

HOOPER CITY
CITY COUNCIL AGENDA
AUGUST 21, 2025, 7:00PM
COUNCIL CHAMBERS
5580 W. 4600 S.
Hooper, UT 84315

Notice is hereby given that the Hooper City Council will hold a work meeting at 6:00pm and their regularly scheduled meeting at 7pm on Thursday, August 21, 2025, at the Hooper Municipal Building located at 5580 W 4600 S Hooper, UT 84315.

Work Meeting – 6:00pm

1. JUB Open house – Widening of 5500 West between 5500 South and the South County Line

Regular Meeting – 7:00pm

1. Meeting Called to Order
2. Opening Ceremony
 - a. Pledge of Allegiance – Mayor Bingham
 - b. Reverence – Council member Marigoni
3. Upcoming events
 - a. Tomato Days
4. Public Comments
5. Consent Items
 - a. Approval of minutes dated August 7, 2025
6. Public Hearings
 - a. Widening of 5500 West between 5500 South and the South County Line
 - b. Discussion on Fee Schedule amendments
7. Discussion Items, Reports, and/or Presentations
 - a. Budget Review – Councilmember Hill
 - b. Discussion – Weber State University; NUHOPE
8. Action Items
 - a. Discussion/Motion: Approve of Fee Schedule on September 18, 2025
 - b. Discussion/Motion: Approval of draft to the Amendment of HCC 10-2B-6 for oversized structures
 - c. Discussion/Motion: Approval to draft ordinance for SWPPP (HCC 6-4) on September 18, 2025
9. Adjournment

Morghan Yeoman

Morghan Yeoman, City Recorder

**Please see notes regarding public comments and public hearings*

In compliance with the American with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the city recorder at 801-732-1064 or admin@hoopercity.gov at least 48 hours prior to the meeting.

CERTIFICATE OF POSTING

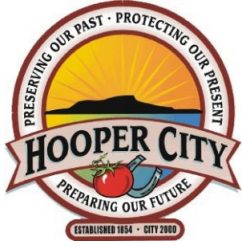
The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Hooper City limits on this 21th day of August, 2025 at Hooper City Hall, on the City Hall Notice Board, on the Utah State Public Notice Website, and at <https://www.hoopercity.com/meetings>.

***NOTES REGARDING PUBLIC COMMENT AND PUBLIC HEARINGS**

- A. Time is made available for anyone in the audience to address the City Council during public comment and through public hearings.
 - a. When a member of the audience addresses the council, they will come to the podium and state their name.
 - b. Each person will be allotted three (3) minutes for their remarks/questions.
 - c. The City Recorder will inform the speaker when their allotted time is up.

***CONFLICT OF INTEREST**

As per Utah State Code §67-16-9; Public officers and employees cannot have personal investments in a business entity that would create a substantial conflict between their private interests and public duties. This also applies to board members.



HOOPER CITY
CITY COUNCIL MEETING MINUTES
THURSDAY, AUGUST 07, 2025, 7:00PM
COUNCIL CHAMBERS
5580 W. 4600 S.
Hooper, UT 84315

The Hooper City Council held a work meeting at 5:30pm and their regular meeting at 7pm on August 07, 2025, at the Hooper City Civic Center located at 5580 W. 4600 S, Hooper, UT 84315.

COUNCIL MEMBERS PRESENT:

Sheri Bingham – Mayor
Dale Fowers – City Council
Bryce Wilcox – City Council
Debra Marigoni – City Council
Ryan Hill – City Council

COUNCIL MEMBERS EXCUSED:

Lisa Northrop – City Council

CITY STAFF & PLANNING COMMISSION PRESENT:

Morghan Yeoman – City Recorder
Malcolm Jenkins – City Planner
Reed Richards – City Attorney

5:30PM WORK MEETING

1. Discussion on Agenda Items

At 5:30 PM, the City Council held a work meeting to discuss agenda items, The City Council discussed the economic and fiscal impact analysis related to proposed developments, including the Terrestrada LLC project, with Jason Burningham from LRB. Jason reiterated key findings from the study, emphasizing that commercial development generates net positive fiscal benefits through sales tax and other revenues, and offsetting costs. He clarified that residential components contribute to net negative fiscal impacts, but the overall project is net positive. Discussion included questions on cost allocation, revenue projections over 22 years, incremental expenses, and distinctions between residential and commercial impacts. Jason addressed misconceptions about the study's interpretation and confirmed the integrity of the analysis.

7:00PM REGULAR MEETING

1. Meeting Called to Order – Mayor Bingham

At 7:00 pm Mayor Sheri Bingham called the meeting to order.

2. Opening Ceremony

a. Pledge of Allegiance

Council Member Fowers led in the Pledge of Allegiance.

b. Reverence

Council Member Hill offered reverence.

3. Upcoming Events:

- a. Mayor Bingham announced the winners of Jr. Rodeo and Queen.
- b. Hooper tomato days family dinner and dance on Monday, August 25th
- c. CWSD truth in taxation; August 18th at 6pm at the Central Weber Sewer located at 2618 W Pioneer Road in Marriot Slaterville.
- d. Mayor Bingham announced Brent Taylor events that will be announced more regularly for residents to get involved.

4. Public Comments:

Amanda Prince- Hooper Resident

Amanda questions the information during the discussion done in the work session, property tax regarding the Smith's project, and Amanda has CRA questions and wanted some answers.

Travis Bates- Hooper Resident

Explained to city council that Smiths wants the property. Travis would like council to realize that Smiths will bring in other residents rather than just hooper residents.

Travis would like city council to look into the CRA. Travis supports the Smith's Project but not at the cost of the CRA.

Staci Judkins – Hooper Resident

Staci stated that Smith's is not part of the General Plan. Staci spoke on her thoughts toward Stuart Adams and the Smith's development. Staci Feels that Stuart Adams and Mayor Bingham are taking advantage of the citizens and what they voted for. Staci also spoke on the election and asked residents to pay attention to who they vote for.

Karen Peterson – Hooper Resident

Karen read the logo of Hooper. Karen commented on what the Hooper logo means. She feels that smith's is here to make itself money and does not support Hooper. She spoke on the residential plan for the Smith's development. Karen asked for City council to vote no.

Bruce Taylor – Hooper Resident

Bruce stated why he is against the Smiths' development. He would like to see Hooper remain rural. Bruce questioned how Smith's would help the cities financials. Bruce would like to see this denied and move on.

Jake Kelso – Hooper Resident

Jake talked about what was discussed in the work session. Jake feels that the information that was given in the work session wasn't fully correct from previous meetings. He also spoke about his feelings toward Stuart Adams. Jake asked for City Council to deny the Smith's project.

Larry Ropelato – Hooper Resident

Larry stated he is for the Smith's development. He stated that he understands it more after sitting through the work session. Larry feels that Hooper would benefit from Smith's.

5. Consent Items

- a) Motion- Approval of Minutes dated July 17, 2025
Council had discussion regarding the vote on removing mayoral powers and some verbiage stated in the minutes.

COUNCIL MEMBER WILCOX MOTIONED TO APPROVE THE MINUTES DATED JULY 17, 2025, WITH WORDING CORRECTIONS. COUNCIL MEMBER HILL SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
WILCOX	AYE
FOWERS	AYE
HILL	AYE
MARIGONI	AYE

MOTION APPROVED.

6. Public Hearings:

None

7. Discussion Items, Reports, and/or Presentations:

a. Tomato Days; Erin Maughan

Mayor Bingham explained that Erin Maughan could not be here tonight. Erin emailed all City Council on what she would like to have help on by council members.

Council Member Hill asked why the family dinner had been moved to another day and stated that he feels that City Council has not been involved in the planning this year.

8. Action Items:

a. Discussion/Motion: Reconsideration of Renevestors LLC request for rezone located at 4440 S 6300 W.

Reed Richards, the city attorney, explained that this had been brought up a few years ago. With some litigation going back and forth, planning commission approving it, and city council not approving it. The city attorney Reed Richards asked the council if they can grant the request.

Matthew Coil, the attorney representing Renovestors spoke about what is being asked by Mr. Crabtree and what he would like to do to the property. Mr. Crabtree commented on what he is looking for tonight. Graphics were passed out to the city council. Mr. Crabtree explained that he was granted an ADU last year, so he is confused why that could be approved but not the parcel divided in half to make both sides half acre.

**COUNCIL MEMBER HILL MOTIONED TO
RECONSIDER AND APPROVE THE REZONE FOR
RENEVESTORS LLC AT 4440 S 6300 W TO R2.
COUNCIL MEMBER WILCOX SECONDED THE
MOTION. VOTING AS FOLLOWS:**

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
WILCOX	AYE
FOWERS	AYE
HILL	AYE
MARIGONI	AYE

MOTION APPROVED.

b. Discussion of Terrestrada LLC development.

The City Council discussed the Terrestrada LLC development, including conditional approval for a general plan amendment, rezone request, and development agreements. Discussion referenced the fiscal analysis presented

in the work meeting, focusing on the need for a regional lift station, sewer trunk line replacement, and potential inclusion of adjacent properties in a Community Reinvestment Area (CRA). Council members raised concerns about costs, resident impacts, affordability, and the need for more information. Suggestions included conducting a resident survey to gauge support. No motion was made; the council agreed to gather more data before deciding.

c. Discussion/Motion: Fee Schedule:

The City Council discussed updates to the fee schedule, including park rental fees, Sunday activities at parks, resident vs. non-resident rates, and cleanup costs. Concerns were raised about Sunday tournaments generating traffic, potential police calls, and insufficient fees to cover expenses. Proposed changes included increasing full park rental from \$500 to \$750 (residents) and \$1,500 (non-residents), \$50-\$100 for ball fields, and eliminating deposits in favor of credit cards on file. Discussion noted comparisons with other cities and the need for public hearing. The council agreed to review a revised schedule, include it in the next packet, and hold a public hearing at the August 21, 2025, meeting.

No motion was made.

d. Additional Discussion:

Council Member Fowers inquired about a recent hiring process for a city position. Mayor Bingham confirmed no one was hired, with only one interview conducted by staff, and additional interviews pending.

Council Member Fowers requested adding a recurring line item for budget presentations at the second council meeting each month (or the only meeting if applicable). The council agreed, placing it under discussion items.

9. Adjournment

**AT APPROXIMATELY 8:25 PM COUNCIL MEMBER FOWERS
MOVED TO ADJOURN THE MEETING. COUNCIL MEMBER
MARIGONI SECONDED THE MOTION. VOTING AS FOLLOWS:**

COUNCIL MEMBER:
WILCOX

VOTE:
AYE

FOWERS
HILL
MARIGONI
MOTION PASSED.

AYE
AYE
AYE

Date Approved: _____

Jamee Johnston, Deputy City Recorder

DRAFT

PUBLIC NOTICE

The Utah Department of Transportation (UDOT) and Hooper City are proposing to widen 5500 West between 5500 South and the South County Line in Hooper, Weber County, Utah. The project would widen the roadway along with the addition of sidewalk, curb and gutter, and storm drain infrastructure on the east side of the roadway. The project is needed to allow pedestrians, bicyclists, and vehicle traffic to safely and efficiently maneuver through the area with increased protection, visibility, and safety.

The proposed project would be implemented primarily within the existing roadway right-of-way. During project construction, there would be temporary traffic detours. Construction is estimated to begin in 2026 and would last approximately six months.

The project may qualify as a Categorical Exclusion (CATEX) under the National Environmental Policy Act (NEPA) and applicable federal regulations (23 CFR 771.117). Interested parties are encouraged to review the project.

You are invited to attend an Open House where project information will be provided and comments solicited on the proposed project. Interested parties may voice their comments, ideas, and concerns during this meeting as well as submit formal written comments.

Open House

Date: August 21, 2025
Time: 6:00 PM - 7:00 PM
Location: Hooper City Civic Center
5580 W. 4600 S. Hooper,
UT 84315

How to Submit a Comment

Written comments may be mailed or emailed to the address below or submitted during the public open house.

Mail: The Langdon Group, 466 N. 900 W., Kaysville, UT 84307

Email: jgoff@langdongroupinc.com

Phone: (385) 303-9793

Comments can be submitted during the comment period starting August 21, 2025 and **ending on September 18, 2025. Comments must be postmarked by September 18, 2025.**

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being or have been carried out by UDOT pursuant to 23 USC Section 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Hooper City Consolidated Fee Schedule

Draft 08/2025

General Government	Notes	Fee	
Concept Conference (optional)	Additional fees may be charged by other entities.	\$200	\$300.00
Minor Subdivision	Includes 2 engineering and 1 legal reviews - Additional reviews will be at amount incurred by City Includes 4 Technical Review Committee reviews - Additional reviews will be at amount incurred by City	\$600	\$700.00
1-2 Family Residential Subdivision - Final Plat	Includes 4 Technical Review Committee reviews (HCC 10-*****)	n/a	\$1,350 + \$80 per lot
Subdivision/PUD - Preliminary Plat Commercial / Multi-Family Development	Includes 2 engineering and 1 legal reviews - Additional reviews will be at amount incurred by City	\$500 + \$40 Per Lot	Remove
Subdivision/PUD - Final Plat Commercial / Multi-Family Development	Includes 2 engineering and 1 legal reviews - Additional reviews will be at amount incurred by City	\$850 + \$40 Per Lot	
Subdivision Pre-Construction Meeting	Mandatory (Fees may be charged by other entities)	Included in Subdivision Fees	
Subdivision Inspection Fee	Repeat inspections subject to additional charge	1% of the Engineers cost for Public Improvements	
Subdivision Mapping Fee		0.5% of the Engineers cost for Public Improvements	
Site Plan Review – Non Subdivision	1-5 Acres 5-10 Acres 10 + Acres	\$350 + \$35/acre \$350 + \$25/acre \$350 + \$20/acre	
Amended or Vacated Plat	Publishing/Advertisement costs added to the fee	\$250	
Lot Line Adjustment	Includes 1 engineering and 1 legal reviews - Additional reviews will be at amount incurred by City	\$200	
Recording Fee	Plus incurred Weber County Recorder fees	\$50 minimum	
Professional Fees	Attorney, Engineer, Planner, Etc.	Amount incurred by City	
General Plan Amendment Request	Plus Noticing/Publishing Costs	\$500	
Rezone Request	Plus Noticing/Publishing Costs	\$250 plus \$5 per acre	
Conditional Use Permit	Plus Noticing/Publishing Costs	\$200	
Request for Board of Adjustments Variance	Plus Noticing/Publishing Costs	\$350	
Request for Agriculture Protection	Plus Noticing/Publishing Costs	\$100	
Request for Annexation	Actual cost (Including but not limited to, legal, engineering, administration, noticing/publishing)	\$850 Minimum	
Request for De-annexation	Actual cost (Including but not limited to, legal, engineering, administration, noticing/publishing)	\$850 Minimum	
Request for Ordinance Change	Actual cost (Including but not limited to, legal, engineering, administration, noticing/publishing)	\$500 Minimum	
General Plan Book	On web site or by e-mail no charge	\$30	
Zoning/Subdivision Ordinance Book	On web site or by e-mail no charge	\$30	
Standards and Specifications Book	On web site or by e-mail no charge	\$30	
Sign Permit		\$75	
Copies/Maps - 8.5"X 11"	Black/White - Per side	20¢	\$0.25
Copies/Maps - 8.5"x11"	Color - Per side	\$1	
Copies/Maps - 11"x17"	Black/White - Per side	50¢	\$1.00
Copies/Maps - 11"x17"	Color - Per side	\$2	
Maps - Large		Amount incurred by City	
Senior Lunch	Lunch Donation	\$4	
Tomato Day Vendors - Artisan / Commercial	Includes 2 days	\$100	
Tomato Day Vendors - Food	Includes 2 days	\$200	
	Electricity hookups	\$50.00	

Note: The fees listed above for reviewing preliminary plats, final plats, and site plans include two submittals for each stage in the process. Additional reviews or submittals will accrue an additional fee based on the non-negotiable hourly rate charged by the professional conducting that review. These additional costs can be minimized by the developer and the developers engineer becoming familiar with current subdivision ordinances, standards, and checks lists, and by thoroughly responding to all memorandums and review comments. All fees incurred must be paid in full prior to the approval of the governing body and recording.

Facilities Rental	Notes	Fees
Civic Center Multi-Purpose Room & Kitchen (small group <50)	\$200 Deposit (Refunded after acceptable inspection)	Resident – \$50 for 5 hours \$75 Day Non-Resident \$100 for 5 hours – \$125 Day
Civic Center Council Chamber (small group <50)	\$200 Deposit (Refunded after acceptable inspection)	Resident – \$50 for 5 hours \$75 Day Non-Resident \$100 for 5 hours – \$125 Day

Hooper City Consolidated Fee Schedule

Civic Center Multi-Purpose Room, Kitchen & Council Chamber (small group <50)	\$200 Deposit (Refunded after acceptable inspection)	Resident – \$75 for 5 hours \$100 Day Non-Resident \$125 for 5 hours – \$150 Day
Resident Rental Civic Center Rental Wedding, Open House, or Groups (50+)	\$200 Deposit (Refunded after acceptable inspection)	Resident – \$150 Non-Resident \$300
Non-Resident Rental Civic Center Rental Wedding, Open House, or Groups (50+)	\$200 Deposit (Refunded after acceptable inspection)	\$200 per day
Business Civic Center Rental	\$200 Deposit (Refunded after acceptable inspection)	\$350 per day
Portable Bleachers (per set) - Private	Fee plus \$500 deposit plus \$1 per traveled mile (both ways) - Includes delivery, setup and retrieval (during normal city hours) - Must provide proof of insurance and liability waiver. Setup and retrieval fee - normal city hours \$75. Setup and retrieval fee out of city hours \$150. Renter responsible for damage.	\$200 plus \$50 per additional day
Portable Bleacher Rental (per set) - Qualified Public Entity (in Weber County)	\$70 deliver, setup and retrieval fee	No rental fee
Portable Amphitheatre (approved use)	Fee plus \$500 deposit plus \$1 per traveled mile - Includes delivery and setup (during normal city hours) - Must provide proof of insurance and liability waiver. Setup and retrieval fee out of city hours add \$100. Renter responsible for damage.	\$300 plus \$50 per additional day
Portable Amphitheatre - Qualified Public Entity (in Weber County)	\$150 delivery, setup and retrieval fee (during normal city hours). Setup and retrieval fee out of city hours add \$100. Renter responsible for damage.	No rental fee
Large Traeger Smoker - Qualified users	Must provide proof of insurance and liability waiver. Renter responsible for damage. Plus \$100 deposit	\$100 plus \$25 per additional day

Note: Residency qualification applies to bride, groom or honoree.

Parks and Arena Rental	Notes	Fees
Arena Hourly Rentals	Minimum of 1 hour plus \$100 Deposit	\$25.00/hour
Arena Daily Rentals	Daily Rental with spectators plus \$100 deposit	\$200
	Daily Rental with out spectators plus \$100 deposit	\$200
	Daily Youth Group Plus \$75 deposit	\$25
Seasonal Rentals (April 15th - Oct 15th)	Approved Youth Groups (4:00pm to 6:30pm) (Includes one annual show and use of concessions building for the show, add \$100 deposit for show)	\$250
	Approved Adult Riding Groups (7:00pm to 9:30pm)	\$400
Arena Lights (any user)	Minimum of 1 hour	\$ 35.00/hour
Arena Additional Water/Work	\$35.00 Each or \$35.00 per hour for stand-by	\$35
Cooking Grills	Deposit \$25.00 w/concession stand, \$50.00 W/O	\$35
Concession Stand	Fee plus \$100 deposit	\$100
Concession Stand (Youth Event)	Fee plus \$50 Deposit	\$50
Arena Restroom Facilities (Scheduled)	\$50 Deposit	N/C
Small Bowery Rental	Fee plus \$25 Deposit	\$10
Large Bowery Rental	Fee plus \$50 Deposit	\$25
Large Bowery and Kitchen	Fee plus \$100 deposit	\$50
Ball Field (Hooper Park)	Includes Soccer and Baseball - Fee plus \$100 deposit	\$25
Ball Field Lights	Pre-Pay and Schedule key	\$35/hour
NorthEast Ball Field (North Park)	Fee plus \$100 deposit	\$25 for 5 hours
SouthEast Ball Field (North Park)	Fee plus \$100 deposit	\$25 for 5 hours
NorthWest Ball Field (North Park)	Fee plus \$100 deposit	\$25 for 5 hours
SouthWest Ball Field (North Park)	Fee plus \$100 deposit	\$25 for 5 hours
Restrooms	Non-City office hours	\$25
Other City owned Facilities	Open to public first come first serve basis - Fee may apply	To be determined
Entire Hooper Park	Fee plus \$1500 deposit - Includes exclusive use of all facilities but not including lights consumables, utilities, equipment or labor	\$500 per occupied day

Note: The above list is for calculation of fees only, and does not guarantee approval of a requested facility, scheduling approval of a specific activity, see parks rules and regulations for specific rules, insurance requirements and percentages of ticket sales and other regulations the city may enforce and collect. Additional permits and permissions may be needed for certain activities which may require additional fees and costs to the renter not listed above.

Note: Proof of residency will be required at time of rental

Note: Groups using City Facilities for tournaments, competitions, business or other organization activities must provide proof of insurance.

Public Works (Subdivision)	Notes	Fees
Subdivision Sign Fees	Single (Stop, Yield, Etc.)	\$50
	Double (Street sign- Street sign, Etc.)	\$110
	Triple (Stop, Street sign – Street sign, Etc.)	\$150
	Post	\$25

Hooper City Consolidated Fee Schedule

	Sign Installation (per sign)	\$25
	Post Installation	\$50
Street Lights	Street Light Installation - New Subdivision	See current contract amounts with service provider
	Trenching, Etc....	
	Repair	
	Labor - per hour	
Public Works (Cemetery)	Notes	Fees
Burial Space	Resident *	\$300
	Others	\$800
Burial Space Ownership Transfer	From resident owner to another resident or non-Resident owner to another non-resident	\$25
	From a resident owner to a non-resident	\$525
Headstone Fee (Flat)		No Fee
Monument Fee (Upright)	(Installed after Mar 15 2007)	\$500
Opening & Closing of Graves	Resident **	\$300
	Others	\$500
	Resident (Weekend & Holiday Service)	\$600
	Others (Weekend & Holiday Service)	\$1,000
	Resident Cremations and Babies ***	\$150
	Others Cremations and Babies	\$300
	Resident Cremations and Babies (Weekend & Holiday Service)	\$200
	Others Cremations and Babies (Weekend & Holiday Service)	\$400
Marker Deposit Fee (Sec. 6 Cemetery Rules)	Refundable after a marker has been placed - Not Refundable after City places a marker	\$300
Disinterment	Permit Required (Vaulted burials only)	\$1,000

*For the purposes of this fee schedule; "Residents" refer to persons who pay property tax to Hooper City, and does not necessarily include or exclude people living within the city limits or owning property within Hooper City. A current property tax notice showing Hooper City taxes paid at the time of the transaction is sufficient to qualify as a "Resident". **Opening and Closing of graves "Resident" or "Others" refers to the deceased not the owner of the grave. *** Cremations/babies are vaults or other that are a 2'X4' or smaller, children requiring larger than a 2'X 4' vault will be charged the applicable fee for a regular size grave.

Public Works (Equipment and Labor for Code Enforcement)	Notes	Hourly Rate
Loader/Backhoe	Plus operator labor (see below)	\$75
Mini-Excavator	Plus operator labor (see below)	\$70
Tractor	Plus operator labor (see below)	\$60
Trackhoe	Plus operator labor (see below)	\$100
Pick-up truck	Plus operator labor (see below)	\$20
1-Ton Dump truck	Plus operator labor (see below)	\$40
Bobtail Dump truck	Plus operator labor (see below)	\$60
10-Wheel Dump truck	Plus operator labor (see below)	\$80
Motor Grader	Plus operator labor (see below)	\$80
Mower	Plus operator labor (see below)	\$40
Mower Attachment	Plus operator labor (see below)	\$35
Weed Sprayer	Plus operator labor (see below)	\$40
Street Sweeper	Plus operator labor (see below)	Actual Cost
Water Truck	Plus operator labor (see below)	\$90
Crane / Bucket Truck	Plus operator labor (see below)	\$70
Generator	Plus delivery/return labor and fuel	\$40
Small hand tools	Plus operator labor (see below)	\$10
Labor	Professional Charges (Attorney, Engineer, Etc.)	Actual Cost
	Supervisor (Dept. Head, Director, Code Official, Etc.)	\$35
	Other Laborer	\$25

*Professional fees will be billed at a minimum of one hour (tax lean filing, misc. engineering etc.). Should legal, engineering or other professional services be rendered to abate any situation the actual bill received for those services plus a 20% administrative fee will be charged. All equipment and labor will be billed at actual time at the job, including transport time to and from the site, rounded up to the nearest half hour, and at a minimum of one hour per piece of equipment or employee, per lot or location. All invoiced costs incurred by the city, will be billed at actual cost, plus a 20% administrative fee.

Public Works (Excavation and Encroachment)	Notes	Fees
Permit Fee	Each permit includes (2) Inspections; (1) During Construction (1) Final Inspection	\$100
Administration Processing Fee	Per permit	\$50
Additional Public Works Inspection	As needed (1) inspection per working day (1 hour minimum)	\$30/hour
Re-Inspection Fee		
Failure to obtain a permit fine	(In addition to permit fees)	\$500
Excavation Fees Under 1500 sq. ft.:		
Surface under Moratorium	\$500 minimum	\$2.50 /sq. ft.
Surface Considered "Type A"***	\$300 minimum	\$1.00 /sq. ft.
Surface Considered "Type B1"***	\$100 minimum	\$0.50 /sq. ft.
Surface Considered "Type B2"***	\$75 minimum	\$0.40 /sq. ft.
No Hard Surface	\$25 minimum	\$0.20 /sq. ft.
Excavation Fees Over 1500 sq. ft.:		
Surface under Moratorium		\$1.50 /sq. ft.

\$150.00
\$140.00
\$120.00
\$200.00
\$40.00
\$80.00
\$120.00
\$160.00
\$160.00
\$80.00
\$70.00
\$80.00

\$180.00
\$140.00
\$80.00
\$70.00
\$50.00

Current costs
Current costs
Current costs
Current costs
Current costs
Current costs

Hooper City Consolidated Fee Schedule

Surface Considered "Type A"***		\$0.80 /sq. ft.
Surface Considered "Type B1"***		\$0.40 /sq. ft.
Surface Considered "Type B2"***		\$.30 /sq. ft.
No Hard Surface		\$.15 /sq. ft.
Excavation Restoration Deposit (Returned when work is accepted by the city)	Improved Surface areas 0-100 sq. ft.	\$600
	Improved Surface areas 100-250 sq. ft.	\$1,000
	Improved Surface areas 250-1000 sq. ft.	\$3.50/sq. ft.
	Improved Surface areas 1000 - + sq. ft.	\$2.75/sq. ft.

*Excavation Fees shall be calculated on the entire area of disturbance including, but not limited to, the minimum paving requirements outlined in the standard details "19a" and "19b". ** By Definition in Division 21.

Public Works (Continued) (Excavation and Encroachment)	Notes	Fees
Possible Required Surface Treatments:	Slurry Seal (Type II)	\$2.00/sq. yd.
	Chip Seal	\$4.00/sq. yd.
	HA5 Coating	\$2.50/sq. yd.
	Crack Seal (\$1.00 per lin. ft. if over 500 ft.)??	\$2.00/lin. ft.
	Asphalt Overlay (1½")	\$2.50/sq. ft.

Zoning/Code Enforcement Civil Fines	Action	Fine
Class B Public Nuisance, Solid Waste Disposal, Solicitation, Etc.	1 st Notice	Notice – No Fine
	2 nd Notice	\$125
	3 rd Notice	The above \$125 + \$250
	4 th Notice - Violator to pay legal and administrative costs	Legal Action
Class C Building Code Regulations, Home Occupation Business license, Storm Water Violations, Etc.	1 st Notice	Notice – No Fine
	2 nd Notice	\$50
	3 rd Notice	The above \$50 + \$100
	4 th Notice - Violator to pay legal and administrative costs	Legal Action
Infraction	1 st Notice	Notice – No Fine
	2 nd Notice	\$25
	3 rd Notice	The above \$25 + \$50
	4 th Notice - Violator to pay legal and administrative costs	Legal Action

Utility Billing	Notes	Fee/Fine
New Resident Service Fee	Fee for new homes	\$25
Garbage Service Can	Monthly	\$12.50
Each Additional Garbage Can	Monthly	\$8
Recycling Service Can	Monthly	\$5
Each Additional Recycling Can	Monthly	\$5
Central Weber Sewer District	Monthly	
Hooper Sewer Service (per ERU)	Monthly	\$50
Non-Owner Sewer Deposit (Sec 6-3-4)		\$150
Late Fee for Garbage and Sewer	Each occurrence	\$5
Door Hanger Delivery for Non-Payment	Each occurrence	\$15
Hooper Water Improvement District Shutoff/Turn on Fee		\$35
	After business hours is doubled.	
Taylor-West Weber Water District Shutoff/Turn on Fee		\$50
	After business hours is doubled.	
Water Shut-Off for Non-Payment	1 st Time in a calendar year	\$35
	2 nd Time or more in a calendar year - each occurrence	\$50
Garbage / Recycling Can Removal	Each Can, Each occurrence	\$15
Storm Water Utility Fee	Base Rate - Monthly	\$5

Building Fees	Notes	Fees
Building Valuation	Building Valuation is derived utilizing current building valuation data from the International Code Council (ICC) published in the January-February issue of the "Building Safety Journal" and midified for Hooper City as attached hereto. The Permit Fee Multiplier for Hooper City is 0.91.	
Building Permit Fees	Building Permit Fees are determined utilizing Table 1-A as modified and attached hereto, based upon the Building Valuation plus the following fees:	
Valuation	Fee	
\$1.00 to \$1,000.00		\$59
\$1,000.00 to \$2,000.00	\$58.80 for the first \$1,000.00 plus \$2.70 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	
\$2,001.00 to \$25,000.00	\$83.40 for the first \$2,000.00 plus \$16.80 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00	
\$25,001.00 to \$50,000.00	\$469.80 for the first \$25,000.00 plus \$12.11 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00	
\$50,001.00 to \$100,000.00	\$772.55 for the first \$50,000.00 plus \$8.40 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00	
\$100,001.00 to \$500,000.00	\$1,192.55 for the first \$100,000.00 plus \$6.72 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00	
\$500,001.00 to \$1,000,000.00	\$3,880.55 for the first \$500,000.00 plus \$5.70 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	
\$1,000,001 and up	\$6,730.55 for the first \$1,000,001.00 plus \$4.65 for each additional \$1,000.00 or fraction thereof	
Review Fees - Residential	Single Family Dwelling	30% of Building Fee
	Multi Family Dwelling	65% of Building Fee
	Accessory Garage and Detached Garages	20% of Building Fee

Current costs
Current costs
Current costs
Current costs
Current costs
Current costs
Current costs

Current costs
Current costs
Current costs
Current costs
Current costs

\$125 per day
The above \$125 + \$250 per day

\$50 per day
The above \$50 + \$100

\$25 per day
The above \$25 + \$50 per day

\$15.50
\$10.50
\$9.50
\$9.50
\$21.20
\$48.88
??

\$100.00
\$6.00

Emailed Nate for assistance

Hooper City Consolidated Fee Schedule

Review Fees - Commercial	Primary Building	65% of Building Fee
	Accessory Building	65% of Building Fee
Investigation Fee		100% of Building Fee
State Fee		1% of Building Fee
Bond	The Building Permit Bond is a refundable bond designed to insure compliance with the requirements of the Utah Uniform Building Standards Act Rules and for protection of the public right-of-way, only one bond is required per permit.	
Residential	Single Family Dwelling	\$1,500
	Multi Family Dwelling	\$75.00/l.f. of curb,gutter,sidewalk
	Demolition	\$1,500
Commercial	Existing Structure	\$75.00/l.f. of curb,gutter,sidewalk
	New Construction	\$75.00/l.f. of curb,gutter,sidewalk
	Demolition	\$75.00/l.f. of curb,gutter,sidewalk

\$1,000.00

Other Permit Fees		
Inspections outside normal business hours		\$75.00 / hour
Re-Inspection Fee		\$50.00
Inspection for which no fee is specifically indicated. Min. 1 hour		\$50.00
Additional plan review required by changes, additions, or revisions to approved plans		\$50.00
Use of outside consultants for inspection or plan review		Actual costs including reasonable admin and overhead costs
Removal of Non-Compliance		\$50.00
Weber County Recorder fee for removal of Non-Compliance		\$10.00 for 1st page, \$2.00 for each additional page
Unauthorized occupancy fee		\$75.00 / day
Solar -	Roof Mount	\$100.00
	Ground Mount	\$150.00
	Commercial	\$50.00 / Inspection
Swimming Pool	In Ground	\$300.00
	Above Ground	\$150.00
Hot Tub / Spa		\$150
Re-Roof	Residential	\$100
	Commercial	\$50.00 / Inspection
Lateral Repair/Replacement	Sewer or Water	\$50.00
Demolition	Residential	\$100.00
	Commercial	\$50.00 / Inspection
Deck		\$125.00
Re-Siding / Fire Place / Etc.		\$50
Patio Cover / Awning		\$125
Utility related modifications, i.e. air conditioner, furnace, water heater, electrical service upgrade		\$50
Sewer Impact Fees	Central Weber Sewer Improvement District	\$2,395
	Hooper City	\$4,021
Park Impact Fee		\$1,217
Independent Fee Calculation (Sec. 3-2-6)	Plus actual cost in excess of fee	\$150
Storm Water Connection Permit Fee (Sec. 6-4-11)	One Lot	\$150
	Subdivisions	\$150 plus \$25 per lot
New Pit Vacuum Sewer Connection Fee for Non-Subdivision Lots and Minor Subdivisions	Does not include sewer main extension if required, UDOT requirements or extras above a standard installation. If amount is more, requirement needed to pay difference. A refund will be issued if needed.	\$8,800
Existing Pit Vacuum Sewer Connection Fee		\$4,600

\$150.00

\$200.00

\$300.00

\$200.00

\$100 / Inspection

Based on Builders Valuation

Based on Builders Valuation

\$3,575.00

\$10,000.00

??

Administrative	Notes	Fee
GRAMA Requests Research - City Staff	Per hour - 1st hour no charge	\$20
GRAMA Requests - Professional	Attorney, Engineer, Accounting, etc.	Amount incurred by City
Copies Black/White 8.5"x11"	Per side	20¢
Copies Black/White 11"x17"	Per side	\$1
Copies Color 8.5"x11"	Per side	50¢
Copies Color 11"x17"	Per side	\$2
Larger copies and maps		Amount incurred by City
Compact Disk		\$20

\$25.00

\$0.25

\$1.00

??

Development Notification:

Hooper City Consolidated Fee Schedule

City provided addresses and/or labels	Cost incurred by city	\$1.00 per address minimum
City Address Research	Rezone, CUP, Subdivision, etc..	\$40
Public Notice Sign Posting		\$75
Late Fee and Interest for Billed City Services	Late fee shall apply to billings 30 days beyond billing date. Interest shall accrue monthly on unpaid balance.	Late Fee - 2% of billing Interest - 1% monthly

\$1.50

Business License, Permits & Fees	Notes	Fee
Amusement Devices (Sec. 4-7-9, A)	Annually - Per each device	\$25
Animal/Vegetable Processing (Sec. 4-7-14)	Annually	\$100
Auction - Single Event		\$75
Auctioneer or Auction House	Annual	\$100
Auto Courts and Trailer Camp	Fee plus \$5 for each space	\$75
Beer License Class "A"	Annually	\$200
Beer License Class "B"	Annually	\$200
Beer License Class "C"	Annually	\$500
Billiard Hall (Sec. 4-7-9, C)	Annually - \$30 1st table, \$25 per each additional table	\$200 maximum
Bus Lines or Motor Buses	Fee plus \$15 for each unit	\$100
Cabaret Class "A"	Annually	\$75
Cabaret Class "B"	Annually	\$25
Carnival, Fair or Similar	Per Day - Plus \$500 deposit/bond	\$100
Christmas Tree Lot - At Established Business	Season	\$25
Christmas Tree Lot - Independent	Season	\$100
Circus - Adult Admission \$1 or less	Per Day - Plus \$200 deposit/bond	\$100
Circus - Adult Admission more than \$1	Per Day - Plus \$500 deposit/bond	\$275
Dance Hall	Annually	\$100
Fireworks Stand (see Sec. 4-7-18)	\$1 million liability insurance coverage required	\$100
Fireworks Sales Cash Deposit	See Sec. 11-3-9 (8)	\$300
Gasoline Dealer	Annually - Up to 8 nozzles - Plus \$10 per each nozzle over 8	\$50
Home Occupation	Annually	\$75
Home Occupation, Minor	Annually	No License Fee Required
Home Occupation, Minor - Document and Processing Fee		\$15
Home Occupation, De Minimum	(Sec. 4-9-3)	No License Required
Hotel/Motel	Annually - Up to 10 rooms - Plus \$5 per each room over 10	\$75
Junk or Salvage Dealer	Annually	\$100
Other Occupations Not Listed	Annually	\$75
Pin Ball Machine (Sec. 4-7-9, B)	Annually - Per each machine	\$30
Premises Inspection		\$50
Premises Inspection		\$25
Restaurant	Annually	\$100
Solicitors License/Permit (See Sec. 4-8)	Annual	\$150
	25 day license/permit	\$50
Special Event Permit (Sec. 4-10-7)	Cost determined by Chief Law Enforcement officer	Actual Cost
Theater - Less than 600 persons (see Sec. 4-7-15)	Annually - Or \$5 per performance	\$75
Theater - More than 600 persons (see Sec. 4-7-15)	Annually - Or \$10 per performance	\$100
Vending Machine	Annually - Fee for 1st unit plus \$10 per additional unit	\$35
Renewal Late Fee (in addition to fee)	30 days late	25% of Fee
	60 days late	50% of Fee
	90 days late	100% of Fee

Discuss more

Board of Adjustment/Appeals Hearing Officer	Notes	Fee
Application	Fee plus actual cost of any City provided Engineering or Legal work	\$250
City Address Research		\$60.00
Public Notice Sign Posting		\$75

Current costs

Animal Control	Notes	Fee
For Animal Control Licensing fees and other fees see Weber County Animal Control		

Not yet in code book		
Short Term Retail Event (example Tomato Days vendor)	Single Event or day	\$5
Multi-Family Dwelling	Annually - Fee for 1st unit plus \$25 per additional unit	\$75

Planning Commission Recommendations:

10-1A-1 Definitions – Zoning And Subdivision

DWELLING, SECONDARY ATTACHED: A dwelling unit for one (1) family that shares a common wall or walls with the principal dwelling, has a separate outside entrance from the principal dwelling. Each principal dwelling unit can qualify for one (1) secondary attached unit. The secondary unit may have separately metered (utilities). For the duration of time that either the primary residence or the attached accessory dwelling unit is being rented, the dwelling not being rented must be occupied by the owner of the property. Proof of occupancy must be provided to city annually. The city may also require proof of occupancy at any point in time. Any exception to the owner occupancy requirement must be approved by the Planning Commission. In the event of violation of this requirement, a fine may be issued and/or the property owner charged with a misdemeanor. All applicants applying for an ADU permit shall sign an agreement acknowledging and agreeing to this ordinance. If at some point in time the property is sold, the new owner will be required to sign an agreement with the city acknowledging and agreeing to this ordinance.

DWELLING, SECONDARY DETACHED: A dwelling unit for one (1) family that shares a lot or parcel with the principal dwelling. Each principal dwelling can qualify for one (1) secondary detached unit. The secondary units' living area, exclusive garage, covered porch or patio, is a minimum of 400 square feet and a maximum of 50 percent of the square footage identified as an allowed use for the accessory structure, Table 10-2B-2, or 50 percent of the accessory buildings square footage permitted through a conditional use permit., is a minimum of 400 square feet and a maximum of 960 square feet of living area, exclusive garage, covered porch, or patio. The secondary unit may have separately metered (utilities), must contain ~~a~~ kitchen and bathroom facilities. The secondary unit must meet the minimum setback from property lines as identified for a dwelling. A single family detached ADU must not have any part of the unit extend beyond the furthest rear corner of the primary residential structure. For the duration of time that either the primary residence or the detached accessory dwelling unit is being rented, the dwelling not being rented must be occupied by the owner of the property. Proof of occupancy must be provided to the city annually. The city may also require proof of occupancy at any point in time. Any exception to the owner occupancy requirement must be approved by the Planning Commission. In the event of a violation of this requirement, a fine may be issued and/or the property owner charged with a misdemeanor. All applicants applying for an ADU permit shall sign an agreement acknowledging and agreeing to this ordinance. If at some point in time the property is sold, the new owner will be required to sign an agreement with the city acknowledging and agreeing to this ordinance.

10-2B-6 Accessory Structure Requirements In A Residential Zone

- H. A structure that is used as an accessory dwelling unit for a single family ~~and~~ may or may not be attached to the principal dwelling unit property. It must meet all setbacks and side yard requirements. No part of the accessory dwelling unit may extend beyond the furthest rear corner of the primary residential structure. ~~A~~The detached accessory dwelling unit should not exceed twenty five (25) feet in height. A detached accessory units' living area, exclusive garage, covered porch or patio, must be a minimum of 400 square feet and a maximum of 50 percent of the square footage identified as an allowed use for the accessory structure, Table 10-2B-2, or 50 percent of the accessory buildings square footage permitted through a conditional use permit. and but be at least 400 square feet of living area and cannot exceed 960 square feet of living area, exclusive of garage, covered porch, or patio. The aesthetics and design of the accessory dwelling until should be consistent and complimentary to the principal dwelling unit. The property owner must occupy one of the units as their primary residence.

City Council/Staff Discussion

10-4D-6 Required Number Of Off-Street Parking Spaces

Dwelling, secondary attached or detached	1 per dwelling?
Dwelling, single family detached	1 per dwelling unit

Should there be an increase in the required number of automobile spaces for a Dwelling, secondary attached or detached if we are increasing the allowed size of the living space?

Should we allow for detached accessory dwelling units living space to be increased with the issuance of an Oversized Structure Permit?

With an increase in accessory structure size should we consider an additional impervious surface restriction specifically for rear yards?

Should we increase the allowed size in R3 for accessory structures? This could ensure that they can still obtain our current allowance for 960 square feet ADUs.

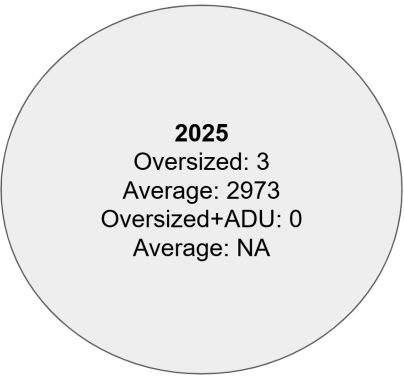
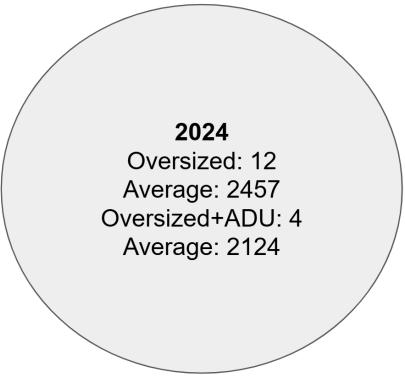
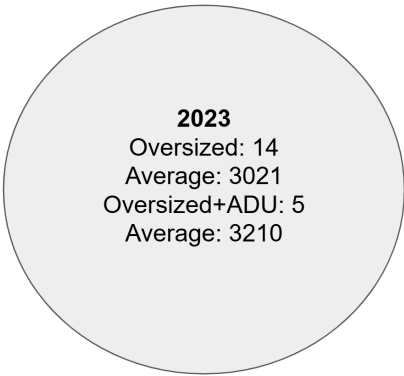
- e. *Parking*: A minimum of a two-car garage is required for each dwelling unit. Units shall be designed so the predominate feature of the unit is not the garage. Living space shall be provided between the two garages.
- f. *Design Review*: Building floor plans and elevations showing exterior building material, colors, and size of all duplexes or twin homes shall be provided with all other required documentation at the Planning Commission Preliminary Plat review phase.

Table 10-2B-2: Allowed Use in Residential Zones

P=principal permitted; A=accessory; C=conditional; (-)=prohibited

Allowed Use	R1	R.75	R2	R3	R4	ROS	HDR	PUD
Accessory structure, ≤ 200 square feet	A	A	A	A	A	A	-	A
Accessory structure, ≤1200 square feet	A	A	A	A	A	A	-	-
Accessory structure 1201 to 2500 square feet	A	A	A	C	C	C	-	-
Accessory structure 2501 to 3000 square feet	A	A	C	C	C	C	-	-
Accessory structure 3001 to 5000 square feet	A	C	C	C	C	C	-	-
Accessory structure > 5000 square feet	C	C	C	C	C	C	-	-
Agricultural structure	A	A	A	A	A	A	-	-
Agricultural use	P	P	P	P	P	P	-	-
Amusement or recreation facility, indoor (only)	-	-	-	-	-	-	-	C
Animal clinic, animal hospital, or veterinary office	-	-	-	-	-	-	-	-
Automotive, hobby	A	A	A	A	A	A	-	-
Bed and breakfast establishment	C	C	C	C	C	C	-	-
Boarding house	-	-	-	-	-	-	-	-
Cemetery	C	C	C	C	C	C	-	-
Children's treatment facility	C	C	C	C	C	C	-	-
Church	C	C	C	C	C	C	C	C
Club or lodge or social hall	C	C	C	C	C	C	C	P
Dangerous or protected animals	C	C	C	C	C	C	-	-
Day care facility	C	C	C	C	C	C	-	-
Day care home, group	C	C	C	C	C	C	C	C
Drug and alcohol treatment facility	C	C	C	C	C	C	-	-
Dwelling, mobile home	-	-	-	-	-	-	-	-
Dwelling, Townhouse	P	P	P	P	P	P	P	P
Dwelling, secondary attached	P	P	P	P	P	P	P	-
Dwelling, secondary detached	C	C	C	C	C	C	-	-
Dwelling, single family detached	P	P	P	P	P	P	P	P

	R1	R.75	R2	R3	R4	ROS
Current Allowance	2000	1800	1600	1200	1200	
2025	3200		2000			
	3720					
2024	3200		2400			
	2520		1710			
	2496		1826			
	2460		2500			
	3120		2400			
2023	6144		2000			
	3200		1728			
	4050		2400			
	6000		1800			
	2496					
	4023					
	30000					
	4000					
Average	3616		2076			
Count	15		10			



6-4-1 Findings

The City Council makes the following findings regarding storm water runoff and the City's storm water system:

1. The City's existing storm water system consists of a network of man-made and natural facilities, structures and conduits, including groundwater and aquifers, that collect and route storm water runoff.
2. Uncontrolled or inadequately controlled storm water runoff endangers the City's groundwater supply.
3. Uncontrolled or inadequately controlled storm water runoff causes erosion and property damage.
4. Uncontrolled or inadequately controlled storm water runoff hinders the City's ability to provide emergency services to its residents.
5. Uncontrolled or inadequately controlled storm water runoff impedes the regular flow of traffic in the City.
6. Uncontrolled or inadequately controlled storm water runoff poses health hazards to the citizens of the community and the risk of flooding private property and houses.
7. Storm water runoff carries concentrations of oil, grease, nutrients, chemicals, heavy metals, toxic materials and other undesirable materials that may jeopardize the integrity of ground waters and receiving waters.
8. Absent effective maintenance, operation, regulation and control, existing storm water drainage conditions in the City constitute a potential hazard to the health, safety and general welfare of the City, its residents, and its businesses.

6-4-2 Purpose

The purpose of this ordinance is to protect and promote the public health, safety and general welfare, and to safeguard the natural and man-made resources of the City by regulating natural and man-made drainage systems and facilities. This purpose is accomplished by imposing conditions and requirements upon existing and proposed development and/or construction activities, and by establishing procedures by which these requirements and conditions are to be administered and enforced.

6-4-3 Policies

1. The City has a role in the management of drainage through authorization, planning, and maintenance of facilities within City rights-of-way to reduce the adverse effects

of storm water runoff and to satisfy state and federal statutes, regulations and requirements.

2. It shall be the responsibility of individual property owners of land within the incorporated areas of the City, whether developed or undeveloped, to maintain storm water conveyance facilities, such as waterways, streams, creeks, ditches, swales, channels, canals, conduits and culverts, and storm water control facilities, such as ponds and lakes within their property. Where existing storm water facilities are determined to be deficient and a public nuisance, the City may notify the property owner of the deficiencies and the property owner shall be responsible to correct the deficiencies either through maintenance or new construction. If the property owner fails to correct the deficiencies after being notified by the City, the City may arrange for the deficiencies to be corrected and recover all costs thereto from the property owner. However, the recovery of costs from property owners is subject to appeal as described in HCC 6-3-30.
3. Individual property owners may be permitted to construct drainage facilities within the City's existing right-of-way along their property frontage to replace existing ditches and swales in accordance with standards described herein and with proper authorization (permits) from the City. The City shall have the right to dictate the size and type of drainage facilities to be constructed within City streets and rights-of-way. Costs to construct said facilities shall be the responsibility of individual property owners. Maintenance of said facilities (within the City's streets or existing right-of-way) will be the responsibility of Hooper City.
4. All land within the incorporated areas of the City to be developed, shall have sufficient storm drainage systems in place to provide adequate protection of life, property and natural resources. To ensure this protection, the minimum design requirements for drainage facilities have been adopted in HCC 10.
5. This ordinance does not imply that properties within the City shall always be free from flooding or flood damage, surface water stagnation or non-point source pollution or that all flood control and water treatment projects to control the quantity and quality of runoff can be constructed cost-effectively. Nothing whatsoever in this ordinance should be construed as or be deemed to create additional duties on the part of Hooper City or hold the City liable for any damages incurred in a flood or from adverse water quality due to storm water runoff. Nothing in this ordinance shall be deemed to waive the City's immunity or defenses under state or federal law or reduce the need or necessity for flood insurance.

6-4-4 Definitions - Storm Drainage

The following bolded words and phrases shall be defined as follows for the purpose of this Chapter: **ADDING OR CONNECTING TO:** Any ditch, pipe, channel, swale or other device for the diversion or transmission of storm drainage which will in any way affect the operation or maintenance of the receiving storm water conveyance.

APPLICANT: The owner of a site who executes the forms required for requesting the authorization to construct a project pursuant to this ordinance.

APPLICATION: Application form to be submitted by applicant requesting the authorization of the City to construct a project pursuant to this ordinance.

BEST MANAGEMENT PRACTICES (BMP's): A wide range of management procedures, schedules of activities, prohibitions or practices, maintenance procedures, and other management practices which have been demonstrated to effectively control the quality and/or quantity of storm water runoff and which are compatible with the planned land use. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw material storage. A list of sample BMP's and their effectiveness ratings can be found in the Hooper City Storm Water Management Plan dated July 2002 (available at the Hooper City Hall.)

CATCH BASIN: A drain inlet designed to keep out large or obstructive matter.

DEBRIS: Any dirt, rock, sand, vegetation, rubbish or litter.

DESIGN PROFESSIONAL: Storm water systems must be designed by an individual who meets the Utah occupational licensing requirements for the type of engineering proposed.

DETENTION BASIN: An area designed to detain peak flows from storm water runoff and to regulate release rates of that water into the City's storm drainage system. Detention basin outlets are connected directly to downstream storm drains. All flow entering detention basins are released via outlet piping.

DEVELOPER: A person engaged in land, site, or building development.

DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to site preparation, filling, grading, paving, excavation, and construction of building or other structures.

DIRECTOR: The Public Works Director of the Hooper City or his duly appointed deputy, agent, or representative.

DISTURB: To alter the physical condition, natural terrain or vegetation of land by clearing, grubbing, grading, excavating, filling, building or other construction activity.

DRAIN INLET: A point of entry into a sump, detention basin, or storm drain system.

DRAINAGE NUISANCE: Unapproved obstructions of swales, ditches, culverts, pipes, or other storm water conveyances shall constitute a drainage nuisance.

FACILITY: Shall mean a storm water management facility, and shall include all land, materials, and appurtenances used in construction and operation of said facility. Facilities include, but are not necessarily limited to, constructed wetlands, infiltration systems, retention ponds, detention ponds, grassed swales, ditches, etc.

FILL: Any act, or the conditions resulting there from, by which soil, earth, sand, gravel, rock or any similar material is deposited, placed, pushed, pulled or transported.

GARBAGE: Animal and vegetable refuse resulting from the handling, preparation, cooking and consumption of food, including a minimum amount of liquid necessarily incident thereto; pieces of concrete, masonry, lumber, metal, paper, glass and other refuse.

GRADING: Any act causing disturbance of the earth. This shall include but not be limited to any excavating, filling, stockpiling or earth materials, grubbing, root mat or topsoil disturbance, or any combination of such.

HAZARDOUS MATERIAL: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial presence or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Hazardous material includes, but is not limited to, any hazardous substance designated under 40 CFR part 116 pursuant to section 311 of the Clean Water Act.

ILLICIT CONNECTION: Illicit connection means either of the following:

1. Any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system. Examples include, but are not limited to, any conveyances which allow non-storm water discharge such as sewage, process wastewater, or wash water to enter the storm drain system, and any connections to the storm drain system from indoor drains or sinks; or
2. Any drain or conveyance connected to or discharging to the storm drain system, which has not been (1) documented in plans, maps, or equivalent records submitted to the City, and (2) approved in writing by the City.

ILLICIT DISCHARGE: Any non-storm water discharge to the storm water system. Illicitly discharges include both direct connections (e.g. wastewater piping either mistakenly or deliberately connected to the storm water system) and indirect connections (e.g. infiltration into the storm water system or spills collected by drain inlets.)

LAND DEVELOPMENT: Land Development: Any development of a parcel, lot, subdivision plat or site plan. If there is more than one lot in the subdivision plat or site plan, all lots in the subdivision plat or site plan shall jointly be considered to be part of the land development.

LAND DISTURBING ACTIVITY: Any earth movement and land use changes which may result in soil erosion or the movement of sediments into waters or onto other lands, including, but not limited to, tilling, clearing, grading, excavating, stripping, filling and related activities, and the covering of land surfaces with any structure or impermeable material. Except, mowing and bush hogging operations, which do not disturb the root mat shall not be considered land disturbing activity.

OWNER: The owner or owners of a site on which land disturbing activity is, will, or has been done.

PERMIT: Any and all permits required by federal, state and local ordinances, and regulations.

PERSON: Any individual, corporation, partnership, association, company or body politic, including any agency of the State of Utah and the United States government.

POLLUTANT: Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal and agricultural waste, paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, that may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete resonates); and noxious or offensive matter of any kind.

PRIVATE FACILITY: Any storm water management facility not owned and operated by the City.

PUBLIC FACILITY: Any storm water management facility owned and operated by Hooper City, Weber County, or State of Utah.

PUBLIC NUISANCE: The following enumerated and described conditions are found, deemed and declared to constitute a detriment, danger and hazard to the health, safety, morals and general welfare of the inhabitants of the City relating to storm drainage and are found, deemed and declared to be public nuisances wherever the same may exist and the creation, maintenance, or failure to abate any nuisances is hereby declared unlawful: Any condition which constitutes a breeding ground or harbor for rats, mosquitoes, harmful insects, or other pests and any condition which blocks, hinders, or obstructs in any way the natural or designed flows of branches, streams, creeks, surface waters, ditches, or drains, to the extent that the premises is not free from standing water.

REDEVELOPMENT: Alterations of a property that change the footprint of a site or building in such a way that disturbs one acre of land or more.

STORM WATER CONVEYANCE: Any feature of the landscape or earth, manmade or natural, which carries water in a concentrated flow.

STORM DRAIN: A closed conduit for conducting collected storm water.

STORM WATER SYSTEM: The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, detention basins, curbs, gutters, ditches, man-made channels, sumps, storm drains, and ground water) owned and operated by the City, which is designed and used for collecting or conveying storm water. The storm water system is also referred to as a “municipal separate storm sewer system” or “MS4”.

STORM WATER: Any flow that occurs during or following any form of natural precipitation. Storm water includes only the portion of such flow that is composed of precipitation.

STORM WATER RUNOFF: Water that is generated by storm water flows over land.

WATER COURSER OR DRAINAGE WAY: Any natural or artificial water course, including, but not limited to: streams, rivers, creeks, ponds, lakes, ditches, channels, canals, conduits, culverts, drains, waterways, gullies, ravines, or washes in which waters flow in a definite direction or course, either continuously or intermittently; and including any area adjacent thereto which is subject to inundation by reason of overflow of flood water.

6-4-5 Prohibited Obstructions

1. It is unlawful for any person to:

1. Obstruct the flow of water in the storm water system.

2. Contribute to the obstruction of the flow of water in the storm water system.
 3. Cover or obstruct any drain inlet.
2. The following obstructions are exempt from the prohibitions of this section:
 1. Street and/or storm water improvement projects authorized by the City.
 2. Flood control and prevention activities performed by the City.
 3. Obstructions approved by the City as part of a site's storm water pollution prevention plan.
 4. Obstructions occurring during clean-up periods established by the City, provided that the materials are placed according to City directions and do not obstruct drain inlets.

6-4-6 Prohibited Construction Activities

1. It is unlawful for any person to:
 1. Track mud or sediment onto public streets by construction or vehicles.
Provisions shall be made at all construction sites to either clean the streets or clean the vehicles before the vehicles leave the site, or both.
 2. Wash out concrete trucks at sites other than pre-approved designated areas.
Dumping of excess concrete shall not be allowed.
 3. Stockpile construction or yard improvement materials or debris in the street or in the gutter unless being stored on a pallet or in a self-contained storage unit that has been pre-approved by the Public Works Director. This includes, but is not limited to, ramps being constructed for temporary access across the existing curb and gutter (temporary ramps are allowed if removed at the end of the day or when obstructing the flow of storm water); stockpiling of topsoil or other fill material; stockpiling of sand, gravel, landscape rock, bark, mulch or any other material that may be considered a source of pollution in the storm water system.

6-4-7 Prohibited Discharges

1. It is unlawful for any person to cause or allow an illicit discharge into the storm water system.
2. The following discharges to the storm water system are exempt from the prohibitions of this section:

1. Discharges regulated under a valid National Pollutant Discharge Elimination System (NPDES) storm discharge permit, provided that the discharge complies with the terms of the permit.
2. Discharges from water line flushing performed or approved by the City.
3. Discharges from sprinkled landscape irrigation or sprinkled lawn watering.
4. Discharges from individual residential car washing, provided that a biodegradable detergent is used.
5. Discharges from natural riparian habitat or wetland flows.
6. Discharges from natural groundwater flows.
7. Discharges from air conditioning condensation.
8. Discharges from fire fighting or emergency management activities.
9. Discharges from swimming pools.
10. Discharges from foundation drains, footing drains, or crawl space or basement pumps.
11. Discharges allowed by a HOOPER City Storm Water Connection Permit.

6-4-8 Prohibited Storage

It is unlawful for any person to maintain, store, keep, deposit or leave any pollutant or hazardous material, or any item containing a pollutant or hazardous material, in a manner that is likely to result in the discharge of the pollutant or hazardous material into the storm water system.

6-4-9 Litter And Refuse Control

It shall be unlawful for any person to throw any garbage, refuse, grass, shrubbery, tree clippings, bottles, cans or containers of any kind upon the street right-of-ways or any storm water conveyance.

6-4-10 Organic Waste

1. It shall be unlawful to place grass clippings, leaves, tree and shrub clippings, or any other yard wastes in any street, storm drain, stream, storm water conveyance, or any other location where concentrated storm water flows will wash such wastes into the storm sewers.

2. No privy, animal corral, pen or stable of any kind shall be permitted to stand so near any stream, ditch, drain, or storm water conveyance of any kind that the droppings therefrom will run into such stream, ditch, drain, or storm water conveyance or in any way poison or contaminate the water therein; nor shall the urine from any privy, animal corral, pen or stable of any kind be allowed to fall or be emptied into any stream, ditch, drain, or storm water conveyance.

6-4-11 Storm Water Connection Permit

1. *Permit Required:* No person shall connect to the City's storm water system, either directly or indirectly, without first obtaining a storm water connection permit from the City.
2. *When Permit Required:* Any person beginning new construction (development of an undeveloped parcel) or redevelopment (as defined in this Chapter) in the City shall obtain a Storm Water Connection Permit before commencing construction.
3. *Application:* The applicant for a Storm Water Connection Permit shall submit the following to the City:
 1. *Application Form:* A completed application form. Application forms will be available at the City.
 2. *SWPPP:* A Storm Water Pollution Prevention Plan incorporating storm water BMPs that meet the requirements of HCC 6-3-12.
 3. *Maintenance Plan.* A plan outlining how the applicant will maintain the storm water improvements listed in the application.
 4. *Fee:* A fee in an amount set by resolution of the City Council.
4. *Application:* The application shall be submitted to the City as part of the Building Permit or Subdivision Approval.
5. *Review:* The Storm Water Connection Permit application shall be reviewed by the City Engineer, Public Works Director or Building Inspector for respectively subdivision and commercial site plans or private residences and either approved, approved with conditions, or denied. Either the permit application or the City may appeal the City Staffs decision as outlined in HCC 6-3-29.
6. *Failure:* Failure to construct or maintain storm water improvements in accordance with an approved Storm Water Connection Permit shall be a violation of this ordinance.

7. *As-Builts:* Any person connecting to the storm water system shall provide the City with “as-built” plans showing the details and the location of the connection. The plans shall be in a format that is acceptable to the City.
8. *Rate:* Connections to the storm water system shall be designed so that the discharge to the storm water system does not exceed two tenths cubic foot per second (0.2 cfs) per acre.

6-4-12 Best Management Practices

Any person connecting to the storm water system or developing a residential, commercial or industrial site shall employ Best Management Practices (BMPs) approved by the City. The City shall adopt a policy within a reasonable time, establishing a menu of BMPs that may be used to satisfy this requirement. The BMPs may be structural and/or non-structural, depending on the needs of the site. The BMPs shall be designed to ensure that the quality and quantity of storm water released to the City’s NPDES permit, and will not exceed the designed capacity of the storm water system or jeopardize the integrity of the storm water system.

6-4-13 Design And Review Of Detailed Construction Plans For Storm Water Systems

1. *Design:* Any person adding or connecting to the storm water system, disturbing exiting drainages or flood channels or developing a residential, commercial or industrial site shall submit detailed construction plans prepared by a design professional. The design professional preparing the plans, specifications and other supporting documents subject to the provisions of this ordinance shall be responsible for preparing the plans, specifications and other supporting documents in accordance with the requirements of this ordinance, the Hooper City Zoning and Subdivision Ordinance and the Hooper City Development Standards and Specifications. The design professional shall certify on the plans that the proposed improvements shown on the plans have been designed in accordance with these documents.
2. *Limitation of City Review:* The review of the submitted detailed construction plans application and supporting documents by the City shall be to determine if the submittal is complete and in accordance with the requirements of this ordinance. Nothing whatsoever in the review should be construed as or be deemed to create additional duties or responsibilities on the part of the City of Hooper that are the responsibilities of the Owner and the design professional. The Owner has full responsibility for the proper operation of the storm water system.

6-4-14 Easements

City personnel may enter all private properties through which the City holds an easement for the purposes of inspecting, observing, measuring, sampling, repairing or maintaining any portion of the storm water facilities lying within the easement, or the performance of any other duties pertinent to the operation of the storm water system. All entry and subsequent work, if any, on an easement, shall be completed according to any special terms of the easement.

6-4-15 Authority To Inspect

When necessary to make an inspection in order to enforce any provision of this Chapter, or whenever the City has cause to believe that there exists, or potentially exists, a condition which constitutes a violation of this Chapter, the City may request to enter private premises at all reasonable times to inspect the same and to inspect and copy records related to storm water compliance. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

6-4-16 Requirement To Monitor And Analyze

If City tests or inspections indicate that a site is causing or contributing to storm water pollution, illegal discharges, and/or non-storm water discharges to the storm water system or waters of the United States, and if the violations continue after notice from the City, the City may require any person engaged in the activity and/or the owner or operator of the site to provide, at their own expense, monitoring analysis required by the City to determine compliance with this Chapter.

6-4-17 Notice Of Violation

Whenever the City finds that a person has violated a prohibition or failed to comply with a requirement of this Chapter, the City may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

1. The performance of monitoring, analyses, and reporting;
2. The elimination of illicit connections or discharges;
3. The violating discharges, practices, or operations to cease and desist
4. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
5. Payment to cover administrative, remediation, monitoring, analyses, and reporting costs; and

6. The implementation of source control of treatment BMPs.

The City may skip the notice requirements set forth in this Section and immediately proceed with criminal and/or civil action against the violator if (1) the violator has committed the same violation in the past, or (2) the violation, in the opinion of the City creates a serious risk to persons, the environment or property, or (3) the City deems the violation to constitute an emergency.

6-4-18 Damage To Storm Water System

Any person who damages any portion of the storm water system shall be responsible for repairing the damages. The damages shall be repaired by a licensed contractor bonded to do work in the City and shall be repaired in accordance with the City's Construction Standards and Specifications. It is unlawful to remove or alter any portion of the storm water system without permission from the City.

6-4-19 Manhole Covers

It shall be unlawful to open any storm water manhole or other storm water fixture (such as grates, lids or inlets) without permission from the City.

6-4-20 Violation And Penalty

1. The violation of any provision of this Chapter is a Class C misdemeanor. Each day that a violation occurs shall constitute a separate offense.
2. In addition to any criminal fines and/or penalties which may be assessed for a violation of this Chapter, the City shall have the right to issue a stop work order or to install and/or maintain appropriate erosion and sediment control measures on any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed as required by this Chapter. The City shall have the right to have such measures installed or maintained by City personnel or hire a private contractor to perform such work and the contractor and /or property owner shall be liable for any and all expenses related to performing such work plus a 25% penalty charge. The City may assess said charges against the bond posted or the escrow established by the contractor and/or property owner.
3. If, as the result of the violation of any provision of this Chapter, the City or any other party suffers damages and is required to make repairs and/or replace any materials, the cost of repair and/or replacement shall be borne by the violating party and shall be in addition to any criminal or civil fines and/or penalties.

4. Violators of this Chapter may also be subjected to prosecution, civil fines and penalties from Hooper City, the State of Utah and the United States EPA

6-4-21 Compliance With Federal And State Law

Nothing in this Chapter shall be interpreted to relieve any person from an obligation to comply with an applicable Federal, State or local law relating to storm water discharges or drinking water protection.

Part 2 Storm Water Construction Activity Permit

[6-4-22 Purpose And Intent](#)

[6-4-23 Storm Water Construction Activity Permit; Application](#)

[6-4-24 Storm Water Pollution Prevention Plan](#)

[6-4-25 Proper Operation And Maintenance](#)

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6-4-22 Purpose And Intent

The purpose of this Chapter is to prevent the discharge of sediment and other construction-related pollutants from construction sites. Sediment and debris from construction sites are a major source of pollution to waterways and water systems located within the City and surrounding areas. Each year storm water runoff carries tons of sediment from construction sites into local drainage systems, irrigation systems, canals, rivers, and lakes. Sediment from storm water runoff also clogs and obstructs storm drains, culverts, and canals and causes damage to private property, wildlife habitat and water quality.

6-4-23 Storm Water Construction Activity Permit; Application Construction General Permit and Common Plan Permit

Any person or entity desiring **coverage through a Construction General Permit (CGP) or Common Plan Permit (CPP)** ~~a Storm Water Construction Activity Permit~~ must first file ~~an application with the Planning Commission Secretary.~~ **a Notice Of Intent (NOI) through the Utah Department of Environmental Quality.** The ~~application~~ **NOI** shall be submitted with, ~~or as part of an application for a site plan or subdivision approval or building permit.~~ **A completed Storm Water Pollution Prevention Plan (SWPPP).**

- A. **Permit Required:** Any person or entity proposing to disturb one (1) acre or more of ground in connection with any development, land disturbance, or construction activity within the City or any person or entity proposing to disturb less than one (1) acre of ground which is part of a larger common plan of development that disturbs one (1) acre or more of ground shall be required to obtain the applicable Storm Water Permit from

the Utah Department of Environmental Quality except those otherwise exempted under HCC 6-4-28

- B. *Content:* The application shall include a Storm Water Pollution Prevention Plan which meets the criteria set forth in ~~HCC 6-3-24~~ the Permit for which you are eligible to receive coverage through.
- C. *Timing:* The applicant shall file the application on or before the following dates:
1. *Subdivision:* The date that the applicant submits a site plan application if the applicant proposes to develop a site plan or amended site plan.
 2. *Site Plan:* The date that the applicant submits a site plan application if the applicant proposes to develop a site plan or amended site plan.
 3. *Building Permit:* The date that the applicant submits a building permit application if the applicant proposes to construct a building on an existing lot or parcel.
 4. *Other:* At least two (2) two weeks before the developer intends to perform any type of work not listed above that would require a Storm Water Construction Activity Permit pursuant to this Chapter.
- D. *Compliance:* If an applicant's development comes under more than one of the categories listed above, then the applicant shall submit the ~~Storm Water Construction Activity Permit Application~~ NOI on the earliest of the listed dates. Failure to comply with the application dates set forth above is not a criminal offense, but may delay the applicant's project. Failure to acquire CGP or CPP coverage a required Storm Water Construction Activity Permit is grounds for denying a related subdivision application, site plan application, conditional use permit application, or building permit application. It is unlawful to commence work (move dirt) on a development site that meets the criteria in HCC 6-4-23A before obtaining required Storm Water Construction Activity Permit coverage from a CGP or CPP.
- E. *Fee:* The applicant for a Storm Water Construction Activity Permit shall pay a fee in an amount set by resolution of the City Council.
- F. *Application Approval:* The City Staff "City" shall approve the application and grant the permit if the application is complete and meets the criteria set forth in HCC 6-3-24. The City shall deny the application or approve the application with conditions if the City determines that the measures proposed in the Plan fail to meet the criteria set forth in HCC 6-3-24. Conditions the City may impose in connection with the approval of a Permit include, but are not limited to, the establishment of specific measures and

Commented [AM1]: I've heard it mentioned we can't do this, but I haven't read anywhere that's the case

controls to prevent erosion and the discharge of sediment, debris and other construction-related pollutants from the site by storm water.

- G. *Term*: Unless otherwise revoked or suspended, a ~~CGP or CPP Storm Water Construction Activity Permit~~ shall be in effect for one year as set forth in (Insert Utah code that lists this requirement) the full period of the construction activity. The construction activity will not be considered complete until the following events occur:

1. *Sites that require a CGP or CPP*:

- a. Operator has filed a Notice of Termination (NOT) with the Department of Environmental Quality with an approved NOT inspection performed by Hooper city certifying that all BMPs have been removed and final stabilization has been achieved.

2. *Subdivisions*: For Permits associated with a subdivision plat approval:

- a. The Permittee must complete all required subdivision improvements; and
- b. One of the following three events must occur:
 - (1) The City issues a final certificate of occupancy for each lot in the subdivision, or
 - (2) ~~Common Plan Individual Storm Water Construction Activity~~ Permits have been issued for each lot in the subdivision not having a final occupancy permit, or
 - (3) The property has been re-vegetated or landscaped in a manner that eliminates erosion and sediment discharge or that brings the property back to its natural state.

3. *Site Plans*: For Permits associated with a site plan approval, the date that the Permittee has completed all required landscaping and all outside construction work associated with the site plan.

4. *Building Permits*: For Permits associated with a building permit application, the date that the City issues a final occupancy permit for the structure covered by the building permit.

5. *Other*: For Permits issued that are not tied to other approvals from the City, the date that the Permittee has completed all work associated with the Permit and takes steps required by the Permit to prevent further erosion and runoff from the site.

H. *Amendments*: In the event that the proposed construction activity for a site to which a Permit pertains is materially altered from that described in the original Plan in a way that may have a significant impact upon the effectiveness of the measures and controls described in the original Plan, the Permittee shall file an amended Storm Water Pollution Prevention Plan which meets the criteria set forth in HCC 6-3-24.

6-4-24 Storm Water Pollution Prevention Plan

1. ~~*Required Information*~~: The Storm Water Pollution Prevention Plan (the "Plan") shall contain the following information:

1. ~~*Site Description*~~: A site description (including a map with spot elevations and contour lines) which includes a description of the nature and location of the construction activity, a description of the intended sequence of major activities which will disturb soils for major portions of the site (e.g. grubbing, excavation, grading, utilities and infrastructure installation, etc.) and estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;

2. ~~*Control Description*~~: A description of the proposed measures and controls that will be implemented during construction activity and/or while the site is not stable. The Plan must clearly describe the times during the construction process that the measure will be implemented for each major activity identified pursuant to paragraph A, 1. The plan shall state the name and phone number of the person or entity responsible for implementation of each control measure.

2. ~~*Goals and Criteria*~~: The proposed measures and controls described in the Plan shall be designed to meet the following goals and criteria:

1. ~~*Prevent or Minimize Discharge*~~: The proposed measures and controls shall be designed to prevent or minimize, to the maximum extent practicable, the discharge of sediment, debris and other construction-related pollutants from the construction site by storm water runoff into the storm drainage system.

2. ~~*Prevent or Minimize Construction Debris*~~: The proposed measures and controls shall be designed to prevent or minimize, to the maximum extent practicable, the deposit, discharge, tracking by construction vehicles, or dropping of mud, sediment, debris or other potential pollutants onto public streets and right-of-way. Any such discharge shall be cleaned up and removed immediately upon notification to the Permittee or when it otherwise comes to the attention of the Permittee. At a minimum, the deposit or

Commented [AM2]: The reason I crossed this out is because it's covered in greater detail in the CGP and CPP

discharge shall be cleaned and removed at the end of the work shift in which the deposit occurred, or at the end of the work day, whichever comes first.

3. ~~BMPs:~~ The proposed measures and controls shall consist of Best Management Practices (BMPs) available at the time that the Plan is submitted. BMPs may include, but shall not be limited to, temporary silt or sediment fences, sediment traps and detention ponds, gravel construction entrances and wash down pads to reduce or eliminated use of a straw mulch as a temporary ground cover, erosion control blankets, temporary interceptor dikes and swales, storm drain inlet protection, check dams, pipe slope drains, rock outlet protection, reinforced soil retaining systems, and gabions.
4. ~~Minimize Risk of Discharge of Other Materials:~~ The proposed measures and controls shall be employed to minimize the risk of discharge of construction-related pollutants (such as paint, thinners, solvents and other chemicals) from the construction site. Such measures may include implementation of storage practices to minimize exposure of the material to storm water as well as spill prevention and response.

6-4-25 Proper Operation And Maintenance

The recipient of a Storm Water Construction Activity Permit (the Permittee) shall install the erosion and sediment control measures required by the approved Storm Water Pollution Prevention Plan before commencing any construction activity on the site to which the Plan applies or at such times indicated in the Plan. The erosion and sediment control measures shall be properly installed and maintained in accordance with the Permit, the manufacturers' specifications, and good engineering practices. The Permittee shall maintain such measures on the site until the city accepts the termination of the Permit pursuant to HCC 6-3-23.

6-4-26 Inspection And Entry

- A. The Permittee shall allow any authorized employees and representatives of the City, representatives of the State of Utah Division of Water Quality, and representatives of the EPA, to enter the site to which a Permit applies at any time and to inspect the erosion and sediment control measures maintained by the Permittee. The Permittee shall also allow inspection of any records pertaining to the conditions of the Permit.
- B. The City is required to inspect all phases of construction subject to this Chapter. The City shall conduct inspections through an electronic site inspection, submitted by the applicant. Unless, Field Electronic inspections shall be submitted prior to land disturbance, during active construction, and following active construction to verify

BMPs are built and properly designed and to ensure BMPs are properly maintained. Electronic inspections for compliance with this Chapter and any permits issued hereunder shall be conducted by the Public Works Director, the Storm Water Utility Supervisor, the City Building Inspector, the City Ordinance Enforcement Officer, and/or other designated agent of the City. Photographs submitted for electronic inspection shall:

1. Include meta data verifying the date, time, and GPS location corresponding to the construction site
 2. Be of sufficient resolution and clarity to assess compliance with general best management practices
- C. On-site inspections may only be conducted if there is a documented reason justifying the need for an on-site inspection with the following exceptions:
1. Operator opts out of electronic site inspections
 2. Electronic site inspection photos have been altered
 3. Electronic site inspection isn't submitted within the timeframe
 4. Site is within ½ mile of a river, stream, or lake
 5. Site is a federal or state transportation project
- D. All exceptions must be documented. On-site inspections shall be conducted by the Public Works Director, the Storm Water Utility Supervisor, the City Building Inspector, the City Ordinance Enforcement Officer, and/or other designated agent of the City. The Public Works Director may prepare an inspection checklist to assist in electronic or on-site field inspections. As a condition of issuance of any Storm Water Permit, access shall be granted to qualified personnel of the City to inspect all construction and post-construction Storm Water BMPs on private properties that discharge into the City's Storm Drain System.
- E. Enforcement. The provisions of this Chapter are intended to provide the City with a variety of enforcement options to pursue as deemed necessary to ensure compliance with the requirements of this Chapter, including, but not limited to, civil and criminal remedies and penalties. All of the remedies and enforcement provisions of this Chapter and as otherwise provided by law are intended to be cumulative. Escalating Enforcement may be pursued by the City, as established by State and Federal Legislature, depending upon the severity of the violation and/or the recalcitrance of the violator.
- F. Unless there is an immediate, documented threat to water quality, the following process for escalating enforcement shall be followed:
1. The City will provide written notification of violation in reply to the first violation of the provisions of this Chapter;
 2. The City shall allow a minimum of one business day for the violation to be corrected.

3. The City may inspect to verify that the violation was corrected.
 4. In response to the second violation of provisions of this Chapter:
- G. The City will provide written warning that a fee may be imposed if the specific violation is not corrected within no less than another business day.
1. The City may inspect to verify that the violation was corrected.
 2. In response to the third violation of provisions of this Chapter:
 3. The City will provide written notification that the violation still was not corrected.
 4. The City may issue a fee in compliance with Utah Code 19-5-108.3(7)(c)(ii-iii)
 5. Fees shall be imposed in writing and clearly document specific violations
 6. Fees shall be deposited into an account as provided in Utah Code 19-5-108.3(7)(d)(ii)
- H. Fines may be imposed within 30 days after the day on which the applicant corrects the violation.
- I. Imposed fines will be in accordance with Utah Code 19-5-108.3(7)(c)(ii-iii).
- J. Stop-Work Orders may not be issued except as provided in **HCC 9-02-190**.

6-4-27 Revocation Or Suspension Of Storm Water Construction Activity Permit

1. *Revocation or Suspension:* A Storm Water Construction Activity Permit may be revoked or suspended by the City upon the occurrence of any one of the following events:
 1. Failure of a Permittee to comply with the Plan or any condition of the Permit;
or
 2. Failure of a Permittee to comply with any provision of this Chapter or any other application law, ordinance, rule or regulation related to storm water; or
 3. A determination of the City that the erosion and sediment control measures implemented by a Permittee pursuant to the Plan are inadequate to prevent or minimize, to the maximum extent practicable, the discharge of sediment, debris or other pollutants from the construction site by storm water.
2. *Notice:* The City shall mail a Permittee written notice of noncompliance before revoking or suspending a Permit. The notice shall state the location and nature of the noncompliance and shall also specify what action is required for the Permittee to avoid revocation or suspension of the Permit. The notice shall allow the Permittee a reasonable time to take the necessary corrective action to avoid revocation or suspension of the Permit which time, in the absence of exceptional circumstances,

shall not be less than ten (10) nor more than thirty (30) days. The notice shall be mailed to the address listed for the Permittee in the Application. If the Permittee fails to correct the problems identified in the notice during the time specified in the notice, the City may suspend or revoke the Permit by mailing or delivering written notice of the suspension or revocation to the Permittee. The Permittee may appeal a suspension or revocation of the Permit pursuant to the appeal procedure set forth in HCC 6-3-30.

3. *Exceptional Circumstances:* For purposes of this Section, exceptional circumstances include, but are not limited to, situations which involve a risk of injury to persons, damage to storm drain facilities, or damage to other property or the environment. The City may take any steps the City deems necessary to alleviate any such exceptional circumstances as defined above, and may bill the owner, developer, or contractor responsible for creating the exceptional circumstances for the cost of alleviating said circumstances.
4. *Stop Work Order:* A stop work order may be issued upon the revocation or suspension of a Permit, or upon the discovery of work being conducted without a required Permit. The stop work order may be issued by inspectors in the Public Works Department or the Building Inspection Department. No construction activity may be commenced or continued on any site for which a Permit has been revoked or suspended until the Permit has been reinstated or reissued.
5. *Reinstatement:* A Storm Water Construction Activity Permit may be reinstated or reissued upon compliance with all provisions of this Chapter and all Permit conditions, or in the case of a suspension for reasons provided in HCC A,3, upon the filing of an amended Storm Water Pollution Prevention Plan which is designed to correct the deficiencies of the original Plan.

6-4-28 Exemptions

The following activities are exempt from the requirements of this Part 2:

1. Actions by a public utility, the City, or any other governmental entity to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic;
2. Actions by any other person when the City determines, and documents in writing, that the actions are necessary to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic;

3. Construction activities which disturb less than 500 square feet of land surface area, or which consist of the excavation and/or fill of less than 20 cubic yards of material;
4. Landscape maintenance activities on a fully developed properties, necessary to maintain the existing developed landscape; and
5. Bona fide agricultural and farming operations which constitute the principal use of any lot or tract of ground located within the City and which meet the requirements of the zoning code of the City.

6-4-29 Appeal

1. An Applicant for a Storm Water Construction Activity Permit, a Permittee of a Storm Water Construction Activity Permit or any entity disputing a decision made pursuant to this Chapter, may appeal any decision or directive made by the City or its representatives pursuant to this Chapter. The party desiring to appeal shall file a notice of appeal with the City Recorder's within 10 days of the decision or directive being appealed. The notice of appeal shall contain the following information:
 1. The appellant's name, address and daytime telephone number;
 2. A short statement describing the basis for the appeal; and
 3. The relief sought by the appellant.
2. Upon receipt of the notice of appeal, the City Recorder shall schedule an appeal with the City Council for their consideration and final determination.

6-4-30 Compliance With Federal And State Law

Nothing contained in this Chapter is intended to relieve any person or entity from an obligation to comply with applicable federal and state laws and regulations pertaining to clean water and/or storm water runoff.