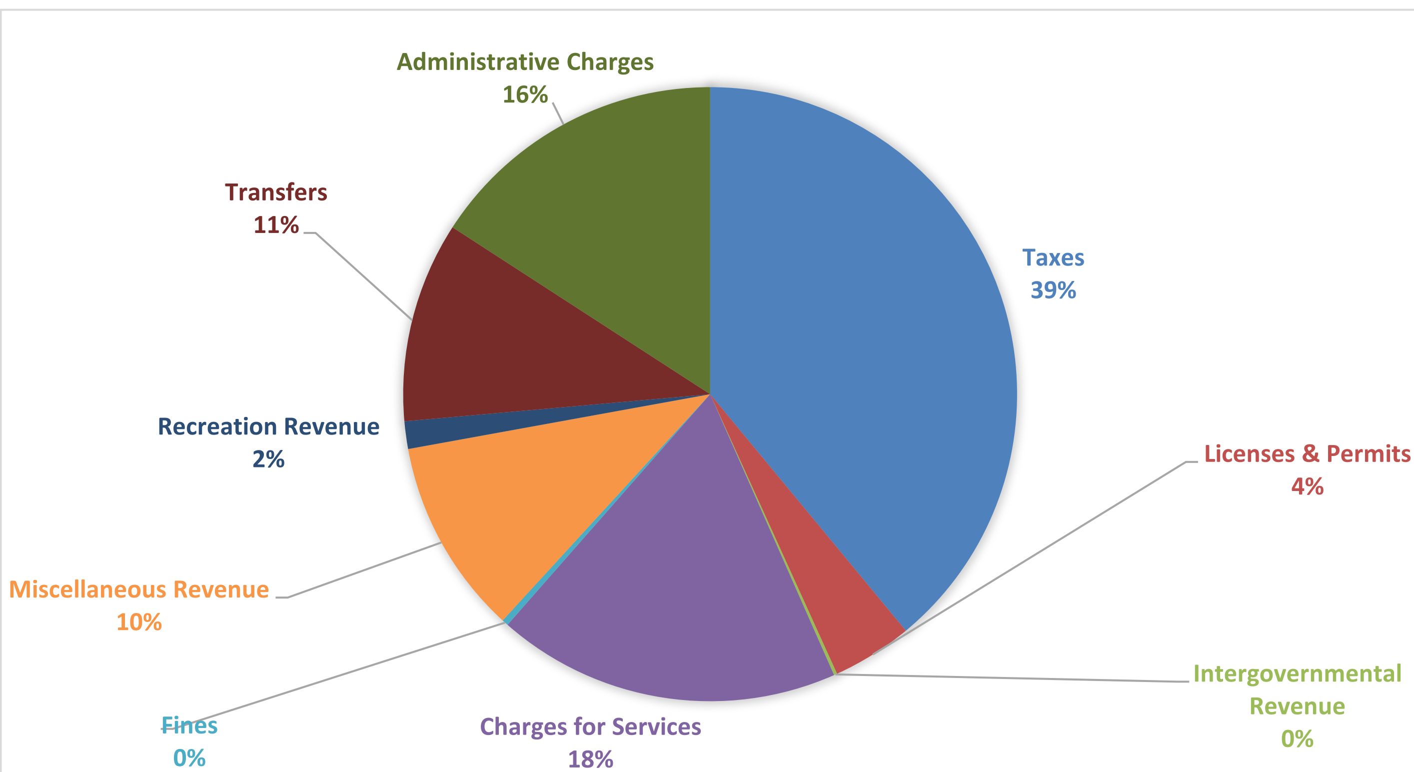
Overall Revenues

Revenue	Account Number	Actual FY 2018-19	Actual Year-to-date FY 2019-20	Budget FY 2019-20	Final Budget FY 2020-21
General Fund	10	$ 3,950,960	$ 4,095,147	$ 4,513,000	$ 4,737,366
Class C Streets Fund	11	$ 325,292	$ 332,788	$ 340,000	$ 1,270,000
Municipal Building Authority	20	$ 59,909	$ 46,750	$ 60,000	$ 60,000
First Responder Fund	24	$ 40,791	$ 28,586	$ 158,616	$ 167,000
Capital Projects Fund	45	$ 45,690	$ 14,594	$ 3,890,000	$ 4,104,500
Water Department	51	$ 865,743	$ 813,606	$ 900,000	$ 1,003,000
Sewer Department	52	$ 1,248,935	$ 1,188,586	$ 1,136,000	$ 1,668,500
Stormwater Department	53	$ 217,707	$ 200,958	$ 310,000	$ 392,000
Water Impact Fees	55	$ 64,350	$ 150,150	$ 100,000	$ 100,000
Parks Impact Fees	56	$ 148,500	$ 526,500	$ 620,000	$ 380,000
Sewer Impact Fees	57	$ 66,675	$ 314,684	$ 255,000	$ 255,000
Stormwater Fund	58	$ 4,854	$ -	$ 165,000	$ 159,000
Street Impact Fees	59	$ 467	$ 62,977	$ 45,000	$ 45,000
Total Revenues		**$ 7,039,873**	**$ 7,775,326**	**$ 12,492,616**	**$ 14,341,366**

Nibley City Budget FY 2021/22



General Fund Revenue FY 2021/22



General Fund Overview

Revenue

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Taxes	10-31	$ 1,912,715	$ 1,777,519	$ 1,714,000	$ 1,847,350
Licenses & Permits	10-32	$ 136,924	$ 238,711	$ 167,000	$ 200,000
Intergovernmental Revenue	10-33	$ 2,905	$ -	$ 8,000	$ 8,000
Charges for Services	10-34	$ 591,156	$ 642,171	$ 640,000	$ 857,000
Fines	10-35	$ 20,172	$ 20,032	$ 15,000	$ 16,000
Miscellaneous Revenue	10-36	$ 143,433	$ 833,560	$ 696,000	$ 489,216
Recreation Revenue	10-37	$ 82,655	$ 47,322	$ 42,000	$ 68,800
Transfers	10-38	$ 558,000	$ -	$ 588,000	$ 500,000
Administrative Charges	10-39	$ 503,000	$ 535,832	$ 643,000	$ 751,000
Total General Fund Revenue		**$ 3,950,960**	**$ 4,095,147**	**$ 4,513,000**	**$ 4,737,366**

Expenditures

Expenditures	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
City Council	10-41	$ 39,100	$ 37,355	$ 51,000	$ 51,000
Court	10-42	$ 80,726	$ -	$ -	$ -
Administration	10-43	$ 531,479	$ 511,224	$ 560,000	$ 629,000
Elections	10-47	$ 2,996	$ -	$ 2,000	$ 10,000
Public Works	10-48	$ 220,860	$ 207,446	$ 408,000	$ 438,000
Non-Departmental	10-50	$ 338,572	$ 189,198	$ 754,000	$ 1,178,216
Public Safety	10-54	$ 267,733	$ 344,009	$ 357,500	$ 481,700
Streets	10-60	$ 221,352	$ 215,677	$ 276,000	$ 288,000
Sanitation	10-62	$ 534,311	$ 470,625	$ 512,000	$ 552,000
Planning & Zoning	10-68	$ 259,049	$ 251,175	$ 263,000	$ 335,500
Parks	10-70	$ 338,662	$ 294,852	$ 362,000	$ 456,000
Community Development & Recreation	10-75	$ 198,848	$ 190,325	$ 298,000	$ 317,950
Total General Fund Expenditures		**$ 3,033,688**	**$ 2,711,886**	**$ 3,843,500**	**$ 4,737,366**
Surplus/(Deficit)		**$ 917,272**	**$ 1,383,261**		**$ -**
Beginning Cash Balance (est.)					**$ 1,664,289**
Reserves (Fund Balance App.)					**$ (500,000)**
Ending Cash Balance (est.)					**$ 1,164,289**

General Fund Revenue

Revenue

The Revenue section of the budget shows funds received by Nibley City from various sources, including taxes, fees for permits and licenses, grant funds etc.

Taxes

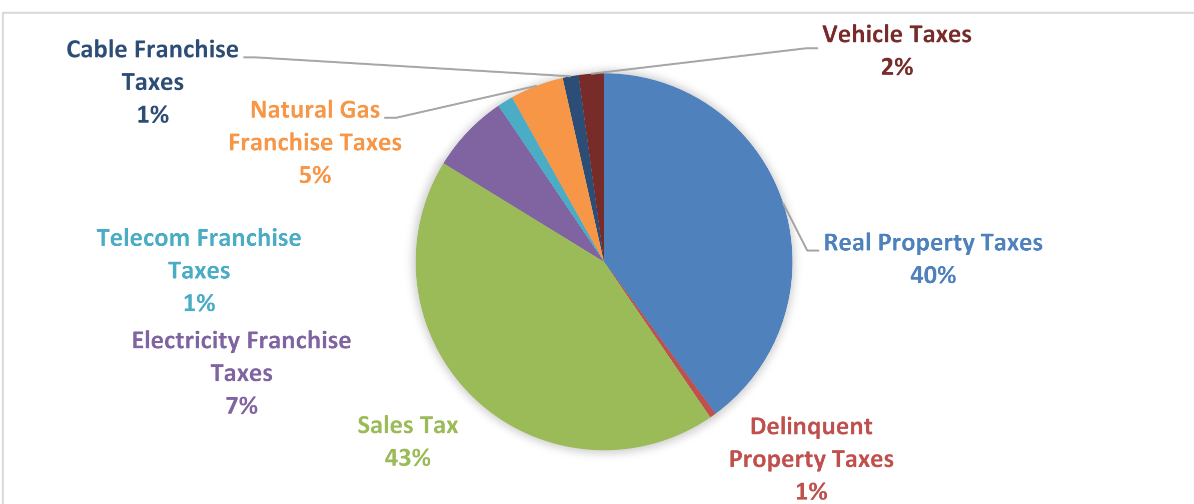
The Taxes portion of the Revenue section of the budget accounts for funds received by Nibley City from taxes on property, sales, utilities and vehicles.

From the table below, it is clear that Nibley's primary revenue sources are 1) Sales Tax from state sales tax redistribution, and 2) Property Taxes. Nibley's taxation policy should therefore support state sales tax laws that sustain this revenue and the management of staff and finances to maintain an attractive, quality community that is friendly to property owners and supportive of high property values.

General Fund Revenue: Taxes

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Taxes					
Real Property Taxes	10-31-110	$ 673,227	$ 703,164	$ 614,000	$ 737,350
Delinquent Property Taxes	10-31-120	$ 7,850	$ 9,145	$ 10,000	$ 10,000
Sales Tax	10-31-130	$ 834,800	$ 810,058	$ 800,000	$ 800,000
Electricity Franchise Taxes	10-31-140	$ 129,529	$ 112,698	$ 125,000	$ 125,000
Telecom Franchise Taxes	10-31-141	$ 25,791	$ 13,645	$ 25,000	$ 25,000
Natural Gas Franchise Taxes	10-31-142	$ 89,696	$ 74,123	$ 80,000	$ 85,000
Cable Franchise Taxes	10-31-143	$ 22,790	$ 30,784	$ 20,000	$ 25,000
Vehicle Taxes	10-31-150	$ 44,752	$ 23,902	$ 40,000	$ 40,000
CVTD (Pass Through)	10-31-160	$ 84,280	$ -	$ -	$ -
Total Taxes		**$ 1,912,715**	**$ 1,777,519**	**$ 1,714,000**	**$ 1,847,350**

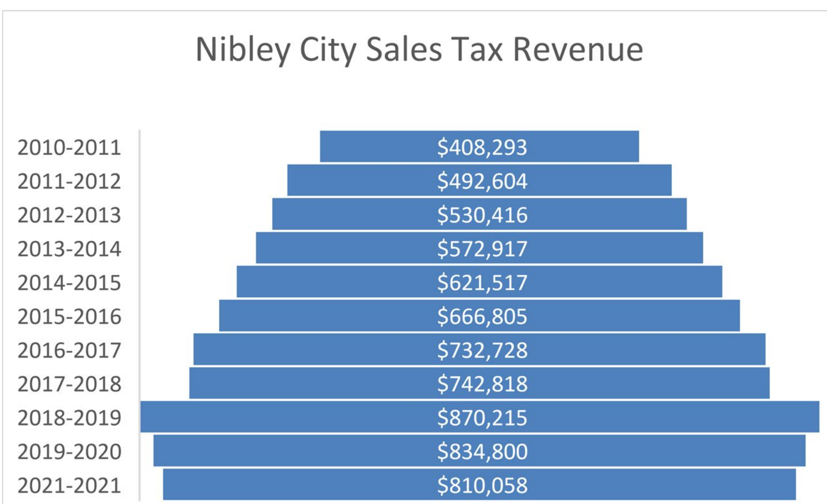
Tax Revenue FY 2021-22



10-31-110 Real Property Taxes – Property tax revenue is determined by multiplying the property tax rate by the value of real property in the City. Property valuations are reviewed by the County annually and new valuations are released by the County each June. Based on the valuations determined by the County, the County adjusts the City's tax rate to a level that, when multiplied against the new year's property value, generates the same amount of dollars of revenue for the City as was generated the previous year. That rate is referred to as the Certified Rate. If property values go up, this would result in the certified tax rate going down. In order to allow the property tax revenue to grow with inflation and expansion, and to maintain sustainable and predicable service as the City grows, it is the City's practice to adjust the City's tax rate annually. This may be an increase or decrease depending on the state of the economy. If the certified rate is raised or lowered by Cache County, a vote of the City Council is required to adjust the tax rate back to the historic level of 0.001667. In order to adjust the rate up to the historical rate, the City is required to hold Truth in Taxation Hearing. If necessary, this hearing is held in August. Homeowners are taxed on 55% of the value on their primary residence.

10-31-120 Delinquent Property Taxes – These are property taxes that were not paid during the year they were due but were received this year.

10-31-130 Sales Tax – These are taxes that are collected from retail sales both in Nibley and throughout the state. For every dollar spent in Nibley, one cent is set aside for cities as the municipal share. Nibley City receives 50% of all the municipal share sales taxes generated within Nibley City; the rest of that sales tax goes to the state's population pot. Sales tax generated in Nibley accounts for about 15% of the City's total sales tax revenue, with about 85% coming from statewide population redistribution. Nibley City receives taxes from the state's population pot based on Nibley City's total population. Sales taxes are collected each month and then distributed about 25 days after the last day of the month that the tax is due. The Sales Tax rate in Nibley is 7%. Of that, 4.85% goes to the state, 1% goes to the municipal share, as described above, 0.25% goes to the county, 0.30% goes to CVTD, 0.50% goes to Cache County for transportation and 0.10% goes to the county for Recreation, Arts, Parks, and Zoo (RAPZ) Tax.



10-31-140, 141,142, 143 Franchise Taxes – Revenue generated from taxes and fees paid by utility customers, as well as taxes collected by the utility companies that are operated in the city. Franchise agreements are in place with Rocky Mountain Power, Dominion Energy, Comcast, Digital First Telecom and CenturyLink.

10-31-150 Vehicle Taxes – Revenue generated from the taxes the city receives from vehicle registrations of city residents' vehicles. These taxes are collected and distributed by Cache County once each month.

Licenses and Permits

The Licenses and Permits portion of the Revenue section of the budget accounts for funds received by Nibley City from residents and businesses as fees for permits and licenses.

General Fund Revenue: Licenses, Permits, Intergovernmental Revenue, and Charges For Services

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Licenses and Permits					
Building Permits	10-32-210	$ 129,133	$ 212,894	$ 150,000	$ 180,000
Business Licenses & Fees	10-32-220	$ 2,491	$ 8,410	$ 9,000	$ 9,000
Fire Inspection Fee	10-32-225	$ 10	$ 200	$ 500	$ 500
Dog Licenses	10-32-250	$ 5,140	$ 17,207	$ 7,000	$ 10,000
Multi-Dog License	10-32-251	$ 150	$ -	$ 500	$ 500
Total Licenses and Permits		**$ 136,924**	**$ 238,711**	**$ 167,000**	**$ 200,000**
Intergovernmental Revenue					
Grant - Children's Theatre	10-33-322	$ 2,905	$ -	$ 5,500	$ 5,500
Grant - Miscellaneous	10-33-323	$ -	$ -	$ 2,500	$ 2,500
Total Intergovernmental		**$ 2,905**	**$ -**	**$ 8,000**	**$ 8,000**
Charges For Service					
Comm. Center Dispatch	10-34-410	$ 69,353	$ 66,670	$ 70,000	$ 70,000
Planning Review & Inspection	10-34-420	$ 4,503	$ 14,170	$ 5,000	$ 45,000
Development Fees Reimbursed	10-34-422	$ 18,464	$ 39,017	$ 20,000	$ 60,000
Refuse Collection Charges	10-34-430	$ 498,836	$ 521,318	$ 540,000	$ 540,000
Community Center Rental	10-34-431	$ -	$ 596	$ 5,000	$ 5,000
EMS Charges	10-34-435	$ -	$ 400	$ -	$ 137,000
Total Charges for Service		**$ 591,156**	**$ 642,171**	**$ 640,000**	**$ 857,000**

10-32-210 Building Permits – Revenue generated from building permits. There were a total of 164 total building permits in calendar year 2020, 62 of which were new home permits.

The building permit fee on a home averages $1,500 per home. In addition to the budgeted revenue that would come from new home permits, additional revenue is anticipated for other permits as well, such as for remodels, solar permits, and commercial permits.

The graph below shows the trend in building permits from FY14-15, FY15-16, FY16-17 and FY17-18, FY18-19, FY 19-20, FY 20-21 including the breakdown for the types of permits. As of March 31, 2021, the City had issued 42 new home permits in past 12 months.

	2014	2015	2016	2017	2018	2019	2020	2021 to date
Additions/Remodels/Deck	0.00	0.00	0.00	0.00	0.00	0.00	26.00	22.00
Commercial Remodels	2.00	4.00	7.00	1.00	3.00	4.00	1.00	3.00
Basement Finishes	0.00	0.00	0.00	0.00	0.00	0.00	11.00	3.00
New Commercial	1.00	0.00	2.00	2.00	1.00	0.00	0.00	0.00
Accessory structures	30.00	31.00	27.00	37.00	35.00	49.00	14.00	6.00
Solar	1.00	16.00	50.00	44.00	11.00	27.00	50.00	8.00
New Homes	67.00	63.00	62.00	59.00	44.00	51.00	62.00	29.00

10-32-220 Business Licenses & Fees - Revenue generated from business license fees, which include: $30 for a home-based business and $150 for a commercial business. The City currently has 135 home-based businesses and 23 commercial businesses.

10-32-225 Fire Inspection Fee - Revenue generated from commercial business license fire inspection fees. The fee is collected by Nibley from the business at the time apply for, or renews their business license. Cache County conducts the inspection, and then bills Nibley City for the inspection.

10-32-250 Dog Licenses - Revenue generated from dog license fees, which include: $15 for spayed/neutered dogs or $25 for unaltered dogs. Revenue is used to pay for animal control services provided by the Sheriff's office. See expenditure account 10-54-360 for reference.

10-32-251 Multi-Dog License - Revenue generated from multi-dog license fees, which are $30 for a multi-dog license for up to 3 dogs. Revenue is used to pay for animal control services provided by the Sheriff's office. See expenditure account 10-54-360 for reference.

Intergovernmental Revenue

The Intergovernmental Revenue portion of the Revenue section of the budget shows funds received by Nibley City from other government agencies, which often include grant funds.

10-33-322 Children's Theatre Grants - Revenue generated from anticipated grants including: a $1,000 RAPZ grant, a $2,000 Rocky Mountain Power Grant, a $750 Utah Division of Arts & Museum Grant, and $500 from T-shirt sales. Due to cancellation of the 2020 play, the Theatre is rolling over some of the grant funds to the next fiscal year.

10-33-323 Grants Miscellaneous - Revenue generated from economic development, public safety or other grant sources.

Charges for Services

The Charges for Services portion of the Revenue section of the budget shows funds received by Nibley City as charges for services provided by the City.

10-34-410 Communications Center-Dispatch - Revenue generated from a $3 per residence and business monthly charge to pay for the countywide dispatch center. This charge is passed on to Logan City through expense account 10-54-440. The $2 dispatch center fee provides funds to support the Countywide 911 Emergency Dispatch Center and the $1 Radio Fee provides funds to support the radio and antenna infrastructure around the county that is used by public safety agencies.

10-34-420 Planning Review and Inspection Fees - Revenue generated for application fees, such as for submission of a final plat, to pay for items reviewed by the Planning Commission. This account is also used to account for the $200 fee for a land use appeal hearing. Those hearings typically only occur a couple of times per year. The cost for the hearing officer is $150 for a hearing. This account also will recieve revenue from charging for development review and inspection fees.

10-34-422 Development Fees Reimbursement - Revenue generated from developers who reimburse the City for fees the City incurs such as: street lights, concrete collars and trees, engineering and legal reviews.

10-34-430 Refuse Collection Service Fees - Revenue generated from fees paid by residents for garbage, recycling and green waste collection services. Revenue is passed through to Logan City through expenditure account 10-62-320. The City charges an extra 25 cents per can for an administrative fee in addition to what Logan charges for the services.

10-34-431 Community Center Rental Fees - Revenue generated from Community Center/Council Chambers rentals. Community Rental Fees are: Resident Small Gathering $50, Resident Large Gathering $150, Non-Resident Small Gathering $100, Non-Resident Large Gathering $300.

10-34-435 EMS Charges - Revenue generated from a $6 per residence and business monthly charge to pay for the countywide EMS program. This charge is passed on to Cache County through expense account 10-54-330.

General Fund Revenue - Fines/Misc. Revenue

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Court Fines	10-35-510	$ 20,172	$ 20,032	$ 15,000	$ 15,000
Administrative Fines	10-35-515	$ -	$ -	$ -	$ 1,000
Total Fines		**$ 20,172**	**$ 20,032**	**$ 15,000**	**$ 16,000**
Miscellaneous Revenue					
Interest Earnings	10-36-610	$ 145,570	$ 38,611	$ 40,000	$ 40,000
Sale of Surplus Equipment	10-36-670	$ 300	$ 100	$ -	$ -
House Rent	10-36-683	$ 12,600	$ 10,200	$ 12,000	$ 12,000
Penalties	10-36-684	$ 1,864	$ 3,393	$ 500	$ 1,500
Damage To City Property Reim.	10-36-686	$ 1,846	$ 282	$ 500	$ 500
Miscellaneous Revenue	10-36-690	$ (21,147)	$ 171,558	$ 10,000	$ 10,000
Land Leases	10-36-691	$ 2,400	$ 1,530	$ 3,000	$ 3,000
American Rescue Plan Act	10-36-696	$ -	$ 607,886	$ 630,000	$ 422,216
Total Miscellaneous Revenues		**$ 143,433**	**$ 833,560**	**$ 696,000**	**$ 489,216**

Fines

The Fines portion of the Revenue section of the budget accounts for fines received by Nibley City from the Justice Court.

10-35-510 Court Fines - Revenue generated from fines paid to the Hyrum City Justice Court for violations in Nibley that are passed on to Nibley through an interlocal agreement with Hyrum. The cities split the revenue and then expenses for defense are deducted from Nibley's half.

10-35-515 Administrative Fines - Revenue generated from nuisance ordinance citations.

Miscellaneous Revenue

The Miscellaneous Revenue portion of the Revenue section of the budget accounts for funds received by Nibley City from a variety of sources.

10-36-610 Interest Earnings - Revenue generated from interest earned by the City on all fund balances of money held in interest-bearing accounts. The interest is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of each total fund balance.

10-36-670 Sale of Surplus Equipment - No funds are budgeted in this account this year.

10-36-683 House Rent - Revenue generated from this account is for the houses located at 3184 S Main, 3196 S Main, and 1221 W 3200 S. The City purchased the houses in anticipation of realignments of 3200 South.

10-36-684 Penalties - Revenue generated from penalties/fees related to bank charges and late fees.

10-36-686 Reimbursement for Damage to City Property - Revenue generated for reimbursement from an individual or company if damage is done to any City property. A common source is motor vehicle accidents that damage trees or infrastructure.

10-36-690 Miscellaneous Revenue - Revenue for which there is not an associated revenue account.

10-36-691 Land Leases - Revenue generated from rent paid by individuals leasing city-owned properties.

10-36-696 American Rescue Plan Act - Funds allocated from the federal government for expenses related to the COVID-19 pandemic.

General Fund Revenue: Transfers & Administrative Charges

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Transfers					
Appropriated Fund Balance	10-38-890	$ 558,000	$ -	$ 500,000	$ 500,000
First Responders Transfer to Gene	10-38-891	$ -	$ 73,331	$ 88,000	$ -
		$ 558,000	**$ -**	**$ 588,000**	**$ 500,000**
Administrative Charges					
Water	10-39-700	$ 226,000	$ 234,166	$ 281,000	$ 335,000
Sewer	10-39-701	$ 226,000	$ 234,166	$ 281,000	$ 335,000
Stormwater	10-39-702	$ 51,000	$ 67,500	$ 81,000	$ 81,000
Total Administrative Charges		**$ 503,000**	**$ 535,832**	**$ 643,000**	**$ 751,000**
Total General Fund Revenues		**$ 3,950,960**	**$ 4,095,147**	**$ 4,513,000**	**$ 4,737,366**

Transfers & Administrative Charges

The Administrative Charges portion of the Revenue section of the budget shows funds transferred into the General Fund from enterprise funds.

10-38-890 Appropriated Fund Balance - This account is used to allocate funds from the existing fund balance.

10-38-891 First Responder's Transfer to General Fund - No funds are budgeted in this account this year.

10-39-700, 701 and 702 - Enterprise funds (water, sewer, stormwater) reimburse the General Fund for costs incurred in managing and operating the utility operations. An analysis is performed each year to examine the administrative costs and the costs are adjusted accordingly. These costs include staff, software, equipment, facilities, vehicles etc.

General Fund Revenue - Recreation

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Field Rental	10-37-440	$ 2,215	$ 1,699	$ 4,000	$ 5,000
Youth & Adult Programs	10-37-442	$ 29,289	$ 38,978	$ 20,000	$ 43,000
Nibley Fitness	10-37-444	$ 2,241	$ 1,876	$ 2,000	$ 2,700
Fitness Programs	10-37-445	$ 1,600	$ 1,899	$ 2,000	$ 2,500
Special Events	10-37-446	$ 40	$ -	$ 500	$ 600
Rec Rental Equipment	10-37-450	$ 20	$ 5	$ -	$ 900
Park/Pavilion Rental Fees	10-37-460	$ 1,450	$ 1,700	$ 2,000	$ 2,200
Heritage Days	10-37-660	$ 68	$ 500	$ 7,000	$ 7,000
Youth Council Revenue	10-37-661	$ 1,207	$ -	$ 2,000	$ 2,500
Nibley Royalty	10-37-662	$ 920	$ 665	$ 1,000	$ 900
Sponsorships	10-37-665	$ 1,250	$ -	$ 1,500	$ 1,500
Recreation Grants	10-37-700	$ 42,355	$ -	$ -	$ -
Total Recreation		**$ 82,655**	**$ 47,322**	**$ 42,000**	**$ 68,800**

Recreation Revenue

The Recreation Revenue portion of the Revenue section of the budget shows funds received by Nibley City as charges for programs and events run by the City's Recreation Department.

10-37-440 Field Rental - Revenue generated from the rental of Nibley City recreational fields.

10-37-442 Youth & Adult Programs - Revenue generated from Youth Baseball, Softball, Ultimate Frisbee, Super STARt Programs, Youth Soccer, Summer Camp, Clinics and Tournaments and adult drop- in soccer for fall and spring. This is tied into expenditure account 10-75-515.

10-37-444 Nibley Fitness - Revenue generated from fitness classes hosted by the City. This is associated with expenditure account 10-75-670.

10-37-445 Fitness Programs - Revenue generated from recreation races hosted by the City. This is associated with expenditure account 10-75-670.

10-37-446 Special Events - Revenue generated from events such as Daddy Daughter Dance and Mommy Son Adventure or the talent show. This is associated with expenditure account 10-75-540.

10-37-450 Rec Rental Equipment - Revenue generated from equipment available to rent for family reunions, family nights, youth groups, etc. This is tied into expenditure account 10-75-500.

10-37-460 Park/Pavilion Rental Fees - Revenue generated from park/pavilion rentals. This is separate from field rentals above.

10-37-660 Heritage Days Revenue - Revenue generated through Heritage Days activities and sponsorships.

10-37-661 Youth Council Revenue - Revenues generated by Youth Council fundraisers and donations.

10-37-662 Nibley Royalty - Revenue generated through participation fees and donations.

10-37-665 Sponsorship - Revenue from recreation sponsor donations.

10-37-700 Recreation Grants - No grant funds are anticipated this year.

General Fund Expenses

City Council

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	10-41-110	$ 29,850	$ 27,962	$ 33,000	$ 33,000
Employee Benefits	10-41-130	$ 6,537	$ 6,441	$ 7,000	$ 7,000
Education, Travel & Training	10-41-230	$ 2,474	$ 2,508	$ 10,000	$ 10,000
Mayor's Discretionary	10-41-620	$ 239	$ 444	$ 1,000	$ 1,000
Total Mayor/Council Expenditures		**$ 39,100**	**$ 37,355**	**$ 51,000**	**$ 51,000**

10-41-110 Salaries & Wages - Funds allocated for Councilmember and Mayor stipends. The City's policy is to adjust the stipend annually at the same rate as it is adjusted for other employees. A 2% COLA is being proposed in this budget for employees. If that same COLA is applied to these stipends, the Mayor's stipend increases by $18 to $862 per month, and the councilmembers stipend by $7 to $344 per month.

10-41-130 Employee Benefits - Funds allocated to be paid for Social Security & Medicare withholdings, and telephone/data allowances.

10-41-230 Education, Training & Travel - Funds allocated for hotel costs, mileage, and per diem. The amount is to cover costs for councilmembers and companions to attend the Utah League of Cities & Towns Annual and Mid-Year Conferences and other travel and training.

10-41-620 Mayor's Discretionary - Funds allocated at the Mayor's discretion for city-related needs.

The Nibley City Council

From left to right: Nathan Laursen, Kay Sweeten, Mayor Shaun Dustin, Kathryn Beus, Tom Bernhardt, and Norman Larsen

Court

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	10-42-110	$ 78,077	$ -	$ -	$ -
Employee Benefits	10-42-130	$ (651)	$ -	$ -	$ -
Education, Travel & Training	10-42-230	$ -	$ -	$ -	$ -
Office Supplies	10-42-240	$ -	$ -	$ -	$ -
Prosecution	10-42-311	$ 3,300	$ -	$ -	$ -
Witness Fees	10-42-320	$ -	$ -	$ -	$ -
Defense	10-42-324	$ -	$ -	$ -	$ -
Interpreter	10-42-326	$ -	$ -	$ -	$ -
Bailiff Services	10-42-610	$ -	$ -	$ -	$ -
Total Court Expenditures		**$ 80,726**	**$ -**	**$ -**	**$ -**

10-42-110 Salaries & Wages - No funds are budgeted in this account this year.

10-42-130 Employee Benefits - No funds are budgeted in this account this year.

10-42-230 Education, Training & Travel - No funds are budgeted in this account this year.

10-42-240 Office Supplies - No funds are budgeted in this account this year.

10-42-311 Prosecution - These funds are now accounted for in 10-53-311.

10-42-320 Witness Fees - No funds are budgeted in this account this year.

10-42-324 Defense - No funds are budgeted in this account this year.

10-42-326 Interpreter - No funds are budgeted in this account this year.

10-42-610 Bailiff Services- No funds are budgeted in this account this year.

Administration

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	10-43-110	$ 316,620	$ 313,408	$ 325,000	$ 337,000
Employee Benefits	10-43-130	$ 137,018	$ 128,278	$ 118,000	$ 175,000
Education, Travel & Training	10-43-230	$ 16,582	$ 13,521	$ 20,000	$ 20,000
Memberships & Dues	10-43-300	$ 6,215	$ 6,086	$ 9,000	$ 9,000
Professional Services	10-43-310	$ 38,253	$ 32,950	$ 42,000	$ 42,000
Legal Expense	10-43-311	$ -	$ -	$ 5,000	$ 5,000
Economic Development	10-43-341	$ 135	$ 26	$ 4,000	$ 4,000
Department Expenditures	10-43-400	$ 16,656	$ 16,955	$ 37,000	$ 37,000
Total Admin. Expenditures		**$ 531,479**	**$ 511,224**	**$ 560,000**	**$ 629,000**

10-43-110 Salaries & Wages - Funds allocated for salaries of the following employees:

- City Manager/Recorder
- Treasurer
- Recorder
- Office Specialist/Utility Billing Clerk
- Accounts Payable Clerk
- Custodian
- Office Specialist

A 2% COLA is being proposed for employees.

10-43-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-43-230 Education, Training, & Travel - Funds are for training conferences and continuing education**,** including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

10-43-300 Memberships & Dues - Funds allocated for professional memberships & dues, which include: the Utah League of Cities and Towns, International City Managers Association, Utah City Managers Association, Utah Municipal Clerk's Association, Utah Government Financial Officers, International Institute of Municipal Clerks, Cache Chamber of Commerce, Service Clubs, Utah Association of Public Treasurers, BRAG Area Recorder's and Clerks Association, Nordic United, and the Cache Mayor's Association.

10-43-310 Professional Services - Funds allocated for outside auditing and accounting services.

10-43-311 Legal Expenses - Funds allocated for legal services.

10-43-341 Economic Development - Funds allocated for economic development training, consulting and related services.

10-43-400 Department Expenditures - Funds allocated to cover a variety of general department expenditures.

Elections

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	10-47-110	$ 670	$ -	$ 500	$ -
Employee Benefits	10-47-130	$ 14	$ -	$ -	$ -
Education, Travel & Training	10-47-230	$ -	$ -	$ 500	$ -
Professional Services	10-47-310	$ 1,393	$ -	$ -	$ -
Department Expenditures	10-47-400	$ 919	$ -	$ 1,000	$ 2,000
Cache County	10-47-450	$ -	$ -	$ -	$ 8,000
Total Election Expenditures		**$ 2,996**	**$ -**	**$ 2,000**	**$ 10,000**

10-47-110 Salaries & Wages - No funds are budgeted in this account this year.

10-47-130 Employee Benefits - No funds are budgeted in this account this year.

10-47-230 Education, Training, & Travel - No funds are budgeted in this account this year.

10-47-310 Professional Services - No funds are budgeted in this account this year.

10-47-400 Department Expenditures - Funds allocated to cover a variety of general department expenditures but will mainly be used to educate the public regarding Rank Choice Voting:

- Designing and mailing an individual flyer with our August utility bill
- Booth at Heritage Days with signage
- Potential RCV lawn signs as are typically used during political campaigns
- Publish public notices
- Inform candidates and the public of legal requirements governing candidates and campaigns

10-47-450 Cache County - These funds will be used to pay for the contract with the county to run Rank Choice Voting this municpal eleciton. Funds will pay for postage, ballot printing, ballot counting, poll workers and some publications.

Public Works

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	10-48-110	$ 94,311	$ 88,089	$ 182,000	$ 216,000
Employee Benefits	10-48-130	$ 43,679	$ 38,941	$ 82,000	$ 83,000
Education, Travel & Training	10-48-230	$ 1,853	$ 367	$ 4,500	$ 4,500
Office Supplies	10-48-240	$ 2,394	$ 49	$ 2,000	$ 2,000
Uniforms	10-48-247	$ 7,089	$ 4,840	$ 5,000	$ 7,000
Equipment and Maintenance	10-48-250	$ 9,108	$ 15,617	$ 7,000	$ 10,000
Vehicle Fuel	10-48-251	$ 32,901	$ 22,745	$ 42,000	$ 42,000
Vehicle Repair	10-48-252	$ 12,404	$ 15,620	$ 40,000	$ 30,000
Utilities	10-48-270	$ 8,522	$ 9,266	$ 9,500	$ 9,500
Memberships & Dues	10-48-300	$ 629	$ 731	$ 3,000	$ 3,000
Professional Services	10-48-310	$ -	$ -	$ 500	$ 500
Legal Expense	10-48-311	$ -	$ -	$ 500	$ 500
Department Expenditures	10-48-400	$ 274	$ 3,396	$ 7,500	$ 7,500
Engineering Expense	10-48-514	$ 3,696	$ 6,274	$ 8,500	$ 8,500
Emergency Expenses	10-48-515	$ -	$ -	$ 10,000	$ 10,000
Safety	10-48-516	$ 4,000	$ 1,511	$ 4,000	$ 4,000
Total Public Works Expenditures		**$ 220,860**	**$ 207,446**	**$ 408,000**	**$ 438,000**

10-48-110 Salaries & Wages - Funds allocated for Public Works Director, City Engineer, and 50% of a part-time Public Works Inspector salaries. A part-time public works inspector is being proposed.

10-48-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-48-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

10-48-240 Office Supplies - Office supplies for all public works departments.

10-48-247 Uniforms - Funds allocated for public works safety and cold weather gear, boots, shirts, etc. This account includes funds for all public works departments' uniform expenses.

10-48-250 Equipment and Maintenance - Funds allocated for maintenance of City Hall and Public Works buildings.

10-48-251 Vehicle Fuel - Funds allocated for all vehicle fuel expenses. Enterprise departments reimburse the General Fund for these costs through the administrative charges in accounts 10-39-700 through 10-39-702.

10-48-252 Vehicle Repair - Funds allocated for all vehicle repairs. Enterprise departments reimburse the General Fund for these costs through the administrative charges in accounts 10-39-700 through 10-39-702.

10-48-270 Utilities - Funds allocated for utility costs at the Public Works buildings. Enterprise departments reimburse the General Fund for these costs through the administrative charges in accounts 10-39-700 through 10-39-702.

10-48-300 Memberships & Dues - Funds allocated for professional memberships and dues, which include: The American Society of Civil Engineers and the American Public Works Association. These memberships provide opportunities for educational training and networking with other industry professionals across the state. A increase in this account is allocated for the public works inspector.

10-48-310 Professional Services - Funds allocated for non-engineering or non-legal professional services.

10-48-311 Legal Expense - These funds are for legal services related to Public Works projects.

10-48-400 Department Expenditures - Funds allocated for general costs related to the public works department.

10-48-514 Engineering Expense - Funds allocated for outside engineering costs related to public works functions.

10-48-515 Emergency Expense - Funds allocated for any unforeseen costs due to an emergency.

10-48-516 Safety - Funds allocated for safety training, equipment, and incentives.

Non-Departmental

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Office Supplies	10-50-240	$ 4,900	$ 7,486	$ 6,000	$ 6,000
Postage/Shipping	10-50-243	$ -	$ 957	$ 4,000	$ 4,000
Utility Billing Postage	10-50-245	$ 10,677	$ 9,638	$ 10,000	$ 12,000
Equipment and Maintenance	10-50-250	$ 2,899	$ 1,743	$ 3,000	$ 3,000
Utilities	10-50-270	$ 11,497	$ 10,069	$ 13,000	$ 13,000
Software	10-50-370	$ 38,270	$ 35,389	$ 40,000	$ 50,000
Bank Charges	10-50-440	$ 16,084	$ 9,388	$ 20,000	$ 20,000
Insurance Expense	10-50-510	$ 53,983	$ 47,111	$ 60,000	$ 60,000
Building Lease	10-50-511	$ 88,100	$ 46,750	$ 60,000	$ 50,000
Emergency Expense	10-50-515	$ -	$ -	$ 10,000	$ 10,000
Information Technology	10-50-518	$ 21,704	$ 15,402	$ 20,000	$ 20,000
Community Center	10-50-520	$ 599	$ -	$ 2,000	$ 2,000
Newsletter	10-50-530	$ 5,579	$ 5,265	$ 6,000	$ 6,000
Transfer To Capital Projects	10-50-910	$ -	$ -	$ 500,000	$ 500,000
CVTD Sales Tax (Pass Through)	10-50-920	$ 84,280	$ -	$ -	$ -
American Rescue Plan Act	10-50-921	$ -	$ -	$ 630,000	$ 422,216
Total Non-Departmental Expenses		**$ 338,572**	**$ 189,198**	**$ 754,000**	**$ 1,178,216**

10-50-240 Office Supplies - Office supplies for City Hall.

10-50-243 Postage/Shipping - Funds allocated for the costs of mailing/shipping and stamps.

10-50-245 Utility Billing Postage - Funds allocated for mailing monthly utility statements.

10-50-250 Equipment and Maintenance - Funds allocated for office equipment maintenance; includes copier costs but does not include computers.

10-50-270 Utilities - Funds allocated for City Hall utilities: electricity, natural gas, telephone, internet, etc.

10-50-370 Software - Funds allocated for Microsoft yearly subscription, Adobe Pro for three subscriptions, Municode, Cloudspeaker Community Alert System, Caselle accounting software, document management, time keeping, business licensing, animal licensing, work orders and permit management software. This account has a slight increase for engineering software programs.

10-50-440 Bank Charges - Funds allocated for credit card merchant fees for office, online, and automatic fee for residents' utility payments (Xpress Bill Pay, Sportsites). Also includes bounced check fees (Bank of Utah).

10-50-510 Insurance Expense - Funds allocated for insurance premium costs for City vehicles, property, workers compensation and the City's general liability policy.

10-50-511 Building Lease - Funds allocated for City Hall bond payments paid through the Municipal Building Authority. See account 20-30-500.

10-50-515 Emergency Expense - Funds allocated for unforeseen costs due to an emergency.

10-50-518 Information Technology - Funds allocated for IT, server, email, backup and tech support. Funds allocated to repair, replace and upgrade office computers and to host and manage Nibley City's website

10-50-520 Community Center - Funds allocated for expenses related to repairs in the city hall community room.

10-50-530 Newsletter - Funds allocated for printing the monthly City newsletter.

10-50-910 Transfer to Capital Project Fund - This account is used to transfer surplus funds from the General Fund into the Capital Projects Fund.

10-50-921 American Rescue Plan Act - Funds allocated from the federal government for expenses related to the COVID-19 pandemic.

Public Safety

Public Safety

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	10-54-110	$ 9,049	$ 11,809	$ 12,000	$ 12,000
Employee Benefits	10-54-130	$ 610	$ 899	$ 2,000	$ 2,000
Education, Travel, & Training	10-54-230	$ 311	$ 20	$ 3,000	$ 3,000
Memberships & Dues	10-54-300	$ -	$ -	$ 500	$ 500
Court Prosecution	10-54-311	$ -	$ -	$ 7,200	$ 7,200
Sheriff Contract Services	10-54-320	$ 75,049	$ 86,220	$ 86,800	$ 121,000
Transfer to EMS Services	10-54-330	$ -	$ 51,142	$ 60,000	$ 167,000
Fire Protection	10-54-340	$ 67,470	$ 74,413	$ 68,000	$ 75,000
EMS Contract Services	10-54-350	$ 26,607	$ 36,389	$ 24,000	$ -
Animal Control	10-54-360	$ 16,663	$ 19,889	$ 19,000	$ 19,000
Department Expenditures	10-54-400	$ 1,252	$ 2,949	$ 6,000	$ 6,000
Communication Center	10-54-440	$ 70,722	$ 60,279	$ 69,000	$ 69,000
Total Public Safety Expenditures		**$ 267,733**	**$ 344,009**	**$ 357,500**	**$ 481,700**

10-54-110 - Salaries & Wages - Funds allocated for a part-time emergency manager.

10-54-130 Employee benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-54-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees. These funds also include CERT training reimbursement up to $2,000 for Nibley City residents. CERT training costs are $70.00 per volunteer. Half of this cost can be reimbursed to citizens after completion.

10-54-300 Memberships and Dues - Funds allocated for professional memberships & dues.

10-54-311 Court Prosecution - Funds allocated for prosecution fees that are paid to Cache County. Funds allocated for prosectution fees $600 per month for 12 months.

10-54-320 Sheriff Contract Services - Funds allocated to fulfill the contracted services provided by the Cache County Sheriff's Office for patrol services, investigations, SWAT, drug task force, and public outreach, such as parades and school assistance. This account has a slight increase per the county contract and is based on an evaluation of actual costs.

10-54-330 Transfer to EMS Services - Funds transferred to an internal fund to cover the expense of Emergency Medical Services. See 24-36-603.

10-54-340 Fire Protection - Funds allocated to fulfill the contracted amount with the Hyrum City Fire Department. The 2021-2022 fee is $11.00 per resident per year. The billing is based on 6,747 residents.

10-54-350 EMS Contract Services - Nibley's contribution to the Cache County EMS Fund.

10-54-360 Animal Control - Funds allocated to fulfill the contracted amount with the Sheriff. Also includes funds for dog licensing software, Cache Humane Society impound agreement, and costs to house impounded dogs. The contracted amount with the Sheriff's office is $16,640 this year and remains unchanged.

10-54-400 Department Expenditures - Funds allocated for costs related to emergency management.

10-54-440 Communication Center - Funds allocated to pay 911 Dispatch Center Fee. A $3 fee is charged on utility accounts to collect these funds. This amount increases each year to account for growth. See 10-34-410.

Streets Department

Streets

MAINTENANCE

2020-21 saw the dedicated employees in the Nibley Streets Department accomplish the following maintenance projects:

- Crack sealed roads in preparation for preservation treatments
- Swept all streets in Nibley
- Raise sidewalk and curb and gutter throughout Nibley
- Fabrication of safety equipment for snowplow equipment
- Shoulder 800 West by Logan Coach
- Repainted all crosswalks throughout Nibley
- Patched potholes on city streets to keep the roads safe
- Concrete collars around valves and manholes in new Subdivisions

CONSTRUCTION

The final months of 2020-21 and the year 2021-22 will see the department construct these projects:

- Repaint crosswalks, stop lines and red curb
- Construct missing links in the sidewalk network
- Repair and replace sidewalks hazards
- Crack seal roads – Maintenance
- New subdivision infrastructure inspections

Streets

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	10-60-110	$ 57,415	$ 55,269	$ 60,000	$ 60,000
Seasonal Salaries And Wages	10-60-115	$ -		$ 4,000	$ 7,000
Crossing Guard Salaries & Wages	10-60-120	$ 25,515	$ 26,392	$ 43,000	$ 45,000
Employee Benefits	10-60-130	$ 30,574	$ 27,658	$ 25,000	$ 29,000
Crossing Guard Benefits	10-60-135	$ 525	$ 538	$ 3,000	$ 4,000
Education, Travel & Training	10-60-230	$ 1,149	$ 2,959	$ 4,000	$ 4,000
Equipment and Maintenance	10-60-250	$ 35,296	$ 36,629	$ 32,500	$ 32,500
New Development Infrastructure	10-60-262	$ 6,244	$ 11,000	$ 11,000	$ 13,000
Utilities - Crossing Lights	10-60-270	$ 1,405	$ 217	$ 500	$ -
Utilities - Street Lights	10-60-275	$ 45,279	$ 38,427	$ 50,000	$ 50,500
House Maintenance	10-60-278	$ -	$ -	$ 1,000	$ 1,000
Professional Services	10-60-310	$ -	$ -	$ 500	$ 500
Legal Expense	10-60-311	$ -	$ -	$ 500	$ 500
Department Expenditures	10-60-400	$ 1,529	$ 1,657	$ 3,000	$ 3,000
Snow Removal	10-60-450	$ 10,533	$ 6,815	$ 18,000	$ 18,000
Engineering Expense	10-60-514	$ 5,888	$ 8,116	$ 5,000	$ 5,000
Emergency Expense	10-60-515	$ -	$ -	$ 10,000	$ 10,000
Streetlights	10-60-611	$ -	$ -	$ 5,000	$ 5,000
Total Streets Expenditures		**$ 221,352**	**$ 215,677**	**$ 276,000**	**$ 288,000**

The Streets budget includes all expenditures related to the Nibley City Streets Department.

10-60-110 Salaries & Wages - Funds allocated for 50% of two full-time employees, the streets/stormwater superintendent and one streets/stormwater employee. The other half of their wages are paid through the Stormwater Department. A 2% COLA is being proposed for employees.

10-60-115 Seasonal Salaries & Wages - Funds allocated for 50% of one seasonal employee. The other half of the salary for this seasonal employee is paid out of the Stormwater account 53-40-115.

10-60-120 Crossing Guard Salaries & Wages - Funds allocated for wages of six crossing guards at the following locations; Thomas Edison Charter School (1), Nibley Elementary (3), and Heritage Elementary (3). Crossing Guards are supervised by the Streets Superintendent. This is one additional crossing guard to be placed at roundabout.

10-60-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-60-135 Crossing Guard Benefits - Social Security & Medicare withholdings.

10-60-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

10-60-250 Equipment and Maintenance - Funds allocated for street repair and maintenance (curbs, gutters, sidewalks, signs, striping/markings, etc.). This does not include funds for general pavement maintenance, which is shown in accounts 45-40-734 and 11-40-650.

10-60-262 New Development Infrastructure - Funds allocated for city standard street signs and street lights, which are installed at the time of new development. Funds also include water valve and manhole collar costs. The City pays for signs, street lights, collars, etc. up front, and the cost is reimbursed by developers.

10-60-270 Utilities - Crossing Lights- Funds allocated for this account have been combined with GL 10-60-278.

10-60-275 Utilities–Street Lights - Funds allocated to pay for electricity for all street lights in the city. Rocky Mountain Power charges the City approximately $16 per month per streetlight. There are currently 260 lights in the City and it is estimated that there will be an additional 10 street lights added during FY 19-20 due to new development. This accout also includes school zone crossing light electricity.

10-60-278 – House Maintenance - Funds allocated for maintaining the homes purchased for the Right-of-Way at 3200 S and SR-165/Main Street, and 1200 W and 3200 S. The homes are currently being rented out.

10-60-310 Professional Services - Funds allocated for non-engineering or non-legal professional services.

10-60-311 Legal Expense - Funds allocated for legal services related to street projects.

10-60-400 Department Expenditures - Funds allocated for general costs related to the streets department.

10-60-450 Snow Removal - Funds allocated to purchase salt and equipment to remove snow and ice on roadways during winter.

10-60-514 Engineering Expense - Funds allocated for engineering costs for street-related projects.

10-60-515 Emergency Expense - Funds allocated for any unforeseen costs dues to an emergency.

10-60-611 Streetlights - Funds allocated for streetlights that are not installed by developers.

Sanitation

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Professional Services	10-62-310	$ -	$ -	$ -	$ -
Refuse Collection Services	10-62-320	$ 532,431	$ 463,115	$ 500,000	$ 540,000
Department Expenditures	10-62-400	$ 1,880	$ 386	$ 10,000	$ 10,000
Engineering Expense	10-62-514	$ -	$ -	$ -	$ -
Emergency Expense	10-62-515	$ -	$ 7,124	$ 2,000	$ 2,000
Total Sanitation Expenditures		**$ 534,311**	**$ 470,625**	**$ 512,000**	**$ 552,000**

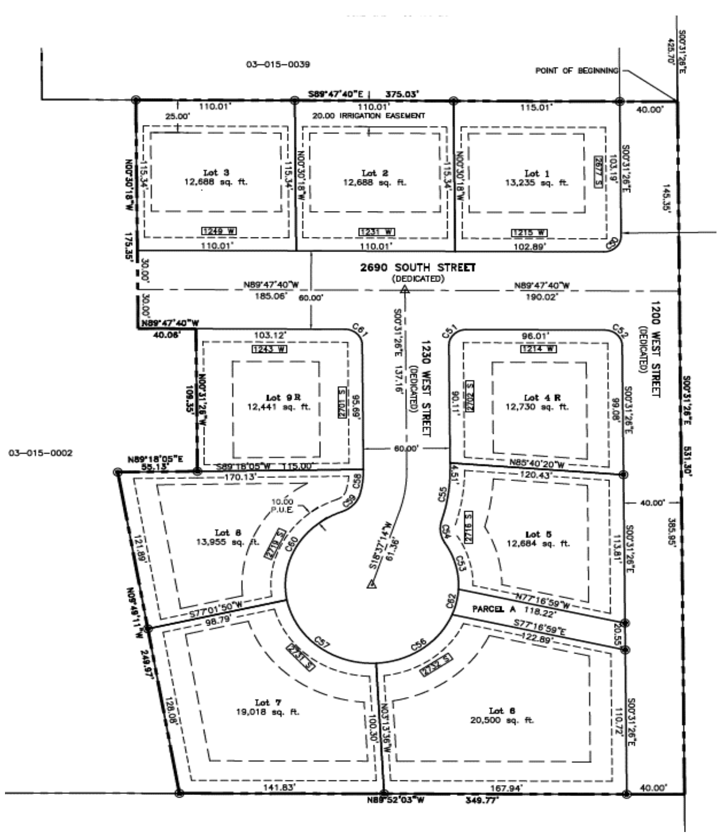
10-62-310 Professional Services - Funds allocated for non-engineering, legal or other professional services.

10-62-320 Refuse Collection Services - Funds allocated to pay Logan City for garbage, recycling and green waste pick up. Charges are passed through to Nibley residents. Rates are as follows: 90-gallon can $15.40, 60-gallon can $13.15, recycle container $3.00, and a green waste container $5.00.

10-62-400 Department Expenditures - Funds allocated to rent dumpsters for spring cleanup and to dispose of rubbish and recycling dumped at the recycle site.

10-62-514 Engineering Expense - Funds allocated for charges from City engineers relating to Sanitation projects.

10-62-515 Emergency Expense - Funds allocated for any unforeseen costs due to an emergency.



Planning & Building

Planning & Building

In the past year, the Planning Department completed a Community Wildfire Preparedness Plan and worked on updates to the Capital Projects Master Plan and Sewer Master Plan. These master plans will help the City plan for future growth in the face of increased demand on our infrastructure and services. The Planning Department Staff successfully received grants to update the Sewer Master Plan and develop a Transfer Development Rights Ordinance. The Planning Department has also reviewed several subdivision applications, commercial and industrial developments, fence permits, accessory building permits, and conditional use permits during the year. In the 2020-21 Fiscal year, the Planning and Building Department helped write and review 10 new ordinances that have passed, 2 that are still under review and 1 that did not pass.

Nibley has continued to add new real estate value. In 2020, the Planning & Building Staff issued a record-breaking number of permits. The City issued 164 total building permits in the 2020 calendar year, including 62 new home building permits. There are approximately 55 available building lots to the City. When the currently approved subdivisions are built, there will be 243 lots. There are currently 42 Homes under construction.

<u>2021-22 Department Goals/Projects</u>

- Complete Capital Projects Master Plan
- Complete Sewer Master Plan
- Review and update open space plan and goals
- Develop transfer of development rights ordinance incorporating open space plan recommendations
- Update stormwater master plan
- Develop town center commercial zone and standards
- Review requirements for lot line adjustments and subdivision standards
- Review and update Nibley City design standards for commercial and institutional uses
- Review and update setback standards along transportation corridors to accommodate transportation plans
- Develop multi family housing ordinance
- Review and update public hearing requirements and public involvement practices, spending more resources toward public involvement during earlier stages of the planning process.
- Develop improved method to track building inspection reports
- Continue to monitor staffing needs for building inspections

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	10-68-110	$ 126,749	$ 122,000	$ 145,000	$ 176,000
Employee Benefits	10-68-130	$ 66,481	$ 55,633	$ 57,000	$ 76,000
Education, Travel & Training	10-68-230	$ 4,280	$ 1,921	$ 10,000	$ 10,000
Office Supplies	10-68-240	$ 105	$ 178	$ 1,000	$ 1,000
Memberships & Dues	10-68-300	$ 139	$ 661	$ 2,000	$ 2,000
Professional Services	10-68-310	$ -	$ -	$ 500	$ 23,000
Legal Expenses	10-68-311	$ 11,891	$ 12,485	$ 25,000	$ 25,000
Commercial Review	10-68-315	$ 480	$ 1,100	$ 3,000	$ 3,000
Department Expenditures	10-68-400	$ 2,573	$ 2,280	$ 2,000	$ 2,000
Engineering Expense	10-68-514	$ 38,067	$ 47,685	$ 5,000	$ 5,000
Code Enforcement	10-68-550	$ -	$ -	$ 4,000	$ 4,000
County Planning Assessment	10-68-621	$ 8,284	$ 7,232	$ 7,500	$ 7,500
Tree City	10-68-655	$ -	$ -	$ 1,000	$ 1,000
Total Planning & Building Expenses		**$ 259,049.00**	**$ 251,175**	**$ 263,000**	**$ 335,500**

10-68-110 Salaries & Wages - Funds allocated for city planner and building inspector salaries, 50% of Pubic Works/Building Inspector and part-time commercial building inspector and six planning commissioners. A 2% COLA is being proposed for employees.

10-68-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-68-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

10-68-240 Office Supplies - Funds allocated for the online building code book and yearly updates.

10-68-300 Memberships & Dues - Funds allocated for professional memberships and dues, which include: American Planners Association, Utah Chapter of APA, Cache Planners Group, State of Utah Residential Home Inspector, and Utah International Code Council.

10-68-310 Professional Services - Funds allocated to hire a consultant to assist with creating a transfer of development rights ordinance in the City. A grant was received last FY for $23,000, and there is a $2,000 match. There is also $20,000 budgeted for a part-time grant writer.

10-68-311 Legal Expenses - Funds allocated for legal review fees, primarily from the City attorney. Most of these fees are passed on to developers.

10-68-315 Commercial Reviews - Funds allocated for review of all commercial building plans. This will be high next year due to Malouf expanding.

10-68-400 Department Expenditures - Funds allocated for expenses such as online records access and for publishing hearing notices. Costs for public hearing notices are passed on to project applicants.

10-68-514 Engineering Expense- Funds allocated for outside engineer specialized development reviews. These fees are passed on to developers. This account decreased due to development reviews being brought in house to be handled by the City Engineer.

10-68-550 Code Enforcement - Funds allocated to enforce municipal code violations.

10-68-621 County Planning Assessment - Funds allocated for fees paid to Cache County for technical planning and trail assistance and to the Cache Metropolitan Planning Organization for regional transportation planning services.

10-68-655 Tree City - Funds allocated for expenses related to the Tree Board and/or fulfilling the requirements of the City's Tree City USA designation.

Parks

Parks

2020-2021 Accomplishments:

- Completed Anhder park sidewalk
- Completed Phase 2 & 3 of Firefly Park
- Purchased disinfectant sprayer equipment
- Installed sprinkler system on the east side of Discovery Park
- Installed restrooms at Clear Creek Park
- Replaced bleachers at Anhder Park

2021-22 Construction Goals:

- Continue construction at Firefly and Clear Creek Parks

Parks

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	10-70-110	$ 122,782	$ 120,271	$ 156,000	$ 175,000
Seasonal Salaries & Wages	10-70-115	$ 59,529	$ 43,283	$ 63,000	$ 50,000
Employee Benefits	10-70-130	$ 65,421	$ 65,785	$ 64,000	$ 110,000
Education, Travel & Training	10-70-230	$ 3,329	$ 1,876	$ 5,000	$ 5,000
Equipment and Maintenance	10-70-250	$ 55,948	$ 54,452	$ 54,000	$ 59,000
Utilities	10-70-270	$ 5,780	$ 4,622	$ 6,000	$ 6,000
Legal Expense	10-70-311	$ -	$ -	$ 1,000	$ 1,000
Department Expenditures	10-70-400	$ 73	$ 421	$ 3,000	$ 3,000
Trees	10-70-420	$ 25,800	$ 2,574	$ 7,000	$ 47,000
Morgan Farm	10-70-695	$ -	$ 1,568	$ 3,000	
Capital Outlay Equipment	10-70-740	$ -	$ -	$ -	$ -
Total Parks Expenditures		**$ 338,662**	**$ 294,852**	**$ 362,000**	**$ 456,000**

10-70-110 Salaries & Wages - Funds allocated for wages for the Park Superintendent and three full-time employees. A 2% COLA is being proposed for employees.

10-70-115 Seasonal Salaries & Wages - Funds allocated for wages of four seasonal employees.

10-70-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-70-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

10-70-250 Equipment and Maintenance - Funds allocated for non-vehicular equipment and facilities maintenance, which includes: mowers, blowers, trimmers, fertilizer, paint, sprinkler repair, hand tools, etc.

10-70-270 Utilities - Funds allocated for park facility utilities – electricity, sewer, and water.

10-70-311 Legal Expense - Funds allocated for legal services related to the parks department.

10-70-400 Department Expenditures - Funds allocated for general costs related to the parks department.

10-70-420 Trees - Funds allocated to cover Tree City USA re-certification requirements. Nibley is required to spend $2/person on trees and tree-related expenses, which would be approximately $14,000, based on the city's population of about 7,000. The City anticipates spending half of that cost ($7,000) on trees and the rest will be met with labor costs. **This fund also accounts for any new development tree cost that are reimbursed to the city.**

10-70-695 Morgan Farm - Funds allocated for minor repairs and needs at Morgan Farm.

10-70-740 Capital Outlay Equipment - No funds are being budgeted this year.

Recreation Department

Community Development and Recreation

From 2015 to the present, our community has benefited from the creation of the Recreation Department through expanded offerings and quality experiences that connect our citizens. Although the socio-economic benefits are challenging to measure, we believe that our recreation offerings keep law enforcement costs down, create a great place to live, and significantly improve the quality of life for our citizens.

Nibley's Recreation Director, full-time coordinator, part-time seasonal staff, and interns continue to support, improve, and or expand existing events and programs, and despite a pandemic have offered innovative ways for our community to connect with healthy, productive, and meaningful options for recreation. Our Reinvented 2020 Heritage days was recognized by all Cache valley news agencies, and more importantly appreciated by our citizens, at a time when other communities offered no options. Surprisingly although in 2020 Youth sports experienced significant delays and was subject to sanitation protocols; participation numbers still grew significantly. Other holiday event offerings including Halloween and Christmas events were modified appropriately and experienced exceptional participation beyond what was anticipated.

Last year's budget included funding for a Full-Time coordinator position which has allowed for the department to leverage the Recreation Director's management and planning experience while also expanding revenue generating youth sports programs significantly. Exponential growth in soccer especially offsets the additional cost of a full-time employee and has allowed for an expansion in opportunities available for our community. This staffing model more closely matches recreation departments in cities of similar size with a similar level of service. However, as the community grows, programs expand, and additional programs are offered its critical that staffing keep pace with the growth of the community and recreation offerings.

With data from the recent USU Wellbeing Survey in Nibley, the Imagine Nibley Campaign of 2017, our Parks, Recreation and Trails Plan, continued council direction, post event/program numbers and participant feedback, the department has clear direction regarding recreation that makes a difference in the lives and health of our residents. In addition to established plans and valuable data collected, our Parks and Recreation Committee facilitates events and offers a continuous connection with the members of our community, to help us provide relevant and effective recreation experiences. This committee will also support future planning that will more effectively meet the needs of our community moving forward. Utilizing all these tools, this department will continue to incrementally adjust events and programs to match the interest of Nibley citizens, based on the available resources provided, to maximize the benefit for our residents who are our most valuable asset.

Considerations of the impact of meaningful experiences, sustainability, efficient use of resources, and cost/revenue numbers, will continue to be evaluated for both new and existing recreation offerings. Although the overall expenses for this department have increased when compared to the amount budgeted last year, recreation opportunities have expanded and, revenue generated from programs has also increased. Anticipated revenue for this proposed budget is conservative and realistic and well worth the effort considering that isolation due to a pandemic has had a significant impact on our residents. As new programs are offered staff will continue to carefully create the best forecast of revenue and expenses. However, with cost evaluations, and participation data collected in recent years, along with historical revenue and expense numbers, the department has more effectively forecasted the recreation budget presented here.

Community Development and Recreation

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	10-75-110	$ 56,755	$ 64,283	$ 98,000	$ 102,000
Seasonal Salaries & Wages	10-75-115	$ 19,168	$ 14,811	$ 22,000	$ 22,000
Employee Benefits	10-75-130	$ 31,443	$ 33,027	$ 64,500	$ 65,000
Education, Travel & Training	10-75-230	$ 5,049	$ 1,139	$ 4,800	$ 6,000
Uniforms	10-75-247	$ -	$ -	$ 500	$ 500
Memberships & Dues	10-75-300	$ 717	$ 165	$ 500	$ 750
Department Expenditures	10-75-400	$ 3,068	$ 3,756	$ 3,600	$ 3,600
Sponsorships	10-75-415	$ 459	$ -	$ 1,000	$ 1,000
Library	10-75-480	$ 28,080	$ 26,814	$ 30,000	$ 30,000
Rec Rental Equipment	10-75-500	$ -	$ -	$ 300	$ 300
Youth & Adult Programs	10-75-515	$ 31,548	$ 26,791	$ 21,000	$ 35,000
Family Special Events	10-75-540	$ -	$ -	$ 400	$ 400
Hyrum Senior Center	10-75-650	$ 1,000	$ -	$ 1,000	$ 1,000
Wildlife	10-75-652	$ 300	$ -	$ 300	$ 300
Special Events	10-75-657	$ 4,390	$ 4,460	$ 4,500	$ 4,500
Heritage Days	10-75-660	$ 5,598	$ 9,911	$ 22,000	$ 22,000
Children's Theater	10-75-661	$ 1,082	$ 296	$ 9,500	$ 9,500
Youth Council	10-75-662	$ 3,676	$ -	$ 5,500	$ 5,500
Nibley Royalty & Float	10-75-664	$ 2,095	$ 181	$ 3,500	$ 3,500
Nibley Fitness	10-75-669	$ 283	$ 1,971	$ 1,000	$ 1,000
Fitness Programs	10-75-670	$ 2,953	$ 2,089	$ 2,100	$ 2,100
Parks & Rec Committee	10-75-671	$ 1,184	$ 631	$ 2,000	$ 2,000
Total Community Dev. Expenditures		**$ 198,848**	**$ 190,325**	**$ 298,000**	**$ 317,950**

10-75-110 Salaries & Wages - Funds allocated for Community Development and one full-time Recreation employee. A 2% COLA is being proposed for employees.

10-75-115 Seasonal Salaries & Wages - Funds allocated for sports officials, group fitness instructors, seasonal concessions employees, referees, and recreation interns.

10-75-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-75-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

10-75-247 Uniforms - Funds allocated for uniforms for employees and volunteers.

10-75-300 Memberships & Dues - Funds allocated for professional memberships and dues, which include the Utah Recreation and Parks Association and the National Recreation and Parks Association.

10-75-400 Department Expenditures - Funds allocated for concessions, supplies, surveys, advertising, promotional materials, signage, banners, flyers, sponsorship programs, and other miscellaneous expenses.

10-75-415 Sponsorships - Funds allocated to purchase banners to display at ballfields for those who sponsor events and programs.

10-75-480 – Library - Funds allocated for fees that Hyrum City assesses to Nibley City for providing Nibley residents access to the Hyrum Library. A fee of $42 is assessed based on active library cards of Nibley residents. There are currently 702 Nibley residents who have library cards. The actual cost to Hyrum City for each card is approximately $114 per Hyrum resident.

10-75-500 Rec Rental Equipment - Funds allocated for purchasing, maintaining, and replacing recreation equipment that is checked out for residents use. Items include: disc golf sets, Spikeball, and Kubb.

10-75-515 Youth & Adult Programs - Funds allocated for baseball, softball, ultimate Frisbee, Super STARt T-ball and soccer, 5 and 6 year-old soccer, summer camps, clinics and tournaments, and adult soccer.

10-75-540 Family Special Events - Funds allocated for special events such as: a Daddy Daughter Dance, Mommy Son Adventure, etc.

10-75-650 Hyrum Senior Center - Funds allocated for an annual donation to the Hyrum Senior Center as an expression of gratitude for allowing Nibley residents to use the facilities and programs. There is no formal agreement allowing Nibley residents use of the center. Funds are used to purchase equipment for the center such as chairs, tables, etc.

10-75-652 Wildlife - Funds allocated for an annual contribution to the Blacksmith Fork Wildlife Association to help fund their efforts to support wildlife activity in the City.

10-75-657 Special Events - Funds allocated for special events such as Movies in the Park, Halloween BOOnanza, Christmas Nativity, etc.

10-75-660 Heritage Days - Funds allocated for the City's contribution to the annual Heritage Days Festival.

10-75-661 Children's Theatre - Funds allocated for expenditures related to the Heritage Days children's play. If awarded, the City anticipates receiving $4,250 in revenue, which includes; a $1,000 RAPZ grant, a $2,000 Rocky Mountain Power Grant, a $750 Utah Arts Council Grant, and $500 in revenue from T-shirt Sales. Due to cancellation of the 2020 play, the Theatre is rolling over some of the grant funds to the next fiscal year.

10-75-662 Youth Council - Funds allocated for conference registrations, education, training, travel, shirts, concessions, and miscellaneous Youth Council expenses.

10-75-664 Nibley Royalty and Float - Funds allocated for Nibley Royalty activities, including the pageant and scholarships.

10-75-669 Nibley Fitness - Funds allocated for fitness class equipment, volunteer fitness instructors and recertification for fitness instructors.

10-75-670 Fitness Programs - Funds allocated for Easter Egg Fun Run, Heritage Days Fun Run, Scarecrow Fun Run and other fitness events and programs.

10-75-671 Parks & Rec Committee - Funds allocated for the volunteer advisory committee to coordinate volunteers and provide guidance on parks, recreation, art and culture in Nibley.

Class C Streets Fund

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
CVTD Sales Tax	11-30-135	$ 81,358.00	$ 80,882	$ 120,000	$ 120,000
Interest Earnings	11-30-400	$ -	$ -	$ 1,000	$ 1,000
Class "C" Street Allotment	11-30-500	$ 243,934	$ 251,906	$ 219,000	$ 219,000
Appropriation Of Fund Balance	11-30-611	$ -	$ -	$ -	$ 930,000
Total Revenues		**$ 325,292**	**$ 332,788**	**$ 340,000**	**$ 1,270,000**

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Class "C" Street Projects	11-40-650	$ 120,025	$ 11,488	$ 220,000	$ 1,150,000
CVTD Sales Tax	11-40-700	$ -	$ -	$ 120,000	$ 120,000
Total Capital Expenditures		**$ 120,025**	**$ 11,488**	**$ 340,000**	**$ 1,270,000**
Surplus/(Deficit)		**$ 205,267**	**$ 321,300**		

Beginning Cash Balance (Est.)	**$ 1,001,084**
Appropriation of Fund Bal	**$ 930,000**
Ending Cash Balance (Est.)	**$ 71,084**

Revenue Accounts:

11-30-135 CVTD Sales Tax – This account is used to transfer funds collected for Mass Transit Sales Taxes through to the Cache Valley Transit District. The sales tax rate in Nibley is 7% of which 0.30% goes to CVTD. This account has been moved from 10-31-160.

11-30-400 Interest earnings - Revenue generated from interest by the funds held in the bank.

11-30-500 Class “C” Streets allotment - Revenue generated from the state gas tax.

11-30-611 Appropriation of fund balance - Funds appropriated from the ongoing fund balance.

Expenditure Accounts:

11-40-650 Class “C” Streets Projects - Funds allocated for the repavent of 3200 South in conjuction with Dominion Energy installing the new high pressure gas line.

11-40-700 CVTD Sales Tax – This account is used to transfer funds collected for Mass Transit Sales Taxes through to the Cache Valley Transit District. The sales tax rate in Nibley is 7% of which 0.30% goes to CVTD. This account has been moved from 10-50-920.

Municipal Building Authority

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Interest Subsidy	20-30-400	$ 9,909	$ -	$ 9,000	$ 9,000
Lease (Nibley GF Contribution)	20-30-500	$ 50,000	$ 46,750	$ 51,000	$ 51,000
Appropriation Of Fund Balance	20-30-611	$ -	$ -	$ -	$ -
Total Revenues		**$ 59,909**	**$ 46,750**	**$ 60,000**	**$ 60,000**

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Reserves	20-40-699	$ -	$ -	$ -	$ -
Debt Service	20-40-810	$ 60,000	$ 31,000	$ 31,000	$ 32,000
Debt Service - Interest	20-40-820	$ 28,942	$ 24,106	$ 27,600	$ 28,000
Total Capital Expenditures		**$ 88,942**	**$ 55,106**	**$ 58,600**	**$ 60,000**
Surplus/(Deficit)		**$ (29,033)**	**$ (8,356)**		
Beginning Cash Balance (est.)					**$ (7,870)**
Reserves (Fund Balance App.)					
Ending Cash Balance (est.)					**$ (7,870)**

Revenue Accounts:

20-30-400 Interest Subsidy - Revenue generated through a federal stimulus program as an interest subsidy.

20-30-500 Lease - Revenue received from the general funds as lease payment to the MBA. See account 10-50-511 for reference.

20-30-611 Appropriation of Fund Balance - This account is used to appropriate funds from the fund balance to be used this fiscal year. The funds reflected here represent refunded interest subsidy funds to be used as an additional principal payment.

Expenditure Accounts:

20-40-810 Debt Service - Funds allocated for the bond payment on the loan. Extra funds are being proposed to be paid this year in order to accelerate payoff of the loan in the amount of $10,000.

20-40-820 Debt Service Interest - Funds allocated for interest on the bond payment.

NOTE: The Nibley City Municipal Building Authority is a separate legal entity but is integrated with the City budget for ease of administration.

Municipal Building Authority Debt Service Schedule

Intertest Pmt Date	Principal	Interest	Payment Due	Outstanding Principal	Actual Balance Owing
10/1/2011	$ -	$ 29,916	$ 26,916	$ 850,000	
10/1/2012	$ 15,000	$ 34,000	$ 49,000	$ 835,000	
10/1/2013	$ 16,000	$ 33,400	$ 49,400	$ 819,000	
10/1/2014	$ 16,000	$ 32,760	$ 48,760	$ 803,000	
10/1/2015	$ 17,000	$ 32,120	$ 49,120	$ 786,000	
10/1/2016	$ 18,000	$ 31,440	$ 49,440	$ 768,000	
10/1/2017	$ 18,000	$ 30,720	$ 48,720	$ 750,000	
10/1/2018	$ 19,000	$ 30,000	$ 49,000	$ 731,000	
10/1/2019	$ 20,000	$ 29,240	$ 49,240	$ 711,000	
10/1/2020	$ 21,000	$ 28,440	$ 49,440	$ 690,000	
10/1/2021	$ 22,000	$ 27,600	$ 49,600	$ 668,000	$ 600,000
10/1/2022	$ 22,000	$ 26,720	$ 48,720	$ 646,000	
10/1/2023	$ 23,000	$ 25,840	$ 48,840	$ 623,000	
10/1/2024	$ 24,000	$ 24,920	$ 48,920	$ 599,000	
10/1/2025	$ 25,000	$ 23,960	$ 48,960	$ 574,000	
10/1/2026	$ 26,000	$ 22,960	$ 48,960	$ 548,000	
10/1/2027	$ 27,000	$ 21,920	$ 48,920	$ 521,000	
10/1/2028	$ 28,000	$ 20,840	$ 48,840	$ 493,000	
10/1/2029	$ 29,000	$ 19,720	$ 48,720	$ 464,000	
10/1/2030	$ 31,000	$ 18,560	$ 49,560	$ 433,000	
10/1/2031	$ 32,000	$ 17,320	$ 49,320	$ 401,000	
10/1/2032	$ 33,000	$ 16,040	$ 49,040	$ 368,000	
10/1/2033	$ 34,000	$ 14,720	$ 48,720	$ 334,000	
10/1/2034	$ 36,000	$ 13,360	$ 49,360	$ 298,000	
10/1/2035	$ 37,000	$ 11,920	$ 48,920	$ 261,000	
10/1/2036	$ 39,000	$ 10,440	$ 49,440	$ 222,000	
10/1/2037	$ 40,000	$ 8,880	$ 48,880	$ 182,000	
10/1/2038	$ 42,000	$ 7,280	$ 49,280	$ 140,000	
10/1/2039	$ 44,000	$ 5,600	$ 49,600	$ 96,000	
10/1/2040	$ 45,000	$ 3,840	$ 48,840	$ 51,000	
10/1/2041	$ 51,000	$ 2,040	$ 53,040	$ -	
	$ 750,000	$ 432,160	$ 1,182,160		

Emergency Medical Services

This fund was renamed from First Responders to Emergency Medical Services. Funds in the former fund were redistributed back to Nibley and Millville in May 2021, and left this fund with a zero balance. In 2021, Cache County Emergency Management System (CCEMS) ceased to exist. At that time Nibley City entered into an agreement with the Cache County Fire District to provide ambulance service, as well as management of the former Nibley Millville First Responders Unit. A fee of $6.00 per utility account per month was passed in June of 2021 by the City Council to cover the expense of the agreement.

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Cache County Grants	24-36-321	$ 5,791	$ -	$ -	$ -
State Grants	24-36-322	$ -	$ -		$ -
Nibley Contribution	24-36-601	$ 26,607	$ 24,389	$ 26,607	$ -
Millville Contribution	24-36-602	$ 8,393	$ 4,197	$ 8,393	$ -
Nibley EMS Fee Collection	24-36-603				$ 167,000
Miscellaneous	24-36-690	$ -	$ -	$ -	$ -
Appropriate Fund Balance	24-36-999	$ -	$ -	$ 123,616	$ -
Total Revenues		**$ 40,791**	**$ 28,586**	**$ 158,616**	**$ 167,000**

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Stipend	24-40-110	$ 10,000	$ 10,000	$ 10,000	$ -
Employee Benefits	24-40-130	$ 37	$ 361	$ 500	$ -
Education, Travel & Training	24-40-230	$ 4,648	$ 706	$ 7,000	$ -
Uniforms	24-40-247	$ 1,033	$ 452	$ 2,000	$ -
Equipment/Maintenance	24-40-250	$ 2,927	$ 1,827	$ 11,500	$ -
Vehicle Repair	24-40-252	$ 87	$ -	$ 2,000	$ -
Vehicle Fuel	24-40-253	$ 938	$ 535	$ 1,000	$ -
Cache County Ambulance	24-40-310				$ 108,000
Cache County First Responders	24-40-311				$ 24,000
Insurance	24-40-510	$ -	$ -	$ 1,000	$ -
Capital Outlay - Equipment	24-40-740	$ -	$ 5,845	$ 7,000	$ -
Transfer to General Fund	24-40-742	$ -	$ 91,761	$ 90,000	$ -
Refund to Millville	24-40-802	$ -	$ -	$ 30,000	$ -
Total Expenditures		**$ 19,670**	**$ 111,487**	**$ 162,000**	**$ 132,000**
Surplus/Deficit		**$ 21,121**	**$ (82,901)**		
Beginning Cash Balance (Est.)					**$ -**
Reserves (Fund Balance App.)					**$ 35,000**
Ending Cash Balance (Est.)					**$ 35,000**

EMS Revenue Accounts:

24-36-603 Transfer to EMS - Money transferred from general fund into this EMS fund. See 10-54-330.

EMS Expenditure Accounts:

24-40-310 Cache County Ambulance Service - funds to cove the cost of contract with Cache County for Ambulance service. 2021 rate is $15.00 per resident per year based off most recent census data. 3% increase per year thereafter.

24-40-311 Cache County First Responders Management - Funds to cover the cost of contract with Cache County for the management of the former Nibley Millville First Responders Unit.

Capital Projects

Capital Project Revenue

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Park Reimb. From County	45-38-612	$ -	$ -	$ -	$ -
Transfer From Water Fund - PW Paving	45-38-613	$ 31,250	$ -	$ -	$ -
Sale Of Fixed Assets	45-38-690	$ 800	$ -	$ -	$ -
Transfer From General Fund	45-38-700	$ -	$ -	$ 500,000	$ 500,000
Sale Of Surplus Land	45-38-710	$ -	$ -	$ 100,000	$ 100,000
Grant - RAPZ	45-38-720	$ -	$ -	$ -	$ 315,500
Grant - RAPZ Population Allocation	45-38-721	$ 13,640	$ 14,594	$ 10,000	$ 10,000
Grants	45-38-722	$ -	$ -	$ 90,000	$ 29,000
Grant - CCOG	45-38-725	$ -	$ -	$ 3,150,000	$ 3,150,000
Miscellaneous	45-38-800	$ -	$ -	$ -	$ -
Appropriated Fund Balance	45-38-910	$ -	$ -	$ 40,000	$ -
Total Revenues		**$ 45,690**	**$ 14,594**	**$ 3,890,000**	**$ 4,104,500**

Capital Project Revenue Accounts

45-38-612 Park Reimbursement From County - This account reflects funds expected to be received from Cache County as reimbursement for the purchase of Firefly Park in the amount of $442,000**.** These funds are anticipated in 22/23 budget year.

45-38-613 Transfer From Water Fund – PW Paving - No funds are being budgeted in this account this year.

45-38-690 Sale of Fixed Assets - No funds are being budgeted in this account this year.

45-38-700 Transfer from General Fund - Revenue transferred from the General Fund as surplus and placed into the Capital Projects Fund for use on various projects.

45-38-710 Sale of Surplus Land - Revenue generated from the sale of surplus park property. Proposed for sale this year are the two lots on 800 West just south of Nibley Park Avenue.

45-38-720 Grant – RAPZ - Revenue generated from this account is allocated through the Cache County RAPZ Tax program. The following allocations are being budgeted: 2018 - $78,875, 2019 - $78,875, 2020 - $78,871, 2021 - $78,871.

45-38-721 Grant – RAPZ Population Allocation - Funds distributed to each city in the Cache County each year from the Recreation Arts Parks and Zoo sales tax. Funds are distributed based on population.

45-38-722 Grants - Funds allocated for the technical planning assiatant UDOT grant. Also includes $6,000 from Bike Utah for Hollow Road Advisory Lanes.

45-38-725 Grant – CCOG - See 45-40-731 Major Street Projects for more info. In 2017, Nibley applied for and was awarded $1.9 million from the Cache County Council of Governments to realign 1200 West at 3200 South. In 2019, Nibley applied for and was awarded and additional 1.25 million. This portion will pay for the stretch of 1200 W from 3200 S to 3000 S.

45-38-910 Appropriated Fund Balance - Revenue allocated from funds that would be appropriated out of the existing CPF fund balance to be used in the current budget year.

Capital Project Expenditures

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Major Street Projects	45-40-731	$ 120,344	$ 287,595	$ 3,250,000	$ 2,800,000
Street Maintenance/Construction	45-40-734	$ -		$ -	$ -
Public Works/City Hall Building Projects	45-40-735	$ 984	$ 8,973	$ 10,000	$ 15,000
Facilities Parking Lot Preservation	45-40-736	$ -	$ -	$ -	$ -
Master Plans	45-40-737	$ 9,930	$ -	$ 10,000	$ -
Morgan Farm	45-40-738	$ 15,315	$ -	$ -	$ 10,000
Capital Equipment	45-40-742	$ 67,702	$ 448,014	$ 380,000	$ 46,000
Sidewalk Projects	45-40-743	$ -	$ -	$ -	$ -
River Repair	45-40-745	$ -	$ -	$ 5,000	$ 5,000
Active Transportation	45-40-746	$ 86,723	$ 237,442	$ 200,000	$ 325,000
ROW Acquisitions	45-40-747	$ -	$ -	$ 10,000	$ 10,000
Capital Projects Miscellaneous	45-40-748	$ 3,263	$ -	$ -	$ 2,000
Cottonwoods Infrastructure	45-40-749	$ -	$ -	$ 20,000	$ 20,000
Public Art	45-40-750	$ -	$ -	$ 5,000	$ 5,000
Elkhorn Playground Replacement	45-40-751				$ 80,000
Feasabilty and Planning Studies	45-40-752				$ 50,000
Anhder Parking Lot	45-40-753				$ 100,000
Property Acquisitions	45-40-760	$ -	$ -	$ -	$ -
Engineering Design	45-40-761				$ 250,000
Reserves	45-40-770	$ -	$ -	$ -	$ 386,500
Total Capital Expenditures		**$ 304,261**	**$ 982,024**	**$ 3,890,000**	**$ 4,104,500**
Surplus/(Deficit)		**$ (258,571.00)**	**$ (967,430.00)**		

Beginning Cash Balance (est.)	**$ 182,748**
Reserves (Fund Balance App.)	**$ 386,500**
Right of Way Trails Reserved	**$ 300,000**
Ending Cash Balance (est.)	**$ 869,248**

45-40-731 Major Street Projects - Due to the pending connection of Logan's 1000 West to Nibley's 1200 West, Nibley is working on a project to realign the 1200 West 3200 South intersection. With the potential development of two projects near 1200 W/1000W and 2200 S, it is probable that 1200 West will soon be fully connected from Hyrum to 1000 W in Logan. This near-future connection has the potential to bring significant traffic to 1200 W through Nibley. Unfortunately, 1200 W is currently not complete along this route, with several sections only paved at half-width and the intersection at 3200 S being offset and in need of realignment. A construction project is underway to correct these deficiencies in order to address them before the street is completely connected. Funds will also be used to construct a turnaround at the end of 2980 South in Stonebridge.

In 2017, Nibley City applied for COG funds to pay for the construction of a realigned intersection at 1200 West and 3200 South. Nibley was successfu in securing $3,150,000 for the project. The total project cost is $3,555,500 betterment for the project is $175,000, making Nibley's match for the project $230,500.

45-40-734 Street Maintenance/Construction - See 11-40-650

45-40-735 Public Works/City Hall Building Projects - Funds allocated for landscape rework of City Hall, and for the recarpeting of City Council Chambers

45-40-736 Facilities Parking Lot Preservation - Funds allocated to fund maintenance of City parking lots, in order to increase lot longevity. No projects are planned this year.

45-40-737 Master Plans - Funds are budgeted in this account this year for a capital projects master plan.

45-40-738 Morgan Farm: Funds allocated for various improvement projects at the farm. A trailway through the farm from 800 West to Elkhorn park to the North. Fencing repairs, historical gate repair, fertilizer and other nutrient application to pasture, foundation repairs to east side of barn.

45-40-742 Capital Equipment – Funds allocated for the lease on an administration vehicle $3,000, recreation vehicle $3,000, two public works vehicle $3,000, parks vehicle $3,000, one backhoe and one mini-excavator of $8,000 each for the streets and parks departments. $15,000 for a new flat bed trailer to resolve royalty float.

45-40-743 Sidewalk Projects - This account has been combined with Active Transportation 45-40-746.

45-40-745 River Repair - Funds allocated in order to maintain the improvements made in the Blacksmith Fork River restoration project and to repair damage that occurs during heavy river flows.

45-40-746 Active Transportation - Funds allocated to purchase Right-of-Way for and construct future trails and sidewalk projects. Money in this account will remain in a dedicated fund. Funds will be used for construction of trails as shown in the Trail Master Plan, and to connect missing links in the City's sidewalk network. This account is anticipated to fund a different portion of missing links in the network each year. The sidewalk and trail segments being considered this year are $165,000 for missing sidewalks on the south side of 3200 South between 1200 West and 800 West, $50,000 for Anhder park trail, $16,000 for Hollow Road Advisory Lanes, $75,000 for Apple Creek Trail, $9,000 for design of Morgan Farm Trail.

45-40-747 ROW Acquisition - Funds allocated to purchase Right-of-Way for future street projects.

45-40-748 Capital Projects Miscellaneous - Funds allocated for Nibley City's match from the technical planning assiatant UDOT grant.

45-40-749 Cottonwoods Infrastructure - The Cottonwoods Development paid the City $10,000.00 to install a future water line along an easement located on the northeast side of the subdivision. The Cottonwoods Development also paid the City $9,737.00 in compliance with the Planning Commission Resolution 17-P3 for future improvements along Hollow Road adjacent to the Cottonwoods Subdivision. These terms were placed in the Development Agreement for the Cottonwoods, and that Development Agreement was approved by the City Council on January 17, 2017.

45-40-750 Public Art - Funds allocated for public art to be placed throughout the city.

45-40-751 Elkhorn Park Playground Replacement - Funds allocated for the replacement of the playground structure and swings at Elkhorn park. This playground is well past it's useful life, and repair parts are no longer manufactured.

45-40-752 Feasabilty and Planning Studies- Funds allocated to study the feasability of constructing an indoor community recreation center, as well as preliminary planning and design for a new Public Works yard and City Hall Expansion.

45-40-760 Property Acquisition - No funds are budgeted in this account this year.

45-40-761 Engineering Design - Funds allocated for engineering designs for future projects. Staff is looking forwared to possible oppurtunities or receiveing additional ARPA money from the Federal Government. It would be beneficial to have plans ready to apply for those programs. In addition, all CCOG applications require a 90% design. Possible projects are traffic calming and intersection improvements at: 1200 West and 2600 South, 3200 South & 1500 West Intersection, 3200 South & 800 West intersection, 2600 South and 800 West, as well as the Sierra Drive connection to 3200 South.

Water Department

2020-2021 Department Accomplishments

- Replaced all 3200 South water service lines
- Replaced 700 West water service lines
- Reduced unaccounted for water by 10%
- Reduced errors in software by conducting more efficient field repairs
- Chlorine analizers added to SCADA system
- Cooling system added to 640 West VFD cabinet to lengthen useful life of VFD
- Improvements made to GIS mapping of water system

2021-22 Department Goals

- Abandon 8 inch line in 3200 South
- Work with developers to upsize critical lines

PROJECT PRIORITIZATION **Projects listed with an account number are budgeted for this year, from the Water Department budget. Project explanations may be found in the budget notes for the listed account.**

- 55-40-755 — Develop a plan for addressing Yeates Spring
- Future Project — 2 or 3 Million Gallon storage tank – approximately 2023
- Future Project — Construct 1200 West well – approximately 2026

Water Revenue

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Miscellaneous					
Interest Earned	51-36-610	$ -	$ -	$ 7,000	$ 7,000
Reimbursement for Damage	51-36-686	$ -	$ -	$ -	$ -
Sale Of Fixed Assets	51-36-690	$ -	$ -	$ -	$ -
Water Share Rents	51-36-692	$ 16	$ -	$ 500	$ 500
Miscellaneous Water Revenue	51-36-800	$ 30,563	$ 125	-	$ -
Total Miscellaneous Revenues		**$ 30,579**	**$ 125**	**$ 7,500**	**$ 7,500**
Utility Revenue					
Appropriate Fund Balance	51-37-601	$ -	$ -	$ 117,500	$ 220,500
Water Service Fees	51-37-710	$ 773,923	$ 732,027	$ 710,000	$ 710,000
Connection Fees	51-37-750	$ 23,100	$ 53,900	$ 35,000	$ 35,000
Penalties	51-37-780	$ 38,141	$ 27,554	$ 30,000	$ 30,000
Total Utility Revenue		**$ 835,164**	**$ 813,481**	**$ 892,500**	**$ 995,500**
Total Utility Fund Revenues		**$ 865,743**	**$ 813,606**	**$ 900,000**	**$ 1,003,000**
Surplus/Deficit		**$ (23,597)**	**$ 84,887**		**$ -**
Beginning Cash Balance (est.)					**$ 516,143**
Appropriation (Fund Balance App.)					**$ (220,500)**
Ending Cash Balance (est.)					**$ 295,643**

51-36-690 Sale of Fixed Assets - No funds are anticipated this year.

51-36-692 Water Share Rents - Revenue generated for water shares the city is not using but is instead renting out to residents.

51-36-800 Miscellaneous Water Revenue - No funds are anticipated this year.

51-37-601 Appropriate Fund Balance - This account is used to allocate funds from the existing fund balance.

51-37-610 Interest earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

51-37-710 Water Service Fees - These funds are fees paid by utility users for water use. The projected amount is based on projected sales and on past year collections. Nibley City's water fee schedule will be updated this year in order to comply with S.B. 28, which requires the establishment of an increasing rate structure for culinary water. Based on how that fee schedule is structured, the revenue in this account could change. The City Council would need to adopt the new schedule when it is proposed.

51-37-750 Connection Fee - Revenue generated from a $700 connection fee to install a water meter. The amount budgeted is $35,000 based on 50 new houses.

51-37-780 Penalties - Revenue generated for late bill payment fees.

Water Expenditures

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	51-40-110	$ 85,435	$ 68,616	$ 90,000	$ 90,000
Employee Benefits	51-40-130	$ 48,728	$ 32,450	$ 50,000	$ 50,000
Education, Travel, & Training	51-40-230	$ 2,216	$ 1,198	$ 6,000	$ 6,000
Water Meters	51-40-249	$ 35,721	$ 37,720	$ 35,000	$ 55,000
Equipment and Maintenance	51-40-250	$ 43,163	$ 45,628	$ 65,000	$ 75,000
Utilities	51-40-270	$ 91,621	$ 75,003	$ 105,000	$ 105,000
Memberships & Dues	51-40-300	$ 564	$ 1,212	$ 3,000	$ 3,000
Professional Services	51-40-310	$ -	$ -	$ 5,000	$ 5,000
Legal Expense	51-40-311	$ 6,028	$ -	$ 5,000	$ 5,000
Water Share Assessments	51-40-335	$ 10,475	$ 17,314	$ 12,000	$ 20,000
Department Expenditures	51-40-400	$ 693	$ 2,034	$ 3,000	$ 3,000
Water Testing	51-40-442	$ 4,967	$ 5,593	$ 6,500	$ 6,500
Water Shares	51-40-443	$ -	$ 97,120	$ 110,000	$ 100,000
Engineering/Planning	51-40-514	$ 6,676	$ 5,200	$ 5,000	$ 10,000
Emergency Expense	51-40-515	$ 85	$ -	$ 5,000	$ 5,000
Capital Outlay Improvements	51-40-730	$ 220,060	$ -	$ 25,000	$ 125,000
Capital Outlay Equipment	51-40-740	$ 43,944	$ -	$ 4,500	$ 4,500
Well Construction	51-40-746	$ -	$ -	$ -	$ -
Debt Service Principal	51-40-810	$ 59,000	$ 80,000	$ 80,000	$ -
Debt Service Interest	51-40-820	$ 3,964	$ 2,048	$ 4,000	$ -
Administrative Charge to Gen Fund	51-40-910	$ 226,000	$ 257,583	$ 281,000	$ 335,000
Reserves	51-40-999	$ -	$ -	$ -	$ -
Total Water Fund Expenses		**$ 889,340**	**$ 728,719**	**$ 900,000**	**$ 1,003,000**

Water Expenditures

51-40-110 Salaries & Wages - Funds allocated for 50% of three full-time employees: water/sewer superintendent, 2 water/sewer employees. The other half of their wages are paid through the sewer department. A 2% COLA is being proposed for employees.

51-40-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

51-40-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licensing and certification fees.

51-40-249 Water Meters - Funds allocated for purchasing new meters.

51-40-250 Equipment and Maintenance - Funds allocated for repairing and maintaining the water system. An additional $10,000 is being budgeted for leak detection and repairs.

51-40-270 Utilities - Funds allocated for electric utility charges for well pumps.

51-40-300 Memberships & Dues - Funds allocated for professional memberships and dues: American Public Works Association and Rural Water Association (50% Water/50% Sewer).

51-40-310 Professional Services - Funds allocated for professional services other than legal or engineering.

51-40-311 Legal Expense - Funds allocated for services performed by the City Attorney relating to water department.

51-40-335 Water Share Assessments - Funds allocated to pay for the City's water shares: Millville Irrigation Co., Nibley Blacksmith Fork Irrigation Co., College Irrigation Co, Clear Creek Irrigation Co, and Providence/Logan Irrigation Co. **Paying asse on Nibley , Blacksmith fees going up**

51-40-400 Department Expenditures - Funds allocated for general costs related to the water department.

51-40-442 Water Testing - Funds allocated for monthly state-required safety testing of culinary water.

51-40-443 Water Shares - This account is used to allocate funds to purchase new water shares that might become available.

51-40-514 Engineering - Funds allocated for engineering costs for water-related projects.

51-40-515 Emergency/Planning - Funds allocated this year for any unforeseen costs dues to an emergency.

51-40-730 Capital Outlay Improvements - This account includes $50,000 for water line upsizeing necessitated by new developments. An additional $75,000 is being budget for the design, permitting and site acquisition of a new well located on 1200 West. There is an additional $75,000 being budgeted in GL 56-70-740.

51-40-740 Capital Outlay Equipment - No funds are budgeted in this account this year.

51-40-746 Well Construction - No funds are budgeted in this account this year.

51-40-810 Debt Service Principal - Extra funds are being budgeted this year to completely pay off the debt from construction of the 640 well.

51-40-820 Debt Service Interest - Funds allocated based on interest on debt service on water bond.

51-40-910 Admin Charge to General Fund - Funds transferred to the General Fund based upon Water Department expenses that are incurred through the General Fund.

51-40-999 Reserves - Surplus funds added to the fund balance. Those funds are saved to pay for future capital projects, as shown in the master plan.

Sewer Department

Because of its relatively young age, the Nibley City sewer system has low maintenance costs. The majority of the Sewer department's maintenance budget is spent on cleaning and video inspections of the system in order to maintain its efficient operations.

Sewer Department Accomplishments 2020-2021:

- Inspected all manholes. Identified and repaired leaks
- Repair 3rd rail at Hansen Lift Station
- Installed generator at Scott Farm Lift Station
- Cleaned 7 miles of sewer line
- Repaired two major ground water leaks in system

Sewer Department goals for FY 21-22:

- Repair valving at Hansen Lift Station
- Repair/replace one pump at Hansen Lift Station

<u>PROJECT PRIORITIZATION</u> **Projects listed with a GL number are budgeted for this year. Those without a GL number are future projects. Project explanations may be found in the budget notes for the listed GL account.**

Sewer Revenue

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Millville Maintenance	52-38-550	$ 997	$ -	$ 10,000	$ 10,000
Millville Sewer Service Fees	52-38-551	$ 3,689	$ 2,363	$ 5,000	$ 5,000
Appropriate Fund Balance	52-38-601	$ -	$ -	$ -	$ 282,500
Interest Earned	52-38-610	$ -	$ -	$ 1,000	$ 1,000
Sale Of Fixed Assets	52-38-690	$ -	$ -	$ -	$ 250,000
Sewer Service Fees	52-38-710	$ 1,243,679	$ 1,186,223	$ 1,120,000	$ 1,120,000
Miscellaneous Sewer Revenue	52-38-800	$ 570	$ -	$ -	$ -
Total Revenues		**$ 1,248,935**	**$ 1,188,586**	**$ 1,136,000**	**$ 1,668,500**

Surplus/Deficit	**$ -**
Beginning Cash Balance (est.)	**$ 1,563,858**
Appropriation (Fund Balance App.)	**$ (282,500)**
Ending Cash Balance (est.)	**$ 1,281,358**

52-38-550 Millville Maintenance - Revenue generated from charges Nibley levies upon Millville for maintenance of the sewer system for wastewater from Ridgeline High School.

52-38-551 Millville Sewer Service Fees - Revenue generated from charges Nibley levies upon Millville for use of the sewer system for wastewater from Ridgeline High School.

52-38-601 Appropriated Fund Balance - This account is used to appropriate funds from the sewer fund balance to be used in the current year.

52-38-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

52-38-690 Sale of Fixed Assets - Revenue generated from the sale of surplus equipment. It is anticipated $250,000 for the sale of the vacuum truck.

52-38-710 Sewer Service Fees - Revenue generated from sewer service fees; based on the new fee of $53 per month adopted by the council in 2018.

Sewer Department Debt Service

Date	Principal Payment	Principal	Actual Balance Owing
5/1/2005	$ 190,000	$ 7,739,000	
5/1/2006	$ 200,000	$ 7,549,000	
5/1/2007	$ 200,000	$ 7,349,000	
5/1/2008	$ 200,000	$ 7,149,000	
5/1/2009	$ 205,000	$ 6,949,000	
5/1/2010	$ 205,000	$ 6,744,000	
5/1/2011	$ 205,000	$ 6,539,000	
5/1/2012	$ 205,000	$ 6,334,000	
5/1/2013	$ 205,000	$ 6,129,000	
5/1/2014	$ 205,000	$ 5,924,000	
5/1/2015	$ 245,000	$ 5,719,000	
5/1/2016	$ 245,000	$ 5,474,000	
5/1/2017	$ 250,000	$ 5,299,000	
5/1/2018	$ 250,000	$ 4,979,000	
5/1/2019	$ 260,000	$ 4,479,000	
5/1/2020	$ 260,000	$ 4,219,000	
5/1/2021	$ 260,000	$ 3,959,000	
5/1/2022	$ 260,000	$ 3,699,000	$ 3,377,000
5/1/2023	$ 260,000	$ 3,439,000	
5/1/2024	$ 270,000	$ 3,169,000	
5/1/2025	$ 270,000	$ 2,899,000	
5/1/2026	$ 270,000	$ 2,629,000	
5/1/2027	$ 270,000	$ 2,359,000	
5/1/2028	$ 270,000	$ 2,089,000	
5/1/2029	$ 290,000	$ 1,799,000	
5/1/2030	$ 290,000	$ 1,509,000	
5/1/2031	$ 290,000	$ 1,219,000	
5/1/2032	$ 324,000	$ 895,000	
5/1/2033	$ 440,000	$ 455,000	
5/1/2034	$ 455,000	$ -	

* This is an interest-free loan.

Sewer Expenditures

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	52-72-110	$ 90,670	$ 68,696	$ 90,000	$ 90,000
Employee Benefits	52-72-130	$ 48,898	$ 32,451	$ 50,000	$ 50,000
Education, Travel, & Training	52-72-230	$ 1,967	$ 1,862	$ 4,000	$ 4,000
Equipment and Maintenance	52-72-250	$ 24,683	$ 14,829	$ 23,000	$ 23,000
Shared Millville Maintenance	52-72-251	$ 4,363	$ -	$ 8,000	$ 8,000
Utilities	52-72-270	$ 9,010	$ 8,817	$ 11,000	$ 11,000
Wastewater Treatment Logan	52-72-275	$ 406,187	$ 384,034	$ 415,000	$ 415,000
Memberships & Dues	52-72-300	$ 564	$ -	$ 2,000	$ 2,000
Legal Expense	52-72-311	$ 690	$ -	$ 10,000	$ 10,000
Department Expenditures	52-72-400	$ 283	$ 213	$ 3,000	$ 3,000
Engineering/Planning	52-72-514	$ 15,966	$ 1,161	$ 25,000	$ 10,000
Emergency Expense	52-72-515	$ -	$ -	$ 10,000	$ 10,000
Sewer Reserve Fund	52-72-636	$ -	$ -	$ 30,000	$ 30,000
Capital Outlay Improvements	52-72-730	$ 6,980	$ -	$ 25,000	$ 65,000
Capital Outlay Equipment	52-72-740	$ -	$ -	$ 8,000	$ 472,500
Debt Service	52-72-810	$ -	$ 130,000	$ 130,000	$ 130,000
Administrative Charge To GF	52-72-910	$ 256,000	$ 257,583	$ 281,000	$ 335,000
Reserves	52-72-999	$ -	$ -	$ 11,000	$ -
Total Sewer Fund Expenses		**$ 866,261**	**$ 899,646**	**$ 1,136,000**	**$ 1,668,500**

SEWER EXPENDITURES

52-72-110 Salaries & Wages - Funds allocated for 50% of three full-time employees; sewer/water superintendent, two sewer/water employees. The other half of their wages are paid through the water department. A 2% COLA is being proposed for employees.

52-72-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

52-72-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

52-72-250 Equipment and Maintenance - Funds allocated for repairs on the sewer system.

52-72-251 Shared Millville Maintenance - Funds allocated for cleaning sewer lines that are shared with Millville City.

52-72-270 Utilities - Funds allocated for electricity costs for sewer lift stations pumps.

52-72-275 Wastewater Treatment Logan - Funds paid to Logan City for treatment of the wastewater. Logan City increased the sewer treatment fee beginning in July of 2017, which resulted in additional expenditures for sewer fees.

52-72-300 Memberships & Dues - Funds allocated for 50% of professional memberships in American Public Works Association and Rural Water Association, the other 50% is taken from the sewer dept.

52-72-311 Legal Expense - Funds allocated for services performed by the City Attorney relating to sewer department.

52-72-400 Department Expenditures - Funds allocated covering a variety of general department expenditures which include the sewer lift station.

52-72-514 Engineering/Planning - Funds allocated for fees charged by an outside engineers relating to the sewer department. Funds also allowcated to complete an impact fee analysis.

52-72-515 Emergency Expense - Funds allocated for any unforeseen costs due to an emergency.

52-72-636 Sewer Reserve Fund - These funds are transferred to a separate account to be held for future capital project needs.

52-72-730 Capital Outlay Improvements - Funds allocated for potential upsize of sewer line in new developments and replacement of a pump at Hansen Lift Station.

52-72-740 Capital Outlay Equipment - Funds allocated for the lease of a sewer department vehicle $4,500, the lease of a backhoe for $8,000 and the trade in of a new vacuum truck for $460,000.

52-72-810 Debt Service - This is the portion of the payment on the sewer bond that is paid out of the sewer utility fund. Additional payments are made from the sewer impact fee fund. See 57-40-810 for reference. This is an interest-free loan.

52-72-910 Admin Charge to General Fund - Funds transferred to the General Fund based upon Sewer Department expenses that are incurred through the General Fund.

52-72-999 Reserves - Surplus funds added to the fund balance. Those funds are saved to pay for future capital projects, as shown in the master plan.

Future Sewer Fee Increases

March 1, 2018	$	50.00
March 1, 2019	$	51.00
March 1, 2020	$	52.00
March 1, 2021	$	53.00
March 1, 2022	$	54.00
March 1, 2023	$	55.00

* Adopted by Nibley City Council on February 1, 2018

Stormwater Department

Stormwater Department Accomplishments 2020-2021:

- Performed monthly site inspections
- Replaced bypass line in 1460 W 3310 S
- Swept all Nibley City streets Spring, Summer, and Fall
- Reviewed and approved all Stormwater Pollution Prevention Plans for all construction activities
- Cleaned Nibley Gardens bypass line
- Put box and bypass line in Sunrise north pond
- Maintained Storm Water system
- Cleaned and maintained storm drain 450 W 2850 S

Storm Water Department Goals 2021-2022:

- Clean Stormwater system
- Perform monthly site inspections
- Review and approve all Stormwater Pollution Prevention Plans for construction activities
- Sweep streets Summer, Fall, and Spring
- Maintain Stormwater system
- Maintain compliance with state and federal regulations
- Clean all bypass lines in Sunrise ponds
- Maintain all problem areas in system

Stormwater Revenue

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Stormwater Inspection Fee	53-37-411	$ 4,900	$ 10,650	$ 7,500	$ 7,500
Appropriated Fund Balance	53-37-601	$ -	$ -	$ 90,000	$ 172,000
Interest Earned	53-37-610	$ -	$ -	$ 2,500	$ 2,500
Sale of Fixed Assets	53-37-695	$ -	$ -	$ -	$ -
Stormwater Service Fee	53-37-710	$ 212,807	$ 190,308	$ 210,000	$ 210,000
Total Revenues		**$ 217,707**	**$ 200,958**	**$ 310,000**	**$ 392,000**
Surplus/(Deficit)		**$ 53,625**	**$ 23,608**		
Beginning Cash Balance (Est.)					**$ 303,839**
Appropriation (Fund Balance App.)					**$ (172,000)**
Ending Cash Balance (Est.)					**$ 131,839**

53-37-411 Stormwater Inspection Fee - Revenue generated from a fee paid by builders for monthly inspection of their construction site.

53-37-601 Appropriated Fund Balance - Revenue budgeted from funds that can be appropriated from the ongoing fund balance to be expended in the current budget year.

53-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

53-37-695 Sale of Fixed Assets - No funds have been budgeted this year.

53-37-710 Stormwater Service Fees - Revenue generated from the monthly stormwater fee. This fee increases $0.25 per resident each year based on the Capital Facilities Finance Plan completed by Zions Bank. It is proposed to be increased this year to $8.00 per month per residence. The commercial rate is based on a formula.

The Zions Bank Rate Study that was adopted by the Council in 2013, proposed the following rates:

- FY 2013-2014: $6.00
- FY 2014-2015: $6.25
- FY 2015-2016: $6.50
- FY 2016-2017: $6.75
- FY 2017-2018: $7.00
- FY 2018-2019: $7.25
- FY 2019-2020: $7.50
- FY 2020-2021: $7.75
- FY 2021-2022: $8.00

Stormwater Expenses

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Salaries & Wages	53-40-110	$ 55,295	$ 50,496	$ 60,000	$ 60,000
Seasonal Salaries & Wages	53-40-115	$ -	$ 166	$ 6,500	$ 37,000
Employee Benefits	53-40-130	$ 29,497	$ 25,711	$ 30,000	$ 28,000
Education, Travel, & Training	53-40-230	$ 1,400	$ 235	$ 1,000	$ 1,500
Equipment and Maintenance	53-40-250	$ 17,996	$ 10,398	$ 14,000	$ 14,000
Canal Maintenance	53-40-260	$ 3,000	$ -	$ 3,500	$ 3,500
Cleaning	53-40-270	$ -	$ -	$ -	$ -
Memberships & Dues	53-40-300	$ -	$ -	$ 500	$ 500
Legal Expense	53-40-311	$ -	$ -	$ 500	$ 500
Department Expenditures	53-40-400	$ 22	$ -	$ 3,000	$ 3,000
Engineering Expense	53-40-514	$ 4,047	$ 1,839	$ 5,000	$ 30,000
Emergency Expense	53-40-515	$ 1,825	$ -	$ 5,000	$ 5,000
Capital Outlay Improvements	53-40-730	$ -	$ -	$ -	$ 125,000
Capital Outlay Equipment	53-40-740	$ -	$ 14,255	$ 100,000	$ 3,000
Administrative Charge	53-40-910	$ 51,000	$ 74,250	$ 81,000	$ 81,000
Reserves	53-40-999	$ -	$ -	$ -	$ -
Total Stormwater Fund Expenses		**$ 164,082**	**$ 177,350**	**$ 310,000**	**$ 392,000**

53-72-110 Salaries & Wages - Funds allocated for 50% of two full-time employees; streets/stormwater superintendent, one streets/stormwater employees. The other half of their wages are paid through the street department. A 2% COLA is being proposed for employees.

53-40-115 Seasonal Salaries & Wages - Funds allocated for two and a half seasonal employees. The other half of the third salary is paid out of the Stormwater account 10-60-115. This is an increase of one seasonal employees this fiscal year.

53-40-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

53-40-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

53-40-250 Maintenance and Equipment - Funds allocated for repair and maintenance of storm water facilities.

53-40-260 Canal Maintenance - Funds allocated at $3,500 as Nibley City's contribution to the Nibley Blacksmith Fork Canal Company for shared maintenance of stormwater facilities.

53-40-270 Cleaning - This account is not funded because the city has purchased a vac truck and does the cleaning in-house.

53-40-300 Membership Dues - Funds allocated for professional membership in American Public Works Association.

53-40-311 Legal Expense - Funds allocated for services performed by the City Attorney relating to sewer department.

53-40-514 Engineering - Funds allocated for charges by city engineers for services related to stormwater facilities and completion of a Stormwater Master Plan update.

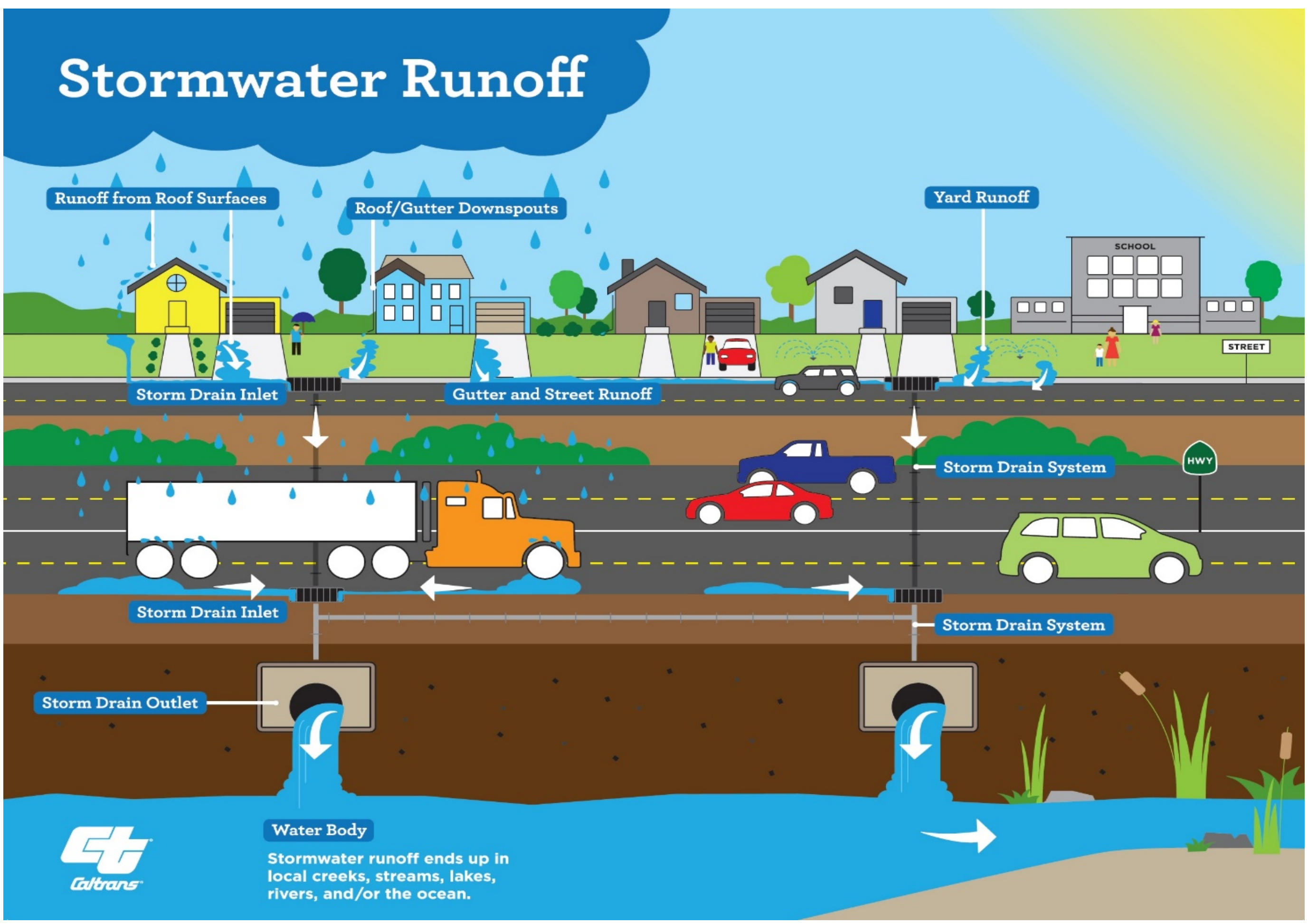
53-40-515 Emergency Expense - Funds allocated for any unforeseen costs dues to an emergency.

53-40-730 Capital Outlay Improvements - Funds allocated for stormwater infrastructure for 1200 W road project.

53-40-740 Capital Outlay Equipment - Funds allocated for the lease of a stormwater department vehicle $3,000.

53-40-910 – **Admin Charge to General Fund -** Funds transferred to the General Fund based upon Stormwater Department expenses that are incurred through the General Fund.

53-40-999 Reserves - Surplus funds added to the fund balance. Those funds are saved to pay for future capital projects, as shown in the master plan.



Impact fees are charged with residential and commercial building permits. The funds are used to pay for adding capacity that is necessary to keep up with growth.

Impact Fee Funds

Water Impact Fees

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Appropriation Of Fund Balance	55-37-601	$ -	$ -	$ -	$ -
Interest Earned	55-37-610	$ -	$ -	$ 1,000	$ 1,000
Water Impact Fees	55-37-790	$ 64,350	$ 150,150	$ 99,000	$ 99,000
Miscellaneous Water Revenue	55-37-791	$ -	$ -	$ -	$ -
Total Revenues		**$ 64,350**	**$ 150,150**	**$ 100,000**	**$ 100,000**

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Capital Projects	55-40-750	$ -	$ -	$ -	$ 75,000
Water Master Plan	55-40-755	$ -	$ -	$ -	$ -
Reserves	55-40-760	$ -	$ -	$ 21,500	$ 25,000
Debt Service	55-40-810	$ 29,000	$ 78,622	$ 78,500	$ -
Total Capital Expenses		**$ 29,000**	**$ 78,622**	**$ 100,000**	**$ 100,000**
Surplus/(Deficit)		**$ 35,350**	**$ 71,528**		
Beginning Cash Balance (Est.)					**$ 146,026**
Reserves (Fund Balance App.)					**$ 25,000**
Ending Cash Balance (Est.)					**$ 171,026**

Revenue:

55-37-601 Appropriation of Fund Balance - If allocated, these would be funds allocated from the ongoing fund balance to be used in the current year.

55-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

55-37-790 Water Impact Fees - Revenue based on 50 new homes being built in the coming fiscal year. The water impact fee for a new residential home is $1,950.

55-37-791 Miscellaneous Water Revenue - Revenue generated from fees charged for miscellaneous services, such as raising a water meter, installing a new ring, etc.

Expenditures:

55-40-750 Capital Projects - Funds are being allcoated to start the design & concept plan of a capital improvements project. An additonal $75,000 is being budgeted in GL 51-40-740.

55-40-755 Water Master Plan - No funds budgeted this year.

55-40-760 Reserves - Surplus funds that will be added to the fund balance.

55-40-810 Debt Service - No funds budgeted this year. Water debt was paid in full in 2021.

Park Impact Fees

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Appropriated Fund Balance	56-37-601	$ -	$ -	$ 315,000	$ 75,000
Interest Earned	56-37-610	$ -	$ -	$ 1,000	$ 1,000
Grant - RAPZ	56-37-720	$ -	$ -	$ 79,000	$ 79,000
Park Impact Fees	56-37-790	$ 148,500	$ 526,500	$ 225,000	$ 225,000
Total Revenues		**$ 148,500**	**$ 526,500**	**$ 620,000**	**$ 380,000**

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Capital Improvement	56-40-740	$ 50,792	$ 44,288	$ 220,000	$ 180,000
Firefly Park	56-40-751	$ 295,137	$ 364,300	$ 400,000	$ 200,000
Reserves	56-40-760	$ -	$ -	$ -	$ -
Total Capital Expenses		**$ 345,929**	**$ 408,588**	**$ 620,000**	**$ 380,000**
Surplus/(Deficit)		**$ (197,429)**	**$ 117,912**		
Beginning Cash Balance (est.)					**$ 841,825**
Reserves (Fund Balance App.)					**$ -**
Ending Cash Balance (est.)					**$ 841,825**

Revenue:

56-37-601 Appropriated Fund Balance - This account is used to appropriate funds from the fund balance to be used in the current fiscal year. Funds are being appropriated for the capital projects below.

56-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

56-37-720 Grant RAPZ - In 2014, the City was granted $40,000 to build tennis court at Heritage Park. The courts are now being proposed for Anhder Park based on the recommendations of the park master plan update. The City requested $100,000 in RAPZ funds in 2016 to begin work on Firefly Park. The City applied for another $215,000 in RAPZ funds in 2017 to continue work on Firefly Park project.

56-37-790 Park Impact Fees - Revenue based on 50 new homes being built in the coming fiscal year. The park impact fee for a new residential home is $4,500. Ridgeline Park is prepaying park impact fees for 40 lots which will be used for the design of Ridgeline Park.

Expenditures:

56-40-740 Capital Improvement - $180,000 is being budgeted to pay for the design of Ridgeline Park. These funds will be reimbursed to the city through impact fees by that development.

56-40-751 Firefly Park - Funds allocated to complete Phase 3 of Firefly Park. Phase 3 includes fence along the north property line, restrooms, amphitheater/instruction area, bird blinds, and additional seating.

56-40-760 Reserves - Funds that are not allocated to be spent in this year's budget.

Sewer Impact Fees

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Appropriated Fund Balance	57-37-601	$ -	$ -	$ 34,000	$ 34,000
Interest Earned	57-37-610	$ -	$ -	$ 10,000	$ 10,000
Sewer Impact Fees	57-37-790	$ 66,675	$ 137,075	$ 86,000	$ 86,000
Logan City Sewer Impact Fees	57-37-791	$ -	$ 177,609	$ 125,000	$ 125,000
Total Revenues		**$ 66,675**	**$ 314,684**	**$ 255,000**	**$ 255,000**

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Debt Service Principal	57-40-810	$ -	$ 130,000	$ 130,000	$ 130,000
Logan City Sewer Impact Fees	57-40-825	$ -	$ 194,640	$ 125,000	$ 125,000
Total Capital Expenditures		**$ -**	**$ 324,640**	**$ 255,000**	**$ 255,000**
Surplus/(Deficit)		**$ 66,675**	**$ (9,956)**		
Beginning Cash Balance (est.)					**$ 837,182**
Reserves (Fund Balance App.)					**$ (34,000)**
Ending Cash Balance (est.)					**$ 803,182**

Revenue:

57-37-601 Appropriated Fund Balance - This account is used to appropriate funds from the fund balance that are mature and must now be paid against the sewer loan. Impact fees must be expended within six years of collection.

57-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

57-37-790 Sewer Impact Fees - Revenue based on 50 new homes being built in the coming fiscal year. The sewer impact fee for a new residential home is $1,725.

57-37-791 Logan City Sewer Impact Fees - Revenue based on 50 new homes being built in the coming fiscal year. This fee is passed through to Logan City and was established by Logan City to pay for the new regional wastewater treatment plant. The sewer impact fee for a new residential home is $2,433.

Expenditures:

57-40-810 Debt Service Principal - Funds allocated to pay the debt service on the Sewer Loan. $130,000 is being paid from the Sewer Department and $130,000 is being paid from impact fees, to meet the total payment due of $260,000.

57-40-825 Logan City Sewer Impact Fees - Revenue based on 50 new homes being built in the coming fiscal year. This fee is passed through to Logan City and was established by Logan City to pay for the new regional wastewater treatment plant. The sewer impact fee for a new residential home is $2,433.

Stormwater Impact Fees

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Interest Earned	58-37-610	$ 4,854	$ -	$ 2,000	$ 2,000
Basin Construction Fees	58-37-790	$ -	$ -	$ -	$ -
Appropriated Fund Balance	58-37-990	$ -	$ -	$ 163,000	$ 157,000
Total Revenues		**$ 4,854**	**$ -**	**$ 165,000**	**$ 159,000**

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
2600 S Retention Basin	58-40-620	$ -	$ -	$ 165,000	$ 159,000
Sunrise Retention Basin	58-40-625	$ -	$ -	$ -	$ -
Reserves	58-40-760	$ -	$ -	$ -	$ -
Total Capital Expenses		**$ -**	**$ -**	**$ 165,000**	**$ 159,000**
Surplus/(Deficit)		**$ 4,854**	**$ -**		
Beginning Cash Balance (Est.)					**$ 157,544**
Reserves (Fund Balance App.)					**$ (157,000)**
Ending Cash Balance (Est.)					**$ 544**

Revenue:

58-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

58-37-790 Basin Construction Fees - Revenue generated from fees that come from developers paying their portion of the cost to build regional stormwater basins.

58-37-990 Appropriated Fund Balance - Revenue generated from funds being appropriated out of the fund balance from previous contributions.

Expenditures:

58-40-620 2600 S Retention Basin - Funds are anticipated to be allocated here in FY 21-22 for construction of this pond on the west end of 2600 S.

58-40-760 Reserves - Funds that are not allocated to be spent in this year's budget.

Street Impact Fees

Revenue	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Appropriated Fund Balance	59-37-601	$ -	$ -	$ -	$ -
Interest Earned	59-37-610	$ -	$ -	$ 1,000	$ 1,000
Street Impact Fees	59-37-790	$ 467	$ 62,977	$ 44,000	$ 44,000
Total Revenues		**$ 467**	**$ 62,977**	**$ 45,000**	**$ 45,000**

Expenses	Account Number	Actual FY 2019-20	Actual Year-to-date FY 2020-21	Budget FY 2020-21	Final Budget FY 2021-22
Reserves	59-40-760	$ -	$ -	$ 45,000	$ 45,000
Total Capital Expenditures		**$ -**	**$ -**	**$ 45,000**	**$ 45,000**

Surplus/(Deficit)	**$ 62,977**	
Beginning Cash Balance (Est.)		**$ 175,343**
Reserves (Fund Balance App.)		**$ 45,000**
Ending Cash Balance (Est.)		**$ 220,343**

Revenue:

59-37-601 Appropriated Fund Balance - This account is used to allocate funds appropriated out of the fund balance from previous contributions.

59-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

59-37-790 Street Impact Fees - Revenue based on 50 new homes anticipated to be built in the coming fiscal year. The street impact fee for a new residential home is $887.

Expenditures:

59-40-760 Reserves - Surplus funds added to the fund balance. Those funds are saved to pay for future projects, as shown in the master plan.

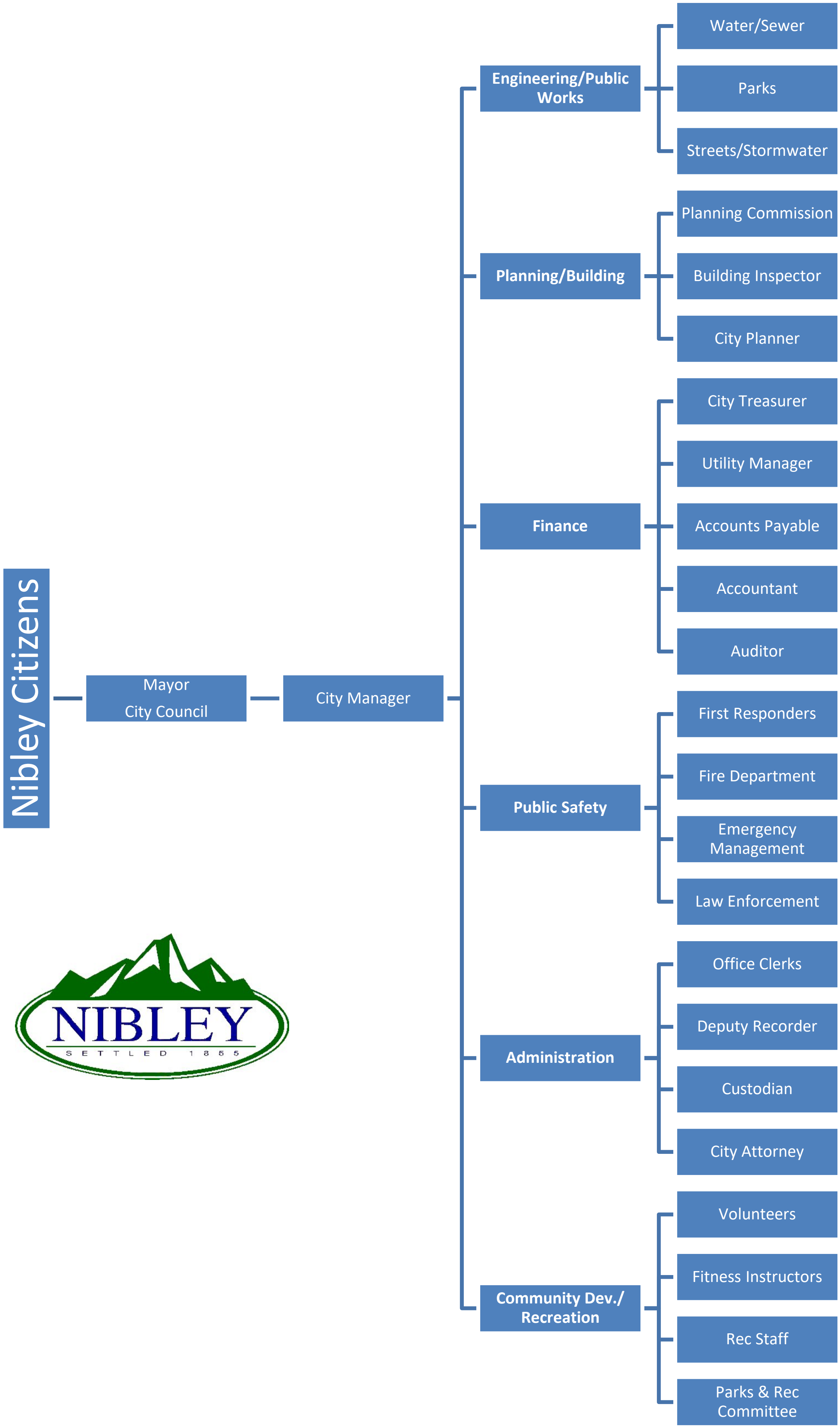
Nibley City Employees- Current and Projected Fiscal Year

Department	Position Title	Step	FT Actual FY20-21	FT Actual FY21-22
Administration				
	City Manager	Salaried	1	1
	Treasurer	Salaried - 7	1	1
	Deputy Recorder	7	1	1
	AP Clerk	Salaried - 3	1	1
	Office Specialist	3	1	1
	Office Specialist	3	1	1
	Custodian	2	0.25	0.25
Public Works				
	Public Works Director	Salaried - 10	1	1
	City Engineer	Salaried - 10	0	1
	Public Works Inspector	5	0	0.50
Parks				
	Parks Superintendent	7	1	1
	Parks Employee	5	2	2
	Seasonal Parks Employee	3	2	5
Streets				
	Streets Superintendent	7	0.50	0.50
	Streets Operator	5	0.50	0.50
	Seasonal Streets Employee	3	0.25	0.50
	Crossing Guard	1	1.34	1.34
Stormwater				
	Stormwater Superintendent	7	0.50	0.50
	Stormwater Operator	5	0.50	0.50
	Seasonal Stormwater	3	0.25	0.50
Water				
	Water Superintendent	7	0.50	0.50
	Water Operator	6	1	1
Sewer				
	Sewer Superintendent	7	0.50	0.50
	Sewer Operator	6	1	1
Planning/Building				
	City Planner	Salaried - 8	1	1
	Building Inspector	6	1	1.50
	Commercial Inspector	Contact	0.01	0.01
Recreation				
	Recreation Director	Salaried - 7	0.90	1.00
	Recreation Employee	4	0.50	1.00
	Recreation Seasonal	3	0.50	0.50
	Group Fitness Teacher	5	0.16	0.16
Emergency				
	Emergency Manager	6	0.25	0.25
			Total FTE	28.76

Nibley City Pay Grade System 2021-22

5% between steps; 2% COLA from FY20-21

	A	B	C	D	E	F	G	H	I
1	$ 9.05	$ 9.50	$ 9.98	$ 10.48	$ 11.00	$ 11.55	$ 12.13	$ 12.73	$ 13.37
Annual	$ 18,824.00	$ 19,765.20	$ 20,753.46	$ 21,791.13	$ 22,880.69	$ 24,024.72	$ 25,225.96	$ 26,487.26	$ 27,811.62
2	$ 10.44	$ 10.96	$ 11.51	$ 12.09	$ 12.69	$ 13.32	$ 13.99	$ 14.69	$ 15.42
Annual	$ 21,715.20	$ 22,800.96	$ 23,941.01	$ 25,138.06	$ 26,394.96	$ 27,714.71	$ 29,100.44	$ 30,555.47	$ 32,083.24
3	$ 12.05	$ 12.65	$ 13.29	$ 13.95	$ 14.65	$ 15.38	$ 16.15	$ 16.96	$ 17.80
Annual	$ 25,064.00	$ 26,317.20	$ 27,633.06	$ 29,014.71	$ 30,465.45	$ 31,988.72	$ 33,588.16	$ 35,267.56	$ 37,030.94
4	$ 13.93	$ 14.63	$ 15.36	$ 16.13	$ 16.93	$ 17.78	$ 18.67	$ 19.60	$ 20.58
Annual	$ 28,974.40	$ 30,423.12	$ 31,944.28	$ 33,541.49	$ 35,218.56	$ 36,979.49	$ 38,828.47	$ 40,769.89	$ 42,808.39
5	$ 16.12	$ 16.93	$ 17.77	$ 18.66	$ 19.59	$ 20.57	$ 21.60	$ 22.68	$ 23.82
Annual	$ 33,529.60	$ 35,206.08	$ 36,966.38	$ 38,814.70	$ 40,755.44	$ 42,793.21	$ 44,932.87	$ 47,179.51	$ 49,538.49
6	$ 18.63	$ 19.56	$ 20.54	$ 21.57	$ 22.64	$ 23.78	$ 24.97	$ 26.21	$ 27.52
Annual	$ 38,750.40	$ 40,687.92	$ 42,722.32	$ 44,858.43	$ 47,101.35	$ 49,456.42	$ 51,929.24	$ 54,525.70	$ 57,251.99
7	$ 21.57	$ 22.65	$ 23.78	$ 24.97	$ 26.22	$ 27.53	$ 28.91	$ 30.35	$ 31.87
Annual	$ 44,865.60	$ 47,108.88	$ 49,464.32	$ 51,937.54	$ 54,534.42	$ 57,261.14	$ 60,124.19	$ 63,130.40	$ 66,286.92
8	$ 24.97	$ 26.22	$ 27.53	$ 28.91	$ 30.35	$ 31.87	$ 33.46	$ 35.14	$ 36.89
Annual	$ 51,937.60	$ 54,534.48	$ 57,261.20	$ 60,124.26	$ 63,130.48	$ 66,287.00	$ 69,601.35	$ 73,081.42	$ 76,735.49
9	$ 28.97	$ 30.42	$ 31.94	$ 33.54	$ 35.21	$ 36.97	$ 38.82	$ 40.76	$ 42.80
Annual	$ 60,257.60	$ 63,270.48	$ 66,434.00	$ 69,755.70	$ 73,243.49	$ 76,905.66	$ 80,750.95	$ 84,788.49	$ 89,027.92
10	$ 33.58	$ 35.26	$ 37.02	$ 38.87	$ 40.82	$ 42.86	$ 45.00	$ 47.25	$ 49.61
Annual	$ 69,846.40	$ 73,338.72	$ 77,005.66	$ 80,855.94	$ 84,898.74	$ 89,143.67	$ 93,600.86	$ 98,280.90	$ 103,194.94


Nibley Citizens
Mayor
City Council
City Manager
Engineering/Public Works
Water/Sewer
Parks
Streets/Stormwater
Planning/Building
Planning Commission
Building Inspector
City Planner
Finance
City Treasurer
Utility Manager
Accounts Payable
Accountant
Auditor
Public Safety
First Responders
Fire Department
Emergency Management
Law Enforcement
Administration
Office Clerks
Deputy Recorder
Custodian
City Attorney
Community Dev./ Recreation
Volunteers
Fitness Instructors
Rec Staff
Parks & Rec Committee
NIBLEY
SETTLED 1855

NIBLEY CITY OVERVIEW

Date of Settlement: 1855
Date of Incorporation: 1935
Population Estimate: 8,000
Form of Government: City Manager by Ordinance
Area: 4.5 sq. miles
Elevation: 4,554
Miles of streets: 33

Police Protection: Cache County Sheriffs Department (Contracted)
Fire protection: Hyrum City (Contracted)
Number of fire stations: 1 (Located in Hyrum City)

First Responders: Cache County EMS

Animal Control: Cache County Animal Control (Contracted)/Cache Humane Society

Schools:

Nibley Elementary
- Number of classrooms: 19
- Number of teachers: 19
- Number of students: 496

Heritage Elementary
- Number of classrooms: 26
- Number of teachers: 35
- Number of students: 658

Thomas Edison Charter School
- Number of classrooms: 50
- Number of teachers: 40
- Number of students: 802

Ridgeline High School (Located in Millville)
- Number of classrooms: 67
- Number of teachers: 67
- Number of students: 1,409

Municipal Water Department

Number of connections: 2,006
Annual consumption in gallons: 500,000
Miles of water mains: 37
Wells: 3
Springs: Yeates Spring (Out of Service)
Storage capacity: 3 Reservoirs 3,350,000 Gallons

Municipal Sewer Department

Number of connections: 1,903
Miles of sewer lines: 30 Miles
Treatment plants: 1, Logan City (Contracted)
Lift Stations: 4

Solid Waste and Disposal Department – Logan City Environmental (Contracted)

Public Buildings:

City Offices/Community Center
Anhder Park Building (Historic City Hall)
Public Works

Public Parks:

Virgil Gibbons Heritage Park
Elk Horn Park
Morgan Farm
Discovery Disc Golf Course
Shadowbrook Park
Meadow View Park
Nibley Gardens
Anhder Park
Clear Creek
Neighborhood Park
Veterans Memorial Park
Firefly Park

2021/2022 NIBLEY CITY BUDGET

JUSTIN MAUGHAN

5/27/2021

GENERAL FUND REVENUE

Property Tax - 10-31-110

- Value of homes have gone up around 15%
- Certified Rate: 0.001484
- Historical rate: 0.001667

				Non	Primary
Market	0.001484	0.00158	0.001667	Primary	Residence
$ 250,000.00	$ 371.00	$ 395.00	$ 416.75	$ 45.75	$ 25.16
$ 352,623.64	$ 523.29	$ 557.15	$ 587.82	$ 64.53	$ 35.49
$ 400,000.00	$ 593.60	$ 632.00	$ 666.80	$ 73.20	$ 40.26
$ 500,000.00	$ 742.00	$ 790.00	$ 833.50	$ 91.50	$ 50.33
$ 600,000.00	$ 890.40	$ 948.00	$ 1,000.20	$ 109.80	$ 60.39
$ 700,000.00	$ 1,038.80	$ 1,106.00	$ 1,166.90	$ 128.10	$ 70.46
$ 800,000.00	$ 1,187.20	$ 1,264.00	$ 1,333.60	$ 146.40	$ 80.52
$ 900,000.00	$ 1,335.60	$ 1,422.00	$ 1,500.30	$ 164.70	$ 90.59
$ 1,000,000.00	$ 1,484.00	$ 1,580.00	$ 1,667.00	$ 183.00	$ 100.65

GENERAL FUND REVENUE

Sales Tax - 10-31-130

- Sales taxes have been healthy despite the pandemic

American Rescue Plan Act (ARPA) – 10-36-695

- $800,000 expected to be received this FY from Federal Government
- Will have multiple years to spend
- Emphasis on Sewer, Water and Broadband
- May get more next FY
- Possible grant opportunities from the State of Utah with the money that they receive

RAPZ Reimbursement for Firefly – 45-38-720

- $315,000 for reimbursement of Firefly Park
- However, no money as previously presented for purchase of land.

CCOG Reimbursement for 1200 Roundabout – 45-38-725

- $3,150,000 reimbursed for construction of 1200 West Roundabout

GENERAL FUND REVENUE

Building Permits – 10-32-210

- Budgeting slight increase from last years budget

Planning Review and Inspection – 10-34-420

- New Fee Proposed for Engineering design review
  - $1,500 + $50 per lot
- Public Improvement Inspection Fees
  - 0.75% of estimated construction cost

Development Fees Reimbursed – 10-34-422

- Trees for Mt Vista

EMS Charges – 10-34-435

- Proposed fee to cover contract with Cache County to provide paramedic and ambulance service
- $6.00 per account per month

GENERAL FUND REVENUE

Administrative Charges

- Analysis performed and increased slightly to cover cost of inhouse Engineer
- 45% Water
- 45% Sewer
- 10% Stormwater

Recreation Revenue – 10-37-442

- Youth and Adult Programs have been very successful

GENERAL FUND EXPENSES

City Council – 10-41

- 2% increase to salary, otherwise no changes

Court – 10-42

- Removed, handled with Hyrum City

Administration – 10-43

- Benefits under budgeted in the past, increase to current costs

GENERAL FUND EXPENSES

Elections - 10-47

- $8,000 to fulfill contract with the County
- $2,000 for public education:
  - Designing and mailing an individual flyer with our August utility bill
  - Booth at Heritage Days with signage
  - Potential RCV lawn signs as are typically used during political campaigns
  - Publish public notices
  - Inform candidates and the public of legal requirements governing candidates and campaigns

GENERAL FUND EXPENSES

Public Works – 10-48

- Additional salary for Public Works/Building Inspector
- Reduction in Vehicle Repair

Non-Departmental – 10-50

- Decreased software slightly
- Placeholder for American Rescue Plan Money

GENERAL FUND EXPENSES

Public Safety – 10-54-320

- Sheriff Contract: $121k, up from $87k

Emergency Medical Services – 10-54-330

- Changed name to Cache County EMS
- Contract approved by City Council
  - $15.00 per person per year ($108k)
- Contract to manage First Responder Unit ($24k)
- Budgeted a bit high based off 2020 Census data not being available yet

GENERAL FUND EXPENSES

Streets – 10-60

- New Development Infrastructure increased – passed through to developers

Sanitation - 10-62

- Garbage Collection Service increased – passed through to Logan City

Planning -10-68

- Funds to hire a consultant to assist in creating a Transfer of Development Rights ordinance. Grant was received in FY 20/21 for this among.

GENERAL FUND EXPENSES

Parks – 10-70

- Added a full time parks employee
- Increase in one seasonal employee, Salaries shift to Stormwater
  - 4 from parks
  - 0.5 from streets
  - 2.5 from Stormwater
- Trees – fulfill development agreement with Mt Vista

Community Development and Recreation 10-75

- Youth and Adult sports increased

GENERAL FUND EXPENSES

Class C Fund – 11-30

- 3200 South pavement replacement project

Municipal Building Authority 20-30

- Normal yearly payment
- $600,000 still due on loan

First Responders Fund – 24-36

- Fund previously used for joint Nibley/Millville First Responders fund – no longer necessary

GENERAL FUND EXPENSES

Capital Projects 45-38

- 3200 S and 1200 W Roundabout ($2.7M)
- Stonebridge Turnaround ($10k)
- Landscape improvements at City Hall ($15k)
  - Landscape
  - Flagpoles
- Morgan Farm ($10k)
  - Repair fencing
  - Repair historic gates
  - Walkway from Elkhorn Park
  - Foundation Repairs of part of barn

GENERAL FUND EXPENSES

Capital Projects Cont.

- Capital Equipment ($31k)
  - Lease Program
    - Pickup Truck – Admin ($3k)
    - Pickup Truck – Engineer ($3k)
    - Pickup Truck – Public Works Dir ($3k)
    - Pickup Truck – Recreation ($3k)
    - Pickup Truck – Parks ($3k)
    - Backhoe – Parks ($8k)
    - Midi Excavator – Streets ($8k)
- Active Transportation ($376)
  - City Hall Trail ($135k)
  - 3200 South Sidewalk gaps ($163k)
  - Anhder sidewalk ($50k)
- Elk Horn Playground ($80k)
- City Recreation Center Feasibility Study ($20k)
- Anhder Parking Lot ($250k)

WATER DEPARTMENT

Revenues

- Held steady

Expenses – 51-40-335 & 51-40-443

- Water shares have increased in number, and Nibley Blacksmith Fork raised their assessment
- Budgeted some money in case some water shares become available
- Water Meters costs have increased, and expecting some to die

Capital Outlay Improvements 51-40-730

- Money budgeted to begin process of design for next capital improvement project ($75k for well or tank)
  - May want to look at both depending on what State does with Federal money they receive
- Upsize water lines in new developments ($50k)

Well Loan - 51-40-810 & 51-40-820

- Paid in full

SEWER DEPARTMENT

Revenues 52-38-690 & 52-38-710

- Held steady for services
- Sale of Vac Truck ($250k)

Expenditures steady

Capital Outlay Improvements - 52-72-730

- Replace one pump in Hansen Lift Station ($15k)
- Upsize sewer lines with new developments ($50k)

Capital Outlay Equipment ($472k) – 52-72-740

- Lease Program
  - Pickup truck ($4.5k)
  - Backhoe ($8k)
- Purchase of new Vac Truck ($460k)

Debt Service – 52-72-810

- ½ of normal payment ($130k) (other ½ from impact fees)
- Balance Owed: $3,377,000 pay off in 2034 of interest free loan

STORMWATER DEPARTMENT

Revenues – 53-37-710

- Held steady for services

Expenditures

- Shift seasonal salary to stormwater from parks ($30k) – 53-40-115
- Increase in training and travel ($5k) – 53-40-230
- Stormwater Master Plan update ($25k) – 53-40-514

Capital Outlay Improvements – 53-40-730

- Stormwater improvements associated with 3200 South 1200 West roundabout project ($125k)

Capital Outlay Equipment – 53-40-740

- Lease Program
  - Pickup truck ($3k)

IMPACT FEES

Water Impact Fee - 55-37 and 55-40

- Revenue Steady
- Expenses
  - Engineering design for next Capital Improvement Project ($75k)

Park Impact Fee 56-37 and 56-40

- Revenue Steady
- Expenses
  - Ridgeline Park Design ($180k)
  - Firefly Park Phase 3 ($200k)
    - Restroom
    - Additional Seating
    - Bird Hides
    - Fencing

IMPACT FEES

Sewer Impact Fees – 57-37 and 57-40

- Revenue Steady
- Expenses
  - ½ of Normal Debt Service ($130k)
  - Balance Owed: $3,377,000 pay off in 2034 of interest free loan

Stormwater Fund (for Northwest area of town) – 58-37 and 58-40

- Revenue Steady
- Expenses
  - 2600 South detention pond ($159k)

EMPLOYEE SALARY CHART

- 2% Cost of Living Adjustment

	A	B	C	D	E	F	G	H	I
1	$ 9.05	$ 9.50	$ 9.98	$ 10.48	$ 11.00	$ 11.55	$ 12.13	$ 12.73	$ 13.37
Annual	$18,824.00	$ 19,765.20	$ 20,753.46	$ 21,791.13	$ 22,880.69	$ 24,024.72	$ 25,225.96	$ 26,487.26	$ 27,811.62
2	$ 10.44	$ 10.96	$ 11.51	$ 12.09	$ 12.69	$ 13.32	$ 13.99	$ 14.69	$ 15.42
Annual	$21,715.20	$ 22,800.96	$ 23,941.01	$ 25,138.06	$ 26,394.96	$ 27,714.71	$ 29,100.44	$ 30,555.47	$ 32,083.24
3	$ 12.05	$ 12.65	$ 13.29	$ 13.95	$ 14.65	$ 15.38	$ 16.15	$ 16.96	$ 17.80
Annual	$25,064.00	$ 26,317.20	$ 27,633.06	$ 29,014.71	$ 30,465.45	$ 31,988.72	$ 33,588.16	$ 35,267.56	$ 37,030.94
4	$ 13.93	$ 14.63	$ 15.36	$ 16.13	$ 16.93	$ 17.78	$ 18.67	$ 19.60	$ 20.58
Annual	$28,974.40	$ 30,423.12	$ 31,944.28	$ 33,541.49	$ 35,218.56	$ 36,979.49	$ 38,828.47	$ 40,769.89	$ 42,808.39
5	$ 16.12	$ 16.93	$ 17.77	$ 18.66	$ 19.59	$ 20.57	$ 21.60	$ 22.68	$ 23.82
Annual	$33,529.60	$ 35,206.08	$ 36,966.38	$ 38,814.70	$ 40,755.44	$ 42,793.21	$ 44,932.87	$ 47,179.51	$ 49,538.49
6	$ 18.63	$ 19.56	$ 20.54	$ 21.57	$ 22.64	$ 23.78	$ 24.97	$ 26.21	$ 27.52
Annual	$38,750.40	$ 40,687.92	$ 42,722.32	$ 44,858.43	$ 47,101.35	$ 49,456.42	$ 51,929.24	$ 54,525.70	$ 57,251.99
7	$ 21.57	$ 22.65	$ 23.78	$ 24.97	$ 26.22	$ 27.53	$ 28.91	$ 30.35	$ 31.87
Annual	$44,865.60	$ 47,108.88	$ 49,464.32	$ 51,937.54	$ 54,534.42	$ 57,261.14	$ 60,124.19	$ 63,130.40	$ 66,286.92
8	$ 24.97	$ 26.22	$ 27.53	$ 28.91	$ 30.35	$ 31.87	$ 33.46	$ 35.14	$ 36.89
Annual	$51,937.60	$ 54,534.48	$ 57,261.20	$ 60,124.26	$ 63,130.48	$ 66,287.00	$ 69,601.35	$ 73,081.42	$ 76,735.49
9	$ 28.97	$ 30.42	$ 31.94	$ 33.54	$ 35.21	$ 36.97	$ 38.82	$ 40.76	$ 42.80
Annual	$60,257.60	$ 63,270.48	$ 66,434.00	$ 69,755.70	$ 73,243.49	$ 76,905.66	$ 80,750.95	$ 84,788.49	$ 89,027.92
10	$ 33.58	$ 35.26	$ 37.02	$ 38.87	$ 40.82	$ 42.86	$ 45.00	$ 47.25	$ 49.61
Annual	$69,846.40	$ 73,338.72	$ 77,005.66	$ 80,855.94	$ 84,898.74	$ 89,143.67	$ 93,600.86	$ 98,280.90	$ 103,194.94

CHANGES SINCE SECOND READING

- Water Department Engineering changed to Engineering and Planning, $5,000 to $10,000 to cover the cost of the impact fee analysis
- Water Department Engineering changed to Engineering/Planning, $25,000 to $10,000 to cover the cost of the impact fee analysis
- Emergency Medical Services Fund was brought back into use to track the EMS fee that was implemented to cover the cost of the County Emergency Management Contract. Revenue and expenses were removed from the Public Safety Fund, and put into this EMS fund. Excess revenue generated from the EMS fee will be tracked and stay in the Fund.
- Capital Projects – Active transportation account. Apple Creek Trail was put back into the budget and allocated $75,000 as well as $9,000 for Design of connector trails through Morgan Farm.
- Capital Projects – Anhder Parking Lot - $100,000 was allocated for paving the parking lot west of bike track and east of ball field.
- Gen Fund Revenue – Fines/Misc – American Rescue Plan Act- Amount received reduced from $800,000 to $422,216. This amount was received on July 16th of this year. It expected that another $422,216 be deposited next fiscal year. This money is just being held as budget neutral as revenue from Fines/Misc and as an expense from the Non-Departmental account.

RESOLUTION 21-22

A RESOLUTION ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2021-22 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES

BE IT RESOLVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

1. The attached budget, entitled Nibley City Budget Fiscal Year 2021-22, is hereby adopted and approved for the fiscal year ending June 30, 2022, with amendments, if, any, as reflected in the budget document and the minutes of this meeting.
2. The monthly charge for storm water shall be $8.00 per month per residential utility customer effective July 1, 2021.
3. The adopted property tax rate is 0.001667.

PASSED BY THE NIBLEY CITY COUNCIL THIS ________ DAY OF ____________________ 2021.

____
Shaun Dustin, Mayor

ATTEST:

____
Cheryl Bodily, City Recorder

Agenda Item #10

Description	**Discussion & Consideration –** Ordinance 21-19: Amendments to Nibley City Nuisance Code 07.02 (First Reading)
Presenter	Levi Roberts, City Planner
Recommendation	Move to approve Ordinance 21-19: Amendments to Nibley City Nuisance Code 07.02, for first Reading
Reviewed By	Mayor, City Manager

Background:

Nibley City Code Section 7.02 provides the conditions and procedures for mitigating nuisance conditions in the City. The Code defines a nuisance as:

Whatever is dangerous to human life or health, deleterious, injurious, noxious, unsightly and whatever renders soil, air, water or food impure or unwholesome, which includes but is not limited to conditions described in this chapter.

During the July 22 City Council meeting, Staff presented the nuisance abatement process and the status of nuisance cases in 2021. Through the process of enforcing the code, a number of issues have arisen, which residents and Staff has identified. These issues were discussed with City Council with a follow-up meeting held with Councilmembers Laursen and Larsen. Based upon this discussion and Staff's experiences administering the code, the following changes are recommended:

1. Amend and clarify the description of 'inoperable vehicles and machinery.' This includes clarifying that vehicles, machinery or implements which are junked, stripped or unused fall under this category. Staff also recommends that this provision only applies when there are more than two such unsheltered vehicles on the property. The impact of less vehicles is relatively low and enforcement for such relatively minor offensive conditions is not worth City resources.
2. Clarify and provide reasonable definitions for the terms 'unsheltered,' 'public view,' and 'driveway.' This will allow code enforcement to make a more defined and consistent determination of a violation which involve such terms.
3. Add a description of 'excessive and open vehicle storage,' to provide a limit of four vehicles per acre to be stored outside of a driveway or shelter. This would apply to both registered and unregistered vehicles and would be in addition to the provisions related to inoperable vehicles and parking vehicles on the front lawn.

4. Limit the author of the nuisance to the property owner. The current ordinance specifies that the property owner, tenant or anyone responsible could be charged with a nuisance violation. However, tying the violation to multiple individuals becomes difficult to enforce. In particular, it would not be appropriate to send a citation to the property owner, the tenant, and someone who was visiting the property and may have left their belongings their. The City has records of the property owner and as such, can charge the property owner for offenses on his/her property.
5. Add a description for improper buildings and structures that have been constructed in violation of Nibley City Code.

In addition to these changes, it was considered by Staff and Council members Larsen and Laursen to consider adding a provision that granted leniency with the timeframe given in the ordinance. However, it was concluded that 30 days is a reasonable timeframe to abate nuisance conditions. The vast majority of violations have proven to abate conditions within this timeframe and it is anticipated that this will be better adhered to as the City continues to enforce the ordinance.

ORDINANCE 21-19
AMENDING NUISANCE REGULATIONS

WHEREAS, Nibley City regulates nuisances within Nibley City boundaries to protect health and welfare of residents; and

WHEREAS, It is necessary to clarify undefined and ambiguous terms within the existing Code; and

WHEREAS, It is more appropriate and enforceable to limit the author of the nuisance to be the land owner of the property in which the nuisance occurs;

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The proposed amendments to NCC 7.02 be adopted.
2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
4. This ordinance shall become effective upon posting as required by law.

PASSED BY THE NIBLEY CITY COUNCIL THIS ______ DAY OF ________, 2021.

____
Shaun Dustin, Mayor

ATTEST: ______________________________
Cheryl Bodily, City Recorder

7.02.010 Definitions
As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

AUTHOR: The record land owner(s) shall be deemed to be the author(s) of and shall be liable and responsible for any nuisance present on or arising out of the use of the property.

NUISANCE: Whatever is dangerous to human life or health, deleterious, injurious, noxious, unsightly and whatever renders soil, air, water or food impure or unwholesome, which includes but is not limited to conditions described in this chapter.

UNSHELTERED: not contained within a building or structure, including the primary building or an accessory building or can be seen from public view.

PUBLIC VIEW: can be seen up to ~~any point~~ six feet above the surface of the center of ~~a~~ public property.~~road~~.

DRIVEWAY: a surface of concrete, asphalt, gravel or other hard material, which is used to park a vehicle or for vehicular access to a garage or parking area.

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

FRONT YARD: An open space on the same lot with a building between the front line of the building (exclusive of steps) and the front lot line and extending across the full width of the lot. On a corner lot, the front yard may be applied to either street.

BUILDING: Any structure built or erected for the support, shelter or enclosure of persons, animals, chattel or property of any kind.

7.02.020 Declaration Of Nuisance

A. Statement: Every act or condition made, permitted, allowed or continued in violation of NCC 7.02.010, is hereby declared to be a nuisance and may be abated and punished as hereinafter provided. No person owning any property shall allow the continuance of a nuisance thereon.
B. Specified: Nuisances include, but are not limited to:
    1. Befouling Water: Befouling water in any spring, stream, well or water source supplying water for culinary purposes.
    2. Privies, Cesspools: Allowing any privy vault or cesspool, or other individual wastewater disposal system, to become a menace to health or a source of odor or contamination to air or water.
    3. Garbage Containers, Permitting any garbage container that has become unclean and offensive, to remain on premises without disposal, for a period of no longer than fourteen (14) days.
    4. Garbage Accumulation: Allowing, garbage, litter, filth or refuse of any nature to accumulate within or upon any private alley, yard or area, except when it is temporarily deposited for immediate removal or being composted.
    5. Unsheltered Storage of Personal Property: The keeping, depositing and scattering over the premises any objects or equipment, which are not sheltered within a building or ~~canopy~~structure. Exceptions include home decor, outdoor furniture,

Deleted: Where a nuisance exists upon property and is the outgrowth of the usual, natural or necessary use of the property, t

Deleted: t

Deleted: lord or his agent, the tenant or his agent, and all other persons having control of the property on which such nuisance exists,

Deleted: thereof

Deleted: equally

Deleted: the

Deleted: Where any such nuisance shall arise from the unusual or unnecessary use of such property or from the business thereon conducted, then the occupants and all other persons contributing to the continuance of such nuisance shall be deemed the authors.

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Font: Bold

Commented [LR1]: These are copied from the Land Use Ordinance for consistency.

Formatted: Font: Bold

Deleted: , leasing, occupying or having charge of any premises…

Deleted: maintain or keep any

Deleted: , nor shall any such person keep or maintain such premises in any manner causing substantial diminution in the value of the other property in the neighborhood in which such premises are located.

Formatted: Strikethrough

garbage containers and temporary placement, no more than thirty (30) days of items for sale or disposal.

6. Parked vehicles in front yard: Parking of vehicles, trailers or recreational vehicles in the front yard area outside of a driveway and unsheltered.
7. Inoperable Vehicles & machinery: Unsheltered storage of more than two unused, stripped or junked machinery, vehicles, implements or equipment which are no longer safely usable for the purposes for which they were manufactured, for a period of thirty (30) days or more (except in licensed junkyards) within the city. Any unregistered passenger vehicle shall be considered unused.
8. Excessive and ~~Open~~Unsheltered Vehicle Storage: The parking of more than four (4) passenger vehicles per acre of property outside of a driveway or unsheltered, whether operable or not.
9. Manure Accumulation: Permitting the accumulation of manure in any stable, stall, corral, feed yard, yard or in any other building or area in which any animals are kept.
10. Slaughterhouses, Feed Yards: Permitting any slaughterhouse, market, meat shop, stable, feed yard or other place or building wherein any animals are slaughtered, kept, fed or sold to remain unclean or in any state or condition detrimental to health or creating a nuisance because of odors, or in which flies or rodents breed.
11. Discharging Offensive Water Or Liquid Waste: Discharging or placing any offensive water, chemical spray, liquid waste or refuse of any kind into any street, alley, sidewalk, gutter, stream, wash, natural watercourse, ditch, canal or any vacant lot or which, as the result of continued discharge, will render the place of discharge offensive or likely to become so.
12. Collecting Grease, Offensive Matter: Keeping or collecting any stale or putrid grease or other offensive matter.
13. Flies And Mosquitoes: Having or permitting upon any premises any fly- or mosquito-producing condition.
14. Public Drinking Vessels: Keeping any drinking vessel for public use without providing a method of decontamination between uses.
15. Ablutions Near Drinking Fountain: Permitting or performing any ablutions in or near any public drinking fountain.
16. Boarding House Or Factory, Sanitary Condition: Failing to furnish any dwelling house, boarding house or factory or other place of employment with such privy vaults, water closets, sinks or other facilities as may be required to maintain the same in sanitary condition.
17. Cleaning Privy Vaults: Neglecting or refusing to discontinue use of, clean out, disinfect and fill up all privy vaults and cesspools or other individual wastewater disposal systems within twenty (20) days after notice from an enforcement officer or official of the city.
18. Stagnant Water; Offensive Substances: Permitting any lot or excavation to become the repository of stagnant water or any decaying or offensive substances.
19. Obstructing Public Ways, Watercourses, Parks: Obstructing or tending to obstruct or interfere with or render dangerous for passage any street or sidewalks, lake, stream, drainage, canal or basin, utility line or connection, utility easement, or any public park without first obtaining the written permission of the city council.

Deleted: old,
Deleted: and
Deleted: ,
Deleted: is
Deleted: it was
Deleted: ~~o~~
Deleted: v
Deleted: s

20. Dead or Diseased Trees: Any dead or diseased trees which constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city.
21. Unmaintained Structures: Structures which have a foundation, exterior wall, and/or roof not maintained in good repair, thus not allowing all rooms and other interior areas to be weathertight, watertight, and rodentproof and be maintained in good condition. This includes broken windows and surfaces which are not painted, stained, or constructed of decay-resistant materials to protect and preserve the safety and appearance of the structure. Structures which are under active construction are not considered unmaintained. Active construction shall be considered for up to 18 months.
22. Improper Buildings and Structures: Buildings and structures that have been constructed in violation of Nibley City code and regulations, including permit requirements, setback requirements, conservation restrictions, no-build zones, public utility and other easements, or plat restrictions.

C. Enumeration: The types of nuisances above stated shall be deemed in addition to and in no way a limitation of the nuisances subject to this chapter.

Deleted: Not Under Active Construction

7.02.030 Restroom Or Sewer Facilities

All restrooms or sewer facilities shall be constructed and maintained in accordance with Utah law and city ordinances. All such facilities that do not comply with such provisions are hereby declared to be a nuisance and are subject to abatement as herein prescribed.

7.02.040 Restrictions On Blocking Water

A. It shall be unlawful for any person to permit any drainage system, canal, ditch, basin, conduit or other watercourse of any kind or nature, natural or artificial, to become so obstructed as to cause the water to back up and overflow therefrom, to be diverted or drained onto other property without authorization, or to become unsanitary.
B. Creating or allowing the existence of any such obstructed watercourse in such condition shall constitute a nuisance and the same shall be subject to abatement.

Deleted: Maintenance of

7.02.060 Abatement Procedure

A. Code Enforcement Officer:
   1. Established: There is hereby established the position of code enforcement officer, whose duties it shall be to enforce the provisions of this chapter. Until a code enforcement officer is designated, the city manager, or designee, or the city's law enforcement agency shall enforce the provisions of this chapter.
   2. Duties: The code enforcement officer or the city's law enforcement agency is authorized to:
      a. Perform all functions necessary to enforce the provisions of this chapter. Inspect or cause to be inspected, as often as needed, all buildings, structures, lots or places for the purpose of determining whether such are in compliance with the provisions of this chapter.
   3. Existence Of Objectional Condition: If the code enforcement officer or city's law enforcement agency concludes there exists an objectionable condition in violation

of this chapter, the code enforcement officer or the city's law enforcement agency shall.

a. Ascertain the names of the owners and descriptions of the premises where such objects and/or conditions constituting a nuisance exist. Serve notice in writing upon the owner of such premises, either personally or by mailing notice prepaid, addressed to the owner at their last known post office addresses as disclosed by the records of the county assessor, or as otherwise ascertained, requiring such owner to remove the nuisance within such time as the code enforcement officer or the city's law enforcement agency may designate; provided, that any person notified pursuant to this subsection shall be given at least ten (10), but not more than thirty (30) days, as determined by the code enforcement officer or the city's law enforcement agency following the date of service of such notice, to correct the objectionable condition. The notice shall:

   1) Contain a specific statement of the nature of the violation and generally describe the premises on which the violation exists. Inform the owner that in the event he/she disagrees with the determination of the code enforcement officer or the city's law enforcement agency, and that he/she objects to the factual or legal basis for the notice, he/she may request, in writing, an informal hearing before the administrative appeal officer. The appeal hearing must be applied for within 10 days of receiving the notice of objectionable condition and must contain a summary or copy of all evidence, claims, and objections the owner intends to raise. A written application for a hearing shall stay the time within which the person must conform to the provisions of the notice.
   2) Inform the person that in the event he/she fails or neglects to correct the objectionable condition, the city will correct the objectionable condition and will collect the costs of so correcting the objectionable condition by either a court action, in which case he will be assessed such costs, together with reasonable attorney fees and court costs, or will charge the cost of correcting the violation against the property as a tax.

b. In the event the owner makes such request for a hearing, the administrative appeal officer shall set the time and place for hearing objections and the city recorder shall notify the owner of said property on the condition thereof, in writing, of the time and place at which they may appear and be heard. The hearing shall be heard within less than twenty (20) days from the date of service or mailing of the notice of hearing.

4. Hearing:

a. Informal Hearing; Written Decision: At the timely written request of an owner, of property which is the subject of a notice of violation, the administrative appeal officer shall conduct an informal hearing. The owner may present such evidence and argument as is pertinent to the question of whether or not the removal or abatement of the objects, structures, or conditions is properly within the purview of this chapter. Failure to present

Deleted: occupants and

Deleted: and occupant

Deleted: and occupant

Deleted: or occupant, or both, as the case may be,

Deleted: eradicate or destroy and

Deleted: , occupant or other person

Deleted: and does not wish to comply with the provisions of the notice or

Deleted: objectional

Deleted: or occupant

Deleted: , occupant or other persons having an interest

Deleted: in

Deleted: occupant or other person having an interest in…

Deleted: to remove or abate weeds, objectionable conditions or objects from the property

Deleted: , w

Deleted: herein such persons

any evidence, objection, or claim shall waive the owner's right to have the same be considered by the administrative appeal officer or any other reviewing entity. The administrative appeal officer shall also permit the presentation of evidence and argument by the code enforcement officer or the city's law enforcement agency and other interested parties. Thereafter the administrative appeal officer shall, render its written decision, a copy of which shall be mailed to or served upon the owner.

b. Notice Of Decision; Abatement By Owner: In the event the decision of the administrative appeal officer upholds the determination of the code enforcement officer or the city's law enforcement agency, the notice originally given by the code enforcement officer or the city's law enforcement agency as above provided shall be deemed to be sufficient to require the owner or occupant to remove or abate the objectionable objects or conditions, and he shall have up to ten (10) days from the date of notice of the decision within which to conform thereto, unless additional time, not to exceed thirty (30) days, is authorized by the code enforcement officer or the city's law enforcement agency.

c. Time Period For Compliance: In the event that the decision of the administrative appeal officer either overrules or modifies the determination of the code enforcement officer or the city's law enforcement agency, the written decision of the administrative appeal officer shall apprise the owner of that fact and set forth the details and extent to which the owner must make removal or other abatement of the objectionable objects or conditions, if any. The owner shall be required to conform to the decision within ten (10) days after service or mailing of a copy of the decision.

d. Filing Of Amended Notice: The code enforcement officer or the city's law enforcement agency shall file an amended notice and proof of service of notice and file the same in the office of the county treasurer.

5. Failure To Comply; Abatement By City: If any owner described in such notice or decision to whom the notice was given shall fail or neglect to conform to the requirements thereof relating to the abatement of the nuisance, the code enforcement officer or the city's law enforcement agency may employ all necessary assistance to cause such objectionable objects or conditions to be removed or destroyed at the expense of the city.

6. Itemized Statement: The code enforcement officer or the city's law enforcement agency shall prepare an itemized statement of all expenses incurred in the abatement of nuisances, including administrative, personnel, and legal costs, and shall mail a copy thereof to the owner or occupant or both or to persons having an interest in the property, demanding payment within twenty (20) days of the date of mailing. The notice shall be deemed delivered when mailed by registered mail, addressed to the property on which the nuisance exists, the address of record with county land records for the owner or the property, or last known address of the property owner, occupant or persons having an interest in the property if different from the above.

7. Failure To Make Payment: In the event the owner fails to make payment of the amount set forth in the statement to the city treasurer within the twenty (20) days,

Deleted: ,

Deleted:

Deleted: or any other person to whom the original notice was given

Deleted: by the city's law enforcement agency

Deleted: Or Occupant

Deleted: or occupant

Deleted: or occupant

Deleted: or occupant

Deleted: , occupant or other person having an interest in land

Deleted: , occupant or person having an interest in the property the code enforcement officer or the city's law enforcement agency may either cause suit to be brought in an appropriate court of law or may refer the matter to the county treasurer as provided in this chapter.

8. Collection:
    a. Lawsuit: In the event collection of expenses of destruction and removal are pursued through the courts, the city shall sue and receive judgment for all of said expenses of destruction and removal, together with reasonable attorney fees, interest and court costs, and shall execute upon such judgment in the manner provided by law. The city may also assign its right to enforce and collect such expenses to a collection agency or other entity for collection, which entity shall have the same right to collect as if they were the city.
    b. Taxes: In the event that the building inspector or the city's law enforcement agency elects to refer the expenses of destruction or removal to the county treasurer for inclusion in the tax notice of the property owner, he shall make in triplicate an itemized statement of all expenses incurred in the destruction and removal of the same, and shall deliver three (3) copies of the statement to the county treasurer within ten (10) days after the completion of the work of destroying or removing such weeds, refuse, garbage, objects or structures. Thereupon, the costs of the work shall be pursued by the county treasurer in accordance with the provisions of Utah Code § 10-11-4, as amended, and the recalcitrant owner shall have such rights and shall be subject to such powers as are thereby granted.
9. Criminal Proceedings: The commencement of criminal proceedings for the purpose of imposing penalties for violations of this chapter shall not be conditioned upon prior issuance of a notice or the granting to the defendant an opportunity to abate or remove the nuisance. The provisions of this chapter relating to notice and abatement shall be deemed merely alternative and additional methods of securing conformity to the provisions of this chapter.

7.02.070 Penalty For Failure To Comply

A. Infraction: Any owner subject to this chapter who shall fail to comply with the notice or order given pursuant to this chapter shall be guilty of an infraction and, upon conviction thereof, subject to penalty as provided in NCC 1.08.010 for each offense, and further sum of ten dollars ($10.00) for each and every day such person fails to comply beyond the date fixed for compliance. For nuisances related to an individual's use of the individual's residence, the individual shall be subject to prosecution for each 14-day time period the violation continues, each of which periods shall be considered a separate violation. For all other nuisances, each day shall be considered a separate violation.
B. Class C Misdemeanor: Any owner subject to this chapter who shall fail to comply with the notice or order given pursuant to this chapter may be charged with a class C misdemeanor if the nuisance threatens the health, safety, or welfare of the individual or an identifiable third party or the individual has been convicted of a violation of this chapter on three previous occasions within the past 12 months.

Deleted: , occupant or person having an interest in property

Deleted: , occupant or person having an interest in property

C. Criminal Proceedings: Compliance by any owner subsequent to the commencement of criminal proceedings as provided in this chapter shall not be admissible in any criminal proceeding brought pursuant to this section.

Deleted: , occupant or person to whom a notice has been given

Agenda Item #11

Description	**Discussion & Consideration –** Resolution 21-20: Amending Nibley City's Consolidated Fee Schedule: Appeal and Variance Applications (Third Reading)
Presenter	Levi Roberts, City Planner
Recommendation	Move to approve Resolution 21-20: Amending Nibley City's Consolidated Fee Schedule: Appeal and Variance Applications
Reviewed By	Mayor, City Manager, City Planner

Background:

Since first reading, the recommended changes were included, specifically to increase the variance request fee to $1,000 and leave the appeal fee at $750.

Also included is clarification that a land use appeal will be charged the same fee as a nuisance violation appeal (unless the Council would like it to be different).

Staff has also become aware that the fee schedule under the building permit section needed to be updated. The City Council passed amended Transportation Impact Fees in October of 2019. The City has been charging those fees since that time, however, the fee schedule was not amended to match. The changes included bring the fee schedule into line with the ordinance, and what has been charged on building permits.

Previous Background: Staff has been trying to increase effectiveness of code enforcement and nuisance violations and has been working on a better process. While working through those issues, it was brought to our attention that the fees being charged to appeal a nuisance violation or to apply for a variance, are disproportionate to the level of staff time, as well as the charges for the hearing officer to hear the appeal.

Staff did some research what other Cities around the valley are charging and found it to vary from City to City.

Providence Variance: $1000.00, Violations go through court system with a citation from the Sheriff. (This is how we used to do it).
North Logan: Works to change the code if a variance is requested, for nuisance violations they send letter to correct and issues a citation, no option to appeal.
Logan: Variance $200, Appeal $0.00
Smithfield: $400+50$ per hour after 5 hours for variances and appeals.

Currently Nibley City charges $200.00 for a variance request and $0.00 for an appeal.

Previous expenses to the City for variances and appeals have cost between $600 and $1,000 per issue.

Staff is recommending increasing the fee for both a variance request and an appeal for a nuisance violation to $750.00.

RESOLUTION 21-20

A RESOLUTION UPDATING NIBLEY CITY'S CONSOLIDATED FEE SCHEDULE; APPEAL FEES

WHEREAS, State Law and the City Code empower the Nibley City Council to set rates and charge fees for services provided by the City;

WHEREAS, the City has historically set rates and fees for services through various resolutions from time to time as needed;

WHEREAS, the City Council finds that it is in the best interest of the City and its residents to update the consolidated schedule of all existing rates and fees and to review and update the schedule as needed;

WHEREAS, the rate charged for variance requests and appeal to nuisance violations has been found to be disproportionate with the associated costs to the City.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE NIBLEY CITY COUNCIL THAT:

1. The rate charged for variance requests and appeals to nuisance violations shall be changed to $750.00.

2. The Consolidated Fee Schedule attached hereto as Exhibit A and the rates, fees, and charges set forth therein are hereby enacted and adopted.

3. This Resolution does not repeal, abrogate, annul, or impair in any way the existing resolutions or ordinances of the City except to modify the rates, fees, and charges reflected in the Consolidated Fee Schedule. All rates, fees, or charges not listed in the Consolidated Fee Schedule which are contained in or promulgated pursuant to any current resolution or ordinance shall remain in full force and effect, unless and until duly modified. All resolutions or ordinances which set forth rates, fees, or charges which are contained in the Consolidated Fee Schedule are hereby superseded by the Consolidated Fee Schedule.

4. This Resolution shall become effective immediately upon passage.

ADOPTED BY THE NIBLEY CITY COUNCIL THIS 10 DAY OF September, 2020.

____

Shaun Dustin, Mayor

ATTEST:

____

Cheryl Bodily, City Recorder

Utility Service Fees

Item	Rate
Water	
Base Rate	
1" Water Service	$ 15.50
2" Water Service	$ 35.00
3" Water Service	$ 65.00
4" Water Service	$ 90.00
5" Water Service	$ 95.00
6" Water Service	$ 105.00
Rate per 1,000 gallons	
0-5,000 Gallons	Included in base rate
5,001 - 40,000	$ 1.05
40,001 - 65,000	$ 1.10
65,001 - 100,000	$ 1.15
100,001 +	$ 1.35
Townhouse Meters	
Water Reconnect/Disconnect Fee	$ 50.00
Extra Territorial Rate	2 X base & usage
Water Stock/Right Contribution Waiver	$ 2500.00 Per Acre-Foot Required
Sewer	
Residential Rate	$ 52.00
Commercial #1 (0 - 7,000 Gal)	$ 52.00
Commercial #2 (7,001 - 15,000 Gal)	$ 104.00
Commercial #3 (15,001 - 25,000 Gal)	$ 156.00
Commercial #4 (25,001 - 50,000 Gal)	$ 208.00
Commercial #5 (50,000 Gal & Up)	Manual Calculation
Pretreatment	Pass through from Logan City
Stormwater	
Residential	$ 7.75
Commercial	(Sq. ft. of impervious surface/3,000) x Residential Rate
Utility Billing Penalties	
Late Fee	$ 5.00
Late Fee Penalty (Calculated from past due balance)	0.0175
Insufficient Funds Fee	$ 30.00
Non-Payment Disconnect/Reconnect Fee	$ 50.00
Door Hanger Fee	$ 25.00

Business Licenses & Fees	
Item	**Rate**
Business License Application Fee	$ 30.00
Home Business License Annual Fee (Jan-Dec)	$ 30.00
Commercial & Industrial Business License Initial Fee (Jan-Dec)	$ 250.00
Commercial & Industrial Business License Renewal Fee (Jan-Dec)	$ 150.00
Temporary Vendor/Solicitors Business License (6 Months)	$ 30.00
Class B Retail License (Jan-Dec)	$ 250.00
Late Fee (March 1st)	$ 10.00
Fire Marshall Inspection	As charged by Cache County

Building Permits & Impact Fees

Impact Fees	
Item	**Rate**
Sewer Impact Fee 1" Service	$ 1,725.00
Sewer Impact Fee 1.5" Service	$ 3,450.00
Sewer Impact Fee 2" Service	$ 5,520.00
Sewer Impact Fee 3" Service	$ 10,349.00
Sewer Impact Fee 4" Service	$ 20,698.00
Water Impact Fee 1" Service	$ 1,950.00
Water Impact Fee 1.5" Service	$ 3,900.00
Water Impact Fee 2" Service	$ 6,241.00
Water Impact Fee 3" Service	$ 11,701.00
Water Impact Fee 4" Service	$ 23,403.00
Park Impact Fee	$ 4,500.00
~~Street Impact Fee Apartment~~	~~$ 688.00~~
~~Street Impact Fee Condominium/Townhouse~~	~~$ 688.00~~
~~Street Impact Fee Church~~	~~$ 445.00~~
~~Street Impact Fee Education~~	~~$ 618.00~~
~~Street Impact Fee food Service/Fast Food~~	~~$ 4,363.00~~
~~Street Impact Fee Gas Station Convenient Fee~~	~~$ 7,950.00~~
~~Street Impact Fee Hotel~~	~~$ 436.00~~
~~Street Impact Fee Light Industrial~~	~~$ 341.00~~
~~Street Impact Fee Office~~	~~$ 1,107.00~~
~~Street Impact Fee Retail~~	~~$ 2,803.00~~
~~Street Impact Fee Residential Home~~	~~$ 887.00~~
~~Street Impact Fee Warehousing~~	~~$ 242 per 1,000 sq. feet~~
Residential Single Family per unit	$ 887.00
Residential Multi-Family per unit	$ 688.00
Mobile Home per unit	$ 470.00
Shopping Center per 1,000 sf	$ 2,342.00
Office per 1,000 sf	$ 1,522.00
Light Industrial per 1,000 sf	$ 466.00
Warehouse per 1,000 sf	$ 164.00
Institutional per 1,000 sf	$ 1,426.00
Hotel per 1,000 sf	$ 786.00
Food/Fast Food per 1,000 sf	$ 11,257.00
Gas Station/Conv per 1,000 sf	$ 46,015.00
Building Permit Fees	
Building Permit	Based on a formula
Plan Check Fee	Based on a formula
Water Connection Fee	$ 700.00
Stormwater Inspection Fee Residential	$ 150 Per Year

Development Fees	
Water Meter 1"	$ 700.00
Water Meter 2"	$ 2,200.00
Water Meter 3"	$ 2,994.00
Water Meter 4"	$ 3,942.00
Water Meter 2" - 4 Townhomes	$ 550.00

Water Meter 2" - 6 Townhomes	$ 366.00
Water Meter Lid	$ 50.00
Water Meter Ring or Collar	$ 50.00
Water Meter Adjustment (Raise or Lower)	$ 75.00
Road Cut Fee	$ 3,000 (1/2 is refundable)
Street Sign	$ 300.00
Sewer Valve Collar	$ 450.00
Water Valve Collar	$ 350.00
Stormwater Development Inspection Fee	$ 500 Per Year
Stormwater for Regional Ponds	$3,000 Per Lot
P &Z Misc. Applications (Example: building permits, rezone, concept plans, etc.)	$ 30.00
Annexation Petition Application	$ 200.00
Asphalt Preservation	.25 per Sq Foot
Miscellaneous Items	
Gas Meter Upgrade Inspection	$ 25.00
Permanent Power Upgrade Inspection	$ 25.00

Planning and Building Department Credit Card Convenience Fee	3% of Total Invoice
Logan Wastewater Treatment Impact Fee (Set by ordinance 20-15)	$ 2,433.00
Logan Wastewater Treatment Impact Fee Collection Fee	$ 150.00

Dog Licenses & Permits

Item	Rate
Dog Registration January-December Spayed/Neutered	$ 15.00
Dog Registration January-December Unaltered	$ 25.00
Dog Registration July-December Spayed/Neutered	$ 7.50
Dog Registration July-December Unaltered	$ 12.50
Multi-Dog Permit Fee - Yearly Renewal	$ 30.00
Multi-Dog License Application Fee	$ 30.00
Lost Tag	$ 5.00
Late Fee (After March 1st)	$ 10.00

Cache Humane Society Impound Service Fees	Please refer to contract
mpound Boarding Dog/Cat	$ 150.00 Per Animal
Impound Other Domestic Animal Species	$ 250.00 Per Animal
Cat Trap Neuter Release (TNR)	$ 79.00 Per Cat
TNR excess boarding fee	$ 30.00 Per Day or Partial Day
Quarantine Boarding Dog/Cat	$ 350.00 Per Animal
Court-ordered Hold and Quarantines in Excess of 10 Days	$ 35.00 Per Day
Dog Euthanasia & Disposal	$ 50.00 - $70.00 Based on Weight
Cat Euthanasia & Disposal	$ 40.00
Emergency Veterinary Services	Minimium $95 Per Hour
Late Payment Fee	$ 20.00
Interest Rate	18% Per Annum

Charges for Services

Planning Review Fees	
Item	**Prosposed Rate**
Preliminary Plat Filing Fee	$ 200 + $10 per lot
Final Plat Filing Fee	$ 200 + $10 per lot
Engneering Development Review	$1500 + $50 per lot
Public Works Inspection Fee	0.075% of Bond Summary
Minor Subdivision	$ 200 + $10 per lot
Minor Subdivision Deposit	$ 500.00
Accessory Building Application	$ 30.00
Subdivision Amendment Application	$ 30.00
Minor-Subdivision Application	$ 30.00
RPUD Application	$ 500.00
Misc. Planning & Development Application	$ 30.00
Community Center Rental	
Small Gathering - Resident	$ 50.00
Small Gathering - Non-resident	$ 100.00
Small Gathering - Deposit	$ 150.00
Large Gathering - Resident	$ 150.00
Large Gathering - Non-resident	$ 300.00
Large Gathering - Deposit	$ 150.00
Sanitation Cleaning Fee	$ 50.00
Audio Visual Equipment Use	$ 25.00
Audio Visual Equipment Deposit	$ 200.00
Business, Club, & Public Meetings	Free, With City Manager Approval
Business, Club, & Public Meetings Deposit	$ 50.00
Building Repair/Maintenance	$ 20/HR + Repair Cost
Variance Request	
Variance Request Application	$ 1,000.00
Appeal	
Nuisance violation Appeal	$ 750.00
Land use Appeal	$ 750.00

Recreation

Facility Rentals

Item
Park Pavilion Rental (Heritage, Anhder, Virgil Gibbons, Elk Horn)
Park Pavilion Rental (Elk Horn with Kitchen)
Park Pavilion Rental Deposit (Elk Horn)
Single Use Athletic Field Rental (Per Field, Per Game/Practice)
Athletic Field Rental (Per Team, Per Season)
Anhder Park Field Lights (Per Day)
Field Preparation - Baseball/Softball (includes base setting, dragging, and lining the field)
Field Preparation - Athletic Field
Fitness Event Route Marking
Athletic field rental per camp/clinic/day up to 1-50 participants (may require pavilion rental)
Non-city recreation league field use per player
Tournament fee/DAY per athletic field use includes: 1 Baseball or Softball field, or 2 grass athletic fields, 1 baseball/softball field prep & pavilion rental if applicable, additional bathroom cleaning/day, and additional garbage removal @ athletic field
Tournament athletic field layout and lining (painted) on grass/per field (soccer, lacrosse, football, etc)
Tournament/Event Cleaning Deposit
Baseball portable mound placement/occurance (dirt mound building for tournaments is NOT available)
Consessions permit/day (includes access to available onsite electrical outlets, however, a breaker reset for overloaded circuits incurs a $25 fee per occurance) Event/League organizers are required to have a copy of food handlers permits onsite throughout the duration of the event
Amphitheatre rental/day (includes access to electricity)
Pickleball court rental/day (includes both courts @ Anhder Park)
Tennis court rental/day (also lined for 4 Pickleball courts @ Anhder Park portable nets NOT provided)
Use of city streets, and or park space for a fun run/walk, includes pavilion rental. Fee also applies to parades. Route layout provided by the organizer, must be approved 14 days prior to the event.
Per hour, per person of paint marking of a fun run/walk or other fitness event (painting arrows and or start & finish line, with washable paint, does NOT include directional traffic cones, road closed, detours, or other signage). Organizer pays estimate prior to event, billed the difference if actual cost more than estimate
Traffic Control set up per hour per person. Cones, baracades, road closed/detour for an event (ie fun run/walk fitness events, parades or similar) Organizer pays estimate prior to event, billed the difference if actual cost more than estimate
Ticketed event (including entrance fees and suggested donations for participation or entrance)

General Notes regarding Parks and Recreation facility rer
Tournament/Event Cleaning Deposit
Deposits are refundable if the facility/field is left clean and without damages. Dep cover the cost of additional cleaning or minor damage beyond normal use if such damage repairs resulting from use of any facility exceeds the deposit, the City res any additional costs incurred.
Inclimate Weather & Refund Policy
The event/league organizer assumes the risk of cancelation due to inclimate wea requests re-scheduling due to inclimate weather it is based on facility availability a City only if alternate dates are available. Facility fees are non-refundable unless 14 days prior to the event.
Movies:
Use of any city property to show a movie requires proof of movie licensing, at leas event organizer requires an entrance fee including a suggested donation, a ticke audio/visual equipment and movie screen are NOT available to rent. Nibley City r outdoor movie if the proposed event is held with-in 30 days of a scheduled Nibley
Fun Runs and outdoor fitness events:
A pavilion rental is required (included in fee), if the start or finish line is in Nibley, t County Sheriff or equivalent is NOT included in the fee, The organizer may be rec potties based on estimated #'s. Nibley City reserves the right to prohibit a fun rur with-in 45 days of a scheduled Nibley City outdoor fun run/walk or similar Nibley C
Field and street marking restrictions:
All athletic field, event space, and or street marking must be performed by Nibley assumes costs for damages and or cleaning. Failure to comply may also result in
Per Player Non-city recreation league fee and fee determination:
Per Player fee available to leagues that do not require a tryout and allow anyone Nibley City Recreation Director will determine if a clinic/camp, per team, or per play
Ticketed events
All ticketed events must be pre-approved by the Nibley City Special Events Comm event. Event insurance is required for these events and the event may require a NOT provide any access control in the form of fencing, gates, cones, or barriers, fences) already available at facility.
Cache County School District, and Thomas Edison Charter School Use
Nibley City reserves the right to waive fees and or requirements except insurance Thomas Edison Charter School and Cache County School District schools, and a school PTA. based on shared use interlocal agreements.

Baseball
Classic T-Ball
Rookie
Minors
Majors
Pony
Late Fee

Softball
Ponytail (6-8)
Fast Pitch (10 & Under)
Fast Pitch (12 & Under)
Fast Pitch (14 & Under)
Late Fee

	Super Start
T-Ball (3-4) Fee	
Soccer (3-4) Fee	
Late Fee	
	Flag Football
1st & 2nd Grade League	
3rd & 4th Grade League	
5th & 6th Grade League	
7th & 8th Grade League	
Late Fee	
	Soccer Spring & Fall
Kindergarten League	
1st & 2nd Grade League	
3rd & 4th Grade League	
5th & 6th Grade League	
7th & 8th Grade League	
Late Fee	
Reversible Soccer Jersey	
Cancelation fees for all youth recreation programs	
A registration refund for cancelation is available only if the cancelation request is prior to the coach meeting/jersey order. All cancelation requests are subject to the proposed 25% (of the total registration cost) fee.	
Other NEW Youth sports, programs, camps, and or classes	
The intial fee will be established at the discretion of the Recreation Director basec estimated costs, fees for similar programs, known and projected program interest, benefit. Program offerings that continue beyond a trial phase, will utilize actual c determine appropriate registration fees moving forward.	
	Equipment Rental
Disc Golf (Per Set)	
Spikeball (Per Set)	
Kubb (Per Set)	
Equipment Deposit	
	Nibley Fit
Day Pass	
Monthly Pass	
Quarterly Pass	
Staff has discretion to adjust pass prices for promotional events	
	Heritage Days
Booth Fees	
Mayor's Dinner	
Mayor's Dinner	
	Tournament Fee
Field Rental Baseball/Softball (Field Prep and lights additional)	
Athletic Field Rental (Field Prep and lights additional)	
	League/Clinic Fee
Non City Sponsored League Team Per Season (Non Recreational Team)	
League Team Per Season (Recreational Team)	
	Recreation Misc.

Rate
$ 25.00
$ 50.00
$ 25.00
$ 35.00
$ 50.00
$ 20.00
$ 25.00
$ 45.00
$ 30.00
$ 50.00
$ 3.00
$ 225.00
$ 50.00
$ 300.00
$ 20.00
$ 20.00
$ 45.00
$ 45.00
$ 45.00
$ 75.00
$ 35.00
$ 75.00
$ 200.00

ıtals/use/and fees
ɔosits, if not refunded, are intended to is needed. If the cost of cleaning or ;erves the right to charge the user for
ther, If event/league organizer ınd will be at the discretion of Nibley a refund has been requested in writing
;t 7 days prior to the event. If the ted event fee applies. Nibley City ·eserves the right to prohibit an ı City outdoor movie in the park.
raffic safety provided by the Cache quired to provide additional porta- ı/walk or other fitness event if it is held ;ity outdoor fitness event.
City employees, otherwise renter becoming ineligible to rent facilities.
to sign up regardless of ability. The ıer fee is the most appropriate fee.
ııttee at least 30 days prior to the business license. Nibley City does other than permeant structures (i.e..
requirement, for facility use by ssociated organizations including a
$ 30.00
$ 30.00
$ 60.00
$ 65.00
$ 75.00
$ 10.00
$ 30.00
$ 35.00
$ 40.00
$ 40.00
$ 10.00

$	30.00
$	30.00
$	10.00
$	35.00
$	35.00
$	45.00
$	45.00
$	10.00
$	30.00
$	30.00
$	45.00
$	45.00
$	45.00
$	10.00
$	5.00
$	0.25

d on an evaluation of actual and
and considerations of community
osts compared to registration fees to

$	3.00
$	3.00
$	3.00
$	20.00
$	3.00
$	15.00
$	40.00

$	50.00
$10 (Up to 6 people)	
$4 Per Person	
$	200.00
$	200.00
$	50.00
$3 Per Participant	

$	30.00

Solid Waste		
Item	**New Rate**	Old Rate
60 Gallon can	$ 14.15	$ 13.15
60 Gallon Extra Empty	$ 14.15	$ 13.15
90 Gallon Can	$ 16.40	$ 15.40
90 Gallon Extra Empty	$ 16.40	$ 15.40
New Homes (Resident Picked Up A/C)	$ 6.00	
New Homes (Logan City Delivered A/C)	$ 27.00	
Recycle Container	$ 3.25	
Green Waste Container	$ 5.25	
Bulk Waste Collection		
Vacancy Status	$5	3 Month Minimum

Bin Size	1	2	3	4	5	6
2	58.11	$ 115.23	$ 173.83	$ 228.45	$ 286.57	$ 343.68
3	74.71	$ 148.42	$ 222.13	$ 294.84	$ 369.55	$ 443.26
4	99.28	$ 197.56	$ 297.34	$ 393.12	$ 492.40	$ 590.68
6	145.82	$ 290.64	$ 434.46	$ 579.28	$ 725.10	$ 869.92
8	194.09	387.19	580.28	$ 772.37	$ 966.47	$ 1,159.56

Communication Center	
911 Communication Fee *	$ 3.00

Miscellaneous Nibley City Fees	
Item	**Rate**
Copy	$ 0.25
Fax - Residents	$ 0.50 Per Page
Fax - Non-Residents	$ 1.00 Per Page
Notary - Residents Only	FREE
CC Payment Over the Phone (Waive one time if they sign up for auto pay)	$ 4.00
GRAMA Request	Actual Cost
Accounts Receivable Late Fee	$ 5.00
Accounts Receivable Late Fee Penalty	0.015/month

Water Share

Agenda Item #12

Description	**Discussion & Consideration –** Ordinance 21-16: Amending Animal Land Use Regulations (First Reading)
Presenter	Levi Roberts, City Planner
Recommendation	Move to approve Ordinance 21-16: Amending Animal Land Use Regulations, for first reading.
Reviewed By	City Manager, City Planner, City Attorney, Planning Commission

Background:

Recently, a potential resident of the City expressed the desire to house two Juliana Pigs on a residential lot in Nibley City. Pigs are currently addressed within NCC 19.34: Animal Land Use Regulations. Under this provision of code, pigs are only allowed on a lot with more than ¾ acre and only 1 pig is allowed per ½ acre. There is also no differentiation between different breeds of pigs within the Code. The petitioner has expressed that the pigs are approximately the size of an english bulldog, are very clean and have minimal impact to neighbors.

Considerations

- What is the anticipated impact of miniature pigs on residential neighborhoods (smell, noise, etc.)?
- Can anticipated impacts be reasonably mitigated?
- What are the potential benefits to the community to allowing the keeping of miniature pigs as pets?
- If miniature pigs should be allowed on smaller lots in Nibley City, how should this be incorporated into Nibley City Code?

Current state of practice

Although most communities prohibit large pigs from residential zones, some municipalities address miniature pigs differently than livestock. For example, Logan City defines potbelly pigs as ‘exotic pets,’ allowing up to 5 of such for each residence.

A quick survey of Planners across Utah revealed the following approaches and experiences:

- In West Valley City, pot-bellied pigs are considered a household pet. Each household is allowed up to four pets from a long list of potential pets. Weight is limited to 150 pounds, and any tusks must either be removed or kept trimmed.

- In Eagle Mountain, pigs (of all kinds) are allowed on lots greater than ½ Acre in size, they allow 2 pigs on lots ½ - 1 acre, 4 Pigs on lots from 1 to 3 acres, and 8 pigs on lots 3+ acres in size. They require 500 SF of fenced area per animal, and to be at least 150' from the nearest occupied structure on an adjacent lot.
- In Brigham City, there was a resident with a miniature pig that petitioned the City to allow them. City Staff offered this experience: "The house that had the pigs had odors that would carry to the neighbors' houses in the summer, and the back yard where the pig spent a fair amount of time was devoid of plant life but had plenty of pig poop. We did not end up allowing them here. It was one of the few times in my job here that the tv cameras were showing up for staff review, planning commission, and City Council meetings."
- In North Salt Lake, after much research and deliberation, the Council decided that pot belly pigs were household pets and not domesticated farm animals. They adopted the following definition:

  HOUSEHOLD PETS: Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats and canaries, but not normally dangerous animals, such as lions or tigers. This definition shall not include a sufficient number of dogs as to constitute an "animal kennel", as defined in this section. Purebred miniature Vietnamese potbelly pigs and other similar purebred miniature pigs, not exceeding one hundred twenty five (125) pounds and twenty two inches (22") in height at the shoulder, limited to no more than two (2) miniature potbelly pigs per residence.

City Staff offered this additional information: "My research told me that there really is no such thing as a mini pig, they are mini because they are being starved so they don't grow full size which shortens their life expectancy. However, they are very smart, are litter box trained, but you don't want more than 2 or they get into mischief."

- Layton City recently considered allowing miniature pigs as household pets, but ultimately denied the request due to concerns of impacts on neighbors.

Recommended approach to applicant's request

In order to consider the applicant's request, Staff recommends considering the addition of 'potbellied pigs or other similar miniature pig, not to exceed 125 pounds' to the list of allowed animals under each appropriate section of NCC 19.34. This is the most appropriate approach as the impact of a miniature pig, in many ways, may be compared to that of a pygmy goat or sheep, which are allow up to 2 such animals on lots greater than 18,000 sq. ft. For lots greater than 0.75 acre, Staff recommends considering adding miniature pigs to the chart of allowed 'large animals,' assigning 15 points per animal, which is the same as a sheep or female/whether goat.

Although this Staff recommends considering this approach to accommodating miniature pigs within the land use ordinance, Staff does not recommend adopting this portion of the amendment. This is due to the anticipated impact that miniature pigs may have on surrounding neighbors, particularly related to potential smells. It is understood that this may be mitigated with proper care of such animals, but their remains a risk for those that do not properly and frequently clean the animal’s waste. It is not feasible for the City to monitor and effectively enforce this activity.

Other recommended changes

In addition to the consideration to allow for miniature pigs on smaller lots, Staff recommends making the following changes to NCC 19.34: Animal Land Use Regulations.

1. Amend definition of household pet, excluding references to domesticated/commercial use.
2. Add definition of service animal consistent with the Americans with Disabilities Act (ADA)
3. Strike the provision that allows a conditional use permit for service animals, if they are in addition to the maximum animal limits. Service animals would not count toward the total number of allowed animals. Staff consulted with the attorney on this provision, who agreed that counting service animals toward the total number of allowed pets was allowed, although the City would need to allow for a service animal in the instance that the household already has met the limit for household pets, then needs a service animal. This situation would be difficult for Staff to monitor and enforce. It is recommended that rather that the City simply not count the service animal toward the total number of household pets, as they are not defined as such under Federal Law.
4. Add a provision that household pets (other than cats and dogs) are permitted if kept within the primary dwelling. Currently, all pets not listed are prohibited, so technically it is not legal to own a fish or hamster in Nibley City. Staff believes not enforcing legally-owned pets within the home is reasonable, as the City is unlikely to enforce the keeping of small pets within the home. Those that are not kept within the dwelling at all times are not permitted unless otherwise listed.
5. Strike the provision that allows for a conditional use permit for animals not listed. The City does not have objective standards to apply in various situations. If an animal is not listed, the owner would need to apply to add it to the list of allowed animals and it could be applied appropriately at that time.
6. Amend the provision that requires a conditional use permit for a third dog on lots greater than 0.75 acre. In place of this, require a administratively approved kennel permit with objective standards. With this change, Staff recommends the following standards be added to the kennel permit section of Nibley City Code:
    a. The applicant must provide proof that the outdoor area in which all dogs are kept is completely fenced in.
    b. Housing of dogs: Dogs must be either kept completely indoors during the hours of 10:00 PM and 7:00 AM or kept in an outdoor shelter, setback at least 10 feet from all property lines and 30 feet from any structures outside of the lot in which it is located.
    c. Adequate shade and shelter from the elements shall be provided for all dogs kept outdoors.

7. Delete section 19.34.060, which currently duplicates 19.34.050, with the exception of the requirement for CUP for the third dog.

Planning Commission Recommendation

Recommend approval of ‘Ordinance 21-16: Amending Animal Land Use Regulations,’ with the following edits:

1. Delete provisions related to ‘potbelled pigs or other similar miniature pigs.’
2. Under Kennel license provisions related to required outdoor shelters, add ‘which includes a roof of solid structure’
3. Amend Term of License to read ‘Dog licenses shall be valid for the duration of the calendar year (January 1 – December 31).’

Recommended Findings

1. The keeping of miniature pigs on lots smaller than 0.75 acre has the potential of producing negative impacts upon surrounding properties, related to smell and noise. Monitoring and enforcing mitigating measures would be infeasible.
2. Service animals are not considered household pets, and as such, should not be subject to the same limitations of a household pet. Requiring a conditional use permit for such animals, is not appropriate and could introduce subjectiveness to the process.
3. Allowing for a conditional use permit for animals not listed is not appropriate, as objective standards cannot be considered for an animal that is not listed.
4. A kennel permit for a third dog would be appropriately administered administratively and is not in need of a conditional use permit.
5. Household pets kept indoors at all times, such as fish, reptiles, and small rodents have a minimal impact upon surrounding properties, are difficult to monitor and enforce and should not be subject to limitations of other household pets (i.e. cats and dogs).

ORDINANCE 21-16
AMENDING ANIMAL LAND USE REGULATIONS

WHEREAS, Nibley City regulates land use within Nibley City boundaries; and

WHEREAS, per the Americans with Disabilities Act (ADA), Service animals are not considered household pets, and as such, should not be subject to the same limitations of a household pet.; and

WHEREAS, Allowing for a conditional use permit for animals not listed is not appropriate, as objective standards cannot be considered for an animal that is not listed;

WHEREAS, Household pets kept indoors at all times, such as fish, reptiles, and small rodents have a minimal impact upon surrounding properties, are difficult to monitor and enforce and should not be subject to limitations of other household pets.

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The proposed amendments to NCC 9.02.050, 19.04.010, 19.28.050, and 19.34 be adopted.
2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
4. This ordinance shall become effective upon posting as required by law.

PASSED BY THE NIBLEY CITY COUNCIL THIS ______ DAY OF ________, 2021.

____
Shaun Dustin, Mayor

ATTEST: ______________________________
Cheryl Bodily, City Recorder

9.02.050 Licensing Requirements

A. **License Required:** It is unlawful for any person to keep, harbor or maintain any dog six (6) or more months old unless such dog has been registered and licensed in the manner herein provided.

B. **Application; Information:**
   1. Application for registration and licensing shall be made to Nibley City or its designee.
   2. The owner shall state at the time application is made for such license his name and address and the sex, breed and color of each dog owned or kept by him.

C. **Issuing Authority**: A dog license shall be issued by Nibley City or its designee..

D. **Fee For License**: No dog license shall be issued until the fee as established by resolution of the city council is paid.

E. **Date Due; Penalty**: The fee due and payable pursuant to this section shall be due January 1 and shall be delinquent March 1 of each year. A penalty shall be added to delinquent payments, which penalty shall be determined by resolution of the City Council.

F. **Newly Acquired Dogs**: The owner of any newly acquired dog of licensing age or of any dog which attains licensing age shall make an application for registration and license within thirty (30) days after such acquisition or dogs attain the above stated age.

G. **Kennel License**
   1. The following conditions must be met prior to the issuance of a kennel permit:
      a. The applicant must provide proof that the outdoor area in which all dogs are kept is completely fenced in.
      b. Housing of dogs: Dogs must be either kept completely indoors during the hours of 10:00 PM and 7:00 AM or kept in an outdoor shelter, which includes a roof of solid structure, setback at least 10 feet from all property lines and 30 feet from any structures outside of the lot in which it is located.
      c. Adequate shade and shelter from the elements shall be provided for all dogs kept outdoors.
      d. **Fee**: No kennel license shall be issued unless the provisions of NCC 19.34, titled "Animal Land Use Regulations" are met. Authorized kennel licenses shall pay an annual license fee, in addition to required registration fees.

H. **Term Of License**: Dog licenses shall be valid for the duration of the calendar year (January 1 – December 31).

I. **Rabies Certificate**: All dogs are required to keep and maintain current rabies vaccination in order to be licensed with Nibley City. As part of registration and licensing of dogs, dog owners shall be required to provide Nibley City with a certificate demonstrating that the dog's rabies vaccination is current.

J. **Exceptions**:
   1. Service Animals, as defined in NCC 19.34.020 shall not be assessed annual license fees for the service animal.

K. **License Tag**:
   1. Issuance: Upon payment of the license fee, the city recorder shall issue to the owner a license certificate and a metallic tag for each dog so licensed. Once issued, a tag is valid until the dog is no longer registered with Nibley City. Every dog owner,

Formatted: Font: Not Bold

Formatted

Deleted: term equal to the dog's rabies vaccination

Commented [RP1]: City is fine with treating, but in the rare case that someone has 2 dogs (pets) and needs a service animal, we should allow it under the normal review process without a fee, as ADA says that service animals are not pets.

Deleted: , including kennel regulations

Deleted: : Dogs used as guide dogs for blind persons or other dogs certified as service animals shall be licensed and registered as other dogs herein above provided, except that the owner or keeper of such dog shall not be required to pay any fee therefor.

shall provide each dog with a collar to which the license tag shall be affixed. It shall be unlawful to deprive a registered dog of its collar and/or tag.

2. Duplicate Tag: In case a dog tag is lost or destroyed, a duplicate will be issued by Nibley City upon presentation of a receipt showing the payment of the license fee for the current year and a payment for each duplicate as established by resolution of the City Council.
3. Tag Not Transferable: Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee because of death of the dog or the owner leaving the city before expiration of the license period.

19.04.010 Definitions

SERVICE ANIMAL: An animal which is individually trained to perform tasks to assist a person with disabilities, regardless of whether they have been licensed or certified by a state or local government. This does not include emotional support, therapy or comfort animals.

Commented [LR2]: This definition is consistent with the Americans with Disabilities Act. Add to appropriate location within section.

19.28.50 Basis For Issuance Of Conditional Use Permit

A. A conditional use permit shall be approved if reasonable conditions are imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, then the conditional use may be denied. Substantial mitigation shall not mean complete elimination of all detrimental effects.
B. The granting of a conditional use permit shall not exempt the application from other relevant provisions of this or other ordinances of the Nibley City, or other state, federal, fire or building standards. All proposed uses shall comply with the regulations and conditions specified in this title for such use.
C. The City shall consider the following, plus other adopted standards in order to mitigate any detrimental effects of a conditional use application.
    1. Additional Standards for Conditional Uses for Residential Zones:
        a. All Conditional Uses within Residential Zones shall comply with all conditions set forth in this Title applicable to all conditional uses, Nibley City Code, Nibley City Design Standards and Specifications, and any applicable state or federal law
        b. Traffic and Connectivity
            1) Roadways and intersections shall maintain a Level of Service (LOS) C. Conditional Use Applicants shall be required to make any road updates in order to ensure the roadway will maintain LOS C.
            2) Site plans must comply with the Transportation and Trails Master Plan.
        c. Applicant may be required to limit noise associated with the conditional use that emanates beyond their property boundaries to less than 50 dBA.
        d. Applicant may be required to limit light associated with the conditional use that emanates beyond their property boundaries to less than 0.01 foot-candles.

e. Parking
   1) Applicant shall provide off-street parking for the proposed use. Parking may be contained in a driveway, RV pad, or parking lot.
   2) Applicant may be required to provide off-street accommodation for delivery and pickup of materials and supplies associated with the Conditional Use.
   3) Other Parking requirement shall comply with NCC 19.24.160
f. Hours of operation: Conditional Uses shall not operate, or cause outside disturbance from 10:00 p.m. to 7:00 a.m.
g. Short-term rentals
   1) All short-term rentals shall be inspected by the Fire Marshal annually to insure each home meets residential fire standards.
   2) Shall provide a minimum of two 90-gallon garbage cans and one recycling can issued by Logan Environmental Services.
   3) Only one Short-term rental shall be allowed for each property.

2. Additional Standards for Conditional Uses in all Zones
   a. All Conditional Use Application shall comply with underlying zoning requirements as listed in this Title.
   b. Traffic and Connectivity
      1) Roadways and intersections shall maintain a Level of Service (LOS) C. Conditional Use Applicants shall be required to make any road updates in order to ensure the roadway will maintain LOS C.
      2) Site plans must comply with the Transportation and Trails Master Plan.
      3) Applicants may be required to provide an additional vehicle access to the site for one or more of the following reasons
         1. There is only one vehicle access road to the site
         2. Allow for greater emergency access to the site
         3. Provide for better connectivity and enhance the safety of surrounding roadways and intersections.
         4. Construction access to minimize impact to existing homes and infrastructure
   c. Utilities
      1) Utility lines shall be updated to comply with water, sewer and stormwater master plans within the application property and adjacent rights-of-way.
      2) A conditional use permit shall only be granted if the City can reasonably supply water and sewer services to the applicant for their proposed use. The City may require an applicant to turn over water shares or water rights in order to allow the City to provide long term water service to the site.
      3) Applicants shall connect to service lines needed to supply the use of an application. If no utility lines are available or current utility lines and services are determined to be insufficient for the proposed use by the City Engineer, the applicant shall build or provided plans for

the needed infrastructure before a conditional use permit may be granted.

d. All buildings shall comply with fire code and are subject to inspection of the Fire Marshall before a business license and conditional use permit is given. New buildings shall be inspected by the Fire Marshal before Occupancy can be given and inspection must be passed annually thereafter.
e. Hours of Operation: The city may put limits of hours of operation from 7:00 a.m. to 10:00 p.m. on a conditional use application to mitigate noise and traffic to nearby residential zones.
f. All site plans shall be approved by the City's Engineer and Public Works departments. All site plans shall comply with Nibley City Design Standards and all projects located in Commercial and Neighborhood Commercial Zone shall comply with Nibley City Design Standards for Commercial and Institutional Use.
g. The City may require the placement of fences or walls to enhance security and mitigate aesthetic or other impacts at facilities adjacent to residential areas.
h. In Commercial Zones, warehousing and storage may be allowed as part of business if it is attached to offices or retail.

D. The proposed use shall not lead to the deterioration of the environment of the general area, nor will produce conditions or noises or emit pollutants of such type or of such a quantity so as to detrimentally effect, to any appreciable degree, public and private properties, including the operation of existing uses thereon, or the health and safety of persons in the immediate vicinity of the community or area as a whole.

E. The City may charge a conditional use applicant the cost of engineering, legal, or other professional review of the application.

19.34.010 Intent

The intent of these regulations is to protect and preserve Nibley City's rural heritage while allowing multiple land uses, including agricultural and residential, within city boundaries.

19.34.030 Residential Lots Less Than Twelve Thousand Square Feet and Multi-family dwellings

Single-family residential lots that are less than twelve thousand (12,000) square feet and two-family or multi-family housing units, are permitted the following animals:

A. Animals kept as household pets are permitted and are subject to each of the following limitations:
   1. The maximum number of dogs per household is two (2) dogs.
   2. The maximum number of cats per household is two (2) cats.
   3. The combination of dogs and cats per household shall not exceed two (2) animals.
   4. Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.

Deleted: <#>Animals
NCC 19.34 shall govern what animals are permitted or are required to obtain a conditional use permit.
Applicants must provide a plan on how to mitigate noise, waste, dust or other neighborhood impacts, including proper housing and waste disposal.
Applicant must also provide sufficient information that the proposed property is sufficiently sized to house the proposed animal.
All animals must be contained on the property. The Land Use Authority may require that animals that cause noise at night or early morning, like rosters, must be contained inside a structure or building that blocks the sound between 10:00 p.m. and 7:00 a.m.

Formatted: Outline numbered + Level: 1 + Numbering Style: A, B, C, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

Deleted: 19.34.020 Definition

Deleted:
In this chapter:
HOUSEHOLD PET: A domesticated animal, such as a dog, cat, bird, fish, or turtle that is traditionally recognized as a companion animal and is kept in the home for pleasure rather than for commercial purposes.

Deleted: L

Deleted: in residential zones

Deleted:

5. Service animals are not considered household pets and are not subject to the above restrictions.
6. Other household pets not listed, which are legal per State and Federal Laws, are permitted if such animals are housed at all times within the primary dwelling unit. All other animals not specifically permitted are prohibited.

19.34.040 Residential Lots Greater Than Or Equal To Twelve Thousand Square Feet And Less Than 0.75 Acre

Single-family residential lots that are greater than or equal to twelve thousand (12,000) square feet and less than 0.75 acre are permitted the following animals:

A. Animals kept as household pets are permitted and are subject to each of the following limitations:
   1. The maximum number of dogs per household is two (2) dogs.
   2. The maximum number of cats per household is four (4) cats.
   3. The combination of dogs and cats per household shall not exceed four (4) animals.
   4. Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.
   5. Service animals are not considered household pets and are not subject to the above restrictions.
   6. Other household pets not listed, which are legal per State and Federal Laws, are permitted if such animals are housed at all times within the primary dwelling unit. All other animals not specifically permitted are prohibited.

B. The following animals are permitted with the following maximum number of animals per lot:
   1. Two (2) female or wether pygmy goats.
   2. Two (2) lambs less than eight (8) months old.
   3. Two (2) turkeys.
   4. Six (6) rabbits.
   5. Six (6) hen chickens.
   6. Eight (8) pigeons.
   7. Six (6) ducks.
   8. Eight (8) game birds such as quail or pheasants.

C. A minimum lot size of eighteen thousand (18,000) square feet is required for subsections (B)(1), (B)(2), and (B)(3) of this section.

   Offspring less than six (6) months old of animals listed above shall not be counted or regulated.

   A combination of the animals listed in subsection B of this section is permitted on each lot with the following provisions:

Deleted: Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.

Commented [LR4]: Rob, can you please review if this would be allowed under the ADA?

Deleted: ¶

Formatted

Deleted: Lots in residential zones

Deleted:

Deleted:

Commented [LR5]: Rob, can you please review if this would be allowed under the ADA?

Deleted: Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.

Formatted: Indent: Left: 1", No bullets or numbering

Deleted: <#>¶

Deleted: ,

Deleted: ,

Deleted: ,

1. For lots greater than or equal to twelve thousand (12,000) square feet and less than or equal to 0.5 acre, two (2) different species are permitted at any one time.
2. For lots greater than 0.5 acre and less than 0.75 acre, three (3) different species are permitted at any one time.

The animals permitted by subsection B of this section are independent of, and in addition to, the household pets permitted by subsection A of this section.

19.34.050 Residential Lots Greater Than Or Equal To 0.75 Acre

Single-family residential lots that are greater than or equal to 0.75 acre are permitted the following animals:

A. Animals kept as household pets are permitted and are subject to each of the following limitations:
   1. The maximum number of dogs per household is two (2) dogs. A kennel license which meets the requirements of 9.02.050, may be approved by designated Nibley City Staff for a third dog.
   2. The maximum number of cats per household is four (4) cats.
   3. The combination of dogs and cats per household shall not exceed six (6) animals.
   4. Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.
   5. Service animals are not considered household pets and are not subject to the above restrictions.
   6. Other household pets not listed, which are legal per State and Federal Laws, are permitted if such animals are housed at all times within the primary dwelling unit. All other animals not specifically permitted are prohibited.

B. The following animals are permitted at a maximum rate of one hundred (100) large animal points per acre. Large animal points are assigned based on the following table:

Offspring less than eight (8) months old of a permitted large animal shall not be counted or regulated.

C. The following animals are permitted at a maximum rate of one hundred (100) small animal points per acre. Small animal points are assigned based on the following table:

Animal	Small Animal Points
Rooster chicken	50

Deleted: Lots in residential zones

Deleted: , and a conditional use permit may be granted for a third dog.

Deleted:

Deleted:

Commented [LR6]: Rob, can you please review if this would be allowed under the ADA?

Deleted: Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.

Formatted: Indent: Left: 1", No bullets or numbering

Deleted:

Rabbit	10
Turkey	10
Duck	10
Goose	10
Hen chicken	2
Game bird such as quail or pheasant	2
Pigeon	2

Offspring less than six (6) months old of a permitted small animal shall not be counted or regulated.

Animal	**Large Animal Points**
Horse, mule, or donkey	75
Goat: billy	75
Cattle: cow, heifer, or steer	50
Pig	50
Ostrich	50
Llama or alpaca	25
Emu	25
Miniature horse or donkey	25
Sheep	15

Goat: female or wether	15

D. The animals permitted by subsections B and C of this section are independent of, and in addition to, the household pets permitted by subsection A of this section. In addition, residents are permitted to have any combination of permitted large and small animals as long as the combination does not exceed one hundred (100) large animal points per acre plus one hundred (100) small animal points per acre.

Examples for a 2.0 acre lot:

Maximum number of large animal points permitted = 100*2.0 = 200

Maximum number of small animal points permitted = 100*2.0 = 200

Two horses, two llamas (2*75 + 2*25 = 200 large animal points), plus one hundred hen chickens (100*2 = 200 small animal points) are permitted on a residential 2.0 acre lot.

Two horses and three llamas (2*75 + 3*25 = 225 large animal points) are not permitted on a residential 2.0 acre lot.

Twenty five hen chickens, twelve rabbits, and four turkeys (25*2 + 12*10 + 4*10 = 210 small animal points) are not permitted on a residential 2.0 acre lot.

These examples are not all inclusive of the possible mix of animals.

19.34.070 Required Setbacks For Animal Land Uses

	Street Line, Public/Private	Dwelling Unit; Same Lot	Dwelling Unit; Adjacent Lot	Lot Line
Barns, stables, coops, beehives, and other accommodations for non-household pets (over 50 square feet)	75 feet	35 feet	50 feet	20 feet
Barns, stables, coops, beehives and other accommodations for non-	50 feet	10 feet	35 feet	10 feet

Deleted: <#>A

Deleted: <#> conditional use permit may be granted for species not listed in subsections B and C of this section. The conditional use permit will consider the impact of the proposed species relative to the impact of the species listed in this section.
19.34.060 Agricultural Lots Greater Than Or Equal To 5.0 Acres

Deleted: <#>
Lots in the agricultural zone that are greater than or equal to five (5.0) acres are permitted the following animals:
Animals kept as household pets are permitted and are subject to each of the following limitations:
The maximum number of dogs per household is three (2) dogs.
The maximum number of cats per household is four (4) cats.

Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.

Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.
The following animals are permitted at a maximum rate of one hundred (100) large animal points per acre. Large animal points are assigned based on the following table:
Animal ... [1]

Formatted Table

household pets (under 50 square feet)				
Manure piles, manure pits	150 feet	100 feet	100 feet	20 feet

19.34.080 Surface Drainage
Surface drainage from barns, corrals, stables, coops and other similar buildings shall not be permitted to drain into a waterway that drains into a natural stream or canal.

19.34.090 Restraint Of Livestock And Pets
All livestock and pets shall be so restrained that they shall not damage or destroy adjacent property and must comply with the Nibley City animal control, nuisance and noise regulations, including those listed in NCC 9.02, "Animal Control".

19.34.100 Creation And Continuation Of Nonconforming Uses
Established animal land uses that are impacted by an ordinance change, including rezoning, to a more restrictive animal land use regulation shall be allowed to continue as a legally nonconforming land use (sometimes known as a "grandfathered" land use), with these additional provisions:

1. The established animal land use must have been a legal land use that conformed to the previous, less restrictive regulations.
2. The burden of proving the established animal land use rests on the landowner.
3. The legally nonconforming animal land use will be lost if it is interrupted for more than twelve (12) continuous months. A legally nonconforming use is associated with the property on which it is established.
4. An increased intensity of nonanimal land uses, including subdivision of property and new building construction, on lots with legally nonconforming animal land uses shall not be allowed.
5. Agricultural areas are established to provide areas where the growing of crops and the raising of livestock can be encouraged and supported within the city.

Deleted: No manure piles, manure pits, or similar features shall be kept within one hundred feet (100') of any residential dwelling, commercial dwelling, public street, private street, open waterway, natural stream, stormwater system, or canal. Such features shall not be within twenty feet (20') of a property line.

Deleted: ¶

Page 8: [1] Deleted **Levi Roberts** **7/9/21 9:01:00 AM**

9.02.050 Licensing Requirements

A. **License Required:** It is unlawful for any person to keep, harbor or maintain any dog six (6) or more months old unless such dog has been registered and licensed in the manner herein provided.

B. **Application; Information:**
   1. Application for registration and licensing shall be made to Nibley City or its designee.
   2. The owner shall state at the time application is made for such license his name and address and the sex, breed and color of each dog owned or kept by him.

C. **Issuing Authority**: A dog license shall be issued by Nibley City or its designee..

D. **Fee For License**: No dog license shall be issued until the fee as established by resolution of the city council is paid.

E. **Date Due; Penalty**: The fee due and payable pursuant to this section shall be due January 1 and shall be delinquent March 1 of each year. A penalty shall be added to delinquent payments, which penalty shall be determined by resolution of the City Council.

F. **Newly Acquired Dogs**: The owner of any newly acquired dog of licensing age or of any dog which attains licensing age shall make an application for registration and license within thirty (30) days after such acquisition or dogs attain the above stated age.

G. **Kennel License**
   1. The following conditions must be met prior to the issuance of a kennel permit:
      a. The applicant must provide proof that the outdoor area in which all dogs are kept is completely fenced in.
      b. Housing of dogs: Dogs must be either kept completely indoors during the hours of 10:00 PM and 7:00 AM or kept in an outdoor shelter, setback at least 10 feet from all property lines and 30 feet from any structures outside of the lot in which it is located.
      c. Adequate shade and shelter from the elements shall be provided for all dogs kept outdoors.
      d. **Fee**: No kennel license shall be issued unless the provisions of NCC 19.34, titled "Animal Land Use Regulations" are met. Authorized kennel licenses shall pay an annual license fee, in addition to required registration fees.

H. **Term Of License**: Dog licenses shall be valid for the term equal to the dog's rabies vaccination.

I. **Rabies Certificate**: All dogs are required to keep and maintain current rabies vaccination in order to be licensed with Nibley City. As part of registration and licensing of dogs, dog owners shall be required to provide Nibley City with a certificate demonstrating that the dog's rabies vaccination is current.

J. **Exceptions**:
   1. Service Animals, as defined in NCC 19.34.020, shall not be assessed annual license fees for the service animal.

K. **License Tag**:
   1. Issuance: Upon payment of the license fee, the city recorder shall issue to the owner a license certificate and a metallic tag for each dog so licensed. Once issued, a tag is valid until the dog is no longer registered with Nibley City. Every

Formatted: Font: Not Bold

Formatted

Commented [RP1]: City is fine with treating, but in the rare case that someone has 2 dogs (pets) and needs a service animal, we should allow it under the normal review process without a fee, as ADA says that service animals are not pets.

Deleted: , including kennel regulations

Deleted: : Dogs used as guide dogs for blind persons or other dogs certified as service animals shall be licensed and registered as other dogs herein above provided, except that the owner or keeper of such dog shall not be required to pay any fee therefor.

dog owner, shall provide each dog with a collar to which the license tag shall be affixed. It shall be unlawful to deprive a registered dog of its collar and/or tag.

2. Duplicate Tag: In case a dog tag is lost or destroyed, a duplicate will be issued by Nibley City upon presentation of a receipt showing the payment of the license fee for the current year and a payment for each duplicate as established by resolution of the City Council.
3. Tag Not Transferable: Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee because of death of the dog or the owner leaving the city before expiration of the license period.

19.04.010 Definitions

SERVICE ANIMAL: An animal which is individually trained to perform tasks to assist a person with disabilities, regardless of whether they have been licensed or certified by a state or local government. This does not include emotional support, therapy or comfort animals.

Commented [LR2]: This definition is consistent with the Americans with Disabilities Act. Add to appropriate location within section.

19.28.50 Basis For Issuance Of Conditional Use Permit

A. A conditional use permit shall be approved if reasonable conditions are imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, then the conditional use may be denied. Substantial mitigation shall not mean complete elimination of all detrimental effects.
B. The granting of a conditional use permit shall not exempt the application from other relevant provisions of this or other ordinances of the Nibley City, or other state, federal, fire or building standards. All proposed uses shall comply with the regulations and conditions specified in this title for such use.
C. The City shall consider the following, plus other adopted standards in order to mitigate any detrimental effects of a conditional use application.
    1. Additional Standards for Conditional Uses for Residential Zones:
        a. All Conditional Uses within Residential Zones shall comply with all conditions set forth in this Title applicable to all conditional uses, Nibley City Code, Nibley City Design Standards and Specifications, and any applicable state or federal law
        b. Traffic and Connectivity
            1) Roadways and intersections shall maintain a Level of Service (LOS) C. Conditional Use Applicants shall be required to make any road updates in order to ensure the roadway will maintain LOS C.
            2) Site plans must comply with the Transportation and Trails Master Plan.
        c. Applicant may be required to limit noise associated with the conditional use that emanates beyond their property boundaries to less than 50 dBA.

d. Applicant may be required to limit light associated with the conditional use that emanates beyond their property boundaries to less than 0.01 foot-candles.
e. Parking
    1) Applicant shall provide off-street parking for the proposed use. Parking may be contained in a driveway, RV pad, or parking lot.
    2) Applicant may be required to provide off-street accommodation for delivery and pickup of materials and supplies associated with the Conditional Use.
    3) Other Parking requirement shall comply with NCC 19.24.160
f. Hours of operation: Conditional Uses shall not operate, or cause outside disturbance from 10:00 p.m. to 7:00 a.m.
g. Short-term rentals
    1) All short-term rentals shall be inspected by the Fire Marshal annually to insure each home meets residential fire standards.
    2) Shall provide a minimum of two 90-gallon garbage cans and one recycling can issued by Logan Environmental Services.
    3) Only one Short-term rental shall be allowed for each property.

2. Additional Standards for Conditional Uses in all Zones
    a. All Conditional Use Application shall comply with underlying zoning requirements as listed in this Title.
    b. Traffic and Connectivity
        1) Roadways and intersections shall maintain a Level of Service (LOS) C. Conditional Use Applicants shall be required to make any road updates in order to ensure the roadway will maintain LOS C.
        2) Site plans must comply with the Transportation and Trails Master Plan.
        3) Applicants may be required to provide an additional vehicle access to the site for one or more of the following reasons
            1. There is only one vehicle access road to the site
            2. Allow for greater emergency access to the site
            3. Provide for better connectivity and enhance the safety of surrounding roadways and intersections.
            4. Construction access to minimize impact to existing homes and infrastructure
    c. Utilities
        1) Utility lines shall be updated to comply with water, sewer and stormwater master plans within the application property and adjacent rights-of-way.
        2) A conditional use permit shall only be granted if the City can reasonably supply water and sewer services to the applicant for their proposed use. The City may require an applicant to turn over water shares or water rights in order to allow the City to provide long term water service to the site.

3) Applicants shall connect to service lines needed to supply the use of an application. If no utility lines are available or current utility lines and services are determined to be insufficient for the proposed use by the City Engineer, the applicant shall build or provided plans for the needed infrastructure before a conditional use permit may be granted.

d. All buildings shall comply with fire code and are subject to inspection of the Fire Marshall before a business license and conditional use permit is given. New buildings shall be inspected by the Fire Marshal before Occupancy can be given and inspection must be passed annually thereafter.

e. Hours of Operation: The city may put limits of hours of operation from 7:00 a.m. to 10:00 p.m. on a conditional use application to mitigate noise and traffic to nearby residential zones.

f. All site plans shall be approved by the City's Engineer and Public Works departments. All site plans shall comply with Nibley City Design Standards and all projects located in Commercial and Neighborhood Commercial Zone shall comply with Nibley City Design Standards for Commercial and Institutional Use.

g. The City may require the placement of fences or walls to enhance security and mitigate aesthetic or other impacts at facilities adjacent to residential areas.

h. In Commercial Zones, warehousing and storage may be allowed as part of business if it is attached to offices or retail.

D. The proposed use shall not lead to the deterioration of the environment of the general area, nor will produce conditions or noises or emit pollutants of such type or of such a quantity so as to detrimentally effect, to any appreciable degree, public and private properties, including the operation of existing uses thereon, or the health and safety of persons in the immediate vicinity of the community or area as a whole.

E. The City may charge a conditional use applicant the cost of engineering, legal, or other professional review of the application.

<u>19.34.010 Intent</u>

The intent of these regulations is to protect and preserve Nibley City's rural heritage while allowing multiple land uses, including agricultural and residential, within city boundaries.

<u>19.34.030 Residential Lots Less Than Twelve Thousand Square Feet and Multi-family dwellings</u>

Single-family residential lots that are less than twelve thousand (12,000) square feet and two-family or multi-family housing units, are permitted the following animals:

A. Animals kept as household pets are permitted and are subject to each of the following limitations:

Deleted: <#>Animals
<#>NCC 19.34 shall govern what animals are permitted or are required to obtain a conditional use permit.
<#>Applicants must provide a plan on how to mitigate noise, waste, dust or other neighborhood impacts, including proper housing and waste disposal.
<#>Applicant must also provide sufficient information that the proposed property is sufficiently sized to house the proposed animal.
<#>All animals must be contained on the property. The Land Use Authority may require that animals that cause noise at night or early morning, like rosters, must be contained inside a structure or building that blocks the sound between 10:00 p.m. and 7:00 a.m.

Formatted: Outline numbered + Level: 1 + Numbering Style: A, B, C, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

Deleted: <u>19.34.020 Definition</u>

Deleted:
In this chapter:
HOUSEHOLD PET: A domesticated animal, such as a dog, cat, bird, fish, or turtle that is traditionally recognized as a companion animal and is kept in the home for pleasure rather than for commercial purposes.

Deleted: L

Deleted: in residential zones

1. The maximum number of dogs per household is two (2) dogs.
2. The maximum number of cats per household is two (2) cats.
3. The combination of dogs and cats per household shall not exceed two (2) animals.
4. Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.
5. Service animals are not considered household pets and are not subject to the above restrictions.
6. Other household pets not listed, which are legal per State and Federal Laws, are permitted if such animals are housed at all times within the primary dwelling unit. All other animals not specifically permitted are prohibited.

19.34.040 Residential Lots Greater Than Or Equal To Twelve Thousand Square Feet And Less Than 0.75 Acre

Single-family residential lots that are greater than or equal to twelve thousand (12,000) square feet and less than 0.75 acre are permitted the following animals:

A. Animals kept as household pets are permitted and are subject to each of the following limitations:
   1. The maximum number of dogs per household is two (2) dogs.
   2. The maximum number of cats per household is four (4) cats.
   3. The combination of dogs and cats per household shall not exceed four (4) animals.
   4. Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.
   5. Service animals are not considered household pets and are not subject to the above restrictions.
   6. Other household pets not listed, which are legal per State and Federal Laws, are permitted if such animals are housed at all times within the primary dwelling unit. All other animals not specifically permitted are prohibited.

B. The following animals are permitted with the following maximum number of animals per lot:
   1. Two (2) female or wether pygmy goats.
   2. Two (2) lambs less than eight (8) months old.
   3. Two (2) potbellied pigs or other similar miniature pig, not to exceed 125 pounds
   4. Two (2) turkeys.
   5. Six (6) rabbits.
   6. Six (6) hen chickens.
   7. Eight (8) pigeons.
   8. Six (6) ducks.
   9. Eight (8) game birds such as quail or pheasants.

C. A minimum lot size of eighteen thousand (18,000) square feet is required for subsections (B)(1), (B)(2), (B)(3), and (B)(4) of this section.

Deleted:

Deleted:

Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such

Commented [LR4]: Rob, can you please review if this would be allowed under the ADA?

Deleted: ¶

Formatted

Deleted: Lots in residential zones

Deleted:

Deleted:

Commented [LR5]: Rob, can you please review if this would be allowed under the ADA?

Deleted: Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.¶

Formatted: Indent: Left: 1", No bullets or numbering

Deleted: ,

Deleted: ,

Deleted: and

Deleted: ,

Offspring less than six (6) months old of animals listed above shall not be counted or regulated.

A combination of the animals listed in subsection B of this section is permitted on each lot with the following provisions:

1. For lots greater than or equal to twelve thousand (12,000) square feet and less than or equal to 0.5 acre, two (2) different species are permitted at any one time.
2. For lots greater than 0.5 acre and less than 0.75 acre, three (3) different species are permitted at any one time.

   The animals permitted by subsection B of this section are independent of, and in addition to, the household pets permitted by subsection A of this section.

19.34.050 Residential Lots Greater Than Or Equal To 0.75 Acre

Single-family residential lots that are greater than or equal to 0.75 acre are permitted the following animals:

A. Animals kept as household pets are permitted and are subject to each of the following limitations:
   1. The maximum number of dogs per household is two (2) dogs. A kennel license which meets the requirements of 9.02.050, may be approved by designated Nibley City Staff for a third dog.
   2. The maximum number of cats per household is four (4) cats.
   3. The combination of dogs and cats per household shall not exceed six (6) animals.
   4. Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.
   5. Service animals are not considered household pets and are not subject to the above restrictions.
   6. Other household pets not listed, which are legal per State and Federal Laws, are permitted if such animals are housed at all times within the primary dwelling unit. All other animals not specifically permitted are prohibited.

B. The following animals are permitted at a maximum rate of one hundred (100) large animal points per acre. Large animal points are assigned based on the following table:

   Offspring less than eight (8) months old of a permitted large animal shall not be counted or regulated.

C. The following animals are permitted at a maximum rate of one hundred (100) small animal points per acre. Small animal points are assigned based on the following table:

Deleted: Lots in residential zones

Deleted: , and a conditional use permit may be granted for a third dog. A kennel license

Deleted:

Deleted:

Commented [LR6]: Rob, can you please review if this would be allowed under the ADA?

Deleted: Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.

Formatted: Indent: Left: 1", No bullets or numbering

Deleted:

Animal	Small Animal Points
Rooster chicken	50
Rabbit	10
Turkey	10
Duck	10
Goose	10
Hen chicken	2
Game bird such as quail or pheasant	2
Pigeon	2

Offspring less than six (6) months old of a permitted small animal shall not be counted or regulated.

Animal	**Large Animal Points**
Horse, mule, or donkey	75
Goat: billy	75
Cattle: cow, heifer, or steer	50
Pig	50
Ostrich	50
Llama or alpaca	25

Emu	25
Miniature horse or donkey	25
Sheep	15
Goat: female or wether	15
Potbellied pig or other similar miniature pig, not to exceed 125 pounds	15

D. The animals permitted by subsections B and C of this section are independent of, and in addition to, the household pets permitted by subsection A of this section. In addition, residents are permitted to have any combination of permitted large and small animals as long as the combination does not exceed one hundred (100) large animal points per acre plus one hundred (100) small animal points per acre.

Examples for a 2.0 acre lot:

Maximum number of large animal points permitted = 100*2.0 = 200

Maximum number of small animal points permitted = 100*2.0 = 200

Two horses, two llamas (2*75 + 2*25 = 200 large animal points), plus one hundred hen chickens (100*2 = 200 small animal points) are permitted on a residential 2.0 acre lot.

Two horses and three llamas (2*75 + 3*25 = 225 large animal points) are not permitted on a residential 2.0 acre lot.

Twenty five hen chickens, twelve rabbits, and four turkeys (25*2 + 12*10 + 4*10 = 210 small animal points) are not permitted on a residential 2.0 acre lot.

These examples are not all inclusive of the possible mix of animals.

19.34.070 Required Setbacks For Animal Land Uses

	Street Line,	**Dwelling Unit;**	**Dwelling Unit;**	**Lot**

Deleted: <#>A

Deleted: <#> conditional use permit may be granted for species not listed in subsections B and C of this section. The conditional use permit will consider the impact of the proposed species relative to the impact of the species listed in this section.

19.34.060 Agricultural Lots Greater Than Or Equal To 5.0 Acres...

Lots in the agricultural zone that are greater than or equal to five (5.0) acres are permitted the following animals:

<#>Animals kept as household pets are permitted and are subject to each of the following limitations:

<#>The maximum number of dogs per household is three (2) dogs.

<#>The maximum number of cats per household is four (4) cats.

Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.

Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.

<#>The following animals are permitted at a maximum rate of one hundred (100) large animal points per acre. Large animal points are assigned based on the following table:

Animal ... [1]

Deleted:

Lots in the agricultural zone that are greater than or equal to five (5.0) acres are permitted the following animals:

<#>Animals kept as household pets are permitted and are subject to each of the following limitations:

<#>The maximum number of dogs per household is three (2) dogs.

<#>The maximum number of cats per household is four (4) cats.

Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.

Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.

<#>The following animals are permitted at a maximum rate of one hundred (100) large animal points per acre. Large animal points are assigned based on the following table:

Animal ... [2]

Formatted Table

	Public/Private	Same Lot	Adjacent Lot	Line
Barns, stables, coops, beehives, and other accommodations for non-household pets (over 50 square feet)	75 feet	35 feet	50 feet	20 feet
Barns, stables, coops, beehives and other accommodations for non-household pets (under 50 square feet)	50 feet	10 feet	35 feet	10 feet
Manure piles, manure pits	150 feet	100 feet	100 feet	20 feet

19.34.080 Surface Drainage
Surface drainage from barns, corrals, stables, coops and other similar buildings shall not be permitted to drain into a waterway that drains into a natural stream or canal.

19.34.090 Restraint Of Livestock And Pets
All livestock and pets shall be so restrained that they shall not damage or destroy adjacent property and must comply with the Nibley City animal control, nuisance and noise regulations, including those listed in NCC 9.02, "Animal Control".

19.34.100 Creation And Continuation Of Nonconforming Uses
Established animal land uses that are impacted by an ordinance change, including rezoning, to a more restrictive animal land use regulation shall be allowed to continue as a legally nonconforming land use (sometimes known as a "grandfathered" land use), with these additional provisions:

1. The established animal land use must have been a legal land use that conformed to the previous, less restrictive regulations.
2. The burden of proving the established animal land use rests on the landowner.
3. The legally nonconforming animal land use will be lost if it is interrupted for more than twelve (12) continuous months. A legally nonconforming use is associated with the property on which it is established.
4. An increased intensity of nonanimal land uses, including subdivision of property and new building construction, on lots with legally nonconforming animal land uses shall not be allowed.
5. Agricultural areas are established to provide areas where the growing of crops and the raising of livestock can be encouraged and supported within the city.

Deleted: No manure piles, manure pits, or similar features shall be kept within one hundred feet (100') of any residential dwelling, commercial dwelling, public street, private street, open waterway, natural stream, stormwater system, or canal. Such features shall not be within twenty feet (20') of a property line.

Deleted:

Page 8: [1] Deleted Levi Roberts 7/9/21 8:38:00 AM

Page 8: [2] Deleted Levi Roberts 7/9/21 9:01:00 AM

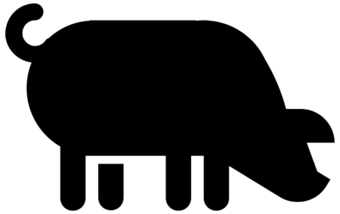
Animal Land Use Regulations

Miniature Pigs

- Applicant petitioned City to consider treat miniature pigs differently than conventional pigs, allowing them on smaller lots in Nibley City.
- Standard regulatory practice is varied
- Concerns with potential impacts, related to smell and noise.

Consideration

- Add ‘potbellied pig or other similar miniature pig not to exceed 125 pounds’ to list of animals allowed on lots greater than 18,000 sq. ft.
- Assign 15 points per miniature pig on lots larger than 0.75 acre



Animal Land Use Regulations

Other ordinance revisions

- Delete household pet definition (already covered in general definitions)
- Add ‘service animal’ definition
- Strike requirement for CUP for service animals and animals not listed
- Replace CUP requirement for third dog with administrative kennel license.
  - Add standards that address fences and shelter
- Delete section 19.34.060 for lots over 5 acres (covered in previous section)

Planning Commission Recommendation

Recommend approval of ‘Ordinance 21-16: Amending Animal Land Use Regulations,’ with the following edits:

1. Delete provisions related to ‘potbelled pigs or other similar miniature pigs.’
2. Under Kennel license provisions related to required outdoor shelters, add ‘which includes a roof of solid structure’
3. Amend Term of License to read ‘Dog licenses shall be valid for the duration of the calendar year (January 1 – December 31).’

Recommended Findings

1. The keeping of miniature pigs on lots smaller than 0.75 has the potential of producing negative impacts upon surrounding properties, related to smell and noise. Monitoring and enforcing mitigating measures would be infeasible.
2. Service animals are not considered household pets, and as such, should not be subject to the same limitations of a household pet. Requiring a conditional use permit for such animals, is not appropriate and could introduce subjectiveness to the process.
3. Allowing for a conditional use permit for animals not listed is not appropriate, as objective standards cannot be considered for an animal that is not listed.
4. A kennel permit for a third dog would be appropriately administered administratively and is not in need of a conditional use permit.
5. Household pets kept indoors at all times, such as fish, reptiles, and small rodents have a minimal impact upon surrounding properties, are difficult to monitor and enforce and should not be subject to limitations of other household pets (i.e. cats and dogs).

Agenda Item #13

Description	**Discussion & Consideration –** Ordinance 21-17: Lot Line and Parcel Boundary Adjustment Review Process (First Reading)
Presenter	Levi Roberts, City Planner
Recommendation	Move to approve Ordinance 21-17: Lot Line and Parcel Boundary Adjustment Review Process, for first reading.
Reviewed By	City Manager, City Planner, City Attorney, Planning Commission

Background:

One of the Planning Commission goals for 2021 is to review requirements for lot line adjustments and subdivision amendments. In addition, HB 409, passed by the Utah State Legislature this year, adjusts and clarifies certain requirements for subdivision plat amendments and parcel boundary adjustments. In particular, the following changes have been made to Utah State Code:

- HB 409 clarifies what qualifies as a parcel boundary adjustment vs. a lot line adjustment. Boundary adjustments are adjustments of the boundaries between parcels that are not part of a subdivision and generally do not need city approval, while lot line adjustments are adjustments of lots that are part of a subdivision and constitute a subdivision plat amendment.
- HB 409 provides that cities can review boundary line adjustments if the city adopts an ordinance with the following terms:
    - Boundary line adjustments are reviewable for parcels with dwellings;
    - The review is limited to ensuring the adjustment will not result in lots that violate applicable land use and zoning ordinances;
    - Within 14 days of submission, the adjustment is reviewed and either approved or the city sends a notice explaining the specific reasons why it was not approved, with a statement that the adjustment will be approved if the deficiencies or missing information are corrected.

Currently, Nibley City Code does point to State Code for approval of subdivision plat amendments, but provides an exemption for lot line adjustments whether they are part of a subdivision or not. Specifically, NCC 21.08.030 provides:

An agreement to adjust lot lines between adjoining properties, whether in a subdivision or on unsubdivided parcels of land, may be executed by the owners of record of said properties and recorded upon execution, if the following conditions are met:

1. *No new lot results from the lot line adjustment.*
2. *No previously existing lot is eliminated as a result of the adjustment.*
3. *If the properties to be adjusted are in a subdivision, the lot sizes, frontages and configurations are consistent with this title and NCC 19.*
4. *No lot is made undevelopable without a variance or other special consideration.*
5. *All property owners directly affected by the lot line adjustment give their consent.*
6. *The lot line adjustment does not result in a remnant piece of land that did not exist previously.*
7. *The lot line adjustment does not result in the violation of any applicable zoning ordinance.*
8. *The lot line adjustment does not substantially alter legal lots that may otherwise need further review by the Planning Commission or City Council in the form of a subdivision amendment.*
9. *Provided the above conditions are met, no municipal land use authority approval is required.*

An amendment to a subdivision plat shall follow the process and standards within Utah State Code 10-9a-6 as amended, and any applicable Nibley City ordinances.

Staff has identified some instances in which lot line adjustments have been recorded for lots that do not meet minimum lot sizes, frontage requirements and other standards. This creates issues for existing and future homeowners. To help prevent issues related to non-conforming or non-buildable lots, Staff recommends a Staff-level review process be developed for both lot line adjustments within a subdivision and parcel boundary adjustments outside of a subdivision. This process would require an application be submitted, including:

a. A quitclaim deed or boundary line agreement, which complies Utah Code 10-9a to be used for recording the lot line adjustment.
b. For lot line adjustments, a surveyed, recordable plat that shows the existing and proposed lot lines.
c. A site plan which shows proposed existing and proposed property boundaries, and any existing easements and structures on the affected properties, including dimensions and setbacks from existing and proposed lot lines.

In addition to the standards currently required (but not currently reviewed by the City), Staff recommends the allowance for non-conforming parcels to complete a lot line/parcel boundary adjustment if the adjustment doesn’t decrease the conformance of zoning standards. For example, a ½ lot that is located in an R-1 zone could complete a parcel boundary adjustment to become a ¾ acre lot, even though it doesn’t meet the minimum lot size. However, a lot line adjustment which would decrease the lot size of the ½ acre lot in an R-1 zone would not be permitted.

In addition, in accordance with state code, an application for parcel boundary adjustment would only be required if a dwelling is on one of the affected parcels. The review time for application would also be limited to 14 days.

Planning Commission Recommendation

Recommend approval of Ordinance 21-17: Lot Line and Parcel Boundary Adjustments Review Process, with the following edit:

- Under 21.03.080(A)(1)(b), add ‘For parcel boundary adjustments, a survey, which describes the differences between the amended and the original parcels.’ under the list of required materials

Recommended Finding

1. Instituting a Staff level review process for lot line and parcel boundary adjustments will ensure greater conformity with Nibley City Land Use Ordinances.

ORDINANCE 21-17
LOT LINE AND PARCEL BOUNDARY ADJUSTMENTS REVIEW PROCESS

WHEREAS, Nibley City regulates land use within Nibley City boundaries; and

WHEREAS, Utah HB 409 provides that cities can review boundary line adjustments if the city adopts an ordinance with certain limitations; and

WHEREAS, instituting a Staff level review process for lot line and parcel boundary adjustments will ensure greater conformity with Nibley City land use ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The proposed amendments to NCC 19.04.010 and 21.08.030 be adopted.
2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
4. This ordinance shall become effective upon posting as required by law.

PASSED BY THE NIBLEY CITY COUNCIL THIS ______ DAY OF ________, 2021.

____
Shaun Dustin, Mayor

ATTEST: ______________________________
Cheryl Bodily, City Recorder

19.04.010 Definitions

LOT: a tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

LOT LINE ADJUSTMENT: an adjustment of boundaries between a lot and other lots or parcels.

PARCEL: any real property that is not a lot.

PARCEL BOUNDARY ADJUSTMENT: an adjustment of parcels that are not a lot.

21.08.030 Parcel Boundary Adjustments, Lot Line Adjustments and Amendments to a Subdivision Plat

A. Lot Line and Parcel Boundary Adjustments: An agreement to adjust boundary lines between adjoining properties, where at least one of the properties being adjusted is a lot or where the properties at issue include a dwelling either in a subdivision or on unsubdivided parcels of land, may be applied for by the owners of record of said properties as set forth herein.

1. The following materials shall be submitted with a parcel boundary/lot line adjustment application:
   a. A quitclaim deed or boundary line agreement, which complies Utah Code 10-9a to be used for recording the lot line adjustment
   b. For lot line adjustments, a surveyed plat, which describes the differences between the amended and the original plat, as provided in UCA 10-9a-6.
   c. A site plan which shows existing and proposed property boundary lines, any existing easements and structures on the affected properties, including dimensions and setbacks from existing and proposed lot lines.
2. The City Planner or City Engineer shall approve the application for lot line/parcel boundary adjustment if the following conditions are met:
   a. All required materials are submitted.
   b. No new lot or parcel results from the adjustment.
   c. No previously existing lot is eliminated as a result of the adjustment. This does not apply to parcel boundary adjustments
   d. If the properties to be adjusted are in a subdivision, the lot sizes, frontages and configurations are consistent with this title and NCC 19.
   e. No lot is made undevelopable without a variance or other special consideration.
   f. All property owners directly affected by the adjustment give their consent.
   g. The adjustment does not result in a remnant piece of land that did not exist previously.
   h. The adjustment does not result in the violation of any applicable zoning ordinance, including restrictions on permissible uses or number and location of dwellings and structures.
   i. The lot line adjustment does not substantially alter legal lots that may otherwise need further review by the Planning Commission or City Council in the form of a subdivision amendment.
   j. Non-conforming lots: notwithstanding the conditions described above, a lot line/parcel boundary adjustment for an existing non-conforming lot which does not result in conformity with the land use ordinance may be approved if the adjustment

Commented [LR1]: Only add/amend affected definition in section.

Commented [LR2]: Amended to match state law

Deleted: The contiguous land in the same ownership, as recorded in the County Recorder's office, which is not divided by any public highway or alley, including any part thereof subject to any easement for any purpose other than a public highway, street, public right of way or alley. Any land severed from another lot. If that severance makes the latter lot or structures on said latter lot nonconforming, such lot shall or may be occupied by a main building or group of buildings (main and accessory) together with such yards, open spaces, lot width and lot area as are required by this title, and having frontage upon a street or public right of way or private lane. Except for two-family dwellings and multiple-family dwellings, not more than one dwelling structure shall occupy any one lot.¶

Deleted: OF LAND

Deleted: A contiguous area of land in the possession or ownership of one person.

Deleted: A

Deleted: T

Deleted: A

Deleted: <#>Definitions:¶
<#>"Lot" means a tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.¶
<#>"Lot line adjustment" means an adjustment of boundaries between a lot and other lots or parcels.¶
<#>"Parcel" means any real property that is not a lot.¶
<#>"Parcel boundary adjustment" means an adjustment of parcels that are not a lot.¶

Deleted: lot

Deleted: whether

Deleted: executed

Formatted

Deleted: A

Formatted

Deleted: and recorded upon execution,

Deleted: lot line/parcel boundary

Commented [RP4]: I want to make sure that this is intended only to restrict "lots" (subdivision property) but not the combination of "parcels" (nonsubdivision property)

Deleted: lot line

Deleted: lot line

Deleted: lot line

Commented [RP5]: Wonder if it would be helpful to call these issues out specifically, so to avoid having combinations of property that have more than 1 dwelling unit on it.

does not result in a lower level of conformance for any established lot size, frontage or other established standards. For example, if a ½ acre lot located within a zone with a minimum lot size of 1 acre applies for a lot line adjustment which increases the size of the lot to ¾ acre via a lot line adjustment, it may be approved.

k. Upon approval, the applicant(s) shall execute and record the adjustment with the Cache County Recorder, in accordance with Utah State Code 10-9a.

3. Exemptions from lot line/parcel boundary adjustment application:

   a. A parcel boundary adjustment involving parcels, which do not contain a dwelling on any affected properties may be executed and recorded with the Cache County Recorder and is not subject to City approval.

4. A complete application for parcel boundary adjustment must be reviewed by the City Planner or City Engineer within 14 days of submittal.

B. All other amendments to a subdivision plat not described above shall follow the process and standards within Utah State Code 10-9a as amended, and any applicable Nibley City ordinances.

Deleted: Provided the above conditions are met, no municipal land use authority approval is required....

Formatted

Deleted: The joining of adjacent properties does not constitute a parcel boundary or lot line adjustment may be executed and recorded with the Cache County Recorder and is not subject to City approval, provided that only one dwelling is located on any affected adjoined properties....

Formatted: Indent: Left: 1.5", No bullets or numbering

Deleted: properties located outside of a subdivision

Formatted

Deleted: n

Deleted: -6

19.04.010 Definitions

LOT: a tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

LOT LINE ADJUSTMENT: an adjustment of boundaries between a lot and other lots or parcels.

PARCEL: any real property that is not a lot.

PARCEL BOUNDARY ADJUSTMENT: an adjustment of parcels that are not a lot.

21.08.030 Parcel Boundary Adjustments, Lot Line Adjustments and Amendments to a Subdivision Plat

A. Lot Line and Parcel Boundary Adjustments: An agreement to adjust boundary lines between adjoining properties, where at least one of the properties being adjusted is a lot or where the properties at issue include a dwelling either in a subdivision or on unsubdivided parcels of land, may be applied for by the owners of record of said properties as set forth herein.

1. The following materials shall be submitted with a parcel boundary/lot line adjustment application:
    a. A quitclaim deed or boundary line agreement, which complies Utah Code 10-9a to be used for recording the lot line adjustment
    b. For lot line adjustments, a surveyed plat, which describes the differences between the amended and the original plat, as provided in UCA 10-9a-6.
    c. For parcel boundary adjustments, a survey, which describes the differences between the amended and the original parcels.
    d. A site plan which shows existing and proposed property boundary lines, any existing easements and structures on the affected properties, including dimensions and setbacks from existing and proposed lot lines.
2. The City Planner or City Engineer shall approve the application for lot line/parcel boundary adjustment if the following conditions are met:
    a. All required materials are submitted.
    b. No new lot or parcel results from the adjustment.
    c. No previously existing lot is eliminated as a result of the adjustment. This does not apply to parcel boundary adjustments
    d. If the properties to be adjusted are in a subdivision, the lot sizes, frontages and configurations are consistent with this title and NCC 19.
    e. No lot is made undevelopable without a variance or other special consideration.
    f. All property owners directly affected by the adjustment give their consent.
    g. The adjustment does not result in a remnant piece of land that did not exist previously.
    h. The adjustment does not result in the violation of any applicable zoning ordinance, including restrictions on permissible uses or number and location of dwellings and structures.
    i. The lot line adjustment does not substantially alter legal lots that may otherwise need further review by the Planning Commission or City Council in the form of a subdivision amendment.

Commented [LR1]: Only add/amend affected definition in section.

Commented [LR2]: Amended to match state law

Deleted: The contiguous land in the same ownership, as recorded in the County Recorder's office, which is not divided by any public highway or alley, including any part thereof subject to any easement for any purpose other than a public highway, street, public right of way or alley. Any land severed from another lot. If that severance makes the latter lot or structures on said latter lot nonconforming, such lot shall or may be occupied by a main building or group of buildings (main and accessory) together with such yards, open spaces, lot width and lot area as are required by this title, and having frontage upon a street or public right of way or private lane. Except for two-family dwellings and multiple-family dwellings, not more than one dwelling structure shall occupy any one lot.

Deleted: OF LAND

Deleted: A contiguous area of land in the possession or ownership of one person

Deleted: A

Deleted: T

Deleted: A

Deleted: <#>Definitions:¶
"Lot" means a tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.¶
"Lot line adjustment" means an adjustment of boundaries between a lot and other lots or parcels.¶
"Parcel" means any real property that is not a lot.¶
"Parcel boundary adjustment" means an adjustment of parcels that are not a lot.¶

Deleted: <#>lot

Deleted: <#>whether

Deleted: <#>executed

Deleted: A

Formatted

Formatted

Deleted: and recorded upon execution,

Deleted: lot line/parcel boundary

Commented [RP4]: I want to make sure that this is intended only to restrict "lots" (subdivision property) but not the combination of "parcels" (nonsubdivision property)

Deleted: lot line

Deleted: lot line

Deleted: lot line

Commented [RP5]: Wonder if it would be helpful to call these issues out specifically, so to avoid having combinations of property that have more than 1 dwelling unit on it.

j. Non-conforming lots: notwithstanding the conditions described above, a lot line/parcel boundary adjustment for an existing non-conforming lot which does not result in conformity with the land use ordinance may be approved if the adjustment does not result in a lower level of conformance for any established lot size, frontage or other established standards. For example, if a ½ acre lot located within a zone with a minimum lot size of 1 acre applies for a lot line adjustment which increases the size of the lot to ¾ acre via a lot line adjustment, it may be approved.

k. Upon approval, the applicant(s) shall execute and record the adjustment with the Cache County Recorder, in accordance with Utah State Code 10-9a.

3. Exemptions from lot line/parcel boundary adjustment application:

a. A parcel boundary adjustment involving parcels, which do not contain a dwelling on any affected properties may be executed and recorded with the Cache County Recorder and is not subject to City approval.

4. A complete application for parcel boundary adjustment must be reviewed by the City Planner or City Engineer within 14 days of submittal.

B. All other amendments to a subdivision plat not described above shall follow the process and standards within Utah State Code 10-9a as amended, and any applicable Nibley City ordinances.

Deleted: Provided the above conditions are met, no municipal land use authority approval is required.

Formatted

Deleted: The joining of adjacent properties does not constitute a parcel boundary or lot line adjustment may be executed and recorded with the Cache County Recorder and is not subject to City approval, provided that only one dwelling is located on any affected adjoined properties.

Formatted: Indent: Left: 1.5", No bullets or numbering

Deleted: properties located outside of a subdivision

Formatted

Deleted: n

Deleted: -6

Lot Line & Parcel Boundary Adjustments

Recent State Code adjusts and clarifies certain requirements for subdivision plat amendments and parcel boundary adjustments.

- Lot line adjustments are considered subdivision amendments
- Parcel boundary adjustments are outside of a subdivision and may be reviewed by City if they contain a dwelling, are limited to ensuring compliance with ordinances and reviewed within 14 days.

Proposed to include City Review process to ensure compliance with Nibley City Code.

Lot Line & Parcel Boundary Adjustments

Proposed Staff-level review process requires application with:

1. Copy of quitclaim deed or boundary line agreement
2. For lot line adjustments, a plat with existing and proposed boundary lines
3. Site plan with easements, structures, etc.

Allows non-conforming parcels to complete lot line/parcel boundary adjustment if the adjustment doesn’t decrease level of conformance of zoning standards.

Parcel boundary adjustment review would need to be completed in 14 days.

Planning Commission Recommendation

Recommend approval of Ordinance 21-17: Lot Line and Parcel Boundary Adjustments Review Process, with the following edit:

- Under 21.03.080(A)(1)(b)Add ‘For parcel boundary adjustments, a survey, which describes the differences between the amended and the original parcels.’ under the list of required materials

Recommended Finding

Instituting a Staff level review process for lot line and parcel boundary adjustments will ensure greater conformity with Nibley City Land Use Ordinances.