



**Tremonton City Corporation
City Council Meeting
November 1, 2016
Meeting to be held at
102 South Tremont Street
Tremonton, Utah**

AGENDA

**CITY COUNCIL WORKSHOP
6:00 p.m.**

1. Review of agenda items on the 7:00 p.m. City Council Meeting
2. **CLOSED SESSIONS:**
 - a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms*
 - b. *Strategy session to discuss the character, professional competence or physical or mental health of an individual strategy sessions to discuss pending or reasonably imminent litigation*

Please note that any agenda item listed on the 6:00 p.m. City Council Workshop may be discussed in the 7:00 p.m. City Council Meeting

**CITY COUNCIL MEETING
7:00 p.m.**

1. Opening Ceremony
2. Introduction of guests
3. Approval of agenda
4. Approval of minutes – October 4, 2016 and October 11, 2016
5. Public comments: This is an opportunity to address the City Council regarding your concerns or ideas. Please limit your comments to three minutes.
6. Employee Years of Service Award
 - a. Kevin Allred, Police Sergeant – 10 Years

7. Council Business:
 - a. Discussion and consideration of adopting Resolution No. 16-50 reaffirming, amending, and enacting new fees and fines in a schedule entitled Tremonton City Consolidated Fees and Fines Schedule including, but not limited to, approving a tiered water rate
 - b. Discussion and consideration of awarding a bid for a new Fire Apparatus estimated to cost between \$755,000 to \$600,000
 - c. Discussion and consideration of awarding the bid for Malad River Trailhead Project
 - d. Discussion and consideration of awarding the bid for the Central Canal Storm Drain Outfall Project
 - e. Discussion and consideration of adopting Resolution No. 16-51 authorizing the signing of a grant of access easement and access agreement between Tremonton City and Travis & Mark Family LC

8. Reports & Comments:
 - a. City Manager Reports and Comments
 - b. City Department Head Reports and Comments
 1. Security Cameras at the Parks – Chief Nance
 - c. Mayor and Council Reports and Comments
 1. COG Transportation Corridor Fund Application

9. **CLOSED SESSIONS:**
 - a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms*

10. Adjournment

Anchor location for Electronic Meeting by Telephone Device. With the adoption of Ordinance No. 13-04, the Council may participate per Electronic Meeting Rules. Please make arrangements in advance.

Persons with disabilities needing special assistance to participate in this meeting should contact Linsey Nessen no later than 48 hours prior to the meeting.

Notice was posted October 28, 2016 a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was delivered to The Leader (Newspaper) on October 28, 2016.

Linsey Nessen, CITY RECORDER

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TREMONTON CITY CORPORATION CITY COUNCIL MEETING October 4, 2016

Members Present:

Diana Doutre
Lyle Holmgren
Jeff Reese
Bret Rohde
Lyle Vance
Roger Fridal, Mayor
Shawn Warnke, City Manager
Linsey Nessen, City Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the October 4, 2016 City Council Workshop to order at 6:02 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Reese, Rohde, and Vance, City Manager Shawn Warnke, and City Recorder Linsey Nessen. The following Department Heads were also present: Parks and Recreation Director Marc Christensen, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler (arrived at 6:23 p.m.).

1. Review of agenda items on the 7:00 p.m. Council Meeting:

The Council reviewed the October 4, 2016 Agenda with the following items being discussed in more detail:

Resolution No. 16-47 Retaining Fire Chief. Manager Warnke stated that Chief Batis will not be in attendance tonight as he is working but appreciates the support from the Council.

Resolution No. 16-48 Establish Utah Enterprise Zone Designation. The City had an enterprise zone in the past. With changes in legislation regarding the threshold, the City is now eligible to participate again. The application will declare the whole City an enterprise zone. It will give certain businesses tax credits based on investment in their business and employment provided. The businesses must meet certain criteria and then the tax credit is carried forward three years. The Council would like to get the information out to business owners by posting to the City's website and through the Bear River Valley Chamber of Commerce. The City must participate by providing an incentive. The proposed incentive is to waive the business license fee once a business shows documentation they have participated in the enterprise zone. The State now requires the businesses to provide a report, which will hopefully provide the City with more information as to who participates.

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Resolution No. 16-49 Compensation and Classification Plan. It is proposed to raise the wage for the crossing guard and bailiff positions. The hope is that the increase will encourage more to apply for the crossing guard position. Manager Warnke commented that it made sense to raise the bailiff position the same as the crossing guard on the compensation plan. The expectations have been elevated and these employees will be included in the pool for random drug tests.

Resolution No. 16-50 Fees and Fines Schedule. State legislature requires any water company that serves more than 500 customers to implement a conservation rate. The staff report includes information and rates gathered from other cities showing industry standards. The City needs additional revenue to help with new requirements. The City is currently doing a secondary water study and will return information to the Council once the study is complete. The Council would like to develop more secondary water. It was noted that secondary water is augmented by culinary water users.

The City may need to get a loan for future projects but if the City has some of the funds set aside it will help to get a lower rate. Impact Fees must be used within six years on projects. Councilmember Rohde does not want to raise water rates and then have to raise them again. He would like to figure the total needed and raise rates accordingly. Manager Warnke noted it is hard to anticipate the revenue based on a tiered rate. The City needs to look long term and the first step is the secondary water plan. Projects and plans will change if the City implements more secondary water as that removes demand from the storage tanks.

Source development is the first priority. The City will need to build and recoup costs from Impact Fees as new growth comes. Councilmember Vance also wondered if the increase should be higher to cover all the necessary expenses. Director Fulgham noted the secondary water study will not be complete for another four to five months. Manager Warnke noted that Director Fulgham has been worried about having enough water in the tanks. We need to do something to mitigate this worry and find a solution. The Council decided to hold a special City Council meeting on October 11, 2016 at 6:00 p.m. to discuss water rates in more depth.

2. ***CLOSED SESSION:***

- a. ***Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms***
- b. ***Strategy session to discuss the character, professional competence or physical or mental health of an individual***

This item was discussed later.

The work session adjourned at 6:53 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the October 4, 2016 City Council Meeting to order at 7:00 p.m. The

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meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Reese, Rohde, and Vance, City Manager Shawn Warnke, and City Recorder Linsey Nessen. The following Department Heads were also present: Parks and Recreation Director Marc Christensen, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Also in attendance was Officer Brian Crockett.

1. Opening Ceremony:

Mayor Fridal informed the audience that he had received no written or oral request to participate in the Opening Ceremony. He asked anyone who may be offended by listening to a prayer to step out into the lobby for this portion of the meeting. The prayer was offered by Chief Nance and the Pledge of Allegiance was led by Director Fulgham.

2. Introduction of guests:

3. Approval of Agenda:

Motion by Councilmember Holmgren to approve the agenda. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

4. Approval of minutes – September 20, 2016:

Motion by Councilmember Rohde to approve the minutes. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

5. Employee Years of Service Award

- a. Brian Crockett, Police Officer – 20 Years

Mayor Fridal thanked Officer Crockett for his 20 years of service to the City.

6. Public comments: Comments limited to three minutes:

Capree Austin lives in Holmgren East and noted there has been concern about the new park. She also asked if a dead end sign can be installed so they do not get so much traffic coming down their road and turning around. She has some safety concerns for the kids with the extra traffic. Director Fulgham said it will need to go the Traffic Advisory Board. Mayor Fridal thanked Ms. Austin.

7. Proclamation:

- a. Domestic Violence Awareness Month October 2016 – Penny Evans of the New

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Hope Crisis Center

Ms. Evans thanked the Council and community for their support. She noted that Tremonton police officers are very empathetic and she thanked Chief Nance and the officers. She gave statistics for the past year in Box Elder County. They served 732 women, 437 children, and 115 men who were impacted by domestic violence, child abuse, dating violence, stalking, and other types of abuse. Ms. Evans shared a letter from a survivor they helped several years ago. The woman has gone on to college and is doing well and thanked the Hope Crisis Center. Ms. Evans asked Mayor Fridal to declare October as Domestic Violence Awareness Month and read a proclamation.

Motion by Councilmember Doutre to proclaim this month as Domestic Violence Awareness month and support these ladies in their work. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved. Councilmember Doutre asked if the numbers have increased, decreased, or stayed even. Ms. Evans said the numbers climb a little each year. It varies from month to month. They had a large number in July and August with 58 women and 51 children for total bed days and nights of 2,374. They serve all of Box Elder County including, men, women, and families. Mayor Fridal thanked Ms. Evans.

8. New Council Business:

- a. Discussion and consideration of adopting Resolution No. 16-47 retaining Steve Batis to serve as the Tremonton City Fire Chief.

Motion by Councilmember Reese to approve Resolution No. 16-47. Motion seconded simultaneously by Councilmembers Doutre and Rohde. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- b. Discussion and consideration of adopting Resolution No. 16-48 approving an application to be submitted to the Governor’s Office of Economic Development to establish a Utah Enterprise Zone Designation for Tremonton City

Motion by Councilmember Holmgren to adopt Resolution No. 16-48 and approve the application for the Governor’s Office of Economic Development (GOED) Enterprise Zone Designation for Tremonton. Motion seconded by Councilmember Vance. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- c. Discussion and consideration of adopting Resolution No. 16-49 approving an amendment to the Tremonton City Compensation and Classification Plan

Motion by Councilmember Reese to adopt Resolution No. 16-49. Motion

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seconded by Councilmember Doutre. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- d. Discussion and consideration of adopting Resolution No. 16-50 reaffirming, amending, and enacting new fees and fines in a schedule entitled Tremonton City Consolidated Fees and Fines Schedule including, but not limited to, approving a tiered water rate

Motion by Councilmember Vance to table Resolution No. 16-50. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- e. Discussion of possible secondary water projects and water conservancy projects in Tremonton City

Director Fulgham spoke about areas now receiving secondary water. The developer for Lower River Valley Subdivision installed dry lines for secondary water. Secondary water can be served there by extending the ten inch water main and upsizing the pumps to handle more flow. Jeanie Stevens Park also has secondary water as does Alice C. Harris Intermediate. The new part of Archibald Estates installed secondary lines that are dry. It could be expanded to include Archibald Estates and run north to Bear River Valley Hospital and Malt-O-Meal. This would alleviate some of the pressure on the system.

There is a system at North and South Park that was installed in the late 70's, early 80's, that feeds off the Tremonton Garland Drainage District line. The system at North Park needs to have an upgraded pump system. The Tremonton Stake Center has a system that feeds their ball park but it is not a guaranteed source. The cemetery has a system that was installed in 1987 or 1988 that feeds the cemetery and waters the ball park at Tremonton South Stake Center. It also comes from the Tremonton Garland Drainage District. The system struggles to supply all the necessary water. Micah Capener is developing the Arbor View Subdivision south of the Tremonton South Stake Center and is willing to put in a secondary water system.

Director Fulgham would recommend expanding secondary water by the River Valley Subdivisions and Jeanie Stevens Park because they would have the most impact on water usage. The projects would cost around \$150K each. The City currently uses a filter with a 300 micron screen. Canal water is dirty and time must be spent weekly cleaning filters, etc. We do not use sand filters as they are costly to build and maintain. They would like to develop a spec showing which heads work better for secondary water.

- f. Discussion and consideration of approving the solicitation of bids to construct a trailhead and a portion of the trail at the Holmgren Nature Preserve and Trail

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The City has been looking at developing the Malad River since the early 1980's. There is a conservation easement for sixty acres with public access. The trail will be one mile long. The City has received grants and contributions to help with this project. They will be putting in green space and everything associated with the parking lot and restroom. The storm drain will be regraded. There will be ten foot of concrete trail and an elevated boardwalk to go over the wetland area. The State funding does not allow the funds to be used for landscaping. The City can apply for additional funds next spring to finish the trail.

City personnel will do a lot of the work on the restroom to save money. They are doing all they can to keep the costs down. Mayor Fridal said Box Elder County has a pull behind tool to prepare the site for trails. The Council spoke about liability and things the City can do to minimize liability such as posting rules. The liability would be similar to existing facilities like the skate park and splash pad. Utah Local Government Trust told Manager Warnke there must be some maintenance during the winter if the trail is open.

This project shows a proposed interlocal fund for \$100K, which comes from Fund 26, Special Revenue Fund, and accounts for Park Impact Fees. It will document that funds were expended ahead of impact fees and the amount will be reimbursed over a long period of time. This will be calculated as a buy in the next time the impact fees are calculated. It can be charged interest. Councilmember Rohde was not aware of any concerns regarding the trail. Mayor Fridal asked Capree Austin to visit with someone from the Council about her concerns so they can be addressed.

Motion by Councilmember Doutre to approve to solicit bids for the construction of the trailhead at Holmgren Nature Preserve and Trail. Motion seconded by Councilmember Rohde. Vote: Councilmember Doutre - aye, Councilmember Holmgren - abstained, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- g. Discussion and consideration of the purchase of a Police K-9 and authorizing funds related to training and equipping the K-9 program

Chief Nance noted they have identified a canine that is available. The training package will reduce the training to six weeks from the regular sixteen weeks, which will save some money. The cost to refit the patrol vehicle will be about \$5K. It is a modular unit installed in the back seat of the truck so they can control the temperature for the canine. It will be built and installed by someone locally and they can help refit it to another vehicle if needed at a future date.

Motion by Councilmember Rohde that the City agree to purchase training, equipping, and maintaining the police K-9 as recommended. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

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- h. Discussion and consideration of accepting a bid to purchase a tractor for the Parks Department

Parks and Recreation Director Christensen said they received bids for a tractor and he recommends the Council approve the bid for a Kubota from Century Equipment. The Council would like to purchase from a local business if Director Christensen is comfortable with the tractor. Director Christensen said he would be okay with the tractor from Buttars. It has a little less horse power than wanted but it meets the minimum they required; and it is a little heavy.

Motion by Councilmember Rohde to recommend going with the Buttars tractor just to keep it local. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- i. Discussion and consideration of disposing of the sewer cleaning jet trailer

Motion by Councilmember Holmgren to dispose of the sewer cleaning jet trailer. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

9. Reports & Comments:

- a. City Manager Reports and Comments

EDC Utah asked to come and talk to the Council. The meeting is expected to take two hours. Manager Warnke will check and see if the presenter can come on October 25, 2016.

- b. City Department Head Reports and Comments

- c. Council Reports:

Councilmember Doutre asked if there are plans to upgrade playground equipment at the parks. Director Christensen stated the dome was removed from Meadow Park because it was rusting and falling apart and the monkey bars will also be removed. They will be replaced with play equipment for toddlers. Councilmember Doutre would like to see some improvements with the playgrounds at the parks. There are some really fun things that could be installed. Director Christensen's primary concern is to get a different surface under the playground equipment as sand has a fall rate of four feet.

Councilmember Holmgren would like to plant more daffodil and tulip bulbs this fall. He would like to put some at the Library and around the clock tower at Midland Square.

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Mayor Fridal noted they need to find a new leader for Youth City Council. He noted there is a grand opening for Dollar Tree this Saturday. He asked the Council to come at 9:00 a.m. and show their support.

Motion by Councilmember Holmgren to move into Closed Session. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

The Council moved into closed session at 8:00 p.m.

- 10. **CLOSED SESSION:**
 - a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms*
 - b. *Strategy session to discuss the character, professional competence or physical or mental health of an individual*

Motion by Councilmember Reese to return to Open Session. Motion seconded by Councilmember Vance. Motion approved by consensus of the Council.

The Council returned to open session at 8:17 p.m.

- 11. Adjournment.

Motion by Councilmember Reese to adjourn the meeting. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

The meeting adjourned at 8:18 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were prepared by Deputy Recorder Cynthia Nelson.

Dated this _____ day of _____, 2016.

Linsey Nessen, City Recorder

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TREMONTON CITY CORPORATION CITY COUNCIL MEETING October 11, 2016

Members Present:

Diana Doutre
Lyle Holmgren
Jeff Reese
Bret Rohde
Lyle Vance
Roger Fridal, Mayor
Shawn Warnke, City Manager
Linsey Nessen, City Recorder

CITY COUNCIL MEETING

Mayor Fridal called the October 11, 2016 City Council Meeting to order at 6:00 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Reese, Rohde, and Vance, City Manager Shawn Warnke, and City Recorder Linsey Nessen. The following Department Heads were also present: Parks and Recreation Director Marc Christensen, Public Works Director Paul Fulgham, and Police Chief David Nance.

1. Opening Ceremony:

Mayor Fridal informed the audience that he had received no written or oral request to participate in the Opening Ceremony. He asked anyone who may be offended by listening to a prayer to step out into the lobby for this portion of the meeting. The prayer was offered by Councilmember Vance and the Pledge of Allegiance was led by Councilmember Holmgren.

2. Introduction of guests:

Mayor Fridal thanked those in attendance for coming.

3. Approval of Agenda:

Motion by Councilmember Reese to approve the agenda. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

4. Approval of minutes – No minutes to approve

5. Public comments: Comments limited to three minutes:

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There were no public comments.

6. City Department Head Reports and Comments

- a. Update on proposed mural located at 145 West Main Street depicting Main Street circa 1960

Director Christensen said property owners have been a little hesitant to put an easement on their property but have granted access to the City for the property and the wall. Mr. Capener has no problem giving permission to the City and allowing them to paint the mural. The mural is a great idea but he does not want to be tied down by an easement. The Council gave approval to proceed with the mural.

7. Presentation:

- a. Presentation on issues pertaining to Tremonton City Council's consideration of a tiered water rate – Shawn Warnke, City Manager & Paul Fulgham, Public Works Director

The City currently charges \$13.70 for a base rate and consumers get 12,800 gallons of water. They pay \$1.13 per 1,000 gallons over the allotted 12,800. The proposed tiered water rates were based on industry standards and other city's rates. The legislature has mandated to implement a conservation rate. Duty factors for average lawns were considered when the tiered rate was compiled. It was noted that most cities in Box Elder County currently have a base rate that includes an allotment of gallons.

The Water Department has a yearly budget of \$1,228,000 in fixed costs for 2016 with \$182,000 in variable water costs. Variable costs include power bills, chemicals, and water purchased from Bear River Water Conservancy. The fixed costs include water department staff, sampling/tests for EPA, and staff for billing. Manager Warnke estimated we would need a base rate of \$31 to cover fixed costs.

Director Fulgham noted that revenue from the base rate has continually gone up as new homes are built. The revenue from the water overage fluctuates based on how much rain came in the spring and fall and conservation. Water usage has gone down the past two years. It was noted that the proposed tiered water rate would only apply to industries with outdoor water usage and all residential units. Manager Warnke stated the City does not have enough water sources to fill to our water rights. Director Fulgham said the City can get more sources by drilling another well. Financially it makes more sense to go with secondary production.

Councilmember Rohde suggested that Councilmember Holmgren talk to developers, rental/apartment unit owners, and the public and report his findings to the Council. Councilmember Reese recommended the Council submit questions via email so they can come back with answers at the next City Council Meeting. The Council would like more information and questions answered before they

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make a decision. They need to be comfortable with the decision and well informed about the direction the City is going so they can answer questions residents bring to them. They will have a limited agenda next City Council so they have more time to discuss this item.

8. Council Business:

- a. Discussion and consideration of adopting Resolution No. 16-50 reaffirming, amending, and enacting new fees and fines in a schedule entitled Tremonton City Consolidated Fees and Fines Schedule including, but not limited to, approving a tiered water rate

Motion by Councilmember Reese to table Resolution No. 16-50 until we get some more information. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

9. Reports & Comments:

- a. City Manager Reports and Consent

No City Manager report.

- b. Council Reports:

No Council reports.

10. **CLOSED SESSION:**

- a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms*

The Council did not have a closed session.

11. Adjournment.

Motion by Councilmember Doutre to adjourn the meeting. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

The meeting adjourned at 7:59 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were prepared by Deputy Recorder Cynthia Nelson.

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Dated this _____ day of _____, 2016.

Linsey Nessen, City Recorder

**TREMONTON CITY
CITY COUNCIL MEETING
November 1, 2016**

TITLE:	Discussion and consideration of adopting Resolution No. 16-50 reaffirming, amending, and enacting new fees and fines in a schedule entitled Tremonton City Consolidated Fees and Fines Schedule, Including but not limited to approving a tiered water rate
FISCAL IMPACT:	As explained in greater detail below it is estimated that the City needs an additionally \$255,000 of revenue annually. There are approximately 3,281 connections to the City's water system, which means that to create this amount of additional revenue that each connection would pay an increase of \$77.72 annually or \$6.47 per month. The proposed rate is anticipated to produce approximately \$262,000 of additional revenue. That said there are several variables that will affect the actual new amount of revenue realized.
PRESENTER:	Curtis Roberts, Finance Director, Shawn Warnke, City Manager & Paul Fulgham, Public Works Director

RECOMMENDATIONS:

City staff is recommending 4 Tier Water Rate, with each tier progressively increasing in the cost per 1,000 gallons. Specifically, the proposed new Residential, Apartments & Institutional Rate - \$8.00 monthly base rate, with no water usage allotted, with a usage rate based on a 4 Tier rate as follows:

- Tier 1 (\$1.25 for a 1,000 gallons for 0 – 7,000 gallons per month use)
- Tier 2 (\$1.50 for a 1,000 gallons for 7,001 – 40,000 gallons per month use)
- Tier 3 (\$2.00 for a 1,000 gallons for 40,001 – 80,000 gallons per month use)
- Tier 4 (\$2.50 for a 1,000 gallons for >80,001 gallons per month use)

This tiered rate is primarily meant to mitigate outdoor use and to obtain more revenue associated with the need to develop more water sources. It is proposed a different rate be used for Commercial (257 connections) & Industrial (26 connections) and the like users that are only using for business and production purposes. Industrial and commercial users would be subject to the 4 tier water rate for meters that are used for outdoor irrigation. However, for water meters that is used solely for business and production purposes the new Commercial & Industrial Rate - \$8.00 monthly base rate with a one tier usage rate of \$1.25 per one thousand gallon.

Further it is recommended that the City take the following actions to inform the public of water conservation and the new conservation rates:

- That the City implement the new water rate in January so that residents can become familiar with the new rate structure before the outdoor irrigation season
- That a letter be sent out signed by the Mayor and City Council to each water user giving a simple and short explaining the reason for the new rate
- That the City send out information showing typical summertime usage with the new rates applied so that resident will have an illustration of how the new rate will affect them
- That the City send out some simple water conservation tips in the water bill

BACKGROUND:

Tremonton City's current rate structure has a base rate of \$13.70 with an allotment of 12,800 gallons and a \$1.13 per 1,000 gallons overage. The City's existing water rate structure is not considered a water conservation rate because there is no increase of charges per 1,000 gallons used based upon tiers.

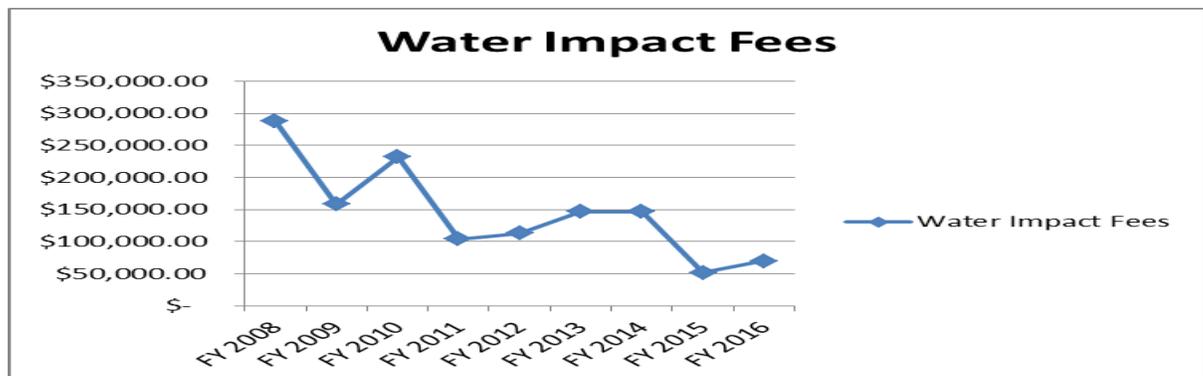
There are several factors that are putting pressure on the City's ability to provide culinary water during the outdoor irrigation season. Additionally, this fund has seen a decrease in recent years from revenues. These factors include but are not limited to: Water Source and Use Pressures; Financial Pressures; and Regulatory Pressures as further explained below.

Water Sources and Use Pressures

- **Additional Water Sources.** In 2014 the City Council adopted a capital facilities plan and impact fee facilities plan that showed that in the City need additional water sources in sometimes in the early 2020's if growth continues and water sources remained constant. There are many factors that will influence the year at which additional water sources are needed such as drought conditions where the City's water sources are not producing as much water; variability of the production of some of the City's industries which use large amounts of water; and the rate of residential growth.
- **Cedar Ridge Well.** In 2011 the City purchased an existing well that services the Cedar Ridge Subdivision and based upon pumping tests the City anticipated that this well would be a good source of water. However, this well has not produced the volume of water originally anticipated.
- **Arid State & Landscaping.** Utah is one of the driest states and generally citizens landscape their yards with grass that require large volumes of water during the summer.
- **Drought Conditions.** Due to drought conditions the City existing water sources have produced less.

Financial Pressures

- **Impact Fees.** In 2013 the City engaged a consultant to do an impact fee facilities plan and impact fee analysis. The result of these plans identified the highest water impact fee that the City could charge. In February of 2014 the City adopted this fee which decreased the amount of water impact fee collected for an equivalent residential unit by \$ (2,058.44). Specifically, the water impact fee had been \$3,342.44 per equivalent residential unit, with the new impact fee being amended to \$1,284.00. Below is a chart that shows the decreasing amounts of water impact fees collected, even though building permits issued have remained fairly consentient at 48 building permits issued for CY 2012; CY 2013; CY 2014; and CY 2015. .



- **Purchase of BRWCD Water.** The City has had to rely more upon the Bear River Water Conservancy District to provide water to meet the City' water needs due to drought conditions, while the City existing water sources are producing less. In October of 1995 the City entered into a 30 year service agreement with the Bear River Water Conservancy District (BRWCD) to purchase water. The agreement provides the City 150-Acre Feet or 48,877,650 gallons per year, at a cost \$51,750 per year or \$1.06 per 1,000 gallons. Last year the City use almost twice base acre feet amount. By contrast last year it costs the City \$0.22 per 1,000 gallons to pump and chlorinate water from the City's sources.
- **Incorrect Deposit of Funds.** City staff's recently identified that the Industrial Pre-Treatment charges (charges for the strength of the effluent, BOD and TSS) were incorrectly set up in Caselle (the City's accounting software) and were being deposited into the Water Fund 51 rather than the Treatment Fund 52. For Fiscal Year 2016, \$158,000 that was originally deposited into the Water Fund is being deposited into the Wastewater Treatment Fund. For Fiscal Year 2015 the amount that was incorrectly deposited into the Water Fund was \$103,000. For the past two years on average \$130,000 was deposited into the Water Fund when it should have been deposited into the Treatment Fund. The Pre-Treatment charges are a variable source of revenue and connected to Post Brands and West Liberty Foods production, but should mitigate the loss in revenue attributed to when Garland disconnects from the Tremonton City Wastewater Treatment Plant. Last year Garland paid approximately \$159,000 for treatment sales and \$10,000 for treatment overage. Going forward the Water Fund will need additional revenue to overcome the revenue that was miss-deposited.

Regulatory Pressures

- *No New Water Rights being Issued.* In or around 2011 the Division of Drinking Water and USGS partnered on a drinking water study adjudicating water rights within the Bear River Valley. During this study period the Division of Drinking Water is not granting the issuance of new water rights. USGS has yet to conclude the study and publish their findings and the moratorium of granting new rights is still in place. City staff is anticipating that the study will show that the Bear River Valley Water Shed has over allocated water rights and that no new additional water rights will be granted. The issuance of no new water rights would greatly impact source development and will likely mean that the City will need to one of more of the following: purchase more water from the Bear River Conservancy District (although they would need to build new infrastructure to supply water to Tremonton); buy existing wells; or develop a secondary water system to alleviate the strain of outdoor water use from City’s culinary water sources.
- *Required Conservation Pricing.* In the 2016 legislative session Senate Bill 28 Water System Conservation Pricing was adopted and codified into Utah Code 73-10-32.5 and requires Tremonton City, a retail water provider, to establish a culinary water rate structure that: 1) incorporates increasing block units of water used; and 2) provides for an increase in the rate charged for additional block units of water used as usage increases from one block unit to the next.

Additionally, it is the City’s objective that the new water rate will do the following:

- Promote Water Conservation, to meet the new Water Conservation Legislation adopted by the State Legislature in the 2016 Legislative Session.
- Encourage water conservation so as to prolong and alleviate demand on existing water sources (hopefully a 10% reduction).
- Increase Water Revenue to be used to help with water source development.

Anticipated Expenses & Impact Fees. As you know the City has done an Impact Fee Facilities Plan to determine upcoming projects within the next 6 to 10 year period. Impact fees can be used to make improvements to the Water System that adds capacity for future growth. Typically the City does not have sufficient growth to generate significant impact fees to construct projects. For this reason the City has had to rely upon User Fees to augment construction projects and for large scale projects the City may need to bond.

You will note that there is approximately \$4,476,513 (future value costs) worth of impact fee projects budgeted within the next 6 to 10 year period. The City has completed the last project noted in table below. As such there is \$4,290,302 (future value costs) of projects remaining. As noted above the City is not growing at a fast enough rate to collect the necessary impact fees without using user fees to undertake these projects. In addition it is important to know that there is approximately \$739,906 dollars’ worth of projects that are not impact fee eligible because the project does not add capacity to the water system, but rather the project is needed to overcome deficiencies within the system which have to be paid solely out of user rate revenues.

Figure 5: Capital Projects

Project Name	Year to be Constructed	Current Cost (PV) 2013	Construction Cost (FV)	% Impact Fee Qualifying	Impact Fee Qualifying Cost	ERU's Served
Replace existing 12" & 10" waterlines with new 18" & 24" lines on 1000 North from 2300 West to the I-15 northbound offramp.	2014	606,913	606,913	95%	574,638	1,350
Replace and upsize main trunk inlet/outlet lines from the lower reservoirs on west hillside bench	2017	910,000	978,050	70%	684,635	1,300
Phase 1 - Replace existing 12" line with a new 20" line from the City's springs in the Bear River bottoms to SR-13 along 1000 North	2015	945,100	968,094	57%	553,878	750
Develop new water sources at locations that will be determined at the time of construction. It is anticipated that this will involve the drilling of new wells	2019	1,540,500	1,737,245	100%	1,737,245	714
Construct line from 750,000 gallon reservoir trunk line to the upper end of Country View Estates.	2020	161,200	186,211	93%	172,245	150
Culinary Total		\$ 4,163,713	\$ 4,476,513	83%	\$ 3,722,641	4,264

In additional to culinary water impact fee facilities plan the City is currently working on a secondary water study that will identify the feasibility and cost to construct a secondary water. As such the City Council will know in the near future potential costs to construct a secondary water system.

Fixed Costs. City staff analyzed the actual expenses for FY 16 and identified that \$1,228,167 of the \$1,410,631 being the total expenses were fixed costs. This means that approximately 87% of budgetary expenses are attributed to all the costs associated with the City having employees, equipment, etc. that are necessary to being able to produce water. These fixed costs mean that even if the City did not sell any water that the City would still have approximately \$1.2 million in expenses. As such City staff identified \$182,463 or 13% of the

total expenses that were variable costs that correlated primarily with the pumping and chlorination of water.

Return on Asset Ratio. Fund 51- Water Fund is to be managed in a business-like fashion. One common approach to examining the financial health of a business is the Return on Asset Ratio, which is an expression of how much return in revenue is being generated from an enterprise's assets. You may recall that the Return on Asset Ratio is calculated as follows: Operating Income (Operating Revenues minus Operating Expenses) divided by Net Fixed Assets.

In previous discussions with Curtis Roberts, Tremonton City's Finance Director he has recommended that this fund have a 6% return on asset ratio to overcome some of the regulatory issues that currently exist of no new appropriations of water rights and are anticipated to continue once the Utah State Engineer's Office and USGS have completed the study.

The following Table shows the Return on Asset Ratio for the past several fiscal years under the heading entitled *Water Fund Return on Asset Ratio*. You will note that in FY 2015 that the City needed an additional \$156,225 of Operating Income to meet the minimum threshold of 6% Return on Asset Ratio.

Water Fund Return on Asset Ratio							
	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Actual Return on Asset Ratio Threshold							
Actual Operating Income	\$201,448	\$302,533	\$378,970	\$262,899	\$256,760	\$148,765	\$91,775
Actual Net Fixed Assets	\$3,378,719	\$2,949,456	\$3,307,948	\$4,239,682	\$4,140,223	\$4,061,166	\$4,135,199
Actual Return on Asset Ratio	5.96%	10.26%	11.46%	6.20%	6.20%	3.66%	2.22%
Proposed Figures Needed to Meet the 6% Return on Asset Ratio Threshold							
Operating Income for 6% Return on Asset Ratio	\$202,750	\$177,000	\$198,500	\$254,500	\$248,500	\$243,765	\$248,000
Difference in Operating Income Between Actual and Proposed 6%	\$ 1,302	\$ (125,533)	\$ (180,470)	\$ (8,399)	\$ (8,260)	\$ 95,000	\$ 156,225

Please note that return on asset ratio is just one financial indicator that the City has used in the past to identify the health of fund. As the City invests into the water system the "actual fixed assets" increase which requires a higher amount of operating income to sustain the 6% asset ratio.

Estimated Revenue

While additionally revenue is not the same as operating income, Curtis Roberts Finance Director has said that due to the fact that there is typically 10% to 13% of the Water Fund that is comprised of variable costs that using additional revenue (without calculating net income) will provide reliable analysis for estimating new water rates. As noted in the Water Fund Return on Asset Ratio table above for Fiscal Year 14 and Fiscal Year 2015 the City has need to on average have an additional Operating Income of \$125,000 to meet the targeted 6% return on asset ratio. Additionally, \$130,000 is the average amount of funds of industrial pre-treatment charges that is now being receipted into the Wastewater Treatment Fund. In total the Water Fund needs approximately \$255,000 in new revenue. There are approximately 3,281 connections to the City's water system, which means that to create this amount of additional revenue that each connection would pay an increase of \$77.72 annually or \$6.47 per month.

Tremonton City's current rate structure has a base rate of \$13.70 with an allotment of 12,800 gallons and a \$1.13 per 1,000 gallons overage. City staff is proposing that there be a base rate without out an allotment of water and a 4 tier escalating charge per 1,000 gallons used. As noted above City staff estimates that an additionally, \$255,000 of new revenue is needed. There are four variables that will affect the revenue that the new conservation rate will yield. These variables include: the base rate charge; the charge per 1,000 gallons for each tier; the allotment of water per tier; and degree that customers conserve/reduces water usage. Below is an explanation of City staff rationale of each variable associated with the new conservation rate and estimated revenue that will be received.

Base Rate. Ideally, the City's base rate (without any allocation of water) would cover the majority of the fixed costs; however because of the high percentage of fixed costs this methodology is not reasonable as monthly base rates would need to be equal to approximately \$31.00 per month. That said City staff is proposing a relatively low base rate compared to the current base rate of \$13.70 and the base rate required to cover the fix costs for the following reasons:

- Customers will not receive an allotment of water associated with the new base rate, for this reason it seems more logical to have a low base rate charge from the customer's perspective.
- That if the residents reduce usage more than the 10% and additional revenue is needed to overcome the

large amount of fixed expenses associated with the Water Fund that the City Council could consider increasing the base rate. Base rates provide a fixed amount of revenue and such an increase would ensure that the Water Fund would receive additional revenue. Based upon the City current connection (being 3,281) each dollar of base rate yields annual revenue of \$39,372.

- Paul Fulgham, Public Works Director obtained municipality water rates in northern Utah (Logan, Salt Lake City, Sandy, and Ogden) that charge a base rate without providing any water attributed to the base rate amount. Of the aforementioned cities the base rate average was \$13.32.

Charge Per 1,000 Gallons Used. As you know the State Legislature has mandated that the City enact a conservation rate. It is difficult to know exactly to what extent the water users will change their water consumption based upon the new rate structure. However, the City needs to provide a financial incentive to reduce consumption. As such City staff is recommending that the charge per 1,000 gallons be as follows:

- Tier 1 (\$1.25 for a 1,000 gallons for 0 – 7,000 gallons per month use)
- Tier 2 (\$1.50 for a 1,000 gallons for 7,001 – 40,000 gallons per month use)
- Tier 3 (\$2.00 for a 1,000 gallons for 40,001 – 80,000 gallons per month use)
- Tier 4 (\$2.50 for a 1,000 gallons for >80,001 gallons per month use)

The City staff thoughts in putting together these suggested charges per 1,000 gallons use are the following:

- There needs to be an incentive to reduce water consumption. The City's current rate per 1,000 over the base rate allotment is \$1.13 per 1,000 gallons. As such it would seem logical that the City needs have charges per 1,000 gallons over the \$1.13.
- That the City pays the Bear River Water Conservancy District \$1.06 per 1,000 gallons. The City needs to sell the water for an amount greater then it pays the Bear River Water Conservancy District.
- Paul Fulgham, Public Works Director obtained municipality water rates in northern Utah (Logan, Salt Lake City, Sandy, and Ogden) that charge a base rate without providing any water attributed to the base rate amount. Of the aforementioned cities the average price for 1,000 gallons for the first tier was \$1.41.

Allotment of Water per Tier. As noted City staff is proposing a 4 tier water rate structure with a certain volume of water allotted to each tier. The proposed water allotment range for each tier is based off of what other cities have set up. Specifically, Salt Lake, Sandy, and Ogden all seem to have water allotment ranges that are similar to what City staff is proposing.

Conservation of Customers. The City hopes that the new conservation rate will realize a 10% reduction in water consumption during the summer months. As discussed in a previous City Council meeting the Governor of Utah is working towards a plan that will result in a 23% conservation. Since usage is unknown it is difficult to estimate revenue that the new conservation rate will yield. However, the City has used a 10% reduction of water consumption, of the historical rate during the irrigation season, being 6 months out of the year. During the winter months when outdoor usage is low the City is anticipating very little conservation. For estimating revenue the City use a 10% reduction in consumption.

Attachments: Water Rates in Northern Utah; excerpts from the Water Capital Facilities Fund

Water Rates in Northern Utah

Tremonton City

Base Rate	\$13.70 (12,800 Gallons) = \$1.07/1000 Gallons
Tier 1	\$1.13/1000 Gallons

Brigham City

Base Rate	\$9.68 (7,000 Gallons) = \$1.38/1000Gallons
Tier 1	\$1.36/1000 Gallons

North Logan City

Base Rate	\$7.11 (0 Gallons)
Tier 1	\$1.57/1000 Gallons

Logan City

Base Rate	\$16.00 (0 Gallons)
Tier 1	\$0.99/1000 Gallons (1 - 10,000 Gallons)
Tier 2	\$1.60/1000 Gallons (>10,001 Gallons)

Salt Lake City

Base Rate	\$9.51 (0 Gallons)
Tier 1	\$1.21/748 Gallons (1 - 6,000 Gallons)
Tier 2	\$1.73/748 Gallons (6,001 - 40,000 Gallons)
Tier 3	\$2.40/748 Gallons (40,001 - 80,000 Gallons)
Tier 4	\$2.53/748 Gallons (>80,001 Gallons)

Sandy City

Base Rate	\$13.74 (0 Gallons)
Tier 1	\$1.56/1000 Gallons (1 - 6,000 Gallons)
Tier 2	\$2.41/1000 Gallons (6,001 - 40,000 Gallons)
Tier 3	\$2.84/1000 Gallons (40,001 - 80,000 Gallons)
Tier 4	\$3.26/1000 Gallons (>80,001 Gallons)

Ogden City

Base Rate	\$20.27 (0 Gallons)
Tier 1	\$1.74/1000 Gallons (1 - 6,000 Gallons)
Tier 2	\$2.66/1000 Gallons (6,001 - 42,000 Gallons)
Tier 3	\$3.07/1000 Gallons (42,001 - 84,000 Gallons)
Tier 4	\$3.46/1000 Gallons (>84,001 Gallons)

3.3 Future Needs

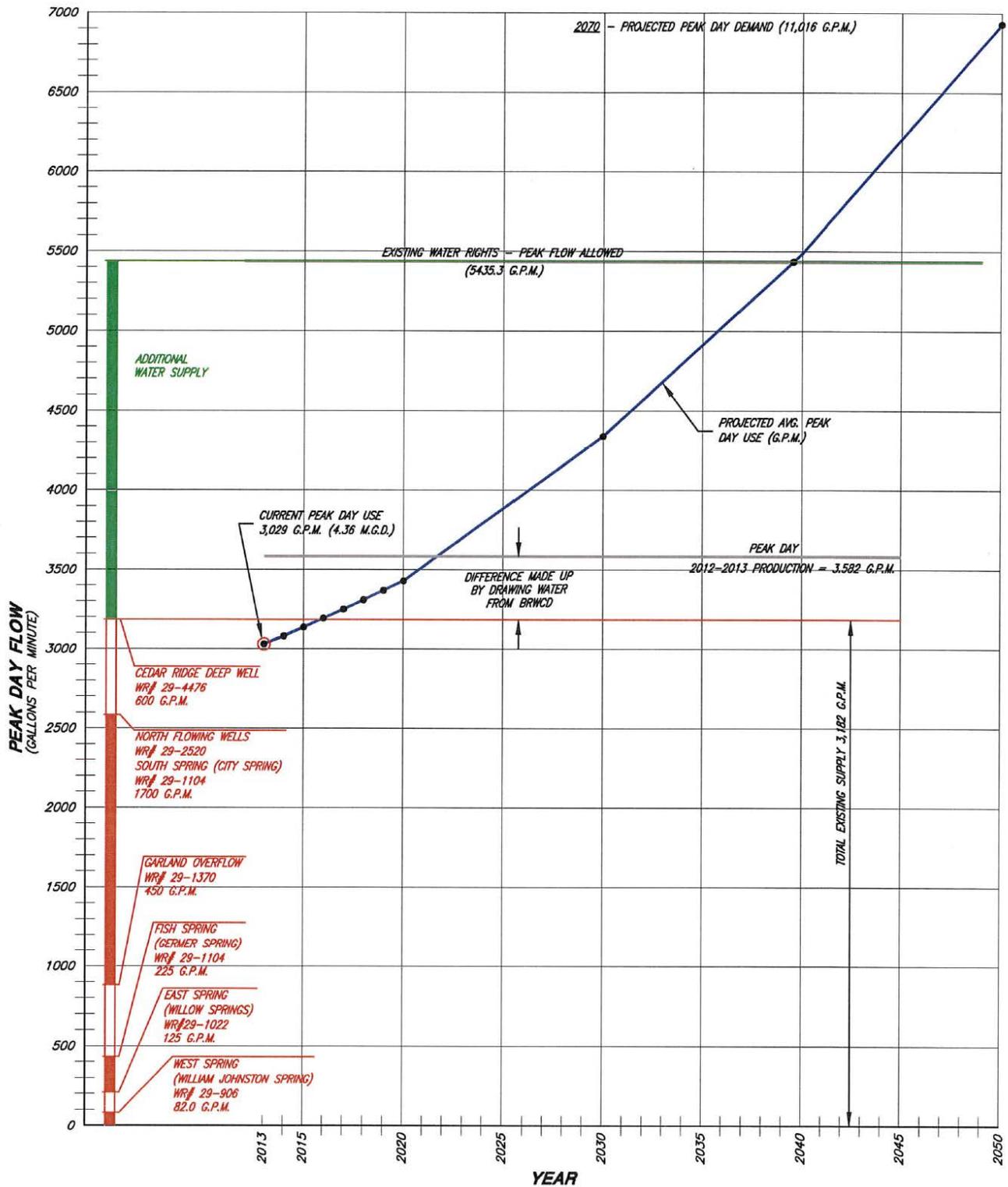
In 2012-2013 the City water sources produced a maximum average peak flow rate of 3,582.0 gallons per minute (gpm). As shown in Figure 3.2.2 (Peak Day Water Use Graph) the demand will exceed production in the early 2020's if growth continues as projected.

The existing water rights will allow for a peak flow rate of 5,435.3 gpm which exceeds the actual available production. In some cases, water rights may be split and the point of diversion changed which will allow the City to leverage excess water rights in the production of new sources. To do this the new sources will need to be in the same general area and they must come from the same drainage basin. All changes must also be approved by the State Engineer's Office.

The Utah State Engineer's office is currently studying the Malad River Basin in regards to the availability of new water rights. In a phone conversation with Mr. Will Atkin, Utah State Regional Engineer, he stated that there is the possibility that the Tremonton area of the basin will be closed to new water rights. Additionally, water shares from the Bear River Canal Company must be used for irrigation purposes and cannot be converted to use for culinary water rights. In addition, the Bothwell Pocket is currently closed for new water right appropriation.

It is imperative that new sources be developed (including acquiring water rights for sources where the existing rights cannot be used) or conservation methods be employed to extend the culinary water available. Some available options and limitations are as follows:

1. There is a possibility of further developing East Spring to gain more water production, however; it is also possible that the production of East Spring is currently maximized. The existing water production of East Spring only uses about 50% of the water right.
2. There is also a possibility of further developing the North Spring, South Spring, and North flowing wells. The water right between the three would allow for 2,655.7 gpm. They currently produce approximately 1,400 gpm. However, it is unlikely that this water right would be completely maximized even with the further development of the springs.
3. Obtain more water from the Bear River Water Conservancy District. The City has experienced problems receiving water from the District during peak summer months of 2013, however; water from the District's other sources may be more reliable.
4. A pressurized secondary water system would reduce the peak culinary water usage by 2/3 to 1/2 in the summer time. The peak time in the summer is the critical time for the water system. A study completed in 2005 estimated the initial cost for such a system at 7.6 million dollars. This would be a longer term solution than any other listed above.
5. Water shares from the Bear River Canal Company must be used for irrigation purposes and cannot be converted to use for culinary water rights.
6. Purchase an existing well and water right. If the well is an irrigation well, the construction of it must be upgraded to drinking water standards. Any farmland associated with it would also need to be taken out of use.



CONSULTING ENGINEERS

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South Ogden, Utah 84403 (801) 476-9767

TREMONTON CITY CORPORATION

CULINARY WATER MASTER PLAN & IMPACT FEE STUDY

PEAK FLOW WATER USE GRAPH

FIGURE

3.2.2

OF SHEETS

0

RESOLUTION NO. 16-50

A RESOLUTION OF TREMONTON CITY COUNCIL REAFFIRMING, AMENDING AND ENACTING NEW FEES AND FINES IN A SCHEDULE ENTITLED TREMONTON CITY CONSOLIDATED FEES AND FINES SCHEDULE, INCLUDING BUT NOT LIMITED TO, A PROPOSED TIERED WATER RATE

WHEREAS, Utah Code 10-8-22 allows for the governing body of a municipality to fix rates for water; and

WHEREAS, in the 2016 legislative session Senate Bill 28 Water System Conservation Pricing was adopted; and

WHEREAS, Senate Bill 28 Water System Conservation Pricing was codified into Utah Code 73-10-32.5 and requires Tremonton City, a retail water provider, to establish a culinary water rate structure that: 1) incorporates increasing block units of water used; and 2) provides for an increase in the rate charged for additional block units of water used as usage increases from one block unit to the next; and

WHEREAS, the Tremonton City Council finds that it is necessary to change its current rates for water to comply with Utah Code 73-10-32.5 and to also generate additional revenue to develop water source for the future needs of Tremonton City.

NOW, THEREFORE, BE IT RESOLVED, by the Tremonton City Council that it reaffirms, amends and enacts new fees and fines herein contained in Exhibit “A”, Tremonton City Consolidated Fees and Fines Schedule and adopts provisions for the collection of fees.

Adopted and passed by the City Council this 1st day of November, 2016. Resolution to become effective upon adoption.

TREMONTON CITY
A Utah Municipal Corporation

By _____
Roger Fridal, Mayor

ATTEST:

Linsey Nessen, City Recorder

EXHIBIT “A”

Tremonton City Consolidated Fees & Fines Schedule

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Section 1 Fee Policies.

1.1 Applicability of Resolution. The Tremonton City Council reaffirms, amends, enacts new fees and fines herein contained in this Resolution, and adopts provisions for the collection of fees. This Resolution does not repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other resolution, ordinances, or laws except to effect modification of the fees and fines reflected herein. The fees and fines listed in this Resolution supersede present fees for services specified and fines, but all fees and fines not listed remain in effect. Where this Resolution imposes a higher fee and fine than is imposed or required by existing provisions, resolution, ordinance, or law, the provisions of this Resolution shall control.

1.2 Waiving Fees to Other Governmental Entities. The City Council hereby delegates authority to the Mayor or City Manager the waiving of fees as they deem expedient contained in this Resolution for services provided to other governmental entities. The City Council, Mayor, City Manager, or Department Heads shall not consider requests to waive fees for a specific individual or entity that are not governmental entities unless otherwise noted in this Resolution or other resolutions or ordinances.

1.3 Electronic Fund Transfers. Tremonton City will not be responsible for electronically transferred funds until they are actually received by Tremonton City.

1.4 Return of Fees.

(a) Utility Services- Billing Errors. Tremonton City attempts to make the utility bills as apparent as possible and it is the responsibility of individuals and entities paying bills to understand the bill and ask questions as necessary. If for some reason there is a billing error associated with a utility service that can be substantiated by the City Treasurer in which payment has been made for utility services not rendered, then the City Treasurer is authorized to refund or credit an individual or entities' utility account for overpayments for up to one (1) year. The City Treasurer shall calculate the refund or credit for one (1) year from the date that the billing error was substantiated.

(b) Utility Services- Service Disruptions. Tremonton City shall not refund or credit utility accounts of individuals or entities associated with service disruptions which may include but is not limited to: line breaks, shutoffs, etc.

(c) Other Services. Unless otherwise stated if a service is not rendered, a Department Head may approve that the fees paid by an individual or entity be returned. Thereafter the Mayor or City Manager may decide if it is appropriate to return the fees. Aggrieved individuals may appeal the Mayor or City Manager's decision to the City Council.

1.5 Procedures for Collecting Fees for Services, Licenses, or Permits Not Listed or Additional Fees.

(a) Fees for Services, Licenses or Permits Not Listed. If a fee for a service, license, or permit is not listed in this Resolution, but the City incurs costs as a result of work performed

by either City staff, a professional or other third party acting as an agent of Tremonton City; the actual costs incurred by Tremonton City plus 5% of these charges for administration shall accrue to, and is payable by, the individual or entity which receives service, executes an application, enters into a development agreement; or request service, license, or permit. The Mayor or City Manager is authorized to reduce the percentage for administration to ensure that the City only collects an amount necessary to cover the costs associated with the administration of services.

(b) Additional Fees. If a service, license, or permit require more resources, either by City staff, services rendered by a professional or other third party acting as an agent of Tremonton City than anticipated in the fee contained in this Resolution, the actual costs incurred by Tremonton City plus 5% of these charges for administration shall accrue to, and is payable by, the individual or entity which receives service, executes an application, enters into a development agreement; or request service, license, or permit.

(c) Billing Statements. The City shall bill the individual or entities for fees not listed in this Resolution or additional fees accruing under this section and all other charges on a regular basis within forty-five (45) days of services. The billing by the City shall be in reasonable detail so that an individual or entity may determine the reason for the expenditure, and fees or charges incurred, along with the rate or other basis for the charge. Billings for fees not listed and additional fees are due upon receipt, and if the balance due is not paid within thirty (30) days of mailing, the individual or entity is delinquent and is in default to the City. Billing statement from the City to the individual or entity shall be deemed correct, accurate, undisputed and due in full unless the City Treasurer shall receive in writing of a disputed bill in reasonable detail to ascertain the exact question or matter in dispute within thirty (30) days of the postmarked date on the mailed statement or the date of hand-delivery if the statement is not delivered through the U.S. Mail.

(d) Conference with Individual or Entity. The individual, entity, or their representatives, may informally confer with City staff, including but not limited to the City Manager, Treasurer, an appropriate Department Head to obtain further information, ask questions, and receive clarification of charges included on the billings. An informal conference may result in changes to the bill from the City to the individual or entity. If the bill is corrected or changed, the individual or entity shall pay the corrected bill within fifteen (15) days of receipt of the corrected bill.

(e) Disputed Amount to City Council. Any disputed amount after the individual or entity has conferred with the City Staff may be disputed to the City Council. The individual or entity shall notify the City Treasurer again in writing regarding the contested amount. The City Treasurer shall notify the City Manager of the need to place the issue on the City Council's agenda. The City Council shall consider the payment dispute in a regularly scheduled City meeting. Notice of the time, date and place of the meeting where the disputed statement will be considered by the City Council will be mailed to the individual or entity not less than five (5) days before the date of the meeting. The individual or entity may present any statement or evidence supporting the individual or entity's position with respect to the dispute. The City

Council shall vote on each disputed charge to determine whether or not to reduce or eliminate the disputed charges. The decision of the City Council shall be final.

(f) Individual or Entity in Default. Individuals or entities shall remain in good standing with all amounts due and payable to the City paid as such amounts become due. Individual or entities that are delinquent in payment of charges to the City shall be deemed to be in default and future request for services shall be delayed until the individual or entity has remedied the default.

1.6 Delinquent Fees & Financial Penalties Due. The City will monitor any amounts due and vigilantly pursue payments due via either collection agency, small claims court, or district court and other legal remedies. The City will discontinue services for non-payment.

1.7 Theft of Services. Theft of services will be dealt with according to local, state and federal law.

1.8 Payments Made Under Protest. Based upon specific circumstances surrounding when a payment is required and due the City may accept or reject payments from individuals or entities when the payment is made under protest based upon counsel from the City Attorney.

Section 2 Citywide Common Fees.

2.1 Citywide Common Fees. The following fees and charges are approved and shall be assessed by all City departments or offices unless otherwise specifically noted with their respective sections:

Citywide Common	Fees
Postage	Actual cost to City
Credit & Debit Card Service Fees ¹	3% of payment, paid by the credit or debit card
Other costs allowed by law	Actual cost to City
Dishonored/Returned Check	\$25.00
Copies/Print- Black and White ¹	
Paper Size: 8 ½” x 11”	\$0.10 per single sided page
Paper Size: 8 ½” x 11”	\$0.15 per double sided page
Paper Size: 8 ½” x 14”	\$0.15 per printed page
Paper Size: 11” x 17”	\$0.20 per printed page
Copies/Print- Color ¹	
Paper Size: 8 ½” x 11”	\$1.00 per printed page
Paper Size: 8 ½” x 14”	\$1.50 per printed page
Paper Size: 11” x 17”	\$2.00 per printed page
Copies/Print- Partial Color for 8 ½” x 11” ²	
Full Size Color Page	\$1.00 per printed page
Three-Quarter Size Color Page	\$0.75 per printed page
Half Size Color Page	\$0.50 per printed page
Quarter Size Color Page	\$0.25 per printed page
Fax ²	

Citywide Common	Fees
Send	\$0.50 per page
Receive	\$0.50 per page
Data ²	
Data CDROM	\$3.00

¹ Note: Credit & Debit Card Service Fees do not apply to payments for ambulance services.

² Note: City staff may elect to waive the fee at their discretion.

Section 3 Building Fees.

3.1 Residential Dwelling & Residential Outbuilding Inspection Fees. The following fees and charges are approved and shall be assessed and collected by the Building Department or the City Treasurer for Residential Dwelling & Residential Outbuilding Building Inspections:

Residential Dwelling & Residential Outbuilding Inspections ^{1, 2, 3}	Fees
Inspection Fee	1% of the Building Valuation ⁴
Re-inspection Fee	\$25.00
Administration Fee	10% of the Inspection Fee
State Fee	1% of the Inspection Fee
Garbage Can Purchase	See <i>Section 8.1 Garbage Collection Service Fees</i> for amount
Small Scale Remodel or Construction	
Electrical Inspection Only	\$45.00
Plumbing Inspection Only	\$45.00
Mechanical Inspection Only	\$45.00

¹ Note: Residential buildings includes up to a four-plex (single family attached dwellings with four separate units). Five or more attached single family dwellings are included in the *Section 3.3 Industrial, Institutional, Commercial, & Governmental Inspection Fees*.

² Note: Each project will be assessed an *Inspection Fee, Administration Fee, and State Fee*.

³ Note: Refunds for inspection fees issued will be limited to 80% of the permit costs, no later than 90 days after the date of fee payment.

⁴ Note: Building Valuation for Residential Dwelling and Residential Outbuilding is determined according to the following schedule:

Residential Dwelling & Residential Outbuilding Building Valuation Table	
Type of Construction	Valuation
Type V-Wood Frame	\$78.35 per square foot
Basements	

Residential Dwelling & Residential Outbuilding Building Valuation Table	
Type of Construction	Valuation
Semi – Finished (Stud and insulated outside walls)	\$23.95 per square foot
Unfinished	\$15.00 per square foot
Finished	\$39.17 per square foot
Private Garages	
Wood Frame	\$31.46 per square foot
Open Carports	\$15.73 per square foot
Agricultural	
Without Floor	\$5.00 per square foot
With Floor	\$7.00 per square foot

3.2 Residential & Outbuilding Plan Review Fees. The following fees and charges are approved and shall be assessed and collected by the Building Department or the City Treasurer for Residential & Outbuilding Plan Reviews:

Residential & Outbuilding Plan Review	Fees
Plan Review Fee	No charge
Identical Plan Review Fee ¹	No charge

¹ Note: Identical plans means building plans submitted to the City that are substantially identical to building plans that were previously submitted to and reviewed and approved by the City and describe a building that is: located on land zoned the same as the land on which the building described in the previously approved plans is located; and subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans. (See Utah Code 10-9a-103 (17))

3.3 Industrial, Institutional, Commercial, & Governmental Inspection Fees. The following fees and charges are approved and shall be assessed and collected by the Building Department or the City Treasurer for Industrial, Institutional, Commercial, & Governmental Inspections:

Industrial, Institutional, Commercial, & Governmental Inspections ^{1,2}	Fees
Inspection Fee	1% of the <i>Building Valuation</i> ³
Administration Fee	10% of the <i>Inspection Fee</i>
State Fee	1% of the <i>Inspection Fee</i>

¹ Note: Each project will be assessed an *Inspection Fee*, *Administration Fee*, and *State Fee*.

² Note: Refunds for inspection fees issued will be limited to eighty percent (80%) of the permit costs, no later than ninety (90) days after the date of fee payment.

³ Note: Building Valuation for Industrial, Institutional, Commercial, and Governmental Inspections is determined according to the following schedule:

Industrial, Institutional, Commercial, & Governmental Building Valuation Table										
Square Foot Construction Costs										
Group	(2009 International Building Code)	Type of Construction								
		IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1	Assembly, theaters, with stage	209.03	201.94	196.75	188.15	176.47	171.57	181.48	161.35	154.50
A-1	Assembly, theaters, without stage	191.23	184.13	178.94	170.34	158.71	153.81	163.67	143.59	136.74
A-2	Assembly, nightclubs	160.09	155.52	151.22	145.17	136.30	132.65	139.79	123.65	119.04
A-2	Assembly, restaurants, bars, banquet halls	159.09	154.52	149.22	144.17	134.30	131.65	138.79	121.65	118.04
A-3	Assembly, churches	193.14	186.04	180.85	172.26	160.58	155.68	165.58	145.46	138.61
A-3	Assembly, general, community halls, libraries, museums	162.16	155.07	148.87	141.28	128.60	124.70	134.60	113.47	107.62
A-4	Assembly, arenas	190.23	183.13	176.94	169.34	156.71	152.81	162.67	141.59	135.74
B	Business	161.58	155.71	150.53	143.16	129.88	125.17	137.22	114.17	108.80
E	Educational	175.15	169.10	163.94	156.43	144.88	137.56	151.05	126.61	121.84
F-1	Factory and industrial, moderate hazard	96.91	92.37	86.79	83.63	74.69	71.55	80.00	61.55	57.91
F-2	Factory and industrial, low hazard	95.91	91.37	86.79	82.63	74.69	70.55	79.00	61.55	56.91
H-1	High Hazard, explosives	90.85	86.31	81.73	77.57	69.81	65.67	73.94	56.67	0.00
H234	High Hazard	90.85	86.31	81.73	77.57	69.81	65.67	73.94	56.67	52.03
H-5	HPM	161.58	155.71	150.53	143.16	129.88	125.17	137.22	114.17	108.80
I-1	Institutional, supervised environment	162.37	156.65	152.01	145.43	133.42	129.91	141.65	119.85	115.15
I-2	Institutional, hospitals	271.73	265.86	260.68	253.31	239.20	0.00	247.37	223.49	0.00
I-2	Institutional, nursing homes	189.29	183.43	178.25	170.87	157.89	0.00	164.93	142.19	0.00
I-3	Institutional, restrained	184.09	178.22	173.04	165.67	153.62	147.91	159.73	137.92	130.54
I-4	Institutional, day care facilities	162.37	156.65	152.01	145.43	133.42	129.91	141.65	119.85	115.15
M	Mercantile	119.23	114.67	109.36	104.31	95.08	92.44	98.94	82.44	78.82
R-1	Residential, hotels	163.76	158.05	153.40	146.82	134.98	131.47	143.21	121.40	116.71
R-2	Residential, multiple family	137.01	131.30	126.66	120.08	108.90	105.39	117.13	95.33	90.63
R-3	Residential, one- and two-family	128.70	125.13	122.06	118.84	114.47	111.50	116.87	107.27	100.95
R-4	Residential, care/assisted living facilities	162.37	156.65	152.01	145.43	133.42	129.91	141.65	119.85	115.15
S-1	Storage, moderate hazard	89.85	85.31	79.73	76.57	67.81	64.67	72.94	54.67	51.03
S-2	Storage, low hazard	88.85	84.31	79.73	75.57	67.81	63.67	71.94	54.67	50.03
U	Utility, miscellaneous	70.31	66.34	62.07	58.69	52.32	48.93	55.76	40.58	38.66

3.4 Industrial, Institutional, Commercial, & Governmental Plan Review Fees. The following fees and charges are approved and shall be assessed and collected by the Building Department or the City Treasurer for Industrial, Institutional, Commercial, & Governmental Plan Reviews:

Industrial, Institutional, Commercial, & Governmental Plan Reviews	Fees
Plan Review Fee ¹	25% of the Total Inspection Fee (<i>Inspection Fee, Administration Fee, and State Fee</i>)

Industrial, Institutional, Commercial, & Governmental Plan Reviews	Fees
Identical Plan Review Fee ²	No charge

¹ Note: No refunds for plan review costs will be given if the plan review has been completed.

² Note: Identical plans means building plans submitted to the City that are substantially identical to building plans that were previously submitted to and reviewed and approved by the City and describe a building that is: located on land zoned the same as the land on which the building described in the previously approved plans is located; and subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans. (See Utah Code 10-9a-103 (17))

3.5 Miscellaneous Building Inspection Services. The following fees and charges are approved and shall be assessed and collected by the Building Department or the City Treasurer for Additional Building Inspection Services:

Miscellaneous Building Inspection Services	Fees
Inspections outside of normal business hours (minimum charge-2 hrs)	\$70.00 per hour ¹
Re-inspection fees assessed under provisions of Section 305.8	\$47.00 per hour ¹
Inspections for which no fee is specifically indicated (minimum charge—one-half hour)	\$47.00 per hour ¹
For use of outside consultants for plan checking and inspections	Actual costs plus 5% for the bill for the administration costs
For all Mobile Homes and Manufactured Housing	\$150.00
Temporary Occupancy Fee	\$100.00 plus 120% of value of uncompleted items ²
Work Done without Permits- Investigation Fee	200% of Permit Fee

¹ Note: Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, and hourly wages of the employees involved.

² Note: The one hundred twenty percent (120%) of value, of uncompleted items, is refundable upon issuance of permanent Certificate of Occupancy.

3.6 Wastewater Treatment Impact Fee - Residential. The following fees and charges are approved and shall be assessed and collected by the Building Department or the City Treasurer for Wastewater Treatment Impact Fees - Residential:

Wastewater Treatment Impact Fee - Residential		
Land Use	Equivalent Residential Unit (ERU)	Wastewater Treatment
Single Family Residential	1 ERU	\$1,379.93
Duplex/Condominium	1 ERU per unit	\$1,379.93

Wastewater Treatment Impact Fee - Residential		
Land Use	Equivalent Residential Unit (ERU)	Wastewater Treatment
Multiple Family Residential	.0654 ERU per unit	\$902.47
Mobile Home	1 ERU	\$1,379.93

3.7 Wastewater Treatment Impact Fee - Commercial. The following schedule enumerates the Equivalent Residential Unit for Wastewater Treatment for Commercial Land Uses. Impact Fee shall be paid based upon the commercial land uses impact as compared to an Equivalent Residential Unit in Section 3.6 Water Treatment Impact Fee - Residential.

Wastewater Treatment Impact Fee - Commercial^{1, 2, 3}	
Land Use	Sewer Equivalent Residential Unit (ERU)
Banks	1 ERU
Barber Shops	1 ERU
Beauty Shops	1 ERU
Bowling Alley with Snack Bar	2.5 ERU
Car Dealership	1 ERU
Car Washes – Self Service	21 ERU
Child Care Centers	0.013 ERU
Dental Offices	1 ERU
Department Stores	1 ERU
Drug Stores	1 ERU
Dry Cleaners	2.5 ERU
Funeral Homes	1 ERU
Furniture Store	1 ERU
Gasoline Service Station	1 ERU
Gasoline Service Station with fast food	2.75 ERU
Hospitals	0.34 ERU per bed
Kennels and Animal Hospitals	5 ERU
Laundromats	7 ERU
Medical Office Buildings	1.3 ERU
Motels with Restaurants	21.4 ERU
Motels without Restaurant Unit	.039 ERU
Newspaper Office	1 ERU
Nursing Home	0.34 ERU per bed
Restaurant – Fast Food	6.5 ERU
Restaurants	21 ERU
Retail Stores	1 ERU
Retirement Homes	0.034 ERU per bed
Schools-Public and Private	0.013 ERU per student
Supermarkets	8 ERU
Swimming Pools	0.02 ERU per swimmer
Theaters	0.01 ERU per seat
Warehouse	1 ERU

¹ Note: Buildings, residences, etc., requiring sewer and located a distance greater than five hundred (500) feet from an existing sewer line are not subject to any Wastewater Treatment impact fee until such time as they connect to the sewer.

² Note: For land uses not specified in the applicable table above, the Land Use Authority Board (LUAB) shall apply the land use set forth in the applicable fee schedule that is deemed to be most similar to the proposed use.

³ Note: If the development plan approval or permit for the proposed development activity indicates a mix of uses in the development, the impact fees shall be calculated separately for each use according to the fee schedule, and the results aggregated. If said development is sold at the time of permit issuance, said fees shall be calculated at the time of permit issuance.

Section 4 Contract Service Fees.

4.1 Contract Service Fees. The following fees and charges are approved and shall be assessed and collected by the Building Department or the City Treasurer for Contracted Services:

Contract Services¹	Fees
Engineering Services	Actual bill charged to the City plus 5% ² of the bill for administration costs
Attorney Services	Actual bill charged to the City plus 5% ² of the bill for administration costs
Financial Services	Actual bill charged to the City plus 5% ² of the bill for administration costs

¹ Note: Please see Section 1.5 Procedures for Collecting Fees for Services, Licenses, or Permits Not Listed or Additional Fees for information regarding the collection procedure for contract services contained in this section and other additional fees that may be due to the City.

² Note: The Mayor or City Manager is authorized to reduce the percentage for administration to ensure that the City only collects an amount necessary to cover the costs associated with the administration of services.

Section 5 Development Fees.

5.1 Development Application Review Fees. The following fees and charges are approved and shall be assessed and collected by the Zoning Administrator or the City Treasurer for Development Application Reviews:

Development Application Reviews ¹	Fees
Appeals	Actual costs of processing the application with a \$500.00 deposit to commence the processing of the application ²
Constitutional Taking Review	Actual costs of processing the application with a \$500.00 deposit to commence the processing of the application ²
Conditional Use Permit	
Application – Home Occupation	\$20.00
Application (with subdivision application)	\$20.00 plus \$4.00 per lot
Construction Drawings	½ of 1% of Estimated Cost of Improvements
Copies of: General Plan, Trail Plan, Capital Facilities Plan, Land Use Ordinances	\$20.00
Industrial and Agriculture Protection Area	\$200.00
Lot Line Adjustment Fee	\$100.00
Subdivision- Residential & Commercial	
Concept Plan\Sketch plan – Application Fee	No charge
Preliminary Plat- Application Fee	\$150.00 plus \$4.00 per lot
Final Plat – Application Fee	\$250.00 plus \$40.00 per lot
Construction Drawings	½ of 1% of estimated cost of improvements
Plat Amendments	\$500.00
Revised Approved Construction Plans	Actual costs of processing the application with a \$500.00 deposit to commence the processing of the application ²
Sign Permit	\$50.00
Site Plan Review	
Application	\$350.00
Construction Drawings	1% of engineers estimate or \$750, whichever is greater
Street Vacation	\$500.00
Franchise Application Fee	\$500.00
Temporary Use Permit	\$50.00
Variance	Actual costs of processing the application with a \$300.00 deposit to commence the processing of the application ²
Zoning Map or Text Amendments to General Plan or Land Use Code	\$500.00
Recording Fees	See Section 14.1 Recorder’s Office General Service Fees for fee amount

¹ Note: If there is no *Construction Drawings* for review with project than the actual engineering costs associated with the review shall be paid by the Applicant.

² Note: If the Appeal Authority or Land Use Authority finds in the Appellant or Applicant’s favor the fees will be returned to the Appellant or Applicant.

5.2 Subdivision Street Sign Fees. The following fees and charges are approved and shall be assessed and collected by the Zoning Administrator or the City Treasurer for Subdivision Street Signs:

Subdivision Street Signs	Fees
Tee Intersection	\$260.00 per intersection
Stop Sign	\$100.00
Street Sign	\$160.00
Cross Intersection	\$360.00 per intersection
Stop Sign	\$100.00
Stop Sign	\$100.00
Street Sign	\$160.00

Section 6 Fire Department Fees.

6.1 General Fire Service Fees. The following fees and charges are approved and shall be assessed and collected by the Fire Department or the City Treasurer for General Fire Services:

General Fire Services	Fees
Fire Inspection ¹	
Residential – Small Commercial	\$20.00
Industrial, Institution, Commercial, & Governmental	\$75.00 or actual costs whichever is greater
Carbon Monoxide or Smoke Detector Alarm	No Charge

¹ Note: To exclude home occupations except for day care. Only one fire inspection fee will be charged for more than one business sharing the same space (located in the same building when the space is not divided by walls, partitions, etc.)

6.2 Emergency Rescue Service Fees. The following fees and charges are approved and shall be assessed and collected by the Fire Department or the City Treasurer for Emergency Rescue Services:

Emergency Rescue Services	Fees
Rescue Engine	\$136.00 per hour or any portion of a half hour (one hour minimum charged with each call)

Emergency Rescue Services	Fees
Personnel Costs	\$17.00 per hour or any portion of a half hour per rescue technician or actual cost whichever is greater (one hour minimum charged)
Use of Extrication Equipment:	
Light Extrication Equipment (Use of hand tools)	\$100.00 per hour or any portion of a half hour (one hour minimum charged)
Heavy Extrication Equipment (Use of power equipment)	\$150.00 per hour or any portion of a half hour (one hour minimum charged)
Extra Heavy Extrication Equipment (Use of multiple pieces of equipment)	\$250.00 per hour or any portion of a half hour (one hour minimum charged)
Fire Rescue Standby (4 person rescue crew)	\$125.00 per hour or any portion of a half hour, amount includes personnel costs (one hour minimum charged with each call)
Fire Rescue Standby (2 person rescue crew)	\$80.00 per hour or any portion of a half hour, amount includes personnel costs (one hour minimum charged with each call)
Supplies Used	At cost plus 100%

6.3 Hazardous Material Emergency Service Fees. The following fees and charges are approved and shall be assessed and collected by the Fire Department or the City Treasurer for Hazardous Material Emergency Services:

Hazardous Material Emergency Services^{1, 2, 3}	Fees
HazMat Emergency Incident	\$345.00 per call that is paged out by the local Dispatch Center plus personnel costs
Hazmat Trailer	No charge for the trailer, current IRS mileage reimbursement if vehicle pulls the trailer or \$136.00 per hour or any portion of a half hour (one hour minimum charged with each call) if an Engine pulls the trailer
HazMat Personnel Costs	
Emergency Incident Tech Level Experience	\$60.00 per hour or any portion of a half hour per technician or actual cost whichever is greater (one hour minimum charged), if required to suit up in a Class A or Class B Hazmat Response Suit
Operations Level Experience	\$35.00 per hour will be paid or any portion of a half hour per technician or actual cost whichever is greater (one hour minimum charged), if required to suit up in a Class A or Class B Hazmat Response Suit

Hazardous Material Emergency Services ^{1, 2, 3}	Fees
Awareness Level Experience	\$15.00 per hour or any portion of a half hour per technician or actual cost whichever is greater (one hour minimum charged)
HazMat Personnel Costs- Clean-Up	
Incident Tech Level Experience	\$17.00 per hour or any portion of a half hour per technician or actual cost whichever is greater (one hour minimum charged)
Operations Level Experience	\$15.00 per hour will be paid or any portion of a half hour per technician or actual cost whichever is greater (one hour minimum charged)
Awareness Level Experience	\$15.00 per hour or any portion of a half hour per technician or actual cost whichever is greater (one hour minimum charged)
Supplies Used	At cost plus 100%

¹ Note: Hazardous Material Emergency means a sudden or unexpected release of any substance or material that, because of its quantity, concentration, or physical, chemical or infectious characteristics, presents a direct and immediate threat to public safety or the environment and requires immediate action to mitigate the threat. See Section 10-262 of the Revised Ordinances of Tremonton City Corporation for additional information.

² Note: In accordance with Section 10-263 of the Revised Ordinances of Tremonton City Corporation the Fire Department is hereby empowered to recover its expenses incurred by virtue of the City's response to hazardous materials emergencies, aggravated fire emergencies or aggravated medical emergencies from any and all persons, corporations, partnerships, and individuals or other entities who caused such an emergency, pursuant to the following procedure: (a) The Tremonton City Fire Department and/or Police Department representative shall determine responsibility for the emergency or response as defined above and notify the responsible party by mail of the department's determination of responsibility and expenses to be recovered; (b) Tremonton City shall be responsible for the initial billing and receiving of funds. In the event the billed party fails to submit fees, the City Council may determine if legal action will be used to recover said funds. (c) The notice shall specify that the determined responsible party may appeal the department's decision to the City Council, by establishing a date by which notice of appeal shall be filed. The appeal date shall be no more than fifteen (15) days from the date of notice.

³ Note: In accordance with the *Contract for Fire Protection Services Between Tremonton City, Box Elder County, & Town of Elwood*, Tremonton City shall give sixty (60) days notice to the participating Municipalities of updates to fees contained in this table.

6.4 Aggravated Fire Emergency Service and Contract for Fire Protection Service Fees. The following fees and charges are approved and shall be assessed and collected by the Fire

Department or the City Treasurer for Aggravated Fire Emergency and Contract for Fire Protection Services:

Aggravated Fire Emergency and Contract for Fire Protection Services ^{1,2,3}	Fees
Fire Apparatus	
Brush Truck	Current IRS mileage reimbursement rate
Engine	\$136.00 per hour or any portion of a half hour (one hour minimum charged with each call)
Ladder Truck	\$245.00 per hours or any portion of a half hour (one hour minimum charged with each call)
Personnel Costs	
Engine Boss or Officer Certified	\$17.00 per hour or any portion of a half hour per firefighter or actual cost whichever is greater (one hour minimum charged)
Squad Boss Certified	\$17.00 per hour or any portion of a half hour per firefighter or actual cost whichever is greater (one hour minimum charged)
Firefighter 2 Certified	\$17.00 per hour or any portion of a half hour per firefighter or actual cost whichever is greater (one hour minimum charged)
Wildland Certification Red Card	\$15.00 per hour or any portion of a half hour per firefighter or actual cost whichever is greater (one hour minimum charged)
Firefighter 1 Structure Certification Card	\$15.00 per hour or any portion of a half hour per firefighter or actual cost whichever is greater (one hour minimum charged)
Firefighter Non-Certified	\$11.75 per hour or any portion of a half hour per firefighter or actual cost whichever is greater (one hour minimum charged)
False Alarm	
Equipment & personnel do not leave the station	No charge
Equipment & personnel leave the station	\$100.00
Equipment & personnel arrive on the scene	\$200.00
Ambulance Standby (3 person crew)	\$100.00 per hour or any portion of a half hour, amount includes personnel costs (one hour minimum charged with each call)

¹ Note: Aggravated Fire Emergency means a fire proximately caused by the owner or occupant of a property or a structure, which presents a direct and immediate threat to public safety and requires immediate attention to mitigate the threat and the fire and, (a) is caused by or contributed to by the failure to comply with a lawful order from any state, county or local agency, department official; or (b) occurs as a result of any deliberate act in violation of state law or the ordinances or regulation of the city or other local agency; or (c) is a fire that constitutes arson or reckless burning as defined by Utah Code; or (d)

is an alarm that results in a City or other local fire unit being dispatched, and the person transmitting or causing the transmission of the alarm knows at the time of said transmission that no fire or related fire emergency exists. See Section 10-262 of the Revised Ordinances of Tremonton City Corporation for additional information.

² Note: In accordance with Section 10-263 of the Revised Ordinances of Tremonton City Corporation the Fire Department The City is hereby empowered to recover its expenses incurred by virtue of the City's response to hazardous materials emergencies, aggravated fire emergencies or aggravated medical emergencies from any and all persons, corporations, partnerships, and individuals or other entities who caused such an emergency, pursuant to the following procedure: (a) The Tremonton City Fire Department and/or Police Department representative shall determine responsibility for the emergency or response as defined above and notify the responsible party by mail of the department's determination of responsibility and expenses to be recovered; (b) Tremonton City shall be responsible for the initial billing and receiving of funds. In the event the billed party fails to submit fees, the City Council may determine if legal action will be used to recover said funds. (c) The notice shall specify that the determined responsible party may appeal the department's decision to the City Council, by establishing a date by which notice of appeal shall be filed. The appeal date shall be no more than fifteen (15) days from the date of notice.

³ Note: In accordance with the *Contract for Fire Protection Services Between Tremonton City, Box Elder County, & Town of Elwood*, Tremonton City shall give sixty (60) days notice to the participating Municipalities of updates to fees contained in this table.

6.5 Emergency Medical Service Fees. The following fees and charges are approved and shall be assessed and collected the Fire Department or the City Treasurer for Emergency Medical Services:

Emergency Medical Services ^{1,2}	Fees
Advanced Life Support - Intermediate	\$919.00
Each Additional Patient	\$919.00
Off-road Rate - Where the ambulance is required to travel for ten miles or more on unpaved roads, a surcharge may be assessed.	\$1.50 per mile
Waiting Time	
Per quarter hour or fraction thereof - Also applies to at Fair Grounds	\$22.05
Mileage	\$31.65 per mile or fraction thereof. - In all cases, mileage shall be computed from the point of pickup to the point of delivery.
Fuel Fluctuation Rate - When diesel fuel exceeds \$5.10 per gallon or gasoline exceeds \$4.25 per gallon as invoiced; a surcharge of \$.25 per mile of transport may be added to the mileage rate.	

Emergency Medical Services ^{1,2}	Fees
An ambulance shall provide 15 minutes of time at no charge at both point of pickup and point of delivery. After this time an ambulance agency may charge \$22.05 per quarter hour or fraction thereof thereafter. On round trips an ambulance shall provide 30 minutes at no charge from the time the ambulance reaches the point of delivery until starting the return trip. At the expiration of the 30 minutes, the ambulance service may charge \$22.05 per quarter hour or fraction thereof thereafter.	
Supplies Charged	At cost plus 100%
Use of Extrication Equipment	
Light Extrication Equipment (Use of hand tools)	\$100.00 per hour or any portion of a half hour (one hour minimum charged)
Heavy Extrication Equipment (Use of power equipment)	\$150.00 per hour or any portion of a half hour (one hour minimum charged)
Extra Heavy Extrication Equipment (Use of multiple pieces of equipment)	\$250.00 per hour or any portion of a half hour (one hour minimum charged)
Ambulance Standby ³ (3 person crew)	\$100.00 per hour or any portion of a half hour, amount includes personnel costs (one hour minimum charged with each call)
Subpoena of Ambulance Documents (per Labor Commission)	\$15.00 plus \$0.50 per copy
Hospital requested and funded transportation of Medicare patients from Bear River Valley Hospital to another hospital for testing and then return the patient to Bear River Valley Hospital.	Bear River Valley Hospital shall be responsible for 80% of regular charge for advanced life support fee and round trip mileage.

¹ Note: To be updated automatically as established and updated by the Utah Bureau of Emergency Services, known as the Utah EMS Committee (pursuant to Utah Code Annotated 26-8a-403 Administrative Rule R426-16-2).

² Note: Ambulance bills may be reduced in accordance with Resolution No. 10-32 A Resolution Adopting an Ambulance Bill Reduction Policy for Tremonton City.

³ Note: The Fire Chief may elect to waive the fee at their discretion to other governmental entities, non-profit organizations, or other community events.

6.6 Emergency Medical Training Fees. The following fees and charges are approved and shall be assessed and collected by the Fire Department for Emergency Medical Training:

EMT Medical Training¹	Fees
EMT-Basic Class	Estimated actual costs per estimated participant numbers as determined by the Course Coordinator and/or Fire Chief per student
EMT- Advanced Class:	Estimated actual costs per estimated participant numbers as determined by the Course Coordinator and/or Fire Chief per student
Practical/Written Recertification Test	Fee determined by the Utah Bureau of Emergency Medical Systems

¹ Note: Medical training fees may be reimbursed to individuals that take the course and are hired by the Fire Department within one (1) year after they have completed the course.

6.7 Rental of Fire Station Conference Room & Kitchen Facility Fees. The following fees and charges are approved and shall be assessed and collected by the Fire Department or the City Treasurer for the rental of the:

Rental Fire Station Conference Room & Kitchen Facility¹	Fees
Security Deposit ²	\$200.00 per event
Daily/Evening Rate - Conference Room/Kitchen	\$35.00 per day or evening

¹ Note: The Fire Station Conference Room and Kitchen Facility shall only be rented to businesses or non-profit entities and not to individuals for private functions. Department Head may at their discretion waive rental fees and Security Deposit for non-profit groups or the like.

² Note: Cost of damage will be levied against the Security Deposit posted with the City. The Security Deposit is refundable under certain conditions as per rental agreement.

Section 7 Food Pantry Fees.

7.1 Food Pantry Fees. There are currently no fees or charges assessed or collected for Food Pantry Services.

Section 8 Garbage & Recycling Collection Service Fees.

8.1 Garbage Collection Service Fees. The following fees and charges are approved and shall be assessed and collected by the City Treasurer for Garbage Collection Services:

Garbage Collection Services ¹	Fees
Garbage Collection Fees	
Monthly Pickup	\$9.30
Each Additional Can ²	\$6.00
Garbage Can Purchase ³	\$100.00

¹ Note: In accordance with Section 10-418 (1) of the Revised Ordinances of Tremonton City Corporation all occupants of Residential Units within City limits shall pay a service charge for the collection and disposal of Residential Solid Waste as adopted by rate resolution by the City Council. Service charges shall apply to all occupants of Residential Units whether or not they elected to haul their own Residential Solid Waste. Occupants who shall vacate their Residential Unit for a time and have their water turned-off by the City may, prior to their leaving, have their Residential Solid Waste service temporarily discontinued by contacting the City Office and requesting their Residential Solid Waste Container be picked up.

² Note: Property owners that request an additional can are not required to pay for the purchase costs of the additional garbage can. Property owners that request additional cans shall be billed for the additional can a minimum of three (3) consecutive months.

³ Note: Property owners are required to pay the purchase costs associated with the first garbage can with Tremonton City retaining ownership of the garbage can. Tremonton City maintains and replaces garbage cans at the City's expense.

8.2 Recycling Collection Service Fees. The following fees and charges are approved and shall be assessed and collected by the City Treasurer for Recycling Collection Services:

Recycling Collection Services ^{1,2}	Fees
Recycling Collection Fees	
Monthly Pickup (on a biweekly basis)	\$4.50
Each Additional Can	Not available

¹ Note: In accordance with Section 10-418 (2) of the Revised Ordinances of Tremonton City Corporation All occupants of Residential Units within the City limits that elect to have Recycle Waste collection and disposal service shall pay a service charge for said service as adopted by rate resolution by the City Council. Occupants who shall vacate their Residential Unit for a time and have their water turned off by the City may, prior to their leaving, have their Recycle Waste service temporarily discontinued by contacting the City Office and requesting their Residential Recycle Waste Container be picked up.

² Note: Property owners that request a recycle can shall be billed for the recycle can a minimum of one (1) year.

Section 9 Justice Court Fines & Fees.

9.1 City Consolidated Bail Schedule. The following fines are recommended amounts but the Judge reserves the right to charge fines greater or less than the amount listed below for the City Consolidated Bail Schedule:

City Consolidated Bail Schedule				
Ordinance	Description	Severity ¹	Bail Amount	Enhanceable ²
Revised Ordinance Violations				
6-204	Sales and Use Tax Violation	MB	\$500.00	
8-111	Construct, Excavate, Erect on any property owned or controlled by this City, or to enter property of this City contrary to posted or marked use.	MB	\$500.00	
8-224	Burial and Disinterment	MB	\$680.00	
8-234	Injury to Cemetery Property	MB	\$680.00	
8-511	Smoking or Alcohol in City Parks	MC	\$100.00	
8-526	City Park Violation	MB	\$250.00	
8-619	Skate Park	MC	\$250.00	
8-671	Splash Pad Violation	MC	\$250.00	
8-713	Penalty for Violating Tree Ordinance	MC	\$100.00	
8-817	Tennis Court Violation	MB	\$250.00	
8-905	Violation of Conservation Easement and Public Access Easement	MB	\$250.00	
9-112	Doing Business Without a License	MC	\$300.00	
9-412	License Required - Alcohol Sales	MB	\$680.00	
9-461	Permit Required - Live Entertainment	MB	\$250.00	
9-495	Violation of Regulations regarding Tobacco and Paraphernalia in Non-Tobacco Specialty Store	MB	\$1,000.00 ³	
9-566	Failure to Comply with Plumbing Inspector	MC	\$250.00	
9-577 (1)	Plumbing Code Violation by Owner/Manager	MC	\$250.00	
9-577 (2)	Plumbing Code Violation by Person receiving payment or anything of value	MB	\$500.00	
9-745	Running a Sexually Oriented Business Without a License	MB	\$680.00	
9-748	Violation of Sexually Oriented Business Each day shall be separate offense	MB	\$500.00	
9-805	Solicitation Prohibited Without Permit	MB	\$680.00	
9-821	Residential Solicitation Violation	MB	\$1000.00	
10-134	Interference with Firemen	MB	\$680.00	
10-135	Unlawful Interference with Officers,	MB	\$680.00	

City Consolidated Bail Schedule				
Ordinance	Description	Severity ¹	Bail Amount	Enhanceable ²
	Apparatus, Water, Etc.			
10-139	False Alarm (Fire)	MB	\$300.00	
10-160	Violation of International Fire Codes ⁴	MB	\$300.00	
10-187	Controlled Burning Regulation	MC For each Offense	\$100.00	
10-190	Open Fires - Recreational/Preparing Food	MC	\$100.00	
10-223	Unwholesome Food	MC	\$200.00	
10-224	Vacating Premises	MC	\$100.00	
10-321	Abatement of Weeds	MC	\$300.00	
10-323	Weed Control	MC	\$300.00	
10-330	Maintaining a Nuisance	MC	\$150.00	
10-331	Nuisance on Property	MC	\$150.00	
10-333	Storage of Personal Property	MC	\$100.00	
10-359	Administrative Notices – Hearings – Disposal of Nuisance – Lien _ Penalty for Failure to Comply	MC Each Day is a new Offense	\$150.00	
10-412	Accumulation of Garbage	MC	\$50.00	
10-432	Litter in Public Places	MC	\$100.00	
10-436	Litter Thrown by Persons in Vehicles	MC	\$100.00	
10-438	Litter in Parks	MC	\$100.00	Y
10-439	Litter in Lakes and Fountains	MC	\$360.00	
10-440	Handbills	MC	\$100.00	
10-440	Handbills and Posters	MC	\$100.00	
10-448	Litter on Vacant Lots	MC	\$100.00	
11-210	Motorized Devices	MC for Each Offense	\$200.00	
11-361	Removal of Snow	MC	\$50.00	
11-370	Obstructing Free Passage of Sidewalks	MC	\$150.00	
11-371	Obstructing Free Passage of Sidewalks	MC	\$150.00	
11-410	Structures in Public Ways	MB	\$300.00	
11-416	Excavation Permit	MB Each Day is a new Offense	\$300.00	
13-204	Interfering with Officers	MB	\$680.00	
13-239	Dog Disturbing Neighborhood ⁷	MC	\$50.00	
13-301	No Dog License	MC	\$50.00	

City Consolidated Bail Schedule				
Ordinance	Description	Severity ¹	Bail Amount	Enhanceable ²
13-304	No Kennel License	MC	\$50.00	
13-305	Number of Animals Per Residence ⁷	MC	\$100.00	
13-401	Nuisance Animals ⁷	MC	\$100.00	
13-403	Animal Trespass ⁷	MC	\$50.00	
13-404	Female Animals in Heat	MC	\$50.00	
13-405	Possession of a Potentially Dangerous Animal ⁷	MB	\$100.00	
13-406	Failure to Properly Confine a Potentially Dangerous Animal ⁷	MB	\$100.00	
13-407	Dog Running at Large	MC	\$50.00	Y
13-413	Restraint of Guard & Attack Dogs	MB	\$500.00	
13-414	Aggressive Animal ⁷	MB	\$500.00	
13-601	Rabies Vaccination Requirement	MC	\$50.00	
13-701	Cruelty to Animals	MB	\$300.00	Y
13-803	Animal Enforcement – Unless designated otherwise by the laws of the State of Utah	MC For Each Day in Violation		
14-122	Illegal Water Turn on Fine	MB	\$200.00	
14-134	Scarcity of Water Proclamation Violation	MC	1 st - \$75.00 2 nd - \$150.00 3 rd - \$300.00	
14-137	No Permit for Installation of a Water Meter	MC	\$150.00	
14-260	Industrial Pretreatment Fine	MB	\$1,750.00	
15-201	Parallel Parking	MC	\$50.00	
15-203	All Night Parking Prohibited	MC	\$50.00	
15-204	Double Parking Prohibited	MC	\$50.00	
15-205	Unlawful to Park - Red Curb	MC	\$50.00	
15-206	Disabled Vehicle	MC	\$50.00	
15-208	Approach to Parking Space	MC	\$100.00	
15-209	Parking in Alleys	MC	\$50.00	
15-211	Parking Prohibited	MC	\$50.00	
15-212	Parking on Walk or Curbing	MC	\$50.00	
15-213	Park Prohibited Snow Removal	MC	\$50.00	
15-214	2 Hour Parking Limit	MC	\$50.00	
15-219	Commercial Vehicle Prohibited Parking	MC	\$50.00	
15-221	Recreation Vehicles Prohibited Parking	MC	\$50.00	
15-222	Use of Front Yard for Parking Prohibited	MC	\$50.00	
15-223	Vehicles Displayed for Sale	MC	\$50.00	
15-224	Bear River High School Parking	MC	\$25.00	

City Consolidated Bail Schedule				
Ordinance	Description	Severity¹	Bail Amount	Enhanceable²
15-302	Intoxicated Person in Vehicle	MC	\$50.00	
16-001	Advertisements - Posting Without Permission	MC	\$100.00	
16-002	Advertisements - Tearing Down or Defacing	MC	\$100.00	
16-004	Air Guns, Sling Shots, Etc. Prohibited	MC	\$100.00	
16-009	Curfew	MC	\$150.00	
16-009A.	Truancy	MC	Minor \$50.00 Adult \$50.00- \$500.00 ⁵	Y
16-010	Discharge of Firearm Within Tremonton City Limits	MC	\$250.00	
16-011	Disturbing the Peace	MC	\$350.00	
17-102	Uniform Utah Criminal and Traffic Codes ⁶	See State Bail Schedule	See State Bail Schedule	
Land Use Code Violations				
1.02.060	Non-Conforming Structures, Uses and Signs	MC	\$100.00	
1.17.010	Off-Street Parking Required	MC	\$50.00	
1.17.060	Maintenance of Parking Lots	MC	\$100.00	
1.18.010	Landscaping, Buffering & Fencing	MC	\$100.00	
1.19.010	Supplementary Regulations	MC	\$100.00	
1.19.065	Keeping Chickens	MC	\$50.00	
1.20.010	Noise Regulations	MC	\$100.00	
1.22.010	Communication Facilities Permit Required	MC	\$200.00	
1.23.010	Renewable Energy Systems Permit Required	MC	\$200.00	
1.24.010	Home Occupation Permit Required	MC	\$200.00	
1.25.010	Conditional Use Permit Required	MC	\$200.00	
1.26.010	Site Plan Permit Required	MC	\$200.00	
1.27.010	Sign Permit Required	MC	\$200.00	
1.28.010	Building Permit Required	MC	\$200.00	
1.28.015	Sidewalk Required	MC	\$200.00	
2.03.206	Subdivision Violation	MC	\$200.00	

Note: See the Revised Ordinances of Tremonton City Corporation Subsection 1-313 and 1-331 of the Revised Ordinances of Tremonton City Corporation for more information regarding Consolidated Bail Schedule.

- ¹ Note: Severity levels: MB = Class B Misdemeanor; MC = Class C Misdemeanor
- ² Note: An Enhanceable offense means that the severity and/or penalty of a crime may be increased if the defendant has been convicted of the same or similar crime in the past.
- ³ Note: Not including any mandatory fees and surcharges imposed by law or a court of competent jurisdiction.
- ⁴ Note: Each ten (10) days that prohibited conditions are maintained shall constitute a separate offense when not specified otherwise.
- ⁵ Note: A person is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. A third offense by a minor requires mandatory court appearance. A third offense by an adult is subject to the provisions of State Law.
- ⁶ Note: Fine and/or six (6) months jail sentence.
- ⁷ Note: Disposition of animal to be determined by the Court on all the above charges.

9.2 Justice Court Filing and Copy Fees. The following fees and charges are approved and shall be assessed and collected by the Court Clerk or the City Treasurer.

Small Claims Court Schedule¹	Fees
Small Claims Packet	\$2.00
Small Claims Filing Fees	
Claims between \$1.00 up to \$2,000	\$60.00
Claims between \$2,001 up to \$7,500	\$100.00
Claims between \$7,500 up to \$10,000	\$185.00
Small Claims Garnishments	\$50.00
Small Claims Appeals	\$225.00
Criminal Expungement	\$135.00
Certified Copy	
Per document	\$4.00
Per page	\$0.50
Copy of documents	\$0.25

¹ Note: The Tremonton City Justice Court Fee Schedule is established by Utah Code Annotated 78A-2-301. This schedule shall be automatically updated to reflect new fee amounts when Utah Code Annotated 78A-2-301 is updated by the Administrative Office of the Courts and the Utah State Legislature.

Section 10 Library Fees.

10.1 General Library Service Fees & Financial Penalties. The following fees and financial penalties are approved and shall be assessed and collected by the Library or the City Treasurer for General Library Services:

General Library Services	Fees & Financial Penalties
Library Cards	
Resident and City Employee Card	No fee
Non-Resident Card	No fee
Non-Resident Card for Brainfuse Participants	No fee
Replacement Cards	\$3.00
Over Due Financial Penalties ¹	
Hard Back	\$0.10 per day
Paper Back	\$0.05 per day
Storytelling Kit	\$1.00 per day
Audio books	\$0.10 per day
Magazine	\$0.10 per day
Videos and DVD	\$0.25 per day
Park Pass late fee	\$1.00 per day
E-Readers	\$5.00 per day
Lost or damaged library materials	
Library Material	Replacement cost as determined by the Library
E-Reader placed in the Book Drop	\$25.00
E-Reader Registered to Patron's personal account	\$50.00
Interlibrary loans	Returned postage

¹ Note: Maximum overdue financial penalty is five dollars (\$5.00) except for storytelling kits which is fifty dollars (\$50.00) and E-Readers which is one hundred dollars (\$100.00).

Section 11 Parks & Recreation Fees.

11.1 Park Service Fees. The following fees and charges are approved and shall be assessed and collected by the Parks Department or the City Treasurer for Park Services:

Park Services ¹	Fees
Diamond Reservations ²	
Security Deposit ³	\$50.00
Per Diamond Rental Per Hour	\$5.00
Per Diamond Rental Per Day	\$30.00
Lights for baseball/softball fields	\$5.00 per hour per field
Additional ball diamond field prep ³	\$10.00 per diamond
Cleanup ⁴	\$25.00 per hour (if required)
Scoreboard ⁵	
Deposit ³	\$200.00 per scoreboard

Park Services ¹	Fees
Rental fee	\$5.00 per field/rental period
Bowery Rentals	
Security Deposit ³	\$50.00
Day Rental	\$20.00
Cleanup	\$25.00 per hour (if required)
Park Stages ⁶	\$20.00
Midland Square	
Security Deposit ³	\$50.00
Per hour	\$10.00
Cleanup	\$25.00 per hour (if required)
Civic Commons	
Security Deposit ³	\$50.00
Per hour	\$10.00
Cleanup	\$25.00 per hour (if required)
Pickleball Equipment Rental	\$5.00 for a 24 hour rental ⁷
Tennis Court Reservation	\$5.00 per hour
Food sold at City Snack Shack	Price as set by the Parks & Recreation Director
Charges Associated with Tremonton City Days or Special Event	Amounts as set by the Parks & Recreation Director
Business Sponsor Banners at Stevens Park	\$100.00 per banner (Sponsor to Provide Banner)

¹ Note: Department Head may at their discretion waive rental fees and Security Deposit for non-profit groups or the like.

² Note: Use of fields associated with tournaments are rented by agreement with the Parks and Recreation Director. All field preparation and maintenance must be done by authorized City Employees. No outside work may be done with drags, 4-wheelers, lawn mowers, water, etc. (hand rakes are allowed). One field preparation will be included as part of the rental. This will be done before the first game.

³ Note: Cost of damage will be levied against the Security Deposit posted with the City. The Security Deposit is refundable under certain conditions as per rental agreement.

⁴ Note: City staff to inspect rented facility after the event for cleanliness. A Cleanup charge will be accessed against the deposit if City staff has to clean up after the event.

⁵ Note: Scoreboard must be picked up prior to rental or Friday by 12:00 noon if rental is for Saturday or Sunday. Scoreboard must be returned the next business day after rental in good condition to receive deposit back.

⁶ Note: Any concert or special event must be approved by the City Council before the stage or park will be considered reserved.

⁷ Note: If City Office Building is closed when the equipment is due, the rental will be extended at no cost until noon of the next business day.

11.2 Recreation Program Service Fees. The following fees and charges are approved and shall be assessed and collected by the Recreation Department or the City Treasurer for Recreation Program Services:

Recreation Program Services	Fees
Recreation Program ¹	
Recreation Programs	Estimated actual costs per estimated participant numbers as determined by the Recreation Director
Registration Late Fees	\$5.00

¹ Note: A five dollar (\$5.00) non-refundable office charge will be assessed to all refunds. Tremonton Parks and Recreation will offer a full refund, less five dollars (\$5.00) for all refunds requested while the registration period is still open. After the registration period has ended, a refund of 50 percent will be offered. After the program/event has begun, no refund will be offered. Special exceptions, as determined by the Parks & Recreation Director, may be made on a case-by-case basis for special circumstances.

Section 12 Police Department Fees.

12.1 General Police Service Fees. The following fees and charges are approved and shall be assessed and collected by the Police Department or the City Treasurer for General Police Services:

General Police Services	Fees
Paper Service	\$30.00
Reports - Minimum for up to 10 Pages	\$10.00 plus \$0.25 for each additional page
Photos/CD - Minimum for up to 5 (4" x 5") Photos	\$20.00 plus \$2.00 for each additional photo
Audio/video - Minimum for Tape and 1 Hour of Dubbing	\$20.00 plus \$10.00 each additional hour of dubbing
Fingerprinting	
Residents	No charge ¹
Non-Residents	\$25.00
Bike Licenses/Replacement of License	\$2.50
Non-Criminal Intoxilyzer Testing	\$10.00
Sex Offender Registration	\$25.00
Transportation/Mileage Fees	Current IRS mileage reimbursement rate – Owner/contract agency to pay all Transportation/mileage costs associated with their animal

General Police Services	Fees
Juvenile Transport to Attention Facility	\$50.00 ²
Citizen Transport from Hospital to Location in Tremonton City	\$20.00 ²
Private Security	\$40.00 per hour per officer or actual cost whichever is greater
Nuisance Control	If bankruptcy is taken out on property that has received charges for weed control, Tremonton City will implement a lean on real property for charges incurred in excess of \$100.00 for the amount due

¹ Note: No charge for fingerprinting non-residents if obtained as a result of employment in or ownership of a business located within Tremonton City Limits.

² Note: Discretionary fee, to be paid as determined by the Police Chief, may be assessed on a case by case basis.

12.2 Animal Control Service Fees. The following fees and charges are approved and shall be assessed and collected by the Police Department or the City Treasurer for Animal Control Services:

Animal Control Services	Fee
Afterhours call-out (for cities that contract with Tremonton City for animal control services)	\$100.00
Chicken Keeping Application (up to 12 Hens)	No fee unless in violation
Dog License ¹	
Spayed/Neutered	\$10.00
Non Spayed/Non Neutered	\$30.00
License Late Fee (After March 31 st)	\$15.00
Duplicate License	\$5.00
Dog License Senior Citizens Owner	
Spayed/Neutered	\$10.00 (one time fee)
Non Spayed/Non Neutered	\$30.00 (one time fee)
Kennel ²	\$75.00
Animal Impounds	
1 st Offense- Resident	\$25.00
2 nd Offense- Resident	\$50.00
3 rd Offense- Resident	\$75.00
Non-Resident	\$50.00
Trespass Damage	Appraisement
Transportation/Mileage Fees	Current IRS mileage reimbursement rate – Owner/contract agency to pay all Transportation/mileage costs associated with their animal

Animal Control Services	Fee
Adoption Fee ³	\$15.00
Boarding Fee/Holding	\$10.00 per day
Owner Relinquishment Fee	
Residents	\$30.00 per animal
Non-Residents	\$50.00 per animal
Litter Fee for dogs ⁴	
Resident	\$30.00
Non-Resident	\$65.00
Litter Fee for Cats ⁴	\$25.00
Additional litter mates	\$5.00
Euthanasia Fee	
Resident	\$30.00
Non-Resident	\$50.00
Quarantine Fee (10 days)	\$75.00 per animal
After the 10 days	\$10.00 per day per animal
Veterinarian	Owner /contract agency to pay all Veterinarian cost associated with their animal
Dead Pet Disposal	\$50.00 under 30 lbs (dog and cats only) \$100.00 over 30 lbs (dog and cats only)
Cat Trap Permit	\$10.00 Allow permit holder 5 days to catch cats on their property only. Permit holder would use their own Animal Control Officer approved live trap
Cat Trap Rental Fee	\$20.00 Allow permit holder 5 days to catch cats on their property only. Includes rental of City live trap for 5 days.

¹ Note: Prorate of the above fees of ½ after July 1st. Dog Licenses that should have been purchased prior to July 1st or the effective date of this Resolution will not be prorated. All dogs over the age of six (6) months of age must be licensed to a person of the age of eighteen (18) years or older in accordance with Ordinance 13-300 of the Revised Ordinances of Tremonton City Corporation. Proof of rabies vaccination and proof of spay or neuter is required when purchasing a Dog License. All dogs shall be licensed within thirty (30) days of being brought into the City or a license late fee shall be required. No refunds shall be made. Each license shall be valid from January 1st through December 31st of each year in accordance with Ordinance 13-300 of the Revised Ordinances of Tremonton City Corporation.

² Note: A Kennel license is for over two animals and is to include a Conditional Use Permit fee. Requires authorization from the Planning Commission/Land Use Authority Board and is restricted to Zoning Code allowance. See Section 5.1 Development Application Review Fees for the Conditional Use Permit fee amount.

³ Note: Adoption will include a dog license for the current year upon receipt of proof of Rabies and Spray/Neuter Certificate. Adopter will be responsible for any and all Spray/Neuter Fees and Rabies shots. It is required by the State of Utah that all Felines (cats) and Canine (dogs) adopted from a Shelter or Animal Rescue be Sprayed/Neutered and be current on a Rabies inoculation.

⁴ Note: This includes female parent and up to six (6) offspring from the same litter up to ten (10) weeks old. An additional five dollars (\$5.00) fee will be charged per each additional litter mate of any age.

Section 13 Public Works Fees.

13.1 General Public Works Service Fees & Financial Penalties. The following fees and financial penalties are approved and shall be assessed and collected by the Public Works Department or the City Treasurer for General Public Works Services:

General Public Works Services	Fees & Financial Penalties
Dust & Debris Financial Penalty ¹	150% of the actual bill charged or costs incurred to the City for resolving the dust and debris plus 5% of the bill for administration costs
Use of Equipment ²	Equipment according to the rates posted on the FEMA website at (as required by regulations associated with B & C funds) http://www.fema.gov/government/grant/pa/eqrates_2005.shtm plus fuel (one hour minimum charged with each call)
Use of Operators ²	Current hourly average of wage of operator (one hour minimum charged with each call)
Compost Material	\$7.50 per scoop

¹ Note: Contractors are required to keep dust and debris controlled at the work site at all times. Financial penalty is for contractors who violate 3.02.025 (A) of the General Public Works Constructions Standards and Specifications.

² Note: Use of equipment or operators is limited to agreements that the City may have with other governmental entities or in the case of extreme emergencies.

13.2 Storm Drain Service Fees. The following fees and charges are approved and shall be assessed and collected by the City Treasurer for Storm Drain Services:

Storm Drain Services	Fee
Storm Drain	\$4.00

13.3 Residential Water Service Fees. The following fees and charges are approved and shall be assessed and collected by the City Treasurer for Residential Water Services:

Residential Water Services	Fees
Residential Water Rates ¹	
Base Rate: First 12,800 Gallons ¹⁰	\$13.708.00
Water Overage Use Rates: Above 12,800 Gallons	\$1.13 per 1,000 Gallons
<u>Tier 1: 0 - 7,000 Gallons per month use</u>	\$1.25 per thousand gallons
<u>Tier 2: 7,001 – 40,000 Gallons per month use</u>	\$1.50 per thousand gallons
<u>Tier 3: 40,001 – 80,000 Gallons per month use</u>	\$2.00 per thousand gallons
<u>Tier 4: Above 80,001 Gallons per month use</u>	\$2.50 per thousand gallons
Non-Resident Rate	Twice the residential <u>Residential and Institutional</u> <u>Base rate</u> Rate, Water Use <u>Rates same</u>
New construction ²	\$13.70 <u>Same as the</u> <u>Residential and Institutional</u> <u>Base Rate and Water Use</u> <u>Rates</u>
Deposit Fee for Renters ³	\$75.00
Financial Penalty for Illegal Turn-on ⁴	\$100.00
Convenience Turn-on Fee ⁵	
During City business hours	\$25.00
After City business hours	\$75.00
Weekends or Holidays	Not permitted
Service Fee ⁶	
During City business hours	\$35.00
After City business hours	\$75.00
Weekends or Holidays	\$100.00
Investigative Bacteriological Lab Sampling Fees	\$24.00
Secondary Water	
Secondary Water ⁷	\$14.10 per month
Disconnect Fee to Discontinue Secondary Water	\$200.00
Call-Out Services ⁸	Actual costs
Installation of a Water Meter without a permit	\$75.00 ⁹

¹ Note: Arrangements for payment of delinquent utility charges made prior to the issuance of water shut-off notices shall include provisions wherein no one shall have a remaining total balance due which is greater than an amount equal to the basic charges for one month's utility service.

Multiple apartment units which cannot be disconnected individually may be credited with the amount of the monthly charge for water, sewer, and garbage if that unit has been vacant for the entire month. An application for vacancy credit must be filled out and signed by the owner or person responsible for paying the bill to receive credit. Credit may only be given up to one month previous.

- ² Note: New construction rates means a water connection during the construction, but only until an occupancy permit is issued. Once an occupancy permit is issued all utilities must be signed up for and all appropriate charges assessed.
- ³ Note: Deposit is to be applied to the Renter's ending utility balance when they vacate the property.
- ⁴ Note: The appropriate Department Head is authorized to issue a financial penalty for violation of a City ordinance. The financial penalty is not considered to be a criminal punishment, as it is sought in order to compensate the City for harm done to it, rather than to punish the wrongful conduct. The standard for review in issuing financial penalties by a Department Head is more than 50% likely that the accused violated the City ordinance. If the individual appeals financial penalty or refuses to pay the financial penalty then the Department Head shall turn the matter over to the Police Department to investigate the violation and to process the violation of the City ordinance criminally through the City's Justice Court.
- ⁵ Note: Convenience Turn-on Fee allow for water services to be temporarily turned on for up to twenty-four (24) hours. This service is typically limited to potential home buyers that would like to have the water turned on so the plumbing in the home can be checked.
- ⁶ Note: Service fees are to be assessed once the City has started the process of disconnecting a citizen for non-payments. The fee includes the costs associated with generating a list of water disconnects, coordinating the disconnection of services, and reconnecting the water service once the City receives payment. The fee includes the average of the costs associated with disconnecting and reconnecting a citizen which includes but is not limited to such factors as some citizens may not be disconnected when payment is made and that during the winter season finding the water meter requires more labor and equipment, etc.
- ⁷ Note: Agreement must be signed by citizen and Tremonton City in order to use secondary water. Citizen must pay one full year of rates after agreement is signed.
- ⁸ Note: Call out services will be assessed for after hours and on weekends for disruptions attributed to the user or activity of the users causing it to break or needing to be repaired after regular City service hours. Failure to pay will result in the City exercising their right to collect which shall include water shut-off for non payment. No charge will be assessed for breaks or ruptures that are a natural occurrence that constitutes the need for an emergency repair.
- ⁹ Note: The appropriate Department Head is authorized to issue a financial penalty for violation of a City ordinance. The financial penalty is not considered to be a criminal punishment, as it is ought in order to compensate the City for harm done to it, rather than to punish the wrongful conduct. The standard for review in issuing civil financial penalties by a Department Head is more than 50% likely that the accused violated the City ordinance. If the individual appeals financial penalty or refuses to pay the financial penalty then the Department Head shall turn the matter over to the Police Department to investigate the

violation and to process the violation of the City ordinance criminally through the City's Justice Court.

¹⁰ Note: In Resolution No. 10-30 the Tremonton City Council authorized a reduction of 50% of the Tremonton City Base fee for water and sewer monthly utility bill for military personnel called up to active duty from Tremonton City. No reduction will be given toward water overage, storm drain, garbage or recycle. The reduction will not be retroactive. In order to qualify for the reduction, the person deployed must be a resident of Tremonton City; part of the head of the household or otherwise responsible for the utility bill; a member of the U.S. Military, National Guard or Reserve; and deployed away from home in the service of the United States of America. Documenting eligibility shall be established by the person or family member bringing a copy of the United States Military deployment papers (orders) to the City Office and other documentation deemed necessary by City staff to establish eligibility. A copy of this documentation or record of receiving such will be kept in the City Office. The reduction toward utility fees shall become effective on the next utility billing due date after eligibility is documented and shall remain in effect to the return date noted on the deployment papers (orders). In the event that the return date is prior to the date listed on the deployment papers (orders), notification to the City of the change shall be made within fifteen (15) days of occurrence. Failure to do so may result in a back charge. The City Council or City Staff may deny or terminate such reduction at any time where it is determined that the person requesting the reduction does not meet the terms or intent expressed in this Resolution. The City Council may at any time rescind Resolution No. 10-30.

13.4 Water Connection Fees. The following fees and charges are approved and shall be assessed and collected by Building Department or the City Treasurer for Water Connection Fees:

Water Connection Fees¹		
Connection Sizes	Fees	Maximum Units Per Connection Size
¾ "	\$350.00 or at City's cost, whichever is greater	Maximum 2 Units
1"	\$450.00 or at City's cost, whichever is greater	Maximum 4 Units
1 ½"	\$800.00 or at City's cost, whichever is greater	To be determined by City ²
2"	\$900.00 or at City's cost, whichever is greater	To be determined by City ²
3" and larger	Undeveloped connection fee cost should be at the current City parts cost for the required parts at the time of installation	To be determined by City ²

¹ Note: Connection fees include only the labor for installing the meter and completing the service connection inspection. The connection to the main line, polyline, and meter box are all provided and installed by the developer/home owner, per General Public Works Constructions Standards and Specifications.

² Note: Number of units per connection size to be determined by the Public Works Director or Building Inspector.

13.5 Residential Sewer Service Fees. The following fees and charges are approved and shall be assessed and collected by the City Treasurer for Residential Sewer Services:

Residential Sewer Services¹	Fees
Wastewater Treatment Rates	
Base Rate: First 12,800 Gallons Water ²	\$22.80 ³
Overage: Above 12,800 Gallons Water Used	No charge
Sewer Collection Lines ²	\$5.50

¹ Note: Residential Sewer is based upon 1 Equivalent Residential Unit (ERU) which has the following effluent characteristics: BOD/TSS = to or less than 300 mg/liter and Grease/oil = to or less than 100 mg/liter

² Note: In Resolution No. 10-30 the Tremonton City Council authorized a reduction of 50% of the Tremonton City Base fee for water and sewer monthly utility bill for military personnel called up to active duty from Tremonton City. No reduction will be given toward water overage, storm drain, garbage or recycle. The reduction will not be retroactive. In order to qualify for the reduction, the person deployed must be a resident of Tremonton City; part of the head of the household or otherwise responsible for the utility bill; a member of the U.S. Military, National Guard or Reserve; and deployed away from home in the service of the United States of America. Documenting eligibility shall be established by the person or family member bringing a copy of the United States Military deployment papers (orders) to the City Office and other documentation deemed necessary by City staff to establish eligibility. A copy of this documentation or record of receiving such will be kept in the City Office. The reduction toward utility fees shall become effective on the next utility billing due date after eligibility is documented and shall remain in effect to the return date noted on the deployment papers (orders). In the event that the return date is prior to the date listed on the deployment papers (orders), notification to the City of the change shall be made within fifteen (15) days of occurrence. Failure to do so may result in a back charge. The City Council or City Staff may deny or terminate such reduction at any time where it is determined that the person requesting the reduction does not meet the terms or intent expressed in this Resolution. The City Council may at any time rescind Resolution No. 10-30.

³ Note: The City Council enacts the following rate increase to the base rate for the first 12,800 gallons of water used: 1) an additional \$2.75 increase for a base rate of \$25.55 which will be effective January 1, 2017; and 2) an additional \$2.75 increase for a base rate of \$28.30 which will be effective January 1, 2018.

13.6 Sewer Connection Fees. The following fees and charges are approved and shall be assessed and collected by the Building Department or the City Treasurer for Sewer Connection Fees:

Sewer Connection Fees	Fees
Inspection Fee ¹	\$100.00
Reconnection Inspection	\$100.00

¹ Note: Sewer connection fees include the cost for the inspection when the connection is made onto the main line or sewer lateral. Property owner supplies all material and labor.

13.7 Industrial, Institutional, Commercial, & Governmental Water & Sewer Service Fees.

The following fees and charges are approved and shall be assessed and collected by the City Treasurer for Industrial, Institutional, Commercial, & Governmental Water & Sewer Services:

Industrial, Institutional, & Commercial Water & Sewer Services ¹	Fees
Water Rates	
Base Rate: first 12,800 gallons	\$13.708.00
Water overage: over 12,800 gallons	\$1.13-25 per 1,000 gallons
<u>Water Rates for Outdoor Use</u>	
<u>Base Rate</u>	<u>\$8.00</u>
<u>Water Use Rates</u>	
<u>Tier 1: 0 - 7,000 Gallons per month use</u>	<u>\$1.25 per thousand gallons</u>
<u>Tier 2: 7,001 – 40,000 Gallons per month use</u>	<u>\$1.50 per thousand gallons</u>
<u>Tier 3: 40,001 – 80,000 Gallons per month use</u>	<u>\$2.00 per thousand gallons</u>
<u>Tier 4: Above 80,001 Gallons per month use</u>	<u>\$2.50 per thousand gallons</u>
Investigative Bacteriological Lab Sampling	\$24.00
Sampling Used for Treatment Billings	
BOD	\$35.00
COD	\$30.00
TSS	\$18.00
pH	\$17.00
FOG (Fats, Oils and Grease)	\$65.00
Wastewater Treatment Rates	
Base Rate: First 12,800 gallons used	\$22.80 ³⁴
Overage Rate: Above 12,800 gallons	\$0.95 per 1000 gallons
Sewer Collection Lines	\$5.50
Industrial Pre-treatment Rates	
BOD in excess of 300 ml/liter	\$0.20 per pound
TSS in excess of 300ml/liter	\$0.20 per pound
Grease and Oil in excess of 100 ml/liter	\$0.30per pound
Industrial Pretreatment Administrative Fines	
Individual	\$875.00 ²
Corporation, Partnership, or any other entity user	\$875.00 ²
Civil Fine Pass Through Recovery	Total Fines and Penalties ³

¹ Note: Tremonton City reserves the right to require pre-treatment or re-negotiate charges based on waste water characteristics.

² Note: Financial penalties are assessed per violation, per day. Costs for administrative enforcement actions may be included in accordance with Section 14-260 (6) of the Revised Ordinances of Tremonton City Corporation. The appropriate Department Head is authorized to issue a financial penalty for violation of a City ordinance. The financial penalty is not considered to be a criminal punishment, as it is ought in order to compensate the City for harm done to it, rather than to punish the wrongful conduct. The standard for review in issuing civil financial penalties by a Department Head is more than 50% likely that the accused violated the City ordinance. If the individual appeals financial penalty or refuses to pay the financial penalty then the Department Head shall turn the matter over to the Police Department to investigate the violation and to process the violation of the City ordinance criminally through the City's Justice Court.

³ Note: Industrial users shall be fully liable for the total amount of fines and civil penalties assessed against Tremonton City by EPA or the State of Utah and administrative costs incurred in accordance with 14-261 (2) of the Revised Ordinances of Tremonton City Corporation.

⁴ Note: The City Council enacts the following rate increase to the base rate for the first 12,800 gallons of water used: 1) an additional \$2.75 increase for a base rate of \$25.55 which will be effective January 1, 2017; and 2) an additional \$2.75 increase for a base rate of \$28.30 which will be effective January 1, 2018.

13.8 Deduct Meter Fees. The following fees and charges are approved and shall be assessed and collected by the City Treasurer for Deduct Meter Fees:

Deduct Meter Fees¹	Fees
Installation	Owners sole responsibility
Meter Setters	May be optionally purchased at City's cost
Meter Box	May be optionally purchased at City's cost
Meter Box Rings	May be optionally purchased at City's cost
Meter Box Lid	May be optionally purchased at City's cost
Connectors	May be optionally purchased at City's cost
Master Meter with 3G Dialog	Must be purchased from Tremonton City
Meter Size ² (Materials):	
3/4"	\$245.00 \$255.00 or at City's cost, whichever is greater ¹
1"	\$330.00 \$350.00 or at City's cost, whichever is greater ¹
1 1/2"	\$515.00 \$660.00 or at City's cost, whichever is greater ¹
2" and above	\$635.00 \$875.00 or at City's cost, whichever is greater ¹

¹ Note: Any Industrial, Institutional, Commercial, or Governmental facility may apply to Tremonton City Corporation for the purchase of a deduct meter. The deduct meter is to be used for the purpose of deducting outdoor water usage from the total amount of water

usage, this is for the sole purpose of sewage usage billing. Deduct meter must be purchased through Tremonton City.

² Note: The deduct meter size will be determined by Tremonton City Corporation. Tremonton City Corporation may, if they feel it is necessary, do an onsite inspection to determine the appropriate location of the deduct meter to insure that only outdoor water usages are being deducted.

Tremonton City Corporation will require that the meter be installed in a manner that it may easily be removed and repaired when need be. The meter has to also be installed as to allow the Radio Unit to properly function. All installations will be in compliance with Tremonton City’s typical water connection standards.

13.9 Rental of Public Works Conference & Training Facility Fees. The following fees and charges are approved and shall be assessed and collected by the Public Works Department or the City Treasurer for the rental of the Public Works Conference & Training Facility:

Rental Public Works Conference & Training Facility¹	Fees
Security Deposit ²	\$200.00 per event
Daily/Evening Rate - Conference Room/Kitchen	\$35.00 per day or evening
For Profit Ventures	Not Permitted

¹ Note: Department Head may at their discretion waive rental fees and Security Deposit for non-profit groups or the like.

² Note: Cost of damage will be levied against the Security Deposit posted with the City. The Security Deposit is refundable under certain conditions as per rental agreement.

13.10 Pavement Cut Permit Fees. The following fees and charges are approved and shall be assessed and collected by the Public Works Department or the City Treasurer for Pavement Cut Permits:

Excavation Permits in Public Way/Pavement Cut Permits¹	Fees
Encroachment Permit	\$75.00
Non-paved Excavation	\$150.00
Cuts in Paved Surfaces	\$150.00
Unauthorized Excavation in City Right of Ways ²	\$150.00 plus pavement cut permit fee
Excavation Bond	Must also provide surety bond with the City having right of action on payment for the amount of construction. Bond to be deposited with the City Treasurer and refunded 18 months after completion of the construction.

¹ Note: See Section 11-405 of the Revised Ordinances of Tremonton City Corporation for additional fees that could be included or excluded.

² Note: Public Works Director may waive this fees based upon the circumstances. The appropriate Department Head is authorized to issue a financial penalty for violation of a City ordinance. The financial penalty is not considered to be a criminal punishment, as it is ought in order to compensate the City for harm done to it, rather than to punish the wrongful conduct. The standard for review in issuing civil financial penalties by a Department Head is more than 50% likely that the accused violated the City ordinance. If the individual appeals financial penalty or refuses to pay the financial penalty then the Department Head shall turn the matter over to the Police Department to investigate the violation and to process the violation of the City ordinance criminally through the City’s Justice Court.

Section 14 Recorder’s Office Fees.

14.1 Recorder’s Office General Service Fees. The following fees and charges are approved and shall be assessed and collected by the City Recorder for General Recorder Office General Services:

Recorder’s Office General Services	Fees
Annexations	
Annexation Petition Filing Fee	\$300.00 and an \$800 Deposit
State Required Publication/ mailing fees	Actual Costs with a minimum \$500.00 Deposit
Election Filing Fees	\$50.00
Recording Fees	No charge, cost of recording is included in the already paid Development Application Fee.
Distribution of Advertising	
Annual Permit	\$40.00
Police Investigation (One Time Fee)	\$25.00
Application for disposal of City Real Property	\$250.00 ¹

¹ Note: In accordance with *Section 8-102-4 (7) and (8) of the Revised Ordinance of Tremonton City Corporation* the Applicant shall also be require to pay/reimburse the City for any additional costs associated with the disposition of the property such as surveying costs etc. When applicable the Applicant shall also be required to pay the fees associated with vacating, altering, or amending a subdivision plat or for vacating street, right-of-way, or easement as contained *Section 5.1 Development Application Review Fees*.

14.2 Business License Fees. The following fees and charges are approved and shall be assessed and collected by the City Recorder for Business Licenses:

Business Licenses	Fees
Annual Business Licenses ¹	

Business Licenses	Fees
New Business Licenses	\$10.00 setup fee plus an amount dependent upon business category ⁵
Renewed Business License ⁴	Amount dependent upon business category ⁵
Replacement of Business Licenses	\$5.00
Home Occupation ² - Zoning Approval	Home Occupations require a Zoning Approval (Conditional Use Permit) for all home based businesses in addition to the business license
Business Licenses Late Financial Penalty ³	A financial penalty 50% of the amount of business license fee shall charged for late business licenses
Live Entertainment Application Fee	\$25.00 Paid prior to issuance of permit.
Beer License ¹	
Initial Application Fee	\$50.00 (Non- refundable)
On-Premise	\$125.00 (Refundable if license is denied)
Off-Premise	\$125.00 (Refundable if license is denied)
Cabaret	\$150.00 (Refundable if license is denied)
Annual Renewal Fee	
On-Premise	\$125.00
Off-Premise	\$125.00
Cabaret	\$150.00
Fireworks Sales Permit/total yearly fee per stand	\$125.00
Residential Solicitation (Transient/Peddlers/Itinerant Merchants Licenses)	\$10.00 setup fee plus \$40.00 for the annual license (Applicant to provide background check)

¹ Note: The license fee shall date from January 1st of each year and shall expire on December 31st of each year. One-half of annual fees shall be payable for all licenses issued by the City pursuant to applications made after July 1st of each year.

² Note: A Home Occupation Business License is not required for a home business when annual gross receipts are less than six hundred (\$600.00) and in accordance with Section 9-124 (3) of the Revised Ordinance of Tremonton City Corporation no license fee shall be imposed under Resolution on any person engaged in the business of private instruction in the arts in the home on a part-time basis. See Section 5.1 Development Application Review Fees for the fee amount for Conditional Use Permit.

³ Note: License fees shall be due on January 1st and shall become delinquent if not paid by the last day of February each year. If any license fees are not paid by the due date, a penalty of fifty percent (50%) of the amount of such license fee shall be added to the original amount thereof. No license shall be issued until all penalties legally assessed have been paid in full. Financial penalties for violating requirements of Section 9-400 of the Revised Ordinances of Tremonton City Corporation: 1st offense - \$250.00; 2nd offense - \$500.00; 3rd and subsequent offenses - \$1,000.00.

⁴ Note: In accordance with Resolution No. 16-48 the City shall waive the business license fee for the following year in which a business shows evidence that they participated and received an Enterprise Zone tax credit and provides the City with the following information: 1) Total dollar investment in business expansion; 2) Number of new jobs created and the pay of these new jobs

^{4.5} Note: Business Category is determined according to the following schedule below. For business categories not specified in the table below, the City Recorder and Licensing Officer shall apply the business category below that they deem to be most similar to the proposed business use.

Type	Business Categories	Fees
10	AGRIBUSINESS	\$40.00
50	AUTO-BODY/WELD SHOP	\$40.00
100	AUTOMOTIVE/IMPLEMENT "A" -Farm Implements	\$75.00
140	AUTOMOTIVE/IMPLEMENT "B" -Auto Sales/Used Car Sales	\$120.00
150	CHRISTMAS TREE SALES- Requires notification to Utah State Tax Commission, Special Events Unit	\$40.00
200	DWELLINGS/HOUSING "A" - Mobile Home Park	\$75.00
220	DWELLINGS/HOUSING "B" -Manufactured Homes Sales/Service	\$120.00
250	EDUCATION/DAY CARE	\$40.00
300	ENTERTAINMENT	\$40.00
350	FABRICATION (Metal Fabrication)	\$40.00
400	FUEL DISPENSING	\$40.00
450	HOME OCCUPATION "A"-All except Day Care	\$40.00
490	HOME OCCUPATION "B" -Day Care - State Regulated	\$40.00
500	HOTEL/MOTEL	\$75.00
550	MANUFACTURING	\$100.00
600	OPEN STORAGE (RV's, Campers, etc.)	\$40.00
650	PRIVATE CLUBS, TAVERNS/BARS	\$40.00
700	PROFESSIONAL OFFICES "A" -All except Financial Services	\$40.00
725	PROFESSIONAL OFFICES "B" -Financial Services	\$120.00
750	PUBLIC/QUASI-PUBLIC "A" -Assisted Living	\$40.00
775	PUBLIC/QUASI-PUBLIC "B" -Utility Companies	\$250.00
800	RESTAURANT, FAST FOOD	\$40.00
850	RETAIL "A" -All except those listed below	\$40.00
870	RETAIL "B" -Drug Store; Convenience Store; Furniture/Appliance; Sales & Service; Home Furnishings; Lumber/Hardware; Retail Merchandise; Clothing Store	\$75.00
880	RETAIL "C" - Auto Parts/Accessories; Food Store	\$120.00
890	RETAIL "D" -Fireworks Stands	\$125.00
900	SERVICES	\$40.00
950	SOLICITOR/TEMPORARY - See "Transient License"	See Section 14.2 Business License Fees for fee amount
1000	STORAGE BUILDINGS	\$40.00

1050	TATTOO PARLORS	\$40.00
1075	TELEMARKETING, PHONE SOLICITATION	\$100.00
1100	TRANSPORTATION	\$40.00
1150	WHOLESALE/DISTRIBUTION-Wholesale Oil	\$75.00
1200	SEXUALLY-ORIENTED BUSINESS -Business License	\$75.00 plus fees contained in <i>Section 14.3 Sexually Oriented Business Regulatory License & Employee Regulatory License Fee</i>

14.3 Sexually Oriented Business Regulatory License & Employee Regulatory License Fees.

The following fees and charges are approved and shall be assessed and collected by the City Recorder for Sexually Oriented Business Regulatory License & Employee Regulatory License Fees:

Sexually Oriented Regulatory Business License & Employee Regulatory License Fees & Financial Penalties¹	
Licenses	Fees & Financial Penalties
Sexually Oriented Business Regulatory Business License	
Initial Sexually Oriented Regulatory Business License	\$250.00 (Non- refundable)
“Outcall Services” ²	\$450.00 plus \$2,000.00 bond ³ with application (Refundable if license is denied)
“Adult Businesses” ²	\$450.00 plus \$2,000.00 bond ³ with application (Refundable if license is denied)
“Semi-Nude Entertainment Businesses” ²	\$450.00 plus \$2,000.00 bond ³ with application (Refundable if license is denied)
“Semi-Nude Dancing Agency” ²	\$450.00 plus \$2,000.00 bond ³ with application (Refundable if license is denied)
“Escort Services” ²	\$450.00 plus \$2,000.00 bond ³ with application (Refundable if license is denied)
Employee Regulatory License	
Initial Employee Application Fee	\$100.00 (Non- refundable)
Employee License	\$150.00 (Refundable if license is denied)
Sexually Oriented Business/Employee Financial Penalties	
Sexually Oriented Business License Violation (including but not limited to operating without the required City licenses)	See <i>Section 9.1 General Bail Schedule Fines</i> for possible fine amounts
Civil Penalty	\$500.00

¹ Note: Sexually oriented business and employee license issued shall be valid from the date of issuance through December 31st of each year. The license fees required for the applicable license shall not be prorated for any portion of a year, but shall be paid in full for

whatever portion of the year for which the license is applied. Sexually oriented business licenses shall not be transferrable.

² Note: It is unlawful for any business premise to operate or be licensed from more than one category of sexually oriented business, except that a business may have a license for both “Outcall Services” and “Semi-Nude Dancing Agency” on the same premise. The following are categories of sexually oriented businesses: “Outcall Services”; “Adult Businesses”; “Semi-Nude Entertainment Business”; “Semi-Nude Dancing Agency”; and “Escort Services”. See Section 9-713 of the Revised Ordinances of Tremonton City Corporation for the definition of these business categories.

³ Note: Each application for a sexually oriented business license shall post, with the City Treasurer, a cash or corporate surety bond payable to Tremonton City in the amount of two thousand dollars. Any financial penalties assessed against the business, officers, or managers for violation of City ordinances shall be taken from this bond if not paid in cash within ten days after notice of the financial penalty, unless an appeal is filed. In the event that funds are drawn against the cash or surety bond to pay such financial penalties, the bond shall be replenished to two thousand dollars within fifteen days of the date of notice of any draw against it.

14.4 Cemetery Open & Close Service Fees. The following fees and charges are approved and shall be assessed and collected by the City Recorder for Cemetery Open & Close Services:

Cemetery Open & Close Services ¹	Fees
Weekday	
Resident Adult or Infant	\$200.00
Non-Resident Adult or Infant	\$225.00
Weekends and Holidays	
Resident Adult	\$275.00
Resident Infant	\$250.00
Non-Resident Adult or Infant	\$375.00
Cremation: Weekday	
Resident	\$200.00
Non-Resident	\$225.00
Cremation: Weekends and Holidays	
Resident Adult	\$275.00
Resident Infant	\$275.00
Non-Resident Infant	\$375.00
Non-Resident Adult	\$375.00
Exhumation: Weekday	\$1,000.00
Exhumation Cremation: Weekday	\$1,000.00
Burial Permit	No charge
Transfer of Burial Rights	\$50.00 per certificate

¹ Note: No graves to be opened on Sunday.

14.5 Cemetery Lot Sale Fees. The following fees and charges are approved and shall be assessed and collected by the City Recorder for the Cemetery Lot Sale:

Cemetery Lot Sale ¹	Fees
Resident ²	\$400.00
Non-Resident	\$800.00

¹ Note: Per City Council Meeting February 1, 2005, purchase of plots and opening/closing cannot be set up on Accounts Receivable. Special consideration for emergency/hardship situations with thirty (30) day extension maximum.

² Note: Per City Council Meeting October 17, 2006, any person who has served Tremonton City as Mayor, City Council Member, or on a board or commission recognized and approved by the Tremonton City Council, shall be classified as a permanent resident for the purposes of purchasing a cemetery lot for themselves and/or their spouse.

Section 15 Senior Center Fees.

15.1 Meals & Program Fees. The following fees and charges are approved and shall be assessed and collected by the Senior Center or the City Treasurer for Meals & Programs:

Meals & Programs	Fees
Meals	
Meals for individuals age 60 and older	As set by the Bear River Association of Government Advisory Council on Aging
Programs	Estimated actual costs per estimated participant numbers as determined by the Senior Center Director

15.2 Senior Center Rental Fees. The following fees and charges are approved and shall be assessed and collected by the Senior Center or City Treasurer for the rental of the Senior Center:

Senior Center Rental ^{1,2}	Fees
Multi Purpose Room with Kitchenette –Main Floor	
Security Deposit ³	\$200.00 per event
Weekday or Weekday Evening (4 Hour Maximum)	\$50.00
Weekend Half Day (4 Hour Maximum)	\$50.00
Weekend Full Day (More than 4 Hours)	\$150.00
Meeting Room with Kitchenette-Upstairs	
Security Deposit ³	\$200.00 per event
Weekday (4 Hour Maximum)	\$25.00
Weekend Half Day (4 Hour Maximum)	\$25.00
Weekday Evening or Weekend	\$50.00
Board Room – Main Floor	
Security Deposit ³	\$200.00 per event

Weekday or Weekday Evening (4 Hour Maximum)	\$25.00
Weekend	\$35.00

¹ Note: Department Head may at their discretion waive rental fees and Security Deposit for non-profit groups or the like.

² Note: No part of the Senior Center may be rented by an individual or business during the Center's hours of operation when the purpose of renting a room by an individual or business is aimed at directly or indirectly marketing or selling products or services to Senior Citizens.

³ Note: Cost of damage will be levied against the Security Deposit posted with the City. The Security Deposit is refundable under certain conditions as per rental agreement.

Section 16 Treasurer's Office Fees.

16.1 Treasurer's Office General Service Fees & Financial Penalties. The following fees and charges are approved and shall be assessed and collected by the City Treasurer for General Treasurer Office General Services:

Treasurer's Office General Services ¹	Fees or Financial Penalties
Financing Fees on Accounts Receivable Past Due Sixty (60) Days	3%
Utility Late Fee (for amounts in excess of \$10.00 which are thirty (30) days past due)	\$2.00

¹ Note: City Treasurer may elect to waive the fee or financial penalty at his/her discretion.

**TREMONTON CITY
CITY COUNCIL MEETING
November 1, 2016**

TITLE:	Discussion and consideration of awarding a bid for a new Fire Apparatus estimated to cost between \$755,000 to \$600,000
FISCAL IMPACT:	The bids for the truck were as follows: \$603,741- Rosenbauer \$635,919- Pierce (Rear Mount Pumper) \$620,323- Pierce
PRESENTER:	Steve Batis, Fire Chief

RECOMMENDATION:

It is recommended that the City Council select the Rosenbauer Fire Truck. It is envisioned that the City will pay cash for a portion of the truck and enter into a lease purchase agreement with Zions Bank. Once the truck is ordered the City will not receive delivery for approximately one year. The City will start the process of the lease purchase agreement approximately 2 months ahead of when the money is needed. Curtis Roberts, Finance Director will be present at the meeting to discuss more in detail the financing of the truck.

BACKGROUND:

The City has envisioned purchasing a new fire apparatus once the current debt service ended for the Ladder Truck which will occur on February 1, 2017. A new fire truck would replace a 30 year old fire truck that does not meet current National Fire Protection Agency's standards. It will take approximately one year to build the City a new fire truck once it is ordered. For this reason it is recommended that the City start the process now for the purchasing of the fire truck by soliciting bids for a new truck.

Ordinance Number 14-02, which adopted the Impact Fee Analysis, included collecting impact fees for a new fire truck costing \$755,108. In FY 2015 the City collected approximately \$12,500 and collected \$19,500 in FY 2016. As you will note in excerpt below from the Impact Fee Analysis, state law does not permit the entire cost of the fire truck to be reimbursed to the City through the use of impact fees, because fire apparatus impact fees cannot be collected for residential land uses.

An apparatus costing over \$500,000 when purchased and equipped can be assessed to non-residential development on a square foot basis (which is the method in which impact fees for non-residential developments are calculated). The City currently has one qualifying apparatuses in its inventory, with one additional apparatus expected to be added within ten years. Details of this apparatus are contained in the following table.

Asset	Equipment	Purchase	PV	FV	Financing	Impact Fee
Ladder Truck	Fully Equipped	2008	\$697,95	-	\$196,720	\$894,676
Custom Chassis Engine	Fully Equipped	2022	\$700,00	\$869,07	\$55,108	\$755,108
Totals:			\$1,397,95	\$869,07	\$251,828	\$1,649,785

Using this information, an apparatus fee has been calculated which is only applicable to private non-residential and industrial development in Tremonton. This is consistent with the requirements contained in the Utah Impact Fee Act, where it states that only residential land uses may be exempt from an impact fee for fire suppression vehicles (thank Code 11-36a-202(2)(a)(i)) and that these vehicles must be over \$500,000 to be considered in the calculation (11-36a-102(16)(a)(ii)).

The costs of the apparatus are divided by the existing plus then year private calls expected within the service areas (including residential) to calculate the fair average costs per call. This average cost per call is then applied only to non-residential and industrial land uses and multiplied by the calls per unit to arrive at

the cost per unit. The following table displays the calculation.

Apparatus Impact Fee Calculation for Private Non		opment
Total Existing and Future Apparatus > \$500,000		\$1,649,78
Calls Served by Existing and 10 Year Infrastructure		436
Apparatus Cost per Call		\$3,782
Fire / EMS Calls per kSF of Private Non Residential Development		0.063
Fire / EMS Calls per kSF of Industrial		0.011
Apparatus Cost per kSF of New Private Non Residential Development		\$239.91
Apparatus Cost per kSF of New Industrial Development		\$42.73

The biggest issue with the fire trucks is not mileage but the age of the apparatus. As you will note in the chart below the oldest engine is from 1985 and is an open cab design wherein only two firefighters ride within an enclosed cab. This apparatus is current out of compliance with National Fire Protection Agency (NFPA). It is my understanding that because the NFPA standards do not allow firefighters to ride within an open cab that this apparatus can only transport 2 firefighters to the scene of an incident. Additionally, NFPA requires that there be 5 firefighters on scene to fight structure fires.

New fire truck will replace 1985 Kenworth that presently does not meet NFPA standards. The 2017 fire truck will have a EXT Rear Mount Pumper will have five full firefighter seats with gear and SCBA's, light tower for night time scene safety, built in foam unit for extinguishing automotive fires, built in generator with 100 foot cord on reel, electric fans, rear passenger pump panels, full set of rescue tools (cutters, spreaders etc.), deck gun, absorbance materials compartments, 1500 gal pump, 500 gal tank, 12000 lb 360 winch, transverse compartments for EMS equipment. Truck has 15 liter Cummins engine with Allison transmission to maintain speeds in mountainest terrain. Truck cab is equipped with the most up to date firefighter safety devices. Truck fully meets all NFPA standards and ISO requirements.

Unit Number	Year	Make/Model	Mileage
Engine 31	1995	E1	27,380
Engine 37	1985	Kenworth	41,151
Engine 33	2000	Freightliner	29,658
Ladder 31	2008	Spartan	6,839

If the City has more storage space it would be recommended that the City retain the 1985 fire truck as a back up; however, there is essentially no place to store this apparatus. For this reason it is proposed that the City Council consider passing the truck to a smaller governmental entity within the area. Corrine has expressed an interest in receiving this piece of equipment.

Attachments: summaries of bids

PROPOSAL FOR FURNISHING FIRE APPARATUS

October 13, 2016

Tremonton City
102 South Tremont St.
Tremonton, Utah 84337

The undersigned is prepared to manufacture for you, upon an order being placed by you, for final acceptance by Pierce Manufacturing, Inc., at its home office in Appleton, Wisconsin, the apparatus and equipment herein named and for the following prices:

One Pierce Enforcer 1500 GPM PUC Rear Mount Rescue Pumper ^L	\$ 635,919.00
<hr/>	
Optional Unit:	
<hr/>	
One Pierce Enforcer 1500 GPM PUC Rescue Pumper	620,323.00
<hr/>	
Please see the option offered discount sheet attached	
<hr/>	
	Total \$

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war, or intentional conflict, failures to obtain chassis, materials, or other causes beyond our control not preventing, within about 315 working days after receipt of this order and the acceptance thereof at our office at Appleton, Wisconsin, and to be delivered to you at Tremonton, Utah.

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are interlined prior to the acceptance by the company of the order to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

The proposal for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications. Any increased costs incurred by first party because of future changes in or additions to said DOT or NFPA standards will be passed along to the customers as an addition to the price set forth above.

Unless accepted within 60 days from date, the right is reserved to withdraw this proposition.

Pierce Manufacturing, Inc.

By: 

AUTHORIZED SALES REPRESENTATIVE

Mark Hales



PERFORM. LIKE NO OTHERSM

OPTIONS OFFERED FOR TREMONTON CITY FIRE DEPARTMENT

Should Tremonton City elect to prepay the chassis (approximate 90 days before delivery) you may deduct.....(-\$9,614.69)

Should Tremonton City elect to prepay any funds towards the purchase of this Unit. Pierce Manufacturing Inc., will pay 4.5 % interest on the funds from the time they are received at Pierce Manufacturing Inc. until pickup. You may elect to pay any amount from 0-100% we can provide you with a "to Pay amount" with contract amount.

Optional unit chassis Pre-Pay Discount if selected will be (-9,550.00)-

Please feel free to call should you have any questions on these prepayments options

OUTPUT AREA:

Pierce Manufacturing Inc.
Prepayment Discount Calculation

TO: email
Mark Hales
Ross
FROM: Kira Krueger
DATE: 10/13/2016
CUSTOMER: Tremonton, Utah

QUOTATION:

Contract	\$ 635,919.00
Interest Discount	(16,959.87)
Chassis Discount	(9,614.69)
Aerial Discount	-
Other	-
Due Net 15 of Contract	<u>\$ 609,344.44</u>

Quote based on 9.5 mos build - net 15 payment terms

Based on 4.5% Rate.

OUTPUT AREA:

Pierce Manufacturing Inc.
Prepayment Discount Calculation

TO: email
Mark Hales
Ross
FROM: Kira Krueger
DATE: 10/13/2016
CUSTOMER: Tremonton, Utah

QUOTATION:

Contract	\$ 620,323.00
Interest Discount	(16,476.16)
Chassis Discount	(9,550.25)
Aerial Discount	-
Other	-
Due Net 15 of Contract	<u>\$ 594,296.59</u>

Quote based on 9.5 mos build - net 15 payment terms

Based on 4.5% Rate.



Graham Fire Apparatus Sales
2816 N.W. 3rd St.
Meridian, Idaho 83646
Tel: (208) 869-8618
E-Mail: kent@grahamfire.com

October 11, 2016

Chief Steve Batis
Tremonton Fire Department
102 S. Tremont St.
Tremonton, UT 84337

Dear Chief Austin:

We at Graham Fire and Rosenbauer would like to thank the City of Tremonton for the invitation to, and consideration of the following bid proposal. In this binder you will find our proposal and a detailed set of specifications based on the Department's requirements.

Our proposal page with the cost of the vehicle is located in the next section of the proposal. We have also included information on prepayment options. If we are deemed the successful bidder, we anticipate the completion of the pumper no more than 365 days after receiving a signed contract or purchase order from the City.

Rosenbauer manufactures a complete line of quality fire apparatus including small rescue vehicles and mini-pumpers, heavy duty rescue vehicles, commercial and custom type 1, 2, 3 pumpers, water tenders, AARF vehicles, and aerials. As the world's largest manufacturer of fire apparatus and second largest in the United States, we have many satisfied fire departments in Nevada, Utah and Southern Idaho.

Graham Fire has a complete mobile service truck to meet your warranty and long term service needs if required. David Smith is an EVT certified mechanic. We also work closely with AES for warranty service in the Utah area.

During your review of our proposal, if you have any questions or require additional information, please do not hesitate contacting myself with any questions you may have. I can be most easily reached at (208) 869-8618. I would also be happy to meet you and representatives from the department to go over our proposal in person. Please just let me know what day and time works out best for you and the department. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kent Graham', is written over a horizontal line.

Kent Graham
Graham Fire/Rosenbauer

To: CITY OF TREMONTON FIRE DEPARTMENT
102 SOUTH TREMONT ST.
TREMONTON, UT 84337

DATE: 10/13/2016

We hereby propose and agree to furnish, after your acceptance of this proposal and the proper execution by the City of Tremonton, hereinafter called the BUYER and an officer of Rosenbauer Minnesota, LLC, hereinafter called the COMPANY, the following apparatus and equipment:

ROSENBAUER REAR MOUNT PUMPER APPARATUS BODY MANUFACTURED BY ROSENBAUER MINNESOTA, LLC AND SPECIFIED EQUIPMENT	\$338,987.00
ROSENBAUER COMMANDER CHASSIS	\$264,754.00
TOTAL ...	\$603,741.00*

SIX HUNDRED THREE THOUSAND SEVEN HUNDRED FORTY ONE DOLLARS

All of which are to be built in accordance with the specifications, clarifications and exceptions attached, and which are made a part of this agreement and contract.

DELIVERY: The estimated delivery time for the completed apparatus, is to be made 365 days after receipt of and approval of this contract duly executed, subject to all causes beyond the Company's control. The quoted delivery time is based upon our receipt of the specified materials required to produce the apparatus in a timely manner. The Company cannot be held responsible for delays due to Acts of God, Labor Strikes, or Changes in Governmental Regulations that result in delayed delivery to our manufacturing facilities of these specified materials. This delivery estimate is based on the Company receiving complete and accurate paperwork from the Buyer and that no changes take place during pre-construction, mid-point inspections or final inspections. Changes required or requested by the Buyer during the construction process may be cause for an increase in the number of days required to build said apparatus.

PAYMENT TERMS: Final payment for the apparatus shall be made at time of delivery or pick up of the completed vehicle. It is the responsibility of the Buyer to have full payment ready when the apparatus is complete and ready to deliver. If payment is delayed or delivery is delayed pending payment, a daily finance and storage fee may apply. Upon delivery of the apparatus or upon pickup of the apparatus by the Buyer, Buyer agrees to provide all liability and physical damage insurance. It is further agreed that if on delivery and test, any defects should develop, the Company shall be given reasonable time to correct same. Guarantee of the chassis is subject to the guarantee of the chassis manufacturer.

MISCELLANEOUS PROVISIONS: This agreement shall be construed in accordance with the laws of the State of Minnesota. The parties agree that any litigation arising from or in connection with any dispute between the parties under this agreement shall be venued in Minnesota. The parties agree that this agreement bears a rational relationship to the State of Minnesota, and they consent to the personal jurisdiction of such state and further consent and stipulate to venue in the above described court.

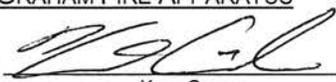
***NOTE: IF CHASSIS IS PAID FOR UPON ARRIVAL AT APPARATUS PLANT, DEDUCT \$10,163.00.**

The amount in this proposal shall remain firm for a period of 30 days from the date of same.

Respectfully submitted,

DEALER: GRAHAM FIRE APPARATUS

SALES REP:



KENT GRAHAM

BUYER:

We accept the above proposal and enter into contract with signature below.

_____ Title _____

_____ Title _____

_____ Date _____

After company receipt of this document signed by the Buyer, the document will be reviewed and upon approval, countersigned by the Company thereby putting the document in force.

ROSENBAUER MINNESOTA, LLC

_____ Title _____

_____ Date _____

www.rosenbaueramerica.com

info@rosenbaueramerica.com

ROSENBAUER SOUTH DAKOTA, LLC.
100 THIRD STREET
P.O. BOX 57
LYONS, SOUTH DAKOTA 57041
P: 605.543.5591

ROSENBAUER MINNESOTA, LLC.
5181 260TH STREET
P.O. BOX 549
WYOMING, MINNESOTA 55092
P: 651.462.1000

ROSENBAUER MOTORS, LLC.
5190 260TH STREET
P.O. BOX 549
WYOMING, MINNESOTA 55092
P: 651.462.1000

ROSENBAUER AERIALS, LLC.
870 SOUTH BROAD STREET
FREMONT, NEBRASKA 68025
P: 402.721.7622

TREMONTON CITY
CITY COUNCIL MEETING
NOVEMBER 1, 2016

TITLE:	Discussion on Awarding Bid for Malad River Trailhead Project to the most Qualified Low Bidder. Engineers Estimate \$115,890.00
FISCAL IMPACT:	Engineers Estimate \$115,890.00
PRESENTER:	Marc Christensen, Tremonton City Parks Director, Shawn Warnke, Tremonton City Manager, and Paul Fulgham, Tremonton City Public Works Director

Prepared By:

Paul Fulgham
Public Works Director

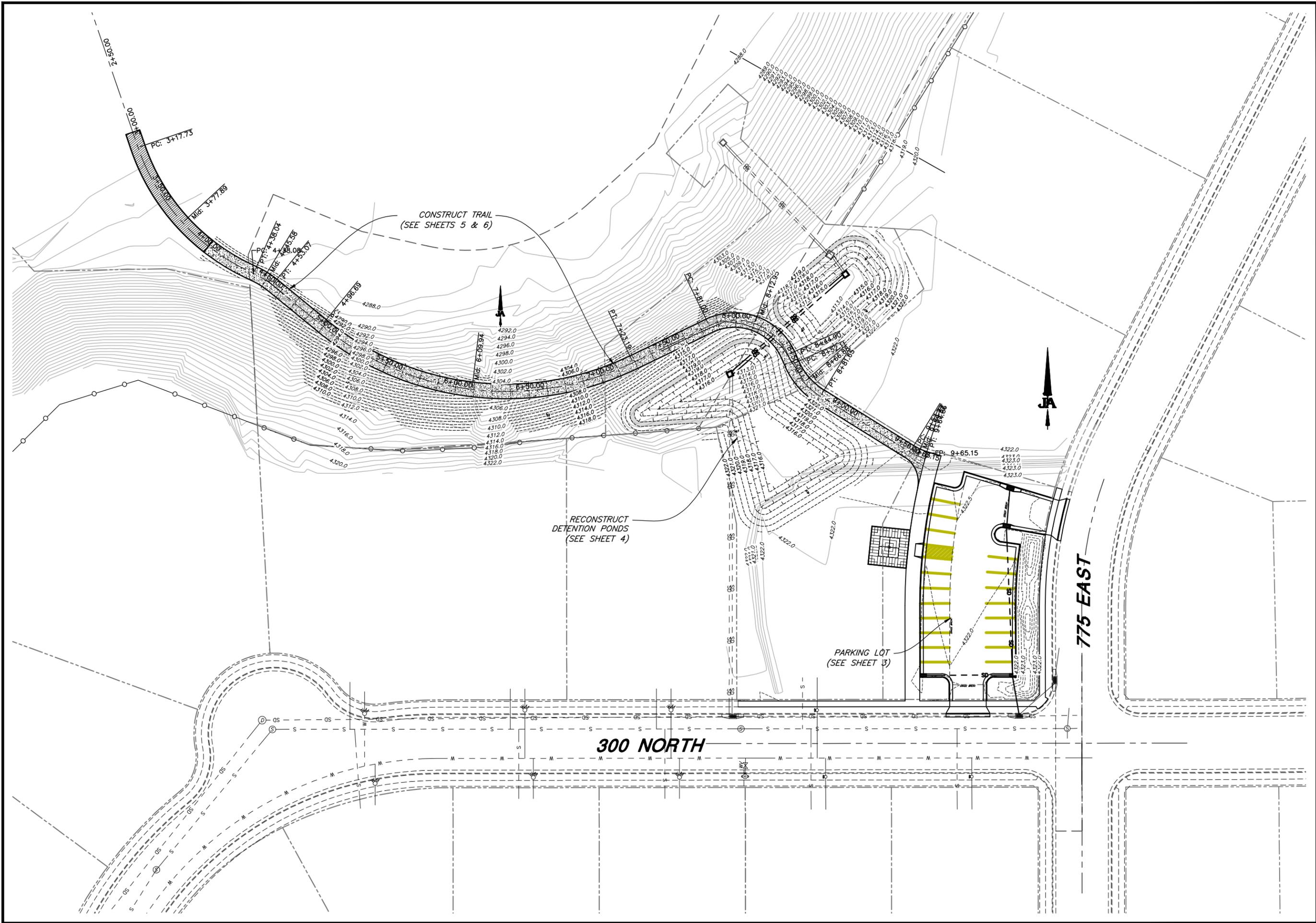
RECOMMENDATION: Award the Bid for the Malad River Trailhead Project to the most Qualified Low Bidder. To be provided to City Council in City Council Meeting, **Bid opening will be at 10:00 am November 1, 2016 at Tremonton Civic Center.**

BACKGROUND:

Tremonton City was awarded grant moneys from three different entities, the State of Utah Recreational Trails Program, Intermountain Health Care and the Box Elder County Tourism Board, these funds were to be used to help with the development of a Tremonton Trails System, the Malad River Trail Head Project is the first step in the development of a functioning viable trail system.

Attachments:

1. Bid Opening Summary – Malad River Trailhead Project – (To be provide to the City Council in City Council Meeting)
2. Malad River Trailhead Project Overview



TREMONTON CITY
MALAD RIVER TRAILHEAD PROJECT
PROJECT OVERVIEW

DATE	REVISION

CLB DESIGNED	CLB DRAWN	CLB CHECKED
--------------	-----------	-------------

SCALE:
 24"x36"
 1" = 30'
 11"x17"
 1" = 60'

TREMONTON CITY
CITY COUNCIL MEETING
NOVEMBER 1, 2016

TITLE:	Discussion on Awarding Bid for Central Canal Storm Drain Outfall Line to the most Qualified Low Bidder. Engineers Estimate \$109,260.00
FISCAL IMPACT:	\$69,945.00
PRESENTER:	Paul Fulgham, Tremonton City Public Works Director

Prepared By:

 Paul Fulgham
 Public Works Director

RECOMMENDATION:

Award the Bid for Central Canal Storm Drain Outfall Line to the most Qualified Low Bidder. To Grover Excavation for \$69,945.00

BACKGROUND:

This March we installed an storm drain outfall line including an siphon under Main Street, which would flow the storm water from the Tremonton Center project and from the storm drain line that runs south down 400 West. This storm drain outfall line project will complete this part of the storm drain system by having the ability to take the storm water south to the outfall line which flows to the Malad River that aligns with 400 South.

We received 13 bids:

Company	Street
Grover Excavation	\$69,945.00
Circle C Construction	\$74,882.50
Rupp Trucking	\$93,075.01
Fusion Pipeline	\$101,618.75
AAA Excavation	\$105,253.50
Kapp Construction	\$108,290.00
Ormond Construction	\$109,349.52
DWA Construction	\$117,357.46
Marsh Construction	\$121,016.00
Counterpoint Construction	\$124,050.00
D & J Grading	\$132,572.50
Allied Underground Tech	\$142,281.00
Mesquite Utah Inc.	\$143,935.00

Attachments:

1. Bid Opening Summary – Central Canal Storm Drain Project
2. Central Canal Storm Drain Outfall Line Project Map

BID OPENING

Date: October 26, 2016
 Time: 11:00am
 Place: Tremonton City Office

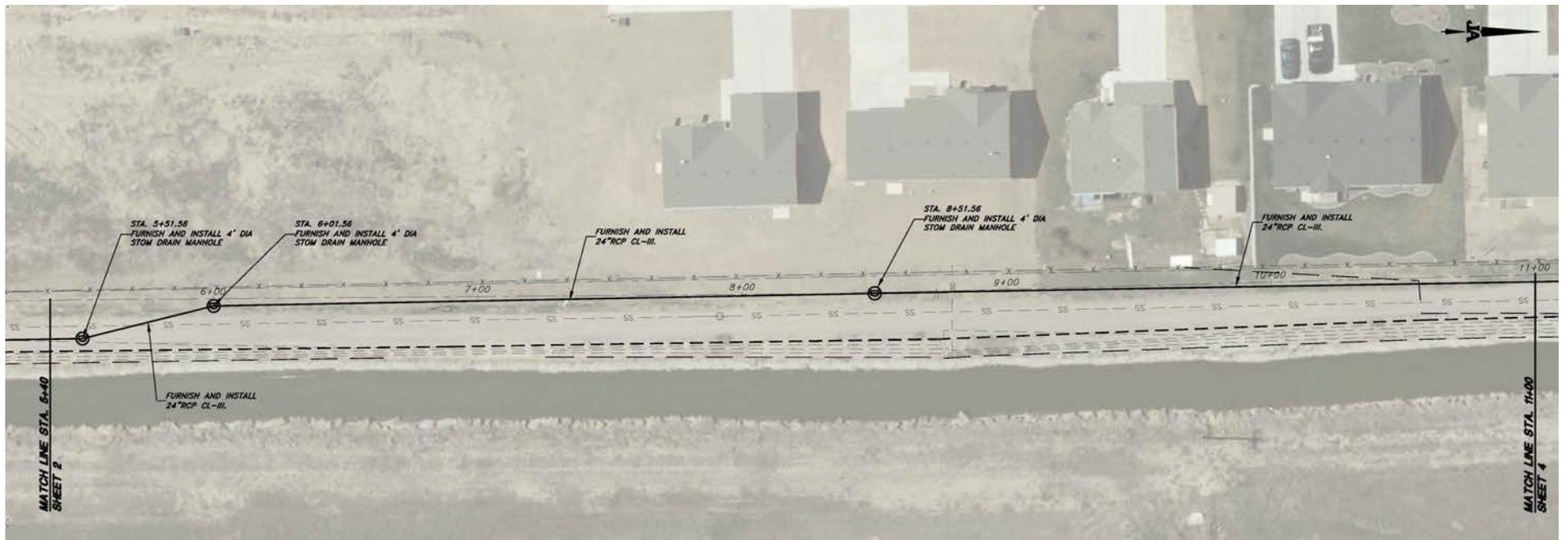
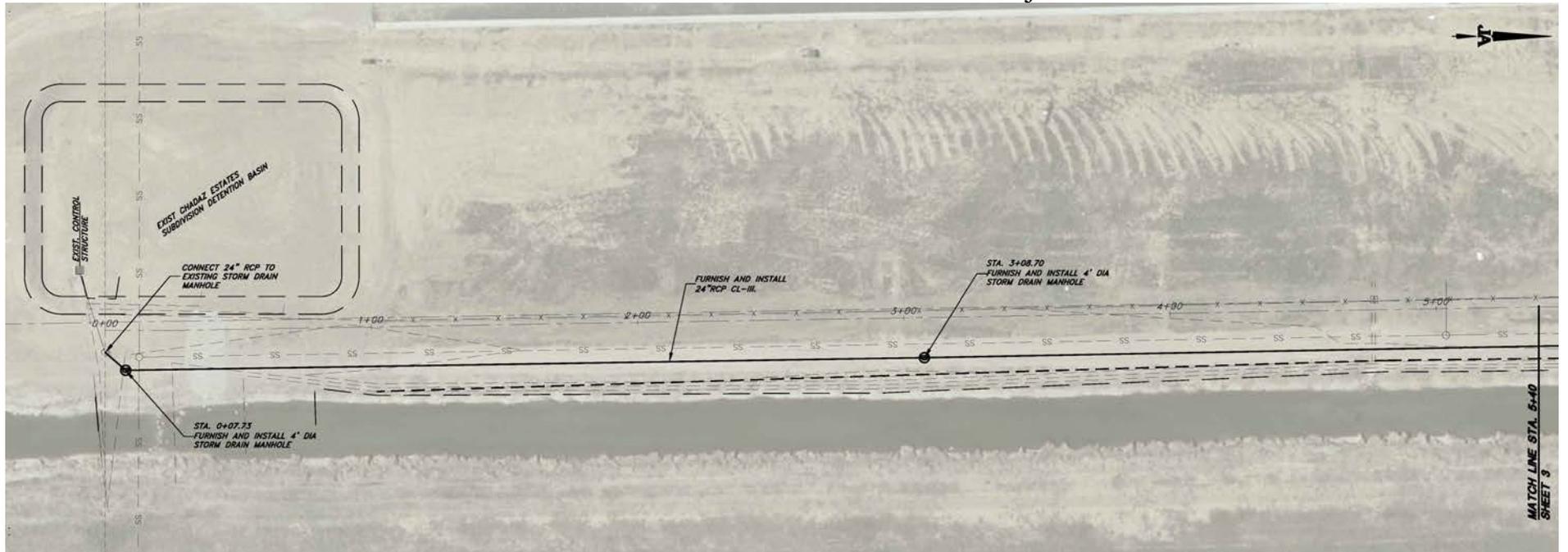
SUMMARY OF PROPOSAL'S RECEIVED

Owner: Tremonton City
 Project: Central Canal Storm Drain Outfall Project

			(1) Engineer's Estimate		(2) Grover Excavation		(3) Circle C Construction		(4) Rupp Trucking	
Item No.	Description	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Sawcut existing parking lot asphalt.	380 lf	\$2.00	\$760.00	\$2.50	\$950.00	\$1.50	\$570.00	\$3.00	\$1,140.00
2	Remove and dispose of existing asphalt (3" - 5" thick).	125 sy	\$3.00	\$375.00	\$4.00	\$500.00	\$8.00	\$1,000.00	\$10.00	\$1,250.00
3	Furnish and install 24" diameter storm drain pipe (RCP or ADS per City Standard)	1,750 lf	\$45.00	\$78,750.00	\$26.44	\$46,270.00	\$26.50	\$46,375.00	\$39.03	\$68,302.50
4	Granular borrow backfill (for pipe installed under asphalt paving)	350 tons	\$10.00	\$3,500.00	\$8.50	\$2,975.00	\$18.00	\$6,300.00	\$7.00	\$2,450.00
5	Furnish and install 4' diameter precast concrete storm drain manhole complete with ring, cover and manhole steps. Connect piping.	7 ea	\$3,000.00	\$21,000.00	\$2,000.00	\$14,000.00	\$2,100.00	\$14,700.00	\$1,968.93	\$13,782.51
6	Connect new 24" SD pipe to existing manhole. Includes coring and grouting pipe to existing manhole.	2 ea	\$1,500.00	\$3,000.00	\$1,250.00	\$2,500.00	\$1,000.00	\$2,000.00	\$1,200.00	\$2,400.00
7	Furnish and install asphalt patching (3" AC, 8" UTGB)	125 sy	\$15.00	\$1,875.00	\$22.00	\$2,750.00	\$31.50	\$3,937.50	\$30.00	\$3,750.00
Total Bid			\$109,260.00		\$69,945.00		\$74,882.50		\$93,075.01	

#	Bid Summary	Total
1	Engineer's Estimate	\$109,260.00
2	Grover Excavation	\$69,945.00
3	Circle C Construction	\$74,882.50
4	Rupp Trucking	\$93,075.01
5	Fusion Pipeline	\$101,618.75
6	AAA Excavation	\$105,253.50
7	Kapp Construction	\$108,290.00
8	Ormond Constuction	\$109,349.52
9	DWA Construction	\$117,357.46
10	Marsh Construction	\$121,016.00
11	Counterpoint Construction	\$124,050.00
12	D&J Grading	\$132,572.50
13	Allied Unerground Tech	\$142,281.64
14	Mesquite Utah	\$143,935.00

Central Canal Storm Drain Outfall Line Project





RESOLUTION NO. 16-51

A RESOLUTION OF THE TREMONTON CITY COUNCIL AUTHORIZING THE SIGNING OF A GRANT OF ACCESS EASEMENT AND ACCESS AGREEMENT BETWEEN TREMONTON CITY AND TRAVIS & MARK FAMILY, LC

WHEREAS, Tremonton City Corporation is the owner of certain railroad tracks and railroad right-of way; and

WHEREAS, Travis & Mark Family, LC is the owner of certain real property that is divided by the Tremonton City owned railroad tracks and railroad right-of-way; and

WHEREAS, there currently exists two concrete crossing panels used by Travis & Mark Family, LC to cross the railroad right-of-way; and

WHEREAS, Tremonton City Corporation and Travis & Mark Family, LC desires to formalize the use of these two crossings through a written and recorded grant of access easement and access agreement.

NOW, THEREFORE, BE IT RESOLVED that the Tremonton City Council authorizes the Mayor to sign the Grant of Access Easement and Access Agreement as attached in Exhibit "A" and thereafter authorizes the City Recorder to cause the agreement to be recorded.

Adopted and passed by the governing body of Tremonton City Corporation this 1st day of November, 2016. Resolution to become effective upon adoption.

TREMONTON CITY
A Utah Municipal Corporation

By: Roger Fridal, Mayor

ATTEST:

Linsey Nessen, City Recorder

EXHIBIT "A"

When recorded, return to:

Kamron Keele, Esq.
29 South State Street, #212
Salt Lake City, UT 84111

GRANT OF ACCESS EASEMENT AND ACCESS AGREEMENT

Tremonton City Corporation, a Utah corporation, hereinafter “*Grantor*”, owner of a right-of-way legally described in Exhibit A, hereinafter “*Right of Way*” and Travis & Mark Family LC, hereafter “*Grantee*”, owner of parcels numbers 06-061-0054 and 06-061-0046 of real property, which is legally described in Exhibit B, hereinafter “*Parcels*” enter into a Grant of Access Easement and Access Agreement as more fully detailed herein.

Grantor hereby grants to Grantee an access easement over its Right-of-Way, at Station 38+92.52 and Station 40+78.29 as shown in Exhibit C- Crossings, which said access easement is appurtenant and shall run with the land. Grantor and Grantee acknowledge and agree the rail traffic through the Right-of-Way has priority right to Grantee’s access easement across the Right-of-Way. Notwithstanding, Grantor covenants to work in good faith with its rail service provider not to block or prevent the passage over or on the tracks by parking engines, rail cars, or cars for longer than one (1) hour, unless such is physically impossible in the event of derailments, equipment failures, or man-made or natural disasters. Grantee is authorized to enter into an agreement with the Grantor’s rail service provider to receive a guarantee to prevent the blockage or restriction of passage for longer than one (1) hour. Grantee agrees and covenants to work directly with the Grantor’s rail service provider to resolve any concerns or disputes associated with parked engines or rail cars on the track blocking the Grantee’s access easement over the Right-of-Way, at Station 38+92.52 and Station 40+78.29 for periods long than one (1) hour.

Grantor also grants an easement for two gates to be constructed and maintained across the Right-of-Way at Station 37+20.54 and Station 43+74.76 as shown in Exhibit C- Crossings so long as gates are authorized and approved by the Grantor’s rail service provider. Grantee is authorized to enter into an agreement with the Grantor’s rail service provider to receive authorization and approval for the placement of the two gates and shall provide this written approval to the Grantor before installing the gates. Upon approval of the construction of the two gates by the Grantor’s rail service provider, Grantee agrees and covenants to work directly with the Grantor’s rail service provider to resolve any concerns or disputes associated with the two gates constructed and maintained across the Right-of-Way at Station 37+20.54 and Station 43+74.76. Grantee and successors in interest shall provide keys or codes to open the gates to the Grantor, Grantor’s rail service provider, Grantor’s railroad track inspectors, and Grantor’s authorized users of the Right-of-Way.

Grantee and successors in interest agree and covenant not to park on the Right-of-Way, to provide safe clearances on their Parcels necessary to allow engine and rail cars to pass through the Right-of-Way, not to store anything flammable on their Parcels adjacent to the Right-of-Way that would create a fire hazard, and otherwise cooperate to allow for the Grantor's and Grantor's rail service provider for the safe use of the Right-of-Way. Grantee and successors in interest also agree and covenant to keep dirt, rock, snow, and ice from building up on the concrete crossing panels used to cross the Right-of-Way at Station 38+92.52 and Station 40+78.29. Grantee and successors in interest also agree and covenant to keep the gates at Station 37+20.54 and Station 43+74.76 in good operating order and to ensure that the gates are free from obstruction, which includes but is not limited to snow, which would prevent the gates from freely swinging or retracting. Grantee and successors in interest shall otherwise agree and covenant to maintain the concrete crossing panels and gates in a condition that allows for the safe passage of Grantee's vehicles, Grantee's equipment, and rail service provider's engines and rail cars from passing through the Right-of-Way. Grantee and successor in interest covenant to indemnify and defend the Grantor and Grantor's authorized users of the Right-of-Way from any personnel injury claims and property claims that result from Grantee's company personnel and Grantee's equipment passing through the Right-of-Way on their Parcels and from placing and maintain gates across the Right-of-Way on their Parcel. Grantee also agrees and covenants to repair any damage that may be caused to the railroad tracks or railroad equipment as a result of their crossing through the Right-of-Way and placement of gates across the Right-of-Way.

DATED this __ day of _____ 2016.

TREMONTON CITY CORPORATION

By: _____
Its: _____

The foregoing instrument was acknowledged before me this __ day of _____ 2016 by _____, who proved to me his identity and duly acknowledged that he executed the same.

NOTARY PUBLIC

TRAVIS & MARK FAMILY LC

By: _____
Its: _____

The foregoing instrument was acknowledged before me this ___ day of _____ 2016 by _____, who proved to me his identity and duly acknowledged that he executed the same.

NOTARY PUBLIC

EXHIBIT A- Legal Description of Right-of-Way

BEG AT PT ON W/L LA-Z-BOY PROP SD PT BEING W 782.47 FT & N 1299.98 FT FRM S/4 COR SEC 34 T12N R3W SLM, (BASIS OF BEAR: S89°50'11E FRM SD COR TO SE COR SEC 34), S89°58'30W 776.88 FT TO TAN CRV TO LEFT, SWLY 626.37 FT ALG SD CRV TO TAN/L(D=64° 14'10, R=558.69 FT, T=350.71 FT, CH=594.07 FT, CHB=S57°51'25W) S25° 44'20W 173.49 FT TO TAN CRV TO RIGHT, SWLY 582.45 FT ALG SD CRV TO NON TAN/L ON E/L 10TH W ST(D=56°41' 19, R=588.69 FT, T=317.56 FT, CH= 558.98 FT, CHB=S54°05'0W), N1°19' 24E 30.39 FT ALG SD E/L TO NON TAN CRV TO LEFT, NELY 548.07 FT ALG SD CRV TO TAN/L(D=56°12'24, R=558.69 FT, T=298.35 FT,CH=526.36 FT, CHB= N53°50'32E),N25°44'20E 173.49 FT TO TAN CRV TO R, NELY 660.00 FT ALG SD CRV TO TAN/L & EXIST FNC/L (D= 64°14'10, R=588.69 FT, T=369.54 FT, CH=625.97 FT, CHB=N57°51'25 E), N89°58'30E 776.88 FT ALG SD FNC/L TO W/L OF LA-Z-BOY, S0°1'30 E 3.00 FT ALG SD W/L TO POB. 1.487 AC M/L

EXHIBIT B- Legal Description of Parcels Numbers 06-061-0054 and 06-061-0046

06-061-0054

PRT SW/4 SEC 34 T12N R03W SLM. BEG E/L 1000 W ST SD PT N01°17'05"E 436.94 FT ALG SEC/L & S88°42'55"E 32.63 FT FRM SW COR SD SEC, N01°19'24"E 55.14 FT ALG E/L SD ST TO NON-TANGENT CURVE ON S/L EXIST RR EASE, NELY 582.45 FT ALG SD CURVE & S EASE/L TO TANGENT/L (R=588.69 FT, DELTA=56°41'19", T=317.56', CH=558.98', CHB=N54°05'00"E), N25°44'20"E 86.70 FT ALG S/L SD EASE, S89°57'39"E 209.99 FT TO W/L INTERTAPE PROP, S01°05'57"W 463.12 FT ALG SD PROP/L, N89°49'48"W 692.74 FT TO POB. CONT 4.223 AC M/L.

06-061-0046

Legal BEG AT A PT ON E LINE OF 10TH W & N LINE OF RR R/W, SD PT BEING N 521.59 FT & E 44.39 FT FROM THE SW COR OF SEC 34 T12N R3W SLM, (BASIS OF BEAR N 00°17'05E FROM SD COR TO W/4 COR OF SEC 34) TH AS FOLLOWS: N 01°19'24 E 400.06 FT ALG THE E LINE OF 10TH W TO A FOUND PROP COR; S 89°57'39E 458.69 FT ALG AN EXIST PROP BDRY THROUGH A FOUND COR TO N R/W LINE OF SD RR, S 25°44'20W 98.90 FT ALG SD RR R/W TO A TANGENT CURVE TO THE R; SWLY 548.07 FT TO E LINE OF 10TH W & POB, (DELTA=56°12'24, R 558.69', T=298.35', CH=526.36', CHB=S 53°50' 32W. SUBJ TO A 24' WIDE ACCESS EASEMENT CONT 2.91 AC M/L

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