

River Heights City

*** REVISED***

COUNCIL MEETING AGENDA Tuesday, November 30, 2021

Notice is hereby given that the River Heights City Council will hold its regular council meeting beginning at **6:30 p.m.**, anchored from the River Heights City Office Building at 520 S 500 E.

The meeting will be held in person and through Zoom.

Adoption of Previous Minutes and Agenda

Reports and Approval of Payments (Mayor, Council, Staff)

Public Comment

Discuss Sidewalk Repair and Replacement Brochure

Review Capital Projects List

Discuss Sewer Installation at 400 E 700 S

Adoption of An Ordinance to Change the Waterway Setback in the City Code

Review and Adopt the General Plan Maps

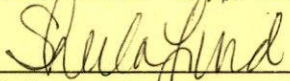
Adjourn

To join the Zoom meeting:

<https://us02web.zoom.us/j/82354629284?pwd=bDI0Mlk2TUJ0cEQxNGJUSUdBV1hmdz09>

Dial: 1 346 248 7799, Meeting ID: 823 5462 9284, Passcode: 959808

Posted this 25th day of November 2021



Sheila Lind, Recorder

Those wishing to provide comments on any of the agenda items can do so by email to office@riverheights.org (by noon on the date of the meeting).

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website (<https://www.utah.gov/pmn/>).

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

River Heights City

Council Meeting

November 30, 2021

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7 Present: Mayor Todd Rasmussen
8 Council members: Doug Clausen
9 Sharlie Gallup
10 Nancy Huntly
11 Chris Milbank
12 Blake Wright
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14 Recorder Sheila Lind
15 Public Works Director Clayton Nelson
16 Treasurer Wendy Wilker
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18 Excused: Finance Director Cliff Grover
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20 Others Present: Mary and Ryan Seager, Steve Thunell, Heather Lehnig,
21 Tyson Glover, Jason and Miles Thompson
Present Electronically: Howard Demars, David Thunell, Cindy Schaub

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25 The following motions were made during the meeting:
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27 Motion #1

28 Councilmember Milbank moved to “adopt the minutes of the council meeting of November 16,
29 2021, and the evening’s agenda.” Councilmember Huntly seconded the motion, which passed with
30 Clausen, Gallup, Huntly, Milbank, and Wright in favor. No one opposed.
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32 Motion #2

33 Councilmember Clausen moved to “pay the bills as listed.” Councilmember Huntley seconded the
34 motion, which passed with Clausen, Gallup, Huntly, Milbank, and Wright in favor. No one opposed.
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36 Motion #3

37 Councilmember Wright moved to “adopt Ordinance 10-2021, An Ordinance to Change the
38 Waterway Setback in the City Code of River Heights, Utah with the following verbiage deleted, “unless
39 permitted by the City Council.” Councilmember Clausen seconded the motion, which carried with
40 Clausen, Gallup, Huntly, Milbank, and Wright in favor. No one opposed.
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Proceedings of the Meeting:

The River Heights City Council met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers in the River Heights City Building on Tuesday, November 30, 2021, for their regular council meeting. Councilmember Clausen opened and ran the meeting until Mayor Rasmussen arrived.

Adoption of Previous Minutes and Agenda: Minutes for the November 16, 2021, meeting were reviewed.

Councilmember Milbank moved to “adopt the minutes of the council meeting of November 16, 2021, and the evening’s agenda.” Councilmember Huntly seconded the motion, which passed with Clausen, Gallup, Huntly, Milbank, and Wright in favor. No one opposed.

Reports and Approval of Payments (Mayor, Council, Staff):

Public Works Director Nelson

- He has been working through the requirements for Tree City USA with David Thunell. He turned the time over to Mr. Thunell to address an ordinance template the city could use. Mr. Thunell reviewed the four required standards communities need to become a Tree City USA, which are: The city needs to have a tree board, an annual budget set at \$2/capita (\$4,000), Arbor Day observance, and a tree care ordinance as part of the city code. The deadline for applications is December 1. He is working with someone from the state to see if River Heights could have a grace period. The ordinance would need to be adopted before the application can be submitted. Councilmember Wright said if the ordinance is considered land use, it would need to go before the Planning Commission. Commissioner Milbank reminded that he wrote a tree ordinance about a year ago and sent it to the Planning Commission and then nothing happened with it. Councilmember Clausen suggested trying to get an extension until the end of February. Mr. Milbank said he would track down the ordinance he worked on.

Mayor Rasmussen arrived at the meeting.

Commissioner Huntly

- She suggested the tree ordinance be compared with the sidewalk ordinance, to make sure they agreed with each other.
- The city engineer is nearly finished with the survey work on 400 South for the sidewalk easement. The information gathered can be used to determine sidewalk cost and provide information to residents on sidewalk placement possibilities and how it would affect their property.

Councilmembers Milbank and Clausen didn’t have anything to report.

Councilmember Gallup thanked those who helped and attended the Tree Lighting Ceremony.

Councilmember Wright and Recorder Lind didn’t have anything to report.

Mayor Rasmussen

- The city attorney thinks a long-term lease (a year or more) on the Old School should come to the council and be advertised through a request for proposal. He will try to get this put together before he leaves office.

Treasurer Wilker

- She presented bills and answered questions.
- Mayor Rasmussen said the fire and EMS contract was reviewed by the city attorney and approved. It will come before the council at a later meeting.

Councilmember Clausen moved to “pay the bills as listed.” Councilmember Huntley seconded the motion, which passed with Clausen, Gallup, Huntly, Milbank, and Wright in favor. No one opposed.

91 Public Comment: Mary Seager felt it was only fair to leave the river setback at 30 feet. She hoped
92 they would make the decision at tonight's meeting and lift the moratorium at their next meeting. She
93 didn't think it was fair to make those wanting to sell their properties wait longer than they've already
94 waited.

95 Jason Thompson said he had attended the Planning Commission meeting last week and felt they
96 had a good deliberation on a compromise of 50 feet for the river setback, even though the Logan River
97 Task Force suggested 75 feet. He felt with the high stakes of open space and setbacks that there wasn't
98 validation for rushing to lift the moratorium, just for a property sale transaction. He urged the council to
99 vote on 50 feet.

100 Cindy Schaub read from an email she sent to the mayor and council: "I believe the city should
101 replace the sidewalks on the north side of 400 South as they were originally, prior to reconstruction of the
102 road. Residents used the sidewalks continuously and without reservation. Park strips were not on the
103 north side (see GIS map). Park strips are not necessary and should not be installed aside of the proposed
104 new sidewalks; they take away part of the homeowner's front yard unnecessarily."

105 Tyson Glover was surprised by Ms. Schaub's comments since the planning commission wants to
106 designate 400 as a collector street. He asked if the allocated funding for property acquisition covers the
107 current right of way width or the proposed. He was confused on why the city would consider not having a
108 park strip on 400 South but require it everywhere else. He'd like to see the city be consistent, especially if
109 400 South is designated as collector road.

110 Mary Seager clarified her comment by stating, she isn't worried about the developers of her
111 property. She is concerned about her family members who need financial help.

112 Steve Thunell asked Councilmember Wright what the reasons were for setting a standard on 400
113 South. Mr. Wright responded, at some point there will be a straight shot from the top of Windsor Drive to
114 400 East and it will be a busy street. Park strips provide safety for pedestrians and pulls them away from
115 traffic. Councilmember Huntly pointed out the city engineer said it would be unsafe to put a sidewalk
116 next to the road and gave her a lot of reasons why. She didn't see why they would go against the city
117 engineer's advice. Mr. Thunell asked how they justify that taking the sidewalk away is safer than a
118 sidewalk against the curb. There are kids walking in the streets. He had talked to the city engineer who
119 said it wouldn't work because there wasn't money in the budget. Now there is money in the budget, and
120 they won't put it back where it was. Mayor Rasmussen agreed they only did the street because that is
121 what they had money for. He believed a sidewalk should be safe. If there isn't one, then people are
122 directed to where there are sidewalks. Before anything is done, the property owners will be informed
123 and asked their opinions. Councilmember Huntly said they don't have the actual lines on a map yet.

124 Discuss Sidewalk Repair and Replacement Brochure: Councilmember Huntly said there are some
125 issues with the brochure. The text they agreed to use, does not agree with the ordinance currently in
126 place. They need to change their thinking or change the ordinance. There are also glitches in the
127 ordinance. She explained that PWD Nelson has suggested a higher elevation for trees, to agree with
128 Logan's ordinance since we contract with Logan City for garbage. The sidewalk code is sprinkled
129 throughout the ordinance and all the information doesn't agree with each other. She suggested they
130 aggregate all of it into one section. They need to discuss whether they should change their recent
131 discussion. The current code states the homeowner is responsible for damage to their sidewalks. She
132 pointed to the collection of code, pulled together by PWD Nelson. Mayor Rasmussen said tree root
133 damage is not addressed. He agreed the ordinance needs to be clarified. He said the city asks citizens to
134 have trees. Most trees have been around since before the preferred tree list came out. The new council
135 will need to decide how to clarify what damage means. He felt it would be prudent to have the attorney

135 give his advice. Councilmember Wright suggested turning this over to the Planning Commission to work
136 through.

137 Review Capital Projects List: There was frustration that the list was not the most current one.
138 Councilmember Clausen had the most recent one, which their discussion was based on. Mayor
139 Rasmussen went through the list and asked for completion dates. They determined which projects were
140 finished.

141 Councilmember Milbank asked where they were with a decision on the Old Church. Mayor
142 Rasmussen said they are at the point of getting bids on costs for demotlition. The council can then decide
143 if they want to add it to the capital projects list when they make revisions in January.

144 Discuss Sewer Installation at 400 E 700 S: Councilmember Clausen reminded there are four
145 houses at 400 East south of 700 South, currently not connected to the city sewer system. Two property
146 owners are having septic issues and want to connect to city sewer and the other two don't. The city's
147 code states that homes within 300 feet of the sewer line need to connect. The engineer's estimate for
148 the city to install a main line from 800 South is about \$80,000. Property owners would pay about \$7,000
149 each for their connection, plus impact and connection fees.

150 Councilmember Clausen discussed the city's options, which included: 1) The city pays \$80,000 for
151 the main line and force all four residents to connect, 2) The city pays \$80,000 for installation and rewrite
152 the ordinance to not force them to connect, or 3) Tell residents the city has opted not to participate. Mr.
153 Clausen felt leery about committing the city to spend \$80,000 when it's not in the current budget. He
154 also didn't think it would be fair to require the two homeowners who don't want to connect to spend the
155 money, when their septic systems are working fine. He suggested re-writing the ordinance so they
156 wouldn't have to. Councilmember Huntly pointed out that this would affect new development and she
157 noted that septic systems will eventually fail. She suggested trying to get funds to help cover the costs if
158 the funds are available. Mr. Clausen said that could set a precedence for the future. He informed there is
159 a federal infrastructure bill that could be passed next year which may provide funding to the city for a
160 project like this.

161 Councilmember Huntly suggested a fourth option: The city pays all the fees, only if the bill passed
162 and funding was available to cover the costs. If this were the case, the city could pay for all those who are
163 currently on septic.

164 Mayor Rasmussen saw it as a financial hardship to those who would be forced. If the city received
165 funds, they could offer it to residents through an application process. He did not support removing the
166 connection requirement from the code.

167 They all agreed to wait until next year to see if funding becomes available. PWD Nelson will let
168 the two residents know.

169 Adoption of an Ordinance to Change the Waterway Setback in the City Code: Councilmember
170 Wright prefaced the next two items by saying the Planning Commission held public hearings on the
171 general plan and the waterway setback. The general plan document is getting cleaned up before it comes
172 to the council. He saw two things that needed to get approved before the moratorium was lifted: The
173 waterway setback and the General Plan Land Use Map.

174 The plan for the evening was to have the council weigh in on the general plan maps and then view
175 the narrative and maps together at the next meeting.

176 Councilmember Wright explained how the Planning Commission decided the best place to address
177 the waterway setback change was in 10-11-2:C.1. Commissioner Huntly asked about the measurement of
178 the flood overlay zone. Mr. Wright drew their attention to the sensitive overlay map, for reference.
179 There is a very small section on the Logan River located in the flood overlay zone. He is worried they are

at risk with this change since he didn't think it would technically be in the flood overlay zone. They discussed possible ways to address it.

Councilmember Milbank was concerned that the city would be requiring a couple landowners to give a 50-foot setback when others didn't have to do the same. Mayor Rasmussen didn't agree because in the olden days people used to poo in their backyards, but it's not allowed anymore.

They had discussion on the best location in the code, to address the waterway setback.

They decided to strike the sentence, "unless permitted by the City Council" because they wanted to give the planning commission authority, since they are the body who grants conditional use permits.

Councilmember Wright moved to "adopt Ordinance 10-2021, An Ordinance to Change the Waterway Setback in the City Code of River Heights, Utah with the following verbiage deleted, "unless permitted by the City Council." Councilmember Clausen seconded the motion, which carried with Clausen, Gallup, Huntly, Milbank, and Wright in favor. No one opposed.

Review and Adopt the General Plan Maps: Councilmember Wright led a discussion on the general plan maps, as revised by the Planning Commission. Councilmember Huntly informed that she'd read a lot about spot zoning. She didn't feel leaving the Jablonski/Johnson property out of the PUD designation would be considered a spot zone because its geographically a different place, undeveloped and partially restored along the river. Mayor Rasmussen said the attorney advised designating it as PUD with the other properties. They shouldn't decide based on individual requests. Councilmember Wright noted it would never be zoned as PUD unless the landowner requested it. Councilmember Gallup agreed it should not be included in PUD.

Councilmember Huntly asked for consideration of extending the parks and rec zone along the river to the west.

Councilmember Milbank said they need to be careful with giving people exceptions, because then it should apply to anyone who had a request.

Councilmembers Gallup, Clausen and Huntly wanted to leave the Jablonski/Johnson property as R-1-12. Councilmember Milbank asked why they wanted to make an exception just for this property owner. Councilmember Huntly was basing it off the river corridor. Councilmember Wright thought this would have an adverse effect on the property. Mr. Milbank said a road going through his own property will negatively affect his property value, where a PUD designation on the Jablonski/Johnson property will increase their property value.

Councilmember Wright brought up discussion on a potential commercial area on the Wilson property at 700 S 100 E. Since it was a new idea, it wasn't presented at the public hearing on the general plan. He will talk with the Wilson's about it. If they don't agree, he thinks they should have another hearing. Councilmember Milbank advocated for commercial on 800 South because of the future traffic on this road. He could see the city benefiting from the tax base. Others didn't see this as an appropriate place for retail. Mr. Wright reported that the attorney said it didn't need to go back to a public hearing, but suggested they hold one anyway.

Councilmember Clausen said they can continue to be conservative on their expenditures and not need commercial. They don't have to spend all their money on projects.

Mayor Rasmussen felt the trails map was the most important, to preserve walkable space once the areas are all built out.

Council member Wright discussed recognizing Logan's regional plan of 200 East. Showing it on the River Heights plan means developers would need to accommodate it. Mayor Rasmussen said he voted for 200 East in his COG meeting, but his vote was hinged on the COG doing more studies on it, which they hadn't done. He felt it would be a burden on our residents who own property in the area. They decided to leave 200 East off the map.

226 Discussion was held on improving an intersection at 500 South 400 East.

227 Councilmember Wright said the Planning Commission discussed minor, major and collector
228 streets. There are streets in River Heights designated as collector, which don't meet the definition of
229 collector. Mayor Rasmussen supported showing collector roads on the plan. It will help in the future if
230 they want to apply for funding.

231 Discussion was held on possible roads going between 700 and 800 South. Councilmember
232 Milbank didn't want a road shown through his property. He felt a study should be done before randomly
233 drawing a line on a map. He suggested waiting 10 years before it shows on the map. He felt there were
234 inconsistencies, and they need to have good rationale for the decisions they are making. Mayor
235 Rasmussen felt the city should secure the largest right of ways possible, but probably build a smaller road.

236 Councilmember Wright said every city needs to have an annexation declaration policy plan. The
237 state encourages cities to work together so they both don't show the same properties in their plans.

238 Councilmember Clausen said he wasn't in favor of ever annexing the Chugg property because it
239 will have an impact on the city's water system. Councilmember Wright favored leaving it in the
240 annexation plan.

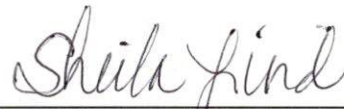
241 Discussion was held on having a water study done on how much future growth the city can
242 handle. Councilmember Clausen suggested waiting until there was an annexation request.

243 Mayor Rasmussen asked the council to continue their considerations on these maps so they could
244 move ahead on adopting the General Plan at the next meeting in one week.

245 Councilmember Huntly suggested checking with the attorney on whether the river is a
246 geographically valid reason to not include the Jablonski/Johnson property in the PUD area. Mayor
247 Rasmussen asked Councilmember Wright to check with the attorney. Mr. Wright admitted he wouldn't
248 try to sell it. Ms. Huntly felt it was geographically justified and will talk to the attorney, depending on his
249 response to Councilmember Wright.

250 The meeting adjourned at 10:05 p.m.

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Sheila Lind, Recorder



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258 Todd A. Rasmussen, Mayor

River Heights City Bills To Be Paid

November 30, 2021

	Payee	Description	Admin.	P&Z	Parks/Rec	Pub. Safety	Com. Aff.	Roads	Water	Sewer	Total
1	All Tech	Monthly Contract	\$72.96								\$72.96
2	Cache County Corporation	1/2 Year Animal Control & Law Enf				\$10,348.50					\$10,348.50
3	Cache Valley Publishing	City Council Public Hearing Ad	\$73.56								\$73.56
4	Chris Milbank	Audio Tech for Planning Commission		\$104.50							\$104.50
5	City of Logan	911, Garbage, Sewer	\$14,874.75				↔\$2,034.00			\$13,451.81	\$30,360.56
6	Comcast	Monthly Billing	\$28.24						\$28.23	\$28.22	\$84.69
7	Community Ambulance	Emergency Preparedness				\$4,097.48					\$4,097.48
8	Dominion Energy	Gas	\$389.36		\$64.17			\$57.08	\$145.14	\$57.09	\$712.84
9	Four Seasons Heating	School Boiler Repairs	\$340.00								\$340.00
10	Kilgore Companies	Asphalt						\$50.06			\$50.06
11	Logan City	Water Consumption							\$240.52		\$240.52
12	Roto Rooter	Portable Toilet - Soccer			\$100.00						\$100.00
13	Sam's Club	Annual Membership	\$107.00								\$107.00
14	Sharlie Gallup	Emergency Preparedness-Xmas Tree Lighting				\$385.00	\$190.37				\$575.37
15	Thurcon, Inc.	Build Sump-Orchard Drive						\$10,540.00			\$10,540.00
16	Tyson Glover	Training	\$60.00								\$60.00
17	Utah Local Government Trust	Workers Comp. Monthly	\$38.17		\$58.62			\$178.98	\$226.71	\$238.64	\$741.12
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Page 1 SubTotals			\$15,984.04	\$104.50	\$222.79	\$14,830.98	\$2,224.37	\$10,826.12	\$640.60	\$13,775.76	\$58,609.16

SAMPLE MUNICIPAL TREE ORDINANCE – WITH TREE BOARD

Be it ordained by the City Council of the City of:

(City) River Heights

(State) Utah

Section 1. Purpose.

To enhance the quality of life and the present and future health, safety, and welfare of all citizens, to enhance property values, and to ensure proper planting and care of trees on public property, the City Council herein delegates the authority and responsibility for managing public trees, creates a Tree Advisory Board, establishes practices governing the planting and care of trees on public property, and makes provision for the emergency removal of trees on private property under certain conditions.

Section 2. Definitions.

As used in this Article, the following words and phrases shall have the meanings indicated:

Damage – any injury to or destruction of a tree, including but not limited to: uprooting; severance of all or part the root system or main trunk; storage of material on or compaction of surrounding soil; a substantial change in the natural grade above a root system or around a trunk; surrounding the tree with impervious paving materials; or any trauma caused by accident or collision.

Nuisance – any tree, or limb thereof, that has an infectious disease or insect; is dead or dying; obstructs the view of traffic signs or the free passage of pedestrians or vehicles; or threatens public health, safety and welfare.

Park strip – the area along a public street between the curb and the sidewalk; or if there is no curb or sidewalk, the unpaved portion of the area between the street right-of-way line and the paved portion of the street or alley.

Public property – all grounds and rights-of-way (ROWS) owned or maintained by the City.

Public tree – any tree or woody vegetation on city-owned or city-maintained property or rights-of-way.

Top or Topping – the non-standard practice of cutting back of limbs to stubs within a tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

Section 3. Authority and power.

(a) Delegation of authority and responsibility. The Director of the _____ Department and/or his ^{their} designee, hereinafter referred to as the "Director", shall have full authority and responsibility to plant, prune, maintain and remove trees and woody plants growing in or upon all municipal streets, rights-of-ways, city parks, and other public property. This shall include the removal of trees that may threaten electrical, telephone, gas, or any municipal water or sewer line, or any tree that is affected by fungus, insect, or other pest disease.

(b) Coordination among city departments. All city departments will coordinate as necessary with the Director and will provide services as required to ensure compliance with this Ordinance as it relates to

Comments by David Thunell.

streets, alleys, rights-of-way, drainage, easements and other public properties not under direct jurisdiction of the Director.

(c) Interference. No person shall hinder, prevent, delay, or interfere with the Director or his agents while engaged in carrying out the execution or enforcement of this Ordinance.

Section 4. Tree advisory board.

The City Council hereby creates a "Tree Advisory Board," hereinafter referred to as the "Board."

(a) Membership. The Board shall consist of seven members approved by City Council. Members of the Board will serve without compensation.

(b) Term of office. Board members shall be appointed for three-year staggered terms. If a vacancy shall occur during the term of any member, a successor shall be appointed by City Council.

(c) Officers. The Board shall annually select one of the members to serve as chair, may appoint a second member to serve as vice-chair, and may appoint a third member to serve as secretary.

(d) Meetings. The Board shall meet a minimum of four times each year. All meetings shall be open to the public. The Board chair may schedule additional meetings as needed.

(e) Duties. The Board shall act in an advisory capacity to the Director and shall:

- ✗ (1) Coordinate and promote Arbor Day activities;
- (2) Review and update a five-year plan to plant and maintain trees on city property;
- (3) Support public awareness and education programs relating to trees;
- (4) Review city department concerns relating to tree care;
- (5) Submit an annual report of its activities to the city council;
- ✗ (6) Assist with the annual application to renew the Tree City USA designation;
- (7) Develop of a list of recommended trees for planting on city property, and a list of prohibited species; and
- (8) Other duties that may be assigned by City Council.

Section 5. Tree planting and care standards.

(a) Standards. All planting and maintenance of public trees shall conform to the American National Standards Institute (ANSI) A-300 "Standards for Tree Care Operations" and shall follow all tree care Best Management Practices (BMPs) published by the International Society of Arboriculture.

(b) Requirements of franchise utility companies. The maintenance of public trees for utility clearance shall conform to all applicable utility industry standards.

(c) Preferred species list. The Director shall maintain an official list of desirable tree species for planting on public property in two size classes: Ornamental (20 feet or less in height at maturity) and Shade

(greater than 20 feet at maturity). Trees from this approved list may be planted without special permission; other species may be planted with written approval from the Director.

(d) Planting distances. The Director shall develop and maintain an official set of spacing requirements for the planting of trees on public property. No tree may be planted within the visibility triangle of a street intersection or within ten (10) feet of a fire hydrant.

(e) Planting trees under electric utility lines. Only trees listed as Ornamental trees on the official city tree species list may be planted under or within fifteen (15) lateral feet of any overhead utility wire.

(f) Protection of public trees during construction. Any person, firm, corporation, or city department performing construction near any public tree must employ appropriate measures to protect the tree, including, but not limited to, placing barriers around the tree to prevent damage.

Section 6. Prohibition against harming public trees.

(a) It shall be unlawful for any person, firm or corporation to damage, remove, or cause the damage or removal of a tree on public property without written permission from the Director.

(b) It shall be unlawful for any person, firm or corporation to attach any cable, wire or signs or any other object to any street, park, or public tree.

(c) It shall be unlawful for any person, firm or corporation to "top" any public tree. Trees severely damaged by storms or other causes, where best pruning practices are impractical may be exempted from this provision at the determination of the Director.

Section 7. Adjacent owner responsibility.

(a) The owner of land adjacent to any city street or highway, when acting within the provisions of this Ordinance, may plant and maintain trees in the adjacent parkway area. Property owners are responsible for the reasonable and routine maintenance of trees and other landscaping in the adjacent parkway area.

(b) No property owner shall allow a tree, or other plant growing on his or her property or within the adjacent parkway to obstruct or interfere with pedestrians or the view of drivers, thereby creating a hazard. If an obstruction persists, the Director shall notify the property owner to prune or remove the tree or plant. If the owner fails to comply with the notice, the City may undertake the necessary work and charge the cost to the property owner.

Section 8. Certain trees declared a nuisance.

(a) Any tree, or limb thereof, on private property determined by the Director to have contracted a lethal, communicable disease or insect; to be dead or dying; to obstruct the view of traffic signs or the free passage of pedestrians or vehicles; or that threatens public health, safety, and welfare is declared a nuisance and the City may require its treatment or removal.

(b) Private property owners have the duty, at their own expense, to remove or treat nuisance trees on their property. The City may remove such trees at the owner's expense if the owner does not comply with treatment and/or removal as specified by the Director within the written notification period.

Section 9. Violations and penalty.

Any person, firm or corporation violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each offense.

Section 10. Appeals.

Appeals to decisions by the Director, the Tree Advisory Board, or penalties imposed after violations of this ordinance, shall be heard by City Council.



Sheila Lind <office@riverheights.org>

NO to Park strips in 2022 budget on 600 South

1 message

Cindy Schaub <cindy_schaub@hotmail.com>

Tue, Nov 30, 2021 at 1:43 PM

To: Todd Rasmussen-MAYOR <toddrasmussen@riverheights.org>, RH-Blake Wright <blakewright@riverheights.org>, RH-Sheila Lind <sheila@riverheights.org>, RH-Doug Clausen <dougclausen@riverheights.org>, RH-Nancy Huntly <nancyhuntly@riverheights.org>, Clayton Nelson <cnelson@riverheights.org>, RH-Chris Milbank <chris.milbank@gmail.com>, RH-Charlie Gallup <sharliegallup@riverheights.org>

PLEASE READ AT TONIGHT'S MEETING. 😊

To all,
I believe the City should replace the sidewalks on the north side of 600 South as they were **ORIGINALLY**, prior to reconstruction of 600 South. Residents used the sidewalks continuously and without reservation. Park strips were **NOT** on the north side of 600 South. (See attached Cache County GIS map). Park strips are not necessary and should **NOT** be installed aside of the proposed new sidewalks; they take away part of the homeowners front yard unnecessarily.

Thank you,
Cindy Schaub
880 River Heights Blvd.
River Heights, UT 84321
435-881-6600
Sent from my iPhone

1:10

5G E

gis.cachecounty.org



Possible Brochure Information



Property Owner Maintenance of Park Strips & Sidewalks

As specified in City Code, property owners in River Heights are responsible for maintaining the park strip adjacent to their properties and for keeping the sidewalk clear. The following sections are intended to help residents understand their responsibilities:

Snow Removal-

River Heights City Code 7-1-4 requires the removal of snow on sidewalks:

"Failure to Remove Unlawful: It shall be unlawful for the owner, occupant, lesser, or agent of any property, abutting on a paved sidewalk, to fail to remove, or have removed from such paved sidewalk, all hail, snow, or sleet hereon within a reasonable time after such snow, hail, or sleet has fallen."

When removing snow, residents may not place the snow in the gutter or onto the city street. For additional regulations please see the city code.

7-2-3: SIDEWALKS AT EXISTING CONSTRUCTION. Installation and repair of sidewalks shall be governed as set forth below.

A. Damage: When any citizen, contractor or person damages the sidewalks, curbs or gutters of the City, that individual or person shall repair and/or replace the same within a reasonable time at their own cost pursuant to specification set forth by the city. Any expenses incurred by the City in providing specifications or inspecting the same shall also be paid by said citizen, contractor or person. If the City damages any sidewalks, curbs or gutters, the same shall be repaired and/or replaced by the City within a reasonable amount of time at no cost to the property owners.

B. Age and General Wear: Each year the City may, at its cost, select certain sidewalks, curbs, or gutters for replacement and/or repair when the same have deteriorated due to age and general wear and tear and how and when such repairs or replacements will occur. If a property owner requests a sidewalk repair that is not selected by the City, the City may choose to participate in the repair. In such cases, the City may participate up to 50% of the cost.

C. Specifications: The City, through its engineering or building department, and/or its retention of outside engineering consultants, shall provide specifications for sidewalks, curbs and gutters, inspection for such construction and replacement or repair and approval thereof. (6-2016, 9-27-16)

7-2-4: PLACEMENT AND COMPENSATION River Heights City reserves the right to negotiate the placement and compensation arrangements described in the above paragraphs. All of the above requirements regarding sidewalks shall also apply to side yards where the side yard is adjacent to a public or private street. (2-2005, 10-12-05)

7-3-2: PERMIT REQUIRED

A. Basis for Issuance: Any person desiring to perform work of any kind in a public way within the city, shall make application for a permit. The decision by the city to issue a permit shall include, among other factors determined by the city, the following:

3. The damage or disruption, if any, of public or private facilities, improvements or landscaping previously existing in the public way;

7-3-7: COMPLIANCE WITH SPECIFICATIONS, STANDARDS, TRAFFIC CONTROL REGULATIONS; SITE PERMITTEE IDENTIFICATION

- A. Compliance Required: The work performed in the public way shall conform to the requirements of the engineering regulations, design standards, construction specifications and traffic control regulations of the city, copies of which shall be available from the public works supervisor, kept on file in the office of the city recorder and be open to public inspection during office hours.

7-10-2 CONFLICTING PROVISIONS In the event of a conflict, the provisions requiring higher standards shall supersede and take precedence over all other infrastructure construction standards and specifications contained in this code and/or city ordinances. (Ord. 03-08-26, 8-26-2003; amd. 2005 Code)

10-6-2: SPECIAL PROVISIONS. Front yards and side yards of all dwellings which front on public streets must be landscaped, except that up to twenty five percent (25%) of the front yard or side yard which faces on a public street may be devoted to driveways and off-street parking. (Ord., 1-22-2002)

10-15-6: LANDSCAPING RIGHTS-OF-WAY

All streets either public or private shall provide a planted landscaped strip to city specifications, and be perpetually maintained by the adjacent property owner. Plantings within the right-of-way or park strip will not count towards meeting the performance landscape requirements of 10-15-5.

A. Street trees shall be planted within the park strip along both sides of all streets every thirty (30) feet on center. If no park strip exists, trees shall be planted adjacent to the roadway edge, where a park strip would exist, if possible. Tree size and species shall be approved by the city. (1-2015, 6-23-15)

B. Residential park strips shall be planted with live plant material to a minimum of fifty percent (50%). When calculating park strip coverage percentage areas, plants may be measured at mature spread excluding street trees. Shrubs and other plant material located within the park strip should not exceed three (3) feet in height at maturity. Potential hazardous plant material containing thorns or spikes shall be prohibited in the park strip.

C. Stone, gravel, mulch, or other decorative hardscape materials shall consist of less than fifty percent (50%) of the park strip area. Decorative boulders and similar features shall be less than eighteen (18) inches in height. Poured concrete, asphalt or other similar solid surface paving is prohibited within the park strip with the exception of driveway approaches (not to exceed 28' in width) and adjacent commercial uses.

D. Landscaping and any other surface material located within the right-of-way between the edge of traveled way and the property shall not be used for the storage, sale, or display of merchandise without the written permission of the city.

E. All park strips (the area between the property line and street that is not hardscape) adjacent to the front, side or rear yard of a lot shall be landscaped and maintained by the owner of the property immediately adjacent to the park strip. The landscaping and maintenance of the park strip shall be at

the expense of the adjacent property owner. (Ord. 0-01-13, 1-11-2005, eff. retroactive to 11-26-2002) (2-2019, 5-28-19)

F. The landscaping and maintenance of areas adjacent to the street surface shall be the responsibility of the adjacent property owner. (2-2019, 5-29-19)

10-15-7: STREET TREES River Heights City encourages the planting of trees within city parking strips and near streets.

A. **Acceptable Trees:** Only shade trees shall be planted in parking strips or planted within 5 feet adjacent to a city street.

1. The following classifications describe general shade tree characteristics appropriate for an available space.

a. **Class I Trees** - These are small trees which normally do not reach a height or spread greater than 25 feet with a small trunk diameter. They are authorized for planting in parking strips that are a minimum of four feet wide. Typical spacing between Class I trees is twenty-five feet. Many Class I trees are small enough to be planted beneath overhead utility lines.

b. **Class II Trees** - This group consists of medium sized trees which may reach a height of 40 to 70 feet, a moderate trunk diameter and a spread of 15 to 40 feet. These trees are not for planting under power lines or in parking strips less than six feet wide. Typical spacing between Class II trees is thirty to forty feet.

c. **Class III Trees** - Many of these trees are long-lived and attain a height of 50 to 90 feet, a large trunk diameter and a spread of 30 to 70 feet. When selecting a tree from this class, there must be ample room to accommodate it at maturity. These trees are not for planting under power lines or in parking strips less than 10 feet wide. Typical spacing between Class III trees is 40-60 feet.

2. In most instances, Class I Trees are the most appropriate for parking strips in River Heights. In all cases, root barriers are recommended. No trees will be allowed in parking strips which are less than 4 feet in width. No trees shall be planted within 15 feet of a fire hydrant.

3. **NOTE:** The River Heights Tree Selection and Planting Guide brochure contains a list of trees within each class that are appropriate for our climate. This brochure is available at the City Office.

B. **Tree Placement within a Parking Strip:** Trees shall be planted in the central space between the sidewalk and the curb or roadway to allow the maximum amount of growing space and reduce the potential for damage to sidewalks and curbs.

C. **Trees Prohibited within Parking Strips or Near a City Street:** The planting of fruit or nut-bearing trees shall be prohibited in parking strips and within 5 feet adjacent to a city street. A list of trees prohibited for planting along streets or within park strips is found in the River Heights Tree Selection and Planting Guide brochure.

D. **Parking Strip Tree Maintenance:** The immediately adjacent property owner is responsible for watering, pruning and maintaining trees located in city parking strips.

E. Maintenance of Trees Near Sidewalks and Streets: Pruning trees is required so that any overhang is at least seven (7) 8 feet above the elevation of the adjoining sidewalk or and 10'14 above street to keep a clear view and not interfere with service vehicles. (2-2019, 5-28-19)

F. Parking Strip Tree Remediation or Removal for Public Safety, damage to street, curb and gutter, sidewalk, or Interference of Storm Water Drainage:

1. Remediation efforts that preserve street trees will always be considered before removal. As an addendum to the Application to Remediate or Remove a Parking Strip Tree, the City or the property owner may submit, at their expense, a design or plan of action to be considered by the City Engineer Arborist. Remediation efforts may include but are not limited by the following:

a. The cutting away of damaging tree roots and the placement of a root barrier adjacent to the replaced or repaired sidewalk, curb or road structure.

b. The raising of the adjacent sidewalk grade over the damaging tree roots.

c. The reinforcement of the sidewalk adjacent to the damaging tree roots.

d. The pruning or removal of hazardous tree branches.

2. Remediation efforts must always take into account tree health and maturity. Remediation efforts that will potentially weaken a tree such that the health of the tree will be compromised or the tree becomes a risk for falling will not be considered.

3. To obtain assistance from the City, property owners must submit an Application to Remediate or Remove a Parking Strip Tree at the City Office. On a case-by-case basis, the City will consider the following factors in reviewing and prioritizing applications:

a. Effects on public safety

b. Effects on storm water drainage

c. Order of request

d. City budget ability

4. If remediation efforts have been exhausted or failed, The City reserves the right to remediate or remove trees from city parking strips at any time to preserve public safety or proper storm water drainage. (30-2008, 9-23- 08)

PARKING STRIP TREE LIST

The following are suitable for use as street trees in River Heights. Species and cultivars (a contraction of cultivated varieties) are included for their superior qualities as street trees. Before planting, careful consideration should be given to existing soil conditions, availability of water, mature size of the tree and overhead obstructions (utility lines, lights, etc.). This list is recommendations only; other species and cultivars may be appropriate. Avoid trees with 1) wide weeping canopies. 2) make sure the species does not sucker heavily or quickly out grow its planting area. Some examples are:

quaking aspen, sumac, poplar, cottonwood, silver maple, and willows. 3) Avoid trees that produce large messy fruit or seeds such as horse-chestnut, and some crabapples. 4) Avoid trees that require an acid soil or are intolerant of soil compaction and/or urban conditions for example: birches and flowering dogwoods. 5) Avoid small trees that will never get a tall crown, unless the crown can be contained within the parking strip.

PARKING STRIPS 4-6' WIDE AND/OR UNDER UTILITY LINES

Canada Red Choke Cherry (*Prunus virginiana* 'Schubert')

Washington Hawthorn (*Crataegus phaenopyrum*)

Spring Snow Crab (*Malus* 'Spring Snow')

Harvest Gold Crabapple (*Malus* 'Hargozam')

Snowdrift Crab (*Malus* 'Snowdrift')

Professor Sprenger Crab (*Malus* 'Professor Sprenger')

Yellowwood (*Cladrastis kentukea*)

Canyon Maple (*Acer grandidentatum*)

Katsuratree (*Cercidiphyllum japonicum*)

Japanese Tree Lilac (*Syringa reticulata*)

Goldenraintree (*Koelreuteria paniculata*)

Globe Norway Maple (*Acer platanoides* 'Globosum')

Leprechaun Ash (*Fraxinus pennsylvanica* 'Johnson')

Hedge Maple (*Acer campestre*)

Lavalle Hawthorn (*Crataegus x lavallei*)

Flowering Pear (*Pyrus calleryana*)*

Eastern Redbud (*Cercis canadensis*)

Moraine Sweetgum (*Liquidambar styraciflua* 'Moraine')

PARKING STRIPS 6-10' WIDE

American Linden (*Tilia americana*)

Littleleaf Linden (*Tilia cordata*)*

Norway Maple (*Acer platanoides*)*

Bur Oak (*Quercus macrocarpa*)

English Oak (*Quercus robur*)

Gambel Oak (*Quercus gambelii*)
Chinkapin Oak (*Quercus muehlenbergii*)
Swamp White Oak (*Quercus bicolor*)
Sawtooth Oak (*Quercus acutissima*)
Turkey Oak (*Quercus cerris*)
Sycamore Maple (*Acer pseudoplatanus*)
Tatarian Maple (*Acer tataricum*)
Trident Maple (*Acer buergeranum*)
Moraine Sweetgum (*Liquidambar styraciflua* 'Moraine')
Serviceberry (*Amalanchier arboretum*)
Hackberry (*Celtis occidentalis*)
Amur Corktree (*Phellodendron amurense*)
European Hornbeam (*Carpinus betulus*)
Green Ash (*Fraxinus pennsylvanica*)
White Ash (*Fraxinus americana*)*
Crimean Linden (*Tilia x euchlora*)
Silver Linden (*Tilia tomentosa*)
Thornless Honeylocust (*Gleditsia triacanthos inermis*)*
Ginkgo (*Ginkgo biloba*)
Kentucky Coffeetree (*Gymnocladus dioicus*)
Bloodgood London Planetree (*Platanus x acerifolia* 'Bloodgood')
Green Vase Zelkova (*Zelkova serrata*)
European beech (*Fagus sylvatica*)*

PARKING STRIPS WIDER THAN 10'

Fewer constraints for trees in planting strips this wide although trees with wide weeping canopies and/or those that are weak wooded should be avoided. *Several good cultivars available. Native species and/or drought tolerant.

What to do if your sidewalk is damaged, can't be repaired, and needs replaced?

Some sidewalk is too damaged for repair and must be replaced, as it has become a tripping hazard. Most of the very damaged sidewalk in River Heights is caused by tree roots (and can be avoided by planting sidewalk friendly trees in or next to park strips).

If your sidewalk needs repair, you should contact the City to arrange a repair schedule. The City will remove damaged sidewalk. The homeowner is responsible for taking care of problem roots or tree. After the roots or tree that caused the sidewalk damage are removed, the City will install new sidewalk. Removal of roots or trees and assuring that remaining trees or those planned to be planted will not again damage the sidewalk are the responsibility of the homeowner. A certified arborist can provide assurance that a root or tree problem has been fixed and will not continue to damage new sidewalk. After this assurance is provided, the City will install new sidewalk. The City will provide sidewalk removal and reinstallation; costs of root or tree removal are the responsibility of the homeowner.

How to avoid sidewalk damage

Don't drive on your sidewalk!

Check out the River Heights City tree guide and follow its suggestions for trees that are suitable for planting in park strips.

\$ 245,000 Covid money

Capital Projects
Schedule Report
As of June 15, 2021

Area	Project	Budget Amount	Start Date	Projected Completion Date	Bids Required	Bids Received
FY 2020-21						
Parks	Stewart Hill Park	50,000.00	?	5-30-22		
Sewer		<u>10,000.00</u>	?	06/30/21		
				5-30-22		
	Total FY 2020-21	<u>60,000.00</u>				
FY 2021-22						
Administrative	Old School Stair Repair and Ramp	12,000.00	08/01/21	3-30-22		
Administrative	Master Plan City Square	10,000.00	07/01/21	09/01/21 12-30-21		
				10/01/21 + 30-22		
Parks	Stewart Hill Park	200,000.00	04/01/21	07/22/22		
Roads	Sidewalk and Park Strip 400 South (600 East to 500 East)	70,000.00	?	TBD		
Roads	400 South Sidwalk Right of Way Acquisition	65,000.00	?	TBD	5,000 - PLANNING (engineering)	12-30-21
Roads	Sidewalk Repairs City-wide	50,000.00	07/01/21	06/30/22		
Roads	Sidewalk and Park Strip 400 South (500 East to 400 East)	45,000.00	?	?		
Roads	Road Seal	40,000.00	08/01/21	10/15/21	COMPLETE	
Roads	Sidewalk Identified by Paint SIGN	1,200.00	07/01/21	08/30/21	COMPLETE	
Roads	Sidewalk Identified by Paint SIGN	1,200.00	07/01/21	08/30/21	COMPLETE	
Sewer	New Shop	120,000.00	02/01/22	04/15/22		
Sewer	New Truck	35,000.00	07/01/21	11/15/21	COMPLETE	
Water	Upgrade Lower Well	200,000.00	06/01/21	08/15/21 5-30-22		
Water	Upgrade Water Line Lower Well to River					
Water	Heights Blvd	90,000.00	08/15/21	10/15/21	5-30-22	
Water	Lower Well Property Aquisition	<u>15,000.00</u>	06/01/21	08/01/21		12-31-21
		<u>954,400.00</u>				

NOT SPEND → 2022





Doug Clausen <dougclausen@riverheights.org>

4 homes on 700 S 2 of which want to hook to the sewerhat

1 message

Doug Clausen <dougclausen@riverheights.org>

Wed, Nov 17, 2021 at 10:53 AM

To: Todd Rasmussen <toddrasmussen@riverheights.org>, Jason Edward Thompson <jasonedwardthompson@gmail.com>, Blake Wright <blakewright@riverheights.org>, Sharlie Gallup <sharliegallup@riverheights.org>, Chris Milbank <chrismilbank@riverheights.org>, Clayton Nelson <cnelson@riverheights.org>, Nancy Huntly <nancyhuntly@riverheights.org>, Clifford Grover <cliff@grovercanfield.com>

Background: There are 4 homes on 700S that are currently on septic. Two of those homes want to hook to the sewer, the other two do not. Our ordinance requires the other two to hook up if they are within 300 ft. In order to get the sewer there a main line would have to be installed at a cost of \$80,000. Then to get from the residence to the main line would cost \$7,000 per residence. These are estimates.

Options:

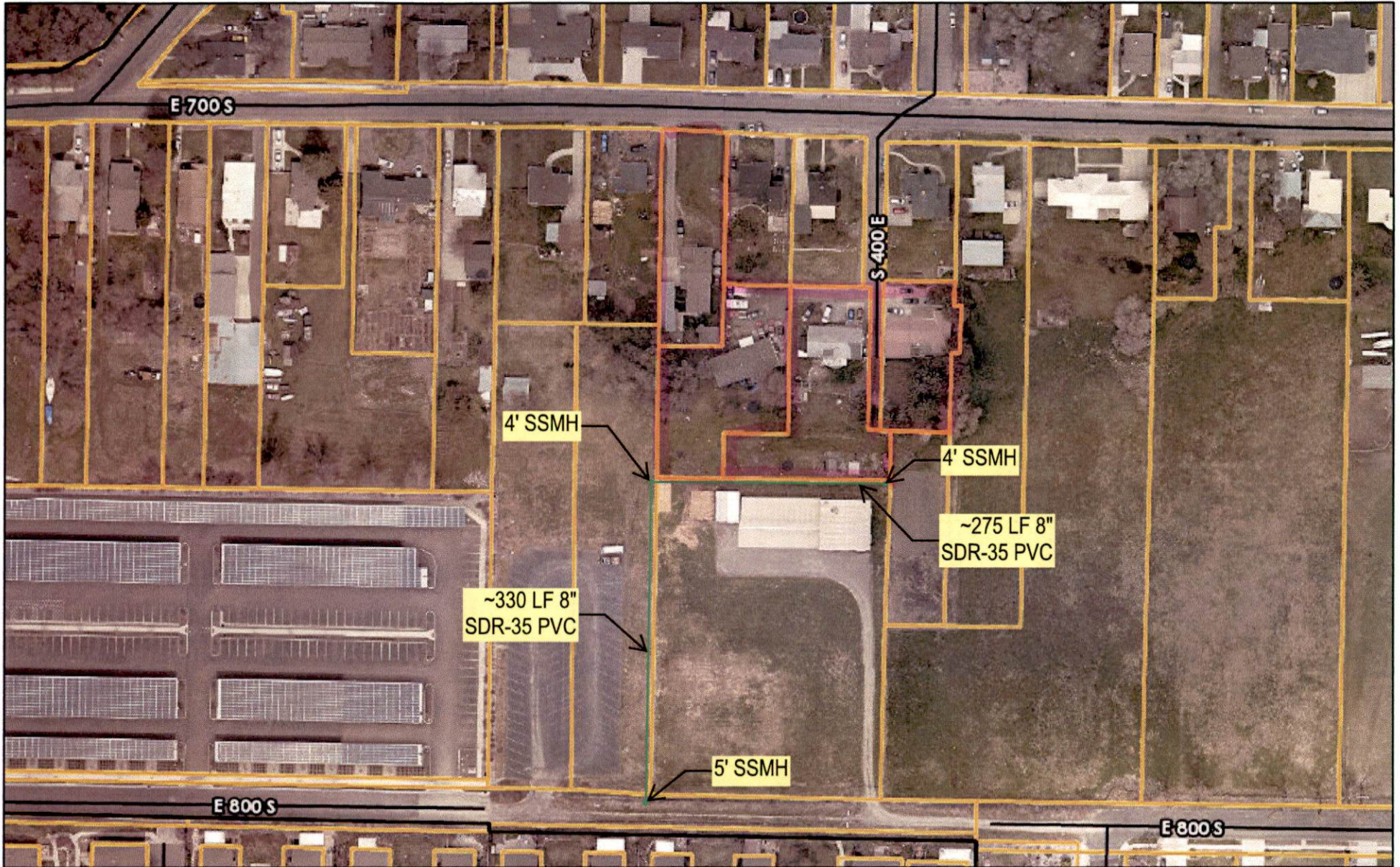
A. The city pays the \$80,000 for the main line and we tell everyone they have to hook up per our ordinance. Residents pay the \$7,000.

B. The city pays the \$80,000 to install the main line and we rewrite our ordinance to not require anyone to hook up if they don't want to. This is allowed under state code and is ok with the Bear River Health Department.

C. We tell all 4 residents that we do not want to spend the \$80,000 and they have to fix or replace their septic systems.

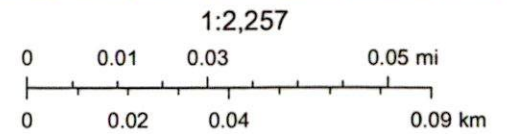
My suggestion is we put off a decision on the \$80,000 until we go through the budget process next year. Also, seeing if we get any money from the new infrastructure bill. We also rewrite our ordinance to not require that residents hook up.
Doug

Parcel Map



10/18/2021, 1:04:49 PM

- | | | | |
|----------------------|------------------------|---------------|------------------|
| Class B Surface Type | — DIRT | Cache Parcels | UTCACH038042.sid |
| — ASPHALT | — Municipal Boundaries | Red: Band_1 | |
| — GRAVEL | — County Boundary | Green: Band_2 | |



Maxar, Microsoft

Opinion of Probable Costs
River Heights City
750 S to 800 S Sewer Connection
 10/21/2021

Item	Description	Unit	Quantity	Unit Cost			Total Cost	Notes
				Material	Labor	Total		
3.	Concrete							
	Manhole, 4' Precast (sewer)	ea	2	\$3,500	\$2,000	\$5,500	\$11,000	Approx 13 ft deep with extensive groundwater, sloughing Includes Street repair.
Manhole, 5' Precast (sewer)	ea	1	\$8,000	\$11,000	\$19,000	\$19,000		
33.	Utilities							
	8" PVC SDR-35 Sewer Pipe	lf	605	\$15	\$20	\$35	\$21,175	
	4" PVC SDR-35 Sewer Lateral	lf	370	\$10	\$15	\$25	\$9,250	
	8" Wye Connection	ea	3	\$350	\$0	\$350	\$1,050	
44.	Process Equipment							
	Install							
Sub-Total							\$61,475	
	Mobilization / Pressure Test					3%	\$1,844	
	Bonds & Insurance					2%	\$1,230	
	General Conditions					9%	\$5,533	
	Easements and Recording					1%	\$615	
	Survey and Design Engineering						\$2,200	
	Contingency					10%	\$6,148	
Total Cost							\$79,044	
Rounded Cost for Summary							\$80,000	



Doug Clausen <dougclausen@riverheights.org>

4 houses on 700 S, 2 of which want to hook unto the sewer system

Messages

Doug Clausen <dougclausen@riverheights.org>

Tue, Nov 16, 2021 at 2:34 PM

To: Todd Rasmussen <toddrasmussen@riverheights.org>, Clayton Nelson <cnelson@riverheights.org>, jasonedwardthompson@gmail.com

Clayten and I met with Jon Jenkins today on this subject. In general, Jon felt we should pay the \$80,000 to install the main sewer line and then require all 4 to hook in. The homeowner's would have to pay the hookup costs from their house to the main line plus any cleanup on their septic system. This is all per our ordinance (hook up within 300 ft.).

He said that the city council could also say to all 4 that we do not want to spend the \$80,000. That we want to spend it elsewhere. Then they would have to get their septic system fixed. He also said we could put this off until we look at the budget and allocate funds next spring.

Jason, he said the city is not under any liability problem here.

Suggest that this be put on the next council agenda (Dec. 7) for discussion and a possible decision. Doug

Todd Rasmussen <toddrasmussen@riverheights.org>

Tue, Nov 16, 20

To: Doug Clausen <dougclausen@riverheights.org>

Cc: Clayton Nelson <cnelson@riverheights.org>, Jason Thompson <jasonedwardthompson@gmail.com>

I will get it on the agenda. For your reference, the state code allows cities to write ordinances requiring hookup—but does not prescribe it. See below:

10-8-38. Drainage and sewage systems – Construction regulation and control – Retainage – Mandatory hookup – Charges for use – Collection charges – Service to tenants – Failure to pay for service – Service outside municipality.

- (1) (a) Boards of commissioners, city councils, and boards of trustees of cities and towns may construct, reconstruct, maintain, and operate, sewer systems, sewage treatment plants, culverts, sewers, catch basins, manholes, cesspools, and all systems, equipment, and facilities necessary to the proper drainage, sewage, and sanitary sewage disposal requirements of the city and regulate the construction and use thereof.
- (b) If any payment on a contract with a private person, firm, or corporation to construct or reconstruct sewer systems, sewage treatment plants, culverts, drains, sewers, catch basins, manholes, cesspools, and other drainage and sewage systems is retained or withheld, it shall be retained or withheld and released as provided in Section 13-8-5.
- (2) (a) In order to defray the cost of constructing, reconstructing, maintaining, or operating a sewer system or sewage treatment plant, a municipality may:
 - (i) require connection to the sewer system if the sewer is available and within 300 feet of the property line of a property with a building used for human occupancy; and
 - (ii) make a reasonable charge for the use of the sewer system.
- (b) A municipality operating a waterworks system and a sewer system or sewage treatment plant may:
 - (i) make one charge for the combined use of water and the services of the sewer system or sewage treatment plant; and
 - (ii) adopt an ordinance requiring a property owner desiring water and sewer service to submit a written application, signed by the owner or the owner's authorized agent, agreeing to comply with the ordinance enacted by the municipality, for the water and sewer service furnished the owner.
- (c) (i) If a person fails to connect to the sewer when connection is required under Subsection (2)(a)(i) or fails to pay for the sewer service as required under applicable municipal ordinance, the municipality may cause the water to be shut off from the premises until the person has:
 - (A) hooked up to the sewer at the person's own expense; or
 - (B) paid in full for all sewer service.
- (ii) A municipality may not use an owner's failure to pay for sewer service furnished to the owner's property as a basis for not furnishing water to the property after ownership of the property is transferred to a subsequent owner.
- (d) A municipality may sell and deliver water or sewer services to others beyond the limits of the municipality from the surplus capacity of the municipality's waterworks or sewer system.

[Quoted text hidden]

Todd Rasmussen
Mayor, River Heights



Ornamental grasses, flowers, and shrubs are permitted if they are spaced six feet (6') apart and are not higher than three feet (3') above street or sidewalk grade. Above ground transformers are allowed if they are less than forty inches (40") above street or sidewalk grade. All plantings and obstructions shall maintain an overall clear visibility of 70% or greater.

(3-2020, 5-19-20)

10-13-16: EFFECT OF STREET PLAN

Wherever a front or side yard is required for a building that abuts on a proposed street which has not been constructed, but which has been designated by the planning commission as a future street, the depth of such front or side yard shall be measured from the planned right of way lines. (Ord., 1-22-2002)

10-13-17: EXCEPTION TO FRONT SETBACK REQUIREMENTS

The setback from the street for any dwelling located between two (2) existing dwellings in any residential zone may be the same as the average for said two (2) existing dwellings, provided the existing dwellings are on the same side of the street and are located within one hundred fifty feet (150') of each other. (Ord., 1-22-2002; amd. Ord. 0-01-13, 1-11-2005, eff. retroactive to 11-26-2002)

10-13-18: CONCESSIONS IN PUBLIC PARKS AND PLAYGROUNDS

Concessions, including, but not limited to, amusement devices, recreational buildings and refreshment stands shall be permitted on a public park or playground when approved by the city council. (Ord., 1-22-2002)

10-13-19: SEWAGE DISPOSAL

Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the Bear River Health Department before a building permit shall be issued therefor. If a sewer mainline is installed within three hundred feet (300') from a building that is serviced by a septic tank, the owners of the building will be required to connect sewer service for the building to the sewer mainline unless unreasonable topographic, geographic or geologic conditions exist. Exceptions to connecting to the city sewer system shall be reviewed and approved by the city engineer, public works director and zoning administrator. (Ord., 1-22-2002; amd. Ord. 0-01-13, 1-11-2005, eff. retroactive to 11-26-2002)

10-13-20: LOCATION OF FUEL TANKS IN AGRICULTURAL ZONE

Where fuel tanks are permitted in the agricultural zone for related agricultural purposes, the location of said tank shall be considered an accessory use and must conform to appropriate setbacks as well as state standards for hazardous materials. (Ord., 1-22-2002)

10-13-21: POLLUTION PREVENTION

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air

Ordinance 10-2021

AN ORDINANCE TO CHANGE THE WATERWAY SETBACK IN THE
CITY CODE OF RIVER HEIGHTS, UTAH

Whereas it was determined a change should be made to the waterway setback of the River Heights City Code and,

Whereas the River Heights City Planning Commission held a duly noticed public hearing on Tuesday, November 9, 2021.

Be it ordained by the River Heights City Council that the following change is made to the River Heights City Code:

10-11-2:C.1.

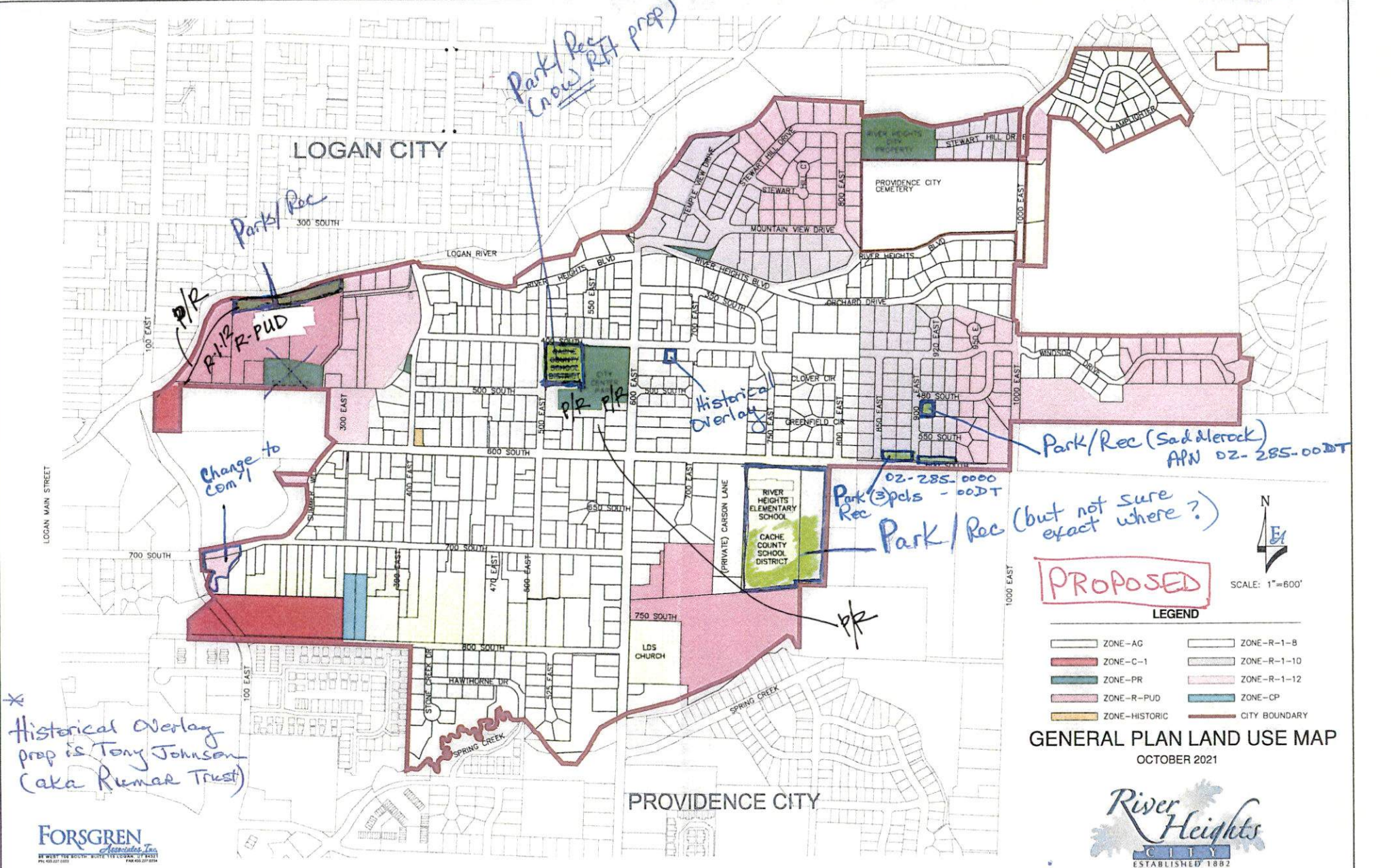
No structure or construction that would alter the topography will be allowed in a flood overlay zone (OF), except as approved by conditional use permit, ~~unless permitted by the City Council.~~ No structure shall be permitted or constructed within ~~thirty feet (30')~~ fifty feet (50') of the top inside edge of the bank of any natural or manmade waterway that is located in a flood overlay zone (OF); (4-2013, 10-24-13) ^{or} *adjacent to,*

Adopted this 30th day of November 2021 and effective upon publication.

Todd Rasmussen, Mayor

ATTEST

Sheila Lind, Recorder



* Historical Overlay prop is Tony Johnson (aka Remar Trust)

Park/Rec (Snow) RH prop

Park/Rec

P/R
R-1-B
R-PUD

Charge to Com

Historical Overlay

PR PR

Park (3 pels) Rec
02-285-0000
-00DT

Park/Rec (Sadlerock)
APN 02-285-000DT

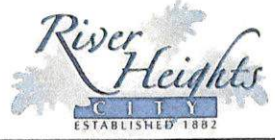
Park/Rec (but not sure exact where?)

PROPOSED

LEGEND

- ZONE-AG
- ZONE-C-1
- ZONE-PR
- ZONE-R-PUD
- ZONE-HISTORIC
- ZONE-R-1-B
- ZONE-R-1-10
- ZONE-R-1-12
- ZONE-CP
- CITY BOUNDARY

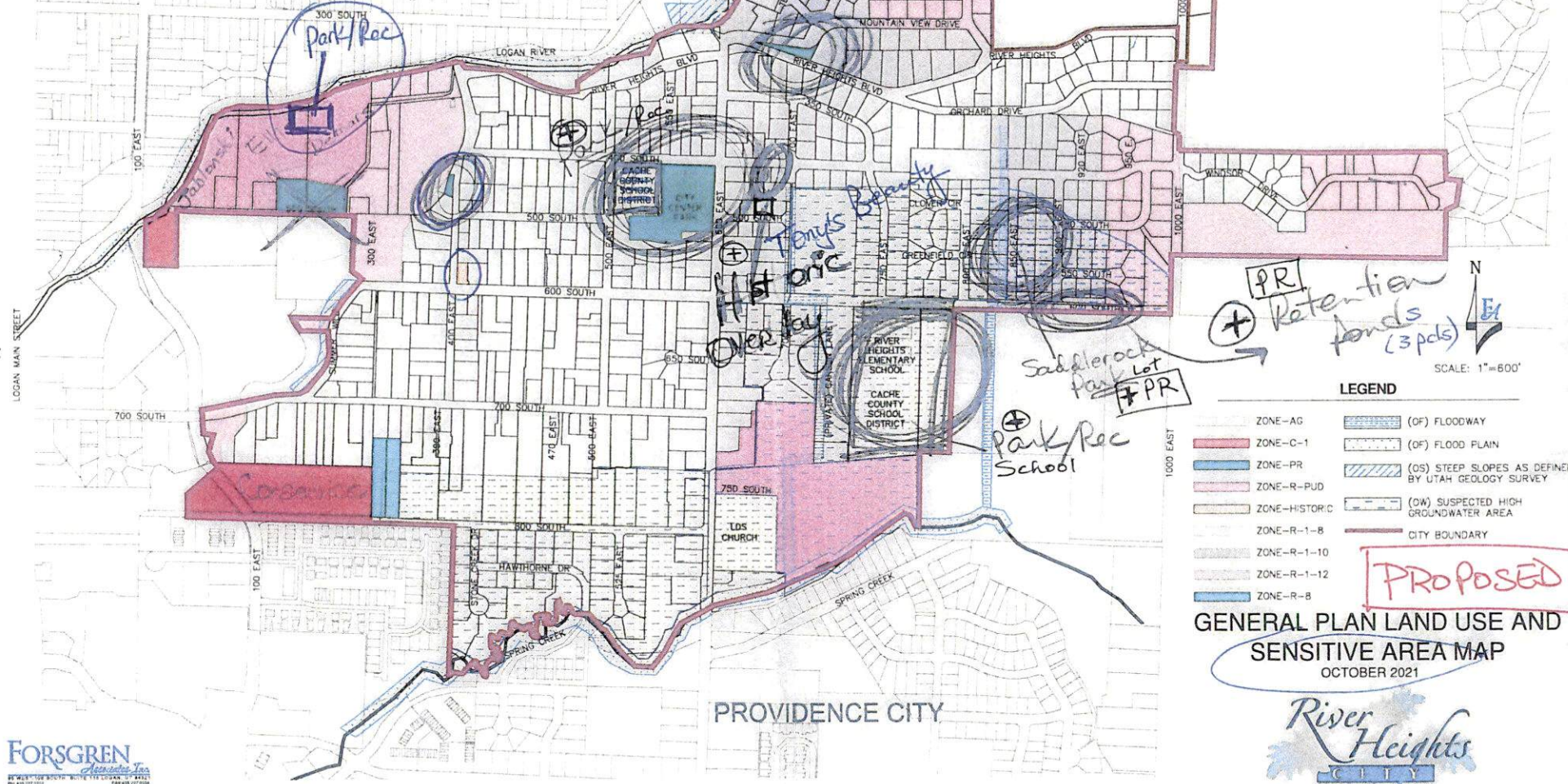
GENERAL PLAN LAND USE MAP
OCTOBER 2021



11-4-21
11-23-21

LOGAN CITY

PROVIDENCE CITY



PR Retention Ponds (3 pds)

PR

Cache County School District

River Heights Elementary School

Saddlerock Park Lot

Park/Rec School

LEGEND

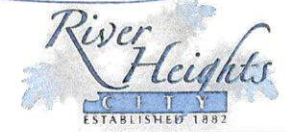
(AG) FLOODWAY	(OF) FLOODWAY
(C-1) FLOOD PLAIN	(OF) FLOOD PLAIN
(OS) STEEP SLOPES AS DEFINED BY UTAH GEOLOGY SURVEY	(OS) STEEP SLOPES AS DEFINED BY UTAH GEOLOGY SURVEY
(GW) SUSPECTED HIGH GROUNDWATER AREA	(GW) SUSPECTED HIGH GROUNDWATER AREA
CITY BOUNDARY	CITY BOUNDARY

SCALE: 1"=600'

PROPOSED

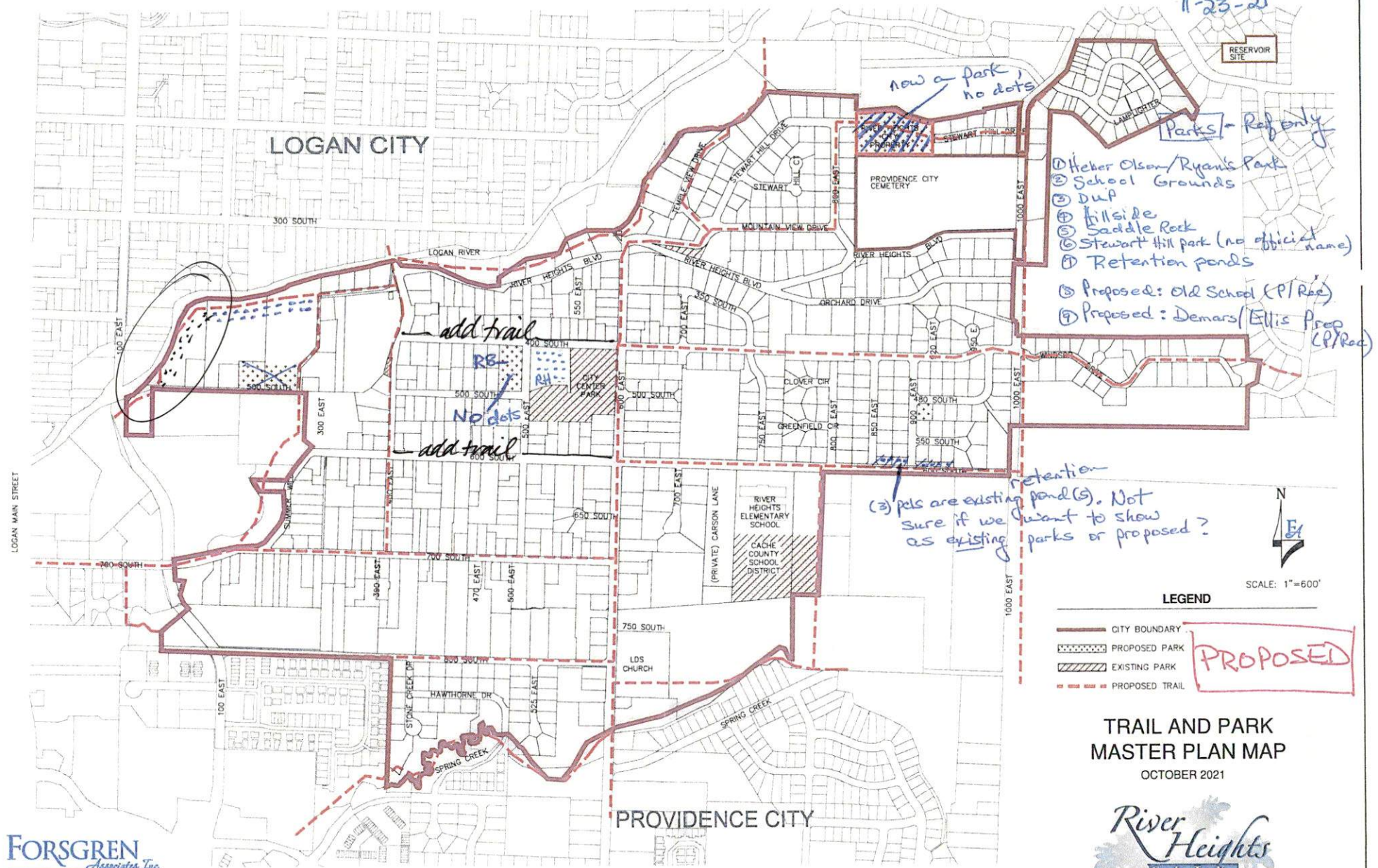
GENERAL PLAN LAND USE AND SENSITIVE AREA MAP

OCTOBER 2021



LOGAN CITY

PROVIDENCE CITY



- Parks - Ref only**
- ① Heber Olson/Ryan's Park
 - ② School Grounds
 - ③ DUP
 - ④ Hillside
 - ⑤ Saddle Rock
 - ⑥ Stewart Hill park (no official name)
 - ⑦ Retention ponds
 - ⑧ Proposed: Old School (P/Roc)
 - ⑨ Proposed: Demars/Ellis Prop (P/Roc)

(3) pds are existing pond(s). Not sure if we want to show as existing parks or proposed?

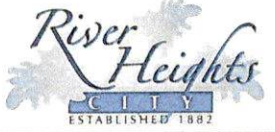
LEGEND

- CITY BOUNDARY
- PROPOSED PARK
- EXISTING PARK
- PROPOSED TRAIL

PROPOSED

TRAIL AND PARK MASTER PLAN MAP

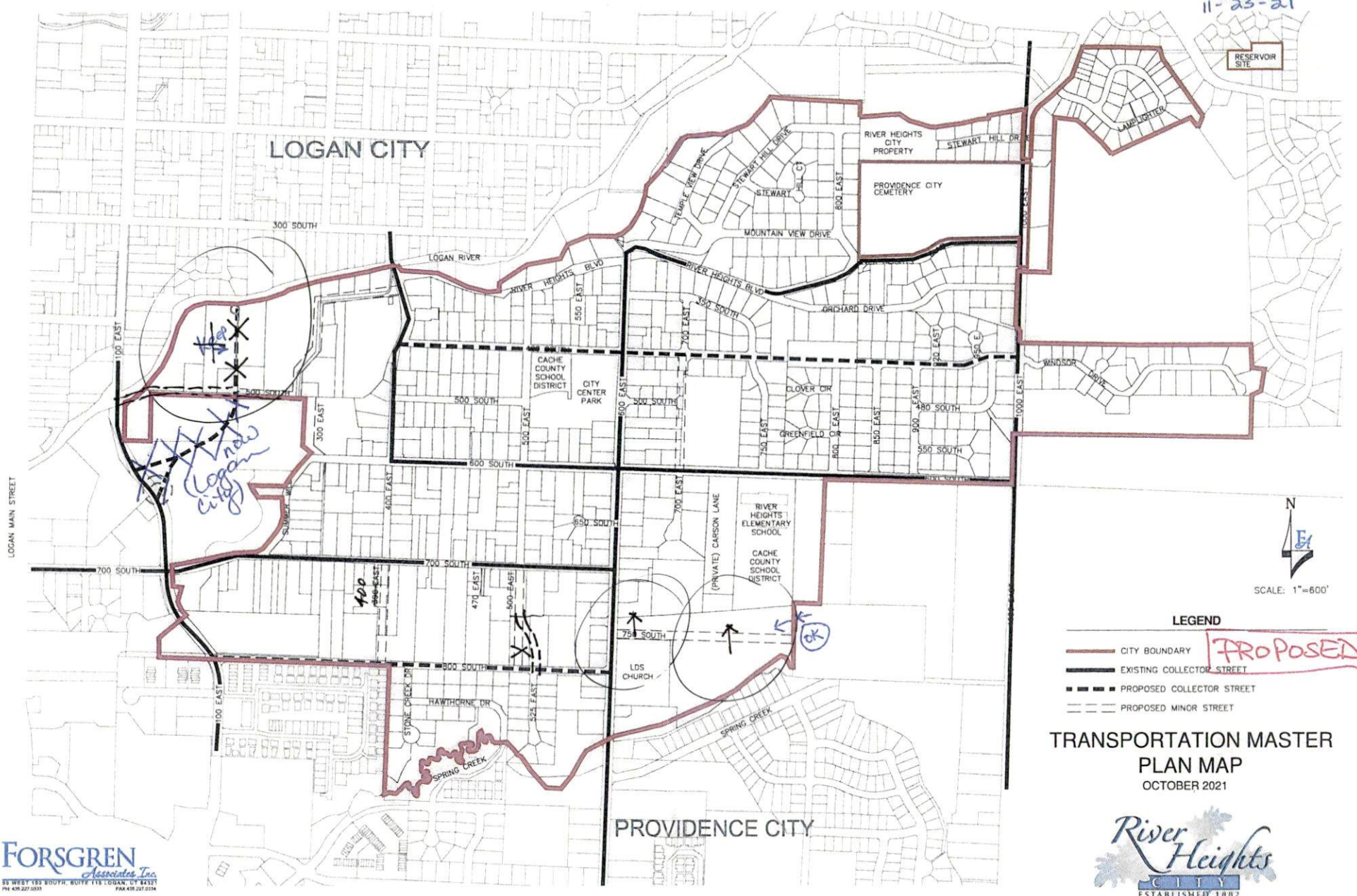
OCTOBER 2021



RESERVOIR SITE

LOGAN CITY

PROVIDENCE CITY



LEGEND

- CITY BOUNDARY **PROPOSED**
- EXISTING COLLECTOR STREET
- PROPOSED COLLECTOR STREET
- PROPOSED MINOR STREET

TRANSPORTATION MASTER PLAN MAP

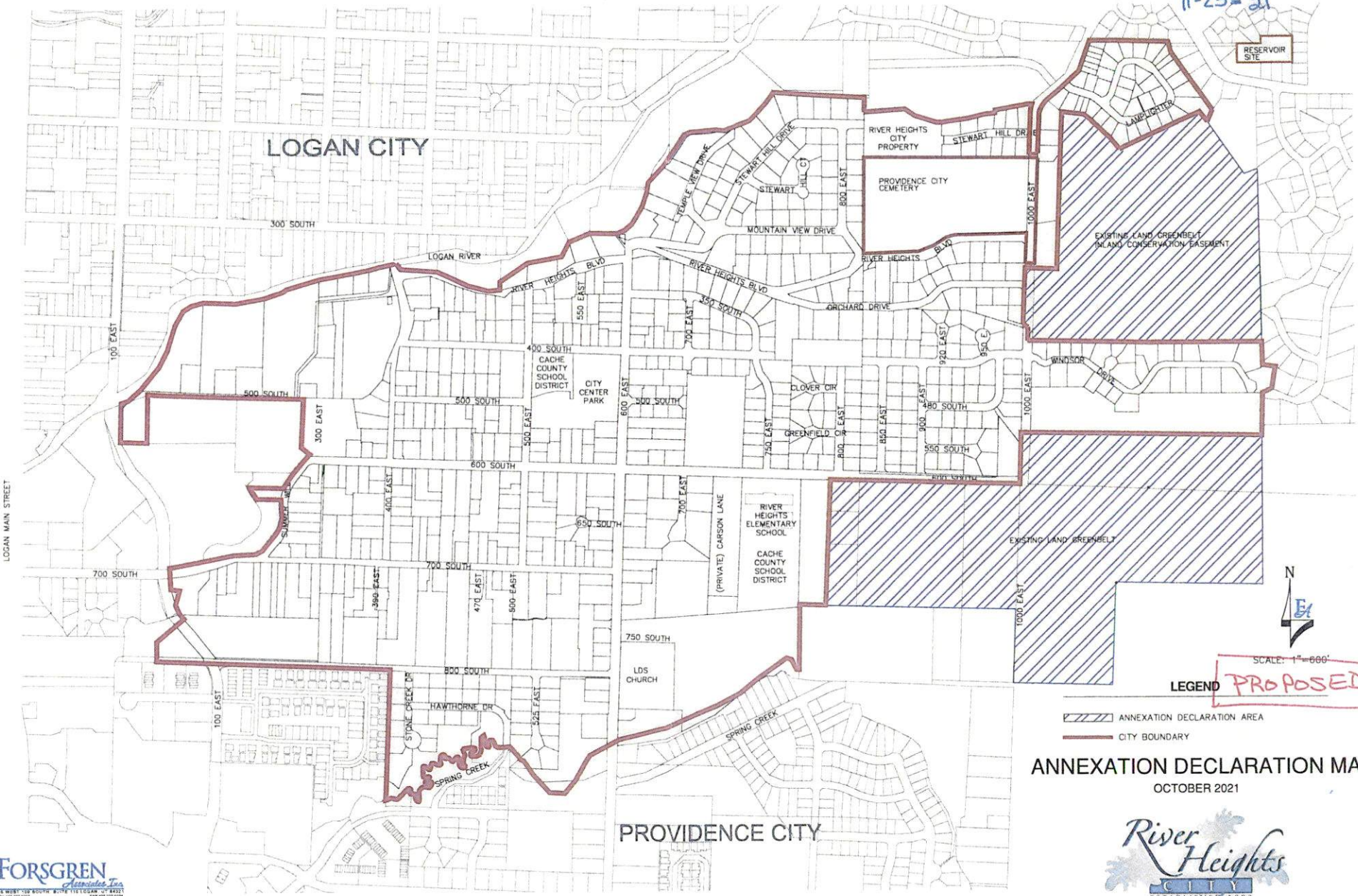
OCTOBER 2021



11-23-21

RESERVOIR SITE

LOGAN CITY



LEGEND

- ANNEXATION DECLARATION AREA
- CITY BOUNDARY

ANNEXATION DECLARATION MAP
OCTOBER 2021

SCALE: 1" = 600'

PROPOSED



PROVIDENCE CITY