

CLEARFIELD CITY COUNCIL  
AGENDA AND SUMMARY REPORT  
April 8, 2014 – REGULAR SESSION

City Council Chambers  
55 South State Street  
Third Floor  
Clearfield, Utah

**Mission Statement:** To provide leadership in advancing core community values; sustain safety, security and health; and provide progressive, caring and effective services. We take pride in building a community where individuals, families and businesses can develop and thrive.

**6:00 P.M. WORK SESSION**

Discussion on Applying for Non-profit Art Status  
Discussion on a Proposed Text Amendment regarding  
Non-depository Lending Establishments

**7:00 P.M. POLICY SESSION**

CALL TO ORDER:

Mayor Shepherd

OPENING CEREMONY:

Councilmember Young

APPROVAL OF MINUTES:

March 11, 2014 – Work Session

March 11, 2014 – Policy Session

March 25, 2014 – Policy Session

***PRESENTATION:***

1. **PRESENTATION TO GRETCHEN MYERS FOR HER SERVICE AS THE COMMUNITY BAND DIRECTOR**

**BACKGROUND:** Gretchen Myers was the founding director of the Clearfield Community Band consisting of approximately 35 band members. As the founding director, she solicited used band instruments, designated a music librarian and recruited an assistant whom she worked with to facilitate the band's performances. The band served as the pit orchestra for the Community Theater's productions of Hello Dolly and Anne of Green Gables. The Community Band has also participated with neighboring communities' celebrations and performances. She has faithfully served the City as the band director for eight years. Mayor Shepherd and the Council desire to recognize Ms. Myers' service to the City.

***SCHEDULED ITEMS:***

2. **CITIZEN COMMENTS**

3. **CONSIDER APPROVAL OF ORDINANCE 2014-04 ENACTING REGULATIONS FOR ALARM SYSTEMS**

**BACKGROUND:** The Police Department worked with the City Attorney to draft an ordinance enacting regulations for alarm systems which includes addressing the number of false alarms from businesses and residences within the City. This ordinance outlines the responsibilities associated with installation and utilization of alarm systems as well as fees associated with false alarms to which the City's Police Department responds.

RECOMMENDATION: Approve Ordinance 2014-04 enacting regulations for alarm systems and authorize the Mayor's signature to any necessary documents.

4. CONSIDER APPROVAL OF ORDINANCE 2014-06 AMENDING THE CONSOLIDATED FEE SCHEDULE

RECOMMENDATION: The Consolidated Fee Schedule is being amended to reflect the new fee structure recently adopted by the North Davis Sewer District. It also reflects the alarm fees set by Ordinance 2014-04, background check fees, sex offender DNA collection fees, as well as special promotion and marketing fees.

BACKGROUND: Approve Ordinance 2014-06 amending the Consolidated Fee Schedule and authorize the Mayor's signature to any necessary documents.

5. CONSIDER APPROVAL OF A PROCLAMATION DECLARING APRIL 25, 2014 AS ARBOR DAY IN CLEARFIELD CITY

BACKGROUND: Clearfield City will celebrate Arbor Day on Friday, April 25, 2014. The City supports all efforts to plant and protect trees within its boundaries because trees are valuable to the City's environment. Clearfield has received the "Tree City USA" designation for the past 17 years. Community Services Director, Eric Howes, requests the date of April 25, 2014, be officially declared "Arbor Day" in the City of Clearfield.

RECOMMENDATION: Approve the Mayor's signature to the Proclamation officially declaring April 25, 2014 as Arbor Day" in the City of Clearfield and authorize the Mayor's signature to any necessary documents.

**COMMUNICATION ITEMS:**

Mayor's Report  
City Councils' Reports  
City Manager's Report  
Staffs' Reports

**\*\*COUNCIL MEETING ADJOURN\*\***

Dated this 3<sup>rd</sup> day of April, 2014.

/s/Nancy R. Dean, City Recorder

The City of Clearfield, in accordance with the 'Americans with Disabilities Act' provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
March 11, 2014

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Mike LeBaron	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Mike Stenquist	Assistant Police Chief
	Scott Hodge	Public Works Director
	Scott Hess	Development Services Manager
	Rich Knapp	Administrative Services Director
	Jessica Hardy	Accountant
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Michael Horn, Kathryn Murray, Michelle Koyle – Syringa Networks

Mayor Shepherd called the meeting to order at 6:03 p.m.

DISCUSSION ON THE SYRINGA FRANCHISE AGREEMENT

Brian Brower, City Attorney, explained legislation sets forth the amount collected in the form of a franchise tax from telecommunication companies that is collected by the state and the City receives a portion of the revenue collected. However, the telecommunication company was still required to obtain approval of a franchise agreement allowing it to install infrastructure within the City. He stated Syringa Networks, LLC, a broadband network company based in Boise Idaho, forwarded their standard agreement to the City to install voice or data transmission services within the City.

Mr. Brower reported he had suggested some minor changes to the agreement and explained them to the Council. Michelle Koyle, Syringa Networks, introduced herself to the Council and explained the services provided by the company were telephone and internet services.

DISCUSSION ON IMPOSING A RAMP TAX

Adam Lenhard, City Manager, believed the City provided great recreational opportunities and stated at this time all programs were being funded by user fees. He informed the Council that the State allowed communities to adopt a RAMP tax which could also be used for such purposes;

however, it would need to be approved by voters. He presented the idea of posing the question of a RAMP tax to Clearfield voters in November and explained the tax would be in the form of a 0.01 percent addition to the sales tax.

He explained if the proposed RAMP tax was confirmed by voters and adopted by Resolution of the City Council the tax could be collected up to ten years. He reviewed the process of a RAMP tax with the Council and explained how the funds could be used: playground equipment, community parks, arts center amenities and debt service in conjunction with the Aquatic Center.

He reminded the Council that the topic had been previously suggested during the budget retreat and requested direction. A discussion took place pertaining to the proposed RAMP tax. Councilmember LeBaron suggested prior to it coming before the voters the City should educate the voters. Mr. Lenhard responded the issue could be discussed during neighborhood meetings, in the City newsletter, utility bills and via social media. He emphasized the importance of informing the residents about how the tax would be a benefit to the City. The Council directed staff to begin the process of getting the proposed RAMP tax on the ballot.

#### DISCUSSION ON A TRAFFIC STUDY FOR 700 SOUTH 1000 WEST

Adam Lenhard, City Manager, stated Councilmember Bush had requested an updated traffic study be completed for the 700 South 1000 West intersection now that the SR 193 extension had been completed and open for use. He explained the city engineer recently completed the study and Mr. Lenhard reported it was his conclusion that a signalized intersection was not warranted as it didn't meet all necessary criteria. Mr. Lenhard pointed out that the Ninigret and Ivory Homes developments were progressing and mentioned it might be warranted at a later time.

Mr. Lenhard reminded the Council there had been some question as to whether a promise had been made to bring signalization to the intersection and informed the Council that he had requested research of minutes be completed by the City Recorder's office to determine if that was the case. He reported the minutes reflected that it had been suggested to widen 1000 West and install a left hand turn lane and reminded the Council the City had done that.

Councilmember LeBaron indicated he was satisfied with the information provided in the updated traffic study and stated he was also satisfied with the intersection improvements. Councilmember Bush stated residents believed the signaled intersection would be installed and suggested informing the residents that it wasn't warranted at this time. Mayor Shepherd suggested neighborhood meetings would be taking place in various areas of the City and believed that venue would be appropriate to educate residents as to why the traffic signal would not be installed.

#### DISCUSSION ON THE (A-1) AGRICULTURAL ZONE

Scott Hess, Development Services Manager, distributed a handout and announced he had been asked to determine if the City was being overly restrictive specific to its Agricultural Zone. Mr. Hess reported the City currently allowed one horse and one fowl unit per acre and reviewed

neighboring cities' allowances. He pointed out some cities allowances were based on a point system as opposed to a given number of allowed animals and explained that logic to the Council.

Mr. Hess suggested the Council consider whether or not the it would allow residents the use of their property as they so desired and inquired if the Council was comfortable with the current ordinance. He reviewed West Point City's ordinance and compared its point system to Clearfield City's and a discussion took place.

Councilmember Bush believed open space without the existence of residential structure should be taken into consideration when allowing animals in comparison to a similar lot size with a residential structure. Councilmember Young stated he didn't want the Agriculture Zone to be as lenient as West Point City's but indicated he could agree to a point system if it allowed more flexibility to the resident and a discussion took place. Councilmember Young didn't know if a number of sheep or goats were appropriate and continued to express concern regarding allowances in West Point's Agricultural Zone.

Adam Lenhard, requested direction for staff regarding the Agriculture Zone. Mayor Shepherd suggested amendments to zoning ordinances and any consideration of a rezone should proceed through formal procedures with the Planning Commission's recommendation. He directed the Planning Commission study the issue of agriculture zoning within the City prior to it coming before the City Council.

#### DISCUSSION ON A QUARTERLY NEIGHBORHOOD MEETING PLAN

Adam Lenhard, City Manager, reminded the Council of previous discussions regarding possible neighborhood meetings which could be used to educate residents about issues relating to the City. He reported staff had looked at the elementary school boundaries and was proposing two schools would be invited per meeting. He suggested the meetings take place on a night already designated as a work session and the format would be an informal open house atmosphere. He suggested staff could set up displays relative to issues which might be helpful to residents. Councilmember Young suggested the inclusion of regional issues as well. Mr. Lenhard mentioned the importance of having a police officer's presence to allow residents to get to know the officers in addition it would allow them the opportunity to express any safety concerns.

The meeting adjourned at 6:55 p.m.

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
March 11, 2014

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Mike LeBaron	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Greg Krusi	Police Chief
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Scott Hess	Development Services Manager
	Rich Knapp	Administrative Services Director
	Natalee Flynn	Marketing/Public Relations
	Marliss Scott	Marketing/Public Relations
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Clearfield DeMolay, Anthony Vasquez, Jayden VanDyke – Scout Troop 342, Jaren VanDyke – Scout Troop 342, Austin Webb, Jason Bennett – Scout Troop 342, Scott Boman – Scout Troop 342, Koral Vasquez, Sean McAllister, Amber Huntsman – Thackeray Garn Company, Davis Miller – Scout Troop 513, Paul Bissell, Alexis Murray, Kathryn Murray, Mark Clawson, McKenzie Clawson, Hank Furbler, Kirk Marston, Michael Phelps, Maddy Neyts, Wes Michie

Mayor Shepherd called the meeting to order at 7:00 p.m.

Mayor Shepherd informed the citizens present that if they would like to comment during Public Hearings or Citizen Comments there were forms to fill out by the door.

Councilmember Jones conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE JANUARY 31, 2014, FEBRUARY 11, 2014, FEBRUARY 18, 2014, AND THE FEBRUARY 25, 2014 WORK SESSIONS AND THE FEBRUARY 25, 2014 POLICY SESSION

Councilmember Bush reported he had informed the Recorder's office of date corrections for the North Davis Sewer District meetings during comments he made during the "Communications" portion of the February 25, 2014 policy session.

**Councilmember Bush moved to approve the minutes from the January 31, 2014, February 11, 2014, February 18, 2014, and the February 25, 2014 work sessions and the February 25, 2014 policy session as written, seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

APPROVAL OF THE DeMOLAY PROCLAMATION DECLARING THE MONTH OF MARCH 2014, DeMOLAY MONTH IN CLEARFIELD CITY

DeMolay is a character-building organization consisting of young men between the ages of 12-21 seeking to prepare them to become better leaders within the community. The organization had carried out civic services for over eighty years.

Jonathon Osborne, DeMolay Group, introduced participants of the DeMolay Group to the Council and explained the history associated with DeMolay. He explained the DeMolay participants provided community service with several different associations and participated in fundraising opportunities. He announced the chapter was currently working on a canned food drive in addition to volunteering and visiting the Veteran's home.

Mayor Shepherd read the proclamation, signed it and presented it to the DeMolay group. He expressed appreciation to DeMolay for its contribution to the City and neighboring communities.

**Councilmember LeBaron moved to approve the DeMolay Proclamation declaring the month of March 2014, DeMolay month in Clearfield City and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

PUBLIC HEARING TO RECEIVE COMMENT ON THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ONE YEAR ACTION PLAN FOR PROGRAM YEAR JULY 1, 2014 TO JUNE 30, 2015.

The Council received a copy of the proposed 2014/2015 Community Development Block Grant (CDBG) One Year Action Plan. Citizens are given the opportunity to review the One Year Action Plan in the Community Development Department from March 12, 2014 until April 10, 2014. The final copy would be presented to the Council on April 22, 2014.

Scott Hess, Development Services Manager, explained the amount of funding to be received by the City had not yet been determined. He stated staff had identified projects to be completed using CDBG funds based upon anticipated grant funding. He mentioned interested individuals could review the proposed one year plan in the Community Development Department until April 22, 2014, at which time the public hearing would be closed.

Mayor Shepherd opened the public hearing at 7:13 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

### CITIZEN COMMENTS

Kirk Martens, resident, informed the Council he had read the “Ask Carol” segment in the recent newsletter regarding the use of gravel for driveways. He reported he had installed gravel for a small parking parcel on his property and had been informed by the Code Enforcement Officer at the time that gravel, pavers, asphalt or concrete were all acceptable products. He expressed concern information from the newsletter indicated that all parking surfaces would need to be concrete, asphalt or pavers by January 1, 2015. He expressed concern at the costs associated with the installation of such products and inquired about any “grandfathering” clause allowing continued use of gravel.

Mayor Shepherd responded the approximately five year time period was the “grandfathered” clause for the ordinance. He stated the ordinance allowed gravel as a short term fix until the resident could afford the concrete or asphalt for the parking. Mr. Martens suggested the City consider a better way to inform residents of the concrete/asphalt requirement other than the newsletter. Mayor Shepherd commented he had received a number of calls from concerned residents in response to the “Ask Carol” section of the newsletter. He stated the intent of the ordinance was to improve the aesthetics and image of Clearfield. Mr. Martens believed the Code Enforcement Officer misled him by indicating the use of gravel would be “grandfathered” as an acceptable parking surface.

### APPROVAL OF RESOLUTION 2014R-05 APPROVING THE CLEARFIELD STATION MASTER DEVELOPMENT AGREEMENT

Clearfield Station was a proposed mixed-use development on the 70 acres adjacent to the FrontRunner station located at approximately 1250 South State Street. The project was a combination of flex business space (at least 400,000 sf), office space (at least 450,000 sf), retail space (at least 10,500 sf), and multi-family residential (550 units max). This Master Development Agreement with the Thackeray Garn Company (Developer) and UTA (property owner) sets forth the terms under which the development may proceed.

JJ Allen, Assistant City Manager, shared an illustration of the proposed Clearfield Station Development and explained the proposed development and oriented the illustration with the audience. He stated UTA and Thackeray-Garn had partnered together to complete the development of the property and reviewed how the flex-business space would be accommodated in relation to the residential component. He pointed out where the professional office space, school, and retail would be located within the development. He stated the Master Development Agreement (MDA) specified the parameters under which the development could proceed. He emphasized the development would have a significant impact to the City and indicated staff and elected officials were very excited about it.

Mr. Allen stated there had been some revisions to the agreement since the packet went out on Friday, March 7, 2014, and referred to handouts which had been distributed on the dais. He directed the Council to Exhibit D-4, specific to the detention basins and identified those which

were public and those which were private. He stated the other four handouts related to impact fees reporting corrections had been made to the water sheet specific to impact fee credits which were no longer reflected on the corrected sheet. He directed the Council to the Storm Drain sheet and reported the Area Ratio figures were not reflected in the table. He referred to the Park Impact Fee handout and reported “bike lanes” had been removed from the list in the bottom table. He concluded the last handout reflected all current final figures related to the Development Impact Fee. He stated there had been some corrections to the text of the agreement and announced Brian Brower, City Attorney, would explain those changes.

Brian Brower, City Attorney, explained the following changes to the text of the Master Development Agreement:

- The Recorded Master Development Agreement would need to be returned to the City Recorder as opposed to the developer.
- Page 37 when addressing the Community Park #1, known as the “Community Plaza” verbiage had been included “unless agreed to earlier by the parties in writing” which would allow the City to begin development of the Plaza earlier if it so desired.
- He referred to the comparison sheet specific to phasing and vertical development. JJ Allen, Assistant City Manager, stated it had been a concern of the City from the very beginning that construction within the development happened proportionally relative to the multi-housing and commercial development. He pointed out on the illustration which buildings comprised of Phase 1A and Phase 1B and explained verbiage reflected a building permit wouldn’t be issued for the first few residential structures until a building permit was obtained for the first flex building and construction had begun. He continued the developer wouldn’t be allowed to go vertical on the first few residential buildings until the first flex building was also built vertical simultaneously. He added building permits would not be issued on the second set of residential buildings until certificate of occupancy was achieved with the first flex building and the second flex building had obtained a building permit. He emphasized the revised language would accomplish the same intent on behalf of the City in that structures within the development would be completed parallel with each other.

Councilmember Bush requested clarification on whether the language regarding the certificate of occupancy had been eliminated altogether. Mr. Brower explained that change was needed for financing of the project. Mike Christensen, Thackery Garn, clarified the reason for requesting that change was to allow the developer to obtain financing from a bank for the first building and application to the County to obtain financing for the second building which would allow both buildings to go vertical at the same time. He believed this would also allow construction on the two residential buildings simultaneously and the previous language wouldn’t allow that because of the “certificate of occupancy” verbiage. Councilmember Bush expressed his concern the residential component could essentially be completed prior to the commercial component.

Mr. Christensen pointed out the time frames associated with constructing residential units compared to commercial buildings and believed they would be completed simultaneously. Councilmember LeBaron expressed agreement with Mr. Christensen.

Councilmember Benson inquired if the landscaping would be completed in conjunction with completion of the buildings. Mr. Christensen responded each phase would be landscaped as it was completed.

- Mr. Brower directed the Council to page 44, section 16.4 which was specific to legal remedies. He reported the proposed change specifically spelled out the money judgment. He continued additional language was added which more clearly stated the “risk”, as well as addressing a cap pertaining to legal fees. He explained the negotiation process with the Council summarizing how it resulted in the language change. He emphasized the City would only be reimbursing actual out of pocket costs associated with the development if the City were found to be in breach of contract. Adam Lenhard, City Manager, stated breach of contract would be a poor business practice on behalf of the City.
- Mr. Allen directed the Council to Section 10, pages 33 and 34, specific to the main intersection. He referred to the illustration and pointed out where the proposed main intersection would be located in the proposed development. He explained 1000 East would need to be realigned and a new traffic signal would be needed. He reviewed the language required by UDOT which indicated “as warranted” and identified when it would be completed in conjunction with the phasing. He further explained that language was needed because of the process by which UDOT would determine it should take place. He emphasized the City nor the developer would have any control of UDOT’s requirements or timing for that to happen.

Mr. Allen shared some highlights associated with the agreement pointing out the rezone would need to take place in addition with approval of the participation agreement with the taxing entities. He stated State Statute allowed the developer to propose an alternative method specific to the impact fees associated with water. Councilmember Benson asked if the residential component would be required to be sold at “market value”. Mr. Allen read from the agreement which stated the units would be sold or leased at market rates without any subsidies.

Mr. Allen pointed out the agreement identified the amenities and infrastructure which would be private and public. He explained in conjunction with Phase 4 the Developer would be giving the City the park parcel and funds which the City could use to complete the plaza with the understanding they would need to be completed in eighteen months or the remaining funds and property would revert back to the developer for completion. He pointed out the parcel of open space would be a detention basin in addition to a usable park like amenity and if the end result didn’t meet the City’s requirements of a park then the City wouldn’t accept it as public property. He explained how UTA would be accommodated for temporary space for FrontRunner ridership.

Mayor Shepherd complimented Mr. Allen, Mr. Brower, and Mr. Christensen for their efforts in bringing forth the negotiated agreement to the Council at this time. Councilmember LeBaron expressed appreciation to the Planning Commission for their efforts as well.

**Councilmember LeBaron moved to approve Resolution 2014R-05 approving the Master Development Agreement with the Thackeray Garn Company and UTA for the Clearfield Station project, and authorize the Mayor’s signatures to any necessary documents, seconded by Councilmember Jones. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

APPROVAL OF ORDINANCE 2014-05 AUTHORIZING THE REZONE OF PROPERTY LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET FROM (M-1) MANUFACTURING AND (C-2) COMMERCIAL TO (MU) MIXED USE AND APPROVING THE ASSOCIATED MASTER DEVELOPMENT PLAN TO FACILITATE DEVELOPMENT OF THE CLEARFIELD STATION PROJECT

This application from Thackeray Garn Company requested rezoning of 70 acres of UTA property from (M-1) Manufacturing and (C-2) Commercial to (MU) Mixed Use (the rezoning would not become effective until the Master Development Agreement had been fully executed by all parties). The MU zone required that a Master Development Plan (MDP) be prepared by the applicant. The MDP for this project, known as Clearfield Station, detailed a mixed use project which included flex business, office, retail and residential development. After several months of review and revisions, the Planning Commission recommended approval of the rezone and MDP during its meeting on November 6, 2013.

Scott Hess, Development Services Manager, explained the rezone would allow for the Mixed Use (MU) Zone and the Master Development Plan was required as part of the MU Zone. He indicated development agreements were commonly associated with residential properties and this agreement was on a larger scale. He pointed out the recently approved Master Development Agreement (MDA) was necessary to allow for approval of the proposed rezone as well as the Master Development Plan. Mr. Hess reviewed the history in getting the MDA approved by the Council.

Mr. Hess reviewed the November 6, 2013 Planning Commission Meeting regarding its approval of the Master Development Plan (MDP). He stated the developer had provided a response in the MDP to a number of questions from staff and the City Council and subsequently the Planning Commission recommended approval of the rezone with the MDP. He continued specifically within the motion there were some callouts to sections 52 and 54 within the MDP regarding prohibited and conditional uses, temporary signage to be handled administratively and clarifying public space as designated building by building as opposed to project wide. He expressed his opinion the list was rather short given the MDP was a 200 page document which was a whole zoning code for the 72 acres within the MU Zone.

Mr. Hess further clarified the Planning Commission's recommendation:

- Language within the residential areas of the Plan wasn't consistent with one another. The Commission desired the document read consistently through all zones.
- Specific language to prohibited and conditional uses. The original MDP had reflected prohibited uses and stated nowhere else in the City's zoning code was prohibited uses identified. He clarified if it was not listed as a permitted or conditional use then the use would not be allowed according to Utah land use law. He mentioned the conditional uses had been eliminated which would allow possible future amending of the MDP if the City desired.
- Language corrections specific to signage in the development was amended to eliminate the need for all signage to come before the Planning Commission for approval. He stated all signage would be administered as was currently being done within the City.

- Assignment of private and public spaces per building.

Mr. Hess reported the two buildings on the northwest corner were originally oriented east/west and had been changed to north/south based upon the topography of the property. He mentioned another notable change was to remove the term “Nature Park” specific to the detention basin in the southwest corner of the property. He continued the Nature Park would have left it in its natural state and the City desired it to be more monumental in nature as it was an entry point to the development and adjacent to the commuter rail. He added the Developer was asked to develop the parcel as an entry point to the development.

Mr. Hess reported staff believed the document to be substantively complete and expressed appreciation to the developer for his willingness to work with the City during the process. He pointed out the Zoning Map Amendment had been approved, the Zoning Code had been approved to include the MU Zone, therefore from the General Plan perspective the rezone would be acceptable.

Mr. Hess explained there were review considerations and findings associated with the Mixed Use and Master Development Plan (MDP) which were the following:

- The MDP was consistent with the stated objectives of the MU zone and announced all objectives had been met.
- He stated to any extent the MDP departed from zoning and subdivision regulations otherwise applicable to the property; it was still consistent with the adopted master plan. He stated staff was comfortable with guidelines from an architectural standpoint in what the City could expect to see in the development.
- The ratio of residential to nonresidential uses in the development was consistent with the Master Plan; approximately thirty percent of the entire seventy-two acres was proposed residential development which would be a maximum 550 units.
- The proposed development could adequately be served by public facilities and complied with minimum design criteria. He referred to the recently adopted MDA which identified specific public and private infrastructure in the development.
- Any development related adverse impact such as traffic, noise or other nuisances would be considered in the MDP and modifications could be made. He explained the development included landscape buffers along State Street and 1000 East as well as neighboring properties to the north and south. He commented about the traffic study to be completed by UDOT and about the exact make-up of the new intersection and traffic light and believed that was beyond the scope of the MDP.
- The common open space exceeded the required area and added it would be roughly twenty two acres of open space area and the City’s minimum requirement was a little more than ten acres.
- The MDP proposed development in phases which would result in proportional build out which had also been adopted within the MDA.
- Each individual unit or phase of the development could exist independently. He explained Clearfield Station would be a horizontal mixed use project and each phase would and could be considered a stand-alone project.

- The project would not result in material prejudice of surrounding properties and would not endanger the health, safety and welfare of the community. He believed this would enhance Clearfield's image and lend itself to enticing quality development to Clearfield.
- The MDP had a beneficial relationship to the neighborhood and the general area. This also included providing a thorough analysis and documentation of the impact the zoning might have on the City's public schools. He emphasized the development would bring market rate housing and high quality commercial development to the area.

Mr. Hess stated the Planning Commission had recommended approval and staff was recommending approval of the Mixed Use Rezone and adoption of the Master Development Plan.

Brian Brower, City Attorney, requested language be included in the motion to reflect approval of Ordinance 2014-05 authorizing the "conditional" rezone of property because the rezone would take place upon certain conditions which Mr. Hess had previously mentioned; additionally, upon execution of the Master Development Agreement and its recording with Davis County.

Mr. Allen commented Mr. Hess had clearly identified some of the points which had been identified during the process since November and indicated the staff report had included an addendum to the draft Clearfield Station MDP. He stated all revisions would be identified and provided in a complete MDP book.

**Councilmember Jones moved to approve Ordinance 2014-05 authorizing the conditional rezone of property located at approximately 1250 South State Street from (M-1) Manufacturing and (C-2) Commercial to (MU) Mixed Use and adopting the associated Master Development Plan to facilitate development of the Clearfield Station project and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

#### APPROVAL OF THE FRANCHISE/RIGHTS- OF- WAY AGREEMENT WITH SYRINGA NETWORKS, LLC TO OPERATE A TELECOMMUNICATIONS NETWORK

Syringa Networks LLC desired to construct, maintain and operate a telecommunications network within the City. City Code governed the application and review process for telecommunications franchises in the City. The proposed agreement would allow Syringa to construct, maintain and operate such a system in Clearfield.

Brian Brower, City Attorney, stated the agreement had been reviewed during the work session held prior to the policy session. He explained pursuant to the City's ordinance Syringa was required to obtain a franchise/rights-of-way agreement which it provided to the City. He indicated the agreement was the conclusion of a number of revisions which would allow and govern Syringa's installation of facilities in Clearfield. He mentioned a representative from Syringa was in attendance as well as in the work session.

**Councilmember LeBaron moved to approve the Franchise/Rights-of-Way Agreement with Syringa Networks, LLC to construct, maintain and operate a telecommunications system in Clearfield City and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

## COMMUNICATION ITEMS

### ***Mayor Shepherd***

1. Announced he would be out of town Wednesday, March 12, 2014 and Thursday, March 13, 2014. He stated Councilmember LeBaron, Mayor Pro-tem, would be available in his stead.
2. Received a notice from ATK announcing it had produced its 20,000 composite part for the Airbus System and there would be a celebration sometime next week.
3. Announced one of the Council's goals was to better communicate with the residents by having informational neighborhood meetings beginning within the next few months.
4. Informed the Council and audience that political caucuses would take place next week. The Democratic Caucus would meet on Tuesday, March 18, 2014 and the Republican Caucus would meet on Thursday, March 20, 2014. He encouraged participation.

### ***Councilmember Benson***

1. Expressed appreciation to staff members for their willingness to answer her questions and bringing her up to speed on issues associated with the Clearfield Station development. She stated she looked forward to working with the developer.
2. Announced the first meeting for Clearfield's Got Talent was scheduled for Thursday, March 13, 2014, 5:30-6:30 at the Arts Center.

### ***Councilmember Bush***

1. Expressed appreciation to Staff, Planning Commission and Thackeray Garn for their efforts on the agreements for Clearfield Station.
2. Reported he had met with the Take Pride in Clearfield Committee and announced it was scheduled for Saturday, May 17, 2014. He stated he also met with the principals of Syracuse and Clearfield High Schools to solicit their participation in the event.
3. Reminded the Council the North Davis Sewer District meeting would be held Thursday, March 13, 2014, at 6:00 p.m. during which the continuation of the public hearing would take place to approve the proposed bonding for improvements at the facility.

### ***Councilmember Jones***

1. Expressed appreciation for everyone's efforts relative to the Clearfield Station Development.
2. Stated he was glad to see so many residents in attendance at the meeting.

### ***Councilmember LeBaron***

1. Grateful for the opportunity to participate in the Lunch with the Mayor last week.
2. Expressed appreciation to JJ Allen, Assistant City Manager, Adam Lenhard, City Manager and Brian Brower, City Attorney, for their efforts associated with the agreements specific to Clearfield Station.
3. Announced there were important issues associated with the North Davis Sewer District and encouraged the resident's participation at those meetings.

**Councilmember Young** – complimented Thackeray Garn, City staff and members of the Planning Commission for their work culminating with the adoption of the Master Development Agreement and Master Development Plan allowing the Clearfield Station development to proceed.

**Adam Lenhard, City Manager** – requested the Council review his monthly update which he emailed previously, paying close attention to the North Davis Sewer District proposed rate increase. He expressed concern regarding the impact to the City’s commercial users and residents. He encouraged the Council to become educated about the issue.

## STAFFS’ REPORTS

**JJ Allen, Assistant City Manager** – Announced an Open House was scheduled to take place on Wednesday, March 12, 2014, from 5:30 – 8:00 p.m. in the Community Arts Center for residents regarding the Depot Street extension/alignment associated with the Clearfield Station.

**Nancy Dean, City Recorder** – Informed the Council of the meeting schedule:

- Tuesday, March 18, 2014 – no City Council meeting was scheduled to allow participation in the Caucus.
- Tuesday, March 25, 2014 – work session beginning at 6:00 p.m. followed by the Policy Session. She stated a budget work session would take place following the Policy Session.
- Tuesday, April 1, 2014 – budget work session
- Tuesday, April 8, 2014 – Policy Session.

There being no further business to come before the City Council **Councilmember LeBaron moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency (CDRA) at 8:18 p.m., seconded by Councilmember Bush. All voting AYE.**

*\*\*The minutes for the CDRA are in a separate location\*\**

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
March 25, 2014

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Mike LeBaron	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Adam Malan	Police Lieutenant
	Scott Hodge	Public Works Director
	Scott Hess	Development Services Manager
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Rich Knapp	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Lindsay Mabry – Hill Air Force Base, Kayla Vogt – Clearfield High School, Jarod Valdes – Clearfield High School, Mitch Fawcett – Clearfield High School, Mark Loucks – Hill Air Force Base, Todd Tovey, Bob Bercher, Christian Marquardt, Joshua Grundie, Tyler Knight, Lucas Spens, Kaleb Phillips, Karsen Phillips, Andre Webb, Wendy Osborn, David Hansen, Brent Mardgen – Troop 304, Craig Hokanson, Colter Lincoln, David Lincoln, Kathryn Murray, Cliff Mock, David Gibson, Tahsha Gibson, Abbie Howe, Rob Allen, Gage Mayer, Brandon Hall, Sarah Petersen, Jarrod Case – Hill Air Force Base

Mayor Shepherd called the meeting to order at 7:03 p.m.

Mayor Shepherd informed the citizens present that if they would like to comment during Public Hearings or Citizen Comments there were forms to fill out by the door.

Councilmember LeBaron conducted the Opening Ceremony.

**PRESENTATION BY HILL AIR FORCE BASE (HAFB) ENVIRONMENTAL RESTORATION DIRECTORATE**

Representatives from the Hill Air Force Base (HAFB) Environmental Restoration Directorate were present to update the Council regarding the indoor sampling program and groundwater contamination.

Mark Loucks, HAFB Environmental Restoration Directorate, reviewed the history associated with the contamination of ground water in communities surrounding HAFB and referred to the handouts distributed to the Council. He informed the Council that the contamination in Clearfield was specific to vehicle maintenance and provided information specific to the contaminants discovered within the City. He emphasized the drinking water aquifers had not been contaminated; however, there was concern regarding groundwater contamination and air contamination found in the basements of homes. He continued it would be desirable to conduct air sampling in every home reflected on the contamination map and emphasized HAFB was very committed to remediation.

Mr. Loucks informed the Council of the methods previously used in the treatment of the contamination: the injection of a chemical oxidant designed to destroy pollution in groundwater and a carbon substrate which promoted the breakdown processes and the planting of trees allowing the root systems to remove the contaminants. He again emphasized the commitment of HAFB to the remediation of the soil. He announced the next step would be to solicit participation from the public late summer or early fall regarding remediation options.

Councilmember Bush inquired how the chemicals were being disposed of now to prevent future contamination. Mr. Loucks reported on the inventory process used by HAFB in dispersing chemicals and managing waste. Mayor Shepherd inquired when HAFB would discontinue testing. Mr. Loucks responded HAFB would continue to test annually until the plume was remediated. Mayor Shepherd pointed out the importance of regular testing in homes even if initial tests reflected no contamination was present. Councilmember LeBaron suggested informing residents outside of the identified plumes to gather additional information about the plumes and a discussion took place with Mr. Loucks responding to additional questions from Councilmember LeBaron. Mr. Loucks also acknowledged homes outside the plume areas were already being tested.

#### CITIZEN COMMENTS

*Mayor Shepherd announced the City adopted an ordinance approximately five years ago requiring the conversion of gravel parking surfaces to hard surfaces such as concrete or asphalt. He indicated at the time it had been determined by the Council as the best solution to improve aesthetics throughout the City. He stated initially information regarding the ordinance had been provided in the newsletter and the Standard Examiner. He continued a segment in the recent newsletter highlighted that ordinance which resulted in concerns expressed by numerous residents. Mayor Shepherd indicated enforcement of the ordinance could have a significant financial impact to the residents. He stated he had discussed this with the Council and reported he had requested staff to amend the ordinance identifying the conditions under which gravel would be permitted.*

Todd Tovey, resident, expressed his opinion the ordinance hadn't been made clear to the public until now and was glad to hear about possible changes to the ordinance. He believed the ordinance to be unethical as it would have been a financial burden to the residents for the

purpose of trying to make the City look better. He suggested the nuisance ordinance addressed weeds and believed that's the ordinance that should be enforced if there were weeds growing in the gravel and not creating a new one which would financially impact residents.

Cliff Mock, resident, expressed agreement regarding the financial burden associated with the installation of concrete parking surfaces. He stated he was a concrete contractor and the cost for him to replace his gravel surface with concrete would be approximately \$5,500. He believed if gravel were an accepted product used for landscaping, then using it for parking should also be acceptable. Mayor Shepherd pointed out the night the ordinance was adopted the Council Chambers was void of citizens in opposition.

David Gibson, resident, expressed agreement with both comments which had been made by Mr. Tovey and Mr. Mock. He thanked the Council for being proactive in directing staff to amend the ordinance.

Robert Allen, resident, mentioned his gravel was in preparation for a future garage. He mentioned he lived on Kersch Drive (350 West) and requested a copy of the map distributed by HAFB identifying areas for possible contamination. Brian Brower, City Attorney, handed Mr. Allen his copies of the distributed handouts and Mayor Shepherd pointed out the contact information specific to HAFB representatives.

Mayor Shepherd thanked the residents for their comments and emphasized it was the Council's commitment to be as transparent and proactive as possible.

#### APPROVAL OF RESOLUTION 2014R-06 AUTHORIZING AND DIRECTING STAFF TO MAKE APPLICATION TO THE STATE OF UTAH FOR RENEWAL OF THE RECYCLING ZONE

The Community Development Department requested authorization from the Council to apply for a State Recycling Market Development Zone, which focused on recycling as an economic development tool. The zone would assist manufacturing businesses in Clearfield that collected, processed, distributed, or used recycled materials in their manufacturing operations.

Brian Brower, City Attorney, announced a change had been made to the draft Resolution and directed the Council to a modified Resolution which had been distributed. He explained the renewal period had been changed allowing the Resolution to begin January 1, 2013. He stated JJ Allen, Assistant City Manager, had discussed changing the effective date to January of 2013 with the State and it had indicated as long as the adopted Resolution was worded in that fashion, it would accept that effective date.

**Councilmember LeBaron moved to approve Resolution 2014R-06, as amended, authorizing and directing staff to make application to the State for renewal of the Recycling Zone and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

## COMMUNICATION ITEMS

### ***Mayor Shepherd***

1. Announced he had attended the HAFB Award's Ceremony. He mentioned some Clearfield residents received civilian awards.
2. Reported he and JJ Allen, Assistant City Manager, had attended the ATK celebration for producing its 20,000 part last week. He stated they were hiring approximately 100 people per year.

### ***Councilmember Benson***

1. Encouraged residents to contact their delegates that would be sent to the State and emphasized the importance of becoming involved and educated.
2. Stated she was also glad to see the turnout in the audience. She emphasized the Council had been elected by the citizens of Clearfield to represent them and believed they had done that tonight.

### ***Councilmember Bush***

1. Pointed out the importance of attending City Council meetings. He mentioned sometimes laws were adopted at different levels of government that looked good at the time; however, as time passed there were changes needed and that had been the case with the gravel parking surface ordinance earlier in the meeting.
2. Stated he had attended the Depot Street Extension meeting on Wednesday, March 12, 2014, and indicated it had a good turnout and the City had received some good input.
3. Announced the North Davis Sewer District had passed a \$50 million bond at its March 13, 2014 meeting without any public comment. He stated the District had an AA-1 Rating which was the highest rating an organization that size could have. He explained when the bond was issued the following Tuesday, the Issuer granted \$53 million to the District because of its rating.
4. Informed the Council that he had also attended a meeting the week of March 17 with some of the District's board members and staff and representatives of the State's Department of Water Quality. He announced the EPA would be tightening restrictions across the Country for water and air pollution. He explained the District would now have to begin removing phosphorous and stated this would be an additional cost to the District. He emphasized it would be a continuous upgrade to keep up with the EPA's restrictions in order to be compliant with the regulations.
5. Announced the Parks and Recreation Commission had met Wednesday, March 19, 2014, and stated they were working on Take Pride in Clearfield and the Easter Egg Hunt. He mentioned the Commission had some great volunteers.

### ***Councilmember Jones***

1. Expressed his appreciation for the attendance of the residents at the meeting as he had received a lot of feedback about enforcement of the gravel parking surface ordinance. He stated the Council was trying to do what was best for the citizens of Clearfield.
2. Stated he had attended the Republican Caucus last week and indicated it had experienced a great turnout.

### ***Councilmember LeBaron***

1. Informed the Council that he had attended the Community Council meeting at Holt Elementary during which concerns had been discussed regarding the park and safety for the children.
2. Reiterated Mayor Shepherd's remarks that when the ordinance specific to the use of gravel as a parking surface was adopted the public was not in attendance. He commented how important it was for residents to know what was going in the City.

*Councilmember Young* – Announced the Mosquito Abatement District would soon begin spraying for mosquitoes. He stated if residents were going to be hosting an evening event at their residences they could call and request their neighborhood be fogged the night before.

*Adam Lenhard, City Manager* – nothing to report.

## STAFFS' REPORTS

### *Nancy Dean, City Recorder*

1. Directed the Council to some handouts on the dais. She announced the Davis County Clipper was seeking nominations for Mother of the Year in Clearfield and directed them to the handout for information specific to that.
2. Announced Warriors Over the Wasatch Open-house and Air Show was also seeking nominations for a Hometown Hero to showcase American citizens doing amazing things and directed them to the handout for specific information.
3. Reviewed the meeting schedule with the Council:
  - April 1, 2014 – work session beginning at 6:00 p.m.
  - April 8, 2014 – work session and policy session
  - April 15, 2014 – 6:00 p.m., would be meeting a quasi-judicial appeal authority to hear an appeal regarding a decision of the Planning Commission.
  - April 22, 2014 – policy session
  - April 29, 2014 – work session
  - May 6, 2014 – work session
  - May 13, 2014 – policy session

Mayor Shepherd announced the City could submit as many nominations as it wanted for the Hometown Hero and HAFB officials would select the individual.

*Scott Hodge, Public Works Director* – reported the Freeport Water Tank that was currently under construction was beginning to go vertical. He expressed an invitation to members of the Council to tour the site if any were interested. Councilmember Bush inquired about the 700 South water tank. Mr. Hodge reported the 700 South water tank roof had been completed and announced the tank was fully operational.

**Councilmember Bush moved to adjourn the regular session and reconvene in a work session at 7:50 p.m., seconded by Councilmember Jones. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

# CLEARFIELD CITY ORDINANCE 2014-04

## AN ORDINANCE AMENDING TITLE 6 OF THE CLEARFIELD CITY CODE

**PREAMBLE:** This Ordinance amends Title 6 of the Clearfield City Code by enacting Chapter 3, "Alarm Systems."

**BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:**

### **Section 1. Enactment:**

*Title 6, Chapter 3 of the Clearfield City Code is hereby enacted to read as follows:*

## **TITLE 6, CHAPTER 3 ALARM SYSTEMS**

### **6-3-1: DEFINITION**

"**Alarm systems**" means any mechanism, equipment, or device which is designed to detect an unauthorized entry into any building or onto any property, or to direct attention to a robbery, burglary, fire, or other emergency in progress, and to signal above occurrences either by silent, remote, or audible alarm, upon any premises or group of premises under single control or management, designed to operate automatically, or upon manual activation which transmits a signal.

### **6-3-2: ALARM BUSINESS, LICENSE REQUIRED**

Each alarm installation or maintenance business shall meet the standards of the State of Utah's licensing regulations governing alarm businesses and shall be licensed by the State of Utah in addition to possessing a valid Clearfield City Business License.

### **6-3-3: ADMINISTRATION REGULATIONS**

The provisions of this Chapter shall be administered and enforced by the Police Chief. The Chief and/or the designated representative are authorized to make inspections of alarm systems and of the premises wherein said device or system is located. The Police Chief shall have the power to make such reasonable rules and regulations as may be deemed necessary to implement the provisions of this Chapter.

### **6-3-4: AUDIBLE ALARMS**

Outside non-monitored burglary or robbery audible alarms are prohibited within the confines of Clearfield City. Except as provided in Section 6-3-10, vehicle audible alarms are exempt for audible sounding. No audible alarm will sound for more than a five (5) minute period. Outside fire sprinkler alarm bells are exempted from this Section.

### **6-3-5: AUTO-DIALERS FORBIDDEN**

No alarm system shall automatically dial any Clearfield Police Department number and give any prerecorded message or announcement.

### **6-3-6: INSTRUCTION AS TO THE OPERATION OF SYSTEMS**

It shall be the responsibility of the owner or supplier of the system to instruct the subscriber and/or occupant of the premises wherein the system is installed, in the proper use and operation of the device or alarm, whether silent or audible, including specifically all necessary instruction in turning off said alarm and in avoiding false alarms. It shall be the responsibility of the alarm company installing the alarm to complete an education program for each owner, lessee, or renter informing them of the requirements of this Chapter.

### **6-3-7: RESPONSIBILITY OF ALARM MONITORING COMPANIES**

Any person or company providing alarm monitoring service shall be responsible for obtaining and maintaining an up-to-date list of responsible parties to respond to the premises upon an alarm being received from a client's premises. It shall be the responsibility of the alarm monitoring person or company to notify the responsible party to respond. The alarm monitoring person or company shall then immediately notify the Clearfield Police Department and give the name of the responsible person responding, their estimated time of arrival at the scene of the alarm, and a description of the vehicle in which the party is responding. In the event there is no responsible party to respond to a business or residential premises alarm, the owner, occupant, or permittee of the business or residence may be assessed a Twenty-Five Dollar (\$25.00) civil penalty, and the responding officer will do a visual outside perimeter check. Failure to pay this penalty will be cause for the City to decline to respond on future alarms.

### **6-3-8: NOTICE OF DISRUPTION IN SERVICE**

When an alarm business's service is disrupted, or the alarm business becomes aware of any such disruption, it shall promptly notify its subscribers that protection is no longer being provided. When a fire alarm system becomes inoperable the North Davis Fire District may require a fire watch until the system is restored, in accordance with Uniform Fire Code Section 1007.1.4.

### **6-3-9: RESPONSIBILITY FOR ALARM SERVICE**

In the event of an audible, silent, or fire alarm, the person or persons listed as responsible parties, shall, upon notification proceed immediately to the location of the activated alarm and render all necessary service. The police shall be under no obligation to remain at the location emitting the alarm.

### **6-3-10: ADDITIONAL REQUIREMENTS FOR BURGLAR/INTRUSION ALARMS**

(A) The sensory mechanism used in connection with alarm systems shall be adjusted to suppress false indication of intrusion so that the device will not be activated by impulses due to transient pressure changes in water pipes, short flashes of light, wind noise such as the rattling, whistling, or vibrating of doors or windows, vehicular noise adjacent to the installation, radio frequency energy, non-intrusive motion, or other forces unrelated to actual alarms.

(B) All components comprising such a device must be maintained by the owner or occupant of the premises upon which it is installed so as to assure reliability of operation.

(C) Vehicle audible alarms shall not sound for a period in excess of five (5) minutes.

(D) All alarm systems shall be configured to eliminate false annunciation upon loss of commercial power. Each alarm system shall have an uninterruptable power supply which will sustain the alarm system for a minimum period of four (4) hours.

### **6-3-11: OPERATIONAL DEFECTS TO BE REMEDIED**

Upon receiving signals, warnings, or messages evidencing a failure to comply with the requirements set forth in this Chapter respecting operational requirements and training in the operation of alarm systems, the Police Chief may:

- (A) Upon inspection, if it is determined that the system sending such messages, signals, or warnings is defective or inoperable, order the alarm be considered by the City as inoperable until further notice in order to relieve the Police Department from responding to multiple false alarms; and
- (B) In addition to any other provisions of this Chapter, demand that the owner or lessee of such device:
  - 1. immediately remedy the defect;
  - 2. take the steps necessary to disconnect the device; or
  - 3. acknowledge that there will be no response to the premises serviced by the system until corrective measures are taken. For the purpose of this Section, if the system is activated five (5) times in succession without any valid alarms, it shall be presumed that said device is not in compliance with the requirements of above listed Sections or requirements of this Chapter.

### **6-3-12: NOTIFICATION OF TESTS**

Alarm businesses and permittees shall notify the police dispatcher at the Police Communications Center, who shall notify the North Davis Fire District, prior to any service, test, repair, maintenance, adjustment, alteration, or installation of any alarm system which would directly or indirectly result in an emergency services response. The dispatcher shall be notified of the type of alarm involved. Any alarm received after such notification while the system is out of service shall not constitute a false alarm. Alarm businesses and permittees shall notify the police dispatcher when the system is back in service.

### **6-3-13: CIVIL PENALTY FOR FALSE ALARMS**

After having two (2) false alarms occur on the same premises, outside a twenty-four (24) hour period, within each quarter of a calendar year, there will be a monetary assessment as set forth below:

- (A) Third alarm, Fifty Dollars (\$50.00);
- (B) Fourth alarm, Seventy-Five Dollars (\$75.00);
- (C) Fifth alarm, One Hundred Dollars (\$100.00), and the alarm holder's insurance company and/or State Licensor may be notified by mail, by the Police Chief/Fire Chief of pending disconnection;
- (D) Sixth Alarm, the alarm will be subject to being disconnected or the City declining to respond due to the alarm being considered inoperable as stated in Section 6-3-11 of this Chapter, until the situation is remedied; and
- (E) Failure to pay the false alarm assessment fee will be cause for the City to decline to respond on future alarms or to require the alarm system to be disconnected. Any notification to the owner, occupant, or company shall be satisfied by regular U.S. Mail to the address provided on the alarm permit.

### **6-3-14: RIGHT TO APPEAL**

Any person, company, business, or premises that is assessed the civil penalty in accordance with this Chapter has the right to appeal to an Alarm Appeal Board. Said Board is comprised of the Chief of Police, Administrative Services Director, and the Assistant City Manager, or their designated representative. Said appeal must be filed with the office of the City Recorder within ten (10) days of notice of the imposition of any penalty. If extenuating circumstances can be proven the Board may waive or modify the civil penalty.

### **6-3-15: REINSTATEMENT OF ALARMS**

The alarm user may apply for reinstatement by providing the Police Chief or designee with documented proof that the problem has been corrected, accompanied by a signed statement from a State certified alarm technician that the alarm has been monitored and certified FALSE FREE for thirty (30) consecutive days.

### **6-3-16: LIABILITY OF CITY LIMITED**

The City shall not be liable for any defects in operation of such alarm systems, for any failure or neglect to respond appropriately upon the receipt of an alarm from such a source, nor for the failure, refusal, or neglect of any business, apartment manager, or lessee. In the event the City finds it necessary to order a party to disconnect an alarm system, or to not respond due to false alarms, the City shall not be liable for the results of such action.

### **6-3-17: AUTHORITY TO INSPECT INSTALLATIONS**

The Police Chief and/or the authorized representative shall have the authority at reasonable times and upon oral notice, to enter any premises within the City to inspect the installation and operation of any alarm system to determine whether it is being used in conformity with the provisions of this Chapter. Said persons shall likewise have the authority to inspect the premises, on which the proposed system is to be installed, and the plans therefor, prior to the issuance of any permit required in this Chapter.

### **6-3-18: PENALTY FOR VIOLATION**

Notwithstanding any other provisions in this Chapter, failure of any person to comply with the requirements of this Chapter constitutes a class "C" misdemeanor and shall be punishable as such by law. Each day a violation exists constitutes a separate offense and is subject to the full penalty contained herein.

**Section 2. Repealer:** Any provision or ordinances that are in conflict with this ordinance are hereby repealed.

**Section 3. Effective Date:** These amendments shall take effect immediately upon passage and proper posting pursuant to state law.

Passed and adopted by the Clearfield City Council this 8<sup>th</sup> day of April, 2014.

CLEARFIELD CITY CORPORATION

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Mark R. Shepherd, Mayor

ATTEST:

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Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

EXCUSED:

# **CLEARFIELD CITY ORDINANCE 2014-06**

## **AN ORDINANCE AMENDING THE CONSOLIDATED FEE SCHEDULE FOR CLEARFIELD CITY CORPORATION.**

**PREAMBLE:** Ordinance 2008-06 enacted a consolidated fee schedule for utilities, recreation, licensing, permits, impact fees, building rental, etc. for Clearfield City Corporation. Recent changes to the North Davis Sewer District user fees identified that certain amendments to the fee schedule are warranted, as well as updating police fees associated with background checks, sex offender DNA collection and aquatic center fees associated with special promotions which shall be enacted as outlined below.

**BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:**

**Section 1. Enactment:** Title 2, Chapter 5 of the Clearfield City Code is hereby amended to read as follows:

**Section 2. Effective Date:** This Ordinance shall become effective immediately upon posting.

**Section 3. Repealer:** Any Ordinance or sections or portions of ordinances previously enacted by the Clearfield City Council which are in conflict with the provisions of this Ordinance are hereby repealed and replaced by this Ordinance.

Dated this 1<sup>st</sup> day of April 2014, at the regularly scheduled meeting of the Clearfield City Council.

CLEARFIELD CITY CORPORATION

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Mark R. Shepherd, Mayor

ATTEST

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Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

EXCUSED:

## CONSOLIDATED FEE SCHEDULE CLEARFIELD CITY CORPORATION

### UTILITIES

**Water \*\* Water rates are from January 1st to December 31st**

#### **Single Family Dwellings**

Base Fee (5/8" meter)

Consumption Charges per 1,000 gallons

0 - 10,000

10,001 - 40,000

40,001 - 60,000

60,001 - 80,000

80,000 +

	2013	2014	2015
Base Fee (5/8" meter)	\$11.53	\$11.70	\$11.89
Consumption Charges per 1,000 gallons			
0 - 10,000	\$0.87	\$0.89	\$0.91
10,001 - 40,000	\$1.02	\$1.04	\$1.06
40,001 - 60,000	\$1.17	\$1.19	\$1.21
60,001 - 80,000	\$1.33	\$1.36	\$1.39
80,000 +	\$1.48	\$1.51	\$1.54

#### **Multiple Dwelling Units, Apartment Houses & Mobile Home Parks**

(7,000 gallons allowed per unit, then commercial rates apply)

1st Unit

Each Additional Unit

1st Unit			
Each Additional Unit	\$12.42	\$12.61	\$12.86

#### **Commercial/Industrial/Institutional/Dormitory**

Base fee, based on meter size

5/8"

1"

1.5"

2"

3"

4"

6"

Consumption Charges per 1,000 gallons

5/8"	\$16.86	\$17.11	\$17.45
1"	\$78.86	\$80.04	\$81.64
1.5"	\$78.86	\$80.04	\$81.64
2"	\$103.54	\$105.01	\$107.11
3"	\$263.47	\$267.42	\$272.77
4"	\$393.52	\$399.42	\$407.41
6"	\$518.02	\$525.79	\$536.31
Consumption Charges per 1,000 gallons	\$1.07	\$1.09	\$1.11

Sprinkling lawns, unmetered - base fee from 5/8" commercial rate plus per square foot of lawn area. Unmetered lawn accounts will be billed monthly for a five (5) month period each year, from May 1 up to and including September 30.

Sprinkling lawns, unmetered - base fee from 5/8" commercial rate plus per square foot of lawn area. Unmetered lawn accounts will be billed monthly for a five (5) month period each year, from May 1 up to and including September 30.	\$0.005172	0.005275	\$0.005381
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Fire Protection Standby Charge:

Sprinkling system standby charge per diameter inch of main

Sprinkling system standby charge per diameter inch of main	\$3.06	\$3.12	\$3.18
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More than one User:

Minimum monthly fee based on meter size.

Consumption fee shall be divided equally between users unless users present a written agreement that fees shall be charged on different basis.

Unmetered Services

Commercial & industrial users not having metered water service shall be charged for water services based on the number of connections and number of employees

8 or fewer employees minimum 1.0" meter size

9 or more employees, charged at 2.0" meter size

	2013	2014	2015
Commercial & industrial users not having metered water service shall be charged for water services based on the number of connections and number of employees			
8 or fewer employees minimum 1.0" meter size	\$79.24	\$80.82	\$82.44
9 or more employees, charged at 2.0" meter size	\$104.04	\$106.12	\$108.24

<b>Sanitary Sewer Residential</b>					
Single Family	(Clearfield City Portion)	July 1st	Jan 1	\$11.25	\$11.44
	(North Davis Sewer District Portion)			\$9.50	\$12.50
	(Clearfield City Portion)	January 1st	July 1	\$11.25	\$11.44
	(North Davis Sewer District Portion)			\$8.00	\$9.50
<b>Multi-Unit</b>					
All Units	(Clearfield City Portion)	July 1st		\$7.82	\$7.98
	(North Davis Sewer District Portion)			\$9.50	\$12.50
	(Clearfield City Portion)	January 1st		\$7.82	\$7.98
	(North Davis Sewer District Portion)		July 1	\$8.00	\$9.50
<b>Commercial/Industrial/Institutional/Dormitory</b>					
<b>Metered</b>					
Base fee	(Clearfield City Portion)	July 1st	Jan 1	\$13.49	\$13.71
	(North Davis Sewer District Portion)		July 1	\$9.50	\$12.50
	(Clearfield City Portion)	January 1st		\$13.49	\$13.71
	(North Davis Sewer District Portion)			\$8.00	\$9.50
Consumption fee per 1,000 gallons	(Clearfield City Portion)	July 1st	Jan 1	\$0.55	\$0.60
	(North Davis Sewer District Portion)			\$0.95	\$1.25
	(Clearfield City Portion)	January 1st		\$0.50	\$0.65
	(North Davis Sewer District Portion)			\$0.85	\$0.95

Note: North Davis Sewer District charges are set by the sewer district and not Clearfield City. These rates may change.

July 1

Billing periods beginning May 1st through and including the November 1st bill of each year will be billed on a five month winter average consisting of water consumption from December 1st through April 1st bills.

**More than one User:**

Minimum monthly fee based on meter size.  
Consumption fee shall be divided equally between users unless users present a written agreement that fees shall be charged on different basis other than equally

**Unmetered Services**

Commercial & industrial users not having metered water service shall be charged for water services based on the number of connections and number of employees  
8 or fewer employees minimum 1.0" meter size  
9 or more employees, charged at 2.0" meter size

Commercial Monthly Base Fee  
Commercial Monthly Base Fee + \$1.00/employee

**Special Treatment**

When sewage requires special treatment or causes an unusual and abnormal burden on the disposal facilities, additional charges shall be assessed as determined by the City Council to be fair and equitable.

**Storm Sewer Residential**

Single Family and duplex	\$4.61	\$4.75	\$4.89
Tri-plex and fourplex			
Apartments with more than 4 units at Commercial rate			

<b>Commercial/Industrial</b>	\$4.61/ESU	\$4.75/ESU	\$4.89/ESU
(2,700 sq ft of impervious surface equals 1 ESU)			
Credit for On-Site Mitigation:			
50% with maximum release of 0.20 cfs/ac and having installed an approved sand &			
30% with maximum release of 0.20 cfs/ac within a landscaped area or a retention			
20% with maximum release of 0.20 cfs/ac within an impervious surface area on the			

<b>Residential Solid Waste (Garbage)</b>			
Base fee (with 1st can)	\$15.25	\$15.25	\$15.25
Each additional can	\$7.00	\$7.00	\$7.00

**Utility Taxes**  
Six percent (6%) of total water and sewer charges

<b>Misc. Fees</b>			
Refundable security deposit	\$120.00	\$120.00	\$120.00
Service Fee	\$25.00	\$25.00	\$25.00
Late Fee	\$10.00 or 1.5%, whichever is greater		
Disconnect/Reconnect Fee	\$25.00	\$25.00	\$25.00
Administrative fine for violations of Title 9	Not less than \$100, nor more than \$250		

**RECREATION FEES:**

<b>Park Rental Fees:</b>	<b>Resident</b>	<b>Non-resident</b>
\$25 refundable cleaning deposit due at the time of rental		
Picnic shelter	\$15.00	\$35.00
Amphitheater (per hour)	\$10.00	\$10.00

<b>Athletic Field / Facility Usage Fees:</b>	<b>Resident</b>	<b>Non-resident</b>
\$100 refundable cleaning deposit due at the time of rental		
Usage fee (per hour per field)	\$10.00	\$20.00
Lights (per hour per field)	\$20.00	\$20.00
Field preparation Mon-Fri (per field)	\$25.00	\$25.00
Field preparation Sat-Sun (per field)	\$40.00	\$40.00
Scoreboard (per field)	\$10.00	\$10.00
Supervisor in charge of scoreboard (per hour)	\$12.00	\$12.00

<b>July 4th Booth Fees:</b>	<b>All vendors</b>
Shaded booth, no electricity	\$80.00
Shaded booth, non-food w/electricity	\$110.00
Shaded booth, w/electricity food vendor	\$110.00
Food vendor with own trailer w/electricity	\$100.00
Each additional electrical outlet	\$10.00

**Recreation Leagues, Sports, Classes, and Misc. Fees:**  
 Contact Community Services Department

**AQUATIC CENTER FEES:**

Membership fees may be altered in conjunction with marketing efforts to allow for the effective promotion of the Clearfield Aquatic Center with the approval of the Community Services Director.

**(All fees include tax)**

**Daily Admission**

Child 3 and under	\$1.00
Youth 4-17	\$3.00
Adult 18-59	\$5.50
Senior 60+	\$3.00

**Annual Membership fees**

	<b>Resident</b>	<b>Non-Resident</b>
Membership rates includes tax		
Child 4-12	\$130.00	\$197.25
Youth 13-17	\$170.00	\$260.00
Adult 18-59	\$260.00	\$390.00
Senior 60+	\$170.00	\$260.00
Senior couple	\$260.00	\$390.00
Adult couple	\$340.00	\$510.00
Family	\$440.00	\$620.00

**Membership Registration Fee**

Individual one-time registration fee	\$25.00	\$25.00
Senior Couple one-time registration fee	\$40.00	\$40.00
Adult Couple one-time registration fee	\$50.00	\$50.00
Family one-time registration fee	\$75.00	\$75.00

**Corporate/Business Annual Membership Group Discount Rates**

	<b>10-19 Members</b>	<b>20+ Members</b>
<b>RESIDENT BUSINESSES</b>	<b>5% Discount</b>	<b>10% Discount</b>
Senior	\$ 166.25	\$ 157.50
Adult	\$ 256.50	\$ 243.00
Sr. Couple	\$ 256.50	\$ 243.00
Adult Couple	\$ 332.50	\$ 315.00
Family	\$ 427.50	\$ 405.00

**NON RESIDENT BUSINESSES**

	<b>5-9 Members</b>	<b>10-14 Members</b>	<b>15-19 Members</b>	<b>20-24 Members</b>	<b>25+ Members</b>
	<b>5% Discount</b>	<b>10% Discount</b>	<b>15% Discount</b>	<b>20% Discount</b>	<b>25% Discount</b>
Senior	\$ 265.50	\$ 243.00	\$ 229.50	\$ 216.00	\$ 202.50
Adult	\$ 380.00	\$ 360.00	\$ 340.00	\$ 320.00	\$ 300.00
Sr. Couple	\$ 380.00	\$ 360.00	\$ 340.00	\$ 320.00	\$ 300.00
Adult Couple	\$ 498.75	\$ 472.50	\$ 446.25	\$ 420.00	\$ 393.75
Family	\$ 608.00	\$ 576.00	\$ 544.00	\$ 512.00	\$ 480.00

**Membership Cancellation Fee**

Individual	\$25.00	\$25.00
Couple	\$50.00	\$50.00
Family	\$75.00	\$75.00

**15-Punch Pass**

Youth 4-17	\$40.95	\$40.95
Adult	\$72.00	\$72.00
Senior	\$40.95	\$40.95

**Aquatic Center Day Care**

Hourly rate per child	\$3.50	\$3.50
5-hour punch pass	\$15.00	\$15.00
10-hour punch pass	\$30.00	\$30.00
30-hour punch pass	\$75.00	\$75.00
50-hour punch pass	\$105.00	\$105.00

**Aquatic Center Programs**

	<b>Resident</b>	<b>Non-resident</b>
Swim lessons	\$31.00	\$36.00
Private swim lessons - one student	\$10.00	\$12.00
Private swim lessons - two students	\$11.00	\$13.00
Private swim lessons - three students	\$12.00	\$14.00
Clearfield City Aquatics Team 3 days/week	\$25.00	\$28.00
Clearfield City Aquatics Team 5 days/week	\$30.00	\$33.00

**Aquatic Center Facility Rentals:**

	<b>Per hour</b>
Leisure pool 1-100 people	\$150.00
Extra fee per hour / additional 25 people	\$25.00
Lap pool 1-100 people	\$100.00
Extra fee per hour / additional 25 people	\$25.00
Lap and Leisure pool 1-100 people	\$225.00
Extra fee per hour / additional 25 people	\$25.00
Lap pool / splash pad	\$125.00
Lap pool / leisure pool / splash pad	\$300.00
Splash pad & patio area	\$75.00
Lane rental	\$12.50
Shower rental	\$50.00
Wet classroom	\$35.00
Party room	\$35.00
Birthday party package (Includes 45 minutes in party room, 8 children, 2 adults)	\$75.00
Full aquatic center	\$400.00
Gym - full court (30 minutes)	\$25.00
Gym - half court (30 minutes)	\$15.00

**Aquatic Center Misc. Fees:**

Body Fat Testing	\$10.00
Personal training - couple	\$60.00
Personal training - single	\$40.00
Personal training - 10 sessions	\$340.00
Personal training - 6 sessions	\$216.00
Personal training - 3 sessions	\$114.00

**BUSINESS LICENSE FEES**

	<b>Fee / Amount</b>
<b>General Business License</b>	
New	\$75
Renewal / Commercial	\$64
Renewal / Home	\$64
<b>Rental Dwelling License</b>	
New	\$190
New - Good Landlord Participant	\$30
Renewal or amendment	\$64
<b>Temporary or Seasonal Merchant License or Mobile Food Vendor License</b>	
New - Sixty (60) Days	\$120
Cleaning Deposit	\$100
<b>Solicitor License</b>	
New	\$215
Renewal	\$64
Identification Badge	\$15
<b>Beer Licenses</b>	
<b>Class A - Off-Premise</b>	
New	\$138
Renewal	\$64
<b>Class B - Restaurant</b>	
New	\$138
Renewal	\$64
<b>Class C - Tavern</b>	
New	\$138
Renewal	\$64
<b>Class D - Nonprofit Organization</b>	
New	\$138
Renewal	\$64
<b>Class E - Temporary Special Event</b>	
New	\$138
Renewal	\$64
<b>Sexually-Oriented Business Licenses</b>	
<b>Outcall Services</b>	
New	\$200
Renewal	\$64
<b>Adult Business</b>	
New	\$200
Renewal	\$64
<b>Nude Entertainment Business</b>	
New	\$200
Renewal	\$64
<b>Semi-nude Dancing Bar</b>	
New	\$200
Renewal	\$64
<b>Nude and Semi-nude Dancing Agency</b>	

New	\$200
Renewal	\$64

**Sexually-Oriented Business Employee Licenses**

**Non-performing Employee**

New	\$200
Renewal	\$64

**Outcall Services Performer**

New	\$200
Renewal	\$64

**Adult Business Performer**

New	\$200
Renewal	\$64

**Nude Entertainment Business Performer**

New	\$200
Renewal	\$64

**Semi-nude Dancing Bar Performer**

New	\$200
Renewal	\$64

**Firework Stand License**

New	\$120
Cleaning Deposit	\$100

**Pawnbroker License**

New	\$138
Renewal	\$64

**Disproportionate Service Fees**

Daycare / Preschool, Commercial (new only)	\$10
Daycare / Preschool, Home (new only)	\$135
Manufacturing Businesses (new and renewal)	\$200
Single-Family Rental (new and renewal) with Good Landlord Program - per unit	\$7
Two-Family Rental (new and renewal) with Good Landlord Program Discount - per unit	\$3
3/4-Plex Rental (new and renewal with Good Landlord Program Discount - per unit	\$9
Multi-Family Rental (new and renewal) with Good Landlord Program Discount - per unit	\$7
Mobile Home Park (new and renewal) with Good Landlord Program Discount - per unit	\$7
Single-Family Rental (new and renewal) - per unit	\$66.50
Two-Family Rental (new and renewal) - per unit	\$12.50
3/4-Plex Rental (new and renewal) - per unit	\$92.00
Multi-Family Rental (new and renewal) - per unit	\$67.00
Mobile Home Park (new and renewal) - per unit	\$49.50
Convenience Stores (new and renewal)	\$500
Restaurants (new and renewal)	\$150
Tavern (new and renewal)	\$800
Automotive (new and renewal)	\$115
Financial Services (new and renewal)	\$440
Pawn Shops (new and renewal)	\$500

**Bonds Required**

**Sexually-Oriented Businesses:**

Each applicant for a sexually-oriented business license shall post with the City's business license

department a cash or corporate surety bond, payable to the City, in the amount of two thousand dollars (\$2,000). Any fines assessed against the business, officers or managers for violations of City ordinances shall be taken from this bond if not paid in cash within ten (10) days after notice of the fine, unless an appeal is filed. In the event the funds are drawn against the cash or surety bond to pay such fines, the bond shall be replenished to two thousand dollars (\$2,000) within fifteen (15) days of the date of notice of any draw against it.

**Firework Stands:**

Bond Or Liability Insurance: Any application for permit as herein provided shall be accompanied by a certificate of insurance insuring the licensee and naming the City as an additional insured, conditioned for the payment of all damages which may be caused either to a person or to property by reason of the display so licensed and arising from any acts of the licensee, his agents or employees. Such insurance shall be in a sum not less than one hundred thousand dollars/three hundred thousand dollars (\$100,000.00/\$300,000.00) for bodily injury and fifty thousand dollars/one hundred thousand dollars (\$50,000.00/\$100,000.00) for property damage and no City officer or licensing agent or other representative of the City shall in any event issue any permit hereinabove referred to until such certificate of insurance has been furnished and passed upon by the City Manager and the City Attorney as to form and sufficiency.

**Pawnbrokers:**

Prior to the issuance of any license for the business of a pawnbroker, the applicant therefore shall file with the Director of Finance a bond with a sufficient surety in the penal sum of two thousand dollars (\$2,000.00), in such form as shall be approved by the City Attorney, conditioned for the faithful observance of all laws and ordinances respecting pawnbrokers. The form of the bond and the sufficiency of the surety shall be approved by the City Attorney.

**Miscellaneous**

Duplicate license / certificate	\$5
Report showing all businesses licensed in the city	\$5

**Penalties**

Renewals not paid on or before January 15th	50 % of the total amount due	
Engaging in business without a license		\$50

**Amended License**

Processing Fee	\$5
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**Business License Appeal**

Fee	\$75
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**POLICE**

Copy of Police Report	\$10.00	(was \$5.00)
1st copy to those involved	No Cost	
Tape or CD with photos or video	\$25.00	
Fingerprinting (resident)	\$10.00	
Fingerprinting (non-resident)	\$15.00	
BCI Background check	\$15.00	

**Alarm's (take-out word monitoring)**

Monthly charge per individual site	\$20.00	<del>Take-out this line</del>
Cost per alarm received (no charge for first three in any month)	\$20.00	<del>take-out this line</del>
Failing to have a responsible person respond on alarm	\$25.00	
False Alarms per quarter of a calender year outside of a 24 hr period		

(A) Third alarm	\$50.00
(B) Fourth alarm	\$75.00
( C ) Fifth alarm	\$100.00

**Registration Fee**

Sex Offender Yearly Registration	\$25.00
Sex Offender DNA collection	\$25.00
Contract Services for Police Officers	\$58.00 hour 2 hour minimum

**GRAMA FEES:**

Copy cost per side	\$0.25
Certified copies per page	\$2.00
Copy of a audio recording of minutes	\$3.00
Compilation time per hour	\$14.00
Police reports	\$10.00
Budget copies	\$5.00
Land Use Plans (General Plan)	\$5.00

Requests that include the inspection of a voluminous scope of records and/or have not identified any particular record(s) with any degree of specificity, will need to adhere to the following procedures and guidelines in order for the City to reasonably facilitate the request:

- 1) Written notice must be provided to the office of the City Recorder at least ten (10) business days in advance of the date and times desired to inspect the City's public records. Said notice must include a particular category of records to examine on each date so that those records may be pulled, placed in a central location, and then reviewed for any private, controlled, or protected documents in advance of the inspection.
- 2) Appointments to inspect the City's public records will be made in four (4) hour time blocks, either from the hours of 8:30 a.m. until 12:30 p.m. or from 1:00 p.m. until 5:00 p.m. Requestors may utilize only one (1) four (4) hour time block for inspecting records per day and must not request more than two (2) such appointments per week.
- 3) The City shall charge a reasonable fee to cover its actual costs for accommodating the records request. Pursuant to this Fee Schedule, the requestor will be charged a minimum of \$14.00 per hour to cover the necessary staff time to facilitate complying with the request. The requestor must pay \$56.00 (4 hours X \$14/hour) in advance for each four (4) hour block of inspection time scheduled. However, that amount is only designed to offset the City's labor costs to have an employee sit with the requestor while any public records are inspected in order to maintain the integrity of said records. Any additional costs for searching, retrieval, compiling, formatting, manipulating, packaging, summarizing, tailoring, copying, etc. will be charged in addition to the \$56.00 per four (4) hour inspection block that will have already been paid in advance.

**PLANNING & ZONING FEES:**

Engineering Fees	Per City Engineer Hourly Rates
Site Plan Review	\$500 plus Engineering
Conditional Use Permit	
Home Occupation	\$200 plus Engineering
Residential	\$350 plus Engineering
Commercial	\$350 plus Engineering
Request for Extension	\$200 plus Engineering
Site Plan Review/Conditional Use Permit running concurrently	\$700 plus Engineering
Rezone	\$650 plus Engineering

Zoning Ordinance Amendment	\$650 plus Engineering
General Plan Amendment	\$900 plus Engineering
Street Vacation	\$450 plus Engineering
Plat Vacation / Amendment	\$300 plus Engineering
Annexation	\$1000 plus Engineering
Special Planning Commission Meeting	\$500
Subdivision Approval	
Preliminary	\$500 + \$25 per lot, plus Engineering
Final	\$400 + \$25 per lot, plus Engineering
Subdivision Public Hearing	\$300
Appeal to the Planning Commission or City Council	\$150 plus Independent Legal Fees
Recording Fees	Paid directly to Davis County Recorder
Permanent Sign Permit	\$50 plus Inspection Fees
Temporary Sign Permit	\$20
Variance	\$250 plus Engineering
Zoning Verification Letters	\$75

**GIS Data Pricing**

Parcel Layer	\$50.00
Street (Centerline) Layer	\$50.00
Zoning Layer	\$50.00
Any other GIS or CAD Layers	\$20.00 each
Aerial Photography	\$90.0/sq. mi.
Special Projects	\$50.00 per hour
Hard copy color maps	\$1.00 / Sq. Ft.

**CODE ENFORCEMENT FEES:**

Restoration Permit	First - \$25 / Second - \$50
Abatement Administration Fee	\$120

**BUILDING PERMIT AND DEVELOPMENT FEES:**

**General - Building valuation:**

From \$1 to \$500	\$23.50
From \$501 to \$2,000	\$23.50 plus \$3.05 each additional \$100 or fraction thereof
From \$2,001 to \$25,000	\$69.25 plus \$14.00 each additional \$1,000 or fraction thereof
From \$25,001 to \$50,000	\$391.75 plus \$10.10 each additional \$1,000 or fraction thereof
From \$50,001 to \$100,000	\$643.75 plus \$7.00 each additional \$1,000 or fraction thereof
From \$100,001 to \$500,000	\$993.75 plus \$5.60 each additional \$1,000 or fraction thereof
From \$501,000 to \$1,000,000	\$3,233.75 plus \$4.75 each additional \$1,000 or fraction thereof
From \$1,000,000 up	\$5,608.75 plus \$3.65 each additional \$1,000 or fraction thereof

**Pools, tubs and spas:**

Public	\$150 each
Private	\$47 each

**Landscape sprinkling system**

\$47 each

**Plan check fee:**

Commercial

- 65% of the building permit fee for building value of \$1 - \$100,000
- 60% of the building permit fee for building value of \$100,001 - \$500,000
- 50% of the building permit fee for building value of \$500,001 and greater

Use of outside consultants for plan checking	Actual Cost **
Residential and pools	20% of the building permit fee
Residential "Identical Plans"	\$47

\*\* Actual costs include administrative and overhead costs

Plan check deposit required for new construction	
Residential	\$100
Commercial	\$250

**Off-site Bonds**

Residential	\$2,000
Commercial	As per City Engineer's cost estimate

**Permit inspection fees:**

Outside normal business hours (minimum charge of two hours)	\$47 per hour
Re-inspection	\$47 per hour
Inspections for which no fee is specifically indicated (minimum charge of .5 hours)	\$47 per hour
Additional plan review required by revisions (minimum charge of .5 hours)	\$47 per hour

**Home daycare or preschool plan check and inspection fee** \$25 each

**Street Cut Permit (Excavation Permit)**

Lateral excavation (roads older than 1 year)	\$60 / lane cut
Lateral excavation (roads newer than 1 year)	\$120 / lane cut
Longitudinal excavation (roads older than 1 year)	
First 660 lineal feet	\$120
Each additional 660 lineal feet or fraction thereof	\$240
Longitudinal excavation (roads newer than 1 year)	
First 660 lineal feet	\$240
Each additional 660 lineal feet or fraction thereof	\$240
Excavations off improved right-of-ways	\$60
Bond per lateral excavation	\$1,000
Bond per unlimited number of lateral excavations	\$15,000
Bond for longitudinal excavation for 100 lineal feet or fraction thereof	\$2,000

**Demolition permit (including inspections)** \$150

**State Surcharge**

A 1% state surcharge may be applicable to building permit fees

**Water Meter Fees**

	Cost	Installation Fee
5/8" x 3/4" Meter	\$208	\$25
1" Meter	\$292	\$25
1-1/2" Meter	\$530	\$25
2" Meter	\$700	\$25
2" Compound Series Meter w/2 Orion Transmitters	\$1,945	Per City Public Works Hourly Rate
3" Compound Series Meter w/2 Orion Transmitters	\$2,263	Per City Public Works Hourly Rate
4" Compound Series Meter w/2 Orion Transmitters	\$3,528	Per City Public Works Hourly Rate
6" Compound Series Meter w/2 Orion Transmitters	\$4,927	Per City Public Works Hourly Rate
1-1/2" Turbine Meter	\$800	Per City Public Works Hourly Rate
2" Turbine Meter	\$875	Per City Public Works Hourly Rate
3" Turbine Meter	\$987	Per City Public Works Hourly Rate
4" Turbine Meter	\$1,448	Per City Public Works Hourly Rate

6" Turbine Meter \$3,413 Per City Public Works Hourly Rate

**Telecommunications franchise application fee** \$500

**Sewer Connection Fees**

Each connection to the city sanitary sewer system including \$500

Additional connection fee per lot within the subdivision, mobile \$25

**DEVELOPMENT IMPACT FEES:**

<b>Residential</b>	<b>2011</b>	<b>2012</b>
Single Family (includes attached & detached)		
Park and Recreation Impact Fee	\$853	\$2,339
Storm water	\$1,396	\$1,432
Water	\$3,726	\$3,822
Sewer	\$2,019	\$2,072
All Others (per housing unit)		
Park and Recreation Impact Fee	\$604	\$1,441
Storm water	\$1,396	\$1,432
Water	\$3,726	\$3,822
Sewer	\$2,019	\$2,072

<b>Non-residential</b>	<b>2011</b>	<b>2012</b>
Storm water per ESU (1 ESU = 2,700 sq. ft. of impervious surface)	\$1,396	\$1,432
If there is storm water detention onsite, the fee is reduced if the detention area is:		
Paved - 20% reduction		
Grassed - 30% reduction		
Sand & Oil Interceptor - 50% reduction		

Water Impact (per water meter size*)	<b>2011</b>	<b>2012</b>
0.75	\$3,726	\$3,822
1.00	\$9,315	\$9,556
1.50	\$18,630	\$19,112
2.00	\$29,809	\$30,579
3.00	\$55,891	\$57,336
4.00	\$93,152	\$95,559

Sewer Impact (per water meter size*)	<b>2011</b>	<b>2012</b>
0.75	\$2,019	\$2,072
1.00	\$5,049	\$5,179
1.50	\$10,097	\$10,358
2.00	\$16,155	\$16,573
3.00	\$30,291	\$31,074
4.00	\$50,485	\$51,790

\* Water and sewer impact fees for meters larger than four inches will be based on annualized average day demand and the net capital cost per gallon of capacity.

**Independent Fee Calculation Review** \$150 plus Actual Cost

**Administrative fee for Appeals** \$75

**North-Davis Fire-District**  
Collection-Fee

Determined-by Fire-District  
\$20

**North-Davis Sewer-District**  
Collection-Fee

Determined-by Sewer-District  
\$20

**DOG LICENSES**

Duplicate (replacement) tag	\$6.00
Unaltered and no chip	\$40.00
Altered with no chip	\$15.00
Altered with chip	\$10.00
Senior unaltered one year license	\$10.00
Senior lifetime, with chip and altered	\$20.00

**FIRE HYDRANT METERS**

Short Term Meter (3 days or less)	\$8.00 + usage charges
Long Term Meter (4 or more days)	\$30/month + usage charges
Lost, broken or damaged meter	\$1,100.00

**NEIGHBORHOOD DUMPSTERS**

Deposit (applied to resident's acct when charges are billed)	\$75.00
Delivery & picking-up	\$53.61 + fuel surcharge
Tipping Charge	\$26 / ton

**CEMETERY FEES**

	<b>Resident</b>	<b>Non-resident</b>
Plot - adult (includes perpetual upkeep)	\$450.00	\$950.00
Interment - adult	\$300.00	\$600.00
Plot - infant (includes perpetual upkeep)	\$150.00	\$400.00
Interment - infant/cremains	\$200.00	\$300.00
Plot - cremains (includes perpetual upkeep)	\$250.00	\$500.00
Interment extra fee for weekends/holidays	\$100.00	\$150.00
Disinterment	\$500.00	\$500.00
Cemetery certificate transfer fee - Adult - resident to non-resident		\$500.00
Cemetery certificate transfer fee - Infant - resident to non-resident		\$250.00
Cemetery certificate transfer fee - Cremains - resident to non-resident		\$250.00
Transfer fee from resident to non resident is the difference between the resident purchase price and non-resident purchase price at the time of the original purchase.		
All other certificate transfers	\$10.00	\$10.00
Gravesite Marker (for second and each additional time)	\$25.00	\$25.00

**BUILDING RENTAL FEES**

	<b>Resident</b>	<b>Non-resident</b>
Refundable cleaning & security deposit - no food	\$50.00	\$50.00
Refundable cleaning & security deposit - food served	\$250.00	\$250.00

Room Rental / per hour	\$35.00	\$50.00
Room Rental / per hour Government Agencies	\$35.00	\$35.00

**LEGAL DEPARTMENT DISCOVERY FEES**

Copies (first 10 pages)	\$5.00
Copies (11 plus pages)	\$0.25/page
Photos (color copies)	\$2.00/page
DVDs/Video/Audio Recordings (Copies)	\$20.00/each

North Davis Branch  
Davis County Library  
562 South 1000 East  
Clearfield, UT 84015

Attn: Chris Sanford

Subject: Arbor Day Activity

Clearfield City and the North Branch of the Davis County Library are teaming up to offer the public a Trees and tots Arbor Day activity. It's always a fun and successful event and look forward to the same this year. The Arbor Day celebration will be held on Friday, April 25<sup>th</sup> at 10:30 A.M. at Fox hollow park 2050 South 575 East

As in past years, library personnel will be responsible for holding a special story time, reading a book related to trees in some way. Also help advertising for the event by displaying tree related books in the showcase as you enter the library.

After the story time I will take the children and their parents to the trees that we are planning to plant. At which time they will participate in planting the trees. Clearfield will be responsible for providing the trees and also provide a bucket and shovel for each child that they can use and then take home. The city will provide refreshments for the participants

I appreciate the opportunity to work with you on this celebration

Thank you,

Tyler Hill

Clearfield City Arborist/Forester

801.525.4421



*Whereas,* In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

*Whereas,* this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

*Whereas,* Arbor Day is now observed throughout the nation and the world, and

*Whereas,* trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

*Whereas,* trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

*Whereas,* trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

*Whereas,* trees, wherever they are planted, are a source of joy and spiritual renewal.

*Now, Therefore, I,* \_\_\_\_\_, Mayor of the City of  
 \_\_\_\_\_, do hereby proclaim  
 \_\_\_\_\_ as

# Arbor Day

In the City of \_\_\_\_\_, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

*Further,* I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

*Dated this* \_\_\_\_\_ day of \_\_\_\_\_  
 Mayor \_\_\_\_\_