

MURRAY
CITY COUNCIL

Council Meeting September 15, 2020



Murray City Municipal Council

Notice of Meeting

Murray City Center
5025 South State Street, Murray, Utah 84107

Electronic Meeting Only **September 15, 2020**

Public Notice is hereby given that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Council Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. (See attached Council Chair determination.)

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

Citizen comments or public hearing comments may be submitted by sending an email in advance or during the meeting to city.council@murray.utah.gov. Comments are limited to less than three minutes, include your name and contact information, and they will be read into the record.

Meeting Agenda

4:30 p.m. Committee of the Whole

Rosalba Dominguez conducting.

Approval of Minutes

1. Committee of the Whole – August 4, 2020

Discussion Items

1. Solid Waste Contract Services RFP – Danny Astill, Russ Kakala (20 minutes)
2. Revisions to Chapter 17.65 Beekeeping Standards – Melinda Greenwood (10 minutes)
3. UAMPS Carbon Free Power Project – Blaine Haacke (60 minutes)
4. Urban County Interlocal Agreement – G.L. Critchfield (15 minutes)

Announcements

Adjournment

Break

6:30 p.m. Council Meeting

Rosalba Dominguez conducting.

Opening Ceremonies

Call to Order
Pledge of Allegiance

Approval of Minutes

1. Council Meeting – August 25, 2020
2. Council Meeting – September 1, 2020

Citizen Comments

Email to city.council@murray.utah.gov . Comments are limited to less than 3 minutes, include your name and contact information, and they will be read into the record. *

Public Hearing

Staff and sponsor presentations, and public comment prior to Council action on the following matters. *

1. Consider a resolution approving the City's application for a grant from the Edward Byrne Justice Assistance Grant Program (JAG). Police Chief Craig Burnett presenting.

New Business

1. Consider an ordinance amending Sections 12.28.030 and 12.28.040 of the Murray City Municipal Code related to golf course fees. Kim Sorensen presenting.
2. Consider a resolution of the Murray City Municipal Council approving and authorizing the execution of an Interlocal Cooperation Agreement between Salt Lake County and the Town of Alta, Town of Brighton, Bluffdale City, Copperton Metro Township, Cottonwood Heights City, Draper City, Emigration Canyon Metro Township, Herriman City, Holladay City, Kearns Metro Township, Magna Metro Township, Midvale City Corp., City of Millcreek, Murray City Corporation, Riverton City, City of South Salt Lake, and White City Metro Township relating to the conduct of the Community Development Block Grant Program, Emergency Solutions Grant Program and the Home Investment Partnership Program. G.L. Critchfield presenting.

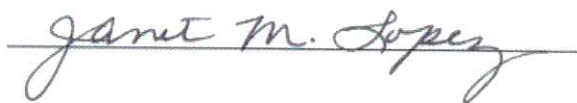
Mayor's Report and Questions

Adjournment

NOTICE

Supporting materials are available for inspection on the Murray City website at www.murray.utah.gov.

On Friday, September 11, 2020, at 10:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov and the state noticing website at <http://pmn.utah.gov> .



Janet M. Lopez
Council Executive Director
Murray City Municipal Council



**Murray City Council Chair Statement
Open and Public Meeting Act
Utah State Code 52-4-207(4)
September 1, 2020**

In accordance with, Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus, I have determined that meeting in an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

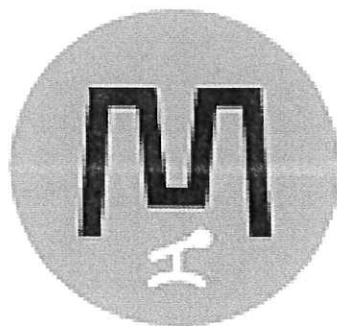
Federal, state and local leaders have all acknowledged the global pandemic. Salt Lake County Public Health Order 2020-13 dated August 19, 2020, recognizes that COVID-19 is a contagion that spreads from person to person and poses a continuing and immediate threat to the public health of Salt Lake County residents.

It is my intent to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

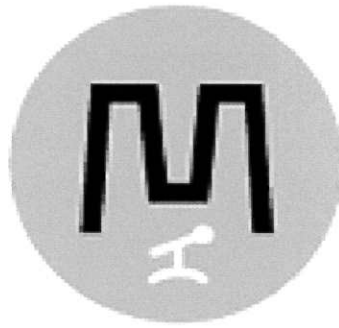
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Rosalba Dominguez
Murray City Council Chair



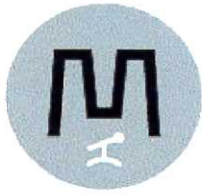
MURRAY
CITY COUNCIL

Committee of the Whole



MURRAY
CITY COUNCIL

Committee of the Whole Minutes



MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met on Tuesday, August 4 2020 for a meeting held electronically in accordance with the provisions of Utah Code 52-4-207(4), Open and Public Meeting Act, due to infectious disease COVID-19 Novel Coronavirus. Council Chair, Rosalba Dominguez, has determined that to protect the health and welfare of Murray citizens, an in-person City Council meeting, including attendance by the public and the City Council is not practical or prudent.

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. The Center for Disease Control states that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes or talks and may be spread by people who are non-symptomatic. The intent is to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location. The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

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Council Members in Attendance:

Rosalba Dominguez - Chair	District #3
Diane Turner – Vice Chair	District #4
Kat Martinez	District #1
Dale Cox	District #2
Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Janet Lopez	City Council Director
Doug Hill	Chief Administrative Officer	Jennifer Kennedy	City Recorder
Jennifer Heaps	Chief Communications Officer	Pattie Johnson	City Council Office Admin.
Craig Burnett	Police Chief	G.L. Critchfield	City Attorney
Melinda Greenwood	CED Director	Brenda Moore	Finance Director
Jared Hall	CED Division Supervisor	Bryant Brown	Midvale City Council /Master Card
Justin Kimball	Kimball Investments	M.V. Ramana	Professor, University of British Columbia
Stephen Hopkins	Kimball Investments	Rusty Cannon	V.P. Utah Taxpayers Association
Bill Francis	The Imagination Company		

Ms. Dominguez called the Committee of the Whole meeting to order at 4:45 p.m.

Approval of Minutes – Ms. Dominguez asked for comments or a motion on the minutes from the Committee of the Whole meeting on May 19, 2020. Mr. Hales moved approval. Ms. Turner seconded the motion. (Approved 5-0)

Discussion Items:

Presentation related to the UAMPS (SMR) Small Modular Reactor – Ms. Turner spoke about significant financial matters associated with the upcoming decision the Council had to make, as to whether or not the City should remain involved in the UAMPS (Utah Associated Municipal Power Systems) SMR project. (SMRs are defined as small-scale nuclear reactors.) She reported so far, the City committed approximately \$750,000, plus another \$20,000 to the SMR project and up to this point there had been no public hearing; nevertheless, the City made these monetary commitments. She confirmed the Council received an extraordinary amount of information from UAMPS, only in support of the project; and very little else. She reminded Council Members about her personal concerns that she expressed over the last several months related to the lack of transparency, the cost of construction; and what the actual cost to power customers could be. Therefore, to gain further knowledge, she invited University of British Columbia, Professor, M.V. Ramana; and Rusty Cannon from the Utah Taxpayers Association, to discuss concerning issues she had. Ms. Turner gave the following introduction:

M.V. Ramana is a physicist and the Simons Chair in Disarmament, Global and Human Security and Director of the Liu Institute for Global Issues at the School of Public Policy and Global Affairs, University of British Columbia. He is the author of *The Power of Promise: Examining Nuclear Energy in India* (Penguin Books, 2012) and is a former member of the *Bulletin of Atomic Scientists' Science and Security Board*. Professor Ramana is a member of the [International Panel on Fissile Materials](#), the [International Nuclear Risk Assessment Group](#), and the team that produces the annual [World Nuclear Industry Status Report](#). He is the recipient of a Guggenheim Fellowship and a Leo Szilard Award from the American Physical Society.

Professor Ramana discussed his work background; research and overall assessments and confirmed that for the last decade his focus has been mainly on the study of the SMR; including technical, economical and safety aspects, as well as, SMR marketability. A lengthy power point titled: *Modular Nuclear Reactors: Claims and Challenges* was given. He explained his views on nuclear power plants, outlined the history of SMR's and nuclear power; discussed cost increases; reviewed trends in the cost of alternative sources; and noted potential delays in project construction of the UAMPS/NuScale project as follows: (To view the presentation in its entirety, visit the City's website www.murray.utah.gov by clicking on the *Watch a Meeting* tab, Archives, Committee of the Whole August, 4, 2020.) (Attachment #1)

Professor Ramana made a basic point that small-scale reactors are not new because the world of nuclear power around the world, and in the United States began with building small reactors. For example, in the USA, there were 17 constructed in the 1950s and 1960s that technically qualified as small reactors; the definition of a small reactor is one that produces less than 300 megawatts of power. By comparison, he explained most nuclear reactors constructed today are designed to produce about 1000 megawatts of electricity. Since the 1960s, nuclear reactors were designed to produce more and more power, because most initial reactors do not perform well. Two failed power plants were highlighted:

- Wisconsin. Construction began in the late 1950's; finally connected to the grid in 1964, and shut down by 1968. After only four years the plant closed, due to problems when a major component failed that needed replacing. At that point, it was decided that for the small amount of electricity

the plant produced, it was not economical in cost to repair it. Construction costs increased over 250% of the initial estimate.

- Colorado, Fort St. Vrain. Built in 1974 it had a similar fate. The design was first of its kind, new to the USA and known as the “World’s Safest” nuclear reactor; however, when in operation it only produced a fraction of what it was designed to generate. In addition, the resource was often shut down for repairs and other problems; final shut down was in 1988, and it was quoted as being ‘the plant that was rarely used.’

Professor Ramana has determined that all nuclear reactors look good on paper, but that does not mean they will operate sufficiently; there are unseen problems and kinks, not always apparent when looking at the design plans. He explained it was due to overall cost savings that the nuclear community initially moved away from SMRs, to begin building larger 1000-megawatt reactors, when it was realized that poor efficiency exists with SMRs. For example, he noted much of the neutrons produced inside the small reactor, was captured by the reactor itself, and escaped to the outside. This translates that the SMR requires more uranium to fuel the reactor for the same number of kilowatt hours of electricity that it generates; and, they produce more radioactive waste for each unit of electricity that is generated.

Professor Ramana suggested there is a notion in the nuclear community that although initial construction costs are high; costs will go down as more and more plants are built. As it turns out, this is not the case when looking at other countries like France, where costs have instead increased significantly. A graph was displayed to show rising costs in two countries that built the most nuclear plants; namely the USA and France. He said the reason is that every time a major accident occurs, like Fukushima, Chernobyl and Three-Mile Island, designers are required to put in additional safety features to ensure these accidents do not happen again. This adds to the overall cost of nuclear power plant construction. In addition, companies like NuScale would also say that learning comes after first plants are built; and costs lessen from past experiences, discovering errors, and improving inefficiencies. However, after quantitative analysis Professor Ramana observed this was not the case again, because more SMRs would need to be built, to become compatible with large reactors to meet production demands. Therefore, to compensate for the laws of economies of scale, hundreds, if not thousands of SMRs would need to be constructed; and it is not clear if there is a market for these kinds of reactors; nor, are there many communities willing to build the lost leaders that are the initial reactors of such significant cost.

He noted with the UAMPS project, one aspect to lower the cost is money contributed from the DOE (Department of Energy). However, even in the long run it is not expected for the small reactors to become economically comparable to even large reactors. He stressed even large reactors have not been economical in the last decade- in the USA; a number of them are shutting down.

Professor Ramana reviewed historical elements that in almost all nuclear plant designs and construction projects, what seems to occur is an evolution of cost- as the project goes from initial conception to actual completion. He provided results of a significant worldwide study to indicate that out of 180 nuclear projects, 175 of them exceeded budgets by 97%; with an average overrun cost of 117%. This means that original costs more than doubled in all 175 projects. Also, a time overrun of 64% occurred and projects took much longer than planned. He said this was not just a situation of older times but is occurring now with one of the latest projects in Georgia; construction began in 2003, which doubled to \$28 billion, and is still not complete. He thought there was no reason to think the UAMPS project would be any different, considering the same pattern of cost increases exists with NuScale. For example, when NuScale first proposed the CFPP design in 2015, the cost was expected to be much less than quoted today; from phase

to phase design costs have gone up, causing resource pricing to go even higher by 2020. He declared there were no clear details about how UAMPS calculated the current cost, so he questioned the actual cost; and when he reproduced their methodology he failed to come to the same conclusion. And, there was no understanding of how they came up with the \$55/MWh (per megawatt hour) cost, so he advised the Council to request more transparency prior to their decision making.

Professor Ramana noted other sources of electricity that have become cheaper; particularly solar and wind, which continue in a downward trend. He said this is mainly because stored solar is available after sunset and reduces the renewable to \$39/MWh; much less than SMR. Another argument is that SMRs can substitute as a backup to renewables when wind and solar are lacking. But Professor Ramana explained by utilizing the SMR for that reason only, results a 20% cost increase to the SMR resource, due to cost penalties that should be considered. He said you cannot have both- SMRs backing up wind and solar; and SMRs costing less, in terms of overall pricing.

A brief history of the CFPP was shared to confirm that from 2008 to 2020 the project already experienced many delays—including the submission of various applications. Professor Ramana expected more delays and said assuming everything goes well from here on out, generation would not even begin until 2029; this is much later than initial estimates for completion. He pointed out that the project has shown other problems; for example, issues with steam conversion and corrosion creating safety concerns. Also, an agreement issue was identified by the NRC (Nuclear Regulatory Commission) that caused challenges with the current investor, Fluor. So far, NuScale and the DOE have spent roughly \$1 billion on the development of the design; by his calculations another half billion is required before they are ready for design certification. He said it is unclear where that money will come from.

He summarized his final thoughts by reiterating the project will be more expensive than alternatives; it will be further delayed; cost estimates are doubtful; better transparency is needed for overall costs and timeframe of completion. All financial packages and subsidies involved are questionable, as well as, the method UAMPS is using to convey current cost estimates. With the long history of utility companies losing money on nuclear projects, for example in Washington State; and most recently Jacksonville, Florida, both are trying to pull out from nuclear projects, but are unable to.

Council Comments:

- Mr. Cox thought Professor Ramana shared solid theories, however, all the failed SMR examples given exposed 30-50-year-old technology. Mr. Cox understood nuclear technology has come a long long way since then. His biggest concern has always been about finding an alternative energy source when coal plants are permanently closed. He believed renewable energy was the way of the future, but the technology for storing great amounts of this type of energy is not perfected. He confirmed the City utilized wind and solar for intermittent power shortages; however, the urgency for finding something more constant to facilitate current gaps of generation during months of cloudiness, and significant lack of wind was imperative. He favored the SMR project because it would be reliable. And he expressed concerned for Murray Power, and Murray residents not having access to efficient power, by depending on renewables only, that are not always reliable. He affirmed until renewables are able to push energy down transmission lines, and be productively stored, another resource must be found. He considered the CFPP as an investment, where there are caps, and off ramp opportunities the City can utilize, should the cost increase significantly. He stressed the matter of providing efficient energy to residents in the year 2040 and noted it is uncertain if technology for renewables would be made ready by then. He stated the CFPP is as carbon-free as it gets, and like

all types of energy producing resources, there are always manufacturing and environmental implementations involved; such as, natural gas, which omits carbon into the air, and requires fracking.

- Mr. Cox appreciated the informative presentation and said there was no perfect answer; he reiterated that soon coal would be gone, and the City had to find something to complement other resources in the City's portfolio.
- Professor Ramana responded that Mr. Cox made a good point; he agreed nuclear power should be considered low carbon; and there are concerns about the intermittency of renewables. However, to defend his view he noted improvements to the grid in recent years with larger shares up to 90%. In the last ten years, places like Denmark and Germany increased their number of renewables from the grid to 50%, so, he thought reliability was not a concern. He expressed no concern for lack of wind, because the grid has multiple sources of electricity generation collected within a great radius. He suggested ways to deal with intermittency as: not relying on just one source of renewable energy because wind power can be attained from offshore wind and other locations; and sun can be alternated with wind. At a cost, geographical connectivity would help fill in gaps, where energy being generated elsewhere can be transferred to other areas, shaping demand. He explained people would get accustomed to using power at different times of the day, by manipulating use, because not all demands are equally urgent. For example, like charging electric cars at certain times of the day and using appliances at other times of the day. This would manage the nature of demand and meet the generation supply. He said he didn't have a clear answer either, but noted the technology was shifting faster than the time frame the City could anticipate NuScale coming on line.

Mr. Cannon was introduced next, as Vice-President of the Utah Taxpayers Association since October 2018. He received a Degree in Finance from the University of Utah; and has over 20 years of experience in government relations, lobbying, financial services, sales and management. Mr. Cannon read comments that were similar to what he shared at an earlier press conference regarding the CFPP. He said:

- The Utah Taxpayers Association advised all cities and town councils that committed their municipal power rate payers to the UAMPS SMR project, to hold a public vote and withdraw from the project by September 14, 2020.
- While initially the project might have been found to work towards reliable cost effective long-term power, evidence and calculations were found by the Utah Taxpayers Association that provide a bleak picture of the massive high-risk financial commitments cities, including Murray will need to make long into the future.
- The proposal carries the likely potential for delays and enormous cost overruns on unproven technology that continues to be less and less cost competitive than other clean energy alternatives. Although information was difficult for them to gather, due to a quirk in Utah's open meetings laws, UAMPS is exempt from having to allow the public to view their meetings; findings were found as to why they think pulling out is the right decision for taxpayers, and rate payers:
 - Level of description. At a recent presentation during the last Bountiful City Council meeting it was noted that the project is only 30% subscribed.
 - The resource has only grown 1 megawatt out of 213 megawatt subscriptions in the last year, which is a good indication it is not selling well.
 - Investor owned utilities have turned down these types of projects for good reasons; confirmed by the level of subscriptions relative to coal, natural gas, solar, wind, and storage. SMRs are not cost competitive.
 - It is agreed with Professor Ramana that SMR nuclear projects have left many states, cities, municipalities, and power companies in financial ruin, to the tune of tens of billions of dollars.

- In the UAMPS situation, member cities together have dropped approximately \$9 million into the project; and according to the agreement cities must affirmatively vote to withdraw at several off-ramps – with the next off-ramp by September 14, 2020.
- After this, the next step constitutes approval for the design phase of the reactors, and acquiring a license, which is projected to cost UAMPS members approximately \$19.9 million more. At that point, city subscription levels would be calculated according to their shares; which means Murray's subscription level of 6.7286 percent, obligates the City to pay another \$1.341 million, if the next off-ramp is not taken.
- Money could be used for other city government functions, such as, police, fire, parks, streets, and other vital city operations. The situation is similar to another project the taxpayer association is opposed to, which is UTOPIA that obligates Murray to pay significant funds annually that could be otherwise used.
- Moreover, the risk only gets worse, as the approval section of the first phase is scheduled to take until approximately May of 2023; based on the current calendar, which has continually been delayed. At that time, the project would enter into the next phase, which is projected to last until November of 2025 – another two years. The UAMPS cost for members for that phase is an additional \$658.4 million. Meaning the next off-ramp would obligate Murray to approximately, \$44.3 million in commitments.
- In conclusion, he advised against gambling \$1.3 million right now, in hopes that things go well over three years, only to be committed to another \$44 million. For a city like Murray, it does not make sense.
- Construction is the last phase, which indicates costs will be staggering. This phase scheduled to begin in December of 2025 would currently cost UAMPS members over \$4.7 billion. In review, according to discovered documents, next off-ramp commitments for UAMPS members would be \$19.9 million, then \$658.4 million; and then over \$4.7 billion.

Mr. Cannon expressed overall disapproval for cities to commit that much money to a project that is still untested; and has not gained approval from the NRC; and relies very heavily on federal subsidies to the tune of billions of dollars. They believe it is a wrong move, and it will put rate payers, and taxpayers on the hook for massive sum costs for decades to come, and money spent already, pales in comparison to what cities would be committed to if the next off ramp is not taken. In conclusion, he urged all 27 city council municipalities in Utah that are subscribed to the CFPP to vote in public before September 14, 2020 to withdraw. He also stressed the importance of city residents to contact their city council members and urge the same.

Council Comments:

Ms. Turner stated with both presentations she was hopeful the council would realize the many red flags in moving forward with this project. She encouraged all to think carefully when the vote takes place, during a public hearing on September 1, 2020. She appreciated the council considering all the information.

Urban Wildlife Assistance Program – Chief Burnett announced that there is additional access to utilizing a wildlife assistance program now that Salt Lake County is handling Murray's animal services. Under the USDA (United States Department of Agriculture), and Division of Wildlife services, federal funding that was once in place before- was terminated five years ago; so, the Council of Governments worked to get the service back. Administered by the USDA, the program uses an outside agency to handle animals considered to be non-indigenous species, and urban pests that are nuisance animals; specific to raccoons and skunks. Chief Burnett confirmed the City has those issues often, so the program is something they wanted to consider adding to animal services this year. The hope is to monitor how much the program would be utilized before they continue it into the following year. All cities utilizing the wildlife program pay the County according to population, where professional trappers work with citizens to catch and eradicate pests in the best way possible. He noted the addendum is beyond the services approved in the recent contract with the County to oversee Murray's animal services; this is an annual cost of \$12,928.

Council Comments:

- Ms. Martinez asked what other cities participate in the wildlife program; and how city boundaries are addressed; for example, like neighboring Taylorsville. Chief Burnett said Taylorsville was working with West Valley City; but Salt Lake City, Midvale, Millcreek, Bluffdale, Draper, and all metro townships are participating with the County. He explained incidents would be handled similar to police work, where issues often cross back and forth between boundaries. Ms. Martinez asked if bats are included in the program. The Chief replied only raccoons and skunks; and if other concerns like rats, or bats arise citizens can be referred to other specialized services.
- Mr. Hales said the program would be good for the City. In the last two years, he received about 10 inquiries related to raccoons; so, he thought \$12,000 per year was well worth the service.
- Ms. Turner asked if a budget amendment was necessary to fund the program. Ms. Moore confirmed funding would be included in the upcoming budget roll-over; money from non-departmental - miscellaneous would be transferred to the police department budget to pay for this.

Van Winkle Crossing MOU (Memorandum of Understanding) – Ms. Greenwood discussed a proposed agreement between Murray City and Kimball Investments. She reminded the Council about their prior approval last year to amend the General Fund, and zone change affecting the area; commonly referred to as the K-mart-site on 900 East. After that zone change, Kimball Investments completed the planning commission process and received a conditional use permit through the mixed-use zone to develop the parcel. Part of the mixed-use zone requirement is to enter into a MOU with the City. Mr. Hall gave a presentation to describe the project, and review the purpose of the MOU, as follows:

- The site is 10.5 acres; 421 units; multi-family housing, and commercial space of 21,000. Interior roadways will be throughout; with the access road to the Millcreek neighborhood remaining open.
- The horizontal mixed-use project would be a test to house residential space, and commercial businesses- unlike vertical mixed-use zones, as seen in TOD (transit orient districts) areas.
- The MOU will provide control of the phasing of development to ensure commercial spaces are constructed that relate well to the rest of residential portions. The City would request a master site plan, which is controlled by the MOU. Since the planning commission is not empowered to approve an MOU, which is similar to a development agreement, the City Council is the governing body who would consider its approval.
- Developers must agree to several key elements that the MOU establishes and controls, for example:
 - The composition of the development; by stipulating size, number of units; and how much space will be retail, and how that happens in phases.
 - Phase One: Residential units are built; and construction implementation of infrastructure along 900 East. Utility infrastructure would be fabricated to serve the 21,000 square feet of commercial space to create a functioning vibrant place for residents to live and shop at.
 - Phase Two: Remaining residential complexes will be constructed.
 - Phase Three: The commercial phase, which is independent of the first two phases of residential.
 - Time limits on all components: From the date of MOU approval, a shot clock of five years begins for all commercial spaces to be built; the time limit for residential permits is two years. Mr. Hall said when considering the existing traffic flow on 900 East, the MOU ensures the ability for the commercial front components to be completed in a timely manner.
 - Access from the Millcreek neighborhood east to 900 East. The road will benefit, what Mr. Hall refers to as “Murr creek” residents who have had access in and out for a very long time. Developers must allow a road provided with sidewalks to enjoy nearby shopping.
 - Implementation of improvements to the site plan. A central feature is required providing room for food trucks, temporary stages for gatherings and events that tie in with the restaurant area on the northeast corner consistent with various paving.
 - Methods for terminating the agreement. Should planning not go as agreed, the City may stop the issuance of permits, and additional permits- if terms are not being met as the project proceeds.

Mr. Hall shared that City staff was pleased with how the project turned out; and reiterated that the MOU controls the site plan, to ensure all development and construction is bound to site plan improvements already approved by the planning commission. He displayed conceptual drawings that represented the mixed-use commercial and housing project, with multifamily units; the majority being single and two bedroom, with fewer three-bedroom units. A copy of the MOU document was shown.

He said it was a challenging planning commission meeting when the public hearing was held on December 5, 2020, although the vote to move forward with approval of the site plan was 7-0. The lengthy meeting allowed for many comments and questions, but in the end an urban-type quality mixed use project will be developed. Staff recommended to the Council that they also approve the MOU for the Van Winkle Crossing mixed use development during the council meeting.

Council Comments:

- Mr. Cox commended having the access road to 900 East from the Murr creek neighborhood, which was a key piece in his favoring the project. Mr. Hall agreed that access was important.
- Ms. Turner thought the project would be a real boom for the City; she asked when construction would start. Mr. Hall said estimated construction would be seen in a couple of years, and developers are anxious to have the MOU in place, as to attain permits for the first phase of residential construction, and commercial utility infrastructure.
- Ms. Martinez asked if any of the residential components were designated as affordable housing. Mr. Hall noted other affordable housing projects were coming up; but this was not one of them. It was his understanding during the entitlement phase that units would all be market rate. Ms. Martinez noted citizen concerns about the project being four stories high; she asked if buildings would be the tallest in the area and was height comparable to the area. Mr. Hall confirmed three-story buildings, apartments and condominiums are situated to the north and east; four-story buildings will be closer to Millcreek; and the five-story podium buildings would be the tallest in the area. He pointed out buildings would not be strikingly taller from a distance, due the 10 ½ acre site that provides distance to buffer such a mass.
- Ms. Dominguez discussed concerning public comments related to safety and security in the Millcreek neighborhood, and at the site during construction. Mr. Hall recalled such public comments at the planning commission meeting that stemmed from years of people loitering at the empty site, as well as, homeless camps behind K-mart. He confirmed the access road was in place precisely for first responders like police and fire to get into the isolated neighborhood and construction area in the best way. He thought nefarious activity would lessen quickly with construction.
- Ms. Dominguez wondered if construction plans were officially approved; if additional changes were possible; how many parking stalls would accommodate residents; if sewer lines would overwhelm the neighborhood and was the access road wide enough to handle traffic in and out of the area. Mr. Hall said major changes like adding more units and increased parking would require another planning commission meeting; and only small changes can be made to the site plan. There are 718 parking spaces on site; including inside structured parking, podium stalls, street parking, as well as, intermittent parking shared between retail and residential buildings. He believed there would no parking issues at this site. Sewer services would come from Olympus Sewer, who indicated they could handle the 421 units and the additional commercial businesses. Old problem lines in the area would be improved and upgraded; so new lines and upgrades would make the system work very efficiently. Mr. Hall addressed public comments about increased traffic cutting through the Murr creek neighborhood to access 900 East. But, blocking the road was not an option from a public safety, and planning and engineering standpoint; the road better connects the entire area. He said traffic flowing through the area would be slow, because it

is not a straight through road, and Google maps refuses to map it out because it is intertwined through the neighborhood making it hard to cut through quickly. He did not think traffic would be an issue, and the road would be used only by resident's familiar with it. The CED would return to the council meeting on August 25, 2020 to seek approval of the MOU.

Mr. Kimball, with Kimball Investments brought more clarity to building height questions to make sure the Council understood fully. The decision to situate buildings from east to west, according to height was to disperse varied heights, because taller structures would be six stories; five-story buildings are constructed above podium parking structures.

City Business News – Ms. Martinez who serves on the Murray Economic Task Force with Midvale City, Council Member Bryant Brown, highlighted the Murray business where Mr. Brown is employed. Mr. Brown informed the Council his employer Finicity was recently acquired by MasterCard for \$825 million; with incentives up to one billion dollars. Pending government approval, it was a top ten sale in the State of Utah. Headquartered in Murray, located at the Center 53 Office Complex, they have 500 employees and continue to hire with competitive pay for positions in computer engineering and data science. He stated they are excited to be part of the Murray community and to show their commitment to the area, the lease was renewed, and they plan to double their building size to become a major footprint in Murray.

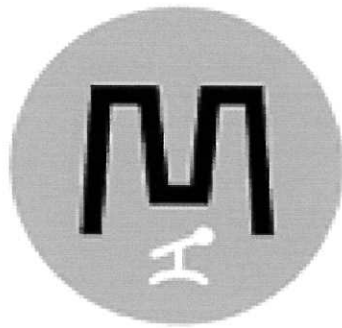
Council Comments:

- Mr. Hales appreciated the great news and welcomed their growth.
- Ms. Turner wondered how big office expansion would be; and asked how soon before the pending purchase would come to fruition. Mr. Brown said the government waiting period was anywhere from ten days to one year. He reported the product was selling itself well, so office expansion was already underway to accommodate the hiring of up to 30 more people with advanced degrees in computer engineering. He added that only 15 employees are currently working in the office, due to COVID-19, and others would continue to work from home to observe COVID safety guidelines.

Announcements: None.

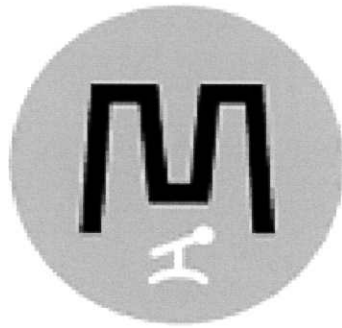
Adjournment: 6:11 p.m.

Pattie Johnson
Council Office Administrator II



MURRAY
CITY COUNCIL

Discussion Items



MURRAY
CITY COUNCIL

Discussion Item #1




Public Works

Solid Waste Contract Services RFP Discussion

Council Action Request

Committee of the Whole

Meeting Date: September 15, 2020

Department Director Danny Astill Phone # 801-270-2440 Presenters Danny Astill Russ Kakala Required Time for Presentation 20 Minutes Is This Time Sensitive Yes Mayor's Approval  Date September 1, 2020	Purpose of Proposal Solid Waste Contract Services Action Requested Discussion only Attachments Summary of services Budget Impact Will be discussed in the meeting Description of this Item In anticipation of the city's current solid waste contract expiring on Dec. 31, 2020, the Public Works Department is preparing a Request for Proposal (RFP) to be sent out by the end of September. This RFP will include a number of items that we are requesting pricing information on from potential vendors. Ultimately, the services we choose will need to be funded by the monthly fees. We will discuss the services our fees currently include, and other possible options moving forward.
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SOLID WASTE SERVICES DISCUSSION

Our current solid waste contract will expire at the end of 2020 and the Public Works Department is beginning the process to develop an "Request for Proposal" (RFP) that we need to have out before the end of September. Our desire here is to inform and educate the Council of this process and the many services that the City provides as part of the monthly fees that often go un-noticed or un-recognized. Below, is a list of bullet points describing many of the services and then a list of the services which we will and or could include in the Solid Waste Services RFP.

Our desire would be to publish the RFP by the end of September and give those desiring to submit proposals at least 3 weeks to develop and refine them. The City would then review, score and rank them and of course based on desired services and costs, we would award the contract by the end of October. By doing so this would allow the winning bidder time to prepare for the new year.

Current service contract Ends December 31, 2020

Current contract: Ace Disposal

Refuse sent to: Trans-Jordan Landfill

Current Fees are based on weekly pickup

Automated curbside Garbage 1 st can:	5.91
Automated Curbside Garbage 2 nd can:	2.79
Automated curbside recycling 1 st can:	3.22 (currently we have a 25% contamination rate)
Automated curbside recycling 2nd can:	3.22

Additional Services as part of Contract

Solid Waste & Rec. Collection from City Properties:	1,392.00 per month average (weekly pickup)
Leaf Bag Collection and Disposal:	3,330.00 Per month for three months of the year.
Roll off dumpster:	200.00 for a 2-day rental (3,700.00 for 2019)
Green waste trailer rental:	40.00 for a 2-day rental. We average about 450 rentals each year. The green waste material is ground up and then given away as free wood chips.
Glass Collection and Disposal:	530.00 per month average (bins emptied twice monthly) There are two recycling locations in the City.

Other City Services:

ABOP recycling location:	This is a Salt Lake County program and we have provided this satellite location. (Antifreeze, Batteries, Oil and Paint)
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SOLID WASTE SERVICES DISCUSSION

Recycling in the parks:	This has been thoroughly investigated. It is not very feasible because of the contamination percentage. We cannot control the waste coming into the parks.
Christmas tree disposal:	We provide two locations and the power department uses their equipment to grind and dispose of them.
Parks garbage pickup:	The Murray City Parks personnel pick up the garbage in all of the City parks. The Solid Waste Fund purchased a garbage truck and their personnel provide the labor and manage their pickup schedule as needed.

Other Information:

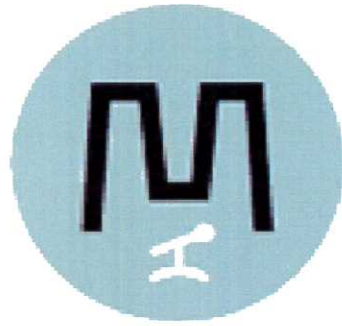
No Curbside yard waste:	Landfill cannot handle all of grass and other green waste
Curbside Glass Collection:	This is only an individual option through Momentum and it is an expensive option.
Recycling costs VS Landfill costs	Contaminated recycling-\$60.00 per ton Standard landfill rate-\$18.00 per ton
Wasatch Front Waste and Recycling District:	Report on conversation with CEO.

REQUEST FOR PROPOSAL FOR CALENDAR YEARS 2021 – 2025

Weekly Residential Refuse Collection and Disposal Services
Weekly Residential Recycling Collection and Disposal Services
Bi-weekly Residential Recycling Collection and Disposal Services
Solid Waste Collection from City Properties
Glass Collection and Disposal
Leaf Bag Collection and Disposal
Roll-Off Container Rental Program

Potential service options

Neighborhood Cleanup Program
Recycling Opt-Out program
Additional Glass Collection areas



MURRAY
CITY COUNCIL

Discussion Item #2




Community & Economic Development

Title 17.65 Beekeeping Standards Ordinance Amendments

Council Action Request

Committee of the Whole

Meeting Date: September 15, 2020

Department Director Melinda Greenwood Phone # 801-270-2428 Presenters Melinda Greenwood Required Time for Presentation 10 Minutes Is This Time Sensitive No Mayor's Approval  Date September 1, 2020	Purpose of Proposal Amend Title 17.65 Beekeeping Standards to appropriately align regulatory responsibilities and simplify the City's process. Action Requested Adoption of changes for Ordinance 17.65 Beekeeping Standards. Attachments Presentation slides, draft ordinance Budget Impact None Description of this Item In October of 2016, the City Council adopted changes to Title 17.65 Beekeeping Standards which have proven to be too stringent and impractical for Murray citizens to implement and no applications have been received since these changes were approved. The current ordinance requires certificates of insurance, hold harmless agreements between an applicant and Murray City, site plans, as well as applications and fees. Based on the lack of applications and feedback from the public, staff proposes removing these requirements and only requiring registration with the Utah Department of Agriculture and compliance with Salt Lake County Health Department regulations for apiaries (beehives). This recommended change shifts the regulations and compliance to the Utah Department of Agriculture and the Salt Lake County Health Department who employ experts in beekeeping and are responsible to ensure compliance with the State's Bee Inspection Act.
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Continued from Page 1:

Another proposed change is that apiaries are currently only allowed in the City's residential single-family zones and the agriculture zone. The amendment would extend that allowance to include all properties used as single-family detached dwellings regardless of the zone they are in and continue the use in the agricultural zone.

The City's Code restricts the number of hives on a property based on the square footage of the lot, with no more than six hives allowed on an individual lot. No changes are proposed to this section.

Staff have confirmed with the Utah Department of Agriculture and the Salt Lake County Health Department that they are in favor of the proposed amendments.

City Department Review

The proposed changes were reviewed with other departments through the typical planning review process and no concerns were noted.

Findings

Based on the analysis of the proposed text amendment and review of the Murray City General Plan and Land Use Ordinance, staff concludes the following findings of fact.

1. The requested text amendment has been carefully considered based on the characteristics of practical application and oversight from those with expertise.
2. The proposed text amendment is consistent with the purpose of Title 17, Murray City Land Use Ordinance.
3. The proposed text amendment is consistent with the Goals & Policies of the Murray City General Plan.
4. The proposed text amendments will allow Murray City residents the ability to have apiaries in conjunction with their residential dwellings in all zones.

Planning Commission

The Planning Commission held a public hearing regarding this item at the August 20, 2020 Planning Commission meeting. No public comments were received, and the Planning Commission voted 6-0 to forward a recommendation of approval to the City Council.

Recommendation

Staff and the Planning Commission recommend the City Council approve the proposed text amendment to Title 17.65 to the Murray City Code.

Section 17.65 Beekeeping Standards

Proposed Changes:

- Regulatory and Compliance is shifted appropriately to Utah State and Salt Lake County Health Department
- Hives require licensing through State and County, no Murray City application
- Allowing all properties with a single-family residence



Utah Bee Inspection Act

- A person must be registered with the State.
- Each apiary location shall be identified by a sign showing the owner's registration number, unless the apiary is located on property owned by the beekeeper.
- The County bee inspector may conduct annual inspections.
- Upon inspection, if the apiary is diseased, parasitized, abandoned, etc., the inspector may prescribe a treatment course.
- If the owner is dissatisfied with the diagnosis or treatment they may, at their expense, have the State examine the alleged diseased bees.
- A beekeeper may not intentionally maintain an aggressive or unmanageable bees



Salt Lake County Health Department, Requirements for Honeybee Management: Title 4.12

- 4.12.1. It shall be unlawful for any person to maintain or locate a beehive on any property in a way that threatens public health or safety, or creates a nuisance. In a residential area, an apiary is not to exceed three stacks of five boxes each or an equivalent capacity.
- 4.12.2. A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals on adjacent property or areas of public access.
- 4.12.3. A hive shall be supplied with adequate accessible fresh water continuously between March 1 and October 31 of each year. The water shall be in a location minimizing the nuisance created by bees seeking water on neighboring property.
- 4.12.4. A hive shall be located so the bees' flight pattern is six feet or more above frequently used areas of public access.
- 4.12.5. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.



Quantity Of Hives Permitted

- 4,000 to 8,000 ft² lots – no more than 2 hives
- 9,000 ft² lots – no more than 3 hives
- 10,000 ft² lots – no more than 4 hives
- 11,000 ft² lots – more than 5 hives
- 12,000 ft² lots – no more than 6 hives



Planning Commission

August 20, 2020 Planning Commission Meeting

- No public comments received
- 6-0 vote to recommend approval to City Council



Findings of Fact

1. The requested text amendment has been carefully considered based on the characteristics of practical application and oversight from those with expertise.
2. The proposed text amendment is consistent with the purpose of Title 17, Murray City Land Use Ordinance.
3. The proposed text amendment is consistent with the Goals & Policies of the Murray City General Plan.
4. The proposed text amendments will allow Murray City residents the ability to have apiaries in conjunction with their residential dwellings in all zones.



Staff Recommendation

Staff and the Planning Commission recommend the City Council **APPROVE** the proposed amendments to Title 17.65 Beekeeping Standards as attached to this report, extending to all properties used as single-family detached homes, subject to registration with the Utah Department of Agriculture and following Salt Lake County Health Department requirements.



CHAPTER 17.65
BEEKEEPING STANDARDS

SECTION:

17.65.010: Purpose

17.65.020: Applicability

17.65.030: Definitions

17.65.040: Development Standards

~~17.65.050: Enforcement~~

17.65.010: PURPOSE:

The purpose of this chapter is to enable the keeping of ~~a limited number of~~ bees on all properties used as single-family detached homes residential lots for purposes of family food production. This chapter is intended to facilitate residential agriculture purposes while preserving the health of both humans and bees, minimizing nuisances to neighboring property owners, ~~as well as preventing rodent, insect, vermin, pest, and disease proliferation. This chapter establishes certain requirements of sound beekeeping practices which are intended to avoid problems that may otherwise be associated with beekeeping in populated areas.~~ (Ord. 16-39)

17.65.020: APPLICABILITY:

A. Apiaries are permitted as an accessory use on all properties used as single-family detached homes, subject to registration with the Utah Department of Agriculture and following Salt Lake County Health Department, Honeybee Management, requirements.

~~—A. This chapter applies only to single family residential zoning districts that have lot~~

A. On all properties used as single family detached homes, subject to registering with the Utah Department of Agriculture and following Salt Lake County Health Department, Honeybee Management, requirements"

~~sizes of eight thousand (8,000) square feet or more. The specific zoning districts in which beekeeping is allowed are the following: R-1-6, R-1-8, R-1-10, and R-1-12.~~

~~—B. Bees may only be kept on single family residential property. It shall be unlawful to keep bees on a multiple family lot. (Ord. 16-39)~~

17.65.030: DEFINITIONS:

The following words and phrases when used in this chapter shall be construed as defined in this section:

APIARY: The assembly of one or more colonies of bees at a single location.

BEE: All life stages of the common domestic honeybee, *Apis mellifera* species.

BEEKEEPER: A person who owns or has charge of one or more colonies of bees.

BEEKEEPING EQUIPMENT: Anything used in the operation of an apiary, such as hives and hive components, honey harvesting equipment, bee calming equipment, and personal protective gear.

COLONY: An aggregate of bees consisting principally of workers, but having one queen and, at times, drones, brood, combs, honey, and a hive box inhabited by bees.

~~FLYWAY BARRIER: A partition made from a solid material, or dense vegetation, which blocks a bee from access to an adjacent area unless the bee flies up and over the partition; this is designed to deter bees from flying at a height where they would engage humans or animals.~~

~~HIVE: The box, wooden ware, or similar structure that a colony of bees inhabits. (Ord. 16-39)~~

17.65.040: DEVELOPMENT STANDARDS:

A. General Provisions:

~~1. Permit Required: Persons seeking to keep bees shall first obtain a Beekeeping Permit. Applicants may be Beekeepers on the residential property of another, as long as all requirements have been satisfied and permission has been granted from the property owner to keep an apiary and verified in writing. Applications shall be submitted to the Community and Economic Development Division. Beekeepers who owned or operated an apiary prior to the effective date hereof and who continue to do so after the effective date hereof, shall have thirty (30) days after such effective date to apply for a Beekeeping Permit.~~

~~a. At the time of application for a Beekeeping Permit, the applicant shall:~~

~~(1) Submit a scaled site plan of the proposed apiary showing placement of the hive(s), the flyway barrier and compliance with all applicable requirements outlined in this chapter;~~

~~(2) Provide a Certificate of Insurance from property owner's homeowner's insurance company verifying that Beekeeping is covered by the insurance policy covering the property where the apiary will be located;~~

~~(3) Provide a certificate of completion or similar documentation, from a Beekeeping training course provided by an entity approved by the City. The Division shall maintain a list of approved courses. Beekeepers are required to stay current and demonstrate their knowledge of colony health and management;~~

~~(4) Submit a properly executed hold harmless agreement between the applicant (if the location of the apiary is owned by a third party, then the property owner as well) and the City, waiving any liability for any loss or injury resulting from the design, construction or operation of the apiary;~~

~~(5) Pay a One Hundred Dollar (\$100.00) nonrefundable initial permit fee.~~

~~(6) Provide written consent of the property owner, if the apiary will be located on residential property not owned by the applicant. The property owner will be required to sign the application as well.~~

~~b. Show proof of state registration. State registration must be maintained for the life of the hive.~~

~~2. Compliance: The keeping by any person of hives not in compliance with this chapter is prohibited. In addition to the requirements set forth in this chapter, all beekeepers shall maintain their hives in compliance with the Utah Bee Inspection Act or any successor thereto, as amended.~~

1. 3. Quantity Of Hives Permitted: A lot shall not exceed the quantity of hives as determined below:

a. Four thousand (4,000) to Eight thousand (8,000) square foot lots are permitted no more than two (2) hives;

b. Nine thousand (9,000) square foot lots are permitted no more than three (3) hives;

c. Ten thousand (10,000) square foot lots are permitted no more than four (4) hives;

d. Eleven thousand (11,000) square foot lots are permitted no more than five (5) hives;

e. Twelve thousand (12,000) square foot lots are permitted no more than six (6) hives.

~~—4. Hives Required: Bees shall be kept in hives.~~

~~—5. Apiary Identification Signs:~~

~~—a. On the entrance side of the apiary a waterproof sign must be conspicuously displayed which states the name, address and telephone number of the owner or person in possession of the apiary.~~

~~—b. On the entrance side of the property where bees are kept a waterproof sign identifying the beehives shall be affixed and maintained that states the name, address and telephone number of the owner or person in possession of the apiary. The sign shall be lettered in black at least one inch (1") in height on a white or light background.~~

~~—6. Sales: Products generated, such as honey, may not be sold from a residential property.~~

~~—B. Requirements:~~

~~—1. Lot Requirements:~~

~~—a. Apiaries are permitted in a fenced rear yard or completely fenced corner side yard. No hives may be kept in any front or side yard area;~~

~~—b. Hives shall be located ten feet (10') away from all property lines;~~

~~—c. Hives shall be located ten feet (10') away from dwellings on lot;~~

~~—d. Hives shall be located twenty five feet (25') away from dwellings on adjacent lots.~~

~~—2. Hive Structure Requirements:~~

~~—a. Only hives with removable frames are permitted in order to allow for inspection, and kept in sound and usable condition. Top bar hives are only permitted if they are fitted with removable frames;~~

~~—b. Hives shall be placed a minimum of six inches (6") above ground;~~

~~—c. Hives can be stacked, not to exceed six feet (6') in height; each stack constitutes one hive;~~

~~—d. Hives shall be separated from adjacent properties, public walks, or a street by a flyway barrier at least six feet (6') high and extending ten feet (10') in either direction.~~

~~—3. Health And Sanitation Requirements:~~

~~—a. A convenient source of fresh water is required to be placed on property, preferably placed between hive and any source of water on an adjacent property in order to prevent bees from seeking the adjacent property water sources;~~

~~—b. No bee comb, dead bees, or related apiary debris shall be left upon grounds to mitigate pest proliferation;~~

~~—c. Only active hives are permitted; unoccupied hives, and all other beekeeping equipment that is not in use is required to be securely stored indoors to prevent disease proliferation, or colonization from an aggressive bee, hornet, or wasp species. (Ord. 16-39)~~

~~17.65.050: ENFORCEMENT:~~

~~Violation of any provision of this chapter is punishable as provided in chapter 17.172 of this title. (Ord. 16-39)~~

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 6th day of October, 2020, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to a text amendment to chapter 17.65 of the Murray City Municipal Code, relating to beekeeping standards.

The purpose of this hearing is to receive public comment concerning the proposed amendment as described above.

NOTICE IS FURTHER GIVEN that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Council Chair has determined that conducting a meeting with an anchor location presents a serious risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. For further information, see the Council Chair determination attached to the Notice of Meeting for October 6, 2020.

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

Public hearing comments may be submitted by sending an email in advance or during the meeting to city.council@murray.utah.gov. Comments are limited to less than three minutes. Include your name and contact information, and the comment will be read into the record.

DATED this _____ day of _____, 2020.

MURRAY CITY CORPORATION

Jennifer Kennedy
City Recorder

DATE OF PUBLICATION: September 25, 2020

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 17.65 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO BEEKEEPING STANDARDS

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this Ordinance is to amend chapter 17.65 of the Murray City Municipal Code relating to beekeeping standards.

Section 2. Amend Chapter 17.65. Chapter 17.65 of the Murray City Municipal Code shall be amended as follows:

CHAPTER 17.65
BEEKEEPING STANDARDS

17.65.010: Purpose

17.65.020: Applicability

17.65.030: Definitions

17.65.040: Development Standards

~~17.65.050: Enforcement~~

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17.65.010: PURPOSE:

The purpose of this chapter is to enable the keeping of ~~a limited number of~~ bees on ~~all properties used as~~ single-family ~~detached homes, residential lots~~ for purposes of family food production. This chapter is intended to facilitate residential agriculture purposes while preserving the health of both humans and bees, minimizing nuisances to neighboring property owners, ~~as well as preventing rodent, insect, vermin, pest, and disease proliferation. This chapter establishes certain requirements of sound beekeeping practices which are intended to avoid problems that may otherwise be associated with beekeeping in populated areas.~~ (Ord. 16-39)

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17.65.020: APPLICABILITY:

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~~A. This chapter applies only to single-family residential zoning districts that have lot~~

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~~—B.—Bees may only be kept on single-family residential property. It shall be unlawful to keep bees on a multiple-family lot. (Ord. 16-39)~~

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~~FLYWAY BARRIER: A partition made from a solid material, or dense vegetation, which blocks a bee from access to an adjacent area unless the bee flies up and over the partition; this is designed to deter bees from flying at a height where they would engage humans or animals.~~

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A. General Provisions:¶

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~~(5) Pay a One Hundred Dollar (\$100.00) nonrefundable initial permit fee.~~

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4. Hives Required: Bees shall be kept in hives.

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~~— 5. Apiary Identification Signs:~~

~~— a. On the entrance side of the apiary a waterproof sign must be conspicuously displayed which states the name, address and telephone number of the owner or person in possession of the apiary.~~

~~— b. On the entrance side of the property where bees are kept a waterproof sign identifying the beehives shall be affixed and maintained that states the name, address and telephone number of the owner or person in possession of the apiary. The sign shall be lettered in black at least one inch (1") in height on a white or light background.~~

~~— 6. Sales: Products generated, such as honey, may not be sold from a residential property.~~

~~— B. Requirements:~~

~~— 1. Lot Requirements:~~

~~— a. Apiaries are permitted in a fenced rear yard or completely fenced corner side yard. No hives may be kept in any front or side yard area;~~

~~— b. Hives shall be located ten feet (10') away from all property lines;~~

~~— c. Hives shall be located ten feet (10') away from dwellings on lot;~~

~~— d. Hives shall be located twenty five feet (25') away from dwellings on adjacent lots.~~

~~— 2. Hive Structure Requirements:~~

~~— a. Only hives with removable frames are permitted in order to allow for inspection, and kept in sound and usable condition. Top bar hives are only permitted if they are fitted with removable frames;~~

~~— b. Hives shall be placed a minimum of six inches (6") above ground;~~

~~— c. Hives can be stacked, not to exceed six feet (6') in height; each stack constitutes one hive;~~

~~— d. Hives shall be separated from adjacent properties, public walks, or a street by a flyway barrier at least six feet (6') high and extending ten feet (10') in either direction.~~

~~— 3. Health And Sanitation Requirements:~~

~~— a. A convenient source of fresh water is required to be placed on property, preferably placed between hive and any source of water on an adjacent property in order to prevent bees from seeking the adjacent property water sources;~~

~~— b. No bee comb, dead bees, or related apiary debris shall be left upon grounds to mitigate pest proliferation;~~

~~— c. Only active hives are permitted; unoccupied hives, and all other beekeeping equipment that is not in use is required to be securely stored indoors to prevent disease proliferation, or colonization from an aggressive bee, hornet, or wasp species. (Ord. 16-39)~~

~~17.65.050: ENFORCEMENT:~~

~~Violation of any provision of this chapter is punishable as provided in chapter 17.172 of this title. (Ord. 16-39)~~

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on
this _____ day of _____, 2020

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this ____ day of
_____, 2020.

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2020.

D. Blair Ca

ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according
to law on the ____ day of _____, 2020.

Jennifer Kennedy, City Recorder

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Seconded by Lisa Milkavich.

Call vote recorded by Mr. Hall.

A Ned Hacker
A Lisa Milkavich
A Travis Nay
A Sue Wilson
A Maren Patterson
A Phil Markham

Motion passed 6-0.

HOWLAND PARTNERS, INC. – 5157, 5177, 5217, 5283 South State Street & 151 East 5300 South – Project #20-088

This agenda item was withdrawn from the agenda. No action was taken.

HOWLAND PARTNERS, INC. – 5157, 5177, 5217, 5283 South State Street & 151 East 5300 South – Project #20-089

This agenda item was withdrawn from the agenda. No action was taken.

LAND USE ORDINANCE TEXT AMENDMENT – Project #20-077

Susan Nixon reviewed the modifications to Section 17.65 of the Murray City Code related to Beekeeping Standards. Land Use #8156, Apiaries, are currently allowed in the City's residential single-family and the agriculture zones only. This proposal will include "all properties used as single-family detached dwellings" regardless of the zone they are in. These changes will shift the regulations and compliance to the Utah Department of Agriculture and the Salt Lake County Health Department who are the experts in beekeeping and adhere to the Bee Inspection Act.

Some of the highlights of the Utah Bee Inspection Act include:

- A person may not raise bees without being registered with the Utah Department of Agriculture;
- Each apiary location shall be identified by a sign showing the owner's registration number issued by the Utah Department of Agriculture unless the apiary is located on property owned by the beekeeper;
- The county bee inspector may inspect all apiaries within the county at least once each year;
- If the apiary is diseased, parasitized, or abandoned, the inspector may prescribe treatment based on the severity of the disease or parasites present;
- A beekeeper may not intentionally maintain an aggressive or unmanageable stock.

Ms. Nixon said she spoke to a representative from the Utah Department of Agriculture who said their department is in favor of these proposed amendments.

Salt Lake County Health Department has the following requirements for Honeybee Management:

- It is unlawful for a person to maintain or locate a beehive on any property in a way that threatens public health or safety or creates a nuisance;
- A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals on adjacent properties;
- A hive shall be supplied with adequate accessible fresh water between March 1 and October 31 of each year;
- A hive shall be located so the bees' flight pattern is six feet or more above frequently used areas of public access;
- A person shall not locate a hive on property owned or occupied by another person without obtaining written permission.

The City's Code would allow a certain number of apiaries in all zones where there is a single-family detached dwelling. The number of apiaries allowed depends on the lot size with a maximum of six apiaries on a lot.

Staff is recommending the Planning Commission forward a recommendation of approval to the City Council to amend Title 17.65 to the Murray City Code.

Mr. Markham verified that the State and County are fine with the compatibility of their regulations as they relate to each other. Ms. Nixon replied as far as she knows there is no problem with relationship of State and County regulations and that inspections and enforcement will be done by Salt Lake County. She commented that there may need to be a statement included in the proposed ordinance that stipulates where there is a conflict with state, county or city regulations, the most restrictive regulation would apply.

Ms. Milkavich asked if there are aspects of enforcement that address citizens in the community having concerns. Ms. Nixon said the County has an online inquiry and complaint system where citizens can submit their concerns or questions.

Mr. Hacker noted one grammatical change that needed to be made to the text.

Ms. Nixon said with this proposal, the citizens of Murray would no longer need to apply for a bee license through the City. These changes streamline the process and put enforcement and compliance with the State and County rather than the City.

The meeting was open for public comment. No comments were given and the public comment portion for this item was closed.

A motion was made by Maren Patterson to forward a recommendation of approval to the City Council to amend title 17.65, as attached to the report, extending to "all properties used as single-family detached homes", subject to registration with the Utah Department of Agriculture and following Salt Lake County Health Department requirements.

Seconded by Travis Nay.

Call vote recorded by Ms. Nixon.

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Maren Patterson
 A Phil Markham

Motion passed 6-0.

OTHER BUSINESS

Sue Wilson made a motion to adjourn. Seconded by Travis Nay.

A voice vote was made, motion passed 6-0.

The meeting was adjourned at 7:15 p.m.

Jared Hall, Planning Division Manager



AGENDA ITEM #8			
ITEM TYPE:	Text Amendment to Section 17.65, Beekeeping Standards		
APPLICANT:	Community & Economic Development, Planning Division	MEETING DATE:	August 20, 2020
CURRENT ZONE:	Single-Family Residential Zones	STAFF:	Susan Nixon, Associate Planner
REQUEST:	Allowed in all Zones where there is a single-family detached dwelling	PROJECT NUMBER:	20-077
		APPLICABLE ZONE:	All Zones

I. BACKGROUND & REVIEW

Background

The proposed ordinance amendment to Title 17.65, Beekeeping Standards, (LU#8156 Apiaries) would be amended to include all properties used as single-family detached homes regardless of the zoning. Regulations would be simplified to be "subject to registration with the Utah Department of Agriculture and following Salt Lake County Health Department requirements" (see attached).

Analysis and Practical Implementation

After several years of review and modifications, Murray City elected officials adopted Section 17.65, Beekeeping Standards, on October 18, 2016. Since that time, it has come to our attention that the adopted code is too stringent and difficult for Murray citizens to meet. Murray City has received no applications for Beekeeping. In recent conversations with the State Apiary Department (a division of the Utah Department of Agriculture), it was indicated that since Murray's adoption of Title 17.65, there has been a 60% reduction of hive registrations in Murray City. It was indicated by Kristopher Watkins of the Utah Department of Agriculture that our code is too restrictive and citizens cannot comply, therefore the registrations with the Department of Agriculture have significantly dropped because citizens do not want to be targeted as "out of compliance" to the Murray City's regulations. With this proposed amendment, a Murray City application would no longer be required, and regulations and compliance would largely be handled through the Utah Department of Agriculture and Salt Lake County Health Department. Murray City staff would only be responsible to verify numbers of hives versus lot size. Murray City does not have the expertise or staff to inspect hives for compliance and would refer issues to the County inspector(s).

Current and Proposed Changes

- Allowance: Murray City Code 17.65 currently allows for Apiaries (LU#8156) in single family residential zones (R-1-6, R-1-8, R-1-10, R-1-12) as: “Apiaries (includes all processes involved in honey production; on lots 8,000 square feet or larger; noncommercial only).” In the A-1 zone Apiaries are allowed as a permitted use “established to provide areas where agricultural uses and open spaces can be encouraged and maintained. This district is intended to include activities normally related to the conduct of light agricultural uses and residential living.”

The changes proposed by staff include removing the list of allowed zones in favor of allowing apiaries as accessory uses in all zones “on properties in use for single-family, detached homes”.

- Lot Size / Number of Hives: The number of hives are currently limited by the lot size. Staff recommends that lot size and the number of hives allowed be maintained, amending the minimum lot size be 4,000 square feet.
 - a. Four thousand (4,000) square foot to Eight thousand (8,000) square foot lots are permitted no more than two (2) hives;
 - b. Nine thousand (9,000) square foot lots are permitted no more than three (3) hives;
 - c. Ten thousand (10,000) square foot lots are permitted no more than four (4) hives;
 - d. Eleven thousand (11,000) square foot lots are permitted no more than five (5) hives;
 - e. Twelve thousand (12,000) square foot lots are permitted no more than six (6) hives.
- Other Requirements: The current ordinance requires items such as Certificates of Insurance, Hold Harmless agreements between an applicant and Murray City, site plans, as well as applications and a fees. Staff proposes removing these requirements from the ordinance and requiring only registration with the Utah Department of Agriculture and compliance with Salt Lake County Health Department regulations for apiaries.

Staff Review

Staff worked with personnel from the Utah Department of Agriculture and the Salt Lake County Health Department in preparing the proposed changes. Additionally, staff reviewed current codes from other cities in the Salt Lake Valley allowing beekeeping.

City	Minimum Area Required	Zones allowed	Meet County Health Regs	Register with Dept of Ag
Draper	1 hive per 4,000 ft ² lot	Single Family Residential	Yes	Yes
Herriman	2 hives per 10,000 ft ² lot; max of 4 hives	Single Family Residential	No	Yes

Taylorsville – No ordinance	N/A	N/A	N/A	N/A
Holladay	2 hives with minimum 8,000 ft ² .; larger lots max of 8 hives	Single Family Residential	N/A	Yes
Ogden	None	Residential Zones	N/A	Yes
Salt Lake City	No minimum for 5 hives; ½ acre may have up to 10 hives	Residential Lots	Yes, whichever code is more restrictive	Yes
South Jordan	1/4-1/2 ac = 2 hives 1/2-1 ac = 4 hives	Residential Lots	N/A	Yes
South Salt Lake	3 hives with minimum 4,500 ft ²	Single Family Residential	Yes	Yes
West Jordan	N/A	All Zones	Yes	Yes

II. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on Monday, August 3, 2020 where the proposed amendment was considered by City Staff from various departments. There were no comments or concerns indicated.

III. PUBLIC INPUT

Notices were sent to Affected Entities for this Text Amendment. As of the date of this report there has not been any comment regarding this application.

IV. FINDINGS

Based on the analysis of the proposed text amendment and review of the Murray City General Plan and Land Use Ordinance, staff concludes the following:

1. The requested text amendment has been carefully considered based on the characteristics of practical application and oversight from those with expertise.
2. The proposed text amendment is consistent with the purpose of Title 17, Murray City Land Use Ordinance.
3. The proposed text amendment is consistent with the Goals & Policies of the Murray City General Plan.
4. The proposed text amendments will allow Murray City residents the ability to have apiaries in conjunction with their residential dwellings in all zones. .

CHAPTER 17.65
BEEKEEPING STANDARDS

SECTION:

17.65.010: Purpose

17.65.020: Applicability

17.65.030: Definitions

17.65.040: Development Standards

~~17.65.050: Enforcement~~

17.65.010: PURPOSE:

The purpose of this chapter is to enable the keeping of ~~a limited number of~~ bees on all properties used as single-family detached homes ~~residential lots~~ for purposes of family food production. This chapter is intended to facilitate residential agriculture purposes while preserving the health of both humans and bees, minimizing nuisances to neighboring property owners, ~~as well as preventing rodent, insect, vermin, pest, and disease proliferation. This chapter establishes certain requirements of sound beekeeping practices which are intended to avoid problems that may otherwise be associated with beekeeping in populated areas.~~ (Ord. 16-39)

17.65.020: APPLICABILITY:

A. Apiaries are permitted as an accessory use on all properties used as single-family detached homes, subject to registration with the Utah Department of Agriculture and following Salt Lake County Health Department, Honeybee Management, requirements.

~~—A. This chapter applies only to single-family residential zoning districts that have lot~~

A. On all properties used as single family detached homes, subject to registering with the Utah Department of Agriculture and following Salt Lake County Health Department, Honeybee Management, requirements".

~~sizes of eight thousand (8,000) square feet or more. The specific zoning districts in which beekeeping is allowed are the following: R-1-6, R-1-8, R-1-10, and R-1-12.~~

~~—B. Bees may only be kept on single-family residential property. It shall be unlawful to keep bees on a multiple-family lot. (Ord. 16-39)~~

17.65.030: DEFINITIONS:

The following words and phrases when used in this chapter shall be construed as defined in this section:

APIARY: The assembly of one or more colonies of bees at a single location.

BEE: All life stages of the common domestic honeybee, *Apis mellifera* species.

BEEKEEPER: A person who owns or has charge of one or more colonies of bees.

BEEKEEPING EQUIPMENT: Anything used in the operation of an apiary, such as hives and hive components, honey harvesting equipment, bee calming equipment, and personal protective gear.

COLONY: An aggregate of bees consisting principally of workers, but having one queen and, at times, drones, brood, combs, honey, and a hive box inhabited by bees.

~~FLYWAY BARRIER: A partition made from a solid material, or dense vegetation, which blocks a bee from access to an adjacent area unless the bee flies up and over the partition; this is designed to deter bees from flying at a height where they would engage humans or animals.~~

~~HIVE: The box, wooden ware, or similar structure that a colony of bees inhabits. (Ord. 16-39)~~

17.65.040: DEVELOPMENT STANDARDS:

A. General Provisions:

~~1. Permit Required: Persons seeking to keep bees shall first obtain a Beekeeping Permit. Applicants may be Beekeepers on the residential property of another, as long as all requirements have been satisfied and permission has been granted from the property owner to keep an apiary and verified in writing. Applications shall be submitted to the Community and Economic Development Division. Beekeepers who owned or operated an apiary prior to the effective date hereof and who continue to do so after the effective date hereof, shall have thirty (30) days after such effective date to apply for a Beekeeping Permit.~~

~~a. At the time of application for a Beekeeping Permit, the applicant shall:~~

~~(1) Submit a scaled site plan of the proposed apiary showing placement of the hive(s), the flyway barrier and compliance with all applicable requirements outlined in this chapter;~~

~~(2) Provide a Certificate of Insurance from property owner's homeowner's insurance company verifying that Beekeeping is covered by the insurance policy covering the property where the apiary will be located;~~

~~(3) Provide a certificate of completion or similar documentation, from a Beekeeping training course provided by an entity approved by the City. The Division shall maintain a list of approved courses. Beekeepers are required to stay current and demonstrate their knowledge of colony health and management;~~

~~(4) Submit a properly executed hold harmless agreement between the applicant (if the location of the apiary is owned by a third party, then the property owner as well) and the City, waiving any liability for any loss or injury resulting from the design, construction or operation of the apiary;~~

~~(5) Pay a One Hundred Dollar (\$100.00) nonrefundable initial permit fee.~~

~~(6) Provide written consent of the property owner, if the apiary will be located on residential property not owned by the applicant. The property owner will be required to sign the application as well.~~

~~b. Show proof of state registration. State registration must be maintained for the life of the hive.~~

~~2. Compliance: The keeping by any person of hives not in compliance with this chapter is prohibited. In addition to the requirements set forth in this chapter, all beekeepers shall maintain their hives in compliance with the Utah Bee Inspection Act or any successor thereto, as amended.~~

1. ~~3.~~ Quantity Of Hives Permitted: A lot shall not exceed the quantity of hives as determined below:

a. Four thousand (4,000) to Eight thousand (8,000) square foot lots are permitted no more than two (2) hives;

b. Nine thousand (9,000) square foot lots are permitted no more than three (3) hives;

c. Ten thousand (10,000) square foot lots are permitted no more than four (4) hives;

d. Eleven thousand (11,000) square foot lots are permitted no more than five (5) hives;

e. Twelve thousand (12,000) square foot lots are permitted no more than six (6) hives.

~~— 4. Hives Required: Bees shall be kept in hives.~~

~~— 5. Apiary Identification Signs:~~

~~— a. On the entrance side of the apiary a waterproof sign must be conspicuously displayed which states the name, address and telephone number of the owner or person in possession of the apiary.~~

~~— b. On the entrance side of the property where bees are kept a waterproof sign identifying the beehives shall be affixed and maintained that states the name, address and telephone number of the owner or person in possession of the apiary. The sign shall be lettered in black at least one inch (1") in height on a white or light background.~~

~~— 6. Sales: Products generated, such as honey, may not be sold from a residential property.~~

~~— B. Requirements:~~

~~— 1. Lot Requirements:~~

~~— a. Apiaries are permitted in a fenced rear yard or completely fenced corner side yard. No hives may be kept in any front or side yard area;~~

~~— b. Hives shall be located ten feet (10') away from all property lines;~~

~~— c. Hives shall be located ten feet (10') away from dwellings on lot;~~

~~— d. Hives shall be located twenty five feet (25') away from dwellings on adjacent lots.~~

~~— 2. Hive Structure Requirements:~~

~~— a. Only hives with removable frames are permitted in order to allow for inspection, and kept in sound and usable condition. Top bar hives are only permitted if they are fitted with removable frames;~~

~~— b. Hives shall be placed a minimum of six inches (6") above ground;~~

~~— c. Hives can be stacked, not to exceed six feet (6') in height; each stack constitutes one hive;~~

~~— d. Hives shall be separated from adjacent properties, public walks, or a street by a flyway barrier at least six feet (6') high and extending ten feet (10') in either direction.~~

~~— 3. Health And Sanitation Requirements:~~

~~— a. A convenient source of fresh water is required to be placed on property, preferably placed between hive and any source of water on an adjacent property in order to prevent bees from seeking the adjacent property water sources;~~

~~— b. No bee comb, dead bees, or related apiary debris shall be left upon grounds to mitigate pest proliferation;~~

~~— c. Only active hives are permitted; unoccupied hives, and all other beekeeping equipment that is not in use is required to be securely stored indoors to prevent disease proliferation, or colonization from an aggressive bee, hornet, or wasp species. (Ord. 16-39)~~

17.65.050: ENFORCEMENT:

Violation of any provision of this chapter is punishable as provided in chapter 17.172 of this title. (Ord. 16-39)



Applying for a Residential Beekeeping Permit

Residential Beekeeping is a permitted use within any single-family residential zoning district for the purposes of family food production. This application is designed to ensure compliance with Murray City beekeeping standards and the registration of beekeeping properties within the City. A beekeeping permit will only be issued once a completed application is submitted and after an inspection has been performed by Murray City staff. It is the applicant's responsibility to comply with all State and Murray City beekeeping standards. Compliance with those standards must be continually adhered to and the violation of any state or local standards will justify potential revocation of this permit.

Utah Department of Agriculture and Food:

- For information regarding UDAF beekeeping regulations and registration, visit <http://ag.utah.gov/plants-pests/beekeeping.html>

Beekeeping Standards:

- **Quantity of Hives:**
 - 8,000 square foot lots are permitted no more than two (2) hives;
 - 9,000 square foot lots are permitted no more than three (3) hives;
 - 10,000 square foot lots are permitted no more than four (4) hives;
 - 11,000 square foot lots are permitted no more than five (5) hives;
 - 12,000 square foot lots or greater are permitted no more than six (6) hives.
- **Apiary Identification Signs:**
 - Each apiary must have a waterproof sign conspicuously displayed which states the name, address and telephone number of the owner or person in possession of the apiary.
 - On the entrance side of the property where the apiaries are located, a waterproof sign must be posted that states the name, address, and telephone number of the owner or person in possession of the apiary. The sign must be lettered in black at least one inch in height on a white or light background.

- **Lot Requirements:**

- Apiaries are permitted only within a fenced rear yard or completely fenced corner-lot side yard. No hives may be kept in any front or interior side yard area;
- Hives must be located a minimum of ten (10) feet from all property lines;
- Hives must be located a minimum of ten (10) feet from all dwellings on the lot;
- Hives must be located a minimum of twenty-five (25) feet from dwellings on adjacent lots.

- **Hive Structure Requirements:**

- Hives must include removable frames for inspection and kept in a sound and usable condition. Top-bar hives are only permitted if they are fitted with removable frames;
- Hives must be placed a minimum of six (6) inches above the ground;
- Hives may be stacked with each stack not to exceed six (6) feet in height. Each stack constitutes one (1) hive;
- Hives must be separated from adjacent properties, public walks, or a street by a flyway barrier at least six (6) feet high and extending ten (10) feet in either direction.

- **Health and Sanitation Requirements:**

- A convenient source of fresh water is required to be placed on the property, preferably placed between the hive(s) and any source of water on an adjacent property;
- No bee comb, dead bees, or related apiary debris may be left upon the ground in order to mitigate pest proliferation;
- Only active hives are permitted; unoccupied hives, and all other beekeeping equipment that is not in use is required to be securely stored indoors. This helps prevent disease proliferation, or colonization by aggressive bee, hornet, or wasp species.

*A complete list of beekeeping standards can be found in Chapter 17.65 of the Murray City Land Use Ordinance. A copy of that ordinance is attached to this application for your convenience.

Application Process/Checklist:

Step 1. Contact the Community & Economic Development Division. Meet informally with a member of the Community & Economic Development Division staff to obtain application materials and receive assistance with the application process.

Step 2. Submit Application. Please use the following checklist to ensure completeness of application.

- ☐ Completed application form.
- ☐ Application fee \$100.00.
- ☐ Property Owner's Affidavit (i.e. a written statement made before a notary). For your convenience, an affidavit has been provided as part of this application packet.

- ☐ Hold harmless agreement between the applicant and Murray City (document waiving the City from liability of any loss or injury resulting from the beekeeping activity). For your convenience, a hold harmless agreement has been provided as part of this application packet.
- ☐ Copy of certificate of insurance from the property owner's homeowner insurance company verifying that the policy provides coverage for beekeeping.
- ☐ Copy of registration with the Utah Department of Agriculture and certificate of completion of a beekeeping course.
- ☐ Written and signed consent by property owner if apiary is to be kept on a property not owned by the operator of the hives.
- ☐ One (1) copy of a legible site plan proposal. The site plan should include the following information:
 - ☐ The location of the hive(s), flyway barrier, fresh water source location on the property, and all other structures located on the property.
 - ☐ Accurate dimensions of the subject property, drawn to scale (i.e. 1"=10', 1"=30', etc.), with north arrow and date of drawing. Sheet size should be a minimum of 18" x 24".
 - ☐ Property lines, adjoining streets, rights-of way, waterways, easements, etc. with dimensions.
- ☐ Submit one (1) reduced 8 1/2 x 11 inch copy of all development plans.
*All plans submitted with the application will not be returned to the applicant and are the property of Murray City.

Step 3. Community Development Staff Inspection and Decision. Staff will issue a permit or provide notification of denial of the application within 10 business days of submittal.



MURRAY CITY RESIDENTIAL BEEKEEPING APPLICATION

Applicant Information

Name(s): _____
Business Name (if applicable): _____
Mailing Address: _____
City, State, Zip: _____
Daytime Phone: _____ Alternate Phone: _____

Property Owner Information (If separate from applicant)

Name(s): _____
Business Name (if applicable): _____
Mailing Address: _____
City, State, Zip: _____
Daytime Phone: _____ Alternate Phone: _____

Property & Beehive Information

Property Address: _____
Parcel Identification Number: _____
Property Size (Square Feet): _____ Zoning Classification: _____
Number of Beehives: _____ Hive Location: _____
Description of beehive activity (use additional page if necessary): _____

Authorized Signature: _____ Date: _____

Property Owners Affidavit

I (we) _____, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Signature

Owner's Signature (co-owner if any)

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

Residing in _____

My commission expires: _____

Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Murray City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature (co-owner if any)

On the _____ day of _____, 20_____, personally appeared before me

_____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary public

Residing in _____

My commission expires: _____

Attachments

**Salt Lake Valley Health Department
Health Regulation**

#7

**GENERAL SANITATION
REGULATION**

**Adopted by the Salt Lake Valley Board of Health
September 7, 1989**

**Amended
March 1, 2007**

**Under Authority of Section 26A-1-114
Utah Code Annotated, 1953, as amended**

to rabies; or has bit a human being; the owner of the rabies-exposed animal or animal that bit a human being shall report the incident to the local animal services agency, the Department, or the Utah State Department of Health.

4.10.4. Veterinarians, groomers, kennel operators, animal day cares, and others accommodating animals from multiple families at the same time shall be responsible for determining that dogs, cats, and ferrets are currently vaccinated for rabies prior to accepting the animal from their owners or caretakers for temporary housing, grooming, or other care on their premises.

4.11. Physical Facilities for Kennels and Grooming Facilities. Properly installed hot and cold potable water shall be available for proper sanitation.

4.12. Requirements for Honeybee Management.

4.12.1. It shall be unlawful for any person to maintain or locate a beehive on any property in a way that threatens public health or safety, or creates a nuisance. In a residential area, an apiary is not to exceed three stacks of five boxes each or an equivalent capacity.

4.12.2. A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals on adjacent property or areas of public access.

4.12.3. A hive shall be supplied with adequate accessible fresh water continuously between March 1 and October 31 of each year. The water shall be in a location minimizing the nuisance created by bees seeking water on neighboring property.

4.12.4. A hive shall be located so the bees' flight pattern is six feet or more above frequently used areas of public access.

4.12.5. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.

4.13. Pigeon Loft Maintenance.

4.13.1. Each domestic pigeon loft shall be operated and maintained clean and sanitary to prevent insect and/or rodent propagation, odors, nuisances, or conditions for the transmission of disease.

4.13.2. Domestic pigeons shall be confined to an approved pigeon loft except during controlled exercise periods.

4.14. Wild Pigeon and Starling Control. It shall be unlawful for the owner of any property to permit wild pigeons or starlings to roost or harbor in any area if a nuisance or odor is



[Home](#) » [Farmers and Ranchers](#) » [Plant Industry](#) » [Apiary Inspection and Beekeeping](#) » County Apiary Inspectors

County Apiary Inspectors

Bee inspectors are available to assist beekeepers in Utah. Contact your county bee inspector or UDAF Apiary Program with questions or concerns. If your county does not have a bee inspector, please contact a state inspector.

UDAF Apiary Program
(801) 982-2313

County	Name	Phone	Email
Box Elder	Martin James	(435) 760-0805	martin@slideridgehoney.com
Cache	Martin James	(435) 760-0805	martin@slideridgehoney.com
Grand	Jerry Shue	(435) 260-8581	shue.jerry@gmail.com
Iron	Blaine Nay	(435) 590-7569	blaine@nay.org
Kane	Rob Brinkerhoff	(435) 644-8192	rob.brinkerhoff@gmail.com
Millard	Michael Stephenson	(435) 864-5343	stephensonhoney@gmail.com
Salt Lake	Peter Somers	(801) 874-2999	801874BZZZ@gmail.com
Sanpete	John Scott	(435) 851-6101	scottjg@ldschurch.org
Tooele	Kelly Keele	(435) 830-3888	
Washington	Casey Lofthouse	(435) 467-2787	cblofty@cpaz.net

If you reside in a county without an inspector, section 4-11-5 of the Bee Inspection Act states that the board of county commissioners can appoint one upon petition of five or more persons who raise bees. The list of beekeepers currently registered in Utah can be found [here](#) (then click 1201).

This entry was last updated on [July 10, 2020](#)

PLANT INDUSTRY DIVISION

Robert Hougaard
Director of Plant
Industry

Division Contact Information

(801) 982-2305
udaf-plantdivision@utah.gov

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[Apiary \(Beekeeping\)
Program](#)

[Compliance Specialists](#)

[Feed Program](#)

[Fertilizer Program](#)

[Grain Program](#)

[Hay Program](#)

[Insects and Pests
Program](#)

[Noxious Weeds
Program](#)

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R68. Agriculture and Food, Plant Industry.

R68-1. Utah Bee Inspection Act Governing Inspection of Bees.

R68-1-1. Authority.

Promulgated under the authority of Section 4-11-103.

R68-1-2. Registration.

1) Every owner or person coming into possession of one or more colonies of bees within the State of Utah shall register with the Department of Agriculture and Food in accordance with the provisions in Section 4-11-104.

2) The Utah Department of Agriculture and Food may waive the registration fee for youth non-profit groups using hives for educational purposes.

R68-1-3. Apiary Identification.

1) Each apiary location shall be identified by a sign showing the owner's registration number issued by the Utah Department of Agriculture and Food, unless the apiary is located on property owned by the beekeeper.

2) The registration number shall be at least one inch in height, easily readable and displayed in a conspicuous location in the apiary; or similar identification conspicuously displayed on one or more hive bodies within the apiary. Any apiary not so identified shall be considered abandoned and shall be subject to seizure and destruction as provided for in Section 4-11-114.

R68-1-4. Assistance in Locating Apiaries.

1) All beekeepers shall personally assist the department or county bee inspectors in locating their apiaries, or provide accurate and detailed information as to location of all bee hives under their control or possession.

2) Bee inspectors shall make a good faith effort to contact the beekeeper prior to an inspection.

R68-1-5. Salvage Operations.

1) All salvage operations with respect to wax, hives and appliances from diseased colonies shall be performed in a tightly screened enclosure using the following procedure:

a) frames and comb held for at least 30 minutes in boiling water (212 degrees F) before any wax is removed;

b) after removal from the boiling water the frames are destroyed or boiled for a minimum of 20 minutes in a solution of lye water containing no less than 10 pounds of lye (Sodium Hydroxide) for each 100 gal. of water; and

c) hive bodies, supers, covers and bottom boards are thoroughly scorched or boiled for a minimum of 20 minutes in the lye water solution.

KEY: beekeeping

Date of Enactment or Last Substantive Amendment: November 23, 2015

Notice of Continuation: August 24, 2015

Authorizing, and Implemented or Interpreted Law: 4-11-103

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KEY: beekeeping

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Effective 7/1/2017

Chapter 11

Utah Bee Inspection Act

4-11-101 Title.

This chapter is known as the "Utah Bee Inspection Act."

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-102 Definitions.

As used in this chapter:

- (1) "Abandoned apiary" means any apiary to which the owner or operator fails to give reasonable and adequate attention during a given year as determined by the department.
- (2) "Apiary" means any place where one or more colonies of bees are located.
- (3) "Apiary equipment" means hives, supers, frames, veils, gloves, or other equipment used to handle or manipulate bees, honey, wax, or hives.
- (4) "Appliance" means any apparatus, tool, machine, or other device used to handle or manipulate bees, wax, honey, or hives.
- (5) "Bee" means the common honey bee, *Apis mellifera*, at any stage of development.
- (6)
 - (a) "Beekeeper" means a person who keeps bees.
 - (b) "Beekeeper" includes an apiarist.
- (7) "Colony" means an aggregation of bees in any type of hive that includes queens, workers, drones, or brood.
- (8) "Disease" means any infectious or contagious disease affecting bees, as specified by the department, including American foulbrood.
- (9) "Hive" means a frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle that may be used to house bees.
- (10) "Package" means any number of bees in a bee-tight container, with or without a queen, and without comb.
- (11) "Parasite" means an organism that parasitizes any developmental stage of a bee.
- (12) "Pest" means an organism that:
 - (a) inflicts damage to a bee or bee colony directly or indirectly; or
 - (b) may damage apiary equipment in a manner that is likely to have an adverse effect on the health of the colony or an adjacent colony.
- (13) "Raise" means:
 - (a) to hold a colony of bees in a hive for the purpose of pollination, honey production, or study, or a similar purpose; and
 - (b) when the person holding a colony holds the colony or a package of bees in the state for a period of time exceeding 30 days.
- (14) "Terminal disease" means a pest, parasite, or pathogen that will kill an occupant colony or subsequent colony on the same equipment.

Amended by Chapter 136, 2019 General Session

4-11-103 Department authorized to make and enforce rules.

- (1) The department is authorized, subject to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to make and enforce rules necessary for the administration and enforcement of this chapter.
- (2) The rules described in Subsection (1) shall include provisions for the identification of each apiary within the state.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-104 Bee raising -- Registration required -- Application -- Fees -- Renewal -- License required -- Application -- Fees -- Renewal.

- (1) A person may not raise bees in this state without being registered with the department.
- (2) Application for registration to raise bees shall be made to the department upon tangible or electronic forms prescribed and furnished by the department, within 30 days after the person:
 - (a) takes possession of the bees; or
 - (b) moves the bees into the state.
- (3) Nothing in Subsection (2) limits the requirements of Section 4-11-111.
- (4) An application in accordance with this chapter shall specify:
 - (a) the name and address of the applicant;
 - (b) the number of bee colonies owned by the applicant at the time of the application that will be present in the state for a period exceeding 30 days; and
 - (c) any other relevant information the department considers appropriate.
- (5) Upon receipt of a proper application and payment of an annual registration fee determined by the department pursuant to Subsection 4-2-103(2), the commissioner shall issue a registration to the applicant valid through December 31 of the year in which the registration is issued, subject to suspension or revocation for cause.
- (6) A bee registration is renewable for a period of one year upon the payment of an annual registration renewal fee as determined by the department pursuant to Subsection 4-2-103(2).
- (7) Registration shall be renewed on or before December 31 of each year.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-105 County bee inspector -- Appointment -- Termination -- Compensation.

- (1) The county executive upon the petition of five or more persons who raise bees within the respective county shall, with the approval of the commissioner, appoint a qualified person to act as a bee inspector within the county.
- (2) A county bee inspector shall be employed at the pleasure of the county executive and the commissioner and is subject to termination of employment, with or without cause, at the instance of either.
- (3) Compensation for the county bee inspector shall be fixed by the county legislative body.
- (4) To be appointed a county bee inspector, a person shall demonstrate adequate training and knowledge related to this chapter, bee diseases, and pests.
- (5) A record concerning bee inspection shall be kept by the county executive or commissioner.
- (6) The county executive and the commissioner shall investigate a formal, written complaint against a county bee inspector.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-106 Hives to have removable frames -- Consent of county bee inspector to sell or transport diseased bees.

- (1) A person may not house or keep bees in a hive unless the hive is equipped with movable frames to all the hive's parts so that access to the hive can be had without difficulty.
- (2) No person who owns or has possession of bees (whether queens or workers) with knowledge that they are infected with terminal disease, parasites, or pests, or with knowledge that they have been exposed to terminal disease, parasites, or pests, shall sell, barter, give away, or move the bees, colonies, or apiary equipment without the consent of the county bee inspector or the department.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-107 Inspector -- Duties -- Diseased apiaries -- Examination of diseased bees by department -- Election to transport bees to wax-salvage plant.

- (1) The county bee inspector or the department may inspect:
 - (a) all apiaries within the county at least once each year; and
 - (b) immediately any apiary within the county that is alleged in a complaint to be severely diseased, parasitized, or abandoned.
- (2) If, upon inspection, the inspector determines that an apiary is diseased or parasitized, the inspector may take the following action based on the severity of the disease or parasite present:
 - (a) prescribe the course of treatment that the owner or caretaker of the bees shall follow to eliminate the disease or parasite;
 - (b) personally, for the purpose of treatment approved by the department, take control of the afflicted bees, hives, combs, broods, honey, and equipment; or
 - (c) destroy the afflicted bees and, if necessary, their hives, combs, broods, honey, and all appliances that may have become infected.
- (3) If, upon reinspection, the inspector determines that the responsible party has not executed the course of treatment prescribed by Subsection (2), the inspector may take immediate possession of the afflicted colony for control or destruction in accordance with Subsection (2)(b) or (c).
- (4)
 - (a) The owner of an apiary who is dissatisfied with the diagnosis or course of action proposed by an inspector under this section may, at the owner's expense, have the department examine the alleged diseased bees.
 - (b) The decision of the commissioner with respect to the condition of bees at the time of the examination is final and conclusive upon the owner and the inspector involved.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-108 County bee inspector -- Disinfection required before leaving apiary with diseased bees.

- (1) Before inspecting the premises of any apiary, an inspector and any assistant of an inspector shall disinfect any equipment that will be used in the inspection.
- (2) Before leaving the premises of any apiary, the bee inspector, or any assistant, shall thoroughly disinfect any part of the inspector's own person, clothing, or any appliance that has come in contact with infected material.
- (3) The method of disinfection required by Subsection (2):

- (a) may be determined by the department; and
- (b) shall be sufficient to destroy disease, parasites, and pathogens encountered.
- (4) A county bee inspector shall maintain a record of each inspection, including disinfection practices.
- (5) The county executive or the commissioner may review a county bee inspector's records kept in accordance with Subsection (4).

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-109 Inspection of apiaries where queen bees raised for sale -- Honey from apiaries where queen bees raised for sale not to be used for candy for mailing cages unless boiled.

- (1)
 - (a) At least twice each summer the county bee inspector may inspect each apiary in which queen bees are raised for sale.
 - (b) A person may not sell or transport any queen bee from an apiary that is found to be infected with disease without the consent of the county bee inspector or the department.
- (2) No person engaged in raising queen bees for sale shall use any honey for making candy for mailing cages that has not been boiled for at least 30 minutes.
- (3) A person rearing queens shall follow standard methods for minimizing or eliminating unmanageably aggressive stock.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-110 Enforcement -- Inspections authorized -- Warrants.

- (1) The department and all bee inspectors shall have access to all apiaries or places where bees, hives, and appliances are kept for the purpose of enforcing this chapter.
- (2) If admittance is refused, the department, or the bee inspector involved, may proceed immediately to obtain an ex parte warrant from the nearest court of competent jurisdiction to allow entry upon the premises for the purpose of making an inspection.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-111 Importation of bees or appliances into state -- Certification required -- Inspection discretionary -- Authority to require destruction or removal of diseased bees and appliances.

- (1)
 - (a) A person may not bring or import any bees in packages or hives or bring or import any used beekeeping equipment or appliances into this state without obtaining a certificate from an inspector authorized in the state of origin certifying that:
 - (i) the bees, apiary equipment, or appliances have been inspected within the current production season; and
 - (ii) all diseased colonies in the apiary at the time of the inspection were destroyed or treated.
 - (b) A person bringing or importing bees into the state shall advise the department of the address of the bees' destination and furnish the department with a copy of the certificate of inspection upon entry into the state.
 - (c) A person intending to hold bees in the state for a period of time exceeding 30 days shall comply with Section 4-11-104.
- (2)

- (a) A person may not bring or import any used apiary equipment, except after obtaining a certificate from an inspector authorized in the state of origin certifying that all potentially pathogen-conductive apiary equipment or appliances are appropriately sterilized immediately before importation.
- (b) A person bringing or importing used apiary equipment shall advise the department of the address of the destination in the state and furnish the department with a copy of the certificate of inspection upon entry into the state.
- (3) Used apiary equipment or appliances that have been exposed to terminal disease may not be sold without the consent of the bee inspector or the commissioner.
- (4) In lieu of the certificate required by Subsection (1), the certificate may be a Utah certificate.
- (5)
 - (a) If the department determines it is necessary for any reason to inspect any bees, apiary equipment, or appliance upon arrival at a destination in this state, and upon this inspection finds terminal disease, the department shall cause all diseased colonies, appliances, and equipment to be either:
 - (i) destroyed immediately; or
 - (ii) removed from the state within 48 hours.
 - (b) The costs of complying with Subsection (5)(a)(i) or (ii) shall be paid by the person bringing the diseased colonies, appliances, or equipment into the state.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-112 Quarantine authorized.

The commissioner, in order to protect the bee industry of the state against bee health or management issues, may quarantine the entire state, an entire county, or any apiary or specific hive within the state.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-113 Unlawful acts specified.

It is unlawful for a person to:

- (1) extract honey in any place where bees can gain access either during or after the extraction process;
- (2) maintain any neglected or abandoned hives, apiary equipment, or appliances other than in an enclosure that prohibits the entrance of bees;
- (3) raise bees without being registered with the department; or
- (4) knowingly sell a colony, apiary equipment, or appliance that is inoculated with terminal disease pathogens.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-114 Maintenance of abandoned apiary, equipment, or appliance -- Nuisance.

- (1) It is a public nuisance to keep an abandoned or diseased apiary, apiary equipment, or appliance anywhere other than in an enclosure that prohibits the entry of bees.
- (2) Items listed in Subsection (1) are subject to seizure and destruction by the county bee inspector.

- (3) Upon discovery of, or receipt of a written complaint concerning, an abandoned apiary site, apiary equipment, or appliance, the bee inspector shall attempt to notify the registered owner, if any.
- (4)
 - (a) A registered owner notified under Subsection (3) shall remove the abandoned apiary, apiary equipment, or appliance or provide a bee-proof enclosure within 15 days.
 - (b) The bee inspector or the department shall verify the removal or protection in accordance with Subsection (4)(a) at the expiration of the 15-day period.
 - (c) If a registered owner does not comply with Subsection (4)(a), the bee inspector or the department may seize and destroy the abandoned apiary, apiary equipment, and appliances.
- (5) A bee inspector or the department may seize and destroy an abandoned apiary, apiary equipment, or appliances if the abandoned apiary, apiary equipment, or appliances do not indicate a registered owner.

Renumbered and Amended by Chapter 345, 2017 General Session

4-11-115 Maintaining gentle stock.

A beekeeper may not intentionally maintain an aggressive or unmanageable stock, whether African or European in origin.

Renumbered and Amended by Chapter 345, 2017 General Session



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[Popular Pages](#)

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Beekeeper Registration

[Licensing Webpage](#)

[Analytical Lab](#)

[Marketing and Economic Development](#)

[Regulatory Services](#)

[Animal Industry](#)

[Pesticides](#)

[Utah Industrial Hemp Program](#)

[License Lookup](#)

[Plant Industry](#)

[Livestock](#)

[Plant Industry](#)

[Registration Factsheet: Purpose of](#)

CREATING A NEW REGISTRATION:

On the Licensing Webpage, follow the instructions below.

1. Click on the "New License Application" tab at the top of the screen (it is the 5th tab over).
2. Click on the button labeled 1201 "As a Beekeeper."
3. Select your hive count.
4. Enter your name, address and contact information.
5. Click "Save Customer Information."
6. Enter the number of hives and add your apiary location(s).
7. Click "Pay now" to checkout.

ONLINE REGISTRATION RENEWAL:

On the Licensing Webpage, follow the instructions below. If you do not know your PIN, please contact UDAF licensing specialist Rhonda Overman (801) 982-2312 or email roverman@utah.gov

1. Click on the "Renew my license" tab at the top of the screen (it is the 3rd tab over).
2. Enter license number and PIN. *Steps 3-6 should be saved from the previous year. If you have any updates, please make them before checkout.*
3. Select your hive count.
4. Enter your name, address and contact information.
5. Click "Save Customer Information."
6. Enter the number of hives and add your apiary location(s).
7. Click "Pay now" to checkout.

This entry was last updated on [April 17, 2020](#).

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[Apiary \(Beekeeping\) Program](#)

[Compliance Specialists](#)

[Feed Program](#)

[Fertilizer Program](#)

[Grain Program](#)

[Hay Program](#)

[Insects and Pests Program](#)

[Noxious Weeds Program](#)

[Nursery Program](#)

[Organic Certification](#)

[Pesticides Program](#)

[Plant Commodity, Grading, and Shipping](#)

[Seed Program](#)

[Popular Pages](#)

[Consumers](#)

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UTAH DEPARTMENT OF AGRICULTURE AND FOOD

350 N. Redwood Road
P.O. Box 146500
Salt Lake City, UT 84114-6500
(801) 982-2313 Information (385) 465-6025 FAX

APPLICATION FOR A BEEKEEPER LICENSE (1201)

1 to 20 Hives—Fee \$10.00
21 to 100 Hives—Fee \$25.00
101+ Hives—Fee \$50.00

In compliance with provisions of the Utah Bee Inspection Act passed by the 1979 Legislature and Administrative Code of 2015, I hereby apply for a Beekeeper's Registration for the year of _____.

Name of beekeeper _____

Mailing address _____

City, State, Zip _____

Phone _____ Email _____

**Contact information is necessary to alert the beekeeper regarding disease and pest issues and to arrange for honey bee health inspections. Beekeepers may also request an inspection if they have a disease or pest concern.*

Number of bee colonies _____

Address, city and zip of beeyards (if bees are only at the mailing address you may leave this blank):

1) _____

2) _____

3) _____

4) _____

5) _____

**If bees are at more than five different locations, please list on back*

Signature of Applicant

Date

Please make check or money order payable to Utah Department of Agriculture and Food

OFFICE USE ONLY	
_____ Approved By	_____ Date



Utah Department of Agriculture and Food

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License Graduated Fees

Beekeeper License Fees

License type 1201

Count of Hives	License Fee
0 - 20	\$10.00
21 - 100	\$25.00
More than 100	\$50.00

Nurseryman License Fees

License type 1801

Gross Sale (\$)	License Fee
\$0.00 - \$5,000.00	\$40.00
\$5,001.00 - \$100,000.00	\$80.00
\$100,001.00 - \$250,000.00	\$120.00
\$250,001.00 - \$500,000.00	\$160.00
\$500,001.00 - \$9,999,999.00	\$200.00

Nursery Outlet License Fees

License type 1803

Gross Sale (\$)	License Fee
\$0.00 - \$5,000.00	\$40.00
\$5,001.00 - \$100,000.00	\$80.00
\$100,001.00 - \$250,000.00	\$120.00
\$250,001.00 - \$500,000.00	\$160.00
\$500,001.00 - \$9,999,999.00	\$200.00

Egg Production - Small License Fees

License type 2401

Yearly Production (doz)	License Fee
0 - 6,000	\$100.00
6,001 - 30,000	\$200.00
30,001 - 150,000	\$300.00
More than 150,000	\$400.00

Organic Certificate Crop, Livestock, and Processor License Fees

License types: 6001, 6002, and 6003

Gross Sale (\$)	License Fee
\$0.00 - \$5,000.00	\$0.00
\$5,001.00 - \$10,000.00	\$100.00
\$10,001.00 - \$15,000.00	\$180.00
\$15,001.00 - \$20,000.00	\$240.00

UTAH

HONEY BEE REGISTRATION

★ ★ ★ HISTORY, PURPOSE AND BENEFITS ★ ★ ★

In 1892, beekeepers successfully lobbied the Utah territorial legislature to pass the first bee inspection act. The legislation was needed to reduce the spread of deadly foulbrood diseases, which had become rampant.



The law allowed beekeepers to elect a honey bee inspector in every county. Later, registration was introduced to help bee inspectors communicate American foulbrood outbreaks to beekeepers at risk. These efforts significantly reduced the spread of foulbrood.

Over a century has passed since the first bee law, but inspection is still relevant today! Despite the advent of antibiotics and other advances in beekeeping, American foulbrood continues to threaten beekeepers and Utah's honey industry. Registration and inspection serve to mitigate the spread of this disease and other threats to honey bees.



The distinguished entomologist A.J. Cook helped organize the Utah Beekeepers Association, which lobbied for passage of Utah's first bee law.

BENEFITS OF REGISTRATION

Benefits to Individual Beekeepers

As a registered beekeeper, the Utah Department of Agriculture and Food (UDAF) will provide you with:

- Health inspection and lab testing services.
- Alerts regarding outbreaks of American foulbrood or other diseases or pests of concern in your area.
- Warnings if there are movements of Africanized honey bees in the state.



As a registered beekeeper, you may request a health inspection if you have any concerns regarding diseases or pests. The inspection and testing services provided are complementary. To request an inspection contact your state or county bee inspector.

Benefits to the Beekeeping & Specialty Crop Industry

Honey bee pests and diseases have the capacity to cause great economic devastation. State and county bee inspectors help detect and mitigate these problems. These early detection and rapid response efforts help prevent the maladies from becoming epidemic. This provides stability to the beekeeping industry and ensures that bees will be available for pollination services to crop growers.

What happens to registration fees?

The modest registration fees are used to provide sanitation supplies to bee inspectors, dispose of abandoned beekeeping equipment and assist in the treatment or destruction of colonies infected with American foulbrood. Fees also provide funds for statewide honey bee health surveys and Africanized honey bee monitoring.

REGISTER YOUR BEEHIVES

Online honey bee registration:

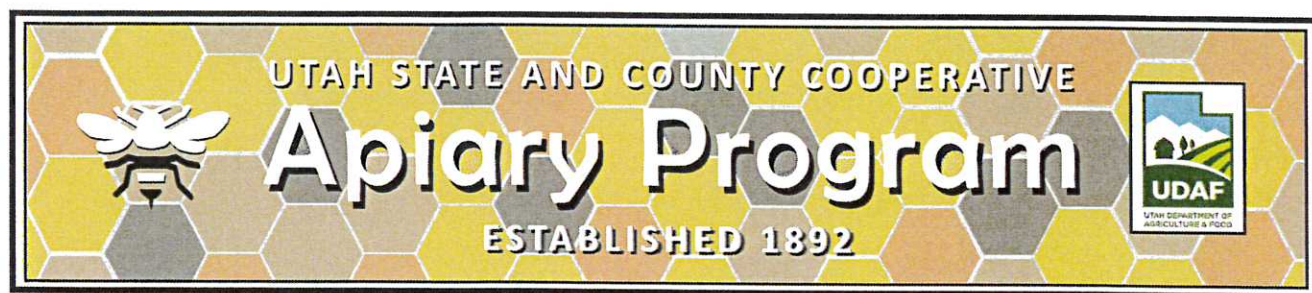
<http://ag.utah.gov/plants-pests/beekeeping.html>

To request an inspection call:

801-982-2313



Photo of A.J. Cook courtesy of Michigan State University Department of Entomology



2019 Summary of Accomplishments

The Utah Department of Agriculture and Food (UDAF) coordinates a statewide honey bee inspection program in cooperation with the state's County Bee Inspectors. The program's objective is to protect managed colonies from abiotic and biotic threats through inspection and education. Below is a summary of the state's accomplishments for 2019.



State Inspections

- ◆ Over 1,500 hives in 156 apiaries were inspected for various maladies.
- ◆ Diseases were field diagnosed and lab verified.
- ◆ Inspectors worked with beekeepers to treat or destroy hives infected with American foulbrood.



INSPECTION RESULTS

Number of hives infected
 American foulbrood—22
 European foulbrood—115
 Chalkbrood—70
 Parasitic mite syndrome—45
 Small hive beetle—6



National Bee Survey

Utah participated in the USDA National Honey Bee Survey, which monitors for exotic pests and assesses overall colony health nationwide. 24 apiaries were sampled and no exotic pathogens or pests were detected.



Outreach & Education

- ◆ Taught four advanced trainings on honey bee disease and pest diagnostics across the state.
- ◆ Hosted the 4th annual Utah Honey Bee Health Conference in Tooele.



Pollinator Protection

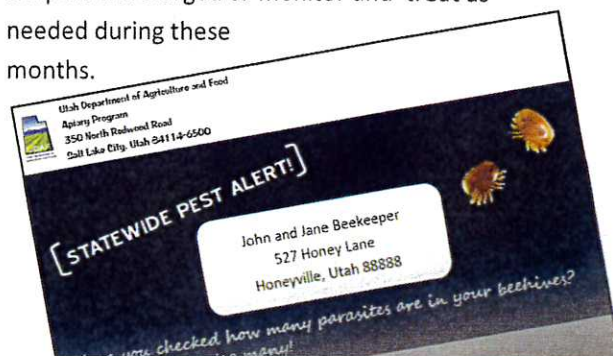
UDAF conducted extensive public education efforts regarding best practices to protect bees from pesticide exposure and creating pollinator-friendly habitat:

- ◆ Pollinator protection displays and literature placed in the pesticide section of dozens of retail stores.
- ◆ Three intensive trainings of applicators on ways to prevent pesticide poisonings of bees.
- ◆ Distributed hundreds of bee-friendly seed packet mix at events around the state.



Varroa Mite Alert

Registered beekeepers in the state were sent a postcard alert to warn of excessive Varroa mite infestations from the months of August through October. Beekeepers were urged to monitor and treat as needed during these months.



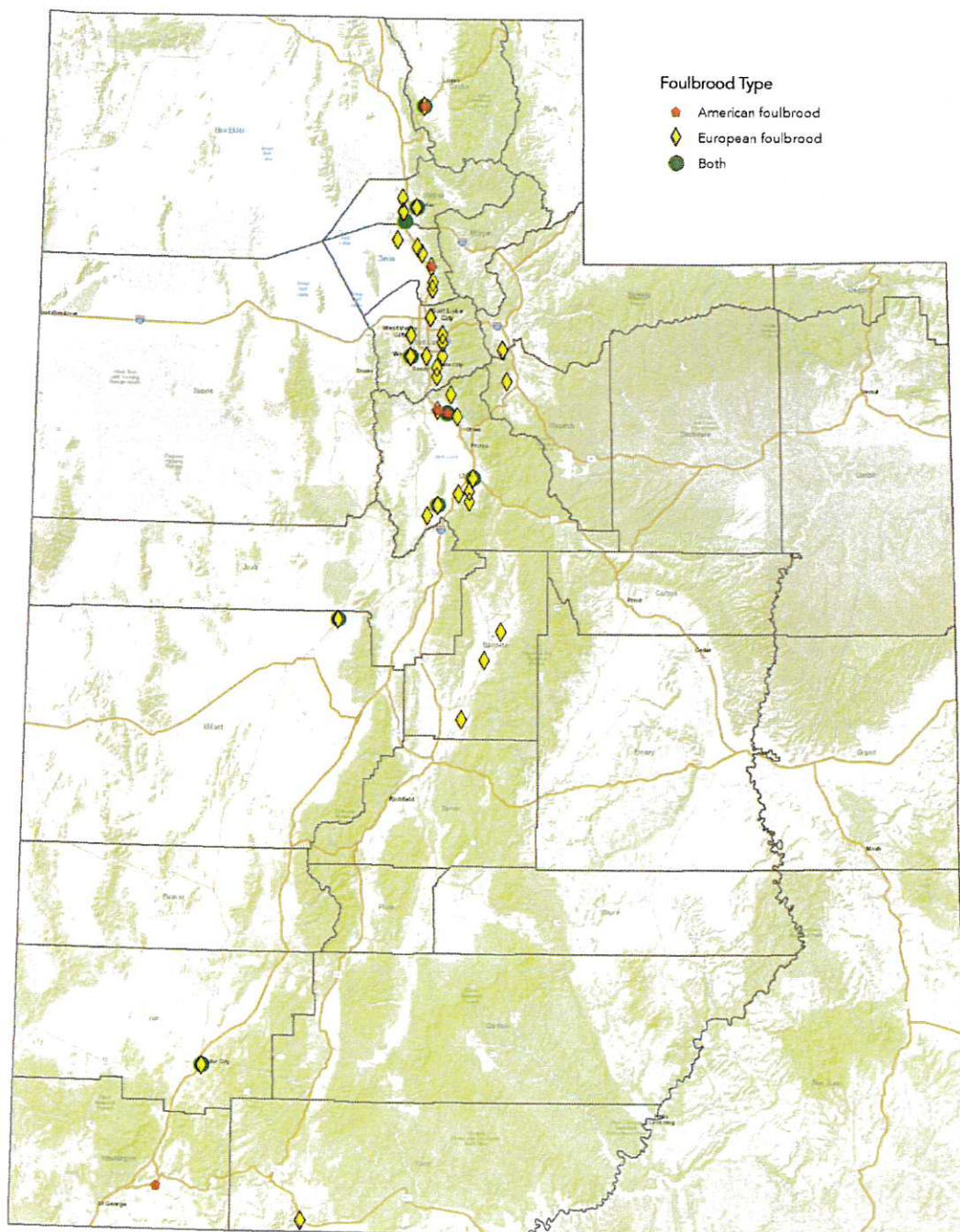
For more information about Utah's Apiary Program visit:

<http://ag.utah.gov/plants-pests/beekeeping.html>

To request an inspection call: 801-538-4912



Foulbrood Detections—2019



AMERICAN FOULBROOD

PREVENTION
DIAGNOSIS
CONTROL

American foulbrood (AFB) is the most devastating of the honey bee brood diseases. It is easily transmittable and highly deadly. The condition is caused by the spore-forming bacteria *Paenibacillus larvae*. Just a small number of spores can infect healthy three-day old larvae. While the bacterium can be killed by antimicrobials or environmental extremes, the millions of spores it produces are extremely resilient and can remain viable in honey and beekeeping equipment for over 40 years.

Spread of the Disease

The disease is transmitted in various ways:

- In infected colonies, young worker honey bees inadvertently spread the spores throughout the hive when they attempt to remove spore-laden dead larvae.
- Robber bees from uninfected hives may take the pathogen back to their hives when they forage honey from a colony that is infected with the disease.
- Humans can transmit the disease by exposing a healthy colony to contaminated bees or equipment such as frames, boxes, or tools.

Prevention

Preventing a hive from becoming infected is the easiest and best method for managing the disease:

- When purchasing a colony, find out if it was treated with antibiotics. Medicines may be masking symptoms of an already infected colony; the hive will likely become symptomatic if treatment ends.
- Before purchasing or accepting used beekeeping equipment contact a bee inspector to have it examined for the disease.
- Never switch frames, boxes, or other equipment from an infected

hive to a hive that is free from the disease.

- Sterilize tools and personal protective equipment after working in a hive you suspect is infected.
- Don't share unsterilized tools or equipment with other beekeepers.
- Put unused beekeeping equipment in a bee-proof location.
- Prophylactic use of bacteriophages (phage) therapy may prevent infections.
- Antibiotics can be used preventatively in specific high-risk circumstances, but only under the direction of a licensed veterinarian.

KNOW THE SYMPTOMS

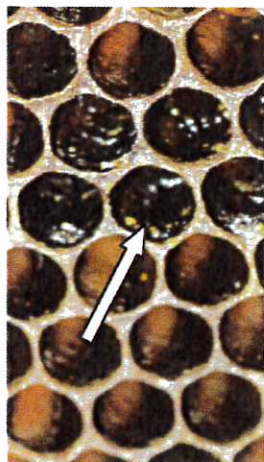


Figure 1



Figure 2

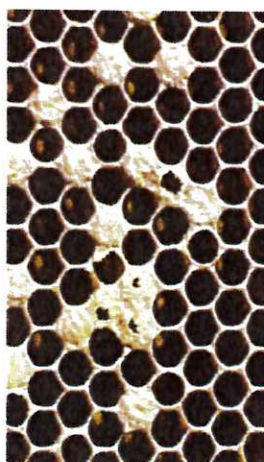


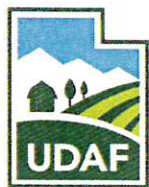
Figure 3

In order to make a proper diagnosis, be familiar with signs of the disease: Fig. 1: Prepupae form dark "scales" in their cells, which the bees have difficulty removing. Fig. 2: Cell caps may appear sunken and dark in color and "ropy" when penetrated. Fig. 3: Spotty brood pattern with small perforations appear in the capping. Other symptoms include dead brood that are tan to dark brown, pupae found with extruded tongues, and a distinct, foul odor. These visual symptoms are helpful in diagnosis, however other brood maladies have similar symptoms. Testing dead brood is the best way to know if a colony is infected. Testing is available through your bee inspector.

Management

Destruction of beekeeping equipment by burning or deep burial is the safest and most effective way to control the disease. However if the disease is detected early enough, a beekeeper may want to pursue treatment options.

- BroodSafe™ is a phage therapy that is effective in treating AFB. Beekeepers may obtain this product without a VFD or
- prescription from a veterinarian.
- Oxytetracycline and tylosin are antibiotics that are approved for treatment of AFB.
- To obtain antibiotics, a veterinarian must either write a Veterinary Feed Directive (VFD) or prescription. A list of veterinarians that will work with beekeepers can be found at the UDAF web address below.
- Some strains of AFB have become resistant to antibiotics.
- If treatment is unsuccessful burning or deep burial of the equipment is the most prudent course of action. This is necessary due to the long-lived infectious spores that are left behind on exposed equipment.



Contact Information and Resources

This informational factsheet is brought to you by the Utah Department of Agriculture and Food.

To request a free health inspection call 801-982-2313 or email udaf-apiary@utah.gov

Information about phage therapy can be found at www.broodsafes.com

Find veterinarians that can prescribe antibiotics at: <https://ag.utah.gov/farmers/plants-industry/apiary-inspection-and-beekeeping/find-an-apiary-veterinarian/>



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County Apiary Inspectors

Bee inspectors are available to assist beekeepers in Utah. Contact your county bee inspector or UDAF Apiary Program with questions or concerns. If your county does not have a bee inspector, please contact a state inspector.

UDAF Apiary Program

(801) 982-2313

County	Name	Phone	Email
Box Elder	Martin James	(435) 760-0805	martin@slideridgehoney.com
Cache	Martin James	(435) 760-0805	martin@slideridgehoney.com
Grand	Jerry Shue	(435) 260-8581	shue.jerry@gmail.com
Iron	Blaine Nay	(435) 590-7569	blaine@nay.org
Kane	Rob Brinkerhoff	(435) 644-8192	rob.brinkerhoff@gmail.com
Millard	Michael Stephenson	(435) 864-5343	stephensonhoney@gmail.com
Salt Lake	Peter Somers	(801) 874-2999	801874BZZZ@gmail.com
Sanpete	John Scott	(435) 851-6101	scottjg@ldschurch.org
Tooele	Kelly Keele	(435) 830-3888	
Washington	Casey Lofthouse	(435) 467-2787	cblofty@cpaz.net

If you reside in a county without an inspector, section 4-11-5 of the Bee Inspection Act states that the board of county commissioners can appoint one upon petition of five or more persons who raise bees. The list of beekeepers currently registered in Utah can be found [here](#) (then click 1201).

This entry was last updated on [July 10, 2020](#).

PLANT INDUSTRY DIVISION

Robert Hougaard
Director of Plant
Industry

Division Contact Information

(801) 982-2305

[udaf-
plantdivision@utah.gov](mailto:udaf-plantdivision@utah.gov)

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[Compliance Specialists](#)

[Feed Program](#)

[Fertilizer Program](#)

[Grain Program](#)

[Hay Program](#)

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[Noxious Weeds
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UDAF Contact Information:

(801) 982-2200
agriculture@utah.gov

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Apiary Inspection and Beekeeping



The Utah Apiary Program conducts apiary inspections to help beekeepers diagnose pest and disease issues in their hives. These inspections help to better understand the health of honey bees and monitor for exotic honey bee pests in the State of Utah. Beekeepers may request an inspection from either the Utah Department of Agriculture and Food or their county bee inspector. Some counties do not have a bee inspector, if you need an inspection in one of the counties without a county inspector please contact a state inspector.

There is no charge for inspections, testing services, or health certification for registered beekeepers.

[Click Here to Schedule with a State Honeybee Inspector](#) or call (801) 982-2313

[Click Here for County Beekeeping Inspectors Contact List](#)

[Click Here to Register as a Beekeeper](#)

+ Submit a Sample for Lab Testing

+ Foulbrood Information

+ Varroa Mites

+ Honeybee Health Reports

PLANT INDUSTRY DIVISION

Robert Hougaard

Director of Plant Industry

Division Contact Information

(801) 982-2305

udaf-plantdivision@utah.gov

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+ Fact Sheets

+ Honey

+ Special Districts

+ Bee Research

+ Additional Information on Beekeeping in Utah

- Apiary Rules and Regulations

In 1892, beekeepers successfully lobbied the Utah territorial legislature to pass the first bee inspection act. The legislation was needed to reduce the spread of deadly foulbrood diseases, which had become rampant. Today beekeepers deal with many new threats in addition to old ones like foulbrood. The Utah Bee Inspection Act is designed to help protect Utah's bees and beekeepers. Below are links to the current version of the Utah Bee Inspection Act and the rules governing it. Beekeepers should check with their city and county to see what ordinances (if any) they have that relate to bees and beekeeping.

[Utah Bee Inspection Act](#)

[Bee Inspection Act Rules](#)

+ Africanized Honeybees

This entry was last updated on [April 17, 2020](#).

UDAF Contact Information:

(801) 982-2200
agriculture@utah.gov

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DRAPER CITY

9-27-240: OWNERSHIP AND MAINTENANCE OF APIARIES:

A. Purpose: The purpose of this section is to establish certain requirements of sound beekeeping practice that are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas.

B. Apiary Standards: It is unlawful to maintain apiaries in Draper City unless the following standards are met:

1. Hive(s) shall be placed on property so that the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals on adjacent property or areas of public access. When hive(s) are located within twenty feet (20') of a property line or public right of way, a five foot (5') high flyway barrier is required. When hive(s) are located within five feet (5') of the property line, the opening of the hive shall not face the property line. Hive(s) shall not be permitted in front yards. On lots that are ten thousand (10,000) square feet or less, hive(s) shall not be permitted in side yards.

2. Hive(s) shall be supplied with adequate accessible fresh water continuously between March 1 and October 31 of each year. The water shall be in a location minimizing the nuisance created by bees seeking water on neighboring property.

3. A person shall not locate or allow hive(s) on property owned or occupied by another person without first obtaining written permission from the owner or occupant.

4. Lots may contain one hive per four thousand (4,000) square feet, with the number of hives rounded down to the nearest whole number. Regardless of lot size, so long as all lots within a radius of at least two hundred feet (200') from any hive, measured from any point on the front of the hive, remain undeveloped, there shall be no limit to the number of colonies.

C. Apiary Permitted: An apiary is permitted in all single-family residential zoning districts subject to compliance with the Salt Lake City-County health department, general sanitation regulations, section 4.12, or its successor relating to honeybee management.

D. Registration Of Beekeeper: Each beekeeper shall be registered with the Utah department of agriculture and food. Hive(s) shall be operated and maintained as provided in the Utah bee inspection act set forth in title 4, chapter 11 of the Utah state code, as amended. Hive(s) on property not owned by the beekeeper shall be conspicuously marked with the state registration number.

E. Inspection: A designated city official shall have the right to inspect any apiary for the purpose of ensuring compliance with this section between eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. once annually upon prior notice to the owner of the apiary property, and more often upon complaint without prior notice. (Ord. 1184, 1-12-2016)

HERRIMAN CITY

10-29-11: APIARIES:

An apiary is allowed in any zone which allows single-family residential, with the following requirements:

- A. Lots may contain two (2) hives per ten thousand (10,000) square feet, but not more than four (4) hives or equivalent capacity. Hives shall be located in the side or rear yard.
- B. If required by State law, each beekeeper shall be registered with the Utah Department of Agriculture and Food.
- C. Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable condition.
- D. Hives shall be placed at least five feet (5') from any property line and six inches (6") above the ground, as measured from the ground to the lowest portion of the hive, provided, however, that this requirement may be waived if permission is attained in writing by the adjoining property owner.
- E. Hives shall be operated and maintained as provided in the Utah Bee Inspection Act.
- F. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and State registration number, if any.
- G. Each beekeeper shall ensure that a convenient source of water is available to the colony continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.
- H. A fence may be required upon complaint from the neighbor. (Ord. 2017-54, 12-13-2017)

HOLLADAY CITY

CHAPTER 8.13

BEEKEEPING SECTION:

8.13.010: Regulations

8.13.010: REGULATIONS:

A. Purpose: The purpose of this section is to establish certain requirements of sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas.

B. Certain Conduct Unlawful: Notwithstanding compliance with the various requirements of this chapter, it shall be unlawful for any person to maintain an apiary or to keep any colony on any property in a manner that threatens public safety or creates a nuisance.

C. Colony Conditions: Notwithstanding compliance with the various requirements of this section, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.

D. Hive Registration: All honeybee colonies shall be registered with the Utah department of agriculture and consumer services.

E. Setbacks And Fencing Of Flyways: No colony may be placed closer than five feet (5') of any rear or side yard property line. Any colony situated within twenty five feet (25') of a public or private property line shall require the establishment of a flyway barrier at least six feet (6') in height consisting of a solid wall, fence, dense vegetation or combination thereof. Said barrier shall be parallel to the property line extending ten feet (10') beyond the colony in each direction, forcing a flight pattern elevation of at least six feet (6') above grade.

F. Water: A water source shall be provided on the property.

G. General Maintenance: Maintenance shall be such that no bee comb or other materials are left upon the grounds of the apiary site. Upon removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other beeproof enclosure.

H. Queens: The colony shall be promptly requeened if it exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or swarming. Preferably, queens shall be selected from European stock bred for gentleness and nonswarming characteristics.

I. Colony Densities: It shall be unlawful to keep more than the numbers of colonies allowed by subsection 13.76.240D of this code on any tract, lot or parcel of land within the city of Holladay.

J. Utah State Beekeeping Inspection Act: Each Utah apiary shall meet all requirements and inspection schedules deemed necessary by the Utah department of agriculture and consumer services.

K. Identification: The beekeeper shall conspicuously post a sign setting forth the name and phone number or other identifying marks, such as a registration number, of the responsible beekeeper.

L. Noncompliance: Upon receipt of information that any colony situated within the city is not being kept in compliance with the conditions set forth by this section, the community development director shall cause an investigation to be conducted.

1. If the city finds that grounds exist to believe that one or more violations have occurred he shall send written notice to the beekeeper to cure the violation within a reasonable time frame as per the notice. If the violation has not been corrected after notice having been given, a hearing shall be scheduled before the city's hearing officer as set forth in title 7 of this code.

2. If the hearing officer finds that the colony or colonies have been kept in violation of this section, he may order that the bees be relocated on the property, removed from the property, or if no other satisfactory remedy exists, then he may order the bees destroyed.

3. The provisions of this subsection shall not be construed to require the conduct of a hearing for the destruction of: a) any bee colony not residing in a hive structure intended for beekeeping, or b) any swarm of bees, or c) any colony residing in a standard or manmade hive which by virtue of its condition, has obviously been abandoned by the beekeeper. (Ord. 2014-08, 6-5-2014)

TABLE 13.76.240.4

Single-Family Residential (R-1)	Colonies
Less than 8,000 square feet	None allowed
8,000 square feet to 16,000 square feet	2
Over 16,000 square feet to $\frac{1}{2}$ acre	4
Over $\frac{1}{2}$ acre but less than 1 acre	6
1 acre and over	8
Exemption - 1 acre and over	Where all hives are situated at least 200 feet in any direction from all property lines of the lot/parcel on which the apiary is situated, there shall be no limit to the number of colonies
Exemption - 1 acre and over	So long as all abutting property that is within a radius of 200 feet from any hive, remains undeveloped property, there shall be no limit to the number of colonies

OGDEN CITY

13-4-4: HIVE CONSTRUCTION, LOCATION AND WATER SUPPLY:

A. Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable condition.

B. In residential zones or neighborhoods:

1. Placement: Hives shall not be located in a front yard. Hives shall be located at least twenty five feet (25') from any adjoining property line or street right of way line unless shielded by a flyway barrier. If shielded by a flyway barrier, hives shall be located at least five feet (5') from any adjoining property line or street right of way line.

2. Rooftop Hives: Rooftop hives shall be situated in such a way as to minimize impact on adjacent properties.

3. Design And Water Supply: Hives shall be placed at least six inches (6") above the ground, and shall not exceed seven feet (7') in overall height above ground or rooftop level. This includes all brooders, supers, stands and any other components of the hive. Hive entrances shall be oriented away from the nearest adjacent dwelling if less than twenty five feet (25') from the hive. A supply of fresh water shall be maintained on the owner's property where it is readily accessible for bees to prevent them from congregating at neighboring swimming pools or other sources of water on nearby properties.

C. Hives shall be operated and maintained as provided in the Utah bee inspection act, Utah Code Annotated, title 4, chapter 11, as amended, and in accordance with all applicable state and local laws and policies.

D. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and state registration number.

(Ord. 2014-7, 2-4-2014)



SALT LAKE CITY ORDINANCE

No. 71 of 2009

(Amending Section 8.04.010 to Add Definitions Related to Beekeeping and Enacting Chapter 8.10 to Establish Beekeeping Regulations)

An Ordinance Amending Section 8.04.010, *Salt Lake City Code*, to add definitions related to beekeeping and enacting Chapter 8.10, *Salt Lake City Code*, to authorize beekeeping subject to certain regulations.

WHEREAS, honeybees benefit mankind by providing agriculture, fruit, and garden pollination services and by furnishing honey, wax, and other useful products; and

WHEREAS, bees, via pollination, are responsible for 15 to 30 percent of the food eaten by U.S. consumers, and

WHEREAS, in the last 50 years the domesticated honeybee population, on which most farmers depend for pollination, has declined by about 50 percent, and

WHEREAS, Salt Lake City allowed apiaries in agriculturally zoned areas until the 1980s when concerns about killer bees led to the prohibition of apiaries in the City, and

WHEREAS, domestic strains of honeybees have been selectively bred for desirable traits, including gentleness, honey production, reduced swarming, pollination attributes, and other characteristics which are desirable to foster and maintain; and

WHEREAS, gentle strains of honeybees can be maintained within populated areas in without causing a nuisance if properly located, managed, and maintained, and

WHEREAS, the City Council of Salt Lake City, Utah, (i) desires to amend Section 8.04.010, *Salt Lake City Code*, to add definitions related to beekeeping and to enact Chapter 8.10, *Salt Lake City Code*, to authorize beekeeping subject to certain regulations as set forth below, and (ii) finds such action reasonably furthers the health, safety, and general welfare of the citizens of Salt Lake City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending Section 8.04.010. That Section 8.04.010 of the *Salt Lake City Code*, shall be, and hereby is, amended to include definitions of "Apiary," "Beekeeper," "Beekeeping Equipment," "Colony," "Hive," and "Honeybee" which shall be inserted in alphabetical order and shall read as follows:

APIARY: Any place where one (1) or more colonies of bees are located.

BEEKEEPER: A person who owns or has charge of one (1) or more colonies of bees.

BEEKEEPING EQUIPMENT: Anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.

COLONY: Bees in any hive including queens, workers, or drones.

HIVE: A frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house bees.

HONEYBEE: The common honeybee, *Apis mellifera* species, at any stage of development, but not including the African honeybee, *Apis mellifera scutellata* species, or any hybrid thereof.

SECTION 2. **Enacting Chapter 8.10.** That Chapter 8.10 of the *Salt Lake City Code* shall be, and hereby is, enacted to authorize beekeeping subject to certain regulations, as follows:

Chapter 8.10

BEEKEEPING

8.10.010: PURPOSE:

The purpose of this chapter is to authorize beekeeping subject to certain requirements intended to avoid problems that may otherwise be associated with beekeeping in populated areas.

8.10.020: CERTAIN CONDUCT UNLAWFUL:

Notwithstanding compliance with the various requirements of this chapter, it shall be unlawful for any person to maintain an apiary or to keep any colony on any property in a manner that threatens public health or safety, or creates a nuisance.

8.10.030: HIVES ON RESIDENTIAL LOTS:

A. As provided in this chapter, and notwithstanding any contrary provision in Title 21A of this code, an apiary, consisting of not more than five (5) hives or an equivalent capacity, may be maintained in a side yard or the rear yard of any residential lot. On a residential lot which is larger one-half (0.5) acre or larger, the number of hives located on the lot may be increased to ten (10) hives.

B. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.

8.10.040: BEEKEEPER REGISTRATION:

Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah Code, as amended.

8.10.050: HIVES:

A. Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable condition.

B. Hives shall be placed at least five (5) feet from any property line and six (6) inches above the ground, as measured from the ground to the lowest portion of the hive; provided, however, that this requirement may be waived in writing by the adjoining property owner.

C. Hives shall be operated and maintained as provided in the Utah Bee Inspection Act.

D. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and state registration number.

8.10.060: FLYWAYS:

A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals. If any portion of a hive is located within fifteen (15) feet from an area which provides public access or from a property line on the lot where an apiary is located, as measured from the nearest point on the hive to the property line, a flyway barrier at least six (6) feet in height shall be established and maintained around the hive except as needed to allow access. Such flyway, if located along the property line or within five (5) feet of the property line, shall consist of a solid wall, fence, dense vegetation, or a combination thereof, which extends at least ten (10) feet beyond the hive in each direction so that bees are forced to fly to an elevation of at least six (6) feet above ground level over property lines in the vicinity of the apiary.

8.10.070: WATER:

Each beekeeper shall ensure that a convenient source of water is available to the colony continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.

8.10.080: BEEKEEPING EQUIPMENT:

Each beekeeper shall ensure that no bee comb or other beekeeping equipment is left upon the grounds of an apiary site. Upon removal from a hive, all such equipment shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

8.10.090: CONFLICT WITH COUNTY HEALTH DEPARTMENT REGULATIONS:

In the event of a conflict between any regulation set forth in this chapter and honeybee management regulations adopted by the Salt Lake Valley Health Department, the most restrictive regulations shall apply.

8.10.100: VIOLATIONS:

A violation of this chapter may be remedied as provided in Sections 8.04.500, 8.04.510, and 8.04.520 of this title. When a violation of this chapter is committed, and provided it is not charged in conjunction with another criminal offense and does not constitute a fourth or succeeding notice of violation within a twenty-four (24) month period, an authorized agent of the City shall issue a civil notice of violation to such violator in lieu of a misdemeanor citation.

SECTION 3. **Effective Date:** This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this 1st day of December, 2009.

Bill No. 71 of 2009.

Published: January 9, 2010.

SOUTH JORDAN CITY

17.130.040.040: BEEKEEPING:

Honeybees may be kept as an accessory use on residential lots that are a minimum of one-fourth (1/4) acre in area. The number of honeybee colonies allowed on lots is as follows:

Lot Size	Number Of Colonies
1/4 acre to 1/2 acre	2
1/ 2 acre to 1 acre	4
Over 1 acre	1 additional colony for each additional 1/2 acre increment

Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable condition. Each person keeping bees is required to register and obtain a license from the Utah Department of Agriculture and Food. Other regulations (State and Federal), such as those found in chapter 11, title 4 of the Utah State Code, are to be followed as well.

A. Location: Hives may not be located in the front or the street side yard of any property. Hives shall be located at least twenty five feet (25') from any adjoining property line or public street if not shielded by a "flyway barrier". If shielded the required setback shall be ten feet (10') from all property lines or public street. Hives shall be properly shielded from any adjacent night lighting on adjoining properties. The shielding shall be the bee owner's responsibility as to prevent bees from being attracted to neighboring properties and to prevent creation of nuisance conditions for the neighboring property owners.

B. Location Restrictions: Beehives may not be located within five hundred feet (500') of a public or private school property. Beehives and/or apiaries may not be located in water source recharge areas and protection zones in accordance with title 16, chapter 16.50 of this Code.

C. Fences And Shrubs: For any beehive located within twenty five feet (25') of a property line, a solid fence or dense hedge, known as a "flyway barrier", at least six feet (6') in height, shall be placed along the side of the beehive that contains the entrance to the hive, and shall extend at least ten feet (10') from the hive in any direction along adjacent property lines. No such flyway barrier shall be required if a hive is located at least twenty five feet (25') from any property line or public street.

D. Design And Water Supply: Hives shall not exceed seven feet (7') in overall height above ground level. This includes all brooders, supers, stands and any other components of the hive. Hives shall be oriented away from the nearest property line. A supply of fresh water shall be maintained on owner's property where it is readily accessible for bees to prevent them from congregating at neighboring swimming pools or other sources of water on nearby properties.

E. Nuisance: Bees and associated beehives may be ordered removed from property if they are determined to be a nuisance in accordance with title 8, chapter 8.24 of this Code or applicable State law. (Ord. 2011-18, 3-6-2012)



- **6.16.100 - General requirements for domestic beekeeping.**

- A. An **apiary**, consisting of not more than three (3) hives or an equivalent capacity, may be maintained in a side yard or rear yard of a parcel in single-family residential (R1) zones having a minimum lot area of four thousand five hundred (4,500) square feet.
- B. Residents renting or leasing property shall be required to submit a notarized affidavit from the property owner granting the applicant permission to maintain an **apiary**.
- C. All apiaries shall comply with Salt Lake County health department regulations, as amended.
- D. Parcels in single-family residential zones that contain more than two residential dwelling units or a non-conforming multifamily structures shall not be eligible to maintain an **apiary**.
- E. Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Utah Code, as amended. Proof of registration shall be sent to the city.
- F. Apiaries shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals.
- G. If any portion of an **apiary** is located within fifteen (15) feet from an area which provides public access or from a property line on the lot where an **apiary** is located, as measured from the nearest point on the hive to the property line, a flyway barrier of at least six feet in height shall be established and maintained around the hive except as needed to allow access. Such flyway, if located along the property line or within five feet of the property line, shall consist of a solid wall, fence, dense vegetation, or a combination thereof, which extends at least ten (10) feet beyond the hive in each direction so that bees are forced to fly to an elevation of at least six feet above ground level over property lines in the vicinity of the **apiary**.
- H. Each beekeeper shall ensure that a convenient source of water is available to the colony in a manner which is appropriate for providing water to bees, continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.
- I. Each beekeeper shall ensure that no bee comb or other beekeeping equipment is left upon the grounds of an **apiary** site. Upon removal from a hive, all such equipment shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.
- J. The keeping of bees for commercial enterprises is prohibited in any zone outside of the agricultural (A-1) zone.

(Ord. No. 2015-04, 4-22-2015)

- **6.16.110 - Requirements for hives.**

- A. Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable conditions.

- B. Hives shall be placed at least five feet from any property line and six inches above the ground, as measured from the ground to the lowest portion of the hive with clear space underneath; provided, however, that the five-foot requirement may be waived in writing by the adjoining property owner.
- C. Hives shall be operated and maintained as provided in the Utah Bee Inspection Act.
- D. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and state registration number.

(Ord. No. 2015-04, 4-22-2015)

- **6.16.120 - Nuisance conduct.**

It shall be unlawful for any person to keep beehives in a manner that is contrary to the provisions of this chapter or in a manner that threatens public health or safety, or creates a nuisance. In such cases, the city may apply for and receive an order of abatement to remove **apiaries** or bee colonies.

WEST JORDAN CITY

6-3H-1: HONEYBEE MANAGEMENT:

The keeping of honeybees is allowed in all zoning districts within the city of West Jordan subject to compliance with the Salt Lake Valley health department, general sanitation regulation requirements, section 4.12, or its successor relating to honeybee management. (Ord. 12-20, 9-26-2012)

6-3H-2: BEEKEEPER REGISTRATION:

Each beekeeper shall be registered with the Utah department of agriculture and food process and hives shall be operated and maintained as provided in the Utah bee inspection act set forth in title 4, chapter 11 of the Utah code, as amended. (Ord. 12-20, 9-26-2012)

6-3H-3: HIVES ON LOTS:

On lots less than twenty thousand (20,000) square feet, hives shall be located no less than five feet (5') from any property line. Hives located between five feet (5') and fifteen feet (15') from any property line shall be surrounded by a six foot (6') flyway consisting of a fence, wall or dense foliage.

On all lots, if the apiary is located in an area that borders a public walk or street, the area shall be separated from the public walk or street by a fence or wall in compliance with title 13 of this code. (Ord. 12-20, 9-26-2012)

(Ord. 12-20, 9-26-2012)



August 6, 2020

Notice of Public Meeting

PUBLIC NOTICE IS HEREBY GIVEN that in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020 and Emergency Executive Order 20-02 issued by the Mayor on April 1, 2020, the Planning Commission of Murray City, Utah will hold an electronic only regular meeting at 6:30 p.m., Thursday, August 20, 2020. *No physical meeting location will be available.*

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/MurrayCityUtah/>.

If you would like to submit comments for an agenda item, you may do so by sending an email (including your name and contact information) in advance of, or during the meeting to planningcommission@murray.utah.gov. *Comments are limited to 3 minutes or less and will be read into the meeting record.*

This notice is to inform you of a Planning Commission meeting scheduled for Thursday, August 20, 2020 at 6:30 p.m., in the Murray City Municipal Council Chambers, located at 5025 S. State Street.

Murray City Community Development Planning Division, applicant, has requested a Land Use Text Amendment, specifically, to Section 17.65, Beekeeping Standards.

Public input is welcome at the meeting and will be limited to 3 minutes per person. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. If you have questions or comments concerning this proposal, please call Jared Hall or Susan Nixon, with the Murray City Community & Economic Development Department at 801-270-2420, or by email at jhall@murray.utah.gov or snixon@murray.utah.gov.

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

MURRAY CITY CORPORATION
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 20th day of August, 2020, at the hour of 6:30 p.m. of said day the Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a Land Use Ordinance Text Amendment for modifications to Section 17.65, Beekeeping Standards. The public may view the meeting via the live stream at www.murraycitylive.com. If you would like to submit comments for this agenda item you may do so by sending an email in advance or during the meeting to planningcommission@murray.utah.gov. No physical meeting location will be available.

Jared Hall, Manager
Community & Economic Development

Order Confirmation for 0001296225

Client MURRAY CITY RECORDER

Client Phone 8012642660

Account # 9001341938

Address 5025 S STATE, ROOM 113

Ordered By SUSAN

MURRAY, UT 84107

Account Exec Itapusa2

Email snixon@murray.utah.gov

PO Number PUBLIC HEARING NO

Total Amount \$65.48
Payment Amt \$0.00
Amount Due \$65.48

Text: PUBLIC HEARING NOTICE

Ad Number 0001296225-01 **Ad Type** Legal Liner

Ad Size 1 X 36 li **Color**
WYSIWYG Content
**MURRAY CITY
CORPORATION
NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 20th day of August, 2020, at the hour of 6:30 p.m. of said day the Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a Land Use Ordinance Text Amendment for modifications to Section 17.65, Beekeeping Standards. The public may view the meeting via the live stream at www.murraycitylive.com. If you would like to submit comments for this agenda item you may do so by sending an email in advance or during the meeting to planningcommission@murray.utah.gov. No physical meeting location will be available.

Jared Hall, Manager
Community & Economic Development
1296225 UPAXLP

<u>Product</u>	<u>Placement</u>	<u>Position</u>
Salt Lake Tribune	Legal Liner Notice	Public Meeting/Hear

Scheduled Date(s): 08/09/2020

utahlegals.com	utahlegals.com	utahlegals.com
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Scheduled Date(s): 08/09/2020

Deseret News	Legal Liner Notice	Public Meeting/Hear
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Scheduled Date(s): 08/09/2020

BEEKEEPING TEXT AMENDMENT
"AFFECTED ENTITIES"

UDOT - REGION 2
ATTN: MARK VELASQUEZ
2010 S 2760 W
SLC UT 84104

UTAH TRANSIT AUTHORITY
ATTN: PLANNING DEPT
669 West 200 South
SLC UT 84101

TAYLORSVILLE CITY
PLANNING & ZONING DEPT
2600 W TAYLORSVILLE BLVD
TAYLORSVILLE UT 84118

WEST JORDAN CITY
PLANNING DIVISION
8000 S 1700 W
WEST JORDAN UT 84088

CHAMBER OF COMMERCE
ATTN: STEPHANIE WRIGHT
5250 S COMMERCE DR #180
MURRAY UT 84107

MURRAY SCHOOL DIST
ATTN: ROCK BOYER
5102 S Commerce Drive
MURRAY UT 84107

MIDVALE CITY
PLANNING DEPT
7505 S HOLDEN STREET
MIDVALE UT 84047

SALT LAKE COUNTY
PLANNING DEPT
2001 S STATE ST
SLC UT 84190

GRANITE SCHOOL DIST
ATTN: KIETH BRADSHAW
2500 S STATE ST
SALT LAKE CITY UT 84115

ROCKY MOUNTAIN POWER
ATTN: KIM FELICE
12840 PONY EXPRESS ROAD
DRAPER UT 84020

DOMINION ENERGY
ATTN: BRAD HASTY
P O BOX 45360
SLC UT 84145-0360

COTTONWOOD IMPRVMT
ATTN: LONN RASMUSSEN
8620 S HIGHLAND DR
SANDY UT 84093

JORDAN VALLEY WATER
ATTN: LORI FOX
8215 S 1300 W
WEST JORDAN UT 84088

CENTRAL UTAH WATER DIST
1426 East 750 North, Suite 400,
Orem, Utah 84097

HOLLADAY CITY
PLANNING DEPT
4580 S 2300 E
HOLLADAY UT 84117

COTTONWOOD HEIGHTS CITY
ATTN: PLANNING & ZONING
2277 E Bengal Blvd
Cottonwood Heights, UT 84121

SANDY CITY
PLANNING & ZONING
10000 CENTENNIAL PRKWY
SANDY UT 84070

UTOPIA
Attn: JAMIE BROTHERTON
5858 So 900 E
MURRAY UT 84121

COMCAST
ATTN: GREG MILLER
1350 MILLER AVE
SLC UT 84106

MILLCREEK
Attn: Planning & Zoning
3330 South 1300 East
Millcreek, UT 84106

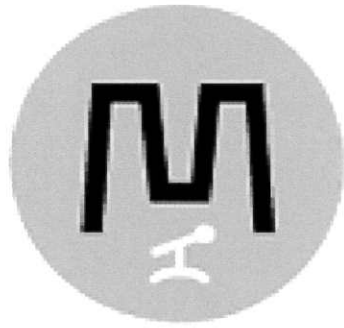
PETER SOMERS
SLCO BEE INSPECTOR
801874bzzz@gmail.com
801-874-2999

CENTURYLINK
250 E 200 S
Salt Lake City, Utah 84111

WILLIAM GREEN
223 W Winchester Street
Murray UT 84107

Rhonda Overman
UDAF licensing specialist
(801) 982-2312
rsoverman@utah.gov

RANDY WILLIAMS
SLCO HEALTH DEPT
RWilliams@slco.org
(385) 468-3800



MURRAY
CITY COUNCIL

Discussion Item #3



MURRAY


Power Department

UAMPS Carbon Free Power Project Update and Discussion

Council Action Request

Committee of the Whole

Meeting Date: September 15, 2020

Department Director Blaine Haacke Phone # 801-264-2728 Presenters Blaine Haacke Required Time for Presentation 50 Minutes Is This Time Sensitive No Mayor's Approval  Date September 1, 2020	Purpose of Proposal Provide an update of the UAMPS CFPP Project Action Requested Discussion only Attachments Resolutions for each option involving the city's future participation in this project Budget Impact Further participation in the CFPP Project will require at least \$1.4 million commitment in the SMR licensing process. That amount is fluid and will be discussed in detail in the COW meeting. Description of this Item For several years, the city has been examining and exploring the feasibility of the UAMPS CFPP Small Modular Reactor Project. An updated licensing phase budget has been tentatively passed by the UAMPS Project Committee, which opens an "off-ramp" possibility for participants to exercise. By September 30, 2020, Murray City must notify UAMPS of its decision, by resolution, of future participation in this project.
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Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 21st day of September 2020, at 6:30 p.m., the Murray City Municipal Council will hold and conduct a public hearing. The purpose of the public hearing is to receive public input regarding the continued involvement in or withdrawal from the UAMPS Carbon Free Power Project.

The public hearing will be held electronically as authorized by Utah Code §52-4-207(4) of the Open and Public Meetings Act and by City Council Resolution No. 20-13 adopted March 17, 2020. **No physical meeting location will be available.**

The public may view the hearing via the live stream at www.murraycitylive.com or <https://www.facebook.com/MurrayCityUtah/>.

Public hearing comments may be sent via email sent in advance or during the meeting to city.council@murray.utah.gov. Comments are limited to three minutes. Name and contact information should be included in the email. Emails will be read and become part of the public record.

DATED this day of August 2020.

MURRAY CITY CORPORATION

Jennifer Kennedy
City Recorder

DATE OF PUBLICATION: September 13, 2020
PH 20-

RESOLUTION NO. _____

A RESOLUTION APPROVING THE CITY'S CONTINUING
INVOLVEMENT IN THE UAMPS CARBON FREE POWER
PROJECT

WHEREAS, Murray City (the "City") is a member of Utah Associated Municipal Power Systems ("UAMPS") pursuant to the provisions of the Utah Associated Municipal Power Systems Amended and Restated Agreement for Joint and Cooperative Action, as amended (the "Joint Action Agreement"); and

WHEREAS, the City previously approved, executed and delivered the Carbon Free Power Sales Contract dated as of April 1, 2018 (the "Power Sales Contract") with UAMPS, including what is now an Entitlement Share of 14,332 kW of the capacity of the Project (initially capitalized terms used and not defined herein have the meanings assigned to them in the Power Sales Contract); and

WHEREAS, section 204 of the Power Sales Contract allows parties to withdraw from the Project during the Licensing Period by delivering a Notice of Withdrawal to UAMPS upon, among other events, the occurrence of the City's receipt of notice from UAMPS that the Project Management Committee has approved a revised Budget and Plan of Finance; and

WHEREAS, on July 16, 2020, UAMPS sent to the City a Notice of Conditional Approval of the Revised CFPP Budget and Plan of Finance; and

WHEREAS, the Council, having evaluated the Project, and without waiving any rights under the Power Sales Contract, has determined it to be in the best interest of the City to continue in the Project at this point;

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council, as follows:

1. It hereby approves of the City's continuation in the Carbon Free Power Project (the "Project") during the Licensing Period.
2. It finds that the City's continuation in the Project at this point is in the best interest of the City.

ADOPTED this ____ day of _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

By _____
Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND APPROVING AN INCREASE OR DECREASE IN THE CITY'S DEVELOPMENT COST SHARE UNDER THE CARBON FREE POWER PROJECT POWER SALES CONTRACT FOR THE REMAINING 1ST PHASE OF THE LICENSING PERIOD FOR THE CARBON FREE POWER PROJECT; AND RELATED MATTERS.

WHEREAS, Murray City (the "City") is a member of Utah Associated Municipal Power Systems ("UAMPS") pursuant to the provisions of the Utah Associated Municipal Power Systems Amended and Restated Agreement for Joint and Cooperative Action, as amended (the "Joint Action Agreement");

WHEREAS, the City has previously approved, executed and delivered the Carbon Free Power Sales Contract dated as of April 1, 2018 (the "Power Sales Contract") with UAMPS, including what is now an Entitlement Share of 14,332 kW of the capacity of the Project (initially capitalized terms used and not defined herein have the meanings assigned to them in the Power Sales Contract);

WHEREAS, the Project Management Committee believes that Participants are best served if they adopt a range for Entitlement Share adjustment in light of possible adjustments by other Participants for the Remaining 1st Phase of the Licensing and corresponding adjustments to Development Costs Shares;

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council, as follows:

Section 1. Adjustment of the Participant Entitlement Share for the Remaining 1st Phase of the Licensing Period. (a) The City hereby authorizes and approves decreasing its Entitlement Share in the CFPP by ____ [0 (if Participant wishes to stay the same)] and to ____ kW of capacity.

(b) The City hereby authorizes and approves increasing its Development Cost Share in the CFPP by and up to ____ %.

(c) Upon its receipt of the written notice from UAMPS of other Participants adjustment in Entitlement Share, the City shall, in its sole discretion, have the right to adjust its Entitlement Share or Development Cost Share as stated in (a) and/or (b) above.

Section 2. Miscellaneous; Effective Date. (a) Notwithstanding the rights provided to the City in Section 1(a) and (b) of this resolution, this resolution shall be and remain irrevocable until the City provides subsequent adjustment to its Entitlement Share pursuant to the Power Sales Contract in accordance with its terms.

(b) All previous acts and resolutions in conflict with this resolution or any part hereof are hereby repealed to the extent of such conflict.

(c) In case any provision in this resolution shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

(d) This resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this ____ day of _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

By _____
Rosalba Dominguez

ATTEST:

Jennifer Kennedy, City Recorder

[SEAL]

RESOLUTION NO. _____

A RESOLUTION APPROVING TO WITHDRAW FROM THE
UAMPS CARBON FREE POWER PROJECT

WHEREAS, Murray City (the "City") is a member of Utah Associated Municipal Power Systems ("UAMPS") pursuant to the provisions of the Utah Associated Municipal Power Systems Amended and Restated Agreement for Joint and Cooperative Action, as amended (the "Joint Action Agreement"); and

WHEREAS, the City previously approved, executed and delivered the Carbon Free Power Sales Contract dated as of April 1, 2018 (the "Power Sales Contract") with UAMPS, including what is now an Entitlement Share of 14,332 kW of the capacity of the Project (initially capitalized terms used and not defined herein have the meanings assigned to them in the Power Sales Contract); and

WHEREAS, section 204 of the Power Sales Contract allows parties to withdraw from the Project during the Licensing Period by delivering a Notice of Withdrawal to UAMPS upon, among other events, the occurrence of the City's receipt of notice from UAMPS that the Project Management Committee has approved a revised Budget and Plan of Finance; and

WHEREAS, on July 16, 2020, UAMPS sent to the City a Notice of Conditional Approval of the Revised CFPP Budget and Plan of Finance; and

WHEREAS, the July 16, 2020 Notice sent by UAMPS to the City verified that entitlement share elections or withdrawals from the Project based on said Notice must be made within sixty (60) days of the date of the Notice, which period was extended to September 30, 2020; and

WHEREAS, the City has determined it to be in the best interest of the City to withdraw from the Project at this time;

NOW, THEREFORE, BE IT RESOLVED, by the Murray City Municipal Council, as follows:

1. It hereby withdraws from the Carbon Free Power Project (the "Project").
2. It finds that the City's withdrawal from the Project is in the best interest of the City.
3. Mayor D. Blair Camp is hereby authorized to execute and deliver to UAMPS prior to September 30, 2020, a Notice of Withdrawal in substantially the form attached as

Exhibit "A," and to execute any other instruments required to effect the withdrawal of the City from the Project.

ADOPTED AND APPROVED this ____ day of _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

By _____
Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

EXHIBIT “A”

Carbon Free Power Project
Form of Notice of Withdrawal

NOTICE OF WITHDRAWAL

Date

Utah Associated Municipal Power Systems
155 North 400 West, Suite 480
Salt Lake City, Utah 84103

Attention: General Manager
General Counsel

Re: Carbon Free Power Project Power Sales Contract

[Ladies and] Gentlemen,

Pursuant to Section 204 of the above-referenced Power Sales Contract (the "Power Sales Contract"), Murray City Corporation ("City") hereby gives notice of its election to withdraw from the Project.

The City hereby acknowledges and agrees that:

1. This Notice of Withdrawal shall be effective at and as of the end of the sooner of the last day of the current phase of the Licensing Period, or immediately prior to the October 1, 2020 effective date of the amendment or revision of the Budget and Plan of Finance (as per section 204(a) of the Power Sales Contract).
2. By delivering this Notice of Withdrawal, the City waives its right to receive any reimbursement for Development Costs previously paid by it, except as otherwise provided in the Power Sales Contract.
3. The City shall remain responsible for the payment of an amount equal to its Development Cost Share of all Development Costs incurred, including its Development Cost Share of the amounts necessary to repay all Bonds issued and outstanding, in each case up to the effective date of the City's withdrawal from the Project.
4. The City shall, within twelve months of the effective date of its withdrawal, repay the amounts described in paragraph 3 together with any interest expense on such amounts and any other charges incurred by UAMPS under the Financing Documents.
5. From and after the effective date of its withdrawal (a) the City's Entitlement Share shall be terminated, (b) the City's Representative shall have no right to participate in or vote at meetings of the Project Management Committee or meetings of the Board with

respect to the Project, and (iii) this Contract will remain in effect only with respect to the City's repayment obligations described in paragraph 4.

6. The City shall have no responsibility for the payment of Development Costs incurred or Bonds issued after the effective date of its withdrawal.

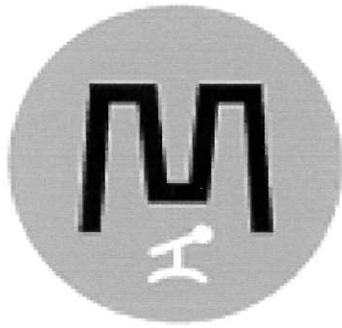
Capitalized terms used and not otherwise defined herein have the meanings assigned to them in the Power Sales Contract.

MURRAY CITY CORPORATION

D. Blair Camp, Mayor

ATTEST:

Jennifer Kennedy, City Recorder



MURRAY
CITY COUNCIL

Discussion Item #4



MURRAY


Mayor's Office

Urban County Interlocal Agreement

Council Action Request

Committee of the Whole and City Council

Meeting Date: September 15, 2020

Department Director Blair Camp, Mayor	Purpose of Proposal Approval of a resolution to participate in an urban county interlocal agreement
Phone # 801-264-2600	Action Requested Approval of resolution
Presenters G.L. Critchfield	Attachments Resolution
	Budget Impact
Required Time for Presentation 10 Minutes	Description of this Item Murray City participates as a member of an urban county group that is managed by Salt Lake County. This interlocal cooperation agreement states the role of each participant as it relates to the conduct and administration of the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and the HOME Investment Partnership (HOME) programs administered by the U.S. Department of Housing and Urban Development.
Is This Time Sensitive Yes	
Mayor's Approval 	
Date September 1, 2020	

RESOLUTION NO. _____

A RESOLUTION OF THE MURRAY CITY MUNICIPAL COUNCIL APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND THE TOWN OF ALTA, TOWN OF BRIGHTON, BLUFFDALE CITY, COPPERTON METRO TOWNSHIP, COTTONWOOD HEIGHTS CITY, DRAPER CITY, EMIGRATION CANYON METRO TOWNSHIP, HERRIMAN CITY, HOLLADAY CITY, KEARNS METRO TOWNSHIP, MAGNA METRO TOWNSHIP, MIDVALE CITY CORP., CITY OF MILLCREEK, MURRAY CITY CORPORATION, RIVERTON CITY, CITY OF SOUTH SALT LAKE, AND WHITE CITY METRO TOWNSHIP RELATING TO THE CONDUCT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, EMERGENCY SOLUTIONS GRANT PROGRAM AND THE HOME INVESTMENT PARTNERSHIP PROGRAM

WHEREAS, Salt Lake County (the "County") participates as an "urban county," as defined by federal regulation, in the Community Development Block Grant ("CDBG"), Emergency Solutions Grant ("ESG"), and the HOME Investment Partnership ("HOME") programs administered by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, the County has previously entered into three distinct interlocal cooperation agreements with participating municipalities within Salt Lake County that did not receive separate CDBG, ESG, and HOME program entitlement grants governing the Parties participation in the CDBG, ESG and HOME programs which fell short of strictly complying with all HUD-imposed requirements; and

WHEREAS, the County now desires to proceed with a single interlocal agreement with all participating municipalities which does strictly comply with all HUD-imposed requirements and which supersedes and terminates effective upon all CDBG, ESG, and HOME funds and income received in the three-year period ending June 30, 2021 are expended and the funded activities completed, the following interlocal agreements between the County and the above referenced cities which pertain to participating in the urban county for CDBG, ESG, and HOME Investment Partnership Programs: Salt Lake County Contract No. BV9303C, Salt Lake County Contract No. BV03192C, and Salt Lake County Contract No. BV043108; and

WHEREAS, an Interlocal Cooperation Agreement ("Agreement") has been prepared for approval and execution by and between the County and participating municipalities, which states the purposes thereof, and the extent of the required participation of the parties and the rights, duties, responsibilities, and obligations of the parties in the conduct and administration of the CDBG, ESG, and HOME programs as specified therein; and

WHEREAS, under the Utah Interlocal Cooperation Act, Utah Code Annotated, 11-13-101 et seq. (2020) any two or more public agencies may enter into agreements with one another for joint or cooperative action and may also contract with each other to perform any governmental service activity or taking which each public agency entering into the contract is authorized by law to perform.

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council as follows:

1. It hereby approves the Interlocal Cooperation Agreement between Salt Lake County and the Town of Alta, Town of Brighton, Bluffdale City, Copperton Metro Township, Cottonwood Heights City, Draper City, Emigration Canyon Metro Township, Herriman City, Holladay City, Kearns Metro Township, Magna Metro Township, Midvale City Corp., City of Millcreek, Murray City Corporation, Riverton City, City of South Salt Lake, and White City Metro Township relating to the conduct of the CDBG, ESG, and HOME Programs, in substantially the form attached as Exhibit "A"; and
2. The Interlocal Cooperation Agreement is in the best interest of the City; and
3. Mayor D. Blair Camp is hereby authorized to execute the Interlocal Cooperation Agreement for an in behalf of the City and to act in accordance with its terms.

PASSED, APPROVED AND ADOPTED on this ____ day of _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

Exhibit “A”

Interlocal Cooperation Agreement relating to the conduct of the CDBG, ESG,
and HOME Programs

INTERLOCAL COOPERATION AGREEMENT

between

SALT LAKE COUNTY
for its Department of Regional Transportation,
Housing, and Economic Development

And

**TOWN OF ALTA, TOWN OF BRIGHTON, BLUFFDALE CITY, COPPERTON
METRO TOWNSHIP, COTTONWOOD HEIGHTS CITY, DRAPER CITY,
EMIGRATION CANYON METRO TOWNSHIP, HERRIMAN CITY, HOLLADAY
CITY, KEARNS METRO TOWNSHIP, MAGNA METRO TOWNSHIP, MIDVALE
CITY CORP., CITY OF MILLCREEK, MURRAY CITY, RIVERTON CITY, CITY OF
SOUTH SALT LAKE, AND WHITE CITY METRO TOWNSHIP**

Relating to the conduct of

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM,
HOME INVESTMENT PARTNERSHIP PROGRAM, &
EMERGENCY SOLUTIONS GRANT PROGRAM**

For

FEDERAL FISCAL YEARS 2021 THROUGH 2023
And successive three-year periods thereafter

THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement") is entered into effective ____ day of _____ 20__ by and between **SALT LAKE COUNTY**, a body corporate and politic of the State of Utah, for its Department of Regional Transportation, Housing, and Economic Development ("County") and the following governmental entities: Town of **Alta**, Town of **Brighton**, **Bluffdale** City, **Copperton** Metro Township, **Cottonwood Heights**, **Draper** City, **Emigration Canyon** Metro Township, **Herriman** City, **Holladay** City, **Kearns** Metro Township, **Magna** Metro Township, **Midvale** City Corp., City of **Millcreek**, **Murray** City, **Riverton** City, City of **South Salt Lake**, and **White City** Metro Township, each one of which is a municipal corporation or metro township of the State of Utah located in Salt Lake County. For ease of definition, the above identified cities and townships may be collectively referred to as the "Cities."

R E C I T A L S:

1. In 1974, the U.S. Congress enacted the Housing and Community Development Act of

1974, as since amended (42 U.S.C. 5301 *et seq.*); in 1990 the U.S. Congress enacted the Cranston-Gonzales National Affordable Housing Act, as since amended (42 U.S.C. 12701 *et seq.*); and in 2009 the U.S. Congress amended the McKinney-Vento Homeless Assistance Act creating the Emergency Solutions Grants Program (42 U.S.C. 11301 *et seq.*); (collectively referred to as the “Acts”), permitting and providing for the participation of the United States government in a wide range of local housing and community development activities and the Acts’ programs which activities and programs are administered by the U.S. Department of Housing and Urban Development (“HUD”).

2. The primary objective of the Acts is the development of viable urban communities and access by every resident to decent housing, shelter and ownership opportunity regardless of income or minority status, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income, with this objective to be accomplished by the federal government providing financial assistance pursuant to the Acts in the form of community development block grants (“CDBG”), HOME Investment Partnerships, and Emergency Solutions Grants (“ESG”) Program funds to state and local governments to be used in the conduct and administration of housing, shelter, and community development activities and projects as contemplated by the primary objectives of the Acts.

3. To implement the policies, objectives and other provisions of the Acts, HUD has issued rules and regulations governing the conduct of the CDBG, ESG, and HOME programs, published in 24 C.F.R., Part 92, Part 570, and Part 576 (the “Regulations”), which Regulations provide that a county may qualify as an “urban county,” as defined in Section 570.3 of the Regulations, and thereby become eligible to receive funds from HUD for the conduct of CDBG, HOME, and ESG program activities as an urban county and that the cities and other units of general local governments in the same metropolitan statistical area that do not or cannot qualify for separate entitlement grants may be included as a part of the urban county by entering into cooperation agreements with the urban county in accordance with the requirements of the Regulations.

4. Since 1981, HUD has amended the Regulations, revising the qualification period for urban counties by providing that the qualification by HUD of an urban county shall remain effective for three successive federal fiscal years regardless of changes in its population during that period, except for failure of an urban county to receive a grant during any year of that period. HUD’s amendments to the Regulations also provide that no included city or other unit of general local government covering an additional area may be added to the urban county during that three-year qualification period except where permitted by the Regulations.

5. In 1993, as part of the three-year qualification process, the County entered into an interlocal cooperation agreement with the then existing municipalities within Salt Lake County that did not receive separate CDBG and HOME program entitlement grants. Subsequently, the County entered into a second interlocal cooperation agreement in 2006 with several cities which had incorporated since the 1993 Agreement had been executed. Likewise, in 2017, the County entered into a third interlocal cooperation agreement with several more cities and townships which had incorporated since the 2006 Agreement. The County now wishes to terminate the

three prior interlocal agreements entered into for purposes of authorizing the County to undertake or to assist in undertaking essential community development, emergency solutions, and housing assistance activities within the Cities and replace them with this sole agreement.

6. The County recognizes and understands that it does not have independent legal authority to conduct some kinds of community development and housing assistance activities within the boundaries of an incorporated city without the city's approval. In order to ensure participation by the Cities in the urban county and as part of the fiscal year 2021-2023 urban county qualification process, the County and the Cities are required to enter into this interlocal agreement authorizing the County to undertake or to assist in undertaking essential community development, emergency solutions, and housing assistance activities within the Cities as may be specified in the "Consolidated Plan" (the "Plan") to be submitted to HUD annually by the County to receive its annual CDBG, ESG, and HOME entitlement grants.

7. Under general provisions of Utah law governing contracting between governmental entities and by virtue of specific authority granted in the Utah Interlocal Cooperation Act, Section 11-13-101 *et seq.* Utah Code Ann. (2020), any two or more public agencies may enter into agreements with one another for joint or cooperative action, or for other purposes authorized by law.

8. Accordingly, the County and the Cities have determined that it will be mutually beneficial and in the public interest to enter into this interlocal agreement regarding the conduct of the County's CDBG, ESG, and HOME program activities and projects.

AGREEMENT

NOW, THEREFORE, in consideration of the promises and the cooperative actions contemplated hereunder, the Parties agree as follows:

1. A fully executed copy of this interlocal cooperation agreement ("Agreement"), together with the approving resolutions of the Cities and the County, shall be submitted to HUD by the County as part of its qualification documentation.

2. The Cities hereby give the County the authority to carry out CDBG, ESG, and HOME Program activities and projects within the Cities' respective boundaries. By entering into this Agreement with the County, the Cities shall be included as a part of the urban county for CDBG, ESG, and HOME program qualification and grant calculation purposes.

3. This Agreement shall be in effect during three CDBG, ESG, and HOME Program years beginning July 1, 2021 and ending June 30, 2024 (e.g., Federal FYs 2021 – 2023) and shall automatically renew for successive three-year periods thereafter.

Each City will participate for the next three Program Years, and for each successive Three-year period thereafter up to a maximum term of 50 years. Subject to termination provisions set forth in Paragraph 13 below, a City may terminate its participation in the Agreement by giving written notice to the County in accordance with the Qualification Schedule provided in HUD's

“Instructions for Urban County Qualification for Participation in Community Development Block Grant (“CDBG”) Programs” for the next three-year renewal period. Without regard to whether a Party desires to provide written notice of its intent to terminate participation in this Agreement, it shall remain in effect; until the CDBG, ESG, and HOME funds and program income received (with respect to the activities carried out during the three-year qualification period, and any successive qualification periods under this Agreement) are expended and funded activities completed. No Party may terminate or withdraw from this Agreement while it remains in effect and until this condition is met.

4. As provided in Section 570.307 of the Regulations, the qualification of the County as an urban county shall remain effective for the entire three-year period in effect regardless of changes in its population during that period of time, and the parties agree that a City or Cities may not withdraw from nor be removed from inclusion in the urban county for HUD’s grant computation purposes during that three-year period. Prior to the beginning of each succeeding qualification period, by the date specified in HUD’s urban county qualification notice for the next qualification period, the County shall notify each City in writing of its right not to participate and shall send a copy of such notice to the HUD field office by the date specified in the urban county qualification schedule issued for that period.

5. The Cities and the County shall cooperate in the development and selection of CDBG, ESG, and HOME program activities and projects to be conducted or performed in the Cities during each of the three program years and for each successive three-years covered by this Agreement. The Cities understand and agree, however, that the County shall have final responsibility for selecting the CDBG, ESG, and HOME program activities and projects to be included in each annual grant request and for annually filing the Final Statements with HUD.

6. The Cities recognize and understand that the County, as a qualified urban county, will be the entity required to execute all grant agreements received from HUD pursuant to the County’s annual requests for CDBG, ESG, and HOME program funds and that as the grantee under the CDBG, ESG, and HOME programs it will be held by HUD to be legally liable and responsible for the overall administration and performance of the annual CDBG, ESG, and HOME programs, including the projects and activities to be conducted in the Cities. By executing the Agreement, the Cities understand that they (1) may not apply for grants under the Small Cities or State CDBG programs from appropriations for fiscal years during the period in which they are participating in the urban county’s CDBG and ESG programs; (2) may receive a formula allocation under the HOME Program only through the urban county (thus, even if the urban county does not receive a HOME formula allocation, Cities cannot form a HOME consortium with other local governments, but no party shall be precluded from applying to the State for HOME funds, if the state allows); and (3) may receive a formula allocation under the ESG Program only through the urban county, but this does not preclude any party from applying to the State for ESG funds, if the State law allows. Accordingly, the Cities agree that, as to all projects and activities performed or conducted in the Cities under any CDBG, ESG, or HOME program grant agreement received by the County which includes the Cities, the County shall have the ultimate supervisory and administrative control.

7. The Cities shall cooperate fully with the County in all CDBG, ESG and HOME program efforts planned and performed hereunder. The Cities agree to allow the County to undertake or assist in undertaking, essential community development and housing assistance activities within the Cities as may be approved and authorized in the County's CDBG, ESG, and HOME grant agreements, including the Comprehensive Housing Affordability Strategy ("CHAS"). The Cities and the County also agree to cooperate to undertake, or assist in the undertaking, community renewal and lower income housing assistance activities.

8. The Cities understand that it will be necessary for the Cities to enter into separate project agreements or sub-grants in writing with the County with respect to the actual conduct of the projects and activities approved for performance in the Cities and that the funds designated in the County's Plan for those projects and activities will also be funded to the City under those separate project agreements or subgrants. Subject to the provisions of Paragraph 6 above, the Cities will administer and control the performance of the projects and activities specified in those separate project agreements, will be responsible for the expenditure of the funds allocated for each such project or activity, and will conduct and perform the projects and activities in compliance with the Regulations and all other applicable federal laws and requirements relating to the CDBG, ESG, and HOME programs. The Cities also understand and agree that, pursuant to 24 CFR 570.501 (b), they are subject to the same requirements applicable to subrecipients, including the requirement of a written agreement as described in 24 CFR 570.503. Prior to disbursing any CDBG, ESG, or HOME program funds to any subrecipients, the Cities shall enter into written agreements with such subrecipients in compliance with 24 CFR 570.503 (CDBG) 24 CFR 576.500 (ESG), and 24 CFR 92.504 (HOME) of the Regulations.

9. All CDBG, ESG, and HOME program funds that are approved by HUD for expenditure under the County's grant agreements for the three Program years covered by this Agreement and its extensions, including those that are identified for projects and activities in the Cities, will be budgeted and allocated to the specific projects and activities described and listed in the County's Final Statement submitted annually to HUD and those allocated funds shall be used and expended only for the projects or activities to which the funds are identified. No project or activity, or the amount of funding allocated for such project or activity, may be changed, modified, substituted or deleted by a City without the prior written approval of the County and the approval of HUD when that approval is required by the Regulations.

10. Each City agrees to do all things that are appropriate and required of it to comply with the applicable provisions of the grant agreements received by the County from HUD, the provisions of the Acts, and all Rules and Regulations, guidelines, circulars and other requisites promulgated by the various federal departments, agencies, administrations and commissions relating to the CDBG, ESG, and HOME programs. The Cities and the County agree that failure by them to adopt an amendment to the agreement incorporating all changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three-year qualification notice and to submit such amendment to HUD as provided in the urban county qualification notice, will void the automatic renewal of such qualification period.

In addition the Cities and the County shall take all actions necessary to assure compliance with the urban county's certification under section 104(b) of Title I of the Housing and Community Development act of 1974 as amended. The Parties further agree that all grants awarded under this Agreement will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 and the Fair Housing Act and will affirmatively further fair housing. See 24 CFR 91.225(a) and 5.105(a).

Further, the Parties hereby agree to comply with section 109 of Title I of the Housing and Community Development act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 of Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and Section 3 of the Housing and Urban Development Act of 1968 as well as all other applicable laws. The Parties shall not fund activities in, or in support of, any City that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with the County's fair housing certification.

11. Each City affirms that it has adopted and is enforcing:

(a) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations; and

(b) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

12. During the period of performance of this Agreement as provided in Paragraph 3, each City shall:

(a) Report and pay to the County any program income, as defined in 24 CFR 570.500(a) for the CDBG Program, 24 CFR 92.2 for the HOME Program, and 24 CFR Part 576.2 for the ESG Program received by the City, or retain and use that program income subject to and in accordance with the applicable program requirements and the provisions of the separate CDBG, ESG, and HOME project agreements that will be entered into between the City and the County for the actual conduct of the CDBG, ESG and HOME Programs;

(b) Keep appropriate records regarding the receipt of, use of, or disposition of all program income and make reports thereon to the County as will be required under the separate CDBG, ESG, and HOME project agreements between the City and the County; and

(c) Pay over to the County any program income that may be on hand in the event of close-out or change in status of the City or that may be received subsequent to the close-out or change in status as will be provided for in the separate CDBG, ESG, or HOME project agreements mentioned above.

13. This Agreement shall be and remain in force and effect for the period of performance specified in Paragraph 3. When the County has been qualified by HUD as an urban county for a particular three-year qualification period, neither the County nor any City may terminate this agreement or withdraw therefor during that three-year qualification period of performance;

provided, however, if the County fails to qualify as an urban county or does not receive CDBG Funding in any year of the three program years for which it has qualified, or if any federal legislation should change the qualification or entitlement status of the County or any City, the County may terminate this Agreement in whole.

14. If the County qualifies as an urban county and the City is included, the parties agree not to veto or otherwise obstruct the implementation of the approved Plan during the period covered by the Agreement.

15. No party to this Agreement may sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.

16. The following provisions are also integral parts of this Agreement:

(a) *Binding Agreement.* This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the respective Parties hereto.

(b) *Captions.* The headings used in this Agreement are inserted for reference purposes only and shall not be deemed to define, limit, extend, describe, or affect in any way the meaning, scope or interpretation of any of the terms or provisions of this Agreement or the intent hereof.

(c) *Counterparts.* This agreement may be signed in any number of counterparts with the same effect as if the signatures upon any counterpart were upon the same instrument. All signed counterparts shall be deemed to be one original. A duly executed original counterpart of this Agreement shall be filed with the keeper of records of each Party pursuant to Section 11-13-209 of the Interlocal Act.

(d) *Severability.* The provisions of this Agreement are severable, and should any provision hereof be void, voidable, unenforceable or invalid, such void, voidable, unenforceable or invalid provision shall not affect the other provisions of this Agreement.

(e) *Waiver of Breach.* Any waiver by either party of any breach of any kind or character whatsoever by the other, whether such be direct or implied, shall not be construed as a continuing waiver of or consent to any subsequent breach of this Agreement.

(f) *Cumulative Remedies.* The rights and remedies of the Parties shall be construed cumulatively, and none of such rights and remedies shall be exclusive of or in lieu or limitation of, any other right, remedy or priority allowed by law.

(g) *Amendment.* This Agreement may not be modified except by an instrument in writing signed by the Parties hereto.

(h) *Time of Essence.* Time is of the essence in this Agreement.

(i) *Interpretation.* This Agreement shall be interpreted, construed and enforced according to the substantive laws of the state of Utah and ordinances of Salt Lake County.

(j) *Notice.* Any notice or other communication required or permitted to be given hereunder shall be deemed to have been received (a) upon personal delivery or actual receipt thereof or (b) within three (3) days after such notice is deposited in the United States mail, postage prepaid and certified and addressed to the Parties at their respective addresses.

(k) *No Interlocal Entity.* The Parties agree that they do not by this Agreement create an interlocal entity.

(l) *Joint board.* As required by Utah Code Ann. Sec. 11-13-207, the Parties agree that any cooperative undertaking under this Agreement shall be administered by a joint board consisting of the County's designee and the Cities' designee.

(m) *Financing Joining Cooperative Undertaking and Establishing Budget.* If there is to be financing of cooperative undertaking a budget shall be established or maintained as stated herein.

(n) *Manner of Acquiring, Holding or Disposing of Property.* In satisfaction of Section 11-13-207 (2) of the Interlocal Act, the Parties agree that the acquisition, holding and disposition of real and personal property acquired pursuant to this Agreement shall be governed by the provisions of applicable law.

(o) *Exhibits and Recitals.* The Recitals set forth above and all exhibits to this Agreement are incorporated herein to the same extent as if such items were set forth herein in their entirety within the body of this Agreement.

(p) *Attorney Approval.* This Agreement shall be submitted to the authorized attorneys for the County and the Cities for approval in accordance with Utah code Ann. Sec. 11-13-202.5.

(q) *Governmental Immunity.* All Parties are governmental entities under the Governmental Immunity Act, Utah Code Ann. Sec. 63G-7-101, et seq., therefore, consistent with the terms of the Act, the Parties agree that each Party is responsible and liable for any wrongful or negligent acts which it commits or which are committed by its agents, officials, or employees. The Parties do not waive any defenses or limits of liability otherwise available under the Governmental Immunity Act and all other applicable law, and the Parties maintain all privileges, immunities, and other rights granted by the Act and all other applicable law.

(r) *Assignment.* The Cities agree they shall not subcontract, assign, or transfer any rights or duties under this agreement to any other party or agency without the prior written consent of the County.

(s) *Ethical Standards.* The Parties hereto represent that they have not: (a) provided an illegal gift or payoff to any officer or employee, or former officer or employee, or to any relative or business entity of any officer or employee, or relative or business entity of a former officer or employee of the other Party hereto; (b) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees of bona fide commercial agencies established for the purpose of securing business; (c) breached any of the ethical standards set forth in State statute or Salt Lake County's Ethics, Gifts and Honoraria ordinance (Chapter 2.07, Salt Lake County Code of Ordinances); or (d) knowingly influenced, and hereby promise that they will not knowingly influence, any officer or employee or former officer or employee to breach any of the ethical standards set forth in State statute, Salt Lake County ordinances.

(t) *Supersedes & Terminates Prior Related Interlocal Agreements.* Effective upon all CDBG, ESG, and HOME funds and income received in the three-year period ending June 30, 2021 are expended and the funded activities completed, this Agreement shall supersede and terminate the following interlocal agreements between the County and other Parties to this Agreement which pertain to similar subject matter as this Agreement: Salt Lake County Contract No. BV9303C, Salt Lake County Contract No. BV03192C, and Salt Lake County Contract No. BV043108.

[Signature pages to follow]

SIGNATURE PAGE FOR SALT LAKE COUNTY
TO THE
INTERLOCAL COOPERATION AGREEMENT
Relating to the conduct of
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM,
HOME INVESTMENT PARTNERSHIP PROGRAM, &
EMERGENCY SOLUTIONS GRANT PROGRAM
For
FEDERAL FISCAL YEARS 2021 THROUGH 2023
And successive three-year periods thereafter

SALT LAKE COUNTY

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law
Salt Lake County District Attorney

By: Megan Smith
Megan L. Smith,
Deputy District Attorney

Date: August 31, 2020

SIGNATURE PAGE FOR TOWN OF ALTA
TO THE
INTERLOCAL COOPERATION AGREEMENT
Relating to the conduct of
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For
FEDERAL FISCAL YEARS 2021 THROUGH 2023
And successive three-year periods thereafter

TOWN OF ALTA

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR TOWN OF BRIGHTON
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And successive three-year periods thereafter

TOWN OF BRIGHTON

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR BLUFFDALE CITY
TO THE
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BLUFFDALE CITY

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR COPPERTON METRO TOWNSHIP
TO THE
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COPPERTON METRO TOWNSHIP

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR COTTONWOOD HEIGHTS CITY
TO THE
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COTTONWOOD HEIGHTS CITY

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR DRAPER CITY
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DRAPER CITY

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR EMIGRATION CANYON METRO TOWNSHIP
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EMIGRATION CANYON METRO
TOWNSHIP

By: _____
Mayor or Designee

Approved as to Form and
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By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR HERRIMAN CITY
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HERRIMAN CITY

By: _____
Mayor or Designee

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By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR HOLLADAY CITY
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And successive three-year periods thereafter

HOLLADAY CITY

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR KEARNS METRO TOWNSHIP
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KEARNS METRO TOWNSHIP

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR MAGNA METRO TOWNSHIP
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MAGNA METRO TOWNSHIP

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR MIDVALE CITY CORP.
TO THE
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MIDVALE CITY CORP.

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR CITY OF MILLCREEK
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And successive three-year periods thereafter

CITY OF MILLCREEK

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR MURRAY CITY
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INTERLOCAL COOPERATION AGREEMENT
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And successive three-year periods thereafter

MURRAY CITY

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR RIVERTON CITY
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RIVERTON CITY

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR CITY OF SOUTH SALT LAKE
TO THE
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Relating to the conduct of
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CITY OF SOUTH SALT LAKE

By: _____
Mayor or Designee

Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____

SIGNATURE PAGE FOR WHITE CITY METRO TOWNSHIP
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FEDERAL FISCAL YEARS 2021 THROUGH 2023
And successive three-year periods thereafter

WHITE CITY METRO TOWNSHIP

By: _____
Mayor or Designee

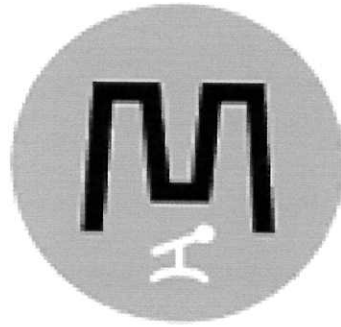
Approved as to Form and
As Compatible with State Law

By: _____

Name: _____

Title: _____

Date: _____



MURRAY
CITY COUNCIL

Adjournment

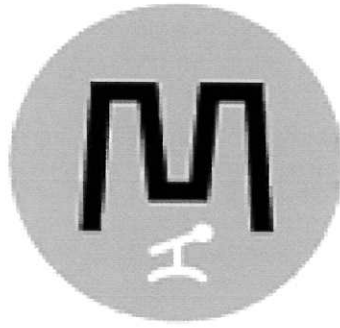


MURRAY
CITY COUNCIL

Council Meeting 6:30 p.m.

Call to Order

Pledge of Allegiance



MURRAY
CITY COUNCIL

Council Meeting Minutes

**Murray City Municipal Council
Chambers
Murray City, Utah**

**Murray City Council Chair Statement
Open and Public Meeting Act
Utah State Code 52-4-207(4)
August 1, 2020**

The Murray City Municipal Council met on Tuesday, August 25, 2020 at 6:30 p.m. for a meeting held electronically. In accordance with, Utah Code 52-4-207(4) Open and Public Meeting Act, I have determined that to protect the health and welfare of Murray citizens, an in person City Council meeting, including attendance by the public and the City Council is not practical or prudent.

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The Center for Disease Control states that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes or talks and may be spread by people who are non-symptomatic.

It is my intent to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

You may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

If you would like to submit citizen comments or public hearing comments you may do so by sending an email in advance or during the meeting to city.council@murray.utah.gov. Comments are limited to less than three minutes, include your name and contact information, and they will be read into the record.



Rosalba Dominguez
Murray City Council Chair

Council Members in Attendance:

Kat Martinez	District #1
Dale Cox	District #2 – Council Chair
Rosalba Dominguez	District #3 – Council Vice-Chair
Diane Turner	District #4
Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jennifer Heaps	Chief Communications Officer
Craig Burnett	Police Chief	Brenda Moore	Finance Director
Jay Baughman	Economic Development Specialist	Melinda Greenwood	Community & Economic Development (CED) Director
Pattie Johnson	City Council Office	Jared Hall	CED Division Supervisor

A moment of silence was held for Dave Nicponski, former City Councilmember.

Opening Ceremonies

Call to Order – Councilmember Cox called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Mayor Blair Camp

Approval of Minutes

Council Meeting – August 4, 2020

MOTION: Councilmember Hales moved to approve the minutes. The motion was SECONDED by Councilmember Turner.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox

Nays: None

Abstentions: None

Motion passed 5-0

Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council.

Jan Lopez, Council Director, said an email was received from Delynn Barney that was forwarded to the Salt Lake County Recorder so they could follow up with him.

Emily Barnett – Murray City, Utah

Ms. Barnett send in a comment related to the NeighborWorks development and walkway on

Willow Grove Lane. Ms. Barnett wrote, *"The developer originally made a deal with the neighborhood that they would provide a walkway for their children through this street. We had to provide this walkway as part of the agreement."*

Consent Agenda

1. Consider confirmation of the Mayor's reappointment of Wendy Parsons Baker to the History Board for a three-year term to expire August 1, 2023.
2. Consider confirmation of the Mayor's reappointment of Rebecca Santa Cruz to the History Board for a three-year term to expire August 1, 2023.
3. Consider confirmation of the Mayor's reappointment of Laurel Anne Shepard to the History Board for a three-year term to expire August 1, 2023.

MOTION: Councilmember Turner moved to approve the Consent Agenda. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox

Nays: None

Abstentions: None

Motion passed 5-0

Business Items

1. Consider a resolution authorizing the execution of a Memorandum of Understanding with Kimball Investments, LLC and ICO Multifamily Holdings, LLC (jointly, "Developer").

Staff Presentation: Jared Hall, Division Supervisor

Mr. Hall said a Memorandum of Understanding (MOU) is prescribed for mixed-use developments when they are larger than five acres or when they are a horizontal mixed-use. This project is known as Van Winkle Crossing. It is located at 4670 South 900 East and is 10.52 acres. In December 2019, the Planning Commission approved the projects master site plan.

This property is located in the Mixed-Use (M-U) Zone. The site plan for the project shows commercial components along 900 East with the bulk of the residential units towards the back of the property. There is a street that has been used as a right-of-way for many years that will be kept open. The site plan is an attachment to the MOU. The MOU will control the phasing of the project and ensure certain components of the project get constructed. The commercial phase of this project can be no less than 21,000 square feet and needs to be built within five years. The first phase of the residential includes constructing 301 residential units, a 4 ½ story parking garage and the utility infrastructure. The second Phase of the residential includes constructing the remaining 120 residential units.

Councilmember Dominguez asked about the project's wall height and setbacks.

Mr. Hall replied the project will have an eight foot wall and some buffering landscape. The height

requirements were reviewed by the Planning Commission. The proposed building will be higher than the old building on the property but will have a larger buffer from the residences in the neighborhood behind the property.

Justin Kimball, Kimball Investments, said one of the first things they will do to the property is fence it off and demolish the existing building.

Councilmember Dominguez asked how this process works once the MOU is approved.

Mr. Hall replied once the MOU is approved, the developer can obtain building permits for the first phase and the utility work. It will also allow the access from the neighborhood to 900 East to remain open during construction.

Ms. Dominguez asked if the project will affect the school district.

Mr. Hall replied the project consists of 1 and 2-bedroom units and a handful of 3-bedroom units. Staff reached out to both Murray and Granite School Districts Both school districts said they would not have a problem accommodating the amount of students this project may add to their schools.

Ms. Dominguez asked about the findings of the traffic study for the project.

Mr. Hall said the City Engineer required the traffic study go beyond the normal boundaries for something like this in order to capture the real potential impacts. There are a lot of accidents in this stretch of 900 East. With some improvements to the traffic signals around the project, the safety on 900 East in this area would be improved. The traffic study indicated this would be a successful project.

MOTION: Councilmember Hales moved to adopt the resolution. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox

Nays: None

Abstentions: None

Motion passed 5-0

2. Consider a resolution approving an Interlocal Cooperation Agreement between Murray City ("City") and Salt Lake County ("County") relating to the County Urban Wildlife Assistance Program.

Staff Presentation: Craig Burnett, Police Chief

Chief Burnett said Salt Lake County offers a program through the United States Department of Agriculture that involves urban wildlife where they will pick up skunks and raccoons. This is a good resource for the City's residents who are having problems with skunks and raccoons.

Councilmember Dominguez asked what the process was for citizens to receive help with a skunk or raccoon.

Chief Burnett said they would call Salt Lake County Animal Services to arrange that.

MOTION: Councilmember Turner moved to adopt the resolution. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox

Nays: None

Abstentions: None

Motion passed 5-0

3. Consider a resolution authorizing the execution of an updated Metropolitan Narcotics Task Force Agreement, an Interlocal Cooperation Agreement, between the Drug Enforcement Administration, Homeland Security Investigations, Internal Revenue Service Investigation, Salt Lake City, Unified Police Department, Utah Department of Public Safety, West Valley City, Murray City, Sandy City, Tooele City, West Jordan City, South Jordan City, Park City, Utah Department of Corrections, and Cottonwood Heights City ("the Parties") for the coordinated efforts of Federal, State, and Local Law Enforcement Agencies to enhance the enforcement of laws against drug trafficking.

Staff Presentation: Craig Burnett, Police Chief

Chief Burnett said this is an update to an agreement the City already has in place. The agreement allows the City to utilize resources from other agencies and allows those agencies to utilize services from the City also.

MOTION: Councilmember Hales moved to adopt the resolution. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox

Nays: None

Abstentions: None

Motion passed 5-0

Mayor's Report and Questions

Mayor Camp reported on the following items:

- The unusually hot temperatures have risen the cost of wholesale power ten times over the past couple of weeks. The City has been running its gas turbines which have saved the City approximately \$16,000 per day.
- Two firefighters and an auxiliary truck have been sent to the Williamsburg, Colorado fire. They are working 16 hours a day and have five days left on their deployment.
- The Vine Street survey closes this week. The survey is on the City's website.

- School has started and the school crossing zones are active. Mayor Camp reminded the public to be aware and slowdown in school zones.
- The City posted information on social media in May about the property watch program the Salt Lake County Recorder spoke about in the Committee of the Whole meeting earlier tonight.

Ms. Dominguez asked if the City's power has been affected due to the fires in California.

Mayor Camp replied the City has not been affected and we do not have power sources in California.

Adjournment

The meeting was adjourned at 7:10 p.m.

Jennifer Kennedy, City Recorder

**Murray City Municipal Council
Chambers
Murray City, Utah**

**Murray City Council Chair Statement
Open and Public Meeting Act
Utah State Code 52-4-207(4)
September 1, 2020**

The Murray City Municipal Council met on Tuesday, September 1, 2020 at 6:30 p.m. for a meeting held electronically. In accordance with, Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus, I have determined that meeting in an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

Federal, state and local leaders have all acknowledged the global pandemic. Salt Lake County Public Health Order 2020-13 dated August 19, 2020, recognizes that COVID-19 is a contagion that spreads from person to person and poses a continuing and immediate threat to the public health of Salt Lake County residents.

It is my intent to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

Citizen comments or public hearing comments may be submitted by sending an email in advance or during the meeting to city.council@murray.utah.gov. Comments are limited to less than three minutes, include your name and contact information, and they will be read into the record.



Rosalba Dominguez
Murray City Council Chair

Council Members in Attendance:

Kat Martinez	District #1
Dale Cox	District #2 – Council Chair
Rosalba Dominguez	District #3 – Council Vice-Chair
Diane Turner	District #4 - Excused
Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jennifer Heaps	Chief Communications Officer
Pattie Johnson	Council Office	Brenda Moore	Finance Director
Matt Erkelens	Forestry Supervisor	Dr. Janice Evans	Shade Tree Commission
Darin Bird	Shade Tree Commission	Judith Payne	Shade Tree Commission
Geneal Nelson	Shade Tree Commission		

Opening Ceremonies

Call to Order – Councilmember Dominguez called the meeting to order at 6:30 p.m. She excused Councilmember Turner from the meeting.

Pledge of Allegiance – The Pledge of Allegiance was led by Jan Lopez, Council Director.

Special Recognition

1. Presentation of Certificate of Achievement for Excellence in Financial Reporting (CAFR) to Brenda Moore.

Staff Presentation: Mayor Blair Camp

Mayor Camp said he is pleased that the City was recognized by the Government Finance Officers Administration (GFOA) for our Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ending June 30, 2019. This Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting. Its attainment represents a significant accomplishment by a government and its management. When a Certificate of Achievement is awarded to a government, an Award of Financial Responsibility is also awarded. These awards have been presented to the Finance Department. Mayor Camp recognized the members of the Finance Department for their achievement.

Brenda Moore, Finance Director, thanked her staff for all the work they do.

2. 2020 Jim and Jean Hendrickson Beautification Awards. Matt Erkelens presenting with Dr. Janice Evans, Darin Bird, Geneal Nelson, Judith Payne, and Jim Hendrickson of the Shade Tree and Beautification Committee.

Staff Presentation: Matt Erkelens, Forestry Supervisor

Mr. Erkelens introduced the members of the Shade Tree and Beautification Committee: District 1

represented by Judith Payne, District 2 represented by Darin Bird, District 3 represented by Geneal Nelson, District 4 represented by Jim Hendrickson and District 5 represented by Dr. Janice Evans. He noted that Jim Hendrickson was unable to be with the Committee tonight. The Committee announced the awards.

District Awards

District 1 Winner: Haslam Residence – 6184 South Eagle Nest Drive

District 2 Winner: Mills Residence – 611 West Anderson Avenue

District 3 Winner: Jacobsen Residence – 4636 South Atwood Boulevard

District 4 Winner: McFarlane Residence – 1121 East 5730 South

District 5 Winner: Timothy Residence – 520 East Bridlewalk Lane

Specialty Awards

Residential Xeriscape: Scoffield Residence – 5335 South Castlegate Drive

Multi-Family Residential: Maple Ridge Condos HOA – 5535 South 1300 East

Commercial Xeriscape: EMI Health – 5101 South Commerce Drive

Commercial: Village Inn – 5941 South State Street

Mayor's Award

City-Wide Award: Kessimakis Residence – 4520 South Atwood Boulevard

Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council.

No citizen comments were given.

Public Hearings

Staff and sponsor presentations and public comment will be given prior to Council action on the following matter.

1. Consider an ordinance amending the City's Fiscal Year 2020-2021 Budget.

Staff Presentation: Brenda Moore, Finance Director

Ms. Moore said most of these items are carryovers from projects that did not get finished during the last fiscal year that ended on June 30, 2020. In addition, the City has received a few grants that need to be added to the budget. Another amendment is to take money out of reserves to cover some employee benefits that were added during open enrollment.

Ms. Moore added that she has earmarked \$1.2 million for the Murray Theater in case the County comes up with the Tourism, Recreation, Cultural and Convention (TRCC) funds and that project is able to start again.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

MOTION: Councilmember Hales moved to adopt the ordinance. The motion was SECONDED by Councilmember Cox.

Council roll call vote:

Ayes: Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember

Dominguez
Nays: None
Abstentions: None

Motion passed 4-0

Mayor's Report and Questions

Mayor Camp reported on the following items:

- The software transition in utility billing is ongoing. The utility billing office was closed yesterday and today to allow staff to implement the program. They will also be closed for at least half the day tomorrow.
- The two firefighters that were sent to the Williamsport, Colorado fire returned home on Sunday
- Sign-ups for the virtual Gift to the River 5K are now open. Participants have until September 7, 2020 to complete the course.
- There will be a chalk art contest at Germania Park on Saturday September 12, 2020. Pre-registration is required.
- The food trucks are very popular and will be in the park on Tuesday nights through September.
- Applications for the Public Safety Advisory Board are now being accepted.

Councilmember Dominguez asked for an update on the New City Hall.

Mayor Camp said the agreement is being held up somewhere within Verizon. The deal has been approved and signed by ATC and the City. As soon as the agreement is signed, the City can sell the bonds and start the project.

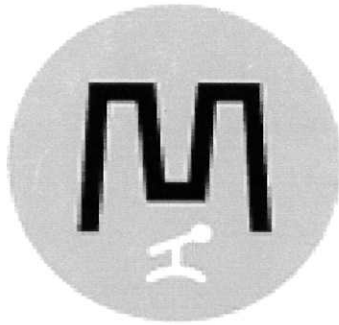
Councilmember Dominguez asked about flu shots for the City employees.

Mayor Camp replied as far as he knows, flu shots will be offered this year.

Adjournment

The meeting was adjourned at 7:07 p.m.

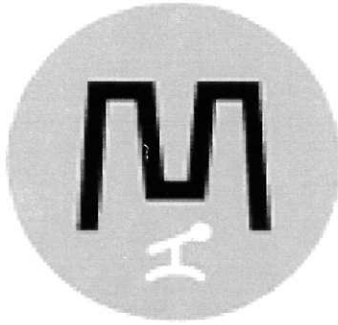
Jennifer Kennedy, City Recorder



MURRAY
CITY COUNCIL

Citizen Comments

Limited to three minutes, unless otherwise approved by Council



MURRAY
CITY COUNCIL

Public Hearing #1



MURRAY


Police Department

JAG Grant Notification

Council Action Request

Council Meeting

Meeting Date: September 15, 2020

Department Director Craig Burnett Phone # 801-264-2613 Presenters Chief Burnett Required Time for Presentation 10 Minutes Is This Time Sensitive No Mayor's Approval  Date August 19, 2020	Purpose of Proposal Official notification of the Police Department intent to apply for the 2020 Edward Bryne Memorial Justice Assistance Grant Action Requested Public hearing, consideration of resolution. Attachments Resolution and Program Narrative Budget Impact None - this is a federal grant. Description of this Item Requesting council approval of grant application and approval to purchase in-car vehicle dash cams with grant award.
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Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 15th day of September 2020, at the hour of 6:30 pm the Murray City Council will hold and conduct a hearing on and pertaining to the City's intent to apply for a grant from the Edward Byrne Justice Assistance Grant Program (JAG). The purpose of this hearing is to receive public comment concerning the proposed grant application.

The hearing will be held electronically in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020 and Murray City Council Resolution #R20-13 adopted on March 17, 2020.

The public may view the hearing via the live stream at www.murraycitylive.com or <https://www.facebook.com/MurrayCityUtah/>. **No physical meeting location will be available.**

If you would like to submit comments for the "public hearing" you may do so by sending an email in advance or during the meeting to: city.council@murray.utah.gov. Comments are limited to less than 3 minutes, include your name and contact information, and they will be read into the record.

DATED this 1st day of September 2020.

MURRAY CITY CORPORATION

Jennifer Kennedy
City Recorder

DATE OF PUBLICATION: September 4, 2020
PH 20-30

RESOLUTION NO. _____

A RESOLUTION APPROVING THE CITY'S APPLICATION FOR A GRANT FROM THE EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM (JAG).

WHEREAS, the City, through its Police Department, wants to apply for a grant from the Edward Byrne Justice Assistance Grant ("JAG") Program; and

WHEREAS, the amount of the grant would be \$29,524.00; and

WHEREAS, the grant would be used to pay for five HD in-car camera systems;

WHEREAS, as part of the application process, the City must provide to the public the opportunity to comment on the application, and the City Council must review and approve of the application after considering any public input; and

WHEREAS, the City Council held a duly noticed public hearing on September 15, 2020 to receive input regarding the application; and

WHEREAS, after considering the public input, the City Council wants to approve the application for the JAG grant.

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council that it hereby approves the City's application for a grant from the Edward Byrne Justice Assistance Grant Program (JAG).

DATED this _____ day of _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Council Chair

ATTEST:

Jennifer Kennedy, City Recorder

Murray City Police Department
Intergovernmental Review Narrative

The Murray Police Department will make its Fiscal Year 2020 JAG application to the Murray City Council for their review on 15 September 2020.

The notice will be posted in the common area of Murray City Hall as well as the Murray City Official Website.

PUBLIC NOTICE OF GRANT SOLICITATION

The Murray City Police Department is submitting a solicitation for the for **the Edward Bryne Memorial Justice Assistance Grant (JAG)**.

This grant program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice.

The Murray City Police Department is seeking financial assistance for the purchase of In-Car cameras to be put in Department vehicles. The Murray City Police Department will utilize FY 2020 JAG funds for the following:

- 1) Five HD in-car digital camera systems

The amount allocated to the City of Murray for this grant is \$29,524.00. The JAG grant program narrative may be viewed online at <http://www.murray.utah.gov>.

Murray City will accept public comments from September 8, 2020 through the close of business on September 15, 2020. Any questions or comments regarding the Justice Assistance Grant or its intended use, were directed to Lieutenant Doug Roberts of the Murray City Police Department at 801-264-2673.

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. Therefore, the City Council Chair has determined, pursuant to Utah Code section 52-4-207(4), that to protect the health and welfare of Murray citizens, an in-person City Council meeting, including attendance by the public and the City Council is not practical or prudent. In order to safeguard the health of residents, business owners, city employees and elected officials, the public hearing will be held electronically in accordance with Utah Code section 52-4-207 and Murray City Council Resolution #R20-13 adopted on March 17, 2020.

The public may view the hearing via the live stream at www.murraycitylive.com or <https://www.facebook.com/MurrayCityUtah/> . **No physical meeting location will be available.**

If you would like to submit comments for the "public hearing" you may do so by sending an email in advance or during the meeting to city.council@murray.utah.gov Comments are limited to less than 3 minutes, include your name and contact information, and they will be read into the record.

Murray City Police Department
Program Narrative

In Car Camera System

Over the last several years, the City of Murray has been updating its patrol fleet by purchasing new police cars, replacing most of the marked patrol units within the department. The vehicles are rotated each year. Old vehicles are retired, and new vehicles replace them. Most of our mobile cameras in our patrol vehicles are outdated, out of warranty, and need to be replaced.

The Murray City Police Department invested a substantial amount of funds purchasing new digital in car camera systems and setting up an updated and modern infrastructure in support of the camera system. The completed system allows first line responders to digitally record incidents in the field, and automatically upload and capture stored video from the patrol vehicle to the main storage computers anytime an officer pulls into the police station parking lot or other city owned facilities.

Due to budget constraints, our department is unable to purchase updated in car cameras therefore, the Murray City Police Department is seeking financial assistance to purchase the in-car digital camera systems needed to keep the system updated and working.

No other JAG or related justice funds will be utilized for this program.

Submitted by:
Lieutenant Doug Roberts
Murray City Police Department
5025 South State Street
Murray, Utah 84107
801-264-2673 (main)
801-264-2569 (desk)

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: City of Murray 5025 S State Street Murray, UT 74107 Congressional District, if known: 4			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:		
6. Federal Department/Agency: Department of Justice Office of Justice Programs Bureau of Justice Assistance			7. Federal Program Name/Description: CFDA Number, if applicable: _____		
8. Federal Action Number, if known:			9. Award Amount, if known: \$ 29,524.00		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): N/A			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): N/A		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: _____ Print Name: D. BAKER CAMP Title: Mayor Telephone No.: _____ Date: 8/17/2002		
Federal Use Only:			Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)		

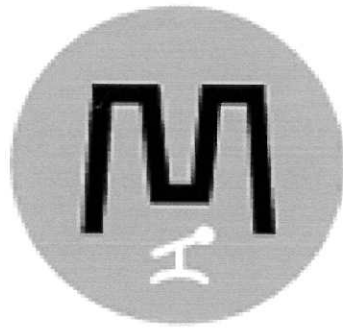
APPROVED AS TO FORM

Murray City Attorneys Office

APPROVED AS TO CONTENT

Deputy City Recorder





MURRAY
CITY COUNCIL

New Business #1



MURRAY


Murray Parks and Recreation Department

Consider Ordinance Amending Fees Charged at the Golf Course

Council Action Request

Council Meeting

Meeting Date: September 15, 2020

Department Director Kim Sorensen	Purpose of Proposal Consideration of an ordinance adjusting fees charged at the Murray Parkway golf course
Phone # 801-264-2614	Action Requested Approval of an ordinance to increase fees charged at the Murray Parkway golf course.
Presenters Kim Sorensen	Attachments Proposed ordinance
	Budget Impact Slight increase in revenue
Required Time for Presentation	Description of this Item Consider changing ordinance to increase fees charge at the Parkway golf course.
Is This Time Sensitive No	
Mayor's Approval 	
Date August 14, 2020	

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 12.28.030 AND 12.28.040 OF THE
MURRAY CITY MUNICIPAL CODE RELATED TO GOLF COURSE FEES.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to amend sections 12.28.030 and 12.28.040 of the Murray City Municipal Code to amend the Golf Course fees.

Section 2. Amendment to sections 12.28.030 and 12.28.040 of the Murray City Municipal Code. Sections 12.28.030 and 12.28.040 of the Murray City Municipal Code shall be amended to read as follows:

12.28.030: GREEN FEES:

The green fees shall be as follows:

<u>User Type</u>	<u>9 Holes</u>	<u>18 Holes</u>
10 round punch card	\$130.00 <u>\$140.00</u>	n/a
Juniors	8.00 <u>\$9.00</u>	\$16.00 <u>\$18.00</u>
Juniors annual pass (age 17 or younger)	<u>\$300 .00</u>	
Murray High School and Cottonwood High School golf teams	<u>\$6 .00</u>	<u>\$12 .00</u>
Other high school golf teams	<u>\$8 .00</u>	<u>\$16 .00</u>
Regular	15.00 <u>\$16.00</u>	30.00 <u>\$32.00</u>
Seniors (age 65 or older)	12.00 <u>\$13.00</u>	24.00 <u>\$26.00</u>

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All rates above include applicable Sales and Use Tax and are available during times as determined in writing by the Parks and Recreation Director, the Mayor, and the Director of Finance Administration. (Ord. 19-05)

12.28.040: GOLF COURSE OPERATION; RENTALS:

Rental Fees shall be as follows:

<u>Rental Types</u>	<u>9 Holes</u>	<u>18 Holes</u>
Golf clubs	\$ 6 .00	\$12 .00
Pull cart	<u>\$1 .00</u>	<u>\$2 .00</u>
Range ball tokens	<u>\$3 .00</u>	
Riding carts (per person)	7.00 <u>\$8.00</u>	14.00 <u>\$16.00</u>
Trail fee for private carts used for medical reasons	<u>\$7.00</u>	<u>\$14.00</u>

All rates above include applicable Sales and Use Tax and are available during times as determined in writing by the Parks and Recreation Director, the Mayor, and the Director of Finance and Administration. (Ord. 19-05)

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on
this ____ day of _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST,

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2020.

D. Blair Camp, Mayor

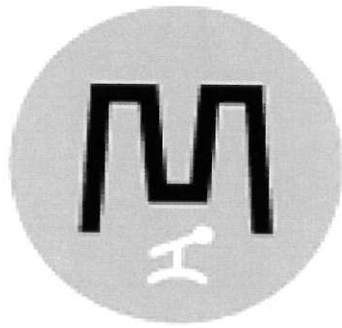
ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the ____
day of _____, 2020.

Jennifer Kennedy, City Recorder



MURRAY
CITY COUNCIL

New Business Item #2



MURRAY


Mayor's Office

Urban County Interlocal Agreement

Council Action Request

Committee of the Whole and City Council

Meeting Date: September 15, 2020

Department Director Blair Camp, Mayor	Purpose of Proposal Approval of a resolution to participate in an urban county interlocal agreement
Phone # 801-264-2600	Action Requested Approval of resolution
Presenters G.L. Critchfield	Attachments Resolution
	Budget Impact
Required Time for Presentation 10 Minutes	Description of this Item Murray City participates as a member of an urban county group that is managed by Salt Lake County. This interlocal cooperation agreement states the role of each participant as it relates to the conduct and administration of the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and the HOME Investment Partnership (HOME) programs administered by the U.S. Department of Housing and Urban Development.
Is This Time Sensitive Yes	
Mayor's Approval 	
Date September 1, 2020	

RESOLUTION NO. _____

A RESOLUTION OF THE MURRAY CITY MUNICIPAL COUNCIL APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND THE TOWN OF ALTA, TOWN OF BRIGHTON, BLUFFDALE CITY, COPPERTON METRO TOWNSHIP, COTTONWOOD HEIGHTS CITY, DRAPER CITY, EMIGRATION CANYON METRO TOWNSHIP, HERRIMAN CITY, HOLLADAY CITY, KEARNS METRO TOWNSHIP, MAGNA METRO TOWNSHIP, MIDVALE CITY CORP., CITY OF MILLCREEK, MURRAY CITY CORPORATION, RIVERTON CITY, CITY OF SOUTH SALT LAKE, AND WHITE CITY METRO TOWNSHIP RELATING TO THE CONDUCT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, EMERGENCY SOLUTIONS GRANT PROGRAM AND THE HOME INVESTMENT PARTNERSHIP PROGRAM

WHEREAS, Salt Lake County (the "County") participates as an "urban county," as defined by federal regulation, in the Community Development Block Grant ("CDBG"), Emergency Solutions Grant ("ESG"), and the HOME Investment Partnership ("HOME") programs administered by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, the County has previously entered into three distinct interlocal cooperation agreements with participating municipalities within Salt Lake County that did not receive separate CDBG, ESG, and HOME program entitlement grants governing the Parties participation in the CDBG, ESG and HOME programs which fell short of strictly complying with all HUD-imposed requirements; and

WHEREAS, the County now desires to proceed with a single interlocal agreement with all participating municipalities which does strictly comply with all HUD-imposed requirements and which supersedes and terminates effective upon all CDBG, ESG, and HOME funds and income received in the three-year period ending June 30, 2021 are expended and the funded activities completed, the following interlocal agreements between the County and the above referenced cities which pertain to participating in the urban county for CDBG, ESG, and HOME Investment Partnership Programs: Salt Lake County Contract No. BV9303C, Salt Lake County Contract No. BV03192C, and Salt Lake County Contract No. BV043108; and

WHEREAS, an Interlocal Cooperation Agreement ("Agreement") has been prepared for approval and execution by and between the County and participating municipalities, which states the purposes thereof, and the extent of the required participation of the parties and the rights, duties, responsibilities, and obligations of the parties in the conduct and administration of the CDBG, ESG, and HOME programs as specified therein; and

WHEREAS, under the Utah Interlocal Cooperation Act, Utah Code Annotated, 11-13-101 et seq. (2020) any two or more public agencies may enter into agreements with one another for joint or cooperative action and may also contract with each other to perform any governmental service activity or taking which each public agency entering into the contract is authorized by law to perform.

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council as follows:

1. It hereby approves the Interlocal Cooperation Agreement between Salt Lake County and the Town of Alta, Town of Brighton, Bluffdale City, Copperton Metro Township, Cottonwood Heights City, Draper City, Emigration Canyon Metro Township, Herriman City, Holladay City, Kearns Metro Township, Magna Metro Township, Midvale City Corp., City of Millcreek, Murray City Corporation, Riverton City, City of South Salt Lake, and White City Metro Township relating to the conduct of the CDBG, ESG, and HOME Programs, in substantially the form attached as Exhibit "A"; and
2. The Interlocal Cooperation Agreement is in the best interest of the City; and
3. Mayor D. Blair Camp is hereby authorized to execute the Interlocal Cooperation Agreement for an in behalf of the City and to act in accordance with its terms.

PASSED, APPROVED AND ADOPTED on this ____ day of _____, 2020.

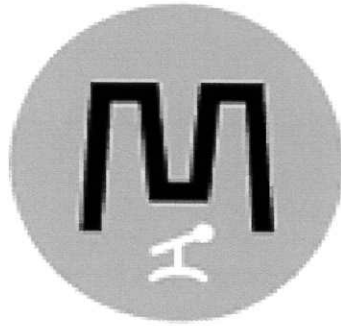
MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

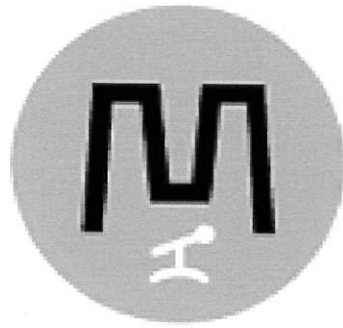
Jennifer Kennedy, City Recorder

Please see entire text in
Committee of the Whole
documentation.



MURRAY
CITY COUNCIL

Mayor's Report And Questions



MURRAY
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Adjournment