

Title 11 Public Facility Standards

11.04 Streets And Sidewalks

11.08 Open Space, Parks And Recreation

11.12 Public Library

11.16 City Cemetery

11.20 Public Facilities

11.04 Streets And Sidewalks

11.04.010 Title, Authority And Purpose

11.04.020 Sidewalks

11.04.030 Streets

11.04.040 Plans And Guidelines

11.04.010 Title, Authority And Purpose

- A. **Title.** This ordinance shall be known as PCC 2.04, Streets and Sidewalks Ordinance and may be so cited and pleaded. This ordinance may also be referred to herein as the Streets and Sidewalks Ordinance, Ordinance, or Title.
- B. **Authority.** This ordinance has been prepared and adopted in accordance with and through the authority of Utah Code § 72-3-104 et. seq. (1953 as amended). The Payson City Council hereby exercises all authority granted by the Utah Code for Street and Sidewalk maintenance and oversight.
- C. **Purpose And Intent.** The purpose of this Ordinance is to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the citizens of Payson. It is the intent of this ordinance to:
1. Manage and facilitate the safe and orderly operation and maintenance of public streets and sidewalks in Payson.
 2. Oversee the maintenance and construction of public streets and sidewalks in Payson.
 3. Follow the plans and standards outlined in the Payson Transportation Master Plan, Payson Development Standards, APWA, AASHTO, and the Utah MUTCD.
 4. Create a safe and efficient transportation network.
- D. **Penalty.** Any person, firm, or corporation violating any of the provisions of this Ordinance shall be guilty of a Class C misdemeanor.
- E. **Intended To Be Consistent With City Documents And Adopted Standards.**
1. This ordinance is intended to be consistent with all other laws,

ordinances, resolutions, and standards adopted by Payson, specifically including the following:

- a. PCC 13, also known as the Zoning Ordinance.
 - b. PCC 12, also known as the Subdivision Ordinance.
 - c. Payson General Plan and General Plan Map.
 - d. Payson Transportation Master Plan
 - e. Payson Development Guidelines
 - f. American Public Works Association (APWA) Standards and Specifications
 - g. American Association of State Highway and Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets (Green Book)
 - h. Utah Manual on Uniform Traffic Control Devices (UMUTCD)
2. These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or provision of law. Where any provision of these regulations imposes a restriction different from those imposed by any other provision or ordinance, rule or regulation, or law, whichever provision is more restrictive or imposes higher standards shall control.

F. City Responsibilities. The Payson sidewalks and streets shall be under the supervision of the City Public Works Director. It shall be the duty of the City Public Works Director to supervise, manage, operate, and maintain the sidewalks and streets system in accordance with the provisions of the Payson City Code and any other rules and regulations adopted by the City Council. The City Public Works Director shall authorize all driveway connections, roadway and sidewalk construction or maintenance, and keep suitable maps and records of all streets, sidewalk, repairs, and modifications to the systems.

The City Public Works Director may employ, subject to the approval of the Mayor and City Council, such help as shall be necessary to carry out the duties prescribed by City ordinances, rules and regulations adopted by the City Council. The City Public Works Director may also appoint a City Staff member to complete reviews, approvals, and other responsibilities outlined in this Ordinance. Whenever this Ordinance refers to the City Public Works Director, the reference also includes the City Public Works Director Appointee.

City Staff and Crews are exempt from the permitting and approval requirements outlined in this Ordinance. City staff and Crews are responsible for the maintenance of City Sidewalks and Streets and will do so according to internal

policies and procedures.

G. Amendment Of Chapter. Any member of the governing body, staff, landowner or resident of Payson City may request an amendment to the Chapter. In order to amend this Chapter, the following procedure shall be followed:

1. The amendment application shall be submitted in writing to the Payson City Recorder at least thirty- (30) days prior to the anticipated City Council meeting where the amendment will be discussed.
2. The information submitted to the Payson City Recorder shall include a statement explaining the purpose for the proposed amendment and contact information for the applicant.
3. The City Recorder shall submit the proposed amendment to the City Attorney for legal review to determine compliance with all federal, state and local laws and ordinances, and any other legal concerns.
4. The Payson City Recorder shall prepare, or cause to have prepared, an ordinance to present to the City Council for their consideration of the proposed amendment.
5. It shall require a majority vote of the City Council, in a regular meeting of the City Council, to amend this Chapter. The City Council may, at its option, choose to obtain a recommendation from the Planning Commission prior to any amendment of this Chapter.

11.04.020 Sidewalks

A. Approval Of City Public Works Director. All sidewalks shall be constructed in accordance with the plans and specifications of the City Public Works Director's office, which work shall be inspected and approved by the City Public Works Director or appointee.

B. Private Construction Compliance. It shall be unlawful for any person, either as owner, agent, servant, contractor or employee to construct any sidewalk in Payson unless such sidewalk be constructed to lines and grades as given and established by the City Public Works Director unless special permission to deviate from such lines and grades is first obtained from the City Council.

C. Permit Agreement To Comply. It shall be unlawful for any person, as either owner, agent, servant, contractor or employee, to construct any permanent sidewalk in Payson without first having obtained a permit from the City Public Works Director's office. The acceptance of such permit shall be deemed an agreement upon the part of such person to construct said sidewalk in accordance with the specifications and grades agreed upon by the City Public Works Director or appointee as to the character and quality of the work. When a sidewalk is constructed adjacent to the back of the curb, there shall be placed between the

back of the curb and walk an expansion joint designated by the City Public Works Director's office. It shall be unlawful to construct any such sidewalk in violation of the specifications given by the City Public Works Director's office.

- D. **Inspection Costs.** Where property owners construct sidewalks, driveways, and curb and gutter at their own expense in compliance with the provisions of this Section and the approval of the City Public Works Director's office, the cost of indicating grades and lines and inspection shall be paid for by the property owner before issuance of the permit required.

The City Council shall adopt and establish fee schedules related to sidewalks and streets inspections, plan reviews, etc.

11.04.030 Streets

- A. **Roadway Design Standards.** All roadways, sidewalks, trails, and transportation infrastructure shall be planned and designed according to the most up to date version of the Payson Development Standards or APWA Standards where Payson Development Standards are not established. Payson Development Standards are to be used in all cases except where Payson Development Standards are not established or defined.
- B. **Defects To Be Reported And Repaired.** All defects in public streets, coming to the knowledge of any officer or person in the employ of the City, shall be communicated to the Public Works Director immediately.
- C. **City Public Works Director To Authorize.** No City employee may perform any work, including the removal of gravel or other materials, on City streets without first receiving authorization by the City Public Works Director's office who shall specify the time and place such work may be performed.
- D. **Permit And Bond Required For Street Work.** It shall be unlawful for any person to make any excavation in any street, lane, private road or alley, or remove any pavement or other materials forming any street or improvement thereon without a permit from the City Public Works Director's office. Permits may only be issued in response to written applications signed by the party or by an authorized representative of said party before work begins. The signed party on the permit shall be liable for ensuring appropriate safety measures during work, which may include guards, fencing, signals, cones, barricades, or lighting and shall hold the City harmless from any and all claims, liabilities, demands or damages that result from the permitted work.

A bond shall be paid by the signed party to the city to be held for the duration of the permitted work or placed on file with the City against any work performed by the party for up to one (1) year. The sum of the bond and the price of the permit shall be set by the City.

The signed party shall be held responsible for immediately restoring the street to the same condition it was in prior to the start of the permitted work including backfill, compaction, grading, and the removal of any rocks, dirt, rubbish, or debris from the street. An asphalt or concrete "T" patch shall be the standard for restoration unless otherwise specified by the City Public Works Director's office at the time of issue of the permit.

After all work and restoration is complete the person performing the work shall immediately notify the City Public Works Director's office of its completion at which time the City Public Works Director, or appointee shall organize and supervise the resurfacing of sidewalk or street where the work has been performed. Payment for resurfacing shall be paid using the fees collected in issuing the permit for work.

It shall be unlawful for any person to fail or refuse to restore a road within ten days of completion of work or excavation subject to forfeiture of bond money up to and equal to fees and costs associated with restoring the roadway by the City. If the cost of restoration exceeds the amount collected in bond money or permit fees, the person or party who performed the excavation shall be held responsible for these costs.

E. Building Material On Street-Permit-Bond. It shall be unlawful for any person to occupy or use any portion of a public street for the erection or repair of any building abutting thereon without first making application to and receiving from the City Public Works Director's office a permit for the occupation or use, for building purposes, of such portions of streets and for such periods of time and under such limitations and restrictions as may be required by ordinance or by the public convenience; provided, that no permit shall be granted to occupy more than fifteen (15) feet from the curb line. Any such permit may be revoked by the City Public Works Director, at any time, when the holder thereof fails to comply with any rule or regulation under which it is granted, or when, in the opinion of the City Public Works Director, the public good required such revocation. No such permit shall be granted until the applicant therefore shall have given a bond in the sum specified in the City fee schedule. Such bond shall be paid to Payson City and to any person injured by reason of the failure of the principal therein to provide adequate safety measures in association with permitted work. No part of a street other than that so allotted shall be used for depositing materials for work to be done or for receiving rubbish arising from such work. All such rubbish shall be carried away by the person to whom the permit is granted, at such times as the City Public Works Director may direct, and in case of the neglect or refusal of such persons as to remove such rubbish, it shall be removed at his expense by the City.

F. No Cut Policy On New Pavement. All new or reconstructed streets shall have a one (1) year warranty from any contractor for the construction of said street.

Except for in emergencies where lives or resources are in danger, a five (5) year no cut policy on the cutting of new pavement applies to all new, reconstructed, and overlaid roads where hot mix asphalt or concrete of any thickness has been applied. Any City department or private party who has need to cut into City streets for the management of utilities may request a variance for an exception to be approved by the City Public Works Director.

- G. Snow Removal From Streets.** In order to facilitate the speedy and safe removal of snow from City streets, it is unlawful for the owner or driver of any vehicle to park, cause to be parked, or allowed to be parked, said vehicle upon any City street or right-of-way of a City street between the hours of 10:30 p.m. and 7:00 a.m. each year from December 1st, through March 1st, of the following year.

It shall be unlawful for any person to remove any snow or ice from any private property and place the same on any public street, sidewalk, driveway, or right-of-way, or any part thereof.

Except as provided in paragraphs G,1 and G,2, it shall be unlawful for any person, except employees of the City or other highway maintenance authority in their official capacity, to move or pile any snow or ice on any public street, sidewalk, driveway, or any part thereof.

1. The City Public Works Director, or appointee, may issue a written permit to any person to move or pile snow or ice on a public street or right-of-way if the City Public Works Director determines it to be in the best interest of the City and residents of the area to do so. In issuing any such permit, the City Public Works Director shall require a bond and insurance certificate to be furnished. It shall be unlawful for any person holding such a permit to move or pile any snow or ice on any public street, sidewalk, driveway, or right-of-way except in strict compliance with the terms of the permit.
2. This subsection shall not apply to removal of snow from sidewalks fronting private property that the owner or occupant has the duty to clean as provided in PCC 13.44.140.2 nor to cleaning of access driveways from a public street to private property.

"Vehicle" shall be defined to include, but not limited to, automobiles, trucks, trailers, mobile homes, travel trailers, boats, motorcycles, buses, snowmobiles, and other transportation vehicles, whether for the transportation for humans, animals, or freight of any kind.

Violation of this ordinance is an infraction. Each day said violation continues will be considered a separate offense.

H. Obstructions.

1. It is unlawful to put or place, or cause to be put or placed, anywhere upon

a public street, sidewalk, or right-of-way, and it is unlawful for any such person, after reasonable notice by an official charged with enforcing the law, to suffer to be or remain within a public street, sidewalk, or right of way:

- a. Any broken ware, glass, filth, rubbish or refuse matter;
 - b. Any vehicle, lumber, wood, boxes, fencing, building material, merchandise, or any other thing which obstructs any public street, sidewalk, right-of-way, or any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same, or any part thereof, without the permission of the governing body.
2. No person receiving or delivering goods, wares or merchandise in the City shall place or keep upon, or cause to be placed or kept upon, any sidewalk in the city any goods, wares or merchandise which he may be receiving or delivering, for a longer period than two hours. It is unlawful for any merchant, auctioneer or other individual to sell or exhibit for sale any kind of property on or near to any street so as to cause people to gather in crowds on the sidewalk or to obstruct free passage thereon, provided that the governing body may authorize, after proper application, a merchant or group of merchants to conduct a "sidewalk sale".

I. Roadway Design Standards

1. All new public or private roads shall comply with the Payson City Transportation Master Plan and the Payson City Design Guidelines, latest amendment.

J. Private Roads and Alleys

1. All new private road and alleys shall comply with the Payson City Design Guidelines, latest amendment.

11.04.040 Plans And Guidelines

- A. Transportation Master Plan.** The Mayor and City Council shall develop and maintain a Payson Transportation Master Plan that identifies major visions and goals for transportation development within the City. The Mayor and City Council shall update (or have updated) the Payson Transportation Master Plan as needed when the plan becomes irrelevant or out-of-date. Public rights-of-way including streets, private roads or alleys, trails, paths and other transportation facilities owned by the City shall be identified and described in the Payson Transportation Master Plan. The Payson Transportation Master Plan shall be made available to the public either by request or through the City website. Future developers shall work to complement plans and visions established in the

Payson Transportation Master Plan.

- B. Access Management Guidelines.** All new development shall conform to the Access Management Guidelines made available in the Payson Development Guidelines. These guidelines shall inform design of new development especially in respect to access of public right-of way.

Property owners shall have a right to reasonable access to the public rights-of-way. When access is desired that does not conform to the Access Management Guidelines a variance may be requested for an exception to be approved by the City Public Works Director.

- C. Traffic Calming Guidelines.** Construction of new streets to be incorporated into City rights-of-way and requests for modifications shall follow plans and guidelines set forth in the Payson Traffic Calming Guidelines.

- D. Signal And Street Sign Standards.** Signals, street signs, and pavement markings of any kind shall conform to guidelines and standards established in the most recent version of the Utah Manual for Uniform Traffic Control Devices (MUTCD). Any deviation from these standards must be justified by an engineering study and approved by the City Public Works Director.

11.08 Open Space, Parks And Recreation

[11.08.010 Purpose And Intent](#)

[11.08.020 Parks And Open Space](#)

[11.08.030 Recreation Department](#)

[11.08.040 City Nursery](#)

[11.08.050 Tree Ordinance](#)

[11.08.060 Fee Resolution](#)

11.08.010 Purpose And Intent

- A. Purpose Of Chapter.** The purpose of this Chapter includes, but is not limited to the following:

1. To clarify and define the roles and responsibilities of the Superintendent of Parks and Open Space, the Recreation Director, and the Tree Committee.
2. To define the relationship between this Chapter and other relevant Titles of the Payson City Code, in particular PCC 6, PCC 13, PCC 12, and PCC 11.20.
3. To ensure proper maintenance of public parks and open spaces.
4. To provide guidelines and establish regulations for the recreation program of Payson.

5. To ensure proper maintenance of the City nursery and establish the operation procedures of the nursery.
6. To identify the regulations necessary to be recognized as a “Tree City USA” community and encourage the proper planting and maintenance of trees and shrubs in the community.

B. Relationship To Other Ordinances. The City Council may impose the satisfaction of the requirements herein in order to achieve the land use goals and objectives of any other development ordinance of Payson. These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, or provision of law. Where any provision of this Chapter imposes a restriction different from those imposed by any other provision or ordinance, rule or regulation, or law, whichever provision is more restrictive or imposes higher standards shall control.

C. Amendment Of Chapter. Any member of the governing body, staff, landowner or resident of Payson City may request an amendment to this Chapter. In order to amend this Chapter, the following procedure shall be followed:

1. The amendment application shall be submitted in writing to the Payson City Recorder at least thirty (30) days prior to the anticipated City Council meeting where the amendment will be discussed.
2. The information submitted to the Payson City Recorder shall include a statement explaining the purpose for the proposed amendment and contact information for the applicant.
3. The City Recorder shall submit the proposed amendment to the City Attorney for legal review to determine compliance with all federal, state and local laws and ordinances, and any other legal concerns.
4. The Payson City Recorder shall prepare, or cause to have prepared, an ordinance to present to the City Council for their consideration of the proposed amendment.
5. It shall require a majority vote of the City Council, in a regular meeting of the City Council, to amend this Chapter. The City Council may, at its option, choose to obtain a recommendation from the Planning Commission prior to any amendment of this Chapter.

D. Penalties For Violation Of This Chapter. A violation of this Chapter by any person shall constitute a Class C misdemeanor punishable to the extent allowed by state statute.

11.08.020 Parks And Open Space

A. Duties And Responsibilities Of The Superintendent Of Parks And Open

Space. There is hereby created the office of Superintendent of Parks and Open Space. Under the direction of the City Manager, it shall be the duty of the Superintendent of Parks and Open Space to ensure proper care, maintenance, improvement and beautification of all parks and open space in the City that is not under the control, care and supervision of another department of the City.

- B. Appearance And Maintenance Of Parks And Open Space.** The parks and open space owned and maintained by Payson shall be kept in good order free of noxious weeds and other unsightly vegetation. Maintenance shall be completed in a manner that improves the aesthetic appearance of the property and allows the parks and open spaces to be used as intended and appropriate by the public.

Turf areas shall be watered, mowed and trimmed in accordance with the general requirements for the turf mixture and in a manner that promotes healthy turf and longevity. The Superintendent of Parks and Open Space will determine the appropriate turf mixture for the intended use in each park or open space.

Trees and shrubs shall be properly pruned to improve aesthetic appearance and improve the health and longevity of the tree or shrub.

Planting areas shall be beautified with an appropriate mixture of vegetation including perennial and annual plants, bark, ground cover and shrubs. The planting areas shall be kept free of weeds and debris.

- C. Installation Of Park Improvements.** Improvement of the parks and open space of Payson has been completed through participation from many sources including, developers, civic groups, youth groups and many volunteers. Payson encourages these activities, however, the installation is required to satisfy the regulations of this Chapter.

Prior to improvement of any area owned, or intended to be owned, by Payson, the interested party shall contact the Superintendent of Parks and Open Space and receive written approval.

D. Park And Open Space Regulations.

- 1. Offensive Language And Nuisance Prohibited.** It shall be unlawful for any person or persons to use threatening, abusive, insulting or indecent language in public parks or open space of the City, or to create any nuisance or offense, or to scratch, cut, injure or deface any of the buildings, fences, structures, or foul any of the fountains or any other improvements, or to cut, or injure flowers or flower beds within the parks and open space owned and maintained by Payson City.
- 2. Organized Meetings In Public Parks And Open Spaces.** It shall be unlawful for any person, firm or corporation to hold an organized meeting, gathering, picnic, musical, theatrical or similar event in the public parks of

the City without first having received permission from the Superintendent of Parks and Open Space and in accordance with the regulations listed in PCC 11.20.

3. **Park Hours.** Parks and open spaces shall be divided into two categories; (1) parks and open space with adequate lighting for safety purposes. (Examples of such parks and open space includes (Soccer Fields, Baseball Fields, Memorial Park); (2) parks and open space with inadequate lighting. (Examples include small neighborhood/pocket parks, skateboard park, Poson Park). Park hours for all parks with adequate lighting shall be between the hours of 5:00 a.m. and 11:00 p.m. No person or persons shall be permitted in any public park or open space either on foot, horseback or on any type of vehicle before or after park hours except for the express purpose of traveling directly through the park on a public street or sidewalk passing through the park. Park hours for all parks with inadequate lighting shall be between the hours of 5:00 a.m. and 10:00 p.m. during the months of April – September; and between the hours of 5:00 a.m. and 8:00 p.m. during the months of October – March. No person or persons shall be permitted in any public park or open space either on foot, horseback or on any type of vehicle before or after park hours except for the express purpose of traveling directly through the park on a public street or sidewalk passing through the park.

The Payson City Recreation Department may grant an exception to the Park Hours for civic events located at the parks and open space areas.

4. **Vehicular Traffic.** It shall be unlawful to drive any vehicle on or over any garden, lawn, sidewalk, beach, wall or any other portion of public open space or park area except in areas designated for vehicular traffic. Official City vehicles, emergency vehicles, and official landscape maintenance vehicles are exempt from these regulations.
5. **Animal Regulations.** It shall be unlawful to move or direct animals or to allow animals to proceed on or over any garden, lawn, sidewalk, beach, wall or any other portion of public open space or park area except in areas designated for animal traffic. These areas may be authorized on a temporary basis by the Superintendent of Parks and Open Space for special events such as a circus or fair.

It shall be unlawful for the owner of any dog to allow the dog to run at large within the parks or open space of the City and such offense shall be considered a public nuisance. This paragraph D shall not be construed to prohibit the presence of dogs and cats and similar small animals while under the control of their owners, except in those areas where it has been designated by Payson City that no animals will be allowed.

6. **Recreational Devices.** Bicycles, roller blades, roller skates, scooters,

skateboards, and other similar recreational devices are allowed in specifically designated areas only.

7. **Littering.** It shall be unlawful to cause or allow any foreign material, papers, bottles, rags, or discarded articles of any substantial kind or nature to be left in public areas.
8. **Parking Regulations.** It shall be unlawful to park any vehicles on public property in a manner that will block or impede traffic, with the exception of official City vehicles or emergency vehicles. Overnight parking may be allowed in specifically designated areas only. Exceptions to the parking regulations may be approved by the Superintendent of Parks and Open Space for City celebrations and other official City events.
9. **Possession Or Consumption Of Alcoholic Beverages And Tobacco Products.** It shall be unlawful to possess or consume beer, liquor, or any other alcoholic beverage within City parks or other public property, except as provided by state statute and City ordinance. No tobacco product of any kind, including e-cigarettes or any variation thereof, is permitted to be used within the city open space, Parks, other recreation facilities or other public property.

The Gladstan Golf Course shall be exempt from the alcoholic beverage & tobacco product prohibition.

- E. **Vandalism And Graffiti.** Vandalism, graffiti and other defacement of public property is expressly prohibited.
- F. **City Celebrations.** The open spaces and parks owned and maintained by Payson City are a resource to the community. The areas are visible and can encourage economic development during official City celebrations and events. Therefore, official City celebrations and events take precedent over any other activities occurring in open space areas and parks owned and maintained by Payson City.

11.08.030 Recreation Department

In order to provide enjoyment, physical activity, and promote a healthy lifestyle for the residents of Payson, a Recreation Department is hereby established. The recreation department shall be administered by the Recreation Director. Under the direction of the City Manager, the duties and responsibilities of Recreation Director shall include, but are not limited to:

- A. Programming of athletic, active and passive recreational opportunities, and leisure activities for the residents of the community and non-residents choosing to participate in the recreation programs of Payson.

- B. Maintenance of all playing surfaces owned and operated by the Payson City Recreation Department.
- C. Serve as the Community/School Recreation Coordinator between Nebo School District and Payson.

11.08.040 City Nursery

In order to beautify the community and reduce the cost of installing trees on City property, Payson City has established a City Nursery. The City Nursery is administered and operated by the Gladstan Golf Course Enterprise Fund. The City Council shall determine the price for trees for each department and the funds shall be submitted to the Gladstan Golf Course Enterprise Fund.

11.08.050 Tree Ordinance

- A. **Definitions.** For the purpose of this Chapter, the following terms, words and their derivations shall have the following meanings given herein:

PARK. A tract of land set aside for public use and owned by the City of Payson.

PROTECTIVE MEASURES. Any steps taken to safeguard the appearance, health, condition, or continued viability of a protected tree. Typical examples are: physical structures limiting access to a protected tree, pruning to allow access to a site, supplemental watering or fertilization, washing of canopy to remove dust or other residues, berms or grading to prevent erosion or silting in a protected root zone, signage indicating protected status of trees or other methods as deemed necessary at time of permitting.

PROTECTED TREE. Any tree located on public property within the City of Payson.

PUBLIC PROPERTY. Any right-of-way, park, or other ground owned by the City of Payson.

REPLACEMENT TREE(S). Trees required to be planted as compensation for the removal of viable, non-hazard trees.

TREE. A woody plant which at maturity is thirteen (13) feet or more in height with a single trunk at least three (3) inches in diameter, unbranched for at least several feet above the ground and having a more or less definite crown.

TREE COMMISSION. A committee composed of members appointed by the Mayor with the advice and consent of the City Council.

TREE TOPPING. The severe cutting back of limbs to stubs larger than three (3) inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

TREE TRUST. The National Tree Trust is a public foundation created through a one-time appropriation from Congress. Other funding comes from outside sources, mainly gifts and donations. It is the purpose of the Tree Trust to plant and/or preserve as many trees as possible on public land through volunteerism.

TREE MAINTENANCE. Measures performed to promote the desirable growth and health of a tree such as, but not limited to, watering, fertilizing, mulching, weeding, pest management, and physical protection.

- B. Creation And Establishment Of City Tree Committee.** There is hereby created and established a City Tree Committee for the City of Payson which shall consist of at least five (5) members, who shall be appointed by the Mayor with the advice and consent of the City Council. The members shall come from different interest groups including homeowners, tree professionals, and City government.
- C. Term Of Office.** Members shall be appointed to a five (5) year term with the term of one member expiring each year. In the event that a member is unable to complete the term of office, the successor shall be appointed to serve the remaining portion of the term. The Mayor, upon advice and consent of the City Council, may remove any member of the Tree Committee upon finding that any action of the member was contrary to the best interests of the residents of Payson.

Members of the committee shall serve without compensation, except that the City Council may provide incentives from time to time.

- D. Duties And Responsibilities.** The Tree Committee shall hold regular meetings and other meetings as needed. The committee shall prepare and present to the City Council for adoption rules of order that address meeting minutes, the process for electing committee leadership and voting criteria. A quorum, representing a majority of committee members, is necessary to conduct any official business of the committee.

Under the direction of the City Council, the Tree Committee shall, at a minimum, be responsible for the following activities:

1. Prepare and recommend to the City Council a written plan for the care, preservation, pruning, planting, replanting, or removal of trees and shrubs in parks, along streets, and in other public spaces. The plan shall include, at a minimum:
 - a. Ideas to increase public awareness and public support for vegetation preservation.

- b. The types and species of trees for parks and other public spaces, and specifically in soft front planter areas between the curb and sidewalk along roadways.
 - c. A recommendation for implementation of planting schemes for particular areas of the community or specific streets in the City.
 - d. A recommendation on the spacing of planting materials and distances from curbs, sidewalks, street corners, and fire hydrants.
 - e. Recommendations for pruning, tree topping, and perpetual care of trees located near overhead utility services.
 - f. General care including pruning standards, tree topping, fertilization, pest control and other appropriate maintenance activities.
- 2. Encourage the preservation of trees by developers and landowners.
 - 3. Plan and coordinate an annual Arbor Week observance.
 - 4. Seek funds for the purpose of increasing tree inventory.

E. Value Of Urban Trees. Trees are recognized as a valid asset to provide a more healthful and beautiful environment in which to live, providing oxygen, shade, aesthetics, and a priceless psychological counterpoint to the urban setting. Trees are economically beneficial in attracting new industry and residents by enhancing the value and marketability of property and promoting the stability of desirable neighborhoods.

F. Tree Maintenance And Protection.

- 1. City departments shall seek the counsel and recommendations of the Superintendent of Parks and Open Space prior to the removal and/or alteration of any tree on public property or right-of-way unless the tree(s) poses immediate danger to the public.
- 2. The Superintendent of Parks and Open Space may require any tree or part thereof which is in an unsafe condition or is infested with any disease, injurious fungus, insect or other pest to be removed.
- 3. Trees severely damaged by storms or other natural causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted from this Chapter at the determination of the Superintendent of Parks and Open Space.
- 4. It shall be unlawful for any person, business or other entity, without first obtaining a permit from the City, to remove, cause to be removed, relocate, alter, damage or destroy any tree on public property, including public rights-of-way.

5. No person shall engage in the pruning or topping of trees on any public property except in conformance with the most current practices of the International Society of Arboriculture, the National Arborist Association Standards, and the National Electric Safety Code.
6. No new curb cuts, which shall endanger protected trees, shall be allowed without the express permission of the City.
7. To protect the longevity of protected trees, the appropriate City departments shall review all applications for construction permits, including clearing and grading permits. Protective measures may be prescribed by the City to safeguard the health, appearance, condition and viability of protected trees. The cost and responsibility for implementing and maintaining all prescribed protective measures shall be born solely by the applicant. Any deviation from the measures prescribed by the City to protect said trees shall constitute a violation of this Chapter.
8. All trees and shrubs shall be appropriately pruned or trimmed to satisfy the clear view area requirements of PCC 13.20.050 of the Zoning Ordinance.

G. Removal, Relocation Or Alteration Of Trees. Written authorization from the Superintendent of Park and Open Space shall be required prior to removing, relocating or altering any tree located on property owned and maintained by Payson City. The written authorization shall address concerns including, but not limited to:

1. The condition of the tree to be removed, relocated, or altered.
2. The necessity for removal, relocation, or alteration of the tree.
3. The impact the removal, relocation, or alteration of the tree will have on the tree canopy of the park or open space area.

H. Planting And Replacement Of Trees On Public Property. Written authorization from the Superintendent of Park and Open Space shall be required prior to planting or replacing any tree located on property owned and maintained by Payson City. The written authorization shall address concerns including, but not limited to:

1. The species, optimum planting season, and location of each tree.
2. The impact of the tree on public and private utility facilities.
3. Any additional conditions or protective measures deemed necessary.

11.08.060 Fee Resolution

Any person that desires to reserve the use of appropriate public parks and open spaces shall submit payment of an appropriate fee in accordance with the adopted fee schedule of Payson City available from the Payson City Recorder. Reservations for use of appropriate public parks and open spaces shall be consistent with the regulations of PCC 11.20, Public Facilities.

11.12 Public Library

[11.12.010 Established-Library Management](#)

[11.12.020 Board-Established-Terms Of Office](#)

[11.12.030 Board-Removal-Vacancies](#)

[11.12.040 Board-Members To Serve Without Compensation](#)

[11.12.050 Board-Chairman-Duties](#)

[11.12.060 Board-Space For Meetings, Equipment](#)

[11.12.070 Board-Meetings-Absence](#)

[11.12.080 Board Meetings-Agenda-Powers](#)

[11.12.090 City Council-Appointment Of Librarian/Library Director](#)

[11.12.100 Board-Annual Reports](#)

[11.12.110 Board To Adopt Rules For Library Use-Use Of Library To Be Free](#)

11.12.010 Established-Library Management

The Payson City Library is hereby established and shall be managed and operated by the Payson City Council and a library board, which shall be established as hereinafter provided.

11.12.020 Board-Established-Terms Of Office

There is hereby created and established a library board of Payson City, which shall consist of six members, residents of the city. The board shall be appointed by the city council for three-year terms or until their successors are appointed. Initially, appointments shall be made for one, two, and three-year terms. Annually thereafter, the city council shall, before the first day of January of each year, appoint for three-year terms board members to take the place of retiring members. Board members shall not serve more than two full terms in succession.

11.12.030 Board-Removal-Vacancies

Any member of the board may be removed for misconduct or neglect of duty by the city council. Vacancies in the board of directors, occasioned by removals, resignations, or otherwise, shall be filled for the unexpired term in the same manner as original appointments.

11.12.040 Board-Members To Serve Without Compensation

Board members shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from library

funds.

11.12.050 Board-Chairman-Duties

Following appointment, board members shall meet and elect a chairman and such other officers, as they deem necessary, for one-year terms. The chairman shall present the agenda, as hereinafter provided, of all materials pertaining to the library to be considered at each and every meeting of the board.

11.12.060 Board-Space For Meetings, Equipment

The city council shall establish and furnish suitable space for the meetings and the carrying on of the business and functions of the library and board.

11.12.070 Board-Meetings-Absence

The board shall meet in regular meetings at a time designated by the board. Special meetings may be convened at any time as determined by the city council or the board chairman upon giving notice to all members of the board and the city council. At least four members of the board must attend said meeting in response to said notice, and a certified copy of the minutes of each special board meeting shall be furnished to all members of the board and the city council.

11.12.080 Board Meetings-Agenda-Powers

The agenda for each meeting of the board shall be prepared by the chairman and said agenda may cover all matters pertaining to the operation of the Payson City Library, which requires attention or administrative action thereon. The board shall have the power in respect to all matters of policy and operation of the library to have read into the minutes of the board meetings, board decisions, and recommendations on any such matters; and shall have the power to add matters to the aforesaid agenda of the board, which have not been submitted for their consideration as hereinabove provided. The powers of the board are advisory and shall extend to all phases of the library operation.

11.12.090 City Council-Appointment Of Librarian/Library Director

The City Council shall appoint a competent person as librarian/library director to have immediate charge of the library with such duties and compensation for his/her services as it shall fix and determine. The librarian/library director shall act as the executive officer of the board.

11.12.100 Board-Annual Reports

The board chairman or designee shall make an annual report to the city council of the condition and operation of the library. The board shall also make reports to the librarian/library director as directed by the librarian/library director. The board shall also provide for the keeping of such records as shall be required by the Utah State Library

Commission in its request for an annual report from the public libraries and shall submit such annual report to the commission.

11.12.110 Board To Adopt Rules For Library Use-Use Of Library To Be Free

The board shall make and adopt rules and regulations not inconsistent with law, for the governing of the library. Subject to such rules and regulations, the library shall be free to the use of the inhabitants of the city. The board may exclude from the use of the library any and all persons who shall willfully violate such rules. The board may extend the privileges and use of the library to persons residing outside the city on such terms and conditions as it may prescribe by its regulations.

11.16 City Cemetery

[11.16.010 Name And Purpose](#)

[11.16.020 Sexton-Creation Of Office](#)

[11.16.030 Sexton-Registrar Of Burials](#)

[11.16.040 Sexton-Charge Of Cemeteries-Reports](#)

[11.16.050 Sexton-Duties](#)

[11.16.060 Records Of Conveyances](#)

[11.16.070 Abandonment Of Rights](#)

[11.16.080 Opening Graves, Interment, And Disinterment](#)

[11.16.090 Purchase Of Burial Rights](#)

[11.16.100 Hedges, Copings, Monuments, Etc.-Maintaining](#)

[11.16.110 Specifications For Monuments, Markers, Etc.](#)

[11.16.120 Monuments And Markers In The Designated Veterans Area](#)

[11.16.130 Operation Of Vehicles And Speed Limit](#)

[11.16.140 Cemetery Fees](#)

[11.16.150 Perpetual Care And Maintenance](#)

[11.16.160 Days When Burials Are Prohibited](#)

[11.16.170 East-West Burials](#)

[11.16.180 Curfew, And Defacing Property](#)

[11.16.190 Flowers And Decorations](#)

[11.16.200 Animals Prohibited](#)

[11.16.210 Burial Of Indigent Persons](#)

[11.16.220 Rights Of City And Certificate Holders](#)

11.16.010 Name And Purpose

The burial ground of Payson City, Utah shall be known and designated by the name of Payson City Cemetery. This cemetery is provided and reserved exclusively for the interment of human remains. It shall be unlawful for any person to inter human remains within the city limits, except in the Payson City Cemetery or other state approved endowment cemeteries. The purpose of the cemetery is to provide an appropriate final resting place for deceased individuals and allow loved ones a place of peace and tranquility at the location of the resting place.

11.16.020 Sexton-Creation Of Office

There is hereby created the office of city sexton. The city sexton may delegate responsibility to other city employees.

11.16.030 Sexton-Registrar Of Burials

The city sexton shall be the registrar of burials for the city. Before burying or disinterring any body, the persons having charge of said body shall be required to furnish a copy of the death certificate, or a statement of said death, which shall be recorded in a record kept for that purpose by the sexton. Such statement, as well as the record, shall include, if known, the name of the person deceased, when and where born, parentage, spouse, if any, the place and date of death, the date of burial, the name of responsible person or mortuary, veterans status, the name of the cemetery, the number of the block, lot, and position where said person is buried, and if disinterred and transferred beyond the corporate limits of Payson City, the place of destination.

11.16.040 Sexton-Charge Of Cemeteries-Reports

- A. The city sexton, under the direction of the city parks and golf department head or designee, shall have entire care, control, management, and superintendence of the city cemetery, and shall perform any such other duties in relation to the cemetery as are now, or may be hereafter, provided by ordinance, order or resolution of the city council or by the laws of the State of Utah.
- B. The city sexton shall pay into the city treasury all monies collected by virtue of his office, shall make a full and complete report of his official doings to the city manager, and shall make other reports as the city council may from time to time require.

11.16.050 Sexton-Duties

- A. The sexton shall be responsible to keep the streets, alleys, walks, and avenues in the cemetery in good order and unobstructed so that free access can be had to any lot. The sexton shall cause a suitable marker to be erected upon the southeast corner of each lot with the number of the lot and the block inscribed thereon.
- B. The sexton shall manage the opening and closing of all interments and disinterments. He shall have charge of a plat of the cemetery and shall at the request of any person wishing to purchase, point out any of the lots or parts of lots, unoccupied for sale, and upon application and payment of the price thereof into the city treasury, to make and execute a certificate of burial rights to the purchaser.
- C. It shall be unlawful for any person to violate any portion of the Payson City Code or any rule or regulation as set forth in the Payson City Code or hereafter enacted

and published by the city cemetery. The city sexton shall be empowered to enforce all sections of the Payson City Code, other city ordinances, policies, procedures, rules, orders, and regulations established for operation of the city cemetery, including rules and regulations enacted to keep the cemetery, and the enclosure around said cemetery, in good maintenance and proper repair and to prevent the destruction or defacing of cemetery grounds. The sexton shall have the assistance of the Payson City Police Department and the Payson City Attorney's Office in enforcing, apprehending, and prosecuting violators of the Payson City Code, other city ordinances, rules and regulations.

11.16.060 Records Of Conveyances

- A. The city sexton shall keep a plat of all conveyances executed under the provisions of this Chapter, stating the property conveyed, the date of such conveyances, the name of the person to whom conveyed, and the amount received for the same.
- B. Transfer of title of burial rights by the City shall hereafter be by certificate and shall comply with Utah Code § 8-5-7 (1953 as amended). When a previously issued deed or certificate of burial rights is purchased by, or transferred to, a third party, or reverts to the city, the original shall be presented to the city sexton, and before a new certificate of burial rights is issued covering said lot, the original deed or certificate shall be canceled and the records so changed. Transfer from a grantor on a deed or on a certificate of burial rights shall be recognized only upon presentation and authentication by the city sexton. If a deed or certificate cannot be located by an individual or a family for presentation to the sexton, the sexton may make such arrangements for transfer and/or burial as are equitable and appropriate considering all the circumstances. Transfers from one person to another is not allowed without approval from the City.

11.16.070 Abandonment Of Rights

- A. Payson City shall have the discretion to reclaim, redeem, or recover any abandoned, unused, or unkempt cemetery lots or parcels conveyed by deed or certificate, with or without restrictions, by following the procedures set forth in Utah Code § 8-5-1 et. seq. (1953 as amended), or any other applicable law. Anyone wishing to sell a previously issued certificate of burial right must sell it back to the City for fifty percent of the current price set by resolution of the city council.
- B. In the event that any owner of any lot or burial space or heir of such person subsequent to the completion of the abandonment proceedings as set forth hereafter, shall present to the sexton a deed, certificate, or proof of probate or other legal conveyance of the said lot or space, the city sexton, upon payment in full of all fees and costs assessable against the property, may issue a certificate

of burial rights for an equivalent lot or burial space.

11.16.080 Opening Graves, Interment, And Disinterment

- A. Upon proper application of the owner of a lot, payment of the required fee, and three (3) working days notice, the sexton shall open the grave, unless the requested day is a recognized holiday pursuant to PCC 11.16.160. The sexton shall superintend every interment and shall fill up and neatly trim the grave immediately after depositing the vault and casket, and shall fill up and trim all graves that have settled or may hereafter settle. The city is not responsible for any error in opening graves when orders are given other than in writing.
- B. It shall be unlawful for any person to be buried in the cemetery without the casket being placed in a permanent-type vault, which vault type must be approved by the sexton. An exception to the above-stated law shall be those individuals who are cremated, whose remains must be deposited in a waterproof, non-decaying container.
- C. Burial of cremated remains may occur in an area of the cemetery set apart for that purpose. The grave space shall be no more than thirty-six (36) inches in length nor thirty (30) inches in width. The charge for such lot shall be set forth pursuant to PCC 11.16.140. Cremated remains may also be buried in a Standard or Veteran burial lot as long as the criteria as set forth in paragraph F is met.
- D. Infant burial may occur in an area of the cemetery set apart for that purpose (Babyland Area). The grave space shall not be more than four (4) feet in length nor two (2) feet in width, and the charge for such burial including all the above-listed charges shall be as set forth pursuant to PCC 11.16.140. An infant may also be buried in a standard burial lot. A full lot must be purchased, however, the infant shall be buried using in accordance with paragraph F,1. The family may utilize the other portion of the lot at a future time if the burial marker does not interfere with any maintenance issues.
- E. Cemetery grounds are sacredly devoted to the interment or repose of the dead. In those circumstances where it is necessary to disinter or remove remains from the cemetery all applicable state laws must be complied with. The sexton will schedule and direct the exhumation after applicable fees have been paid, and all required forms are received.
- F. The policy for grave use in the Payson City Cemetery will be in accordance with the following is that there shall not be any stacking of graves. Exceptions can be made for cremated remains and infant burials, upon approval of the city sexton.

1. Standard Graves.

- a. Double deep burials will be allowed only in standard graves.
- b. All vaults placed at double deep level shall be adult-sized vaults.

- c. After the lower vault is placed in a double deep grave, the grave may be considered as single depth so a single depth grave use may occur.
- d. There shall be no junior vaults placed on an adult vault in a standard single-depth grave.
- e. There shall be no more than two (2) junior vaults placed in any single depth standard grave.
- f. Any standard single depth grave containing an adult size vault may have up to three (3) additional burials as long as all additional burials are cremated remains or infants.
- g. Any standard single depth grave that has only one (1) junior vault may have up to two (2) additional burials as long as the other burials are both cremated remains or infants.
- h. Any standard single depth grave that has no adult size vault and no junior vaults may have up to four (4) burials of cremated remains or infant burials in any combination.
- i. Exceptions can be made for cremated remains placed inside a casket upon approval of the city sexton.
- j. As the city sexton is the individual familiar with the cemetery grounds and all concerns and dangers that lie beneath, it shall be at the city sexton's discretion as to whether any standard grave shall be disqualified for double-deep use.

2. Veteran's Graves.

- a. Veteran's graves are for the veteran and their spouse(s) only.
- b. Graves in Veteran's area are to be single depth only.
- c. Cremated remains of veterans and their spouse(s) are allowed in a veteran grave.
- d. Up to four (4) individuals may be buried in a veteran grave assuming they are all veterans or the spouse of a veteran.

3. Babyland.

- a. Babyland graves shall be used for the burial of infants up to the age of six (6) months old.
- b. The purchase of Babyland graves shall be allowed only at time of need.
- c. As the purchase price of Babyland includes the opening and

closing of the grave, the price will be determined by the residency of the infant being buried.

- d. Babyland graves are intended for the burial of a single infant. However, it is allowed for multiple infants from the same pregnancy to be placed in a single casket allowing there to be a single stone.

4. Cremation Graves.

- a. Cremation graves are for the burial of cremated human remains only. No other burial may take place in any cremation grave.
- b. Cremation graves may accommodate up to two (2) cremated remains.
- c. Cremation graves are allowed one (1) headstone in accordance with the specifications set forth in PCC 11.16.110.

11.16.090 Purchase Of Burial Rights

- A. As required by Utah Code § 8-5-7 (1953 as amended), the city shall sell only the right to be buried in the city cemetery. The purchase of burial rights in any lot or parcel shall be evidenced by a Certificate of Burial Rights and shall be sold for the prices and charges hereinafter set forth pursuant to PCC 11.16.140.
- B. In addition to the purchase price, perpetual care and maintenance of cemetery lots shall be assumed by the city upon payment of the charges for such service as set forth pursuant to PCC 11.16.140.

11.16.100 Hedges, Copings, Monuments, Etc.-Maintaining

It shall be unlawful for any person to erect or maintain any fence, corner post, coping, hedge, flag pole, standing rack or boundary of any kind upon any lot, street, alley or walk in the cemetery, or grade the ground or land thereof. The sexton shall, whenever required, furnish the true lines of a lot according to an official survey, and shall prevent and prohibit any markings of the lot except by official landmarks, and shall prevent and prohibit any grading thereof that might destroy or interfere with the general slope of the land. It shall be unlawful for any person to plant any shrubs, trees, lawn, etc., or place any monument or marker upon any lot or lots in the cemetery without written permission from the city sexton. Monuments and markers are generally for the purpose of identifying those individuals who are interred at the Payson City Cemetery. Any person requesting to place a monument or marker in the cemetery for any other purpose must submit a written request to the sexton and receive written approval. Each request will be considered on a case-by-case basis. The decision will be in harmony with the purpose of the cemetery.

11.16.110 Specifications For Monuments, Markers, Etc.

The placing of monuments and markers is done at a purchaser's own risk, shall be accomplished under the direction of the city sexton, and shall comply with all specifications herein enumerated. The city assumes no obligation or responsibility to repair or replace markers or monuments damaged by an owner or third party, or damaged as a result of a failure to comply with the directions of the city sexton, or failure to comply with the following specifications:

- A. It shall be unlawful for any person to erect or place any monument within the stone row on any standard or veteran lot in the city cemetery unless the same shall be placed in an approved concrete or on a granite foundation four (4) inches deep or deeper, if deemed necessary by the sexton, with a concrete or granite apron (lawnmower strip) not less than seven (7) inches wide around said monument. All concrete or granite bases must be straight up and down at 90-degree angles with no other angles allowed. For purposes of this Chapter, a monument is defined to be: any structure, tree, plant, urn, or any structure designed to perpetuate the memory of the dead; all other structures erected in the cemetery lots are hereby designated as "markers."
- B. It shall be unlawful for any person to place any monument on any lot in the cemetery not made of non-ferrous or non-rusting metal, stone, or concrete.
- C. All flower pots, vases, poles, and other such devices must be placed at the sides of or in the front or back center of the monument.
- D. Any allowed monument or markers placed out of the normal stone row shall be flat and flush and shall be placed in an approved concrete foundation six (6) inches deep or deeper, if deemed necessary by the city sexton, with a concrete or granite apron (lawnmower strip) not less than four (4) inches. No permanent item may be attached to any monument or its concrete foundation. Widths may vary and shall be approved by the city sexton prior to being set.
- E. All babyland monuments and markers shall be flat and flush and its width shall not exceed 24 inches and shall be placed in an approved concrete foundation six (6) inches deep or deeper, if deemed necessary by the sexton, with a concrete or granite apron (lawnmower strip) not less than four (4) inches. No permanent item may be attached to any monument or its concrete foundation in the babyland area.
- F. All monuments and markers in the Cremation Graves area shall be flat and flush and its width shall not exceed twenty-eight (28) inches and shall be placed in an approved concrete foundation six (6) inches deep or deeper, if deemed necessary by the city sexton, with a concrete or granite apron (lawnmower strip) not less than four (4) inches. No permanent item may be attached to any monument or its concrete foundation in the Cremation Graves area. All monuments in the Cremation Graves area shall be set with the lay of the land.

In order to avoid damage to the Payson City Cemetery grounds, all monuments and markers placed in the Cemetery between the dates of November 1st to March 1st shall be transported to the gravesite by either a handcart or by way of Payson City personnel. It is a reserved right for the city sexton to prevent setting of monuments and markers between those dates above if the weather and ground conditions require.

11.16.120 Monuments And Markers In The Designated Veterans Area

- A. The Payson City Cemetery has established a designated Veterans area. The exact location of the Veterans section can be obtained from the sexton.
- B. In order to facilitate uniformity in the designated Veterans section of the cemetery, all monuments and markers shall conform to the following guidelines, in addition to the other requirements set forth in this ordinance:
 - 1. The military provides a free granite stone. This stone is allowed provided that it is poured flat in the concrete or granite base.
 - 2. A flat marker may be purchased from a monument company.
 - 3. A monument may be purchased from a monument company. The overall height of the monument shall not exceed 28 inches. Widths may vary.
 - 4. The monument shall be 90 degrees from the base. No "wedge" shaped monument or other monument that is not 90 degrees from the base shall be allowed in the Veteran area.

11.16.130 Operation Of Vehicles And Speed Limit

- A. It shall be unlawful for any person to drive or operate a vehicle on cemetery grounds except on clearly designated areas designed for motor vehicle traffic.
- B. It shall be unlawful for any person to drive or operate any motor vehicle within the limits of the city cemetery at a rate of speed greater than ten miles per hour, or in any other manner that would endanger persons or property.

11.16.140 Cemetery Fees

The schedule of fees to be imposed for cemetery services shall be set by the City council from time to time by resolution.

11.16.150 Perpetual Care And Maintenance

- A. There is hereby created a perpetual cemetery improvement fund by Payson City. All funds collected by the city treasurer for perpetual care and maintenance (which shall include all fees collected by the sale of a lot, any other funds as may be received as gifts, or other funds as may be directed to be paid into the fund by

the City Council) shall be accounted for under the heading of perpetual maintenance cemetery fund.

- B. **Defined.** The term PERPETUAL CARE AND MAINTENANCE as used in this Chapter shall include every grave and lot in the cemetery sold since its organization and shall mean filling of the grave, placing of topsoil upon the grave, filling and seeding or sodding of the grave site, watering and cutting of the grass, except in times of drought, keeping of roads and drives in proper repair, keeping the drainage system in proper repair, pruning of trees, shrubs, and keeping the cemetery in good condition. Charges shall be made for all other services and improvements according to the fee schedules established by the city council. If no fee has been established for specific special services as requested, a reasonable sum based upon the cost to the city shall be assessed by the sexton.
- C. No grave opening upon any lot or burial space upon which perpetual maintenance is owed shall be authorized until the perpetual maintenance has been paid to the city.
- D. The city sexton is authorized to arrange and to maintain trees, shrubs and other landscaping to enhance the beauty of the cemetery.

11.16.160 Days When Burials Are Prohibited

Burials shall not occur on Christmas Day, New Year's Day, Human Rights Day, President's Day, Memorial Day, Memorial Day Weekend, Thanksgiving Day, Fourth of July, Pioneer Day, Labor Day, and Sundays. Whenever a recognized holiday fall on a Saturday, the observed holiday will be the previous Friday. Whenever a recognized holiday falls on a Sunday, the observed holiday will be the following Monday. Provided, however, that a burial may be permitted on any of the days described above if the deceased died of a contagious disease, or if other health or welfare concerns so require.

11.16.170 East-West Burials

All burials shall be with the length of the casket on an east-west alignment unless the lot or parcel is not large enough to allow east-west burial, then upon application to the sexton, such burial will be allowed to be on a north-south alignment. The sexton shall give permission for the irregular burials only under those circumstances when the markers would be compatible with others already established in the same area.

11.16.180 Curfew, And Defacing Property

- A. It shall be unlawful for any person not authorized by the city sexton to be in the cemetery from 10:00 p.m. to 6:00 a.m. of any day. A person will be considered to be "in the cemetery: if he or she is within the perimeter of the cemetery as established by a fence, or is upon any portion of the property set aside as present or future cemetery property as designated in the appropriate records of the city and county.

- B. Cemetery patrons only are allowed in the cemetery. It shall be unlawful for any person to climb over or crawl under the cemetery fence or to damage a cemetery fence.
- C. Children under twelve (12) years of age must be accompanied at all times on the cemetery property by a parent or some supervising adult eighteen (18) years of age or older.
- D. It shall be unlawful to engage in recreational or other inappropriate activities on the cemetery property. No rollerblades, skate boards or bikes allowed.
- E. It shall be unlawful for any person to injure or deface any monument, marker, tree, shrub or any other property in the city cemetery.
- F. The sexton, any person working for the sexton's office or any peace officer is empowered to enforce the provisions of this Section and to abate any vandalism or trespassing within the cemetery property.
- G. Any violation of this Chapter will constitute a class C misdemeanor.

11.16.190 Flowers And Decorations

- A. Decorations on graves are allowed throughout the year pursuant to the following guidelines:

Summer (March 15 – October 31): All flowers and other decorations must be confined to the headstone and its concrete or granite apron. Items driven into the ground such as shepherd hooks, iron wires, sticks, illuminaries, and pegs are prohibited and may be removed and disposed of upon discovery. City crews may begin removing decorations after seven days following recognized holidays during the summer months.

Winter (November 1 – March 14): all flowers and decorations are acceptable and can remain anywhere on the graves during the winter months as long as they are not damaging the cemetery grounds or obtrusive to neighboring graves. City crews may begin removing decorations after thirty (30) days following recognized holidays during the winter months.

- B. Any decoration that becomes faded, worn, or unsightly will be removed and disposed of. For safety and maintenance reasons, breakable items (glass, ceramic, etc.) are prohibited and may be removed and disposed of upon discovery.
- C. Payson City, its employees, and agents shall not be responsible or liable for theft of, damage to, or injury arising from flowers, decorations, and other personal property left in the cemetery.

11.16.200 Animals Prohibited

No dogs shall be allowed in the Payson City Cemetery unless confined in a vehicle. Dogs trained to assist the disabled shall be allowed in the Cemetery so long as it is properly leashed. It shall be unlawful for any person having the care of any animal to allow the animal to be within the cemetery, except physically confined in a motor vehicle.

11.16.210 Burial Of Indigent Persons

The City Council may designate, from time to time, lots for the burial of indigent persons.

11.16.220 Rights Of City And Certificate Holders

- A. In administering the cemetery, Payson City shall be entitled to all rights and prerogatives granted to it in law or equity, including the rights set forth in Utah Code 8, or any subsequent amendments. The omission or failure to assert any right or prerogative by the City in any particular case shall not constitute a waiver of the right.
- B. Upon payment of the purchase price for any lot or burial space, the certificate issued by the city sexton in the name of the purchaser shall vest the burial rights in the purchaser. The nature and extent of rights acquired by purchase of a certificate of burial rights shall be the right to use the burial space or lot for burial purposes only and subject to all rules, regulations, limitations and conditions imposed by the Payson City Code, other City ordinances, Utah State Law, and by the sexton as are necessary for efficient care of the cemetery.
- C. The city reserves the right of easement over and across any lot or burial space in the cemetery for repair of turf, installation or maintenance of water pipes or water lines for the improvement of the cemetery, and for the opening and closing of adjacent graves. The sexton will be responsible to see that all the work is completed and the surface returned to proper condition after such installation or maintenance work.
- D. All lots and parts of lots in the cemetery shall be exempt from execution and from taxation.

11.20 Public Facilities

[11.20.010 Purpose And Intent](#)

[11.20.020 Public Facilities Manager](#)

[11.20.030 General Provisions](#)

[11.20.040 Payson City Center](#)

[11.20.050 Peteetneet Academy](#)

[11.20.060 Gladstan Golf Course](#)

[11.20.070 Parks And Open Spaces](#)

[11.20.080 Public Works Facilities](#)

[11.20.090 Facilities Not Listed In This Chapter](#)

11.20.100 Emergency Shelters

11.20.010 Purpose And Intent

The purpose of this Chapter, Public Facilities is to establish appropriate rules and regulations for the use, lease, rental, improvement, modification, and construction of facilities owned by the Payson City Corporation.

The intent of this Chapter is to facilitate the orderly and predictable utilization of publicly owned facilities, establish rental and lease rates, identify construction standards and other regulations that will ensure protection of public property from abuse, misuse, safety hazards, scheduling conflicts, and any other imposition.

11.20.020 Public Facilities Manager

There is hereby established the position of Public Facilities Manager. The Public Facilities Manager shall report directly to the City Manager and shall be compensated in accordance with the adopted salary schedule. The duties of the Public Facilities Manager include, but are not limited to, the following:

- A. To ensure that municipal public buildings are properly maintained, secured, and safe for employees and patrons.
- B. To ensure that municipal public buildings are kept clean, sanitary and in good order for use by employees and patrons.
- C. To ensure that rental, lease and other use of municipal public buildings is properly scheduled to avoid conflict. Furthermore, to restrict rental lease and other use of municipal public buildings to appropriate and proper activities.
- D. To ensure that construction, remodel or other alteration of any municipal public building is completed in accordance with the appropriate building codes, the development ordinances of the City, and all other ordinances and resolutions of the City. The Public Facilities Manager shall also ensure that all permits, applications, and other necessary record keeping in relation to municipal public buildings are obtained or completed.
- E. To provide necessary information to the Mayor and City Council about the needs of the municipal public buildings. To provide information to the Mayor and City Council about the appropriate lease, rental and other uses of municipal public buildings.
- F. To prepare a public facilities budget for adoption by the City Council that addresses the maintenance, construction, remodel and janitorial needs of the municipal public buildings.
- G. To coordinate with the employees of municipal public buildings in relation to any physical alteration of any municipal public building.

- H. To coordinate with the Parks Superintendent or other Department heads about the lease, rental and other use of municipal buildings, public parks and other open space as the use relates to municipal public buildings.

11.20.030 General Provisions

The Payson City Corporation has constructed municipal public buildings in order to execute official government business. However, on occasion the facilities are not in use by Payson City and are available for use by non-Payson City Corporation patrons.

- A. **Definitions.** The following definitions are specific to this Chapter. If a word is not listed in this paragraph A, the word shall have the most common definition as established in the latest version of the Webster's New World dictionary.

For the purposes of this Chapter, DANCES shall be defined as follows:

1. Entertainment dances. Dances where an audience or group of individuals are entertained by those performing, not to include the audience or group.
2. Social dances. Dances where anyone in attendance may participate in the activity.

FEE SCHEDULE is defined as a resolution adopted by the Payson City Council for the establishment of fees for the rental of facilities owned and operated by the Payson City Municipal Corporation.

NON-PAYSON CITY EVENTS and ACTIVITIES are defined as events and activities by persons or groups not acting in an official capacity for the Payson City Municipal Corporation.

PAYSON CITY is defined as the Payson City municipal corporation and may be referred to as Payson City Municipal Corporation, Payson City Corporation, Payson City, or the City.

PUBLIC BUILDINGS are defined as buildings or structures owned and operated by the Payson City Municipal Corporation or Redevelopment Agency of Payson City.

PUBLIC FACILITIES are defined as buildings, structures, property, or other facilities owned and operated by the Payson City Municipal Corporation or Redevelopment Agency of Payson City.

PUBLIC FACILITIES MANAGER is defined as an employee of Payson City charged with the responsibility of oversight for the use, maintenance, repair, and operation of facilities owned and operated by the Payson City Municipal Corporation.

B. Establishment Of Fees. The Payson City Council has established and adopted a fee schedule for the rental and use of public buildings and facilities. Appropriate security deposits are included in the fee schedule. The fee schedule may be amended from time to time by a majority vote of the City Council. Additional security deposits and use fees may be established by the Facilities Manager on a case by case basis, when appropriate, for the protection of public buildings and facilities.

1. All use of Payson City facilities other than official use shall be charged according to the fee schedule.

C. Scheduling. Official Payson City sponsored events and activities shall take priority over non-Payson City events and activities in the use of public buildings and facilities. Payson City reserves the right to override any previous scheduling of any public building or facility for any legitimate government purpose with or without notice, provided notice is given at the earliest date possible.

The use of public buildings and facilities shall not be considered reserved until the event has been scheduled with the City at the front office or at another officially designated area and the appropriate fee has been paid. Unless otherwise indicated in this Chapter, the use of public buildings and facilities shall be scheduled on a first come, first served basis unless otherwise modified by the City Council.

Prior to using the scheduled public building or facility, a person may request a walk-through to determine any missing items or prior damage. The person requesting the walk-through shall be accompanied by the Facilities Manager or designee. A log shall be kept detailing all pertinent information.

D. Rental Or Use By Payson City Employees. Public buildings and facilities may be used by Payson City Employees at no cost when an employee is acting in an official capacity in behalf of Payson City. The schedule for use of public buildings and facilities by Payson City employees shall be approved by the Facilities Manager or designee and may be modified by the City Council and pay according to the fee schedule.

Public buildings and facilities may be rented and used by Payson City employees at a reduced cost as indicated in the adopted fee schedule. Payson City employees, when reserving the use of public buildings and facilities shall not be given preference over any other non-Payson City event or activity.

E. Entertainment And Social Dances. Organized dances are not allowed within Payson City facilities with the following exceptions:

1. Dance classes organized through the Payson City recreation program.
2. Dance recitals organized through the Payson City recreation program.

3. Entertainment dances as defined in paragraph A are allowed at the City Center.
4. Dance classes held at the Peteetneet Academy organized and approved by the lessee.
5. Dance recitals held at the Peteetneet Academy organized and approved by the lessee.
6. Entertainment and social dances as defined in paragraph A are allowed at the Peteetneet Academy

F. Construction Or Improvements To Facilities. All new construction (i.e. maintenance buildings, pavilions, restroom facilities, pump house, etc.) shall be reviewed and approved by the City Council following the receipt of a recommendation from the Planning Commission. In addition to the approval granted by the City Council, any construction, improvement, or any other alteration of any Payson City facility, written approval shall be granted from the Payson City Facilities Manager. It is not the intention of this paragraph F to regulate the rearrangement of office furniture, tables, chairs computers, printers, and other movable objects. Failure to notify and obtain approval from the Facilities Manager of any construction, improvement or any other alteration of any Payson City Facility may result in disciplinary action for any City employee or loss of use privileges by the violating party.

G. Amendment Of This Chapter. This Chapter may be amended from time to time by a majority vote of the City Council. A public hearing is not required for the amendment of this Chapter provided that the Chapter is amended at a regular meeting of the City Council.

11.20.040 Payson City Center

The Payson City Center is located at 439 West Utah Avenue and is used to house the administrative offices of the City. Any use of the Payson City Center shall be secondary and subordinate to the proper function of City Government. Notwithstanding the following regulations and procedures, the City Council may postpone or cancel any use of the Payson City Center for any legitimate government purpose with or without notice, provided notice is given at the earliest date possible.

Scheduling the use of the Payson City Center shall be consistent with paragraphs A through G. All rental and use fees shall be consistent with the Payson City Fee Resolution. The use of the Payson City Center shall not be considered reserved until the event has been scheduled pursuant to PCC 11.20.030 paragraph C and the appropriate fee has been paid. Use of the Payson City Center shall be scheduled on a first come, first served basis unless otherwise modified by the City Council.

Official Payson City sponsored events and activities shall take priority over non-Payson

City events and activities. Furthermore, the Payson City Center is an emergency shelter and any emergency declared by the Mayor of Payson City shall override any previous scheduling of the Payson City Center.

A. Banquet Hall.

1. The use of the banquet hall at the Payson City Center shall be scheduled in advance pursuant to PCC 11.20.030 paragraph C. The banquet hall shall be scheduled with the following priorities:
 - a. Official Payson City functions, including emergency situations, shall take precedent over all other activities.
 - b. Payson City senior citizen events and activities shall take precedent over any non-Payson City events or activities.
 - c. Payson City recreation events and activities shall take precedent over any non-Payson City events or activities.
 - d. Non-Payson City events shall be scheduled on a first come, first served basis unless otherwise modified by the City Council.
2. The City shall be provided with the following information at the time the reservation is made:
 - a. The contact name, address, phone number, and major (Visa or MasterCard) credit card number of the applicant. All applicants must be 21 years of age.
 - b. A general description of the proposed use of the banquet hall.
 - c. The date and length of time that the banquet hall will be used.
 - d. The number of tables, chairs, and other Payson City materials that will be used.
 - e. Information about any materials that will be brought into the banquet hall.
 - f. The anticipated number of attendees at the event or activity.
3. The following are prohibited uses in the banquet hall, and will result in the complete and automatic forfeiture of the security deposit and may result in appropriate legal action:
 - a. Alcoholic beverages of any type.
 - b. Tobacco use of any kind including, but not limited to, cigars, cigarettes, pipes, chewing tobacco, and snuff tobacco.
 - c. According to the Utah Clean Air Act, 26-58-1.

- d. Illegal or illicit drugs of any kind.
 - e. Any other stipulations established by the Facilities Manager after review of the application for rental of the banquet hall.
4. The fee assessed for use of the banquet hall is for rent and general cleaning including vacuuming, mopping hallways and restrooms. The need for shampooing the carpet shall be considered damage. All Damage to the banquet hall shall be the responsibility of the applicant. The applicant will be given the option of repairing the damage, to the satisfaction of the Facilities Manager, at the cost of the applicant or allowing Payson City to have the damage repaired and the cost of the repair charged to the major (Visa or MasterCard) credit card of the applicant.

B. Kitchen Area.

1. The use of the kitchen area in the Payson City Center shall be scheduled in advance pursuant to PCC 11.20.030 paragraph C. The kitchen area is often associated with the use of the banquet hall, and the two areas may be scheduled together. The kitchen area shall be scheduled with the following priorities:
- a. Official Payson City functions, including emergency situations, shall take precedent over all other activities.
 - b. Payson City senior citizen events and activities shall take precedent over any non-Payson City events or activities.
 - c. Non-Payson City events shall be scheduled on a first come, first served basis unless otherwise modified by the City Council.
2. The City shall be provided with the following information at the time the reservation is made:
- a. The contact name, address, phone number, and major (Visa or MasterCard) credit card number of the applicant. All applicants must be 21 years of age.
 - b. A general description of the proposed use of the kitchen area.
 - c. The date and length of time that the kitchen area will be used.
 - d. The facilities that will be used such as stoves, refrigerators, sinks, plates and utensils, cups and glasses, salt and pepper shakers, and other Payson City materials to be used.
 - e. Information about any food, beverage or other materials that will be brought into the kitchen area.

- f. The anticipated number of persons to use the kitchen area and a list of those who will have access to the kitchen area.
- 3. The following are prohibited uses in the kitchen area, and will result in the complete and automatic forfeiture of the security deposit and may result in appropriate legal action:
 - a. Alcoholic beverages of any type.
 - b. Tobacco use of any kind including, but not limited to, cigars, cigarettes, pipes, chewing tobacco, and snuff tobacco. According to the Utah Clean Air Act, 26-58-1.
 - c. Illegal or illicit drugs of any kind.
 - d. The use of an open flame, charcoal briquettes, or other material that would present a potential fire hazard.
 - e. Any other stipulations established by the Facilities Manager after review of the application for rental of the kitchen area.
- 4. The fee assessed for use of the kitchen area is for rent and general cleaning. All Damage to the kitchen area shall be the responsibility of the applicant. The applicant will be given the option of repairing, to the satisfaction of the Facilities Manager, the damage at the cost of the applicant or allowing Payson City to have the damage repaired and the cost of the repair charged to the major (Visa or MasterCard) credit card of the applicant.

C. City Council Chambers.

- 1. The use of the City Council Chambers in the Payson City Center shall be scheduled in advance pursuant to PCC 11.20.030 paragraph C. The City Council Chambers is a formal area reserved for appropriate meetings and activities. Use of the City Council Chambers is restricted to those activities determined by the Facilities Manager to be appropriate for the room. The City Council Chambers shall be scheduled with the following priorities:
 - a. Official Payson City functions, including emergency situations, shall take precedent over all other activities.
 - b. Payson City Council meetings, Board of adjustment.
 - c. Payson City Planning Commission, Power Board, and other board and commission events and activities shall take precedent over any non-Payson City events or activities.
 - d. Non-Payson City events shall not be allowed in the Council Chambers.

2. The City shall be provided with the following information at the time the reservation is made:
 - a. The contact name, department, address, phone number, All applicants must be 21 years of age.
 - b. A general description of the proposed use of the City Council Chambers.
 - c. The date and length of time that the City Council Chambers will be used.
 - d. The facilities that will be used such as whiteboards, screens, microphones, displays, and other Payson City materials that will be used.
 - e. Information about any materials that will be brought into the City Council Chambers.
 - f. The anticipated number of persons to use the City Council Chambers.
 - g. Food and drinks are not allowed in the Council Chambers.
 - h. The Council Chambers are not reserved until the activity has been scheduled in the scheduling book.
3. The following are prohibited uses in the City Council Chambers and may result in appropriate legal action:
 - a. Alcoholic beverages of any type.
 - b. Tobacco use of any kind including, but not limited to, cigars, cigarettes, pipes, chewing tobacco, and snuff tobacco. According to the Utah Clean Air Act, 26-58-1.
 - c. Illegal or illicit drugs of any kind.
 - d. Food and drinks other than water, unless approved by the Facilities Manager.
 - e. Any other stipulations established by the Facilities Manager after review of the application.
4. The fee assessed for use of the City Council Chambers is for rent and general cleaning. The need for shampooing the carpet shall be considered damage. All Damage to the City Council Chambers shall be the responsibility of the City representative. The City representative will be given the option of repairing, to the satisfaction of the Facilities Manager, the damage at the cost of the City representative or allowing

Payson City to have the damage repaired and the cost of the repair charged to the City representative or his/her department.

- D. Use Of Other Building Areas.** There are several locations in the City Center that under the right circumstances may be appropriate for non-Payson City events and activities. These areas include, but are not limited to the Justice Court, the Jury Room, the Daughters of the Utah Pioneers Museum, and various other locations throughout the building. The use of these rooms is discouraged and only allowed with the permission of the Facilities Manager and on a case by case basis.

Payson City reserves the right to refuse the use of any of these building locations. If any entity is allowed to use these locations, the rental rates and security deposits shall be determined by the Facilities Manager.

- E. Use Of Pioneer Square.** There are several open spaces and turf areas surrounding the Payson City Center. These areas are considered public space and open for appropriate events and activities. The grounds referred to, together with the Payson City Center, as Pioneer Square are not available for exclusive rental purposes. All laws and regulations governing public property apply to these areas.

The following are prohibited uses in Pioneer Square and may result in appropriate legal action:

1. Alcoholic beverages of any type.
2. Illegal or illicit drugs of any kind.
3. Any other stipulations established by the Facilities Manager after review of the application.

- F. Use Of City Parking Lot.** The parking lot area located at Pioneer Square is intended for the parking of automobiles for the employees and patrons of the Payson City Center. Payson City reserves the right to use the entire parking lot for employee parking, patrons of the Payson City Center, or functions scheduled at the Payson City Center. Vehicles parked in the parking lot for any purpose other than employee parking, patron parking of the Payson City Center, or a scheduled event or activities is not permitted. No overnight parking or camping is allowed except that Payson City vehicles may be parked in the parking lot overnight. The Facilities Manager may cause any vehicle not in compliance with this paragraph F to be towed at the owners' expense.

- G. Posting Information.** Payson City reserves the right to post any official Payson City information in any appropriate location at Pioneer Square or in the Payson City Center. Non-official information shall be posted only with the Permission of the Facilities Manager and only in the location designated by the Facilities

Manager.

Any information posted at Pioneer Square or in the Payson City Center should be related to a community event or activity. Advertising for financial gain shall not be permitted at Pioneer Square or in the Payson City Center. Payson City reserves the right to refuse the posting of any non-official information.

11.20.050 Peteetneet Academy

The Peteetneet Academy is owned by Payson City and operated by the People Preserving Peteetneet. The People Preserving Peteetneet shall operate the Peteetneet Academy in accordance with the agreement on record in the office of the Payson City recorder.

Payson City reserves the right to utilize the Peteetneet Academy for any appropriate official Payson City event or activity. All non-official events and activities shall be charged according to the fee schedule and scheduled by the People Preserving Peteetneet in accordance with the agreement on record in the office of the Payson City recorder.

There are several open spaces, turf areas, walkways and an amphitheater surrounding the Peteetneet Academy. These areas are considered public space and open for appropriate events and activities. The grounds surrounding the Peteetneet Academy are not available for exclusive rental purposes. All laws and regulations governing public property apply to these areas.

The following are prohibited uses in the Peteetneet Academy and the grounds surrounding the Peteetneet Academy and may result in appropriate legal action:

- A. Alcoholic beverages of any type.
- B. Illegal or illicit drugs of any kind.
- C. Indoor use of any kind of tobacco including, but not limited to, cigars, cigarettes, pipes, chewing tobacco, and snuff tobacco. According to the Utah Clean Air Act, 26-58-1.
- D. Any other stipulations established by the Facilities Manager after review of the application.

11.20.060 Gladstan Golf Course

The Gladstan Golf Course is owned and operated by Payson City. Any alternative use of the golf course and related facilities shall be consistent with the provisions of this Section.

- A. **Use Of The Clubhouse.** The clubhouse shall be operated by the Payson City

Golf Professional or designee. Any use of the clubhouse shall be scheduled with the golf professional or designee. The golf professional shall provide information to the Payson City Manager about any use of the clubhouse by any person or entity other than an employee of Payson City.

The basement meeting room is reserved for the men's and women's golf associations of Gladstan Golf Course or other official Payson City business. The meeting room may be used for non-Payson City events and activities with the permission of the Payson City Golf Professional or designee according to the Payson City fee schedule. Payson City reserves the right to deny the use of the meeting room when such use interferes with the proper operation of the golf course or use by the men's and women's golf associations of Gladstan Golf Course. The rental rate for use of the meeting room shall be consistent with the fee schedule approved and adopted by the City Council.

1. The use of the meeting room shall be scheduled in advance with the Payson City Golf Professional or designee. The Payson City Golf Professional shall be provided with the following information at the time the reservation is made:
 - a. The contact name, address, phone number, and major (Visa or MasterCard) credit card number of the applicant. All applicants must be 21 years of age.
 - b. A general description of the proposed use of the meeting room.
 - c. The date and length of time that the meeting room will be used.
 - d. The Payson City materials that will be used.
 - e. Information about any materials that will be brought into the meeting room.
 - f. The anticipated number of persons to use the meeting room.
2. The following are prohibited uses in the meeting room, and will result in the complete and automatic forfeiture of the security deposit and may result in appropriate legal action:
 - a. Tobacco use of any kind including, but not limited to, cigars, cigarettes, pipes, chewing tobacco, and snuff tobacco. According to the Utah Clean Air Act, 26-58-1.
 - b. Illegal or illicit drugs of any kind.
 - c. Any other stipulations established by the Payson City Golf Professional or Facilities Manager after review of the application for rental of the meeting room.
3. The fee assessed for use of the meeting room is for rent and general

cleaning. The need for shampooing the carpet shall be considered damage. All Damage to the meeting room shall be the responsibility of the applicant. The applicant will be given the option of repairing, to the satisfaction of the Facilities Manager and the Payson City Golf Professional, the damage at the cost of the applicant or allowing Payson City to have the damage repaired and the cost of the repair charged to the major (Visa or MasterCard) credit card of the applicant.

- B. Use Of The Restaurant.** The restaurant located within the clubhouse shall be operated under the direction of the Payson City Golf Professional or designee. Any use of the restaurant shall be scheduled with the golf professional. The golf professional shall provide information to the Payson City Manager about any use of the restaurant by any person or entity other than an employee of Payson City.

Use of the restaurant by any person or entity other than an employee of Payson City shall not inhibit the operation of the restaurant during regular business hours. The restaurant is available only before or after regular business hours. The kitchen area of the restaurant is not available for rent; only the banquet area. The restaurant may be used for non-Payson City events and activities with the permission of the Payson City Golf Professional. Payson City reserves the right to deny the use of the restaurant when such use interferes with the proper operation of the golf course or the restaurant. The rental rate for use of the restaurant shall be consistent with the fee schedule approved and adopted by the City Council.

1. The use of the restaurant shall be scheduled in advance with the Payson City Golf Professional or designee. The Payson City Golf Professional shall be provided with the following information at the time the reservation is made:
 - a. The contact name, address, phone number, and major (Visa or MasterCard) credit card number of the applicant. All applicants must be 21 years of age.
 - b. A general description of the proposed use of the restaurant.
 - c. The date and length of time that the restaurant will be used.
 - d. The materials that will be used including the grill, stove, tables, chairs, and any other Payson City materials.
 - e. Information about any materials that will be brought into the restaurant.
 - f. The anticipated number of persons to use the restaurant.
2. The following are prohibited uses in the restaurant, and will result in the complete and automatic forfeiture of the security deposit and may result in

appropriate legal action:

- a. Tobacco use of any kind including, but not limited to, cigars, cigarettes, pipes, chewing tobacco, and snuff tobacco. According to the Utah Clean Air Act, 26-58-1.
 - b. Illegal or illicit drugs of any kind.
 - c. Any other stipulations established by the Payson City Golf Professional or Facilities Manager after review of the application for rental of the restaurant.
3. The fee assessed for use of the restaurant is for rent and general cleaning. The need for shampooing the carpet shall be considered damage. All Damage to the meeting room shall be the responsibility of the applicant. The applicant will be given the option of repairing, to the satisfaction of the Facilities Manager and the Payson City Golf Professional, the damage at the cost of the applicant or allowing Payson City to have the damage repaired and the cost of the repair charged to the major (Visa or MasterCard) credit card of the applicant.

C. Use Of The Golf Course. The golf course shall be operated by Payson City under the direction of the Payson City Golf Professional. Entities may schedule tournaments to be played on the Gladstan Golf Course. All tournaments shall be scheduled with the golf professional on a first come, first served basis and shall be consistent with the fee schedule approved and adopted by the City Council. Payson City reserves the right to deny the use of the golf course when such use interferes with the proper operation of the golf course.

1. Tournaments shall be scheduled in advance with the Payson City Golf Professional. The Payson City Golf Professional shall be provided with the following information at the time the reservation is made:
 - a. The contact name, address, phone number, and major (Visa or MasterCard) credit card number of the applicant. All applicants must be 21 years of age.
 - b. The anticipated number of persons to participate in the tournament.
2. The following are prohibited uses on the golf course and will result in the complete and automatic forfeiture of the security deposit and may result in appropriate legal action:
 - a. Illegal or illicit drugs of any kind.
 - b. Any other stipulations established by the Payson City Golf Professional after review of the proposed tournament.

3. The fee assessed for a tournament is for proper use of the golf course. All Damage to the golf course shall be the responsibility of the applicant. The applicant will be given the option of repairing, to the satisfaction of the Payson City Golf Professional, the damage at the cost of the applicant or allowing Payson City to have the damage repaired and the cost of the repair charged to the major (Visa or MasterCard) credit card of the applicant.

11.20.070 Parks And Open Spaces

Payson City owns and operates several parks and open spaces. However, not all facilities are available for exclusive rental by individuals or groups. The following facilities are available for rent at a rate consistent with the fee schedule approved and adopted by the City Council:

- A. The picnic pavilions at Memorial Park.
- B. The swimming pool at Memorial Park.
- C. The bandstand at Memorial Park.
- D. The picnic pavilion McMullin (Senior Citizens) Park.
- E. The picnic pavilion Constitution Park.
- F. Payson Canyon / Kiwanis Park.

The use of the facilities listed above shall be scheduled in advance pursuant to PCC 11.20.030 paragraph C. The facilities shall be scheduled with the following priorities:

- A. Official Payson City functions, including emergency situations, shall take precedent over all other activities.
- B. Payson City recreation events and activities shall take precedent over any non-Payson City events or activities.
- C. Non-Payson City events shall be scheduled on a first come, first served basis unless otherwise modified by the City Council.

The Facilities Manager or designee shall be provided with the following information at the time the reservation is made:

- A. The contact name, address, phone number, and major (Visa or MasterCard) credit card number of the applicant. All applicants must be 21 years of age.
- B. A general description of the proposed use of the City owned facility.
- C. The date and length of time that the facility will be used.

- D. The specific Payson City facilities that will be used.
- E. Information about any other materials that will be brought onto the City owned facility.
- F. The anticipated number of persons to use the facility.

The following are prohibited uses on City owned facilities listed above and will result in the complete and automatic forfeiture of the security deposit and may result in appropriate legal action:

- A. Alcoholic beverages of any type.
- B. Illegal or illicit drugs of any kind.
- C. The use of an open flame or other material that would present a potential fire hazard.
- D. Any other stipulations established by the Facilities Manager after review of the application for rental a City owned facility.

The fee assessed for use of City owned facilities is for rent and general cleaning. All Damage to the City owned facility shall be the responsibility of the applicant. The applicant will be given the option of repairing, to the satisfaction of the Facilities Manager, the damage at the cost of the applicant or allowing Payson City to have the damage repaired and the cost of the repair charged to the major (Visa or MasterCard) credit card of the applicant.

11.20.080 Public Works Facilities

Payson City owns several buildings and facilities that are used to provide public works services to the residents and visitors to the community. These facilities are not available for rent or use by Payson City residents and non-Payson City individuals or groups.

11.20.090 Facilities Not Listed In This Chapter

If any facility owned by Payson City is not listed in this Chapter, it is considered public space and shall be operated in a manner consistent with normal and accepted use principles of public property.

- A. Fire Station
- B. Ambulance building
- C. Police station
- D. Library
- E. Ball fields

F. Cemetery

11.20.100 Emergency Shelters

Payson City has a responsibility to identify areas throughout the City that may be utilized for emergency purposes. Any emergency declared by Payson City in accordance with PCC 9 shall override any previous scheduling of the facilities.

In case of an emergency, disaster, or other catastrophe, the following areas, together with associated facilities, may be used.

- A. City Center
- B. Memorial Park
- C. Constitution Park
- D. Hillman Field
- E. New Ball Fields
- F. Peteetneet Academy