

## CITY COUNCIL AGENDA

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**PUBLIC NOTICE** is hereby given that the City Council of **SOUTH WEBER CITY, Utah**, will meet in a regular public meeting commencing at 6:00 p.m. on Tuesday, May 20, 2025, in the Council Chambers at 1600 E. South Weber Dr.

**OPEN** (Agenda items may be moved to meet the needs of the Council.)

1. Pledge of Allegiance: Mayor Westbrook
2. Prayer: Councilman Halverson
3. **Public Comment:** Please respectfully follow these guidelines.
  - a. Individuals may speak once for 3 minutes or less: Do not remark from the audience.
  - b. State your name & city and direct comments to the entire Council (They will not respond).

### **PRESENTATIONS**

4. Hill Air Force Base Environmental Update

### **ACTION ITEMS**

5. **Public Hearing on Executive Municipal Officers Salary Increases**
6. **Public Hearing on Fiscal Year 2026 Tentative Budget**
7. **Public Hearing on Fiscal Year 2025 Budget Amendment #2**
8. Resolution 25-15: Fiscal Year 2025 Budget Amendment #2
9. Resolution 25-16: Amending Interlocal Cooperation Agreement for Law Enforcement
10. Ordinance 2025-11: Amend Title 8 Chapter 6 Storm Water

### **DISCUSSION ITEMS**

11. TUF Report
12. Update on the Public Works Facility Complex

### **BOARD MEETINGS**

13. Local Building Authority (LBA) Board Meeting

### **REPORTS**

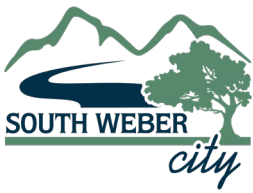
14. New Business
15. Council & Staff
16. Adjourn

*In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder, 1600 East South Weber Drive, South Weber, Utah 84405 (801-479-3177) at least two days prior to the meeting.*

The undersigned City Recorder for the municipality of South Weber City hereby certifies that a copy of the foregoing notice was mailed/emailed/posted to: City Office building; Mayor, Council, and others on the agenda; City Website [southwebercity.com/](https://southwebercity.com/); and Utah Public Notice website [www.utah.gov/pmn/index.html](https://www.utah.gov/pmn/index.html).

**DATE: 05-13-2025**

**CITY RECORDER:** Lisa Smith



# CITY COUNCIL MEETING STAFF REPORT

MEETING DATE

May 20, 2025

PREPARED BY

David Larson

City Manager

ITEM TYPE

Presentation

ATTACHMENTS

None

PRIOR DISCUSSION DATES

NA

AGENDA ITEM

Hill Air Force Base Environmental Update

PURPOSE

Provide the Council and community with an update on recent monitoring efforts

RECOMMENDATION

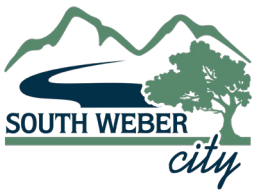
NA

BACKGROUND

South Weber City is home to Hill Air Force Base (HAFB) monitoring wells which are checked regularly to monitor groundwater for potential pollutants. Representatives from HAFB will be in attendance to present information related to their monitoring.

ANALYSIS

NA



5 Compensation  
CITY COUNCIL MEETING  
STAFF REPORT

MEETING DATE

05/20/2025

PREPARED BY

Brett Baltazar  
Finance Director

ITEM TYPE

Administrative

ATTACHMENTS

None

PRIOR DISCUSSION DATES

None

AGENDA ITEM

Public Hearing on Executive Municipal Officers Salary Increases

PURPOSE

Hold a public hearing regarding proposed salary increases for executive municipal officers.

RECOMMENDATION

N/A

BACKGROUND

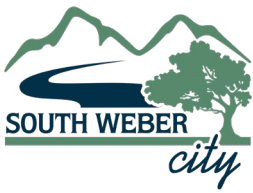
The 2024 Legislative Session (UCA 10-3-818) requires a municipal governing body to hold a public hearing regarding potential compensation increases for specified positions.

South Weber City has the following positions that meet the requirements specified by state law: City Manager, Administrative Services Director, Public Works Director, Public Works Assistant Director, Recreation Director, and Fire Chief.

ANALYSIS

The following maximum proposed salary increases are anticipated to take effect no later than July 1, 2025.

Position	Proposed Increase
City Manager	2%
Administrative Services Director	3%
Public Works Director	2%
Public Works Assistant Director	3%
Recreation Director	15%
Fire Chief	8.8%



6 Tentative Budget  
CITY COUNCIL MEETING  
STAFF REPORT

MEETING DATE

05/20/2025

PREPARED BY

Brett Baltazar  
Finance Director

ITEM TYPE

Legislative

ATTACHMENTS

Exhibit 3- 2026 Tentative  
Budget

PRIOR DISCUSSION DATES

February 27-28, 2025 –  
Budget Retreat

March 2025 – Committee  
Discussions

April 8, 2025 – Budget Work  
Session #1

April 22, 2025 – Budget Work  
Session #2

May 13, 2025—Adoption of  
Budget

AGENDA ITEM

**Public Hearing on Fiscal Year 2026 Tentative Budget**

PURPOSE

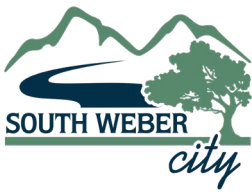
Allow public comment on the tentative.

RECOMMENDATION

n/a

BACKGROUND

State law requires the City to prepare and file a tentative budget with the governing body in the first regularly scheduled meeting in May. The Council adopted the FY 2026 Tentative Budget on May 13, 2025 and set the public hearing date for the 20<sup>th</sup>.



7-8 Budget Amd #2  
CITY COUNCIL MEETING  
STAFF REPORT

MEETING DATE

05/20/2025

PREPARED BY

Brett Baltazar  
Finance Director

ITEM TYPE

Legislative

ATTACHMENTS

Resolution 25-15: Fiscal  
Year 2025 Budget  
Amendment #2

PRIOR DISCUSSION DATES

AGENDA ITEM

Resolution 25-15: Fiscal Year 2025 Budget Amendment #2

PURPOSE

Amend Fiscal Year 2025 Budget

RECOMMENDATION

Staff recommends allocating \$33,000 of proceeds to assist the fleet program in rotating three public works vehicles.

BACKGROUND

The Fleet Program experienced a delayed start this year due to the transition to a new fleet management company, which affected the timing of the vehicle rotation schedule. Three Public Works vehicles are scheduled for replacement during the current fiscal year.

The current process is that the City assumes ownership of new vehicles as they leave the dealership, even though upfitting is not yet complete. As a result, the Fleet Program will not receive proceeds from the sale of the current vehicles until after the upfitting process is finished and the existing vehicles are sold. The sales of these vehicles is expected to occur in early Fiscal Year 2026.

ANALYSIS

In September 2024, two City-owned vehicles were sold, generating \$63,000 in proceeds. Staff recommends allocating \$33,000 of these proceeds to support the replacement of the Public Works vehicles scheduled for rotation this fiscal year. This allocation will help offset the cost of the new vehicles and maintain the City's fleet rotation schedule despite earlier delays.

Account	Account Name	Amount	Description	Transfers
60-36-400	Sale of Assets	(33,000)	Public Works Rotation Assistance (3 vehicles)	From Unearned Revenues
60-60-960	Equipment	33,000	Public Works Rotation Assistance (3 vehicles)	

**RESOLUTION 25-15****A RESOLUTION OF THE SOUTH WEBER CITY COUNCIL ADOPTING BUDGET AMENDMENTS FOR THE FISCAL YEAR ENDING JUNE 30, 2025**

**WHEREAS**, Utah Code regulates the budgeting process for municipalities; and

**WHEREAS**, the city adopted its budget for fiscal year 2024-2025 on August 27, 2024; and

**WHEREAS**, the city desires to amend that budget with the referenced changes presented herein; and

**WHEREAS**, this legislative body held a public hearing on to receive comment regarding the proposed amendments; and

**WHEREAS**, the City Council reviewed comments and discussed the presented changes in an open public meeting and is in favor of amending this budget;

**NOW THEREFORE BE IT RESOLVED** by the Council of South Weber City, Davis County, State of Utah, as follows:

**Section 1. Amendment:** The Fiscal Year 2024-2025 Budget shall be amended as follows:

Account	Account Name	Amount	Description	Transfers
60-36-400	Sale of Assets	(33,000)	Public Works Rotation Assistance (3 vehicles)	From Unearned Revenues
60-60-960	Equipment	33,000	Public Works Rotation Assistance (3 vehicles)	

**Section 2: Repealer Clause:** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

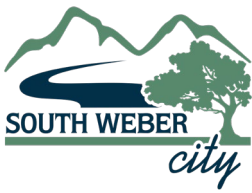
**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the 20<sup>th</sup> day of May 2025.

Roll call vote is as follows:

Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Dills	FOR	AGAINST
Council Member Davis	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

**Rod Westbrook, Mayor**

**Attest:** Lisa Smith, Recorder



# CITY COUNCIL MEETING STAFF REPORT

MEETING DATE

May 20, 2025

PREPARED BY

David Larson

City Manager

ITEM TYPE

Legislative

ATTACHMENTS

RES 25-16

Contract

PRIOR DISCUSSION DATES

NA

AGENDA ITEM

Resolution 25-16: Amending Interlocal Cooperation Agreement for Law Enforcement

PURPOSE

Annual amendment #3 to the Law Enforcement Agreement with Davis County Sheriff's Office (DCSO)

RECOMMENDATION

Staff recommends approval

BACKGROUND

DCSO has provided law enforcement to South Weber City for many years. In 2022, the agreement for law enforcement was updated to change the method for establishing cost for service from an hourly rate to a cost per patrol unit.

ANALYSIS

The annual cost per patrol unit is \$177,693.00. The service level is established at two patrol units, totaling \$355,386.00 for the fiscal year 2026 (July 1, 2025 to June 30, 2026). This is an increase of 2.6% from last year.

**RESOLUTION 25-16****A RESOLUTION OF THE SOUTH WEBER CITY COUNCIL APPROVING  
AMENDMENT #3 TO INTERLOCAL COOPERATION AGREEMENT  
FOR LAW ENFORCEMENT SERVICES**

**WHEREAS**, South Weber entered into an agreement for law enforcement service with Davis County Sheriff's Office (#2022-398) with a scheduled amendment with pay increase each July; and

**WHEREAS**, the Council is pleased with the service the Sheriff's office provides and wishes to continue the current agreement with amendment #3;

**NOW THEREFORE BE IT RESOLVED** by the Council of South Weber City, Davis County, State of Utah, as follows:

**Section 1. Approval:** Amendment #3 to the Interlocal Cooperation Agreement for Law Enforcement Service with the Davis County Sheriff's Office is hereby approved as attached in **Exhibit 1**.

**Section 2: Repealer Clause:** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the 20<sup>th</sup> day of May 2025.

Roll call vote is as follows:

Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Dills	FOR	AGAINST
Council Member Davis	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

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**Rod Westbroek, Mayor**

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**Attest:** Lisa Smith, Recorder



**AMENDMENT NO. 3 TO INTERLOCAL COOPERATION AGREEMENT FOR LAW ENFORCEMENT SERVICES**

This Amendment No. 3 to Interlocal Cooperation Agreement for Law Enforcement Services (this "Amendment") is between Davis County, a body corporate and politic and a legal subdivision of the State of Utah ("County"), and South Weber City, a municipal corporation, body politic, and political subdivision of the State of Utah ("City"). The County and the City may be referred to collectively as the "Parties" in this Amendment.

WHEREAS, the Parties previously entered into an Interlocal Cooperation Agreement for Law Enforcement Services, dated July 12, 2022 by the County, and identified in the County's records as Contract Number 2022-398 (the "Agreement").

WHEREAS, the Parties, through this Amendment, desire to amend the Agreement as set forth below.

The Parties therefore agree as follows:

1. Section 3, Subsection a of the Agreement is omitted and replaced with the following:

3. Compensation.

a. Compensation for the law enforcement services provided by the County to the City under this Agreement shall be as follows:

1) The following provisions apply for the City's fiscal year 2023 (July 1, 2022 through June 30, 2023):

a) The County agrees to perform the law enforcement services outlined in this Agreement, and the City agrees to pay the County \$132,669.20 per Patrol Unit for the performance of such law enforcement services, which equals \$11,055.77 per Patrol Unit per month for the performance of such law enforcement services;

b) At a service level of two Patrol Units, the City agrees to pay the County \$265,338.40, which equals \$22,111.53 per month for the performance of such law enforcement services; and

c) The foregoing monthly payment amounts shall be paid by the City to the County within 30 calendar days of receiving an invoice from the County.

2) The following provisions apply for the City's fiscal year 2024 (July 1, 2023 through June 30, 2024):

a) The County prepared a budget in January of 2023 that established the costs at \$336,774.63 for the County to perform the law enforcement services outlined in this Agreement;

b) The County agrees to provide the City with an 11.6% discount from the \$336,774.63 costs for the County to perform the law enforcements services outlined in this Agreement;

c) The County agrees to perform the law enforcement services outlined in this Agreement, and the City agrees to pay the County, after application of the 11.6% discount, \$150,538.26 per Patrol Unit for the performance of such law enforcement services, which equals \$12,544.89 per Patrol Unit per month for the performance of such law enforcement services;

d) At a service level of two Patrol Units, the City agrees to pay the County \$301,076.52, which equals \$25,089.71 per month for the performance of such law enforcement services; and

e) The foregoing monthly payment amounts shall be paid by the City to the County within 30 calendar days of receiving an invoice from the County.

3) The following provisions apply for the City's fiscal year 2025 (July 1, 2024 through June 30, 2025):

a) The County prepared a budget in January of 2024 that established the costs at \$346,303.04 for the County to perform the law enforcement services outlined in this Agreement;

b) The County agrees to perform the law enforcement services outlined in this Agreement, and the City agrees to pay the County \$173,151.52 per Patrol Unit for the performance of such

law enforcement services, which equals \$14,429.29 per Patrol Unit per month for the performance of such law enforcement services;

c) At a service level of two Patrol Units, the City agrees to pay the County \$346,303.04, which equals \$28,858.59 per month for the performance of such law enforcement services; and

d) The foregoing monthly payment amounts shall be paid by the City to the County within 30 calendar days of receiving an invoice from the County.

4) The following provisions apply for the City's fiscal year 2026 (July 1, 2025 through June 30, 2026):

a) The County prepared a budget in early of 2025 that established the costs at \$355,386.00 for the County to perform the law enforcement services outlined in this Agreement;

b) The County agrees to perform the law enforcement services outlined in this Agreement, and the City agrees to pay the County \$177,693.00 per Patrol Unit for the performance of such law enforcement services, which equals \$44,423.25 per Patrol Unit per quarter for the performance of such law enforcement services;

c) At a service level of two Patrol Units, the City agrees to pay the County \$355,396.00, which equals \$88,846.50 per quarter for the performance of such law enforcement services; and

d) The foregoing quarterly payment amounts shall be paid by the City to the County within 30 calendar days of receiving an invoice from the County.

2. Section 6 of the Agreement is omitted and replaced with the following:

6. Term of Agreement. The term of this Agreement shall begin on July 1, 2022 and shall, subject to the termination and other provisions set forth herein, terminate at the conclusion of June 30, 2026 (the "Term").

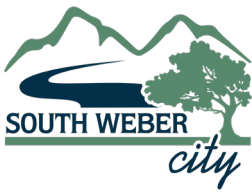
3. The effective date of this Amendment will be the date that this Amendment is signed by both Parties.

4. Except to the extent specifically modified by this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

5. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all such counterparts shall constitute one and the same contract. Digital signatures and signatures transmitted by facsimile or e-mail shall have the same force and effect as original signatures.

The Parties hereto have caused this Amendment to be signed by their duly authorized representatives on the dates indicated below.

<p>DAVIS COUNTY</p> <p>By: _____  Lorene Minor Kamalu, Chair  Board of Davis County Commissioners</p> <p>Date: _____</p> <p>ATTEST:</p> <p>_____  Brian McKenzie  Davis County Clerk</p> <p>Date: _____</p> <p>Reviewed as to Proper Form and Compliance with  Applicable Law:</p> <p>_____  Authorized Attorney for Davis County</p>	<p>SOUTH WEBER CITY</p> <p>_____  Printed Name: <u>David Larson</u>  Title: <u>City Manager</u>  Date: <u>May 20, 2025</u></p> <p>ATTEST:</p> <p>_____  Printed Name: <u>Lisa Smith</u>  Title: <u>City Recorder</u>  Date: <u>May 20, 2025</u></p> <p>Reviewed as to Proper Form and Compliance with  Applicable Law:</p> <p>_____  Jayme Blakesley  Authorized Attorney for South Weber City</p>
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10 Storm Water  
CITY COUNCIL MEETING  
STAFF REPORT

MEETING DATE

May 20, 2025

PREPARED BY

David Larson  
City Manager

ITEM TYPE

Legislative

ATTACHMENTS

ORD 2025-11  
Clean Version – Title 8  
Chapter 6  
  
Redline Version  
comparing old and new  
code

PRIOR DISCUSSION DATES

None

AGENDA ITEM

Ordinance 2025-11: Amend Title 8 Chapter 6 Storm Water

PURPOSE

Update areas of the City Storm Water Code to include required changes from the Utah Division of Water Quality

RECOMMENDATION

Staff recommends approval

BACKGROUND

South Weber City was audited by the Utah Division of Water Quality and is in process of responding to the audit requirements, one of which is to update the City's Storm Water Regulations code (Title 8 Chapter 6).

ANALYSIS

This is a full rewrite of Chapter 6, although much of the previous code remains. The code changes have been provided by the Division of Water Quality. City public works, engineering, administrative, and legal staff have reviewed and are comfortable with all the changes.

The changes are summarized below:

- Addition of a purpose section
- Addition of an applicability section
- Updates and additions to the definitions section
- Prohibited discharges now match the State
- Addition of an interpretation section
- The violation and enforcement section updated to follow most current state code, including allowance of fines, where before no fines were allowed, and identifies administrative fines and process
- Updates to Best Management Practices (BMPs)
- Addition of information about connection considerations

## CHAPTER 6

### STORM WATER REGULATIONS

#### 8.6 STORM WATER REGULATIONS

##### 8.6.1 Purpose and Findings

- A. **Purpose.** The purpose of the storm water regulations set forth in the municipal code is to comply with Phase II of the Clean Water Act (Act) and the applicable regulations of the Environmental Protection Agency (EPA) and the Utah Department of Environmental Quality (DEQ).
- B. **Findings.** The City Council makes the following findings regarding storm water:
1. **Facilities.** The City operates a storm water system consisting of a network of man-made and natural facilities, structures and conduits, that collect and route storm water runoff.
  2. **Endangerment.** Uncontrolled or inadequately controlled storm water runoff endangers public health and safety by causing, among other things: flooding, pollution, property damage, erosion, traffic and emergency response interruption, and impacts the ground water supply.
  3. **Pollution.** Storm water runoff carries concentrations of oil, grease, nutrients, chemicals, heavy metals, toxic materials, and other undesirable materials that can damage the integrity of ground waters and receiving waters, including the culinary water supply.
  4. **Impervious Surfaces.** Developed properties in the City contribute to the storm water system by converting natural ground cover into impervious surfaces.
  5. **Maintenance.** Developed properties in the City make use of and benefit from the City's operation and maintenance of the storm water system.
  6. **Regulations.** The Act, EPA, DEQ, and applicable rules mandate storm water regulations that apply to the City and otherwise.
  7. **Operation.** Effective maintenance, operation, regulation, and control of the storm water system is necessary for the health, safety, and general welfare of the City, its residents, and its businesses.

##### 8.6.2 Applicability

The storm water regulations in the municipal code apply to all developments of one (1) or more acres of land, or any part of a common development plan regardless of the size of any of the individually owned or developed sites.

8.6.3**CHAPTER 6****SECTION:****8-6-1 : Definitions**~~8-6-2 : Prohibited Obstructions~~~~8-6-3 : Prohibited Discharges~~~~8-6-4 : Prohibited Storage And Littering 8-6-~~~~5: Storm Sewer Connection Permit 8-6-6:~~~~Best Management Practices~~~~8-6-7 : Easements~~~~8-6-8 : Authority To Inspect~~~~8-6-9 : Requirement To Monitor And Analyze 8-6-~~~~10: Notice Of Violation~~~~8-6-11: Damage To Storm Sewer System Or Irrigation Lines 8-6-12:-~~~~Manhole Covers~~~~8-6-13: Drinking Water Protection 8-6-~~~~14: Violation And Penalty~~~~8-6-15: Compliance With Federal And State Law~~**8-6-1 : DEFINITIONS:**

The following words and phrases shall be defined in the municipal code relating to storm water as follows ~~for the purpose of this chapter and chapter 7 of this title:~~

- A. **"Applicant"** means a person that applies for an authorization to discharge under a construction storm water permit to conduct or propose to conduct a use of land for a construction site.
- B. **"Best Management Practices or BMPs"** means a~~BEST MANAGEMENT PRACTICES (BMPs): A wide~~ range of management procedures, schedules of activities, prohibitions of 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~~<sup>BMPs</sup> and their effectiveness ratings can be found in the most current version of South Weber City storm water quality credit package dated November 1996 (available at the Storm Water Management Plan adopted by the city or as otherwise provided, South Weber City public works department).

- C. **"City"** means the geographical boundaries of South Weber City, Utah, and also refers ~~CATCH BASIN: A drain inlet designed to~~ the classification of the jurisdictional area within a municipal separate storm sewer system (MS4).
- D. **"Common Development Plan"** means development that is contiguous to an area where multiple separate distinct construction activities may be taking place at different times or different schedules under an overall plan. For example, if a developer buys ~~a keep-out~~ large parcel and subdivides lots, builds roads, installs pipes, and runs electricity with the intention of constructing homes or other structures, this would be considered a common development plan. If the land is parceled off or sold, and construction occurs on plots that are less than one (1) acre by separate, independent builders, this activity still would be subject to storm water permitting requirements. The common development plan also applies to other types of land development such as industrial or business parks.
- E. **"Debris"** means ~~any or obstructive matter.~~ <sup>DEBRIS: Any</sup> dirt, rock, sand, vegetation, ~~trash, junk, rubbish~~ or litter.
- F. **"Detention Basin"** means an area ~~DETENTION BASIN: A depression~~ designed to detain peak flows from storm water runoff and to regulate release rates of that water into the storm drainage system, also allowing debris to settle out. Detention basin outlets may also be connected to ~~until~~ downstream storm drains. Flows entering ~~sewer resources are less heavily taxed.~~ A detention basins are released via ~~basin contains an inlet and an outlet piping, allows debris to settle out, and regulates water flow.~~
1. Regional Detention Basins mean large detention basins owned and maintained by the City.
  2. Local Detention Basins mean smaller basins typically in a development or subdivision that is constructed by the development or subdivision which, following construction and acceptance, the ownership, operation, and maintenance may either be conveyed and maintained by the City, association, or private owner(s) as determined by the City.
- G. **"Development"** means any man-made ~~DEVELOPMENT: Any manmade~~ change to improved or unimproved real estate of any parcel to alter it from its natural condition by, ~~including, but not limited to,~~ site preparation, ~~filling,~~ grading, filling, and/or the construction of improvements or other impervious surfaces. It also includes a site plan, building permit, subdivision, or construction of facilities, ~~paving, excavation, and construction of buildings,~~ or other structures.
- H. **"Director"** means the person designated by the City to enforce storm water regulations.

**"Disturb"** means to

structures.

**DIRECTOR:** ~~The public works director of the South Weber City or his duly appointed deputy, agent, or representative.~~

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

J. **"Drain Inlet"** means ~~a DRAIN INLET:~~ A point of entry into a sump, detention basin, or storm drain system.

K. **"Source Protection Zone"** means an area that is protected as a source of culinary or drinking water determined by geo-hydrology and designed to protect groundwater aquifers and well from development or pollution.

L. **"Equivalent Residential Unit or ERU"** means the average amount of impervious surface, expressed in square feet, on developed single family residential parcels in the City. One ERU equals 2,800 square feet of impervious surface area.

**"Hazardous Material"** means any ~~HAZARDOUS MATERIAL:~~ Any material, including any substance, waste, or combination thereof,

M. 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~~ ~~part~~ 116 pursuant to ~~Section~~ ~~section~~ 311 of the ~~Clean Water Act~~ ~~clean water act~~.

N. **"Illicit Connection"** means an unlawful connection of:

**ILLICIT CONNECTION:** Either of the following:

1. Any drain or conveyance, whether on the surface or subsurface, which ~~may allow~~ ~~allows~~ an illicit discharge to enter the storm drain system. Examples include, but are not limited to:

a. Any conveyance, ~~any conveyances~~ which ~~allows non storm~~ ~~allow nonstorm~~ water discharge such as sewage, ~~processed~~ ~~process~~ wastewater, or ~~any other wastewater (black or grey)~~ ~~wash water~~ to enter the storm drain system.

~~A.b.~~ ~~Any, and any~~ connections to the storm drain system from indoor drains or sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency; ~~or~~

2. Any drain or conveyance connected to or discharging to the storm drain system, which has not been:

a. Documented as part of approved ~~1) documented in~~ plans, maps, or equivalent records ~~of submitted to~~ the City.



~~B.b. Otherwise city, and 2)~~ approved in writing by the ~~City~~city.

O. **"Illicit Discharge"** means ~~any non-storm~~**ILICIT DISCHARGE: Any nonstorm** water discharge to the storm ~~water~~sewer system. Illicit discharges include both:

1. ~~Direct-direct~~ connections, including but not limited to: (e.g., wastewater piping either mistakenly or deliberately connected to the storm ~~water~~sewer system.
2. ~~Indirect)-and indirect~~ connections, including but not limited to: (e.g., infiltration into the storm ~~water~~sewer system or spills collected by drain inlets.)

P. **"Immediate Threat"** means a situation where pollutant discharge to state waters is already occurring. This refers to a present and active risk that requires immediate attention to prevent or mitigate further contamination.

Q. **"Imminent Threat"** means a situation that poses a high likelihood of pollutant discharge to state waters within forty-eight (48) hours if corrective actions are not taken. This refers to conditions that suggest a serious risk is developing but has not yet resulted in an actual discharge.

R. **"Impervious Surface"** means any hard surface, other than the natural surface, that prevents or retards the absorption of water into the soil, or that causes water to run off the surface in greater quantities or at a greater rate of flow than the natural surface. Such impervious surfaces include, but are not limited to: roofs, concrete, asphalt, and similar improvements that prevent or impede the natural absorption of water into the soil.

S. **"Municipal Separate Storm Sewer System or MS4"** means a conveyance or system of conveyances including: road drainage systems, catch basins, curbs, gutters, ditches, man-made channels, or storm drains.

**"Person"** means ~~any~~**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.**

**NONSTORM WATER RUNOFF:** ~~Any runoff other than storm water.~~

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

U. **"Pollutant"** means ~~dredged~~**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; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, trash, garbage, litter, or other discarded or abandoned objects, articles; and accumulations, that may cause or contribute to pollution such as: 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~~resinates); and noxious or offensive matter of any kind.



- V. **“Redevelopment”** means alterations~~REDEVELOPMENT: Alterations~~ of a property that change the impervious surface on the footprint of a site more than ten (10) percent.
- W. **“Retention Basin”** means a ground depression area designed to retain flows from storm water runoff, to encourage infiltration into surrounding sub surface soils, and may include overflow piping. A retention basin allows debris to settle from the storm water discharge and must be periodically cleaned and dredged.
- X. **“Sanitary Sewer Overflow or SSOs”** means~~building in such a~~ discharge of untreated sanitary wastewater way that disturbs one acre of land or SSOs more.
- Y. **“Storm Drain”** means a~~STORM DRAIN: A~~ closed conduit for conducting collected storm water.

**“Storm Water”** means any

**STORM SEWER SYSTEM:** ~~The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, detention basins, curbs, gutters, ditches, manmade 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 sewer system is also referred to as a "municipal separate storm sewer system" or "MS4".~~

Z. ~~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.

AA. **"Storm Water Construction Activity Plan"** means a plan approved by the City before any person may excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape in the City of one (1) acre or more, or any part of a common development plan. This plan approval is required in conjunction with a SWPPP.

BB. **"Storm Water Program"** means the overall approach by the City in administering, funding, creating and implementing policies that support the objectives of The Act, EPA, and DEQ relating to storm water management in conjunction with the ongoing maintenance and operation of the storm water system.

CC. **"Storm Water Pollution Prevention Plan or SWPPP"** means the required plan as approved by DEQ and the City before any construction activity occurs as part of a development.

DD. **"Storm Water System"** means the system of conveyances including, but not limited to: sidewalks, road drainage systems, catch basins, detention basins, curbs, gutters, ditches, man made channels, sumps, and storm drains generally owned and operated by the City or its designee, designed and used for collecting or conveying storm water. The storm water system is also referred to as MS4.

EE. **"Storm Water Run-off"** means water generated by storm water flows over land.

**"Sump"** means a City approved ~~STORM WATER RUNOFF:~~ Water that is generated by storm water flows over land.

FF. ~~SUMP:~~ A formalized underground structure, surrounded by drain rock, that is used in rare special conditions to collect storm water, which allows ~~acts as a detention basin to allow~~ the slow release of water into the surrounding sub soil. ~~subsoil.~~ Sumps usually receive storm water runoff from paved areas such as streets, parking lots, building roofs, etc. (Ord. 07-14, 6-12-2007)

GG. **"Violation"** means failure to implement or maintain preferred best management practices (See Also Utah Code 19-5-108.3).

#### 8.6.4 Prohibited Obstructions

#### 8-6-2 Unlawful Obstructions. : PROHIBITED OBSTRUCTIONS:

A. It is unlawful for any person to:

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

2. Contribute to the obstruction of the flow of water in the storm ~~watersewer~~ system.
3. Cover or obstruct any drain inlet.

B. **Exemptions.** The following obstructions are exempt ~~from the prohibitions of this section:~~

1. Street and/or storm ~~watersewer~~ improvement projects authorized by the ~~Citycity~~.
2. Flood control and prevention activities performed by the ~~Citycity~~.
3. Obstructions approved by the ~~City and/or statecity~~ as part of a ~~SWPPPsite's storm water drainage plan~~.
4. Obstructions occurring during ~~clean upcleanup~~ periods established by the ~~Citycity, provided that the materials are placed according to city directions and do not obstruct drain inlets. (Ord. 07-14, 6-12-2007)~~

#### **8.6.5 Prohibited Discharges**

#### **8-6-3 Unlawful Discharges. : PROHIBITED DISCHARGES:**

A. It is unlawful for any person to ~~cause or allow an illicit~~ discharge ~~non storm water discharges to the MS4 including spills, illicit connections, illegal dumping, and SSOs into the to the~~ storm sewer system. All SSOs must be reported to the Division of Water Quality and to the MS4s local wastewater treatment facility.

~~B. —Exemption.~~ The following discharges ~~to the storm sewer system~~ are exempt, unless the City identifies these discharges as significant sources of pollutants to waters from the prohibitions of this section:

~~1.B. Discharges regulated under a valid national pollutant discharge elimination system (NPDES) storm discharge permit, provided that the discharge complies with the terms of the State or as causing or contributing to a violation of water quality standards: permit.~~

~~2-1. Water Discharges from water line flushing; performed by the city.~~

2. Landscape irrigation;

3. Diverted stream flows;

4. Rising ground waters;

5. Uncontaminated ground water infiltration;

6. Uncontaminated pumped ground water;

~~3-7. Discharges from potable water sources; sprinkled landscape irrigation or sprinkled lawn watering.~~

8. Foundation drains;

9. Air conditioning condensate;

10. Irrigation water;

11. Springs;

12. WaterDischarges from crawl space pumps;

13. Footing drains;

14. Lawn water runoff;

~~4-15. Individualindividual residential car washing; provided that a biodegradable detergent is used.~~

- ~~5.16. Flows~~~~Discharges~~ from ~~natural~~ riparian ~~habitats and wetlands;~~~~habitat or wetland flows.~~
- ~~17. Dechlorinated swimming pool discharges;~~
- ~~18. Residual street wash water;~~
- ~~19. Dechlorinated water reservoir discharges; and~~

~~6. Discharges~~ ~~or from natural ground water~~ flows:

~~7. Discharges~~ from ~~emergency~~air conditioning condensation.

~~8.20. Discharges from~~ firefighting activity. ~~or emergency management activities.~~

#### 8.6.6 Prohibited Storage and Debris

~~9. Discharges from swimming pools constructed prior to April 10, 1990.~~

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~~10. Discharges from foundation drains, footing drains, or crawl space or basement pumps if the discharges have been approved in writing by the city.~~

~~11. Discharges allowed by a South Weber City storm sewer connection permit. (Ord. 07-14, 6-12-2007)~~

#### **~~8-6-4: PROHIBITED STORAGE AND LITTERING:~~**

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 ~~may is likely to~~ result in the discharge of the pollutant or hazardous material to the storm ~~watersewer~~ system. ~~(Ord. 07-14, 6-12-2007)~~

#### **~~8-6-5: STORM SEWER CONNECTION PERMIT:~~**

~~A. Permit Required: No person shall connect to the city's storm sewer system, either directly or indirectly, without first obtaining a storm sewer connection permit from the city.~~

~~B. 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 sewer connection permit before commencing construction.~~

~~C. Application: The applicant for a storm sewer connection permit shall submit the following to the city:~~

~~1. Application Form: A completed application form. Application forms will be available at the city's public works and development services departments.~~

~~2. BMP Plan: A plan incorporating storm water BMPs that meet the requirements of section 8-6-6 of this chapter.~~

~~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.~~

~~D. Application Submittal: The application shall be submitted to the city's development services department.~~

~~E. Review: The storm sewer connection permit application shall be reviewed by the storm sewer utility manager and either approved, approved with conditions, or denied. Either the permit applicant or the city may appeal the storm sewer utility manager's decision to the public works director. The appeal shall be made according to procedures established by the public works department.~~

~~F. Factors: When deciding whether to approve, conditionally approve, or deny a storm sewer connection permit application, the following factors shall be considered:~~

~~1. Whether the application complies with applicable city ordinances and policies.~~

~~2. Whether the application complies with the South Weber City storm drainage master plan.~~

~~3. Whether the proposed connection incorporates effective best management practices.~~

~~4. Whether the proposed connection introduces pollutants into the storm drain system.~~

~~5.1. Whether the proposed connection creates a safety hazard.~~

~~6.1. Whether the proposed connection affects the integrity of the storm sewer system infrastructure.~~

#### **8.6.7 Best Management Practices**

~~7. Whether the proposed connection endangers the city's drinking water.~~

8. ~~Whether the applicant has submitted a maintenance plan ensuring the proper maintenance and upkeep of the applicant's connection and on-site storm water improvements.~~

G. ~~Failure: Failure to construct or maintain storm water improvements in accordance with an approved storm sewer connection permit shall be a violation of this chapter.~~

H. ~~As-Built: Any person connecting to the storm water system, sewer system shall provide the city's storm sewer utility 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.~~

I. ~~Rate: Connections to the storm sewer system shall be designed so that the discharge to the storm sewer system does not exceed two tenths (0.2) cubic feet per second per acre.~~

J. ~~Exempt Connections: The following connections to the storm sewer system are exempt from the permitting requirements of this section:~~

1. ~~Connections from single-family residences, provided that the runoff from the residences is handled according to a plat or site plan approved by the city. However, any person desiring to use a basement pump, foundation drain, or other related fixture directly or indirectly connecting to the storm sewer system must obtain a storm sewer connection permit.~~

2. ~~Connections made by the city. (Ord. 07-14, 6-12-2007)~~

### **8-6-6 : BEST MANAGEMENT PRACTICES:**

~~Any person connecting to the storm sewer system or developing a parcel of one (1) acre or more, or developing a common development plan commercial or industrial site shall employ the appropriate BMPs as adopted by the City. best-management practices (BMPs) approved by the city. The city shall adopt a policy establishing a menu of BMPs that may be used to satisfy this requirement. The BMPs may be structural and/or nonstructural, depending on the needs of the site. The BMPs employed shall be designed to ensure that the quality and quantity of storm water released to the city's storm watersewer system meets the requirements of applicable law federal, state and local laws and regulations and the City's city's NPDES permit. Design shall ensure that the development shall, and will not exceed the designed capacity of the storm watersewer system or jeopardize the integrity of the storm watersewer system. (Ord. 07-14, 6-12-2007)~~

### **8.6.8 Authority to Enter or Inspect**

### **8-6-7 Access. : EASEMENTS:**

A. ~~The director 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 watersewer facilities lying within an actual or prescriptive the easement. The director shall perform, or the performance of any other duties necessary for pertinent to the proper operation of the storm watersewer system. All entry and maintenance subsequent work, if any, on an easement, shall be completed according to any special terms of any the easement. (Ord. 07-14, 6-12-2007)~~

### **8-6-8 Inspections. : AUTHORITY TO INSPECT:**

B. ~~Whenever necessary to make an inspection to enforce any provision of the municipal code this chapter, or whenever the City city has cause to believe that there exists, or potentially exists, a condition which constitutes a violation of this chapter, the municipal code, the City may direct its qualified personnel to city may enter the premises at all reasonable times to inspect, detect, investigate, eliminate, and enforce any suspected non storm water discharges, including illicit discharges, illegal dumping, or other violation. During the same time the City may and to inspect and collect copy records related to storm water compliance.~~

- C. **Refusal.** In the event ~~an~~<sup>the</sup> owner or occupant refuses entry after a request to enter and inspect has been made, the ~~City~~<sup>city</sup> is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry. ~~(Ord. 07-14, 6-12-2007)~~

**8-6-9 Access. The access for the City to inspect storm water control measures on private property that is vested under this section and includes both construction phase and post construction access. Upon approval of the director, the City may allow the owner/operators: REQUIREMENT TO MONITOR AND ANALYZE:**

- D. If city tests or a qualified third party to conduct maintenance so long as:

1. At least annual certification, in the form of inspection documentation which has been performed, is provided to the City.
2. The structural controls are adequately operating and maintained as such were designed to protect water quality as provided in the original maintenance agreement and plans submitted upon vesting and approval of the site.
3. A maintenance agreement is required on private property that is vested after the effective date of this Chapter and includes both construction phase and post construction access and where owner/operators or a qualified third party to conduct maintenance as provided herein. Said maintenance agreement shall be promulgated in the form and manner as determined by the Director so long as the agreement includes at a minimum:
  - a. Allows the City oversight authority of the storm water measures.
  - b. A provision that the agreement acts as a covenant that runs with the land.
  - c. Allows the City to inspect and perform necessary maintenance or corrective actions neglected by the owner/operators or the qualified third party.
  - d. Allows the City to recoup the costs from the owner/operator as necessary to cover the expenses for necessary actions conducted by the City.

- E. **Interpretation.** The City interprets this regulation as secondary and subservient to the United States Constitution and the Utah State Constitution as applied to property rights, land use, development, and similar rights. Specifically, the intent of this regulation is not to be applied to violate vested property rights nor to be a physical invasion of property rights as determined by the United States Supreme Court in Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419 (1982). The City recognizes that the United States Supreme Court interprets property right in conjunction with the laws and constitutions of each state. Therefore, Utah law also plays an important role in defining property rights. For the purpose of determining when a property right is vested the City shall continue to apply the Utah Supreme Court ruling in Western Land Equities, Inc. v. City of Logan, 617 P.2d 388 (1980), that states a property owner is vested to follow the City regulations in effect at the time a land use application is filed. Furthermore, where there is vagueness in any land use regulation, including the storm water regulations, it shall be interpreted in favor of the property owner.

**8.6.9 Requirement to Monitor and Analyze**

If a test or inspection by the City, its designee, or other authorized agency indicates ~~inspections indicate~~ that a site is causing or contributing to storm water pollution, illegal discharges, and/or ~~non-storm~~ ~~nonstorm~~ water discharges to the storm ~~watersewer~~ system or waters of the United States, and if the ~~violation continues~~ ~~violations continue~~ after notice ~~offrom~~ the ~~samecity~~, the ~~City or other authorized agency~~ ~~city~~ may require any person engaged in the illicit activity and/or the owner ~~ofor~~ operator of the site to provide, at their own expense, monitoring and analyses ~~as~~ required by the ~~City or other~~ applicable agency ~~city~~ to ~~ensure~~ ~~determine~~ compliance with ~~the municipal code~~ ~~this chapter~~. (Ord. 07-14, 6-12-2007)

### 8.6.10 Damage System

#### **8-6-10 : NOTICE OF VIOLATION:**

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~~Whenever the city finds that a person has violated a prohibition or failed to comply with a requirement of this chapter, the city will order compliance by written notice of violation to the responsible person.~~

~~Such notice may require, without limitation:~~

- ~~A. The performance of monitoring, analyses, and reporting;~~
- ~~B. The elimination of illicit connections or discharges;~~
- ~~C. That violating discharges, practices, or operations shall cease and desist;~~
- ~~D. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;~~
- ~~E. Payment to cover administrative, remediation, monitoring, analyses, and reporting costs; and~~
- ~~F. The implementation of source control or 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: a) the violator has committed the same violation in the past, or b) the violation, in the opinion of the city, creates a serious risk to persons, the environment or property, or c) the city deems the violation to constitute an emergency. (Ord. 07-14, 6-12-2007)~~

#### **~~8-6-11 : DAMAGE TO STORM SEWER SYSTEM OR IRRIGATION LINES:~~**

~~Any person who damages any portion of the storm watersewer system or any, a city-owned irrigation systemline, or a city maintained irrigation line shall be responsible for repairing the damageddamages. The damageddamages shall be repaired by a licensed contractor bonded to do work in the city and, where applicable, shall be repaired in accordance with the current adopted Public Works Standards for Development, Design, & Construction adopted by the City. city's construction standards and specifications. It is unlawful to remove or alter any portion of the storm water system or irrigation sewer system without permission from the director or owner of the irrigation system.~~

~~8.-(Ord. 07-14, 6.11 Authorized Access-12-2007)~~

#### **~~8-6-12 : MANHOLE COVERS:~~**

~~It isshall be unlawful for any person to open any storm water access hole, grate, lid, cover, inlet, head gate, valve, pipesewer manhole or other otherwise access any storm water facilitysewer fixture (such as grates, lids or inlets) without express permission from the director.~~

~~8.-(Ord. 07-14, 6.12 Wetlands and Permits-2007)~~

~~Any development that may affect any wetland or potential wetland, regardless of whether such wetlands are identified or unidentified, shall provide to the City an accurate wetland delineation that has been completed within the past eighteen (18) months prior to City approval of the development. Any delineated wetland shall be accurately shown on all construction plans and any plat map relating to the development. Prior to issuance of any building permit, the developer shall accurately stake and install appropriate BMPs all on site delineated wetlands and shall maintain such until the notice of termination has been completed. The developer shall also provide to the City a copy of the EPA~~

wetlands 404 permit, stream alteration permit, regulator letters, and other related permit or regulator documents required by any regulatory agency relating to the development.

### 8.6.13 Federal and State Compliance

#### **~~8-6-13 : DRINKING WATER PROTECTION:~~**

~~All storm water and nonstorm water discharges shall comply with the city's drinking water source protection ordinance. (Ord. 07-14, 6-12-2007)~~

#### **~~8-6-14 : VIOLATION AND PENALTY:~~**

~~The violation of any provision of this chapter is a class C misdemeanor. Each day that a violation occurs shall constitute a separate offense.~~

~~A. 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.~~

~~B. Violators of this chapter may also be subject to prosecution, fines and penalties from the state of Utah and the United States EPA. (Ord. 07-14, 6-12-2007)~~

#### **~~8-6-15 : COMPLIANCE WITH FEDERAL AND STATE LAW:~~**

Nothing in ~~the storm water regulationsthis chapter~~ shall be interpreted to relieve any person from an obligation to comply with an applicable federal, state, or local law.

### 8.6.14 Violation and Enforcement

Where a person has violated the municipal code storm water regulations the following procedure applies:

A. **First Notice of Violation.** A written notice of violation shall be issued to the Contractor or Property Owner and documented in the City records by the Director who issued the warning. The notice should include an explanation / identification of each specific violation, associated reference from the Permit and a deadline to correct each violation.

1. **Correction Period.** The City shall give no sooner than one (1) business day for immediate threats to water quality and no longer than seven (7) calendar days for imminent threats for the violation(s) to be corrected.

2. **Follow-Up Inspection.** A follow-up inspection shall be conducted following the correction period. The City shall provide the Contractor or Property Owner written that the violation(s) are either deemed resolved or escalated to a Second Notice of Violation.

B. **Second Notice of Violation.** A written notice of violation shall be issued to the Contractor or Property Owner and documented in the City records by the Director who issued the violation. The notice should include an explanation / identification of each specific violation

that remains from the First Notice of Violation, associated reference from the Permit, a deadline to correct each violation, and warning that a fine can be issued if the violation(s) are not corrected within the new timeframe specified.

1. **Correction Period.** The City shall give no sooner than twenty-four (24) hours for immediate threats to water quality and no longer than seven (7) calendar days for imminent threats for the violation(s) to be corrected.
2. **Follow-Up Inspection.** A follow-up inspection shall be conducted following the correction period and the violation either deemed resolved or escalated to a Third Notice of Violation. The City shall provide the Contractor or Property Owner written notice that the violation(s) are either deemed resolved or escalated to a Third Notice of Violation.

C. **Third Notice of Violation.** A written notice shall be issued to the Contractor or Property Owner stating that the previously noticed violation(s) have not been addressed, and fines have now been imposed for each associated violation. The notice should include an explanation / identification of each specific violation that remains from the Second Notice of Violation, associated administrative fine amount for each violation, and timeframe specified for payment and correction.

1. **Correction Period.** The City shall give no sooner than twenty-four (24) hours for immediate threats to water quality and no longer than seven (7) calendar days for imminent threats for the violation(s) to be corrected.
2. **Follow-Up Inspection.** A follow-up inspection shall be conducted following the correction period and the violation either deemed resolved or escalated to a Third Notice of Violation. The City shall provide the Contractor or Property Owner written that the violation(s) are either deemed resolved or additional fines imposed.
3. **Administrative Fines.** An administrative fine for each occurrence shall be imposed for each business day that the specific violation continues beginning on the day after the day on which the authority issues the administrative fine; and within thirty (30) days after the day on which the applicant corrects the violation. Fines collected shall be deposited into the City's Storm Water Education and Outreach program.

a. Fines shall be as follows:

1. \$500 per occurrence for working without an approved storm water permit;
2. \$300 per occurrence for tracking mud on road;
3. \$250 per occurrence for failure to clean up or report spills;
4. \$100 per occurrence for failure to conduct storm water inspections (only applicable if Contractor has agreed to conduct own inspections);
5. \$100 per occurrence for failure to maintain storm water records;  
and
6. \$500 per occurrence for failure to use general best management practices, as determined by the City.

- b. Fine(s) imposed shall be paid directly to the City within thirty (30) days of issuance.
- c. Failure to pay fine(s) may result in additional action by the City including, but not limited to, the deduction of the amount of the fine from an existing escrow account, withholding acceptance or final approval, or referral of unpaid fine(s) to City Attorney.

**D. Stop Work Order.** The City may issue a Stop Work Order if there is clearly documented reason articulating an immediate threat to water quality.

A Stop Work Order may not be issued if the Contractor or Property Owner has selected the preferred best management practice for site conditions and is properly implementing said practice, but a violation results from a deficiency in the preferred best management practice.

**E. Special Cases.**

- 1. The City can issue a Stop Work Order earlier than in the process described in this Section if the City can document that the violation imposes an immediate and/or imminent threat to water quality.
- 2. The City can correct a violation for the Contractor or Property Owner and recoup the costs if the Contractor or Property Owner refuses to correct the violation and there is imminent significant harm to water quality or the storm water system.
- 3. The City cannot issue a Stop Work Order if the violation is a result of a properly installed and maintained BMP per specifications from the preferred BMP list.

#### **8.6.15 Storm Water Construction Activity**

**A. Design.** All storm water shall be designed and constructed in accordance with the current Public Works Standards. Storm water outfall design and water quality shall meet federal, state, and local discharge requirements.

**B. Construction.**

**1. BMPs.**

- a. The Storm Water Management Plan contains a listing of BMPs that can be used on a site. BMPs typically fall into the following categories:
  - 1. Perimeter control.
  - 2. Erosion controls.
  - 3. Sediment control.
  - 4. Materials handling and spill prevention.
  - 5. Waste management.
  - 6. Good housekeeping.

- b. The application of some BMPs include, but are not limited to:

1. Oil Separators (OWS). Oil Separators shall be required on all sites with parking facilities that exceed two (2) acres, automobile salvage or wrecking areas, or smaller sites anticipating oily discharges such as mechanic shops or similar facilities. Oil separators must be capable of removing particulates down to 150 microns. Possible products include, but are not limited to: BaySaver, Storm Cerptor, Vortechnic. Where oil separators are required, sizing and design of OWS must be reviewed by the City Engineer prior to installation. Consideration must be given to frequency and ease of maintenance of the structure. Basins shall have agreements in place with the City to periodically clean the separator in accordance with the manufacturer's specifications. Manufacturers' recommendations for sizing shall be followed with calculations submitted to the City. The separator may either be installed upstream or downstream of the basin keeping in mind that flows on the outlet of the basin would be smaller.
2. Inlet Protection (IP). The Storm Water Management Plan may allow straw bales, silt fences, or curb snakes (after asphalt is placed). Filter fabric under the grate shall not be permitted since drainage is greatly inhibited.
3. Tracking Pads (CR). Sites must have a tracking pad to eliminate mud from being tracked onto the adjacent street. If mud is tracked, the contractor shall be responsible to sweep the streets as necessary.
4. Surface Sweeping (SC). If mud or dirt is tracked onto a travel surface such as a road or parking area, the developer or owner shall be responsible for sweeping the surface to remove the mud and dirt.
5. Concrete Washout (CWM). A place must be located within the subdivision or on the site for concrete washout. No washout will be permitted on the street which would then continue to the storm drain. The washout area may need to be maintained and temporarily excavated until the building foundations and driveways are constructed, or some other arrangement made.
6. Silt Fences (SF). Silt fences must be installed to prohibit the flow of sediments off the site in accordance with manufacturers recommendations and the Storm Water Management Plan.
7. Notice Sign. All development and subdivisions are required to at least one (1) notice sign that is clearly visible at each entryway to the subdivision indicating that the SWPPP must be obtained and followed. Said notice sign shall be maintained by the original development or subdivision applicant until termination. The specific wording on the sign relating to storm water, and other related requirements, may be prescribed and modified by the City as needed to meet challenges created by development and to give notice to requirements of law.

**C. Plan Approval Required.** Storm Water Construction Activity Prevention Plan Approval is required in conjunction with the SWPPP before any person may excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the

natural landscape within the City that is one (1) acre or more, or any part of a common development plan. Development of a subdivision greater than or equal to one acre in size qualifies under this Section even if each of the individual lots in the subdivision are smaller than one (1) acre.

1. Process. Any person or entity desiring a storm water construction activity plan approval must first submit a "Notice of Intent" (NOI) with DEQ. Upon DEQ approval of the NOI, any person desiring a storm water construction activity plan approval must file the SWPPP with the City along with any documentation necessary for the City to calculate the number of ERUs for each parcel upon completion of development.
2. Approval. The storm water construction activity plan is approved and issued in conjunction land use and / or building permit approval. The City may impose conditions in connection with the approval to enforce the activity plan and SWPPP and include specific measures to prevent erosion, unlawful discharge, sediment accumulation, debris removal, and other storm water measures for the construction site.
3. Effect. Unless otherwise revoked or suspended for a violation, a storm water construction activity plan approval is effective for the full period of the construction activity. The construction activity will not be considered to be completed until the following events occur:
  - a. Termination. The storm water construction activity plan approval shall be considered terminated after the Applicant notifies the City of completion of the project and a final inspection is performed to verify site stabilization. The permittee shall also verify the site is stabilized and give "Notice of Termination" to DEQ. The Applicant shall keep and maintain all permit required improvements on the site until termination.
  - b. Amendments. If the proposed construction activity for a site to which a plan approval pertains is materially altered from the time of approval, an amended storm water construction activity plan and SWPPP shall be submitted for approval.

**D. Storm Water Pollution Prevention Plan.** A SWPPP is required for all sites disturbing one (1) acre or more or any part of a common development plan. The SWPPP shall contain the information required in the general permit and by DEQ. The City may require additions, changes, modifications, and amendments to the SWPPP in order to conform to the Storm Water Management Plan adopted by the City or to remedy deficiencies occurring at the construction site during construction.

**E. Erosion and Sediment Control.** The Applicant of the SWPPP shall install the erosion and sediment control measures required by the approved SWPPP prior to commencing other construction activity on the site. The erosion and sediment control measures shall be properly installed and maintained in accordance with the SWPPP, specifications of a manufacturer, and best practices. The Applicant shall maintain such measures on the site until the City accepts termination.

**F. Inspection and Entry.** The written approval of a Storm Water Activity Plan and SWPPP authorizes the EPA, DEQ, City, or other applicable agency to enter the site and inspect compliance with the Construction Activity Plan and SWPPP. The Applicant shall also make available upon request inspection of storm water records for the construction site.

#### **8.6.16 Connection Permit**

**A. Permit.** A permit is required to make any connection, directly or indirectly, to the storm water system.

**B. Application.** For a person to connect to the storm water system the person must:

1. Submit a completed application form as provided by the City.
2. Incorporate BMPs that meet the requirements of the storm water regulations.
3. Provide a maintenance plan, including any maintenance agreement outlining how the applicant will maintain the storm water improvements listed in the application.
4. The application may be submitted to the City in conjunction with a building permit or subdivision approval, whichever is applicable.

**C. Approval.** The storm water connection permit application shall be reviewed by the City and may be issued, modified, or denied in conjunction with the building permit.

**D. Consideration.** In considering whether to issue a connection permit, the City shall determine:

1. Whether the application is complete.
2. Whether all development fees have been paid.
3. Whether the application complies with all storm water regulations and policies.
4. Whether the application conforms to City storm water system plans.
5. Whether the application incorporates effective BMPs.
6. The potential for the connection to introduce pollutants into the storm drain system.
7. Whether the proposed connection creates a safety hazard.
8. Whether the proposed connection affects the integrity of the storm sewer system infrastructure.
9. Whether the proposed connection endangers any ground water ~~discharges~~ or drinking water supply.



10. Whether the applicant has submitted a maintenance plan and any maintenance agreement ensuring the proper maintenance and upkeep of the applicant's connection and on-site storm water improvements.

E. **Failure.** Failure to construct or maintain storm water improvements in accordance with an approved storm water connection permit shall be a violation of this Chapter.

F. **Drawings.** Any person connecting to the storm water system shall provide the "as built" drawings showing the details and the location of the connection along with any location device. The plans shall be provided in a format acceptable to the City.

#### **8.6.17 Exemptions**

The following activities are exempt from the requirements of this Chapter:

A. **Public.** Activities of a public utility or government entity. Activities to remove or alleviate an emergency condition, restore utility service, restore transportation, or otherwise protect public health, safety, and welfare.

B. **Agriculture.** Bona fide agricultural and farming operations.

#### **8.6.18 Enforcement and Appeals**

Violations, enforcement, and penalties of this Chapter are set forth in Section 8.6.14. An aggrieved person may appeal to the City appeal authority by filing an appeal in writing, stating the facts supporting the appeal, within ten (10) days of the decision being appealed. All appeals shall be handled in accordance with the procedure in the municipal code for the appeal authority. The decision of the appeal authority shall be final.

#### **8.6.19 Violations and Penalties**

Violations, enforcement, and penalties of this Chapter are set forth in Section 8.6.14 and as established in Utah Code 19.5.108, as amended.

protection. (Ord. 07-14, 6-12-2007)



**ORDINANCE 2025-11**

**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL AMENDING CITY  
CODE TITLE 8 CHAPTER 6 STORM WATER**

**WHEREAS**, the Division of Water Quality performed an audit and is requiring changes to the city storm water code; and

**WHEREAS**, South Weber as a subdivision of the state wishes to be in full compliance with all state codes;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of South Weber City, State of Utah:

**Section 1. Amendment:** South Weber City Code Title 8 Chapter 6 Storm Water shall now read as attached in **Exhibit 1**.

**Section 2. General Repealer.** Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 3. Effective Date.** The City Council of South Weber City, State of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the 20<sup>th</sup> day of May 2025.

\_\_\_\_\_  
**MAYOR: Rod Westbroek**

\_\_\_\_\_  
**ATTEST:** City Recorder, Lisa Smith

Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Dills	FOR	AGAINST
Council Member Davis	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

**CERTIFICATE OF POSTING**

I hereby certify that Ordinance 2025-11 was passed and adopted the 20th day of 2025 and that complete copies of the ordinance were posted in the following locations within the City this 21st day of 2025.

1. South Weber City Building, 1600 E. South Weber Drive
2. City Website [www.southwebercity.com](http://www.southwebercity.com)
3. Utah Public Notice Website [Utah.gov/pmn](http://Utah.gov/pmn)

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**Lisa Smith, City Recorder**

## CHAPTER 6 STORM WATER REGULATIONS

### 8.6 STORM WATER REGULATIONS

#### 8.6.1 Purpose and Findings

- A. **Purpose.** The purpose of the storm water regulations set forth in the municipal code is to comply with Phase II of the Clean Water Act (Act) and the applicable regulations of the Environmental Protection Agency (EPA) and the Utah Department of Environmental Quality (DEQ).
- B. **Findings.** The City Council makes the following findings regarding storm water:
1. **Facilities.** The City operates a storm water system consisting of a network of man-made and natural facilities, structures and conduits, that collect and route storm water runoff.
  2. **Endangerment.** Uncontrolled or inadequately controlled storm water runoff endangers public health and safety by causing, among other things: flooding, pollution, property damage, erosion, traffic and emergency response interruption, and impacts the ground water supply.
  3. **Pollution.** Storm water runoff carries concentrations of oil, grease, nutrients, chemicals, heavy metals, toxic materials, and other undesirable materials that can damage the integrity of ground waters and receiving waters, including the culinary water supply.
  4. **Impervious Surfaces.** Developed properties in the City contribute to the storm water system by converting natural ground cover into impervious surfaces.
  5. **Maintenance.** Developed properties in the City make use of and benefit from the City's operation and maintenance of the storm water system.
  6. **Regulations.** The Act, EPA, DEQ, and applicable rules mandate storm water regulations that apply to the City and otherwise.
  7. **Operation.** Effective maintenance, operation, regulation, and control of the storm water system is necessary for the health, safety, and general welfare of the City, its residents, and its businesses.

#### 8.6.2 Applicability

The storm water regulations in the municipal code apply to all developments of one (1) or more acres of land, or any part of a common development plan regardless of the size of any of the individually owned or developed sites.

### 8.6.3 Definitions

The following words and phrases shall be defined in the municipal code relating to storm water as follows:

- A. **“Applicant”** means a person that applies for an authorization to discharge under a construction storm water permit to conduct or propose to conduct a use of land for a construction site.
- B. **“Best Management Practices or BMPs”** means a range of management procedures, schedules of activities, prohibitions of 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 most current version of the Storm Water Management Plan adopted by the city or as otherwise provided.
- C. **“City”** means the geographical boundaries of South Weber City, Utah, and also refers to the classification of the jurisdictional area within a municipal separate storm sewer system (MS4).
- D. **“Common Development Plan”** means development that is contiguous to an area where multiple separate distinct construction activities may be taking place at different times or different schedules under an overall plan. For example, if a developer buys a large parcel and subdivides lots, builds roads, installs pipes, and runs electricity with the intention of constructing homes or other structures, this would be considered a common development plan. If the land is parceled off or sold, and construction occurs on plots that are less than one (1) acre by separate, independent builders, this activity still would be subject to storm water permitting requirements. The common development plan also applies to other types of land development such as industrial or business parks.
- E. **“Debris”** means any dirt, rock, sand, vegetation, trash, junk, or litter.
- F. **“Detention Basin”** means an area designed to detain peak flows from storm water runoff and to regulate release rates of that water into the storm drainage system, also allowing debris to settle out. Detention basin outlets may also be connected to downstream storm drains. Flows entering detention basins are released via outlet piping.
  - 1. Regional Detention Basins mean large detention basins owned and maintained by the City.
  - 2. Local Detention Basins mean smaller basins typically in a development or subdivision that is constructed by the development or subdivision which, following construction and acceptance, the ownership, operation, and maintenance may either be conveyed and maintained by the City, association, or private owner(s) as determined by the City.

- G. **“Development”** means any man-made change to improved or unimproved real estate of any parcel to alter it from its natural condition by site preparation, grading, filling, and/or the construction of improvements or other impervious surfaces. It also includes a site plan, building permit, subdivision, or construction of facilities, buildings, or other structures.
- H. **“Director”** means the person designated by the City to enforce storm water regulations.
- I. **“Disturb”** means to alter the physical condition, natural terrain, or vegetation of land by clearing, grubbing, grading, excavating, filling, building, or other construction activity.
- J. **“Drain Inlet”** means a point of entry into a sump, detention basin, or storm drain system.
- K. **“Source Protection Zone”** means an area that is protected as a source of culinary or drinking water determined by geo-hydrology and designed to protect groundwater aquifers and well from development or pollution.
- L. **“Equivalent Residential Unit or ERU”** means the average amount of impervious surface, expressed in square feet, on developed single family residential parcels in the City. One ERU equals 2,800 square feet of impervious surface area.
- M. **“Hazardous Material”** means 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.
- N. **“Illicit Connection”** means an unlawful connection of:
1. Any drain or conveyance, whether on the surface or subsurface, which may allow an illicit discharge to enter the storm drain system. Examples include, but are not limited to:
    - a. Any conveyance which allows non storm water discharge such as sewage, processed wastewater, or any other wastewater (black or grey) to enter the storm drain system.
    - b. Any connections to the storm drain system from indoor drains or sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency.
  2. Any drain or conveyance connected to or discharging to the storm drain system, which has not been:
    - a. Documented as part of approved plans, maps, or equivalent records of the City.

- b. Otherwise approved in writing by the City.
- O. **“Illicit Discharge”** means any non-storm water discharge to the storm water system. Illicit discharges include both:
  - 1. Direct connections, including but not limited to: wastewater piping either mistakenly or deliberately connected to the storm water system.
  - 2. Indirect connections, including but not limited to: infiltration into the storm water system or spills collected by drain inlets.
- P. **“Immediate Threat”** means a situation where pollutant discharge to state waters is already occurring. This refers to a present and active risk that requires immediate attention to prevent or mitigate further contamination.
- Q. **“Imminent Threat”** means a situation that poses a high likelihood of pollutant discharge to state waters within forty-eight (48) hours if corrective actions are not taken. This refers to conditions that suggest a serious risk is developing but has not yet resulted in an actual discharge.
- R. **“Impervious Surface”** means any hard surface, other than the natural surface, that prevents or retards the absorption of water into the soil, or that causes water to run off the surface in greater quantities or at a greater rate of flow than the natural surface. Such impervious surfaces include, but are not limited to: roofs, concrete, asphalt, and similar improvements that prevent or impede the natural absorption of water into the soil.
- S. **“Municipal Separate Storm Sewer System or MS4”** means a conveyance or system of conveyances including: road drainage systems, catch basins, curbs, gutters, ditches, man-made channels, or storm drains.
- T. **“Person”** means any individual, corporation, partnership, association, company, or political body, including any agency of the State of Utah and the United States government.
- U. **“Pollutant”** means 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, solvents; oil and other automotive fluids, non-hazardous liquid and solid wastes and yard wastes, refuse, rubbish, trash, garbage, litter, or other discarded or abandoned objects, articles; and accumulations, that may cause or contribute to pollution such as 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.

- V. **“Redevelopment”** means alterations of a property that change the impervious surface on the site more than ten (10) percent.
- W. **“Retention Basin”** means a ground depression area designed to retain flows from storm water runoff, to encourage infiltration into surrounding sub surface soils, and may include overflow piping. A retention basin allows debris to settle from the storm water discharge and must be periodically cleaned and dredged.
- X. **“Sanitary Sewer Overflow or SSOs”** means a discharge of untreated sanitary wastewater or SSOs.
- Y. **“Storm Drain”** means a closed conduit for conducting collected storm water.
- Z. **“Storm Water”** means 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.
- AA. **“Storm Water Construction Activity Plan”** means a plan approved by the City before any person may excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape in the City of one (1) acre or more, or any part of a common development plan. This plan approval is required in conjunction with a SWPPP.
- BB. **“Storm Water Program”** means the overall approach by the City in administering, funding, creating and implementing policies that support the objectives of The Act, EPA, and DEQ relating to storm water management in conjunction with the ongoing maintenance and operation of the storm water system.
- CC. **“Storm Water Pollution Prevention Plan or SWPPP”** means the required plan as approved by DEQ and the City before any construction activity occurs as part of a development.
- DD. **“Storm Water System”** means the system of conveyances including, but not limited to: sidewalks, road drainage systems, catch basins, detention basins, curbs, gutters, ditches, man made channels, sumps, and storm drains generally owned and operated by the City or its designee, designed and used for collecting or conveying storm water. The storm water system is also referred to as MS4.
- EE. **“Storm Water Run-off”** means water generated by storm water flows over land.
- FF. **“Sump”** means a City approved formalized underground structure, surrounded by drain rock, that is used in rare special conditions to collect storm water, which allows the slow release of water into the surrounding sub soil.
- GG. **“Violation”** means failure to implement or maintain preferred best management practices (See Also Utah Code 19-5-108.3).

#### 8.6.4 Prohibited Obstructions

A. **Unlawful Obstructions.** 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.

B. **Exemptions.** The following obstructions are exempt:

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 and/or state as part of a SWPPP.
4. Obstructions occurring during clean up periods established by the City.

#### 8.6.5 Prohibited Discharges

A. **Unlawful Discharges.** It is unlawful for any person to discharge non storm water discharges to the MS4 including spills, illicit connections, illegal dumping, and SSOs into the storm sewer system. All SSOs must be reported to the Division of Water Quality and to the MS4s local wastewater treatment facility.

B. **Exemption.** The following discharges are exempt, unless the City identifies these discharges as significant sources of pollutants to waters of the State or as causing or contributing to a violation of water quality standards:

1. Water line flushing;
2. Landscape irrigation;
3. Diverted stream flows;
4. Rising ground waters;
5. Uncontaminated ground water infiltration;
6. Uncontaminated pumped ground water;
7. Discharges from potable water sources;
8. Foundation drains;
9. Air conditioning condensate;
10. Irrigation water;
11. Springs;
12. Water from crawl space pumps;
13. Footing drains;
14. Lawn water runoff;
15. Individual residential car washing;
16. Flows from riparian habitats and wetlands;



- 17. Dechlorinated swimming pool discharges;
- 18. Residual street wash water;
- 19. Dechlorinated water reservoir discharges; and
- 20. Discharges or flows from emergency firefighting activity.

#### **8.6.6 Prohibited Storage and Debris**

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 may result in the discharge of the pollutant or hazardous material to the storm water system.

#### **8.6.7 Best Management Practices**

Any person connecting to the storm water system, developing a parcel of one (1) acre or more, or developing a common development plan shall employ the appropriate BMPs as adopted by the City. The BMPs may be structural and/or nonstructural, depending on the needs of the site. The BMPs employed shall be designed to ensure that the quality and quantity of storm water released to the storm water system meets the requirements of applicable law and the City's NPDES permit. Design shall ensure that the development shall not exceed the designed capacity of the storm water system or jeopardize the integrity of the storm water system.

#### **8.6.8 Authority to Enter or Inspect**

- A. **Access.** The director may enter all private properties for the purposes of inspecting, observing, measuring, sampling, repairing, or maintaining any portion of the storm water facilities lying within an actual or prescriptive easement. The director shall perform other duties necessary for the proper operation of the storm water system. All entry and maintenance shall be completed according to any special terms of any easement.
- B. **Inspections.** Whenever necessary to make an inspection to enforce any provision of the municipal code, or whenever the City has cause to believe that there exists, or potentially exists, a condition which constitutes a violation of the municipal code, the City may direct its qualified personnel to enter the premises at all reasonable times to inspect, detect, investigate, eliminate, and enforce any suspected non storm water discharges, including illicit discharges, illegal dumping, or other violation. During the same time the City may inspect and collect records related to storm water compliance.
- C. **Refusal.** In the event an owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.
- D. **Access.** The access for the City to inspect storm water control measures on private property that is vested under this section and includes both construction phase and post construction access. Upon approval of the director, the City may allow the owner/operators or a qualified third party to conduct maintenance so long as:

1. At least annual certification, in the form of inspection documentation which has been performed, is provided to the City.
  2. The structural controls are adequately operating and maintained as such were designed to protect water quality as provided in the original maintenance agreement and plans submitted upon vesting and approval of the site.
  3. A maintenance agreement is required on private property that is vested after the effective date of this Chapter and includes both construction phase and post construction access and where owner/operators or a qualified third party to conduct maintenance as provided herein. Said maintenance agreement shall be promulgated in the form and manner as determined by the Director so long as the agreement includes at a minimum:
    - a. Allows the City oversight authority of the storm water measures.
    - b. A provision that the agreement acts as a covenant that runs with the land.
    - c. Allows the City to inspect and perform necessary maintenance or corrective actions neglected by the owner/operators or the qualified third party.
    - d. Allows the City to recoup the costs from the owner/operator as necessary to cover the expenses for necessary actions conducted by the City.
- E. Interpretation.** The City interprets this regulation as secondary and subservient to the United States Constitution and the Utah State Constitution as applied to property rights, land use, development, and similar rights. Specifically, the intent of this regulation is not to be applied to violate vested property rights nor to be a physical invasion of property rights as determined by the United States Supreme Court in *Loretto v. Teleprompter Manhattan CATV Corp.*, 458 U.S. 419 (1982). The City recognizes that the United States Supreme Court interprets property right in conjunction with the laws and constitutions of each state. Therefore, Utah law also plays an important role in defining property rights. For the purpose of determining when a property right is vested the City shall continue to apply the Utah Supreme Court ruling in *Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388 (1980), that states a property owner is vested to follow the City regulations in effect at the time a land use application is filed. Furthermore, where there is vagueness in any land use regulation, including the storm water regulations, it shall be interpreted in favor of the property owner.

#### 8.6.9 Requirement to Monitor and Analyze

If a test or inspection by the City, its designee, or other authorized agency indicates 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 violation continues after notice of the same, the City or other authorized agency may require any person engaged in the illicit activity and/or the owner of operator of the site to provide, at their own expense, monitoring and analyses as required by the City or other applicable agency to ensure compliance with the municipal code.

#### 8.6.10 Damage System

Any person who damages any portion of the storm water system or any irrigation system shall be responsible for repairing the damage. The damage shall be repaired by a licensed contractor and, where applicable, be repaired in accordance with the current adopted Public Works Standards for Development, Design, & Construction adopted by the City. It is unlawful to remove or alter any portion of the storm water system or irrigation system without permission from the director or owner of the irrigation system.

#### 8.6.11 Authorized Access

It is unlawful for any person to open any storm water access hole, grate, lid, cover, inlet, head gate, valve, pipe or other otherwise access any storm water facility without express permission from the director.

#### 8.6.12 Wetlands and Permits

Any development that may affect any wetland or potential wetland, regardless of whether such wetlands are identified or unidentified, shall provide to the City an accurate wetland delineation that has been completed within the past eighteen (18) months prior to City approval of the development. Any delineated wetland shall be accurately shown on all construction plans and any plat map relating to the development. Prior to issuance of any building permit, the developer shall accurately stake and install appropriate BMPs all on site delineated wetlands and shall maintain such until the notice of termination has been completed. The developer shall also provide to the City a copy of the EPA wetlands 404 permit, stream alteration permit, regulator letters, and other related permit or regulator documents required by any regulatory agency relating to the development.

#### 8.6.13 Federal and State Compliance

Nothing in the storm water regulations shall be interpreted to relieve any person from an obligation to comply with an applicable federal, state, or local law.

#### 8.6.14 Violation and Enforcement

Where a person has violated the municipal code storm water regulations the following procedure applies:

- A. **First Notice of Violation.** A written notice of violation shall be issued to the Contractor or Property Owner and documented in the City records by the Director who issued the warning. The notice should include an explanation / identification of each specific violation, associated reference from the Permit and a deadline to correct each violation.
  1. **Correction Period.** The City shall give no sooner than one (1) business day for immediate threats to water quality and no longer than seven (7) calendar days for imminent threats for the violation(s) to be corrected.

2. **Follow-Up Inspection.** A follow-up inspection shall be conducted following the correction period. The City shall provide the Contractor or Property Owner written that the violation(s) are either deemed resolved or escalated to a Second Notice of Violation.
- B. Second Notice of Violation.** A written notice of violation shall be issued to the Contractor or Property Owner and documented in the City records by the Director who issued the violation. The notice should include an explanation / identification of each specific violation that remains from the First Notice of Violation, associated reference from the Permit, a deadline to correct each violation, and warning that a fine can be issued if the violation(s) are not corrected within the new timeframe specified.
1. **Correction Period.** The City shall give no sooner than twenty-four (24) hours for immediate threats to water quality and no longer than seven (7) calendar days for imminent threats for the violation(s) to be corrected.
  2. **Follow-Up Inspection.** A follow-up inspection shall be conducted following the correction period and the violation either deemed resolved or escalated to a Third Notice of Violation. The City shall provide the Contractor or Property Owner written notice that the violation(s) are either deemed resolved or escalated to a Third Notice of Violation.
- C. Third Notice of Violation.** A written notice shall be issued to the Contractor or Property Owner stating that the previously noticed violation(s) have not been addressed, and fines have now been imposed for each associated violation. The notice should include an explanation / identification of each specific violation that remains from the Second Notice of Violation, associated administrative fine amount for each violation, and timeframe specified for payment and correction.
1. **Correction Period.** The City shall give no sooner than twenty-four (24) hours for immediate threats to water quality and no longer than seven (7) calendar days for imminent threats for the violation(s) to be corrected.
  2. **Follow-Up Inspection.** A follow-up inspection shall be conducted following the correction period and the violation either deemed resolved or escalated to a Third Notice of Violation. The City shall provide the Contractor or Property Owner written that the violation(s) are either deemed resolved or additional fines imposed.
  3. **Administrative Fines.** An administrative fine for each occurrence shall be imposed for each business day that the specific violation continues beginning on the day after the day on which the authority issues the administrative fine; and within thirty (30) days after the day on which the applicant corrects the violation. Fines collected shall be deposited into the City's Storm Water Education and Outreach program.
    - a. Fines shall be as follows:
      1. \$500 per occurrence for working without an approved storm water permit;
      2. \$300 per occurrence for tracking mud on road;

3. \$250 per occurrence for failure to clean up or report spills;
  4. \$100 per occurrence for failure to conduct storm water inspections (only applicable if Contractor has agreed to conduct own inspections);
  5. \$100 per occurrence for failure to maintain storm water records; and
  6. \$500 per occurrence for failure to use general best management practices, as determined by the City.
- b. Fine(s) imposed shall be paid directly to the City within thirty (30) days of issuance.
  - c. Failure to pay fine(s) may result in additional action by the City including, but not limited to, the deduction of the amount of the fine from an existing escrow account, withholding acceptance or final approval, or referral of unpaid fine(s) to City Attorney.
- D. **Stop Work Order.** The City may issue a Stop Work Order if there is clearly documented reason articulating an immediate threat to water quality.

A Stop Work Order may not be issued if the Contractor or Property Owner has selected the preferred best management practice for site conditions and is properly implementing said practice, but a violation results from a deficiency in the preferred best management practice.

E. **Special Cases.**

1. The City can issue a Stop Work Order earlier than in the process described in this Section if the City can document that the violation imposes an immediate and/or imminent threat to water quality.
2. The City can correct a violation for the Contractor or Property Owner and recoup the costs if the Contractor or Property Owner refuses to correct the violation and there is imminent significant harm to water quality or the storm water system.
3. The City cannot issue a Stop Work Order if the violation is a result of a properly installed and maintained BMP per specifications from the preferred BMP list.

### 8.6.15 Storm Water Construction Activity

A. **Design.** All storm water shall be designed and constructed in accordance with the current Public Works Standards. Storm water outfall design and water quality shall meet federal, state, and local discharge requirements.

B. **Construction.**

1. **BMPs.**
  - a. The Storm Water Management Plan contains a listing of BMPs that can be used on a site. BMPs typically fall into the following categories:

1. Perimeter control.
2. Erosion controls.
3. Sediment control.
4. Materials handling and spill prevention.
5. Waste management.
6. Good housekeeping.

b. The application of some BMPs include, but are not limited to:

1. Oil Separators (OWS). Oil Separators shall be required on all sites with parking facilities that exceed two (2) acres, automobile salvage or wrecking areas, or smaller sites anticipating oily discharges such as mechanic shops or similar facilities. Oil separators must be capable of removing particulates down to 150 microns. Possible products include, but are not limited to: BaySaver, Storm Cerptor, Vortechnic. Where oil separators are required, sizing and design of OWS must be reviewed by the City Engineer prior to installation. Consideration must be given to frequency and ease of maintenance of the structure. Basins shall have agreements in place with the City to periodically clean the separator in accordance with the manufacturer's specifications. Manufacturers' recommendations for sizing shall be followed with calculations submitted to the City. The separator may either be installed upstream or downstream of the basin keeping in mind that flows on the outlet of the basin would be smaller.
2. Inlet Protection (IP). The Storm Water Management Plan may allow straw bales, silt fences, or curb snakes (after asphalt is placed). Filter fabric under the grate shall not be permitted since drainage is greatly inhibited.
3. Tracking Pads (CR). Sites must have a tracking pad to eliminate mud from being tracked onto the adjacent street. If mud is tracked, the contractor shall be responsible to sweep the streets as necessary.
4. Surface Sweeping (SC). If mud or dirt is tracked onto a travel surface such as a road or parking area, the developer or owner shall be responsible for sweeping the surface to remove the mud and dirt.
5. Concrete Washout (CWM). A place must be located within the subdivision or on the site for concrete washout. No washout will be permitted on the street which would then continue to the storm drain. The washout area may need to be maintained and temporarily excavated until the building foundations and driveways are constructed, or some other arrangement made.
6. Silt Fences (SF). Silt fences must be installed to prohibit the flow of sediments off the site in accordance with manufacturers recommendations and the Storm Water Management Plan.
7. Notice Sign. All development and subdivisions are required to at least one (1) notice sign that is clearly visible at each entryway to the subdivision indicating that the SWPPP must be obtained and followed. Said notice sign shall be maintained by the original development or subdivision applicant until termination. The specific

wording on the sign relating to storm water, and other related requirements, may be prescribed and modified by the City as needed to meet challenges created by development and to give notice to requirements of law.

- C. Plan Approval Required.** Storm Water Construction Activity Prevention Plan Approval is required in conjunction with the SWPPP before any person may excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape within the City that is one (1) acre or more, or any part of a common development plan. Development of a subdivision greater than or equal to one acre in size qualifies under this Section even if each of the individual lots in the subdivision are smaller than one (1) acre.
1. **Process.** Any person or entity desiring a storm water construction activity plan approval must first submit a “Notice of Intent” (NOI) with DEQ. Upon DEQ approval of the NOI, any person desiring a storm water construction activity plan approval must file the SWPPP with the City along with any documentation necessary for the City to calculate the number of ERUs for each parcel upon completion of development.
  2. **Approval.** The storm water construction activity plan is approved and issued in conjunction land use and / or building permit approval. The City may impose conditions in connection with the approval to enforce the activity plan and SWPPP and include specific measures to prevent erosion, unlawful discharge, sediment accumulation, debris removal, and other storm water measures for the construction site.
  3. **Effect.** Unless otherwise revoked or suspended for a violation, a storm water construction activity plan approval is effective for the full period of the construction activity. The construction activity will not be considered to be completed until the following events occur:
    - a. **Termination.** The storm water construction activity plan approval shall be considered terminated after the Applicant notifies the City of completion of the project and a final inspection is performed to verify site stabilization. The permittee shall also verify the site is stabilized and give “Notice of Termination” to DEQ. The Applicant shall keep and maintain all permit required improvements on the site until termination.
    - b. **Amendments.** If the proposed construction activity for a site to which a plan approval pertains is materially altered from the time of approval, an amended storm water construction activity plan and SWPPP shall be submitted for approval.
- D. Storm Water Pollution Prevention Plan.** A SWPPP is required for all sites disturbing one (1) acre or more or any part of a common development plan. The SWPPP shall contain the information required in the general permit and by DEQ. The City may require additions, changes, modifications, and amendments to the SWPPP in order to conform to the Storm Water Management Plan adopted by the City or to remedy deficiencies occurring at the construction site during construction.



- E. Erosion and Sediment Control.** The Applicant of the SWPPP shall install the erosion and sediment control measures required by the approved SWPPP prior to commencing other construction activity on the site. The erosion and sediment control measures shall be properly installed and maintained in accordance with the SWPPP, specifications of a manufacturer, and best practices. The Applicant shall maintain such measures on the site until the City accepts termination.
- F. Inspection and Entry.** The written approval of a Storm Water Activity Plan and SWPPP authorizes the EPA, DEQ, City, or other applicable agency to enter the site and inspect compliance with the Construction Activity Plan and SWPPP. The Applicant shall also make available upon request inspection of storm water records for the construction site.

#### 8.6.16 Connection Permit

- A. Permit.** A permit is required to make any connection, directly or indirectly, to the storm water system.
- B. Application.** For a person to connect to the storm water system the person must:
  1. Submit a completed application form as provided by the City.
  2. Incorporate BMPs that meet the requirements of the storm water regulations.
  3. Provide a maintenance plan, including any maintenance agreement outlining how the applicant will maintain the storm water improvements listed in the application.
  4. The application may be submitted to the City in conjunction with a building permit or subdivision approval, whichever is applicable.
- C. Approval.** The storm water connection permit application shall be reviewed by the City and may be issued, modified, or denied in conjunction with the building permit.
- D. Consideration.** In considering whether to issue a connection permit, the City shall determine:
  1. Whether the application is complete.
  2. Whether all development fees have been paid.
  3. Whether the application complies with all storm water regulations and policies.
  4. Whether the application conforms to City storm water system plans.
  5. Whether the application incorporates effective BMPs.
  6. The potential for the connection to introduce pollutants into the storm drain system.



7. Whether the proposed connection creates a safety hazard.
  8. Whether the proposed connection affects the integrity of the storm sewer system infrastructure.
  9. Whether the proposed connection endangers any ground water or drinking water supply.
  10. Whether the applicant has submitted a maintenance plan and any maintenance agreement ensuring the proper maintenance and upkeep of the applicant's connection and on-site storm water improvements.
- E. **Failure.** Failure to construct or maintain storm water improvements in accordance with an approved storm water connection permit shall be a violation of this Chapter.
- F. **Drawings.** Any person connecting to the storm water system shall provide the "as built" drawings showing the details and the location of the connection along with any location device. The plans shall be provided in a format acceptable to the City.

#### 8.6.17 Exemptions

The following activities are exempt from the requirements of this Chapter:

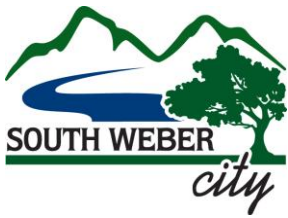
- A. **Public.** Activities of a public utility or government entity. Activities to remove or alleviate an emergency condition, restore utility service, restore transportation, or otherwise protect public health, safety, and welfare.
- B. **Agriculture.** Bona fide agricultural and farming operations.

#### 8.6.18 Enforcement and Appeals

Violations, enforcement, and penalties of this Chapter are set forth in Section 8.6.14. An aggrieved person may appeal to the City appeal authority by filing an appeal in writing, stating the facts supporting the appeal, within ten (10) days of the decision being appealed. All appeals shall be handled in accordance with the procedure in the municipal code for the appeal authority. The decision of the appeal authority shall be final.

#### 8.6.19 Violations and Penalties

Violations, enforcement, and penalties of this Chapter are set forth in Section 8.6.14 and as established in Utah Code 19.5.108, as amended.



11 TUF  
CITY COUNCIL MEETING  
STAFF REPORT

MEETING DATE

May 20, 2025

PREPARED BY

Brandon Jones  
City Engineer

ITEM TYPE

Report

ATTACHMENTS

2025 TUF Report

PRIOR DISCUSSION DATES

None

AGENDA ITEM

2025 TUF Report

PURPOSE

To update the City Council on revenues, expenditures, and street maintenance improvements funded by the Transportation Utility Fund.

RECOMMENDATION

Continue to aggressively use the funds for the benefit and improvement of the streets throughout the city with the same strategy as has been in place, but with some minor modifications to how we estimate the improved PCI value between scans.

BACKGROUND

The Transportation Utility Fund receives revenue from local option sales tax, Class C funds, developer payments for initial street maintenance, interest, and a \$15/ERU Transportation Utility Fee. Fee revenues are restricted to preserving and maintaining City-owned public streets and must be spent in accordance with the Transportation Utility Fund Policy. Street selection and treatment types aim to maximize both the number of residents served and overall street condition improvements based on available funding.

In 2021, the street condition assessment system shifted from Remaining Service Life (RSL) to Pavement Condition Index (PCI). RSL relied on assumed deterioration over time, which proved inaccurate, while PCI offers a more reliable 0–100 rating based on actual pavement condition, with 100 indicating excellent condition and 0 indicating failure.

ANALYSIS

This report provides an update on the City's Transportation Utility Fund (TUF), which finances the maintenance of city-owned public streets through revenue from various sources, but mainly the transportation utility fee. Funds are restricted to street maintenance applications only

- The PCI improved from 65.5 (2015) to 76.6 (2024), meeting the updated goal of a PCI equal to or greater than 70 by 2027 ahead of schedule.
- The data shows previous estimates may have slightly overestimated the effectiveness of the treatments used.
- Actual scan data (2015, 2017, 2021, 2024) validates the steady improvement in pavement conditions.
- A diversified, condition-specific treatment approach yields optimal results.
- Continued reliance on StreetScan and Streetlogix supports efficient, data-driven maintenance decisions.

**Summary** The Transportation Utility Fund includes revenue from the following sources (local option sales tax, Class C funds, payments from developers for the first maintenance treatment on streets in those developments, Interest, and the Transportation Utility Fee). The utility fee is currently at a rate of \$15/ERU. The monies collected from the utility fee are restricted and can only be used for the sole purpose of the preservation and maintenance of City owned public streets. Funds originating from the Transportation Utility Fee shall be expended in accordance with the Transportation Utility Fund Policy. The selection of streets and treatment types are targeted with the goal of providing street improvements to as many residents as possible while also increasing the overall condition value as much as possible according to the revenue received.

**Update:** RSL to PCI. In 2021 the approach to the condition assessment rating system of the streets was changed. Instead of Remaining Service Life (RSL) it was changed to the Pavement Condition Index (PCI). There are inherent challenges with the RSL system, as its rating is based on an assumed deterioration over time, which has been found not to be very accurate. PCI on the other hand is a numerical rating used to assess the condition of pavement surfaces, ranging from 0 to 100, where 100 indicates a pavement in excellent condition (no visible distress) down to 0, which indicates a failed pavement requiring complete reconstruction.

There is no universal formula to directly convert RSL to PCI, because they represent different but related concepts. However, to compare performance over time, the following shows the approximate relationship assumed.

RSL	General Condition	Approx. PCI
15-20 years	Excellent	85-100
10-15 years	Good	70-85
5-10 years	Fair	55-70
2-5 years	Poor	40-55
0-2 years	Very Poor / Failed	0-40

StreetScan and Streetlogix. The need to find a better method for assessing pavement conditions led to the discovery of StreetScan, a company that uses cameras and multi-sensor equipment to detect pavement distresses. This data is then analyzed through algorithms to determine a streets PCI. Previous assessments were made based on visual inspections which are more inherent to human bias and error. The sensor and algorithm approach removed that bias. Once the streets have been assessed, the data is added

into a web-based GIS database software called Streetlogix. This software allows for data-driven analysis to determine the best treatments, timing, and locations for street maintenance activities and projects.

**Original Goal:** *Over a ten-year period, 2017 to 2027, the City’s average remaining service life (RSL) for streets shall be 10 or higher.*

**Updated Goal:** *Over a ten-year period, 2017 to 2027, the City’s average Pavement Condition Index (PCI) for streets shall be 70 or higher.*

**Progress:** The following table shows the change in street conditions since the first condition assessment was performed in 2015. The Transportation Utility Fee was implemented in 2017. All years are estimated averages based on the expected increased condition from treatments and decrease from deterioration. “Scan” indicates the years where a condition assessment was performed. Therefore, for these years, the resulting average index is not estimated.

Year	RSL	PCI	% Increase from previous year
<b>2015 Scan</b>	<b>8.49</b>	<b>65.5</b>	
2016	8.18	64.5	-1.5%
<b>2017 Scan</b>	<b>7.99</b>	<b>64.0</b>	-0.8%
2018	7.90	63.4	-0.9%
2019	8.24	64.7	2.1%
2020	9.10	67.3	4.0%
<b>2021 Scan</b>		<b>75.6</b>	12.3%
2022		78.2	3.4%
2023		81.6	4.3%
<b>2024 Scan</b>		<b>76.6</b>	-6.1%

If all estimated years are removed from the table above and only scanned years are included, the following table shows the comparison based only on actual conditions.

Year	RSL	PCI	% Increase from previous scan
<b>2015 Scan</b>	<b>8.49</b>	<b>65.5</b>	
<b>2017 Scan</b>	<b>7.99</b>	<b>64.0</b>	-2.3%
<b>2021 Scan</b>		<b>75.6</b>	18.1%
<b>2024 Scan</b>		<b>76.6</b>	1.3%

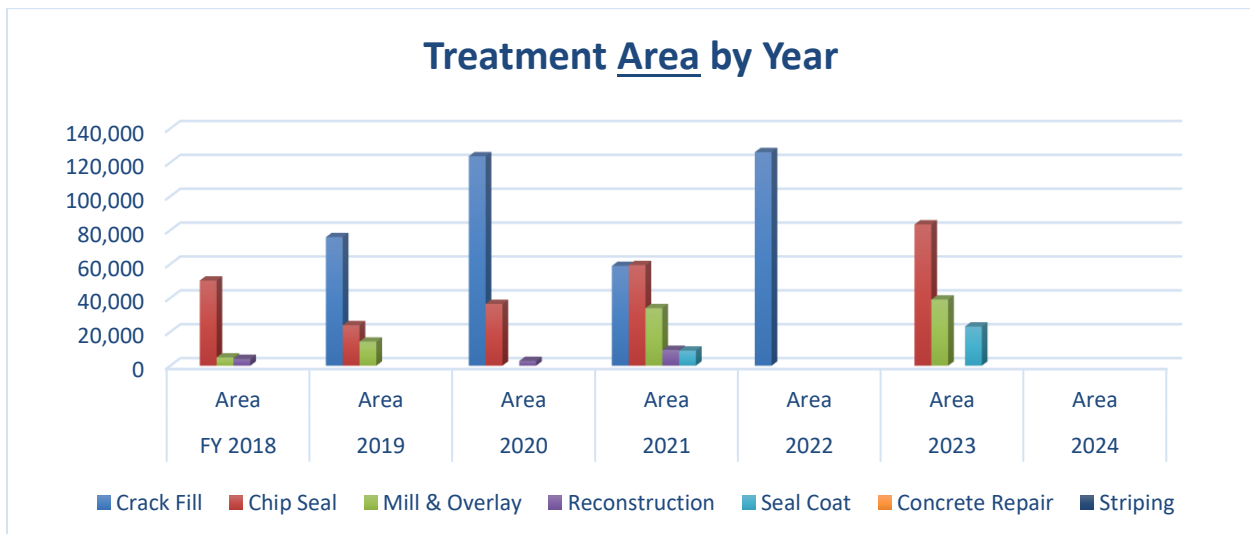
## Transportation Utility Fund – Revenue

Account	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Interest	\$8,770	\$3,289	\$5,040	\$1,738	\$1,237	\$25,629	\$23,014
Local Option	\$57,797	\$75,784	\$102,489	\$124,807	\$137,630	\$148,150	\$153,033
Class C	\$0	\$0	\$245,277	\$80,000	\$80,000	\$0	\$80,000
Developer Pmts	\$0	\$0	\$122,895	\$76,288	\$0	\$0	\$130,029
Transportation Utility Fee	\$125,524	\$258,091	\$407,292	\$430,315	\$440,707	\$460,185	\$465,342
<b>TOTAL</b>	<b>\$183,321</b>	<b>\$333,875</b>	<b>\$877,953</b>	<b>\$711,350</b>	<b>\$658,337</b>	<b>\$608,335</b>	<b>\$828,404</b>
FUND BALANCE (last day of FY)		\$127,098	\$401,744	\$325,516	\$489,527	\$490,450	\$873,197

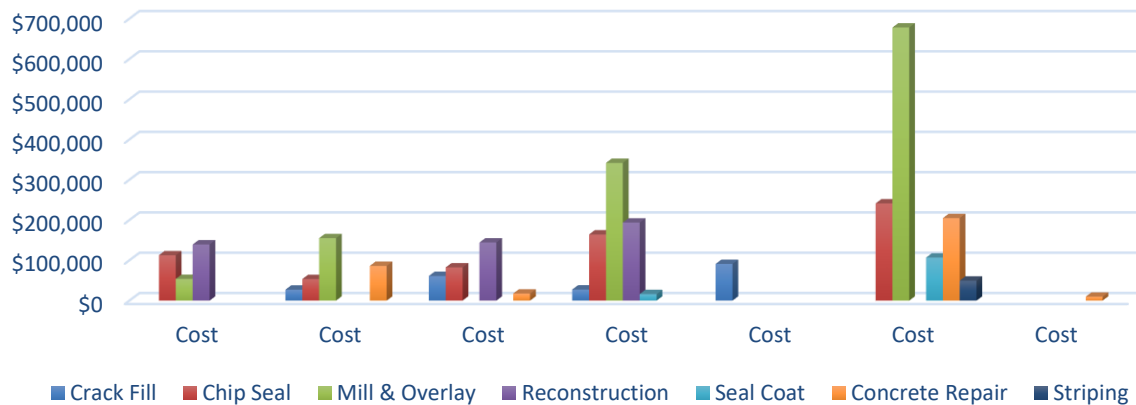
## Transportation Utility Fund - Expenses

Account	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Pro. Tech – Eng	\$28,948	\$35,348	\$25,125	\$27,158	\$13,409	\$5,310	\$669
Supplies	\$3,488	\$0	\$0	\$0	\$0	\$0	\$0
Concrete Rep	\$140	\$4,073	\$0	\$14,000	\$11,761	\$40	\$0
Street Projects	\$32,418	\$206,290	\$604,422	\$507,919	\$633,481	\$245,866	\$1,216,221
Contribution to Fund Balance	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$64,993</b>	<b>\$245,711</b>	<b>\$629,547</b>	<b>\$549,077</b>	<b>\$658,651</b>	<b>\$251,216</b>	<b>\$1,216,890</b>

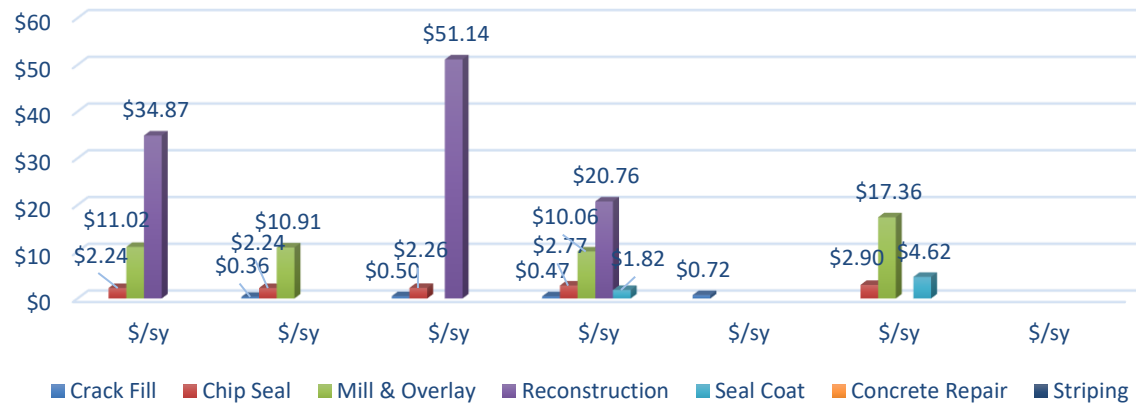
## Treatment Analysis by Year



### Treatment Cost by Year



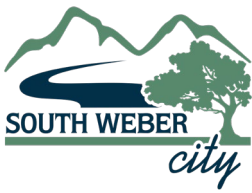
### Treatment \$ / SY by Year



## Summary

An evaluation of the data analyzed has determined the following:

- The goal of reaching an average PCI of 70 or greater by 2027 has already been accomplished.
- Based on the results of the scans and the “actual” street conditions, the “estimated” increase in PCI for some of the treatments needs to be reduced, as it currently appears to be overestimating the increase.
- A variety of treatments applied to the appropriate street conditions yields the best results.
- The street condition evaluation by StreetScan, combined with the analysis tools in Streetlogix, empowers data-driven decision-making to maximize cost-effectiveness and overall benefit.
- This report's data forms the basis for the upcoming Transportation Utility Fee Rate Study, to be completed later this year.



12 PW Complex  
CITY COUNCIL MEETING  
STAFF REPORT

MEETING DATE

April 22, 2025

PREPARED BY

David Larson  
City Manager

ITEM TYPE

Report

ATTACHMENTS

None

PRIOR DISCUSSION DATES

February 25, 2025

March 25, 2025

AGENDA ITEM

Public Work Facility Update

PURPOSE

Provide the Council and community with a construction progress update of the new Public Works Facility

RECOMMENDATION

NA

BACKGROUND

South Weber City is currently constructing a new Public Works Facility at 104 East South Weber Drive that includes a main building, vehicle storage building, and material storage structure. The facility is being constructed by Valley Design and Construction, Inc. (VDC).

ANALYSIS

The information below comes from the on-site construction update meeting held on April 9, 2025.

**Recent Project Activities**

- There has been an average of 10 workers on site each day
- No safety incidents or near misses
- Vehicle storage building
  - garage doors installed
  - floor poured
  - concrete apron prepped
  - interior lights prep begun
- Main building
  - side panels and roofing install begun
- Material storage building
  - Decant bays pad prepped and ready for concrete pour

**Upcoming Project Activities**

- Vehicle storage building
  - Finish garage door installation
  - Fence on west property line end of April or first of May
- Main building
  - Side panels and roofing
  - Mezzanine & stairs prep



## Timeline

Excellent weather conditions recently. Project remains on schedule to be completed in August 2025.

## Finances

Bond amount paid to date \$3,720,128.70 of \$9,000,000 (41%)

## Images

Overall Site looking west



Vehicle Storage Building



Material Storage Building





## Main Building

