



HURRICANE CITY UTAH

Mayor

Nanette Billings

City Manager

Kaden DeMille

City Council

*David Hirschi
Kevin Thomas
Clark Fawcett
Drew Ellerman
Joseph Prete*

Hurricane City Council Meeting Agenda

October 3, 2024

5:00 PM

City Council Chambers 147 N 870 W, Hurricane

Notice is hereby given that the City Council will hold a Regular Meeting in the City Council Chambers 147 N 870 W, Hurricane, UT. [Meeting Link on Webex](#) Meeting number: 2630 456 5376 Meeting password: HCcouncil Join from a video or application Dial 26304565376@cityofhurricane.webex.com. You can also dial 173.243.2.68 and enter your meeting number. Join by phone +1-415-655-0001 US Toll Access code:26304565376. A silent roll call will be taken, followed by the Pledge of Allegiance and prayer by invitation. **THOSE WISHING TO SPEAK DURING PUBLIC FORUM MUST SIGN IN WITH THE RECORDER BY 6:00 P.M.**

5:00 p.m. Pre-meeting

1. Agenda Summary

6:00 p.m. - Call to Order

Prayer

Thought

Pledge of Allegiance

Declaration of any conflicts of interest

Minutes of the Regular City Council Meeting for September 19, 2024 and special meeting September 9, 2024

Public Forum – Comments from Public

Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Cindy Beteag in writing before 12:00 p.m. the Tuesday one week before the Council meeting.

NEW BUSINESS

1. Appeal Hearing regarding the **denial of an application to renew a vacation rental license** at 2790 S 3680 West - Cindy Beteag
2. Consideration and possible approval of a **Domestic Violence Awareness Proclamation** - DOVE Center

3. Consideration and possible award of a construction contract for **100 N; 200 W to SR-9 & 100 E; SR-9 to 100 N** reconstruction project, also known as the 100 North project.
4. Consideration and possible approval of **Resolution 2024-34 supporting Utah v United States Legal Action** United States Supreme Court Docket No. 22O160
5. Consideration and possible approval of a **proposed letter regarding the proposed EMS tax increase**
6. Consideration and possible approval of **Resolution 2024-36 approving the Second Amendment and Renewal of the Interlocal Cooperation Agreement Regarding the Distribution of RAP Tax Revenue** in Washington County, Utah
7. Resolution No. 2024-37: Consideration and **possible adoption of an update to the General Plan for a comprehensive amendment to the Future Land Use Map.**
8. Consideration and possible approval of **Resolution 2024-38 amending solar base rate charges** - Scott Hughes
9. Consideration and possible approval of a **power line extension request for Gateway Commercial** Phase 1 - Tim Tippet Applicant, Karl Rasmussen Agent
10. Mayor, Council, and staff reports
11. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

Adjournment

I hereby certify that the above notice was posted to the city website, (www.cityofhurricane.com) posted to the state public notice website, and at the following locations:

1. City office – 147 North 870 West, Hurricane, UT
 2. The Post Office – 1075 West 100 North, Hurricane, UT
 3. The library – 36 South 300 West, Hurricane, UT
- _____ for the City Recorder

Agenda Summary for Hurricane City Council October 3, 2024

5:00 p.m. Pre-Meeting

6:00 p.m. Call to Order

Minutes of the Regular City Meeting for September 19, 2024, and special meeting September 9, 2024

New Business

1. This homeowner has held a vacation rental license since 2015 when licenses were first issued for short-term rentals in residential zones, and has consistently renewed on time, with the exception of 2020 due to COVID restrictions. According to Hurricane City ordinance, renewal notices are sent to all eligible businesses 45 days prior to the expiration date, allowing time to complete the renewal process before the license expires. If the renewal is not completed by the expiration date, business owners are granted an additional 45 days to pay the renewal fee and complete any required inspections. Failure to do so within this period results in the City Recorder denying the renewal. However, the homeowner retains the right to appeal this decision to the City Council by filing a written appeal within 15 days of the denial.

In your packet, you will find a detailed timeline outlining when the renewal notice was first sent and each subsequent follow-up by staff. The vacation rental license in question has an annual expiration date of June 30th. While payment was promptly received, the required fire inspection was not completed by the August 15th deadline. Staff did not hear from the business owner until after the 45-day grace period had passed. Nine days after the expiration, staff received a voicemail explaining the family tragedies that had delayed the process, and an additional extension was granted until August 27, 2024, to schedule the fire inspection. The fire inspection was finally completed on September 4, 2024, but failed due to unresolved items from previous inspections. The following week, staff followed up with the fire district and learned that the homeowner had not yet rescheduled the re-inspection. A refund check was sent along with a letter notifying the owner that their renewal had been denied. The check was returned as undeliverable the following week. Upon checking again, staff found that no additional fire inspections had been scheduled. Now a full month past the grace period, it appeared the homeowner was not actively addressing the issue, so the same check and letter were sent again. The homeowner received the second letter and called the office on September 22, 2024. They subsequently filed a written appeal on September 23rd.

Here are a few important points to consider regarding this case. In 2022, the fire inspection passed but with noted comments. These comments highlighted corrections that needed to be made. Three out of the four items that failed in this year's inspection

were the same issues flagged in 2022, indicating they should have already been addressed. The inspection report is normally sent promptly to homeowners. However, in this case, the homeowner failed to follow up on their inspection for two weeks after the initial inspection when they did not receive the report. It's also important to note that this vacation rental license is located in a single-family zoned area where new licenses are no longer being issued. If the denial of this renewal is upheld, the homeowner will not have the opportunity to obtain another license for this location, meaning the property would permanently lose its ability to operate as a vacation rental. However, according to the homeowner, the family has faced significant personal challenges contributing to the delay in completing this year's inspection. They experienced two impactful family deaths and mentioned that the fire district had an incorrect email address on file, so they did not receive the notice that the inspection had failed. These factors may have played a role in the late response and could be taken into consideration. - Cindy Beteag

2. Each year, The Dove Center invites all municipalities in Washington County to join in proclaiming October as Domestic Violence Awareness Month. This proclamation highlights important statistics on domestic violence and emphasizes the need for community action to break the silence and work toward ending domestic violence in our area. - Cindy Beteag
3. The bid opening for this project is scheduled for Tuesday, September 17 at 2:00 pm. A bid tabulation and recommendation will be added to the council packet after the bids have been evaluated.
4. Hurricane City is being asked to pass a resolution in support of Utah's request to the U.S. Supreme Court for the Court to hear a dispute between Utah and the federal government regarding the control of federal land in Utah. The U.S. Supreme Court has the authority to directly hear and resolve a dispute between Utah and the federal government; or, the Court could decline to hear the case and require Utah to file in a federal district court and work the case through the federal district court, the 10th Circuit Court of Appeals, and then request to be heard by the U.S. Supreme Court. Utah is asking to bypass the years-long appeal process by having the U.S. Supreme Court accept the case immediately.
Utah's position is that the federal government has violated the U.S. Constitution by retaining 18.5 million acres of 'unappropriated' land within Utah. The federal government's authority under the Constitution is limited to "enumerated powers," and there is no enumerated power specifically authorizing the federal government to indefinitely hold 18.5 million acres of land in Utah where the land is not being utilized pursuant to a power granted to the federal government in the Constitution. Utah's claims do not address national parks, national monuments, or Forest Service land because (I assume) there is an argument that those lands have been appropriated. So,

the land in dispute is primarily BLM land. Within Washington County, the land at issue is primarily BLM land south of Hurricane City and Northwest of Ivins.

If the U.S. Supreme Court agrees to hear the case, Utah will argue that the federal government's policy of holding this land indefinitely is unconstitutional and that the federal government should be required to begin the process of "disposing of its unappropriated lands within Utah, consistent with existing rights and state law." The Utah Legislature has passed a law in preparation for accepting the management obligations of the federal land based onto the assumption that the disposal of the land would be a transfer of stewardship to the State. However, the details of that disposal are not part of Utah's briefing. Instead, Utah is only asking for a decision by the Court that the federal government is in violation of the Constitution and that the disposal process should be started.

To meet the Court's filing deadlines, the City would need to adopt a resolution supporting Utah's filing by October 10, 2024. -Dayton Hall

5. The Hurricane Valley Fire District is proposing a property tax increase and will be holding an Open House on October 7th at 6 p.m. Staff has been directed to place this item on the agenda, but there is uncertainty about the recommendation the Council wishes to send to the Fire District Board and the County Commissioners. Two draft letters have been prepared for the Council's review and are available as a confidential attachment in the meeting packet.

Mayor Billings would like to have the following questions answered before the Council makes a recommendation.

1- What is the increased revenue from property tax over last year because of the new growth?

2- What is the increase impact fee this year over last year?

3- What is the increase in fees since last August when the fee increase was implemented to this August?

6. The Recreation, Arts, and Parks tax will be on the November ballot. The County and municipalities currently have an agreement regarding the distribution of RAP tax revenue in Washington County, but that agreement is set to expire next year. The second amendment would extend the term of the existing revenue distribution agreement to 2035 (which would cover the life of the renewed RAP tax if it passes), and it would allow the County to collect an administrative fee from the RAP tax revenue to cover the costs association with administering the RAP tax. - Cindy Beteag
7. It is proposed that a number of changes to the Future Land Use Map in the general plan be approved and adopted. The Future Land Use Map, often called a "General Plan Map", is the guiding document for land use and zoning policy within the city. The currently proposed changes will align the map with existing zoning and development conditions in the city, and also, will reflect the city leadership's stated policy preferences for future growth in key areas of the city.

Key Changes Proposed:

- Update the general plan designation for “The Fields” area from Single Family to Rural Residential.
- Update the general plan designation for the Sand Mountain area from Natural Open Space to Recreational Open Space.
- Expanded Industrial/Business designations.

The Planning Commission gave a unanimous recommendation to adopt the proposed amendments.

Recommendation:

Staff recommends approval and adoption of the proposed amendments to the Future Land Use Map in the General Plan. --Gary Cupp

8. The Power Board is scheduled to review this item on Wednesday, October 1st. Since their meeting occurs after the deadline to post the City Council agenda, the item has been included with the expectation that a recommendation will be made. An update will be provided to the Council during the meeting.
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According to Hurricane City Code:

• **Sec. 8-4-3. - Application for service.**

Any person, including any subdivider, who desires to have the power lines extended within the City may make application to the Power Board in writing. A description of such proposed extension accompanied by a map showing the location and size of the proposed line extension shall be submitted in writing which shall be reviewed by the Power Superintendent and taken to staff meeting for review before approaching the City Council. The City Council may grant or deny the request as in its discretion deemed best for the welfare of existing power users in the City. (1998 Code § 14-314; 2000 Code)

This application is located near 3700 W. on the south side of SR9. In reviewing this line extension, we have taken into consideration the available capacity as well as the physical infrastructure. The larger issue for this development is capacity. They currently would connect to circuit BW-205 out of Brentwood Substation, but currently there is not adequate capacity for their development. The Power Dept. has determined that there is adequate capacity on BW-204 with some upgrades and/or additions to that circuit. With previous line extensions, Council has given approval to move forward with

figuring out the details. For this one and future applications, we have most of the details figured out, so we are looking for an approval conditioned upon all parties agreeing to a contract that Hurricane City provides, which will contain all necessary terms, including responsibility of the applicant to cover all costs and acquire all easements. - Scott Hughes

10. Mayor, Council, and staff reports.

11. Closed Meeting.

Minutes of the Hurricane City Council meeting held on September 19, 2024, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 3:30 p.m.

Members Present: Mayor Nanette Billings and **Council Members:** David Hirschi, Kevin Thomas, Clark Fawcett, Drew Ellerman, and Joseph Prete.

Also Present: City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Lynn Excell, Power Superintendent Scott Hughes, City Planner Gary Cupp, Planning Assistant Fred Resch III, Street Superintendent Weston Walker, City Engineer Arthur LeBaron, Building Official Larry Palmer, HR Director Sel Lovell, Water Superintendent Ken Richins, and City Recorder Cindy Beteag.

AGENDA

3:30 p.m. Joint Work Meeting with the Planning Commission

Council members present: Kevin Thomas, David Hirschi, Clark Fawcett, Joseph Prete and Drew Ellerman. Planning Commissioners present: Mark Sampson and Brad Winder.

Pro Tempore David Hirschi called the meeting to order and offered a prayer.

Gary Cupp introduced two topics for discussion: the General Plan Map updated and a lot split concept. There is consideration of changing an area in the fields designated as single-family to rural residential. Which would require lots to be one acre or half acre. Fred Resch III stated the area includes 400 South to Angel Heights and 180 West to 1100 West. There are currently some areas that are zoned smaller than what is proposed so they are not included in proposed change. Drew Ellerman emphasized that the Council needs to be prepared for developers requesting zone changes in this area. He noted that if Hurricane continues to develop at its current pace, this area will likely become a target for smaller lot developments. He likes the protection this would add. Mr. Cupp added that Sand Mountain, currently marked as natural open space, is part of the future annexation plan. The suggestion is to change its designation to recreational open space to accommodate the activities already occurring there. Joseph Prete inquired about the benefits of annexing Sand Mountain. Clark Fawcett responded that annexation would allow the City to control its zoning, pointing out that the County once proposed residential units around the area. Mark Sampson noted that Ralph Ballard recommended incorporating plans for future road developments into the annexation plan for the east area of Hurricane. This inclusion aims to secure funding for the City and improve traffic flow on SR-59.

Mr. Cupp next pointed out the area right off SR-7 around Sullivan Knoll. The plan suggests changing this designation to light industrial or business to better align with existing uses. He noted the intention to expand the industrial business zone toward SR-9 and mentioned additional areas, marked in hashed lines, that are being considered for updates based on discussions with the Planning Commission. The goal is to ensure the General Plan reflects the actual land use, particularly in areas that are currently designated as planned community but

40 have shifted towards commercial use. Councilman Ellerman suggested that on the west side of
41 2800, the first 200 to 300 feet should be designated as commercial, stating it's too large of a
42 road for housing to along it. He also recommended extending this designation to at least part of
43 600 North. Mr. Cupp responded that zoning entitlements are already in place for that area.
44 Councilman Ellerman clarified that while existing zoning remains, updating the General Plan to
45 commercial would provide a backup option for future developments without affecting current
46 entitlements. This way, if current plans don't come to fruition, the next development would
47 have to align with the new commercial designation. Mr. Cupp noted that the current planned
48 community designation already allows for some commercial options. Mr. Resch III mentioned
49 he reviewed the construction plans for this area today and they have already started grading.
50 Mr. Cupp stated that the Planning Commission will discuss this next week and make a
51 recommendation to the Council. Mr. Sampson suggested adding industrial use on the East
52 Bench. Councilman Ellerman agreed, though power and water aren't yet available. Arthur
53 LeBaron noted that access to SR-59 would need improvements. Mr. Sampson asked if moving
54 the airport to that area was still being considered. Councilman Fawcett stated that the FAA
55 wouldn't help with that so it would be at the City's expense. Mr. Cupp pointed out that it's a
56 scenic area where people may want to live, but if the Council wants it zoned for industrial use,
57 they can do so. Councilman Fawcett emphasized the need for services in the area and
58 suggested spreading out commercial zones to avoid congestion on SR-9. Councilman Thomas
59 inquired how the Council felt about changing the field areas to rural residential. Councilman
60 Prete expressed his preference for larger lots in this area. He noted that while developers could
61 request smaller lots as projects arise, the current designation communicates to the public that
62 larger lots are the desired standard. Councilman Ellerman agreed, saying it would protect the
63 area. Councilman Thomas asked if future school sites should be designated. Mr. LeBaron
64 responded that the school district owns land north of Dixie Springs and the Dunes, which
65 should meet future needs.

66 Gary Cupp discussed the proposal to create a process for subdividing existing single family
67 zoned lots into two individual parcels, referred to as a "domestic lot split." The aim is to
68 encourage infill development and increase housing supply without raising density. The concept
69 envisions maintaining density levels similar to that of accessory dwelling units (ADUs), thus
70 providing families with affordable housing options and the ability to sell or rent the new lot.
71 The proposal would allow for administrative approval of these splits in single-family zones
72 where public facilities are already available. Qualifying lots would need to be a minimum of
73 10,000 square feet, but the plan suggests not strictly adhering to existing minimum lot size
74 requirements. Additionally, reduced setbacks and potentially relaxed access requirements,
75 including private access easements, are being considered. He emphasized that this is an initial
76 concept and subject to further discussion and refinement. Councilman Ellerman expressed that
77 he would only consider the proposed lot splits if the newly created parcels were sold rather
78 than used as rentals. He noted that property owners already have the option to rent out their
79 ADUs. Additionally, he pointed out that splitting the lots would result in the creation of another
80 parcel, leading to increased taxes and impact fees for the owners. He stated he would not

support any lot splits in parcels smaller than the minimum size of the smallest zone in the City. Mr. Cupp highlighted that there are still several details to be worked out regarding the proposed domestic lot split, which aims to increase housing options without altering the existing density. The proposal will be circulated among all departments for input. The State may mandate something similar to this, so the goal is to proactively create a solution that aligns with the city's objectives. Further refinements will be made before bringing the proposal back to a future work meeting. Councilman Ellerman expressed interest in considering deed restrictions for additional protection.

The work meeting adjourned at 4:45 p.m.

5:00 p.m. Pre-meeting - Discussion of Agenda Items, Department Reports

Fred Resch III announced that the Planning Commission has approved the site plan for both the four-court gym and Applebee's.

Gary Cupp stated they have been working on the General Plan update and lot split concept. He invited anyone interested to attend the housing accelerator workshop scheduled for tomorrow. He noted that he and Mr. Resch III will be attending the Planning Conference on October 10-11.

Arthur LeBaron stated the 100 North project is currently out to bid, and a strong response is anticipated. The bid opening is scheduled for next week, with the bid award anticipated to be presented at the Council meeting on October 3. The advertisement for the four-court gym project has been circulated, with bids due by October 15. The award for this project will be included on the October 17 agenda. He explained the contractor on the 100 North project will have the authority to close road sections as work progresses. He is hoping to start the project by December 1st, but the contractor will set the schedule once it has been awarded. He mentioned there were a lot of changes to the Peach Days Parade, and a follow up meeting is planned for next week to evaluate the event's success.

Kaden DeMille provided an update on the new gym, noting that one of the floors has been completed, and painting is scheduled for next week. He anticipates the project will be finished by the end of the month and plans to send out pictures. The basketball hoops have been installed.

Weston Walker mentioned his team is currently focused on training new employees. They completed diagonal striping on Main Street before Peach Days, having initially done only one block, but will extend it further north upon the Council's approval, which was granted. A no-parking area was marked along 600 North near Valley Academy, along with the installation of a turn lane. The Quail Pipeline project is progressing, with paving scheduled for October 8th. They have already completed paving along Harrisburg. The entire project is expected to be finished by the end of the year.

Larry Palmer reported that since the last Council meeting, the City has issued permits for 22 single-family homes, 16 townhome units, and four commercial buildings, indicating a steady

influx of permits. He also noted that Standard Plumbing/Sprinkler World has opened, and the grand opening for Ace Hardware is anticipated to be around November 9th.

Scott Hughes announced that they are wrapping up several projects and noted that two employees have begun their apprenticeships, while one job opening remains. He invited everyone to attend Public Power Day on October 1st at 4 p.m. Additionally, UAMPS is hosting a Zoom call on September 30 at 2 p.m. and October 1 at 9 a.m. to discuss natural gas, and he encouraged participation in either session, as both meetings will cover the same topics, including the contract governing the operation of all the plants.

Chief Excell reported that the Hurricane Police Department's August 2024 statistics showed an 11% decrease in total incident reports compared to August 2023. Arrests increased by 16%, fraud cases decreased by 80%, retail theft was down 60%, and traffic offenses rose by 108%. He highlighted the use of speed feedback signs, noting that one on 700 West tracked 27,108 vehicles in 15 days, and another on Sand Hollow Road recorded nearly 142,000 vehicles in less than a month. The data from these signs helps with more efficient traffic enforcement. He also addressed the recent graffiti issues in local parks, praising School Resource Officer Craig Stowe for successfully resolving all cases. Officer Stowe collaborated with Ace Hardware to obtain transaction details and surveillance footage, leading to the identification of a juvenile suspect. The suspect has been charged with nine counts of vandalism and will be required to pay restitution. He expressed gratitude for the success of the 911 event held at the fire department. On staffing updates, he announced the onboarding of a new police officer on the 30th of this month, a six-year veteran from Lehi Police Department. Additionally, an entry-level officer is set to begin mid-October and will attend the Utah Police Academy in Salt Lake City starting October 21st. A new Animal Shelter Attendant has been hired. Additionally, he is working on an alternate school crossing guard position to ensure coverage when needed. He commented how great all of the crossing guards are. Kaden DeMille clarified that the revenue generated from citations goes into the general fund, to which Chief Excell agreed, noting that they have seen an increase in revenue since the new prosecutor took office.

Ken Richins provided an update on the water department's activities, highlighting the progress on the Sky Ranch water tank design, which is nearing completion. The department plans to bid out the project next month to take advantage of favorable pricing in the fall. He noted that the West Well is performing well and will likely be shut off in early November until April. However, there have been ongoing issues with the Sky Ranch well, preventing it from being operational, and he will provide further updates as they become available. He will be attending a state groundwater study to address claims that the aquifer is being depleted. He mentioned that data from the West Well indicates the aquifer is not being over-extracted, as levels return to their original state from November to April. He believes the data will be valuable in countering the claims and assisting the state in its study.

Mayor Billings reported on a meeting with state engineers, who proposed holding a public meeting on December 17. Expressing concern about attendance during the busy holiday season, she sought the Council's opinion on whether to proceed with that date or postpone it

to January. The Council unanimously agreed to postpone the meeting to January for better public participation.

Sel Lovell noted that the only open position currently is for a journey lineman, along with some positions in the Parks department. He mentioned that the recent employee golf tournament was a success, despite one injury involving a broken finger. There were 62 employees who used their sick leave wisely that received gift cards and were entered into a drawing for larger prizes, indicating positive employee engagement.

Dave Houston reported that the seal coat project for the airport's ramp, runway, and taxiways has been completed successfully. The project required relocating all airplanes to accommodate the work. During the airport board meeting last Tuesday, no votes were taken, but several issues are being addressed that will need to be presented to the Council in the future. He also expressed gratitude to Weston and the Streets Department for their efforts in patching areas of the ramp and taxi lanes, which have been settling due to collapsible soil, noting concerns about potential damage to aircraft if not properly addressed.

Dayton Hall noted that there have been numerous meetings with the Water Conservancy District, during which questions about the Council's communication with the District arose. He clarified that he does not have a problem with Council members speaking to the Water District, viewing them as partners rather than developers. He mentioned that the Mayor attends all board meetings, while he serves as the city's representative in water group meetings, Ken Richins participates in technical advisory committee meetings, and Kaden Demille serves on the AAC Board so they are all available to answer questions too.

Kaden DeMille stated the new microphones have been installed.

6:00 p.m. - Call to Order –

Mayor Billings welcomed everyone to the meeting.

Prayer, Thought and Pledge led by Officer Kraig Stowe.

Declaration of any conflicts of interest

None declared.

Minutes of the Regular City Council Meeting for August 15, 2024, and special meetings August 22, 2024, and August 23, 2024

Kevin Thomas motioned to approve the minutes as written. Seconded by David Hirschi. Motion carried unanimously.

Presentation on the proposed Applebee's restaurant

Stan Synkoski presented the proposal for a new Applebee's restaurant, highlighting that the franchise, known as Apple Mountain, operates nine locations and will soon expand to Hurricane. Established in 2017, Apple Mountain is a family-owned business with the exclusive Applebee's franchise in Utah, employing over 450 team members across its locations. Within

three years of taking over the franchise, they were awarded Franchisee of the Year, and two of their nine managers have been recognized in the top 1% of their peers. He noted their strong community engagement, including serving over 5,000 veterans on Veterans Day last year, and their commitment to maintaining high standards for both interior and exterior restaurant conditions. With 25% of their sales coming from takeout, they aim to begin operations as soon as possible, with hopes of opening by early next year.

Public Forum – Comments From Public

Jess Ellwanger addressed the Council on behalf of flight instructors at Hurricane Airport, expressing serious concerns about unpaid debts to the FAA that jeopardize safety and the airport's future. He noted that an expected grant for an Automated Weather Observing System (AWOS) may no longer be viable, leaving students training without essential safety measures. He stated that the City's failure to pay its debts could impact funding and support for the airport, posing risks not just for the airport but for the entire community. He clarified that the funds in question are not related to COVID-19 assistance, contrary to previous claims, and urged the Council to take the situation seriously. He concluded by stating that instructors are gathering information to communicate directly with the FAA regarding safety inspections and maintenance.

Dave Haller expressed his concern regarding the garbage management around new development more specifically the Hurricane Views development. He noted that the wind frequently blows debris out of the dumpsters, leading to a mess in the area. There is a need for closer monitoring of the situation, as large items are being scattered by the wind. He suggested that general contractors should face fines if they fail to maintain proper waste control.

Scott Freeman, a hangar owner and flight instructor, addressed the Council regarding the airport's recent challenges, particularly following the disapproval of a lighting project. He highlighted the airport community's proactive approach to noise abatement, resulting in one of the lowest noise complaint rates in the country. He referenced a letter from the FAA indicating that the City must repay a previous grant before any new grants, including for an Automated Weather Observation System (AWOS), can be issued. He expressed disappointment that the airport community was not adequately informed about the urgency of the repayment deadline, which could jeopardize future funding for crucial projects. He urged the City Council to consider the broader implications and work toward a resolution.

Mayor Billings addressed the situation regarding FAA funding, noting that the FAA mentioned the funds in question were COVID-related. She acknowledged the letters sent regarding this issue and clarified that the Council has yet to make a final decision. The FAA will halt further funding until the matter is resolved. She stated that the ongoing operations at the airport remain safe as nothing has changed. She praised Mr. Freeman for his efforts in managing community relations concerning noise complaints. She acknowledged the presence of trash in Hurricane Heights, stating it will be addressed.

OLD BUSINESS

- 233 1. Consideration and possible approval of Ordinance 2024-07 amending Title 10,
234 Chapters 11, 13, and 50 to add a new zoning classification R1-4, residential one
235 unit per 4,000 square feet. Hurricane City, Applicant
236

237 Kevin Thomas explained that this proposal originated from a developer who wanted a smaller
238 zone in a location where it wouldn't typically be allowed. He has been working on creating a
239 zone smaller than those currently permitted. Extensive discussions have been held to prevent
240 issues like insufficient parking and narrow streets. Restrictions have been built into the
241 proposal to ensure it benefits the community. Mayor Billings read the restrictions outlined in
242 the meeting packet and expressed support for smaller developments to make housing more
243 affordable, rather than just larger projects aimed at maximizing lot numbers. Councilman
244 Thomas noted that a development agreement could be requested with the zone change to
245 impose additional limits. David Hirschi added that while these could be good starter homes,
246 he's concerned that it may just increase density without addressing underlying issues.
247

248 Gary Cupp mentioned that some newer developments already have smaller lots than those
249 proposed, with prices around \$300K. Councilman Thomas added that if developers sold the lots
250 directly for people to build their own homes, it could be more affordable. He stated everyone
251 needs to work together to find solutions. Joseph Prete shared that when he was first married,
252 he lived in a community with similar homes, but it was enhanced by amenities like trails and
253 lakes. Without such amenities, he felt the homes alone wouldn't be as appealing. He
254 acknowledged the need for affordable housing but stressed the importance of vetting this
255 proposal properly. He pointed out that this is a zoning change, not a specific project, and while
256 it can be halted if it's not successful, vested rights would still apply at that point. The Council
257 needs to determine how they want the community defined. He also raised concerns about road
258 width, arguing that if this zoning were permitted, streets should be wider to accommodate
259 parking. Mr. Cupp added that this new zone would need to be evenly distributed across the
260 city. Councilman Prete pointed out that they can't predict how many developers might take
261 advantage of the new zoning, while Councilman Thomas argued that it provides an alternative
262 to the higher-density developments they've been seeing. Councilman Thomas mentioned the
263 recommended road widths would accommodate street parking. Clark Fawcett expressed his
264 preference for 4,000-square-foot lots over the high-rise apartments being developed, stating
265 that smaller lots are less disruptive to the community and its natural environment. Drew
266 Ellerman mentioned that he is aware of other cities that have implemented similar zoning
267 changes, and he plans to reach out to them to see how it worked. While he likes the idea of
268 including trails, he noted that amenities like parks and trails increase costs, and given the
269 current housing crisis, he believes it's necessary to scale back on these features. He supports
270 the new zone and agrees with the 5- and 10-foot side setback requirements, adding that it
271 should only be allowed next to smaller zoned areas.
272

273 Councilman Prete stressed that amenities are crucial for developments to avoid becoming
274 slums, especially in dense areas, which benefit from breaks like parks. He suggested using a

Planned Development Overlay (PDO) to include such amenities. Fred Resch III added that they could incorporate a requirement for open spaces and amenities, similar to what is mandated for multifamily projects. Councilman Fawcett stated that he feels fairly positive about the proposal but would prefer waiting for Councilman Ellerman to research other similar projects before making a motion.

Clark Fawcett motioned to continue Ordinance 2024-07 to the first meeting in December to allow Councilman Ellerman time to speak to other cities that have adopted a similar zone. Seconded by Kevin Thomas. Motion carried unanimously.

Kevin Thomas stated he received an email after their discussion tonight with a site plan that meets the current ordinance that is being discussed. He showed the site plan with two open spaces and the floor plan for the house. It is about a five-acre development. They could do this with a PDO and development agreement. Councilman Prete stated an area three times the size of this would have more potential to be a slum area. Councilman Thomas pointed out they can discuss having smaller requirements. Mayor Billings stated connector streets are important. Councilman Fawcett agreed adding without them it just puts everyone back to the major roads to get around creating the bottlenecks they previously discussed.

Mayor Billings took new business 1 next. These minutes are in the order of the agenda instead of the order they were addressed by the Council.

2. Consideration and possible approval of an amended water savings agreement for the proposed irrigation expansion project. -Dayton Hall

Mayor Billings shared that she, along with Kaden DeMille, Dayton Hall, Ken Richins, and Mac Hall, met with the Water District earlier that day. The Water District approved a water savings contract to meet NRCS's requirement, and the District has signed the agreement. While the Nature Conservancy has yet to sign, they have expressed agreement with the terms. The Fish and Wildlife is not a signatory, but they also support the proposal. Mac Hall noted that while the Canal Company is on board, he was surprised by the project area and the acre-feet requirements, clarifying that he had misunderstood the map presented by Mr. Richins. After speaking with the Project Engineer, Mac Hall suggested that the City clarify the map and acre-feet details with the Water District before proceeding. The agreement currently limits the City to 6,000 acre-feet across the entire irrigated buildout area, not per development as initially thought, which could result in a shortfall, requiring the City to purchase additional water from the District. Dayton Hall recommended reviewing the key terms of the agreement to gauge the Council's position and agreed that updating the map is crucial. Mac Hall added that Interstate Rock will extend their bid, reducing immediate time pressure on the project.

Dayton Hall reviewed the terms of the proposed contract. Dayton Hall explained that the District will be allowed to divert up to 193.38 acre feet of the City's water into one of the

reservoirs or the river for the benefit of threatened or endangered species. Water that is diverted from the River by the Conservancy District will be used in the historical use areas, and the City will agree that the water will be limited to use in these areas. The City further agrees to not acquire more shares in the Canal Company than is necessary to deliver water for municipal and industrial purposes to the portion of the service area depicted in Exhibit B. Mr. Richins commented he thinks they want to limit the City building a treatment plant or something that would compete with them. Dayton Hall continued his review of the proposed contract, explaining that there will be water efficiency from this project. That saved water may be utilized by other irrigators. When the area is fully developed the Water District shall deliver water to this area for outdoor irrigation, but it won't be more than 6,000-acre feet per year. He stated since the contract was approved by the Conservancy District Board earlier in the afternoon, the City has been working to confirm that the limitation is workable. The City's water engineer thinks that will be really close but if we are off then we will have to buy more water from the District. Mayor Billings stated she doesn't think it is right to not let the City purchase water shares and keep the water in Hurricane. Mr. Richins explained we would need to pick up certain amount of acre feet depending on lot size. He doesn't think that is a game changer to approve it at 6,000-acre feet. He stated this isn't perfect but something like this will extend the life of the city.

Dayton Hall continued his explanation, explaining that all the parties will get together on an annual basis to discuss the operation of the agreement and the system. The City agrees that within this area the City will adopt the District's landscaping standards, including future standards. After negotiations today, the parties agreed to add language clarifying that future landscaping standards would not limit agricultural uses. Section 5 was inserted to protect the City's ability to move water within our system. This is a 20-year agreement. He mentioned there is a clause that states that the contract only comes into effect if the City receives the NRCS funding. Mr. Richins stated the only thing he is uncomfortable with on the map is the area along 600 North is not included. We need to disclose that the area is bigger than what we thought. He doesn't see a problem with not purchasing more water than what we can use. Mayor Billings asked he felt the allowed acre feet number needed to be readjusted. Mr. Richins stated he thinks we are pretty close. Dayton Hall asked if the Council had any other concerns other than the map. If they do, then it needs to be discussed but if that's the only thing than they can move forward if the other parties all agree to update the map. Mayor Billings mentioned NRCS stated they could apply for other funding if this is approved. Mr. Richins stated the next two agenda items aren't ready to be awarded yet and need to be continued so the Council can discuss financing options. He stated they may be able to negotiate with the contractor to build it in different phases. Mac Hall stated he thinks this is the best we are going to get. Dayton Hall pointed out they have been negotiating the specific terms of the proposed contract for months. The Council needs to decide if the conditions within the proposed contract are acceptable to receive the NRCS funding. If the conditions are not acceptable, then the City can take a step back and reevaluate the project.

Kevin Thomas motioned to approve the agreement including an updated map showing the boundaries. Seconded by David Hirschi. Motion carried unanimously.

3. Consideration and possible approval of a bid to construct phase 1 of the City's irrigation expansion project - Ken Richins

Ken Richins asked for this item and the next to be continued until October 17th.

David Hirschi motioned to continue to October 17th. Seconded by Clark Fawcett. Motion carried unanimously.

4. Consideration and possible approval of a bid to construct the irrigation pond, filters, and booster station for the irrigation expansion project - Ken Richins

Joseph Prete motioned to continue to October 17th. Seconded by Drew Ellerman. Motion carried unanimously.

5. Discussion regarding public infrastructure and possible approval to move forward with a power line extension to the area south of Sky Ranch - Mike Vercimak and Scott Hughes

Mayor Billings read the summary provided in the packet. "This item was continued from the last meeting. One of the applicants for this line extension was not present at the meeting and had requested the item be continued. Also, there were discussions regarding the details of the proposed power line extension, other needed infrastructure, and the status of the well currently being drilled to possibly support development in the area." Scott Hughes explained that originally five applications came to the Council together but since then they have come through individually. If they get approvals, then they will group them together moving forward. He stated they have been bringing these as a preliminary item that will have to come back for final approval but in the future, they only want to come to the Council once. He stated new business 2 and one that was approved previously could be lumped together with the first five. Clark Fawcett stated he wants to see the plan for all infrastructure not just power. Mayor Billings mentioned she met with the Sewer District, and they are moving forward with extending services through Copper Rock. She explained the City helped Copper Rock get easements and now they are not willing help other developments.

Kent Stevens online explained they are the property owners south of Sky Ranch. He stated they have an alternate route to get sewer there if for some reason the easement through Copper Rock doesn't work. Again, Councilman Fawcett stated he would like to see the plan for all infrastructure not just the power. Then he would feel comfortable approving them moving forward. Patrick Jacqueline stated they have will serve letters from the Water Department and Ash Creek. They have done all the soil and drainage testing. The fire chief wanted sprinklers installed in the homes due to water flows. Councilman Prete asked about the status of the well.

Mayor Billings explained the tank will bring the flow rates and if the quality of water in the well isn't enough then it will be used for irrigation.

Kevin Thomas motioned for a limited and preliminary approval to continue exploring the powerline extension to the area south of Sky Ranch. Seconded by Drew Ellerman. Motion carried unanimously.

NEW BUSINESS

1. Consideration and possible approval of a proclamation joining Washington County Youth Coalition (WCYC) in a 2024-2025 Alcohol-Free School Year for Youth - WCYC Coalition

The Washington County Youth Coalition introduced themselves and explained they are asking for the Council's support in a healthy community. They presented new proclamation declaring 2024-2025 alcohol free year for the youth. They read the proposed proclamation. Mayor Billings thanked the Coalition for bringing this to the Council and recognized Hallie Bridges for all her work in helping with this. She stated the Council's goal is to support not only recovery from addictive behaviors but also focus on prevention efforts to protect people from future addiction issues.

Joseph Prete motioned to approve the proclamation. Seconded by David Hirschi. Motion carried unanimously.

2. Discussion and possible approval of a Power Line Extension request for Hurricane Cliffs. - Todd Getz

Rick Richardson stated they are in the same situation as the other applicants, but they don't have the same issues with the other utilities.

Kevin Thomas motioned for a limited and preliminary approval to continue exploring the powerline extension request for Hurricane Cliffs. Seconded by Drew Ellerman. Motion carried unanimously.

3. Discussion and possible approval of a Power Line Extension request for Strawberry Fields. -Kyson Spendlove

Scott Hughes explained this development is on 400 West. This property is unique because the power feeding from 650 South and the power coming from 1300 South don't meet. There is also power coming across the fields but if this moves forward the old dairy line will be eliminated. He stated the line going south is underground but the line running north is overhead. They would upgrade the line through this subdivision and then it would go underground.

David Hirschi motioned for a limited and preliminary approval to continue exploring the powerline extension request for Strawberry Fields. Seconded by Kevin Thomas. Motion carried unanimously.

4. Consideration and possible approval of an Asset Purchase Agreement with Rocky Mountain Power to purchase power line infrastructure and associated easement extending east from Angell Heights over the Hurricane Hill. -Scott Hughes

Scott Hughes reminded the Council they talked about this in a closed session a few months ago. He got the head nod to continue negotiating this purchase. This agreement added five more poles past the Honeymoon Trail which upped the price up a little. The value here is the easement we will gain that will help facilitate a solar farm if it is built.

David Hirschi motioned to approve the Asset Purchase Agreement in the amount of \$17,794.00. Seconded by Joseph Prete. Motion carried unanimously by a roll call vote.

5. Discussion and possible approval of a power connection fee update. -Scott Hughes

Scott Hughes explained the current connection fee is for residential that includes the price of the meter. This can be a 200- or 400-amp services. The 400 amp takes a bigger meter but, in the past, they were similar in price. They have raised the price of the larger meter by more than double. The proposed rate will cover the cost of the meter. Cindy Beteag stated this item needs to be done by Resolution which a draft has been put in front of the Council. Dayton Hall read the Resolution.

Joseph Prete motioned to approve Resolution 2024-35 approving a power connection fee update. Seconded by Kevin Thomas. Motion carried unanimously by a roll call vote.

6. Mayor, Council, and staff reports

None reported.

7. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

Dayton Hall stated there are three items to discuss; Strategy session to discuss collective bargaining, pending litigation, and sell or purchase of real property. Joseph Prete motioned to go into closed session at 8:53 p.m. for the items Mr. Hall stated. Seconded by Clark Fawcett. Motion carried unanimously.

Adjournment: Drew Ellerman motioned to out of the closed meeting and adjourn at 10:15 p.m. Seconded by Joseph Prete. Motion carried unanimously.

Minutes of the Hurricane City Council special meeting held on September 09, 2024, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 3:30 p.m.

Members Present: Mayor Nanette Billings and **Council Members:** David Hirschi (online), Kevin Thomas (online), Clark Fawcett (online), Drew Ellerman, and Joseph Prete.

Also Present: City Attorney Dayton Hall, Police Chief Lynn Excell, and Sand Hollow State Park Manager Candice Smith.

AGENDA

3:30 p.m. - Call to Order –

Mayor Billings welcomed everyone and called the meeting to order.

Prayer and Pledge of Allegiance led by Drew Ellerman

NEW BUSINESS

1. Consideration and possible approval of local consent on a single event liquor license for Trail Hero – Rich Klein

Mayor Billings read the following summary that was provided in the packet written by Cindy Beteag. "The applicant is hosting the Trail Hero event at Sand Hollow State Park from October 3rd to 5th and is seeking local consent to sell flavored malt beverages within a designated area. Staff has no concerns with the Council granting local consent, provided that the applicant hires a licensed and insured security team to manage the designated area. The contact information for the security team should be provided to the Police Department before the event."

Chief Excell stated that if the Council votes in favor of the event, a bonded, licensed, and insured security team is an absolute minimum requirement. He expressed concerns about the amount of alcohol already present at such events but noted that with the proper security in place, he would be comfortable moving forward. Joseph Prete asked what type and quantity of security would be needed. Chief Excell responded that these events typically have two security personnel at the gate and two inside the designated garden area. Rich Klein clarified that the only alcohol served will be a flavored malt beverage called "The Beast," available exclusively to VIP guests in the garden area, which will not be open to the public. Guests will be limited to five beverages each, and "The Beast" contains 5% alcohol. To monitor consumption, cans will be opened and poured into designated cups, preventing outside alcohol from being brought in. Drew Ellerman inquired about the maximum number of guests allowed in the area, to which Mr. Klein responded that 75 people, plus staff, will be permitted. He added that the area will be enclosed by a six-foot fence with a cloth barrier to ensure privacy, and drinks will not be allowed to leave the garden. Mr. Ellerman confirmed that the applicant is committed to hiring a security team.

39 Drew Ellerman motioned to approve the local consent on a single event liquor license for Trail
40 Hero subject to the applicant obtaining a bonded, licensed, and insured security team.
41 Seconded by Joseph Prete. Motion carried unanimously.

42

43 **Adjournment:** David Hirschi motioned to adjourn the meeting at 3:46 p.m. Seconded by Drew
44 Ellerman. Motion carried unanimously.

DRAFT



STAFF COMMENTS

Appeal Hearing regarding the **denial of an application to renew a vacation rental license** at 2790 S 3680 West - Cindy Beteag

Discussion:

This homeowner has held a vacation rental license since 2015 when licenses were first issued for short-term rentals in residential zones, and has consistently renewed on time, with the exception of 2020 due to COVID restrictions. According to Hurricane City ordinance, renewal notices are sent to all eligible businesses 45 days prior to the expiration date, allowing time to complete the renewal process before the license expires. If the renewal is not completed by the expiration date, business owners are granted an additional 45 days to pay the renewal fee and complete any required inspections. Failure to do so within this period results in the City Recorder denying the renewal. However, the homeowner retains the right to appeal this decision to the City Council by filing a written appeal within 15 days of the denial.

In your packet, you will find a detailed timeline outlining when the renewal notice was first sent and each subsequent follow-up by staff. The vacation rental license in question has an annual expiration date of June 30th. While payment was promptly received, the required fire inspection was not completed by the August 15th deadline. Staff did not hear from the business owner until after the 45-day grace period had passed. Nine days after the expiration, staff received a voicemail explaining the family tragedies that had delayed the process, and an additional extension was granted until August 27, 2024, to schedule the fire inspection. The fire inspection was finally completed on September 4, 2024, but failed due to unresolved items from previous inspections. The following week, staff followed up with the fire district and learned that the homeowner had not yet rescheduled the re-inspection. A refund check was sent along with a letter notifying the owner that their renewal had been denied. The check was returned as undeliverable the following week. Upon checking again, staff found that no additional fire inspections had been scheduled. Now a full month past the grace period, it appeared the homeowner was not actively addressing the issue, so the same check and letter were sent again. The homeowner received the second letter and called the office on September 22, 2024. They subsequently filed a written appeal on September 23rd.

Here are a few important points to consider regarding this case. In 2022, the fire inspection passed but with noted comments. These comments highlighted corrections that needed to be made. Three out of the four items that failed in this year's inspection were the same issues flagged in 2022, indicating they should have already been addressed. The inspection report is normally sent promptly to homeowners. However, in this case, the homeowner failed to follow up on their inspection for two weeks after the initial inspection when they did not receive the report. It's also important to note that this vacation rental license is located in a single-family zoned area where new licenses are no longer being issued. If the denial of this renewal is

upheld, the homeowner will not have the opportunity to obtain another license for this location, meaning the property would permanently lose its ability to operate as a vacation rental. However, according to the homeowner, the family has faced significant personal challenges contributing to the delay in completing this year's inspection. They experienced two impactful family deaths and mentioned that the fire district had an incorrect email address on file, so they did not receive the notice that the inspection had failed. These factors may have played a role in the late response and could be taken into consideration. - Cindy Beteag

Findings:

Recommendation:

Attachments:

1. Timeline - letters -renewal
2. 2022 Fire inspection
3. 2024 Fire Inspection - failed
4. Communication with Fire District
5. Appeal Communication

Syndi Blackmore License Timeline

5/5/2024 – renewal notice sent

5/31/2024 – renewal payment received. Receipt #7.729544

6/4/2024 – fire inspection checked. Nothing scheduled

6/26/2024 – fire inspection checked. Nothing scheduled

6/26/2024 – letter sent letting owner know that a fire inspection was required to finalize renewal

6/30/2024 – license expiration date

7/19/2024 – fire inspection checked. Nothing scheduled

7/29/2024 – fire inspection checked. Nothing scheduled

8/6/2024 – fire inspection checked. Nothing scheduled

8/16/2024 – fire inspection checked. Nothing scheduled

8/19/2024 – fire inspection checked. Nothing scheduled

8/17/2024 – final expiration date

8/19/2024 – fire inspection checked. Nothing scheduled

8/21/2024 – fire inspection checked. Nothing scheduled

8/21/2024 – refund check requested

8/24/2024 – left voicemail asking for extension on inspection due to family tragedy

8/26/2024 – returned message and let her know she had until 8/27/2024 at 5pm to have her inspection scheduled

8/27/2024 – fire inspection scheduled for 9/4/2024

9/5/2024 – fire inspection checked. Fail result.

9/5/24 – emailed fire to see if the reinspection for 10/4/2024 was scheduled by owner or an automatic system scheduling. Was told it was the system automatically scheduling.

9/10/2024 – emailed fire to see if contact had been made by owner, was told they had not had contact yet.

9/11/2024 – sent refund check.

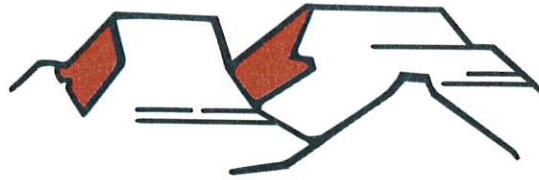
9/18/2024 – refund check was returned.

9/18/2024 – fire inspection check. Nothing rescheduled. Refund check sent again.

9/22/2024 – received voicemail about refund check and denial letter being received by owner

Mayor
Nanette Billings

City Manager
Kaden DeMille



City Council
David Hirschi
Kevin Thomas
Clark Fawcett
Drew Ellerman
Joseph Prete

HURRICANE CITY

UTAH

September 18, 2024

Syndi Blackmore
231 S West Diagonal
LaVerkin UT 84745

To Whom it May Concern:

The deadline to renew your business license is forty-five (45) days after the expiration date, which would have been August 16, 2024. As of today, a passed fire inspection has not been completed; therefore, your right to renew your license has been forfeited. Enclosed is a refund check for \$300.00.

Upon receipt of this notice, you are hereby ordered to cease and desist all business activity. Failure to abide by this order will place you in violation of Hurricane City Code 3-10-12. A person in violation of this ordinance shall be guilty of an infraction and will be issued a citation of \$750.00 per day.

If you wish to appeal against this decision, you must submit a written notice of appeal with the City Recorder within 15 days of this denial. Upon receiving a written notice of appeal, the matter shall be heard and decided by the City Council in the next City Council meeting.

If you have any questions regarding this matter, you may contact the Business License Office at 435-635-2811 ext. 112.

Thank you,

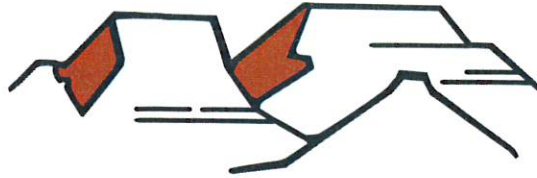
Brienna Spencer

Brienna Spencer
Licensing Clerk



Mayor
Nanette Billings

City Manager
Kaden DeMille



City Council
David Hirschi
Kevin Thomas
Clark Fawcett
Drew Ellerman
Joseph Prete

HURRICANE CITY

UTAH

September 11, 2024

marked inactive 9/11/24

Syndi Blackmore
231 S West Diagonal
La Verkin UT 84745

To Whom it May Concern:

The deadline to renew your business license is forty-five (45) days after the expiration date, which would have been August 16, 2024. As of today, a passed fire inspection has not been completed; therefore, your right to renew your license has been forfeited. Enclosed is a refund check for \$300.00.

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If you have any questions regarding this matter, you may contact the Business License Office at 435-635-2811 ext. 112.

Thank you,

Brienna Spencer

Brienna Spencer
Licensing Clerk



City of Hurricane

CHECK REQUEST FORM

Please complete and return request to the City Treasurer for Payment. Checks take a minimum of 5 business days to process.

Department: ADMIN

Requested by: BRIENNA SPENCER

Date: 8/21/24

Make Check Payable to: SYDNI BLACKMORE

Amount: 300.00

If needs to be mailed

231 S WEST DIAGONAL

List Address, City, St, Zip

LA VERKIN UT 84745

Purpose of Funds: WHOLE HOUSE VACATION RENTAL FAILURE TO RENEW DUE TO NO FIRE INSPECTION

PO#

GL Account #

10-32-16

Amount

\$ 300.00

\$ _____

\$ _____

No Checks will be issued without a valid GL Code and Department Head's Approval.

Signed: Brienna Spencer

Date: 8/21/24

Department Head: _____

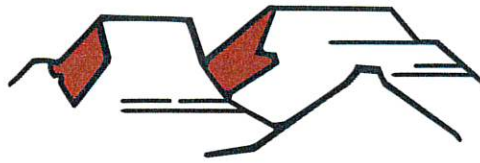
Date: _____

sch 9/4/24 - failed

CK# 44901

Mayor
Nanette Billings

City Manager
Kaden DeMille



HURRICANE CITY

UTAH

City Council
David Hirschi
Kevin Thomas
Clark Fawcett
Drew Ellerman
Joseph Prete

June 26, 2024

Syndi Blackmore
231 S West Diagonal
LaVerkin UT 84745

Re: Renewal Pending Fire Inspection

Your renewal for a business license was received by the Hurricane City Business Licensing Department on May 31, 2024. Your renewal has been placed on hold pending a passed fire inspection. Failure to complete these requirements will result in denial of the business license renewal. A business license renewal that has not had all required items submitted and approved and the license issued within forty-five (45) days of the expiration date shall be considered void and a new application and fee will be required.

Please call the Hurricane Valley Fire Department at 435-635-9562 or by going online to <https://www.hvfssd.org> to schedule your inspection.

If you have any questions regarding the licensing process, please feel free to contact the Business License Office at 435-635-2811 x112.

Sincerely,

Brienna Spencer

Brienna Spencer
Planning Technician/Licensing Clerk

Nothing sch 7/19
7/29
8-6
8/16
8/19
8/21



No Fine 6-4
6/26

PAID

5/31/24

7-729544

Hurricane City
147 N 870 W
HURRICANE UT 84737
435-635-2811
RENEWAL NOTICE
05/15/2024

SYNDI BLACKMORE
231 S WEST DIAGONAL
LAVERKIN UT 84745

Please review the information below to verify that it is correct. Update any incorrect contact information by noting changes to the right of the information you are adding to or changing. Contact the Business Licensing Clerk if you need to change the business name, address, owner, or activity. Sign and return the application with the appropriate license fee(s). If you prefer to email it back, send it to licensing@cityofhurricane.com and then call with the payment. PLEASE DO NOT PAY VIA XPRESS BILL PAY. If you are no longer doing business, you must check the appropriate box, sign and return so we can update our system with the correct information.

Account #:6612
Business Name: SYNDI BLACKMORE
DBA:
Address: 2790 S 3680 WEST
Mailing Address: 231 S WEST DIAGONAL
LAVERKIN UT 84745

Phone: 435-574-8169
Sales Tax ID #: 10327735-003-STC
Federal Tax ID#:

Professional License #:
Email Address: synthiabblackmore@yahoo.com
Website:

Owner Name: SYNDI BLACKMORE
Owner Phone: [REDACTED]
Manager Name: SHARIEL BLACKMORE
Manager Phone: 435-635-4398
License #: 6612

License Description: VACATION RENTAL
Fee: 300.00

Licenses must be renewed within 45 days of this notice. A \$20 late fee will be assessed if not paid within 30 days after the deadline. Renewal will not be permitted after 45 days of the due date.

Annual fire inspections by the Hurricane Valley Fire Special Services District are now required for ALL businesses (excluding homebased fee exempt) before your new business license can be issued. Failure to meet this requirement within the renewal period will result in denial of your renewal. Please call 435-635-9562 to schedule your inspection.

Due 45 days from date of notice. Late fees will be assessed!

I have read the above, and declare under penalty of perjury that each and every statement made is true, correct and complete.

Authorized Signature

Date

No longer operating business in Hurricane City ☐

Authorized Signature

Date

Brienna Spencer

From: voicemail@esihs.net
Sent: Saturday, August 24, 2024 7:07 PM
To: Brienna Spencer
Subject: V-Mail from BLACKMORE SYNDI 1 [REDACTED] to Brienna Spencer 112
Attachments: vm-20240825010524053478-f6acbcad0e8f502383aca4ad5b60bb2c.wav



You have a new voicemail from 1 [REDACTED]
(BLACKMORE SYNDI)

YOU HAVE A NEW VOICEMAIL!

112 (Brienna Spencer),

You have a new voice mail from 1 [REDACTED] (BLACKMORE SYNDI).
Your transcribed message:

Hi, Brianna. This is Cindy Black calling you. I have a business license renewal letter in front of me that was paid on May 30 first and it was requiring a fire inspection within 45 days. That never happened because I have been dealing with pretty extreme tragic family situations. With 2 deaths in the family, which just completely up ended our lives. And I'm trying to get this taken care of now that the dust is settled slightly. I'm just calling to see you know, just to let that you know that I am getting this taken care of. And under the circumstances, if you guys would please waive the requirement of having to repay the business license. I'm I'm gonna go into Her City on Monday to get the fire inspection is scheduled, and I'll get that as soon as possible. But if you can call me back and just kinda reassure my brain, I'd I'd really appreciate it. My number is [REDACTED] Thank you, and I look forward to hearing back from you. Bye bye.

Listen by opening the enclosed attachment.

Sent by Estech Systems, Inc.

Brienna Spencer

From: Dana Mckim <dmckim@hvfssd.org>
Sent: Tuesday, September 10, 2024 4:20 PM
To: Brienna Spencer
Subject: RE: Fire Inspection

I have not heard anything.

From: Brienna Spencer <brienna@hurricane.utah.gov>
Sent: Tuesday, September 10, 2024 3:14 PM
To: Dana Mckim <dmckim@hvfssd.org>
Subject: RE: Fire Inspection

CAUTION: This email originated from outside of your organization. Do not click on links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Dana,

I just want to make sure the owner for 2790 S 3680 W still hasn't called for a reinspect.

Thank you,



Brienna Spencer

Planning Technician/Licensing Clerk
Planning Department
Phone : 435.635.2811 ext. 112
Email : brienna@hurricane.utah.gov
147 N. 870 W. Hurricane UT, 84737
www.cityofhurricane.com

From: Brienna Spencer
Sent: Thursday, September 5, 2024 10:36 AM
To: Dana Mckim <dmckim@hvfssd.org>
Subject: RE: Fire Inspection

Ok, thanks for the update.



Brienna Spencer

Planning Technician/Licensing Clerk
Planning Department
Phone : 435.635.2811 ext. 112
Email : brienna@hurricane.utah.gov
147 N. 870 W. Hurricane UT, 84737
www.cityofhurricane.com

From: Dana Mckim <dmckim@hvfssd.org>
Sent: Thursday, September 5, 2024 10:35 AM
To: Brienna Spencer <brienna@hurricane.utah.gov>
Subject: RE: Fire Inspection

It automatically is scheduled out. They haven't called me yet to reinspect.

From: Brienna Spencer <brienna@hurricane.utah.gov>
Sent: Thursday, September 5, 2024 9:33 AM
To: Dana Mckim <dmckim@hvfssd.org>
Subject: Fire Inspection

CAUTION: This email originated from outside of your organization. Do not click on links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Dana,

There was an inspection done on 2790 s 3680 w yesterday but it failed. I see that a reinspect was scheduled for 10/04/2024. Was this just a system automatic scheduling or is it really scheduled for that date?

Thanks,



Brienna Spencer

Planning Technician/Licensing Clerk
Planning Department
Phone : 435.635.2811 ext. 112
Email : brienna@hurricane.utah.gov
147 N. 870 W. Hurricane UT, 84737
www.cityofhurricane.com



Hurricane Valley Fire Spec. Serv. Dist.

Occupancy: **Syndi Blackmore**

Occupancy ID: **BLA2790**

Address: **2790 S 3680 West**

Hurricane UT 84737

Inspection Type: **Vacation Rental**

Inspection Date: **7/7/2022**

By: Barlow, Kevin J (5929)

Time In: **13:30**

Time Out: **13:45**

Authorized Date: **07/07/2022**

By: Barlow, Kevin J (5929)

Form: Fire Safety Business
Inspection

Next Inspection Date: **No Inspection Scheduled**

Inspection Description:

Fire Safety Business Inspection

Inspection Topics:

Fire Alarm/Escape

Off site monitoring tested for compliance

Off site monitoring tested for compliance

Status:

Notes:

Fire alarm working with no trouble lights

No Trouble lights

Status:

Notes:

Fire escape plans and practice records

Fire escape plans and practice records

Status:

Notes:

Exits

Provide exit signs with letters at least 6" high on a contrasting background (Glow or Illuminated)

Ex

Status:

Notes:

Repair or maintain exit doors and hardware to operate properly.

Well maintained exit doors and panic hardware provide safe and easy egress from a building.

Status:

Notes:

Remove obstructions from exits, aisles, corridors, and stairways.

Clear exit access is essential to prevent panic or accidental falling of occupants during evacuation.

Status:

Notes:

Remove storage from beneath exit stairs.

Items stored beneath stairs present a fire risk that can endanger persons using that escape route.

Status:

Notes:

Unlock all exit doors during business hours.

Locked exit doors make it impossible for occupants to escape safely and quickly.

Status:

Notes:

Remove unapproved locks or latches from exit doors.

Exit doors must be free to open without delay in the event of an emergency.

Status:

Notes:

Exterior Building

Building Address

An address needs to be visible on the building

Status:

Notes:

Hydrant located 250' or less from building.

A hydrant needs to be within 250' from the building.

Status:

Notes:

Exit Lighting

Provide lighting for exits, aisles, corridors, and stairways.

Well lighted exit ways prevent panic, and provide safer egress for occupants.

Status:

Notes:

Fire Extinguishers

Mount extinguishers where readily available, not more than 5 feet above floor.

Extinguishers must be easily within reach of all occupants, but not where they will be subject to damage.

Status:

Notes:

Post signs indicating location where extinguishers are not readily visible.

Where extinguishers are not clearly visible, signs help occupants find the equipment in a hurry.

Status:

Notes:

Portable fire extinguishers are due for annual maintenance on:

Annual maintenance will provide for properly charge and serviced extinguishing devices, and assure proper operation if needed to fight a small fire.

Status:

Notes:

Provide X extinguisher(s) of a X minimum rating.

Extinguishers provided need to be appropriate to the type of hazard.

Status:

Notes:

Fire Protection Access and Equipment

Maintain clear access to and operation of standpipes, fire hose, sprinkler valves, fire hydrants, fire extinguishers, and other fire protection equipment

Access

Status:

Notes:

Install approved protective covers on fire department hose connection.

Protective covers must be installed on the supply connection to prevent accumulations of debris that might inhibit the system from being effective.

Status:

Notes:

Provide and maintain smoke detectors in proper operating condition.

The proper installation and maintenance of smoke detectors is of the utmost importance. In the event of a fire, they will notify occupants, and, in some cases, may automatically notify the Fire Department.

Status:

Notes:

Provide minimum 4 inches high address numbers so they are visible from the street.

Address numbers are critical to help emergency personnel find people who may need some sort of aid. The numbers must contrast with their background for greatest visibility.

Status:

Notes:

Remove obstructions and provide access in fire lanes.

Large fire apparatus need room to effectively maneuver in the event of an emergency.

Status:

Notes:

Fire Separations

Keep attic and scuttle covers closed, and ceiling tiles in place.

Ceilings are an integral part of the building's fire protection. If kept in place, the ceiling will protect roof structures from premature collapse.

Status:

Notes:

Remove obstructions from fire doors and maintain to operate properly.

Fire and smoke doors should not be blocked open or obstructed or fire and smoke will easily travel through the opening and cause excessive risk to life and property.

Status:

Notes:

Seal unapproved openings with approved material.

Flame, smoke, and hot gases can easily travel through holes and pipe chases, thus creating more damage and a hazard to occupants.

Status:

Notes:

Housekeeping

Remove storage to at least 18" below level of sprinklers, 24" unsprinklered (36" for storage piled over 12' high)
height of storage

Status:

Notes:

Remove or store rubbish, waste material, oily rags in closed metal containers.

Safety containers for oily and greasy rags are designed to prevent spontaneous ignition of their contents. Other highly flammable wastes must be separated from sources of ignition.

Status:

Notes:

Clean grease filters and hood/duct system over cooking equipment.

Regular cleaning of the hood, duct, and filters will eliminate flammable grease build-up and provide proper ventilation of hood through the exhaust outlet.

Status:

Notes:

Provide approved waste containers for combustible waste.

Heavy duty or metal containers are necessary to confine a fire in the receptacle to prevent it spreading to the building.

Status:

Notes:

Chain all compressed gas cylinders in an upright position and provide protective caps.

Compressed gas cylinders, empty or full, can take off like a rocket in any direction if they fail and rupture.

Status:

Notes:

Boiler, mechanical, and electrical panel rooms shall not be used for storage.

Combustible materials in these equipment rooms often get put too close to sources of heat and a fire will likely result.

Status:

Notes:

Post and enforce 'No Smoking' signs.

'No Smoking' areas are designated because the use of smoking materials in those areas could cause a fire.

Status:

Notes:

Move the dumpster at least 5 feet from the building or overhangs.

Dumpsters are a common fire target of vandals. Moving the dumpster away will reduce the risk of a fire spreading to the building.

Status:

Notes:

Flammable Liquids

Storage in excess of 10 gallons shall be in an approved cabinet.

In the event of a fire, flammable liquids can readily accelerate its spread. Confining the stored liquids to secure cabinets will limit this fire exposure.

Status:

Notes:

Electrical							
Discontinue use of extension cords in lieu of permanent wiring. Temporary wire does not afford the durability, safety, and protection from shock or fire that is found in the construction of an enclosed electrical system. Status: Notes:							
Maintain at least 30 inches clearance in front of electrical panel. Access to electrical panels must be cleared to allow for general inspection and emergency shutdown. Status: Notes:							
Each outlet box shall have a cover faceplate or fixture canopy. Covers protect people from being shocked by exposed wires, prevent spread of electrical current, and heat and flame during short circuits. Status: Notes:							
Discontinue use of non-approved multi-plug adapters. Multi-plug adapters invite the overuse of the circuit that can result in overheating and a fire. Status: Notes:							
Maintain wiring in good condition and protect from damage. Worn or broken wires and plugs present a fire hazard and risk of electrical short circuit that can result in a fire. Status: Notes:							
Additional Time Spent on Inspection: <table border="1"> <thead> <tr> <th>Category</th> <th>Start Date / Time</th> <th>End Date / Time</th> </tr> </thead> <tbody> <tr> <td colspan="3"> Notes: No Additional time recorded </td> </tr> </tbody> </table>		Category	Start Date / Time	End Date / Time	Notes: No Additional time recorded		
Category	Start Date / Time	End Date / Time					
Notes: No Additional time recorded							

Total Additional Time: 0 minutes

Inspection Time: 15 minutes

Total Time: 15 minutes

Summary:	
Overall Result:	Passed with Comments
Inspector Notes:	Remove Exit sign above door into garage. Door between house and garage must be self-closing to maintain integrity of the fire wall. Smoke detector and Carbon monoxide detectors required in each bedroom and in the hallway or common area outside each sleeping area (smoke detectors present but 4 CO missing). Fire extinguisher must be mounted in a conspicuous, easily accessible location not more than 5 feet from the floor to the top of the extinguisher. Minimum rating for extinguisher is 2A10BC. Fire extinguisher must have current inspection tag or purchase receipt. Maintain monthly test log for all smoke/CO detectors as well as at least annual battery replacement.

HURRICANE VALLEY FIRE DISTRICT

INSPECTION REPORT

BLDG 2790 S 3680 W, 2790 S 3680 W, HURRICANE UT 84737-5030



DETAILS

Inspection Date: 09/04/2024 | Inspection Type: Vacation Rental | Inspection Number: 1267 | Shift: N/A | Station: Station 42 | Unit: N/A | Lead Inspector: Kendrick Johnson | Other Inspectors: N/A

VIOLATIONS AND COMPLIANCES

Showing only resolved violations, passed codes, violations, and images for this inspection. Please reach out to the lead inspector for more details.

Resolved Violations: 0 | Passed Codes: 33 | Violations: 5 | N/A Codes: 0

STATUS	CODE	DESCRIPTION
PASS	1003.6 - Means of egress continuity.	The path of egress travel along a means of egress shall not be interrupted by a building element other than a means of egress component as specified in this chapter. Obstructions shall not be placed in the minimum width or required capacity of a means of egress component except projections permitted by this chapter. The minimum width or required capacity of a means of egress system shall not be diminished along the path of egress travel.
PASS	1006.2.1 - Egress based on occupant load and common path of egress travel distance.	Two exits or exit access doorways from any space shall be provided where the design occupant load or the common path of egress travel distance exceeds the values listed in Table 1006.2.1. The cumulative occupant load from adjacent rooms, areas or spaces shall be determined in accordance with Section 1004.2. Exceptions: 1.The number of exits from foyers, lobbies, vestibules or similar spaces need not be based on cumulative occupant loads for areas discharging through such spaces, but the capacity of the exits from such spaces shall be based on applicable cumulative occupant loads. 2.Care suites in Group I-2 occupancies complying with Section 407.4 of the International Building Code. 3.Unoccupied mechanical rooms and penthouses are not required to comply with the common path of egress travel distance measurement.

STATUS	CODE	DESCRIPTION
PASS	1013.1 - Where required.	Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. The path of egress travel to exits and within exits shall be marked by readily visible exit signs to clearly indicate the direction of egress travel in cases where the exit or the path of egress travel is not immediately visible to the occupants. Intervening means of egress doors within exits shall be marked by exit signs. Exit sign placement shall be such that any point in an exit access corridor or exit passageway is within 100 feet (30 480 mm) or the listed viewing distance of the sign, whichever is less, from the nearest visible exit sign. Exceptions: 1.Exit signs are not required in rooms or areas that require only one exit or exit access. 2.Main exterior exit doors or gates that are obviously and clearly identifiable as exits need not have exit signs where approved by the fire code official. 3.Exit signs are not required in occupancies in Group U and individual sleeping units or dwelling units in Group R-1, R-2 or R-3. 4.Exit signs are not required in dayrooms, sleeping rooms or dormitories in occupancies in Group I-3. 5.In occupancies in Groups A-4 and A-5, exit signs are not required on the seating side of vomitories or openings into seating areas where exit signs are provided in the concourse that are readily apparent from the vomitories. Egress lighting is provided to identify each vomitory or opening within the seating area in an emergency.
PASS	1013.6.3 - Power source.	Exit signs shall be illuminated at all times. To ensure continued illumination for a duration of not less than 90 minutes in case of primary power loss, the sign illumination means shall be connected to an emergency power system provided from storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Section 603. Group I-2, Condition 2 exit sign illumination shall not be provided by unit equipment batteries only. Exception: Approved exit sign illumination types that provide continuous illumination independent of external power sources for a duration of not less than 90 minutes, in case of primary power loss, are not required to be connected to an emergency electrical system.
PASS	1015.8 - Window openings.	Windows in Group R-2 and R-3 buildings including dwelling units, where the top of the sill bottom of the clear opening of an operable window opening is located less than 36 inches (914 mm) above the finished floor and more than 72 inches (1829 mm) above the finished grade or other surface below on the exterior of the building, shall comply with one of the following: 1.Operable windows where the top of the sill of the opening is located more than 75 feet (22 860 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F2006. 2.Operable windows where the openings will not allow a 4-inch-diameter (102 mm) sphere to pass through the opening when the window is in its largest opened position. 3.Operable windows where the openings are provided with window fall prevention devices that comply with ASTM F2090. 4.Operable windows that are provided with window opening control devices that comply with Section 1015.8.1.

STATUS	CODE	DESCRIPTION
PASS	304.3.3 - Capacity exceeding 1.5 cubic yards.	Dumpsters and containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet (1.15 m ³)] or more shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines. Exceptions: 1.Dumpsters or containers that are placed inside buildings in areas protected by an approved automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3. 2.Storage in a structure shall not be prohibited where the structure is of Type I or IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage. 3.Dumpsters or containers that are located adjacent to buildings where the exterior area is protected by an approved automatic sprinkler system.
PASS	315.3.1 - Ceiling clearance.	Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or not less than 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings. Exceptions: 1.The 2-foot (610 mm) ceiling clearance is not required for storage along walls in nonsprinklered areas of buildings. 2.The 18-inch (457 mm) ceiling clearance is not required for storage along walls in areas of buildings equipped with an automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
PASS	315.3.3 - Equipment rooms.	Combustible material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms or in fire command centers as specified in Section 508.1.5.
PASS	403.9.1.1 - Evacuation diagrams.	A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door from each hotel or motel sleeping unit.
PASS	502.4 - Seismic supports	As a minimum requirement, water heaters shall be anchored or strapped to resist horizontal displacement caused by earthquake motion. Strapping shall be at points within the upper on-third and lower one-third of the appliance's vertical dimensions.

STATUS	CODE	DESCRIPTION
PASS	505.1 - Address identification.	New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.
PASS	509.2 - Equipment access.	Approved access shall be provided and maintained for all fire protection system equipment to permit immediate safe operation and maintenance of such equipment. Storage, trash and other materials or objects shall not be placed or kept in such a manner that would prevent such equipment from being readily accessible.
PASS	603.2.2 - Unapproved conditions Open electrical terminations.	Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.
PASS	603.4 - Working space and clearances clearance.	A working space of not Working space around electrical equipment shall be provided in accordance with Section 110.26 of NFPA 70 for electrical equipment rated 1,000 volts or less, and Section 110.33 of NFPA 70 for electrical equipment rated over 1,000 volts. The minimum required working space shall be not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the minimum working space shall be not less than the width of the equipment. Storage of materials shall not be located within the designated working space. Exceptions: 1. Where other dimensions are required or allowed by NFPA 70. 2. Access openings into attics or under-floor areas that provide a minimum clear opening of 22 inches (559 mm) by 30 inches (762 mm).

STATUS	CODE	DESCRIPTION
PASS	603.4.1 - Labeling.	Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating "ELECTRICAL ROOM" or similar approved wording. The disconnecting means for each service, feeder or branch circuit originating on a switchboard or panelboard shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident. Where buildings or structures are supplied by more than one power source, markings shall be provided at each service equipment location and at all interconnected electric power production sources identifying all electric power sources at the premises in accordance with NFPA 70.
PASS	603.6 - Extension cords.	Extension cords and flexible cordsshall not be a substitute for permanent wiring and shall be listed and labeled in accordance with UL 817. Extension cords and flexible cordsshall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances. Extension cords marked for indoor use shall not be used outdoors.
PASS	6107.3 - Clearance to combustibles.	Weeds, grass, brush, trash and other combustible materials shall be kept not less than 10 feet (3048 mm) from LP-gas tanks or containers.
PASS	701.7 - Unsafe conditions.	Where any components in this chapter are not maintained and do not function as intended or do not have the fire resistance or the resistance to the passage of smoke required by the code under which the building was constructed, remodeled or altered, such component(s) or portion thereof shall be deemed an unsafe condition, in accordance with Section 114.1.1. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed, remodeled or altered or this chapter, as deemed appropriate by the fire code official. Where the condition of components is such that any building, structure or portion thereof presents an imminent danger to the occupants of the building, structure or portion thereof, the fire code official shall act in accordance with Section 114.2.

STATUS	CODE	DESCRIPTION
PASS	901.4 - Installation. Fire protection and life safety systems.	Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards. Fire protection and life safety systems shall be installed, repaired, operated and maintained in accordance with this code and the International Building Code .
PASS	901.4.7.1 - Access.	Automatic sprinkler system risers, fire pumps and controllers shall be provided with ready access. Where located in a fire pump room or automatic sprinkler system riser room, the door shall be permitted to be locked provided that the key is available at all times.
PASS	901.4.7.2 - Marking on access doors.	Access doors for automatic sprinkler system riser rooms and fire pump rooms shall be labeled with an approved sign. The lettering shall be in contrasting color to the background. Letters shall have a minimum height of 2 inches (51 mm) with a minimum stroke of 3/8 inch (10 mm).
PASS	901.6 - Inspection, testing and maintenance.	Fire detection and alarm systems, emergency alarm systems, gas detection systems, fire-extinguishing systems, mechanical smoke exhaust systems and smoke and heat vents protection and life safety systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired fire protection and life safety systems and equipment shall be inspected, tested and maintained or removed in accordance with Section 901.8 .
PASS	901.6.1 - Standards.	Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 901.6.1.
PASS	901.6.3 - Records.	Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained.

STATUS	CODE	DESCRIPTION
PASS	903.3.7 - Fire department connections.	Fire department connections for automatic sprinkler systems shall be installed in accordance with Section 912.
PASS	906.2 - General requirements.	Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10. Exceptions: 1.The distance of travel to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies. 2.Thirty-day inspections shall not be required and maintenance shall be allowed to be once every 3 years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met: 2.1.Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed. 2.2.Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal. 2.3.The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment. 2.4.Electronic monitoring devices and supervisory circuits shall be tested every 3 years when extinguisher maintenance is performed. 2.5.A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to verify that hydrostatic tests are conducted at the frequency required by NFPA 10. 3.In Group I-3, portable fire extinguishers shall be permitted to be located at staff locations.
PASS	906.2.1 - Certification of service personnel for portable fire extinguishers.	Service personnel providing or conducting maintenance on portable fire extinguishers shall possess a valid certificate issued by an approved governmental agency, or other approved organization for the type of work performed.
PASS	906.3 - Size and distribution.	The size and distribution of portable fire extinguishers shall be in accordance with Sections 906.3.1 through 906.3.4.
PASS	906.5 - Conspicuous location.	Portable fire extinguishers shall be located in conspicuous locations where they will have ready access and be immediately available for use. These locations shall be along normal paths of travel, unless the fire code official determines that the hazard posed indicates the need for placement away from normal paths of travel.

STATUS	CODE	DESCRIPTION
PASS	906.6 - Unobstructed and unobscured.	Portable fire extinguishers shall not be obstructed or obscured from view. In rooms or areas in which visual obstruction cannot be completely avoided, means shall be provided to indicate the locations of extinguishers.
PASS	906.9.1 - Extinguishers weighing 40 pounds or less.	Portable fire extinguishers having a gross weight not exceeding 40 pounds (18 kg) shall be installed so that their tops are not more than 5 feet (1524 mm) above the floor.
PASS	906.9.3 - Floor clearance.	The clearance between the floor and the bottom of installed hand-held portable fire extinguishers shall be not less than 4 inches (102 mm).
PASS	912.4.1 - Locking fire department connection caps.	The fire code official is authorized to require locking caps on fire department connections for water-based fire protection systems where the responding fire department carries appropriate key wrenches for removal.
FAIL	1013.3 - Illumination.	Exit signs shall be internally or externally illuminated. Exception: Tactile signs required by Section 1013.4 need not be provided with illumination. Location: Exit doors Original Comment: Exit signs are required to be illuminated (glow in the dark)



STATUS	CODE	DESCRIPTION
FAIL	1103.9 - Carbon monoxide alarmsdetection.	Carbon monoxide alarms detection shall be installed in existing dwelling units and sleeping units Group I-1, I-2, I-4 and R occupancies and in classrooms in Group E occupancies where those units include any of the conditions identified in Sections 915.1.2 through 915.1.6. The carbon monoxide alarms shall be installed in the locations specified in Section 915.2 and the installation shall be in accordance with Section 915.4. Exceptions: 1. Carbon monoxide alarms are permitted to be solely battery operated where the code that was in effect at the time of construction did not require carbon monoxide detectors to be provided. 2. Carbon monoxide alarms are permitted to be solely battery operated in dwelling units that are not served from a commercial power source. 3. A carbon monoxide detection system in accordance with Section 915.5 shall be an acceptable alternative to carbon monoxide alarms. Location: All smoke detectors throughout house Original Comment: CO/Smoke detectors are required in all sleeping areas and outside each sleeping area

FAIL	507.5.5 - Clear space around hydrants.	A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants, except as otherwise required or approved. Location: Outside Original Comment: Hydrants are required to have 3 feet of clearance around them
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FAIL	906.7 - Hangers and brackets.	Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions. Location: Kitchen Original Comment: Fire extinguishers are required to be mounted with the current receipt. One 2-A-10-BC is sufficient for the house.
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STATUS

CODE

DESCRIPTION



FAIL

R302.5.1 - Opening protection

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb-core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors. Doors shall be self-latching and equipped with a self-closing or automatic-closing device.

Location: garage door

Original Comment: Doors leading from the garage to the living quarters is required to be self closing and latching



REINSPECTION DATE

10/04/2024

FEE

Invoice Date: N/A | Inspection Fee: \$75.00 | Date Paid: 08/26/2024 | Amount Paid: \$75.00 | Invoice Number: N/A |
Check Number: N/A | Transaction Number: N/A

CONTACT SIGNATURE

SYNDI BLACKMORE

Reason for not collecting a signature: Wireless connection issues

INSPECTOR SIGNATURE

Kendrick Johnson
Signed on: 09/04/2024 @ 13:49

A handwritten signature in black ink, appearing to be 'KJ', written over a horizontal line.

QUESTIONS ABOUT YOUR INSPECTION?

Kendrick Johnson
kjohnson@hvfssd.org
No phone number available

Brienna Spencer

From: Dana Mckim <dmckim@hvfssd.org>
Sent: Wednesday, September 25, 2024 4:40 PM
To: Brienna Spencer
Cc: synthiablackmore@yahoo.com
Subject: RE: 2790 s 3680 w

Sorry...the reinspect will be September 26, 2024, tomorrow.

From: Brienna Spencer <brienna@hurricane.utah.gov>
Sent: Wednesday, September 25, 2024 3:11 PM
To: Dana Mckim <dmckim@hvfssd.org>
Cc: synthiablackmore@yahoo.com
Subject: RE: 2790 s 3680 w

CAUTION: This email originated from outside of your organization. Do not click on links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Dana,

I'm just wanting to confirm the date she requested her reinspect for. She requested the inspection be for August 25, 2024?

Thank you,



Brienna Spencer

Planning Technician/Licensing Clerk
Planning Department
Phone : 435.635.2811 ext. 112
Email : brienna@hurricane.utah.gov
147 N. 870 W. Hurricane UT, 84737
www.cityofhurricane.com

From: Dana Mckim <dmckim@hvfssd.org>
Sent: Wednesday, September 25, 2024 3:55 PM
To: Brienna Spencer <brienna@hurricane.utah.gov>
Cc: synthiablackmore@yahoo.com
Subject: 2790 s 3680 w

Brienna Spencer and Synthia Blackmore,

Synthia Blackmore wanted me to contact the city with the facts regarding a vacation rental fire safety inspection located at 2790 s 3680 w, Hurricane Utah 84737. Synthia advised me that on August 26, 2024 she came into the fire department and had the Fire Department administrative assistance take payment

through xpress bill pay for her fire safety inspection, see attached receipt. When I called to set up the inspection she requested an inspection date of September 4, 2024, where the inspection failed with 5 violations. The report was sent off on 9/4/24 to cynthiablackmore@yahoo.com. On September 17th, Synthia called me and confirmed her email address. This is when we found out the original report's email was wrong. Report was emailed to the correct email address on September 17, 2024. Today, September 25, 2024 she requested a re-inspect for August 25, 2024.

I hope this helps with the applicant's process. If you have any questions, feel free to contact me.

Dana McKim

Hurricane Valley Fire SSD

O: 435-269-9787

dmckim@hvfsd.org



Hurricane Valley Fire District



Vacation Rental Inspection Application

Owner Information

Name of Contact Person for this Application

Syndi Blackmore

Phone of Contact Person

4355748169

Email of Contact Person

cynthiabblackmore@yahoo.com

Vacation Rental Property Address (property to inspect)

Street Address

2790 S 3680 W

City

Hurricane

State/Province

Alabama

Zip/Postal Code

84737

By checking the box to the right, I agree to the following:



1. To pay Hurricane Valley Fire the required vacation rental inspection fee as noted on this form before any inspection;
2. Payment of the inspection fee entitles me to one inspection and one re-inspection before incurring an additional fee; and
3. If, for any reason, Hurricane Valley Fire must visit my property more than 2 times, I must first pay an additional inspection fee.

Amount Due

\$ 75.00

Current Fee

\$ 75.00

Once payment is made, the Fire Marshal's office will contact you by email to schedule an inspection. **Please see the helpful information to prepare you for the inspection by [clicking here](#).**

Cindy Beteag

From: Synthia Blackmore <synthiablackmore@yahoo.com>
Sent: Tuesday, September 24, 2024 2:30 PM
To: Cindy Beteag
Subject: Re: Request for review for business license renewal

Thank you so much Cindy,
I have it on my calendar and will certainly be there. 🙏

As for the multiple factors that played into the delay of getting my fire inspection, the moment I could put any attention on dealing with my own life, Hurricane city was the first call I made. I was so thankful for the courtesy extension and ran immediately to get it scheduled. The inspection was performed on September 4th and I asked if I could have at least a couple of weeks to have all the items fulfilled because of Guests I had to work around. I was told that wouldn't be a problem and to just contact the fire department as soon as I was ready. I still had not received the report by September 17th and tried to contact hurricane city but my schedule was overwhelming and I wasn't able to talk to anyone in person until then.

Come to find out the report was sent to the wrong address but was able to have them get it to my correct address which I immediately printed the report to address every item.

I then received the letter that my license was revoked on the 20th and called Brianna immediately explaining that I had already been addressing the issues and was made to believe by Dana at the fire department that the city would be able to see that I was being proactive.

Brianna then explained to me that she called the fire department on the 18th (the day after I had spoken to the fire department looking for the report). And said she was told that they had not heard from me since the inspection leading her to believe I was dropping the ball.

There has been a series of unfortunate miscommunications but on my honor this has been my highest priority.

For now, thank you for taking the time to read my email and will share the rest at the meeting.

Thank you again

[Sent from Yahoo Mail for iPhone](#)

[On Tuesday, September 24, 2024, 10:52 AM, Cindy Beteag <cindy@hurricane.utah.gov> wrote:](#)

Hi Syndi,

Yes, sorry I had to leave early yesterday and didn't get to respond to you. You are on the October 3, 2024, City Council meeting at 6 p.m. I put it first on the agenda.

Sounds like there was multiple factors into what happened this year. You will have the opportunity to explain it all to the Council. They usually have me go through the timeline of what happened and then give you the chance to speak and answer questions.

Thank you,

Cindy Beteag



Cindy Beteag

City Recorder

Hurricane City

Office 435-635-2811 x 106

From: Synthia Blackmore <synthiabblackmore@yahoo.com>
Sent: Tuesday, September 24, 2024 9:32 AM
To: Cindy Beteag <cindy@hurricane.utah.gov>
Subject: Re: Request for review for business license renewal

Good afternoon Cindy,

I'm following up to see if you were able to schedule for me to be heard at the next city council hearing?

Please let me know at your earliest convenience.

Thank you for your help.

[Sent from Yahoo Mail for iPhone](#)

On Monday, September 23, 2024, 3:44 PM, Synthia Blackmore
<synthiablackmore@yahoo.com> wrote:

Yes Cindy,
Please do add me to the schedule.
Since speaking with Breanna I understand the process that I will need to appeal to the board.

I did in fact have the inspection scheduled the day I spoke to Brianna and the inspection done by the next week.
I would have passed for sure expect for the fact that expectations were different this year for items that passed last year.
They sent the report to the wrong email in the meantime but I contacted them to clarify the email so now I have it and have been working on items to be addressed.

I asked if I could have a couple of weeks to get accomplished because such a heavy schedule in my life and was granted that.

I was not given any specific date to have it completed but assured the fire department I would have it done as soon as I am physically able to.

Thank you sincerely for your kindness and your condolences.
I believe this has been the most difficult series of challenges my family has ever faced.

Your help in this matter is deeply appreciated

[Sent from Yahoo Mail for iPhone](#)

On Monday, September 23, 2024, 2:01 PM, Cindy Beteag
<cindy@hurricane.utah.gov> wrote:

Hi Syndi,

I am deeply sorry for your family's loss, and my heartfelt condolences go out to all of you. I understand you've been in contact with Brienna regarding this matter. I'm aware that a notice about the failure to renew was sent out. Unfortunately, staff is required to follow the ordinance and apply it consistently to everyone. After speaking with Brienna, I know additional time was granted due to the circumstances, but the

inspection was still not completed within the extended timeframe.

While I don't have the authority to override the ordinance, you do have the option to appeal the decision to the City Council. If you'd like to pursue this, I can arrange for your appeal to be heard at the next available City Council meeting. The meeting is scheduled for October 3rd at 6 p.m. Would you like me to add you to the agenda?

Thank you,

Cindy Beteag



HURRICANE CITY
UTAH

Cindy Beteag
City Recorder
Hurricane City
Office 435-635-2811 x 106

From: Synthia Blackmore <synthiablackmore@yahoo.com>
Sent: Monday, September 23, 2024 12:30 PM
To: Cindy Beteag <cindy@hurricane.utah.gov>
Subject: Request for review for business license renewal

Hi Cindy,
I've just gotten off the phone Ms. Spencer, Emily?
Who has explained that I need to contact you regarding the business license renewal for my Airbnb in Sand Hollow. Please consider the circumstances for the delay in renewal as I explain.
In the past 4 months my family was hit with an extraordinary tragedy where my sister lost both her husband and then her son to tragic deaths.
In this time my family have had to move her completely out of her home and provide round the clock supervision for her well being.

As soon as I was able, I contacted Emily to let her of the circumstances.
She said that they will allow an extension for me as long as I had my fire inspection scheduled by the next week, I had it scheduled that day and completed by the following week.

Initially i failed because the fire inspector said I need to replace the fire alarm to dual carbon monoxide even though the development doesn't even have gas available.

I asked him if I could have a couple of weeks to accomplish that which I was granted but did not receive the report because it was sent to a wrong address.

I called the fire department to resend my report to see what all needed to be addressed again to correct the address.

I have been addressing all issues in this past week but still waiting for the electrician to replace the fire alarms.

I will have this completed by the end of the week.

Can we please schedule a board review for renewal of my license as soon as possible and if you need any more information please feel free to contact me directly.

Your assistance in this matter is greatly appreciated

Kindest regards,

Syndi Blackmore
435-574-8169

[Sent from Yahoo Mail for iPhone](#)



STAFF COMMENTS

Consideration and possible approval of a **Domestic Violence Awareness Proclamation** - DOVE Center

Discussion:

Each year, The Dove Center invites all municipalities in Washington County to join in proclaiming October as Domestic Violence Awareness Month. This proclamation highlights important statistics on domestic violence and emphasizes the need for community action to break the silence and work toward ending domestic violence in our area. - Cindy Beteag

Findings:

Recommendation:

Attachments:

1. Proclamation 2024 - Domestic Violence

PROCLAMATION

WHEREAS, it is a basic human right to live a life free from violence and abuse; and

WHEREAS, domestic violence is a serious problem occurring in all cultures and communities and not discriminating by age, gender, social class, race, ethnicity, religious affiliation or sexual orientation; and

WHEREAS, one in three women and one in four men in Utah will experience intimate partner violence in their lifetimes; and that 60-75% of families with intimate partner violence have children who are also impacted by the violence; and

WHEREAS, seniors are also victims of domestic and sexual violence and are part of the most under-reported group, and

WHEREAS, domestic violence-related homicides account for over 40% of homicides in Utah; and 80 Utah children will witness the murder or attempted murder of their mother every year; and

WHEREAS, awareness and intentional collaboration are required to find solutions to abuse and intimate partner violence; and

WHEREAS, it is the role of local government to provide for the health, safety, and welfare of its citizens; and

NOW THEREFORE I, Nanette Billings, Mayor of Hurricane City, Utah, in partnership with DOVE Center, do hereby proclaim October as:

DOMESTIC VIOLENCE AWARENESS MONTH

In Hurricane City, we urge all residents to use October as ***Domestic Violence Awareness Month*** to learn how they can break the silence and end domestic violence in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of Hurricane City, Utah this 3rd day of October 2024.

Nanette Billings, Mayor

Attest: _____
Cindy Beteag, Recorder



STAFF COMMENTS

Consideration and possible award of a construction contract for **100 N; 200 W to SR-9 & 100 E; SR-9 to 100 N** reconstruction project, also known as the 100 North project.

Discussion:

The bid opening for this project is scheduled for Tuesday, September 17 at 2:00 pm. A bid tabulation and recommendation will be added to the council packet after the bids have been evaluated.

Findings:

Recommendation:

Attachments:

None



STAFF COMMENTS

Consideration and possible approval of **Resolution 2024-34 supporting Utah v United States Legal Action** United States Supreme Court Docket No. 22O160

Discussion:

Hurricane City is being asked to pass a resolution in support of Utah's request to the U.S. Supreme Court for the Court to hear a dispute between Utah and the federal government regarding the control of federal land in Utah. The U.S. Supreme Court has the authority to directly hear and resolve a dispute between Utah and the federal government; or, the Court could decline to hear the case and require Utah to file in a federal district court and work the case through the federal district court, the 10th Circuit Court of Appeals, and then request to be heard by the U.S. Supreme Court. Utah is asking to bypass the years-long appeal process by having the U.S. Supreme Court accept the case immediately.

Utah's position is that the federal government has violated the U.S. Constitution by retaining 18.5 million acres of 'unappropriated' land within Utah. The federal government's authority under the Constitution is limited to "enumerated powers," and there is no enumerated power specifically authorizing the federal government to indefinitely hold 18.5 million acres of land in Utah where the land is not being utilized pursuant to a power granted to the federal government in the Constitution. Utah's claims do not address national parks, national monuments, or Forest Service land because (I assume) there is an argument that those lands have been appropriated. So, the land in dispute is primarily BLM land. Within Washington County, the land at issue is primarily BLM land south of Hurricane City and Northwest of Ivins. If the U.S. Supreme Court agrees to hear the case, Utah will argue that the federal government's policy of holding this land indefinitely is unconstitutional and that the federal government should be required to begin the process of "disposing of its unappropriated lands within Utah, consistent with existing rights and state law." The Utah Legislature has passed a law in preparation for accepting the management obligations of the federal land based onto the assumption that the disposal of the land would be a transfer of stewardship to the State. However, the details of that disposal are not part of Utah's briefing. Instead, Utah is only asking for a decision by the Court that the federal government is in violation of the Constitution and that the disposal process should be started.

To meet the Court's filing deadlines, the City would need to adopt a resolution supporting Utah's filing by October 10, 2024. -Dayton Hall

Findings:

Recommendation:

Attachments:

1. ALC Memo to Prospective Amicus Brief Partners 9-10-2024

2. Resolution 2024-34 supporting Utah v United States Legal Action



TO: Prospective Amicus Brief Partners
FROM: Jennifer Fielder, CEO - American Lands Council
DATE: 09/10/2024
RE: Amicus Alert: Utah v. United States

URGENT CALL TO ACTION IN SUPPORT OF UTAH v. U.S.:

The American Lands Council (ALC) urges State and local governments and other organizations to file amicus briefs or co-sign ALC's amicus brief in support of the landmark public land lawsuit Utah filed at the U.S. Supreme Court on August 20, 2024. Broad, swift, and serious support is needed ASAP to persuade the Court to accept this case.

OVERVIEW:

After decades of legal analysis and attempts to seek relief through other means, the State of Utah is asking the U.S. Supreme Court to address whether the federal government can constitutionally hold unappropriated lands within a State indefinitely.

The scope of Utah's lawsuit does not include the national parks, national monuments, wilderness areas, national forests, Tribal lands, or military properties. The suit applies only to federal land that is "unappropriated", meaning that the United States simply holds the land without any designated purpose. Such lands are currently administered by the federal Bureau of Land Management (BLM). In Utah, the case involves approximately 18.5 million acres which comprise 34% of the State. However, the Supreme Court's decision could apply to all the unappropriated federal land, roughly 245 million acres, spread across the Western U.S., Alaska, and a few eastern States.

HOW TO SUPPORT UTAH's LEGAL ACTION:

Multiple amicus briefs are needed to persuade the Court to accept Utah's case. Local governments and other organizations can join ALC's amicus brief as co-signors and share in a small portion of the associated legal and advocacy costs. Entities with adequate legal and financial resources should file their own amicus briefs. In any case, ALC is willing to help. PLEASE NOTE: Amicus briefs must be filed at the U.S. Supreme Court by Oct 22, 2024.

SCAN THIS QR CODE OR VISIT americanlandscouncil.org/lawsuit TO ACCESS:



- Templates for counties & other organizations who want to sign on to ALC's Amicus Brief
- Guidance for those wishing to file their own Amicus Brief
- Complete copy of Utah's lawsuit
- Utah's "Stand for Our Land" Explainer Information, and more

**SUPPORTING UTAH v. UNITED STATES LEGAL
ACTION UNITED STATES SUPREME COURT DOCKET
NO. 220160**

WHEREAS, After decades of legal analysis and attempts to seek relief through other means, the State of Utah filed a landmark public lands lawsuit on August 20, 2024, asking the U.S. Supreme Court to address whether the federal government can constitutionally hold unappropriated lands within a State indefinitely;

WHEREAS, the scope of Utah’s lawsuit applies only to the federally held land that is “unappropriated”, meaning that the United States simply holds the land without any designated purpose;

WHEREAS, the scope of Utah’s lawsuit DOES NOT INCLUDE appropriated public land designated as national parks, national monuments, wilderness areas, national forests, Tribal lands, or military properties;

WHEREAS, although Utah’s lawsuit is specific to the 18.5 million acres of unappropriated land within Utah administered by the United States Bureau of Land Management (BLM), it is imperative that the Court answer the vital legal questions in this case as they inherently apply to all of the 245 million acres of unappropriated land administered by the BLM in 11 Western states, Alaska, the Dakotas, and a few Eastern States as well.

NOW, THEREFORE, BE IT RESOLVED THAT Hurricane City, in the State of Utah, supports Utah’s legal action as a co-signor of the Amicus Brief to be filed at the U.S. Supreme Court by the American Lands Council.

PASSED AND APPROVED on this 3rd day of October 2024.

Nanette Billings, Mayor

ATTEST:

Cindy Beteag, City Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 3rd day of October 2024. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Clark Fawcett	_____	_____	_____	_____
Drew Ellerman	_____	_____	_____	_____
Joseph Prete	_____	_____	_____	_____

Cindy Beteag



STAFF COMMENTS

Consideration and possible approval of a **proposed letter regarding the proposed EMS tax increase**

Discussion:

The Hurricane Valley Fire District is proposing a property tax increase and will be holding an Open House on October 7th at 6 p.m. Staff has been directed to place this item on the agenda, but there is uncertainty about the recommendation the Council wishes to send to the Fire District Board and the County Commissioners. Two draft letters have been prepared for the Council's review and are available as a confidential attachment in the meeting packet.

Mayor Billings would like to have the following questions answered before the Council makes a recommendation.

- 1- What is the increased revenue from property tax over last year because of the new growth?
- 2- What is the increase impact fee this year over last year?
- 3- What is the increase in fees since last August when the fee increase was implemented to this August?

Findings:

Recommendation:

Attachments:

1. HVFD proposed budget
2. 240925 Letter to HVFD re 2024 TIT
3. 240930 Letter to HVFD re 2024 TIT - support

General Fund

Hurricane Valley Fire Special Services District Operational Budget Report

1 Fire District - 01/01/2024 to 06/30/2024

	Account No.	2022 Actual	2023 Actual	2024 Actual	2024 Final Budget	2025 Budget
Change In Net Position						
District Operations						
District Operating Revenue:						
3110 Property tax revenue	3110	\$ 4,314,983.31	\$ 4,387,404.74	\$ 1,264,703.83	\$ 4,450,000.00	\$ 6,700,000.00
3111 TRT Washington County Revenue	3111	\$ 616,544.83	\$ 600,817.52	\$ 494,748.41	\$ 579,000.00	\$ 600,000.00
3420 Service revenues from cities	3420	\$ 101,642.96	\$ 45,625.00	\$ 45,613.00		\$ 15,000.00
3425 EMS Fees	3425	\$ 1,484,018.63	\$ 1,417,487.01	\$ 2,044,297.47	\$ 1,600,000.00	\$ 2,400,000.00
3430 Standby Fees	3430	\$ 156,865.30	\$ 171,514.01	\$ 58,861.52	\$ 140,000.00	\$ 145,000.00
3431 Standby Fees - Wildland	3431	\$ 358,441.51	\$ 475,668.60	\$ 270,178.36	\$ 375,000.00	\$ 400,000.00
3451 Education fees	3451	\$ 2,678.60	\$ 620.00	\$ 700.00	\$ 2,500.00	\$ 2,500.00
3452 Fees	3452	\$ 222,770.86	\$ 330,848.16	\$ 236,473.98	\$ 270,000.00	\$ 260,000.00
3610 Interest revenue	3610	\$ 55,868.21	\$ 240,079.97	\$ 137,115.13	\$ 145,000.00	\$ 185,000.00
3670 Proceeds from Capital Leases	3670	\$ -	\$ 275,000.00	\$ -		
3690 Miscellaneous income	3690	\$ 124,024.53	\$ 14,638.06	\$ 43,758.81	\$ 15,000.00	\$ 20,000.00
3804 Grant income - operating	3804	\$ 144,519.00	\$ 21,798.74	\$ 31,148.00	\$ 5,500.00	\$ 5,500.00
3880 Fund balance appropriations	3880				\$ 1,985,874.00	
Total District Operating Revenue:		\$ 7,582,357.74	\$ 7,981,501.81	\$ 4,627,598.51	\$ 9,567,874.00	\$ 10,733,000.00
District Operating Expense:						
Personal Services						
Salaries & wages						
4110 Payroll-regular FT	4110	\$ 4,258,784.22	\$ 4,387,580.28	\$ 3,650,551.14	\$ 4,400,480.93	\$ 5,015,150.99
4111 Payroll-Regular PT	4111	\$ 73,761.62	\$ 68,967.67	\$ 33,451.42	\$ 85,814.41	\$ 76,310.34
4112.01 Payroll-PP-Call	4112.01	\$ 19,464.90	\$ 7,942.99	\$ 3,087.72	\$ 10,000.00	\$ 10,000.00
4112.02 Payroll - Standby	4112.02	\$ 59,420.96	\$ 46,794.37	\$ 8,756.42	\$ 60,000.00	\$ 60,000.00
4112.03 Payroll - Wildland	4112.03	\$ 170,437.02	\$ 199,026.46	\$ 182,725.81	\$ 258,582.95	\$ 215,479.89
4113 Payroll-Overtime	4113	\$ 125,201.62	\$ 221,331.98	\$ 100,933.90	\$ 233,897.46	\$ 265,058.23
4114 Payroll-Sick Leave paid	4114	\$ 15,074.87	\$ 38,550.79	\$ -	\$ 20,000.00	\$ 35,000.00
Total Salaries & wages		\$ 4,722,145.21	\$ 4,970,194.54	\$ 3,979,506.41	\$ 5,068,775.76	\$ 5,676,999.45
Benefits						
4131 Social security & medicare	4131	\$ 360,093.16	\$ 379,708.56	\$ 299,908.08	\$ 423,192.26	\$ 460,104.61
4132 Retirement	4132	\$ 677,766.76	\$ 737,147.78	\$ 630,424.05	\$ 894,579.61	\$ 1,010,221.38
4133 Group insurance	4133	\$ 1,093,724.00	\$ 1,152,017.12	\$ 764,998.55	\$ 1,058,408.00	\$ 1,255,478.20
4134 State Unemployment	4134	\$ 4,954.86	\$ -	\$ -		
4135 Workers Compensation	4135	\$ 161,858.00	\$ 104,334.00	\$ 35,175.00	\$ 129,147.05	\$ 142,085.99
4136 Health Savings	4136	\$ -	\$ 240,951.53	\$ 188,692.41	\$ 200,600.00	\$ 284,375.00
4150 Participation Incentive		\$ 55,757.08	\$ -	\$ -		
Total Benefits		\$ 2,354,153.86	\$ 2,614,158.99	\$ 1,919,198.09	\$ 2,705,926.93	\$ 3,152,265.18
Other personnel related						
4141 Administrative	4141	\$ 33,395.51	\$ 15,983.44	\$ 6,847.67	\$ 13,000.00	\$ 15,000.00
4144 Uniforms	4144	\$ 66,268.22	\$ 45,145.30	\$ 14,054.93	\$ 45,000.00	\$ 45,000.00
4145 Travel & Training	4145	\$ 229,430.49	\$ 121,165.20	\$ 84,530.33	\$ 100,000.00	\$ 100,000.00
4146 Physicals	4146	\$ 47,855.10	\$ 52,644.00	\$ 49,462.00	\$ 49,000.00	\$ 52,000.00
4147 Memberships, dues, subscriptions	4147	\$ 19,767.10	\$ 17,017.83	\$ 965.38	\$ 20,000.00	\$ 20,000.00
4148 Employee appreciation	4148	\$ 19,597.59	\$ 6,514.79	\$ 2,151.43	\$ 7,500.00	\$ 11,000.00
4149 Education	4149	\$ 21,848.76	\$ 19,844.55	\$ 29,646.25	\$ 30,000.00	\$ 30,000.00
Total Other personnel related		\$ 438,162.77	\$ 278,315.11	\$ 187,657.99	\$ 264,500.00	\$ 273,000.00
Total Personal Services		\$ 7,514,461.84	\$ 7,862,668.64	\$ 6,086,362.49	\$ 8,039,202.68	\$ 9,102,264.62
Supplies and Utilities						
Administrative Supplies						
4241 Office supplies	4241	\$ 13,002.70	\$ 2,999.42	\$ 7,137.29	\$ 5,000.00	\$ 5,000.00
Total Administrative Supplies		\$ 13,002.70	\$ 2,999.42	\$ 7,137.29	\$ 5,000.00	\$ 5,000.00
Utilities						
4281 Electricity	4281	\$ 32,826.37	\$ 37,115.26	\$ 25,460.69	\$ 33,000.00	\$ 35,000.00
4282 Natural Gas	4282	\$ 15,746.21	\$ 21,526.17	\$ 12,986.11	\$ 22,000.00	\$ 23,000.00
4283 Water	4283	\$ 7,203.57	\$ 6,954.47	\$ 7,012.95	\$ 9,000.00	\$ 9,000.00
4284 Garbage collection	4284	\$ 6,812.46	\$ 4,733.22	\$ 2,955.83	\$ 4,500.00	\$ 5,100.00
4290 Telephone & communications	4290	\$ 21,851.02	\$ 20,072.39	\$ 10,466.15	\$ 12,000.00	\$ 18,000.00
4291 Network connectivity	4291	\$ 8,570.20	\$ 20,514.91	\$ 15,516.45	\$ 21,000.00	\$ 25,000.00
Total Utilities		\$ 93,009.83	\$ 110,916.42	\$ 74,398.18	\$ 101,500.00	\$ 115,100.00
Total Supplies and Utilities		\$ 106,012.53	\$ 113,915.84	\$ 81,535.47	\$ 106,500.00	\$ 120,100.00
Professional Services						
4311 Medical control	4311	\$ 33,030.00	\$ 30,250.00	\$ 24,750.00	\$ 33,000.00	\$ 34,000.00
4312 Legal services	4312	\$ 12,000.00	\$ 22,015.00	\$ 4,645.00	\$ 30,000.00	\$ 30,000.00
4313 Accounting and auditing	4313	\$ 38,819.00	\$ 24,543.92	\$ 24,764.56	\$ 20,000.00	\$ 25,000.00
4314 Billing	4314	\$ 79,028.01	\$ 73,309.10	\$ 110,303.29	\$ 80,000.00	\$ 110,000.00
4315 Insurance	4315	\$ 170,927.00	\$ 199,418.00	\$ 160,058.00	\$ 195,000.00	\$ 215,000.00
Total Professional Services		\$ 333,804.01	\$ 349,536.02	\$ 324,520.85	\$ 358,000.00	\$ 414,000.00

Operations											
4410 Operating supplies	4410	\$	20,786.12	\$	8,556.99	\$	2,255.22	\$	11,000.00	\$	11,000.00
4411 EMS Supplies	4411	\$	145,848.66	\$	144,447.84	\$	107,632.37	\$	125,000.00	\$	125,000.00
4412 PPE	4412	\$	170,729.87	\$	35,100.53	\$	51,641.50	\$	30,000.00	\$	40,000.00
4412.01 Grant Expenditures XXX	4412.01	\$	19,215.35	\$	-	\$	-	\$	-		
4413 Rehab Costs	4413	\$	1,786.10	\$	5,040.40	\$	1,733.47	\$	3,500.00	\$	3,500.00
4415 Fuel	4415	\$	171,384.24	\$	168,311.03	\$	89,592.14	\$	165,000.00	\$	165,000.00
4416 State Ambulance Assessments	4416	\$	-	\$	37,607.96	\$	59,299.42	\$	-	\$	80,000.00
4417 Public education	4417	\$	16,161.52	\$	(6,438.68)	\$	3,310.96	\$	5,000.00	\$	5,000.00
4420 EMS Revenue to Municipal Parties	4420	\$	44,532.00	\$	-	\$	-	\$	-		
4421 Apparatus under cap threshold	4421	\$	13.70	\$	-	\$	9,720.37	\$	-		
4422 Equipment under cap threshold	4422	\$	165,122.17	\$	35,999.04	\$	-	\$	70,000.00	\$	70,000.00
4423 Computer hardware	4423	\$	3,169.65	\$	11,616.97	\$	17,436.58	\$	17,000.00	\$	17,000.00
4424 Computer software	4424	\$	8,076.60	\$	28,718.53	\$	48,717.88	\$	40,000.00	\$	50,000.00
Total Operations		\$	766,825.98	\$	468,960.61	\$	391,339.91	\$	466,500.00	\$	566,500.00
Maintenance											
4551 Vehicle Maintenance	4551	\$	211,344.74	\$	202,552.13	\$	149,705.55	\$	185,000.00	\$	185,000.00
4552 Maintenance-equipment	4552	\$	24,484.51	\$	52,997.86	\$	50,921.65	\$	55,000.00	\$	55,000.00
4553 Buildings Maintenance	4553	\$	84,532.00	\$	87,011.72	\$	91,325.91	\$	55,000.00	\$	55,000.00
Total Maintenance		\$	320,361.25	\$	342,561.71	\$	291,953.11	\$	295,000.00	\$	295,000.00
Capital Outlay											
4741 Equipment purchases	4741	\$	523,224.69	\$	2,572.10	\$	104,894.66	\$	50,000.00	\$	50,000.00
4742 Computer Hardware	4742	\$	16,538.14	\$	5,280.00	\$	-	\$	-		
4743 Computer software	4743	\$	1,155.00	\$	7,852.10	\$	-	\$	-		
Total Capital Outlay		\$	540,917.83	\$	15,704.20	\$	104,894.66	\$	50,000.00	\$	50,000.00
Debt Service											
4801 Debt principal - restricted	4801	\$	-	\$	10,000.00	\$	-	\$	10,000.00		
4803 Debt Principal - Non Restricted											
4811 Capital lease - principal	4811	\$	213,760.57	\$	298,935.72	\$	303,035.59	\$	298,935.72	\$	136,426.64
4812 Capital lease - interest	4812	\$	23,661.24	\$	37,634.66	\$	31,912.19	\$	37,634.66	\$	28,071.00
Total Debt Service		\$	237,421.81	\$	346,570.38	\$	334,947.78	\$	336,570.38	\$	164,497.64
Total District Revenue											
Total District Operating Expense:			9,819,805.25	\$	9,499,917.40	\$	7,615,554.27	\$	9,567,874.00	\$	10,733,000.00
Total District Operations				\$	(1,518,415.59)	\$	(2,987,955.76)				
Fund Balance				\$	6,123,976.00	\$	4,605,560.41				
Available Fund Balance			\$	6,123,976.00	\$	4,605,560.41	\$	1,617,604.65			

Impact Fee

	2020 Actual	2021 Actual	2022 Actual	2022 Budget	2023 Actual	2023 Budget
3420 - Service revenues from cities	\$ -	\$ 58,762.00	\$ 45,613.00	\$ -	\$ -	\$ -
3610 - Interest revenue	\$ -	\$ 1,788.00	\$ 48,331.00	\$ -	\$ -	\$ -
3810 - Impact fees	\$ 726,617.19	\$ 781,816.24	\$ 559,796.00	\$ -	\$ 696,652.59	\$ 696,000.00
3910 - Transfers from general fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total District Operating Revenue:	\$ 726,617.19	\$ 842,366.24	\$ 653,740.00	\$ -	\$ 696,652.59	\$ -
District Operating Expense:						
Capital Outlay						
4220.741 - Capital outlay - Fire Station	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Service						
48033 - Debt principal - non-restricted	\$ 165,742.00	\$ 141,896.00	\$ 141,849.00	\$ -	\$ 265,905.59	\$ 266,000.00
Total Debt Service	\$ 165,742.00	\$ 141,896.00	\$ 141,849.00	\$ -	\$ 265,905.59	\$ 266,000.00
Transfers Out						
4910 - Transfer to general fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4941 - Transfer to capital projects fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4990 - Budgeted increase in fund balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Transfer out	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Total				\$ 430,747.00	\$ 430,000.00	\$ 430,000.00
Beginning Fund Balance				\$ 2,349,112.00		
Ending Fund Balance				\$ 2,779,859.00		

Master

General Fund	2022 Actual	2023 Actual	2024 Actual		
District Operations					
District Operating Revenue:					
3110 - Property tax revenue	\$ 4,314,983.31	4,387,404.74	1,264,703.83	4,387,404.74	1,264,703.83
3111 - TRT Washington County Revenue	\$ 616,544.83	600,817.52	494,748.41	600,817.52	494,748.41
3420 - Service revenues from cities	\$ 101,642.96	45,625.00	45,613.00	45,625.00	45,613.00
3425 - EMS Fees	\$ 1,484,018.63	1,417,487.01	2,044,297.47	1,417,487.01	2,044,297.47
3430 - Standby Fees	\$ 156,865.30	171,514.01	58,861.52	171,514.01	58,861.52
3431 - Standby Fees - Wildland	\$ 358,441.51	475,668.60	270,178.36	475,668.60	270,178.36
3451 - Education fees	\$ 2,678.60	620	700	620	700
3452 - Fees	\$ 222,770.86	330,848.16	236,473.98	330,848.16	236,473.98
3610 - Interest revenue	\$ 55,868.21	240,079.97	137,115.13	240,079.97	137,115.13
3670 - Proceeds from Capital Leases	\$ -	275,000.00	0	275,000.00	0
3690 - Miscellaneous income	\$ 124,024.53	14,638.06	43,758.81	14,638.06	43,758.81
3801 - Impact fees	\$ (0.33)		1.8		1.8
3802 - Contributions	\$ -	0		0	
3804 - Grant income - operating	\$ 144,519.00	21,798.74	31,148.00	21,798.74	31,148.00
3805 - Grant income - capital	\$ -				0
3880 - Fund balance appropriations	\$ -				
3941 - Transfer from capital projects fund	\$ -		0		0
3990 - Appropriation of prior year taxes	\$ -				
Total District Operating Revenue:	\$ 7,582,357.41	7,981,501.81	4,627,600.31	7,981,501.81	4,627,600.31
District Operating Expense:					
Personal Services					
Salaries & wages					
4110 - Payroll-regular FT	\$ 4,258,784.22	4,387,580.28	3,650,551.14	4,387,580.28	3,650,551.14
4111 - Payroll-Regular PT	\$ 73,761.62	68,967.67	33,451.42	68,967.67	33,451.42
4112.01 - Payroll-PP-Call	\$ 19,464.90	7,942.99	3,087.72	7,942.99	3,087.72
4112.02 - Payroll - Standby	\$ 59,420.96	46,794.37	8,756.42	46,794.37	8,756.42
4112.03 - Payroll - Wildland	\$ 170,437.02	199,026.46	182,725.81	199,026.46	182,725.81
4113 - Payroll-Overtime	\$ 125,201.62	221,331.98	100,933.90	221,331.98	100,933.90
4114 - Payroll-Sick Leave paid	\$ 15,074.87	38,550.79	0	38,550.79	0
Total Salaries & wages	\$ 4,722,145.21	4,970,194.54	3,979,506.41	4,970,194.54	3,979,506.41
Benefits					
4131 - Social security & medicare	\$ 360,093.16	379,708.56	299,908.08	379,708.56	299,908.08
4132 - Retirement	\$ 677,766.76	737,147.78	630,424.05	737,147.78	630,424.05
4133 - Group insurance	\$ 1,093,724.00	1,152,017.12	764,998.55	1,152,017.12	764,998.55
4134 - State Unemployment	\$ 4,954.86			104,334.00	
4135 - Workers Compensation	\$ 161,858.00	104,334.00	35,175.00	240,951.53	35,175.00
4136 - Health Savings	\$ -	240,951.53	188,692.41	2,614,158.99	188,692.41
Total Benefits	\$ 2,298,396.78	2,614,158.99	1,919,198.09		1,919,198.09
Other personnel related					
4141 - Administrative	\$ 33,395.51	15,983.44	6,847.67	15,983.44	6,847.67
4144 - Uniforms	\$ 66,268.22	45,145.30	14,054.93	45,145.30	14,054.93
4145 - Training	\$ 229,430.49	121,165.20	84,530.33	121,165.20	84,530.33
4146 - Physicals	\$ 47,855.10	52,644.00	49,462.00	52,644.00	49,462.00
4147 - Memberships, dues, subscriptions	\$ 19,767.10	17,017.83	965.38	17,017.83	965.38
4148 - Employee appreciation	\$ 19,597.59	6,514.79	2,151.43	6,514.79	2,151.43
4149 - Education	\$ 21,848.76	19,844.55	29,646.25	19,844.55	29,646.25
4150 - Participation Incentive	\$ 55,757.08				
Total Other personnel related	\$ 493,919.85	278,315.11	187,657.99	278,315.11	187,657.99
Total Personal Services	\$ 7,514,461.84	7,862,668.64	6,086,362.49	7,862,668.64	6,086,362.49
Supplies and Utilities					
Administrative Supplies					
4241 - Office supplies	\$ 13,002.70	2,999.42	7,137.29	2,999.42	7,137.29
Total Administrative Supplies	\$ 13,002.70	2,999.42	7,137.29	2,999.42	7,137.29
Utilities					
4281 - Electricity	\$ 32,826.37	37,115.26	25,460.69	37,115.26	25,460.69
4282 - Natural Gas	\$ 15,746.21	21,526.17	12,986.11	21,526.17	12,986.11
4283 - Water	\$ 7,203.57	6,954.47	7,012.95	6,954.47	7,012.95
4284 - Garbage collection	\$ 6,812.46	4,733.22	2,955.83	4,733.22	2,955.83
4290 - Telephone & communications	\$ 21,851.02	20,072.39	10,466.15	20,072.39	10,466.15
4291 - Network connectivity	\$ 8,570.20	20,514.91	15,516.45	20,514.91	15,516.45
Total Utilities	\$ 93,009.83	110,916.42	74,398.18	110,916.42	74,398.18

Total Supplies and Utilities	\$	106,012.53	113,915.84	81,535.47	113,915.84	81,535.47
Professional Services						
4311 - Medical control	\$	33,030.00	30,250.00	24,750.00	30,250.00	24,750.00
4312 - Legal services	\$	12,000.00	22,015.00	4,645.00	22,015.00	4,645.00
4313 - Accounting and auditing	\$	38,819.00	24,543.92	24,764.56	24,543.92	24,764.56
4314 - Billing	\$	79,028.01	73,309.10	110,303.29	73,309.10	110,303.29
4315 - Insurance	\$	170,927.00	199,418.00	160,058.00	199,418.00	160,058.00
Total Professional Services	\$	333,804.01	349,536.02	324,520.85	349,536.02	324,520.85
Operations						
4410 - Operating supplies	\$	20,786.12	8,556.99	2,255.22	8,556.99	2,255.22
4411 - EMS Supplies	\$	145,848.66	144,447.84	107,632.37	144,447.84	107,632.37
4412 - PPE	\$	170,729.87	35,100.53	51,641.50	35,100.53	51,641.50
4412.01 - Grant Expenditures XXX	\$	19,215.35				
4413 - Rehab Costs	\$	1,786.10	5,040.40	1,733.47	5,040.40	1,733.47
4415 - Fuel	\$	171,384.24	168,311.03	89,592.14	168,311.03	89,592.14
4416 - State Ambulance Assessments	\$	-	37,607.96	59,299.42	37,607.96	59,299.42
4417 - Public education	\$	16,161.52	-6,438.68	3,310.96	-6,438.68	3,310.96
4419 - Equipment Rental	\$	-				
4420 - EMS Revenue to Hurricane (prior year)	\$	44,532.00				
4421 - Apparatus under cap threshold	\$	13.70	0	9,720.37	0	9,720.37
4422 - Equipment under cap threshold	\$	165,122.17	35,999.04	0	35,999.04	0
4423 - Computer hardware	\$	3,169.65	11,616.97	17,436.58	11,616.97	17,436.58
4424 - Computer software	\$	8,076.60	28,718.53	48,717.88	28,718.53	48,717.88
Total Operations	\$	766,825.98	468,960.61	391,339.91	468,960.61	391,339.91
Maintenance						
4551 - Vehicle Maintenance	\$	211,344.74	202,552.13	149,705.55	202,552.13	149,705.55
4552 - Maintenance-equipment	\$	24,484.51	52,997.86	50,921.65	52,997.86	50,921.65
4553 - Buildings Maintenance	\$	84,532.00	87,011.72	91,325.91	87,011.72	91,325.91
Total Maintenance	\$	320,361.25	342,561.71	291,953.11	342,561.71	291,953.11
Capital Outlay						
4741 - Equipment purchases	\$	523,224.69	2,572.10	104,894.66	2,572.10	104,894.66
4742 - Computer Hardware	\$	16,538.14	5,280.00	0	5,280.00	0
4743 - Computer software	\$	1,155.00	7,852.10	0	7,852.10	0
Total Capital Outlay	\$	540,917.83		104,894.66		104,894.66
Debt Service						
4801 - Debt principal - restricted	\$	-	10,000.00		10,000.00	
4802 - Debt interest - restricted	\$	-				
4803 - Debt principal - non-restricted	\$	-		-10,772.50		-10,772.50
4804 - Debt interest - non-restricted	\$	-	0		0	
4811 - Capital lease - principal	\$	213,760.57	298,935.72	303,035.59	298,935.72	303,035.59
4812 - Capital lease - interest	\$	23,661.24	37,634.66	31,912.19	37,634.66	31,912.19
Total Debt Service	\$	237,421.81	346,570.38	324,175.28	346,570.38	324,175.28
Transfers Out						
3942 - Transfer from impact fee fund	\$	-		\$ -		
4941 - Transfer to Capital Projects	\$	-		\$ -		
4942 - Transfer to impact fee fund	\$	-		\$ -		
4980 - Contribution to fund balance	\$	-		\$ -		
Total Transfers Out	\$	-		\$ -		

Capital Fund

\$ (4,236,218.20)

Capital Projects

	2020 Actual	2021 Actual	2022 Actual	2022 Budget	2023 Actual	Original Budget	2024 Option 1
R 3340 - Grant revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
R 3670 - Capital lease proceeds	\$ -	\$ -	\$ 797,116.44	\$ -	\$ -	\$ -	\$ -
R 3810 - Impact fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
R 3830 - Contributions from Virgin	\$ -	\$ -	\$ -	\$ -	\$ 215,434.00	\$ 215,000.00	\$ -
R 3831 - Misc. Revenue	\$ -	\$ 525,460.00	\$ -	\$ -	\$ -	\$ -	\$ -
R 3890 - Beginning Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
R 3910 - Transfer from Fire Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
R 3942 - Transfer from impact fee fund	\$ -	\$ 525,460.00	\$ 797,116.44	\$ -	\$ 215,434.00	\$ -	\$ -
Total District Operating Revenue:							
District Operating Expense:							
Capital Outlay							
E 4220.710 - Capital Purchases	\$ 321,916.99	\$ 1,353,546.80	\$ 31,455.00	\$ -	\$ 549,548.02	\$ 550,000.00	\$ -
E 4220.740 - Capital outlay - Virgin Fire Station	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
E 4220.741 - Capital outlay - Laverkin Fire Station	\$ 2,728.95	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
E 4220.840 - Capital Outlay - Toquerville Station	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
E 4220.841 - Capital Outlay - Coral Canyon Station	\$ 383.77	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
E 4810 - Transfer to Fire Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
E 4890 - Budgeted increase in fund balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Capital Outlay	\$ 325,029.71	\$ 1,353,546.80	\$ 31,455.00	\$ -	\$ 549,548.02	\$ -	\$ -
Beginning Fund Balance				\$ 424,259.00			
Ending Fund Balance				\$ 90,144.98			



STAFF COMMENTS

Consideration and possible approval of **Resolution 2024-36 approving the Second Amendment and Renewal of the Interlocal Cooperation Agreement Regarding the Distribution of RAP Tax Revenue** in Washington County, Utah

Discussion:

The Recreation, Arts, and Parks tax will be on the November ballot. The County and municipalities currently have an agreement regarding the distribution of RAP tax revenue in Washington County, but that agreement is set to expire next year. The second amendment would extend the term of the existing revenue distribution agreement to 2035 (which would cover the life of the renewed RAP tax if it passes), and it would allow the County to collect an administrative fee from the RAP tax revenue to cover the costs association with administering the RAP tax. - Cindy Beteag

Findings:

Recommendation:

Attachments:

1. Resolution 2024-36 Approving the 2nd amendment and renewal on Interlocal for RAP Tax
2. Second Amendment and Renewal of RAP Tax Revenue
3. First Amended Interlocal RAP Tax Revenue

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF HURRICANE, UTAH, APPROVING
THE SECOND AMENDMENT OF THE RAP TAX INTERLOCAL AGREEMENT**

WHEREAS, in the 2014 General Election in Washington County the voters voted in favor of the imposition of the Washington County Recreation, Arts, and Parks Tax (“RAP Tax”), Utah Code Section 59-12-701 *et seq.*; and

WHEREAS, the RAP Tax permits counties and municipalities to enhance recreational facilities, cultural facilities, and cultural organizations, and

WHEREAS, revenue collected from the RAP Tax can only be used to fund recreational and cultural facilities and cultural organizations within the Washington County, and

WHEREAS, the County and municipalities previously entered into an interlocal agreement, which established the RAP Tax distribution formula between the County and municipalities, and

WHEREAS, an Opinion Question for the RAP Tax has been included on the Ballot of the Washington County General Election on November 5, 2024, and

WHEREAS, if the RAP Tax passes and is renewed for an additional 10 years the County and municipalities desire to amend and extend the interlocal agreement; and

WHEREAS, it is in the best interest of the citizens of Hurricane City for this interlocal agreement to be amended and extended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hurricane, Utah that the attached SECOND AMENDMENT AND RENEWAL OF THE INTERLOCAL COOPERATION AGREEMENT REGARDING THE DISTRIBUTION OF RAP TAX REVENUE IN WASHINGTON COUNTY, UTAH is approved and shall be executed.

PASSED AND APPROVED THIS 3rd day of October, 2024.

Nanette Billings, Mayor

ATTEST:

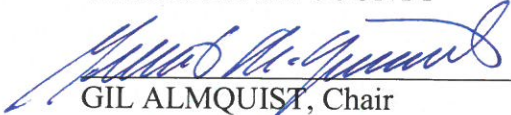
Cindy Beteag, Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 3rd day of October 2024. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Clark Fawcett	_____	_____	_____	_____
Drew Ellerman	_____	_____	_____	_____
Joseph Prete	_____	_____	_____	_____

Cindy Beteag, Recorder

WASHINGTON COUNTY


GIL ALMQUIST, Chair
Washington County Commission

ATTEST:



Ryan Sullivan
Washington County Clerk-Auditor

Approved as to Form:



Deputy Washington County Attorney

Commissioner Almquist voted Aye
Commissioner Iverson voted Aye
Commissioner Snow voted Aye

932.1

**SECOND AMENDMENT AND RENEWAL OF THE INTERLOCAL COOPERATION
AGREEMENT REGARDING THE DISTRIBUTION OF RAP TAX REVENUE IN
WASHINGTON COUNTY, UTAH**

This Second Amendment to Interlocal Cooperation Agreement Regarding the Distribution of RAP Tax Revenue (the "Amendment") is made and entered into by and between Washington County, a political subdivision of the State of Utah (the "County") and the City of St. George, a Utah municipal corporation ("St. George"), the City of Washington, a Utah municipal corporation ("Washington"), the City of Hurricane, a Utah municipal corporation ("Hurricane"), the City of Santa Clara, a Utah municipal corporation ("Santa Clara"), the City of Ivins, a Utah municipal corporation ("Ivins"), the City of Enterprise, a Utah municipal corporation ("Enterprise"), the City of Toquerville, a Utah municipal corporation ("Toquerville"), the City of LaVerkin, a Utah municipal corporation ("LaVerkin"), the City of Springdale, a Utah municipal corporation ("Springdale"), the Town of Leeds, a Utah municipal corporation ("Leeds"), the Town of Virgin, a Utah municipal corporation ("Virgin"), the Town of Rockville, a Utah municipal corporation ("Rockville"), the Town of Apple Valley, a Utah municipal corporation ("Apple Valley"), the Town of Hildale, a Utah municipal corporation ("Hildale"), and the Town of New Harmony, a Utah municipal corporation ("New Harmony"). The Cities and Towns will collectively be referred to as "Municipalities". Municipalities and County will collectively be referred to as "Parties".

The Purpose of this Amendment is to renew, extend, and otherwise amend the interlocal agreement previously entered into by the Parties regarding the RAP Tax. The Parties previously entered into the Interlocal Cooperation Agreements Regarding Rap Tax, which were subsequently amended and superseded by the First Amended Interlocal Cooperation Agreement Regarding the Distribution of RAP Tax Revenue in Washington County (the "Current Agreement"). This Amendment is effective as of September 17, 2024.

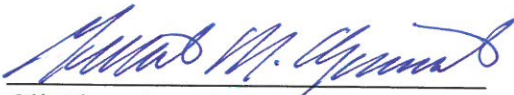
AGREEMENT

The Parties hereby amend the Current Agreement as follows:

1. **Renewal and Extension.** Subparagraphs 5(a) and 5(b) of the Current Agreement are amended to extend the term of the Current Agreement through December 31, 2035.
2. **Administrative Fee and Distribution of RAP Tax Revenue.** Paragraph 2 of the Current Agreement is amended to add the following sentence before the remainder of Paragraph 2: "Washington County shall retain 1.5% of Rap Tax collected to pay for the costs associated with administering the RAP Tax, as permitted by Utah Code Ann. § 59-12-704(11)." The remaining 98.5% of the Rap Tax collected shall be distributed as established in the remainder of Sections 2 and 3 of the Current Agreement.
3. **Unchanged Provisions.** The Parties hereby agree that except as otherwise specifically provided in this Amendment, all other provisions of the Current Agreement shall remain in full force and effect through the Term as established.

4. **RAP Election.** In the event the RAP Tax is not renewed in the November 2024 election, the Current Agreement will terminate as of December 31, 2025.

WASHINGTON COUNTY



Gil Almquist, Chair, Washington County Commission

9-17-24

Date

ATTEST:

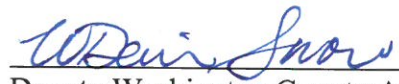


Ryan Sullivan, County Clerk-Auditor

9/18/2024

Date

Approved as to form:



Devin Snow
Deputy Washington County Attorney

9/18/24

Date

CITY OF ST. GEORGE

Michelle Randall, Mayor, City of St. George

Date

ATTEST:

Christina Fernandez, City Recorder

Date

Approved as to form:

Ryan Dooley, City Attorney

Date

CITY OF ENTERPRISE

Brandon Humphries, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

CITY OF HURRICANE

Nanette Billings, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

Dayton Hall, City Attorney

Date

Attorney Printed Name

CITY OF HILDALE

Donia Jessop, Mayor

Date _____

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

CITY OF IVINS

Chris Hart, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

Bryan Pack, City Attorney

Date

Attorney Printed Name

CITY OF LAVERKIN

Kerry Wilson, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

CITY OF SANTA CLARA

Rick Rosenberg, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

CITY OF WASHINGTON

Kress Staheli, Mayor Date _____

ATTEST:

Date _____

Printed Name and Title

Approved as to form:

Thad Seegmiller, City Attorney Date _____

Attorney Printed Name

TOWN OF APPLE VALLEY

Mike Farrar, Mayor Date _____

ATTEST:

Date _____

Printed Name and Title

Approved as to form:

City Attorney Date _____

Attorney Printed Name

TOWN OF LEEDS

Bill Hoster, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF NEW HARMONY

Lowell Prince, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF ROCKVILLE

Pam Leach, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF SPRINGDALE

Barbara Bruno, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF TOQUERVILLE

Justin Sip, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF VIRGIN

Jean Krause, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

Exhibit B

FIRST AMENDED INTERLOCAL COOPERATION AGREEMENT REGARDING THE DISTRIBUTION OF RAP TAX REVENUE IN WASHINGTON COUNTY

THIS AGREEMENT ("Agreement") is made and entered into by and between Washington County, a political subdivision of the State of Utah (the "County") and the City of St. George, a Utah municipal corporation ("St. George"), the City of Washington, a Utah municipal corporation ("Washington"), the City of Hurricane, a Utah municipal corporation ("Hurricane"), the City of Santa Clara, a Utah municipal corporation ("Santa Clara"), the City of Ivins, a Utah municipal corporation ("Ivins"), the City of Enterprise, a Utah municipal corporation ("Enterprise"), the City of Toquerville, a Utah municipal corporation ("Toquerville"), the City of LaVerkin, a Utah municipal corporation ("LaVerkin"), the City of Springdale, a Utah municipal corporation ("Springdale"), the Town of Leeds, a Utah municipal corporation ("Leeds"), the Town of Virgin, a Utah municipal corporation ("Virgin"), the Town of Rockville, a Utah municipal corporation ("Rockville"), the Town of Apple Valley a Utah municipal corporation ("Apple Valley") the Town of Hildale a Utah municipal corporation ("Hildale") and the Town of New Harmony a Utah municipal corporation ("New Harmony"). The municipalities shall collectively be referred to as "Municipalities," and the Municipalities and the County shall collectively be referred to as the "Parties." The purpose of the Agreement is to establish binding funding distribution guidelines for any revenue derived from a county-wide sales and use tax for funding recreational and cultural organizations and facilities.

RECITALS

- A. Through a ballot opinion question included in the November 4, 2014, general election, the voters of Washington County voiced their opinion on whether the County should impose a sales and use tax of one-tenth of one percent to fund recreational and cultural organizations and facilities ("RAP tax") in accordance with Utah Code Section 59-12-701 et seq.;
- B. In the canvas of the general election, the county commission accepted that a majority of the ballots cast were in favor of the imposition of a RAP tax;
- C. The county commission approved the RAP tax, and the tax became operative on April 1, 2015
- D. Prior to the imposition of the RAP tax, the Parties entered in an interlocal agreement regarding the distribution of potential RAP tax revenue in order to allow voters to make an informed decision regarding the proposed RAP tax—this Amended Agreement maintains the same distribution formula;
- E. The Parties are authorized under the Utah Interlocal Cooperation Act, Utah Code Section 11-13-215 ("Interlocal Act") and also under Utah Code Section 59-12-704(6)(b), to enter into this Agreement regarding the sharing of RAP tax revenue;

F. An interlocal agreement stating how RAP tax revenue will be distributed is necessary in order for municipalities to use the revenue to secure funding for recreational and cultural organizations and facilities ;

G. This distribution of RAP tax revenue described in this Agreement is fair to county residents and will ensure that the cities and county work together to improve recreation, arts, and parks throughout Washington County; and

H. The purposes of this Amended Agreement ("Agreement") is to (1) clarify that the County will seek the advice of an advisory board regarding the distribution of RAP tax revenue to cultural organizations (as defined in Utah Code Section 59-12-702), but that Municipalities are not obligated to seek advice from the county-appointed advisory board for distribution of RAP tax revenue to cultural organizations; and to (2) clarify that County and Municipalities are allowed to fund ongoing operating expenses for recreational and cultural facilities with RAP tax revenue.

AGREEMENT

NOW, THEREFORE, in consideration of the promises and covenants hereinafter contained, the parties agree as follows:

1. **Expenditure of RAP Tax Revenue.** Utah Code Section 59-12-703 authorizes the County and the Municipalities to expend RAP tax revenues collected annually in accordance with Utah Code Section 59-12-701 et seq. ("the Act") to fund cultural and recreational facilities as well as to fund the ongoing operating expenses of recreational and cultural facilities within the County and Municipalities.

2. **Distribution of RAP Tax Revenue.** Washington County is, as of the date of this Agreement, a county of the second class, and the distribution of the total revenue collected annually in accordance with the Act shall be as follows:

(a) Fifteen percent (15%) shall be appropriated for cultural organizations and shall be further distributed by the County as described in Section 4 below; and

(b) The remaining eighty-five percent (85%) shall be distributed to the Parties as described in Section 3 below, for use in accordance with the Act.

3. **Distribution to Parties.** The distribution of the eighty-five percent (85%) under Section 2(b) to the Parties shall be divided as follows:

(a) Sixty-seven percent (67%) (of the eighty-five percent (85%)) shall be divided among the Parties based on the population as determined from the most recent U.S. Census; Washington County's portion shall be based on the population of the unincorporated area of the county;

(b) Thirty-three percent (33%) (of the eighty-five percent (85%)) shall be divided among the Parties based on "point of sale," or in other words based on where the sales and

use tax was collected; Washington County's portion shall be based on sales that take place in the unincorporated area of the county.

4. Advisory Board; Distribution to Cultural Organizations.

An advisory board has been created by Washington County, pursuant to Washington County Code Section 8-12-6, to provide recommendations and input on the distribution of RAP tax revenue appropriated by the County for cultural organizations.

(a) The Municipalities may choose to utilize the advisory board, but are not obligated to do so. Each Municipality may establish, a procedure for considering applications from and distributing RAP tax revenue to cultural organizations.

(b) Any distribution of RAP tax revenue by the County or a Municipality to a cultural organization shall be made in compliance with applicable state law(s).

5. Term.

(a) This agreement shall take effect when it is executed by Washington County and one of the municipalities. The term of the Agreement shall end on December 31, 2025, which is when the RAP tax will expire, unless renewed as provided by law and agreed upon by the Parties in writing.

(b) The Parties intend that the allocations herein of revenues provide a funding source for the projects a party may undertake that may continue throughout the term of any debt obligations issued to finance such project. This Agreement shall be irrevocable and shall continue unmodified through December 31, 2025, unless changed by mutual agreement in writing by each Party.

6. Governmental Immunity. The Parties are governmental entities and subject to the Governmental Immunity Act of Utah, Utah Code Ann. § 63G-7-101, et seq. ("Immunity Act"). The Parties agree that they shall only be liable within the parameters of the Immunity Act. Nothing in this Agreement shall be deemed a waiver of any rights, statutory limitations on liability, or defenses applicable to the Parties under the Immunity Act.

7. Legal Compliance. The Parties, as part of the consideration herein, shall comply with all applicable federal, state and local laws, and shall indemnify, defend, and hold one another harmless from and against any respective claims, actions, proceedings, damages or losses resulting from or arising as a result of any such failure of compliance.

8. Interlocal Agreement. In satisfaction of the requirements of the Interlocal Act the Parties agree as follows:

(a) This Agreement shall be approved by each party, pursuant to § 11-13-202.5 of the Interlocal Act;

(b) This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each party, pursuant to § 11-13-202.5 of the Interlocal Act;

(c) A duly executed original counterpart of the Agreement shall be filed with the keeper of records of each party, pursuant to § 11-13-209 of the Interlocal Act;

(d) Each party shall be responsible for its own costs of any action done pursuant to this Agreement, and for any financing of such costs; and

(e) No separate legal entity is created by the terms of this Agreement. To the extent that this Agreement requires administration other than as set forth herein, it shall be administered by the County Commission and mayors of signatory municipalities acting as a joint board. No real or personal property shall be acquired jointly by the parties as a result of this Agreement. To the extent that a party acquires, holds, and disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such party shall do so in the same manner that it deals with other property of such party.

9. **Counterparts.** This Agreement may be executed in counterparts by the Parties.

10. **Governing Law.** This Agreement shall be governed by the laws of the State of Utah both as to interpretation and performance.

11. **Integration.** Once executed, this Agreement embodies the entire agreement between the Parties and supersedes any prior interlocal agreement(s) between the Parties regarding the distribution of RAP tax revenue. This Agreement shall not be altered except in writing signed by both parties.

[Signatures follow]

WASHINGTON COUNTY

Alan Gardner
Alan Gardner, Chair, Washington County Commission

6-2-15

Date

ATTEST:

Kim M. Hafen
Kim Hafen, County Clerk-Auditor

6-2-15

Date

Approved as to form:

[Signature]
Deputy Washington County Attorney

6-2-15

Date

CITY OF ST. GEORGE

Jonathan T. Pike
Jonathan T. Pike, Mayor, City of St. George



6-18-15

Date

ATTEST:

Christina Fernandez
Christina Fernandez, City Recorder

6-18-15

Date

Approved as to form:

Shawn M. Guzman 6-17-15
Shawn M. Guzman, City Attorney

6/17/15

Date

CITY OF ENTERPRISE

Lee Bracken, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

CITY OF HURRICANE

John Bramall, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

CITY OF HILDALE

Phillip Barlow, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

CITY OF IVINS

Chris Hart, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

CITY OF LAVERKIN

Kerry Gubler, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

CITY OF SANTA CLARA

Rick Rosenberg, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

CITY OF WASHINGTON

Kenneth Neilson, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF APPLE VALLEY

Richard Moser, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF LEEDS

Wayne Peterson, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF NEW HARMONY

Joel Webster, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF ROCKVILLE

Tracy N. Dutson, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF SPRINGDALE

Stan Smith, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF TOQUERVILLE

Darrin LeFevre, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name

TOWN OF VIRGIN

Bruce Densley, Mayor

Date

ATTEST:

Date

Printed Name and Title

Approved as to form:

City Attorney

Date

Attorney Printed Name



STAFF COMMENTS

Resolution No. 2024-37: Consideration and **possible adoption of an update to the General Plan for a comprehensive amendment to the Future Land Use Map.**

Discussion:

It is proposed that a number of changes to the Future Land Use Map in the general plan be approved and adopted. The Future Land Use Map, often called a “General Plan Map”, is the guiding document for land use and zoning policy within the city. The currently proposed changes will align the map with existing zoning and development conditions in the city, and also, will reflect the city leadership’s stated policy preferences for future growth in key areas of the city.

Key Changes Proposed:

- Update the general plan designation for “The Fields” area from Single Family to Rural Residential.
- Update the general plan designation for the Sand Mountain area from Natural Open Space to Recreational Open Space.
- Expanded Industrial/Business designations.

The Planning Commission gave a unanimous recommendation to adopt the proposed amendments.

Recommendation:

Staff recommends approval and adoption of the proposed amendments to the Future Land Use Map in the General Plan. --Gary Cupp

Findings:

Recommendation:

Attachments:

1. Future Land Use Map Amendments CC Staff Report
2. Resolution 2024-37 General Plan Future Land Use Map
3. General Plan Land Use Map_36x36



STAFF COMMENTS

Agenda Date:	10/3/2024
Application Number:	N/A
Type of Application:	General Plan Amendment
Action Type:	Legislative
Applicant:	Hurricane City
Agent:	N/A
Request:	Approve and Adopt
Report Prepared By:	Gary Cupp

Discussion:

It is proposed that a number of changes to the Future Land Use Map in the general plan be approved and adopted. The Future Land Use Map, often called a “General Plan Map”, is the guiding document for land use and zoning policy within the city. It is advisory in nature, and the city is not bound to adopt the zoning recommended by the General Plan Map which can, and should, be amended from time to time. The currently proposed changes will align the map with existing zoning and development conditions in the city, and also, will reflect the city leadership’s stated policy preferences for future growth in key areas of the city.

Key Changes Proposed:

- Update the general plan designation for “The Fields” area from Single Family to Rural Residential.
- Update the general plan designation for the Sand Mountain area from Natural Open Space to Recreational Open Space.
- Expanded Industrial/Business designations.

Recommendation:

Staff recommends approval and adoption of the proposed amendments to the Future Land Use Map in the General Plan.

A RESOLUTION BY THE HURRICANE CITY COUNCIL
ADOPTING AN UPDATE TO THE GENERAL PLAN ADOPTING A COMPREHENSIVE
AMENDMENT TO THE FUTURE LAND USE MAP

WHEREAS Hurricane City desires to protect the health, safety, and welfare of its citizens;
and

WHEREAS the state gives Cities authority to control land uses within their borders; and

WHEREAS Hurricane City has a desire to update the Future Land Use Map; and

WHEREAS the Planning Commission gave a unanimous recommendation of approval; and

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF HURRICANE, UTAH that
the attached Future Land Use Map be adopted by as part of Hurricane City’s General Plan.

PASSED AND APPROVED this _____ day of _____, 2024

Nanette Billings, Mayor

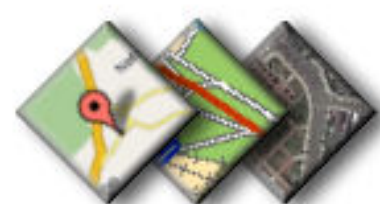
ATTEST:

Cindy Beteag, City Recorder

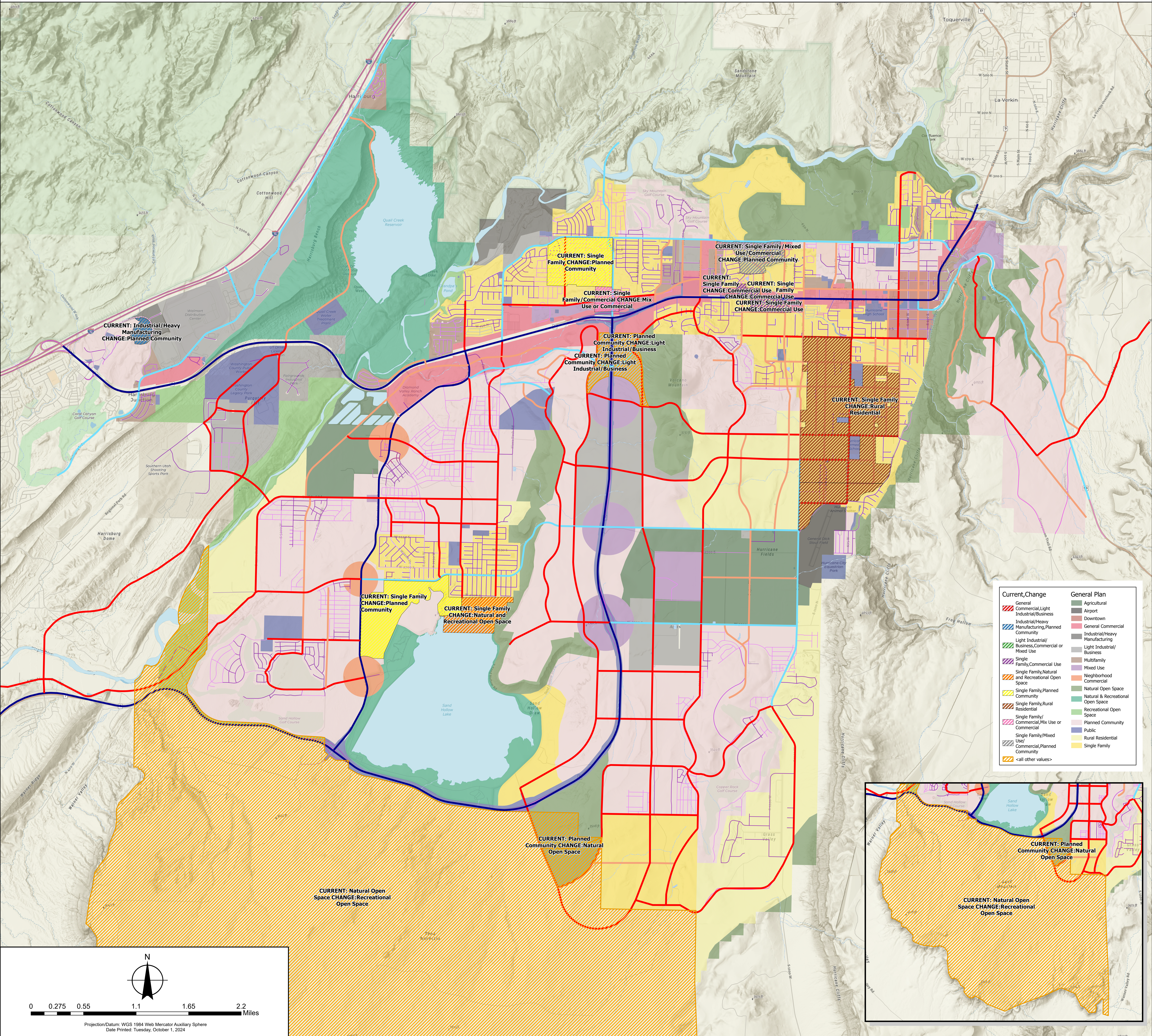
The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 3rd day of October 2024. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	_____	_____	_____	_____
Clark Fawcett	_____	_____	_____	_____
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Drew Ellerman	_____	_____	_____	_____

Cindy Beteag



Future Land Use General Plan





STAFF COMMENTS

Consideration and possible approval of **Resolution 2024-38 amending solar base rate charges** - Scott Hughes

Discussion:

The Power Board is scheduled to review this item on Wednesday, October 1st. Since their meeting occurs after the deadline to post the City Council agenda, the item has been included with the expectation that a recommendation will be made. An update will be provided to the Council during the meeting.

Findings:

Recommendation:

Attachments:

1. Resolution 2024-38 Adopting New Power Rate Schedule
2. Exhibit A - Amendment Copy
3. Solar Policy revised 9-24

**A RESOLUTION OF THE CITY COUNCIL OF HURRICANE, UTAH,
ESTABLISHING A NEW POWER RATE SCHEDULE FOR HURRICANE CITY
POWER**

WHEREAS the Hurricane City Council is authorized by Section 10-3-717 of the Utah Code and Section 1-5-6(G)(1) of the Hurricane City Code to establish fees for municipal services; and

WHEREAS Hurricane City Code sections 8-1-4 & 8-4-4 authorize the City Council to set by resolution fees, rates, deposit requirements, and charges associated with municipal power and water services; and

WHEREAS Hurricane City has reevaluated the fiscal effects of all rates previously established for solar customers and determined that the base rate for solar systems larger than 6kW AC could be decreased; and

WHEREAS the City Council desires to ensure power rates, including solar rates, are revenue neutral, and the Power Board has recommended a decrease in some base rates to accomplish revenue neutrality; and

WHEREAS the Hurricane City Council finds that these clarifications and amendments are necessary and desirable for the preservation and protection of the health, safety, and welfare of the residents of Hurricane,

BE IT HEREBY RESOLVED by the Hurricane City Council that base rates charged to Hurricane City Power solar customers that have solar systems larger than 6kW AC shall decrease to a standard \$30.00/month. These updated base charges for all Hurricane City Power service areas are set forth in Exhibit “A” attached hereto. The updated rates and charges set forth in this Resolution shall be effective beginning for electricity usage occurring from October 2024 to November 2024, which will be billed in December 2024.

PASSED AND APPROVED this 3rd day of October 2024.

Nanette Billings, Mayor

Attest:

Cindy Beteag, Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 3rd day of October 2024. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Clark Fawcett	_____	_____	_____	_____
Drew Ellerman	_____	_____	_____	_____
Joseph Prete	_____	_____	_____	_____

Cindy Beteag, Recorder

Exhibit "A" Amendments

Rate Effective
12/1/24 (Oct-Nov
usage)

Residential

Base Charge (Rate 101, 107)			\$	20.00
Plus	Usage		\$	-
	1-800	KWh	\$	0.08946
	801-2000	KWh	\$	0.10222
	2000+	KWh	\$	0.11485
			\$	-

ANALOG METER-Residential

Base Charge (Rate 121)			\$	30.00
Plus	Usage		\$	-
	1-800	KWh	\$	0.08946
	801-2000	KWh	\$	0.10222
	2000+	KWh	\$	0.11485
			\$	-

Electric-Agricultural 1P

Base Charge - Single Phase (Rate 108)			\$	18.00
Plus	All KWh		\$	0.09380
			\$	-
			\$	-

Electric-Agricultural 3P

Base Charge - Three Phase (Rate 111)	All KWh		\$	24.50
Plus			\$	0.10761
			\$	-

Small Commercial 1P

Base Charge - Single Phase (Rate 105)			\$	19.00
Plus	Usage		\$	-
	1-800	KWh	\$	0.10302
	801+	KWh	\$	0.10880
Plus	Demand Charge over 50KWh		\$	8.50
			\$	-

Small Commercial 3P

Base Charge - Three Phase (Rate 106, 112, 113)			\$	24.50
Plus	Usage		\$	-
	1-800	KWh	\$	0.10302
	801+	KWh	\$	0.10880
Plus	Demand Charge over 50KWh		\$	8.50
			\$	-

Alternative Large Commercial Rate - Interruptible 3P

Base Charge - Three Phase (Rate 110)			\$	320.00
Plus	Usage		\$	-
	All KWh		\$	0.06658
	Demand Charge		\$	4.55
			\$	-

Large Commercial 3P

Base Charge - Three Phase (Rate 104)			\$	320.00
Plus	Usage		\$	-
	All KWh		\$	0.06658
Plus	Demand Charge		\$	9.10
			\$	-

Old Commercial Rate			\$	-
Base Charge (Rate 199)			\$	18.50
Plus	Usage		\$	-
	1-800	KWh	\$	0.09209
	801-1500	KWh	\$	0.10525
	1501-26500	KWh	\$	0.10170
	26501+	KWh	\$	0.09183
Plus	Demand Charge over 50KWh		\$	7.60
			\$	-
CITY-1P			\$	-
Base Charge - Single Phase (Rate 102)			\$	18.00
Plus	Usage		\$	-
	1-800	KWh	\$	0.10064
	801+	KWh	\$	0.11051
			\$	-
CITY-3P			\$	-
Base Charge - Three Phase (Rate 103)			\$	24.50
Plus	Usage		\$	-
	1-800	KWh	\$	0.10064
	801+	KWh	\$	0.11051
			\$	-
Electric Production-Solar refund (Rate 177)			\$	(0.04)
			\$	-
OLD Residential Solar			\$	-
Base Charge (Rate 115)			\$	20.00
Plus	Usage		\$	-
	1-800	KWh	\$	0.08946
	801-2000	KWh	\$	0.10222
	2000+	KWh	\$	0.11485
			\$	-
1P Basic System Solar			\$	-
Base Charge (Rate 116)			\$	30.00
Plus	Usage		\$	-
	1-800	KWh	\$	0.08946
	801-2000	KWh	\$	0.10222
	2000+	KWh	\$	0.11485
			\$	-
1P Large System Solar > 6 KW			\$	—
Base Charge (Rate 117)			\$	40.00
Plus—	Usage		\$	—
	1-800	KWh	\$	0.08946
	801-2000	KWh	\$	0.10222
	2000+	KWh	\$	0.11485
			\$	—
			\$	-
1P Large System Solar > 12 KW			\$	—
Base Charge (Rate 119)			\$	50.00
Plus—	Usage		\$	—
	1-800	KWh	\$	0.08946
	801-2000	KWh	\$	0.10222
	2000+	KWh	\$	0.11485
			\$	—
			\$	—

3P Basic System Solar				\$	-
Base Charge - Three Phase (Rate 118)				\$	90.00
Plus	Usage			\$	-
	1-800	KWh		\$	0.10302
	801+	KWh		\$	0.10880
	Demand Charge over 50KWh			\$	8.50
				\$	-
PACIFICORP POWER (OLD UP&L/ROCKY MTN PWR) (Rate 109)					
<u>This is a contracted rate and not subject to rate changes passed</u>					
<u>by resolution</u>					
	All	KWh		\$	0.19487

Grid-Tied Distribution Generation Policy

This Grid-Tied Distribution Generation Policy (“Policy”) applies to all grid-tied distribution generation systems (“Systems”) within the City of Hurricane (“City”) operated by customers (“Customers”) of Hurricane City Power (“HCP”) in which the system is located on the Customer’s side of the City’s electric meter.

The City reserves all rights to refuse or deny an application that does not comply with all stipulations of this policy.

Application Procedures:

To begin the process of approval of a grid-tied distribution generation facility, the customer must obtain an application and complete all requirements including the Grid-Tied Distribution Generation Application Checklist.

Interconnection Review:

The City will review an application to interconnect a System that meets all of the following criteria:

1. Customer has paid the applicable fees.
2. Customer has contacted and listed a prequalified solar installer on application.

System Limits:

The City will allow a limited number of HCP Customers to install Systems, subject to all requirements and conditions of this Policy. The number of Customers’ Systems allowed will be limited by the capacity of each distribution circuit, as determined by HCP.

The aggregate generation capacity on the distribution circuit to which the System will interconnect, including the capacity of the System, shall not contribute more than 10% to the distribution circuit’s maximum fault current at the point on the high voltage (primary) level that is nearest the proposed point of common coupling as determined by the City.

A System’s point of common coupling shall not be on a transmission line or a spot network.

If a System is to be connected to a radial distribution circuit, the aggregate generation capacity connected to the circuit, including that of the System, shall not exceed 15% of the circuit’s total annual peak load, as most recently measured at the substation.

If a single-phase System is to be connected to a transformer center tap neutral of a 240-volt service or a three phase transformer, the addition of the System shall not create an imbalance between the two sides of the 240 volt service or an imbalance of the three phase transformer of more than 20% of nameplate rating of the service transformer.

Circuit/Distribution System Study:

A circuit/distribution system study may be needed to ensure any System installation is not detrimental to the City’s power grid. Whether a circuit/distribution system study is required shall be determined by HCP at its sole discretion. The study will be completed by an engineer contracted by HCP, the cost of which shall be paid by Customer prior to any approval or acceptance of the Customer’s System. System installations that would be detrimental to the City’s power grid are not permitted.

Installation, Compliance, Energy Credits, and Meter Reading:

Systems shall be installed in accordance with all HCP and City codes, rules, regulations, and specification standards. HCP and the City’s Building Department shall inspect the System prior to any power generation to ensure it complies.

The City will be the owner of the renewable attributes also known as Renewable Energy Credits (REC) of the electricity that is generated on or after the customer generating facility is installed and working.



HCP shall replace its normal metering equipment with bi-directional metering equipment on the meter base at the cost of the Customer. The bi-directional meter will measure energy that flows from the City's power grid to the Customer as well as the energy that flows from the Customer to the City's power grid. HCP will read the customer's meter on the City's normal meter reading schedule

HCP will apply a credit to the Customer's monthly bill for energy the customer delivers to the City's power grid during that billing cycle. The rate at which HCP will credit the energy delivered by the Customer is \$.04/kWh. See HCP Rate Schedule. This rate schedule may be eliminated or adjusted at any time by the Hurricane City Council. Credits accrued each month are not eligible to be applied to electric base rate or any other utility/City rates or fees. Monthly credits may only be applied to electric kWh usage. Credits may roll over month to month until July 1 of each year, at this time all credits will be reset to zero.

Meters must be accessible to HCP and the City Meter Reader and shall not be hindered by animals, landscape, fences, or other obstacles or potential obstacles. HCP may, at its discretion, regularly inspect the System and shall be given unlimited access by the Customer to all Customer-owned generation and metering equipment.

Ground Mounted Solar Arrays:

Ground-mounted solar arrays shall be located on the residential lot behind the front setback line or behind front plane of home whichever is greater

The solar array shall not infringe on any easement or sight distance requirements and shall not violate any City Ordinance or subdivision CC&R's.

Maximum height for the solar array, measured from ground level to the highest point on the array shall not exceed fifteen feet (15').

The solar array shall be limited by Chart A under "System Size Limitations – Base Rates".

The following size limits shall also apply:

Lot Size:	Maximum array surface area
Less than 1 acre	200 square feet
1 - 2.5 acres	400 square feet
Greater than 2.5 acres	1200 square feet

Solar array shall be located to maximize unobstructed line of sight.

System Size* Limitations - Base Rates:

The City limits Systems and charges base rates for Grid-Tied Distribution Generation as described in the following chart:

Chart A

System Type	Photovoltaic (PV) System Size*	Maximum Power Export Setting	Export Credit Rate	Monthly Base Rate
1 Phase System				
1P BASIC System	Up to 8.1 kW DC / 6 kW AC Any Size	6 kW AC	\$.04/kWh	\$30
1P LARGE System	Up to 16 kW DC / 12 kW AC	6 kW AC	\$.04/kWh	\$40
3 Phase System				
3P BASIC System (400A and below)	Up to 16 kW DC / 12 kW AC	12 kW AC	\$.04kwh	\$90
3P LARGE System (Over 400A)	Determined by Study	Determined by Study	**PPA	**PPA

*" System Size" is defined as the largest nameplate rating of any of the components, total panel array, total micro-inverter array, export limiter or inverter.

**"PPA" is defined as Power Purchase Agreement

1P Systems capable of more than 16 KW DC /12 KW of AC output with a 6 KW AC limiter will be considered by HCP staff on a case-by-case basis. ~~If approved, a monthly incremental base rate increase will replace the 1P BASIC System base rate.~~

3P Systems will be required to conduct a study by an electrical engineer chosen by Hurricane Power Department for the connected circuit. The designs will be reviewed and approved by said electrical engineer. All costs will be at the expense of the applicant. 3 Phase system under 400A (3P BASIC) means the main service size to the building is 400 amps or less. 3 Phase system over 400A (3P LARGE) means the main service size to the building is 400 amps or larger and is CT metered

Export rates, base rates, and fees are subject to change upon approval of Hurricane City Council at any given time.

Ineligible Properties:

Properties with meters located in back yards are not eligible for a grid-tied System. Properties consisting of multi-unit buildings are not eligible for a grid-tied System.

Standards:

(a) IEEE 1547, Standard for Interconnecting Distributed Resources with Electric Power Systems, as amended and supplemented, which is incorporated by reference herein. IEE Standard 1547 can be obtained through the IEE website at www.ieee.org; **and**

(b) UL 1741, Inverters, Converters, and Controllers for use in Independent Power Systems) January 2001), as amended and supplemented, which is incorporated by reference herein. UL Standards can be obtained through the Underwriters Laboratories website at www.ul.com.

Certification of customer-generator facilities:

An equipment package shall be considered certified for interconnected operation if it has been submitted by a manufacturer to a nationally recognized testing and certification laboratory and has been tested and listed by the laboratory for continuous interactive operation with an electric distribution system in compliance with the applicable codes and standards listed in (a) above.

System Operation and Responsibility:



Systems shall be installed, operated, and maintained by the Customer at the Customer's sole expense. The Customer will be responsible for an application review fee for each review and a one-time cost of the bi-directional meter in amounts established by HCP. HCP will install the meter onto the Customer's meter base and read and maintain the meter consistent with Hurricane City's Standard Operating Procedure at the City's expense.

Neither the City nor HCP shall be liable for, and Customer shall indemnify and defend the City and HCP, for all damages, claims, liabilities, losses, injuries, or deaths resulting from or relating to (1) the City permitting or continuing to allow an attachment of a grid-tied System to the City's power grid; (2) the Customer's System; (3) the Customer's generation of power; and (4) the acts or omissions of the Customer in generating power.

Customer and City Requirements

(a) Once a metering interconnection has been approved, the City will not require a Customer to test or perform maintenance on its facility except for the following:

1. An annual test in which the Customer-Generating Facility is disconnected from the City's distribution equipment to ensure that the inverter stops delivering power to the grid.
2. Any manufacturer-recommended testing or maintenance.
3. Any post-installation testing necessary to ensure compliance with IEEE 1547 or to ensure safety.
4. Documentation is required for testing done yearly and needs to be submitted to the City.

(b) The City shall have the right to inspect a Customer-Generating Facility after interconnection approval is granted, at reasonable hours and with reasonable prior notice to the Customer. If the City discovers that the Customer-Generating Facility is not in compliance with the requirements of this subchapter, and the noncompliance adversely affects the safety or reliability of the electric distribution system, the City may require the Customer to disconnect the Customer-Generating Facility until compliance is achieved.

(c) The City shall have the right to disconnect the Customer-Generating Facility in the event it causes system problems. The Customer will have the option on correcting the problem, at which time the system will be re-inspected before beginning operation again.

(d) The Customer shall be required to install a manual disconnect located within five feet of the meter.

Signature verifying acceptance of above terms required before start of project:

Customer _____

Date _____



STAFF COMMENTS

Consideration and possible approval of a **power line extension request for Gateway Commercial Phase 1** - Tim Tippet Applicant, Karl Rasmussen Agent

Discussion:

According to Hurricane City Code:

- **Sec. 8-4-3. - Application for service.**

Any person, including any subdivider, who desires to have the power lines extended within the City may make application to the Power Board in writing. A description of such proposed extension accompanied by a map showing the location and size of the proposed line extension shall be submitted in writing which shall be reviewed by the Power Superintendent and taken to staff meeting for review before approaching the City Council. The City Council may grant or deny the request as in its discretion deemed best for the welfare of existing power users in the City. (1998 Code § 14-314; 2000 Code)

This application is located near 3700 W. on the south side of SR9. In reviewing this line extension, we have taken into consideration the available capacity as well as the physical infrastructure. The larger issue for this development is capacity. They currently would connect to circuit BW-205 out of Brentwood Substation, but currently there is not adequate capacity for their development. The Power Dept. has determined that there is adequate capacity on BW-204 with some upgrades and/or additions to that circuit. With previous line extensions, Council has given approval to move forward with figuring out the details. For this one and future applications, we have most of the details figured out, so we are looking for an approval conditioned upon all parties agreeing to a contract that Hurricane City provides, which will contain all necessary terms, including responsibility of the applicant to cover all costs and acquire all easements. - Scott Hughes

Findings:

Recommendation:

Attachments:

1. Gateway Commercial Application for Service
2. Gateway Commercial Phase 1
3. 336-004 BRENTWOOD DRIVE COMMERCIAL PHASE-1
4. 336-004 GATEWAY COMMERCIAL- PREL. SITE PLAN

APPLICATION FOR POWER SERVICES



HURRICANE CITY
UTAH

Applicant Name Tim Tippet Phone Number (509) 521-9354
Engineer or Engineering Firm ProValue Engineering
Mailing Address 20 S 850 W #2 Hurricane, UT 84737
(Required)
Service Address approx. 4 S 3700 W
(Required)
Subdivision Name _____ Lot # _____ Parcel # H-4-2-1-1123-GS1, H-4-2-1-11112-GS1, H-4-2-1-14203-GS
Email Address karl@pv-eng.com
(Required)

SITE INFORMATION ☐ SINGLE RESIDENCE OR UNIT (1 METER) ☒ SUBDIVISION OR MULTI UNIT DEVELOPMENT
OF UNITS _____

TYPE OF SERVICE ☐ RESIDENTIAL ☒ COMMERCIAL ☐ INDUSTRIAL

VOLTAGE NEEDED Single Phase ☐ 120/240 ☐ 240/480

Three Phase ☒ 120/208 ☐ 277/480

SERVICE/PANEL AMPS ☐ 200 ☐ 400 ☒ 600 ☒ OTHER 1200
of units _____ # of units _____ # of units 4 # of units 1

SITE PLAN WITH DIMENSIONS FROM PROPERTY LINES TO METER BASE LOCATION ATTACHED (REQUIRED) ☐ YES

*Industrial and Commercial requests will require load calculations prepared by an electrical engineer and shall be attached to this application

*Power Construction Design will be based on information from this application. All designs will have a fee from the power department. These fees must be paid before power is given.

*Hurricane City Power Recommends 400Amp design for 1/3 acre lots sizes and above. Changes or upgrades to amp sizes from original submitted application will result in increased cost to developer for infrastructure upgrades as well as additional design fees.

(PLEASE SEE HURRICANE CITY POWER BEFORE PROCEEDING)

For Official Power Department Comments ONLY:

Hurricane City Power recommend for approval ☐

Hurricane City Power recommend for denial ☐

Date of Power Recommendation _____

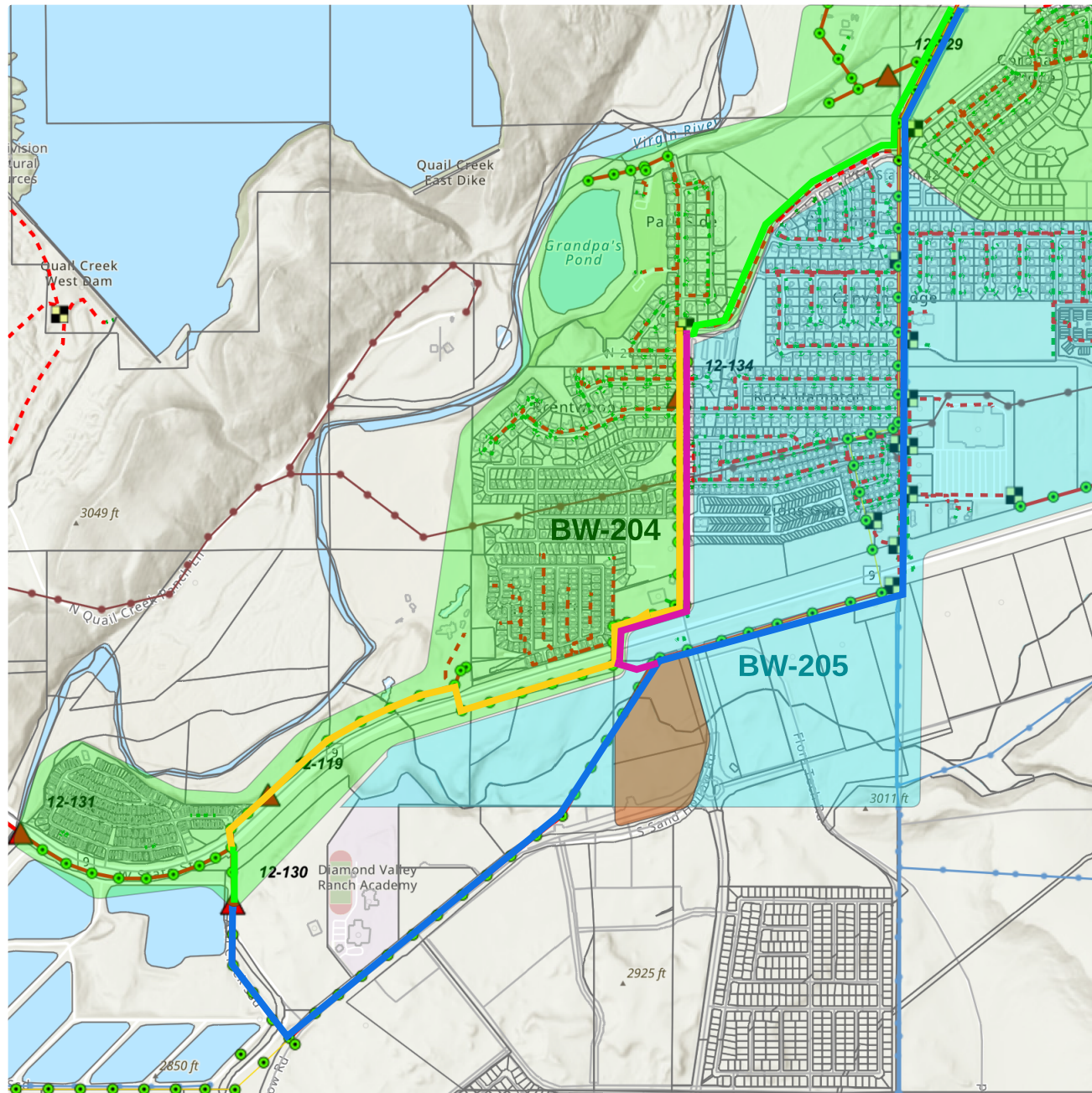
I acknowledge that I have read and understand Hurricane City's new construction application and requirements

Developer or Engineer Authorized by Developer [Signature]

Date 9/19/2024

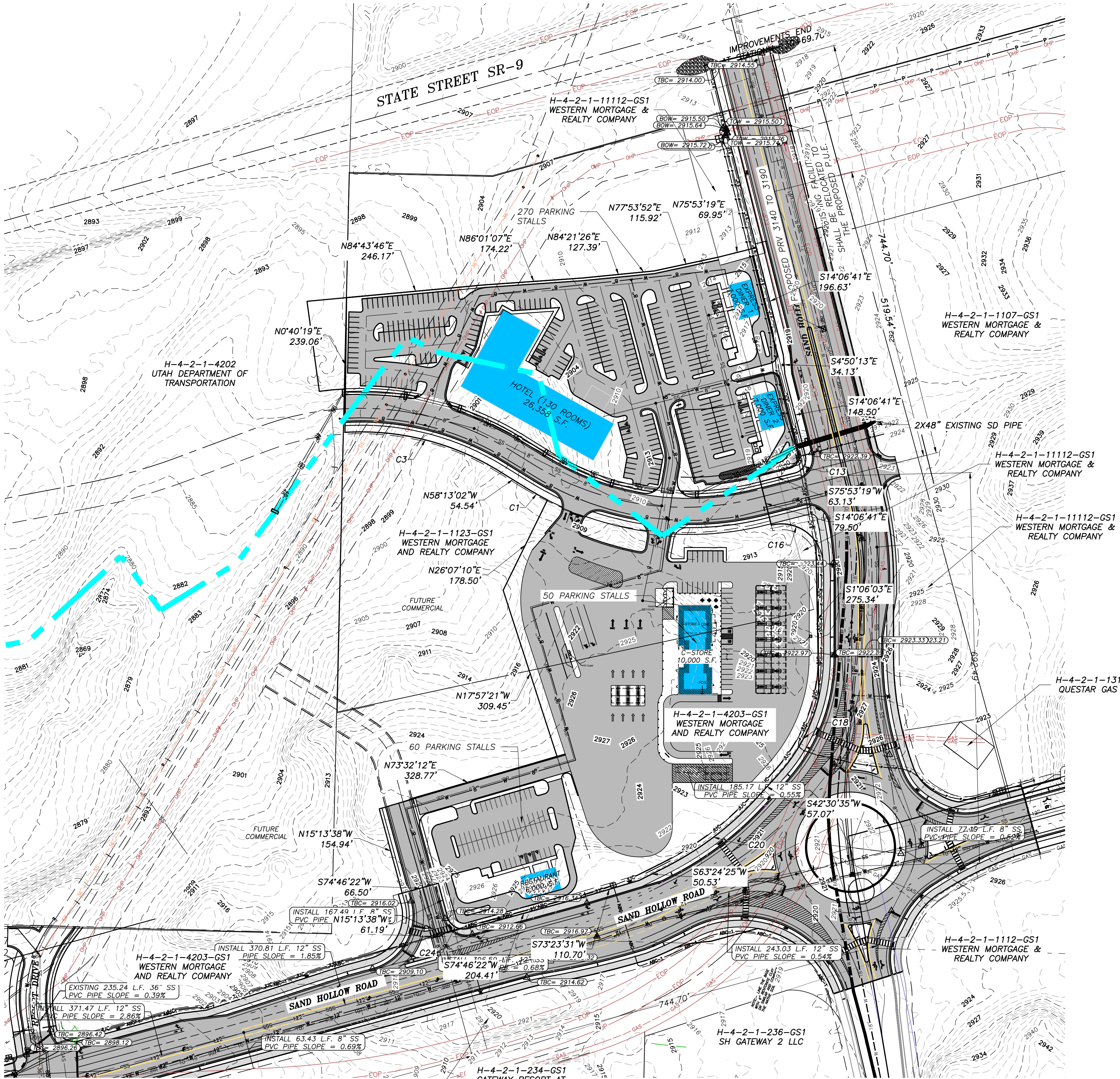
Hurricane City Power _____

Date _____



PRELIMINARY SITE PLAN FOR:
GATEWAY COMMERCIAL PHASE 1

LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 35, T41S, R13W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH



LEGEND

PROPERTY LINE
ADJACENT PROPERTY LINE
SECTION LINE
CENTER LINE
EASEMENT LINE
PROPOSED CURB, GUTTER, AND SIDEWALK
FUTURE/EXISTING CURB, GUTTER, AND SIDEWALK
EXISTING EDGE OF PAVEMENT
STORM DRAIN LINE
WATER LINE
SEWER LINE
PROPOSED CURB & GUTTER
SECTION CORNER AS DESCRIBED
ADA RAMP
STOP SIGN
STREET SOGN
EXISTING 48" REINFORCED CONCRETE PIPE
EXISTING OFFSITE DRAINAGE PATH
EXISTING 12" WATER LINE
PROPOSED 8" WATER LINE
EXISTING GAS
EXISTING EDGE OF PAVEMENT
PROPOSED PAVEMENT
PROPOSED SIDEWALK
EXISTING PAVEMENT
EXISTING SIDEWALK BUILT WITH SAND HOLLOW ROAD/ SAND HOLLOW EAST
EXISTING 36" SEWER MANHOLE
PROPOSED 8" SEWER LINE
PROPOSED 36" SEWER LINE
EXISTING 36" SEWER LINE
EXISTING 60" WATER LINE
EXISTING 18" WATER LINE
3-WAY WATER VALVE
4-WAY WATER VALVE
IRRIGATION LINE

DRAINAGE PLAN
STORM WATER WILL BE RETAINED AT THE SOUTHWEST CORNER OF THE LOT UNDERGROUND.
STORM WATER FROM THE RESTAURANT WILL BE DETAINED AT THE SOUTHEAST CORNER OF THE LOT.

SITE DATA

USE TYPE	AREA (SQ. FT.)	PARKING REQUIRED	STALLS
1 FAST FOOD DINER #1	7,000 SQ. FT.	1 PER 100 SQ. FT.	70
2 FAST FOOD DINER #2	7,000 SQ. FT.	1 PER 100 SQ. FT.	70
3 HOTEL	26,358 SQ. FT.	2 + 1 PER ROOM	132
4 CONVENIENCE STORE	10,000 SQ. FT.	1 PER 200 SQ. FT.	50
5 RESTAURANT	6,000 SQ. FT.	1 PER 100 SQ. FT.	60

PROJECT LOCATION

VICINITY MAP
N.T.S.

Know what's below.
Call 811 before you dig.

NOTICE!

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

CONTACT REPRESENTATIVE:
TIM TIPPETT
TTIPPETT@WESTERNMORT.COM
509-521-9354

PROVALUE ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

PRELIMINARY SITE PLAN FOR:
GATEWAY COMMERCIAL PHASE 1
LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 35, T41S, R13W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

NO	DESCRIPTION	DATE	BY

DATE: 9/19/2024
SCALE: 1"=100'
JOB NO: 336-004
SHEET NO: **1 OF 1**