



EAGLE MOUNTAIN CITY COUNCIL MEETING

October 3, 2023, 4:00 PM

Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION - CITY COUNCIL CHAMBERS

1. CITY ADMINISTRATOR INFORMATION ITEMS

This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

- 1.A UPDATE - City Administrator Items
- 1.B UPDATE - Lobbyist David Stewart
- 1.C [DISCUSSION - Chapter 15 Construction Standards Code Amendments
Eagle Mountain Construction Standards 2023](#)
- 1.D DISCUSSION - Unified Fire Service Area Tax Rate

2. AGENDA REVIEW

The City Council will review items on the Consent Agenda and Policy Session Agenda.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

The City Council will adjourn into a Closed Executive Session for the purpose of discussion reasonably imminent litigation; the character, professional competence, or physical or mental health of an individual; and/or the purchase, lease, or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

7:00 P.M. POLICY SESSION - CITY COUNCIL CHAMBERS

4. CALL TO ORDER

5. PLEDGE OF ALLEGIANCE

6. INFORMATION ITEMS/UPCOMING EVENTS

7. PUBLIC COMMENTS

Time has been set aside for the public to express their ideas, concerns, and comments. (Please limit your comments to three minutes each.)

8. CITY COUNCIL/MAYOR'S ITEMS

Time has been set aside for the City Council and Mayor to make comments.

CONSENT AGENDA

9. AGREEMENTS

- 9.A GIS Subscription Agreement - ESRI
ESRI 3-Year Agreement

10. BID AWARDS

- 10.A Sunset Flats Subdivision Improvement Punchlist - Sunset Mountain Machinery
- 10.B Water Reuse Plan Update - Bowen Collin and Associates

11. CHANGE ORDERS

- 11.A Well 8 Drilling Change Order #2 - Grimshaw Drilling LLC
Initial Proposal
Updated Proposal

12. MINUTES

- 12.A September 19, 2023 Minutes - Regular City Council Meeting
09.19.2023 City Council Minutes - DRAFT

13. PRELIMINARY PLAT

- 13.A PRELIMINARY PLAT - Firefly 5 Phase A
Preliminary Plat
Redline Response

14. RESOLUTIONS

- 14.A RESOLUTION - A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Policies and Procedures Manual Regarding Preemployment Testing and Causes for Disciplinary Action.
RES--Policies and Procedures Manual
Policies and Procedures Manual Redlines

SCHEDULED ITEMS

15. ORDINANCES/PUBLIC HEARINGS

- 15.A ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Section 17.80.080 Off-premises Ladder Signs.

BACKGROUND: *(Presented by Economic Development Director Evan Berrett)* The proposed ordinance changes “slat” to “insert,” adds an additional sign insert size, increases the maximum height from 80 inches to 96 inches, and removes the requirement that the economic development director approve all advertising copy.

[ORD--EMMC 17.80.080 Off-premises Ladder Signs](#)
[EMMC 17.80.080 Ladder Signs - Redlines](#)
[Staff Report and Redlines](#)

- 15.B [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 13.75 Eagle Mountain City Storm Water Ordinance and Chapter 15.50 Storm Drains.](#)

BACKGROUND: *(Presented by City Engineer Chris Trusty)* The proposed ordinance brings the City into compliance with the Municipal Separate Storm Sewer System (MS4) permit.

[ORD--EMMC 13.75 Storm Water and 15.50 Storm Drains](#)
[EMMC 13.75.110 Storm Water System Design and Management Standards](#)
[EMMC 13.75.150 Illicit Discharges](#)
[EMMC 15.50.070 Storm Water Pollution Prevention Plan](#)

16. MOTION/PUBLIC HEARING

- 16.A [MOTION/PUBLIC HEARING - Taqueria 27 Restaurant Liquor License Variance Request.](#)

BACKGROUND: *(Presented by Business License Specialist Johna Rose)* An applicant request to the City Council to grant a variance to the distance requirements to a restricted facility, as defined in Eagle Mountain Municipal Code Section 5.15.030 Restaurant Liquor Licenses.

[Variance Request Letter](#)
[Proximity Restrictions - DABS](#)
[Maps, Pedometer Readings](#)

17. MOTION

- 17.A [MOTION - Clarification of the Effective Date of an Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Titles 16 Subdivisions and 17 Zoning.](#)

BACKGROUND: *(Presented by City Attorney Marcus Draper)* The City Council

approved an ordinance amending Municipal Code to bring the City's Code into compliance with recent State legislation at the September 19, 2023 City Council meeting. The motion did not include an effective date for the changes.

Approved Ordinance - EMMC Titles 16 & 17

18. LEGISLATIVE ITEMS

18.A UPDATE - Legislative Priorities List
Legislative Priorities List

19. CITY COUNCIL/MAYOR'S BUSINESS

This time is set aside for the City Council's and Mayor's comments on City business.

20. CITY COUNCIL BOARD LIAISON REPORTS

This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

21. COMMUNICATION ITEMS

21.A Upcoming Agenda Items
Upcoming Agenda Items

22. ADJOURNMENT

THE PUBLIC IS INVITED TO PARTICIPATE IN PUBLIC MEETINGS FOR ALL AGENDAS.

In accordance with the Americans with Disabilities Act, Eagle Mountain City will make reasonable accommodation for participation in all Public Meetings and Work Sessions. Please call the City Recorder's Office at least 3 working days prior to the meeting at 801-789-6610. This meeting may be held telephonically to allow a member of the public body to participate. This agenda is subject to change with a minimum 24-hour notice.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this this 28th day of September, 2023, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website www.emcity.org, posted to the Utah State public notice website <http://www.utah.gov/pmn/index.html>, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	DISCUSSION - Chapter 15 Construction Standards Code Amendments		
ITEM TYPE:	Development Code Amendment		
FISCAL IMPACT:	N/A		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Chris Trusty, Engineering

PRESENTED BY:

Chris Trusty

RECOMMENDATION:

BACKGROUND:

With new updates to state code, Eagle Mountain City Public Works and Engineering staff have reviewed the City's Construction Standards with the intention of updating the standards to reflect issues or concerns that aren't addressed in the existing standards. Most of the recommended changes are intended to clarify vague or ambiguous portions of the current code. Staff does not believe that these updates will necessarily add costs or time delays to construction projects. These updates will be presented to the Planning Commission and then be brought back to the City Council for adoption/ approval.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[Eagle Mountain Construction Standards 2023](#)

Chapter 15.10 IMPROVEMENT AND DESIGN STANDARDS

Sections:

- 15.10.010** Utility connection.
- 15.10.020** Utility extension.
- 15.10.030** Water supply.
- 15.10.040** Flush hydrants.
- 15.10.050** Sewers and sewage facilities.
- 15.10.060** Water and sewer laterals.
- 15.10.070** Storm drainage.
- 15.10.080** Pressurized irrigation system.
- 15.10.090** Streets.
- 15.10.100** Street widths, intersecting driveways, maximum street grades.
- 15.10.110** Intersection grades.
- 15.10.120** Vertical curves.
- 15.10.130** Cul-de-sacs.
- 15.10.140** Temporary turnarounds.
- 15.10.150** Offsetting intersections.
- 15.10.160** Clear vision area.
- 15.10.170** Curbs, gutters and sidewalks.
- 15.10.180** Parking lots and driveways.
- 15.10.190** Ground water.
- 15.10.200** Underground utilities.
- 15.10.205** Abandoning Underground utilities.
- 15.10.210** Licensed contractor.
- 15.10.220** Time limitation for completion.
- 15.10.230** Building permits.
- 15.10.240** Security for improvements required.
- 15.10.250** Standards for construction drawings.
- 15.10.260** Landscape improvement standards.
- 15.10.270** Half-street width.
- 15.10.280** Traffic control.
- 15.10.290** Construction safety.
- 15.10.300** Excavation permit.
- 15.10.310** Survey.

15.10.320 Construction entrance.

15.10.330 Site cleanup.

15.10.340 Noncompliance.

15.10.350 Hours of work.

15.10.360 Defensible space.

15.10.370 Reimbursement agreements.

15.10.380 Improvements warranty.

15.10.390 Street Lighting.

15.10.010 Utility connection.

It shall be the responsibility of the developer to connect to any utilities or improvements wherever they are located and extend those improvements to and through the development as shown on the approved construction drawings. [Ord. O-03-2010 § 1 (Exh. A § 2.010)].

15.10.020 Utility extension.

It may be the responsibility of the developer to extend all utilities or improvements to the end of their property for future connection of adjacent property. Reimbursements may be made for these extensions based on the excess capacity, provided these expenses meet the requirements as set forth by the city or as stated in the master development agreement. The excess capacity, if any, formula and terms for any reimbursement agreement will be identified prior to the beginning of construction. Utilities that connect onto Eagle Mountain public utilities will maintain Eagle Mountain City standards for material, workmanship, and trench back fill/pipe bedding. [Ord. O-03-2010 § 1 (Exh. A § 2.011)].

15.10.030 Water supply.

The developer shall connect the subdivision with the city water system with all appurtenances and shall make such water available to each lot within the subdivided area. Adequacy of supply and sizes of water mains shall be established by the city engineer or his/her designee. The minimum water line size shall be eight inches in diameter.

Workmanship and details of construction shall be in accordance with the APWA Standard Specifications as amended by the city. All work in connection with water services shall be done as directed and under the supervision of the city engineer or his/her designee.

The design of all subdivisions shall be such that a minimum water pressure of 50 psi and a maximum of 115 psi will be maintained at street level. [Ord. O-03-2010 § 1 (Exh. A § 2.020)].

15.10.040 Flush hydrants.

Flush hydrants, blow-offs, or some other adequate mechanism shall be installed at the end of all water lines to adequately flush all water lines. [Ord. O-03-2010 § 1 (Exh. A § 2.021)].

15.10.050 Sewers and sewage facilities.

The developer shall provide each lot with a sanitary sewer system in accordance with the ordinances of the city and pursuant to the APWA Standard Specifications as amended by the city. All work shall be completed by the developer as directed and under the supervision of the city engineer or his/her designee. **The minimum sewer pipe size shall be 8 inches in diameter.** [Ord. O-03-2010 § 1 (Exh. A § 2.030)].

15.10.060 Water and sewer laterals.

All sewer services and water services need to be marked with a two-inch by four-inch stake at the end of each service a minimum of 36 inches above grade and a two-inch “S” for sewer or two-inch “W” for water needs to be stamped in the top of the curb at the service locations. Curb markings may also be made on a brass cap hammered into the curb. Water and sewer lateral must extend a minimum of 15 feet behind the property line. **The minimum sewer lateral pipe size shall be 4 inches in diameter. The minimum water lateral size shall be ¾ inch in diameter.** [Ord. O-03-2010 § 1 (Exh. A § 2.031)].

15.10.070 Storm drainage.

The developer shall provide on-site facilities for a 100-year storm event and piping and appurtenances to convey the highest intensity 10-year storm to the on-site retention facilities. Additional piping and appurtenances shall be required to convey the 10-year historical discharge from the on-site retention facility to the city’s existing storm water facility. The minimum storm drain pipe size shall be 15 inches **in diameter.**

All improvements shall be constructed in accordance with city ordinances and pursuant to the APWA Standard Specifications as amended by the city and/or other codes adopted by the city. All said work shall be done as directed and under the supervision of the city engineer or his/her designee. [Ord. O-03-2010 § 1 (Exh. A § 2.040)].

15.10.080 Pressurized irrigation system.

The developer may be required to connect the subdivision to the city secondary pressurized irrigation system, as designated by the city’s master secondary irrigation plan, as outlined in the development agreement, if such facilities are expected to be available for use within three years of the installation of such improvements. The use of treated re-use water may allow a credit of banked water rights consistent with the amount of culinary water which should have been used for irrigation to be offset with secondary irrigation.

The minimum pressurized irrigation size shall be four inches in diameter. The adequacy of supply lines and sizes of mains shall be established by the city engineer or his/her designee. Workmanship and construction shall comply with the Eagle

Mountain City Construction Standards and Specifications. Installation shall conform to Chapter [15.40](#) EMMC.

Pressurized irrigation systems to be installed in existing city roads and rights-of-way shall conform to all relevant chapters of this title. [Ord. O-03-2010 § 1 (Exh. A § 2.050)].

15.10.090 Streets.

The developer shall construct all streets required by the subdivision as specified by the city council in accordance with the APWA Standard Specifications as amended by the city. All streets shall be constructed pursuant to standards recommended by the city engineer or his/her designee based on soil conditions and required structural engineered materials to be used in the construction of the road.

The developer shall be responsible to construct all streets required in the final plat and as a condition of the final plat approval to the standard required by the city engineer or his/her designee. The developer shall be required to provide an engineered design for the street subgrade construction. [Ord. O-03-2010 § 1 (Exh. A § 2.060)].

15.10.100 Street widths, intersecting driveways, maximum street grades.

Street widths, intersecting driveways and maximum street grades shall conform to EMMC Titles [16](#) and [17](#). [Ord. O-03-2010 § 1 (Exh. A § 2.070)].

15.10.110 Intersection grades.

The maximum grade at intersections shall not exceed four percent for 100 feet measured from the edge of asphalt on the intersecting street.

The grade may be increased to a maximum of six percent on a collector road if there is no signalization or traffic control. In addition, detailed designs are required for the intersection design along with storm drain inlet boxes at each of the intersecting curb returns. [Ord. O-03-2010 § 1 (Exh. A § 2.080)].

15.10.120 Vertical curves.

Vertical curves shall be designed to meet the maximum sight distance and stopping sight distances required by AASHTO. [Ord. O-03-2010 § 1 (Exh. A § 2.081)].

15.10.130 Cul-de-sacs.

The maximum length of a cul-de-sac is 500 feet measured from the nearest right-of-way line of the adjoining street to the center of the cul-de-sac, and the minimum radius as defined by EMMC Titles 16 and 17 and the International Fire Code, unless otherwise approved by the city engineer and the fire chief. No reversed grade cul-de-sacs shall be allowed unless adequate storm and sewer facilities are designed and approved by the city engineer or his/her designee. Cul-de-sacs shall have a maximum of 15 lots unless stated otherwise in EMMC Titles 16 and 17. [Ord. O-03-2010 § 1 (Exh. A § 2.090)].

15.10.140 Temporary turnarounds.

Temporary turnarounds are to be provided on all streets which are more than one lot from intersections unless approved otherwise by the ~~Eagle Mountain~~ Unified fire chief. These are to be recorded on the plat as easements; 60-foot diameter, four-inch-thick compacted road base and two inches of asphalt. If it is not anticipated that the temporary turnaround will be in place longer than a year, the developer may, at their discretion, forego installation of the asphalt in favor of bonding these improvements. If the temporary turnaround is still required at the end of the warranty period, and if asphalt has not been installed, the asphalt will be installed by the developer at his/her expense, or the city will make a claim against the bond. All temporary turnarounds must be approved by the ~~Eagle Mountain City~~ Unified fire chief or his/her designee. [Ord. O-03-2010 § 1 (Exh. A § 2.100)].

15.10.150 Offsetting intersections.

All intersections shall be at right angles, or within 10 degrees, extending a minimum of 150 feet along the centerlines from the center of the intersection to the point of tangency. Offset intersections will have a minimum offset of 100 feet between centerlines. [Ord. O-03-2010 § 1 (Exh. A § 2.120)].

15.10.160 Clear vision area.

A. The clear vision area is that triangular area of a corner lot or parcel formed by the street property lines and the line connecting them at points 30 feet from the intersecting right-of-way lines of the two streets. Fencing and planting is restricted within this area as follows:

1. No fence shall exceed a height of three feet.
2. Shrubs shall be pruned to a height not to exceed three feet.
3. Trees shall be pruned to maintain a clear area below eight feet.

B. A second clear vision area with 20-foot sides is also required where the rear of a corner lot adjoins an interior lot. The same restrictions for landscaping and fencing apply in this area unless the interior lot is already developed and has no existing driveway within 10 feet of the property line adjoining the corner lot. [Ord. O-03-2010 § 1 (Exh. A § 2.130)].

15.10.170 Curbs, gutters and sidewalks.

When required on Table 16.35.130(b), Right-of-Way Classifications, all curbs, gutters and sidewalks shall be built on all existing and proposed streets required by the subdivision in accordance with the APWA Standard Specifications as amended by the city. All curbs, gutters and sidewalks shall connect to existing curbs, gutters and sidewalks within a reasonable area as determined by the city engineer or his/her designee. [Ord. O-03-2010 § 1 (Exh. A § 2.140)].

15.10.180 Parking lots and driveways.

Parking shall meet the size and configuration requirements as shown in the standard drawings. Parking lots and drives shall be designed to meet appropriate engineering standards, including drainage and load capacity. All drive and parking lot drainage, asphalt, and base designs shall be reviewed by the city engineer or his/her designee prior to approval. Any trenches for installation of public utilities shall be backfilled and compacted using engineered fill (A1,A2) and be tested in accordance with Eagle Mountain City standards [Ord. O-03-2010 § 1 (Exh. A § 2.150)].

15.10.190 Ground water.

Potential ground water or subsurface drainage problems may have additional requirements; further requirements will be reviewed and approved by the city engineer or his/her designee. Pumping of ground water across sidewalks or into the gutters or the sewer system will not be allowed. [Ord. O-03-2010 § 1 (Exh. A § 2.160)].

15.10.200 Underground utilities.

Utilities, including electrical and gas lines, shall be underground, except when the city feels that such underground lines are not in the best interest of the city. [Ord. O-03-2010 § 1 (Exh. A § 2.170)].

15.10.205 Abandoning Underground utilities.

All disconnection and abandonment of existing utilities must be done at the mainline, per the city engineer or his/her designee. All existing utilities (stubs into job sites) must be used or abandoned.

15.10.210 Licensed contractor.

All work performed in accordance with this title shall be performed by a contractor licensed to perform such work by the state of Utah. [Ord. O-03-2010 § 1 (Exh. A § 2.180)].

15.10.220 Time limitation for completion.

All improvements within subdivisions listed herein must be completed within one year of the date of recording of the final plat, except for required corrections to defective work as found in the final walkthrough and itemized in a punch list generated by Eagle Mountain City, which shall be completed at the end of the warranty period after asphalt installation. Improvements that are not completed within the

time limitation imposed herein may be required to work a forfeiture of any bond or surety that shall have been posted by the owner or developer, or may be allowed to post an additional bond for an additional amount reflective of increased construction costs. At no time will an unimproved recorded plat be allowed to constitute a risk or hazard to the public.

Approved construction drawings will only be valid for three years from the date of approval. After three years from the time of approval, drawings must be resubmitted prior to construction for a staff review to ensure adequate construction standards are reflected in said plans. [Ord. O-03-2010 § 1 (Exh. A § 2.190)].

15.10.230 Building permits.

See EMMC [16.60.050](#) for the building permit approval process. [Ord. O-04-2015 § 2 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 2.200)].

15.10.240 Security for improvements required.

In order to insure the proper installation of the improvements required by this chapter and in order to insure prompt payment of all persons supplying labor or materials to the subdividers or their contractors or subcontractors installing said improvements, the owners of property or the principal subdividers shall, prior to subdivision recordation or issuance of a building permit, deposit with the city, or a depository acceptable to the city, a cash escrow bond, or an improvement surety bond, furnished by a surety authorized to do business in the state of Utah and operating in good standing, conditioned on the requirements that installation of all required improvements are constructed within the required time and in accordance with the plans, specifications, time limitations and conditions relating thereto as approved by the city engineer or his/her designee.

The bond or cash escrow shall be established in a form acceptable to counsel for the city and shall be in an amount to be determined by the city engineer or his/her designee, and shall be filed in the office of the city recorder and shall amount to 110 percent of the estimated cost of improvements. The developer shall sign a development agreement agreeing to install and warrant the improvements required for approval of the subdivision or other project. [Ord. O-03-2010 § 1 (Exh. A § 2.210)].

15.10.250 Standards for construction drawings.

The following instructions are for the purpose of standardizing the preparation of drawings to obtain uniformity in appearance, clarity, size and style.

Following approval of the city council, ~~five~~ **four** copies of the construction plans shall be submitted with three copies to be retained by the city engineer or his/her designee and two copies returned to the subdivider with the approval mark and signature of the city engineer or his/her designee. One approved copy shall be kept available at the construction site.

These plans and designs shall meet the standards defined in the specifications and drawings of the city described herein. The minimum information required on drawings for improvements are as follows:

All drawings and/or prints shall be clear and legible and conform to good engineering and drafting room practice. Size of drawings shall be 24-inch by 36-inch (trim line) with minimum borders of one-half inch on top, bottom and right sides, left side one and one-half inch.

A. Include the following with the construction drawings:

1. A copy of the proposed final plat.
2. A plan view of the entire project.
3. Plan and profiles of all curbs, gutters, storm drains, **water, pressurized** irrigation and sewer systems.
4. Detail drawings only for items not found in the APWA manual. Detail drawings shall be to scale and completely dimensioned and described. All structures shall be designed in accordance with minimum requirements established by this title or the APWA manual.
5. Complete plans for all off-site work to be done in conjunction with the project.
6. A SWPPP page with maps showing:
 - a. Storm drain system.
 - b. Topographical lines and flow arrows.
 - c. UPDES permit number with contact information.
 - d. Locations of BMP's and good housekeeping measures.
 - e. **Permanent BMPs and High Priority Sites**

B. Include the following on each drawing sheet:

1. North arrow.

2. Scale. Use a standard engineering scale between one inch equals 10 feet and 60 feet. Use a scale of one inch equals 100 feet on the plan view of the entire project if necessary to fit the project on one sheet.

3. Title block along right side of sheet with title of drawing in lower right corner. Include in title block:

- a. Name of subdivision and plat and lot number.
- b. Name of city.
- c. Specific type of drawing (construction drawings, plan view, plan and profiles, off-site construction, detail drawings).
- d. Space provided for approval signature of city engineer or his/her designee and date.
- e. Name of engineer, surveyor or firm preparing drawings.
- f. Drawing number of total number of drawings.

4. Also include the following with profile drawings:

- a. Vertical scale of one inch equals one, two, three or four feet.
- b. Reference to the vertical datum. The 1929 North American Vertical Datum (NAVD29) shall be used for all elevation data.
- c. Benchmark location and elevation for checking construction.
- d. Stationing aligned from plan view with the profile view.
- e. Existing ground, ditch and utility lines.

C. Include the following for curbs, gutters, storm drains, drainage structures, sidewalks and street surfacing plans:

- 1. Plan and profile for top back of curb for each side of the street. Label profile line as top back of curb for both sides of street if it is the same.
- 2. Stationing and top back of curb elevations with curve data for curb returns.

3. Flow direction and type of cross drainage structures at intersections with adequate flow line elevations.
4. Type of curb and gutter if other than the standard 30-inch modified curb and gutter in the standard drawings.
5. Plan and profile of all new and existing storm drains and storm manholes and boxes.
6. Storm box and manhole size, location, and elevations of flow lines and rim.
7. Location, size, grade and type of pipe of new and existing storm drains.
8. Storm water calculations for a 25-year and 100-year storm.
9. Detail of ADA Ramps with detectable warning pads.

D. Include the following for sewer plans:

1. Plan and profile of all new and existing sewer mains and manholes.
2. Manhole size, location, and elevations of flow lines and rim.
3. Location, size, grade and type of pipe of new and existing sewer mains.
4. Location of each lateral with distance stubbed back into property clearly drawn and dimensioned.

E. Include the following for culinary water plans:

1. Location, size and type of pipe of new and existing water mains.
2. Profile or detail showing separation at each conflicting utility crossing.
3. Location of valves, fittings, hydrants, boxes, meters and appurtenances.
4. Minimum cover.
5. Location of each lateral with distance stubbed back into property clearly drawn and dimensioned.

F. Include the following for the pressurized irrigation plans:

1. Location, size and type of pipe of new and existing irrigation mains.
2. Profile or detail showing separation at each conflicting utility crossing.
3. Location of valves, fittings, boxes, meters and appurtenances.
4. Minimum cover.
5. Location of each lateral with distance stubbed back into property clearly drawn and dimensioned.

15.10.260 Landscape improvement standards.

Landscape improvements shall conform to APWA Construction Standards and Eagle Mountain City landscape construction standards. All landscape plans are to be approved by the Eagle Mountain City planning department and parks division prior to construction. [Ord. O-03-2010 § 1 (Exh. A § 2.230)].

15.10.270 Half-street width.

In certain conditions, and when special approval is given, half-road widths may be allowed. Half-road width requires all improvements to the centerline plus an additional 10 feet of asphalt. Adequate storm water control should be constructed for non-curbed roadside. All improvements must be made on subdivider's property. [Ord. O-03-2010 § 1 (Exh. A § 2.240)].

15.10.280 Traffic control.

Traffic control shall be submitted to the city prior to any work in accordance with **Utah** MUTCD. Any road **or lane** closures **or lane shifts** must be **approved, and fees paid**, ~~notify public safety~~ at a minimum of **48** ~~24~~ hours in advance of the road closure. [Ord. O-03-2010 § 1 (Exh. A § 2.250)].

15.10.290 Construction safety.

Open pits and trenches left for an overnight period or longer shall be clearly marked with flashing barricades. All national and state standards must be maintained for open trenches. The city engineer or his/her designee may require additional barricades **or road plates** as determined in the field. Trenches may not be left open for an extended period of time.

If any subdivision is located such that there is no available construction access other than through existing subdivisions, an additional monetary amount to be determined by the city engineer or his/her designee shall be placed in the subdivision improvement bond to protect the city from damaged infrastructure. [Ord. O-03-2010 § 1 (Exh. A § 2.251)].

15.10.300 Excavation permit.

In order for a street excavation permit to be approved, Eagle Mountain City needs the following information: (A) copy of contractor's license; (B) certificate of insurance; (C) performance bond of \$5,000; and (D) detailed drawing of proposed work and traffic control (four copies).

The contractor is given a copy of the signed permit and the signed/approved plan after the city engineer or his/her designee has approved and signed the application. Time limits may be set, and the permit can be suspended for noncompliance.

Trenches left open for more than 24 hours may be required to be either covered or backfilled at the discretion of the city engineer or his/her designee. [Ord. O-03-2010 § 1 (Exh. A § 2.260)].

15.10.310 Survey.

All property corners shall be marked with a 30-inch rebar and licensed land surveyor's cap before acceptance of subdivision improvements by Eagle Mountain City. **Any survey in roadways that require collars (monuments), shall maintain city standards for street collars.** These rebars must be offset one foot by a steel tee post four feet out of the ground. All property corners shall be in place at the time of final acceptance. [Ord. O-03-2010 § 1 (Exh. A § 2.270)].

15.10.320 Construction entrance.

All subdivisions shall include a separate entrance for construction traffic, which is not in a city right-of-way. If no such access is available, an alternate cross-section designed specifically for the use of construction vehicles during the building phase of the project must be constructed within the city right-of-way and all construction must access the site from this point of access. The purpose of this requirement is to reduce damage caused by heavier vehicular traffic to new surfaces, and the existing adjacent roadways. Compliance with this requirement shall be overseen by the city engineer or his/her designee.

Construction entrances shall not disturb any pedestrian access routes. All construction entrances/ exits must be kept ADA compliant throughout construction. New road entrances must have an approved detour route that is also ADA compliant before removal of any pedestrian access routes (sidewalks/ trails).

If any subdivision is located such that there is no available construction access other than through existing subdivisions, an additional monetary amount to be determined by the city engineer or his/her designee shall be placed in the subdivision improvement bond to protect the city from damaged infrastructure. **A truck route must be approved through the submittal process before construction begins.** [Ord. O-03-2010 § 1 (Exh. A § 2.280)].

15.10.330 Site cleanup.

The contractor is responsible to maintain a clean work environment within the limits of the city. A cobble track out pad consisting of 3" to 6" cobble 8" thick minimum with width of 20 feet and extending 50 feet past existing asphalt road way or an approved equivalent alternative shall be placed at all locations where construction traffic enters paved roadways to prevent dirt and mud from being tracked onto city streets. Additionally, vehicles may have to be hosed down prior to leaving the site. Dirt and debris tracked onto city roads must be cleaned by contractor each work day or be subject to fines as determined in the city fee schedule. Proper dust control measures must be exercised at all times. Noncompliance can result in all construction activities being shut down until corrective measures are taken. [Ord. O-03-2010 § 1 (Exh. A § 2.290)].

15.10.340 Noncompliance.

Noncompliance with this title can result in a stop work order issued by the city engineer or his/her designee, a forfeiture of bonds, or a hold on building permits until all improvements meet compliance. [Ord. O-03-2010 § 1 (Exh. A § 2.300)].

15.10.350 Hours of work.

Unless limited through city ordinance otherwise, construction activities shall be restricted to between the hours of 7:00 a.m. and 9:00 p.m., Monday through Friday, and 9:00 a.m. and 9:00 p.m. on Saturdays and Sundays in residential and commercial areas. [Ord. O-03-2010 § 1 (Exh. A § 2.310)].

15.10.360 Defensible space.

Property owners, including Eagle Mountain City and individual residential homeowners and/or homeowners' associations, shall be responsible to maintain an adequate defensible space to act as a fire break as detailed in the applicable state fire ordinances. All construction and staging areas shall also maintain a defensible space of at least 30 feet throughout the construction process. [Ord. O-03-2010 § 1 (Exh. A § 2.320)].

15.10.370 Reimbursement agreements.

In instances when subdivisions are required to install improvements which may provide capacity in excess of the requirements of the subdivision, to meet conditions established as part of a master plan, or for the benefit of a third party, such increases in capacity may be eligible for reimbursement.

Reimbursements may be in the reduction of impact fees collected by the city for the particular type of improvement installed, a reduction in connection fees, or may be negotiated as a cash reimbursement collected by third parties at building permit and remitted to the original developer annually.

All reimbursement agreements are to be approved by the city council, and the city will not consider verbal agreements made by the city or staff to be valid. Requests for reimbursement must be made to the City

prior to installation of the utilities for which reimbursement is sought. [Ord. O-03-2010 § 1 (Exh. A § 2.330)].

15.10.380 Improvements warranty.

All required improvements shall be placed into a warranty period following acceptance by the city for a minimum of one year. Should the completion of the one-year period occur during winter months, the warranty period may be extended for up to six months to allow the completion of any corrective requirements to be completed during reasonable weather.

A warranty bond for 10 percent of the estimated construction costs shall be maintained for the duration of the warranty period.

Prior to the expiration of the warranty period, Eagle Mountain City shall notify the developer that a warranty walkthrough is to be performed on the subdivision. Said walkthrough shall take place and all corrective actions as determined by this walkthrough and as outlined in a punch list to be generated by Eagle Mountain City shall be completed prior to release from the warranty period. **If items on the punch list are not completed within a 30 day time line another walk through may be required.** [Ord. O-03-2010 § 1 (Exh. A § 2.340)].

15.10.390 Street Lighting.

Eagle Mountain City shall contract with an independent consultant for street lighting design. Unless approved otherwise by the City's consultant street lighting will be installed throughout all developments using the following criteria:

1. Street lights will be installed at all intersections with the only exception being where a four way intersection has an offset of less than 100 feet.
2. Streetlights will be installed at a minimum spacing of 300 feet and a maximum spacing of 600 feet. They will be installed at the closest property line to the mid-point between the lights on either side. Streetlights placed between corners will be shown on the electrical construction drawing, and will indicate the direction that the street light will be aimed. Streetlights at intersections may aim to the center of the intersection or may be set at a 90-degree angle along collector and larger roads.
3. Any street that extends more than 600 feet without an intersection will have a street light at approximately the mid-point.
4. Each street light will be installed so that the street light pole is located 24" from the top

back of the curb to the center of the pole in a public utility easement or public right of way.

5. A ground wire shall be connected to the street light pole using N.E.C. approved methods and a separate ground wire shall be run from the pole base to the closest secondary pedestal or transformer. If the street light is fed from a secondary pedestal, an 8' X 5/8" copper clad ground rod must be installed at the pedestal, and street light ground will be attached to the ground rod using the N.E.C. approved connector.
6. A ground wire shall be connected to the street light pole using N.E.C. approved methods and a separate ground wire shall be run from the pole base to the closest secondary pedestal or transformer. If the street light is fed from a secondary pedestal, an 8' X 5/8" copper clad ground rod must be installed at the pedestal, and street light ground will be attached to the ground rod using the N.E.C. approved connector.
7. Pole-14 'Aluminum street light pole shall be used. The pole shall be manufactured by holophane and shall be green with base. All bases must be embedded in concrete with a 20" diameter hole and 4'.
8. Luminaire – A luminaire that reduces all sky ward light shall be 50-watt high pressure sodium light and shall have a shield to keep light off of houses.

Chapter 15.15 INSPECTION

Sections:

15.15.010 All work subject to inspection.

15.15.020 Inspection fees.

15.15.030 Acceptance of improvements.

15.15.040 Requests for inspection.

15.15.050 Construction completion inspection.

15.15.060 Work without inspection.

15.15.070 As-built drawings.

15.15.010 All work subject to inspection.

A. All construction work involving the installation of improvements in subdivisions shall be subject to inspection by the city. The developer shall be responsible to ensure inspection and certified reports are obtained and maintained on record and are provided in the as-built subdivision packet. **All utilities shall be completely backfilled and compaction tested prior to camera and air testing.** The records shall include the following inspections:

1. Compaction of all trenches; **Passing test for every lift or 1' maximum vertically and every 100' laterally along trench line every lift or 1' maximum vertically and every 1000 sq. ft. laterally on embankment.**
2. Pressure tests on water **system** mains; 2 sets of bacteria samples
3. Pressure tests, television inspection of sewer **and storm drain system** mains, and mandrel deflection tests **for sewer and storm drain mains; Vacuum test all manholes/boxes on sewer and storm drain** ~~Air pressure test and televise storm drain~~ per APWA Standards.
4. Slump, ~~tests and~~ compression, ~~tests~~ and air entrainment **testing required** on all concrete work; test (air, slump) and set of cylinders per 50 yards of concrete.
5. Proof rolls on native, subbase and base **(curb and pavement)**; (4 proof rolls)
6. Red heading is required on native, subbase and base; and **TBC stakes required for all proof rolls. Curb machine string line is acceptable for all proofrolls and will be required for sub base and curb base proof rolls.**
7. Compaction test on all subbase, untreated base course, and bituminous surface course.

B. Certain types of construction shall have continuous inspection while others may have only periodic inspections. It is the responsibility of the developer/subdivider to ensure that all contractors give the city appropriate notice to allow scheduling of said inspections.

1. Inspection shall be required on the following types of work:

- a. Laying of street surfacing.
- b. Placing of concrete for curbs and gutters, sidewalks and other structures.
- c. Laying of sewer pipe, drainage pipe, water pipe, lateral connections, pressurized irrigation, valves, hydrants and testing.
- d. Subgrade.
- e. Street grading and gravel base.
- f. Excavations for curbs and gutters and sidewalks.
- g. Excavations for structures.
- h. Trenches for laying pipe.
- i. Forms for curbs and gutters, sidewalks and structures. No work shall be started except in the presence of, or with the prior approval of, the city engineer or his/her designee.
- j. Collars around storm drain inlet boxes/manholes. Thrust blocks for water, collars for storm drain and collars for man hole. Value boxes in asphalt.
- k. Collars around sewer manholes & water valve boxes.

2. Inspectors must be notified and must approve all catchbasin elevations and locations prior to final tie-ins.

3. Inspectors may require survey stakes with elevations to ensure depths and slopes meet the approved construction drawings. Specifically, requirements may be made on fire hydrants, cleanouts, and sewer manholes.

4. See individual chapters for specific inspection and testing requirements. [Ord. O-03-2010 § 1 (Exh. A § 3.010)].

15.15.020 Inspection fees.

Inspection fees and/or connection fees required by ordinance shall be paid and permits required shall be obtained prior to the recording of the final plat.

The developer or contractor shall be responsible for all sampling, delivery of samples to a qualified testing agency, testing, and delivery of test results or materials certifications to the city at no charge to the city. Testing and certifications reports shall be approved by the city as to conformance to city standard specifications prior to final inspection and/or acceptance by the city of any materials or workmanship. **All samples must be taken in presence of an EMC representative.**

Inspection requests made for weekend or off-hours of regular city business hours shall be subject to overtime inspection fees. If such inspections are scheduled at these times due to an inability of the city to provide inspections during normal business hours, no additional inspection fees shall be required. [Ord. O-03-2010 § 1 (Exh. A § 3.020)].

15.15.030 Acceptance of improvements.

A. Inspection made by the city to determine compliance with the specifications does not imply acceptance of the work. The city requires completion of all facilities before any are finally accepted to start the warranty period established by this code or otherwise by development agreement. Final acceptance of improvements will be made at an inspection by the city at the completion of all improvements. All improvements shall be free from defects or damage at the time of inspection. Specifically, the following are required:

1. All asphalt, sidewalks and curbs and gutters shall be free of cracks greater than one-eighth inch vertically and horizontally and construction damage and shall be true to line and grade.
2. All sewer manholes and water valve boxes shall be raised to pavement level.
3. All water valves and hydrants shall be operative.
4. All storm drainage improvements shall be completed.
5. All street lights shall be operable.
6. All open space improvements shall be planted and all irrigation improvements installed, unless a separate landscape bond is provided to the city, in which case landscaped improvements shall be warranted separately from the infrastructure improvements.
7. All trail improvements in open space areas shall be completed.

8. All recreational equipment shall be installed in the trails and open space areas, or a separate landscape bond may be posted. All landscape improvements are required to be installed prior to one year from the date of recordation, or prior to the second half building permit being issued.

9. Cleanup. Where excavations are made in city streets, the rock, etc., shall be removed and gravel base placed in the excavation the same day as backfill is placed. All debris leaving a job site shall be the responsibility of the contractor to clean up each day.

10. All lot corner stakes installed.

B. A final walkthrough to inspect the improvements shall be arranged by the developer with the city when said improvements are completed. The improvements will be accepted when the punch list from the final walkthrough is completed and accepted by the city. [Ord. O-03-2010 § 1 (Exh. A § 3.025)].

15.15.040 Requests for inspection.

Requests for inspection shall be made to the city by the person responsible for the construction.

Requests for inspection on work requiring continuous inspection shall be made three working days prior to the commencing of the work. Notice shall also be given one working day in advance of the starting of work requiring periodic inspection. The city shall provide ~~written~~ confirmation either through verbal, text, fax or e-mail for all scheduled inspection appointments. [Ord. O-03-2010 § 1 (Exh. A § 3.030)].

15.15.050 Construction completion inspection.

An inspection shall be made by the city engineer or his/her designee ~~before and~~ after the warranty period. Specifically, the city engineer or his/her designee will determine if any installed infrastructure displays signs of failure, such as concrete cracks greater than one-eighth inch, rutting or settled asphalt. When such defects are minimal, patching or sealing will be allowed by the city, provided the defect is not a structural defect. The city engineer or his/her designee will generate a punch list of all items to be corrected by the developer prior to final acceptance by the city.

Any punch list generated by the city engineer or his/her designee shall only be valid for a period of 30 days. Subdivisions with outstanding items past 30 days may be subject to an additional walkthrough prior to acceptance by the city to address any additional faulty or defective work.

It is further agreed and understood that the determination for necessity of repairs of the work rests with the city engineer or his/her designee. His/her project review shall include, but shall not be limited to, the entire street base, and all pipes, utilities, joints, valves, backfill and compaction as well as the working surface, curbs, gutters, sidewalks, and other accessories that are, or may be, affected by the construction

operations, and whenever, in the judgment of the city engineer or his/her designee, work is not complete, shall cause a written notice to be served to the developer and thereupon the developer shall undertake and complete such repairs or rebuilding prior to the final city acceptance and release of the warranty bond. The city engineer and his/her designee shall make every effort to distinguish between failures which result from poor design or workmanship from those caused by third parties such as builders, and shall not knowingly require developers to correct failures caused by third parties. Specific examples shall include: cracked concrete which likely would have resulted from builders placing heavy equipment on concrete shall not require replacement. However, excessive spalling of concrete which is likely caused by workmanship issues will be required to be replaced. Contractors and subcontractors hired for the completion of the required improvements are not considered third parties, and damage found to be from such individuals will be obligated to be repaired by the developer. Failure to complete repairs in a timely manner may result in a forfeiture of the warranty bond, at which time the city will complete the improvements. Appeals to items included in the project review must be made in writing to the public works director within five days of being notified of the deficient items. Additional appeals may be made to the Eagle Mountain City mayor or city council. [Ord. O-03-2010 § 1 (Exh. A § 3.040)].

15.15.060 Work without inspection.

Any work performed without proper inspections, as required in this chapter, will give the city the option to hold the bond covering that portion of the improvements in violation or require removal and replacement of the uninspected work. The city shall have the option of retaining part or all of the bond for five years after installation of improvements in violation of this chapter. It is the responsibility of the developer to ensure his/her contractors request all necessary inspections.

Inspection services provided by outside inspection services will be allowed; provided, that the city approves of any inspection companies in writing prior to inspection services, and the city is notified of what services will be provided by said outside inspection services prior to the inspection services taking place. [Ord. O-03-2010 § 1 (Exh. A § 3.050)].

15.15.070 As-built drawings.

As-built drawings shall be submitted to the city engineer or his/her designee before final inspection and acceptance by the city. As-built drawings shall be prepared by a licensed land surveyor and submitted on a hard copy and a computer aided design (CAD) file. As-built drawings shall show all utilities and boundary lines as shown in the Eagle Mountain standard drawings for as-builts. CAD files shall be submitted on a CD or by e-mail in an AutoCAD or .dxf format. The CAD file of the as-built drawings must be in the NAD27 State Plane Coordinate System with a tie to a section corner. If anything is submitted by e-mail, the engineering division must be contacted for the proper e-mail address and for confirmation the

e-mail was received. The portion of the bond generally released at final inspection will not be released until the as-builts are submitted and approved. [Ord. O-03-2010 § 1 (Exh. A § 3.055)].

Chapter 15.25 EARTHWORK

Sections:

- 15.25.010 General.**
- 15.25.020 Subgrade soil under structures and Public Rights of Way.**
- 15.25.030 Backfill around structures.**
- 15.25.040 Construction of embankments and fills.**
- 15.25.050 Compacting earth materials.**
- 15.25.060 Road subgrade preparation.**
- 15.25.070 Slope safety.**
- 15.25.080 Water settling.**
- 15.25.090 Removal and replacement of defective fill.**
- 15.25.100 Permit required for earth products processing and storage.**
- 15.25.110 Native Fill Use for Trenches and Road Sections.**

15.25.010 General.

This chapter defines the requirements for excavation and backfill for structures, construction requirements for embankments and fills and subgrade preparation for pavements and other surface improvements. All earthwork shall conform to the APWA Standard Specifications unless noted otherwise in this chapter. [Ord. O-09-2014 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 5.010)].

15.25.020 Subgrade soil under structures and Public Rights of Way.

Subgrade soil for all concrete structures, regardless of type or location, shall be firm, dense, thoroughly compacted and consolidated; shall be free from mud, ~~and~~ muck and all organics; and shall be sufficiently stable to remain firm and intact under the feet of the workmen engaged in subgrade surfacing, laying reinforcing steel, and depositing concrete. Coarse gravel or crushed stone may be used for subsoil reinforcement if results are satisfactory to the city engineer or his/her designee. Such material shall be applied in layers, not exceeding eight inches in thickness, each layer being embedded in the subsoil by thorough tamping. All excess soil shall be removed to compensate for the displacement of the gravel or crushed stone and the finished elevation of any subsoil reinforced in this manner and shall not be above the specified subgrade. The city engineer may require a soil analysis and design for any area. A proof roll will be required at existing ground before placing any e-fill. [Ord. O-09-2014 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 5.020)].

15.25.030 Backfill around structures.

Backfill around structures shall be placed to the lines shown on the approved drawings, or as directed by the city engineer or his/her designee. After completion of foundation, footings and walls and other construction below the elevation of the final grades, and prior to backfilling, all forms shall be removed and the excavation shall be cleaned of all trash and debris. Material for backfilling shall consist of suitable materials as defined in EMMC [15.30.040](#) and shall be placed in layers not exceeding eight inches in uncompacted thickness. Each layer shall be compacted by hand or machine tampers or by other suitable equipment to a density equal to 95 percent of maximum dry density as measured by AASHTO T180 method C. No frozen material is allowed in the backfill. [Ord. O-09-2014 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 5.030)].

15.25.040 Construction of embankments and fills.

Unsuitable materials that occur in the foundation for embankments and fills shall be removed by clearing, stripping and/or grubbing. Where suitable materials occur, after stripping, the foundation shall be scarified to a depth of not less than eight inches, and the loosened material shall be moistened and compacted as hereinafter specified for each layer. All materials in embankments and fills shall be placed, moistened, and compacted as provided in this chapter.

When the embankment or fill exceeds the amount of excavation, sufficient additional material shall be obtained from borrow pits provided by the contractor. All material proposed to be imported shall be subject to the review and approval of the city engineer or his/her designee prior to starting of hauling operations.

The materials used for embankment and fill construction shall be free from sod, grass, trash, rocks larger than six inches in diameter and all other material unsuitable for construction of compacted fills. Grading of completed embankments and fills shall bring the surfaces to a smooth, uniform condition with final grades being within 0.1 foot of the design grade. Within a City right of way, materials must meet **AASHTO A1 or A2 soil classification, be 3 inch minus and be tested every lift (1,000 sq.ft. max per test). Embankments built without material supporting the sides must be overbuilt to ensure compaction of the edges.** [Ord. O-09-2014 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 5.040)].

15.25.050 Compacting earth materials.

The material shall be deposited in horizontal layers having a thickness of not more than eight inches after being compacted as hereinafter specified; provided, that when mechanical equipment is used for placing and compacting the material on a sloping foundation, the layers may be placed parallel to the

foundations. The distribution of materials shall be such that the compacted material will be homogeneous and free from lenses, pockets, or other imperfections. No frozen material may be used. Prior to and during compaction operations the material shall have the optimum moisture content required for the purpose of compaction and the moisture content shall be uniform throughout the layers, insofar as practical. Moistening of the material shall be performed at the site of construction, but such moistening shall be supplemented, as required by sprinkling at the site of excavation. If the moisture content is more than optimum for compaction, the compaction operations shall be delayed until such time as the material has dried to the optimum moisture content. When the material has been conditioned as hereinbefore specified, the backfill or embankment shall be compacted as follows:

A. Under roadways and extending one foot beyond the proposed curb line, the fill or embankment material shall be AASHTO A1 or A2 and be three (3) inch minus that is compacted to a density equal to not less than 95 percent of maximum dry density as measured by AASHTO T180 method C or the modified proctor test ASTM D1557.

B. Under sidewalks and driveways, the fill or embankment material (to at least one foot each side of the edge of the slab) shall be compacted to a density equal to not less than 95 percent of maximum dry density as measured by AASHTO T180 method C or the modified proctor test ASTM D1557. Sidewalk in the public right of way will need to be sub graded below original native soil with all organics removed. A proof roll will be required before A1 or A2 fill can be placed to the bottom of the base.

C. Other fills and embankments not listed above shall be compacted to a density equal to not less than 90 percent of maximum dry density as measured by AASHTO T180 method C or the modified proctor test ASTM D1557. [Ord. O-09-2014 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 5.050)].

15.25.060 Road subgrade preparation.

In both cut and fill areas the paving subgrade shall be scarified to a depth of eight (8) inches below original native ground and compacted to the equivalent of 95 percent of maximum dry density as measured by AASHTO T180 method C or the modified proctor test ASTM D1557. No rocks larger than two three (3) inches in diameter, organic material, soft clay, spongy material or other deleterious material will be permitted in this scarified subgrade layer. Rough subgrades shall be shaped and graded to within a tolerance of 0.15 foot of design grade and drainage shall be maintained at all times. The developer shall provide to the city engineer or his/her designee the results of a subsurface investigation performed by the developer's engineer and the recommendation as to whether existing material is adequate for road construction.

During the rolling operation, moisture content of the subgrade layer shall be maintained at no less than 97 or more than 105 percent of optimum moisture content. Rolling shall be continued until the entire road bed (to one foot back of curb) is compacted to the specified density to a minimum depth of eight inches. **A proof roll will be required before placement of three (3) inch minus A1 or A2 is allowed.** [Ord. O-09-2014 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 5.060)].

15.25.070 Slope safety.

All slope construction shall be in accordance with all city, state and federal regulations. Plans and specifications for structures must be approved by the city if the excavation is greater than five feet. No permanent slopes steeper than 3:1 shall be allowed without a retaining structure unless otherwise approved in writing by the city engineer or his/her designee. Cut slopes greater than 3:1 slope in bedrock may be allowed, provided the geotechnical report demonstrates that the bedrock is of sufficient depth and strength to support such cuts. The width of the excavation shall be increased if necessary to provide space for sheeting, bracing, shoring and/or other supporting installations. Unsafe slopes will be the cause for immediate shutdown of the project. [Ord. O-09-2014 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 5.070)].

15.25.080 Water settling.

Water settling may be permitted with pre-approval by the city engineer or his/her designee, depending upon the type of soil and location. When water settling is approved, a city representative shall be at the job site during the compaction. When the material has dried sufficient to allow compaction tests, the contractor shall dig test holes for compaction tests at locations and depths required by the city engineer or his/her designee. [Ord. O-09-2014 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 5.080)].

15.25.090 Removal and replacement of defective fill.

Fill not conforming to the requirements of this chapter shall be reworked to the requirements or removed and replaced with acceptable fill. [Ord. O-09-2014 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 5.090)].

15.25.100 Permit required for earth products processing and storage.

A. Any person desiring to perform any crushing, screening, storage, stockpiling or processing of sand, gravel, dirt, rock or other earth products for use on the property or within the approved project area where the materials are being extracted shall obtain a permit from the city engineer. The city engineer may deny the permit if the city engineer determines extraction, processing or storage will negatively impact neighboring properties, or include conditions in the permit, including, but not limited to, noise restrictions, types of equipment and machinery, dust and pollution control measures, geographic restrictions, berming, duration of project, and hours of operation. Application for a permit shall be filed with the city engineer on a form or forms to be furnished by the city.

B. No crushing, screening, storage, stockpiling or processing of sand, gravel, dirt or rock earth products shall be allowed for sale or use of such material outside the project area unless otherwise permitted under Chapter 17.54 EMMC (Extractive Industries Overlay Zone).

C. It shall be unlawful for any person to commence work until the city engineer has approved the application and until a permit has been issued for such work. Violations of the provisions of this section shall result in civil penalties of \$100.00 per day for the first seven days of violation and \$250.00 per day for all subsequent days of violation. The city engineer may also issue a stop work order for any project or property in violation of this section. [Ord. O-09-2014 (Exh. A)].

15.25.110 Native Fill Used for Trenches and Road Sections.

Native fill will meet **ASSHTO** A-1 or A-2 classifications ~~with a 20% maximum on fines passing 200 sieve~~ and be 3" minus. Native fill used in roadways/trenches will be completely free of organics and rocks larger than 3" diameter. Also native fill will be ~~screwed~~ **screened** and mixed to maintain consistency. **All soil samples will need to be taken in the presence of an Eagle Mountain City Representative.**

15.25.120 Permit required for general earthwork

A. Excavation permits are not required on individual residential lots for normal landscape, installation of topsoil, irrigation installation, or projects that do not require a building permit. An excavation permit is required for general earthwork on projects not part of an approved construction project if such work consists of mass grading of a site if fill materials are being imported, exported, and relocated within a single lot. Materials being processed and removed from site must comply with section 15.25.100. The permit shall identify the limits of disturbance, the quantity of cuts and fills, quantities of any materials being removed from site, duration of the project, implementation of safety measures intended to protect the surrounding residents, restrictions of noise and work hours, and implementation of SWPPP BMP's if needed. Application for a permit shall be filed with the city engineer on a form or forms to be furnished by the city.

B. It shall be unlawful for any person to commence work until the city engineer has approved the application and until a permit has been issued for such work. Violations of the provisions of this section shall result in civil penalties of \$100.00 per day for the first seven days of violation and \$250.00 per day for all subsequent days of violation. The city engineer may also issue a stop work order for any project or property in violation of this section. [Ord. O-09-2014 (Exh. A)].

Chapter 15.30

EXCAVATION AND BACKFILL FOR TRENCHES

Sections:

15.30.010 General.

15.30.020 Trench safety.

15.30.030 Disposal of materials.

15.30.040 Engineered fill material.

15.30.050 Testing.

15.30.060 Blasting.

15.30.070 Trenches in Winter Conditions

15.30.010 General.

This chapter covers excavation and backfill of trenches for the installation of storm sewer, sanitary sewer, water lines, ~~electrical lines, and gas lines~~ in streets and subdivisions. Due to varying ground composition, structure, and collapsible soils, excavation and engineered backfill for trenches shall comply with the APWA Standard Specifications or better as required or deemed needed based on review, inspection, and determination by the city engineer or his/her designee. All OSHA requirements must be maintained in trenches at all times. [Ord. O-03-2010 § 1 (Exh. A § 6.010)].

15.30.020 Trench safety.

All construction shall be done in accordance with the provisions of the Utah State Industrial Commission and OSHA regulations. No trenches shall be left open at any time unless guarded with adequate barricades, warning lamps and signs.

When required, excavation shall be braced and shored to support the walls of the excavation to eliminate sliding and settling and as may be required to protect the workers, the work in progress, and existing utilities and improvements. All such sheeting, bracing and shoring shall comply with the requirements of the Utah State Industrial Commission and OSHA.

Any injury or damage resulting from lack of adequate bracing and shoring shall be the responsibility of the developer/contractor and the developer/contractor shall, at his/her own expense, effect all necessary repairs or reconstruction resulting from such damage. No inspections will be done in unsafe trenches and will be the cause for immediate shutdown at the project. [Ord. O-03-2010 § 1 (Exh. A § 6.020)].

15.30.030 Disposal of materials.

All excavation material which is not required for or is unsuitable for backfill shall be immediately removed from the area and not obstruct streets, sidewalks and driveways.

Gutters and irrigation ditches shall be kept clean of excavated material. [Ord. O-03-2010 § 1 (Exh. A § 6.030)].

15.30.040 Engineered fill material.

Engineered fill (Type A1 or A2 as defined by AASHTO) shall be required backfill for all trenches in the city right-of-way or public utility easements containing city owned and maintained utilities. The contractor is responsible for supplying gradation reports showing proper gradation to meet A1 or A2 classification. [Ord. O-03-2010 § 1 (Exh. A § 6.040)].

15.30.050 Testing.

Tests to determine acceptability of backfill placed will be done by a firm hired by the developer. The testing company/developer will use standard procedures of the American Society of Testing Materials (ASTM) and/or American Association of State Highway Transportation Officials (AASHTO). Compaction tests will be required at least every 100 feet per lift per trench. Each lift shall be six to 12 inches as determined by Eagle Mountain City and Eagle Mountain City's testing firm. Lift height will depend on the equipment and material used and the contractor's ability to properly compact the material. If the backfill so tested does not meet the requirements of this chapter, the trench shall be re-excavated and the backfill replaced in accordance with this chapter. [Ord. O-03-2010 § 1 (Exh. A § 6.050)].

15.30.060 Blasting.

Blasting will not be allowed except by permission from the city engineer or his/her designee as directed by the fire chief. The contractor shall comply with all laws, ordinances, and applicable safety code requirements and regulations relative to the handling, storage, and use of explosives and protection of life and property. He/she shall be fully responsible for all damage attributable to his/her blasting operations.

Excessive blasting or overshooting will not be permitted and any material outside the authorized cross-section which may be shattered or loosened by blasting shall be removed by the contractor. [Ord. O-03-2010 § 1 (Exh. A § 6.060)].

15.30.060 Trenches in Winter Conditions

All trenches will need to be free of frozen materials which will be trench sidewalls, pipe, bedding on ice or snow and fill. No frozen backfill will be allowed. Trenches must be backfilled or protected to prevent freezing each night.

Chapter 15.35 WATER LINES

Sections:

15.35.010 General.

15.35.020 Culinary water pipe.

15.35.030 Water main bedding materials.

15.35.040 Water main type and locations.

15.35.050 Water meters and service lines.

15.35.060 Water meter standards.

15.35.070 Tapping of water lines.

15.35.080 Testing and flushing.

15.35.090 Disinfection of water lines.

15.35.100 Backflow prevention and cross-connection control rules and regulations.

15.35.110 Water system extensions.

15.35.120 Water Fittings

15.35.010 General.

The installation specifications for water systems shall conform to the APWA Standard Specifications unless noted otherwise in this chapter.

- A. Inspection. All pipe used shall be carefully inspected prior to installation. Any or all defective pipe shall be rejected.
- B. Minimum Cover. All water mains and service laterals shall have a minimum cover of four feet to the top of the pipe and a minimum of 3' at installation. **Maximum cover shall be 6 feet.**
- C. 12 ga locator wire along water main to setters & fire hydrants.
- D. Metallic caution tape place 2' above water main.
- E. All valves to be flanged to tees.
- F. Valves 12" and above to be butterfly valves.
- G. Bolts at the top of fire hydrant barrel to be no lower than 1" above finished grade & no higher than 6" above finished grade.
- H. Water services (setters) to be installed prior to bacteria & pressure tests. [Ord. O-03-2010 § 1 (Exh. A § 7.010)].
- J. Six (6) inch thick concrete pad around fire hydrants. See detail FH-1.**

15.35.020 Culinary water pipe.

PVC or ductile iron pipe is allowed to be used within subdivisions. Pressures, water hammer, surges, and other dynamic water characteristics shall be taken into consideration during the design and construction of the water system. The required pipe class shall be determined based upon characteristics. [Ord. O-03-2010 § 1 (Exh. A § 7.020)]. **No deflections are allowed in pipes. For curvilinear roadways, the design engineer shall incorporate fittings as appropriate to avoid deflections and maintain adequate separation from sewer and storm drain utilities.**

15.35.030 Water main bedding materials.

Water main lines must be bedded using sand or similar materials. No gravel of any kind will be allowed. All bedding material must meet AASHTO A3 soil classification with 100% passing the #4 sieve. [Ord. O-03-2010 § 1 (Exh. A § 7.025)]. **Bedding shall be placed six (6) inches minimum to the sides and bottom of pipe zone and twelve (12) inches minimum above or equivalent to pipe diameter whichever is greater.**

15.35.040 Water main type and locations.

Water mains shall be located on either the north or east side of a roadway and eight feet from the centerline.

Water mains shall be minimum one foot vertical above the sewer. Separation between water and sewer mains shall be 10 feet (horizontally) minimum unless authorized in writing by the city engineer or his/her designee.

Water mains shall be either polyvinyl chloride (C-900 PVC, ~~for pipes eight inches to 12 inches~~ **that is higher pressure rated**) or **Ductile Iron Pipe (DIP)** (poly wrapped) **if design or as determined by city engineer** with minimum pressure class of 250 psi for pipes greater than 12 inches. **PVC pipe shall meet the requirements and specification of APWA 15014 and AWWA C900, C905, and C909. Ductile iron pipe shall meet the standards and specifications of APWA 15011.** HDPE may be used for borings upon the approval of the city engineer or his/her designee. No bends will be allowed in water lines and fittings will be required. All fitting to be Mega-lug fittings. [Ord. O-03-2010 § 1 (Exh. A § 7.030)].

15.35.050 Water meters and service lines.

Prior to the installation of the water service line, the engineer retained by the developer shall stake out the water meter location and provide the grade at which the lid is to be set.

Minimum service line size is three-quarter inch. All water service lines shall start with a corporation stop at the main and shall be of **poly pipe with stiffeners** or type "K" copper and meter setters of 21-inch or taller and ~~are~~ **braced**, with dual unions **at bottom of setter** and meet height specs in a 21-inch can for water meters. A four-inch ring and lid shall be used and installed with the top of the setter at a depth of not less than 18 inches and not more than 22 inches from the lid of the meter box. Meters ~~two inches~~ **one and a**

half (1.5) and larger shall be placed in vaults (see Eagle Mountain standard drawing). All meter setters shall have dual check valves. Meter boxes shall be placed ~~between~~ behind the sidewalk 3 feet to center +/- 3 inches ~~line and property line with~~ combination curb, gutter, and sidewalk or in the planter if available so that a fence may be placed on property without interfering with the maintenance and reading of said meter. No meters shall be set in sidewalks or driveways. Meter boxes shall be in good repair and relatively free from obstruction to ensure ease in maintenance and reading (not full of dirt past the base of the meter, having trash present and being badly bent to create a hazard). Damaged boxes shall be replaced. Meter boxes shall be from level to one inch high from the final grade of sidewalk. See detail.

Lids shall have a one-inch hole in the top for the touch-read sensor and read Eagle Mountain Water Meter on lid.

Water service lines shall be minimum one foot vertical above the sewer. Water meters shall be located at the centerline of single-family lots unless authorized by the city engineer or his/her designee. On narrow lot subdivisions (lot width less than 50 feet), water laterals are to be located on alternating lot lines, although in no instances shall connections be made to the water main closer than three-foot intervals. Separation between water and sewer mains shall be 10 feet (horizontally) minimum unless authorized in writing by the city engineer or his/her designee.

A separate and independent service lateral for water service shall be provided for every building used as a dwelling, except in cases of undue hardship where the city council deems it necessary to make an exception. The water user shall bear full responsibility for the upkeep and maintenance of all water system lines and fixtures beyond the water meter.

From and after the effective date of the ordinance codified in this chapter, all dwelling units and premises under separate ownership shall be served by individual water meters, except in cases of undue hardship or in planned unit developments when approved by the city council. [Ord. O-03-2010 § 1 (Exh. A § 7.040)].

15.35.060 Water meter standards.

All water meters shall be purchased from the city. All structures, dwelling units, and establishments using water from the city culinary water system must have such number and size of water meters connected to their system as are necessary to meet the requirements of the Utah Plumbing Code. Meters will be furnished by the city at the expense of the property holder, at the city's cost for said meter. Meter readings shall be taken at regular intervals as determined by the superintendent of the division and shall be submitted to the city treasurer for the purpose of making necessary billings for water service.

Water meters will not be placed in driveways or under sidewalks. If a water meter must be moved out of a driveway, the maximum lateral movement is 24 inches. If a fitting is required to allow the meter to be relocated, the contractor must notify the public utilities department so that an inspector can be present to verify the fitting is installed in accordance with city standards. Backfill and bedding on the relocated service lateral must conform to city standards and the engineered backfill (A1 or A2) requirement of the city. [Ord. O-03-2010 § 1 (Exh. A § 7.050)].

15.35.070 Tapping of water lines.

Tapping valves may only be used when previously approved by the city engineer or his/her designee. Tapping saddles with an “O” ring may be used if the water main line to be tapped is larger than the new water main line. Where the tap is the same size as the existing main, cast iron or stainless steel tapping sleeves shall be used, which encase the full perimeter of the pipe. The valve shall be a tapping valve with a guide lip on the flanged side. The opposite side of the valve shall have a mechanical joint connection.

Service taps shall be a minimum of 36 inches apart. No taps will be allowed within 36 inches of the end of the pipe joints and fitting, not including the joints in the measurement. [Ord. O-03-2010 § 1 (Exh. A § 7.060)].

15.35.080 Testing and flushing.

A. A minimum pressure 50 percent in excess of the maximum line operation pressure (or 200 pounds, whichever is greater) shall be maintained on the portion being tested for a minimum period of two hours, using either pneumatic or hydraulic means to maintain the pressure. After installation, fire hydrants must be covered with a black garbage bag taped down until all testing has been completed.

B. After pressure testing, all pipelines shall be flushed. Flushing shall be accomplished through hydrants or, if a hydrant does not exist at the end of the line, the contractor shall install a tap sufficient in size to provide for two-and-one-half-foot-per-second flushing velocity in the line.

C. A leakage test shall be conducted concurrently with the pressure test.

1. “Leakage” shall be defined as the quantity of water that must be supplied into the newly laid pipe, or any valved section thereof, to maintain pressure within five psi of the specified test pressure after the air in the pipeline has been expelled and the pipe has been filled with water.
2. Allowable Leakage. No pipe installation will be accepted if the leakage is greater than that determined by the following formula:

$$L = \frac{SD(P)^{0.5}}{133,200}$$

in which L is the allowable leakage, in gallons per hour; S is the length of pipeline tested, in feet; D is the nominal diameter of the pipe, in inches; and P is the average test pressure during the leakage test, in pounds per square inch gauge.

- a. Allowable leakage at various pressures will be provided by inspectors.
- b. When testing against closed metal-seated valves, an additional leakage per closed valve of 0.0078 gallon/hour/inch of nominal valve size shall be allowed.
- c. When hydrants are in the test section, the test shall be made against the closed hydrant.

3. Acceptance of Installation. Acceptance shall be determined on the basis of allowable leakage. If any test of pipe laid discloses leakage greater than specified, the contractor shall, at its own expense, locate and repair the defective material until the leakage is within the specified allowance.

D. All visible leaks are to be repaired regardless of the amount of leakage.

E. All new water systems or extensions to existing systems shall be thoroughly flushed before being placed in service. Flushing shall be accomplished through hydrants, or end-of-line blowoff assemblies at a minimum flushing velocity of two and one-half feet per second.

F. The following is the flow quantity required to provide a two-and-one-half-foot-per-second flushing velocity:

PIPE SIZE (IN.)	FLOW (G.P.M.)
4	100
6	220
8	390
10	610
12	880
16	1,567
18	1,980

20	2,450
24	3,525
30	5,507

[Ord. O-03-2010 § 1 (Exh. A § 7.070)].

15.35.090 Disinfection of water lines.

A. Disinfection of water mains shall be done in accordance with the latest edition of AWWA C651.

B. The pipe shall be clean prior to disinfection. If, in the opinion of the city, contamination is such that it cannot be removed by flushing, the pipe shall be cleaned by mechanical means and then swabbed with a one percent hypochlorite disinfection solution.

C. The pipeline shall be disinfected as outlined in AWWA C651. Chemicals to be used shall conform to one of the following: AWWA B300, hypochlorite; AWWA B301, liquid chlorine; AWWA B302, ammonium; and AWWA B303, sodium chlorite.

The tablet method shall consist of placing calcium hypochlorite tablets at the specified rate in the main during construction at the upstream end of each section of pipe. The tablet shall be attached with an adhesive, such as Permatex No. 1 or equal. The line shall then be filled slowly (velocities less than one foot/second), expelling all air pockets and maintaining the disinfection solution in the line for at least 24 hours, or 48 hours if the water temperature is less than 41 degrees Fahrenheit. The disinfection solution shall have a concentration of at least 25 mg/L of available chlorine. The continuous feed shall be done exactly as outlined in AWWA C651 and shall have 25 mg/L available chlorine after 24 hours. Under both methods the contractor shall not be allowed to flush the line until the chlorine residual test has been passed by the city.

D. After the chlorination, the line shall be thoroughly flushed with velocities greater than two and one-half feet/second with clean water and if necessary re-chlorinated until satisfactory bacteriological testing is obtained. If any of the tests fail, the contractor shall be responsible for the fees of additional tests. All new lines shall be isolated from existing lines when tested.

E. Following the approval of the testing and installation of a water main, the entire water line will be flushed through the end of the main via an approved outlet.

F. The ~~developer~~ **contractor** shall take bacteria samples at the sites designated by the public works director or his/her designee for each job, based on the following formula:

1.
 - a. Minimum of one sample up to 200 feet.
 - b. Minimum of two samples up to 600 feet. (One in the middle and one on the end.)
 - c. Minimum of one sample every 600 feet.
 - d. Sampling points to be established during the preconstruction meeting for each project.
2. If any sample point fails on the first test, the line will be flushed and retested at all sample points.
3. If any sample point fails a second time, the complete line will be re-disinfected and retested at all sample points.
4. If any samples come back marked "~~presence~~ **present or unsatisfactory**" which means coliform bacteria is present, the line will be re-disinfected and retested at all sample sites.
5. After passing test let system "relax" 24 hours then take subsequent test.
6. After second test of samples is acceptable system is ready for use.

G. Bacteriological reports shall consist of the following:

1. Date issued, project name, and the name, address, and telephone number of the testing laboratory.
2. Date and time of water sample.
3. Name of person collecting samples.
4. Test locations.
5. Initial and 24-hour disinfection residuals in ppm for each outlet tested.
6. Coliform bacteria test results for each outlet tested.

7. Certification that water conforms, or fails to conform, to bacterial standards of the state.

Water services will not be installed until bacteria sample results have been approved by the city engineer or his/her designee. [Ord. O-03-2010 § 1 (Exh. A § 7.080)].

15.35.100 Backflow prevention and cross-connection control rules and regulations.

This section enacts the cross-connection control and backflow prevention requirements applicable to the water system which is owned and operated by Eagle Mountain City.

A. Definitions.

1. "City" means Eagle Mountain City.
2. The city engineer, the water division director and the public works director are vested with the authority and responsibility for the implementation of the city's cross-connection control program.
3. "Approved backflow assembly" means a backflow assembly accepted by the Utah State Drinking Water Division as meeting an applicable specification or as suitable for the proposed use.
4. "Auxiliary water supply" means any water supply on or available to the premises other than the city's public water supply. These auxiliary waters may include water from another public potable water supply or any natural source, such as a well, spring, river, stream, harbor, irrigation water, used-water storage tanks or reservoirs which may or may not originate within the city. These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the city does not have authority for sanitary control.
5. "Backflow" means the reversal of the normal flow of water caused by either back-pressure or back-siphonage.
6. "Back-pressure" means the flow of water or other liquids, mixtures, or substances under pressure into the distribution pipes of a potable water supply system from any source or sources other than the intended source.
7. "Back-siphonage" means the flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water supply system from any source other than the intended source, caused by the reduction of pressure in the potable water supply system.

8. "Backflow prevention assembly" means an assembly or means designed to prevent backflow. Specifications for backflow prevention assemblies are contained within the Utah Plumbing Code, Chapter 10 (Appendix J), and the Cross-Connection Control Program of Utah. All backflow prevention assemblies must be approved by the Utah State Drinking Water Division prior to installation. A listing of these approved backflow prevention assemblies may be found in the Cross-Connection Control Program for Utah.
 9. "Contamination" means an impairment of the quality of the potable water supply by sewage, industrial fluids or waste liquids, irrigation or other nonpotable water, compounds or other materials to a degree which creates an actual or potential hazard to the public health through poisoning or through the spread of disease.
 10. "Cross-connection" means any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other water from a non-city source or nonpotable water or storage tanks or reservoirs of questionable safety, through which, or because of which, backflow may occur into the potable water system; including any temporary connections, such as swing connections, removable sections, four-way plug valves, spools, dummy sections of pipe, swivel or change-over devices or sliding multiport tubes.
 11. "Cross-connection – controlled" means a connection between a potable water system and water from a non-city source or a nonpotable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.
 12. "Cross-connection – containment" means the installation of an approved backflow assembly at the water service connection to any user's premises where it is physically and economically infeasible to find and permanently eliminate or control all actual or potential cross-connections within the user's water system, or the installation of an approved backflow prevention assembly on the service line leading to and supplying a portion of a user's water system where there are actual or potential cross-connections which cannot be effectively eliminated or controlled at the point of the cross-connection (isolation).
 13. "User" means a dwelling or other service connected to the city water system regardless of the location within or outside the boundary of the city.
- B. 1. An approved backflow prevention assembly shall be installed on each service line to a user's water system, at or near the property line, or immediately inside the building being served, but in

all cases before the first branch line leading off the service line, whenever the city determines that such is necessary for protection of the water supply or in the best interest of the users of the city's water supply system.

2. The type of protective assembly required under this subsection shall depend upon the degree of hazard which exists at the point of cross-connection, i.e., whether direct or indirect, as defined in the Utah Plumbing Code.
 3. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained shall, except for the inspection and maintenance requirements listed in subsection F of this section, be excluded from the requirements of these rules so long as the city believes that they will satisfactorily protect the public water system. Whenever the existing assembly is moved from the present location or requires more than minimum maintenance or when the city finds that the maintenance of this assembly constitutes a hazard to health, the unit shall be replaced by the user with an approved backflow prevention assembly meeting the requirements of this chapter.
 4. No water service connection to any premises shall be installed by any user of the city's potable water system or maintained by the user unless the water supply is protected as required by state laws, regulations and codes, and the provisions of this chapter. Service of water to any premises shall be discontinued by the user if a backflow prevention assembly required for control of backflow and cross-connections is not installed, tested and maintained, or if it is found that a backflow prevention assembly has been removed or bypassed, or if an unprotected cross-connection exists on the premises. Service will not be resumed by any user until such conditions or defects are corrected, and the city shall not furnish potable water to the premises of any user known by the city to be lacking suitable backflow prevention assemblies.
 5. The user's system shall be open for inspection at all reasonable times to authorized representatives of the city to determine whether cross-connections or other structural or sanitary hazards, including violations of this chapter, exist. When such a condition becomes known, the city shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition in conformance with the state statutes and city regulations.
- C. If, in the judgment of the director, an approved backflow prevention assembly is required at the user's private water system for the protection of the public potable water distribution system from

contamination or pollution due to the backflow of contaminants through water service connections, the city or its designated agent shall give notice in writing to such user to install an approved backflow prevention assembly at a specific location or locations on his/her premises. Within 10 days after receipt of written notice, the user shall install such approved assembly at the user's own expense, and failure, refusal or inability on the part of the user to install, have tested, and/or maintain said assembly shall constitute grounds for discontinuing water service to the premises until such requirements are met.

- D. The building official shall have the responsibility to review building plans and inspect plumbing as it is installed and to prevent cross-connections from being designed and built into structures which will connect to the water system. Where the review of building plans suggests or indicates potential for a cross-connection being made an integral part of the plumbing system, the building inspector shall require such cross-connections to either be eliminated or provided with an approved backflow prevention assembly in accordance with the plumbing code.
- E. When employed by the user or the city to test, repair, overhaul and/or maintain backflow prevention assemblies, a backflow assembly technician shall have the responsibility and obligation:
1. To ensure that acceptable testing equipment and procedures are used for testing, repairing, or overhauling backflow prevention assemblies.
 2. To make reports of such testing and/or repair to the user and the city, such reports to include the list of materials or replacement parts used.
 3. To ensure that replacement parts are equal in quality to parts originally supplied by the manufacturer of the assembly being repaired.
 4. To not change the design, material, or operational characteristics of the assembly during repair or maintenance.
 5. To perform the work and be responsible for the competence and accuracy of all tests and reports.
 6. To ensure that his license is current, and that the testing equipment being used is acceptable to the state of Utah and the city and is in proper operating condition.
 7. To report a failing assembly to the city within five working days from the date the failure was detected. Failure to do so may be grounds for revocation of the technician's certification.

8. To be equipped with and be competent in the use of all necessary tools, gauges, and other equipment necessary to properly test, repair, and maintain backflow prevention assemblies.
 9. To tag each double check valve, pressure vacuum breaker, reduced pressure backflow assembly and air gaps, showing the serial number, date tested and by whom. The technician's license number must also be on such tag.
 10. In the case of a user requiring a commercially available technician, any certified technician is authorized to make the test and report the results of the same to the user and the city. If such a commercially tested assembly is in need of repair, the same shall be performed by a plumber licensed pursuant to Utah statutes.
- F.
1. It is the duty and responsibility of the user at any premises where backflow prevention assemblies are installed to have certified inspections and operational tests made at least once per year at the user's expense. In those instances where the city deems the hazard to be great, it may require certified inspections and tests at more frequent intervals. All inspections and tests shall be performed by a certified backflow assembly technician, licensed through the state of Utah, and shall be made in accordance with the standards set forth by the Utah State Drinking Water Division.
 2. Backflow prevention assemblies shall be installed in water supply lines to provide at least the degree of protection provided in the Utah Plumbing Code, Chapter 10 (Appendix J). All backflow prevention assemblies shall be exposed for easy observation and be readily accessible.
 3. All backflow prevention assemblies installed in a potable water supply system for protection against backflow shall be maintained in good working condition by the user or other person or persons having control of such assemblies. The Utah State Drinking Water Division and the city may inspect such assemblies and, if found to be defective or inoperative, shall require the replacement thereof. No assembly shall be removed from use, relocated, or another assembly substituted without the approval of the city.
 4. Each user shall cause all backflow prevention assemblies to be tested within 10 working days of installation.
 5. No backflow prevention assembly shall be installed so as to create a safety hazard, e.g., installed over an electrical panel, steam pipes, boilers, pits, or above ceiling level. [Ord. O-03-2010 § 1 (Exh. A § 7.090)].

15.35.110 Water system extensions.

All extensions to the existing water system which are not covered by regulations in the approval of subdivisions and large-scale developments shall comply with the provisions of this section.

- A. Any person desiring to extend the water system may make application to the city council. Such application shall be considered by the city council on a case-by-case basis and the council shall approve such applications if (1) the proposed extension is to be constructed consistent with the city's extension standards, (2) there is adequate reserve water available to supply said need, and (3) the existing distribution system is adequate to supply the needed water to the point of beginning of the extension.
- B. The application shall contain a description of the proposed extension accompanied by a map showing the location thereof. Detailed engineering drawings showing the location and size of all lines, mains, service laterals, appurtenant facilities, anticipated water pressures and fire flows shall be included. The application shall also include an extension agreement signed by the applicant in a form approved by the city council by which the applicant agrees to construct the facilities, both on-site and off-site, and accepts the conditions agreeing to reimbursement as outlined in subsection F of this section.
- C. Before any such application is approved, the city council shall refer it to the water division superintendent for his review and comment. The application may also be referred to the planning commission and the city engineer for similar review and recommendation.
- D. The design, location, materials and methods and standards of construction of water line extension shall be in accordance with city standards and specifications as approved by the city council.
- E. The city council may require the construction of oversized and off-site facilities as a condition of the approval of any application governed by this section.
- F. Upon completion of an extension, the applicant's share of the actual cost of making such extension shall be determined by the city engineer from as-built drawings to be provided by the applicant. Whenever an extension of a water main benefits property which is adjacent to the extension or extended from the end of an existing extension, other than that which is owned by the applicant, the city will enter a deferred credit on its books and records in the amount of the actual prorated cost of extension across the front of said benefited property and shall reimburse the applicant, his assignees or successors, upon collection by the city of charges assessed against such benefited property as service connections are made. All such reimbursements shall extend for a period determined by the city council from the date of the completion of the extension and acceptance by the city, or until the initial prorated cost of the extension along the frontage not owned by the applicant shall have been refunded.

A water main extension charge for each and every subsequent service connection to an extension under the provisions of this section shall be paid before such service connection is made, except for frontage owned by the applicant at the time of the application. The water main extension charge is separate and is in addition to any service connection charge required by the city. **Extension of an existing water service main shall require a construction valve to isolate the new construction for testing and flushing purposes. A blow off at the terminus of the water main shall be required unless a suitable alternative such as proximity to a fire hydrant is approved by the city engineer or his/her designee.**

The amount of an extension charge to benefited property shall be determined by the city council. All necessary fire hydrants and appurtenances that are provided in making the extension shall be included in determining reimbursement.

All extension charges levied for purposes of reimbursement shall be determined using the costs for installing water mains of eight inches in diameter. Where the city requires that the extension be made using larger lines, the difference between the cost of installing an eight-inch water line and the size required by the city may be subject to reimbursement by the property owners which are served by said extension in accordance with the city's reimbursement policy. All cost for the line size over eight inches shall be borne by the city upon approval of the city council. All main water line extensions become the property of the city upon acceptance by the city. [Ord. O-03-2010 § 1 (Exh. A § 7.100)].

15.35.120 Water Fittings.

All water line fittings to have mega lug followers or approved fittings. All fittings, valves, saddles and other parts that have a possibility to corrosion shall be completely greased (food grade) and wrapped (8 mil min.) anti-corrosion (anode) pits may be required in highly corrosive soils (based on soils report or on site testing).

All water main crosses and tees shall have a valve on all legs of the cross or tee. Valves shall be flanged directly to the cross or tee. Water mains of 12 inches or smaller shall require a gate valve. Mains 16 inches or larger shall require a butterfly valve unless authorized in writing by the city engineer or his/her designee.

Use ductile iron fittings that conform to the provisions of ANSI/ AWWA C110/ A21.10 or C153/A21.53 inless otherwise recommended by the manufacturer and authorized by the city engineer or his/ her designee. All PVC pipes being inserted into fittings shall have the bevel end removed.

Chapter 15.40

PRESSURIZED IRRIGATION

Sections:

- 15.40.010 General.**
- 15.40.020 Installation.**
- 15.40.030 Pipe and fittings.**
- 15.40.040 Valves and couplings.**
- 15.40.050 Meters, boxes and services.**
- 15.40.060 Flushing.**

15.40.010 General.

A. Specifications. This chapter covers the installation of pressurized irrigation lines. See standard drawings related to pressurized irrigation.

B. Pipe. Polyvinyl chloride (PVC) pipe shall be used for all pressurized irrigation mains unless authorized by the city engineer or his/her designee.

C. Size. The city must approve the sizes of all proposed pressurized irrigation lines. The minimum size of pressurized irrigation pipe is ~~four~~ **six** inches in diameter for main lines and one inch in diameter for services.

D. Location. Pressurized irrigation mains shall be located **along centerline. Pressurized irrigation may not be placed in same trench as waterline.** ~~on either the north or east side of a street, five feet from the centerline (three feet off water line). See standard drawings for utility locations. [Ord. O-03-2010 § 1 (Exh. A § 8.010)].~~

15.40.020 Installation.

A. General. Pressurized irrigation distribution and transmission systems shall be installed according to the requirements and specifications of APWA 02510. PVC pipe shall also be installed according to the requirements and specifications of AWWA C605.

B. Pipe Cleanliness. All foreign matter or dirt shall be removed from the inside of the pipe before it is placed and it shall be kept clean during and after laying. No debris, tools, or other materials shall be placed in the pipe during laying operations. When laying of pipe is not in progress, the pipe shall be closed by a watertight plug.

C. Minimum Cover. All pressurized irrigation mains shall have a minimum cover of ~~two~~ **three** feet to the top of the pipe.

D. Identification Tape. All pressurized irrigation mains shall be installed with identification tape that meets the requirements and specifications of APWA 02320. Tape shall be buried 12 inches below grade.

E. Lateral Displacement. All pipes shall be protected from lateral displacement resulting from impact or unbalanced loading during backfilling operations.

F. Restraining. Either thrust blocks or mechanical retaining devices shall be used for all tees, valves, plugs, caps, and bends. Restraining shall be accomplished according to the standard drawings.

G. Connection to Existing Pressurized Irrigation Lines. The contractor will be responsible to verify actual size, type of material, and location of existing utilities in the field. The fittings and materials required for

construction must be approved by the city engineer or his/her designee. Where fitting sizes, such as tees and crosses, are shown on the plans, those sizes will be used. However, no attempt has been made to show all needed fittings or materials. [Ord. O-03-2010 § 1 (Exh. A § 8.020)].

H. Drains shall be installed at all low points on pressurized irrigation and connected to storm drain inlets. Pipes shall be sloped to low points to allow drainage.

15.40.030 Pipe and fittings.

A. General. Polyvinyl chloride (PVC) pipe shall be used for all pressurized irrigation mains 12 inches in diameter and smaller unless otherwise authorized by the city engineer or his/her designee. Ductile iron or polyethylene pipe shall be used for pressurized irrigation mains larger than two inches in diameter. Only PVC or polyethylene pipe may be used in corrosive soils.

B. Polyvinyl Chloride (PVC) Pipe. PVC pipe shall meet the requirements and specifications of APWA 15014 and AWWA C900, C905, and C909. Only purple, pressure class 150 psi pipe may be used for pressurized irrigation mains.

C. Ductile Iron Pipe. Ductile iron pipe shall meet the standards and specifications of APWA 15011. Only a pressure class of 150 psi or larger may be used. A tubular purple polyethylene encasement must be installed according to AWWA C105 over all ductile iron pipe and fittings. Flanges, when required, shall meet the requirements and specifications of AWWA C115.

D. Polyethylene Pipe. Polyethylene pipe shall meet the standards and specifications of APWA 15013.

E. Steel Pipe – Lined and Coated. Steel pipe shall meet the standards and specifications of APWA 15010.

F. Fittings. Use ductile iron fittings that conform to the provisions of ANSI/AWWA C110/A21.10 or C153/A21.53 unless otherwise recommended by the manufacturer and authorized by the city engineer or his/her designee. All PVC pipes being inserted into fittings shall have the bevel end removed. All the bolts and nuts of all the fittings shall be greased. All fittings shall have an eight mil vinyl wrap plastic cover. [Ord. O-03-2010 § 1 (Exh. A § 8.030)].

G. Pipe zone

15.40.040 Valves and couplings.

A. General. All valves shall meet the requirements of APWA 02510 and 15030.

B. Resilient Seated Gate Valve. All valves on ~~four~~ six-inch to 10-inch water mains shall be resilient seated gate valves. Valves shall also be of iron body, have nonrising bronze stems and meet the following specifications:

1. Mechanical Joint. When valves are mechanical joint, they shall be furnished with all necessary glands, followers, and bolts and nuts to complete installation.
2. Valve Stems. Bronze valve stems shall be interchangeable with stems of the double disc valves of the same size, direction of opening and manufacture.

C. Butterfly Valve. All valves 12 inches and larger shall be butterfly valves which meet the requirements and specifications of APWA 02510, 15030 and the following specifications:

1. General. Valve bodies shall be cast iron, ASTM A126, Class B. Body ends shall be flanged with facing and drilling in accordance with ANSI B16.1, Class 125; or mechanical joint in accordance with AWWA C111. All mechanical joint end valves shall be furnished complete with joint accessories (bolts, nuts, gasket, and glands). All valves shall conform with AWWA Standard C504, Table 3, Laying Lengths for Flanged Valves and Minimum Body Shell Thickness for All Body Types.

2. Disc. Valve disc shall be ductile iron ASTM A536, Grade 65-45-12. Valve disc shall be of the offset design providing 360-degree uninterrupted seating.

3. Shaft Bearings. Shaft bearings shall be contained in the integral hubs of the valve body and shall be self-lubricated sleeve type.

4. Coating. All valves shall be coated with epoxy in conformance to AWWA Standard C550, latest revision.

Interior wetted ferrous surfaces shall be coated a nominal 10 mils thick for long life, and body exterior shall have a minimum of three to four mils coating thickness in order to provide superior base for field-applied finish coats.

D. Valve Boxes. All buried valves shall be installed complete with two-piece, cast iron, slip-type, five-and-one-quarter-inch shaft valve box with drop lid. The lid shall have the word "IRRIGATION" or "DRAIN" according to the standard drawing cast in the metal.

Valves and valve boxes shall be installed where shown on the drawings. Valves and valve boxes shall be set plumb. Valve boxes shall be centered directly over the valve. Valves shall be aligned with property lines where possible. Earth fill shall be carefully tamped around the valve box to a distance of four feet on all sides of the box, or to the undisturbed trench face if less than four feet. Valves shall have the interiors cleaned of all foreign matter before installation.

All tops of valve boxes located in streets shall be installed one-quarter inch below grade. When a one-inch overlay is required a year after the road construction, the pavement surrounding the valve box shall be neatly cut to form a 30-inch round opening with the valve box centered, and a concrete collar shall be cast around the box. Valve boxes in off-road areas shall extend six inches above grade. Lid detail shall be similar to Comco C6517.

E. Couplings. Couplings shall be equal to the product of Smith-Blair or Dresser with cast iron couplings being used on all cast iron and PVC pipe. Couplings shall be straight, transition, or reducing style as required by the specific installation. All steel fittings and bolts shall be coated with a nonoxide coating and wrapped with polyethylene.

F. Pressure Regulation Valves. Pressure regulation valves (PRV) which are required in a development shall be designed by the developer's engineer and the design shall be submitted to the city engineer or his/her designee for review and approval prior to starting construction. All PRVs shall be Cla-Val with bypass, be placed in a concrete vault and have telemetry included.

G. Tapping Valves. Tapping valves may only be used when previously approved by the city engineer or his/her designee. Tapping saddles with an "O" ring may be used if the water main line to be tapped is larger than the new water main line. Where the tap is the same size as the existing main, cast iron or stainless steel tapping sleeves shall be used which encase the full perimeter of the pipe. The valve shall be a tapping valve with a guide lip on the flanged side. The opposite side of the valve shall have a mechanical joint connection.

H. Air Vacuum and Release Valves. Combination air, vacuum and release valves shall be installed according to the standard drawings at high points in the system as required by the city. [Ord. O-03-2010 § 1 (Exh. A § 8.040)].

15.40.050 Meters, boxes and services.

A. General. See the standard drawings for pressurized irrigation services. The minimum size of new pressurized irrigation service lines is one inch **IP**. Pressurized irrigation services shall be installed after electrical services. Every lot, including both sides of a twin home lot, shall have its own pressurized irrigation service.

B. Placement and Location. All meters and boxes shall have their location and grade staked prior to installation. No meters or boxes shall be set in sidewalks or driveways. Service taps shall be a minimum of 36 inches apart. No taps will be allowed within 36 inches of the end of the pipe. Service laterals shall extend perpendicular from the main to the meter box. For dual pressurized irrigation services, laterals shall extend perpendicular from the main to the tee. If a meter must be moved it may only be displaced a maximum of 24 inches to either side. If it must be moved more than 24 inches, a new service line must be installed. When a new service line is installed, the old corporation stop shall be shut off at the main and the old service line cut two feet from the main.

C. Meters and Boxes. All meters shall be paid for by the developer and purchased by the city. Meter boxes and pressurized irrigation boxes shall be in good repair. They shall not set at an angle or in a crushed or dented condition. The inside of boxes must be free of obstructions such as dirt, rocks or debris. Meters shall be installed by the developer or contractor.

D. Polyethylene Pipe. Only CTS SDR9 200 psi purple polyethylene pipe shall be used for pressurized irrigation service lines. Pipe damaged by scratches, cuts, kinks or buckled areas shall not be installed. The bottom of the trench shall be flat with no hollows, no lumps and no rock. If these conditions do not occur, pipe must be bedded in coarse sand. No rocks shall be allowed within six inches of pipe. Pipe shall be cut with either a wheel- or scissor-type tubing cutter with a blade specifically designed for plastic. Cuts shall be square and clean. Cutter manufacturer instructions shall be followed when cutting pipe. All connections shall have stainless steel stiffeners. There shall be no unnecessary bending of pipe. Taps shall be exactly horizontal to the pressurized irrigation main. If bending cannot be avoided, maximum bending radius shall be 25 times the pipe diameter. There shall be no bending within three feet of a fixed point and no "S" shape curves. [Ord. O-03-2010 § 1 (Exh. A § 8.050)].

15.40.060 Flushing.

A. General. All pressurized irrigation lines shall be flushed before being placed in service. Flushing shall be accomplished through the end of each line.

B. Velocity. The contractor shall install a tap sufficient in size to provide for two-and-one-half-foot-per-second flushing velocity in the line. The following is the flow quantity required to provide a two-and-one-half-foot-per-second flushing velocity:

FOR FLUSHING (pipe diameter)	FLOW REQUIREMENTS (flow in gallons per minute)
4 inches	100
6 inches	220
8 inches	390
10 inches	610
12 inches	880
16 inches	1,567
18 inches	1,980
20 inches	2,450
24 inches	3,525
30 inches	5,507

[Ord. O-03-2010 § 1 (Exh. A § 8.060)].

Chapter 15.45 SEWER LINES

Sections:

15.45.010 General.

15.45.020 Sewer pipe.

15.45.030 Sewer main bedding materials.

15.45.040 Sewer connection fees.

15.45.050 Manhole bases.

15.45.060 Connecting to existing sewers.

15.45.070 Sewer laterals.

15.45.080 Minimum slopes.

15.45.090 Cleaning.

15.45.100 Sewer lift stations.

15.45.110 Discharging waste from cesspools and septic tanks at sewage treatment plant.

15.45.120 Septic systems.

15.45.010 General.

The installation specifications for sewer systems shall conform to the APWA Standard Specifications unless noted otherwise in this chapter. [Ord. O-03-2010 § 1 (Exh. A § 9.010)].

15.45.020 Sewer pipe.

Nonreinforced concrete, reinforced concrete, and PVC piping shall be used with Eagle Mountain City under the specifications and conditions in the respective pipe sections. Sanitary sewer shall be located on the south or west side of the street, five feet from the centerline. Water mains shall be minimum one foot vertical above the sewer. Separation between water and sewer mains shall be 10 feet (horizontally) minimum unless authorized in writing by the city engineer or his/her designee. [Ord. O-03-2010 § 1 (Exh. A § 9.020)].

15.45.030 Sewer main bedding materials.

Pipe bedding for sewer mains shall consist of three-quarter-inch or pea gravel, and shall extend six inches below **and to the sides of** the sewer main, and 12 inches above crown of pipe, or one pipe diameter, whichever is larger. [Ord. O-03-2010 § 1 (Exh. A § 9.025)].

15.45.040 Sewer connection fees.

A. Sewer Connection Fee. The schedule of charges to be imposed for sewer connections shall be set by the city council from time to time by resolution.

B. Reimbursement of Sewer Main Line Assessment Charges. When a main line or trunk line has been installed at the expense of some third party other than the owner of adjacent property to the street or easement in which a main or trunk line has been extended, is connected to by the adjacent property developer and an assessment is made against the property benefited by the main line, the third party who advanced the cost of installing the main or trunk line shall be entitled to reimbursement for that portion of the expenses incurred by him which is actual cost of extension with a maximum reimbursement not to exceed the actual cost incurred by the developer in making the main line extension go past the property of the developer who subsequently connects on the main or trunk line. Extension reimbursements shall not be paid after the expiration of 10 years from the original date of installation of the main or trunk line.

Third party other than owner of adjacent property to the street or easement, in which a main or trunk line has been extended, shall file a report of actual cost of such main line extension with Eagle Mountain City. The report shall be the basis for assessment made against the property benefited by main line extension.

Before any sewer connection request by adjacent property is approved, such assessment made against the property shall be paid to Eagle Mountain City. Such payment shall be made to the party entitled to such payment by Eagle Mountain City. A fee in the amount established by the city will be collected by Eagle Mountain City for the administration of the fund transfer.

In no event shall the right of reimbursement exceed the amount of actual cost of extension. [Ord. O-03-2010 § 1 (Exh. A § 9.030)].

15.45.050 Manhole bases.

Manhole bases shall be constructed of concrete to the dimensions shown on the drawings. Main line sewer pipe and projecting ends of the sewer and pipe stubs shall be adequately supported to prevent displacement from line or grade during installation of the base. All manholes shall have the invert shape as indicated on the standard details to provide an adequate channel between the inlet and outlet pipes. The entire surface of the manhole invert, including channels and shelves, shall be steel-toweled to a smooth dense surface. All inverts of junction manholes shall be shaped while the bases of the manholes are under construction. All inverts shall follow the grades of the pipe entering the manholes. Manholes shall have a 0.20 foot fall through manhole. Rubber boots shall be provided to connect the inlet and outlet pipes and provide watertight joints. Manholes with more than two pipes entering/ leaving or where the flow-through angle of the two is less than 90 degrees shall require a 60 inch manhole. In no circumstance shall more than 5 pipes be allowed to enter/ leave a manhole including lateral lines. [Ord. O-03-2010 § 1 (Exh. A § 9.050)].

15.45.060 Connecting to existing sewers.

Manholes used to connect the sewer to the existing sewer shall be plumb and centered on the existing sewer. The new pipe shall be placed against the existing pipe at the elevation designated by the engineer and the base poured as specified above. Care shall be taken not to disturb the alignment of the existing sewer during the excavation procedure. Any damage to the existing sewer shall be repaired. When connecting to existing manhole or stub pipe a test ball shall remain inflated in the downstream pipe to prevent contamination of existing mains. [Ord. O-03-2010 § 1 (Exh. A § 9.060)].

15.45.070 Sewer laterals.

Service lines shall be constructed of substantial materials approved by the Utah Plumbing Code for the particular application. Minimum pipe size shall be four-inch diameter. Sewer lateral cleanouts may not be placed under any permanent structures, including porches or bay windows. Any cleanouts exposed to vehicular traffic shall have traffic rated triangular covers.

All sewer laterals shall be connected to concrete sewer mains by use of the tapping tee (cast iron), a wax bowl ring and then secured with plumber's tape and concrete or a wye connection. Connections to PVC shall use tapping tees. Sewer laterals to extend 12 feet beyond property line and marked with a two-inch by ~~two~~ four-inch board at the end and a two-inch "S" stamped on the face of the curb and gutter. Any bend in a service line between the main line and the property line greater than 22.5 degrees needs to have a cleanout. No 90-degree bends are allowed. No laterals will be allowed to connect to manholes. The minimum cover of sewer laterals is three feet six inches at the property line. [Ord. O-03-2010 § 1 (Exh. A § 9.070)].

15.45.080 Minimum slopes.

Slopes shall be designed to have a two-foot-per-second velocity unless otherwise approved by the city engineer. Slope shown on construction drawings shall be calculated based on the length of pipe from the edge of manhole to the edge of the next manhole. Minimum slopes for different size pipes are as follows:

Minimum Sewer Main Slopes

Pipe Diameter	Minimum Slope
4 inches	2%
6 inches	1%
8 inches	0.334%

Minimum Sewer Main Slopes

Pipe Diameter	Minimum Slope
10 inches	0.248%
12 inches	0.194%
14 inches	0.158%
15 inches	0.144%
16 inches	0.132%
18 inches	0.113%
21 inches	0.092%
24 inches	0.077%
27 inches	0.066%
30 inches	0.057%
36 inches	0.045%

[Ord. O-03-2010 § 1 (Exh. A § 9.080)].

15.45.090 Cleaning.

After the sewer lines have been laid and the trench backfilled, they shall be thoroughly cleaned and tested for leakage and alignment in the presence of the city engineer or his/her designee before acceptance by the owner. Cleaning shall be done using a high pressure jet cleaning machine, producing a minimum of 800 psi. Wastewater and debris shall not be permitted to enter sewer lines in service, but shall be removed by a “sucker truck” at the lowest manhole of the extension. Such cleaning shall be done by private crews at the expense of the owner.

A. Displacement Test. The displacement test shall be conducted by the developer and inspector in the presence of the engineer and shall consist of the following: all sewer mains shall be washed and inspected using a television inspection unit. The televised inspection of any mains which reveals broken, misaligned or displaced pipe, or other defects, as designated by the city engineer or his/her designee, shall be remedied by the contractor. The televised inspection shall have the slope of pipe shown on tape throughout the inspection. After cleaning and inspection have been completed, the line shall be tested for leakage as specified in subsection B of this section.

B. Leakage Tests. The low pressure air test shall be conducted by the following method under the direction of the city engineer or his/her designee with equipment equal to Cherne Industrial, Inc.

All wyes, tees, or ends of lateral stubs shall be suitably capped and braced to withstand the internal test pressures. Caps shall be easily removable for future lateral connections or extensions. After a manhole to manhole section of line has been backfilled and cleaned, it shall be plugged at each manhole with pneumatic plugs.

Low pressure air shall be introduced into the sealed line until the internal air pressure reaches four psig greater than the average back-pressure of any ground water that may be over the pipe. At least two minutes shall be allowed for the air pressure to stabilize.

The portion of line being tested shall be accepted if the portion under test does not lose air at a rate greater than 0.003 cubic feet per minute per square foot of internal pipe surface or two cubic feet per minute minimum when tested at an average three psig greater than any back-pressure exerted by ground water that may be over the pipe at the time of the test.

The pipe and joints shall also be considered acceptable when the time required in minutes for pressure to decrease from three and one-half to two and one-half psig (greater than the average back-pressure of any ground water that may be over the pipe) shall not be less than the time shown for the given diameters in the following table:

Pipe Diameter in Inches	Minutes
4	2.0
6	3.0
8	4.0
10	5.0
12	5.5
15	7.5
18	8.5
21	10.0
24	11.5

If the installation fails to meet this requirement, the contractor shall determine at his/her own expense the source of leakage. He/she shall repair or replace all defective materials and/or workmanship. All sewer

mains shall be tested, cleaned and accepted by Eagle Mountain City before laying the street surface. [Ord. O-03-2010 § 1 (Exh. A § 9.090)].

15.45.100 Sewer lift stations.

Sewer lift stations that are required in a development shall be designed by the developer's engineer **according to city standards** and the design shall be submitted to the city engineer or his/her designee for review prior to starting construction. Lift stations will be the screw-type design, will have standby power, telemetry, and will be designed for regional areas, not individual subdivisions. Where applicable, a dry well/wet well design may be used as approved by the city engineer. Sewer lift stations will not be allowed if gravity flow can be accommodated. [Ord. O-03-2010 § 1 (Exh. A § 9.100)].

15.45.110 Discharging waste from cesspools and septic tanks at sewage treatment plant.

It shall be unlawful for any person, firm or corporation to discharge the waste material collected and gathered in cleaning cesspools or septic tanks at any place within the corporate limits of the city, except at the designated site created for such purposes at the sewage disposal treatment plant of Eagle Mountain City. Illegal discharges may result in fines up to \$2,480. [Ord. O-03-2010 § 1 (Exh. A § 9.110)].

15.45.120 Septic systems.

It is unlawful to construct a septic system within the city boundaries except in accordance with Chapter 13.20 EMMC. Septic systems approved in accordance with Chapter 13.20 EMMC must also be approved in writing by the Utah County health department prior to issuance of a building permit. Notwithstanding approval of a septic system in accordance with Chapter 13.20 EMMC, the city may require a property owner to connect to the sewer system at the property owner's cost and expense if the city determines, in the city's sole and absolute discretion, that the individual septic system, or the combination of multiple septic systems, is polluting the stormwater or groundwater within the city, impairing any culinary or municipal wells located within the city, or violating any existing or future water source protection overlay zones. [Ord. O-07-2015 § 2 (Exh. A); Ord. O-03-2010 § 1 (Exh. A § 9.110)].

Chapter 15.50 STORM DRAINS

Sections:

15.50.010 General.

15.50.020 Pipe.

15.50.030 Minimum slopes.

15.50.040 Cleaning and testing. (APWA 33 08 00)

15.50.050 Sumps.

15.50.060 Retention/detention basins.

15.50.070 Storm Water Pollution Prevention Plan.

15.50.010 General.

The installation specifications for storm drain systems shall conform to the APWA Standard Specifications unless noted otherwise in this chapter.

All development projects which will increase the storm runoff above what would be expected for an undisturbed site shall be required to provide onsite retention or detention. Such runoff shall be accommodated onsite to match the intensity for a 80th percentile storm event or as otherwise directed by the City's UPDES permit or by state code. Storm events larger than that are allowed to release at a rate consistent with the predeveloped conditions of the site. On site retention may be provided throughout the development or in 1 specific location. All storm drain pipes shall have a minimum cover of two feet. Minimum size of storm drains is 12-inch diameter for tie-ins and 15-inch diameter for main lines.

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process waters to any sanitary sewer. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the director. Industrial cooling water or unpolluted process waters may be discharged, on approval of the director, to a storm sewer, combined sewer or natural outlet.

Storm drain manholes and sumps shall meet confined space requirements, and shall be equipped with ladder rungs and other such devices as required to ensure public safety. [Ord. O-03-2010 § 1 (Exh. A § 10.010)].

15.50.020 Pipe.

Piping used for storm water conveyance includes concrete and HP ADS piping. All pipe shall conform to the material and installation specifications included in this chapter. Storm drain bedding materials shall consist of ¾" gravel and extend 6 inches below and to the sides of the pipe and twelve (12) inches above the crown of the pipe. Storm drain bedding materials shall consist of ¾ inch gravel and extend 6 inches below and to the sides of the pipe minimum and twelve (12) inches above the top of pipe, or pipe diameter whichever is greater. [Ord. O-03-2010 § 1 (Exh. A § 10.020)].

15.50.030 Minimum slopes.

Minimum slopes for different size pipes are as follows:

Minimum Storm Drain Main Slopes	
Pipe Diameter	Minimum Slope
12 inches	0.194%
14 inches	0.158%
15 inches	0.144%
16 inches	0.132%
18 inches	0.113%
21 inches	0.092%
24 inches	0.077%
27 inches	0.066%
30 inches	0.057%
36 inches	0.045%

[Ord. O-03-2010 § 1 (Exh. A § 10.030)].

15.50.040 Cleaning and testing.

After the storm drain lines have been laid and the trench backfilled, they shall be thoroughly cleaned and tested for leakage and alignment in the presence of the city engineer or his/her designee before acceptance by the owner. Cleaning shall be done using a high pressure jet cleaning machine, producing a minimum of 800 psi. Wastewater and debris shall not be permitted to enter storm drain lines in service, but shall be removed at the lowest manhole of the extension. Such cleaning shall be done by private crews at the expense of the owner.

Storm drain lines will be required to have a mandrel or TV test prior to acceptance and prior to the release of the warranty bond. Storm drain boxes or manholes shall be air tested under the general

observation of the City inspector. No reverse slope will be allowed. No deflection from line or grade will be allowed.

[Ord. O-03-2010 § 1 (Exh. A § 10.040)].

15.50.050 Sumps.

Sumps shall not be used in Eagle Mountain City unless approved by the city engineer. If approved, all sumps must be constructed with a grease trap.

Additionally, sumps shall only be located as staked in the field and indicated on the plans. They shall be to the grade indicated by the cutsheets and as staked in the field. Excavation and backfill shall conform to Chapter [15.30](#) EMMC. If the sump is located in an area where the earth is stratified with gravel layers, care shall be taken during backfill to be sure that these layers are not sealed off from the sump beginning three feet below the bottom of the sump up to the top of the subgrade. One- to three-inch diameter drain rock shall be used. The original material shall be removed and the total backfill done with imported drain rock. After backfilling is completed, the entire excavation shall be thoroughly flooded to ensure that settlement is complete. Grates shall be set in place and adjusted for final elevation and alignment. The city requires a fabric barrier between the drain rock and road base (or other backfill).

Sumps may only be constructed of reinforced concrete, precast sections, and shall meet the requirements of ASTM C478-73 in accordance with standard detail drawings S-15, S-16, and S-17. Sumps shall have eccentric lids to ensure adjustments in alignment. [Ord. O-03-2010 § 1 (Exh. A § 10.050)].

15.50.060 Retention/detention basins.

A. Retention Basins. All retention basins shall be constructed with a maximum water depth of four feet. All retention basins shall have a series of interconnected sumps connected to curb inlet boxes or storm drain main lines. All retention basins shall be landscaped in accordance with city standards. All retention basins shall be constructed with a minimum slope of 5:1.

All retention basins shall be constructed for drainage areas designated in the general plan. Basins for smaller areas may be allowed only with prior written approval of the city engineer or his/her designee.

B. Detention Basins. All detention basins shall be constructed with a maximum water depth of 18 inches, with that depth remaining for no longer than a six-hour period. Detention basins must be landscaped and they may be located in park and recreational areas. Each detention basin shall have a manually controlled outlet to a storm drain main line. Detention ponds greater than 18 inches must have a minimum

side slope of 5:1. Fencing around detention ponds may be required as determined by the city engineer or his/her designee.

C. All ponds must be certified prior to acceptance

Ponds must be constructed as they are required for the detention of the proposed improvements. If the ultimate design of a subdivision has located the detention basin in a future phase of the subdivision, either a temporary detention basin must be constructed, or an easement for the approved detention must be given to the city and the detention basin must be constructed with the required phase. [Ord. O-03-2010 § 1 (Exh. A § 10.060)].

15.50.070 Storm Water Pollution Prevention Plan.

A Storm Water Pollution Prevention Plan meeting all requires as mandated by the State of Utah Department of Environmental Quality shall be required and maintained for all construction within a subdivision. Elements of this SWPPP shall include BMPs (storm flex or equal) to protect the existing and natural storm drainage systems from incurring increased sedimentation. BMPs will include as a minimum silt fences, inlet protection, and stabilized construction entrance. Additional BMPs may be required as needed and determined by a certified storm water plans reviewer. The SWPPP is to be approved by the City Engineer and his/ her designee. The approved SWPPP plan is to be maintained while any construction activities are occurring within a subdivision. Modifications to the SWPPP during the construction process if it becomes evident that additional modifications are needed to protect storm drainage structures or adjacent properties. Any individual or entity that prepares a SWPPP for a construction project shall be prohibited from performing construction site inspections on behalf of the permittee for that site.

An appeals process shall allow a construction operator to appeal an enforcement option. The appeal process will be included as part of the City's procedures and will be posted in a publicly available location.

Chapter 15.55

RESTORATION OF SURFACE IMPROVEMENTS

Sections:

15.55.010 General.

15.55.020 Gravel surface.

15.55.030 Bituminous surface.

15.55.040 Cold weather patching.

15.55.050 Concrete surfaces.

15.55.010 General.

The contractor shall be responsible for the protection and the restoration or replacement of any improvements existing on public or private property at the start of work or placed there during the progress of the work. **All work shall comply with APWA standards unless otherwise stated on this section.**

Existing improvements shall include but are not limited to permanent surfacing, curbs, ditches, driveways, culverts, fences, walls and landscaping. All improvements including landscaping shall be reconstructed to equal or better, in all respects, in a timely manner. The contractor shall be responsible for maintaining a road surface suitable for travel by the public. He/she shall be responsible for all dust and mud control and all claims and damages resulting from his/her failure to maintain the construction area.

All road cuts shall be repaired within two working days. All asphalt to be removed must be sawcut in a smooth straight line. [Ord. O-03-2010 § 1 (Exh. A § 11.010)].

15.55.020 Gravel surface.

Where trenches are excavated through gravel surfaced areas such as roads and driveways, etc., the gravel surface shall be restored and maintained as follows:

- A. All trenching backfill shall conform to the backfill requirements in EMMC 15.30.040.
- B. The gravel shall be placed deep enough to provide a minimum of six inches of material.
- C. The gravel shall be placed in the trench at the time it is backfilled. The surface shall be maintained by blading, sprinkling, rolling, adding gravel, etc., to maintain a safe uniform surface satisfactory to the engineer. Excess material shall be removed from the premises immediately.
- D. Material for use on gravel surfaces shall be obtained from sound, tough, durable gravel or rock meeting AASHTO T27 requirements. The following requirements for grading shall be met:

Passing 1-inch sieve	100%
Passing 3/4-inch sieve	85% – 100%
Passing No. 4 sieve	45% – 65%
Passing No. 10 sieve	10% – 30%
Passing No. 200 sieve	5% – 10%

[Ord. O-03-2010 § 1 (Exh. A § 11.020)].

15.55.030 Bituminous surface.

Where trenches are excavated through bituminous surfaced roads, driveways or parking areas, the surface shall be restored and maintained as follows:

- A. A temporary gravel surface shall be placed and maintained as required in EMMC [15.55.020](#) after the required backfill and compaction of the trench has been accomplished.
- B. The trench shall be backfilled in accordance with EMMC [15.30.040](#).
- C. The area over trenches to be resurfaced shall be graded and rolled with a roller weighing not less than 12 tons, or with the rear wheels of a five-yard truck loaded to capacity, until the subgrade is firm and unyielding. Mud or other soft or spongy material shall be removed and the space filled with gravel and rolled and tamped thoroughly in layers not exceeding six inches in thickness. The edges of trenches that are broken down during the making of subgrade shall be removed and trimmed neatly before resurfacing.
- D. Before any permanent resurfacing is placed, the contractor shall cut the existing paving to clean, straight lines as nearly parallel to the centerline of the trench as practicable and 24 inches wider on each side of the trench than initial excavation. Said straight lines have no deviations from such lines, except as specifically permitted by the engineer.
- E. Existing bituminous paving shall be cut back a minimum of 24 inches beyond the limits of any excavation or cave-in along the trench so that the edges of the new paving will rest on at least 20 inches of undisturbed soil. See also APWA Standard Detail 255, Asphalt Concrete T Patch.
- F. Within two working days and weather permitting, the bituminous surface shall be restored by standard paving practices to a minimum thickness of four inches for local streets and six inches for collector, industrial, and commercial streets to match existing pavement height.
- G. Pavement restoration shall include priming of pavement edges and subbase with an asphalt tack coat and placing and rolling plant mix bituminous material to the level of the adjacent pavement surfaces.

H. All pavement restoration shall conform to Chapter 15.60 EMMC. [Ord. O-03-2010 § 1 (Exh. A § 11.030)].

15.55.040 Cold weather patching.

Trenches cut during winter months or when asphalt plants are not operating shall be patched the same day of the cut with a good quality cold mix and maintained until asphalt plants open. When asphalt plants open, the cold patch shall be removed and a new patch of hot mix asphalt shall be placed within 20 days of plant opening. [Ord. O-03-2010 § 1 (Exh. A § 11.040)].

15.55.050 Concrete surfaces.

All concrete curbs, gutters, sidewalks and driveways shall be removed and replaced to the next joint or scoring lines beyond the damaged or broken sections; or, in the event that joints or scoring lines do not exist or are three or more feet from the removed or damaged section, the damaged portions shall be removed and reconstructed to neat, plane faces. On all new concrete improvements lamp black or other pigments shall be added to the new concrete to obtain the desired results.

All concrete work shall conform to the requirements of the APWA Standard Specifications. [Ord. O-03-2010 § 1 (Exh. A § 11.050)].

Chapter 15.60 STREET IMPROVEMENTS

Sections:

- 15.60.010 General.**
- 15.60.020 Pavement Design**
- 15.60.025 Bituminous Concrete Mix Design**
- 15.60.030 Quality Assurance and Materials Acceptance**
- 15.60.035 Quality Control**
- 15.60.040 Asphalt seam location.**
- 15.60.050 Warranty repairs.**
- 15.60.060 Manholes and valve boxes.**
- 15.60.070 Street Lighting.**
- 15.60.070 Street Signs.**

15.60.010 General.

All street surfacing shall comply with the APWA Standard Specifications, unless noted otherwise in this chapter.

Prior to placing asphalt surfaces, temperatures shall be a minimum of 50 degrees Fahrenheit and rising, and be expected to maintain a temperature of greater than 50 degrees for a length sufficient to complete a reasonable quantity of paving. In no instance will asphalt be allowed to be placed in temperatures less than 47 degrees. No asphalt may be placed on frozen ground, or when overnight temperatures of less than 42 degrees are expected.

A soils investigation shall be performed for all new roads and those roads for which work will be performed. The results of this investigation and a design of the road cross-section shall be submitted to and accepted by the city engineer or his/her designee. This chapter covers the preparation of subgrade, the placing of base gravel, and the placing of asphalt surface on any city street. [Ord. O-03-2010 § 1 (Exh. A § 12.010)].

15.60.020 Pavement Design

Unless approved otherwise by the city engineer or his/her designee, the public works director, or as directed by the city council pavement sections will be constructed, at minimum, in accordance with the

table below. The contractor shall submit a pavement design for each roadway to be constructed based on AASHTO 1993 or AASHTO ME practices. The pavement design should accommodate project specific traffic projections and geotechnical conditions, including expected construction traffic. ***If soils exhibit pumping or other instability, additional preparations (such as soil treatment, geotextile placement or over-excavation and placement of additional subbase layers) may also be required.*** Remediation requirements to be detailed by geotechnical report. Methods or remediation must be approved by the City Engineer or their designee. All asphalt will be placed in a maximum three inch lifts and base with a maximum of 5 inch lifts and subbase in 9 inch lifts.

Minimum Pavement Sections

Street	Arterial	Collector	Local Street* / Parking Lot	Commercial Parking Lot
Asphalt	5"	4"	4"	4"
Untreated Base	9"	9"	8"	8"
Subbase**	18"	12"	12" ***	9" ***
Total	20"	19"	18"	20"

**Spline (Main Access) roads for new subdivisions must meet Collector minimum section.*

***Subbase to consist of engineered fill, meeting type A1 or A2 classifications as set forth by AASHTO, placed over scarified and compacted native earth material unless modified by the geotechnical report.*

****May be waived for placements over subgrade with a CBR of 10% or greater, tested at 95% compaction of AASHTO T-99 and with a 10lb surcharge.*

15.60.025. Bituminous Concrete Mix Design

Unless approved otherwise by the City Engineer or their designee, the Public Works Director, or as directed by the City Council, the following bituminous mixes will be used, as per APWA 32 12 05 Bituminous Concrete and as modified below:

<u>Street</u>	<u>Bituminous Mix</u>
Arterial	PG 64-28, SP-1/2, 75 Nd

Collector	PG 58-28, DM-3/4, 50 Blow or SP-1/2, 75 Nd
Local/Parking Lot	PG 58-28, DM-1/2, 50 Blow or SP-3/8, 75 Nd
Commercial Parking Lot	PG 58-28, DM-3/4, 50 Blow or SP-1/2, 75 Nd

All mixes must meet the following additional requirements:

- Maximum recycled pavement allowed is 15% by weight of RAP or 15% of RAP Binder, whichever is lesser.
- PG Binders that exceed minimum requirements are acceptable.

15.60.030 Quality Assurance and Materials Acceptance.

Asphalt Pavement Material Tests. Material tests will be conducted by the City when the City Engineer or his/her designee considers it necessary.

Compaction Tests. The City will test all bituminous pavement for compaction and asphalt cement content. Test locations shall be determined by the City but will generally be taken 3 per 200 lineal foot of street or 1 per 2,000 square foot of paved area. Use core density to determine compaction acceptance. Use the following actions for compaction acceptance or correction.

COMPACTION ACCEPTANCE

Density, in Percent*		Action
Average	Lowest Test	
93.0 to 97.0	90.0 or greater	Placement Accepted
93.0 to 97.0	Less than 90.0	Evaluate and Remediate Low Tests**
Less than 93.0	90.0 or greater	Evaluate and Remediate Full Pavement***

Less than 93.0	Less than 90.0	Placement Rejected
----------------	----------------	--------------------

**Carry all calculations to minimum 1 decimal point.*

***Evaluate to determine extent of low-density areas. Remediation to include localized removal and replacement with acceptable placement.*

****Provide evaluation by Pavement Engineer addressing structural performance and remediation recommendations for approval by City Engineer.*

Grading Inspection. The subgrade, sub-base, and road base shall all be graded to an engineered red-head and accepted by Eagle Mountain City. Red-heads shall be placed every 50 feet at the crown of the road. If the distance between redheads and edge of pavement exceeds 25 feet additional redheads shall be installed halfway between the crown and edge of pavement. Red-heads shall also be placed every 50 feet at the edge of pavement where there is no curb and gutter.

Thickness Test. Material depth tests will be conducted by the City when the City Engineer or his/her designee considers it necessary. Depth analysis shall be made on at least four test holes for each section, excavated and filled by the contractor. Base thickness shall be accepted if 75% of the test holes are less than 1/4" below the specified thickness and no individual hole shall be more than 3/4" below the specified thickness. Work with sub-standard thickness may be accepted at reduced price if the appropriate pay factor for the lowest tested thickness is applied to all of the substandard work.

Bituminous Concrete Surface: Unless otherwise directed, the Contractor will be responsible for determining the depth of the bituminous surfacing in accordance with APWA 32 12 13.16, using cores, with the following modifications.

1. At the discretion of the City, the City may verify surfacing thickness through use of Ground Penetrating Radar (GPR). Thickness determined by GPR will be based on the depth on the trace where 95% of the trace meets or exceeds. The City may allow thickness determined by GPR to supersede coring results.
2. The following table outlines the pay factors for sub-standard asphalt pavement thickness:

THICKNESS ACCEPTANCE

Thickness Deficiency, In Inches*	Action
----------------------------------	--------

Average	Lowest Sublot	
0.00 to 0.25	0.00 to 0.375	Placement Accepted
0.00 to 0.25	Greater than 0.375	Evaluate and Remediate Sublot**
Greater than 0.25	NA	Remediate Full Pavement***

**Carry all calculations to minimum 2 decimal points.*

***Evaluate to determine extent of low-density areas. Remediation to include localized removal and replacement with acceptable placement or mill/overlay with sufficient additional thickness to meet design requirements. Minimum overlay thickness must meet specification minimums based on aggregate gradation.*

****Remediate Entire Lot. Remediation to include localized removal and replacement with acceptable placement or mill/overlay with sufficient additional thickness to meet design requirements. Minimum overlay thickness must meet specification minimums based on aggregate gradation.*

Profile Tolerance Inspection. Profile tolerance inspections may be required by the City any time within a year of paving. Collector and arterial streets shall meet the requirements of APWA 32 12 16 (Plant-Mix Asphalt Paving). For local streets profiling, the maximum vertical distance from the pavement surface to a straight edge is:

- a. 1/4-inch in 10 feet parallel to centerline.
- b. 3/8-inch in 10 feet perpendicular to centerline except at cross section grade breaks.

Longitudinal Joints. Construct all longitudinal and transverse joints such that the upslope edge of the joint is level or slightly above downslope edge and within 10 foot straight-edge requirements. Remediate all joints that do not conform to this requirement.

Asphalt Concrete Temperature Test. This test shall be conducted on the first three loads of asphalt concrete installed, and on one in four of all future loads as required by the City. Testing shall be conducted according to the requirements and specifications of APWA 32 12 16 (Plant-Mix Asphalt Concrete Paving). Temperature gauge shall be allowed to stabilize for 1 minute before taking reading if using probe type. If using infrared "gun" type, reading shall consist of an average of a minimum of 3

readings, where reading is taken immediately after displacing a minimum of 2 inches of material from the surface being tested and the “gun” is within 18” of the surface being tested.

Asphalt Paving Limitations. Pave according to Section 02741 Part 3.8 of the current Standard Specifications for Road and Bridge Construction published by the Utah Department of Transportation (UDOT) unless otherwise approved by the City Engineer or his/her designee. Place HMA between April 15 and October 15, and when the air temperature in the shade and the roadway surface temperature are above 50 degrees Fahrenheit. In the event the City Engineer approves paving between October 15th and April 15th, an overlay in the spring will be required as outlined in the table below. Do not place HMA on frozen base or during adverse climatic conditions such as precipitation or when roadway surface is icy or wet. Use a release agent that does not dissolve asphalt and is acceptable to the City Engineer or his/her designee for all equipment and hand tools used to mix, haul, and place the HMA.

The City Engineer may, at his/her discretion, waive this date restriction requirement if outside temperatures are at least 60°F and the base material condition is approved.

15.60.035 Contractor Quality Control.

The contractor will provide the following for all paving operations:

- A. HMA Mixing Plant: Use a UDOT 514 QMP certified Asphalt Mix Plant.
 - 1. Submit plant certification documentation with mix design.
- B. Perform Quality Control efforts sufficient to demonstrate material produced meets requirements of this specification.

For each asphalt production day, the contractor will provide the following:

- 1. Testing Report: Submit Quality Control data to the Engineer within 3 working days after completion of each day of paving or prior to the start of the next paving day, whichever is sooner.
- 2. Plant Production Report: Submit daily plant production records to the Engineer within 3 working day after completion of each day of paving or prior to the start of the next paving day, whichever is sooner.

15.60.040 Asphalt seam location.

The contact point of two adjacent asphalt placements shall be located such that the seam is at a minimum five feet from the projected edge of the lip of gutter on the higher volume roadway. Cross gutters may be required for all roadways intersecting off a roadway classified as a collector road as directed by the city engineer or his/her designee. [Ord. O-03-2010 § 1 (Exh. A § 12.040)].

15.60.050 Warranty repairs.

The city engineer or his/her designee shall determine at the time of the walkthrough the minimum type of surface maintenance that will be required for the subdivision or portions thereof. Crack sealing of seams will be required at a minimum for seams with horizontal gaps greater than one-fourth inch, or in instances which exhibit vertical separation. Slurry seals may be required in instances when asphalt patching occurs on more than 40 percent of any portion of the roadway. All slurry seals will be a Type II slurry.

All streets shall be swept clean prior to placement of slurry seal. All manholes and valves, including concrete collars, shall be protected from slurry seal. Any slurry seal in gutters or on other concrete shall be removed. A leveling course shall be applied where needed before the final slurry seal is laid. [Ord. O-03-2010 § 1 (Exh. A § 12.050)].

15.60.060 Manholes and valve boxes.

All manhole covers and valve boxes shall be raised to the proper grade after the placement of pavement. The cover shall be removed and raised to the proper elevation with concrete setting the frame one-quarter inch below the pavement grade. The following types of rings can be used:

- A. Four thousand psi concrete can be used with epoxy coated rebar with 2 rings maximum each collar.
- B. Six thousand psi concrete will be used with fiber mesh 1.5 pounds per yard ¾ inch monofilament.

All adjustments in the elevation from the manhole cone/ lid to be made with whirly gig, manhole riser collar system or equivalent. All adjustments in elevation to water valve boxes are to be made in the top "sliding" riser. If grade cannot be reached with existing top another base section cut to grade must be used. [Ord. O-03-2010 § 1 (Exh. A § 12.060)].

15.60.060 Street Signs.

All signs, post, and hardware shall be installed in accordance to the MUTCD Standards.

Sign post shall be 2-3/8" round post, galvanized inside and out, powder coated with 8017 brown, 16 gage with no holes, crash tested and NCHRP 350 approved.

All post shall have a galvanized dome rain cap and powder coated with 8017 brown.

Signage shall be installed to post with a sign clamp assembly, center bolt and U-bolt to be ½" diameter.

Post shall be anchored to a V-loc 23VRN anchor for 2-3/8" round post with a 24" leg, with stabilizer bolt, and wedge.

All anchors shall be driven into soil, no digging and burying shall be allowed.

All signage shall be marked in the bottom corner (1/4" tall, 1" wide) with date and year sign was made.

Chapter 15.65

CONCRETE CURB, GUTTER, SIDEWALKS, AND TRAILS

Sections:

15.65.010 General.

15.65.020 ADA requirements.

15.65.030 Base material.

15.65.040 Testing and inspection.

15.65.050 Cold weather concrete.

15.65.060 Clean gutter.

15.65.070 Drive approaches.

15.65.080 Asphalt Trails.

15.65.010 General.

All concrete work shall comply with the APWA Standard Specifications, unless noted otherwise in this chapter. The work shall consist of curb and gutter, sidewalk, combination curb, gutter and sidewalk, cross gutters, and curb return constructed where indicated on the plans or as directed by the engineer and conforming in all respects to the specified lines, grades, and dimensions. A minimum slope along any curb and gutter shall be 0.7 percent and on cross gutter shall be one-half percent. Maximum grades on curb and gutter and streets shall be 10 percent. [Ord. O-03-2010 § 1 (Exh. A § 13.010)].

15.65.020 ADA requirements.

All pedestrian facilities will conform to the current federal ADA standards. Plastic inserts required per ADA mandate shall be yellow in color. [Ord. O-03-2010 § 1 (Exh. A § 13.020)].

15.65.030 Base material.

There shall be a minimum of six inches compacted crushed gravel road base under all concrete for public use on both sides. [Ord. O-03-2010 § 1 (Exh. A § 13.030)].

15.65.040 Testing and inspection.

A. Scope. All materials and processes involved in the construction shall be subject to testing and inspection as detailed in the various subsections of this section and in general compliance with ASTM E105-54T. Results of tests performed by recognized laboratories to the satisfaction of the engineer shall be accepted by the supplier as a basis for acceptance or rejection of any and all materials. Standard methods of sampling and testing shall be used. The latest appropriate ASTM tests and methods shall be considered to be standard, and will include but not be limited to concrete, cement, aggregates, additives, curing compounds, parting compounds and jointing materials.

B. Concrete. Where required by the engineer, samples of concrete will be tested to ensure quality concrete. The city engineer or his/her designee will take at least one of these tests for every 50 cubic yards of concrete poured or as required.

1. Samples of wet concrete may be tested for air content. Failure to indicate the entrained air specified in this section shall be a basis for rejection of all concrete represented by the test.
2. Samples of wet concrete may be tested for slump. Failure to indicate the required slump shall be a basis for rejection of all concrete represented by the test. **Slump to be 5 inches maximum, air to be 6% +/- 1%.**
3. Concrete compression specimens shall be taken for each pour of section as required by the engineer. Such specimens shall attain the specified strength of 28 days with the provision that no specimen may indicate a compressive strength of less than 90 percent of the strengths nominated and with further provision that results from specimens which, in the opinion of the testing authority and the engineer, are obviously faulty or defective may be rejected in determining the requirements. Should any specimens fail to satisfy these requirements, the concrete represented thereby shall be removed and replaced, except that the contractor may submit evidence based on ASTM designation C42-49 which shall be considered by the engineer in relation to this requirement.

C. Flow Tests. All curbs and gutters and cross gutters will have a flow test prior to final inspection to determine any low or high spots. (The city will be present.)

D. All forms or string lines must be inspected by Eagle Mountain City before concrete may be poured.
[Ord. O-03-2010 § 1 (Exh. A § 13.040)].

15.65.050 Cold weather concrete.

Concrete shall not be placed when a descending air temperature in the shade and away from artificial heat falls below 35 degrees Fahrenheit. Concrete shall not be poured on frozen ground. Where high temperatures are likely to descend below 32 degrees Fahrenheit, concrete shall be covered or otherwise protected against freezing. The city engineer must approve the method by which the concrete is covered or protected. Admixtures other than calcium chloride may be added upon approval of the city engineer.
[Ord. O-03-2010 § 1 (Exh. A § 13.050)].

15.65.060 Clean gutter.

Once curb and gutter and surface course is in place it shall be kept as clean as possible. When equipment is required to cross over sidewalk, bridging will be provided to protect concrete. Dirt and gravel

will not be placed in gutter or on street. Gutter will flow freely at all times. [Ord. O-03-2010 § 1 (Exh. A § 13.060)].

15.65.070 Drive approaches.

All concrete for a drive approach shall be six inches thick in the public right-of-way with six inches of gravel base compacted to 95 percent density. [Ord. O-03-2010 § 1 (Exh. A § 13.070)].

15.65.080 Asphalt Trails.

Asphalt trails shall be 10 feet wide along pedestrian corridors or unless otherwise approved by the City Council. Asphalt trails shall consist of 6 inches of base and 3 inches of asphalt and shall be placed on undisturbed native material or documented fill material properly compacted. Base shall extend past trail edges 6" both sides.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	GIS Subscription Agreement - ESRI		
ITEM TYPE:	Agreement		
FISCAL IMPACT:	\$39,700		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Chris Trusty, Engineering

PRESENTED BY:

Chris Trusty

RECOMMENDATION:

Staff recommends that the City Council approve a 3-year agreement with ESRI for the City's GIS system and authorizes the Mayor to execute the agreement.

BACKGROUND:

Eagle Mountain City uses the ESRI platform for our GIS system. This agreement sets the annual subscription price for the next three years and allows the City to continue using the software for or GIS needs. This agreement increases the annual subscription fee from \$38,064 to \$39,700.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[ESRI 3-Year Agreement](#)



Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

*To expedite your order, please attach a copy of
this quotation to your purchase order.
Quote is valid from: 3/10/2023 To: 9/6/2023*

Quotation # Q-492498

Date: August 10, 2023

Customer # 236526 Contract #

City of Eagle Mountain
1650 Stage Coach Run
Eagle Mountain, UT 84005-5350

ATTENTION: Isaac Wilson
PHONE: 801-789-6662
EMAIL: iwilson@emcity.org

Material	Qty	Term	Unit Price	Total
168178	1	Year 1	\$39,700.00	\$39,700.00
Populations of 25,001 to 50,000 Small Government Enterprise Agreement Annual Subscription				
168178	1	Year 2	\$39,700.00	\$39,700.00
Populations of 25,001 to 50,000 Small Government Enterprise Agreement Annual Subscription				
168178	1	Year 3	\$39,700.00	\$39,700.00
Populations of 25,001 to 50,000 Small Government Enterprise Agreement Annual Subscription				
Subtotal:				\$119,100.00
Sales Tax:				\$0.00
Estimated Shipping and Handling (2 Day Delivery):				\$0.00
Contract Price Adjust:				\$0.00
Total:				\$119,100.00

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:

Aaron Panchalk

Email:

apanchalk@esri.com

Phone:

(612) 968-4810 x3826

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, then unless otherwise stated in this quotation, Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.

PANCHALKA

This offer is limited to the terms and conditions incorporated and attached herein.



Quotation # Q-492498

Date: August 10, 2023

Customer # 236526 Contract #

City of Eagle Mountain
1650 Stage Coach Run
Eagle Mountain, UT 84005-5350

ATTENTION: Isaac Wilson
PHONE: 801-789-6662
EMAIL: iwilson@emcity.org

Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

*To expedite your order, please attach a copy of
this quotation to your purchase order.
Quote is valid from: 3/10/2023 To: 9/6/2023*

If you have made ANY alterations to the line items included in this quote and have chosen to sign the quote to indicate your acceptance, you must fax Esri the signed quote in its entirety in order for the quote to be accepted. You will be contacted by your Customer Service Representative if additional information is required to complete your request.

If your organization is a US Federal, state, or local government agency; an educational facility; or a company that will not pay an invoice without having issued a formal purchase order, a signed quotation will not be accepted unless it is accompanied by your purchase order.

In order to expedite processing, please reference the quotation number and any/all applicable Esri contract number(s) (e.g. MPA, ELA, SmartBuy, GSA, BPA) on your ordering document.

BY SIGNING BELOW, YOU CONFIRM THAT YOU ARE AUTHORIZED TO OBLIGATE FUNDS FOR YOUR ORGANIZATION, AND YOU ARE AUTHORIZING ESRI TO ISSUE AN INVOICE FOR THE ITEMS INCLUDED IN THE ABOVE QUOTE IN THE AMOUNT OF \$_____, PLUS SALES TAXES IF APPLICABLE. DO NOT USE THIS FORM IF YOUR ORGANIZATION WILL NOT HONOR AND PAY ESRI'S INVOICE WITHOUT ADDITIONAL AUTHORIZING PAPERWORK.

Please check one of the following:

☐ I agree to pay any applicable sales tax.

☐ I am tax exempt, please contact me if exempt information is not currently on file with Esri.

Signature of Authorized Representative

Date

Name (Please Print)

Title

The quotation information is proprietary and may not be copied or released other than for the express purpose of system selection and purchase/license. This information may not be given to outside parties or used for any other purpose without consent from Environmental Systems Research Institute, Inc. (Esri).

Any estimated sales and/or use tax reflected on this quote has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state tax directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:

Aaron Panchalk

Email:

apanchalk@esri.com

Phone:

(612) 968-4810 x3826

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, then unless otherwise stated in this quotation, Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.

PANCHALKA

This offer is limited to the terms and conditions incorporated and attached herein.

Esri Use Only:

Cust. Name _____
 Cust. # _____
 PO # _____
 Esri Agreement # _____



SMALL ENTERPRISE AGREEMENT COUNTY AND MUNICIPALITY GOVERNMENT (E214-2)

This Agreement is by and between the organization identified in the Quotation ("**Customer**") and **Environmental Systems Research Institute, Inc. ("Esri")**.

This Agreement sets forth the terms for Customer's use of Products and incorporates by reference (i) the Quotation and (ii) the Master Agreement. Should there be any conflict between the terms and conditions of the documents that comprise this Agreement, the order of precedence for the documents shall be as follows: (i) the Quotation, (ii) this Agreement, and (iii) the Master Agreement. This Agreement shall be governed by and construed in accordance with the laws of the state in which Customer is located without reference to conflict of laws principles, and the United States of America federal law shall govern in matters of intellectual property. The modifications and additional rights granted in this Agreement apply only to the Products listed in Table A.

Table A
List of Products

Uncapped Quantities**Desktop Software and Extensions (Single Use)**

ArcGIS Desktop Advanced
 ArcGIS Desktop Standard
 ArcGIS Desktop Basic
 ArcGIS Desktop Extensions: ArcGIS 3D Analyst,
 ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst,
 ArcGIS Publisher, ArcGIS Network Analyst, ArcGIS
 Schematics, ArcGIS Workflow Manager, ArcGIS Data
 Reviewer

Enterprise Software and Extensions

ArcGIS Enterprise (Advanced and Standard)
 ArcGIS Monitor
 ArcGIS Enterprise Extensions: ArcGIS 3D Analyst,
 ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst,
 ArcGIS Network Analyst, ArcGIS Schematics, ArcGIS
 Workflow Manager, ArcGIS Data Reviewer

Enterprise Additional Capability Servers

ArcGIS Image Server

Developer Tools

ArcGIS Runtime Standard
 ArcGIS Runtime Analysis Extension

Limited Quantities

One (1) Professional subscription to ArcGIS Developer
 Two (2) ArcGIS CityEngine Single Use Licenses
 100 ArcGIS Online Viewers
 100 ArcGIS Online Creators
 17,500 ArcGIS Online Service Credits
 100 ArcGIS Enterprise Creators
 3 ArcGIS Insights in ArcGIS Enterprise
 3 ArcGIS Insights in ArcGIS Online
 10 ArcGIS Location Sharing for ArcGIS Enterprise
 10 ArcGIS Location Sharing for ArcGIS Online
 3 ArcGIS Parcel Fabric User Type Extensions (Enterprise)
 3 ArcGIS Utility Network User Type Extensions (Enterprise)
 3 ArcGIS Trace Network User Type Extensions (Enterprise)

OTHER BENEFITS

Number of Esri User Conference registrations provided annually	3
Number of Tier 1 Help Desk individuals authorized to call Esri	3
Maximum number of sets of backup media, if requested*	2
Five percent (5%) discount on all individual commercially available instructor-led training classes at Esri facilities purchased outside this Agreement	

*Additional sets of backup media may be purchased for a fee

Customer may accept this Agreement by signing and returning the whole Agreement with (i) the Quotation attached, (ii) a purchase order, or (iii) another document that matches the Quotation and references this Agreement ("**Ordering Document**"). **ADDITIONAL OR CONFLICTING TERMS IN CUSTOMER'S PURCHASE ORDER OR OTHER DOCUMENT WILL NOT APPLY, AND THE TERMS OF THIS AGREEMENT WILL GOVERN.** This Agreement is effective as of the date of Esri's receipt of an Ordering Document, unless otherwise agreed to by the parties ("**Effective Date**").

Term of Agreement: Three (3) years

This Agreement supersedes any previous agreements, proposals, presentations, understandings, and arrangements between the parties relating to the licensing of the Products. Except as provided in Article 4—Product Updates, no modifications can be made to this Agreement.

Accepted and Agreed:

(Customer)

By: _____
Authorized Signature

Printed Name: _____

Title: _____

Date: _____

CUSTOMER CONTACT INFORMATION

Contact: _____

Telephone: _____

Address: _____

Fax: _____

City, State, Postal Code: _____

E-mail: _____

Country: _____

Quotation Number (if applicable): _____

1.0—ADDITIONAL DEFINITIONS

In addition to the definitions provided in the Master Agreement, the following definitions apply to this Agreement:

"Case" means a failure of the Software or Online Services to operate according to the Documentation where such failure substantially impacts operational or functional performance.

"Deploy", "Deployed" and "Deployment" mean to redistribute and install the Products and related Authorization Codes within Customer's organization(s).

"Fee" means the fee set forth in the Quotation.

"Maintenance" means Tier 2 Support, Product updates, and Product patches provided to Customer during the Term of Agreement.

"Master Agreement" means the applicable master agreement for Esri Products incorporated by this reference that is (i) found at <https://www.esri.com/en-us/legal/terms/full-master-agreement> and available in the installation process requiring acceptance by electronic acknowledgment or (ii) a signed Esri master agreement or license agreement that supersedes such electronically acknowledged master agreement.

"Product(s)" means the products identified in Table A—List of Products and any updates to the list Esri provides in writing.

"Quotation" means the offer letter and quotation provided separately to Customer.

"Technical Support" means the technical assistance for attempting resolution of a reported Case through error correction, patches, hot fixes, workarounds, replacement deliveries, or any other type of Product corrections or modifications.

"Tier 1 Help Desk" means Customer's point of contact(s) to provide all Tier 1 Support within Customer's organization(s).

"Tier 1 Support" means the Technical Support provided by the Tier 1 Help Desk.

"Tier 2 Support" means the Esri Technical Support provided to the Tier 1 Help Desk when a Case cannot be resolved through Tier 1 Support.

2.0—ADDITIONAL GRANT OF LICENSE

2.1 Grant of License. Subject to the terms and conditions of this Agreement, Esri grants to Customer a personal, nonexclusive, nontransferable license solely to use, copy, and Deploy quantities of the Products listed in Table A—List of Products for the Term of Agreement (i) for the applicable Fee and (ii) in accordance with the Master Agreement.

2.2 Consultant Access. Esri grants Customer the right to permit Customer's consultants or contractors to use the Products exclusively for Customer's benefit. Customer will be solely responsible for compliance by consultants and contractors with this Agreement and will ensure that the consultant or contractor discontinues use of Products upon completion of work for Customer. Access to or use of Products by consultants or contractors not exclusively for Customer's benefit is prohibited. Customer may not permit its consultants or contractors to install Software or Data on consultant, contractor, or third-party computers or remove Software or Data from Customer locations, except for the purpose of hosting the Software or Data on Contractor servers for the benefit of Customer.

3.0—TERM, TERMINATION, AND EXPIRATION

3.1 Term. This Agreement and all licenses hereunder will commence on the Effective Date and continue for the duration identified in the Term of Agreement, unless this Agreement is terminated earlier as provided herein. Customer is only authorized to use Products during the Term of Agreement. For an Agreement with a limited term, Esri does not grant Customer an indefinite or a perpetual license to Products.

3.2 No Use upon Agreement Expiration or Termination. All Product licenses, all Maintenance, and Esri User Conference registrations terminate upon expiration or termination of this Agreement.

3.3 Termination for a Material Breach. Either party may terminate this Agreement for a material breach by the other party. The breaching party will have thirty (30) days from the date of written notice to cure any material breach.

3.4 Termination for Lack of Funds. For an Agreement with government or government-

owned entities, either party may terminate this Agreement before any subsequent year if Customer is unable to secure funding through the legislative or governing body's approval process.

3.5 Follow-on Term. If the parties enter into another agreement substantially similar to this Agreement for an additional term, the effective date of the follow-on agreement will be the day after the expiration date of this Agreement.

4.0—PRODUCT UPDATES

4.1 Future Updates. Esri reserves the right to update the list of Products in Table A—List of Products by providing written notice to Customer. Customer may continue to use all Products that have been Deployed, but support and upgrades for deleted items may not be available. As new Products are incorporated into the standard program, they will be offered to Customer via written notice for incorporation into the Products schedule at no additional charge. Customer's use of new or updated Products requires Customer to adhere to applicable additional or revised terms and conditions in the Master Agreement.

4.2 Product Life Cycle. During the Term of Agreement, some Products may be retired or may no longer be available to Deploy in the identified quantities. Maintenance will be subject to the individual Product Life Cycle Support Status and Product Life Cycle Support Policy, which can be found at <https://support.esri.com/en/other-resources/product-life-cycle>. Updates for Products in the mature and retired phases may not be available. Customer may continue to use Products already Deployed, but Customer will not be able to Deploy retired Products.

5.0—MAINTENANCE

The Fee includes standard maintenance benefits during the Term of Agreement as specified in the most current applicable Esri Maintenance and Support Program document (found at <https://www.esri.com/en-us/legal/terms/maintenance>). At Esri's sole discretion, Esri may make patches, hot fixes, or updates available for download. No Software other

than the defined Products will receive Maintenance. Customer may acquire maintenance for other Software outside this Agreement.

a. Tier 1 Support

1. Customer will provide Tier 1 Support through the Tier 1 Help Desk to all Customer's authorized users.
2. The Tier 1 Help Desk will be fully trained in the Products.
3. At a minimum, Tier 1 Support will include those activities that assist the user in resolving how-to and operational questions as well as questions on installation and troubleshooting procedures.
4. The Tier 1 Help Desk will be the initial point of contact for all questions and reporting of a Case. The Tier 1 Help Desk will obtain a full description of each reported Case and the system configuration from the user. This may include obtaining any customizations, code samples, or data involved in the Case.
5. If the Tier 1 Help Desk cannot resolve the Case, an authorized Tier 1 Help Desk individual may contact Tier 2 Support. The Tier 1 Help Desk will provide support in such a way as to minimize repeat calls and make solutions to problems available to Customer's organization.
6. Tier 1 Help Desk individuals are the only individuals authorized to contact Tier 2 Support. Customer may change the Tier 1 Help Desk individuals by written notice to Esri.

b. Tier 2 Support

1. Tier 2 Support will log the calls received from Tier 1 Help Desk.
2. Tier 2 Support will review all information collected by and received from the Tier 1 Help Desk including preliminary documented troubleshooting provided by the Tier 1 Help Desk when Tier 2 Support is required.
3. Tier 2 Support may request that Tier 1 Help Desk individuals provide verification of information, additional information, or answers to additional questions to

supplement any preliminary information gathering or troubleshooting performed by Tier 1 Help Desk.

4. Tier 2 Support will attempt to resolve the Case submitted by Tier 1 Help Desk.
5. When the Case is resolved, Tier 2 Support will communicate the information to Tier 1 Help Desk, and Tier 1 Help Desk will disseminate the resolution to the user(s).

6.0—ENDORSEMENT AND PUBLICITY

This Agreement will not be construed or interpreted as an exclusive dealings agreement or Customer's endorsement of Products. Either party may publicize the existence of this Agreement.

7.0—ADMINISTRATIVE REQUIREMENTS

7.1 OEM Licenses. Under Esri's OEM or Solution OEM programs, OEM partners are authorized to embed or bundle portions of Esri products and services with their application or service. OEM partners' business model, licensing terms and conditions, and pricing are independent of this Agreement. Customer will not seek any discount from the OEM partner or Esri based on the availability of Products under this Agreement. Customer will not decouple Esri products or services from the OEM partners' application or service.

7.2 Annual Report of Deployments. At each anniversary date and ninety (90) calendar days prior to the expiration of this Agreement, Customer will provide Esri with a written report detailing all Deployments. Upon request, Customer will provide records sufficient to verify the accuracy of the annual report.

8.0—ORDERING, ADMINISTRATIVE PROCEDURES, DELIVERY, AND DEPLOYMENT

8.1 Orders, Delivery, and Deployment

- a. Upon the Effective Date, Esri will invoice Customer and provide Authorization Codes to activate the nondestructive copy protection program that enables Customer to download,

operate, or allow access to the Products. If this is a multi-year Agreement, Esri may invoice the Fee up to thirty (30) calendar days before the annual anniversary date for each year.

- b. Undisputed invoices will be due and payable within thirty (30) calendar days from the date of invoice. Esri reserves the right to suspend Customer's access to and use of Products if Customer fails to pay any undisputed amount owed on or before its due date. Esri may charge Customer interest at a monthly rate equal to the lesser of one percent (1.0%) per month or the maximum rate permitted by applicable law on any overdue fees plus all expenses of collection for any overdue balance that remains unpaid ten (10) days after Esri has notified Customer of the past-due balance.

- c. Esri's federal ID number is 95-2775-732.

- d. If requested, Esri will ship backup media to the ship-to address identified on the Ordering Document, FOB Destination, with shipping charges prepaid. Customer acknowledges that should sales or use taxes become due as a result of any shipments of tangible media, Esri has a right to invoice and Customer will pay any such sales or use tax associated with the receipt of tangible media.

8.2 Order Requirements. Esri does not require Customer to issue a purchase order. Customer may submit a purchase order in accordance with its own process requirements, provided that if Customer issues a purchase order, Customer will submit its initial purchase order on the Effective Date. If this is a multi-year Agreement, Customer will submit subsequent purchase orders to Esri at least thirty (30) calendar days before the annual anniversary date for each year.

- a. All orders pertaining to this Agreement will be processed through Customer's centralized point of contact.
- b. The following information will be included in each Ordering Document:
 - (1) Customer name; Esri customer number, if known; and bill-to and ship-to addresses
 - (2) Order number
 - (3) Applicable annual payment due

9.0—MERGERS, ACQUISITIONS, OR DIVESTITURES

If Customer is a commercial entity, Customer will notify Esri in writing in the event of (i) a consolidation, merger, or reorganization of Customer with or into another corporation or entity; (ii) Customer's acquisition of another entity; or (iii) a transfer or sale of all or part of Customer's organization (subsections i, ii, and iii, collectively referred to as "**Ownership Change**"). There will be no decrease in Fee as a result of any Ownership Change.

- 9.1 If an Ownership Change increases the cumulative program count beyond the maximum level for this Agreement, Esri reserves the right to increase the Fee or terminate this Agreement and the parties will negotiate a new agreement.
- 9.2 If an Ownership Change results in transfer or sale of a portion of Customer's organization, that portion of Customer's organization will transfer the Products to Customer or uninstall, remove, and destroy all copies of the Products.
- 9.3 This Agreement may not be assigned to a successor entity as a result of an Ownership Change unless approved by Esri in writing in advance. If the assignment to the new entity is not approved, Customer will require any successor entity to uninstall, remove, and destroy the Products. This Agreement will terminate upon such Ownership Change.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	Sunset Flats Subdivision Improvement Punchlist - Sunset Mountain Machinery		
ITEM TYPE:	Bid Award		
FISCAL IMPACT:	\$298,802.80		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Chris Trusty, Engineering

PRESENTED BY:

Chris Trusty

RECOMMENDATION:

BACKGROUND:

Eagle Mountain City has been in the process of calling subdivision bonds for the Sunset Flats subdivision due to existing deficiencies and a lack of response on the part of the developer to remedy the concerns. Sunset Flats Phase A Plat 1 is due to enter warranty, while Phase A Plat 2 was ready to exit warranty. To correct these deficiencies, the City has solicited bids from contractors to undertake these needed repairs. The low bid for the combined projects was Sunset Mountain Machinery for a combined amount of \$298,802.80. The bid tabulation is shown below.

Sunset Mountain Machinery LC

Phase A Plat 1: \$157,755.00

Phase A Plat 2: \$111,047.80

Total: \$298,802.80

Evans Grader and Paving:

Phase A Plat 1: \$334,737.00

Phase A Plat 2: \$188,214.50

Total: \$522,952.00

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	Water Reuse Plan Update - Bowen Collin and Associates		
ITEM TYPE:	Bid Award		
FISCAL IMPACT:	\$47, 886)		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Chris Trusty, Engineering

PRESENTED BY:

Chris Trusty

RECOMMENDATION:

BACKGROUND:

As Eagle Mountain begins to implement a secondary irrigation system based on using treated wastewater reuse, city staff have solicited proposals from qualified consultants to evaluate the way to best implement this program. The request for proposals included the following tasks:

1. TASK 1- Assist the City in updating the wastewater effluent discharge permit with the state to allow for reuse of water. This analysis shall also include a recommendation to ensure chlorine contact time requirements for reuse water as required by the state discharge permit is met while being able to serve residential areas in the south City Center portion of the city.
2. TASK 2- Calculate wastewater effluent quantities to project possible growth scenarios for a reuse system. Evaluate return flow requirements on water rights being used by the City and collaborate with the State Engineer's Office to ensure these requirements are satisfied.
3. TASK 3- Provide a cost analysis for implementing a reuse system within the city targeting larger city parks and open space. Implementation should be phased based on growth projections and should attempt the highest return for investments in infrastructure.

4. TASK 4- Review possible return reuse water from Timpanogos Special Service District and provide a cost/ ROI analysis on implementing this source into the City's system and how this reuse water could possibly be used within the city. It would likely be used primarily in the Ranches area of the City along city streetscapes and in city parks.
5. TASK 5- Provide the City with a recommendation of a fee for the sale of reuse water for use in residential and commercial uses.

The City received responses from three consulting firms:

A selection committee comprised of City personnel from the water and engineering department ranked all three proposals based on project team experience, firm experience, functional approach, technical approach, and introduction. Below is a summary of the rankings:

Bowen Collin and Associates (\$47, 886) Weighted Score: 17

JWO Engineering (\$44,672) Weighted Score: 16

Aqua Engineering (\$100,505) Weighted Rank: 14.5

Based on the weighted score, staff recommendation is to award the bid to Bowen Collin and Associates.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	Well 8 Drilling Change Order #2 - Grimshaw Drilling LLC		
ITEM TYPE:	Change Order		
FISCAL IMPACT:	\$299,019		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Chris Trusty, Engineering

PRESENTED BY:

Chris Trusty

RECOMMENDATION:

Approve a change order for \$299,019 for the Well #8 Drilling project.

BACKGROUND:

When soliciting bids for well drilling in July 2022, the City used our hydrogeological consultant Cascade Water Resources to obtain proposals for the Well #8 drilling project. The City has used this approach in the past because the well parameters needed can be accomplished through different drilling methods, and this approach allows the hydrogeologist to ensure that at the end of the project, the City gets what is needed, regardless of the methods used to get there. Cascade received the bids and sent the City an initial proposal from Grimshaw Drilling. Prior to the bid closing, however, Grimshaw submitted a revised bid with updated numbers, based on a better understanding of the project, which included increased costs for materials and fuel. This was sent prior to the bid closing and before any other proposals were published. The revised bid was still the lowest of the bids that were received.

When the agenda summary was generated by City staff, Grimshaw's initial proposal was mistakenly used; however, the updated proposal was included in the contract. The initial proposal was for \$1,133,550 +5% bonding and contingency (\$1,190,227.50) and the updated proposal was for \$1,418,330+5% bonding and contingency (\$1,489,246.50). This change order is for \$299,019, the difference in those two amounts.

Total drilling costs are as follows:

Base Proposal: \$1,489,246.50

Test Pump: \$227,300.00 (CO#1)

Total: \$1,711,196.50

The City budgeted \$2M towards drilling and \$3M towards equipping and building the well house so this amount is still within budget.

The other bid the city received was from Hydro for \$2,299,544 + 5% for bonding and contingency (\$2,414,521.20) - \$703,324.70 higher than Grimshaw, even with the added test pump cost (Hydro proposal included the pump testing that was not in the original Grimshaw scope of work - reference change order #1).

The drilling project has been completed and the contractor is awaiting final payment for the drilling based on the contracted amount. Test pumping will be occurring in the next couple of weeks.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[Initial Proposal](#)

[Updated Proposal](#)

Grimshaw Drilling LLC
692 East 5020 North
Cedar City, UT 84721 US
435-586-2332
Lacey@grimshawdrilling.com



Estimate

ADDRESS

John Files
Cascade Water Resources

ESTIMATE # 1271

DATE 07/14/2022

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Mobilize & Rig Up/Down	Move Rig to location and setup/takedown to complete project.	1	145,000.00	145,000.00
	drill34"BH	Drill 34" Bore Hole	115	785.00	90,275.00
	Casing 28"X.375"	28" A52GRDB Steal Casing blank	115	318.00	36,570.00
	Cert. Surface Seal	Install a 100' state certified surface seal	1	24,500.00	24,500.00
	Drill24"BH	Drill 24" Well Bore Hole	685	595.00	407,575.00
	Casing20"X.312"	20"X.375" A53-GRD-B Steel casing.	380	231.00	87,780.00
	Screen20"SSWireWrap	20" X .10, 304 Stainless Steel Wire Wrap Screen	400	542.00	216,800.00
	GPSilicaSand	Gravel Pack For Screen, Silica Sand CU YDS SRI 1/4X3/8	22	2,150.00	47,300.00
	Development	Well development to clean out well for production	60	1,275.00	76,500.00
	CasingRing	Fabricate and weld steal ring between 28" and 20" casing	1	1,250.00	1,250.00

Eagle Mountain Well #1 Replacement

TOTAL

\$1,133,550.00

Accepted By

Accepted Date

Thank you for your business!

Grimshaw Drilling LLC
692 East 5020 North
Cedar City, UT 84721 US
435-586-2332
Lacey@grimshawdrilling.com



Estimate

ADDRESS

John Files
Cascade Water Resources

ESTIMATE # 1271

DATE 07/14/2022

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Mobilize & Rig Up/Down	Move Rig to location and setup/takedown to complete project.	1	145,000.00	145,000.00
	drill34"BH	Drill 34" Bore Hole	115	985.00	113,275.00
	Casing 28"X.375"	28" A52GRDB Steal Casing blank	115	418.00	48,070.00
	Cert. Surface Seal	Install a 100' state certified surface seal	1	27,500.00	27,500.00
	Drill24"BH	Drill 24" Well Bore Hole	685	795.00	544,575.00
	Casing20"X.312"	20"X.375" A53-GRD-B Steel casing.	380	387.00	147,060.00
	Screen20"SSWireWrap	20" X .10, 304 Stainless Steel Wire Wrap Screen	400	642.00	256,800.00
	GPSilicaSand	Gravel Pack For Screen, Silica Sand CU YDS SRI 1/4X3/8	22	2,650.00	58,300.00
	Development	Well development to clean out well for production	60	1,275.00	76,500.00
	CasingRing	Fabricate and weld steal ring between 28" and 20" casing	1	1,250.00	1,250.00

Eagle Mountain Well Replacement

TOTAL

\$1,418,330.00

Accepted By

Accepted Date

Thank you for your business!



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

September 19, 2023, 3:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

3:30 P.M. BOARD OF CANVASSERS – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Board Chair Tom Westmoreland, Board Members Donna Burnham, Colby Curtis, and Brett Wright. Board Members Jared Gray and Carolyn Love were excused.

CITY STAFF PRESENT: Fionnuala Kofoed, Assistant City Administrator/City Recorder, Marcus Draper, City Attorney; Tyler Maffit, Communications Director; Terrence Dela Pena, Finance/Management Analyst; Jordan Nielson, Water Operator; Lianne Pengra, Chief Deputy Recorder; and Jody Bates, Chief Deputy Recorder.

CITY STAFF PRESENT ELECTRONICALLY: Kimberly Ruesch, Finance Director; and Elizabeth Fewkes, Recording Secretary.

1. CALL TO ORDER

Board Chair Westmoreland called the meeting to order at 3:40 p.m.

2. MOTION

Assistant City Administrator/City Recorder Fionnuala B. Kofoed presented the results of the Primary Election. The Utah County Elections Office has verified the ballots from the Primary Election with the following results:

- 23,069 ballots were mailed and a total of 3,212 were returned for a 13.92% return rate.
- 3 provisional ballots were issued but not counted due to incomplete information on the form.
- 85 ballots were returned but not counted due to missing signatures (7), signature discrepancies (29), empty envelopes (1), or returned past deadline (48).
- 40 residents voted in person in early voting and on Election Day.
- 9 Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) ballots were issued through Enhanced Voting and 3 were returned.

Council Candidates and votes cast:

- Craig Moris – 541
- Rich Wood – 1,668
- Craig Whiting – 1,206
- Angeline Washburn – 803
- Scott Ferre – 659
- Jared R Gray – 1,324
- Melissa Clark – 2,031

MOTION: *Board Member Curtis moved that the Board of Canvassers verify the results of the election by ratifying the results of the canvass; accept the report of the Election Official and certify the election results; and declare four-year City Council candidates Rich Wood, Craig Whiting, Angeline Washburn, Scott Ferre, Jared R Gray, and Melissa Clark eligible to be on the ballot and nominated for the General Municipal Election on November 21, 2023.*
Board Member Wright seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☒ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☒ Jared Gray
☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☒ Carolyn Love
☒ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

The motion passed with a unanimous vote.

3. ADJOURNMENT

MOTION: *Board Member Wright moved to adjourn at 3:46 p.m.*
Board Member Burnham seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☒ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☒ Jared Gray
☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☒ Carolyn Love
☒ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

The motion passed with a unanimous vote.

The Board of Canvassers was adjourned at 3:46 p.m.

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Colby Curtis, Carolyn Love, and Brett Wright. Councilmember Jared Gray was excused.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Deputy City Administrator/Community Development Director; Fionnuala Kofoed, Assistant City Administrator/City Recorder; Cliff Strachan, Director of Legislative Affairs; Marcus Draper, City Attorney; Tyler Maffitt, Communications Manager; Angela Valenzuela, Human Resource Manager; Natalie Winterton, Grants Coordinator/Management Analyst; Terrence Dela Pena, Finance/Management Analyst; Jordan Nielson, Water Operator; Robert Hobbs, Planning Manager; David Stroud, Senior Planner; Steven Lehmitz, Planner; Jody Bates, Chief Deputy

Recorder; Lianne Pengra, Chief Deputy Recorder; Chris Trusty, City Engineer; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager/Parks and Recreation Manager; Brad Hickman, Public Works Director; Embret Fossum, Unified Fire Authority Battalion Chief; and Bailey Ensign, Digital Communications Specialist.

CITY STAFF PRESENT ELECTRONICALLY: Kimberly Ruesch, Finance Director; Chas Glenn, Administrative Assistant; Elizabeth Fewkes, Recording Secretary; and Jeff Weber, Fleet and Facilities/Operations Director.

Mayor Westmoreland called the work session to order at 4:01 p.m.

4. CITY ADMINISTRATOR INFORMATION ITEMS

4.A. UPDATE – City Administrator Items

This item was presented after item 4.B.

Human Resources

- The City completed the latest compensation study with the help of Mike Swallow and his team at Personnel System and Services. This is a detailed study with a bit of a different approach than the traditional pay bands that bundle similar jobs together and result in low bands that would make it difficult to offer competitive pay for many positions. This study moves away from the pay grade approach, changing it to market-based pay ranges unique to every Eagle Mountain job. This includes a numeric point system to help ensure equity, while also being highly responsive to the job market. There are currently about 50 public sector entities in the western part of the United States that are using this same system approach, many of these are along the Wasatch Front.

Communications

- Approval of a bid for a new City website is anticipated to come before the City Council in October.
- The logo, colors, and taglines for the City's branding exercise are currently in development. The Council will soon be approached for their thoughts and feedback on this proposed change.

Facilities, Fleet, and Emergency Management

- The Sheriff's and Recorder's office remodel is complete.
- Dave Ulibarri is teaching a CERT training course for high school students.
- The hand railing for the Senior Center is complete.
- Staff is working on getting bids for the Sewer Office Building shingle replacement.
- The City will be replacing the blinds in the library.

Engineering

- Paving at the Ranches Parkway and Pony Express Parkway intersection is now complete, including painting, and the intersection is fully open.

- Well 8 – the City is still waiting on test pumping; equipment has been unavailable; the City is seeking alternate bids.
- Well 7 – Grimshaw has begun drilling operations.
- The Pony Express booster pump is waiting for the electric meter to be placed by Rocky Mountain Power.
- The startup of Corey Wride and Pony Express Booster is scheduled for Wednesday, September 27th.

Parks, Recreation, Events, and Cemetery

- The contractor is installing underground utilities and electrical at Smith Ranch Park. Several of the irrigation lines have been installed and most of the concrete has been poured. The hope is to get the asphalt trails and parking lots installed in the next couple of weeks.
- Staff has pushed the off-street trail update until the October 3, 2023, City Council meeting as a discussion item.
- Staff have been working to complete the horseshoe pit at the Senior Center.

Public Utilities

- The City will be switching over to the reuse system next week to start the testing process of the filtration system.
- The Well #3 motor grounded out and needs to be rewound and repaired.
- After reviewing City water consumption, staff is looking at reducing the number of water sources, such as the number of wells in operation, as water needs are reduced during the fall and winter months. The Communications Department will continue to provide recommended watering schedules to assist residents with water conservation.

Streets and Stormwater

- Staff is working with Black and McDonald to start the streetlight project that will provide an additional 77 streetlights on Pony Express Parkway from Lake Mountain Road to Eagle Mountain Boulevard. The City anticipates a 4 to 8 month wait time for the delivery of the streetlight material.

Community Development

- Thus far in September, the City has issued 40 new residential permits, 34 single-family and 6 multifamily, and 49 permits are in review.
- A commercial permit was issued for Noodles & Company.
- Site plan applications have been received for: Walmart, QTS, and the next phase of the Meta project.
- A Planning Commissioner training is planned for next week's meeting on ethics, conflict of interest, and the Open and Public Meetings Act.

4.B. DISCUSSION – Solar Panel Protection

This item was presented and discussed prior to item 4.A.

Planner Steven Lehmitz stated that the item will require netting between the roof and solar panels for new installations within the City.

Councilmember Burnham explained that the reason for the netting is to prevent pigeons from roosting under the panels causing damage and being a nuisance in the City.

Councilmember Love supported the requirement as pigeons can also be bothersome to the neighbors of the individual with solar panels.

4.C. DISCUSSION – Wash Setback Distances

Planner Steven Lehmitz presented the item stating several sections of Eagle Mountain City Code discuss wash setback distances from natural washes. In both the commercial and residential zones under Generally Applicable Provisions 17.25.050/17.35.050(G), it states, “natural washes must include significant setbacks from the edge of the wash.” Under the Wildlife Overlay Zone 17.49.030 (C), a setback of 50-foot area on both sides of the wash is required. To standardize wash setback language in Municipal Code and to avoid using verbiage such as “significant,” City staff consulted with a hydrological engineering firm JWO to analyze wash flow data, wash slope, and soil type to determine a safe wash setback that would likely prevent loss of property and lessen concern for human health and safety issues along the washes in the future. The result of this analysis suggests a setback distance of 75 feet. The Planning Commission recommended changing the language in Municipal Code to residential zones and the Wildlife Overlay Zone but did not consider commercial zones, adding other language to other sections of code, and/or a new environment chapter of Municipal Code. Wildlife Biologist/Environmental Planner Todd Black recommends adding the 75-foot wash setback to the standards governing the Wildlife Overlay Zone, residential, and commercial properties. The City Council can determine if they desire to apply the wash setback standard to all zones within the City or to create a new environment chapter in Municipal Code.

Councilmember Love noted that the engineering report recommended setback distances varying from 50 to 100 feet depending on factors specific to different wash areas and measured the setback from the center of the wash where the proposed standards measure from the top edge of the wash. She inquired if it would be better to have a customized setback standard and to use the same system of measurement as the study. She desires for a trail network to be installed along the top of the wash to utilize land where structures are prohibited and to consider both safety precautions and land rights when determining the appropriate setback distance.

Councilmember Wright concurred with Councilmember Love in setting standards specific to the various types of washes. It can be difficult to determine the location of the top of the wash for the measurement and a greater than necessary setback standard would negatively impact the usage of the land by the property owner. The County permits septic systems within 50 feet of a waterway. He suggested first codifying the setback standard for the Wildlife Corridor Overlay and commercial areas then adding the requirement to undeveloped residential properties before developed residential properties. He supports the trail system but desires to balance protecting washes and property rights. Designating the trail as a regional park could assist with funding the project. In addition to the migration corridor, the wash stormwater system should be contemplated.

Councilmember Burnham agreed with concerns about taking private property from residents.

Mayor Westmoreland requested for the various factors impacting washes including the potential location for the trail network, safety engineering, the wildlife migration corridor, and personal property rights be considered in drafting standards.

Deputy City Administrator/Community Development Director Steve Mumford stated that staff can create a map of the various types of washes in the City. The engineering report can assist the City with determining and enforcing the appropriate significant setback as required in the current standards until this amendment can be finalized and enacted.

4.D. DISCUSSION – Water Conservation Code & Water Conservation Plan

Grants Coordinator/Management Analyst Natalie Winterton; Finance/Management Analyst Terrence Dela Pena; and Water Operator Jordan Nielson, presented the Eagle Mountain City Water Conservation Plan and Landscape Code Amendments. The City's main objective is to make sure that anyone who needs water rights in Eagle Mountain has the opportunity to obtain them. After meeting with each Councilmember, staff's takeaway is that the Council's goal is to take steps toward increased water efficiency. Staff recommendations reflect that sentiment. The guiding principles of the plan are conservation and management, to promote vegetation over rock, and the City to lead the way. Strategies include relandscaping City Hall as an example area, using drought-resistant turf on new and existing City properties, developing a native plant mix for City rights-of-way, developing a tree management plan, requiring smart timers on new developments supported by grant funding, conducting a water rights study and purple pipe study, education, and evaluation and change as merited. The Central Utah Water Conservancy District (CUWCD) proposed changes to Municipal Code are 35% turf max for residential front/side yards; 20% turf max for industrial, institutional, and multifamily; and 8 feet minimum turf width for park strips with at 30% vegetation. The City could enforce the standards prior to issuing a certificate of occupancy and focus efforts on education rather than intense enforcement. Over 200 residents have reached out to CUWCD since May 2023 to take advantage of their water conservation incentives, indicating public interest in adopting more water-efficient practices. By providing residents with the information and means to become more water efficient, staff believes the community will become more water efficient overall without the need for intense enforcement.

Discussion ensued regarding the following:

- Researching onsite reuse in conjunction with the purple pipe study or the Secondary Water Plan;
- Limited purple pipe options for water reuse because the City is not located in proximity to a body of water;
- Concern with reducing the water requirement resulting in additional units being constructed increasing rather than decreasing overall water usage;
- State water requirements and the State's ability to require an audit;
- Whether residents benefit from decreasing the requirement and potential unintended consequences;
- Amenity and City-owned property water usage;
- The City's goals for water conservation and management and Councilmembers objections to reducing water usage for the purpose of increasing unit counts;

- Water study results assisting the City with making decisions regarding economic development;
- Aquifer recharge systems and programs;
- An aquifer study to correlate City paper water rights to actual wet water availability;
- The methodology used to calculate the current City water residential allotment; and
- Clarification of the definitions and examples of front, side, and backyards and regulated and unregulated side yards.

5. AGENDA REVIEW

12. AGREEMENTS

12.B. CDBG Management Agreement – Mountainland Association of Governments

Councilmember Love requested and received clarification regarding the payment amounts.

16. PRELIMINARY PLATS & SITE PLANS

16.A. PRELIMINARY PLAT – Firefly NPA 8 Phase A

Councilmember Wright requested to have a road name changed to prevent confusion because the City already has an Inverness Lane.

Councilmember Love noted that the park area did not have any playground equipment.

Applicant David Vitek explained that an adjacent area in the next phase will have a Leap Frog Park that will have a play area for children aged 0 to 5. The park in this phase is designed for older children. The pump track and skateboard park are scheduled to begin construction on January 8, 2024. Their goal is to have the skateboard park, pump track, pickleball courts, and basketball courts completed and to have begun construction on the downhill flow trails before the Grand Opening scheduled on May 18, 2024.

16.B. SITE PLAN – A to Z Building Blocks Addition

This item was discussed prior to item 12.A.

Planner Steven Lehmitz explained the traffic study has been completed since the previous meeting. The child enrollment count was raised to 200 and 22 staff members which increases the required parking from 39 parking spaces to 42. The proposed number of onsite parking stalls is 20 which is below the requirement for under 50% shared parking. The applicant has expressed the willingness to add a parking stall but would prefer to be approved for the 20 stalls. The traffic study did not find the need for additional parking and the proposal should be sufficient for the needs of the daycare.

Applicant Jody Zabriskie explained that she increased the number of employees to 22 for the purposes of the traffic study to the maximum the number she thinks would be required in the future.

She could add an additional one to two parking spaces but she would need to reduce the size of the playground and would prefer to be able to provide the children with a larger play area.

Discussion confirmed that the elevations have been updated to include the Planning Commission's recommendations.

Councilmember Wright requested for the item to be removed from the consent agenda and placed as a scheduled item.

Councilmember Curtis advocated for the City to be as flexible as possible with standards for small businesses considering exemptions that have been granted to large corporations.

18. ORDINANCES/PUBLIC HEARINGS

18.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 17.48 Regional Technology and Industry Overlay Zone to Remove the Repeal Date of the Overlay Zone's Sunset Provision.

Councilmembers Curtis and Burnham requested for the consideration of this item during policy session to be after item 21.A.

18.B. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 17.60.140 General Fencing Provisions.

Councilmember Wright supported removing EMMC 17.60.120(K)(2), "Netting shall have the ability to be removed or lowered during the non-playable winter months," from the amendment as recommended by staff and suggested waiving the building permit fees for installing the netting for existing businesses and residents for six months to assist citizens that have been negatively affected by golf balls.

Senior Planner David Stroud explained that he recommended removing EMMC 17.60.120(K)(2), as he has been unable to verify the cost and difficulty in removing the nets during the offseason. The 50-foot limitation is to prevent netting from being installed toward the front of the property.

18.C. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Title 16 Subdivisions and Title 17 Zoning, Regarding Land Use Authority, Noticing Requirements, and Approval Processes.

Mr. Stroud explained that the amendment brings the City into compliance with State Code.

Discussion ensued regarding the preferred timing to address forthcoming land use authority changes per State requirements and which types of applications the City Council has the authority

to declare themselves to be the land use authority for the purpose of overturning a Planning Commission decision with which they disagree.

Councilmember Love requested that the City develop a system to monitor Planning Commission decisions.

Councilmember Curtis supported the creation of mechanisms to monitor the decisions of both the Planning Commission and the Development Review Committee.

Councilmember Wright asked to review instances in the Municipal Code where discretionary authority to grant standard exemptions is permitted.

20. MOTION

20.A. MOTION – Scarlet Ridge Estates Fencing Waiver Request

Staff explained that the applicant requested to remove this item from the agenda and intends to install the fencing as previously approved. The Council directed staff to communicate to the developer that they are amenable to permitting SimTek fencing as it was previously approved and desire uniform fencing on the north and east sides of the project.

6. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the work session at 6:10 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Councilmembers Donna Burnham, Colby Curtis, and Carolyn Love, and Mayor Pro Tempore Brett Wright. Mayor Tom Westmoreland and Councilmember Jared Gray were excused.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Deputy City Administrator/Community Development Director; Fionnuala Kofoed, Assistant City Administrator/City Recorder; Cliff Strachan, Director of Legislative Affairs; Marcus Draper, City Attorney; Kimberly Ruesch, Finance Director; Natalie Winterton, Grants Coordinator/Management Analyst; Terrence Dela Pena, Finance/Management Analyst; Robert Hobbs, Planning Manager; David Stroud, Senior Planner; Steven Lehmitz, Planner; Jody Bates, Chief Deputy Recorder; Lianne Pengra, Chief Deputy Recorder; Chris Trusty, City Engineer; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager/Parks and Recreation Manager; Brad Hickman, Public Works Director; and Embret Fossum, Unified Fire Authority Battalion Chief.

CITY STAFF PRESENT ELECTRONICALLY: Tyler Maffitt, Communications Manager; Elizabeth Fewkes, Recording Secretary; and Jeff Weber, Fleet and Facilities/Operations Director.

7. CALL TO ORDER

Mayor Pro Tempore Wright called the policy session to order at 7:06 p.m.

8. PLEDGE OF ALLEGIANCE

Councilmember Burnham led the Pledge of Allegiance.

9. INFORMATION ITEMS/UPCOMING EVENTS

- Eagle Mountain City invites residents to our next Movie in the Park. The City will be showing “Hocus Pocus” on Saturday, October 7th at 7:15 p.m. at Cory Wride Park. Free popcorn will be available while supplies last.
- Residents are also encouraged to join us for Halloween Town which takes place earlier in the day on October 7th. Trick-or-Treating, a petting zoo, and a Halloween Town Car Show will be available for enjoyment.
- Eagle Mountain City will host a milkweed planting event tomorrow September 20th at Nolen Park at 6:30 p.m. Help us provide both food and habitat to protect the local monarch butterfly population.
- Those still interested in taking advantage of the fall dumpsters can do so until September 20th at 12:00 p.m. at Cory Wride Memorial Park.
- Residents who do not use social media to stay in touch with the City, are encouraged to sign up for the City’s text notification system. Weekly, the City sends updates on news, important information, and sign-ups for recreational sports. Learn more at eaglemountaincity.com.

10. PUBLIC COMMENTS

Mayor Pro Tempore Wright opened public comment at 7:09 p.m.

Jeff Ruth referenced an email he had sent the City Council concerning Municipal Code violations in his neighborhood. He requested City review of the standards for trailer parking on public streets to address the issues with residents occasionally moving the trailers a few feet to avoid a fine. He thanked City employees for jump-starting his vehicle when his battery died while he was visiting a local park.

Mayor Pro Tempore Wright closed public comment at 7:11 p.m.

11. CITY COUNCIL/MAYOR’S ITEMS

Councilmember Curtis

None.

Councilmember Love

Councilmember Love thanked the participants for their attendance at the meeting and their input on City matters. She expressed appreciation to the staff for their hard work.

Councilmember Burnham

Councilmember Burnham reported the first Youth Council meeting went well. All youth are welcome to participate. Meetings are held the second Wednesday of the month at 6:00 p.m. Mayor Westmoreland, Mayor Pro Tempore Wright, and she had a memorable experience participating in the grand openings and ribbon cuttings for the two new fire stations that are a great addition to the community.

Mayor Pro Tempore Wright

Mayor Pro Tempore Wright welcomed the meeting participants. He is grateful he was able to attend the fire stations' grand openings. He recognized the Chamber of Commerce and the Economic Development Director for their work to facilitate Shop Fest and thanked the Ranches Golf Course for allowing the use of golf carts for the event.

Assistant City Administrator/City Recorder Fionnuala Kofoed welcomed the new Chief Deputy Recorder Jody Bates to the staff and recognized Lianne Pengra and her family for their service to the City as Chief Deputy Recorder and a resident.

CONSENT AGENDA

12. AGREEMENTS

- 12.A. 926M Caterpillar Loader – Wheeler Machinery Company (State Contract)
- 12.B. CDBG Management Agreement – Mountainland Association of Governments
- 12.C. Partial Bond Release Agreement – ROC Fund Landfill Holdings, LLC
- 12.D. Professional Services Agreement (Permitting and Licensing Software) – OpenGov
- 12.E. Wildlife Migration Corridor Fence Phase 1 Cooperative Agreement – Utah Division of Wildlife Resources

13. BOND RELEASES

- 13.A. Deer Haven – Into Warranty
- 13.B. Simpson Hollow Plat 5 – Into Warranty
- 13.C. Antelope Meadows Phase B Plat 1 – Out of Warranty
- 13.D. SilverLake Plat 20 – Out of Warranty
- 13.E. Smith Property, Cedar View Lane – Out of Warranty

14. CHANGE ORDERS

- 14.A. Wastewater Treatment Plant Headworks Facility Change Order #3 – VanCon, Inc.

15. MINUTES

- 15.A. August 15, 2023 Minutes – Regular City Council Meeting

16. PRELIMINARY PLATS & SITE PLANS

- 16.A. PRELIMINARY PLAT – Firefly NPA 8 Phase A
16.B. SITE PLAN – A to Z Building Blocks Addition
16.C. SITE PLAN – Eagle Mountain Pet Care

17. RESOLUTIONS

- 17.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule for Water Rates.
17.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Appointing Brandon Larsen as the Eagle Mountain City Planning Director.

MOTION: *Councilmember Curtis moved to approve the consent agenda removing item 16.B. and placing it as a scheduled item and amending the verbiage for item 12.B. Section 3 Agreement Costs to “Years 2-5: Up to \$32,000 or 20% of the grant per year, whichever is less.” Councilmember Burnham seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☒ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☒ Jared Gray
☒ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☒ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

The motion passed with a unanimous vote.

SCHEDULED ITEMS

- 16.B. SITE PLAN – A to Z Building Blocks Addition

MOTION: *Councilmember Curtis moved to approve the site plan for A to Z Building Blocks Addition with the following conditions:*

1. *One additional onsite parking stall shall be added; and*
2. *All outstanding redlines on the submitted plans shall be resolved with staff.*

Councilmember Burnham seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☐ <i>Brett Wright</i>	☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a vote of 3:1.

18. ORDINANCES/PUBLIC HEARINGS

- 18.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 17.48 Regional Technology and Industry Overlay Zone to Remove the Repeal Date of the Overlay Zone's Sunset Provision.

This item was presented and discussed following item 21.A.

City Attorney Marcus Draper presented the item. The proposed amendment removes EMMC 17.48.110 Repeal Date of the Regional Technology and Industry Overlay Zone at the request of a developer to make their development more marketable as the appeal date could be a deterrent. The approval of item 21.A. ensures the review of the overlay zones. The City Council still retains the right to repeal the zone at any time.

Mayor Pro Tempore Wright opened the public hearing at 7:29 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, amending Eagle Mountain Municipal Code Chapter 17.48 Regional Technology and Industry Overlay Zone to remove the repeal date of the overlay zone's sunset provision.*
Mayor Pro Tempore Wright seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

- 18.B. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 17.60.140 General Fencing Provisions.

Senior Planner David Stroud presented the item. The City has been approached by commercial and residential property owners wishing to construct netting on their property adjacent to the golf course. This is to protect personal property as well as reduce conflict between golf balls and people. Some property owners have already installed netting to provide a measure of protection but the City does not have a current ordinance to regulate such use.

Mr. Stroud continued to propose the addition of standards to Eagle Mountain Municipal Code 17.60.120 General Fencing Provisions.

The City Council determined to add a clause to waive the building permit fees until May 31, 2024.

Mayor Pro Tempore Wright opened the public hearing at 7:35 p.m. As there were no comments, he closed the hearing.

MOTION: ***Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, amending Eagle Mountain Municipal Code Chapter 17.60.140 General Fencing Provisions with the following changes:***

- 1. Remove 17.60.120(K)(2), “Netting shall have the ability to be removed or lowered during the non-playable winter months;” and***
- 2. Add a provision that the City will waive the building permit fees for netting installation until May 31, 2024, and the waiver shall automatically be repealed after that date.***

Councilmember Curtis seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

- 18.C. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Title 16 Subdivisions and Title 17 Zoning, Regarding Land Use Authority, Noticing Requirements, and Approval Processes.

Senior Planner David Mr. Stroud presented the item stating the proposed ordinance amends various sections of Title 16 and Title 17 regarding land use authority, noticing requirements, and approval processes. The amendment brings Eagle Mountain Municipal Code into compliance with recent Utah State Code changes as detailed in SB 174 from the 2023 Utah Legislative Session.

Mayor Pro Tempore Wright opened the public hearing at 7:38 p.m. As there were no comments, he closed the hearing.

Councilmember Burnham stated that if any residents have concerns with any of the changes to please contact their State Legislatures.

MOTION: *Councilmember Love moved to approve an ordinance of Eagle Mountain City, Utah, amending Eagle Mountain Municipal Code Title 16 Subdivisions and Title 17 Zoning, regarding land use authority, noticing requirements, and approval processes.*
Councilmember Curtis seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

18.D. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Approving the Amended and Restated Marketplace at Eagle Mountain Town Center Development Agreement.

Planner Steven Lehmitz presented the item. The item is in response to concerns surrounding the timing and location of the required installation of a wall on the north and west perimeters of the property prior to the issuing of building permits for several locations that have already been constructed and received certificates of occupancy. Proposed changes and items for review include a road width change from 53 feet to 60 feet; the creation of Area D which contains internal roads, retention areas, and external walls; the removal of the language regarding a land swap between the City and the developer; constructing landscaping along public roads with each site development; and amending the ten-year expiration from January 13, 2021 to six years from the date of approval.

The Council voiced concerns with the fencing location and timing.

Mayor Pro Tempore Wright opened the public hearing at 7:55 p.m. As there were no comments, he closed the hearing.

Applicant representative Forrest Gaskill explained they added Area D because they do not currently have businesses interested in that location. As such, they are unable to fund the full construction of the road and the wall at this time.

Councilmember Burnham stated that due to the progress being made on the project, she does not foresee an issue with the wall being installed in the future as economic development interest grows.

Councilmember Love expressed a willingness to be flexible with the timing until the appropriate location for the wall is finalized.

Councilmember Curtis stated that although not ideal, the current connectivity is acceptable. He is willing to delay the road and wall to allow Area A to finish developing. The relocation of the wall can be considered in conjunction with a rezone request as he is against permitting too much flexibility in the wall's location.

Mayor Pro Tempore Wright stated that he shares the same concerns with the wall location.

MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, approving the Amended and Restated Marketplace at Eagle Mountain Town Center Development Agreement with the condition that in Section 16, the term of the agreement shall be six years. Councilmember Love seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

- 18.E. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Adopting the First Amendment to the Fiscal Year 2023-2024 Annual Budget and Includes Increases to the General, Special Revenue, Enterprise, and Capital Project Funds.

Finance Director Kimberly Ruesch presented the item. The amended total of \$40,549,697 reflects \$40,066,597 in Fiscal Year (FY) 2023 project appropriations, a \$75,100 requested increase to FY 2023 projects, and \$408,000 for FY 2024 new items.

Mayor Pro Tempore Wright opened the public hearing at 8:09 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Love moved to approve an ordinance of Eagle Mountain City, Utah, adopting the First Amendment to the Fiscal Year 2023-2024 Annual Budget.*
Mayor Pro Tempore Wright seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☒ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☒ Jared Gray
☒ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☒ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

The motion passed with a unanimous vote.

19. HARMONY SUBDIVISION

19.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Approving a Vacation of Public Right-of-Way in the Harmony Phase A, Plat 5 Subdivision.

Items 19.A. and 19.B. were presented and discussed concurrently.

Senior Planner David Stroud presented the item. The subject property is governed by the Harmony Development Agreement with the property identified and approved for multifamily units. Harmony is a master planned community encompassing 772 acres. The Harmony at City Center exhibit shows density locations and identifies the subject property as Multifamily Residential. There is no density specific to the multifamily areas and the development agreement states, "The multi-family areas are not vested with density, and any reference to the number of units on the Preliminary Plat is conceptual and informational only." Total Harmony multifamily acreage is 92.186 acres and 1,935 conceptual and not vested units.

Mr. Stroud continued to discuss the open space acreage, specific to the Harmony development, is required at 273 square feet per unit, or 1.42 acres, and 142 amenity points are required and 632 points are proposed. Architecture meets EMMC but clarification is needed regarding the garage doors. The agreement states, "...shall have 'carriage' style, or decorative, garage doors." The doors of the townhomes are, what has been with past projects, considered to be carriage style. The doors of the stacked units have windows at the top of each door, which can be considered decorative. The language of the code indicates that carriage style and decorative are independent styles of doors. The City Council can determine how to interpret the wording of the agreement. The architecture exhibit contains two elevations of the stacked units with one having a 3/12 pitch roof and the other as a flat roof. The current code prohibits the flat roof design. The applicant is required to build the sloped roof design but the flat roof has been included to show how the proposed building would appear if a flat roof was an option. The trend in architecture of this type of unit is flat-roof construction and the Council may want to entertain adding standards for flat-roof designs to the Municipal Code. The applicant has submitted a clubhouse plan with an 810-square-foot fitness room, 500 square feet of combined restrooms, and a 538-square-foot covered patio, which

equals 1,848 square feet. The Municipal Code also requires food serving areas, which the proposed clubhouse does not have. However, as Harmony is built out, other amenities and facilities will be constructed that will be accessible to Harmony residents.

Mr. Stroud reviewed the areas in the public right-of-way in need of vacation and explained the applicable traffic patterns.

Mr. Stoud stated the Planning Commission recommended approval to the City Council of the site plan for Harmony Multifamily with a unanimous vote and the following conditions:

1. The clubhouse shall provide a food servicing area;
2. The roofs shall be pitched;
3. There shall be carriage doors on the garages;
4. Fireline clarification in front of Buildings J and K shall be provided; and
5. The lighting shall meet Eagle Mountain Municipal Code standards.

Councilmember Love objected to counting the patio area as amenity square footage as it is only usable part of the year.

Applicant representative Bronson Tatton stated the patio can be enclosed to be able to be used year-round. He will consider ways to incorporate a food service area. They can work with the adjacent property owner regarding the timing of the perimeter masonry fencing installation. He asked to be able to install a rail fence between the front of the multifamily units and Walden Parkway. They are amenable to a vacation of the right-of-way south of Daniel Street in addition to the area east of Delta Street and will prepare the legal description in accordance with the decision of the Council.

Mayor Pro Tempore Wright opened the public hearing at 8:29 p.m. As there were no comments, he closed the hearing.

Discussion ensued regarding the flat-roof and pitched roof design options and the benefits of higher ceilings and roof-top amenities with the flat-roof design and considering amending Municipal Code to permit taller building heights limited to three stories.

MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, approving a vacation of public right-of-way in the Harmony Phase A, Plat 5 Subdivision with both areas being vacated as shown in the exhibit and a legal description of the areas shall be provided. Councilmember Love seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

19.B. SITE PLAN – Harmony Phase A, Plat MF1

MOTION: *Councilmember Burnham moved to approve the site plan for Harmony Phase A, Plat MF1 with the following conditions:*

- 1. The clubhouse shall provide a food servicing area;*
- 2. Fireline clarification in front of Buildings J and K shall be provided;*
- 3. The lighting shall meet Eagle Mountain Municipal Code standards;*
- 4. The entire square footage of the patio area shall be enclosed; and*
- 5. A six-foot masonry fence shall be constructed on the northern boundary between the single-family units and the eastern boundary between the commercial uses.*

Councilmember Curtis seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

20. MOTION

20.A. MOTION – Scarlet Ridge Estates Fencing Waiver Request

This item was removed from the agenda at the request of the applicant.

21. ORDINANCES

21.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 2.19 Director of Legislative Affairs Regarding the Duties of the Position.

This item was presented and discussed prior to item 18.A.

City Attorney Marcus Draper presented the item stating the proposed amendment adds the additional duty of tracking overlay zones and ensuring overlay zones are reviewed by the City Council at least once every four years.

MOTION: *Councilmember Curtis moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code Chapter 2.19*

***Director of Legislative Affairs Regarding the Duties of the Position.
Councilmember Love seconded the motion.***

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

22. LEGISLATIVE ITEMS

22.A. UPDATE – Legislative Priorities List

Director of Legislative Affairs Clifford Strachan updated the City Council on the progress of the Legislative Priorities list.

Staff and the City Council decided to be more specific in prioritization levels and to divide the list into short-term and long-term projects.

MOTION: ***Councilmember Burnham moved to add parking and storage size requirements, condo height standards and rooftop amenities, and a standardized City background for virtual meeting participants to the Legislative Priorities List.***
Mayor Pro Tempore Wright seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☒ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>
☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☒ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

23. CITY COUNCIL/MAYOR'S BUSINESS

City Engineer Chris Trusty presented a Transportation Project Update on the following projects:

- Light Signals on Woodhaven Boulevard, Majors Street, and Stonebridge Lane;
- Silver Creek Way;
- Mid Valley Widening;
- Mid Valley Extension;

- Old Airport Road;
- Ranches Parkway Free Right Turn and High T; and
- Mid Valley Road.

24. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Love

None.

Councilmember Curtis

None.

Councilmember Burnham

Councilmember Burnham stated the Youth Council will meet with up to three candidates to fill the Youth Council Member vacancy due to Gabbi Pengra moving.

Mayor Pro Tempore Wright

Mayor Pro Tempore Wright stated Ms. Kofoed is facilitating a joint meeting with the Cemetery Advisory Board and American Legion Post 111 regarding potential projects to honor veterans at the cemetery. The Senior Citizen Advisory Council will be holding an event for residents to meet the candidates in the Municipal Election.

25. COMMUNICATION ITEMS

25.A. Financial Update

25.B. Upcoming Agenda Items

26. ADJOURNMENT

MOTION: *Councilmember Curtis moved to adjourn at 9:34 p.m.
Councilmember Love seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☒ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☒ Jared Gray
☒ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☒ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

The motion passed with a unanimous vote.

The meeting was adjourned at 9:34 p.m.

Approved by the City Council on October 3, 2023.

Fionnuala B. Kofoed, MMC
City Recorder

DRAFT



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	PRELIMINARY PLAT - Firefly 5 Phase A		
ITEM TYPE:	Preliminary Plat		
FISCAL IMPACT:			
APPLICANT:	Oquirrh Wood Ranch LLC with David Vitek and Heather Upshaw representing		
GENERAL PLAN DESIGNATION Parks and Open Space, Neighborhood Residential One, Neighborhood Residential Three, Agricultural/Rural Density Two, Town Center Mixed-Use, Business Park/Light Industry, Regional Commercial, Community Commercial	CURRENT ZONE NPA 5 per adopted, re-stated MDP & MDA	ACREAGE 110.00	COMMUNITY Firefly

PUBLIC HEARING:

No

PREPARED BY:

Robert Hobbs, Planning

PRESENTED BY:

Robert Hobbs -- Planning Manager

RECOMMENDATION:

Approve or approve with conditions: Staff recommends the City Council approve the proposed preliminary plat, contingent on the applicants compliance with any Conditions of Approval deemed warranted including (Lot labeling for 60 & 61 being fixed and possible improvements [e.g., signage] to the trailhead parking lot) as recommended by the Planning Commission at their September 26th meeting, and, City receipt of a clean, revised plat copy post Council review.

BACKGROUND:

Submittal of the Preliminary Plat made the subject of this report come on the heels of the City's approval of an amended Master Development Plan and associated Master Development Agreement. The amendments recomposed the 2010 approved Pole Canyon development project into the Firefly planned community with a collection of designs and other changes. The community is still divided into re-defined neighborhood planning areas and Firefly 5 A is the second of many preliminary plats that will be submitted to the

City for review and approval.

ITEMS FOR CONSIDERATION:

PRELIMINARY PLAT (EMMC § 16.20 & MDP/MDA)

The Project has been reviewed by the DRC Committee and any suggested "redline" corrections incorporated into plat drawings (currently in Bluebeam electronic files). Developer responses to DRC comments are shown for interest's sake in the attached exhibit "Redline Response Packet". The plat exhibit attached to this report incorporates DRC revision requests but does not yet incorporate the Planning Commission's minor additives from their September 26 review. A clean, updated copy of the preliminary plat will expectedly be provided to the City post Council review.

PROVIDED/PROPOSED PLAT CALCULATIONS:

General Metrics

Total Acreage -- 110.00

Land Use Zone(s) -- NPA per re-adopted MDP and MDA

Total Lot Count -- 71 (single-family)

Total Lots Allowed in NPA 5 -- 106

Total Lots Allowed Remaining -- 35

Total Acreage in Lots -- 101.02

Overall Prelim. Plat density -- .64 du/ac

Total Open Space Provided -- 3.87 acres

Asphalt Pavement Area Internal to Subd. -- 5.11 acres

Easements Req'd. as per Plat & City Engineering

Single-Family Detached Agricultural Type Lots

Min. Lot Size Req'd.: 21,780 sq. ft.

Min. Lot Width: 90'

Finding: All building lots meet min. size & width requirements

Notes:

1. DRC review revealed the need to make some minor revisions to the plat. Those were incorporated into the revised plat drawings hereto attached and addressed by way of a narrative also hereto

attached.

2. Setback conformance will be checked during building permit review as building lots do not have building envelopes to review for conformity.

3. Open Space & Amenities (EMMC §§ 16.35.105 & 17.25.050(l): Accord with approved Development Agreement; all open space parcels have been labeled and it is noted that landscape plans will be provided in conjunction with final plat submittal(s). Trailhead parking lot plan shown on the plat portrays code acceptable layout with gravel and wheel stops proposed at that particular location.

4. ROW: Compliant with City standards -- 50' rural locals as denoted in the approved Firefly Community Plan

5. Screening: n/a (no commercial/industrial against residential or collector/arterials R_sOW to screen against

6. Correspondence: Any correspondence from agencies or the citizenry is hereto attached. Agency comments may express opinions regarding the plat and site plan application set, or, be geared towards recommending Conditions of Approval for the entitlement and/or subdivision request should they be approved.

7. Street Segments/Intersections Connectivity Quotient: 2 (acceptable)

REQUIRED FINDINGS:

Plat approvals are based upon compliance with City code requirements and requirements of any applicable Development Agreement(s). Approval criteria [Conclusions of Law] for a Preliminary Plat Approval review request are included in EMMC § 16.20.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Planning Commission voted unanimously to recommend approval, contingent on plat cover sheet having Lots 60 & 61 labeling being corrected, and, applicant consideration of signing trailhead parking lot to provide separate areas for horse trailers and other

motorized vehicles and adding in any other improvements to benefit the parcel.

ATTACHMENTS:

[Preliminary Plat](#)

[Redline Response](#)

firefly
NPA 5
PRELIMINARY PHASE A

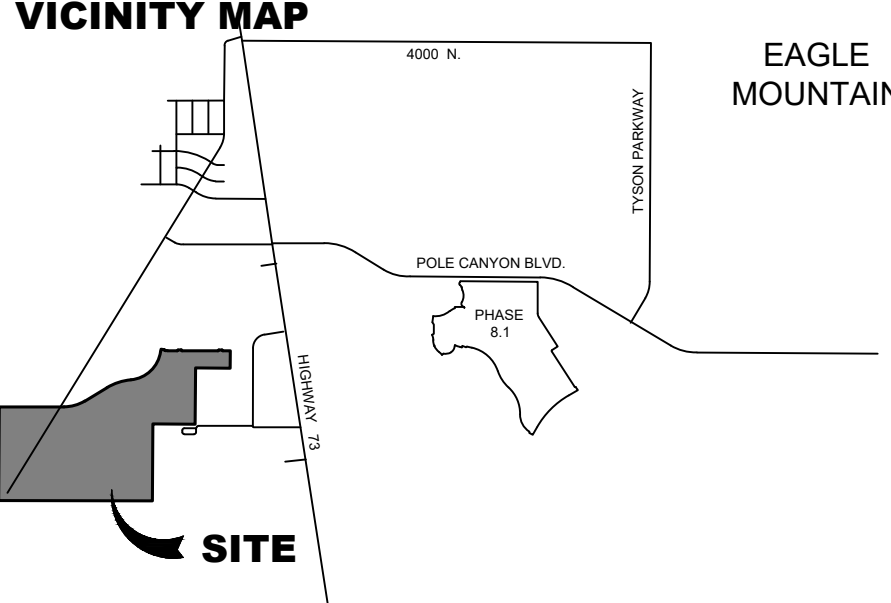


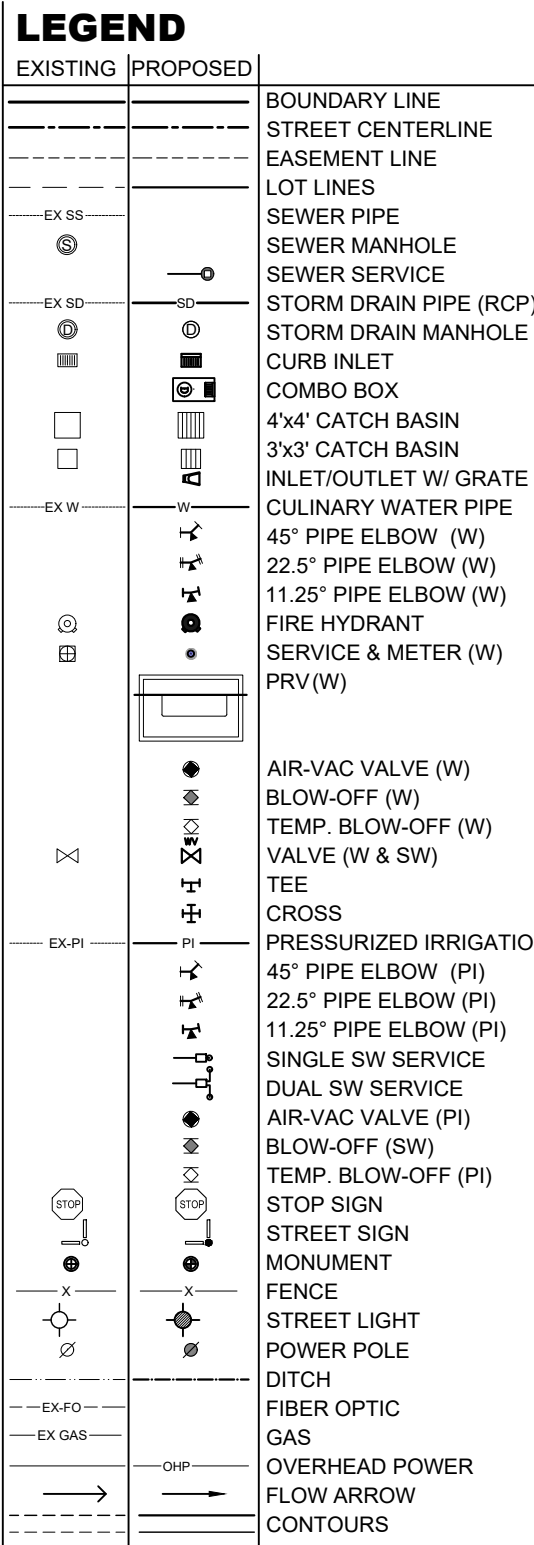
TABLE OF CONTENTS			
SHEET 101	COVER	SHEET 501	PHASING PLAN/ LOT PLAN
SHEET 201	LOT LAYOUT 1	SHEET 601	DETAILS
SHEET 202	LOT LAYOUT 2	SHEET 701	EROSION CONTROL PLAN
SHEET 203	LOT LAYOUT 3	SHEET 702	EROSION CONTROL DETAILS
SHEET 301	UTILITY PLAN 1		
SHEET 302	UTILITY PLAN 2		
SHEET 303	UTILITY PLAN 3		
SHEET 401	GRADING PLAN		

TABULATIONS

TOTAL ACREAGE: 110.00 ACRES
ASPHALT PAVEMENT AREA: 5.11 ACRES
TOTAL OPEN SPACE: 3.87 ACRES
UNITS
SINGLE FAMILY: 71 LOTS
TOTAL # OF UNITS ALLOWED IN NPA 5: 106
TOTAL # OF UNITS IN THIS PHASE: 71 LOTS
TOTAL # OF UNITS REMAINING: 35
OVERALL DENSITY OF THIS PHASE: 0.64 UNITS/ACRE

OF NODES: 5
OF LINKS: 10
CONNECTIVITY INDEX NUMBER: 2

- # NOTES
1. ALL CONSTRUCTION TO CONFORM TO THE LATEST EDITION OF EAGLE MOUNTAIN CITY STANDARDS AND SPECIFICATIONS
 2. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS AND LOCATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.
 3. ALL INTERSECTIONS TO HAVE ADA HANDICAP RAMPS ACCORDING TO CITY STANDARDS.
 4. ALL EXISTING IRRIGATION DITCHES LOCATED WITHIN THE PROPERTY BOUNDARY ARE TO BE ABANDONED.
 5. ALL WATER TEES TO BE FLANGED WITH FLANGED VALVES.
 6. SECONDARY ACCESS AND TEMPORARY TURNAROUNDS TO BE PROVIDED ACCORDING TO CITY/FIRE CODE.
 7. DRIVEWAY SLOPES NOT TO EXCEED 12%.
 8. NO DEFLECTIONS ALLOWED ON WATER LINES.
 9. ALL FILL WITHIN ROADWAYS TO BE ENGINEERED FILL.
 10. STORM DRAIN PIPE SIZING TO BE PROVIDED AT FINAL DESIGN.
 11. OBSERVATION MUST MEET DARK SKY STANDARD (PER CODE 17.56)
 12. GARBAGE COLLECTION WILL BE DONE WITH INDIVIDUAL GARBAGE CANS.
 13. ALL APPLICABLE ELEMENTS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBLE GUIDELINES WILL BE ADHERED TO.
 14. ANY DISTURBED AREAS THAT WILL BE DEVELOPED MORE THAN 2 YEARS IN THE FUTURE SHALL BE STABILIZED WITH EAGLE MOUNTAIN CITY'S RANGELAND SEE MIX.



DEVELOPER / OWNER
OQUIRRH WOOD RANCH LLC.

ENGINEER
LEI CONSULTING ENGINEERS
3302 NORTH MAIN
SPANISH FORK, UTAH 84660
(801)798-0555

PROJECT NAME
FIREFLY NPA 5 PRELIMINARY
PHASE A



NOT FOR CONSTRUCTION

firefly **NPA 5, PRELIMINARY PHASE A
EAGLE MOUNTAIN, UTAH**

COVER

REVISIONS	
1	-
-	-
2	-
-	-
3	-
-	-
4	-
-	-
5	-

LEI PROJECT #:
2021-0080

DRAWN BY:
TJP

DESIGNED BY:
GDM / BCT

1"=150'

9/18/2023

SHEET

Discussion

101

EAGLE MOUNTAIN CITY GENERAL NOTES

SEWER:

1. PIPE BEDDING: 3/4" GRAVEL REQUIRED 6" BELOW, ON THE SIDES & 12" ABOVE THE PIPE (MINIMUM).
2. DEPTH: SEWER MAINS/LATERALS TO MAINTAIN 4" OF COVER (MINIMUM) FROM FINISHED GRADE, 3" MINIMUM FROM TOP OF PIPE AT TIME OF INSTALLATION.
3. SEPARATION: SEWER MAINS & LATERALS TO MAINTAIN 10" SEPARATION (MINIMUM) FROM CULINARY WATER MAINS & LATERALS.
4. SEWER VS. 3" MINIMUM SEPARATION BETWEEN SEWER VS.
5. LATERAL STUDS: A) STUDS MUST EXTEND 15' INTO PROPERTY AND BE MARKED WITH 2X4 PAINTED GREEN. B) ALL LATERALS MUST BE GUS (SHOT IN) AT THE SYS AND STUDS. ALSO SLOPES 3% (IN 4" PIPE) TO BE CHECKED BEFORE BACKFILL.
6. MANHOLES: MANHOLE TO BE SET WITHIN 1' OF GRADE. 12" OF WHIRLY GYF (MAX) AND NO FLAT RINGS ALLOWED. 12" OF 3/4" GRAVEL REQUIRED UNDER MANHOLE BOXES.

WATER:

1. VALVES: 1. VALVES MUST BE FLANGED TO TEES (FITTINGS). 2. VALVES 12" AND LARGER TO BE BUTTERFLY VALVES.
2. BEDDING: SAND MUST MEET AASHTO (A-3) GRADATION WITH 100% PASSING THE #4 SIEVE. 6" BELOW PIPE ON THE SIDES & 12" ABOVE PIPE (MINIMUM).
3. DEPTH: WATER MAIN & LATERALS MUST MAINTAIN 4" COVER FROM FINISHED GRADE (MINIMUM). 3" MINIMUM FROM TOP OF PIPE AT TIME OF INSTALLATION.
4. SERVICE & FITTINGS: SERVICES & FITTINGS TO MAINTAIN 3" MINIMUM SEPARATION FROM PIPE JOINTS AND OTHER FITTINGS.
5. SETTERS: ALL SETTERS TO BE 21" TALL (MINIMUM). HAVE UNIONS AT THE BASE AND BE DUAL CHECK MODEL. ALSO 3/2" SETTERS TO HAVE 1/2" MINIMUM BRACES. SETTERS TO BE SET AT 18" TO 22" FROM THE TOP OF SETTER TO TOP OF THE WATER CAN/LID. ALL LIDS TO SAY "EAGLE MOUNTAIN" ON THEIR RECESS WITH A HOLE FOR THE ERT AND TO BE SET AT LEVEL TO 1" ABOVE THE PLANE OF THE CURB & SIDEWALK.
6. WATER CAN: THE WATER CAN FOR THE 3/4" & 1" SIZES WILL NEED TO BE A 36" TALL MINIMUM AND 21" INSIDE DIAMETER. WATER CAN FOR THE 1 1/2" TO 2" SERVICE WILL NEED TO FOLLOW APWA SPECIFICATIONS.
7. HYDRANTS: HYDRANTS TO BE 5' BURY (MINIMUM).
8. LATERALS: ALL LATERALS NEED TO BE GIS (SHOT IN) AT THE CORP. STOP & SETTER. AND ALSO VISUAL INSPECTION ON POLY INSERTS BEFORE BACKFILL. WATER LATERALS TO EXTEND 15' INTO PROPERTY AND BE MARKED WITH A 2X4 PAINTED BLUE. ALL POLY LINES TO HAVE VISUAL POLY INSERT INSPECTION.
9. TRACER WIRE: RUN TRACER WIRE ALONG MAIN & EXTEND UP SETTERS AND HYDRANTS. DO NOT RUN UP VALVE BOXES.
11. WATER FITTINGS: ALL WATER FITTINGS TO BE CHECKED FOR THRUST BLOCKS (PRE & POST) AND GIS (SHOT IN) BEFORE BACKFILL.
12. VERTICAL SEPARATION: WATER MAIN TO MAINTAIN 18" MINIMUM SEPARATION FROM STORM DRAIN OR OTHER OBSTACLE UTILITIES.
13. WATER LINE FITTINGS: ALL FITTINGS TO HAVE MEGA-LUG FOLLOWERS.
14. WATER MAIN LINE: DEFLECTION OR BENDING OF PIPE WILL BE ALLOWED ONLY PER MANUFACTURE'S SPECIFICATIONS. BEND FITTINGS WILL BE REQUIRED OTHERWISE. ALL FITTINGS TO BE MEGA-LUG FITTINGS.

1. BEDDING: ¾" GRAVEL 6" BELOW AND ON SIDES OF PIPE & 12" ABOVE PIPE (MINIMUM).
2. ADS: ALL ADS PIPE TO BE "HP" BRAND.
3. COLLARS: COLLARS TO BE 1"X1" AROUND PIPE, 4000 psi CONCRETE. INSPECTION IS NEEDED PRE & POST COLLAR POUR.
4. MANHOLES: MANHOLES TO BE WITHIN 1' OF FINISHED GRADE. 12" OF GRADE RINGS (MAX) AND NO FLAT RINGS ALLOWED. 12" OF ¾" GRAVEL REQUIRED UNDER MANHOLES/BOXES.

1. **PROOF ROLLS:** PROOF ROLL REQUIRED ON ALL SECTION OF ROAD: i.e. SUB-GRADE, SUB-BASE, AND CURB BASE AND CALDWELL ROADWAY. CURB STAKES REQUIRED FOR SUB-GRADE INSPECTION AND STRING LINE REQUIRED FOR SUB-BASE AND CALDWELL ROADWAY INSPECTION.
2. **UTBC:** STATE SPEC. CALDWELL ROADWAY REQUIRED FOR ALL ROAD, COMMERCIAL BASE ACCEPTABLE FOR THE SIDEWALKS & TRAILS.
3. **COLLARS:** ALL COLLARS TO BE 1" WIDE BY 1" DEEP WITH A 6000 psi CONCRETE WITH 1.5# FIBER MESH PER CUBIC YARD ($\frac{3}{4}$ " MONOLITHIZATION) REQUIRED FOR ALL STREET COLLARS. MANHOLE COVERS AND WATER VALVE TOWERS TO BE $\frac{1}{2}$ " DOWN FROM ASPHALT EDGE AND CONCRETE TO BE $\frac{1}{4}$ " DOWN FROM ASPHALT EDGE.

NOT FOR
CONSTRUCTION

firefly
NPA 5, PRELIMINARY PHASE A
EAGLE MOUNTAIN, UTAH
LOT LAYOUT 1

REVISIONS	
1	-
2	-
3	-
4	-
5	-
6	-

LEI PROJECT #:
2021-0080
DRAWN BY:
TJP
DESIGNED BY:
GDM / BCT
SCALE:
1"=80'
DATE:
9/18/2023

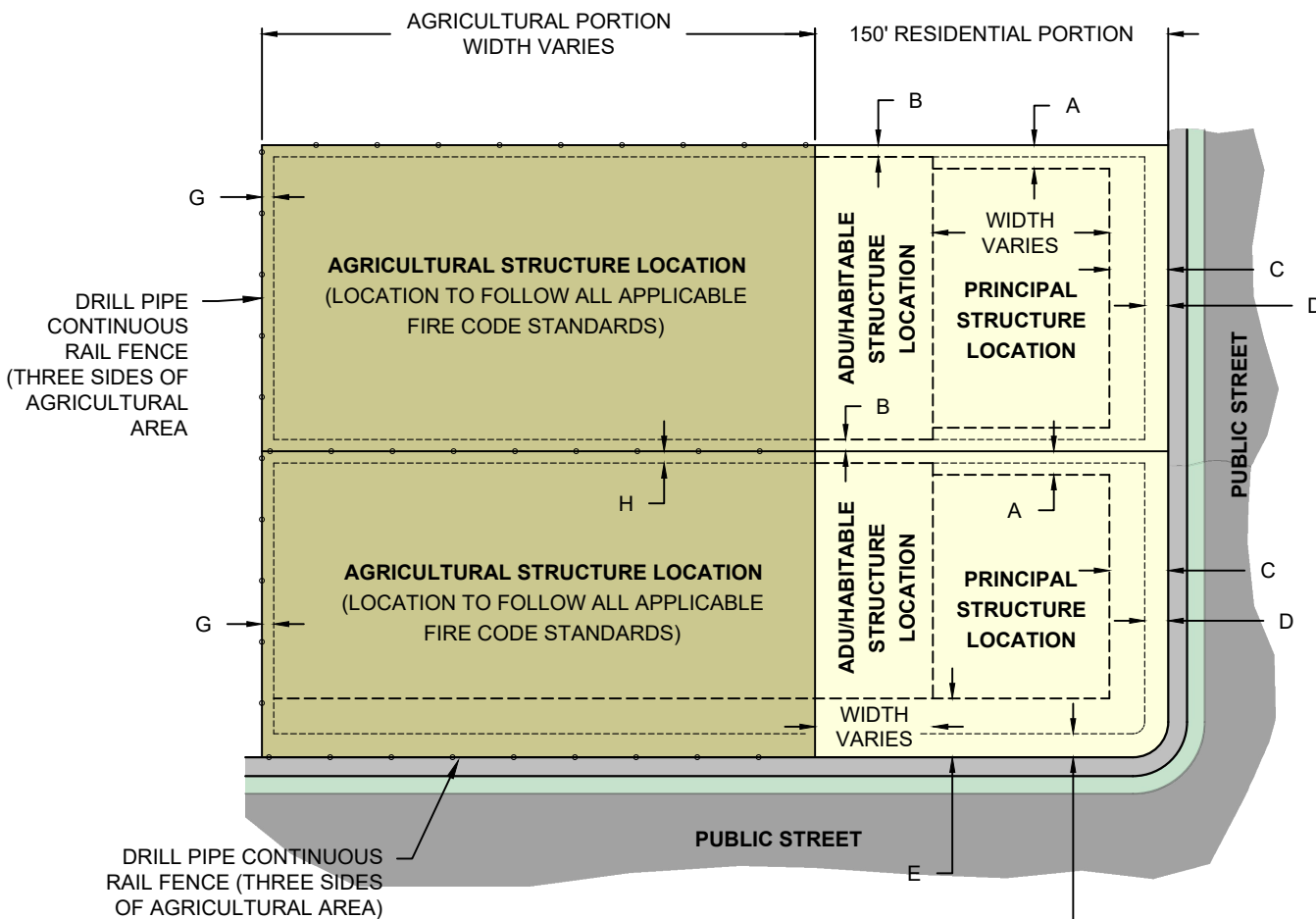
SHEET
201

NOTES

- 50' MINIMUM SETBACK FROM LIVESTOCK TO ANY NEIGHBORING RESIDENTIAL BUILDING PAD. LOTS 16, 18, 29, 30, 65, & 71 SHALL HAVE A MINIMUM 30' SIDE SETBACK ALONG THE NORTH SIDE ADJACENT TO THE FUTURE DEVELOPMENT.
- CORRALS OR BUILDINGS HOUSING ANIMALS SHALL NOT BE ALLOWED WITHIN THE REAR 40' OF LOT 62.
- ANY DISTURBED AREAS THAT WILL BE DEVELOPED MORE THAN 2 YEARS IN THE FUTURE SHALL BE STABILIZED WITH EAGLE MOUNTAIN CITY'S RANGELAND SEE MIX.

SETBACK TABLE

A	10' PRINCIPAL STRUCTURE SIDE SETBACK TO LIVING SPACE, 30' SIDE SETBACK TO GARAGE DOOR
B	5' SIDE SETBACK FOR ADU/HABITABLE STRUCTURES AND AGRICULTURAL BUILDINGS
C	25' FRONT SETBACK TO PRINCIPAL STRUCTURE & DRAINAGE EASEMENT
D	10' FRONT P.U.E. & DRAINAGE EASEMENT (TYP.)
E	25' SIDE STREET SETBACK & DRAINAGE EASEMENT
F	10' SIDE CORNER P.U.E. & DRAINAGE EASEMENT (TYP.)
G	5' REAR P.U.E., DRAINAGE EASEMENT, & AGRICULTURAL BUILDING SETBACK (TYP.)
H	5' SIDE P.U.E., DRAINAGE EASEMENT, & AGRICULTURAL BUILDING SETBACK (TYP.)



AGRICULTURAL LOT BUILDING SETBACK & EASEMENT DETAIL

SINGLE-FAMILY DETACHED*								
Type of Lot	Front	Garage	Rear	Side	Corner	Minimum Lot Width ¹	Minimum Lot Size	Maximum Building Height ²
Agriculture	25'	25'	35'	10'/30'	25'	90'	21,780 sf	35'
Standard A	25'	25'	25'	10'/10'	15'	85'	10,890 sf	35'
Standard B	15'	22'	20'	8'/10'	15'	80'	8,000 sf	35'
Standard C	15'	22'	20'	5'/8'	15'	48'	4,500 sf	35'
Alley Load	10'	22'	5'	5'/5' ¹	15'	40'	4,200 sf	35'
Cottage	15'	22'	10'	5'/5' ¹	15'	40'	3,600 sf	35'

ACCESSORY BUILDINGS			
Type of Building	Rear	Side	Maximum Building Height ¹
Barns	5'	5'	35'
ADU	5'	5'	35'

* Upon a request by the applicant, these standards may be adjusted by the Planning Commission (or the applicable approving body of the City) upon Site Plan or Subdivision Application.

OPEN SPACE TABLE

PARK NAME	Area	NOTES
PARCEL A	138840.47 SQFT.	OWNED & MAINTAINED BY H.O.A.
PARCEL B	16673.42 SQFT.	OWNED & MAINTAINED BY H.O.A.
PARCEL C	23447.92 SQFT.	OWNED & MAINTAINED BY H.O.A.
PARCEL D	28536.99 SQFT.	OWNED & MAINTAINED BY H.O.A.
PARCEL E	11224.15 SQFT.	OWNED & MAINTAINED BY H.O.A.

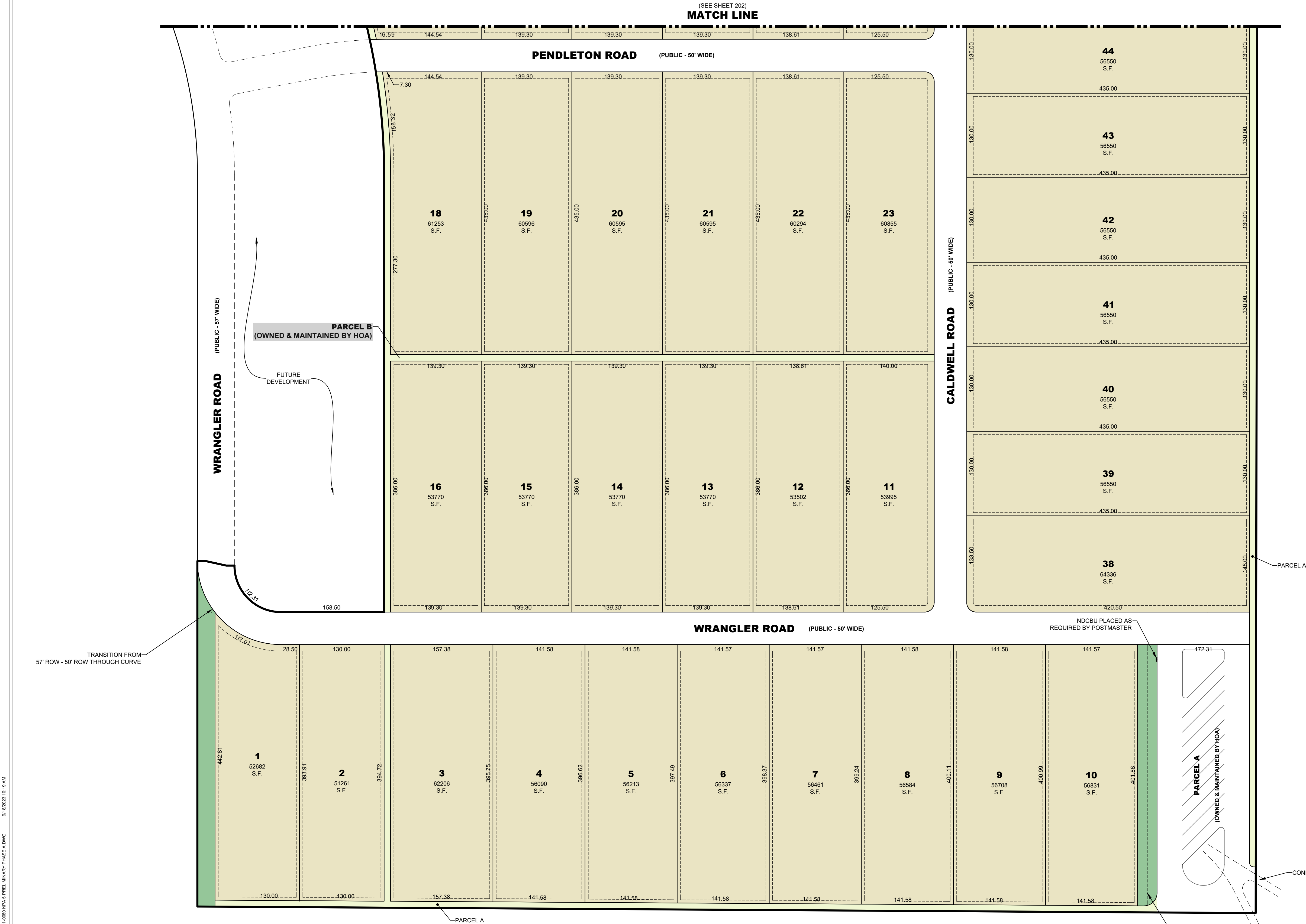
NOTE:

- ALL LOTS SHALL HAVE A DRAINAGE EASEMENT WITHIN THE FRONT 25' SETBACK. EXACT LOCATION AND SIZE SHALL BE DETERMINED AT THE TIME OF FINAL LOT GRADING AND DESIGN.

SETBACK TABLE

SINGLE FAMILY DETACHED LOTS	FRONT	GARAGE	REAR	SIDE	CORNER
AGRICULTURAL LOT	25'	25'	35'	10'/30'	25'

* STRUCTURES OR CORRAL'S HOUSING ANIMALS SHALL BE 50' FROM THE NEIGHBORING RESIDENCES.
* SHOPS, DETACHED GARAGES, ADU'S OR OTHER ACCESSORY BUILDINGS WITHOUT LIVESTOCK SHALL HAVE 5' SETBACKS





SETBACK TABLE					
SINGLE FAMILY DETACHED LOTS	FRONT	GARAGE	REAR	SIDE	CORNER
AGRICULTURAL LOT	25'	25'	35'	10'/30'	25'

* STRUCTURES OR CORRALS HOUSING ANIMALS SHALL BE 50' FROM THE NEIGHBORING RESIDENCES.

*SHOPS, DETACHED GARAGES, ADU/S OR OTHER ACCESSORY BUILDINGS WITHOUT LIVESTOCK SHALL HAVE 5' SETBACKS

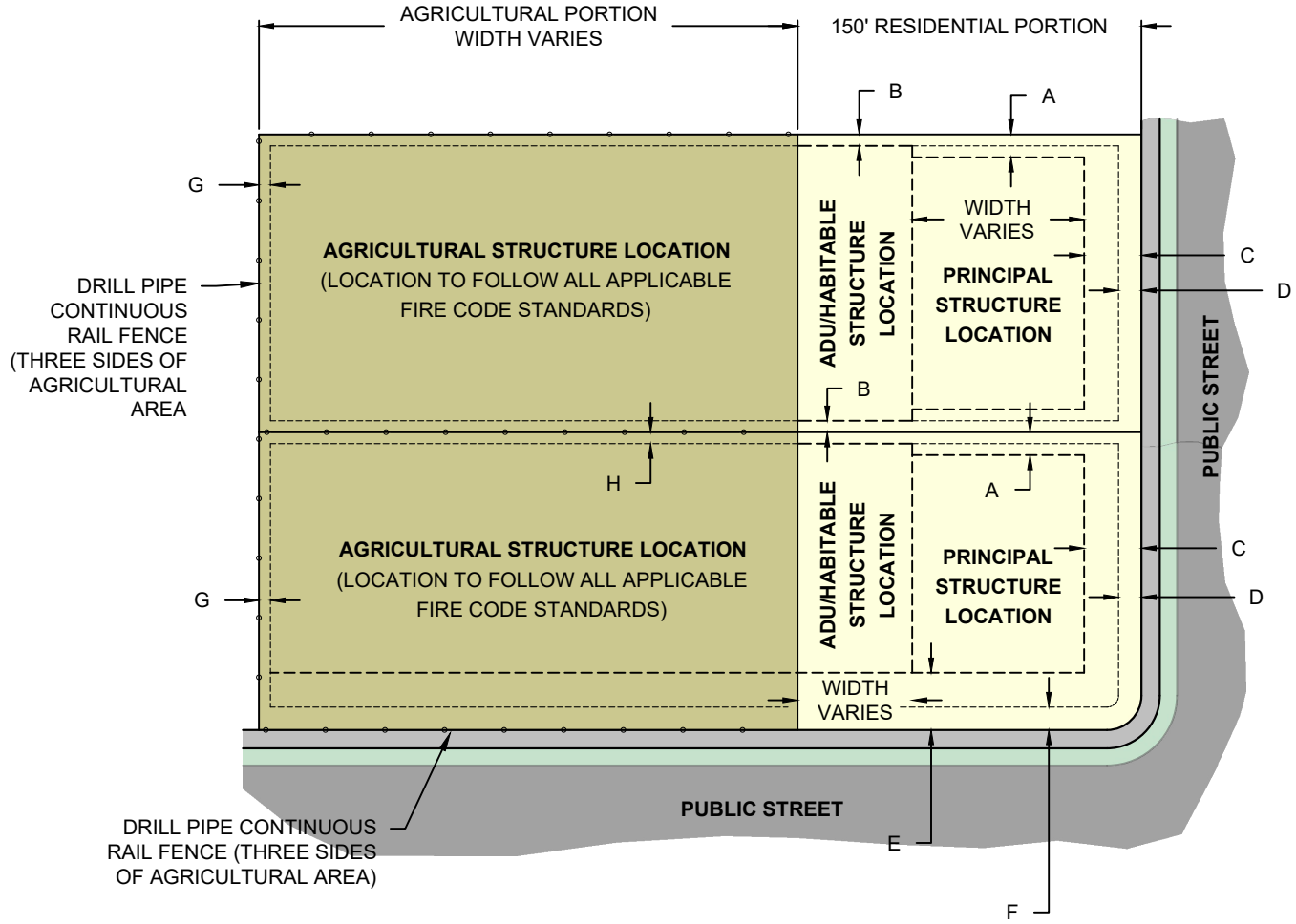
SINGLE-FAMILY DETACHED*								
Type of Lot	Front	Garage	Rear	Side	Corner	Minimum Lot Width	Minimum Lot Size	Maximum Building Height
Agriculture	25'	25'	35'	10'/30'	25'	90'	21,780 sf	35'
Standard A	25'	25'	25'	10'/10'	15'	85'	10,890 sf	35'
Standard B	15'	22'	20'	8'/10'	15'	80'	8,000 sf	35'
Standard C	15'	22'	20'	5'/8'	15'	48'	4,500 sf	35'
Alley Load	10'	22'	5'	5'/5' 1	15'	40'	4,200 sf	35'
Cottage	15'	22'	10'	5'/5' 1	15'	40'	3,600 sf	35'
ACCESSORY BUILDINGS								
Type of Building	Rear	Side	Maximum Building Height					
Barns	5'	5'	35'					
ADU	5'	5'	35'					

* Upon a request by the applicant, these standards may be adjusted by the Planning Commission (or the applicable approving body of the City) upon Site Plan or Subdivision Application.



- NOTES**
- 50' MINIMUM SETBACK FROM LIVESTOCK TO ANY NEIGHBORING RESIDENTIAL BUILDING PAD
 - LOTS 16, 18, 29, 30, 65, & 71 SHALL HAVE A MINIMUM 30' SIDE SETBACK ALONG THE NORTH SIDE ADJACENT TO THE FUTURE DEVELOPMENT.
 - CORRALS OR BUILDINGS HOUSING ANIMALS SHALL NOT BE ALLOWED WITHIN THE REAR 40' OF LOT 62
 - ANY DISTURBED AREAS THAT WILL BE DEVELOPED MORE THAN 2 YEARS IN THE FUTURE SHALL BE STABILIZED WITH EAGLE MOUNTAIN CITY'S RANGELAND SEE MIX.

SETBACK TABLE	
A	10' PRINCIPAL STRUCTURE SIDE SETBACK TO LIVING SPACE, 30' SIDE SETBACK TO GARAGE DOOR
B	5' SIDE SETBACK FOR ADU/HABITABLE STRUCTURES AND AGRICULTURAL BUILDINGS
C	25' FRONT SETBACK TO PRINCIPAL STRUCTURE & DRAINAGE EASEMENT
D	10' FRONT P.U.E. & DRAINAGE EASEMENT (TYP.)
E	25' SIDE STREET SETBACK & DRAINAGE EASEMENT
F	10' SIDE CORNER P.U.E. & DRAINAGE EASEMENT (TYP.)
G	5' REAR P.U.E., DRAINAGE EASEMENT, & AGRICULTURAL BUILDING SETBACK (TYP.)
H	5' SIDE P.U.E., DRAINAGE EASEMENT, & AGRICULTURAL BUILDING SETBACK (TYP.)



**AGRICULTURAL LOT
BUILDING SETBACK & EASEMENT DETAIL**

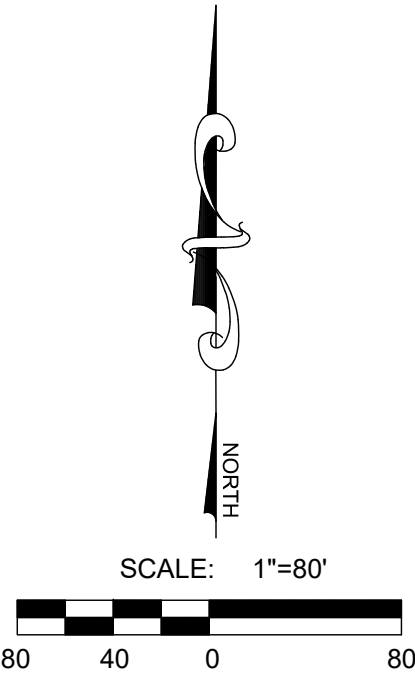
OPEN SPACE TABLE		
PARK NAME	Area	NOTES
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SETBACK TABLE					
SINGLE FAMILY DETACHED LOTS	FRONT	GARAGE	REAR	SIDE	CORNER
AGRICULTURAL LOT	25'	25'	35'	10'/30'	25'

* STRUCTURES OR CORRAL'S HOUSING ANIMALS SHALL BE 50' FROM THE NEIGHBORING RESIDENCES.
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NOTE:

- ALL LOTS SHALL HAVE A DRAINAGE EASEMENT WITHIN THE FRONT 25' SETBACK. EXACT LOCATION AND SIZE SHALL BE DETERMINED AT THE TIME OF FINAL LOT GRADING AND DESIGN.



LEI

A Utah Corporation

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www.lei-eng.com

NOT FOR
CONSTRUCTION

firefly NPA 5, PRELIMINARY PHASE A
EAGLE MOUNTAIN, UTAH
LOT LAYOUT 3

REVISIONS	
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LEI PROJECT #:
2021-0080
DRAWN BY:
TJP
DESIGNED BY:
GDM / BCT
SCALE:
1"=80'
DATE:
9/18/2023

SHEET
203



NOTE:

1. ALL LOTS SHALL BE SERVICED WITH SEPTIC TANKS AND SHALL FOLLOW ALL REQUIREMENTS FROM THE UTAH COUNTY HEALTH DEPARTMENT.
2. ANY DISTURBED AREAS THAT WILL BE DEVELOPED MORE THAN 2 YEARS IN THE FUTURE SHALL BE STABILIZED WITH EAGLE MOUNTAIN CITY'S RANGELAND SEE MIX.

[illegible]

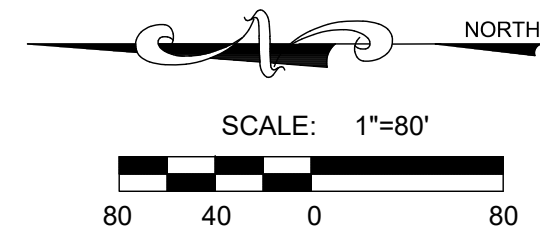
LEI PROJECT #:
2021-0080

DRAWN BY:
TJP

DESIGNED BY:
GDM / BCT

SCALE:
1"=80'

DATE:
9/18/2023



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EAGLE MOUNTAIN, UTAH

UTILITY PLAN 2



NOTES:

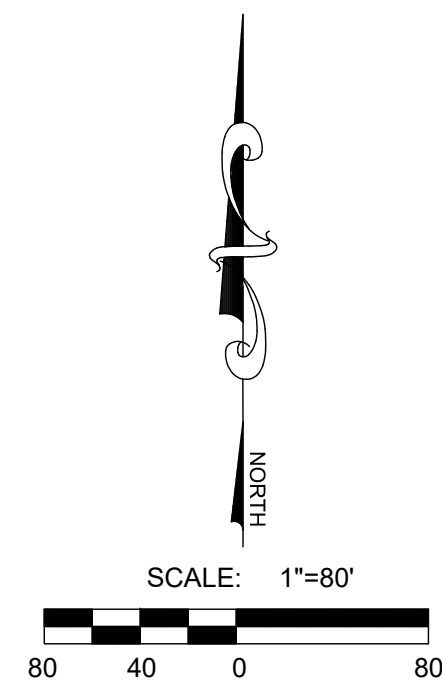
1. NO PARKING FIRE LANE SIGNS SHALL BE REQUIRED ON ONE SIDE OF THE ROAD SPACED AT 100'-150' INTERVALS. SIGNS SHALL HAVE A MINIMUM DIMENSION OF 12 INCHES WIDE BY 18 INCHES HIGH AND HAVE RED LETTERS ON A WHITE REFLECTIVE BACKGROUND AS SHOWN BELOW. SIGNS SHALL FOLLOW ALL OTHER MUTCD REQUIREMENTS.

NOTE:

1. ALL LOTS SHALL BE SERVICED WITH SEPTIC TANKS AND SHALL FOLLOW ALL REQUIREMENTS FROM THE UTAH COUNTY HEALTH DEPARTMENT.
2. ANY DISTURBED AREAS THAT WILL BE DEVELOPED MORE THAN 2 YEARS IN THE FUTURE SHALL BE STABILIZED WITH EAGLE MOUNTAIN CITY'S RANGELAND SEE M.X.

REVISIONS	
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LEI PROJECT #: 2021-0080	
DRAWN BY: TJP	
DESIGNED BY: GDM / BCT	
SCALE: 1"=80'	
DATE: 9/18/2023	
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UTILITY LAYOUT 3

LEI PROJECT #:
2021-0080

DRAWN BY:
TJP

DESIGNED BY:
GDM / BCT

SCALE:
1"=80'

DATE:
9/18/2023

NOTES:

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NOTE:

1. ALL LOTS SHOULD BE SERVICED WITH SEPTIC TANKS AND SHALL FOLLOW REQUIREMENTS FROM THE UTAH COUNTY HEALTH DEPARTMENT.
2. ANY DISTURBED AREAS THAT WILL BE DEVELOPED MORE THAN 2 YEARS IN THE FUTURE SHALL BE STABILIZED WITH EAGLE MOUNTAIN CITY'S GRASSLAND AND SEE MIX.

\\0_LEI PROJECTS\2021\2021-0080 POLE CANYON SUB\CAD\DWG\NPA 5\PRELIMINARY\PHASE A.DWG 8/18/2023 10:19 AM



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EAGLE MOUNTAIN, UTAH

GRADING PLAN



SCALE: 1"=150'
150 75 0 150

SEE ROADWAY PLANS FOR WRANGLER ROAD
CONNECTION TO POLE CANYON BOULEVARD.
20' RIBBON ROAD TO BE WITHIN A TEMPORARY
EASEMENT. FINAL
WRANGLER ROAD DEDICATION TO BE DONE AT
A LATER TIME.

HATCH INDICATES 20'
RIBBON ROAD. SEE
DETAIL 1/601

LA FIESTA ROAD

FUTURE
DEVELOPMENT

FUTURE
DEVELOPMENT

FUTURE
DEVELOPMENT

GREELY ROAD

ELLENSBERG ROAD

CALDWELL ROAD

PENDLETON ROAD

WEEKLEY ROAD

GREELY ROAD

WRANGLER ROAD

WRANGLER ROAD

NOTE:

- ALL LOTS SHALL BE REQUIRED TO RETAIN THEIR OWN STORM WATER,
AS WELL AS THE STORM WATER FROM THE ADJACENT HALF-ROADWAY,
WITHIN THEIR OWN LOT. FINAL LOCATION AND SIZE OF RETENTION
AREAS SHALL BE DETERMINED AT THE TIME OF FINAL GRADING DESIGN.
- ANY DISTURBED AREAS THAT WILL BE DEVELOPED MORE THAN 2 YEARS
IN THE FUTURE SHALL BE STABILIZED WITH EAGLE MOUNTAIN CITY'S
RANGELAND SEE MIX.

REVISIONS

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LEI PROJECT #:

2021-0080

DRAWN BY:

TJP

DESIGNED BY:

GDM / BCT

SCALE:

1"=150'

DATE:

9/18/2023

SHEET

401

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CONSTRUCTION

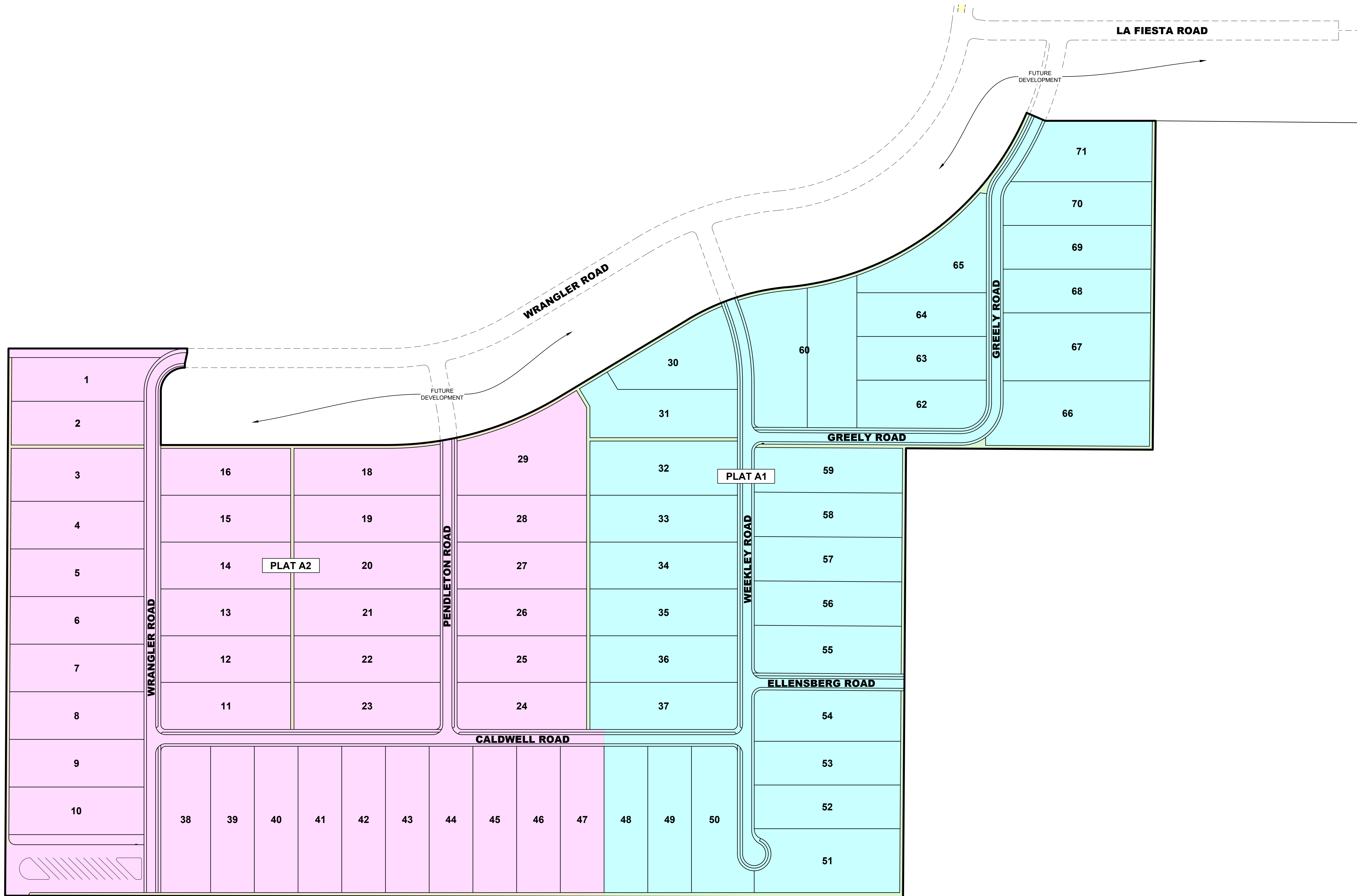
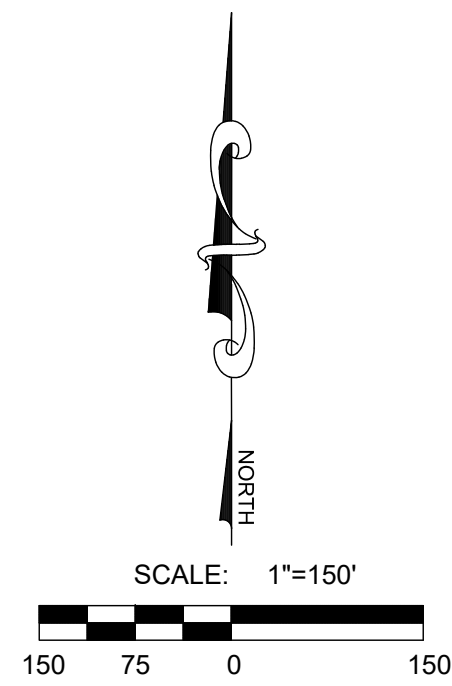
firefly

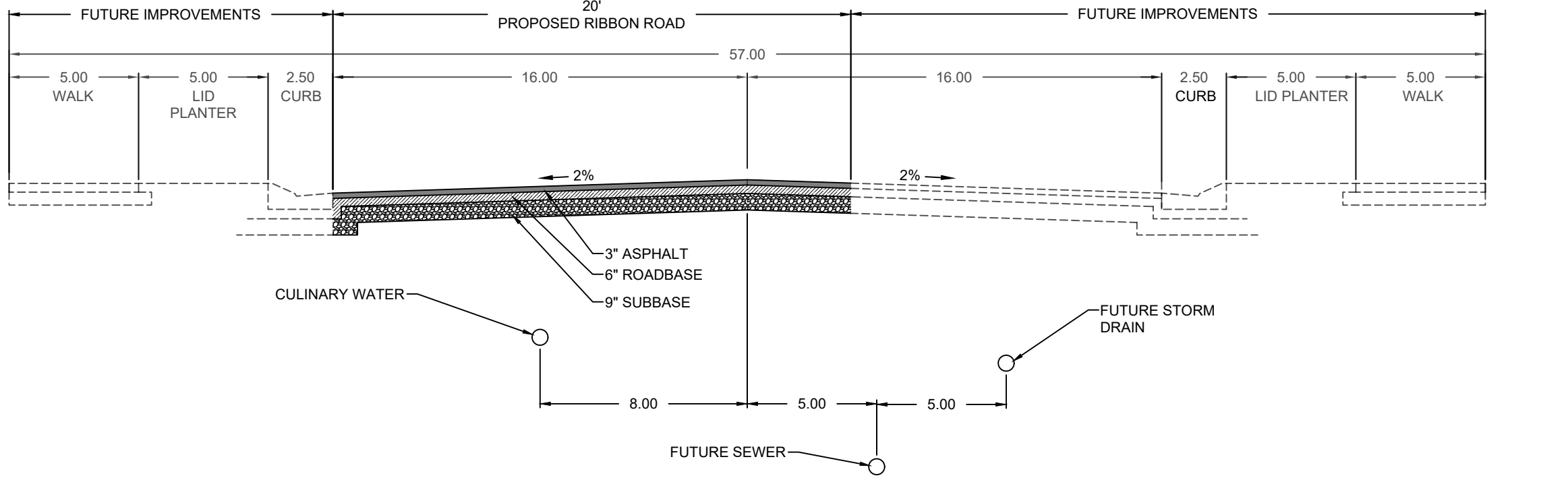
NPA 5, PRELIMINARY PHASE A
EAGLE MOUNTAIN, UTAH

PHASING PLAN

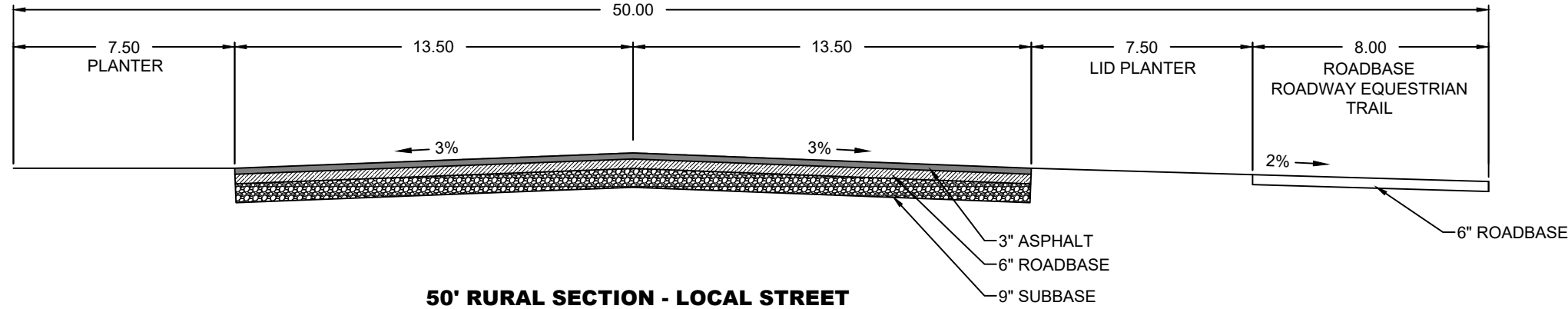
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DRAWN BY:	TJP
DESIGNED BY:	GDM / BCT
SCALE:	1"=150'
DATE:	9/18/2023





20' RIBBON ROAD
FUTURE 57' CROSS-SECTION - LOCAL STREET



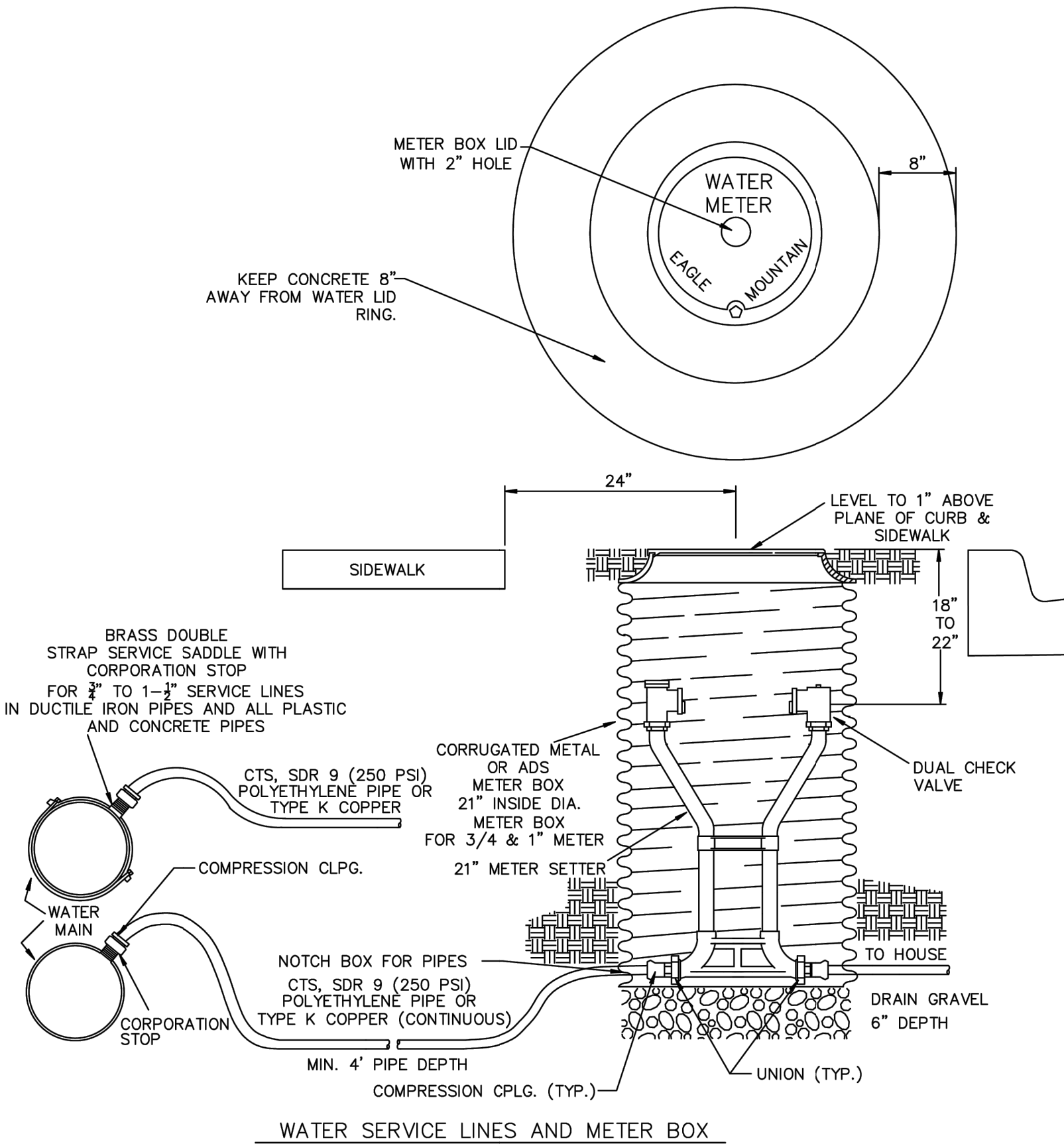
50' RURAL SECTION - LOCAL STREET

NOTE:

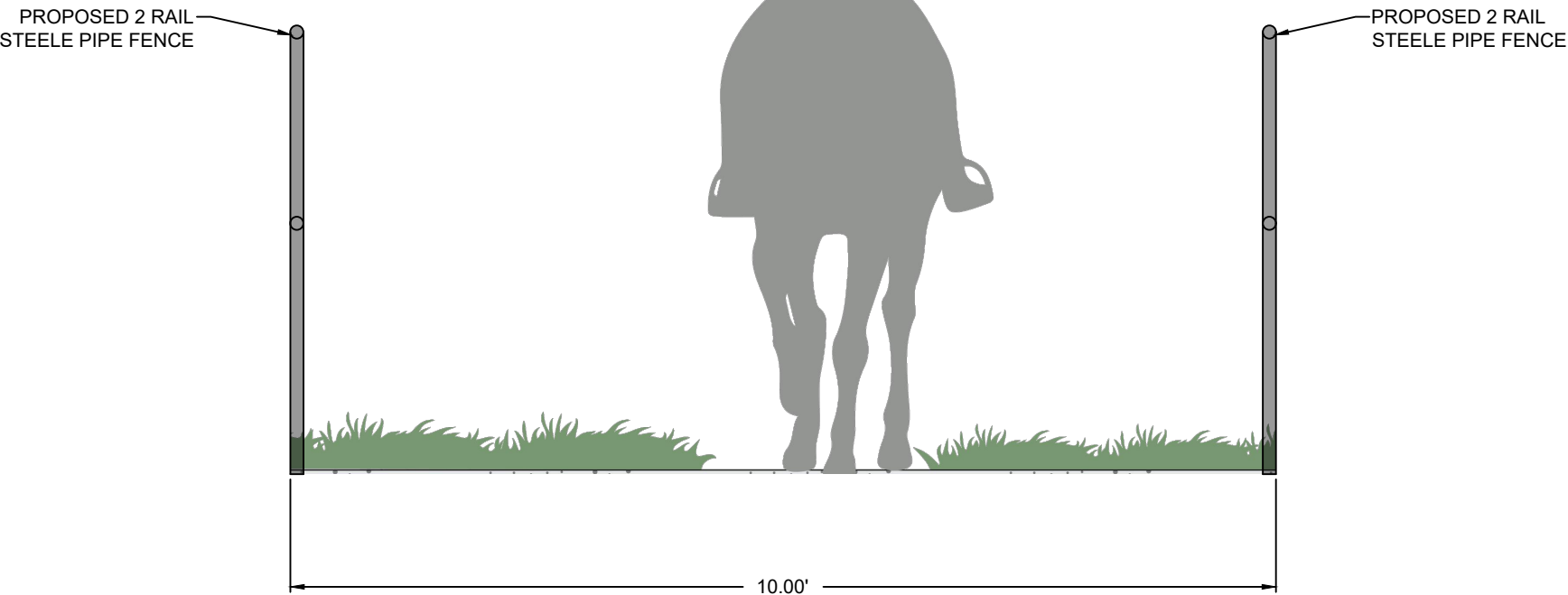
1. ALL PAVING SECTIONS TO BE VERIFIED WITH CBR ANALYSIS FROM THE GEOTECHNICAL STUDY
2. ANY PIPES THAT CROSS UNDER DRIVEWAYS OR ROADWAYS TO CONVEY DRAINAGE THROUGH THE PLANTERS SHALL BE A MINIMUM OF 15".

1 ROADWAY CROSS SECTIONS

2 NOT USED



NOTE: 1.5" AND LARGER WATER METER SHALL CONFORM TO STANDRAD FOR LARGE METERS. SEE DRAWING #LCM-1



NOTE:
1. ANY RE-VEGETATION OF TRAILS SHALL USE THE EAGLE MOUNTAIN CITY RANGELAND SEED MIX.

DESIGNED BY: RSB	EAGLE MOUNTAIN CITY	STANDARD DETAILS FOR WATER LINE, SETTER & CAN	DRAWING NO. WSC-1
REVIEWED BY: AUG 2017			
DATE: NOV 2015			
SCALE: N.T.S.			

3 WATER SERVICE DETAIL

4 EQUESTRIAN TRAIL SECTION



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firefly NPA 5, PRELIMINARY PHASE A
EAGLE MOUNTAIN, UTAH

DETAILS

REVISIONS
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LEI PROJECT #: 2021-0080
DRAWN BY: TJP
DESIGNED BY: GDM / BCT
SCALE: N.T.S.
DATE: 9/18/2023

SHEET

601



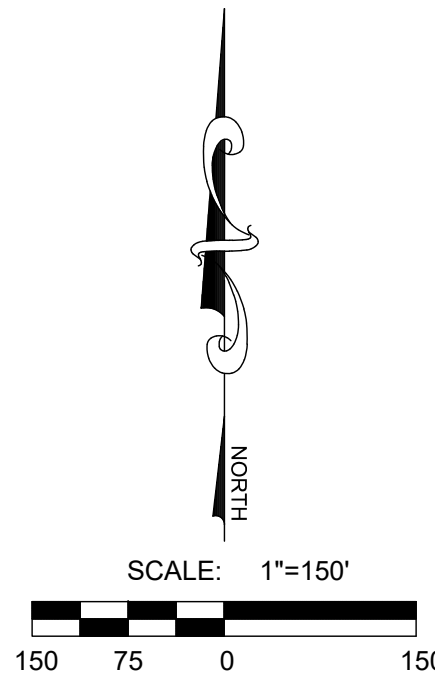
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firefly
NPA 5, PRELIMINARY PHASE A
EAGLE MOUNTAIN, UTAH

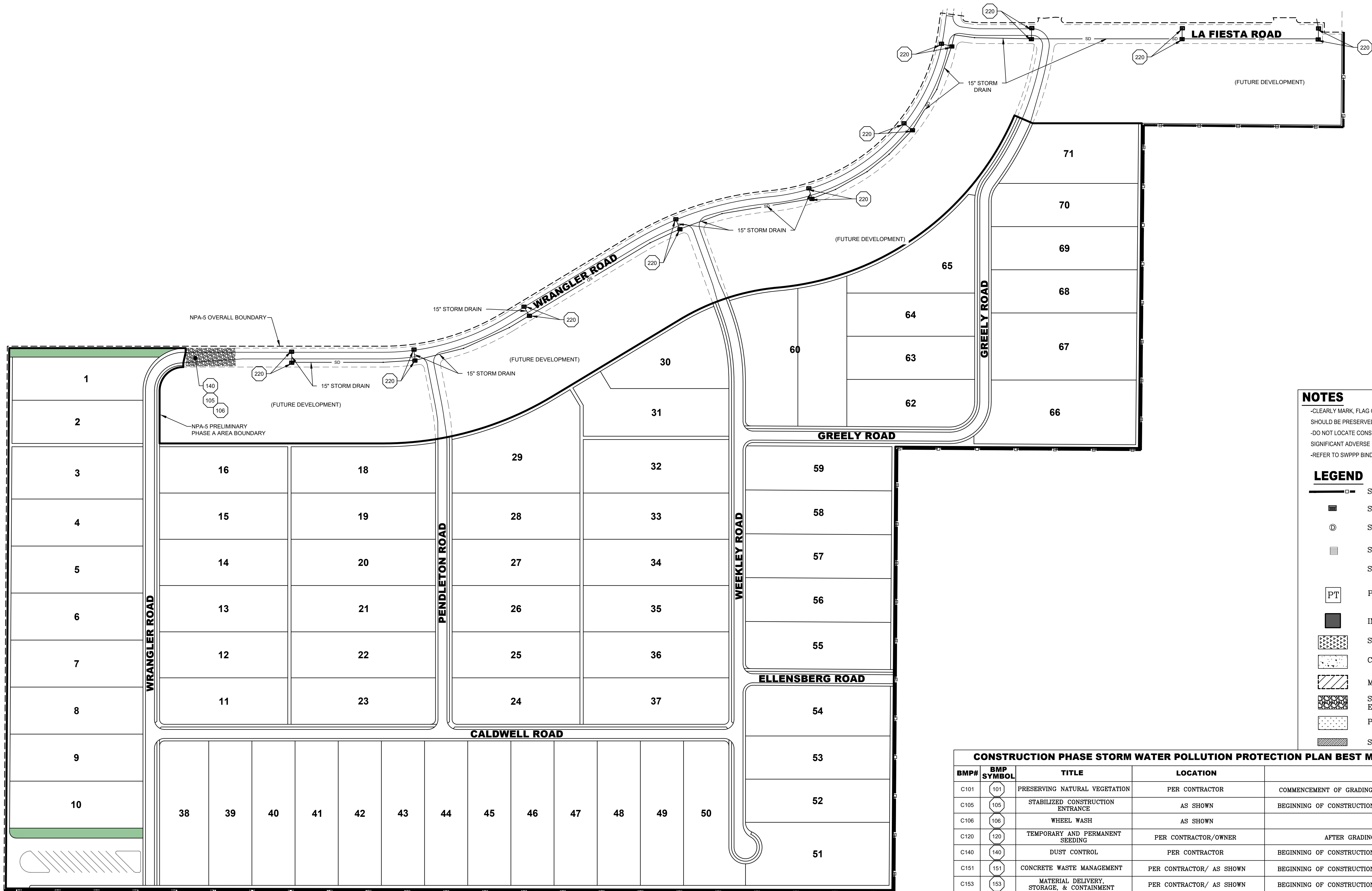
EROSION CONTROL

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LEI PROJECT #:
2021-0080
DRAWN BY:
TJP
DESIGNED BY:
GDM / BCT
SCALE:
1"=150'
DATE:
9/18/2023

SHEET

701



NOTES

- CLEARLY MARK, FLAG OR FENCE VEGETATION OR AREAS WHERE VEGETATION SHOULD BE PRESERVED.
- DO NOT LOCATE CONSTRUCTION TRAFFIC ROUTES, SPOIL PILES, ETC. WHERE SIGNIFICANT ADVERSE IMPACT ON EXISTING VEGETATION MAY OCCUR.
- REFER TO SWPPP BINDER FOR BMP DETAILS SHOWN ON THIS PLAN.

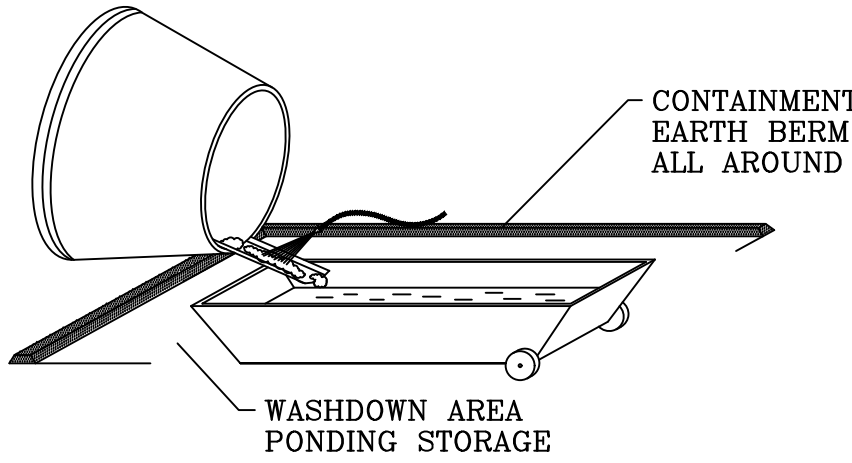
LEGEND

- SILT FENCE
- STORMDRAIN CURB INLET
- STORMDRAIN MANHOLE
- STORMDRAIN CATCH BASIN
- STORMDRAIN LINE
- PORTABLE TOILETS
- INLET PROTECTION
- SWPPP BOARD BMP
- CONCRETE WASTE MGMT. AREA
- MATERIAL STORAGE AREA
- STABILIZED CONSTRUCTION ENTRANCE
- PRESERVE EXISTING VEGETATION
- STRAW WATTLES

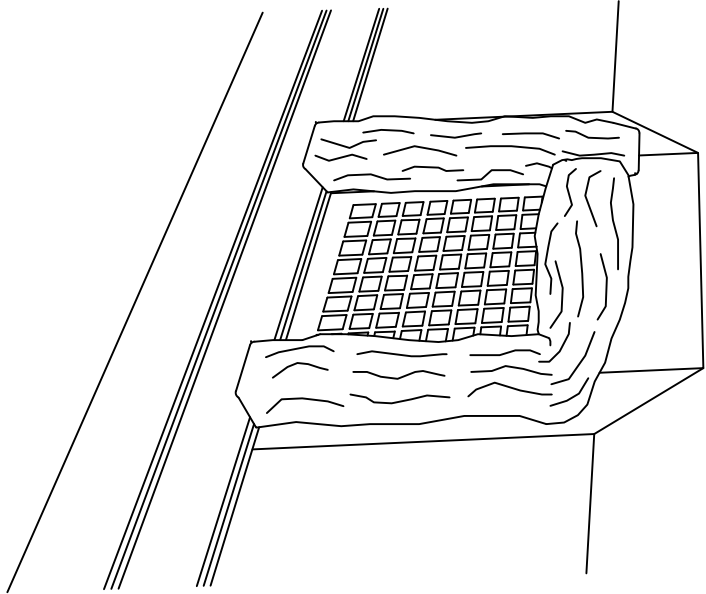
CONSTRUCTION PHASE STORM WATER POLLUTION PROTECTION PLAN BEST MANAGEMENT PRACTICES (BMP)

BMP#	BMP SYMBOL	TITLE	LOCATION	DURATION
C101	101	PRESERVING NATURAL VEGETATION	PER CONTRACTOR	COMMENCEMENT OF GRADING THROUGH COMPLETION OF SITE IMPROVEMENTS
C105	105	STABILIZED CONSTRUCTION ENTRANCE	AS SHOWN	BEGINNING OF CONSTRUCTION THROUGH COMPLETION OF ASPHALT IMPROVEMENTS
C106	106	WHEEL WASH	AS SHOWN	AS NECESSARY
C120	120	TEMPORARY AND PERMANENT SEEDING	PER CONTRACTOR/OWNER	AFTER GRADING UNTIL COMPLETION OF PROJECT
C140	140	DUST CONTROL	PER CONTRACTOR	BEGINNING OF CONSTRUCTION THROUGH COMPLETION OF ASPHALT IMPROVEMENTS
C151	151	CONCRETE WASTE MANAGEMENT	PER CONTRACTOR/ AS SHOWN	BEGINNING OF CONSTRUCTION THROUGH COMPLETION OF SITE IMPROVEMENTS
C153	153	MATERIAL DELIVERY, STORAGE, & CONTAINMENT	PER CONTRACTOR/ AS SHOWN	BEGINNING OF CONSTRUCTION THROUGH COMPLETION OF SITE IMPROVEMENTS
C190	190	PORTABLE TOILETS	PER CONTRACTOR/ AS SHOWN	BEGINNING OF CONSTRUCTION THROUGH COMPLETION OF SITE IMPROVEMENTS
C220	220	STORM DRAIN INLET PROTECTION	PER CONTRACTOR	COMMENCEMENT OF GRADING THROUGH COMPLETION OF SITE IMPROVEMENTS
C233	233	SILT FENCE	AS SHOWN	COMMENCEMENT OF GRADING THROUGH COMPLETION OF SITE IMPROVEMENTS
C257	257	SWPPP BOARD BMP	AS SHOWN	BEGINNING OF CONSTRUCTION THROUGH COMPLETION OF SITE IMPROVEMENTS

1. CONTROLLING SEDIMENT TRANSPORT AND PREVENTING AND/OR CORRECTING PROBLEMS ASSOCIATED WITH EROSION AND RUNOFF PROCESSES THAT COULD OCCUR BOTH DURING AND AFTER PROJECT CONSTRUCTION WILL BE CLOSELY MONITORED. PERIODIC MAINTENANCE AND INSPECTION OF SEDIMENT CONTROL DEVICES WILL BE SCHEDULED. PARTICULAR ATTENTION SHALL BE GIVEN TO EXISTING DRAINAGE PATTERNS THAT RUN THROUGH DISTURBED AREAS AND OVER EXTREME SLOPES. THESE PATTERNS WILL BE IDENTIFIED TO ISOLATE PROBLEM AREAS WHERE WATER WILL CONCENTRATE. PROVISIONS SHALL BE MADE TO CHANNEL RUNOFF AWAY FROM NEW OR EXISTING IMPROVEMENTS TO PREVENT UNDERMINING AND GENERAL SITE EROSION. THESE PROVISIONS SHALL BE STABILIZED AND SHALL REMAIN IN PLACE UNTIL THE PERMANENT STORM DRAINAGE FACILITIES ARE INSTALLED AND FUNCTIONAL.
2. EROSION CONTROL - A STORMWATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN PREPARED IN ACCORDANCE WITH THE UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) PERMIT FOR CONSTRUCTION, OUTLINING HOW EROSION AND SILTATION WILL BE CONTROLLED. A NOTICE OF INTENT (NOI) HAS BEEN SUBMITTED TO OBTAIN THE UPDES CONSTRUCTION PERMIT. A COPY OF THE PLAN MUST BE ON SITE AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IMPLEMENTING THE PLAN AND INSTALLING AND MAINTAINING THE EROSION CONTROL FACILITIES WITH EACH PHASE OF WORK. SHOULD SILT LEAVE THE SITE OR EROSION OCCURS, IT WILL BE THE CONTRACTORS RESPONSIBILITY TO TAKE CORRECTIVE ACTION AND REPAIR ANY DAMAGE CAUSED BY THE SILT OR EROSION IMMEDIATELY. ALL COSTS ASSOCIATED WITH THE MODIFICATION AND APPROVAL OF THE PLAN WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
3. BEFORE CONSTRUCTION BEGINS, THE LIMITS OF DISTURBANCE (LOD) BOUNDARY SHALL BE STAKED ON SITE AND APPROVED BY THE OWNER'S REPRESENTATIVE AND THE ENGINEER.
4. EXCAVATION AND EMBANKMENT OPERATIONS SHALL PROCEED IN SUCH A MANNER SO THAT FINISHING OF SLOPES, INCLUDING REVEGETATION SHALL BE ACCOMPLISHED AS SOON AS POSSIBLE AFTER ROUGH GRADING. ALL SLOPES 2:1 OR FLATTER SHALL BE SCARIFIED WITH HEAVY EQUIPMENT, LEAVING TRACKS PERPENDICULAR TO THE SLOPES. SLOPES OVER 1:1 SHALL UTILIZE EROSION CONTROL/REVEGETATION MATTING.
5. CUT AND FILL SLOPES SHALL BE CONDUCTED PER THE GEOTECHNICAL REPORT. THE TOPS OF ALL CUT SLOPES IN SOIL SHALL BE ROUNDED FOR A HORIZONTAL DISTANCE OF THREE (3) FEET BEYOND THE CATCH POINT. SLOPE ROUNING SHALL OCCUR AS THE SLOPE IS BEING BROUGHT DOWN. THE OVERALL SHAPE, HEIGHT AND GRADE OF ANY CUT AND/OR FILL SLOPE SHALL BE DEVELOPED IN CONCERT WITH EXISTING NATURAL CONTOURS, SCALE AND VEGETATION OF NATURAL TERRAIN.
6. EXISTING VEGETATION SHOULD BE PRESERVED WHEREVER POSSIBLE AND DISTURBED PORTIONS OF THE SITE SHALL BE STABILIZED. STABILIZATION PRACTICES MAY INCLUDE, BUT NOT LIMITED TO, TEMPORARY SEEDING, PERMANENT SEEDING, MULCHING, GEOTEXTILES, SOD STABILIZATION, VEGETATION BUFFER STRIPS, PROTECTION OF TREES, PRESERVATION OF NATURAL VEGETATION AND OTHER APPROPRIATE MEASURES. USE OF IMPERVIOUS SURFACES FOR STABILIZATION SHALL BE AVOIDED. STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS POSSIBLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE PERMANENTLY CEASED.
7. SPECIFICALLY OUTLINED DISTURBED AREAS, BOTH ON AND OFF-SITE SHALL BE REVEGETATED. THESE AREAS SHALL BE INCLUDE, BUT NOT BE LIMITED TO, ALL UNSURFACED AREAS WITHIN THE STAKED LOD, STAGING AND STORAGE AREAS, MATERIAL WASTE AREAS, UNDERGROUND UTILITY CONSTRUCTION AREAS, BENCHED AREAS, INCLUDING RETAINING WALL BENCHES, AND TEMPORARY OR EXISTING ACCESS ROADS USED FOR CONSTRUCTION ACTIVITIES.
8. CONTROLLED OUTLETS SHALL DIRECT COLLECTED RUNOFF THROUGH SILT FENCES OR STRAW BALES.
9. TYPICAL FUGITIVE DUST SHALL BE CONTROLLED BY WATERING AND/OR CHEMICAL STABILIZATION, PROVIDING VEGETATIVE OR SYNTHETIC COVER AND WIND BREAKS CONSISTENT WITH UTAH STATE DIVISION OF AIR QUALITY STANDARDS.
10. ANY SEDIMENT TRACKED OFF-SITE SHALL BE REMOVED PRIOR TO THE END OF THE WORK SHIFT OR PRIOR TO SUNSET, WHICHEVER COMES FIRST.
11. CONTRACTOR MAY ADJUST THE LOCATIONS OF THE CONSTRUCTION FENCE, CONSTRUCTION TRAILERS, AND CONSTRUCTION MATERIALS RECEIVING AND STORAGE AREAS, AS NEEDED TO ACCOMPLISH THE CONSTRUCTION. ALL CHANGES SHALL BE NOTATED ON THE EROSION CONTROL PLAN.
12. THE CONTRACTOR SHALL CONDUCT PERIODIC INSPECTIONS OF THE EROSION CONTROL MEASURES, AS REQUIRED AND NOTATED IN THE SWPPP. THE CONTRACTOR WILL MAINTAIN A LOG ON-SITE OF ALL INSPECTIONS WITH THE SWPPP.
13. ANY TREE 12" IN DIAMETER OR LARGER WILL NOT BE REMOVED UNTIL LOCATED BY SURVEY AND THE REMOVAL APPROVED BY THE OWNER OR EQUAL.
14. ALL DITCHES AND SWALES GREATER THAN 5% SHALL BE ARMORED WITH AN APPROPRIATE EROSION CONTROL/REVEGETATION STABILIZATION MAT TO PROMOTE REVEGETATION.
15. CONTRACTOR MAY ADJUST THE LOCATION OF CONCRETE WASHOUT AREAS AS NEEDED TO ACCOMPLISH THE CONSTRUCTION.
16. INLET PROTECTION REQUIRED ON ALL INLETS WITHIN 500' DOWNSTREAM OF SITE.

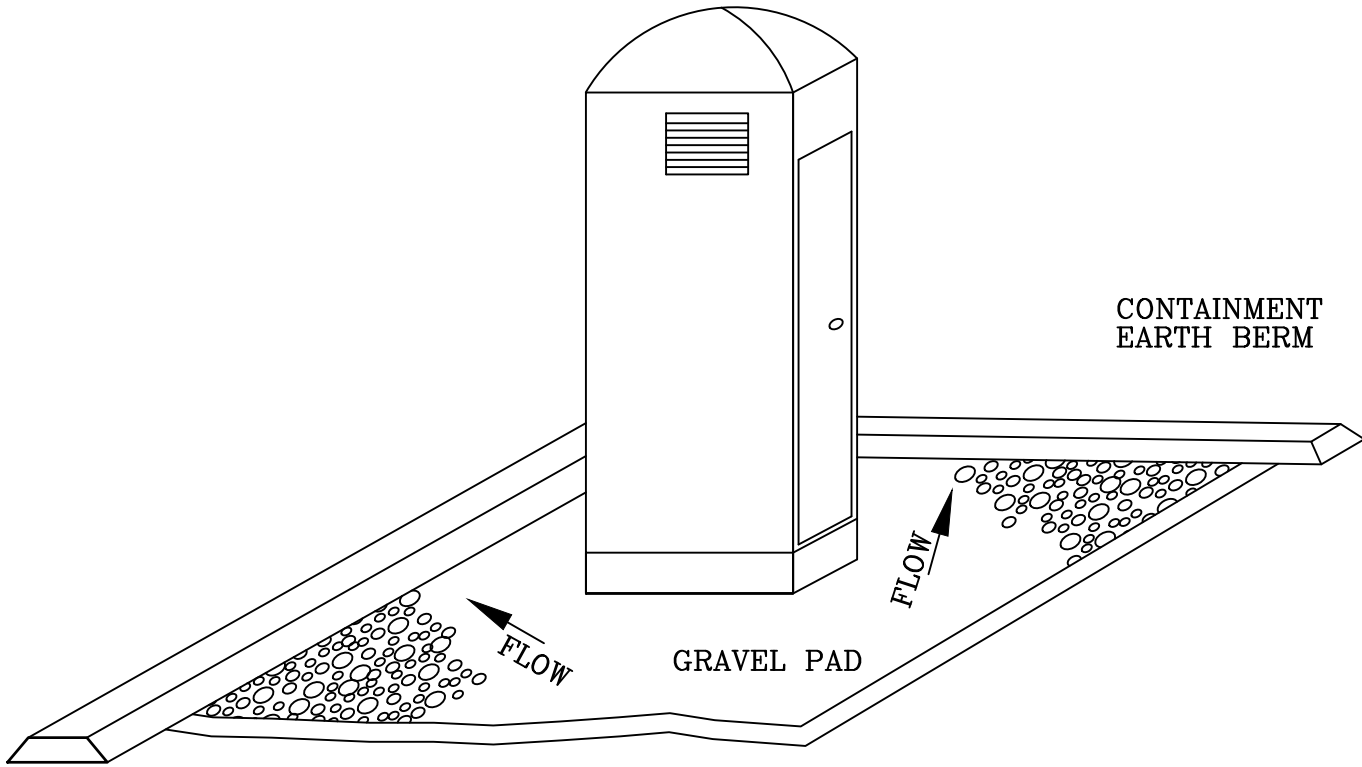


CONCRETE WASTE MANAGEMENT



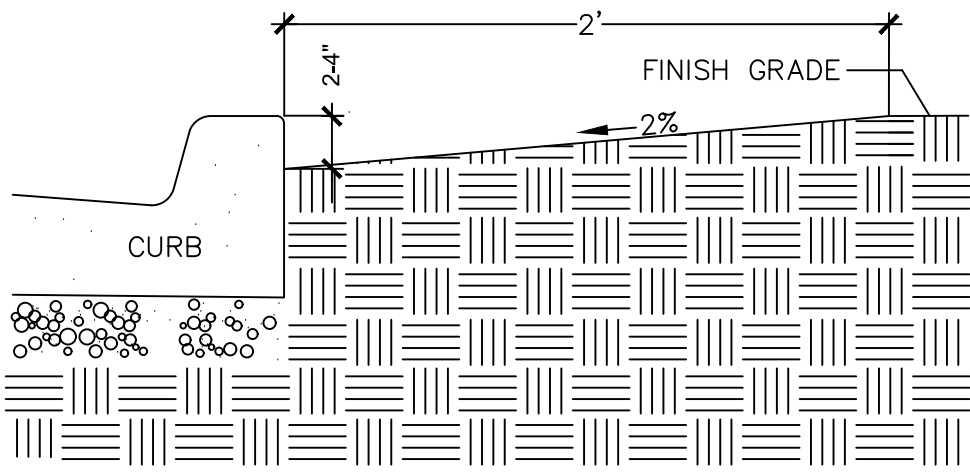
INLET PROTECTION - WATTLE

WATTLE MAY BE GRAVEL FILLED OR STRAW FILLED. INSTALL WHEN CONSTRUCTION OF CURB AND GUTTER AND ROADWAYS IS COMPLETE.

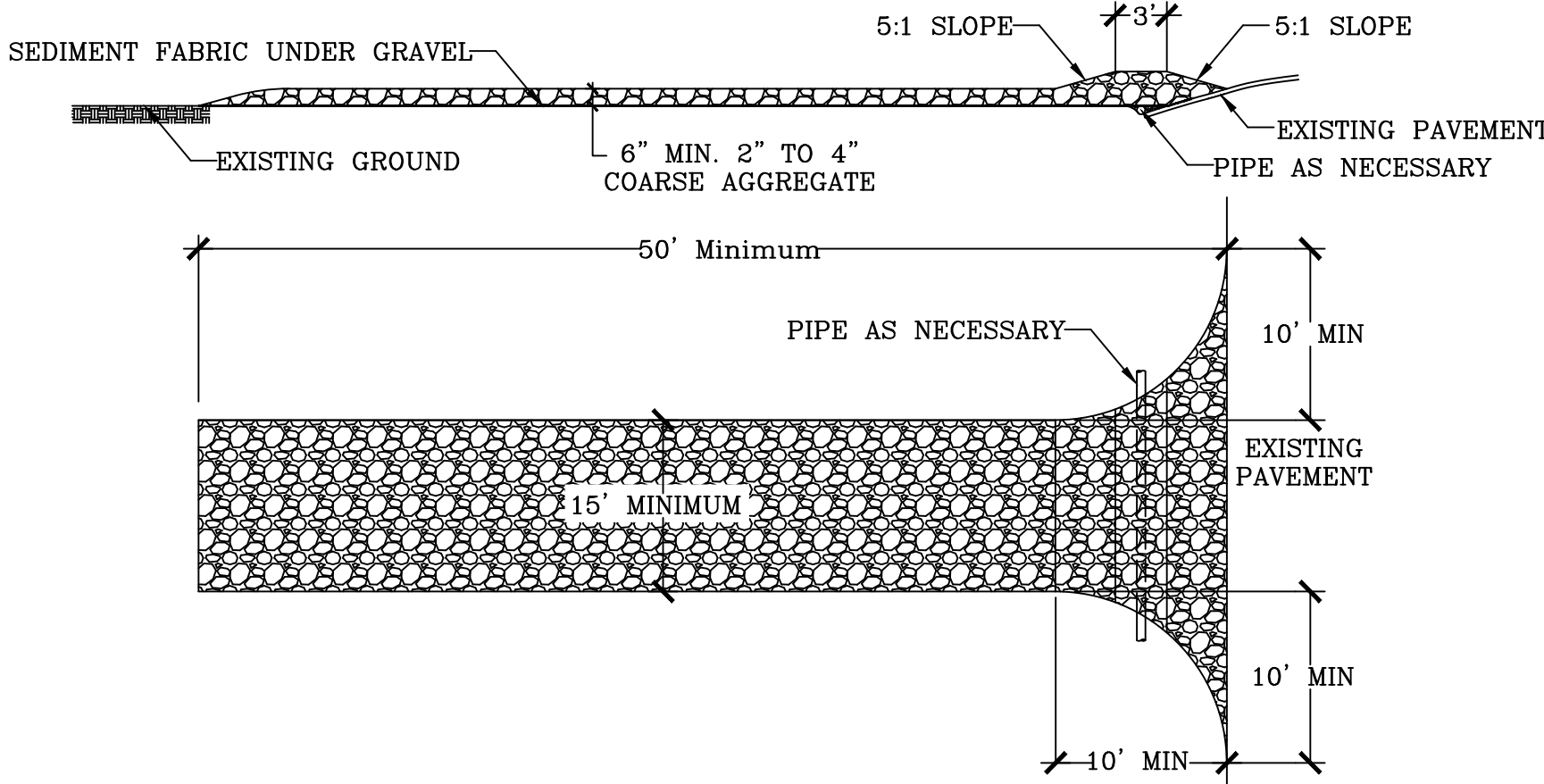


PORTABLE TOILET

PORTABLE TOILETS TO BE INSTALLED DURING ALL CONSTRUCTION PHASES.

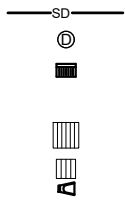


CURB SEDIMENTATION TRAP



STABILIZED CONSTRUCTION ENTRANCE

STABILIZED CONSTRUCTION ENTRANCE SHALL BE MAINTAINED UNTIL SUCH TIME AS ROADS AND PARKING LOT IS ASPHALTED. SEE APWA - 2012



- A Utah Corporation -

ENGINEERS

SURVEYORS

PLANNERS

3302 N. Main Street
Spanish Fork, UT 84660
Phone: 801.798.0555
Fax: 801.798.9393
office@lei-eng.com
www.lei-eng.com

NOT FOR
CONSTRUCTION

firefly NPA 5, PRELIMINARY PHASE A
EAGLE MOUNTAIN, UTAH

EROSION CONTROL DETAILS

REVISIONS

1	-	-
2	-	-
3	-	-
4	-	-
5	-	-
6	-	-

LEI PROJECT #:

2021-0080

DRAWN BY:

TJP

DESIGNED BY:

GDM / BCT

SCALE:

1"=###'

DATE:

9/18/2023

SHEET

702

Firefly NPA 5, Phase A

Item	Assigned	City Comments	Page
1	CLH	If "future development" areas will be longer than 2 growing seasons away and they have been disturbed in the construction process, please consider seeding them with EMC rangeland seed mix see https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	101
2	CLH	What does owned and maintained mean? Should there be a maintenance agreement explaining the details?	101
3	LEI	AutoCAD file to check addresses	101
4	CLH	If "future development" areas will be longer than 2 growing seasons away and they have been disturbed in the construction process, please consider seeding them with EMC rangeland seed mix see https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	101
5	LEI	Erosion control plan needed.	101
6	LEI	What improvements are planned there? (paving, striping, wheel stops, planters, signage, etc.) Refer to Chp. 3 of the approved/adopted Community Plan	101
7	LEI	Is this a parking lot for a trailhead?	101

8	CLH	If "future development" areas will be longer than 2 growing seasons away and they have been disturbed in the construction process, please consider seeding them with EMC rangeland seed mix see https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	201
9	CLH	If "future development" areas will be longer than 2 growing seasons away and they have been disturbed in the construction process, please consider seeding them with EMC rangeland seed mix see https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	202
10	LEI	See note on detail page	301
11	CLH	If "future development" areas will be longer than 2 growing seasons away and they have been disturbed in the construction process, please consider seeding them with EMC rangeland seed mix see https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	302
12	LEI	move services away from hydrant, move to other side of the lots. TYP.	302
13	CLH	In areas trails will be re-vegetated, please consider using the EMC rangeland seed mix, see https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	302

14	CLH	If "future development" areas will be longer than 2 growing seasons away and they have been disturbed in the construction process, please consider seeding them with EMC rangeland seed mix see https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	303
15	CLH	If "future development" areas will be longer than 2 growing seasons away and they have been disturbed in the construction process, please consider seeding them with EMC rangeland seed mix see https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	303
16	LEI	move services away from hydrant, move to other side of the lots. TYP. If "future development" areas will be longer than 2 growing seasons away and they have been disturbed in the construction process, please consider seeding them with EMC rangeland seed mix see https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	303
17	CLH	If "future development" areas will be longer than 2 growing seasons away and they have been disturbed in the construction process, please consider seeding them with EMC rangeland seed mix see https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	401
18	LEI	City will need drainage calcs, location of retention pond, volume;	401
19	LEI	Any swale crossings under driveways/roadways need to be minimum of 15" pipe	601
20	LEI	Single service per residential lot. One corp stop per lot with service line, manifold not accepted on large lots.	601

21	CLH	Is the HOA going to maintain the parkstrips and the trails, specifically the equestrian trails in the rural cross section	601
22	CLH	Can we add an improved asphalt trail in the rural road cross section?	601
23	LEI	Fire Notes In areas trails will be re-vegetated, please consider using the EMC rangeland seed mix, see	601
24	CLH	https://eaglemountaincity.com/wp-content/uploads/2023/08/EMCity-rangelandseedmix-23.pdf	601

Response To City

We agree. A note has been added to most of the sheets requiring this seed mix to be used in these circumstances.

It means the Homeowner's Association will be responsible for all maintenance and ownership responsibilities of the said parcels.

CAD file has been provided.

We agree. A note has been added to most of the sheets requiring this seed mix to be used in these circumstances.

Erosion control plan has been added to plan set.

At this point, it is planned to be a gravel parking lot with wheel stops

It is a parking lot that provides access for an existing dirt trail that heads southwest.

We agree. A note has been added to most of the sheets requiring this seed mix to be used in these circumstances.

We agree. A note has been added to most of the sheets requiring this seed mix to be used in these circumstances.

Noted

We agree. A note has been added to most of the sheets requiring this seed mix to be used in these circumstances.

Plans have been updated.

We agree. A note has been added to the trail detail on Sheet 601.

We agree. A note has been added to most of the sheets requiring this seed mix to be used in these circumstances.

We agree. A note has been added to most of the sheets requiring this seed mix to be used in these circumstances.

Plans have been updated.

We agree. A note has been added to most of the sheets requiring this seed mix to be used in these circumstances.

The storm drain report has been updated to include a typical lot drainage plan and typical drainage calculations for each lot.

A note has been added to the plans.

All services have been updated to show a single service per lot. Dual service detail has been removed.

The HOA will maintain the trails. The homeowner will maintain the parkstrips.

The developer would prefer to keep this trail as a road base trail to maintain the rural feel of the neighborhood

Fire notes have been added.

We agree. A note has been added to the trail detail on Sheet 601.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	RESOLUTION - A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Policies and Procedures Manual Regarding Preemployment Testing and Causes for Disciplinary Action.		
ITEM TYPE:	Resolution		
FISCAL IMPACT:	None		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY
PUBLIC HEARING: No PREPARED BY: Angela Valenzuela, Admin PRESENTED BY: Marcus Draper or Angela Valenzuela	RECOMMENDATION: Staff recommends the City Council approve a resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City Policies and Procedures Manual. BACKGROUND: These changes were recommended by City Attorney Marcus Draper after a recent issue which was handled by the City. Staff believes that the updated policies will help the City manage future situations in a more effective manner. These proposed policies will also protect the organization by ensuring that prospective and current employees are compliant to laws set by the State of Utah, another state, or the United States. ITEMS FOR CONSIDERATION: REQUIRED FINDINGS: PLANNING COMMISSION ACTION/RECOMMENDATION: ATTACHMENTS:		

RESOLUTION NO. R- -2023

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, AMENDING
THE EAGLE MOUNTAIN CITY POLICIES AND PROCEDURES MANUAL
(*DRUG TESTING FOR CLD AND SAFETY-SENSATIVE POSTITIONS*)**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City, Utah, finds that it is in the public interest and in the interest of the management of the City and the employees of the City to revise and amend the Eagle Mountain City Policies and Procedures Manual in use up to the date of this Resolution; and

WHEREAS, the Eagle Mountain City Policies and Procedures Manual has been edited, reviewed and compiled to represent the needs of the City and the rights and responsibilities of its employees and should be amended as presented in Exhibit A;

BE IT RESOLVED by the City Council of Eagle Mountain City, Utah:

1. The Eagle Mountain City Policies and Procedures Manual is hereby amended and adopted as set forth specifically in Exhibit A.
2. This Resolution shall take effect upon its first publication or posting.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 3RD day of October, 2023.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

JoD'Ann Bates, MMC
Chief Deputy Recorder

CERTIFICATION

The above resolution was adopted by the City Council of Eagle Mountain City on the 3rd day of October, 2023.

Those voting yes:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

JoD'Ann Bates, MMC
Chief Deputy Recorder

Exhibit A

9.05 | Drug and Alcohol Testing for CDL and Safety-sensitive Positions

Last Revision: 07/07/2020

- B. Preemployment Testing. Applicants with conditional offers from the City are required to submit to drug and alcohol testing before performance of employment duties as outlined in CFR Title 49, Subtitle B, Chapter III, Subchapter B, Part 382.301. The city reserves the right to withdraw any conditional offer of employment for any applicant that fails to submit a passing test.

9.10 | Drug and Alcohol Testing Policy for Non-CDL or Non-safety-sensitive Positions

Last Revision: 07/0/2020

- B. Preemployment Testing. Applicants with conditional offers from the City are required to submit to drug and alcohol testing before performance of employment duties. The City reserves the right to withdraw any conditional offer of employment for any applicant that fails to submit a passing test.

17.10 | Causes for Disciplinary Action Last Revision: --/--/----

- A. Causes for disciplinary action, up to and including termination, may include, but are not limited to, the following:
1. Violation of ~~the~~ any laws of the State of Utah, another state having jurisdiction over the offense or the United States, other than minor traffic offenses.
 2. Failure to report that employee has been charged in a criminal proceeding with a violation of any law of the State of Utah, another state, or the United States, other than minor traffic offenses, within three business days of receiving a citation, summons to appear in court, or appearing in court, whichever is earlier.
 - ~~1.~~3. Failure to report that employee has been arrested by law enforcement within three business days of arrest.
 - ~~2.~~4. Violation of the code of personal conduct.
 - ~~3.~~5. Conduct which endangers the peace and safety of others or poses a threat to the public interest.
 - ~~4.~~6. Unjustified interference with work of other City employees.
 - ~~5.~~7. Misconduct.
 - ~~6.~~8. Malfeasance.
 - ~~7.~~9. Mifeasance.

-
- ~~8~~10. _____ Nonfeasance.
 - ~~9~~11. _____ Incompetence.
 - ~~10~~12. _____ Negligence.
 - ~~11~~13. _____ Insubordination.
 - ~~12~~14. _____ Failure to perform or maintain skills.
 - ~~13~~15. _____ Inadequate performance of duties.
 - ~~14~~16. _____ Unauthorized absence or tardiness.
 - ~~15~~17. _____ Falsification or unauthorized alteration of records.
 - ~~16~~18. _____ Violation of City policies or executive orders.
 - ~~17~~19. _____ Falsification of employment application.
 - ~~18~~20. _____ Discrimination in hiring, assignment, or promotion.
 - ~~19~~21. _____ Sexual harassment or filing a false sexual harassment claim.
 - ~~20~~22. _____ Violation of this Manual.
 - ~~21~~23. _____ Use of alcohol or drugs, other than medication prescribed by a physician, that affect job performance.
 - ~~22~~24. _____ Falsifying City Records.
 - ~~23~~25. _____ Except for a supervisor submitting a time slip for an employee, knowingly marking the time slip of another employee, authorizing one's time slip to be marked by another employee, unauthorized alteration of a time slip.
 - ~~24~~26. _____ Unauthorized possession of firearms, weapons, or explosives on City-owned property (provided, however, for purposes of this subsection, police officers or an employee who has been issued a permit or temporary permit by the State of Utah to carry a concealed firearm are authorized to possess a firearm on City-owned property).
 - ~~25~~27. _____ Carelessness which affects the safety of personnel.
 - ~~26~~28. _____ Threatening, intimidating, coercing, or interfering with fellow employees on the job, or the public at large.
 - ~~27~~29. _____ Theft or removal of any City property or the property of any employee from the work area premises without proper authorization.
 - ~~28~~30. _____ Gambling, wagering, or engaging in a lottery while on City business.
 - ~~29~~31. _____ Misusing, destroying, or damaging any City property or the property of any employee.
 - ~~30~~32. _____ Deliberately restricting work output of themselves or others.
 - ~~31~~33. _____ Drinking any alcoholic beverage during the workday or being under the influence of illicit drugs or alcohol during the workday.

~~32.~~34. Sleeping during working hours.

~~33.~~35. Fighting (verbal or physical) on City premises, or while on City business, or in a City uniform.

~~34.~~36. Any act which might endanger the safety or lives of others.

~~35.~~37. Failure to provide evidence of identity and employment eligibility within three (3) business days of the date employment begins, or receipt for the application of documents within three (3) business days of the date employment begins and production of actual documents within ninety (90) calendar days of the date employment begins.

~~36.~~38. Accessing, storing, or viewing/reviewing, downloading, copying, or sending child pornography or pornographic or sexually explicit material on City-owned equipment, including, but not limited to, computers, cell phones, or facsimile machines.

~~37.~~39. Violation of the uniform policy.

17.20 | Imposing Disciplinary Action

Last Revision: --/--/----

G. Suspension, demotion, transfer, or termination of an employee shall require the approval of the Mayor or designee.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Section 17.80.080 Off-premises Ladder Signs.		
ITEM TYPE:	Ordinance		
FISCAL IMPACT:			
APPLICANT:	Melissa Clark, Eagle Mountain Chamber of Commerce		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

PREPARED BY:

Evan Berrett, Admin

PRESENTED BY:

Melissa Clark, Eagle Mountain Chamber of Commerce

RECOMMENDATION:

Staff recommends the City Council approve an ordinance of Eagle Mountain City, amending Eagle Mountain Municipal Code Section 17.80.080 Off-premises Ladder Signs.

BACKGROUND:

Earlier this year, the City agreed to change some language in the ladder sign agreement with the Eagle Mountain Chamber of Commerce to enable the Economic Development Director to approve advertising copy, and for the sign headers to be modified to the Chamber of Commerce logo. City code does not currently reflect those changes and should be amended to match.

Additionally, the Eagle Mountain Chamber of Commerce has undergone an extensive effort to restore many of the ladder signs that were damaged or worn. Many of the frames and headers have been replaced, repainted, moved slightly, and so forth. Currently, demand for sign advertising is extremely high, and the Chamber of Commerce has been adhering to code with respect to ensuring local small businesses take priority for advertising space. The frames allow for more space than is currently allowed by city code (up to 96 inches vertical, vs. 80 inches vertical currently permitted). There is desire to modify the slats to be “inserts” and change the sizing to four sizes,

small, medium, large, and extra-large. Certain maximums would still remain in effect including a company not being allowed more than two large or extra-large inserts.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

Planning Commission offered a positive recommendation

ATTACHMENTS:

[ORD--EMMC 17.80.080 Off-premises Ladder Signs](#)

[EMMC 17.80.080 Ladder Signs - Redlines](#)

[Staff Report and Redlines](#)

ORDINANCE NO. O- -2023

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
AMENDING EAGLE MOUNTAIN MUNICIPAL CODE
SECTION 17.80.080 OFF-PREMISES LADDER SIGNS**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to amend Eagle Mountain Municipal Code Section 17.80.080 Off-Premises Ladder Signs, as described in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider amending Eagle Mountain Municipal Code Section 17.80.080 Off-Premises Ladder Signs.
2. The amendment described in Exhibit A is hereby approved.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City this 3rd day of October, 2023.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 3rd day of October, 2023.

Those voting yes:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Fionnuala B. Kofoed, MMC
City Recorder

Posted on _____ by _____ .

Exhibit A

Proposed Amendment to Eagle Mountain Municipal Code 17.80.080C

C. Sign Inserts. The sign ~~slats or~~ inserts ~~should be consistent in background color and design and~~ may contain advertising ~~along with and/or~~ directional information. ~~All advertising copy shall be approved by the economic development director or designee.~~ Sign copy shall be readable from 30 feet (minimum of three-inch-tall letters). The logo at the top of each sign shall be the approved Eagle Mountain City logo ~~or as approved by city council.~~

☞There are ~~three~~ ~~four~~ allowable ~~slat insert~~ sizes on each ladder sign ~~structure~~: ~~single small~~ (16-inch by 72-inch), ~~double medium~~ (32-inch by 72-inch), ~~or full slats large~~ (80-inch by 72-inch), ~~or extra-large~~ (96-inch by 72-inch) ~~sign inserts~~. The total advertising area ~~must equal 80~~ may not exceed 96 inches by 72 inches. Advertisers may reserve a maximum of two ~~full slat large or extra-large size~~ signs ~~inserts~~ throughout the city ~~and a~~. Any additional space would be limited to a ~~single small or double medium slat size sign inserts~~. The maximum signs ~~structures~~ a single entity, or its associated affiliates, may advertise on is five. ~~All advertising copy shall be approved by the economic development director or designee.~~

The above would read as:

C. Sign Inserts. The sign inserts may contain advertising and/or directional information. All advertising copy shall be approved by the economic development director or designee. Sign copy shall be readable from 30 feet (minimum of three-inch-tall letters). The logo at the top of each sign shall be the approved Eagle Mountain City logo or as approved by city council.

There are four allowable insert sizes on each ladder sign structure: small (16-inch by 72-inch), medium (32-inch by 72-inch), large (80-inch by 72-inch), or extra-large (96-inch by 72-inch) sign inserts. The total advertising area may not exceed 96 inches by 72 inches. Advertisers may reserve a maximum of two large or extra-large size signs inserts throughout the city. Any additional space would be limited to small or medium size sign inserts. The maximum sign structures a single entity, or its associated affiliates, may advertise on is five.

TO: MAYOR AND CITY COUNCIL

FROM: EVAN BERRETT, ECONOMIC DEVELOPMENT DIRECTOR

DATE: SEPTEMBER 19, 2023

SUBJECT: STAFF REPORT, CODE AMENDMENTS FOR 17.80.080C

Mayor and Council,

Staff received a request from the Eagle Mountain Chamber of Commerce to amend code found in 17.80.080C related to the city ladder signs. After review of the changes, staff would support the changes for the purpose of improving consistency with the agreement the City has with the Eagle Mountain Chamber of Commerce for management of the signs, and adapting to modified capabilities of ladder sign options.

Background

Earlier this year, the City agreed to change some language in the ladder sign agreement with the Eagle Mountain Chamber of Commerce to enable the Economic Development Director to approve advertising copy, and for the sign headers to be modified to the Chamber of Commerce logo. City code does not currently reflect those changes and should be amended to match.

Additionally, the Eagle Mountain Chamber of Commerce has undergone an extensive effort to restore many of the ladder signs that were damaged or worn. Many of the frames and headers have been replaced, repainted, moved slightly, and so forth. Currently, demand for sign advertising is extremely high, and the Chamber of Commerce has been adhering to code with respect to ensuring local small businesses take priority for advertising space. The frames allow for more space than is currently allowed by city code (up to 96 inches vertical, vs. 80 inches vertical currently permitted). There is desire to modify the slats to be “inserts” and change the sizing to four sizes, small, medium, large, and extra-large. Certain maximums would still remain in effect including a company not being allowed more than two large or extra-large inserts.

Recommendation

Staff believes these requested changes to be reasonable and recommends approval.



Proposed Amendment to Eagle Mountain Municipal Code 17.80.080C

C. Sign Inserts. The sign ~~slats or~~ inserts ~~should be consistent in background color and design and~~ may contain advertising ~~along with and/or~~ directional information. ~~All advertising copy shall be approved by the economic development director or designee.~~ Sign copy shall be readable from 30 feet (minimum of three-inch-tall letters). The logo at the top of each sign shall be the approved Eagle Mountain City logo ~~or as approved by city council.~~

There are ~~three~~ four allowable ~~slat~~ insert sizes on each ladder sign structure: ~~single small~~ (16-inch by 72-inch), ~~double medium~~ (32-inch by 72-inch), ~~or full slats large~~ (80-inch by 72-inch), or extra-large (96-inch by 72-inch) sign inserts. The total advertising area ~~must equal 80~~ may not exceed 96 inches by 72 inches. Advertisers may reserve a maximum of two ~~full-slat large or extra-large size signs inserts~~ throughout the city ~~and a~~. Any additional space would be limited to ~~a single small or double medium slat size sign inserts.~~ The maximum signs structures a single entity, or its associated affiliates, may advertise on is five. ~~All advertising copy shall be approved by the economic development director or designee.~~

The above would read as:

C. Sign Inserts. The sign inserts may contain advertising and/or directional information. All advertising copy shall be approved by the economic development director or designee. Sign copy shall be readable from 30 feet (minimum of three-inch-tall letters). The logo at the top of each sign shall be the approved Eagle Mountain City logo or as approved by city council.

There are four allowable insert sizes on each ladder sign structure: small (16-inch by 72-inch), medium (32-inch by 72-inch), large (80-inch by 72-inch), or extra-large (96-inch by 72-inch) sign inserts. The total advertising area may not exceed 96 inches by 72 inches. Advertisers may reserve a maximum of two large or extra-large size signs inserts throughout the city. Any additional space would be limited to small or medium size sign inserts. The maximum sign structures a single entity, or its associated affiliates, may advertise on is five.



LADDER SIGN EXAMPLE PHOTOS – SIGNS WITH SPACE GAPS



www.emcity.org



info@emcity.org



801-789-6601



801-789-6649



1650 Stagecoach Run Eagle Mountain, Utah 84005

LADDER SIGN EXAMPLE PHOTOS – SIGNS W/O SPACE GAPS





**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending Eagle Mountain Municipal Code Chapter 13.75 Eagle Mountain City Storm Water Ordinance and Chapter 15.50 Storm Drains.		
ITEM TYPE:	Ordinance		
FISCAL IMPACT:	N/A		
APPLICANT:	Eagle Mountain City -- Chris Trusty representing		
GENERAL PLAN DESIGNATION n/a	CURRENT ZONE n/a	ACREAGE n/a	COMMUNITY n/a

PUBLIC HEARING:

Yes

PREPARED BY:

Chris Trusty, Engineering

PRESENTED BY:

Chris Trusty

RECOMMENDATION:

Staff recommends that the City Council approve an ordinance of Eagle Mountain City, amending Eagle Mountain Municipal Code Chapter 13.75 Eagle Mountain City Storm Water Ordinance and Chapter 15.50 Storm Drains.

BACKGROUND:

As part of the Municipal Separate Storm Sewer System permit, Eagle Mountain City was recently audited by the State DEQ to ensure our compliance with the general permit. As part of this audit, the State asked for portions of the City code to be updated to reflect actual language contained in the permit. These changes are found in chapters 13 and 15 of City Code. Changes are highlighted on the attached documents.

These ordinance changes were brought before the Planning Commission and August, 8 who made positive recommendation to the Council.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

Ordinances pertaining to zoning code amendments, and processing of the same, may be found in EMMC 17.05.120 & USC 10-9a-501. Ordinance enactment is a legislative process and left to the discretion of the City Council.

PLANNING COMMISSION ACTION/RECOMMENDATION:

n/a

ATTACHMENTS:

[ORD--EMMC 13.75 Storm Water and 15.50 Storm Drains](#)

[EMMC 13.75.110 Storm Water System Design and Management Standards](#)

[EMMC 13.75.150 Illicit Discharges](#)

[EMMC 15.50.070 Storm Water Pollution Prevention Plan](#)

ORDINANCE NO. O- -2023

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
AMENDING EAGLE MOUNTAIN MUNICIPAL CODE
SECTION 13.75 EAGLE MOUNTAIN CITY STORM WATER ORDINANCE
AND CHAPTER 15.50 STORM DRAINS**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to amend Eagle Mountain Municipal Code Chapter 13.75 Eagle Mountain City Storm Water Ordinance and Chapter 15.50 Storm Drains, as described in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider amending Eagle Mountain Municipal Code Chapter 13.75 Eagle Mountain City Storm Water Ordinance and Chapter 15.50 Storm Drains.
2. The amendment described in Exhibit A is hereby approved.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City this 3rd day of October, 2023.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 3rd day of October, 2023.

Those voting yes:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Fionnuala B. Kofoed, MMC
City Recorder

Posted on _____ by _____ .

Exhibit A

13.75.110 Storm water system design and management standards.**A. Irrigation Ditches.**

1. All existing irrigation ditches located on the site or straddling a site property boundary shall be piped with a sufficient size pipe and shall be coordinated with water user.
2. Property owners are responsible for the protection of irrigation ditches per the relevant sections of this chapter.
3. Discharges to private ditches require written approval from the ditch owners and design shall comply with the terms of approvals and the storm water design standards and regulations and the storm water permit.
4. Piping of ditches and modification to the diversion boxes require documented coordination with ditch owners or representative but are not required to receive written approval of ditch owners. Design and coordination requirements shall comply with the storm water design standards and regulations and the storm water permit documents.

B. Storm Water Design and BMP Manuals.

1. Adoption. The municipality adopts as its storm water design and best management practices (BMP) manuals the following publications, which are incorporated by reference in this chapter as if fully set out herein:
 - a. Eagle Mountain City storm water design standards and regulations.
 - b. Eagle Mountain City storm water master plan.
 - c. Guidance document for storm water management (Salt Lake County Public Works Department).
 - i. These manuals include a list of acceptable BMPs and include specific design performance criteria and operation and maintenance requirements for each storm water practice. The manuals may be updated and expanded from time to time, at the discretion of the governing body of the city, upon the recommendation of the city engineer, based on improvements in engineering, science, monitory and local maintenance experience. Storm water facilities that are designed, constructed and maintained in accordance with these BMP criteria will be presumed to meet the minimum water quality performance standards.
2. General Performance Criteria for Storm Water Management. Unless granted a waiver or judged by the city engineer to be exempt, the following postconstruction performance criteria shall be addressed for storm water management at all sites:
 - a. Design of storm drain systems in Eagle Mountain City boundaries and discharges into an Eagle Mountain City storm drain system require direct supervision of a Utah registered professional engineer, and shall carry the seal of the same supervising professional engineer.
 - b. All site designs shall control the peak flow rates of storm water discharge associated with design storms specified in this chapter or in the BMP manual and reduce the generation of postconstruction storm water runoff to preconstruction levels. These practices should seek to utilize pervious areas for storm water treatment and to infiltrate storm water runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity.
 - c. To protect stream channels from degradation, specific channel protection criteria shall be provided as prescribed in the BMP manual.
 - d. Storm water discharges to critical areas with sensitive resources (i.e., cold water fisheries, swimming beaches, recharge areas, water supply reservoirs) may be subject to additional performance criteria, or may need to utilize or restrict certain storm water management practices.

e. Storm water discharges from “hotspots” may require the application of specific structural BMPs and pollution prevention practices.

i. Prior to or during the site design process, applicants for storm water permits shall consult with the city engineer to determine if they are subject to additional storm water design requirements.

f. The calculations for determining peak flows as found in the BMP manual shall be used for sizing all storm water facilities.

e. BMPs should be selected based on their ability to adequately protect water quality and the BMP manual shall outline the removal performance expected from the selected BMP as well as the technical basis for supporting the pollutant removal performance.

C. Minimum Control Requirements.

1. Storm water discharge during all construction activities shall comply with the terms of the storm water permit, the storm water design standards and regulations, and/or requirements set forth by the building code, and the state of Utah UPDES requirements.

2. Storm water designs shall meet the multi-stage storm frequency storage requirements as identified in the BMP manual unless the city engineer has granted the applicant a full or partial waiver for a particular BMP.

3. Runoff rates from one lot to another may not exceed pre-existing conditions or in such a manner that may unreasonably and unnecessarily cause more harm than formerly.

4. If hydrologic or topographic conditions warrant greater control than that provided by the minimum control requirements, the city engineer may impose any and all additional requirements deemed necessary to control the volume, timing, and rate of runoff.

D. Storm Water Management Plan Requirements. Property owners are responsible to manage storm water runoff and sediment, whether in conduit systems or on the surface, that traverses or originates on their property. In order to manage storm water, the property owner must develop and implement a storm water management plan. The storm water management plan shall include sufficient information to allow the city engineer to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing storm water generated at the project site. To accomplish this goal, the storm water management plan shall include the following:

1. Topographic Base Map. A one inch equals 500 feet topographic base map of the site which extends a minimum of 1,000 feet beyond the limits of the proposed development and indicates:

a. Existing surface water drainage including streams, ponds, culverts, ditches, sink holes, wetlands, and the type, size, elevation, etc., of nearest upstream and downstream drainage structures;

b. Current land use including all existing structures, locations of utilities, roads, and easements;

c. All other existing significant natural and artificial features.

2. Proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads and easements; the limits of clearing and grading.

3. Proposed structural BMPs.

4. A written description of the site plan and justification of proposed changes in natural conditions may also be required.

5. Calculations. Hydrologic and hydraulic design calculations for the predevelopment and postdevelopment conditions for the design storms specified in the BMP manual. These calculations must show that the proposed

storm water management measures are capable of controlling runoff from the site in compliance with this chapter and the guidelines of the BMP manual. Such calculations shall include:

- a. A description of the design storm frequency, duration, and intensity where applicable;
- b. Time of concentration;
- c. Soil curve numbers or runoff coefficients including assumed soil moisture conditions;
- d. Peak runoff rates and total runoff volumes for each watershed area;
- e. Infiltration rates, where applicable;
- f. Culvert, storm water sewer, ditch and/or other storm water conveyance capacities;
- g. Flow velocities;
- h. Data on the increase in rate and volume of runoff for the design storms referenced in the BMP manual; and
- i. Documentation of sources for all computation methods and field test results.

6. Soils Information. If a storm water management control measure depends on the hydrologic properties of soils (e.g., infiltration basins), then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure.

7. Maintenance and Repair Plan. The design and planning of all storm water management facilities shall include detailed maintenance and repair procedures to ensure their continued performance. These plans will identify the parts or components of a storm water management facility that need to be maintained and the equipment and skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan. A permanent elevation benchmark shall be identified in the plans to assist in the periodic inspection of the facility.

8. Landscaping Plan. The applicant must present a detailed plan for management of vegetation at the site after construction is finished, including who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. Where it is required by the BMP, this plan must be prepared by a registered landscape architect licensed in Utah.

9. Low Impact Design Considerations. The plan will be evaluated for the utilization of Low Impact Development (LID) approaches such as infiltration, evapotranspiration, or rainwater harvesting or reuse.

10. Any retention requirement infeasibilities that may occur are to be documented and a rationale shall be provided for alternative design criteria that uses LID practices to the maximum extent possible.

E. Maintenance Easements. The applicant must ensure access to the site for the purpose of inspection and repair by securing all the maintenance easements needed. These easements must be binding on the current property owner and all subsequent owners of the property and must be properly recorded in the land record.

F. Maintenance Agreement. The owner of property served by an on-site storm water management facility must execute a maintenance agreement that shall operate as a deed restriction binding on the current property owner and all subsequent property owners. The maintenance agreement shall:

1. Assign responsibility for the maintenance and repair of the storm water facility to the owner of the property upon which the facility is located and be recorded as such on the plat for the property by appropriate notation.

2. Provide for an annual inspection for the purpose of documenting maintenance and repair needs and ensure compliance with the purpose and requirements of this chapter. The property owner shall arrange for this inspection to be conducted by a qualified inspector, as defined by the Utah Division of Water Quality, who will submit a sealed report of the inspection to the city engineer. If available, a property owner may elect to have the city's public works department perform the annual inspection. Each application for an inspection shall be accompanied by payment of the inspection and other storm water management fees, as adopted by resolution and found in the city fee schedule.

3. Grant permission to the city or the city's consultants to enter the property at reasonable times and to inspect the storm water facility to ensure that it is being properly maintained.

4. Provide that the minimum maintenance and repair needs include, but are not limited to, the removal of silt, litter and other debris, the cutting of grass, grass cuttings and vegetation removal, and the replacement of landscape vegetation, in detention and retention basins, and inlets and drainage pipes and any other storm water facilities. It shall also provide that the property owner shall be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the BMP manual.

5. Provide that maintenance needs must be addressed in a timely manner, on a schedule to be determined by the city engineer.

6. Provide that if the property is not maintained or repaired within the prescribed schedule, the city engineer shall perform the maintenance and repair at its expense, and bill the same to the property owner. The maintenance agreement shall also provide that the city engineer's cost of performing the maintenance shall be a lien against the property.

G. Dedication. The municipality shall have the discretion to accept the dedication of any existing or future storm water management facility, provided such facility meets the requirements of this chapter, and includes adequate and perpetual access and sufficient areas, by easement or otherwise, for inspection and regular maintenance. Any storm water facility accepted by the municipality must also meet the municipality's construction standards and any other standards and specifications that apply to the particular storm water facility in question.

H. Sediment and Erosion Control Plans. The applicant must prepare a sediment and erosion control plan for all construction activities. The sediment and erosion control plan shall accurately describe the potential for soil erosion and sedimentation problems resulting from land disturbing activity and shall explain and illustrate the measures that are to be taken to control these problems. The length and complexity of the plan is to be commensurate with the size of the project, severity of the site condition, and potential for off-site damage. The plan shall be sealed by a registered professional engineer licensed in the state of Utah. The plan shall also conform to the requirements found in the BMP manual, and shall include at least the following:

1. Project Description. Briefly describe the intended project and proposed land disturbing activity including number of units and structures to be constructed and infrastructure required.

2. A topographic map with contour intervals of five feet or less showing present conditions and proposed contours resulting from land disturbing activity.

3. All existing drainage ways, including intermittent and wet weather. Include any designated floodways or flood plains.

4. A general description of existing land cover. Individual trees and shrubs do not need to be identified.

5. Stands of existing trees as they are to be preserved upon project completion, specifying their general location on the property. Differentiation shall be made between existing trees to be preserved, trees to be removed and proposed planted trees. Tree protection measures must be identified, and the diameter of the area involved must also be identified on the plan and shown to scale. Information shall be supplied concerning the proposed destruction of exceptional and historic trees in setbacks and buffer strips, where they exist. Complete landscape plans may be submitted separately. The plan must include the sequence of implementation for tree protection measures.

6. Approximate limits of proposed clearing, grading and filling.
7. Approximate flows of existing storm water leaving any portion of the site.
8. A general description of existing soil types and characteristics and any anticipated soil erosion and sedimentation problems resulting from existing characteristics.
9. Location, size and layout of proposed storm water and sedimentation control improvements.
10. Proposed drainage network.
11. Proposed drain tile or waterway sizes.
12. Approximate flows leaving site after construction and incorporating water runoff mitigation measures. The evaluation must include projected effects on property adjoining the site and on existing drainage facilities and systems. The plan must address the adequacy of outfalls from the development: when water is concentrated, what is the capacity of waterways, if any, accepting storm water off site; and what measures, including infiltration, sheeting into buffers, etc., are going to be used to prevent the scouring of waterways and drainage areas off site, etc.
13. The projected sequence of work represented by the grading, drainage and sedimentation and erosion control plans as related to other major items of construction, beginning with the initiation of excavation and including the construction of any sediment basins or retention facilities or any other structural BMPs.
14. Specific remediation measures to prevent erosion and sedimentation runoff. Plans shall include detailed drawings of all control measures used; stabilization measures including vegetation and nonvegetation measures, both temporary and permanent, will be detailed. Detailed construction notes and a maintenance schedule shall be included for all control measures in the plan.
15. Specific details for: the construction of rock pads, wash down pads, and settling basins for controlling erosion; road access points; eliminating or keeping soil, sediment, and debris on streets and public ways at a level acceptable to the city engineer. Soil, sediment, and debris brought onto streets and public ways must be removed by the end of the work day by machine, broom or shovel to the satisfaction of the city engineer. Failure to remove the sediment, soil or debris shall be deemed a violation of this chapter.
16. Proposed structures; location (to the extent possible) and identification of any proposed additional buildings, structures or development on the site.
17. A description of on-site measures to be taken to recharge surface water into the ground water system through infiltration. [Ord. O-20-2022 § 2 (Exh. A); Ord. O-02-2014 (Exh. A)].

13.75.150 Illicit discharges.

A. Scope. This section shall apply to all water generated on developed or undeveloped land entering the municipality's separate storm sewer system.

B. Prohibition of Illicit Discharges. No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of storm water. The commencement, conduct or continuance of any non-storm-water discharge to the municipal separate storm sewer system is prohibited except uncontaminated discharges from the following sources:

1. Water line flushing or other potable water sources;
2. Landscape irrigation or lawn watering with potable water;
3. Diverted stream flows;
4. Rising ground water;
5. Ground water infiltration to storm drains;
6. Uncontaminated pumped ground water;
7. Foundation or footing drains;
8. Crawl space pumps;
9. Air conditioning condensation;
10. Springs;
11. Natural riparian habitat or wetland flows;
12. Swimming pools (if dechlorinated – typically less than one PPM chlorine);
13. Firefighting activities;
14. Any other uncontaminated water source; and
15. Discharges specified in writing by the city engineer as being necessary to protect public health and safety.

16. Individual residential car washing

17. Dechlorinated water reservoir discharges

The prohibition shall not apply to any non-storm-water discharge permitted under a UPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the state of Utah Division of Water Quality; provided, that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations; and provided, that written approval has been granted for any discharge to the storm drain system.

C. Prohibition of Illicit Connections.

1. The construction, use, maintenance or continued existence of illicit connections to the separate municipal storm sewer system is prohibited.
2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practice applicable or prevailing at the time of connection.

D. Reduction of Storm Water Pollutants by the Use of Best Management Practices. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMPs necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

E. Notification of Spills. Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into storm water, or the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, the person shall notify the city engineer in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the city engineer within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least two years. [Ord. O-20-2022 § 2 (Exh. A); Ord. O-02-2014 (Exh. A)].

15.50.070 Storm water pollution prevention plan.

A storm water pollution prevention plan meeting all requirements as mandated by the state of Utah Department of Environmental Quality shall be required and maintained for all construction within a subdivision. Elements of this SWPPP shall include BMPs to protect the existing and natural storm drainage systems from incurring increased sedimentation. BMPs will include at a minimum silt fences, inlet protection, and stabilized construction entrance. All inlet protection to meet or exceed ASTM D8057 inlet protection standard. Additional BMPs may be required as needed and determined by a certified storm water plans reviewer. The SWPPP is to be approved by the city engineer or his/her designee. The approved SWPPP plan is to be maintained while any construction activities are occurring within a subdivision. Modifications may be made to the SWPPP during the construction process if it becomes evident that additional modifications are needed to protect storm drainage structures or adjacent properties. The SWPPP and all accompanying documentation are to be available electronically at the project site at the time of an on-site inspection or upon request by the DWQ, EPA, or the MS4. The Storm Water Phase II Final Rule, Construction Rainfall Erosivity Waiver, is not offered.

On sites disturbing greater than one acre of land and all commercial sites, the SWPPP sign must be a minimum of four feet wide and three feet tall, bottom of sign placed two feet minimum off the ground, white background with red and black lettering. Pertinent information shall be located at the bottom of the SWPPP sign and shall include the following: authorization to discharge letter/notice of intent (NOI), electronic SWPPP access link, site notice, and the public notice sheet.

Redevelopment projects disturbing greater than one acre, including projects part of a common plan of development or sale which disturbed an acre or greater must provide a site-specific plan for net gain to onsite storm water retention or a reduction to impervious surfaces. Redevelopment projects increasing impervious surfaces by greater than 10% must prevent off-site discharge of the net increase in storm water volume associated with precipitation from all rainfall events less than or equal to the 80th percentile rainfall event.

Single-lot residential home SWPPP signs to be 24 inches wide and 18 inches tall (realtor size) with the bottom of the sign placed a minimum of 12 inches off the ground, front of sign to face toward street and have white background with "SWPPP" in black or red lettering, along with UPDES number. Back of sign to have authorization to discharge letter/NOI and electronic SWPPP access link.

An appeals process shall allow a construction operator to appeal an enforcement option. The appeal process will be included as part of the city's procedures and will be posted in a publicly available location. [Ord. O-21-2022 § 2 (Exh. A); Ord. O-02-2020 § 2 (Exh. A); Ord. O-21-2016 § 2 (Exh. A); Ord. O-13-2015 § 1 (Exh. A)].



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	MOTION/PUBLIC HEARING - Taqueria 27 Restaurant Liquor License Variance Request.		
ITEM TYPE:	Variance		
FISCAL IMPACT:			
APPLICANT:	Laxman Paudyal, Owner of Taqueria 27 Eagle Mountain LLC		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

PREPARED BY:

Johna Rose, Planning

PRESENTED BY:

Johna Rose

RECOMMENDATION:

Staff recommends the City Council consider the variance request.

If the City Council determines that granting a variance would relieve the difficulties or hardship to the applicant, and the distance requirement would result in peculiar and exceptional practical difficulties or exceptional and undue hardships to the applicant, the following motion is appropriate:

I move that the City Council approve the Taqueria 27 restaurant liquor license variance with a finding that compliance with EMMC distance requirements would result in peculiar and exceptional practical difficulties or exceptional and undue hardships to the applicant.

If the City Council determines the proposed distance variance does not result in peculiar and exceptional practical difficulties or exceptional and undue hardships to the applicant, the following motion is appropriate:

I move that the City Council deny the Taqueria 27 restaurant liquor license variance, and find that compliance with EMMC distance requirements does not result in peculiar and exceptional practical difficulties or exceptional undue hardships to the applicant.

BACKGROUND:

The applicant is requesting a variance to have a restaurant liquor license at 3578 E. Pony Express Parkway, Suite 101. The applicant meets all Eagle Mountain Municipal Code (EMMC) requirements, except for the 600-foot distance from a restricted facility, following pedestrian travel. The daycare center at 3563 E. Ranches Parkway is considered a restricted facility as per EMMC Section 5.15.10 Definitions.

EMMC is more restrictive than State Code. The applicant meets all State restaurant liquor license codes. The State distance requirement for a restaurant liquor license is 300 feet to a community location, following pedestrian travel, or 200 feet in a straight line to the property boundary, and the daycare center is not considered a community location.

The City Council may grant a variance if it finds, after a full investigation by a code enforcement officer, that compliance with distance requirements would result in peculiar and exceptional practical difficulties or exceptional and undue hardships to the applicant.

ITEMS FOR CONSIDERATION:**Variance Request Letter:**

As per the applicant's variance request letter, the location meets all DABS (Department of Alcoholic Beverage Services) minimum requirements on all aspects for serving alcohol. The location meets all City requirements, except for EMMC Section 5.15.030 B, the 600-foot proximity to a daycare facility.

The variance letter also states the financial hardship and difficulties with delays if the variance is not granted.

Neighborhood Improvement:

Neighborhood Improvement (Code Enforcement) visited the property on September 25, 2023, and determined the shortest route to the daycare's property line. The shortest distance to travel measured by the pedometer was 315 feet from the restaurant door to the nearest

property boundary (see attached exhibits).

Code:

The Municipal Code sections below state the distance requirements, and that the City Council may grant a variance if it finds that compliance with distance requirements would result in peculiar and exceptional practical difficulties or exceptional and undue hardships in the granting of a restaurant liquor license. EMMC does not define if the applicant must meet both the 600-foot walking route and the 200-foot straight line requirements. EMMC Section 5.15 Liquor Licenses was approved April 26, 1998, and the minutes do not clarify if the applicant must meet both distance requirements.

EMMC 5.15.030(B): Restaurant liquor licensee premises may not be established within 600 feet of any restricted facility as measured from the nearest entrance of the restaurant by following the shortest route of either ordinary pedestrian traffic or, where applicable, vehicular travel along public thoroughfares, whichever is the closer to the property boundary of the restricted facility. Restaurant liquor licensee premises may not be established within 200 feet of any restricted facility measured in a straight line from the nearest entrance of the proposed outlet to the nearest property boundary of the restricted facility.

EMMC 5.15.030(C): The restrictions contained in subsection B of this section govern unless a variance is granted by the city council. The city council may grant a variance if it finds, after a full investigation by a code enforcement officer, that compliance with distance requirements would result in peculiar and exceptional practical difficulties or exceptional and undue hardships in the granting of a restaurant liquor license. Additional circumstances may be considered and include topography, existing permanent physical barriers, sight distance, land use issues, compatibility, travel distance, and other relevant factors. In that event, the city council may, after giving full consideration to all the attending circumstances following a public hearing, authorize a variance from the distance requirements to relieve the difficulties or hardships if the variance may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter, and the city's master plan. If such a variance is granted, the city council may impose additional restrictions upon a licensee to ensure that the intended purpose of the varied restrictions is met.

Nothing in this chapter prevents the city council from considering the proximity of any school or any educational, religious, and recreational facility or any other relevant factor in reaching a decision on a proposed location. [Ord. 98-08 § 1 (Exh. 1 § 5.13.030)].

Below is the State Code regarding restaurant liquor licenses. The applicant meets all State Code requirements. State Code only requires the applicant to meet either the 300-foot following pedestrian travel, or the 200-foot in a straight line to the property boundary requirement:

32B-2.202(2)(b) Except as otherwise provided in this section or Section 32B-1-202.1, the commission may not issue a license for a restaurant if, on the date the commission takes final action to approve or deny the application, there is a community location:

(i) within 300 feet of the proposed restaurant, as measured from the nearest patron entrance of the proposed restaurant by following the shortest route of ordinary pedestrian travel to the property boundary of the community location; or

(ii) within 200 feet of the proposed restaurant, measured in a straight line from the nearest patron entrance of the proposed restaurant to the nearest property boundary of the community location.

The following are definitions from EMMC and State Code, and the differences between "Restricted Facility" and "Community Location":

EMMC 5.15.010 Definitions.

“Restricted facility” means any public or private school, church, public library, public playground, school playground, or park.

“School” means any building, public or private, used primarily for the general education of minors. “School,” in addition to its common usage, includes, but is not limited to, nursery schools or infant day care centers, or trade or technical schools.

State Code 32B-1.102 Definitions.

(23) "Community location" means:

(a) a public or private school;

(b) a church;

- (c) *a public library;*
- (d) *a public playground; or*
- (e) *a public park.*

(115)(a) *"School" means a building in which any part is used for more than three hours each weekday during a school year as a public or private:*

- (i) *elementary school;*
- (ii) *secondary school; or*
- (iii) *kindergarten.*

(115)(b) *"School" does not include:*

- (i) *a nursery school;*
- (ii) *a day care center;*
- (iii) *a trade and technical school;*
- (iv) *a preschool; or*
- (v) *a home school.*

REQUIRED FINDINGS:

The City Council may grant a variance from the distance requirements after full consideration to all the attending circumstances following a public hearing, to relieve the difficulties or hardships to the applicant, if the variance is granted without substantial detriment to the public good and without impairing the intent and purpose of EMMC Chapter 5.15, and the City's master plan. If such a variance is granted, the City Council may impose additional restrictions upon a licensee to ensure that the intended purpose of the varied restrictions is met.

PLANNING COMMISSION ACTION/RECOMMENDATION:

N/A

ATTACHMENTS:

[Variance Request Letter](#)

[Proximity Restrictions - DABS](#)

[Maps, Pedometer Readings](#)



Date: 09-13-2023

Subject: Variance request to grant a local consent for Restaurant Liquor license application

To: The EAGLE MOUNTAIN CITY COUNCIL

Dear City Council Members,

I am excited to bring Taqueria 27 brand to your city. We are a local brand, Owned and operated by a disabled military veteran serving only the state of Utah. I am greatly honored to introduce myself and my restaurant brand to Eagle Mountain City. The support and help from the citizens of Eagle Mountain for our brand is deeply appreciated from the bottom of my heart.

TAQUERIA 27 EAGLE MOUNTAIN LLC is planning to not only serve Mexican food, but also serve alcohol in a family friendly atmosphere. All our locations proudly serve alcohol to the responsible citizens so that the patrons can enjoy their meal where alcohol is an extra choice.

My company would like to apply for the local consent to serve alcohol and get a restaurant liquor license.

The location of my restaurant is: 3578 E PONY Express Parkway, Suite 101 Eagle Mountain UT 84005. This location meets the DABS minimum requirements on all aspects for serving alcohol. According to the DABS: "Trade or technical schools, Infant day care centers and nursery schools are NOT considered community locations". On the other hand, it meets all the city codes except for the EM city code 5.15.030 B, which is its proximity to a day care facility. EM city code 5.15.030 B states the two requirements: The first one is that "the Restaurant liquor license may not be established within 600 feet of any restricted facility as measured from the nearest entrance of the restaurant by following the shortest route of either ordinary pedestrian traffic or, where applicable, vehicular travel along public thoroughfares, whichever is the closer to the property boundary of the restricted facility".

Also, the second requirement states that "Restaurant liquor license premises may not be established within 200 feet of any restricted facility measured in straight line from the nearest entrance of the proposed outlet to the nearest boundary of the restricted facility". The location of my restaurant meets the second requirement and not the first requirement. EM city code does not clearly state if both two requirements should be met or meeting only one requirement is sufficient to gain a liquor license.

Now, EM city code 5.15.030C states that "The restrictions contained in subsection 5.15.030 B of this section will govern unless a variance is granted by the city council. The city council may grant a variance if it finds, after a full investigation by a code enforcement officer, that compliance with distance requirements would result in peculiar and exceptional practical difficulties or exceptional and undue hardships in the granting of a restaurant liquor license".

I am planning to apply for the liquor license with the DABS by October 10th where local consent is a requirement. If liquor license is granted, my restaurant will start serving alcohol by November 1st. If not, then this process will be delayed by one month again. I have invested my life savings in this project along with even cashing out my SEP IRA. I will be taking a 350K loan from the Bank. Not serving alcohol may result in a revenue loss and I might not be able to maintain my financial obligations. Not only that, but my company will also directly employ 30-35 people from the immediate area and revenue loss will directly relate to job loss for the local public.

Keeping all these hardships in mind, I kindly request the city council to please grant me the variance on this matter for my company to obtain local consent for the Restaurant liquor License. The liquor sales will boost the revenue for the business and The Great City of Eagle Mountain could benefit from increased taxes.

I would greatly appreciate a kind consideration from the city council.

Thank you.

A handwritten signature in black ink, appearing to read 'Laxman Paudyal', with a long horizontal stroke extending to the right. The signature is written over a dotted line.

Laxman Paudyal, Owner, TAQUERIA 27 EAGLE MOUNTAIN LLC

PROXIMITY RESTRICTIONS

Pursuant to 32B-1-202, alcoholic beverage licenses **will not be granted** within specific proximity measurements to a community location. These restrictions affect the location of state liquor stores, package agencies and all retail licenses (such as restaurants and bars).

- A "community location" is defined as a church, public or private school, a public park, public playground or a library.
- Trade or technical schools, infant daycare centers and nursery schools are NOT considered community locations.
- Restaurants may not be located within 300 feet measured by ordinary pedestrian travel, or 200 feet measured in a straight line.
- All other outlets may not be located within 600 feet measured by ordinary pedestrian travel, or 200 feet measured in a straight line.

Please note that distances are measured from the nearest *patron* entrance of the proposed outlet to the property boundary of the community location. Please note that the property boundary of the community location includes all contiguous lands obviously connected to and for the use of the community location (such as parking lots and ball fields).

PREVIOUSLY GRANTED VARIANCES

- Previously granted variances will be continued if an outlet held a license on or before May 9, 2017, even if there has been a subsequent change in ownership of the property or outlet. The variance will remain in place unless there is a change in license type, or a gap in licensing where the premises is used for different purposes (such as office space).
- An outlet or a restaurant that has continuously operated at a location since before January 1, 2007 is considered to have a previously approved variance.
- If a community location was established after an outlet receives a license, the outlet may continue to operate. If there is a subsequent change in ownership of the property or outlet, the variance will remain in place unless there is a change in license type, or a gap in licensing where the premises is used for different purposes (such as office space).

For more information, see the [Proximity Laws Notebook](#) [↗](#).







Utah County Parcel Map

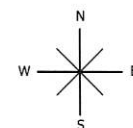
Layout1

315 Ft

1 inch equals 47 feet

Date: 9/25/2023

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey.





TAQUERIA 27™

MEN NAILS

101



WING DIP POWDER PED





Utah County Parcel Map

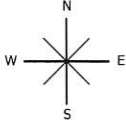
Layout1

361 ft

1 inch equals 94 feet

Date: 9/25/2023

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey.



Utah County Parcel Map

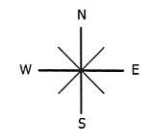
Layout1

272 ft in a straight line

1 inch equals 94 feet

Date: 9/25/2023

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey.





 TAQUERIA27TM



ORDINANCE NO. O- -2023

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE
EAGLE MOUNTAIN MUNICIPAL CODE TITLE 16 SUBDIVISIONS AND
TITLE 17 ZONING, REGARDING LAND USE AUTHORITY,
NOTICING REQUIREMENTS, AND APPROVAL PROCESSES**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Municipal Code Title 16 Subdivisions and Title 17 Zoning, as described in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Eagle Mountain Municipal Code Title 16 Subdivisions and Title 17 Zoning.
2. The amendment described in Exhibit A is hereby approved.
3. This Ordinance shall take effect on the _____ day of _____, 20_____.

ADOPTED by the City Council of Eagle Mountain City this 19th day of September, 2023.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 19th day of September, 2023.

Those voting yes:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Fionnuala B. Kofoed, MMC
City Recorder

Posted on _____ by _____ .

Exhibit A



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
OCTOBER 3, 2023**

TITLE:	UPDATE - Legislative Priorities List		
ITEM TYPE:	Discussion		
FISCAL IMPACT:	n/a		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Cliff Strachan, Admin

PRESENTED BY:

Cliff Strachan, Director of
Legislative Affairs

RECOMMENDATION:

BACKGROUND:

EMMC 2.15.100 establishes a legislative priorities list to clarify by adoption or amendment the authorized ongoing priorities of the city council and to provide direction to the city administrator in prioritizing the day-to-day activities of the director of legislative affairs. The list is provided for information and discussion. The city council may make changes to the list of priorities via majority vote. The attached list includes a description of the issues prioritized, prioritization, status designation, and comments/updates concerning the item.

ITEMS FOR CONSIDERATION:

Three items were proposed for addition to the list at the last meeting. These are listed as 23.046 through 23.047. Item Based on Council member input, only item 23.044 - A review of conditional uses in zoning code leading to reclassification based on defined specification - is rated a high priority.

Now complete: Needed code changes for Item 23.001 Title 16 Subdivisions. Amended water rates for Item 23.034 Water Conservation Issues.

Three items are proposed for the list; awaiting council member input.

See "Date of last update" and "Comment/Update" for updates.

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[Legislative Priorities List](#)

Legislative Priorities List											
Number	Issue	Description	Priority [see EMMC 2.15.100]	Status	Target Date	Date of last update	Comment/Update	Date proposed	Date Adopted	Work with:	Proposed by:
23.001	Title 16 Subdivisions	Review and update language, address concerns in preliminary and final plat approvals regarding language and requirements due to SB174 (state removes council review of residential plats). Tighten up the code.	High Priority	Completed	2/1/2024	10/3/2023	Ordinance changes were approved on 9/19/2023. An item has been added to the 10/3/2023 agenda to add an effective date.	5/2/2023	5/16/2023	Mumford	Curtis
23.009	Facilities Master Plan	Create or update the Facilities Master Plan. Include civic buildings in the plan. Other comments include: Is there a deed restriction that prevents the cemetery from growing...Pony Express Park. Need to have a financial plan to accomplish.	High Priority	In Progress	12/31/2023	10/3/2023	The draft needs assessment report will be discussed at a staff committee meeting on 10/11/2023.	5/2/2023	5/16/2023	Weber	Curtis
23.010	City Hall Land Acquisition	Need to prioritize land acquisition for future civic uses, of different types.	High Priority	New			Related to the Facilities Master Plan project.	5/2/2023	5/16/2023	Jerome	Curtis
23.018	Transportation Funding	Work with MAG/UDOT/Lehi/Saratoga etc. to find out about our transportation funding. For example, the overpass for Mountain View Corridor and SR73.	High Priority	New		9/19/2023	This is relevant per EMMC 2.19.030.G. Address needed UDOT projects. Overpass project is located in Saratoga Springs.	5/2/2023	5/16/2023	Trusty	Love
23.030	Development Code	The Utah Legislature passed several bills in 2023 that necessitate changes to the city's code. SB174, HB364, HB406, HB265, and SB118 all affect the city's development codes. SB199 makes certain land use laws not referable but no changes are needed to the code. SB127 requires changes to internet domains.	High Priority	In Progress	Various	10/3/2023	Some relevant ordinance changes were approved on 9/19/2023.	5/2/2023	5/16/2023	Mumford	Love
23.034	Water Conservation Issues	Adjust water rates to save for infrastructure needs.	High Priority	Completed	1/31/2024	10/3/2023	Rate changes to cover operations and maintenance were approved 9/19/2023.	5/8/2023	5/16/2023	Trusty	Burnham
23.011a	Airport Road	Road needs to be prioritized and upgraded. Don't use the funds for this road on other projects. Council wants to know where this is in the process.	High Priority	In Progress	12/31/2024	8/15/2023	Phase 2 of Airport Road has \$9.1 million set aside from the 2022 Sales Tax bond that was issued. The City was also awarded \$7.2 million from the Transportation Improvement Plan managed by MAG. This funding will become available in FY 2026 and will be used to pay back any transportation impact fees used to make debt service payments on the 2022 Sales Tax Bond and then the remaining funds can either be held to pay the debt off early or held in reserves to make the future debt service payments. Airport Road drawings are in 95% review stage. ROW acquisition is progress, eminent domain letters have been sent, working on legal descriptions. Finalizing north end alignment at SR73.	5/2/2023	5/16/2023	Trusty	Curtis
23.011b	Mid Valley Road	Road needs to be prioritized and upgraded. Don't use the funds for this road on other projects. Council wants to know where this is in the process.	High Priority	In Progress	12/31/2024	10/3/2023	Midvalley Road project widening is already awarded. Extension to Eagle Mountain Blvd is in RFP process. Working on getting final plans out on MVR. Conducting appraisals for Planning and GIS are actively working and making progress on this and having weekly meetings to review the map and resolve any issues.	5/2/2023	5/16/2023	Trusty	Curtis
23.002	Zoning Map Update	Update the city's zoning map(s).	High Priority	In Progress	8/31/2023	9/19/2023	Planning and GIS are actively working and making progress on this and having weekly meetings to review the map and resolve any issues.	5/2/2023	5/16/2023	Mumford	Curtis

Legislative Priorities List											
Number	Issue	Description	Priority [see EMMC 2.15.100]	Status	Target Date	Date of last update	Comment/Update	Date proposed	Date Adopted	Work with:	Proposed by:
23.024	Future Land Use Plan	Redo residential zoning to specify housing unit mix.	High Priority	New		9/19/2023	This code amendment has been assigned to Rob Hobbs in Planning, along with several other priority code amendments. Within R1 there are various lot sizes, developers can propose all smaller size; wants a variety in each development. Tie this into the General Plan item. Working on General Plan map first.	5/2/2023	5/16/2023	Mumford	Love
23.032	Irrigation pipe requirements in code	Currently, we don't require it. Require purple pipe to make use of secondary water or other reuse options for the future. A plan exists, city code authorizes where city can supply water within 3 years. All 3 phases of the plan would cost \$70+M.	High Priority	Ongoing		8/1/2023	An RFP to is out for bids, anticipate October award. Parkway Fields now includes irrigation.	5/2/2023	5/16/2023	Trusty	Love
23.044	A review of Conditional Uses in Zoning Code leading to reclassification based on defined specifications.	The goal is to eliminate conditional uses in Commercial Storage, Agriculture, and Industrial zones by adopting defined specifications for such uses. See EMMC 17.38.040, 17.40.020, and 17.40.040, for conditional uses listed in each zone.	High Priority	New		9/19/2023	This code amendment has been assigned to Rob Hobbs and David Stroud in Planning and is underway.	8/15/2023	9/19/2023	Mumford	Wright
23.008	Rodeo Feasibility Study	Coordinate a feasibility study to consider relocating the rodeo.	Secondary Priority	New		6/6/2023	The rodeo facility is included in the forthcoming Facilities Master Plan. A study for relocating can be done separately.	5/2/2023	5/16/2023	Weber	Curtis
23.023	Water Plan	Establish a water plan based on residential density. Need to get a water element into the GP. ULCT conference showed some water usages based on residents; how much less used when apartments instead of having 1/4 acre lots. Higher density may use more water than 1/4 acre lots. Balance density with road needs and water use.	Secondary Priority	New		5/16/2023	Staff agrees that this needs to be looked at, in the context of multiple scenarios.	5/2/2023	5/16/2023	Trusty	Love
23.003	General Plan Land Use Map Update	Schedule joint 2-hour meeting between CC and PC within 30 days to consider the updates. Consider how to require equal zoning designations per land use designation (i.e., NR1 requires 1/3 unit by count in R1, R2, and R3). Do all designated areas make sense? Consider additional zoning designations (i.e., separate RC from MF1). It is time to look at it and see what needs to be updated, if any. Used to be tiered system...as long as developer met certain (amenities?) requirements, they could have maximum densities. We have 31,000 units vested.	Secondary Priority	New	8/31/2023	9/19/2023	Planning suggests a joint meeting in October/November at the earliest to discuss the Future Land Use Map and possibly the goals/strategies for the Land Use chapter and maybe the Transportation chapter. Looking for specific direction from Mayor and Council before setting up a meeting.	5/2/2023	5/16/2023	Mumford	Curtis
23.015	Buffering Code	Review Zone Transition Code	Secondary Priority	New	12/31/2023	9/19/2023	This has been assigned to a planner and the research/drafting process is beginning.	5/2/2023	5/16/2023	Mumford	Burnham
23.041	Shared Parking	17.55.100 Add traffic engineer's data into the city code to determine what is the right amount of shared parking; and for the City Council to become the land use authority rather than the Planning Commission.	Secondary Priority	New		8/1/2023	The council wants clarity to the parking code and become the land use authority.	8/1/2023	8/15/2023	Trusty	Curtis
23.043	Adjust TMP to designate MidValley as an expressway	Extend it via the future Hidden Valley Road as an expressway as a expedited way in/out of the city. Bring forward earlier the MAG project priority.	Secondary Priority	In Progress		9/19/2023	The Hidden Valley Road project from East Expressway (aka Airport Road) eastward to Redwood Road is unfunded but included in consideration for Phase 3 covering 2043-2050. In response to query about Hidden Valley Road, a copy of the 2023 Regional Transportation Plan was emailed to the Council. Horrocks has given a new alignment which will need to go to the PC and CC. Intending to include HVR in the forthcoming TIP submission.	8/1/2023	8/15/2023	Trusty	Wright
23.006	Wildlife Overlay Zone	Facilitate bringing forward a presentation soon.	Secondary Priority	In Progress	June or July	9/19/2023	Wildlife tours were completed recently. Significant code amendments have been drafted and are undergoing internal review before bringing them forward. Targeting October for a PC meeting to begin the process.	5/2/2023	5/16/2023	Mumford	Curtis

Legislative Priorities List											
Number	Issue	Description	Priority [see EMMC 2.15.100]	Status	Target Date	Date of last update	Comment/Update	Date proposed	Date Adopted	Work with:	Proposed by:
23.004	MDP/MDA Amendment Proposals	Establish criteria for MDP/MDA amendment proposals. Require side by side vesting comparison (may be appropriate for EMMC 16.10.090). Other MDA modifications? Six years - is it serving us? NR2 - discretion is being removed. At ULCT, heard that we have to be careful with MDAs because if not structured carefully they can be undermined. Wants to see some side by side vesting comparisons. We still have some MDAs with unlimited end dates. Need to reevaluate MDAs.	Secondary Priority	New	12/31/2023	9/19/2023	We haven't yet begun this as other higher priority items have taken precedence. Will begin research and discussion on this topic following completion of the higher priorities.	5/2/2023	5/16/2023	Mumford	Curtis
23.013	City-wide Trail Network Plan	Do a trail network plan separate from the bike and pedestrian plan; address power line corridor preservation. Connect trail along wash.	Secondary Priority	In Progress		10/3/2023	Parks' interns completed their GPS project of the trails and will be presenting to the PC on 10/10/2023 and thereafter to the Council. The next step will be to begin a trail network plan.	5/2/2023	5/16/2023	MumfordHickman	Love
23.007	Annual Council Training	Code to establish yearly training of Council by DOLA; to include duties, responsibilities, and authorities granted to the council by the state; LUDMA, OPMA, Ethics, etc.	Secondary Priority	New	12/31/2023	10/3/2023	State code requires annual trainings; Working on an orientation manual for new council members.	5/2/2023	5/16/2023	Strachan	Curtis
23.005	Establish discontinued zoning ordinances	Establish discontinued zoning ordinances for vested undeveloped expired zones or other antiquated land uses. Use Saratoga Springs' 19.04.09-6 Discontinuation of Office Warehouse Zone as a reference.	Secondary Priority	New		9/19/2023	This has been assigned to Rob Hobbs in Planning. He has begun drafting a code amendment that address this issue. It will require additional research, review, etc. before being presented to the PC and CC.	5/2/2023	5/16/2023	Mumford	Curtis
23.038	MIHP re Planned uses for RDA housing allocation funds	Create a policy or approve a plan that identifies the planned uses for the RDA housing allocation funds that come from economic development projects, in compliance with UCA§17C-1-412.	Secondary Priority	New	12/31/2023	9/19/2023	Per MIHP 9.4, Strategy 5. Adopted as a strategy for the MIHP 1/3/2023. LRB is working on a report to further is effort.	8/1/2023	8/15/2023	Berrett	Wright
23.040	Fencing Code	16.35.90 remove ambiguities	Secondary Priority	New		9/19/2023	Rob Hobbs in Planning has drafted code changes and reviewed them with a couple of Council members. Should be going to the PC and CC in the near future.	8/1/2023	8/15/2023	Mumford	Curtis
23.042	Safe Routes for Schools as a Calendar Item	Bring forward each year a staff report on safe routes for school including completing infrastructure projects before school commences.	Secondary Priority	New	5/31/2024		Put this on the calendar by May 31 each year. Note: A proposed bill at the Legislature would require School Districts to provide its safe routes proposals each year and require cities to provide a written response within 60 days indicating projects affecting those routes and any mitigation thereof.	8/1/2023	8/15/2023	Hickman	Love
23.033	Capital Asset Management Plan	Incorporate into our planning and budget process, financing etc. Do impact fees sufficiently cover state mandates like ADUs?	Secondary Priority	New		9/19/2023	This idea came up in discussion and would help every department that has capital assets. Staff are looking into asset management software tools.	5/5/2023	5/16/2023	Ruesch	Love
23.036	MIHP re Impact fees for ADUs	Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530.	Secondary Priority	New	12/31/2023		Per MIHP 9.4, Strategy 3; also requires annual report. Adopted as a strategy for the MIHP 1/3/2023.	8/1/2023	8/15/2023	Berrett	Wright
23.037	MIHP re Transfer of Development Rights	Create a program to transfer development rights for moderate income housing.	Secondary Priority	New	7/1/2026		Per MIHP 9.4, Strategy 4. Adopted as a strategy for the MIHP 1/3/2023.	8/1/2023	8/15/2023	Berrett	Wright
23.025	Powerline Corridor Development	We have applications and need to think about how to develop the power corridor and what uses, vegetation, etc., benefit the city.	Secondary Priority	On Hold		9/19/2023	Todd Black will map all City properties and we will then designate each property with an appropriate designation, along with criteria for which designations could be developed (to what extent), which ones could be improved with trails and/or landscaping, and which ones could be disposed of (sold). This will be a late fall / early winter project.	5/2/2023	8/15/2023	Mumford	Love

Legislative Priorities List												
Number	Issue	Description	Priority [see EMMC 2.15.100]	Status	Target Date	Date of last update	Comment/Update	Date proposed	Date Adopted	Work with:	Proposed by:	
23.028	Full Build Out Scenarios	Given current zoning, what are the city's full build out scenarios? What would we want to change? What roads are needed? How much water is needed?	Proposed	On Hold		5/16/2023	This could be part of the general plan update and we could use a consultant on that.	5/2/2023		Mumford	Love	
23.031	Dashboard of city data and demographics	Provide a dashboard showing data and demographics, for example, permits, population, etc.	Proposed	On Hold		9/19/2023	New Community Development Software, OpenGov, will help us with our reporting and dashboards. May require ESRI ArcMap and other software to work together to visibly display data, if desired.	5/2/2023			Love	
23.035	MIHP re Mortgage Assistance Program	Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality.	Proposed	New	7/1/2024		Per MIHP 9.4, Strategy 2. Adopted as a strategy for the MIHP 1/3/2023.	8/1/2023	1/3/2023		Wright	
23.039	MIHP re Adopt Land Use ordinance re 10% moderate income housing dedication	Adopt a land use ordinance that requires 10% or more of new residential development in certain residential zones be dedicated to moderate income housing.	Proposed	New	12/31/2024		Per MIHP 9.4, Strategy 5. Adopted as a strategy for the MIHP 1/3/2023.	8/1/2023	1/3/2023	Mumford	Wright	
23.029	Master Plan Process	How can the City Council be involved?	Proposed	On Hold			Write a memo; also relates to EMMC 2.19.030.J.	5/2/2023		Jerome	Love	
23.045	Review business licensing with a view to approving or denying licenses based on parking or other code constraints.	The goal is to ensure that businesses seeking licensing are compliant with other code sections.	Proposed	New				8/15/2023	9/19/2023	Mumford	Gray	
23.012	City Food Orchard	Suggests planting wild fruit trees in the city. Mayor supports? Put property to use for community benefit...use city resources to beautify and create a commodity for community use.	Proposed	On Hold				5/2/2023		Hickman	Curtis	
23.016	Staff Report for Development Projects	Wants a staff report before unofficial council feedback. Developments - need more information before meeting with developers. Suggest having the staff report (even the one before the PC) before such meetings. Its hard to meet with the developer without useful information (#units, setbacks, etc.). SM - perhaps a summary of the project, a memo etc.	Proposed	On Hold		9/19/2023	This is a process issue. Planners don't always know developers are already talking to councilors. It may be possible to provide the staff report to the PC to the Council. Could also provide a memo or "heads up" email of some sort to the Council if requested.	5/2/2023		Mumford	Love	
23.019	Advise and Consent	Coordinate with city boards, committees, and commissions.	Proposed	On Hold		5/16/2023	Currently there are empty positions. See what the EMMC directs. What is the status now? Memo	5/2/2023		Kofoed	Love	
23.026	Visitor Parking in Code	Visitor parking proximity in multi-family housing. Wants parking close to units, not all grouped in one area. It requires a code amendment.	Proposed	On Hold		9/19/2023	This is on hold while we work on higher priority code amendments. Will pursue as those are approved/completed.	5/2/2023		Mumford	Love	
23.046	Rooftops and rooftop amenities	Consider a code for roof top amenities and slopes. Allow flat roofs where there are rooftop amenities. Allow higher, steeper roofs for MFDs where a vaulted ceiling is accommodated.	Proposed	New				9/19/2023		Mumford	Burnham	
23.047	Standard background for online meetings	Create a standard background for use in public, teams, and zoom meetings.	Proposed	New			A template has been created; for review.	9/19/2023		Maffitt	Burnham	
23.048	Parking and storage	Consider a code to enable parking garages based on counting as two parking spaces.	Proposed	New				9/19/2023		Mumford	Burnham	

UPCOMING AGENDA ITEMS

Upcoming Items

Consolidated Fee Schedule Update – Impact Fees

Planning Items

Eagle Mountain Medical Site Plan

Eagle Plaza Site Plan

Facebook/Meta UCO RTI Site Plan

Panter Rezone and Recorded Plat Amendment

Peterson Plat Setback Modification Recorded Plat Amendment

Spring Run Phase C Clubhouse Site Plan

Walmart Preliminary Plan and Site Plan

Solar Panel Protection Code

ROW Vacation/Service Drives/ADA etc.