

Thursday, July 28, 2022

PERRY CITY COUNCIL MEETING AGENDA

**This is an “Electronic Meeting” Web/Teleconferencing will be used to participate
Go to www.perrycity.org for meeting access instructions**

The Perry City Council will hold an electronic meeting at 3005 South 1200 West in Perry and via web/teleconference on the Thursday identified above, starting at approximately 7:00 PM, following a 6:00 PM Work Session Meeting. Members of the public may attend the meeting in person or may view the meeting via Zoom using a link and instructions on the web page at: <https://www.perrycity.org/whats-new.htm.htm>. Agenda items may vary depending on length of discussion, cancellation of scheduled items, or agenda alteration. Numbers and/or times are estimates of when agenda items will be discussed. Action on public hearings will always be later in the same meeting or at a subsequent meeting. Every agenda item shall be a discussion and/or action item, unless otherwise indicated.

Approx. 6:00 PM – Work Session

1. FY2023 Budget Planning

Approx. 7:00 PM – Regular City Council Meeting

1. Call to Order

2. Procedural Issues

A. Conflicts of Interest Declaration(s), If Any

3. Presentation

A. Brigham City Fire Department Presentation to Perry EMS

4. Action Items (Roll Call Vote)

A. Discussion and/or Action Regarding Fireworks at Perry Park

B. Ordinance 22-F Land Use Chart and Associated Regulations

C. Ordinance 22-I Amending the Density Map

5. Discussion Item

A. Fourth of July Follow Up

6. Minutes & Council/Mayor Reports (Including Council Assignments)

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

A. Approval of Consent Items

- May 12, 2022 RDA Meeting Minutes
- June 09, 2022 City Council Work Session Minutes
- June 09, 2022 City Council Meeting Minutes
- June 23, 2022 City Council Meeting Minutes
- June 23, 2022 RDA Meeting Minutes

B. Mayor’s Report

C. Council Reports

D. Staff Comments

E. Planning Commission Report

7. Executive Session (if needed)

- A. Discussion of the purchase, exchange, lease, or sale of real property, when public discussion would disclose the value of the property or prevent the authority from completing the transaction of the best possible terms.
- B. Strategy session to discuss the character, professional competence, or physical or mental health of an individual.
- C. Strategy session to discuss collective bargaining.
- D. Strategy session regarding pending, or reasonably imminent litigation.
- E. Strategy session to discuss the deployment of security personnel, devices, or systems.
- F. Discussion of investigative proceedings regarding allegations of criminal misconduct.

8. Approx. 8:30 PM - Adjournment

Certificate of Posting

The undersigned duly appointed official hereby certifies that a copy of the foregoing agenda was sent to each member of the City Council and was posted in three locations: the Perry City Offices, Centennial Park, Perry City Park; and was emailed to the Ogden Standard-Examiner, Box Elder News Journal; and posted on the State Public Meeting Notice Website on this 21st day of July, 2022. Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance at (435-723-6461).

Shanna S. Johnson, City Recorder

5.1.2 Site Plan.

5.1.2.1 A site plan shall be submitted to the AHJ within a time period required by the AHJ prior to the display.

5.1.2.2* The site plan shall include the dimensions of the display site and location of discharge site(s), spectator viewing area(s), parking area(s), fallout area(s), and the associated separation distances.

5.1.2.2.1 For display sites where fireworks are to be discharged from an elevation greater than 25 ft (7.5 m) above ground level (see 5.2.1.2), the elevation of the firing site(s) shall be included in the site plan.

5.1.2.2.2 For display sites where fireworks are to be discharged at angles for aesthetic purposes (see 5.2.1.4.4), the location of the point(s) of discharge, the direction(s) of firing, and the firing tilt angle(s) shall be included in the site plan.

5.1.2.3 After review of the site plan, the AHJ shall inspect the area depicted on the site plan. (See Annex B for additional information.)

5.1.2.4 When trenches or holes are dug into the ground in order to place mortars, the operator shall consult with the sponsor and the AHJ in order to locate any buried utility lines in the discharge site.

5.1.2.5* Multi-Sized Device Spacing.

5.1.2.5.1 Within each discharge site, each fireworks device shall be located so as to provide at least the minimum separation distances from spectators as required for that device in 5.1.3 and Table 5.1.3.1.

5.1.2.5.2 Within each discharge site, smaller devices shall be permitted to be placed at distances closer to spectators than larger devices, as long as the smaller devices also provide at least the minimum separation distances from spectators as required for those devices in 5.1.3 consistent with the distances in Table 5.1.3.1.

5.1.3* Minimum Site Size Requirements. The site for the outdoor land or water display shall have a radius at least as great as specified for those items in the display with the greatest required radius.

5.1.3.1 For aerial shells, the minimum required radius of the display site shall be 70 ft/in. (22 m/25 mm) of the internal mortar diameter of the largest aerial shell to be fired, as shown in Table 5.1.3.1.

5.1.3.2 For non-splitting or non-bursting comets and mines containing only stars or non-splitting or non-bursting comets, the minimum required radius of the display site shall be 35 ft/in. (11 m/25 mm) of the internal mortar diameter of the largest comet or mine to be fired, one-half that shown in Table 5.1.3.1.

5.1.3.3 Minimum Radius for Chain-Fused Aerial Shells, Comets, and Mines.

5.1.3.3.1 For chain-fused aerial shells, comets, and mines to be fired from mortars, racks, or other holders that are sufficiently strong to prevent their being repositioned in the event of an explosive malfunction of the aerial shells, comets, or mines, the minimum required radius of the display site shall be the same as that required in 5.1.3.1 and 5.1.3.2. (See also Section 4.6.)

Table 5.1.3.1 Distances for Outdoor Aerial Shell Display Sites: Minimum Separation Distances from Mortars to Spectators for Land or Water Displays

Mortar Size ^a		Minimum Secured Diameter of Site ^b		Vertical Mortars ^c		Angled Mortars ^d 1/3 Offset		Mortars to Special Hazards ^e	
		ft	m	ft	m	ft	m	ft	m
≤1	25	150	46	75	23	75	23	150	46
1.5	38	210	64	105	32	75	23	210	64
2	50	280	85	140	43	95	29	280	85
2.5	63	350	107	175	54	115	35	350	107
3	76	420	128	210	64	140	43	420	128
4	102	560	171	280	85	190	58	560	171
5	127	700	213	350	107	230	70	700	213
6	152	840	256	420	128	280	85	840	256
7	178	980	299	490	149	320	98	980	299
8	203	1120	341	560	171	370	113	1120	341
10	254	1400	427	700	213	460	140	1400	427
12	305	1680	512	840	256	560	171	1680	512

^aSee 4.1.1. Note that the discharge of fireworks using mortars >12 in. (>305 mm) in size requires the approval of the AHJ.

^bSee 5.1.3.

^cSee 5.2.1.4.

^dSee 5.2.1.4. Note that for mortars angled away from the main spectator area, the minimum secured diameter of the display site does not change. Only the location of the mortars within the secured area changes when the mortars are angled away from the main spectator area.

^eSee 5.1.4. Note that this is only the distance to the special hazards. The minimum secured diameter of the display site does not change.

5.1.3.3.2 For chain-fused aerial shells, comets, and mines to be fired from mortars, racks, or other holders that are not sufficiently strong to prevent their being repositioned in the event of an explosive malfunction of the aerial shells, comets, or mines, the minimum required separation distance shall be double that required in 5.1.3.1 and 5.1.3.2.

5.1.3.4 Roman Candles and Cakes.

5.1.3.4.1 For roman candles and cakes, the minimum required radius of the display site shall be that specified for chain-fused aerial shells, comets, or mines, depending on whether they produce aerial shell, comet, or mine effects.

5.1.3.4.2 For roman candles and cakes producing both aerial shell and comet or mine effects, the minimum required radius of the display site shall be that for aerial shells.

5.1.3.4.3 During the firing of the display, cakes shall be located a minimum of 100 ft (30 m) from any ready box and mortars to be reloaded.

5.1.3.5 Ground Display Pieces.

5.1.3.5.1* For ground display pieces of low hazard potential, the minimum radius of the display site shall be 75 ft (23 m).

5.1.3.5.2* For ground display pieces with greater hazard potential, the minimum radius of the display site shall be 125 ft (38 m).

5.1.3.6 Equipment, including mortars, used as holders to support smaller devices such as roman candles, pre-loaded mines, and pre-loaded comets shall not be used to determine the radius or area of the display site or the separation distances.

5.1.3.7* Flammable Liquid Fireball Effects.

5.1.3.7* Flammable Liquid Fireball Effects.

5.1.3.7.1 For effects using black powder or a black powder equivalent as a propellant and using gasoline/alcohols or other flammable liquids for fireball effects, whether discharged from mortars or from other devices, the separation distances provided in Table 5.1.3.7.1 shall apply.

5.1.3.7.2 When multiple devices are clustered together with distances of less than 10 ft between the individual effect devices to create a single fireball effect, the aggregate capacity of those devices shall be taken to determine the separation distance for the combined effects.

5.1.3.7.3 When multiple devices are lined up for a wall of fire effect and where each device is separated by a minimum of 10 times the inside diameter of the individual device, the audience separation distance shall be determined by the individual capacity of each device.

Table 5.1.3.7.1 Distances for Flammable Effects: Minimum Separation Distances from Mortars to Spectators for Land or Water Displays

Device Capacity in Gallons	Audience Separation Distance
≤5	75
5.01–25	150
25–50	200
50–100	250
100–200	300
200–400	350
>400	600

5.1.3.7.4 When prevailing winds are oriented toward the audience, a 50% increase in audience separation distance shall be required.

5.1.4 Other Site Requirements.

5.1.4.1* Distances from the point of discharge of any firework to a health care or detention and correctional facility shall be at least twice the distances specified in 5.1.3.

5.1.4.2 The requirements of 5.1.4.1 shall not apply where approved by the AHJ and the health care or detention and correctional facility.

5.1.4.3* The distance between the discharge site and bulk storage areas of materials that have a flammability, explosive, or toxic hazard shall be twice that required by 5.1.3.

5.1.4.4 The fuel tanks on vehicles or other motorized equipment located in the display site shall not be considered bulk storage.

5.1.4.5 No spectators or spectator parking areas shall be located within the display site.

5.1.4.6 Dwellings, buildings, and structures shall be permitted to be located within the display site with the approval of the AHJ and the owner of the dwelling, building, or structure, provided that the dwelling, building, or structure is unoccupied during the display, or if the structure provides protection for the occupants through noncombustible or fire-resistant construction.

5.1.4.7 The area selected for the discharge of aerial shells shall be located so that the trajectory of the shells shall not come within 25 ft (7.6 m) of any overhead object.

come within 25 ft (7.6 m) of any overhead object.

5.1.5 Fallout Area.

5.1.5.1* The fallout area shall be an open area.

5.1.5.2 Spectators, unauthorized vehicles, watercraft, or readily combustible materials shall not be located within the fallout area during the display.

5.1.6 Fire protection and other emergency response personnel and their vehicles shall remain at or beyond the perimeter of the display site during the actual firing of the display.

5.2 Minimum Spectator Separation Distance Requirements.

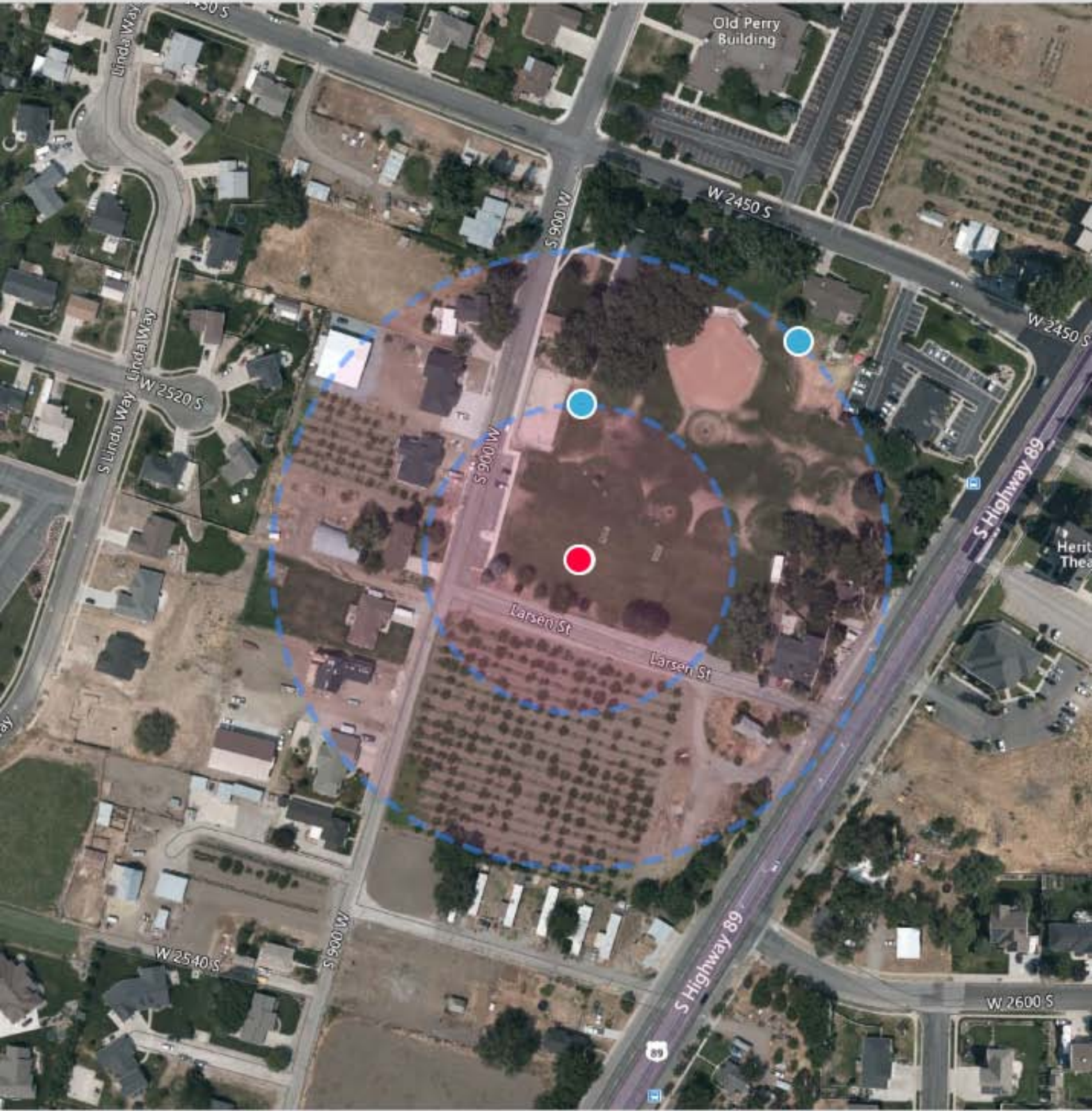
5.2.1 The minimum spectator separation distance from the point of discharge of each firework shall be at least as great as those specified in this section.

5.2.1.1* For aerial shells, comets, mines, roman candles, and cakes that are discharged vertically from firing positions elevated 25 ft (7.6 m) or less above ground level, the minimum required spectator separation distance shall be the same as the minimum required radius specified in 5.1.3, including Table 5.1.3.1.

5.2.1.2 For aerial shells, comets, mines, roman candles, and cakes that are discharged vertically from firing positions elevated more than 25 ft (7.6 m) above ground level, the minimum required spectator separation distance required by 5.2.1.1 shall be increased by 25 ft (7.6 m) and an additional 25 ft (7.6 m) for each 100 ft (30 m) of elevation.

5.2.1.3 For ground display pieces and mines containing only stars or non-splitting or non-bursting comets fired vertically

calcmaps.com
Radius: 127.89 m | 0.13 km | 0.08 mi | 420 ft
Circle Area: 51383.96 m² | 0.05 km² | 0.02 mi² | 553092 ft²















**PERRY CITY
ORDINANCE 22-F**

LAND USE CHART AND ASSOCIATED REGULATIONS

WHEREAS, The Municipal Land Use, Development, and Management Act authorizes the local regulation of land use; and,

WHEREAS, Local regulations necessitate updates from time to time;

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

SECTION 1: **ADOPTION** “15.06 Land Use Chart” of the Perry Municipal Code is hereby *added* as follows:

ADOPTION

15.06 Land Use Chart(*Added*)

The letter 'P' shown in individual cells within the Land Use Chart denotes Permitted Uses within the specified zoning districts. Open or blank cells indicate uses that are not permitted within the respective zoning district. Uses not listed are not permitted. Please see PMC 15.07.020.4 for uses and regulations pertaining to the Civic(CVC) and Recreation (REC) zones.

Uses not shown in the table, but ruled by the Land Use Authority to be similar to uses in the Land Use Chart may be approved in the same manner and in the same zones as the similar use is permitted.

-	<u>ZONING DISTRICTS</u>																
<u>USE</u>	<u>A</u>	<u>AL</u>	<u>R1A</u>	<u>RE1/2</u>	<u>R1/2</u>	<u>R1/3</u>	<u>R1</u>	<u>R2</u>	<u>ES</u>	<u>C</u>	<u>C1</u>	<u>IC</u>	<u>NC2</u>	<u>NC3</u>	<u>ML</u>	<u>MI</u>	<u>AE</u>
<u>Accessory Buildings</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Aggregate Extraction</u>						-	-	-	-	-		-				-	<u>P</u>
<u>Agriculture</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		-	-	-	-	-		-		<u>P</u>		-	-

<u>Amusement Center</u>						-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	-
<u>Apiaries</u>	<u>P</u>					-	-	-	-	-		-				-	-
<u>Art Gallery with Production</u>						-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			-	-
<u>Asphalt Plant</u>						-	-	-	-	-		-				-	-
<u>Assisted Living Facility/Rest Home/Sanitarium</u>						-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			-	-
<u>Auction Establishment</u>						-	-	-	-	-		-			<u>P</u>	<u>P</u>	-
<u>Bank/Financial Institution</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Bar/Tavern</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Cabinet Shop (Manufacturing with retail and showroom)</u>	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-	-	<u>P</u>	<u>P</u>	-
<u>Campground</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Cannabis Production Establishment</u>	<u>P</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-

<u>Cemetery/ Mausoleu m</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Check Cashing Service/C ar Title Loans/Pa yday Loans</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Concrete Batch Plant</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Contracto r's Yard (with outdoor storage of equipmen t and/or vehicles)</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Convent, Monaster y or other group dwelling for religious communit ies</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Cremator y</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Dairy/Fee d Lot</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Day Care Center (not home based)</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>		<u>P</u>	-	-	-	-
<u>Drive-in Move Theater</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

	<u>A</u>	<u>AL</u>	<u>R1A</u>	<u>RE1/2</u>	<u>R1/2</u>	<u>R1/3</u>	<u>R1</u>	<u>R2</u>	<u>ES</u>	<u>C</u>	<u>C1</u>	<u>IC</u>	<u>NC2</u>	<u>NC3</u>	<u>ML</u>	<u>MI</u>	<u>AE</u>
<u>Education al Facility</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	<u>P</u>	-	-	-	-
<u>Fertilizer or Soil Condition er Manufact uring</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Firearms Retail and/or Sales</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-
<u>Gas Station</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-
<u>Golf Course</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Governm ent Uses</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Hog Farms</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Home Occupatio n</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	-	-	-	-
<u>Hospital</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Hotel/Motel</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Indoor Shooting Range</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	<u>P</u>	-
<u>Indoor Sports/Da nce Facility</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-
<u>Kennel (Dog/Cat)</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	<u>P</u>	-

<u>Commercial</u>																	
<u>Kennel (Dog/Cat) - Private</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Liquor Store</u>	-	-	-	-	-	-	-	-	-		-	-	-	-			-
<u>Machine Shop</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Manufactured Home (Mobile/Trailer Home) Park</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Manufacturing, Heavy</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-
<u>Manufacturing, Light</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Meat Processing</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-
<u>Medical Cannabis Pharmacy</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-	-
<u>Medical Clinic</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
	<u>A</u>	<u>A</u> <u>L</u>	<u>R1</u> <u>A</u>	<u>R</u> <u>E1</u> <u>/2</u>	<u>R1</u> <u>/2</u>	<u>R1</u> <u>/3</u>	<u>R1</u>	<u>R2</u>	<u>ES</u>	<u>C</u>	<u>C1</u>	<u>IC</u>	<u>N</u> <u>C2</u>	<u>N</u> <u>C3</u>	<u>MI</u> <u>L</u>	<u>MI</u>	<u>A</u> <u>E</u>
<u>Mortuary</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	<u>P</u>		-	-	-
<u>Museum</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	<u>P</u>		-	-	-
<u>Night Club</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-
<u>Nursery</u>																	

<u>(Plants for retails sale)</u>	<u>P</u>	<u>P</u>	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	-
<u>Outdoor Storage (Commer cial)</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Parcel Delivery Service</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Pawn Shop</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-			-
<u>Performin g Arts Center</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		-	-	-
<u>Personal Services</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Pest Control with Storage of Chemical s</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Place of Worship</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Professio nal Office</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-
<u>Produce Stand</u>	<u>P</u>	<u>P</u>	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	-	-
<u>Reception Center</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Recreatio n Center/G ym</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Research and Develop ment</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-

<u>Facilities</u>																	
<u>Residential: Accessory Dwelling Units</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Residential: Apartments</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Residential: Multi-family Dwelling Units</u>	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-	<u>P</u>	-	-	-	-
<u>Residential: Single-family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-	-	-	-	-
	<u>A</u>	<u>A</u> <u>L</u>	<u>R1</u> <u>A</u>	<u>R</u> <u>E1</u> <u>/2</u>	<u>R1</u> <u>/2</u>	<u>R1</u> <u>/3</u>	<u>R1</u>	<u>R2</u>	<u>ES</u>	<u>C</u>	<u>C1</u>	<u>IC</u>	<u>N</u> <u>C2</u>	<u>N</u> <u>C3</u>	<u>NI</u> <u>L</u>	<u>MI</u>	<u>A</u> <u>E</u>
<u>Retail: Large (more than 20,000 sf)</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-
<u>Retail: Small (less than 20,000 sf)</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-
<u>Riding Academy</u>	<u>P</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Rock, Gravel, Soil, and Similar Landscape Products for Retail</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-

<u>Sale</u>																	
<u>Sexually Oriented Business</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-
<u>Social Clubs/Lodges</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Soil Composting, Manufacturing and Sales</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Storage of Commercial Vehicles and Trailers</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-
<u>Storage of Recreational Vehicles</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Storage Units</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Tattoo Parlor</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Taxidermist</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	<u>P</u>	-
<u>Theater (Film or Stage)</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Tobacco/Vape Shop</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Towers/Wind Turbines/Other Similar</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>

<u>Structures</u>																	
<u>Travel Trailer (RV) Court</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Truck Stop</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Urban Livestock</u>	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	-	-	-	-
<u>Utility Substations (Unmanned)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-
<u>Vehicle Impound Lot</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Vehicle Rental/Moving Truck Rental</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Vehicle Repair - Auto Body</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Vehicle Repair - Mechanical</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Vehicle Sales</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Vehicle Sales with Vehicle Repair - Mechanical</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-	-
<u>Vehicle Service</u>																	

<u>Station - Oil, Lube, Tires, Brakes</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	<u>P</u>	-
<u>Vehicle Wash</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-
<u>Veterinary Clinic/Animal Hospital</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-
<u>Warehousing/Large Scale Distribution</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-
<u>Wrecking/Salvage Yard</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	<u>A</u>	<u>A L</u>	<u>R1 A</u>	<u>R E1 /2</u>	<u>R1 /2</u>	<u>R1 /3</u>	<u>R1</u>	<u>R2</u>	<u>ES</u>	<u>C</u>	<u>C1</u>	<u>IC</u>	<u>N C2</u>	<u>N C3</u>	<u>MI L</u>	<u>MI</u>	<u>A E</u>

The following uses from the use table include, but are not limited to, the additional specific uses indicated below:

Agriculture: Nursery (Wholesale/Grower), Grazing, Row Crops, Orchards, Livestock (cows, horses, sheep, goats, poultry, etc.), Agricultural Structures including barns, corrals, coops, feed storage

Amusement Center: Ice rink, Skating Rink, Arcade, Bowling, Miniature Golf

Manufacturing, Light: Fabrication Processes, Milk Processing Plant, Milling and Machinery Facilities, Planing Mill, Printing and/or Bookbinding, Welding Shop, Carpenter Shop/Cabinetry, Food Product Manufacturing/Wholesale, Packaging, Bottling, Warehousing/Distribution, Data Processing, Appliance Repair, Frozen Food Lockers, Furniture Repair/Upholstery Shop, Textiles, Stone Cutting/Carving, Ornamental Iron Manufacture/Repair, Sign Manufacture, Small Engine Repair/Fix-it Shop, Upholstery Shop

Manufacturing, Heavy: Manufacturing or Storage of Explosives/Chemicals, Ore Smelting/Refining, Landfill

Medical Clinic: Doctor's Office, Outpatient Procedure Facility

Personal Services: Massage, Holistic Medicine, Hair and Nail Services, Chiropractor, Spa, Pet Grooming

Professional Office: Dental Office, Employment Agency, Insurance Agency, Design Professional, Legal Office, Photo Studio, Real Estate Agency, Accountant Office

Retail: Convenience Store, Restaurant with or without alcohol, Hardware Store, Pharmacy, Department Store, Florist Shop, Catering Establishment, Office Supply, Dry cleaning, Laundromat

Utility Substation: Power Substation, Data Equipment, Regulator Station

Vehicle Sales: Boat Sales, Motorcycle Sales, ATV Sales, Trailer Sales, Farm Implement Sales

SECTION 2: AMENDMENT “1.03.010 Definitions” of the Perry Municipal Code is hereby *amended* as follows:

AMENDMENT

1.03.010 Definitions

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

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

ADVERTISE or ADVERTISING: Any means by which one identifies or directs attention to a use, product, commodity, business, service, event, person, organization, idea, or message.

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

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

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

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

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

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

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

APIARY (IES). A place where three (3) or more colonies of honeybees are kept.

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

APPLICANT: Person or persons who formally make an application.

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

AREA OF SIGN or SIGN AREA: The Area of a Sign is measured as the smallest square, circle, rectangle, triangle or combination thereof that encompasses the extreme limits of the writing, representation, emblem, or other display, including materials or colors of the background. Sign Area does not include structural supporting framework, bracing or wall to which the Sign is attached. If separate letters or images are mounted directly on a wall, canopy, or similar structure, the Sign Area shall be the area in square feet of the smallest rectangle, which encloses the Sign, messages, and/or images. Also referred to as size, area, or face in relation to Signs.

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

BERM: Raised barrier separating two areas.

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

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

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

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

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

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

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

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

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

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

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

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

CAMPGROUND. A public area designated by a public agency for camping, or a private area permitted and licensed by the City for camping. A campground provides accommodations for tents, recreational vehicles, and/or other similar temporary living quarters for a period of fourteen (14) days or less.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DAY: This term refers to a calendar day.

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

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

DESIGN, SUBDIVISION: These include:

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

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

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

1. None of the parcels created can be smaller than five (5) acres in area for irrigated land and ten (10) acres for un-irrigated land.
2. The purpose of the division shall be to use each of the lots for agriculture, not for investments, building development, recreational use, cabin or other housing use, livestock feed yard, or any other agricultural industry or business.
3. Each of the parcels created have access to a public street or highway or to a private street approved by the Planning Commission and the governing body.
4. Each of the parcels created shall be capable, in the opinion of the Planning Commission and the governing body, of producing an income from the sale of agricultural products sufficient to justify its existence as a separate agricultural-lot entity. Among the factors used in making a decision as to whether a division of land is or is not bona fide division or partition of agricultural land for agricultural purposes, the Planning Commission and the governing body may consider the availability of water for irrigation or stock-watering purposes; the class of the soil and depth of the

soil mantel; the slope of the land; and, past history of agricultural production.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FRONT FOOT OF BUILDING OCCUPANCY: Means a single lineal dimension measured horizontally along the front major entrance of a building which defines the limits of a particular occupancy at that location.

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

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

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

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

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

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

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

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

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

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

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

HEIGHT OF BUILDING. See - Building, Height of.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

LOCAL JURISDICTION: Local jurisdiction refers to Perry City.

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

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

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

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

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

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

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

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

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

MAY: The word “may” is permissive.

MAYOR: The duly elected mayor of the City.

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

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

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

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

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

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

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

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

MONTH: One calendar month.

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

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

MUST/SHALL: These are each mandatory terms.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PRODUCE STAND. The selling of raw, unprocessed fruits, vegetables, nuts and other agricultural produce in its raw or natural state. Includes structures up to one thousand five hundred (1500) square feet and any associated outdoor display area.

PROPERTY: The term includes real and personal property.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SIGN: An object, device, or structure, or part thereof, situated outdoors or indoors which is used for Advertising as viewed from outdoors. Includes the Sign structure, supports, lighting system, and any attachments, ornaments, or other features used for Advertising.

SIGN, ATTACHED: A permanent Sign that is attached to a building, including Flat, Projecting, and Roof Signs.

SIGN, BLADE: See Projecting Sign

SIGN, DETACHED: A permanent Sign that is not attached to a building.

SIGN, DIRECTIONAL: A Sign that communicates directional information to traffic for on-site or off-site destinations. Directional Signs may only include text, information, and graphics necessary to clearly give direction.

SIGN, ELECTRONIC MESSAGE DISPLAY: A Sign which uses changing patterns of light to display Advertising.

SIGN, FLAT: A Sign which is directly painted, printed, or attached to the outside wall or window of a building or located inside a building within twelve inches (12") of a window. A Sign which is erected parallel to the outside wall or window of a building and projecting not more than eighteen (18") inches from the wall or window. Also known as a wall Sign.

SIGN, MARQUEE: See Projecting Sign

SIGN, MONUMENT: A type of Detached Sign that is not a Pole Sign.

SIGN, MULTI-TENANT: A type of Detached Sign which contains Advertising for multiple businesses or tenants within a single development or area.

SIGN, OFF-PREMISE: A permanent Sign with Advertising unrelated to the property on which the sign is located or directs attention to a use, product, commodity, business, service, idea, or message that is not sold, offered, or existing on the property where the Sign is located. A billboard is a type of and included in the definition of Off-premise Sign.

SIGN, ON-PREMISE: A permanent Sign with Advertising related to the property on which the Sign is located.

SIGN, POLE: A type of Detached Sign that is supported by one (1) upright support and is not attached or braced by any other structure.

SIGN, POLITICAL: A type of Temporary Sign which expresses a position, conveys a message concerning, or advocates a position on the candidacy of a person, party, or issue on an upcoming ballot.

SIGN, PROJECTING: A type of Attached Sign oriented perpendicular to the street, and extending in the whole or in part more than eighteen inches (18") beyond the wall or structure. Includes projecting Marquees and Blade Signs.

SIGN, REAL ESTATE: A type of Temporary Sign related to the property on which it is located and offering such property for sale, rent, or lease.

SIGN, ROOF: A Sign which is erected on or over the roof of a building. A Roof Sign does not include Detached Signs that overlap a roof twelve inches (12") or less.

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

SIGN, SUBDIVISION: A Sign identifying a Subdivision. Also called a Development Sign.

SIGN, TEMPORARY: A Sign used for advertising, informational, or directional purposes and intended to be used for a short, defined time period. Temporary Signs are intended for temporary or seasonal Advertising. Temporary Signs shall be removed as soon as the event ends or products Advertised are sold and within the time frame allowed by the PMC.

SIGN, WALL: See Flat Sign

SILVICULTURE: The growing and cultivation of trees.

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

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

1. Seeking to obtain sales or orders for the exchange of goods, wares, merchandise, services, or perishables of any kind, for any kind of remuneration or consideration, regardless of whether advance payment is sought.
2. Seeking to obtain prospective customers to apply for or to purchase insurance, subscriptions to publications, or publications;
3. Seeking to obtain contributions of money or any other thing of value for the benefit of any person or entity;
4. Seeking to obtain order or prospective customers for goods or services;
5. Seeking to engage an individual in conversation at a residence for the purpose of promoting or facilitating the receipt of information regarding religious belief, political position, charitable conduct, or home solicitation sale: or
6. Other activities falling within the commonly accepted definition of soliciting, such as hawking or peddling.

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

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

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

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

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

STATE: The State of Utah

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WATERCOURSE OR WATERWAY: A natural channel conveying water.

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

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

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

WILDLIFE HABITAT: The natural environment in which wildlife lives.

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

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

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

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

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

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

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

YEAR: This term refers to a calendar year.

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

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

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

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

SECTION 3: **REPEAL** “15.05.070 Perry City Land Use Charts” of the Perry Municipal Code is hereby *repealed* as follows:

REPEAL

15.05.070.1 Agricultural Uses

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

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

*Notes-see PMC 15.07.100.4
Permitted in Zone

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

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Use not Permitted

15.05.070.2 Residential Uses

Residential Uses	A	A L	R 1 A	RE 1/2	R 1/2	R 1/3	R 1	R 2	E S	C	C 1	I C	N C2	N C 3	M U- C	M U- O	M U- R	M/ IL	M/ I
Accessory Buildings (See Area Requirements Chart)	P	P	P	P	P	P	P	P*	P*	P	~	~	P*	P*	~	~	P*	~	~
Apartments ²	~	~	~	~	~	~	~	~	~	~	~	P	~	~	~	~	~	~	~
Boarding House, Bed/Breakfast note 4*	~	~	~	~	~	~	~	~	~	~	~	~	C	C	P*	P*	P*	~	~
Multi-Family Dwellings ²	~	~	~	P	P	P	P	P	~	~	~	~	P	P	P	P	P	~	~
Home Occupations ¹	P	P	P	P	P	P	P	P	P	P	P	~	P	P	P	P	P	~	~
Household Pets	P	P	P	P	P	P	P	P	P	~	~	~	P	P	P	P	P	~	~
Modular/Manufactured Homes	P	P	P	P	P	P	P	P	~	~	~	~	~	~	~	~	~	~	~
Single Family Homes	P	P	P	P	P	P	P	P	P*	~	~	~	~	~	~	~	~	~	~
Model Home	~	~	C	C	C	C	C	C	~	~	~	~	~	~	C	C	C	~	~
Conservation Subdivisions	P	P	P	P	P	P	P	~	~	~	~	~	~	~	~	~	~	~	~

1. A Home Occupation may be approved with the following uses:

- a. Firearms sales, repair, and assembly
 - b. Barber shop, beauty salon, hair salon
 - c. Home Daycare
 - d. Home Preschool
 - e. Educational Facility
 - f. Artists
 - g. Authors
 - h. Professional office services (excluding medical, dental, and other health professional offices) including, but not limited to:
 - i. Advertising
 - ii. Architectural or engineering services
 - iii. Consulting services
 - iv. Data processing, computer programming and service
 - v. Desktop publishing
 - vi. Insurance sales or broker
 - vii. Interior design
 - viii. Real estate sales, broker, or appraiser
 - ix. Contractor or handyman office
 - i. Culinary or home craft, or garden produce sales
 - j. Sales representative
 - k. Alternative medicine and holistic healing including: foot zoning, aromatherapy, reiki, chiropractic, massage, and other similar uses as determined by the Licensing Authority except for Sexually Oriented Businesses as defined in PMC.
 - l. Any use or Business not listed in this Subsection regarding Home Occupations is prohibited.
2. Multi-family Dwellings may be developed according to the allotments indicated in the Multi-family Dwelling and Apartment Density Map, which can be found at the following link ([Map](#)). Existing and proposed dwelling units are counted towards the limits shown on the Multi-family Dwelling and Apartment Density Map. When the allotted number of units in an area has been reached no more units will be permitted in the area.
- a. For the purposes of this subsection, Multi-family Dwelling and Apartment units shall not include Accessory Dwelling Units.
 - b. Multi-Family Dwelling and Apartment units shall not be permitted where they are prohibited or otherwise restricted by private Conditions, Covenants, and Restrictions.

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

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

~ Use not Permitted

15.05.070.3 Municipal Uses

Municipal Uses	A	A L	R 1 A	RE 1/2	R 1/ 2	R 1/ 3	R 1	R 2	E S	C	C 1	I C	N C 2	N C 3	M U- C	M U- O	M U- R	M /I L	M /I
Animal Pound	P *	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P *
Cemetery	P *	P *	P*	P*	P*	P*	P *	P *	~	~	~	~	~	P *	~	~	~	~	~
Garbage Transfer	P	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *
Public Building or Utility	P *	P *	P*	P*	P*	P*	P *	P *	P *	P *	P *	P *	P *	P *	P*	P*	P*	P *	P *
Public Park	P	P	P	P	P	P	P	P	P	~	~	~	C	C	P	P	P	P	P
Sewage Disposal and/or Treatment Plant	P *	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P	P

*Notes-see PMC 15.07.100.4
Permitted in Zone

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

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Use not Permitted

15.05.070.4 Recreational Uses

Recreational Uses	A	A L	R 1 A	RE 1/2	R 1/ 2	R 1/ 3	R 1	R 2	E S	C	C 1	I C	N C 2	N C 3	M U - C	M U - O	M U - R	M /I L	M /I
Dude Ranch	P *	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Campground Commercial or Recreational	P *	P *	~	~	~	~	~	~	P *	~	~	~	~	P *	~	~	~	~	~
Golf Course	P *	P *	P*	P*	P*	P*	P *	P *	P *	~	~	~	~	~	~	~	~	~	~
Golf Driving Range	P *	P *	P*	~	~	~	~	~	P *	~	~	~	~	~	~	~	~	~	~
Gun Club	P *	~	~	~	~	~	~	~	P *	~	~	~	~	~	~	~	~	P *	~
Ice Rink	P *	P *	~	~	~	~	~	~	~	~	~	~	C	C	~	~	~	~	~
Private Park	P	P	P	P	P	P	P	P	P	~	~	~	~	~	P *	P *	P *	~	P
Public Stable	P *	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P	~
Riding Academy	P *	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P *	~
Rodeo Grounds	P *	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Skeet Shooting Range	P *	~	~	~	~	~	~	~	P *	~	~	~	~	~	~	~	P *	~	~

*Notes-see PMC 15.07.100.4
Permitted in Zone

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

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Use not Permitted

15.05.070.5 Educational And Religious Uses

Educational and Religious Uses	A	A L	R 1 A	RE 1/2	R 1/ 2	R 1/ 3	R 1	R 2	E S	C	C 1	I C	N C 2	N C 3	M U- C	M U- O	M U- R	M /I L	M /I
Art Gallery	~	~	~	~	~	~	~	~	~	P *	P *	P *	P *	P *	P*	P*	~	~	~
Place of Worship	P *	P *	P*	P*	P*	P*	P *	P *	P *	~	~	~	P *	P *	~	~	P*	~	~
College, University, Trade, Tech. School	P *	~	~	~	~	~	~	~	~	P *	P *	P *	P *	P *	P*	P*	~	~	~
Day Care Center- Commercial	P *	P *	~	~	~	~	~	~	~	P *	P *	P *	P *	P *	P*	P*	P*	~	~
Fraternity-Sorority	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *	P*	P*	P*	~	~
Library	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *	P*	P*	P*	~	~
Museum	~	~	~	~	~	~	~	~	~	C	C	C	P *	P *	P*	P*	P*	~	~
Private School	P *	P *	P*	P*	P*	P*	P *	P *	P *	~	~	~	C	C	P*	P*	P*	~	~
Wedding Reception Center	~	~	~	~	~	~	~	~	~	~	~	~	C	C	P*	~	~	~	~
Convention Center	~	~	~	~	~	~	~	~	~	~	~	P *	~	~	~	~	~	~	~

*Notes-see PMC 15.07.100.4
Permitted in Zone

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

~ Use not Permitted

15.05.070.6 Medical Uses

Medical Uses	A	A L	R 1 A	RE 1/2	R 1/2	R 1/3	R 1	R 2	E S	C	C 1	I C	N C 2	N C 3	M U- C	M U- O	M U- R	M/ I L	M /I
Assisted Living	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *	~	~		~	~
Clinic	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *	P*	P*	~	~	~
Rehabilitation Center	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *	P*	P*	P*	~	~
Hospital	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *	P*	P*	~	~	~
Medical Cannabis Pharmacy	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P	~
Rest Home	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *	P*	P*	P*	~	~
Sanitarium	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	C	C

*Notes-see PMC 15.07.100.4
Permitted in Zone

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

~ Use not Permitted

15.05.070.7 Commercial Uses

Commercial Uses	A	A L	R 1 A	RE 1/2	R 1/2	R 1/3	R 1	R 2	E S	C	C 1	I C	N C 2	N C 3	M U- C	M U- O	M U- R	M /I L	M /I
Body and Fender Shop	~	~	~	~	~	~	~	~	~	~	C	~	C	C	~	~	~	~	P *
Cabinet Shop	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P *
Vehicle Repair	~	~	~	~	~	~	~	~	~	~	C	C	C	C	~	~	~	~	P *
Vehicle Sales	~	~	~	~	~	~	~	~	~	~	P *	P *	C	C	~	~	~	~	~
Vehicle Wash	~	~	~	~	~	~	~	~	~	P *	P *	P *	C	C	P*	~	~	~	~

Construction Yard (See Note#3)*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P*	P*
Firearms Retail/Repair (See Note #2)*	C	C	C	C	C	C	C	C	~	P*	P*	P*	P*	P*	P*	P*	~	~	~	~
Fix It Shop	~	~	~	~	~	~	~	~	~	~	~	~	C	C	P*	~	~	~	~	P*
Grocery Store	~	~	~	~	~	~	~	~	~	P*	P*	P*	C	C	P*	~	~	~	~	~
Laundromat/Dry Cleaners	~	~	~	~	~	~	~	~	~	~	P*	P*	P*	P*	P*	~	~	~	~	~
Machine Shop	~	~	~	~	~	~	~	~	~	~	~	~	P*	P*	~	~	~	~	P*	P*
Mortuary	~	~	~	~	~	~	~	~	~	~	P*	~	P*	P*	P*	~	~	~	~	~
Nursery (Plants)	P	P	~	~	~	~	~	~	~	~	~	~	P*	P*	~	~	~	~	~	~
Planing Mill or Welding Shop	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P*
Sexually Oriented Business	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P*	~
Wholesale Outlet	~	~	~	~	~	~	~	~	~	P*	P*	P*	C	C	P*	~	~	~	~	P*
Small Retail (Less than 20,000 sq.ft.)	~	~	~	~	~	~	~	~	~	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Large Retail (More than 20,000 sq.ft.)	~	~	~	~	~	~	~	~	~	P*	P*	P*	P*	P*	~	~	~	~	P*	P*

*Notes-see PMC 15.07.100.4
Permitted in Zone

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

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Use not Permitted

15.05.070.8 Special Commercial Uses

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

*Notes-see PMC 15.07.100.4

P*- Use Permitted by Design Review
Permitted in Zone T - Temporary Use

P- Use

C-Conditional Use

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Use not Permitted

15.05.070.9 Light Commercial Uses

Light Commercial Uses	A	A L	R 1 A	RE 1/2	R 1/ 2	R 1/ 3	R 1	R 2	E S	C	C 1	I C	N C 2	N C 3	M U- C	M U- O	M U- R	M /I L	M /I
Athletic Club	~	~	~	~	~	~	~	~	~	P *	P *	P *	C	C	P*	P*	P*	~	~
Bakery	~	~	~	~	~	~	~	~	~	P *	P *	P *	P *	P *	P*	P*	P*	~	~
Bike Shop	~	~	~	~	~	~	~	~	~	P *	P *	P *	P *	P *	P*	P*	P*	~	~
Book Store	~	~	~	~	~	~	~	~	~	P *	P *	P *	P *	P *	P*	P*	P*	~	~
Convenience Store	~	~	~	~	~	~	~	~	~	P *	P *	P *	C	C	P*	P*	P*	P *	P *
Gift Shop	~	~	~	~	~	~	~	~	~	P *	P *	P *	P *	P *	P*	P*	P*	~	~
Hardware Store	~	~	~	~	~	~	~	~	~	P *	P *	P *	P *	P *	P*	~	~	~	~
Professional Office Space	~	~	~	~	~	~	~	~	~	~	P *	P *	P *	P *	P*	P*	P*	~	~
Recreation Center	~	~	~	~	~	~	~	~	~	~	P *	P *	C	C	P*	P*	P*	~	~
Fast Food Restaurant	~	~	~	~	~	~	~	~	~	P *	P *	P *	C	C	P*	P*	P*	P *	P *
Fuel Stop	~	~	~	~	~	~	~	~	~	P *	P *	P *	C	C	P*	P*	P*	P *	P *
Upholstery Shop- Retail	~	~	~	~	~	~	~	~	~	~	~	~	C	C	P*	~	~	P *	P *
Check Cashing Serv./Car Title Loans	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~

*Notes-see PMC 15.07.100.4
Permitted in Zone

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

~

Use not Permitted

15.05.070.10 Manufacturing- Industrial Uses

Manufacturing-Industrial Uses	A	A L	R 1 A	RE 1/2	R 1/ 2	R 1/ 3	R 1	R 2	E S	C	C 1	I C	N C 2	N C 3	M U - C	M U - O	M U - R	M /I L	M /I
Asphalt Plant	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Fabrication Processes	~	~	~	~	~		~	~	~	~	~	~	~	~	~	~	~	P *	P *
Milling and Machinery Facilities	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *
Packaging Processes	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *
Printing Processes	~	~	~	~	~	~	~	~	~	~	P *	~	C	C	~	~	~	~	P *
Product Development	~	~	~	~	~	~	~	~	~	~	~	~	C	C	P *	P *	~	~	P *
Product Distribution	~	~	~	~	~	~	~	~	~	~	~	~	~	~	C	C	~	P *	P *
Research and Development Facilities	~	~	~	~	~	~	~	~	~	~	~	~	C	C	P *	P *	~	~	P *
Storage Units- N of 3000 S (See Note #3)*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *
S.U. -S of 3000 S (See Note #3)*	~	~	~	~	~	~	~	~	~	P *	~	~	~	~	~	~	~	P *	P *
Telecommunications Towers	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	C	C
Warehousing/ Large Scale Distribution	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	P *	P *
Gravel Pits (see Note #6)*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~

*Notes-see PMC 15.07.100.4
Permitted in Zone

P*- Use Permitted by Design Review

P- Use

C-Conditional Use

~

Use not Permitted

~~15.05.070 Perry City Land Use Charts~~ (Repealed)

~~15.05.070.1 Agricultural Uses (Repealed)~~

~~15.05.070.2 Residential Uses (Repealed)~~

~~15.05.070.3 Municipal Uses (Repealed)~~

~~15.05.070.4 Recreational Uses (Repealed)~~

~~15.05.070.5 Educational And Religious Uses (Repealed)~~

~~15.05.070.6 Medical Uses (Repealed)~~

~~15.05.070.7 Commercial Uses (Repealed)~~

~~15.05.070.8 Special Commercial Uses (Repealed)~~

~~15.05.070.9 Light Commercial Uses (Repealed)~~

~~15.05.070.10 Manufacturing-Industrial Uses (Repealed)~~

~~Please see PMC 15.07.020.4 for regulations pertaining to uses in the Civic(CVC) and Recreation (REC) Zones, respectively.~~

SECTION 4: REORGANIZATION OF REGULATIONS This ordinance authorizes the relocation and reorganization of existing regulations pertaining to the uses shown in the land use chart within the Perry Municipal Code to include them in the same section as the land use chart. The regulations found in repealed section 15.050.70 shall be included with the updated land use chart.

SECTION 5: USE REGULATIONS ADDEDProduce Stand. 1 - Does not apply to strictly agricultural activities (sale of a farmers own produce on the farmers own land). 2 - Shall obtain approval of a Site Plan application and obtain a Business License. 3 - One Produce Stand per parcel or lot is permitted. 4 - All structures and storage areas shall meet the same setbacks as the Primary Building. Driveway locations and construction shall be approved by the appropriate jurisdiction. Access controls and driveway approaches may be required to insure safety. 5 - Tents, canvas or plastic covers, and other similar structures may be used for Produce Stands if they are not located on the property for more than one hundred eighty (180) days per year. The type and construction of all structures associated with the Produce Stand shall be approved by the appropriate Land Use Authority or official. 6 - Produce Stands not used for a period of two (2) consecutive years shall be removed from the property at the owner's expense or used in accordance with the regulations of the applicable zoning district. 7 - The property shall be kept clear of pallets, boxes, and other like materials. 8 - Up to ten percent (10%) of the display area may be used for the sale of items such as snack foods, craft items, pre-packaged foods such as dried fruit, nuts, fruit preserves, baked goods, and promotional non-food items related to the agricultural industry. All processed foods are subject to applicable food laws and must be obtained from approved sources.

PASSED AND ADOPTED BY THE PERRY CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Nathan Tueller	_____	_____	_____	_____
Councilmember Blake Ostler	_____	_____	_____	_____
Councilmember Toby Wright	_____	_____	_____	_____
Councilmember David Walker	_____	_____	_____	_____
Councilmember Ashley Young	_____	_____	_____	_____

Presiding Officer

Attest

Kevin Jeppsen, Mayor, Perry City

Tyra Bischoff, Deputy City Recorder
Perry City

**PERRY CITY
ORDINANCE NO. 22-I**

ZONING MAP AMENDMENT

**AN ORDINANCE OF PERRY CITY, UTAH, AMENDING THE MULTI-FAMILY DWELLING
AND APARTMENT DENSITY MAP;**

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

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare; and,

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on July 7, 2022, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to deny this Ordinance with a 6-0 vote (The motion to deny was based on a proposed development in the area already being very crowded with townhomes and concerns about the current proposal accommodating easements); and,

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on July 28, 2022;

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

- Section 1:** **Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.
- Section 2:** **Map Amendment.** The Multi-Family Dwelling and Apartment Density Map of Perry City, Utah, is hereby amended as shown in Exhibit A.
- Section 5:** **Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
- Section 6:** **Effective date.** This Ordinance take effect immediately upon approval and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____ 2022.

Mayor
VOTING:

Ashley Young
David Walker
Blake Ostler
Nathan Tueller
Toby Wright

Yea_____ Nay_____
Yea_____ Nay_____
Yea_____ Nay_____
Yea_____ Nay_____
Yea_____ Nay_____

[SEAL]

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2022
POSTED this ____ day of _____, 2022

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Perry City, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) City Hall 3005 S. 1200 W., 2) www.perrycity.org, and 3) www.pmn.gov, on the above referenced dates.

City Recorder

DATE: _____

Exhibit A



1 PERRY CITY REDEVELOPMENT AGENCY MEETING

2 PERRY CITY OFFICES

3 May 12, 2022

8:10 PM

4
5
6 OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Board
7 Member Toby Wright, Board Member Blake Ostler, Board Member
8 Dave Walker and Board Member Ashley Young
9

10 OFFICIALS ABSENT: Board Member Nathan Tueller

11
12 CITY STAFF PRESENT: Robert Barnhill, City Administrator; Shanna Johnson, City Recorder;
13 City Attorney William Morris
14

15 OTHERS PRESENT: Melanie Barnhill
16

17 **ITEM 1: Welcome to Order and Welcome**

18 Mayor Jeppsen called the meeting to order.
19

20 **ACTION ITEM 2: Fiscal Year 2022-2023 Budget Planning**
21

22 **ITEM 3: Discussion / Action on Adoption of a Tentative Fiscal Year 2022-2023 Budget for the**
23 **Perry City Redevelopment Agency in accordance with UCA §10-6-113, and set a public**
24 **hearing on a proposed final budget.**
25

26 Ms. Johnson presented the tentative budget for the fiscal year 2022-2023 to the Redevelopment
27 Agency (RDA) Board. She indicated that she made adjustments to the prior budget sent and
28 reviewed the changes as follows:

- 29 • Updated the tax increment collected to Fiscal Year 2022 and she updated that in this budget
30 and in the Perry City Debt Service fund
- 31 • Changed the contribution from the Pointe Perry Debt Service fund to \$235,000
32 ○ She explained that the Perry City debt service fund will no longer be used for Pointe
33 Perry (debt has been retired) and will be repurposed for the new city hall bond.
34

35 She said beginning in the Fiscal Year 2023 the property tax increment will be collected directly into
36 the RDA budget. She noted an agreement was passed a couple of years ago by the city, which stated
37 that sale tax increment would be provided to the RDA for its use. One of the approved uses is for
38 development improvements and because the city paid bond payments related to the improvements
39 in the Pointe Perry Commercial Development area, the increment can be contributed back to the city
40 to make the city whole.
41

42 Ms. Johnson reviewed the budgeted revenues including the property tax increment, sales tax
43 revenue and the transfer from the debt service fund. She then reported that expenditures will
44 include property tax increment going to the general fund and the sales tax increment going to the
45 RDA fund balance (see attached budget form). She noted that the sales tax increment could also be
46 transferred to Perry City's General Fund if that is what the board would prefer.

47
48 Board Member Wright asked if these funds can be used for the waterline just passed in the city
49 council meeting. Ms. Johnson said that because that is not an improvement at Pointe Perry that
50 project would not qualify. Robert Barnhill said that if we transfer the funds back to Perry City the
51 funds could be used to pay for the waterline. Ms. Johnson agreed.

52
53 Ms. Johnson repeated that she could move the sales tax increment back to the city's general fund if
54 that is the council's desire. Board Member Walker suggested making the city whole.

55
56 Board Member Ostler said that he would like to make the city whole, if that's what this action is
57 doing. He commented that he is confused about this process and wondered if we are really getting
58 the city paid back from the Pointe Perry Development.

59
60 Ms. Johnson said the fact is that city should have never made the bond payments for Pointe Perry.
61 However, in the long run it has been a benefit to the city. She indicated that the default by the
62 developer causing the city to have to make the payments has been a frustration since she began
63 working with the city. The fact that the city is getting something out of the project through land sales
64 is refreshing. Board Member Wright said we are able to get a new building because of it, so it was
65 well worth the sacrifice. She agreed saying that is where the city will see a payback because the city
66 is receiving the benefit that normally goes to the developer for these land sales. In addition, she
67 expressed that she is happy to increase the Contribution to Other Government, which would be the
68 RDA and giving it back to the general city fund.

69
70 Board Member Blake Ostler asked if the \$153,549 shown in revenue was from sales tax. Ms. Johnson
71 told him that it was sales tax received in the 2021 calendar year from the retail businesses in the
72 Pointe Perry area. He thought that these funds went to the RDA.

73
74 Mr. Barnhill explained that the adopted agreement said the city would collect an increment of the tax
75 monies to make road or utility improvements in the Pointe Perry area. He added that because the
76 city paid a portion of the Pointe Perry Improvement bond we built in an option within the tax
77 increment agreements to make the city whole. Ms. Johnson further explained that Perry City pledged
78 a tax increment to the RDA for improvements in that commercial development area. Therefore, the
79 city pays the RDA and then the RDA pays the city back, so there is a lot of moving the money back
80 and forth. She noted once the RDA Board has paid all the money paid by the city back, then the tax
81 increment will become restricted to only improvements in the Pointe Perry Community
82 Development Area.

83
84 Board Member Ostler said he would meet with Ms. Johnson offline to gain further understanding.

85
86 Ms. Johnson noted the increment is not working as it was originally intended, however this process
87 is the best way to handle these transfers while giving transparency and making the city whole. She
88 advised that per state law we are required to present a tentative budget to the board by the first
89 meeting in May. The Board at this time can make a motion to accept the tentative budget and set a
90 date for a public hearing, which she suggested the first meeting in June.

91
92 **MOTION:** Board Member Walker made a motion to accept the Tentative Budget for Fiscal Year
93 2022-2023 for the Perry City Redevelopment Agency in accordance with UCA §10-6-113, and
94 set a public hearing on a proposed final budget, for the first meeting in June. Board Member
95 Wright seconded the motion.

ROLL CALL: Board Member Wright, Yes
Board Member Ostler, Yes
Board Member Walker, Yes
Board Member Young, Yes

Motion Approved. 4 Yes, 0 No

ADJOURNMENT

MOTION: Board Member Young proposed to adjourn the meeting.

Motion Approved. All Board Members were in favor.

The meeting adjourned at 8:28 p.m.

Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

Anita Nicholas, Deputy Recorder

1 PERRY CITY WORK SESSION

2 PERRY CITY OFFICES

3 June 9, 2022

6:00 PM

4
5
6 OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Council
7 Member Nathan Tueller, Council Member Toby Wright, Council
8 Member Blake Ostler, Council Member Dave Walker and Council
9 Member Ashley Young

10
11 OFFICIALS ABSENT: none.

12
13 CITY STAFF PRESENT: Robert Barnhill, City Administrator; Shanna Johnson, City Recorder;
14 Scott Hancey, Chief of Police; Dave Freeze, Sergeant; Tyler Wagstaff,
15 Public Works Director

16
17 OTHERS PRESENT: Nelson Phillips (BENJ), Melanie Barnhill

18
19 **ITEM 1: Welcome to Order and Welcome**

20 Mayor Jeppsen welcomed everyone and called the meeting to order.

21
22 **ITEM 2: Fiscal Year 2022-2023 Budget Planning**

23 Ms. Johnson explained that after she received the certified tax rate from the state she sent an email
24 with updated amounts for the tentative budget report. In this email, she submitted three options for
25 Council review, with different property tax rates and how these effect the General Fund budget. She
26 advised that property values went up about 25 percent. She noted that the tax rate goes down when
27 these values go up providing the same budgeted property tax income as the prior year. Then
28 mentioned that revenue increases with new home builds and not when the value of the home
29 increases. Therefore, the certified tax rate went down to meet our current generating revenue. She
30 said the city council may choose to approve the plan to maintain the current tax rate and the city
31 would still receive higher revenue. However, if they select this plan it would require a truth and
32 taxation process.

33
34 Mayor Jeppsen gave a little history of the budget approval process from prior years. He said that in
35 2019 the City Council had a general consensus that each year they would do the truth and taxation
36 process and then evaluate if they want to take action on this. He declared that at this meeting they
37 should decide if they are continuing with this type of procedure for this budget. Then he opened the
38 meeting for discussion between the council members.

39
40 Council Member Walker asked about the current General Fund balance. Ms. Johnson answered him
41 by saying she is projecting \$1.2 million. They discussed a healthy percentage of the General Fund
42 balance that needs to be available for emergencies. Ms. Johnson said that 5 percent of the budget is
43 the minimum, 35 percent is the maximum, and 15 percent and above is a comfortable range. Council
44 Member Wright asked about the current percentage of a cushion the city has and if it could stay in
45 that healthy range without raising the tax amount. He thinks it would be good if they allow the

46 residents a chance to work with the inflation rate for a year before taxes increase. He expressed his
47 opinion to find a way to keep the tax rate low but still keep within the city budget.

48
49 Ms. Johnson said that if they elect to move forward with truth and taxation they have to pick a final
50 rate before August 30. She informed the City Council that the proposed tax rate they select by July 30
51 would be the rate listed in the newspaper when the public hearing is advertised. She reminded them
52 that the property tax rate is based from the average assessed value of homes in the city and the state
53 will input this information in the required tax notice.

54
55 Council Member Tueller mentioned that he is open to anything, including taking a break from
56 maintaining the tax rate for a year. He indicated that the city has a tight budget, but he understands
57 what is going on for everyone in regards to inflation. He feels we may see healthy sales tax revenue,
58 as although people may buy less items cost more and the taxes are based on the overall amount. He
59 suggested that the City may want to look at specific projects that may be delayed for another year
60 and possibly make a few cuts. He is not sure if the City should take a break this year or in the future.
61 He stated he could be persuaded either way.

62
63 Council Member Wright suggested maintaining the current tax rate for at least one more year. He
64 said if we stay the course this year maybe we will end just where we planned. Perhaps we might
65 need to postpone some projects for a year and select the certified tax rate. He stated he would
66 choose the middle tax-rate option, (which provides the revenue the city planned in the tentative
67 budget).

68
69 Ms. Johnson said that is why she presented the three tax examples for the Council to review and see
70 how it will effect the budget and projects. She recommended the Council Members also look at the
71 year over year expenses, if they plan to make cuts. She said that cutting a one-time project only
72 delays the expense and the city will have the same issue the following year.

73
74 Mayor Jeppsen asked for the increase per citizen last year. Ms. Johnson said she would have to look
75 that up, but she thought the average increase was around \$60 a year or a \$5.00 a month.

76
77 Ms. Johnson explained that the money for the New City Hall is not part of this tax increase as the
78 payment is being covered by lease revenue from a tenant at the building and using funds that were
79 previously paying for the Pointe Perry SID (Special Improvement District) Bond. The request for a
80 larger tax increase has to do with project expense increases, inflation, fuel increases, and the wage
81 and staffing retention crisis.

82
83 Council Member Ostler said he is open to pursuing the tax rate of 0.002175 and going through truth
84 and taxation as a matter of investigation, to gain feedback from the public, before making a final
85 decision in August. He expressed that he is anxious that the economy may get worse and questioned
86 whether using savings now is a smart thing to do, or if it is better to wait and use the savings when
87 things get really hard.

88
89 Mayor Jeppsen and Council Member Ostler discussed the inflation and the federal interest rate
90 increases. Mayor Jeppsen mentioned the city had relied on inflation increases and adjusting projects

for the past several years. He is concerned with the flow of revenue when inflation goes away and a recession happens. He expressed he feels the council is level head and he will support their decision.

Council Member Young said she agrees with Council Member Ostler that the city should try to maintain the current rate, but she can be persuaded either way.

Council Member Tueller said that the city should have options and then he thanked the city management for finding ways to make our city work. They discussed that there are options for the citizens to get assistance with tax relief if needed from the county or other government services.

Ms. Johnson reviewed wages as compared to operational costs with the council and asked if administration has the go ahead to communicate wage increases at the BRAG 7 wage plan she presented to the council in prior work session. The council members agreed that the BRAG 7 plan (including market increases based on the Bear River Area, Performance Increases and a 7% cost of living increase) was acceptable.

Ms. Johnson then reviewed the budget slides and information that she will present and explain at the public hearing in the next City Council Meeting.

Mayor Jeppsen commented that they will pursue the truth and taxation process.

ADJOURNMENT

Mayor Jeppsen closed the work session.

The meeting adjourned at 6:56 p.m.

Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

Anita Nicholas, Deputy Recorder

PERRY CITY COUNCIL
MEETING PERRY CITY OFFICES
JUNE 9, 2022

7:03 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Council Member Nathan Tueller, Council Member Toby Wright, Council Member Blake Ostler, Council Member Dave Walker and Council Member Ashley Young.

OFFICIALS ABSENT: None

CITY STAFF PRESENT: Robert Barnhill, City Administrator
Shanna Johnson, City Recorder
William Morris, City Attorney
Scott Hancey, Chief of Police
Dave Freeze, Sergeant
Tyler Wagstaff, Public Works Director

OTHERS PRESENT: Nelson Phillips (BENJ), Melanie Barnhill

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the City Council meeting to order.

ITEM 2: PROCEDURAL ISSUES

A. Conflict of Interest Declaration

None.

ITEM 3: PRESENTATION

Chief of Police Scott Hancey announced that Sergeant Dave Freeze was nominated and received Officer of the Year in 2021. He said there was a delay in him receiving this award but would like to present it to him at this meeting. Chief Hancey then read the following from the nomination letter.

Dave goes above and beyond as for the employees he supervises and the citizens he serves. Dave is selfless and always is adjusting his schedule to cover shifts. He will cover days or graveyards for the employees or their family planned vacations and occasionally worked all these shifts in the same week to make these events happen. Dave works tirelessly to insure the police department has the equipment training and the coverage needed to insure we can provide the best service possible to the city. Dave is dedicated to each citizen he serves and approaches everyone not just as a position of authority but also as a fellow human being. In their numerous years of law enforcement they have not observe many supervisors who care or give them as much as Dave Freeze.

Chief Hancey said he agrees with what was written and is proud to work with him. The congregation then gave him a standing ovation and Mayor Jeppsen thanked him for his service.

A. Fiscal Year 2021-2022 Budget Amendment

For reference Ms. Johnson presented a chart that showed two year budget amounts and the proposed budget amendment (See attached Slide 14). She noted that the city has done one amendment prior to this to allocate funds for the new city office building. She said this second

amendment is to clean-up some accounts on the books for this year. She detailed the amendment changes (See attached Slide 15).

B. Fiscal Year 2022-2023 Budget

Ms. Johnson presented a PowerPoint presentation detailing the Fiscal Year 2022-2023 Budget (see attached). She reviewed the budget timeline for the FY2023 budget planning. She explained the General Fund revenue and expenses included in the proposed budget. She said for more details there are copies of the budget workbooks available at the city office.

Ms. Johnson reported the details of the Utility Fund. She noted that the city water has an automatic annual rate increase of 3 percent. This will bring the base monthly charge to \$20.09. She mentioned the utility fund expenditures were higher than the prior year due to inflation. Ms. Johnson announced that there will be a public hearing in the next meeting to address revenue short falls in storm drain. She said the main cause of the short fall was storm drain expenses related to MS4 permit compliance. (She remarked that as the city grew it entered into a new level of state storm water regulations, which will cost the city additional money in order to comply.

Ms. Johnson reviewed the Sewer Fund revenue and expenditure breakdown which shows that the city has a 134 percent debt coverage ratio and is meeting the bond debt ratio requirements.

Ms. Johnson indicated that the General Fund has a 12.3 percent increase to budget, Utility Funds budget increased 6.7 percent, and the Sewer Fund budget increased 8.1 percent. She expressed that the total combined budget increase was 9 percent which is indicative of the current inflation percentage.

She brought up the New City Hall building and wanted to address where the revenues for the new building was coming from. She noted that the city is not planning to use future property tax funds to pay for this building. She explained that the city has already allocated funds for the bond payments as shown below.

- Revenues being Used to make Bond Payment:
 - Lease Revenue (building tenant) = \$119,056
 - Sales Tax prev. used for Pointe Perry SID (Special Improvement District) Bond = \$120,000
 - Sales Tax Previously used for current bldg. O&M = \$12,312
 - Total Available = \$251,368
 - Building Payment = \$251,368

Next she presented the General Fund projects which are planned in FY2023 and included on the proposed budget (See Slide 12).

- Street Projects = \$458,643
- Compensation & Benefit Increases = \$145,907
- Police Staffing (Additional Officer) = \$134,648
- New Building Operations & Maintenance = \$81,720
- Street Light LED Conversion = \$25,000
- Mountain View Park Equipment = \$40,000 to Capital Project funds w/ \$350,000 avail for install
- Mowing Services = \$19,200
- 1200 West North Grant Savings = \$34,706
- Rotation of Fleet Vehicles = \$18,300

She explained that overall we are seeing inflation just like everywhere and that the Consumer Price Index (CPI) is at 8.3 percent. She said she included a fuel increase of 57% and is concerned that this

may not be enough of an increase this year. The total budget requests for projects or increased expenses was \$909,349. She said some of the prior year projects were saving money or were a onetime expense, so the total operations increase was \$513,391.

Then Ms. Johnson showed the FY2022-2023 Enterprise Fund project list. The list included capital improvements for water and sewer. She explained that the state budget forms shows how these projects are being funded in the cash flow section of each budget.

C. Fiscal Year 2022-2023 RDA Budget

Ms. Johnson reviewed the state budget form for the Perry Redevelopment Agency (RDA). She explained the RDA Fund receives revenue from property and sales tax increment that have been pledged by participating tax entities (Perry City & Box Elder County) to the RDA for improvements to the project area. She said property tax income for Fiscal Year 2023 is projected to be \$35,842 and sales tax increment is projected to be \$153,559. Instead of that going into new improvements, it will be contributed to the city to reimburse the \$1.3 million in bond payments and collection costs incurred by the city over time due to the default and foreclosure of a former developer. As part of our amended agreements with the taxing entities this use has been added in order to pay back the city and make the city whole.

ITEM 4: PUBLIC HEARINGS

A. Resolution 2022-10 Adopting a Fiscal Year 2021-2022 Budget Amendment

Mayor Jeppsen opened the Public Hearing at 7:10 pm.

No public comments

Mayor Jeppsen closed Public Hearing at 7:11 pm.

B. Resolution 2022-12 Adopting a Fiscal Year 2022-2023 Provisional or Final Budget

Mayor Jeppsen opened the Public Hearing at 7:21 pm.

No public comments

Mayor Jeppsen closed the Public Hearing at 7:22 pm.

C. RDA Resolution 2022-01 Adopting a Fiscal Year 2022-2023 Budget

Mayor Jeppsen opened the Public Hearing at 7:25 pm.

No public comments

Mayor Jeppsen closed the Public Hearing at 7:26 pm.

ITEM 5: Action Items (Roll Call Vote)

A. Resolution 2022-10 Adopting a Fiscal Year 2021-2022 Budget Amendment

Council Member Ostler asked for clarification on the budget increase for inspections and whether or not the revenue received from permits covers the cost of inspections. Ms. Johnson explained that permit revenue is higher than the inspection expenses, but because the expense is projected to be higher than what was budgeted in community development an amendment is needed to reflect this so that the budget is in compliance by the end of the fiscal year.

MOTION: Council Member Wright made a motion to approve Resolution 2022-10 Adopting a Fiscal Year 2021-2022 Budget Amendment. Council Member Walker seconded the motion.

ROLL CALL: Council Member Wright, Yes
Council Member Tueller, Yes
Council Member Walker, Yes
Council Member Young, Yes
Council Member Ostler, Yes

Motion Approved. 5 Yes, 0 No

B. Resolution 2022-11 Adopting a Final or Proposed Tax Rate for the 2022 Tax Year

Ms. Johnson mentioned that this resolution is meant to be adopted if the council is going to adopt the certified tax rate as well as a final. She explained that if the council desires to approve a proposed property tax rate and begin the truth in taxation process they would want to table this resolution and go to the next agenda item, which would allow them to adopt a proposed tax rate and provisional budget. She said if the council wants to go into a Truth and Taxation they will want to table this resolution and move on to the next one.

Mayor Jeppsen tabled Resolution 2022-11 with no dissent from the council.

Motion was Tabled

C. Resolution 2022-12 Adopting a Fiscal Year 2022-2023 Provisional or Final Budget

Ms. Johnson said that in this resolution the council would be able to adopt a provisional budget and proposed tax rate. She informed the council that they would need to assign the proposed tax rate, and that will be advertised as the maximum rate that could be passed in the Truth and Taxation public notices. She advised this resolution includes them accepting the provisional budget as presented. There will be another public hearing before the final approval of the tax rate and budget.

MOTION: Council Member Tueller made a motion to approve Resolution 2022-12 Adopting a Fiscal Year 2022-2023 Provisional Budget with the property tax rate posted in the resolution as .002175 and that we will enact Truth and Taxation. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes
Council Member Tueller, Yes
Council Member Walker, Yes
Council Member Young, Yes
Council Member Ostler, Yes

Motion Approved. 5 Yes, 0 No

D. Resolution 2022-13 Amending the Perry C.E.R.T. Bylaws

Ms. Johnson remarked that after she sent the packet, which had the paperwork to amend the bylaws to the council members, she was informed by Paula Smith that the C.E.R.T. team had not fully improved the red line items.

Item was Tabled

E. Discussion/Action Regarding Setting Juneteenth (June 19) as One of the Cities 12 Paid Holidays

Ms. Johnson explained that the city has twelve paid holidays in the policy. And about a year ago the federal government set Juneteenth as a holiday. Then this past March our Governor Cox approved it as a state holiday. So a lot of cities have been adopting it as one of their holidays as well. She noted that currently Perry City has ten holidays and two floating holidays. She said the council has several

options to acknowledge or give this as a paid holiday for the employees or not do anything. Council Member Walker asked if they knew the desires of the staff for this holiday. Ms. Johnson said we have not gathered staff input on this. Mr. Barnhill suggested the council also look at the holiday recognition from a political position. He said if they do not adopt it how will it look to the public. It was decided that a survey will be given to the employees and the holiday will be set if employees desires it, replacing one of the floating holidays.

ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)

A. Approval of Consent Items

- May 12, 2022 City Council Work Session
- May 12, 2022 City Council Meeting Minutes
- May 26, 2022 City Council Meeting Minutes

MOTION: Council Member Walker made a motion to approve all the consent items listed on the agenda. Council Member Wright seconded the motion.

Motion Approved. All Council Members were in favor.

B. Mayor's Reports

Mayor Jeppsen said Brigham City presented Perry City with an updated contract proposal for fire and ambulance protection. After review Mayor Jeppsen made a proposal to them that we will maintain the contract this year with a 10 percent increase to cover inflation. And that both parties will come up with a more equitable solution. Brigham City agreed and then gave some suggestion for future options. He said that this fall they will be having a meeting with several Mayors to look into other alternatives.

C. Council Reports

Council Member Young thanked Shanna Johnson for the work on the budget.

Council Member Walker gave an update from the meeting they had with UDOT. They met to discuss the corridor agreement for the portion that passes along Highway 89 through Perry City. He said they identified some funding needs and ways we can get that funding. Some actions are going to come through to see what funds are available from UDOT to help pay for the study of the corridor improvements. He mentioned that the next step is for the city is to come up with a vision of what they would like Highway 89 corridor through Perry to look like.

Council Member Ostler, Wright and Tueller had no info to report.

D. Staff Comments

Chief Hancey said they did a trafficking operation last week and made four arrest for prostitution and drug related offenses. He said this was a successful operation.

E. Planning Commission Report

Mayor Jeppsen attended the Planning Commission meeting last week and said it went well. He said they did a great job. He mentioned that he appreciates Mr. Barnhill and Ms. Bischoff for administrating the planning meeting.

ITEM 7: EXECUTIVE SESSION

None.

ITEM 8: ADJOURNMENT

261 **MOTION:** Council Member Wright proposed to adjourn the meeting. Council Member
262 Tueller seconded the motion.

263
264 **Motion Approved. All Council Members were in favor.**

265 The meeting adjourned at 7:52 p.m.

266

267

268 _____
269 Shanna Johnson, City Recorder

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270

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272 _____
 Anita Nicholas, Deputy Recorder

Kevin Jeppsen, Mayor

DRAFT

PERRY CITY COUNCIL
MEETING PERRY CITY OFFICES
JUNE 23, 2022

7:00 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Council Member Nathan Tueller, Council Member Toby Wright, Council Member Blake Ostler, Council Member Dave Walker and Council Member Ashley Young.

OFFICIALS ABSENT: None

CITY STAFF PRESENT: Robert Barnhill, City Administrator
Shanna Johnson, City Recorder
Scott Hancey, Chief of Police
Bill Morris, City Attorney

OTHERS PRESENT: Nelson Phillips (BENJ), Melanie Barnhill, Tangee Sloan, Wendy Downs

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the City Council meeting to order.

ITEM 2: PROCEDURAL ISSUES

A. Conflict of Interest Declaration

None.

B. Appointments – C.E.R.T. Officers

It was mentioned that there was not any representation from the CERT group. Mayor Jeppsen presented the appointments of the recent elected officers. He showed a list of the Perry City CERT Officers:

Manager	Paula Smith
Assistant Manager	Daniel Dirks
Secretary/Treasurer	Tammera Michaelis
Communications	Mike Trush
Chairmen	Craig Thomas
Training Chairman	Ann Davis
Training Co-Chair	
Equipment Chairman	Shawn Parry
Heavy Equipment	Jeremy Mikhail
Chairmen	Jacob Jackson
Phone Tree Chair	LaNae Shaw
Co-Chair	Amber Morrill

48 Fundraising Chair Lee Perry
49 Ad Hoc Help
50 Computer Specialist Cordell Jeppsen
51 Office Support Jolene Eddington
52 IT Specialist Neal Chambers
53 Brigham Fire Liaison Chief Mike Young

54 Ms. Johnson explained that most of the officers have been in the CERT program for a while, but
55 some of them are receiving a new title or assignment. Mayor Jeppsen asked if there were questions
56 or concerns with these appointments and none were mentioned.

57
58 **MOTION:** Council Member Wright made a motion to approve C.E.R.T. Officers as presented.
59 Council Member Walker seconded the motion.

60
61 **ROLL CALL:** Council Member Wright, Yes
62 Council Member Tueller, Yes
63 Council Member Walker, Yes
64 Council Member Young, Yes
65 Council Member Ostler, Yes
66

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

68
69 Mayor Jeppsen said that the voting was unanimous and the officers will stand as presented.
70

71 **ITEM 3: PRESENTATION**

72 **A. Presentation of Master Municipal Clerks Certification to City Recorder, Shanna** 73 **Johnson**

74 Wendy Downs, Sandy City Recorder and Tangee Sloan, West Jordan Recorder presented Shanna
75 Johnson with her Master Municipal Clerks Designation. They noted that they both are on the board
76 of the Utah Municipal Clerks Association (UMCA). Ms. Downs thanked the Mayor for them being
77 there and allowing this opportunity to recognize Ms. Johnson.

78 Ms. Downs explained the purpose of the UMCA purpose and schooling:
79

80 **OUR PURPOSE**

81 The Association is a professional organization of confident and proficient members that:

- 82 • Offers opportunities for education, involvement, personal growth, and leadership
- 83 • Encourages new and innovative ideas
- 84 • Adheres to a high code of ethical standards
- 85 • Is dedicated to building trust in Municipal Government

86 **OUR MISSION**

87 The mission of the Association is:

- 88 • To provide educational and networking support for Municipal Clerks, Recorders, and
- 89 Deputies
- 90 • To promote positive professional interaction with elected officials, staff, and the general
- 91 public
- 92 • To enhance the awareness and value of the Municipal Clerk/Recorder profession

93
94 Ms. Down said their international organization offers two certification programs. These programs
95 are administered locally in a partnership with South Utah University. She said Ms. Johnson has

fulfilled the requirements to obtain the Master Municipal Clerks designation. Ms. Downs explained that this certification requires a combination of experience and 60 advanced educational points (120 training hours of class time). After this explanation they both presented Ms. Johnson the certification on a plaque. The mayor and city council congratulated Shanna Johnson on her educational achievement.

ITEM 4: PUBLIC HEARINGS

A. Regarding Ordinance 22-H Amending Storm Water Fees

Mr. Barnhill explained some of the history on this ordinance. He explained that in 2008 the public monthly utility bill for the storm water fee was adjusted from \$2.00 to \$4.00. Then in 2014, because of the population density the city became subject to MS4 requirements, new regulations regarding the storm water system became more challenging and cost more to administer. He mentioned that according to Brett Jones (City Engineer) other cities that transition to MS4 requirements increase their monthly fees by a large amount, but Perry City didn't do that. He said that last year and this year the city has been audited by the state. During this time it was found that the city is needs to utilize more resources to comply with the audit than expected and this is costing the city much more. He worked with Ms. Johnson on the budget since there has been an increase in expenditures. They discovered that there will be a short fall of approximately \$24k. So this proposal will cover the shortfall and allow a health fund to cover unexpected maintenance and repairs. This proposal is for a monthly fee of \$6.00 per equivalent service units (ERU). The charge is per ERU instead of per utility because of businesses. They may be have a larger run off areas such as parking or a large roof top and if so the businesses might be charge several ERU's per month.

Mayor Jeppsen read the public hearing rules prior to the public hearing.

Mayor Jeppsen opened the Public Hearing at 7:14 pm

No public comments

Mayor Jeppsen closed the Public Hearing 7:14 pm

ITEM 5: Action Items (Roll Call Vote)

A. Ordinance 22-H Amending Storm Water Fees

Council Member Wright asked if the \$6.00 covered the \$24k shortfall. Ms. Johnson calculated that \$5.45 will cover the short fall and so the increase to \$6.00 will allow for the city to put some money away. She mentioned that the council could choose to put an automatic increase in the ordinance or evaluate the rate each year.

Council Member Ostler asked for a more in depth explanation for the \$75k increase expenses of the storm water account. Mr. Barnhill explained that because of the MS4 requirements, employee Taylor Clark, in the Public Works Department who is over storm water will spend more time on inspections, enforcement, documentation, and follow-up. There will be multiple inspections on every building permit and at every construction site as well as on city projects. He noted that compliance will also include more time for Jones & Associates (engineers) to do more consulting for us. He said the state auditor came and outlined everything they expected Perry City to do to comply with their regulations. He figured that the storm water fee increase will cover the expenses for all the extra work.

Council Member Ostler asked if these efforts equal \$75,000. Ms. Johnson explained that the \$75,000 difference is between what the city storm water budget ended at in Fiscal Year (FY) 2021 compared to what we have planned in FY2023 in addition to the expenses mentioned above she advised that

she believed there was also some storm drain cleaning that is required. Mr. Barnhill agreed stating that the city has planned for more rigorous maintenance of the storm drain lines in FY2023 and that is also part of the expense increase.

Council Member Ostler asked for the FY2022 expenses for comparison. Ms. Johnson said it was around \$96k.

Council Member Wright said that the FY2023 budget is proposed for \$136k or roughly a \$40k increase.

Council Member Ostler asked if the increase was a one-time expense or ongoing expenditures. Ms. Johnson said that initially there will be cost on professional technical consultation but then switching over to the expenses for maintenance on the lines. He next asked if the city is charging enough to off-set the additional cost for the extra storm drain inspections. Mr. Barnhill said that the city has already adopted some updates to the storm water code. This code allow the city to apply a storm water fee to all building permits. He said that there are also other maintenance expenses. Council Member Ostler was concerned if that storm water fee on the new builds was adequate to cover the storm water expenses. Mr. Barnhill said at this time it does but in time we might need to review it.

Council Member Ostler suggested that the wording in section 7.15.030 of the ordinance needs to be clearer. There could be a misunderstanding of residential, multi-units, and commercial base rate charge. Mr. Morris went through the language in that section and agreed that they remove "single family" and change the word "parcel" to "unit" as suggested.

Council Member Ostler also noted that the numbering was off in the Ordinance and that paragraph 8 should be changed to 7 in section 7.15.030.

MOTION: Council Member Walker made a motion to approve Ordinance 22-H Amending Storm Water Fees with amendments as noted. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes
Council Member Tueller, Yes
Council Member Walker, Yes
Council Member Young, Yes
Council Member Ostler, Yes

Motion Approved. 5 Yes, 0 No

B. Ordinance 22-F Land Use Chart and Associated Regulations

Mr. Barnhill discussed the Land Use Chart with the council, he advised that he can have a private conversation with each to review their questions and suggested changes or they could have a work session. Council Member Walker suggested they have a work session. He also suggested looking at the conservation subdivision in the work session.

The Mayor and other council member agreed that a work session would be appropriate.

Action Item Tabled.

ITEM 6: DISCUSSION ITEM

A. Fourth of July Celebration

Ms. Johnson reviewed the event schedule with the council and the events that would be important for them to attend.

Ms. Johnson reviewed the community award winners for 2022:

- Grand Marshal – Scott Nelson
- Citizen of the Year – Robin Matthews
- Business of the Year – Tractor Supply
- Mayor’s Award – Stacy Thompson

ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)

A. Approval of Consent Items

- June 09, 2022 City Council Work Session Minutes
- June 09, 2022 City Council Meeting Minutes

Shanna Johnson noted that she is still proof reading the minutes and they are not yet ready for approval.

Consent Items Tabled.

B. Mayor’s Reports

None.

C. Council Reports

None.

D. Staff Comments

Mr. Barnhill recognized the administration staff noting we now have Shanna Johnson as a Master Clerk, Tyra Bischoff has received an Employee of the Year award from Utah Public Employee Association, and Robin Matthews has been selected as Citizen of the Year.

Mr. Barnhill noted that the City has some impact fees they need to spend prior to the end of the year and they would like to start purchasing equipment for Mt. View Park. He noted that they have received updated pricing with a smaller owl slide, which costs less. The council asked for him to send the design and pricing to them. Shanna reminded the council to turn in their Fourth of July baskets for bingo.

E. Planning Commission Report

None.

ITEM 7: EXECUTIVE SESSION

None.

ITEM 8: ADJOURNMENT

MOTION: Council Member Walker proposed to adjourn the meeting. Council Member Tueller seconded the motion.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 7:51 p.m.

248 Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

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250

251

252 Anita Nicholas, Deputy Recorder

DRAFT

1 PERRY CITY REDEVELOPMENT AGENCY MEETING

2 PERRY CITY OFFICES

3 June 23, 2022

6:34 PM

4
5
6 OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Board
7 Member Toby Wright, Board Member Blake Ostler, Board Member
8 Dave Walker, Board Member Ashley Young, Board Member Tueller
9 (joined at 6:36 p.m.)

10
11 OFFICIALS ABSENT: Board Member Nathan Tueller

12
13 CITY STAFF PRESENT: Robert Barnhill, City Administrator; Shanna Johnson, City Recorder;
14 Chief of Police Scott Hancey

15
16 OTHERS PRESENT: Melanie Barnhill

17
18 **ITEM 1: Welcome to Order and Welcome**

19 Mayor Jeppsen called the meeting to order.

20
21 **ACTION ITEM 2: Fiscal Year 2022-2023 Budget Planning**

22 No discussion.

23
24 **ITEM 3: Resolution 2022-01 Adopting a Final Year 2022-2023 Budget for the Perry City**
25 **Redevelopment Agency.**

26
27 Ms. Johnson said that she made a change in the budget and then emailed a copy of it to the board
28 members. She explained that when she reviewed the CDA/RDA annual report packet enclosed was a
29 small administration fee for the accountants to compile the paperwork. This report is required by
30 law for the Pointe Perry Community Development Area and the 1100 South Community
31 Development Area. She noted that the revenue has not changed on this updated budget. She
32 reviewed the budget, which showed revenue of \$35,842 in property tax, and \$153,559 in sales tax
33 for a total of \$189,401. She advised that out of the \$189,401 in expenses there will be the \$1,255
34 payment (administrative fee) to Lewis, Young, Roberts and Burningham to process the required
35 annual report and send the forms to the appropriate taxing entities. The balance will be contributed
36 the Perry City to reimburse SID bond payments made by the City.

37
38 Board Member Wright asked for an explanation of how the administration fee is calculated. Ms.
39 Johnson said that the fee amount is based on 3.45 percent of the projected property tax increment
40 collected by the RDA.

41
42 Board Member Ostler asked where the city was getting \$235k (in the Contributions from Other
43 Governmental Units). Ms. Johnson said it came from closing out of the debt service fund that handled
44 the SID Bond. The amount of this closed fund consisted of assets and fund balances that came
45 forward from that account and was put in the RDA fund.

46

Ms. Johnson said if there are not any more questions, the board members can make a motion on the resolution.

MOTION: Board Member Wright made a motion to approve Resolution 2022-01 Adopting a Final Fiscal Year 2022-2023 Budget for the Perry City Redevelopment Agency. Board Member Tueller seconded the motion.

ROLL CALL: Board Member Wright, Yes
Board Member Ostler, Yes
Board Member Walker, Yes
Board Member Young, Yes
Board Member Tueller, Yes

Motion Approved. 5 Yes, 0 No

ITEM 4: Approval of Consent Items:

A. May 12, 2022 RDA Meeting Minutes

Consent Items Tabled.

ADJOURNMENT

MOTION: Board Member Walker proposed to adjourn the meeting.

Motion Approved. All Board Members were in favor.

The meeting adjourned at 6:39 p.m.

Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

Anita Nicholas, Deputy Recorder