



**Regular City Council Meeting**  
**Tuesday, August 4, 2020**  
**City Hall Council Chambers**  
**5249 South 400 East, Washington Terrace City**  
**801-393-8681**  
[www.washingtonterracecity.com](http://www.washingtonterracecity.com)

\* **Note:** The Centers for Disease Control and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease. Members of the Public may view the meeting via the City's Facebook page at: [Washingtonterracecity.com](http://Washingtonterracecity.com). Comments on appropriate agenda items may be emailed to: [amy@washingtonterracecity.org](mailto:amy@washingtonterracecity.org), or typed into the Facebook live stream at the citizen's comments agenda item.

1. **ROLL CALL** **6:00 P.M.**

2. **PLEDGE OF ALLEGIANCE**

3. **WELCOME**

4. **CONSENT ITEMS**

**4.1 APPROVAL OF AGENDA**

Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

**4.2 APPROVAL OF JULY 21, 2020 MEETING MINUTES**

6. **CITIZEN COMMENTS**

This is an opportunity to address the Council regarding your concerns or ideas that are not on the agenda as part of a public hearing. Please limit your comments to no more than 3 minutes.

7. **COUNCIL/STAFF RESPONSE AND CONSIDERATION TO CITIZEN COMMENTS**

Council and staff will consider and address concerns and take appropriate measures to follow up on any comments made in the citizen comments item on the agenda.

8. **RETURNING BUSINESS**

For more information on these agenda items, please visit our website at [www.washingtonterracecity.com](http://www.washingtonterracecity.com)

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In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

This agenda item consists of items that have previously been discussed in past Council meetings and brought back for further discussion or action.

**8.1 RESOLUTION 20-11: AMENDMENT TO THE FISCAL YEAR 2021 FEE SCHEDULE**

Adjustment of City fee schedule to amend the excavation permit fees, bond issuance amounts, and add fees for “road cuts” and a penalty for working without a permit.

**9. NEW BUSINESS**

This agenda item consists of new items brought to Council for discussion or action.

**9.1 DISCUSSION/DIRECTION: REVIEW OF VARIOUS PARKING REGULATIONS SET FORTH IN CHAPTER 10.12 OF THE MUNICIPAL CODE**

Discussion on ordinance 18-02 regarding parking regulations, including, but not limited to tow truck parking within residential zones.

**9.2 DISCUSSION/ACTION: CITY PARTICIPATION IN THE WEBER COUNTY “MASK UP WEBER” CAMPAIGN**

**10. COUNCIL COMMUNICATION WITH STAFF**

This is a discussion item only. No final action will be taken.

**11. ADMINISTRATION REPORTS**

This is an opportunity for staff to address the Council pertaining to administrative items.

**12. UPCOMING EVENTS**

August 6<sup>th</sup>: Special Planning Commission Meeting 6:00 p.m.  
August 18<sup>th</sup>: City Council Meeting 6:00 p.m.  
August 27<sup>th</sup>: Planning Commission Meeting (Tentative)

**13. ADJOURN THE MEETING: MAYOR ALLEN**

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# City of Washington Terrace

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Minutes of a Regular City Council meeting  
Held on July 21, 2020  
City Hall, 5249 South 400 East, Washington Terrace City,  
County of Weber, State of Utah

9 \* **Note: Due to COVID19 restrictions, the meeting will be available for viewing and citizen**  
10 **comments through the City’s Facebook live stream.**

11  
12 **MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT AT WORK SESSION**

- 13 Mayor Mark C. Allen
- 14 Council Member F. Carey Seal
- 15 Council Member Blair Brown
- 16 Council Member Larry Weir
- 17 Council Member Scott Barker
- 18 Council Member Jeff West
- 19 Finance Director Shari Garret
- 20 City Treasurer Heidi Gerritsen
- 21 GIS/Storm Water Management Kuyler Thompson
- 22 Public Works Director Jake Meibos
- 23 Recreation Director Aaron Solomon
- 24 Chief Building Official/General Planner Tyler Seaman
- 25 City Recorder Amy Rodriguez
- 26 City Manager Tom Hanson

27  
28 **Others Present**

29 Aaron Montgomery, Zions Finance

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32 \* **Note: Due to COVID19 restrictions, the meeting will be available for viewing and citizen**  
33 **comments through the City’s Facebook live stream.**

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36 **1. WORK SESSION : BUSINESS LICENSE FEE STUDY 5:00 P.M.**

37 Garrett stated that we started this study in January of this year. It is now completed. She stated that Aaron  
38 Montgomery lead the project, Heidi Gerritsen, Kuyler Thompson, Tyler Seaman, Clay Peterson have all  
39 worked on compiling the study.

40 Garrett stated that we wanted to make sure that our fees are up to date, as environments have changed  
41 since the study was last completed in 2008.

42  
43 Montgomery stated that the most important purpose of the study is to ensure compliance. Fees charged  
44 must reflect the amount necessary to reasonably regulate businesses.

45 He stated that there are base administrative costs, disproportionate service costs, and enhanced costs that  
46 make up the total business license fee.

47  
48 Administrative costs:

49 Montgomery stated that the base cost has increased from \$100.00 to \$124.47 for a new license and  
50 \$102.00 for renewals. Administrative costs are made up of what it cost to oversee, register, maintain  
51 records, and issue licenses.

52

53 Disproportionate costs are made up of two classes:

54 Regulatory costs- Costs incurred for inspections

55 Disproportionate service costs- Police, Fire and Ems costs above the base level of service multiplied by  
56 cost per call.

57

58 Montgomery stated that the disproportionate costs are broken out by business class. The regulatory costs  
59 cover inspections by Fire and Building Inspections. Garrett stated that pages 15 and 16 of the report  
60 further defines the business types. Garrett stated that family services are broken down by zoning  
61 (commercial and residential).

62

63 Montgomery stated that they looked at police calls, fire, and EMS calls for service over the last 3 years.  
64 He stated that costs for police calls is \$102.76 , whereas Fire/EMS calls are \$420.27.

65 Part of the study was to establish a base ratio for calls for service. Base police calls are .7 and the fire/ems  
66 calls are 1.3. Disproportionate calls over the base rate will be charged a disproportionate fee.

67 Montgomery stated that some classes may have had calls, but they were not over the base amount, and  
68 therefore they will not be charged a disproportionate fee.

69

70 Montgomery stated that the maximum fee is putting the actual cost totally on the business. If the fees are  
71 lowered, it shows how much the city is subsidizing those businesses.

72

73 Montgomery suggested to consider the following when setting fees:

74 Percentage change to current fees, Dollar amount change in fees, Correlation between proposed fees and  
75 actual cost of services, recognition of revenues generated by some businesses, the comparative fees in  
76 neighboring cities. Montgomery noted that the fees in the study is the maximum amount allowed based  
77 on study analysis. The Council may choose to lower the fees, but cannot raise above the study amount.

78

79 Montgomery noted that some of the classes will be charged per room, or per unit.

80 He outlined the changes in business classes, and rental licenses. Garrett stated that we have expanded the  
81 rental categories to allow Council to charge rentals based on categories ( single units, 5-9 units, 50+  
82 units, etc.). Council may also choose to charge all rentals as one category, as is in practice currently.

83

84 Mayor Allen stated that long term care fees have increased dramatically. Garrett stated that Gerritsen has  
85 done a complete assessment of the business classes and will send out the information to Council. Garrett  
86 stated that there are some nuances that will be worth going over while deciding on fees. Mayor Allen  
87 stated that we need to be careful on this and who we affect when we increase fees. Montgomery stated  
88 that it is not unusual to see large disproportionate costs for hospitals and long term care facilities. He  
89 stated that comparing to others with similar classes is important.

90

91 Garrett stated that we are looking to implementing the new rates at the renewal season. Gerritsen stated  
92 that she is working on comparisons with other cities. Garrett stated that some of the fees have increased,  
93 and some have decreased. She stated that the discussion can be brought back to Council at the next  
94 meeting.

95

96 Council Member Brown stated that 28 percent of the calls are coming from the four long term care

97 facilities. He stated that something needs to be done. Thompson clarified that after review, he has found  
98 that it is 16 percent, not 28 percent, but agrees that it is a high number. Mayor Allen stated that we want  
99 to take care of those individuals and do not want to strain any more of them than we need to, but we  
100 should compare what other cities are charging.

101 Hanson stated that he appreciates the work done to bundle the information together.

102 Hanson stated that he would like Council to give the information some thought and encourages more  
103 questions from Council and staff will give clarity as much as possible.

104 Council Member Seal would like to be fair to the businesses, but cautions that we need to be fair to the  
105 residents as well. He would like to see the comparisons with other cities.

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144 **MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT**

145 Mayor Mark C. Allen  
146 Council Member F. Carey Seal  
147 Council Member Blair Brown  
148 Council Member Larry Weir  
149 Council Member Scott Barker  
150 Council Member Jeff West  
151 Fire Chief Clay Peterson  
152 Public Works Director Jake Meibos  
153 Chief Building Official and General Planner Tyler Seaman  
154 City Recorder Amy Rodriguez  
155 City Manager Tom Hanson  
156 Lt. Brett Butler

157  
158 **Others Present**

159 S. Nixon  
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161 2. **ROLL CALL** 6:00 P.M.

162

163 3. **PLEDGE OF ALLEGIANCE**

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165 4. **WELCOME**

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167 5. **CONSENT ITEMS**

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169 **5.1 APPROVAL OF AGENDA**

170 **5.2 APPROVAL OF JUNE 30, 2020 SPECIAL MEETING MINUTES**

171 Items 5.1 and 5.2 were approved by general consent.

172

173 6. **CITIZEN COMMENTS**

174 Hanson read a thank you from Amy Miller from the United Methodist Church for mentioning their  
175 community work in the newsletter, stating that they have received donations and help from residents for  
176 their community programs.

177

178 7. **COUNCIL/STAFF RESPONSE AND CONSIDERATION TO CITIZEN**  
179 **COMMENTS**

180 Mayor Allen stated that we appreciate all Miller and congregation do for the community.

181

182 8. **NEW BUSINESS**

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184 **8.1 PRESENTATION: SHERIFF'S OFFICE QUARTERLY REPORT**

185 Lt. Butler stated that calls for service are rising as things are opening up more with the COVID19  
186 restrictions. Lt. Butler stated that due to COVID, citations slowed, however, they are now coming back  
187 up in numbers. He stated that there was a SWAT called out off of Ridgeline where a resident barricaded  
188 himself in his home. He stated that it took several hours. He stated that there was another large call that  
189 required the help from several neighboring cities. Lt. Butler stated that there have been 12 attempted  
190 suicides and 19 keep the peace calls in the last quarter. He stated that 8 vehicles have been burglarized  
191 and 5 vehicles stolen. He noted that it has been a busy quarter. Hanson stated that there was an assault in

192 one of our parks and the city was able to supply video footage to help out with the case. Mayor Allen  
193 stated that he has participated in several county meetings. Lt. Butler stated that they are fully staffed, and  
194 noted that some of the new officers are coming from Salt Lake City. Lt. Butler stated that they have been  
195 involved with the protests in Salt Lake City as well as Ogden City. He noted that the protests have been  
196 mostly peaceful.

### 197 198 **8.2 PRESENTATION: FIRE DEPARTMENT QUARTERLY REPORT**

199 Chief Peterson stated that there were around 190 calls for service, noting that 180 were medical calls. He  
200 stated that they had one structure fire and one car fire. He stated that they responded to a structure fire  
201 this morning and assisted Riverdale Fire with two grass fires. Peterson stated that 30.73 percent of calls  
202 in the second quarter were responses to nursing call calls. Peterson stated that we are sitting at 29  
203 firefighters as of today. He stated that 2 more should be starting next week, exceeding our goal of 30  
204 firefighters by the end of July. He noted that most are full time firefighters that work for other  
205 departments and are fully trained. Mayor Allen stated that it is a credit to Chief Peterson and Deputy  
206 Chief Davies that we are fully staffed and that people want to come work for our City. Hanson stated that  
207 we are at 3 people per shift. Hanson stated that we now have a much more solid standing.

### 208 209 210 **8.3 PRESENTATION: BUILDING AND PLANNING DEPARTMENT** 211 **QUARTERLY REPORT**

212 Hanson stated that he wanted Seaman to check in with Council on how things have been going.  
213 Seaman stated that the hospital remodel is close to completion. He stated that there are over 20 single and  
214 Duplex housing complexes being built at this time. He stated that it is nice to see. He stated that 12 of  
215 them should be starting soon.

216 Seaman stated that he has created a tracking system for Code Enforcement so that he can follow up with  
217 his cases. He stated that he has not had to deal with one citation yet. He stated that he has been able  
218 to contact the residents and resolve the problems. He stated that he welcomes input from Council if  
219 he is missing any issues.

220 Seaman stated that he is excited about the new Medical Subdivision, noting that we will have a site plan  
221 approval with a medical building on the lot.

222 Seaman stated that he is meeting with Public Works once a month to see what projects on which they  
223 can partner-up. He stated that it has been rewarding to be on the same page with them. Seaman stated  
224 that he is enjoying the work here at the City and appreciates the opportunity.

225 Council Member Brown stated that the quality of some of the new projects is impressive and they will  
226 look nice in 30 years.

227 Seaman stated that he is reviewing some changes for the infill ordinance. The Mayor stated that he  
228 appreciates Hanson and Jeff Monroe for their work on the infill ordinance.

### 229 230 **8.4 PRESENTATION: ANIMAL CONTROL QUARTERLY REPORT**

231 South Ogden Animal Control Stacey Nixon presented to Council. She introduced her new partner Stacey.  
232 Nixon stated that they have been able to handle most of the calls over the phone and have been able to  
233 bring dogs home instead of the Weber County Animal Shelter. She noted that due to COVID19, it is  
234 appointment only at Weber County Animal Shelter. She stated that they try very hard to return the  
235 animals to their homes. She noted that they are working on licensing.

236 She stated that they worked on an ordinance call and made sure that the family remained in compliance.  
237 Mayor Allen stated that we are following up on suggestions from the last meeting (bigger signs, more  
238 doggie pot bags and stations). Hanson stated that there are a lot of dogs off leash in the mornings and  
239 wondered if they would be able to go to the park before their normal hours to educate residents on the

240 leash law. Nixon stated that they would need to speak with their manager if they would be able to change  
241 their hours. Meibos stated the signs will be put at the entrances to the park. Nixon stated that signs may  
242 be efficient on the upper level of the park inside the park. She stated that she does not think people focus  
243 on the signs as they are driving into the park, noting that they may do more good in the parking lots.

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246 **8.5 PRESENTATION: ADJUSTMENT OF EXCAVATION RIGHT-OF-WAY-**  
247 **PERMIT FEES**

248 Meibos stated that the time that it takes to manage the permits and current costs, the City is a little shy of  
249 costs. He stated the permit needs to cover administration, inspections, bonds, construction quality. He  
250 stated that the bond is released after one year. He stated that he proposed a \$100.00 permit fee to cover  
251 the cost of management, and a \$2000 construction bond. He stated that currently we charge \$47.47 for a  
252 permit and \$1000.00 bond.

253 Meibos stated that he would like to implement a \$4.00 per sq ft road cut fee to cover maintaining the  
254 roads over the 12 year life span. This would cover chip seals, surface treatments, and other items needed.  
255 He stated that this would be a new fee to the fee schedule.

256 He would also like to implement a working without a permit fine of \$200.000. Meibos stated that he has  
257 compared our permit fees with neighboring cities.

258 Meibos stated that he would also like to suggest a fee for cutting into a road that is new, or if it has had a  
259 surface treatment within the last 2 years.

260 Mayor and Council agreed that the new fee schedule looks good and it will be discussed at the next  
261 meeting.

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263 **8.6 MOTION/RESOLUTION20-09: APPROVAL OF THE EASEMENT AGREEMENT**  
264 **BETWEEN THE CITY AND THE WEBER COUNTY LIBRARY**  
265 **DEVELOPMENT FUND**

266 Hanson stated that the item was previously tabled, however, the agreement remains as stands. Legal  
267 reviewed the interlocal and County agreed that is was fine to proceed.

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269 **Motion by Council Member Barker**  
270 **Seconded by Council Member Seal**  
271 **To approve Resolution 20-09**  
272 **Easement Agreement between the City and**  
273 **The Weber County Library Development Fund**  
274 **Approved Unanimously (5-0)**  
275 **Roll Call Vote**  
276

277 **9. COUNCIL COMMUNICATION WITH STAFF**  
278

279 Council Member Seal stated that he had a citizen call him concerning garbage cans. He stated that she  
280 told him that both cans are dumped in the same location and wondered why she spent time separating.  
281 Hanson stated that the news article was misleading. He stated that we send all our recycling to Recycled  
282 Earth for processing. He stated that when it has no recycling value, it does go into the landfill. Hanson  
283 stated that recycling is making a bit of recovery. Hanson stated that it passes through the recycling center  
284 first, however, if there is no market, it will be sent to the landfill.

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286 Council Member Seal stated that he believes a dog park would be better than trying to keep dogs on  
287 leashes. Council Member West agrees, stating that there are some nice parks out there.

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Council Member West stated that the chip seal road work has been looking really nice. Meibos stated that the crack seal will continue through next week and the striping should be completed this week. He stated that the chip seal is completed.

**10. ADMINISTRATION REPORTS**

Hanson stated that all of our crossing guards will be back on duty when schools open.

Seaman shared some information on the tow truck ordinance, stating that the ordinance may need to be revamped. He stated that any tow truck under 14,001 pounds is allowed in the city as long as they are far away from the sidewalk. He noted that several tow trucks in the city are under that weight and can remain as long as they are 3 feet off the sidewalk. Mayor Allen stated that when the ordinance was put in place a few years back, the intent was not to allow massive trucks in residential areas. Hanson stated that flat bed tow trucks are not allowed on the street.

**11. UPCOMING EVENTS**

- July 24<sup>th</sup>: City offices closed: Pioneer Day
- July 30<sup>TH</sup>: Planning Commission Meeting 6:00 p.m.
- August 4<sup>th</sup>: City Council Meeting 6:00 p.m.
- August 18<sup>th</sup>: City Council Meeting 6:00 p.m.
- August 27<sup>th</sup>: Planning Commission Meeting (Tentative)

**12. ADJOURN THE MEETING: MAYOR ALLEN**

**Mayor Allen adjourned the meeting at 7:26 p.m.**

**Motion by Council Member Weir  
 Seconded by Council Member Brown  
 To adjourn the meeting  
 Approved unanimously  
 Time: 7:26 p.m.**

\_\_\_\_\_  
**Date Approved**

\_\_\_\_\_  
**City Recorder**

**13. REDEVELOPMENT AGENCY MEETING ( The RDA meeting will begin Immediately following the regular meeting)**

## City Council Staff Report

**Author:** Jake Meibos

**Subject:** Right of way Encroachment / Excavation fee

**Date:**

**Type of Item:** Information/ Discussion



### Summary Recommendation:

#### Description:

- A. **Topic:** Utility work and/or construction work within the City right of way can cause damage to the City's infrastructure and property. To ensure that the City's assets are protected, only a licensed contractor may work in the right of way. Each contractor shall obtain a Right of Way Encroachment / Excavation permit from Washington Terrace City. Permit requirements include construction drawings, traffic control plans, and fee payment.
  
- B. **Background:** The proposed fee scheduled was discussed in the July 21, 2020 Council Meeting and direction given to staff was to proceed with the fee amendments. The attached resolution adopts the fees schedule and fines as discussed. The Resolution will adjust the excavation permit fee, adjust the bond issuance amount, establish a fee for "road cut" per square footage, and establish a penalty for working without a permit.
  
- C. **Department Review:** City Manager, Public Works Director

#### Alternatives:

- A. **Approve the Request:** Staff recommends establishing a cost effective Excavation/Right of Way Encroachment permit fee to protect the City's assets.

**City of Washington Terrace**  
**County of Weber, State of Utah**

**RESOLUTION NO. 20-11**

**A RESOLUTION**  
**AMENDING THE FISCAL YEAR 2021 FEE SCHEDULE**

**WHEREAS**, it is the desire of the City Council of the City of Washington Terrace to continue to function in an efficient and cost efficient manner in providing the citizens with a safe and healthy environment; and

**WHEREAS**, utility work and construction work within the City right of way can cause damage to the City's infrastructure and property; and

**WHEREAS**, the City wants to ensure that the City's assets are protected; and

**WHEREAS**, The City would like to amend its' fees to cover the impact from utility and construction work, endure the quality of the contractor's performance, and prolong the service life of a road; and

**WHEREAS**, the governing body has reviewed the amended fee schedule; and

**WHEREAS**, the Washington Terrace Council deems it necessary to amend the Fiscal Year 2021 Consolidated Fee Schedule;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council to approve amendments to The fiscal year 2021 Building and Planning adjusted fee schedule as attached hereto.

**EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this 4 day of August 2020.

**CITY OF WASHINGTON TERRACE**

\_\_\_\_\_  
**Mayor Mark C. Allen**

**Attest:**

\_\_\_\_\_  
**City Recorder**

Roll Call Vote  
**Council Member Barker** \_\_\_\_  
**Council Member Brown** \_\_\_\_  
**Council Member Seal** \_\_\_\_  
**Council Member Weir** \_\_\_\_  
**Council Member West** \_\_\_\_

**FEE SCHEDULE**

Building Permits & Planning Fees	FY 2021 Final	FY 2021 Amend
<b>Building Permits</b>		
See the building permit fee schedule in the current building code		
65% Plan review fee on commercial permits		
25% Plan review fee on single/multiple family permits		
<b>Plannings Fees (3)</b>		
planning commission review	495.00	
development review fee	200.00	
conditional use permit	270.00	
subdivision & engineer review	\$495 plus \$60 / lot	
zoning amendment or rezone request	496.00	
apartment complex	\$495 plus 40 / unit	
commercial engineering review	501.00	
subdivision off-site improvement inspection	Actual cost	
board of adjustments request	300.00	
excavation permit (bond or deposit*)	47.47	
annexation fee	1,000.00	
site plan fee	395.00	
<b>Excavation &amp; Right-of-Way Encroachment (3.1)</b>		
Permit	-	100.00
Bond	-	2,000.00
Road cut fee	-	\$4 sq. ft.
No permit fine	-	200.00
<b>(3) Plus additional review costs in excess of minimum, if applicable.</b>		
<b>(3.1) Permittee may be required to resurface if a surface treatment has been applied within the past 2 years.</b>		



## Planning Commission Staff Report

Community Development

**Author:** Community Development  
**Subject:** 18.02 Parking Regulations  
**Date:** July 29, 2020  
**Type of Item:** Discussion/Direction

### **A. Background:**

The parking ordinance has potential for amendments due to inconsistencies with other commercial and non-commercial vehicle and trailer parking requirements. There is also a need to clearly define gross vehicle weight, along with enforcement of the actual vehicle weight, or the weight rating the vehicle is allowed to haul.

### **B. Analysis:**

The concern with safety is inconsistent between commercial vehicles/trailers and privately owned vehicles/trailers.

### **C. Department comments:**

There is need for amendments to 18.02 if we are going to be fair in the enforcement while focusing on the safety and livability of our City.

### **D. Discussion/Direction:**

How do we want to proceed with the current parking ordinance and what changes could be made to be more effective in safety overall.

**CITY OF WASHINGTON TERRSACE  
WEBER COUNTY, UTAH**

**ORDINANCE NO. 18-02**

**AMENDED PARKING REGULATIONS**

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE AMENDING THE  
VARIOUS PARKING REGULATIONS SET FORTH IN CHAPTER 10.12 OF THE  
MUNICIPAL CODE; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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

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

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

**WHEREAS**, the City finds it necessary to update its municipal code in order to protect public health, safety, and welfare;

**WHEREAS**, after publication of the required notice the Planning Commission held its public hearing on October 26, 2017, to take public comment on this proposed Ordinance;

**WHEREAS**, the Planning Commission held a public meeting on November 30, 2017, after which the Planning Commission gave its recommendation to approve this Ordinance;

**WHEREAS**, the City Council received the recommendation from the Planning Commission and held its public meeting on \_\_\_\_\_;

**NOW, THEREFORE BE IT ORDAINED** by the Washington Terrace City Council as follows:

**Section 1: Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Amendment.** Various sections of the Washington Terrace Municipal Code are hereby amended to read as follows:

**10.12.40**

**Vehicles ~~for Sale or Merchandise or Used Merchandise for Sale.~~**

1. Streets. It is unlawful to park any motor vehicle, recreational vehicle, any type of trailer, or any other vehicle of any kind on any street, road, or highway for the purpose of displaying it for sale. ~~Neither shall any motor vehicle, recreational vehicle, any type of trailer, or any other vehicle of any kind be parked on any street for the purpose of~~

advertising or for the selling of any merchandise. It is unlawful to advertise or sell merchandise on any street, road, or highway within the City of Washington Terrace.

2. Parking area for the sale of vehicles and other merchandise.
  - a. It is also unlawful to park any motor vehicle, recreational vehicle, any type of trailer, or any other vehicle of any kind for the sole purpose of selling or advertising on any public or private parking area without the permission of the owner. In accordance with municipal code 17.68, approval may be granted by the City under a "Conditional Use".
  - b. This part does not apply to any residential individually owned vehicle or merchandise parked on residential owned property.

#### **10.12.050 Parking of Trucks on Public Roads and Commercial Vehicles**

1. Semi-truck. No semi-truck and/or trailer with a rated capacity licensed for more than Fourteen thousand (14,000) pounds gross vehicle weight shall be parked on the public road for a period in excess of two (2) hours, except while actively loading or unloading personal property or merchandise.
  - a. In no event shall a truck or trailer remain parked for longer than eight (8) hours or in the manner that obstructs traffic.
  - b. In no event shall a semi-truck or semi-trailer be parked within the commercial or residential zones, unless actively engaged in loading and/or unloading.
  - c. Notwithstanding this section, in no circumstances shall a semi-truck and/or trailer be parked on any public road closer than thirty (30) feet to an intersection with a private driveway, private street, alley, or any other type of access.
  - d. For the purposes of this section a semi-truck and/or trailer shall be deemed parked, even though the motor is running, if the vehicle is left standing for any period in excess of three (3) minutes when the same is not attended by a driver lawfully authorized to drive the said vehicle.
2. Commercial vehicles. ~~Tow Truck.~~ The following regulations apply:
  - a. No commercial vehicles and/or tow truck shall be parked on any street, road, or highway unless actively involved in the towing or commercial services of a vehicle and/or at the premises.
  - b. A maximum of one (1) tow truck shall be permitted as an accessory use in the applicable Commercial Zone for any automotive repair use.

#### **10.12.055. Commercial vehicles and trailers in the residential zones**

1. Purpose:

The purpose of this section is to regulate the parking of trucks, trailers and other similar vehicles and equipment of a certain size upon property and streets and roadways in the Residential Zones, which will negatively impact the aesthetics of the residential neighborhood. The following restrictions of the parking of vehicles upon residential properties are in order to further protect the health, safety and general well-being of the residents of Washington Terrace City.

2. Definition:

As used herein, a (14,001) fourteen thousand and one pound commercial vehicle and/or trailer, truck, trailer, bus, or similar like vehicles or equipment shall be considered as a heavy commercial vehicle.

Light duty commercial vehicle allowable for residential use shall comply with the following description, comprise of Classes 1, 2 and 3. The class is determined by the GVWR of the vehicle as follows:

- Class 1 – This class of truck or vehicle has a GVWR of 0 to 6,000 pounds (0 to 2,722kg).(ex. small pick-up-ex. Ranger/colardo)
- Class 2 – This class of truck or vehicle has a GVWR of 6,001 to 10,000 pounds (2,722 to 4,536 kg).(ex. 1500/150 Truck class)
- Class 3 – This class of truck or vehicle has a GVWR of 10,001 to 14,000 pounds (4,536 to 6,350 kg).(ex. 3500/350 Truck class, Utility vehicles, the largest SUVs, many "Dually" pickups, and some heavy duty vans)

3. Vehicle which that has a gross vehicle weight rating (GVWR) or gross combination weight rating of 14,001 or greater shall not be parked in or on a residential property and the following vehicle are prohibited:

- a. A vehicle that is designed to transport more than 15 passengers, including the driver,
- b. A vehicle that is used in the transportation of hazardous materials,
- c. A single, full, or semi-trailer, used in commerce, with a manufacturer's gross vehicle weight rating over 14,000 lbs; or
- d. No commercial vehicles that exceeds Class 3 or fourteen thousand (14,000) pounds shall be parked on any residential street, road, or highway unless actively involved in providing services at any premises within the City.

4. The following regulations apply to the type of vehicles and trailers that shall be allowed in a residential zone:

- a. Motor vehicles which are not considered a commercial vehicle, a private passenger motor vehicle, antique motor car, motorcycle, house trailer, taxicab, ambulance, hearse, delivery vehicle, or school pupil transport vehicle under 15 passengers, and or a pick-up truck under 14000 GVWR, (and/or with advertising, such as logo marking on the doors),
- b. Any Class 3 vehicle under 14,000 pound gross weight rating, and/or have the appropriate signage for notification of service type businesses.

5. Commercial vehicles and trailers parking requirements and/or regulations in the residential zones

- a. Residential commercial vehicle parking requirements:
  - i. Parking must be on an improved surface of concrete or asphalt.
  - ii. The commercial vehicle shall be parked (3) three feet behind Sidewalk.
  - iii. There will be no continuous operation of commercial vehicles engines or accessory generators or compressors and they shall not be left running
  - iv. The commercial vehicle shall not take away or impact the required parking for the residential area or property, all vehicles, trailers or axle devices shall be parked on an approved asphalt or concrete parking area. No parking is allowed on any lawn, landscaping, or non-impervious surface area.
  - v. No construction equipment shall be parked in a residential zone, unless actively engaged in providing an improvement or repair to the premises such as: site construction or landscaping equipment, including but not limited to, backhoe, trencher, bobcat, bulldozer, dump truck, construction trailers, utility equipment, and similar equipment.

- vi. Vehicles with hazardous or toxic materials or odors are not permitted in the residential areas, except sewer repair equipment servicing a residential use.
- vii. No vehicle or axle device shall be parked on grass, or gravel, dirt or any type of soft surface.

b. Commercial Trailer parking requirements:

- i. No commercial trailer having a net total weight of greater than 14,000 pounds shall be parked on a residential property.
- ii. A trailer is an unpowered vehicle towed by a powered vehicle. It is commonly used for the transport of goods and materials.
- iii. No trailer larger than 7 feet wide and 30 feet long shall be parked in residential zone.
- iv. A commercial trailer can be parked within the residential zones, when actively engaged in loading and/or unloading or providing a service for the resident.

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 4. Effective date.** This Ordinance takes effect immediately upon approval and posting.

PASSED AND ADOPTED by the City Council on this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

RECORDED this \_\_\_ day of \_\_\_\_\_, 2018.

PUBLISHED OR POSTED this \_\_\_ day of \_\_\_\_\_, 2018.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of the City of Washington Terrace, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) \_\_\_\_\_, 2) \_\_\_\_\_, and 3) \_\_\_\_\_, on the above referenced dates.

\_\_\_\_\_  
DATE: \_\_\_\_\_

[Subscribe](#)[Past Issues](#)[Trans](#)[View this email in your browser](#)**PRESS RELEASE****July 17, 2020****FOR IMMEDIATE RELEASE****Weber County, Weber-Morgan Health Department, Local Cities and Local Businesses Launching Mask Up Campaign to Slow COVID-19 Spread**

**WEBER COUNTY, UTAH-** The group is set to launch a new public information campaign encouraging citizens to wear masks to prevent the rise of COVID-19 cases and hospitalizations. Since the beginning of the COVID-19 pandemic, Weber County has continuously worked to balance the health of our residents, the necessities of the economy, and the personal American rights of our citizens.

Beginning July 6th, Weber County became one of the first counties to require masks in all government buildings by employees and the public. We will strongly encourage our citizens to Mask Up for Weber County. “When I think about the discomfort of wearing a mask, it doesn’t even compare to the discomfort of being in the hospital on a ventilator with tubes in our bodies,” said Mike Clark, Administrator of McKay-Dee Hospital, “I am so glad we are pulling together in Weber County to fight against COVID-19 by masking up.”

Mask Up Weber is a multifaceted public information campaign designed to further encourage community members to wear a mask in support of their loved ones, the economy and the progress of recovery. Weber County will deliver this campaign through print, billboards, radio ads, social media campaigns, news outlets and more. “We are encouraged to see so many private businesses making the decision to mandate

masks without the heavy-hand of government requiring them,” said Commissioner Jim Harvey, “In America, everyone gets to choose, including the public. We hope they will make the decision to support the health of the community and mask up. It all starts with a mask.”

Weber County is already doing a good job in respecting the health and safety of others, as we’ve seen many businesses and public spaces requiring masks for entry. "I'm very proud of this community for their kindness and awareness of others," said Ogden Mayor, Mike Caldwell. “We all understand that wearing a mask is not the easiest thing to do, but your choice to do so speaks leagues to your compassion and caring of your neighbors and friends in our community as we all pull together to work through these unprecedented times."

Weber County has made progress, but there is still a long road ahead, especially if we don’t work together to slow the spread. Brian Bennion, Executive Director of the Weber-Morgan Health Department shared, “The risk of getting the virus has increased the past month, since we have gone back to work and the economy has been opened.” The Mask Up Weber public information campaign will remind citizens that mask-wearing can keep our community moving forward and help us make it through this trying time together. “It is very important to remember to wear a mask when we are unable to maintain proper social distancing. In addition, we need to wash our hands often and stay home when we are ill,” Bennion said, “These practices will allow us to protect the vulnerable and hospital capacity, as well as, give us the best path to ensure the economy remains open.”

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Want to protect those you love?  
**It starts with a mask.**

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**#MASKUPWEBER**

Want a healthy economy?  
**It starts with a mask.**



**#MASKUPWEBER**

# Miss Sports? It starts with a mask.



**#MASKUPWEBER**

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# Face Masks Required in this Building



Thank you for helping  
keep our community safe!

#MASKUPWEBER



Protecting Our Loved Ones,  
A Healthy Economy,  
Group Activities,  
**It starts with a mask.**

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