



**NOTICE OF A REGULAR
CITY COUNCIL MEETING
July 26, 2023, at 6:00 PM**

PUBLIC NOTICE is hereby given that the Vineyard City Council will hold a regularly scheduled City Council meeting on Wednesday, July 26, 2023, at 6:00 p.m., in the City Council Chambers at City Hall, 125 South Main Street, Vineyard, Utah. This meeting can also be viewed on our [live stream page](#).

AGENDA

Presiding Mayor Julie Fullmer

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE – *to be announced*.

2. WORK SESSION

2.1 WATER TANK MURAL DESIGN

Planning will lead a discussion about the Water Tank Mural Design.

3. PUBLIC COMMENTS

(15 minutes)

“**Public Comments**” is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three minutes. Because of the need for proper public notice, immediate action **cannot** be taken in the Council Meeting. If action is necessary, the item will be listed on a future agenda, however, the Council may elect to discuss the item if it is an immediate matter of concern.

Public comments can be submitted ahead of time to pams@vineyardutah.org.

4. MAYOR AND COUNCILMEMBERS’ REPORTS/DISCLOSURES/RECUSALS

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

(3 minutes each)

5.1 City Manager Ezra Nair

6. CONSENT ITEMS

6.1 [Approval of the June 27, 2023, City Council Town Hall Meeting Minutes](#)

6.2 [Approval of the July 12, 2023, City Council Meeting Minutes](#)

6.3 [Approval of an Amendment to the Municipal Code Chapters 5, 8, and 10 \(Ordinance 2023-25\)](#)

6.4 [Ratification of an Amendment to Homesteads Impact Fee Agreement](#)

7. APPOINTMENTS

No names were submitted.

8. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS

No items were submitted.

9. BUSINESS ITEMS

9.1 PUBLIC HEARING – [Zoning Text Amendment \(Ordinance 2023-26\)](#)

Planner Cache Hancey will present a proposed Zoning Code amendment to the VZC Section 15.38.030 Parking Requirements to modify the off-street parking requirements for hotels or motels. The mayor and City Council will act to adopt (or deny) this request by ordinance.

9.2 PUBLIC HEARING – [Zoning Code Text Amendments \(Ordinance 2023-27\)](#)

Planner Cache Hancey will present proposed Zoning Code amendments to the VZC Section 15.12.060-Dimensional Standards Table to increase the maximum building height in the RMU District. The mayor and City Council will act to adopt (or deny) this request by ordinance. *(The council will not be taking action on the proposed text amendment during this meeting.)*

10. CLOSED SESSION

The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of (these are just a few of the items listed, see Utah Code 52-4-205 for the entire list):

- (a) discussion of the character, professional competence, or physical or mental health of an individual
- (b) strategy sessions to discuss collective bargaining
- (c) strategy sessions to discuss pending or reasonably imminent litigation
- (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares
- (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares
- (f) discussion regarding deployment of security personnel, devices, or systems;
- (g) the purpose of considering information that is designated as a trade secret, as defined in Section [13-24-2](#), if the public body's consideration of the information is necessary in order to properly conduct a procurement under [Title 63G, Chapter 6a, Utah Procurement Code](#);

11. ADJOURNMENT

The next meeting is on Wednesday, August 9, 2023.

This meeting may be held in a way that will allow a councilmember to participate electronically. The Public is invited to participate in all City Council meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder at least 24 hours prior to the meeting by calling (801) 226-1929.

I the undersigned duly appointed Recorder for Vineyard, hereby certify that the foregoing notice and agenda was emailed to the Salt Lake Tribune, posted at the Vineyard City Offices, the Vineyard website, the Utah Public Notice website, and delivered electronically to city staff and to each member of the Governing Body.

AGENDA NOTICING COMPLETED ON: July 25, 2023

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER



**MINUTES OF A CITY COUNCIL
TOWN HALL MEETING FOR THE
PARKSIDE, MEADOWS, ELMS,
AND GARDEN SUBDIVISIONS**

City Council Chambers
125 South Main Street, Vineyard, Utah
June 27, 2023, at 6:10 PM

Present

Councilmember Amber Rasmussen
Councilmember Mardi Sifuentes
Councilmember Cristy Welsh

Absent

Mayor Julie Fullmer
Councilmember Tyce Flake

Staff Present: Lieutenant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, Planners Cache Hancey and Anthony Fletcher, Neighborhood Services Coordinator Tiana Spencer, Public Works Director Naseem Ghandour, Staff Engineer Partick James, Admin Intern Bradley Day

1. OPENING SESSION

There will be a brief introduction of the topics and then those in attendance will break into three groups as listed in the breakout sessions below.

Councilmember Welsh opened the Town Hall meeting at 6:10 PM with brief remarks. She then explained the breakout sessions.

2. BREAKOUT SESSIONS

2.1 Infrastructure and Parks and Recreation

2.2 Code Enforcement and Public Safety

2.3 Community Development and Planning

Each group had roughly 9-12 participants. Attendees switched groups every 15-20 minutes. Each switch included a raffle to break up the discussions.

3. ADJOURNMENT

Councilmember Welsh adjourned meeting at 7:00 PM.

MINUTES APPROVED ON: _____

CERTIFIED CORRECT BY: /s/Pamela Spencer
PAMELA SPENCER, CITY RECORDER

**MINUTES OF A REGULAR
CITY COUNCIL MEETING**

City Council Chambers
125 South Main Street, Vineyard, Utah
July 12, 2023, at 6:01 PM

Present

Mayor Julie Fullmer
Councilmember Tyce Flake
Councilmember Amber Rasmussen
Councilmember Mardi Sifuentes
Councilmember Cristy Welsh

Absent

Staff Present: City Manager Ezra Nair, City Attorney Jayme Blakesley, Lieutenant Holden Rockwell with the Utah County Sheriff's Office, Chief Building Official Cris Johnson, Community Development Director Morgan Brim, Planner Cache Hancey, Public Works Director Naseem Ghandour, Parks and Recreation Director Brian Vawdrey, Admin Intern Bradley Day, Environmental Utilities Manager Sullivan Love, City Recorder Pamela Spencer, and Planning Commission Chair Bryce Brady

Others speaking: Residents Julie Gray and Daria Evans

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

 Mayor Fullmer opened the meeting at 6:01 PM. She led the Pledge of Allegiance and gave the invocation.

2. WORK SESSION

No items were submitted.

3. PUBLIC COMMENTS

 Mayor Fullmer called for public comments.

 Resident Julie Gray, living in The Villas subdivision, mentioned that the Vineyard Library Board had met, and she had been elected as the board chair. She said that they were currently reviewing drafts of the rules and regulations (by-laws) and other policies. She thanked Mayor Fullmer for her vision for a library.

 Resident Daria Evans, living in The Villas subdivision, thanked city staff and council for a great year of senior pickleball, and their quick response to her concerns with the garbage on the Center Street Trailhead and Sunset Beach. She also thanked them for trimming the trees on Main

Street. She asked if the city was responsible for maintaining the landscaping on both sides of sidewalks on Main Street. Mr. Ghandour replied that the Public Works department was responsible for the area around the sidewalks, but the homeowner's associations were responsible for the areas around the entrances to the subdivisions.

Ms. Evans asked about when the city would be getting a grocery store and where it would be located. She also asked where the fire station would be located. Mayor Fullmer replied that a fire station study was underway and that a grocery store would be coming soon. Mr. Brim explained that, according to the developers, the official announcement for the grocery store would be in a few weeks. He gave a brief timeline for the store opening and where it would be located.

Ms. Evans asked about the name "Utah City" for the downtown area and if this was going to replace the name "Vineyard Station." Mayor Fullmer explained that the developers were allowed to choose the name for their developments, and this was the name they chose. There was a discussion about the name.



Mayor Fullmer closed the public session.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS



Councilmember Sifuentes reported that the Alpine School District had voted to pause the closing of some of their elementary schools. There was a brief discussion about the school district. Councilmember Sifuentes reported that Vineyard had two residents, Kevin Woods and Alex Burdge, featured in the Summer 2023, 40 Under Forty edition of the Utah Valley Business Q Magazine. Mayor Fullmer also mentioned that former City Manager Jacob McHargue was also featured in the magazine.



Councilmember Welsh reported on the traffic changes in the neighborhoods and asked residents to reach out to the council and staff if they had any concerns. She mentioned that there were concerns from residents about people parking too close to stop signs and that the Sheriff's office would be more proactive in the enforcement.

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1 City Manager Ezra Nair announced that the splash pad would open seven (7) days a week starting tomorrow. He reported that there would be a partial road closure at the intersection of Main Street and Vineyard Connector all next week for the water line project. He reported that red curbing in the neighborhoods would continue throughout the summer. Mayor Fullmer asked residents to contact the city if they saw a need for red curbing. She also mentioned that they were able to open the splash pad seven (7) days a week due to additional staffing.



5.2 Planning Commission had no new items to report.

6. CONSENT ITEMS

6.1 Approval of the June 28, 2023, City Council Meeting Minutes

6.2 Approval of a Special Event Fee Waiver Application for NOMA's event on July 15, 2023

6.3 Approval of a Field Use Policy (Resolution 2023-34)

6.4 Ratification of a Lease Agreement for the 11-acre Parcel (also known as the Robins Property)

6.5 Approval of Tax Disclosure Compliance Policy (Resolution 2023-35)

102 **6.6 Approval of an Interlocal Cooperative Agreement with the Utah Division of Forestry,**
103 **Fire and State Lands for Fire Mitigation (Resolution 2023-36)**
104

105  Mayor Fullmer mentioned that council wanted to pull item 6.3 for further discussion. She
106 then called for a motion.
107

108  **Motion:** COUNCILMEMBER SIFUENTES MOVED TO APPROVE CONSENT ITEMS
109 6.1, 6.2, 6.4, 6.5, AND 6.6. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL
110 CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE,
111 RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED
112 UNANIMOUSLY.
113

114  **6.3 Approval of a Field Use Policy (Resolution 2023-34)**
115 Councilmember Sifuentes explained that they had worked on the wording to protect the city, the
116 public, and staff. City Attorney Jayme Blakesley explained that there were some organized teams
117 that would use the field without interfering with public use and did not want to dissuade the use
118 unless it became a problem. He read the revision that they made to Section X of the policy.
119

120  Mayor Fullmer called for further comments. Hearing none, she called for a motion.
121

122  **Motion:** COUNCILMEMBER SIFUENTES MOVED TO APPROVE THE REVISED
123 CONSENT ITEM 6.3 APPROVAL OF A FIELD USE POLICY (RESOLUTION 2023-34) AS
124 STATED BY MR. BLAKESLEY:

125 THE CITY MAY PROHIBIT AN ORGANIZED CLUB OR TEAM, OR A FOR-PROFIT
126 TRAINER OR COACH, FROM USING THE PLAYING FIELDS IF THEY USE THE
127 FIELD DURING NON-LEASED HOURS IN A MANNER THAT IS EXCESSIVE OR
128 INTERFERES WITH PUBLIC USE.

129 COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS
130 FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN,
131 SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.
132
133

134 **7. APPOINTMENTS**

135 No names were submitted.
136
137

138 **8. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS**

139 **8.1 RECOGNITION**

140 Councilmember Welsh will present a certificate to outgoing Youth Council Mayor Alexa
141 Dadson.

142  Mayor Fullmer explained the hard work and leadership that Alexa had given to the Youth
143 Council and the City. She then turned the time over to Councilmember Welsh for comments.
144

145  Councilmember Welsh stated that Ms. Dadson had been an amazing Youth Council Mayor
146 and had been involved since she was old enough to attend Youth Council. She helped with
147 getting beehives in the city, getting the children's library started, and other important things in
148 the city. She mentioned that she witnessed Ms. Dadson willingly talking to state representatives
149 about legislative issues. She expressed her gratitude to Ms. Dadson for her example and service.
150

 Councilmembers Rasmussen, Sifuentes, and Flake also expressed their admiration and appreciation for all the work that Ms. Dadson had done for the city.

 Ms. Dadson thanked the City Council and others for their support. She expressed appreciation for everything she had learned and would be able to use it throughout her life. She mentioned that she would be attending college in California with ambitions to attend law school. She added that she also wanted to pursue journalism.

Mayor Fullmer presented Ms. Dadson with a Certificate of Appreciation.

9. BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – Municipal Code Amendment (Ordinance 2023-24)

Public Works Director Naseem Ghandour will present recommended changes to Municipal Code Section 8.08.050 Nuisances to add a restriction for the use of engine brakes. The mayor and City Council will act to adopt (or deny) this request by ordinance.

 Mayor Fullmer turned the time over to Public Works Director Naseem Ghandour.

 Mr. Ghandour explained the update in the Municipal Code for restriction on engine brakes in and around neighborhoods.

 Mayor Fullmer called for questions from the council. Hearing none, she called for a motion.

 **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO ADOPT ORDINANCE 2023-24 REGARDING RESTRICTING THE USE OF COMPRESSION RELEASE ENGINE BRAKING SYSTEMS IN & ADJACENT TO RESIDENTIAL AREAS. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

10. CLOSED SESSION

 Mayor Fullmer called for a motion to go into a closed session.

 **Motion:** COUNCILMEMBER FLAKE MOVED TO GO INTO A CLOSED SESSION IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING IN THE CITY COUNCIL CHAMBERS FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

11. ADJOURNMENT

 Mayor Fullmer called for a motion to adjourn the meeting.



Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 6:32 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Motion to adjourn the Closed Session: COUNCILMEMBER RASMUSSEN MOVED TO ADJOURN THE CLOSED SESSION AT 6:59 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

MINUTES APPROVED ON: _____

CERTIFIED CORRECT BY: /s/Pamela Spencer
PAMELA SPENCER, CITY RECORDER



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: July 26, 2023

Agenda Item: 6.3 Municipal Code Amendments to Recorder Responsibilities

Department: City Recorder

Presenter: Pamela Spencer

Background/Discussion: Due to recent staffing changes approved in the Fiscal Year 2023-2024 Budget, it is necessary to change the recorder's responsibilities regarding business licensing. Vineyard Municipal Code Title 5 Business Licenses and Regulations are currently under the recorder's responsibilities and should be under business licensing.

While researching changes to the Business Licensing code, I found that other sections fell under the recorder's responsibilities and should be under their respective departments. Title 8 Public Health and Safety and Title 10 Transportation Code both have the City Recorder responsible for matters that belong under the Engineer Office, the Building and Finance Departments.

I also found that we needed to amend section 8.04.020(19), Handbills and Posters, to comply with state and federal law on freedom of speech.

Fiscal Impact: N/A

Recommendation:

Staff recommends that the mayor and City Council adopt the proposed amendments.

Sample Motion:

"I move to adopt Ordinance 2023-25, amended Municipal Code Titles 5, 8 and 10 as presented."

Attachments:

Ordinance 2023-25

**VINEYARD
ORDINANCE 2023-25**

**AN ORDINANCE AMENDING THE VINEYARD MUNICIPAL CODE TITLES 5
BUSINESS LICENSES AND REGULATIONS; TITLE 8 PUBLIC HEALTH AND
SAFETY, AND TITLE 10 TRANSPORTATION CODE**

WHEREAS, the Vineyard City Council has the authority under Utah Code 10-3 to amend the municipal code; and

WHEREAS, due to recent staffing changes approved with the Fiscal Year 2023-2024 Budget it is necessary to change the recorders' responsibilities.

WHEREAS, staff also found it necessary to amend code section 8.04.020 (19) Handbills and Posters, to comply with state and federal laws.

WHEREAS, Vineyard staff has determined that it is in the city's and its resident's best interest to amended Title 5 Business Licensing, Title 8 Public Health and Safety, and Title 10 Transportation.

NOW THEREFORE, be it ordained by the Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: AMENDMENT "5.02.030 License Assessor And Collector" of the Vineyard Municipal Code is hereby *amended* as follows:

AMENDMENT

5.02.030 ~~License Assessor And Collector~~ Assessment and Collection

The ~~city recorder~~ business license administrator is designated and appointed as ex officio assessor of license fees for this municipality. ~~On receipt of any application for a license, the recorder~~ The city shall from time to time establish the fees by resolution. The fees will be listed in the current fee schedule. The ~~recorder~~ business license administrator shall enforce all provisions of this title, and shall cause to be filed complaints against all persons violating any of the provisions of this title.

SECTION 2: AMENDMENT "5.02.070 Certificate" of the Vineyard Municipal Code is hereby *amended* as follows:

AMENDMENT

5.02.070 Certificate

All certificates of license shall be signed by the ~~city recorder~~business license administrator, and shall contain the following information:

- A. The name of the person to whom such certificate has been issued.
- B. The amount paid.
- C. The type of license and the class of such license if licenses are divided into classes.
- D. License period will be one year.
- E. The place where such business, calling, trade or profession is to be conducted.

SECTION 3: AMENDMENT “5.02.130 Reciprocal Recognition Of Licenses” of the Vineyard Municipal Code is hereby *amended* as follows:

AMENDMENT

5.02.130 Reciprocal Recognition Of Licenses

- A. No license shall be required for operation of any vehicle or equipment in this municipality when:
 - 1. Such vehicle is merely passing through the municipality.
 - 2. Such vehicle is used exclusively in inter-city or inter-state commerce.
- B. No license shall be required by VMC 5.06, VMC 5.10 or VMC 5.14 of any person whose only business activity in this municipality is the mere delivery in the municipality of property sold by him at a regular place of business maintained by him outside the municipality where:
 - 1. Such person's business is at the time of such delivery licensed by the Utah municipality or county in which such place of business is situated, and,
 - 2. The authority licensing such business grants to licensees of this municipality making deliveries within its jurisdiction the same privileges, upon substantially the same terms, as are granted by this section, and,
 - 3. Neither the property delivered nor any of the facilities by which it was manufactured, produced or processed are subject to inspection by authority of this municipality for compliance with health or sanitary standards prescribed by this municipality, and,
 - 4. The truck or other conveyance by which such delivery is made prominently displays at all times a license plate or symbol issued by the said licensing authority to evidence such business license. Such plate or symbol shall identify the licensing authority by which it is issued, shall indicate that it evidences a license issued thereby, and shall specify the year or term for which it is effective.
- C. ~~The recorder shall at the request of any person certify a copy of this section to any municipality or county of the state of Utah to which a copy has not previously been~~

~~certified.~~

SECTION 4: **AMENDMENT** “5.02.140 Exemptions To License Fee” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.02.140 Exemptions To License Fee

- A. No license fee shall be imposed under VMC 5.06 or VMC 5.10 on any person engaged in business for solely religious, charitable, eleemosynary or other types of strictly non-profit purpose which is tax exempt in such activities under the laws of the United States and the state of Utah, nor shall any license fee be imposed on any person engaged in a business specifically exempted from municipal taxation and fees by the laws of the United States or the state of Utah; nor shall any license fee be imposed upon any person not maintaining a place of business within this municipality who has paid a like or similar license tax or fee to some other taxing unit within the state of Utah and which taxing unity exempts from its license tax or fee, by reciprocal agreement or otherwise, businesses domiciled in this municipality and doing business in such taxing unit.
- B. The business license administrator~~assessor and collector~~ may, with approval of the governing body, enter into reciprocal agreements with the proper officials of other taxing units, as may be deemed equitable and proper in effecting the exemption provided for in Part A of this section.

SECTION 5: **AMENDMENT** “5.02.150 Fee Not To Constitute Undue Burden On Interstate Commerce” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.02.150 Fee Not To Constitute Undue Burden On Interstate Commerce

None of the license taxes provided for by VMC 5.10 shall be applied as to occasion an undue burden on interstate commerce. In any case, where a license tax is believed by a licensee or applicant for license to place an undue burden upon such commerce, he may apply to the business license administrator ~~assessor and collector~~ for an adjustment of the tax so that it shall not be discriminatory, unreasonable or unfair as to such commerce. Such application may be made before, at or within six months after payment of the prescribed license tax. The applicant shall, by affidavit and supporting testimony show his method of business and the gross volume or estimated gross volume of business and such other information as the business license administrator ~~assessor and collector~~ may deem necessary in order to determine the extent, if any, of such undue burden on such commerce. The business license administrator ~~assessor and collector~~ shall then conduct an investigation, comparing applicant's business with other businesses of like nature and shall make findings of facts from which he shall determine whether the tax fixed by VMC 5.10 is discriminatory, unreasonable or unfair as to applicant's business and shall recommend to the governing body a license tax for the applicant in an amount that is nondiscriminatory, reasonable and fair, and if the governing body is satisfied that such license tax is the amount that the applicant should pay, it shall fix the license tax in such amount. If the regular license tax has already been paid, the governing body shall order a refund of the amount over and above the tax fixed by the governing body. In fixing the fee to be charged, the business license administrator ~~assessor and collector~~ shall have the power to base the fee upon a percentage of gross sales, or employees, or may use any other method which will assure that the fee assessed shall be uniform with that assessed on businesses of like nature.

SECTION 6: AMENDMENT “5.10.070 Application For License” of the Vineyard Municipal Code is hereby *amended* as follows:

AMENDMENT

5.10.070 Application For License

- A. All applications for licenses authorized by this section shall be verified and shall be filed with the ~~reeorder~~business license administrator. The applications must state the applicant's name in full and that he understands and has read and complied with the requirements and possesses the qualifications specified in the Alcoholic Beverage Control Act and this chapter. If the applicant is a co-partnership, the names and addresses of all partners, and if a corporation, the names and addresses of all officers and directors, must be stated.
- B. The application must be subscribed by the applicant who shall state under oath that the facts therein contained are true.

SECTION 7: AMENDMENT “5.10.090 Renewals” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.10.090 Renewals

All applications for renewal licenses filed by the holders of existing licenses shall be filed with the ~~recorder~~business license administrator at least thirty days prior to the expiration date of the then issued license. Any person who fails to file such application within the time limit shall close his licensed premises on the expiration date of the then issued license and shall keep the premises closed for any and all business for the sale of beer or liquor until the date of his new license is issued by the governing body.

SECTION 8: AMENDMENT “5.10.110 Bond Required” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.10.110 Bond Required

No license required by this section shall be granted by the governing body until the applicant shall have filed with the City business license administrator~~Recorder~~ a bond and insurance in the sum and as required by Section 32B-6 et seq. U.C.A. 1953 the bond shall be made in favor of this municipality.

SECTION 9: AMENDMENT “5.14 Itinerant Merchants” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.14 Itinerant Merchants

A. LICENSE REQUIRED. It shall be unlawful for:

1. A transient merchant, itinerant merchant or itinerant vendor to engage in such business without first obtaining a license therefor in compliance with the provisions of this section.
2. Any person to engage in the business of peddler without first obtaining a permit and license therefor as provided in this section.
3. Any solicitor or canvasser to engage in such business without first obtaining a

permit and license therefor in compliance with the provisions of this section.

B. DEFINITIONS

1. "Transient merchant," "itinerant merchant" or "itinerant vendor" is defined as any person, firm or corporation, whether as owner, agent, co-signee or employee, whether or not a resident of the municipality, who engages in a temporary business of selling and delivering goods, wares and merchandise within the municipality, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad boxcar, public room in any hotel, motel, lodging house, apartment, shop or any street, alley, or other place within the municipality, for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction. The person, firm or corporation so engaged shall not be relieved from complying with the provisions of this section merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer, or by conducting such transient business in connection with, as a part of, or in the name of any local dealer, trader, merchant or auctioneer.
2. "Peddler" as used in this section shall include any person, whether or not a resident of the municipality, traveling by foot, wagon, motor vehicle, or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying, or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale, or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, motor vehicle, railroad car, or other vehicle or conveyance, and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as part of a scheme or design to evade the provisions of this section shall be deemed a peddler subject to the provisions of this section. The word "peddler" shall include the words "hawker" and "huckster".
3. "Canvasser" or "solicitor" means any individual whether or not a resident of the municipality, traveling either by foot, wagon, motor vehicle, or other type of conveyance, from place to place, from house to house, or from street to street, taking or attempting to take orders for the sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries, or exposes for sale a sample of the subject of such sale, or whether he is collecting advance payments on such sales, provided that such definition shall include any person who, for himself, or for another person, firm or corporation, hires, leases, uses or occupies any building, structure, tent, railroad boxcar, hotel or motel room, lodging house, apartment, shop or any other place within the municipality for the sole purpose of exhibiting samples and taking orders for future delivery.

C. APPLICATION FOR LICENSE.

1. Applicants for permits and licenses under this section, shall file a sworn application in writing signed by the applicant, if an individual, by all partners,

if a partnership, and by the president if a corporation, or by an agent, including a state or regional agent, with the ~~reorder~~business license administrator which shall give the following information:

- a. The name of the applicant, and if the applicant is an employee or agent of a corporation, the name of the corporation.
- b. The address of the applicant, and if the applicant is an agent or employee of a corporation, the address of the corporation.
- c. A brief description of the nature of the business and the goods to be sold and from whom and where the applicant obtains the goods to be sold.
- d. If the applicant is employed by or an agent of another person, the name and permanent address of such other person or persons.
- e. The length of time for which the applicant desires to engage in business within the municipality.
- f. The place or places within the municipality where the applicant propose to carry on his or her business.
- g. If the applicant is employed by another person, firm or corporation, documents showing that the person, firm or corporation for which the applicant proposes to do business is authorized to do business within the state of Utah.
- h. Site plan delineating where the temporary business will be located and the parking area available for patrons.
- i. Written permission from the property owner where the temporary business will be located in a form acceptable to the city.
- j. Acceptable evidence of a special event sales tax number issued by the state of Utah.
- k. A statement that the applicant agrees to comply strictly with the laws of the State, the City, and the terms of this license as granted, and to furnish any additional information upon request.
- l. All applications to sell fireworks must include insurance certificates evidencing public liability insurance coverage in the amount of two hundred thousand dollars/four hundred thousand dollars (\$200,000.00/\$400,000.00), and property damage insurance coverage in the amount of two hundred thousand dollars (\$200,000.00), and such certificates shall designate the city as an additional insured, and include certificates evidencing products liability insurance in an amount not less than one million dollars (\$1,000,000.00) per occurrence.
- m. A cash deposit in the amount of three hundred dollars (\$300.00) for each temporary stand to be operated by the applicant. Such deposit shall assure compliance with provisions of this Chapter, including, but not limited to, the removal of the stand and the cleaning of the site upon which it was located. In the event the licensee does not comply with the provisions of this Chapter, including, but not limited to, removing the stand or trailer or cleaning the site thereof, the City may

remove the stand or trailer, clean the site, or take such other action as is necessary for compliance with this Chapter, or may cause the same to be done by other persons, and the reasonable cost thereof shall be a charge against the licensee and shall be subtracted from the deposit described above.

- n. The applicant shall remove any structure or materials used for the temporary site such as tents, poles, display bins, etc., and shall clean and restore the site to its original condition within five (5) days after retail sales cease.

At the time of filing the application, a fee shall be deposited with the ~~reeorder~~business license administrator. The City Council shall from time to time enact by resolution the amount of the fee to be paid. This fee shall be listed in the current fee schedule.

D. INVESTIGATION AND ISSUANCE OF LICENSE.

1. On receiving the application, the ~~reeorder~~business license administrato shall issue a temporary license if the applicant meets the above requirement and refer it to the chief of police who shall cause such investigation of the applicant's business and moral character to be made as he deems reasonable and necessary for the protection of the public good.
2. The applicant may do business on the temporary license during the period of the investigation. If as a result of the investigation the applicant's character or business responsibility is found to be unsatisfactory, the chief of police shall endorse such upon the application together with a statement of his reasons therefor and return the application to the ~~reeorder~~business license administrator who shall notify the applicant that his temporary license has been disapproved and that business shall not be conducted.
3. If as a result of such investigation, the character and business responsibility of the applicant is found to be satisfactory, the chief of police shall endorse such upon the application and return it to the ~~reeorder~~business license administrator who shall upon payment of the prescribed license fee deliver to the applicant his permit and issue a license. Such license shall contain the signature of the issuing officer and shall show the name, address and photograph of the licensee and the kind of goods to be sold pursuant to the application together with an expiration date.

E. FEES.

1. The City Council shall from time to time enact by resolution the fees to be charged by Vineyard City for any license pursuant to this section.
2. None of the license fees provided for by this section shall be applied so as to engage an undue burden upon interstate commerce. In any case where a license fee is believed by the licensee or applicant for license to place an undue burden upon interstate commerce, he or she may apply to the mayor for an adjustment of the fee so that it will not be discriminatory, unreasonable, or unfair to interstate commerce. Such application may be made before, at or within six months after paying the prescribed license fee.
3. If any license fee or tax is not paid within sixty days of the due date, a penalty

of 50% of the amount of such license fee or tax, or \$25.00 whichever is greater. All penalties provided for in this section shall be collected by the ~~City Recorder~~ business license administrator and the payment thereof enforced by ~~her~~ im in the same manner as the license fees are collected and payment thereof enforced. No license shall be issued until all penalties legally assessed have been paid in full.

F. LICENSES, BADGES, REVOCATION, EXPIRATION, APPEAL.

1. ~~A recorder~~ The business license administrator shall issue to each licensee at the time of delivery of his temporary license a badge which shall contain the words "Licensed Transient Merchant," for which the application was made and the license issued, and the number of the license, in letters and figures easily discernible from a distance of five feet. Such badge shall, during the time they are engaged in the business for which they are licensed, be worn constantly by them on the front of their outer garment in such a way as to be conspicuous.
2. Any person licensed pursuant to this section shall exhibit their license at the request of any citizen of the municipality.
3. It shall be the duty of any police officer of this municipality to require any person seen selling and delivering goods wares and merchandise within the municipality, and who is not known by such officer to be duly licensed, to produce his or her license and to enforce the provisions of this section.
4. Revocation of license.
 - a. Permits and licenses issued pursuant to this section may be revoked by the chief of police or the ~~recorder~~ business license administrator, after notice and hearing, for any of the following causes:
 - (1) Fraud, misrepresentation or a false statement contained in the application for the licensed.
 - (2) Fraud, misrepresentation for false statement made in the course of carrying on his business as itinerant merchant.
 - (3) Any violation of this section.
 - (4) Conviction of any crime or misdemeanor involving moral turpitude.
 - (5) Conducting the business in an unlawful manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
 - b. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last known address or at the address shown on his application. The hearing and notice shall in all other aspects substantially comply with VMC 2.12.
5. Any person aggrieved by the action of the chief of police or the ~~recorder~~ business license administrator in the denial of a permit or a license issued pursuant to this section, or by the action of the City Council of the municipality. Such appeal shall be taken by filing with the council within 14

days after notice of the action complained of has been mailed to such person's last known address or address on the business application, a written statement setting forth fully the grounds for the appeal. The council shall set a time and place for the hearing on such appeal and notice of such hearing shall be given to the applicant in the same manner as above proved in Section F,4.

6. All licenses issued pursuant to this section shall expire on the date specified on the license.

G. **ADDITIONAL REQUIREMENTS.** This section shall not be construed so as to waive the provisions and requirements of any other ordinance of this municipality and the requirements and fees required herein shall be in addition to any other requirements and fees of any other ordinance of this municipality.

H. **EXCEPTIONS.** The provisions of this section shall not apply to any individual who is at the time he is engaged in any activity which would otherwise require licensing by this section, engaged in an activity which is authorized by any church or charity which has a permanent structure located within the state of Utah, provided such church or charity has had such permanent for at least six months prior to the date when the individuals engaged in the activity which would otherwise require licensing by this section.

SECTION 10: **AMENDMENT** “8.04.010 Garbage Regulation” of the Vineyard Municipal Code is hereby *amended* as follows:

AMENDMENT

8.04.010 Garbage Regulation

A. DEFINITIONS

1. "Garbage" means waste from the preparation, handling, storing, cooking or consumption of food and food products.
2. "Residential garbage" refers to garbage produced in places of private residence and dining halls not open to the public.
3. "Commercial garbage" refers to garbage produced in commercial establishments, public or quasi-public institutions or establishments, including restaurants, hotels, motels and similar establishments.
4. "Refuse" means all waste matter, except garbage, attending or resulting from the occupancy of residences, apartments, hotels, or other places of dwelling and from the operation of a business. Refuse shall not be deemed to include industrial waste or waste matter resulting from the construction, demolition or repair of a building or other structure.
5. "Community waste" means lawn cuttings, clippings from bushes and shrubs, leaves and trees and tree branches.

6. "Container" or "regulation container" means a type of garbage or trash container of galvanized metal or other approved material and having a tight-fitting lid or properly and sufficiently treated weather resistant bag manufactured specifically for use in garbage and refuse collection.

B. COLLECTION OF GARBAGE

1. The municipality or its agent shall collect, remove and dispose of all residential, commercial garbage the removal of which is not otherwise provided for by the establishment or institution as herein provided. All garbage and refuse shall be collected, removed and disposed of with such frequency and in such manner as the City Council may from time to time establish by regulation.
2. Except as otherwise expressly permitted by this section, no garbage or refuse shall be moved or hauled away or transported upon the streets or public ways of the municipality except by the municipality or its agent and except by authorized persons hauling commercial garbage or refuse as hereinafter provided. It is hereby declared to be unlawful for any person, except as permitted in this section, to haul or remove garbage or refuse in the municipality.
3. Commercial establishments, public or quasi-public, institutions and establishments creating commercial garbage, may remove commercial garbage themselves or may employ the services of authorized contractors to remove commercial garbage. Authorized garbage haulers must apply for and receive permission to do so from the ~~recorder~~ treasurer or designee. Haulage of refuse must be done in the manner, at such times and in such vehicles as may be approved for such purposes as the City Council may from time to time by regulation provide.
4. Nothing contained in this Part shall preclude persons from hauling their own garbage, trash or community waste over the streets and alleys of the municipality as the municipality as the City Council may authorize.
5. Nothing in this Part shall be construed as eliminating the charge made for garbage service.

C. SERVICE CHARGE

1. All residents and all business establishments within the municipality shall pay the municipality the following garbage service charges as may be established from time to time by resolution of the City Council.
2. Charges shall apply to all residences and business establishments whether or not they have also elected to haul their own garbage or employee the services of authorized garbage haulers.
3. If a dwelling unit of a place of business has remained vacant for an entire month, the owner or possessor for the site may ~~be~~ make arrangements with the ~~recorder~~ treasurer or designee for no garbage collection chargers during the continued vacancy of the premises.
4. The mayor, with the consent of the City Council, may excuse needy widows and elderly persons who are not reasonably capable of paying the monthly charge for residential collection of garbage from the payment of the residential

rate for such period of time as may be deemed proper or necessary.

D. METHOD OF PAYMENT OF SERVICE CHARGES

1. The garbage service charges above imposed by this section shall be added to the charge made for water furnished through the water system of the municipality and shall be billed and collected in the same manner as water service charges are billed and collected.
2. In the event that the obligee for the water service charges and the obligee for the garbage service charges do not coincide, or in the event that practical economic and administrative reasons do not make combined billing and collection feasible in the opinion of the City Council, the garbage service charges may be collected with such frequency and in such manner as the City Council shall by regulation provide.

E. NO ACCUMULATION OF GARBAGE. It shall be unlawful for any person to accumulate garbage or refuse or cause garbage or refuse to be deposited upon any street or alley or upon any premises in the municipality without express permission from the municipal health officer. The health officer may permit the feeding or processing of garbage or refuse upon premises properly equipped and maintained so as to prevent the creation of a nuisance or a hazard to health, or permit the depositing of ashes and other dry material for filling purposes at such places as the health officer may designate and under such restrictions as the City Council may by regulation impose. Additionally, the health officer may grant to any person permission for sorting, bailing, and marketing trade waste upon premises properly equipped and maintained.

F. CONTAINERS

1. All garbage and refuse shall be placed in suitable and sufficient garbage receptacles, as specified by the municipality's collection contractor.

G. CLOSING OF GARBAGE CONTAINERS REQUIRED. All garbage and market waste must be placed in rainproof and flyproof receptacles of the type herein required, and the receptacle shall be tightly closed in such manner as to prevent offensive odors or flies.

H. TIME AND PLACE OF PICKUP

1. All garbage and refuse subject to garbage collection by the municipality shall be placed at a pickup point at or near the premises designated from time to time by regulations adopted by the City Council and at such time or times as shall be designated by regulations of the City Council.
2. Until otherwise provided by regulation, garbage and refuse must not be set out upon the street for collection prior to the evening of the day before collection and must be set out on the day of collection before the hour of collection designated by regulations of the City Council.
3. All empty receptacles must be removed from the street as soon as practicable after being emptied, and in every case, must be removed from the street the same day they are emptied. Receptacles shall not be permitted to remain on any street longer than may be necessary for the removal of the contents.

I. DISPOSAL OF COMMUNITY WASTE

1. Community waste may be disposed of by residents and business establishments in vehicles provided by them subject to regulation by the City

Council as to the places of disposal and as to the type of vehicle used to avoid spillage upon the public ways of the municipality, hazards to safety and the prevention of nuisances.

2. The City Council from time to time may provide for the collection and disposal of such types of community waste as it may decide to collect and haul in connection with its regular garbage, waste collection and disposal service. In the event community waste disposal service should require a charge to be made by the municipality, the determination of the charge will be made by negotiation with the residents or business enterprises and the residents or business enterprises will be given an opportunity to choose from among services offered by persons other than the municipality.
- J. BURNING OF REFUSE PROHIBITED. It shall be unlawful for any person to burn garbage, market waste, manure or other refuse in the open air or in any furnace or stove within the municipality.
- K. DUMPING REFUSE PROHIBITED. It shall be unlawful for any person to place, deposit, or dump garbage, ashes, market waste, paper boxes, cartons, trade waste, manure or night soil, or any other refuse upon any lot within the municipality whether such lot is occupied or vacant and whether such person so placing, depositing or dumping such refuse is the owner, tenant, occupant or lessor thereof or has the same under his jurisdiction and control.
- L. LIMITATIONS UPON DUMPING. Dumping waste and garbage shall be permitted only in such places as are designated by the City Council. Dumping shall be subject to such rules and regulations as may be formulated by the City Council.
- M. REGULATIONS. The City Council may adopt such regulations as in its opinion are necessary to implement this section and its objectives.

SECTION 11: **AMENDMENT** “8.04.020 Litter; Handbills” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

8.04.020 Litter; Handbills

- A. DEFINITIONS. For the purposes of this section:
 1. "Authorized receptacle" is a public or private litter storage and collection receptacle.
 2. "Commercial handbill" is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter or literature:
 - a. Which advertises for sale any merchandise, product, commodity, or thing;
 - b. Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or

- indirectly promoting the interest in sales thereof;
- c. Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit. However, the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order, provided that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind without a license, where such license is or may be required by any law of this state, or under any ordinance of this municipality; or
 - d. Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distribution.
- 3. "Garbage" means waste from the preparation, cooking, or consumption of food, condemned food products and all refuse and waste from the handling, storage, preparation and sale of produce. Garbage originates primarily in kitchens, stores, markets, restaurants, hotels and other places where food is handled, stored, sold, cooked or consumed.
 - 4. "Litter" is "garbage", "refuse," and "rubbish" as defined herein and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety, welfare or appearance of the municipality.
 - 5. "Newspaper" is any newspaper of general or local circulation or any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.
 - 6. "Non-Commercial Handbill" is any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of a commercial handbill or newspaper.
 - 7. "Park" is a park, reservation, playground, beach, recreation center or any other public area in the municipality, owned or used by the municipality.
 - 8. "Refuse" is all putrescible and non-putrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, and solid market and industrial wastes.
 - 9. "Rubbish" is non-putrescible solid wastes consisting of both combustible and non-combustible wastes, such as paper, wrapping, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

10. "Vehicle" is every device in, on, or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively on stationary rails or tracks.
- B. LITTER IN PUBLIC PLACES. No person shall throw or deposit litter in or on any street, sidewalk or other public place except:
1. In authorized receptacles for collection or in official municipal garbage dumps, or
 2. For collection as authorized by the City Council.
- C. PLACEMENT OF LITTER IN RECEPTACLES SO AS TO PREVENT SCATTERING. Persons placing litter in authorized receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements on any street, sidewalk or other public place or on private property.
- D. SWEEPING LITTER INTO GUTTERS PROHIBITED EXCEPT AS OTHERWISE AUTHORIZED BY THE CITY COUNCIL. No person shall sweep into or deposit in any gutter, street or other public place the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.
- E. MERCHANTS' DUTY TO KEEP SIDEWALKS FREE OF LITTER. No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business shall keep the sidewalk in front of their business premises free of litter.
- F. LITTER THROWN BY PERSONS IN VEHICLES. No person, while a driver or passenger in a vehicle, shall throw or deposit litter on any street or other public place, or on private property.
- G. TRUCK LOADS CAUSING LITTER. No person shall drive or move any truck or other vehicle unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited on any street, alley or other public place. Nor shall any person drive or move any vehicle or truck, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.
- H. LITTER IN PARKS. No person shall throw or deposit litter in any park except in authorized receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements on any part of the park or on any street or other public place. Where authorized receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.
- I. LITTER IN LAKES AND FOUNTAINS. No person shall throw or deposit litter in any fountain, pond, lake, stream, bay or any other body of water in a park or elsewhere.
- J. THROWING OR DISTRIBUTING COMMERCIAL HANDBILLS IN PUBLIC PLACES. No person shall throw or deposit any commercial or non-commercial handbill in or on any sidewalk, street or other public place. Unless otherwise authorized by the City Council, it is an infraction for any person to hand out, distribute

or sell any commercial handbill in any public place, provided, however, that it shall not be unlawful on any sidewalk, street, or other public place for any person to hand out or distribute, without charge to the receiver thereof, any non-commercial handbill to any person willing to accept it.

- K. PLACING COMMERCIAL AND NON-COMMERCIAL HANDBILLS ON VEHICLES. Unless otherwise authorized by the City Council, no person shall throw or deposit any commercial or non-commercial handbill in or on any vehicle, provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute without charge to the receiver thereof a non-commercial handbill to any occupant of a vehicle who is willing to accept it.
- L. DEPOSITING COMMERCIAL AND NONCOMMERCIAL HANDBILLS ON UNINHABITED OR VACANT PREMISES. No person shall throw or deposit any commercial or non-commercial handbill in or on any private premises which are temporarily or continuously uninhabited or vacant.
- M. PROHIBITING DISTRIBUTION OF HANDBILLS WHERE PROPERLY POSTED. No person shall throw, deposit or distribute any commercial or non-commercial handbill on any private premises, if requested by anyone thereon not to do so or if there is placed on said premises in a conspicuous position near the entrance thereof a sign bearing the words: "No Trespassing," "No Peddlers or Agents," "No Advertisement," or any similar notice, indicating in any manner that the occupants of the premises do not desire to be molested or have their right of privacy disturbed or to have any such handbills left on such premises.
- N. DISTRIBUTING COMMERCIAL AND NONCOMMERCIAL HANDBILLS AT INHABITED PRIVATE PREMISES. No person shall throw, deposit or distribute any commercial or non-commercial handbill in or on private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or other person then present in or on such private premises. However, in case of inhabited private premises which are not posted, as provided in this section, such person, unless requested by anyone on such premises not to do so, may place or deposit any such handbill in or on such inhabited private premises if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets, or other public places, and except that mailboxes may not be so used when prohibited by federal postal law or regulations.
- O. EXEMPTION FOR MAIL AND NEWSPAPERS. The provisions of this section shall not apply to the distribution of mail by the United States, nor to newspapers except that newspapers shall be placed on private property in such a manner so as to prevent their being carried or deposited by the elements on any street, sidewalk, or other public place or on private property.
- P. POSTING NOTICE PROHIBITED. No person shall post or affix any notice, poster or other paper or device, calculated to attract the attention of the public, to any lamp post, public utility pole or shade tree, or on any public structure or building, except as may be authorized or required by law.
- Q. LITTER ON OCCUPIED PRIVATE PROPERTY. No person shall throw or deposit litter on any occupied private property, whether owned by such person or not, except

that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements on any street, sidewalk or other public place or on any private property.

R. LITTER ON VACANT LOTS. No person shall throw or deposit litter on any open or vacant private property whether or not owned by such person.

S. HANDBILLS AND POSTERS

1. No person or business shall post, stick, stamp, paint or otherwise fix, or cause the same to be done by any person, any notice, placard, bill, card, poster, advertisement or other paper or device calculated to attract the attention of the public, ~~or~~ upon any sidewalk, curb, or any other portion or part of any public way or public place or any lamp post, electric light, telegraph, telephone or railway structure, hydrant, shade tree or tree-box, or upon the columns, trusses, girders, railings, gates or other parts of any bridge or other public structure or building, or upon any pole, box or fixture of the fire alarm or police telegraph system, except such as may be authorized or required by the laws of the United States, or state, and the ordinances of this municipality.
2. It shall be unlawful to distribute indiscriminately to the public by leaving at houses or residences in the municipality any cards, circulars, handbills, samples of merchandise, or any advertising matter whatsoever without having first secured a permit therefor. This Part shall not be construed to apply to the sale of articles by licensed peddlers. Nothing in this section shall be construed to prohibit the following:
 - a. Materials distributed by or on behalf of government agencies or public utilities, which serve a public purpose or disseminate official information.
 - b. Materials distributed by political candidates or their authorized representatives during election campaigns, provided that such distribution complies with applicable state and federal laws.
 - c. Materials distributed in connection with peaceful and lawful public assemblies, gathering, demonstrations, or events authorized by the city.
3. Applications for such permit shall be made to the ~~reorder~~business license administrator and shall contain a statement of the nature of the article, cards or advertisement to be distributed, the name of the applicant and the name of the manufacturer or distributor of such article or service advertised.
4. Licenses shall be issued only to persons of good character. The chief of police shall make or cause to be made an investigation in to the character of each applicant and shall report the results thereof to the ~~reorder~~business license administrator before any such license is issued.

SECTION 12: **AMENDMENT** “8.08.040 Dangerous Buildings” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

8.08.040 Dangerous Buildings

- A. **ADOPTION OF A CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS.** The "Uniform Code for the Abatement of Dangerous Buildings," 1985 Edition as amended, printed as a code in book form by the International Conference of Building Officials (providing for a just, equitable and practicable method whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants, may be required to be repaired, vacated, or demolished), ~~a three-copy~~ ies of which ~~have~~ has been filed for use and examination by the public in the office of the ~~recorder~~ building official of this municipality, is hereby approved and adopted as the Abatement of Dangerous Buildings Code of this municipality.
- B. **APPLICATION.** The provisions of the Abatement of Dangerous Buildings Code shall apply to all dangerous buildings as therein defined, which now exist or which may exist or hereafter be constructed in this municipality.
- C. **ALTERATIONS, ADDITIONS AND REPAIRS.** All buildings or structures which are required to be repaired under the provisions of the Abatement of Dangerous Buildings Code shall be subject to the provisions of subsections (a), (b), (c), (d), (e), and (i) of Section 104 of the Uniform Building Code.
- D. **ABATEMENT OF DANGEROUS BUILDINGS.** All buildings or portions thereof which are determined after inspection by the building official to be dangerous, as defined in the Abatement of Dangerous Building Code, are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with procedures specified in section 401 of the Abatement of Dangerous Buildings Code.
- E. **ESTABLISHMENT OF A BOARD OF APPEALS** In order to interpret provisions of the Abatement of Dangerous Buildings Code and to hear appeals provided for thereunder, there is hereby established an abatement of dangerous building board of appeals consisting of five members who shall not be employees of the municipality. The building official shall be an ~~ex-official~~ real member of and shall act as secretary to the board. The board may adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the applicant with a copy to the building official. Appeals to the board shall be processed in accordance with the provisions contained in the adopted codes. Copies of all rules and regulations adopted by the board shall be delivered to the building official who shall make them accessible to the public without cost.
- F. **DANGEROUS BUILDINGS — NUISANCES.** All dangerous buildings within the terms of this section are hereby declared to be public nuisances and shall be vacated or

demolished as hereinbefore and hereinafter provided.

SECTION 13: **AMENDMENT** “8.20.020 Commencement Of Offensive Business” of the Vineyard Municipal Code is hereby *amended* as follows:

AMENDMENT

8.20.020 Commencement Of Offensive Business

- A. No person shall commence or change the location of any offensive business or establishment in or within one mile of the limits of this municipality without first filing an application for a permit to do so with the ~~recorder~~ business license administrator.
- B. Offensive businesses, within the meaning of this Chapter, shall include but not be limited to, packing houses, dairies, tanneries, canneries, renderies, junk or salvage yards, bone factories, slaughter-houses, butcher shops, soap factories, foundries, breweries, distilleries, livery stables, blacksmith shops, or any other enterprise or establishment which creates excessive odors, fumes, smoke, gases, or noises.
- C. The application for a permit shall specify the location at which the business or establishment is to be operated and maintained or the new location to which it is to be moved. The application shall describe the type of activity which will be conducted and describe the manner in which the business or establishment shall eliminate, control or modify the emission by the business of the undesirable odors, fumes, noises, and other noisome features and the manner in which it shall be screened from public view, if it appearance is offensive.

SECTION 14: **AMENDMENT** “8.20.030 Issuance Of Permits” of the Vineyard Municipal Code is hereby *amended* as follows:

AMENDMENT

8.20.030 Issuance Of Permits

- A. The ~~recorder~~ business license administrator shall cause a study to be made of the proposed business or relocation of any offensive business or establishment by the board of health and by personnel engaged in the inspection of buildings and other facilities. A report and recommendation shall be made to the City Council. The City Council, after review, may grant ~~to~~ the applicant an opportunity to be heard and present additional facts. Thereafter the City Council may:
 - 1. Deny the application.
 - 2. Recommend a modification thereof.

3. Grant a limited permit to enter into the business or make the change of location subject to the requirement that the business facility conform to standards established by the City Council with reference to controlling the offensive features of the business.
- B. In the event a permit is granted, it shall be subject to revocation either upon failure of the operator or owner to conduct his business in the manner specified by the City Council at the time of granting of the permit, or because a change of circumstances makes the continued operation or maintenance of the business or facility a public nuisance.
- C. The City Council shall have power to revoke or modify the permission to operate and maintain the business in such a manner as it deems necessary for the public good.

SECTION 15: **AMENDMENT** “10.06.020 Permit Required; Supervision” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

10.06.020 Permit Required; Supervision

- A. No person, either as owner, agent, servant, contractor, or employee, shall construct any permanent sidewalk without first obtaining from the ~~recorder~~ Engineering Office a permit so to do. The permit shall specify that the sidewalk be constructed of cement, the character and quality of the cement, the consistent parts of the mixture, and the thickness of the walk.
- B. It shall be unlawful to construct a sidewalk in violation of the specifications given by a proper municipal official.
- C. All sidewalks shall be constructed under the inspection of the superintendent of streets or his duly authorized representative.

SECTION 16: **AMENDMENT** “10.06.030 Construction Of Driveways Or Changes Of Construction” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

10.06.030 Construction Of Driveways Or Changes Of Construction

It shall be unlawful for any person to construct a driveway across a sidewalk, or cut or change the construction of sidewalk, curb, or gutter without first making written application and obtaining from the ~~recorder~~ Engineering Office a permit to do so. The acceptance of such permit shall be deemed an agreement on the part of such person to construct said driveway in accordance with specifications furnished by the municipality.

SECTION 17: **AMENDMENT** “10.12.140 Inspection And Acceptance” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

10.12.140 Inspection And Acceptance

- A. In order to ensure proper backfill and restoration of surface, the permittee shall deposit a surety bond or cash deposit with the ~~reecorder~~city, payable to the municipality, except that a public utility operating or using any of the streets under a franchise from the municipality will not be required to furnish such bond, providing such franchise obligates the holder thereof to restore the streets and to hold the municipality harmless in the event of any injury to any person or damage to any property due to negligence of such holder in conducting excavation and restoration operations under such franchise. The required surety bond must be:
1. With good and sufficient surety.
 2. By a surety company authorized to transact business in the state.
 3. Satisfactory to the municipal attorney in form and substance.
 4. Conditioned upon the permittee's compliance with this chapter in order to secure and hold the municipality and its officers harmless against any and all claims, judgments, or other costs arising from the excavation and other work covered by the excavation permit or for which the municipality, the City Council or any municipal officer may be made liable by reason of any accident or injury to any person or property through the fault of the permittee arising out of failure to properly guard the excavation or for any other negligence of the permittee.
 5. Conditioned to fill up, restore and place in good and safe condition, as near as may be to its original condition, and to the satisfaction of the municipality, all openings and excavations made in streets, and to maintain any street where excavation is made in as good condition for the period of 24 months after the work shall be done, usual wear and tear excepted, as it was before the work shall have been done.
- B. The amount of the surety bond or cash deposit shall be established by resolution and may be changed from time to time, but until such resolution is passed the amount of the surety or cash deposit shall be \$1000.00 and \$50.00 for each foot of street the permittee shall excavate.

SECTION 18: **AMENDMENT** “10.12.150 Application For Street Excavation Permit” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

10.12.150 Application For Street Excavation Permit

It shall be unlawful for any person to break, excavate, tunnel, undermine, or in any manner affect the surface or base of any street or to place, deposit or leave upon any street any earth or any other excavated material obstructing or tending to interfere with the free use of the street, unless such persons shall first have obtained an excavation permit therefor from the ~~recorder~~ Engineering Office. Any public utility regulated by the state of Utah or holding a franchise from the municipality which in the pursuit of its calling has frequent occasion to open or make excavations in streets, may, upon application, receive a general permit from the municipality to cover all excavations such utilities may make within the streets of the municipality. All permits shall be subject to revocation and the municipality may refuse to issue a permit for failure of the permittee or applicant to abide by the terms and conditions of this chapter. Excavation permits will not be requested prior to excavation in case of emergency endangering life or property, providing the municipality is notified as soon as practicable and a permit is applied for upon the next regular working day following the emergency.

SECTION 19: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 20: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 21: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from July 26, 2023 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Amber Rasmussen	_____	_____	_____	_____
Mardi Sifuentes	_____	_____	_____	_____
Cristy Welsh	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder,
Vineyard



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: July 26th, 2023

Agenda Item: 6.4 Ratify Amendment to Homesteads Impact Fee Agreement

Department: City Manager

Presenter: Ezra Nair

Background/Discussion:

As we've prepared for our bond sales, we had a question arise from one of our rating agencies about the subordination of the Homesteads Impact Fee Agreement to this or any other bonds we issue. Since the original agreement was silent on this issue, we needed to ensure it was clarified that this reimbursement payment would be subordinate to bond payments i.e. if for some reason the city didn't have enough money to pay both bond payments and these reimbursements, we'd make our bond payments first. This will help the marketability of the bonds and ensure we get the best interest rate.

Since we don't anticipate using impact fees for debt servicing on these bonds, this isn't a huge operational issue, but investors appreciate that type of security.

Fiscal Impact:

Negligible

Recommendation & Additional Options:

Recommendation:

Staff recommends the City Council ratify the amendment to the agreement as presented.

Sample Motion:

I move to ratify the authorization of the Amendment to Impact Fee Agreement as presented.

AMENDMENT TO IMPACT FEE REIMBURSEMENT AGREEMENT

This AMENDMENT TO IMPACT FEE REIMBURSEMENT AGREEMENT ("Amendment") is made and entered into this 19 day of July, 2023 ("Effective Date"), by and between VINEYARD CITY, a municipal corporation organized and existing under the laws of the State of Utah ("City"), and SPT REIMBURSEMENTS, LLC, a Utah limited liability company, whose address is 2264 Williamsburg Circle, West Jordan, Utah 84088, Attn: Glen R. Pettit ("SPT"). The City and SPT are hereinafter referred to individually as a "Party" and collectively as the "Parties."

WHEREAS, the City and Vineyard Reimbursements LLC previously entered into an Impact Fee Reimbursement Agreement dated July 11, 2012 ("Original Agreement"), pursuant to which the City agreed to make future payments to Vineyard Reimbursements from roadway, water, and sewer impact fees collected when property in certain service areas within the City is developed; and

WHEREAS, Vineyard Reimbursements LLC subsequently assigned its interest in the Original Agreement to SPT; and

WHEREAS, the parties desire to amend the Original Agreement to clarify the priority or subordination of the obligation to use impact fees for reimbursement to Vineyard Reimbursements in relation to any and all bond obligations issued by the City and secured by future roadway, water, and sewer impact fees.

NOW, THEREFORE, in consideration of the mutual promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

A. Amendment to Original Agreement

1.1 Section 28 - Priority of Obligations

The Original Agreement is hereby amended to include a new Section 28 titled "Priority of Obligations" as follows:

"28. Priority of Obligations

Notwithstanding any other provision in this Agreement, it is hereby clarified and agreed that the obligation of the City to use impact fees collected for reimbursement to Vineyard Reimbursements under this Agreement shall be subordinate to any and all bond obligations issued by the City and secured by future roadway, water, and sewer impact fees. Notwithstanding the foregoing, nothing herein shall modify the payment requirements under the Agreement unless there are insufficient funds being collected to pay required bond obligations, in which case, the bond obligations shall take priority."

1.2 Renumbering of Sections

The existing sections of the Original Agreement shall be renumbered accordingly to maintain sequential order.

B. No Other Amendments

Except as expressly provided in this Amendment, all other terms and conditions of the Original Agreement shall remain in full force and effect.

C. Governing Law

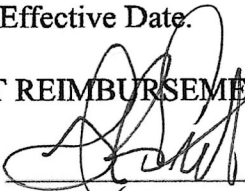
This Amendment shall be governed by and construed in accordance with the laws of the State of Utah.

D. Counterparts and Electronic Signatures

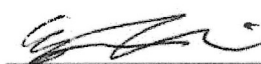
This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Amendment may be executed by facsimile, PDF, or other electronic signature, which shall be considered as an original signature for all purposes.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the Effective Date.

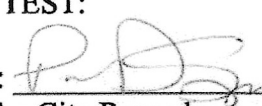
SPT REIMBURSEMENTS, LLC:

By: 
Title: managing member
Date: 7/20/23

CITY OF VINEYARD:

By: 
Title: City Manager
Date: 7/19/23

ATTEST:

By: 
Title: City Recorder
Date: 7/17/2023

APPROVED AS TO FORM:

By: Jayme L. Blakesley
Title: City Attorney
Date: 07/19/2023

Title	2023-07-14 AMENDMENT TO IMPACT FEE REIMBURSEMENT AGREEMEN
File name	2023-07-14 AMENDM...18dma redline.pdf
Document ID	d452b56844771315374733d70f69e507d3aef964
Audit trail date format	MM / DD / YYYY
Status	● Signed

Document History



SENT

07 / 19 / 2023

18:31:16 UTC-5

Sent for signature to Jayme Blakesley
(jblakesley@hgblaw.net) from vineyard.utah@gmail.com
IP: 204.98.228.130



VIEWED

07 / 19 / 2023

18:40:47 UTC-5

Viewed by Jayme Blakesley (jblakesley@hgblaw.net)
IP: 166.205.97.30



SIGNED

07 / 19 / 2023

18:42:05 UTC-5

Signed by Jayme Blakesley (jblakesley@hgblaw.net)
IP: 166.205.97.30



COMPLETED

07 / 19 / 2023

18:42:05 UTC-5

The document has been completed.



Community Development

Date: July 26, 2023
From: Cache Hancey, Planner & Business Advocate
To: City Council
Item: 9.1 Zoning Text Amendment:
15.38.030 Parking Requirements
Applicant: Karla Mata, X Development

BACKGROUND

The proposed ordinance provides a modification to the Off-street Parking Requirements for Non-Residential Uses- Hotels or Motels. The current code requires the following parking standards for this type of use:

- One (1) space per room
- One (1) space per one hundred (100) sq/ft of restaurant and bar serving area
- One (1) space per one hundred (100) sq/ft of outdoor seating serving area
- Ten (10) minimum spaces for visitors parking
- One (1) space per two hundred (200) sq/ft of meeting room floor area

The zoning text amendment would strike the required additional ten (10) minimum spaces for visitor parking.

Analysis

City staff has analyzed surrounding city zoning regulations for hotel use parking and have found that our current code is more stringent than most. A table has been provided to show the surrounding area's requirements.

Planning Commission Recommendation

On July 19, 2023, the Vineyard City Planning Commission voted in favor of a positive recommendation to the City Council with no conditions.

ATTACHMENTS

- Proposed zoning text amendment.
- Hotel Off-Street Parking Requirements Benchmarking Table

City	Summary	Code
Vineyard	1 stall per room, 10 guest stalls, restaurant, outdoor seating, meeting room floor area extra	One (1) space per room, plus one (1) space per one hundred (100) sq. ft. of restaurant and bar serving area, plus one (1) space per one hundred (100) sq. ft. of outdoor seating serving area, plus ten (10) minimum spaces for visitors parking, plus one (1) space per two hundred (200) sq. ft. of meeting room floor area.
Orem	1 stall per room.	One stall per room
Pleasant Grove	1 stall per room.	1 per living or sleeping unit
Lehi	1 stall per room + 1 stall per employee	1 stall for each sleeping unit plus 1 space for each employee during regular working hours.
Spanish Fork	1 stall per room + 1 stall per 200sq/ft restaurant	1:room; 1:200 sq. feet
American Fork	1 stall per room, 10 per 1000 restaurant, 30 per 1000 meeting room	1.25 per guest room, plus 10 per ksf restaurant lounge, plus 30 per ksf meeting/banquet room (<50 ksf per guest room) or 20 per ksf meeting/banquet room (>50 ksf per guest room)
Salt Lake City	1 stall per 2 rooms	1 stall per 2 rooms
South Salt Lake	1 stall per room + 1 stall per 200 sqft of office, meeting, etc	1 stall per unit plus 1 stall per 200 square feet of office, meeting, assembly, conference or banquet stall
Draper	1 stall per room	1 stall per room
Sandy	1 stall per room + 1 stall per 200 sqft of office, meeting, etc	1 space per rental unit, 1 space for each 200 sq. ft. of assembly, conference space, banquet, sit-down restaurant facility and office space
Eagle Mountain	1 stall per bed	1 stall per bed
Saratoga Springs	1 stall per room + 1 stall per employee	1 stall per bedroom, plus 1 stall per employee at the highest staffing level. If hotel contains a restaurant, restaurant parking shall be calculated separately based on the restaurant square footage.
Springville	1 stall per room + 2 additional	One (1) space per room + two (2).

**VINEYARD
ORDINANCE 2023-26**

HOTEL AND MOTEL PARKING MODIFICATIONS

**AN ORDINANCE OF THE CITY OF VINEYARD UTAH TO MAKE
AMENDMENTS TO THE ZONING CODE TO REGULATE THE REQUIRED
NUMBER OF OFF-STREET PARKING FOR HOTEL AND MOTEL USE . THIS
ORDINANCE REMOVES THE REQUIREMENT FOR TEN (10) MINIMUM
SPACES FOR VISITOR PARKING**

WHEREAS, in compliance with the Utah State Municipal Land Use, Development, and Management Act (LUDMA), the City established an amendment to the Vineyard Zoning Code Section 15.38.040 Off-street Parking Requirements

WHEREAS, the Vineyard City Zoning Code Amendment removes the requirement for ten (10) minimum spaces for visitor parking for hotel and motel uses

WHEREAS, the Planning Commission held a public hearing on July 19, 2023 and after fully considering public comment and staff recommendation, recommended approval to the City Council, and,

WHEREAS, the City Council reviewed the amended language within the Vineyard Zoning Code Amendment and held a public hearing on July 26, 2023, and after fully considering public comment, staff and Planning Commissions' recommendations,

NOW THEREFORE, be it ordained by the Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: AMENDMENT "15.38.030 Parking Requirements" of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.38.030 Parking Requirements

1. Off-street parking spaces shall be provided according to the following provisions and standards.

a. General Provisions

- i. **Floor Area.** The term "floor area" for the purpose of calculating the number of required parking spaces shall be the "Gross Floor Area" of the structures plus defined exterior use areas except as may be provided or modified herein.

- b. **Change of Use or Occupancy of Buildings.** Off-street parking and loading spaces as required herein shall be provided at the time of any new uses of land or construction of a new building. Any change of use or occupancy of any building or buildings, including additions thereto, requiring more parking shall not be permitted until such additional parking spaces as required by this Section are provided.

- c. **Parking for a Residential Use.** Off-street parking facilities for residential uses shall be utilized solely for the parking of licensed and operable passenger vehicles owned by the occupants of the residence or the parking of passenger automobiles by guests of said occupants.

d. Accessible Parking

- i. Accessible parking for non-residential developments shall be provided in conformance with the Americans with Disabilities Act (ADA), Utah Americans with Disabilities Act (Utah ADA) and International Building Code (IBC) as amended.
- ii. Accessible parking for multiple-family residential developments shall be provided in conformance with the Americans with Disabilities Act (ADA), Federal Fair Housing Act (FFHA) and International Building Code (IBC) as amended.

- e. **Parking Stall Dimensions.** The following shall be the minimum parking stall size:

Type	Width	Length*
Standard	9 Feet	20 Feet
Parallel	8 Feet	24 Feet

* The front of the parking space may overhang two (2) feet into a landscape strip or pedestrian walkway, however, any parking spaces protruding over a pedestrian walkway shall maintain at least a four (4) foot wide clearance for pedestrian access (a total of six (6) feet from the curb face to the opposite edge of the walkway).

- f. **Parking Aisle Dimensions.** The following shall be the minimum parking aisle width:

Parking Angle	One-Way Aisle	Two-Way Aisle
90 degree	24 Feet	24 Feet
60 degree	18 Feet	22 Feet
45 degree	18 Feet	20 Feet
30 degree	18 Feet	20 Feet

- g. **Parking Lots.** Parking lots shall be designed in groupings no larger than two hundred (200) spaces. Larger lots shall be divided by buildings, plazas, or significant landscaped areas oriented for pedestrian use.

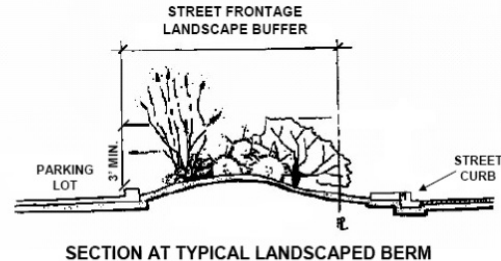
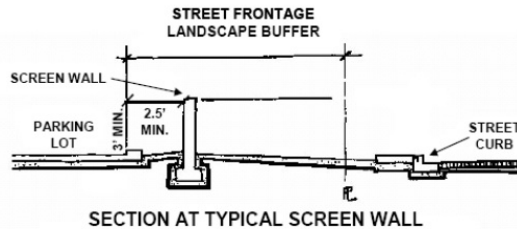
- h. **Within Structures.** The off street parking requirements may be furnished by providing spaces designed within the principle building or a parking structure. However, no building permit shall be used to convert said parking structures into a dwelling unit, living area, or other activity until other adequate provisions are made to comply with the required off-street parking provisions of this Section.

- i. **Circulation Between Bays.** Parking areas shall be designed so that circulation between parking bays occur within the designated parking lot and does not depend upon a public street or alley. Parking area designs which require backing into a public street are prohibited except one, two or three-family dwellings.

- j. **Surfacing.** All areas intended to be utilized for parking space, access aisles, and driveways shall be paved with concrete or asphalt to control dust and drainage. Areas for outdoor storage of material and equipment may be covered with decomposed granite to provide a dust-free surface. Such area shall not be considered as part of a required landscape area.

- k. **Striping.** Except for one, two and three-family dwellings, all parking stalls shall be marked with painted lines not less than four inches (4") wide.

- l. **Lighting.** Parking lots used during hours of darkness shall be illuminated. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light down and/or away from adjoining property, abutting residential uses and public right-of-ways and shall be a maximum of twenty (20) feet in height above the surface of the parking lot for non-residential uses and sixteen (16) feet for residential uses.
- m. **Protruding Vehicles.** All on-site parking stalls shall be designed and constructed so that parked vehicles shall not protrude over a property line.
- n. **Screening.** All off-street parking lots of four (4) or more spaces shall be screened from the street view and adjacent residential districts by a landscaped berm, decorative wall, vertical landscaping, or combination thereof at least three (3) feet high, as measured at finished grade adjacent to the parking area to be screened. All walls or berms shall be installed a minimum of two and one-half (2.5) feet back from the edge of the parking stall.



o. Parking Area Landscaping

- i. Five percent (5%) of the gross parking surface area shall be of dispersed interior landscaping, designed so as to reduce the "heat island" effect and to enhance the aesthetics of a parking area. A development with single drive aisle between a building and property boundary may include the required landscaping on the perimeter of the drive aisle toward this requirement. The following are acceptable interior landscaping designs:
 - (1) Five (5) feet by five (5) feet tree diamonds placed not more than six (6) parking spaces apart and located at the intersection of parking stalls. Tree diamonds shall be used only with ninety (90) degree parking spaces.
 - (2) Minimum five (5) feet wide landscape medians with trees planted forty (40) feet apart;
 - (3) Minimum five (5) feet wide landscape islands and peninsulas with at least one (1) tree;
 - (4) Other similar designs that disperse landscaping throughout a parking area, to be determined by the Planning Commission.
- ii. Parking areas should be buffered from adjacent residential property and screened from streets so automobiles are not visible below the average headlight height. Screening methods may include landscaped berms, low walls, and hedges.
- iii. Access drives, internal circulation drives, parking areas, and pedestrian walkways shall be designed to provide safety and convenience for both motorists and pedestrians and to ensure access for the physically disabled. Areas where pedestrian walkways cross driveways shall be constructed of stamped and/or raised concrete, or of other material and design so as to differentiate the area as a pedestrian/vehicle interface.
- iv. In projects greater than 1 acre, every parking space should be no greater than one hundred fifty (150) feet from a walkway leading to a building entrance.
- v. Joint use of parking is encouraged in order to reduce trips. Access to, and the location of, new parking areas should relate to adopted area plans, planned parking in the area, or to existing area parking schemes. The Planning Commission may increase or reduce the minimum required number of parking spaces required based on city approved parking studies.
- vi. The number of curb cuts (street accesses) should be minimized and pedestrian access enhanced.
- vii. Site lighting should be aesthetically attractive, of pedestrian scale, and provide pedestrians with a sense of security.
- viii. All sites shall meet the requirements of the Americans with Disabilities Act ("ADA").
- ix. Parking lot design shall consider development on adjacent sites. The City may require cross access connections/easements to improve traffic circulation and to enhance public safety.
- x. Traffic circulation patterns should direct commercial traffic onto arterial streets and not local/neighborhood streets. Multiple-family residential traffic should be directed onto collector streets. The City may deny access onto a local/residential street if access to a collector or arterial street is available.
- xi. A site plan shall be designed to separate pedestrian and vehicular traffic to the extent possible.

p. Maintenance

- i. It shall be the joint and separate responsibility of the owner and/or lessee of the principal use, uses or building to maintain in a neat and adequate manner, the parking space, access ways, striping, landscaping, and required fences or screening.
- ii. Shrubs within a landscape island shall be maintained to a maximum height of three (3) feet, and all trees at maturity within such planters shall maintain a minimum clearance of six (6) feet from the lowest branch to the adjacent grade elevation.

q. **Use of Required Parking Areas for Parking Only.** Required off-street parking spaces in any district shall not be utilized for open storage, sale or rental of goods, or storage of inoperable vehicles, except when permitted as a Temporary Use.

r. **Signs.** No sign shall be so located as to restrict the sight lines and orderly operation and traffic movement within any parking area.

s. Parking Canopies, Non-Residential and Multi-Family Residential Land Uses

- i. Covered parking canopies may be located within the required side and rear building setbacks provided the structure drains onto the property on which it is located.
- ii. Covered parking canopies may encroach into required side and rear building setbacks, but may not encroach into required landscaped buffers.
- iii. Height of such structures shall be limited to 10'.
- iv. All canopies shall include a fascia.
- v. Setbacks are measured from property line to nearest edge of canopy.
- vi. All required landscaping, parking or otherwise, shall be provided.

2. Off-street Parking Requirements. The following minimum number of off-street, paved

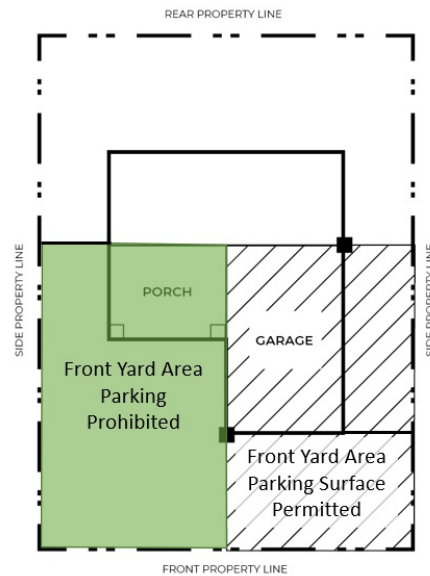
parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth. Any proposed uses not listed herein will be determined by the Planner through the site plan approval process.

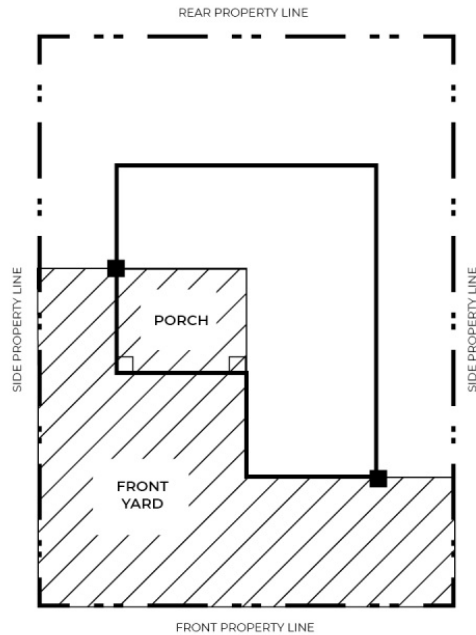
a. **Residential Uses. Parking Spaces Required:**

Dwelling Types	
Single-family	4.0 Spaces/Unit
Two-family	4.0 Spaces/Unit
Three-family	4.0 Spaces/Unit
Multi-family**	
Efficiency/Studio	1.0 Spaces/Unit
1 Bedroom	1.5 Spaces/Unit
2 Bedrooms	2.0 Spaces/Unit
3 Bedrooms	3.0 Spaces/Unit
**In addition to the required spaces, 0.5 guest stalls per unit shall be included.	

b. **Additional Residential Parking Requirements**

- i. All standard front-entry garage and carport entrances shall be setback a minimum of eighteen (18) feet from the street right-of-way line, access easement or private roadway tract.





- ii.
 - iii. It shall be unlawful to park or store any vehicle within the front or side yard of a single-family residence use unless such parking or storage is on an improved, dustproof- parking surface such as concrete or asphalt or crushed rock or aggregate that is a minimum of three inches thick. All crushed rock or aggregate shall be contained by a permanent border. Parking within the front yard of a single residence use shall be on or contiguous to a legal driveway.
 - iv. Single-family residences may contain a parking surface in the front yard area, bounded by the garage facade (internal square footage dedicated to the garage), the front property line, and the side property line adjacent to the garage area. The front yard area between the front entry into the home, front property line, and side property line opposite of the side property line adjacent to the garage area shall not contain parking or surface material dedicated toward parking, except to allow driveway access to a detached residential garage. In no case shall parking areas or driveways cover more than sixty-five percent (65%) of the front yard area.
 - v.
 - vi.
 - vii. Prior to construction, property owners are responsible for meeting with the City Engineer, or her/his designee to ensure parking areas and driveways do not conflict with public utilities, easements, or meters.
 - viii. Any work conducted within the public-right-of-way, including parking strips and driveway approaches, must be approved through a right-of-way permit prior to construction.
 - ix. Grade/Slope for residential driveways shall not exceed 8%, anything higher shall receive approval from the City Engineer.
- c. **Nonresidential Uses.** The number of parking spaces for non-residential uses shall be provided as follows:

NON-RESIDENTIAL SPACES		
USE	DESCRIPTIONS	PARKING RATIO
ADMINISTRATIVE & FINANCIAL		
Professional Offices	Facilities for general office work providing professional, business administrative, informational services, or facilities that house governmental agencies and similar uses	One (1) space per two hundred fifty (250) sq. ft. of floor area.
Financial	Institutions providing financial advice and services in a bank, or similar financial institutions, to include	One (1) space per one hundred fifty (150) sq. ft. of floor area

Services	accessory office building, automatic teller machine, and similar uses	
	Financial institutions with drive-through facilities	In addition to the above, a sixty (60) linear feet of stacking space per lane exclusive of drive aisles and parking spaces.
Unspecified Office Use		One (1) space per two hundred fifty 250(200) sq. ft. of floor area.
AUTOMOBILE RELATED		
Auto Services	Facilities providing general vehicle service or repair, and similar services	Three (3) spaces per service bay, plus one (1) space per three hundred (300) sq. ft. of gross floor area excluding service bay(s).
	Facilities providing fast or express service bays or lanes	In addition to the above, a queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces.
Automobile Rentals or Dealerships	Facilities for sale or rental of new or used auto, boat, RV, truck, trailer, camper, motor home or Motorcycle. (Outdoor vehicle display spaces are not required to meet dimensional requirements of this Article)	One (1) space per one thousand (1000) sq. ft. of gross floor area, plus one (1) space per six thousand (6000) sq. ft. outdoor vehicle display area.
Automobile Towing & Impound Facilities	Facilities for towing, dismantling, recycling, impound, and storage of junk vehicles, to include sanitary landfills and similar uses	Four (4) spaces or one (1) space per one thousand (1000) sq. ft. of floor area whichever is greater.
Car Washes	Facilities for the cleaning of vehicles,	One (1) space per three hundred (300) sq. ft. of office floor area, plus a queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces.
	Self-service facilities for the cleaning of vehicles	A minimum of four (4) spaces and the requirements above.
EATING & DRINKING ESTABLISHMENTS		
Restaurants	Eating establishments and similar services	One (1) space per one hundred (100) sq. ft. of floor area including outdoor seating
Taverns, Bars, Pubs & Lounges	Establishments licensed to sell alcoholic beverages to be consumed on the premises, often with limited food service	One (1) space per fifty (50) sq. ft. of serving area, plus one (1) space per two hundred (200) sq. ft. for preparation area.
ENTERTAINMENT & RECREATION		
Adult Uses	Establishments for adult entertainment that emphasize adult-oriented uses and services in an adult motion picture theater, arcade, adult cabaret, adult motel, nude studio, and similar facilities	One (1) space per fifty (50) sq. ft. of floor area
	Adult specialty shops for purchase of adult books, video, and similar products	One (1) space per three hundred (300) sq. ft. of floor area
Indoor Public Assembly	Facilities providing a variety of indoor public assemblies in a convention or reception center, meeting hall, social or private club, music hall, theatre and similar places, excluding taverns, bars, pubs, lounges, and adult uses	One (1) space per two hundred (200) sq. ft. of floor area, or one (1) space per four (4) fixed seats of design capacity whichever is greater
Indoor Recreation	Facilities providing a variety of indoor health and sports activities in a sporting complex, stadium, skating rinks, pool hall, dance hall, tennis and racquet clubs, game room, video arcade, bingo hall, community center, fitness center, and similar indoor	One (1) space per two hundred (200) sq. ft. of floor area

	facilities	
	Bowling Alleys	Two (2) spaces per lane, plus two (2) spaces per billiard table, plus one (1) space per each five visitor gallery seats
Outdoor Amusement & Recreations	Facilities providing a variety of outdoor amusement, entertainment, and similar activities in an amusement park, fairground, zoo, auditorium, and similar places, to include special outdoor events such as carnivals or outdoor concerts. Outdoor recreations include a variety of outdoor health and sports activities in a racetrack, stables, rodeo ground, outdoor shooting range, swimming and tennis clubs, miniature golf, and similar places	One (1) space per one thousand (1000) sq. ft. of activity area
	Golf course and driving range	One (1) space per two hundred (200) sq. ft. of main building floor area, plus one (1) space per every two (2) practice tees in driving range, plus four (4) spaces per each green in the playing area
GENERAL INDUSTRIAL & MANUFACTURING		
Light Industrial and Manufacturing	Facilities providing manufacturing and assembly services	One (1) space per seven hundred and fifty (750) sq. ft. of warehouse area plus one (1) space per three hundred (300) sq. ft. office or retail floor area
Outdoor storage	Facilities providing exterior storage of construction equipment and materials, recyclable material, and similar uses	A minimum of four (4) spaces and one (1) space per five thousand (5000) sq. ft. of designated outdoor area or one (1) space per three hundred (300) sq. ft. office floor area whichever is greater.
Unspecified Industrial Use (Shell Building)		One (1) space per seven hundred and fifty (750) sq. ft. of warehouse area plus one (1) space per three hundred (300) sq. ft. office or retail floor area
Warehousing	Facilities providing warehousing of material and goods and similar uses	One (1) space per one thousand (1000) sq. ft. of warehouse area, plus one (1) space per three hundred (300) sq. ft. office floor area.
	Mini-storage facilities and similar uses	One (1) space per fifty (50) units
Wholesale, distribution	Facilities providing wholesale or distribution of trucks, trailers, boats, new and used cars, bulk fuel, machines, appliances, equipment, building material, lumber, plant nurseries, produce and similar merchandise in indoor or outdoor storage areas to include machine shops, lumberyards, import/export shops, moving, rental, or storage companies, market sales yards, and similar facilities	One (1) space per five hundred (500) sq. ft. of sales or display area, plus one (1) space per one thousand (1000) sq. ft. of indoor storage area, plus one (1) space per two hundred (200) sq. ft. of retail or office floor area.
GENERAL RETAIL		
Retail	Establishments providing general retail sales and services in a single store on a single lot, not part of a shopping center	One (1) space per three hundred (300) sq. ft. of floor area.
	Establishments providing general retail sales and services in a shopping centers (a commercial establishment planned, developed, owned, or	One (1) space per two-hundred-fifty (250) sq. ft. of floor area. Note: for any center with more than fifteen percent (15%) of floor area in public assembly uses, including theaters, restaurants, schools, health spas, bars or cocktail lounges, there shall be required, in addition to these

	managed as a unit)	standards, ten (10) spaces per one thousand (1000) sq. ft. of public area within these uses.
	Establishments providing drive- through services including liquor stores, laundries and dry cleaners, pharmacies and similar services	In addition to the above, one hundred (100) linear feet of stacking space exclusive of drive aisles and parking spaces.
Unspecified Retail Use (Shell Building)		One (1) space per two hundred fifty (250) sq. ft. of floor area.
INSTITUTIONAL		
Child care	Facilities providing daily care of children in a nursery, daycare or preschool center	One (1) space per four hundred (400) sq. ft. of floor area.
Public, social and cultural services	Facilities providing public, social, non-profit, or institutional services in a library, museum, art gallery, post office, treatment, detention, or release center, halfway house, employment agency, shelter, and similar civic/public, cultural, and social institution (excluding group home)	One (1) space per two hundred (200) sq. ft. of floor area.
Religious Assembly	Facilities providing religious worship or study in a church, temple, synagogues and similar places	One (1) space per four (4) seats in main assembly area based on design capacity.
School	Public, charter or private educational institutions for Elementary and Junior High	One (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
	Senior High	Two (2) spaces per classroom, plus one (1) space per employee, plus one (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
Secondary Education	Public or private facilities providing education in a college, university, trade or vocational school, and similar institutions	Five (5) spaces per classroom, plus one (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
Senior care	Facilities providing long-term care for seniors in a nursing or convalescent home, hospices or similar care facility (excluding group home)	One (1) space per three (3) beds.
Utility	Structures, equipment, or facilities providing for public/private utility & services, including radio, television, communication transmission, tower and similar structures	One (1) space per use.
LODGING		
Hotels or Motels	Places for lodging with ancillary facilities to include sleeping rooms, restaurants, lounges, resorts, meeting rooms and similar uses	One (1) space per room, plus one (1) space per one hundred (100) sq. ft. of restaurant and bar serving area, plus one (1) space per one hundred (100) sq. ft. of outdoor seating serving area, plus ten (10) minimum spaces for visitors parking , plus one (1) space per two hundred (200) sq. ft. of meeting room floor area.
Lodging Accommodations	Establishments providing accommodation in a bed and breakfast, lodge, to include fraternity, sorority,	One (1) space per room.

	and similar facilities	
Recreational Resorts	Facilities providing overnight stops in Recreational Vehicle Park, travel trailer park, overnight camp ground and similar places	One (1) space per two hundred (200) sq. ft. of gross activity area, or one (1) space per RV or trailer whichever is greater.
MEDICAL		
Medical Offices and Clinics	Facilities providing medical, dental, optical care or preventative medicine and clinical research studies in a clinic or laboratory, including accessory offices	One (1) space per two hundred fifty 250(200) sq. ft. of floor area.
Hospitals	Facilities providing medical or surgical care, emergency medical and similar services	A minimum thirty (30) spaces for emergency services or two (2) spaces per bed, plus one (1) space per employee whichever is greater.
Veterinarian Hospitals or Clinics	Establishments for medical, surgical, and emergency care of animal, to include veterinary office and clinics without animal boarding	One (1) space per one hundred fifty (150) sq. ft. of floor area.
PERSONAL SERVICES		
General Professional Services	Establishments providing general professional services such as cabinet and carpentry making, custom dressmaking and alteration, watch and clock repair, dry cleaning & laundry, pet care, messenger delivery, photographic developing & printing, blueprint production, travel information & similar professional services	One (1) space per two hundred (200) sq. ft. of floor area.
Personal Improvement	Establishments providing personal services such as tanning, massage therapy, manicure, hair and beauty treatment, tattoo and body piercing, palm reading, fortune tellers, and similar services	One (1) space per one hundred fifty (150) sq. ft. of floor area.
OTHER		
Funeral Services	Facilities providing burial preparation and/or funeral services in a cemetery, crematorium, mausoleum, funeral home and chapel, mortuaries and similar facilities	One (1) space per every three (3) fixed seats in main viewing rooms based on design capacity plus one (1) space per funeral vehicle.

d. Mixed Uses

- i. In the case of horizontal mixed-use occupancies in a building or on a lot, the total requirement for off-street parking shall be the sum of the requirements for the various uses computed separately.
- ii. A horizontal mixed use development may reduce that amount of required parking by ten (10) percent if the project is a mixed use development that includes, as part of an integrated development plan, both residential and non-residential uses or by twenty-five (25) if the property is within a quarter of a mile walking distance to a transit or front runner station. This measurement shall be made along standard pedestrian routes from the property with a parking study submittal by a licensed engineer to be approved through the development or site plan approval process.

- e. Calculating Spaces.** In case of fractional results in calculating parking requirements, the required numbers of the sum for the various uses shall be rounded up to the nearest whole number if the fraction is .5 or greater.

f. Joint Use Parking

- i. Up to fifty percent (50%) of the parking facilities required by this Section for a religious institution, cultural center or an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities by the following daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing, wholesale and similar uses.
- ii. Other joint use of parking on adjacent commercial uses to reduce total parking spaces

may be allowed with a parking study submittal by a **licensed engineer** with demonstrated experience conducting parking studies, to be reviewed by the Planning Commission. Following a recommendation by the Planning Commission, the City Council will make a decision to either deny the request, approve the request, or approve the request with conditions .as

- iii. The City Council may use the parking study a basis for reducing the amount of onsite parking required for specific uses defined under the following nonresidential categories listed in table 15.38.030(2)(c): Eating & Drinking Establishments, Entertainment and Recreational Uses and Medical Uses.

iv. Conditions Required for Joint Use

- (1) The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred (300) feet of such parking facilities.
- (2) The applicant shall show that there is no substantial conflict in the operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.
- (3) A properly drawn legal instrument, executed by the parties concerned for joint use of off-street parking facilities, duly approved as to form and manner of execution by the City Attorney shall be filed with the City Clerk and recorded with the County Recorder.

g. **Offsite Parking**

- i. Any off-site parking which is used to meet the requirements of this Section shall be regulated by this Ordinance and shall be subject to the conditions listed below:

- (1) Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Section.
- (2) Reasonable access from off-site parking facilities to the use being served shall be provided.
- (3) The site used for meeting the off-site parking requirements of this Section shall be under the same ownership as the principal use being served, under public ownership, or shall have guaranteed permanent use by virtue of a perpetual lease filed with the City Clerk and County Recorder.
- (4) Offsite parking for multiple-family dwellings shall not be located more than two hundred (200) feet from any commonly used entrance of the principal use served, unless approved through the site plan approval process.
- (5) Off-site parking for non-residential uses shall not be located more than three hundred (300) feet from the primary entrance of the principal use being used, unless approved through the site plan approval process.

- h. **Bicycle Parking.** Required bicycle parking shall be convenient, secure, and readily accessible to shoppers, customers, visitors, employees, students, residents, commuters and others on the site.

- i. **Required Bicycle Parking Spaces:** Bicycle parking spaces shall be required in all zones for each site to which this Title applies. The number of bicycle parking spaces to be provided shall be a minimum of three (3) or a number equal to ten percent (10%) of the required on-site automobile parking spaces, whichever is greater. The total number of bicycle parking spaces required by this Title shall not exceed thirty (30) spaces per building. Exception: The Community Development Director may reduce the bicycle parking requirements by fifty percent (50%) for developments that are not likely to attract bicycle traffic because of the nature, location, or other circumstances associated with the development. Developments which are not likely to attract bicycle traffic, but are not limited to, a car wash and personal storage units.

ii. **Bicycle Rack General Requirements.**

- (1) Racks shall be of an “inverted-U” design or as approved by the Community Development Director. Other types of bicycle rack facilities may be provided with approval from the Community Development Director, so long as they meet the requirements list below.
- (2) Racks shall be securely anchored so that they cannot be easily removed and of solid construction, resistant to rust, corrosion, hammers, and saws.
- (3) Racks shall be located in a convenient, highly visible, active, and well-lit area.
- (4) Racks may be located no more than fifty (50) feet from the primary entrance of each principal building. If there is more than one primary entrance to a building, the bicycle parking must be along all facades with a main entrance.
- (5) Racks must hold the bicycle securely by means of the frame. The bicycle frame must be able to be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels. The rack should provide two (2) points of contact with the frame, a minimum of six (6) inches apart horizontally. The rack’s high point should be at least thirty-two (32) inches.
- (6) Racks should be arranged so that the parking area for each bicycle is a minimum of two (2) feet wide and six (6) feet long.
- (7) Racks should have a minimum of three (3) feet between rack elements (side by side).
- (8) A minimum of five (5) feet of aisle width shall be provided between rows of bikes.
- (9) Where two bikes can be locked on both sides without conflict, each side can be counted as one (1) required space.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from July 26, 2023, and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Amber Rasmussen	_____	_____	_____	_____
Mardi Sifuentes	_____	_____	_____	_____
Cristy Welsh	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder, Vineyard