

ENOCH CITY COUNCIL NOTICE AND AMENDED AGENDA

**October 19, 2022 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road**

Join Zoom Meeting
<https://us02web.zoom.us/j/89239502025>

Meeting ID: 892 3950 2025

**One tap mobile
+13462487799 (Houston)**

- 1. CALL TO ORDER OF REGULAR COUNCIL MEETING**
 - a. Pledge of Allegiance-**
 - b. Invocation (2 min.)-Audience invited to participate-**
 - c. Inspirational thought-**
 - d. Approval of Agenda for October 19, 2022-**
 - e. Approval of Minutes for October 5, 2022-**
 - f. Ratification of Expenditures-**
 - g. Conflict of Interest Declaration for this agenda-**
- 2. PUBLIC COMMENTS**
- 3. DOMESTIC VIOLENCE AWARENESS – Canyon Creek Services**
- 4. PUBLIC HEARING TO VACATE A 20’ WIDE PUBLIC UTILITY EASEMENT (P.U.E.) RUNNING ALONG THE WEST PROPERTY BOUNDARY OF PARCEL #A-0962-0000-0000 AND NEXT TO BARK AVENUE (700 East)**
- 5. CONSIDER ORDINANCE NO. 2022-10-19-A AN ORDINANCE VACATING A 20’ WIDE PUBLIC UTILITY EASEMENT (P.U.E.) RUNNING ALONG THE WEST PROPERTY BOUNDARY OF PARCEL #A-0962-0000-0000 AND NEXT TO BARK AVENUE (700 East)**
- 6. CONSIDER ORDINANCE NO. 2022-10-19-B AN ORDINANCE TO APPROVE THE PLAT AMENDMENT FOR LEGACY ESTATES SUBDIVISION, PHASE 3**

-See Planning Commission Rec.
- 7. CONSIDER RESOLUTION NO. 2022-10-19 A RESOLUTION TO APPROVE THE APPLICATION FOR THE BLM DRAINAGE**
- 8. DISCUSS SOLICITING LICENSING**
- 9. COUNCIL/STAFF REPORT**
- 10. CLOSED SESSION TO DISCUSS ONE OR MORE OF THE FOLLOWING: THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, COLLECTIVE BARGAINING; PENDING OR REASONABLY IMMINENT LITIGATION, THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF WATER RIGHTS OR WATER SHARES; DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS; INVESTIGATIVE PROCEEDINGS REGARDING ALLEGATIONS OF CRIMINAL MISCONDUCT.**

(Requires a roll call vote with 2/3 majority)

11. ACTION FROM CLOSED MEETING-

12. ADJOURN

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

CERTIFICATE OF DELIVERY

I certify that a copy of the forgoing "Notice and Agenda" was delivered to each member of the City Council, emailed to "Cedar City Daily News", posted on the Enoch City website, on the City Office door, and published on the Utah Public Meeting Notice website on 10-13-22.

Lindsay Hildebrand, City Recorder Date

MINUTES
ENOCH CITY COUNCIL
October 5, 2022 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chesnut
Council Member David Harris - excused
Council Member Richard Jensen
Council Member West Harris
Council Member Katherine Ross
Council Member Shawn Stoor

Staff present:

Robert Dotson, City Manager
Ashley Horton, Treasurer
J. Wayment, City Attorney - excused
Hayden White, Public Works Director
Lindsay Hildebrand, City Recorder
Jackson Ames, PD Chief

Public Present: Kim Whitehead, Jane Roberts, George Lutterman, Delaine Finlay, Luke Swank, and Brad Lark

1. CALL TO ORDER OF REGULAR COUNCIL MEETING

- a. Pledge of Allegiance-** Led by Council Member Stoor
- b. Invocation (2 min.)-** Audience invited to participate- Given by Council Member Stoor
- c. Inspirational thought-** Given by Council Member Jensen
- d. Approval of Agenda for October 5, 2022- Council Member Jensen motioned to approve the agenda. Council Member W. Harris seconded and all voted in favor.**
- e. Approval of Minutes for September 21, 2022- Council Member W. Harris motioned to approve the minutes. Council Member Ross seconded and all voted in favor.**
- f. Ratification of Expenditures-** None
- g. Conflict of Interest Declaration for this agenda-** There were none.

2. PUBLIC COMMENTS

Kim Whitehead and Jane Roberts stood at the podium together. Kim said she wanted to thank the City for saving the Daughter of Utah Pioneers marker at Johnson's Fort. They were grateful that they worked quickly and saved it before the flood. They also thought about the future of water coming down that ditch, there is a place that curves into the marker and it would be nice if there was a cement slab that blocked the water. People visit that marker and there is a small narrow walkway. It would be nice to have an easier access to it. *Mayor Chesnut said he would take down notes and address it with Public Works.* Kim said there is another marker in the park and it had the Daughters of Utah Pioneers (DUP) on the top when they looked at it on the map, but it looked like it is in the confines of the map and she didn't know if it was owned by the City or them. *Mayor Chesnut said he would find out for sure and have conversations about it.*

Luke Swank introduced himself to the Council. He is a medical Provider starting the Enoch Healthcare Clinic. He gave some of his background information. They are renovating what used to be the Hub. He said the pharmacy should open in 6 to 8 weeks. His partner is Jason Barrows. They are planning, in a year or so, to take the parcel to the west and complete a bigger project that will include a full pharmacy and soda shop, among other things.

3. CONSIDER ORDINANCE NO. 2022-10-05-A AN ORDINANCE TO CHANGE THE ADDRESS OF 3306 N. BULLDOG ROAD, PARCEL #A-0971-0001-0000 TO 3310 N. BULLDOG ROAD

City Manager Dotson said the owner of the property requested the address change. This is at the commercial facility at the South portion of Willow Glen Inn. He pulled up a map on the screen. 3306 N. Bulldog Road is actually two parcels. We are changing the north piece to 3310 N. Bulldog Rd.

Council Member W. Harris motioned to approve Ordinance No. 2022-10-05-A, an ordinance to change the address of 3306 N. Bulldog Road, Parcel #A-0971-0001-0000 to 3310 N. Bulldog Road. Council Member Ross seconded and a roll call vote was held as follows:

**Council Member Ross: Yea
Council Member Jensen: Yea
Motion Passed**

**Council Member W. Harris: Yea
Council Member Stoor: Yea**

4. CONSIDER ORDINANCE NO. 2022-10-05-B AN ORDINANCE TO CHANGE THE ADDRESS OF 4216 N. PROSPECTOR LANE TO 851 EAST 4200 NORTH

City Manager Dotson said this property was changed on our maps, but not after the home was built. We are going through the process to change it at the County.

Council Member W. Harris motioned to approve Ordinance No. 2022-10-05-B, an ordinance to change the address of 4216 N. Prospector Lane to 851 East 4200 North. Council Member Ross seconded and a roll call vote was held as follows:

**Council Member Ross: Yea
Council Member Jensen: Yea
Motion Passed**

**Council Member W. Harris: Yea
Council Member Stoor: Yea**

5. SET A PUBLIC HEARING FOR OCTOBER 19, 2022 TO VACATE THE LUTTERMAN PUBLIC UTILITY EASEMENT

Council Member Jensen motioned to set a public hearing for October 19, 2022, to vacate the Lutterman Public Utility Easement. Council Member Ross seconded and all voted in favor.

George Lutterman asked if the gas company is going to be moving the gas line before the public hearing. Mayor Chesnut asked if the gas company uses our public utility easement. He gave an example. City Manager Dotson said he has been in contact with the gas company. There are two gas lines on this property. He showed the easement on the screen. It goes on the property. They are talking about removing that gas line because it's also going through other properties. They will put it on the west side of Bark Ave. and it would end north of the animal shelter. We need to get Mr. Lutterman and the engineer for the project together. Mayor Chesnut said the public hearing is just a step of the process.

6. CONSIDER AMENDMENT TO ENOCH CITY CODE 12.1100.1107 – RV-TEMPORARY

Mayor Chesnut said we brought this up as a potential revision. Council Member Jensen wanted clarification regarding 1C of the code. He asked whether it meant that when someone violates any city ordinance then the Temp RV permit application is denied, or if it meant violating this specific ordinance. City Manager Dotson said he wrote this proposal as is so that the Council could have a discussion and make that decision. One of the concerns is that there is an RV park zone specifically addressing renting out spaces. This ordinance is not so that people can create an RV park. He wanted to be clear that this is not an RV park zone ordinance. Council Member W.

Harris was concerned about the language regarding an RV pad with utility connections. Council Member Jensen asked why they care whether it's on gravel or a concrete pad. Mayor Chesnut said that if we make them put in connections and have a concrete pad, then it seems we are transitioning towards a timeframe longer than just temporary. Council Member Ross said she would be ok taking out that addition. City Manager Dotson said we just need clarity because this is an administrative action. Council Member Jensen said he wanted to be clear on what's deniable. Council Member Ross suggested writing something about violating this specific ordinance. Council Member Stoor suggested that people can reapply after a year. He thought that if they are in compliance with the RV ordinance then they should be granted another permit. He also said the concrete pad doesn't need to be in there and it should be up to the owner. This will be sent to the Planning Commission.

7. CONSIDER RESOLUTION NO. 2022-10-05 A RESOLUTION TO ACCEPT A MEMORANDUM OF UNDERSTANDING (MOU) WITH IRON COUNTY

Hayden White said this is an understanding with Iron County wanted to do a contract throughout the cities to make sure that we don't have to have encroachment permits on some of their roads. We will be intermingling with them on projects. Mayor Chesnut said this goes along with the general atmosphere with municipalities and want to collaborate rather than throw up boundaries. He also said that he didn't see any problems with the actual MOU. City Manager Dotson said this came from the Conservancy District.

Council Member W. Harris made a motion to approve Resolution No. 2022-10-05, a resolution to accept a memorandum of understanding (MOU) with Iron County. Council Member Jensen seconded and a roll call vote was held as follows:

Council Member Ross: Yea

Council Member W. Harris: Yea

Council Member Jensen: Yea

Council Member Stoor: Yea

Motion Passed

8. COUNCIL/STAFF REPORT

Hayden White: Said they have been doing a lot drainage work. They are doing a secondary water line under Minersville Hwy. They hope to be done with that on Friday. The transformer is in for the Grimshaw well. Now they are waiting on Rocky Mountain Power. Remember secondary water will be turned off on November 1st.

Chief Ames said he is doing dancing with stars locally. Tickets are \$15 each. It is November 15th at 7pm. One of his functions is Chairman of CJC advisory board. We are definitely at a point where we have outgrown the center. They have been looking at options for locations in Cedar, Enoch and the County. They have been looking here in Enoch just south of Old Enoch Park. It's a little over an acre. They went out and looked at the property and feel like it would be a good location. The building would be County-owned and they would maintain it and run it. It gets used daily. Hundreds of children are interviewed annually. Council Member Stoor asked if that is an ideal location, or would they rather place it away from a neighborhood. Chief said they wanted it to be in a residential area to feel like a home. It's kind of tucked back behind homes. Council Member Jensen asked about when they would decide on the property. Chief said they would transfer property from one governmental agency to another. He asked if the Council is ok with moving forward on the property. Mayor Chesnut asked how Enoch City can be a bigger voice for something so important. City Manager Dotson said they have been having these discussions with our City attorney. There are some materials for drainage projects that we can trade for the property. They all agreed to move forward.

Council Member Stoor said there is some maintenance that needs to be done up at Jones Memorial Park.

Ashley Horton said we finished our audit. We had one finding. We had a little too much money around, about \$16,000 too much. She is doing some quarterly tax returns.

City Manager Dotson recapped a grant that we wanted. It was a County-wide combined effort. This effort failed. The state legislature said they wanted to do the grant program again. It is done by a diff organization in the state. The application was due yesterday at 4pm. Nobody at the County knew about it. They called the organization about the application and those that applied and received the money the first time can't apply again. So, Enoch is out. We don't have a new well purchase but we do have a mountain of drainage projects. So, we will apply again with the County. The idea is for us to ask for that same amount again. He asked if the council wanted them to apply again. They agreed to move forward.

The water rate study and all of the numbers are correct. A challenge was the mobile home park. Those rates are different. He will send out the information to the Council.

BLM is working with a bunch of different entities. They are planning on a mountain bike trail system on the east bench. He showed it on a map. They are going to put a trailhead in with a restroom. Their design is a gravel parking lot with a chain-link fence or no fence. There is concern with people that this will detract people from the area and wanted us to ask them to put in a block wall and asphalt in. It is outside of Enoch and on BLM property. This would be up to the Council. He asked them to think about this.

He asked Hayden to talk about the problem in Village Green. Hayden said Green Acres Cir. To Village Green is basically a drainage ditch. There are three culverts under the Hwy that converge and up into 5114. There are three homes where water goes into their backyards. You can see the ditches they have had to dig to keep the water fro their windows. They have talked about block walls and are asking us for help on what we can do. We dug a ditch down Green Acres Cir. to try and slow water. We have reached out to the BLM, which owns property to see if there was deal we can work out. City Manager Dotson said he has been in contact with BLM about leasing property to put in a detention basin and stop that water from flowing into those 3 yards. He explained how that would work and gave an example of the impact that could have. He needed permission from the Council to move forward with the application process with BLM. The Council agreed to move forward.

Lindsay Hildebrand said building permit reports have slowed. This month there have been no new residential permits issued. Since July only 8 have been issued.

Mayor Chesnut said he is on a couple of committees. There is a board regarding the airport and asked if we would be interested in having a seat at that table to discuss the planning process for growth at the airport. The kickoff meeting will be on Oct. 11 at 5:30 pm. The Iron County Economic Development Advisory Board is a 2 yr. commitment and he will be on that as well. If the Council has and ideas or projects to take to them he will be more informative.

Council Member Ross said the Planning Commission is still working on the General Plan.

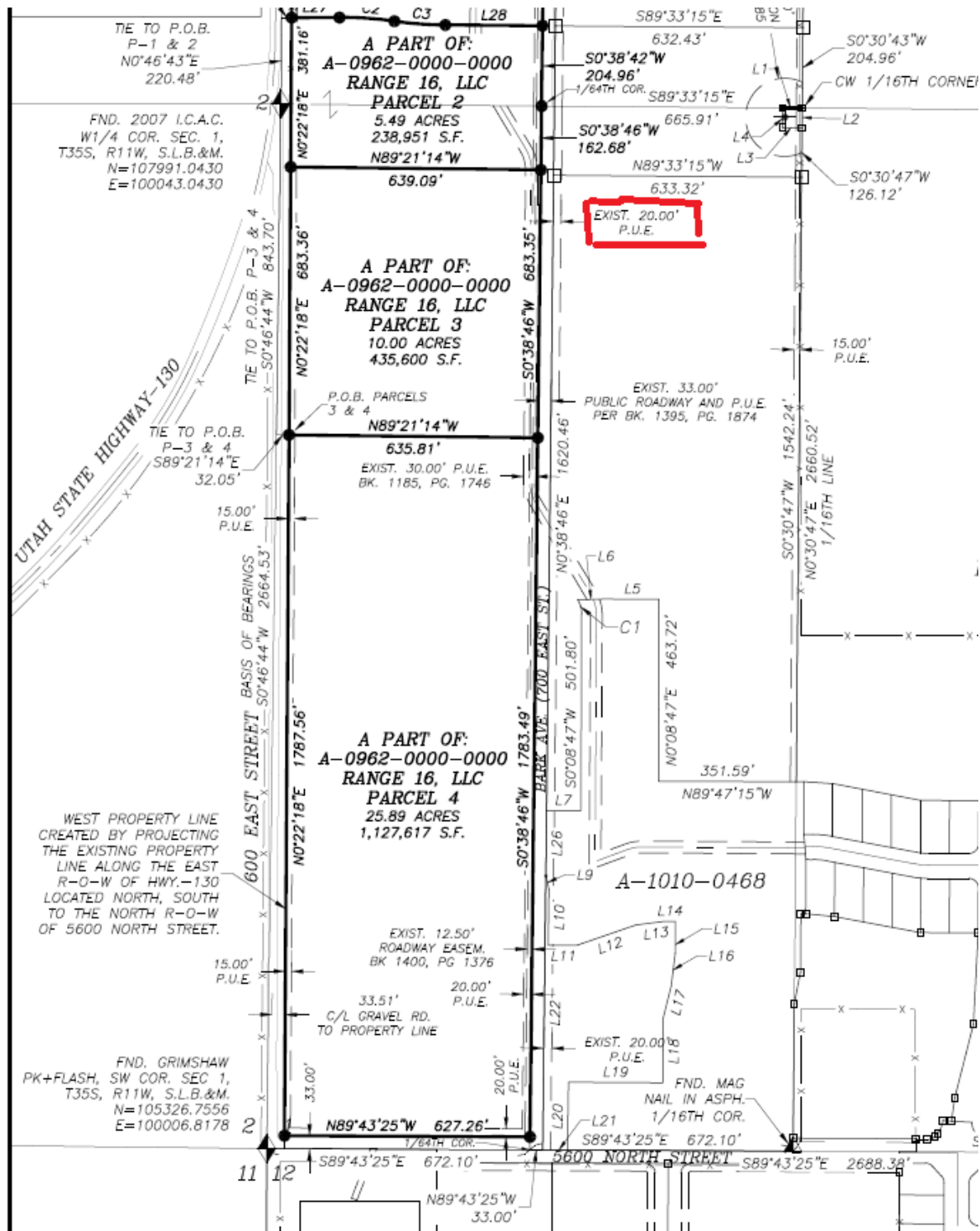
Council Member Jensen said the Wreaths Across America met and they had reached out to several groups to help. That is moving forward.

11. ADJOURN – Council Member W. Harris motioned to adjourn. Council Member Ross seconded and all voted in favor. The meeting ended at 7:22 pm.

Lindsay Hildebrand, City Recorder	Date
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Ocotber 5, 2022

Mr. George Lutterman purchased properties A-0953-0000-0000 & A-0953-0002-000 and provided a 20' Public Utility Easement (PUE) along his west property boundary and next to Bark Avenue (700 East).



[illegible]

Mr. Lutterman is willing to dedicate a portion of his property as a public road if Enoch City Council will vacate the 20' PUE along 700 East. Water is not in this PUE and if sewer is ever built, it will be in Bark Avenue right-of-way. The natural gas piping is in its own easement. If vacated, any other utilities that need to be in the area would have to be in the PUE on the west side of Bark Avenue.

This is his formal request and if approved, documents will be created to accomplish the task.

ENOCH CITY CORPORATION

ORDINANCE NO. 2022-10-19-A

AN ORDINANCE VACATING A 20' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) RUNNING ALONG THE WEST PROPERTY BOUNDARY OF PARCEL #A-0962-0000-0000 AND NEXT TO BARK AVENUE (700 East)

WHEREAS, The property owner has petitioned the City to vacate a 20' wide public utility easement (P.U.E.) running along the west property boundary of parcel #A-0962-0000-0000 and next to Bark Avenue (700 East); and

WHEREAS, the Enoch City Council held a public hearing on October 19, 2022, during a regular City Council meeting; and

WHEREAS, the Enoch City Council has deemed it in the best interest of the City to vacate an easement that was given to the City in exchange for a deed of the dedication of 5200 North.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and City Council of Enoch City that a 20' wide public utility easement (P.U.E.) running along the west property boundary of parcel #A-0962-0000-0000 and next to Bark Avenue (700 east), shall be vacated and recorded in the Office of the Iron County Recorder.

A motion for approval of this Ordinance was made, voted upon, and passed by the City Council of the City of Enoch, Utah, at a regular City Council meeting held this 19th day of October, 2022.

DATED this 19th day of October 2022

ENOCH CITY CORPORATION

VOTING:

Katherine Ross

Yea___ Nay___

West Harris

Yea___ Nay___

David Harris

Yea___ Nay___

Richard Jensen

Yea___ Nay___

Shawn Stoor

Yea___ Nay___

Geoffrey L. Chesnut, Mayor

ATTEST:

SEAL:

Lindsay Hildebrand, City Recorder

ENOCH CITY CORPORATION

ORDINANCE NO. 2022-10-19-B

AN ORDINANCE TO APPROVE THE PLAT AMENDMENT FOR LEGACY ESTATES SUBDIVISION, PHASE 3

WHEREAS, The plat amendment application to combine lots 45 & 82 and 46 & 83 was presented to the Enoch City Planning Commission on October 11, 2022; and

WHEREAS, The Planning Commission reviewed the requirements of the Enoch City ordinances and State law to determine the petition was in accordance with all ordinances; and

WHEREAS, The Enoch City Planning Commission sent a favorable recommendation to approve the plat amendment; and

WHEREAS, the Enoch City Council reviewed the plat amendment to combine lots 45 & 82 and 46 & 83 in Legacy Estates Subdivision, Phase 3, and found that all items for the application have been met; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Enoch, Utah that the attached plat amendment for this action, prepared by Watson Engineering, be approved and accepted with all commitments and obligations pertaining thereto.

This Ordinance was made, voted upon, and passed by the Enoch City Council at a regular city council meeting held on the 19th day of October 2022 and shall become effective immediately.

DATED this 19th day of October 2022

ENOCH CITY CORPORATION

VOTING:

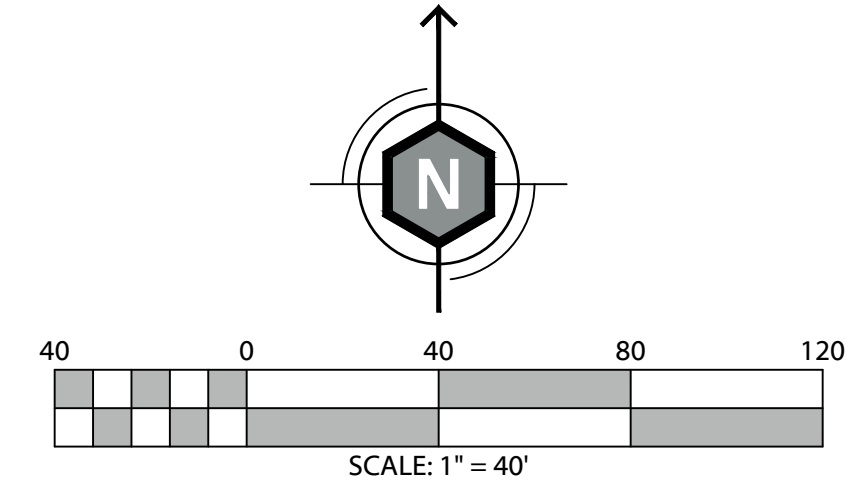
Katherine Ross	Yea___	Nay___
West Harris	Yea___	Nay___
David Harris	Yea___	Nay___
Richard Jensen	Yea___	Nay___
Shawn Stoor	Yea___	Nay___

Geoffrey L. Chesnut, Mayor

ATTEST:

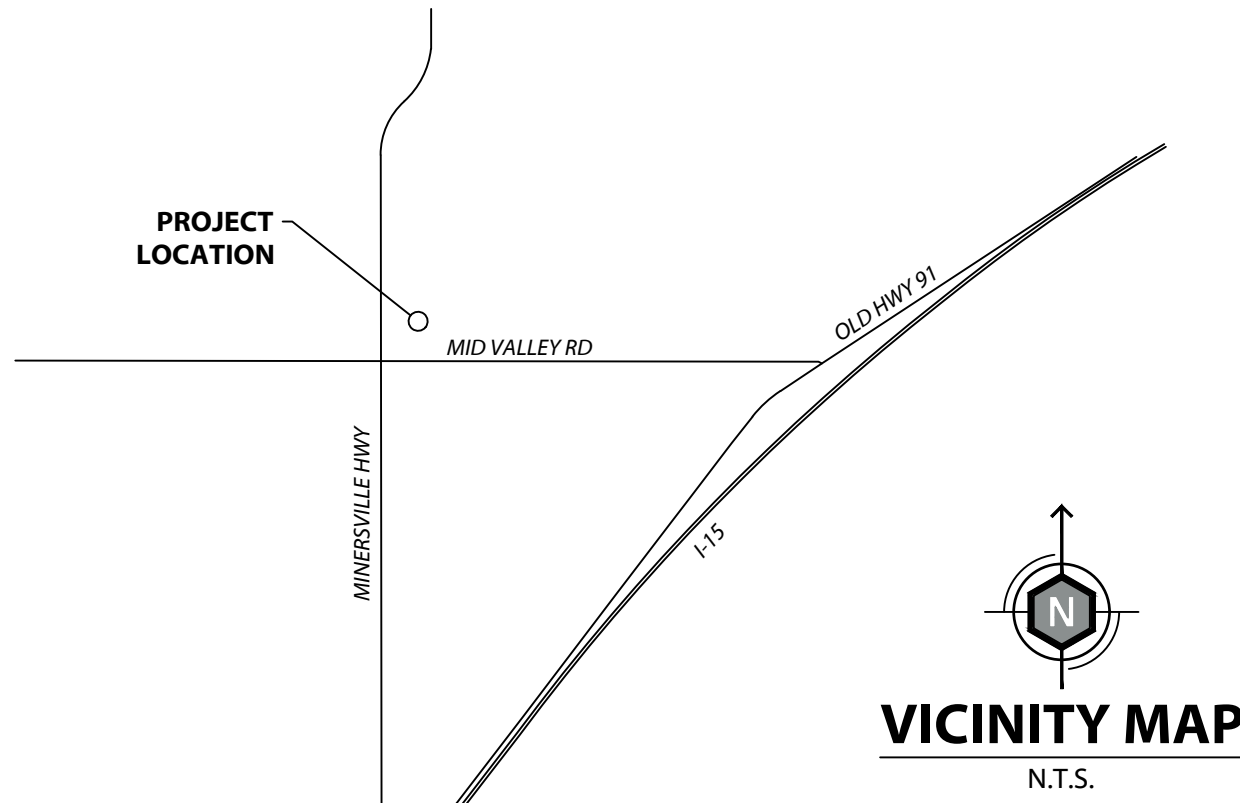
SEAL:

Lindsay Hildebrand, City Recorder



AMENDED PLAT LOTS 45, 46, 82, & 83, LEGACY ESTATES, PHASE 3

WITHIN THE SE ¼ OF SECTION 11, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN
ENOCH CITY, IRON COUNTY, UTAH



OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I, **DERRICK CLARK**, THE UNDERSIGNED OWNER OF THE LAND DESCRIBED HEREON, HAVING CAUSED THE SAME TO BE COMBINED INTO ONE (1) LOT, TOGETHER WITH EXISTING STREETS AND EASEMENTS TO BE KNOWN HEREFTER AS LOT 45A, LEGACY ESTATES, PHASE 3, AMENDED, A RESIDENTIAL SUBDIVISION, DO HEREBY DEDICATE TO THE PERPETUAL USE OF THE PUBLIC ALL STREETS AND EASEMENTS AS INTENDED FOR PUBLIC USE.
IN WITNESS WHEREOF: WE HAVE SET OUR HANDS THIS _____ DAY OF _____, 2022.

DERRICK CLARK

ACKNOWLEDGEMENT

STATE OF _____ S.S.
COUNTY OF _____

ON THIS _____ DAY OF _____, 2022, PERSONALLY APPEARED BEFORE ME,
A NOTARY PUBLIC, **DERRICK CLARK**, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC STATE OF COMMISSION

COMMISSION NUMBER

COMMISSION EXPIRES

RESIDING IN THE COUNTY OF _____
STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I, **CARY & CYNTHIA CLARK**, HUSBAND AND WIFE AS JOINT TENANTS, THE UNDERSIGNED OWNER OF THE LAND DESCRIBED HEREON, HAVING CAUSED THE SAME TO BE COMBINED INTO ONE (1) LOT, TOGETHER WITH EXISTING STREETS AND EASEMENTS TO BE KNOWN HEREFTER AS LOT 45A, LEGACY ESTATES, PHASE 3, AMENDED, A RESIDENTIAL SUBDIVISION, DO HEREBY DEDICATE TO THE PERPETUAL USE OF THE PUBLIC ALL STREETS AND EASEMENTS AS INTENDED FOR PUBLIC USE.
IN WITNESS WHEREOF: WE HAVE SET OUR HANDS THIS _____ DAY OF _____, 2022.

CARY CLARK

CYNTHIA CLARK

ACKNOWLEDGEMENT

STATE OF _____ S.S.
COUNTY OF _____

ON THIS _____ DAY OF _____, 2022, PERSONALLY APPEARED BEFORE ME,
A NOTARY PUBLIC, **CARY & CYNTHIA CLARK**, OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC STATE OF COMMISSION

COMMISSION NUMBER

COMMISSION EXPIRES

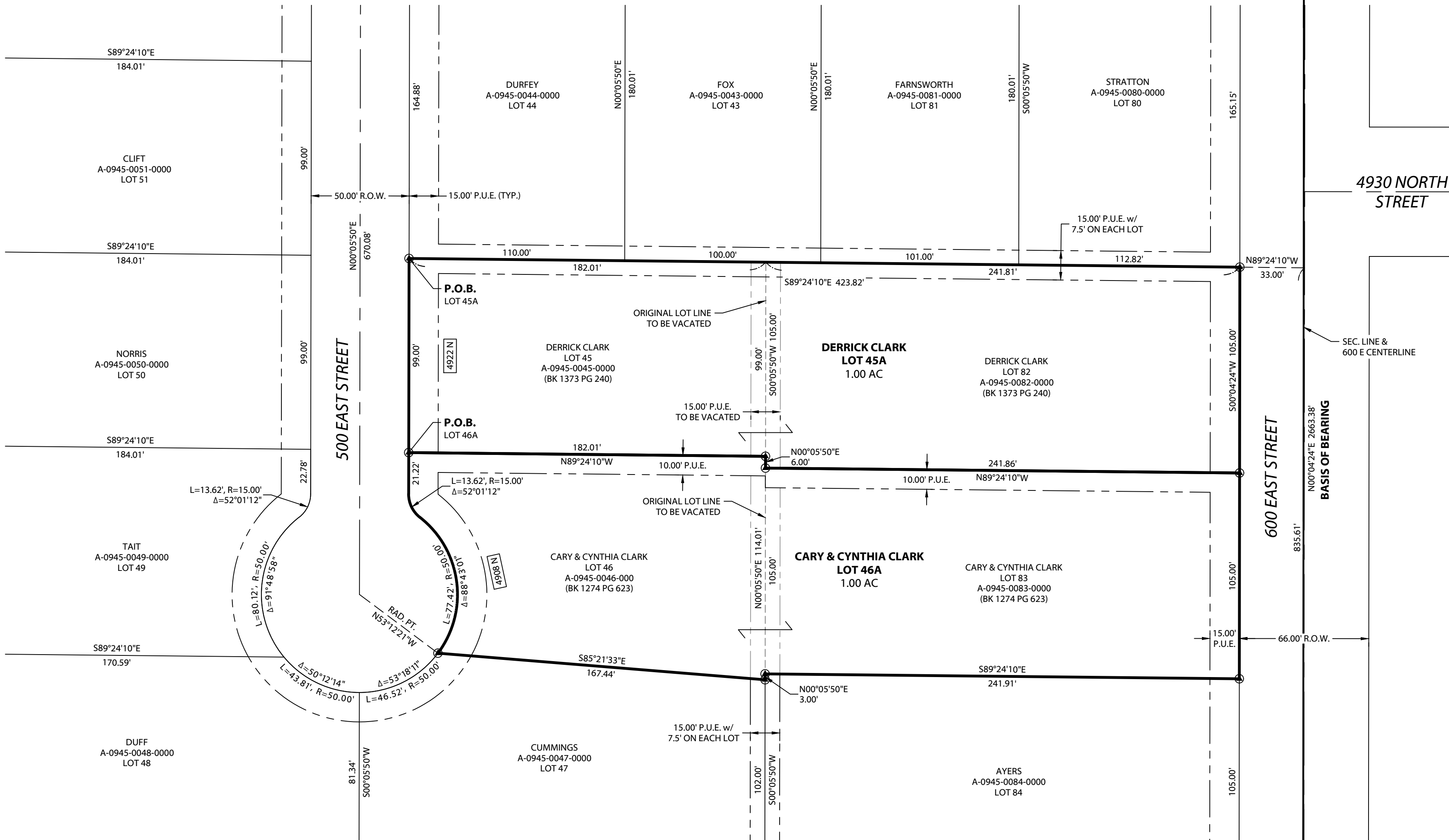
RESIDING IN THE COUNTY OF _____
STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

NOTES

- OWNER INFORMATION:
 - OWNER: DERRICK CLARK
 - APN #: A-0945-0045-0000 (LOT 45) & A-0945-0082-0000 (LOT 82)
 - OWNER: CARY & CYNTHIA CLARK
 - APN #: A-0945-0046-0000 (LOT 46) & A-0945-0083-0000 (LOT 83)
- SITE INFORMATION:
 - LOT 45A ADDRESS: 4922 N 500 E
 - LOT 46A ADDRESS: 4908 N 500 E
 - SITE ZONING: RESIDENTIAL-1-18 (R-1-18)
 - SITE AIRPORT COMPATIBILITY ZONE: INSIDE THE AIRPORT INFLUENCE ZONE (AIZ)
 - SITE FLOOD ZONE: ZONE C - AREAS OF MINIMAL FLOODING PER FIRM PANEL NUMBER 490073 0750 B, EFFECTIVE DATE: JULY 17, 1986.

LEGEND

- PROPERTY BOUNDARY
- SECTION LINE
- EASEMENT, AS NOTED
- RIGHT-OF-WAY CENTERLINE
- SECTION CORNER, FOUND AS NOTED
- QUARTER CORNER, FOUND AS NOTED
- SET WATSON REBAR & CAP
- FOUND PROPERTY CORNER, AS NOTED



LEGAL DESCRIPTION - LOT 45A

LOT 45 & 82, LEGACY ESTATES SUBDIVISION, PHASE 3, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE IRON COUNTY RECORDER'S OFFICE. MORE ACCURATELY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 45, LEGACY ESTATES, PHASE 3; THENCE ALONG THE NORTH LINE OF SAID LOT 45, S89°24'10"E 423.82' TO THE NORTHEAST CORNER OF LOT 82, SAID CORNER BEING ON THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF 600 EAST STREET; THENCE ALONG SAID R.O.W. LINE S00°04'24"W 105.00' TO THE SOUTHEAST CORNER OF SAID LOT 82; THENCE DEPARTING SAID R.O.W. AND ALONG THE SOUTH LINE OF SAID LOT 82, N89°24'10"W 241.86' TO THE SOUTHWEST CORNER OF SAID LOT 82; THENCE N00°05'50"E 6.00' TO THE SOUTHEAST CORNER OF SAID LOT 45; THENCE ALONG THE SOUTH LINE OF SAID LOT 45, N89°24'10"W 182.01' TO THE SOUTHWEST CORNER OF SAID LOT 45; SAID CORNER BEING ON THE EAST R.O.W. LINE OF 500 EAST STREET; THENCE ALONG SAID R.O.W. LINE N00°05'50"E 99.00' TO THE POINT-OF-BEGINNING (P.O.B.) AND CONTAINS 1.00 ACRE.

LEGAL DESCRIPTION - LOT 46A

LOT 46 & 83, LEGACY ESTATES SUBDIVISION, PHASE 3, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE IRON COUNTY RECORDER'S OFFICE. MORE ACCURATELY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 46, LEGACY ESTATES, PHASE 3; THENCE ALONG THE NORTH LINE OF SAID LOT 46, S89°24'10"E 182.01' TO THE NORTH EAST CORNER OF SAID LOT 46; THENCE S00°05'50"W 6.00' TO THE NORTHWEST CORNER OF LOT 83; THENCE ALONG THE NORTH LINE OF SAID LOT 83, S89°24'10"E 241.86' TO THE NORTHEAST CORNER OF SAID LOT 83; SAID CORNER BEING ON THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF 600 EAST STREET; THENCE ALONG SAID R.O.W. LINE S00°04'24"W 105.00' TO THE SOUTHEAST CORNER OF SAID LOT 83; THENCE DEPARTING SAID R.O.W. LINE AND ALONG THE SOUTH LINE OF SAID LOT 83, N89°24'10"W 241.91' TO THE SOUTHWEST CORNER OF SAID LOT 83; THENCE S00°05'50"W 3.00' TO THE SOUTHEAST CORNER OF SAID LOT 46; THENCE ALONG THE SOUTH LINE OF SAID LOT 46, N85°21'33"W 167.44' TO THE SOUTHWEST CORNER OF SAID LOT 46; SAID CORNER BEING ON THE EAST R.O.W. LINE OF 500 EAST STREET; THENCE ALONG SAID R.O.W. LINE AND ARC OF A NON-TANGENT CURVE TO THE LEFT 77.42' WITH A RADIUS OF 50.00' AND CENTRAL ANGLE OF 88°43'01" (RADIUS POINT BEARS N53°12'21"W), TO THE POINT-OF-REVERSE-CURVATURE (P.R.C.) OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE 13.62' WITH A RADIUS OF 15.00' AND A CENTRAL ANGLE OF 52°01'12"; THENCE N00°05'50"E 21.22' TO THE POINT-OF-BEGINNING (P.O.B.) AND CONTAINS 1.00 ACRE.

UTILITY COMPANIES APPROVAL

WE, THE HEREIN NAMED PUBLIC UTILITY COMPANIES, APPROVE THE DESIGNATED EASEMENTS SHOWN ON THIS PLAT OF LEGACY ESTATES, PHASE 3 AND GUARANTEE THE INSTALLATION OF OUR UTILITIES.

CENTURY LINK - PHONE	DATE
ROCKY MOUNTAIN POWER	DATE
DOMINION ENERGY - GAS	DATE
TDS TELECOM - CABLE TV	DATE
SOUTH CENTRAL COMMUNICATION	DATE

SURVEYOR'S CERTIFICATE

I, DARYL T. BROWN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE No. 11864106, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS AMENDED PLAT IN ACCORDANCE WITH SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREFTER TO BE KNOWN AS LOTS 45, 46, 82, & 83, LEGACY ESTATES, PHASE 3, AMENDED, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

DARYL T. BROWN, P.L.S.

DATE

NARRATIVE

THIS AMENDED PLAT WAS COMPLETED AT THE REQUEST OF DERRICK CLARK IN ORDER TO COMBINE LOTS 45/82 & 46/83, LEGACY ESTATES, PHASE 3 INTO TWO (2) LOTS RESPECTIVELY.

HOMES EXIST ON THE SUBJECT PROPERTIES. THE EXISTING ADDRESSES FOR SAID HOMES WILL BE USED AS THE NEW LOT ADDRESS FOR LOTS 45A & 46A RESPECTIVELY AS SHOWN HEREON, WHICH FRONT 500 EAST STREET. THE COMMON LOT LINES AND UTILITIES BETWEEN THE EXISTING LOTS 45/82 & 46/83 WILL BE VACATED AS A PART OF THIS AMENDED PLAT AS SHOWN HEREON.

BASIS OF BEARING

THE BASIS OF BEARING IS N00°04'24"E FROM THE SOUTHEAST CORNER TO THE EAST QUARTER CORNER OF SECTION 11, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN.

UTILITY NOTE

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.

CITY SURVEYOR APPROVAL

I, _____, ENOCH CITY SURVEYOR, DO HEREBY CERTIFY THAT THIS AMENDED PLAT OF LOTS 45, 46, 82, & 83, LEGACY ESTATES, PHASE 3, WAS EXAMINED AND ACCEPTED BY ME THIS THE _____ DAY OF _____, 2022.

ENOCH CITY SURVEYOR

CITY ATTORNEY APPROVAL

I, _____, CITY ATTORNEY FOR THE ENOCH CITY CORPORATION, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS AMENDED PLAT OF LOTS 45, 46, 82, & 83, LEGACY ESTATES, PHASE 3, AND THAT SAID PLAT MEETS THE REQUIREMENTS OF CEDAR CITY CORPORATION PURSUANT TO ITS ORDINANCES AND IS HEREBY RECOMMENDED FOR APPROVAL ON THIS THE _____ DAY OF _____, 2022.

ENOCH CITY ATTORNEY

PLANNING COMMISSION APPROVAL

I, _____, CHAIRPERSON OF THE ENOCH CITY PLANNING COMMISSION, DO HEREBY CERTIFY THAT THIS AMENDED PLAT OF LOTS 45, 46, 82, & 83, LEGACY ESTATES, PHASE 3, HAS BEEN APPROVED BY SAID COMMISSION AND IS HEREBY RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL ON THIS THE _____ DAY OF _____, 2022.

CHAIRMAN

DATE

CERTIFICATE OF ACCEPTANCE

I, _____, MAYOR OF ENOCH CITY CORPORATION, DO HEREBY CERTIFY THAT THIS AMENDED PLAT OF LOTS 45, 46, 82, & 83, LEGACY ESTATES, PHASE 3, HAS BEEN APPROVED BY THE CITY COUNCIL AND IS HEREBY ORDERED FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER ON THIS THE _____ DAY OF _____, 2022.

BY, CITY MAYOR

ATTEST: CITY RECORDER

POST OFFICE APPROVAL

THE UNITED STATES POSTAL SERVICE HEREBY APPROVES THE LOCATIONS SHOWN FOR NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNIT (N.D.C.B.U.).

POSTMASTER

DATE

IRON COUNTY RECORDER CERTIFICATE

I, CARRI JEFFRIES, IRON COUNTY RECORDER, DO HEREBY CERTIFY THAT THIS AMENDED PLAT OF LOTS 45, 46, 82, & 83, LEGACY ESTATES, PHASE 3, WAS FILED FOR RECORD IN MY OFFICE ON THIS THE _____ DAY OF _____, 2021.

CARRI JEFFRIES - IRON COUNTY RECORDER

BOOK: _____ PAGE: _____

ENTRY No.: _____ FEE: _____

RECORDED AT THE REQUEST OF: _____



**WATSON
ENGINEERING
COMPANY, INC.**

472 N 2150 W, Suite 7
Cedar City, UT 84721

Tel. (435) 586-3004

www.wecinc.com

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Watson Engineering Co.

AMENDED PLAT
LOTS 45, 46, 82, & 83, LEGACY ESTATES, PHASE 3

DERRICK CLARK
WITHIN SEC. 11, T. 35 S., R. 11 W., S.L.M.
ENOCH CITY, IRON COUNTY, UTAH

~ PRELIMINARY ~
FOR REVIEW

DRAWN BY:
D. T. BROWN

CHECKED BY:
T. G. WATSON

DATE:
September 28, 2022

SCALE:
1:40

WATSON PROJECT No.:
22-6006

FILE:
DERRICK CLARK SURVEY DWG

Sheet
1 of 1

MINUTES
ENOCH CITY PLANNING COMMISSION
October 11, 2022 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Leonard Correa - excused
Commissioner Andy Losee
Commissioner Debra Ley
Commissioner Wade Adams - excused
Chairman Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager
Lindsay Hildebrand, City Recorder
Hayden White, Pub. Works Dir.
Council Member Katherine Ross -Zoom

PUBLIC PRESENT: There was none.

**2. CONSIDER A PLAT AMENDMENT FOR LEGACY ESTATES SUBDIVISION, PHASE 3
AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**

Daryl Brown said they are proposing to amend lots by combining lots 45 & 82 and 46 & 83. There are homes on lots 45 and 46 and they are seeking approval to combine them as shown on the plat. Commissioner Losee asked if the two big lots on the map provided are just going to make one long lot. Daryl said yes. Commissioner Ley wanted to know if access to the lots would be a problem. Daryl said the existing homes currently front the cul-de-sac. Chairman Tingey asked since it's not changing the ordinance is it legislative or administrative. City Manager Dotson said its legislative and will go to the City Council.

Commissioner Ley motioned to send a favorable recommendation to the City Council to amend the plat for Legacy Estates Subdivision, Phase 3. Commissioner Losee seconded and all voted in favor.

ENOCH CITY CORPORATION

RESOLUTION NO. 2022-10-19

A RESOLUTION APPROVING THE APPLICATION FOR THE BLM DRAINAGE

WHEREAS, Enoch City has a current need for a sediment debris basin to retain storm drainage water from culverts under old Hwy 91; and

WHEREAS, Such sediment debris basin has the potential to protect over 50 homes, a church, municipal infrastructure, and future buildings; and

WHEREAS, Enoch City has prepared and filled out to completion an application for transportation, utility systems, telecommunications and facilities on federal lands and property to be filed with BLM.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Enoch, Utah that the application for transportation, utility systems, telecommunications and facilities on federal lands and property to be filed with BLM be approved and accepted with all commitments and obligations pertaining thereto.

This Resolution was made, voted upon and passed by the Enoch City Council at a regular City Council meeting held on the 19th day of October, 2022. It shall become effective immediately.

DATED this 19th day of October, 2022
ENOCH CITY CORPORATION

VOTING:

Katherine Ross	Yea ___	Nay ___
West Harris	Yea ___	Nay ___
David Harris	Yea ___	Nay ___
Richard Jensen	Yea ___	Nay ___
Shawn Stoor	Yea ___	Nay ___

Geoffrey L. Chesnut, Mayor

ATTEST:

SEAL:

Lindsay Hildebrand, City Recorder

APPLICATION FOR TRANSPORTATION, UTILITY SYSTEMS, TELECOMMUNICATIONS AND FACILITIES
ON FEDERAL LANDS AND PROPERTYFORM APPROVED
OMB Control Number: 0596-0249
Expiration Date: 2/28/2023

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application for an authorization (easement, right-of-way, lease, license or permit), the applicant should completely review this package, including instructions, and schedule a pre-application meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the pre-application meeting.

Application Number

Date Filed

1. Name and address of applicant
Enoch City Corporation
900 East Midvalley Road
Enoch, Utah 84721

2. Name and address of authorized agent if different from item 1

3. Applicant telephone number and email:
435-586-1119
rob@enochcity.org

Authorized agent telephone number and email:
435-463-4065
rob@enochcity.org

4. As applicant are you? (check one)

- a. ☐ Individual
b. ☐ Corporation*
c. ☐ Partnership/Association*
d. ☐ State Government/State Agency
e. ☒ Local Government
f. ☐ Federal Agency

* If checked, complete supplemental page

5. Specify what application is for: (check one)

- a. ☒ New authorization
b. ☐ Renewing existing authorization number
c. ☐ Amend existing authorization number
d. ☐ Assign existing authorization number
e. ☐ Existing use for which no authorization has been received *
f. ☐ Other*

* If checked, provide details under item 7

6. If an individual, or partnership, are you a citizen(s) of the United States? ☐ Yes ☐ No

7. Project description (describe in detail): (a) Type of use or occupancy, (e.g., canal, pipeline, road, telecommunications); (b) related structures and facilities; (c) physical specifications (Length, width, grading, etc.); (d) term of days/years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for activity/construction (Attach additional sheets, if additional space is needed.)

Sediment Debris Basin at approximately 2400 East 5000 North (37 Deg. 46'07.84" N -113 Deg. 00'30.99 W per Google Earth). Basin to retain storm drainage water from culverts under Old hwy 91 and release to new channel to be built to the north and west from the property. Approximately 3.12 acres (Approx. 794' x 430' x 659'). Used in perpetuity or until potential basins at high elevations remove the need. For year-round use. Material to be transported to or from structure will be designated by engineering yet to be completed. Construction to take place at a future date.

8. Attach a map covering area and show location of project proposal.

9. State or Local government approval: ☐ Attached ☐ Applied for ☐ Not Required10. Nonrefundable application fee: ☐ Attached ☐ Not required ☐ To be determined by agency11. Does project cross international boundary or affect international waterways? ☐ Yes ☒ No (if "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

Enoch City has a Storm Drainage department that is a function of Public Works with trained and experienced labor who already builds and maintains numerous sediment debris basins and other storm water facilities throughout the municipality. The department maintains an enterprise fund with various sources of consistent revenue sources.

13a. Describe other alternative locations considered.

Location across Old Hwy 91 to the southeast.

b. Why were these alternatives not selected?

Current infrastructure under Old Hwy 91 currently has sufficient capacity and if this alternative is used, there may need to be enhancements to

c. Give explanation as to why it is necessary to use or occupy Federal assets (lands or buildings).

Location is current and future drainage

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (*Specify number, date, code, or name*)

NRCS UT-NR208D43XXXXCO13 SF-425 Project 2018

NRCS UT-NR228D43XXXXCOO5 SF-424 EWP Project 2021

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

Estimated cost has not been calculated and next best alternative is potentially more expensive. See 16 for public benefits

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

This project has the potential to protect over 50 homes, a church, municipal infrastructure, and future buildings.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability; and, (g) historic or archaeological resources or properties.

The only environment change will be to the surface of the land. During construction, ground disturbance will occur and such disturbances will be permanent.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plant life, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

No effects

19. State whether any hazardous material, as defined in this paragraph, would be used, produced, transported or stored on or in a federal building or federal lands or would be used in connection with the proposed use or occupancy. "Hazardous material" shall mean (a) any hazardous substance under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. § 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws. The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include (or in the case of approval provided after this permit is issued, shall be amended to include) specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

None

20. Name all the Federal Department(s)/Agency(ies) where this application is being filed.

BLM

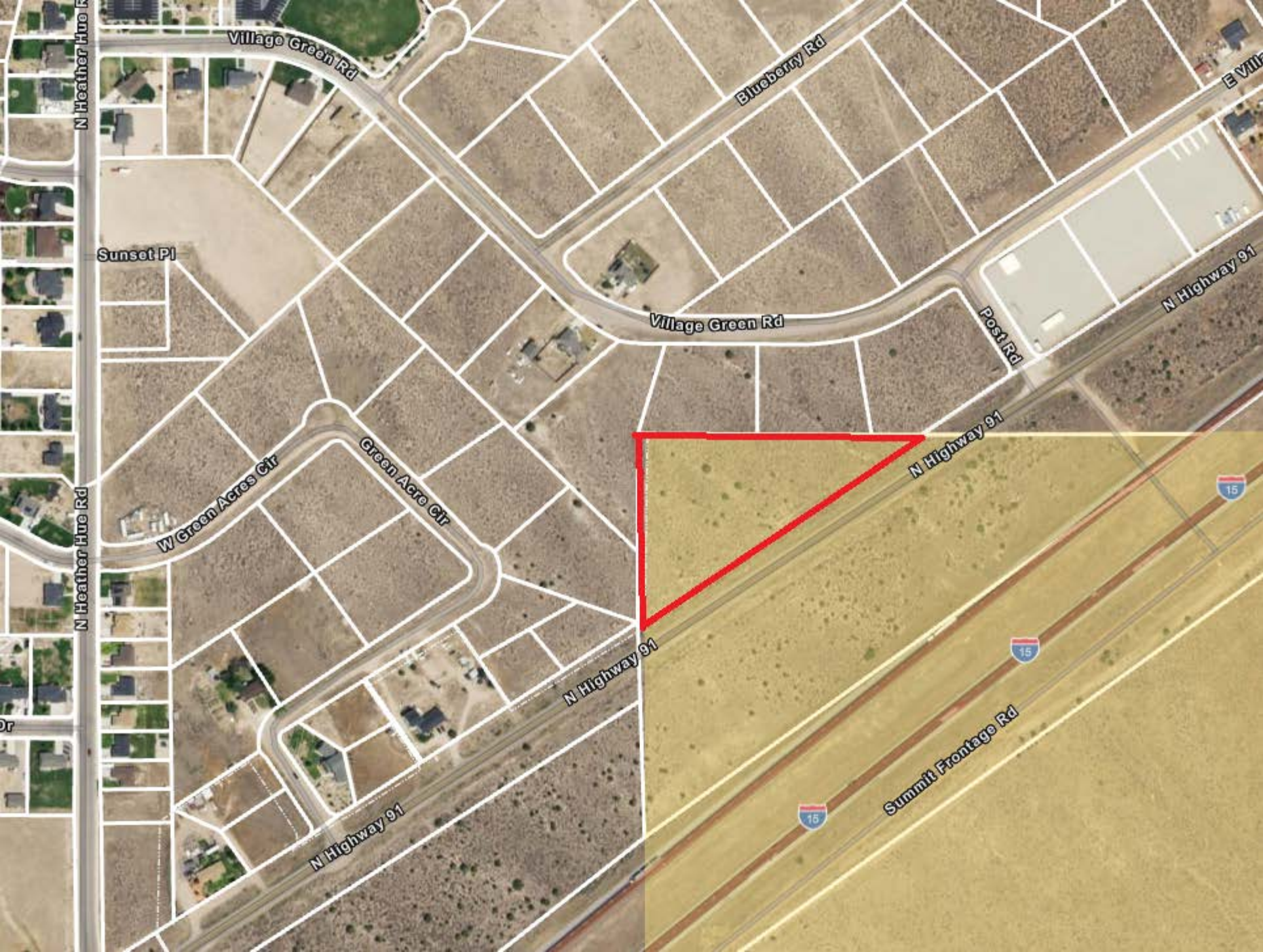
I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date

October 13, 2022

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.



N Heather Hue Rd

Village Green Rd

Blueberry Rd

E Village Green Rd

Sunset Pl

Village Green Rd

Post Rd

N Highway 91

N Heather Hue Rd

W Green Acres Cir

Green Acre Cir

N Highway 91

N Highway 91

15

15

15

Summit Frontage Rd

Dr



CEDAR CITY

10 North Main, Cedar City, UT 84720

435-586-2950 • Fax 435-586-4362

www.cedarcity.org

CITY LICENSE # _____

STATE LICENSE # _____

SALES TAX # _____

PHOTO ID TYPE _____

PHOTO ID # _____

TYPE OF APPLICATION ☐ NEW
☐ RENEWAL

APPLICANT'S NAME _____ PHONE # (____) _____

OTHER NAMES USED DURING LAST 10 YEARS _____

HOME ADDRESS _____

CITY _____ STATE _____ ZIP _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

NAME OF RESPONSIBLE PERSON OR ENTITY* _____

RESPONSIBLE ENTITY'S ADDRESS _____

CITY _____ STATE _____ ZIP _____

ADDRESS WHERE NOTICES TO BE SENT _____

CITY _____ STATE _____ ZIP _____

I affirm that the information provided herein is complete, truthful, and accurate to the best of my knowledge. I understand that falsifying any information on this application, including any attached documents, constitutes sufficient cause for rejection of my application or denial, suspension, or revocation of my Certificate and may constitute a crime. I further understand that the City will maintain copies of this application form, the attached documents, my proof of identity, and my identification badge, all of which are classified as public records, except as otherwise classified by law. I acknowledge that I have received and reviewed the Written Disclosures included with this application. I further understand that if any of the information provided with this application changes, I must notify the City License Officer immediately, and in the case of a change in the (a) goods or services offered or (b) Responsible Person or Entity, I must submit a written change request to the City License Officer and receive a new Certificate based on the changed information.

APPLICANT'S SIGNATURE

DATE

* "Responsible Person or Entity" means 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 Home Solicitation Sale: (A) maintaining a state sales tax number, a special events sales tax number, computing the sales taxes owing from any Sale of Goods or Services, paying the sales taxes, and filing any required returns or reports; (B) facilitating and responding to requests from consumers who desire to cancel the sale pursuant to applicable contractual rights or law; and (C) refunding any monies paid or reversing credit card charges to those persons who timely rescind any sale pursuant to applicable contractual rights or law.

FOR OFFICE USE ONLY

APPROVALS

	Signature of License Officer	Date Issued	Expires
Temporary Certificate	_____	_____	_____
Annual Certificate	_____	_____	_____

(ATTACH ADDITIONAL SHEETS IF NECESSARY)

**** If there are any licenses, permits, registrations, or other qualifications required by federal or state law to promote, provide, or render advice regarding the offered Goods or Services, mark "YES." If you mark "YES" for any goods or services, list all licenses, permits, registrations, or other qualifications required and whether you possess such licenses, permits, registrations, or other qualifications (including any license, permit, and registration numbers).**

WRITTEN DISCLOSURES

Cedar City Ordinances Section 23B-8

1. The Applicant's submission of the application authorizes the City to verify information submitted with the completed application including
 - A. The Applicant's address;
 - B. The Applicant's and/or Responsible Person or Entity's state tax identification and special use tax numbers, if any;
 - C. The validity of the Applicant's proof of identity.
2. The City may consult any publicly available sources for information on the Applicant, including, but not limited to, databases for any outstanding warrants, protective orders, or civil judgments.
3. Establishing proof of identity is required before registration is allowed.
4. The fee for a Certificate is \$25 per year and must be submitted with the completed application.
5. The Applicant must submit a BCI background check with the completed application.
6. To the extent permitted by State and/or federal law, the Applicant's BCI background check shall remain a confidential, protected, private record not available for public inspection.
7. The City will maintain copies of the Applicant's application form, proof of identity, and identification badge. These copies will become public records available for inspection on demand at the City offices whether or not a Certificate is denied, granted, or renewed.
8. Upon review, the Licensing Officer shall refuse to issue a Certificate to an Applicant or shall either suspend or revoke a previously issued Certificate for any of the following reasons:
 - A. Denial of Temporary Certificate.
 - i. The application form is not complete;
 - ii. The Applicant fails to (1) establish proof of identity, (2) provide a B.C.I. or (3) pay the fee;
 - iii. The completed application or B.C.I. indicates that the Applicant has a Disqualifying Status; or
 - iv. The Applicant has previously been denied a Certificate by the City, or has had a Certificate revoked for grounds that still constitute a Disqualifying Status under Chapter 23B, Cedar City Ordinances.
 - B. Denial of Annual Certificate.
 - i. The information submitted by the Applicant at the time of the granting of the temporary Certificate is found to be incomplete or incorrect;
 - ii. Since the submission of the completed application, the Applicant is subject to a previously undisclosed or unknown Disqualifying Status;
 - iii. Failure to complete payment of the fee;
 - iv. Since the submission of the application, the City has received a substantiated report regarding the past or present conduct of the Applicant;
 - v. Since the submission of the application, the City or other governmental entity has either criminally convicted or obtained a civil injunction against the Applicant for violating Chapter 23B, Cedar City Ordinances, or similar Federal, State, or municipal laws in a manner rising to the level of a Disqualifying Status; or
 - vi. Since the submission of the Application, a final civil judgment has been entered against the Applicant indicating that: (i) the Applicant had either engaged in fraud, or intentional misrepresentation, or (ii) that a debt of the Applicant was nondischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a)(2), (a)(4), (a)(6), or (a)(19).
 - C. Denial of Annual Certificate Renewal.
 - i. The information submitted by the Applicant when seeking renewal of a Certificate is found to be incomplete or incorrect;
 - ii. Since the submission of the renewal application, the Applicant is subject to a previously undisclosed or unknown Disqualifying Status;
 - iii. Failure to complete payment of the fees;
 - iv. Since the submission of the Application or granting of a Certificate, the City has received a substantiated report regarding the past or present conduct of the Solicitor;
 - v. The City or other governmental entity has either criminally convicted or obtained a civil injunction against the Applicant for violating Chapter 23B, Cedar City Ordinances, or similar Federal, State, or municipal laws in a manner rising to the level of a Disqualifying Status; or
 - vi. Since the submission of the application, a final civil judgment has been entered against the Applicant indicating that: (i) the Applicant had either engaged in fraud, or intentional misrepresentation, or (ii) that a debt of the Applicant was nondischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a)(2), (a)(4), (a)(6), or (a)(19).
9. A request for a temporary Certificate will be granted or denied the same business day that a completed application is submitted.

DISQUALIFYING STATUS

Cedar City Ordinances Subsection 23B-7(8)

Disqualifying Status	Yes/No	Applicant's Initials
Has the Applicant been criminally convicted*** of: (i) felony homicide, (ii) physically abusing, sexually abusing, or exploiting a minor, (iii) the sale or distribution of controlled substances, or (iv) sexual assault of any kind?		
Are any criminal charges pending against the Applicant for: (i) felony homicide (ii) physically abusing, sexually abusing, or exploiting a minor, (iii) the sale or distribution of controlled substances, or (iv) sexual assault of any kind?		
Has the Applicant been criminally convicted*** of a felony within the last ten (10) years?		
Has the Applicant been incarcerated in a federal or state prison within the past five (5) years?		
Has the Applicant been criminally convicted*** of a misdemeanor within the past five (5) years involving a crime of: (i) moral turpitude, or (ii) violent or aggravated conduct involving persons or property?		
Has a final civil judgment been entered against the Applicant within the last five (5) years indicating that: (i) the Applicant had either engaged in fraud, or intentional misrepresentation, or (ii) that a debt of the Applicant was non-dischargeable in bankruptcy pursuant to 11 U.S.C. §523(a)(2), (a)(4), (a)(6), or (a)(19)?		
Is the Applicant currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device?		
Does the Applicant have an outstanding arrest warrant from any jurisdiction?		
Is the Applicant currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction?		

*** "Criminally Convicted" means the final entry of a conviction, whether by a plea of no contest, guilty, entry of a judicial or jury finding of guilt, which has not been set aside on appeal or pursuant to a writ of habeas corpus. The criminal conviction is that offense of which the Applicant or Registered Solicitor was convicted, without regard to the reduced status of the charge after completion of probation or parole, and charges dismissed under a plea in abeyance or diversion agreement.

DOOR-TO-DOOR SOLICITOR'S CERTIFICATE
APPLICATION CHECKLIST

- ☐ Completed application form
 - Written disclosures reviewed
 - Marketing information
 - Disqualifying status
 - BCI waiver form
- ☐ BCI background check (not more than 180 days old)
- ☐ Photo ID (driver's license, passport, Armed Forces)
- ☐ Proof of registration with Utah State Department of Commerce
- ☐ Fee: \$25 (annually)