

# **PROVIDENCE CITY COUNCIL MEETING AGENDA**

Wednesday March 20th, 2024, 6:00 PM

Providence City Office Building, 164 North Gateway Drive, Providence UT

To view the monthly financial statements of the city please click [HERE](#).

To view the video recording account of the meeting please visit our YouTube channel found [HERE](#).

**HR. MIN. SEC.** in green above items are timestamps of the YouTube Meeting.

## **Opening Ceremony:**

Call to Order: Mayor Alder

Roll Call of City Council Members: Mayor Alder, Council Members Kunz, Kirk, Sealy, Speth & Nebeker.

Staff in Attendance: City Manager Ryan Snow, Community Development Director Skarlet Bankhead, Public Works Director Rob Stapley and City Recorder Ty Cameron.

Pledge of Allegiance: Council Member Kunz

Opening Remarks/Prayer: Council Member Kirk

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**2 MIN. 05 SEC.**

**Council Reports:** Items presented by the City Council members will be presented as informational only; no formal action will be taken.

### **Council Member Kunz:**

- Attended the mosquito abatement districts meeting where they discussed their budget and potential tax increase for next year due to their desire to buy new equipment and maintain their reserve.

### **Council Member Kirk:**

- Attended the leadership conference at Utah State with the Youth Council.
- Youth Council are working on an Easter egg hunt for March 30th, with two time slots, one at 11 pm and another at noon.
- Youth Council applications will open on April 1st for 8th graders through seniors. The group does one service project a month and it is a great way for students to gain experience. Noted that they are always looking for adult volunteers to help out.

### **Council Member Sealy:**

- Reported that the legislative session has concluded, and that she has been working on the fiber code and the Healthy Cities designation for the city.
- Is also working on the USU well-being survey to gather feedback for policy development for the city. The survey is open until the end of April, aims to reach 300 or more respondents, including men, women, and adult children. Encouraged participation and spreading the word.

### **Council Member Speth:**

- On April 18th at 10:30 AM, the Utah ShakeOut will be held throughout Utah.

- There is an emergency plan in place for Providence from one of its LDS stakes, with Bryce Berry, a HAM radio operator, taking lead and suggesting a single HAM radio signal or connection. The stake has put together an emergency preparedness plan based on Wellsville's plan.
- There is a HAM operators meeting scheduled for 5:30 PM on that April 18<sup>th</sup> date, and they are inviting residents and other cities to participate in communication training through HAM operators.
- CERT training is still ongoing.
- The Utah League of Cities and Towns transit meeting is scheduled for March 26th and will report on that next meeting.

Council Member Nebeker:

- Met with Ryan to review some of the ordinances that are on for tonight to get a better understanding of what they entail.
- The school board has two monthly meetings, the first being a study session with the second meeting being more informative on what plans they have for the county. Believes that in the upcoming meeting that they will be discussing the new changes to some of the schools in the valley.

Mayor Alder:

- Noted that the new logan fire house will be having an open house this week.
- Has been elected chair of the Cache Metropolitan Planning Organization (CMPO) and has been busy with meetings with UDOT and the Northern Utah Coalition.
- Is also involved in the Cache Chamber of Commerce board and Land Conservation Board.
- Has been working with Ryan on some of the grants the city has applied for.

Approval of the minutes:

**15 MIN. 50 SEC.**

- **Item No. 1 Approval of the Minutes:** The Providence City Council will consider for approval the minutes of February 21st, 2024 . [\(MINUTES\)](#)

- Mayor Alder called for the approval of the minutes.
- The Council reviewed and discussed the minutes from the previous meeting dated February 21, 2024. Amendments were proposed, including typographical corrections, and specifying the details regarding attendance at the day at the legislature as Council Member Kirk noted that she did not attend but did help coordinate. It was clarified that the additions were to be reflected in the official record.

**Motion to approve the minutes of February 21<sup>st</sup> with the stated corrections. – Council Member Kirk. 2<sup>nd</sup> – Council Member Sealy.**

**Vote:**

**Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker.**

**Nay-**

**Abstained-**

**Absent-**

**Motion passes, minutes approved.**

**Public Comments:** Citizens may express their views to the City Council on issues within the City's jurisdiction. The City Council accepts comments: by email providencecityutah@gmail.com, and by text 435-752-9441.

- Mayor Alder opened the floor for public comment.
- Hal Hansen, resident, indicated some issues with the disc golf course regarding safety. He mentioned that last year he asked the city to get some signs up there, so people know where the park stops and the disc golf area starts as he has seen kids in the area where the disc golfers play and worried about them getting hit.
- Noted that there was a semi parked in the parking lot that has been parked there for quite a while. Staff responded that the semi was for the well drilling crew and that it should be moved in the coming weeks as they are coming back to finish the test well.
- Hal Also noted that there is a specific group of disc golf players who seem to be partying and causing problems and wondered if there was something the city could do.
- Mitchell Shook, of Advanced Stream, highlighted the progress made with the fiber project, which included him giving tutorials for seniors on cord cutting and streaming services. Noted that the Council is also dealing with the issue of internet monopoly pricing in apartment buildings and multi-family dwellings, where 30% of Americans live. The incumbent monopolists pay a door fee, monopolizing these housing types, and hold resident's hostage under that fee. He is in talks with the managers to help ensure compliance with new FCC rules that prohibit such fees. He thanked Council and staff for all their hard work in bring this project about.

#### **Presentations/Public Hearings:**

##### **24 MIN. 05 SEC.**

- **Item No. 2 CAPSA Presentation:** The Providence City Council and residents of Providence City will hear a presentation given by a CAPSA representative. For more information or to donate please visit their website found here: [CAPSA - We believe you | We can help – CAPSA](#)
  - A representative from Citizens Against Physical and Sexual Abuse (CAPSA) provided a detailed presentation about the services offered to individuals affected by domestic and sexual violence. Statistics were shared to emphasize the pervasiveness of these issues. The importance of community support, believing survivors, and referring them to CAPSA as a trusted resource was underscored. Further, public support was solicited through planned participation by the Council like informing associates and the public that April is Sexual Assault Awareness Month and Denim Day, which was a day to wear denim to show support to victims of physical abuse, which will be held on April 26<sup>th</sup>.
  - The Council thanked CAPSA for their services and all that they do for the valley.

#### **Resolutions/Ordinances:**

##### **32 MIN. 00 SEC.**

- **Item No. 3 Ordinance 03-2024 PCC 7-12 Fiber-Optic:** The Providence City Council will review, discuss, and may take action on an ordinance that creates new city code regulating the city's Fiber Optic Network. [\(ORDIN. 03-2024\)](#)

- Council Member Sealy commented that last week, the Mayor, Ryan, and she met to work on the new fiber code. They updated definitions, eliminated irrelevant ones, and clarified that the establishment is between infrastructure and services provided by internet service providers. The code is new, but the red changes are from the previous presentation. Some definitions were removed due to duplication. And they reviewed the code in detail to ensure it reflects our understanding and goals. Also discussed any specific questions from the Council. Again, the changes in red reflect the changes from the previous presentation.
- Mitch Shook expressed his excitement about the creation of a new utility. The project has indirectly and inadvertently benefited both those not using it and those using it. Mr. Shook emphasized the importance of waiting for the final availability before addressing the fee issue.
- The Council reviewed the proposed new city code concerning the city's fiber-optic network. Several amendments were discussed, primarily focused on streamlining legal text, updating definitions, and ensuring clarity on provisions associated with the access and use of the fiber-optic infrastructure. Various edits or typo corrections were suggested and agreed upon.
- Staff asked the Council if they wanted to keep the definition section in this code as those parts of the code were eliminated or specifically, they were put in their own section in the code. Noted that our code has its own definitions section instead of each section having a definition section. Staff commented that they could put wording in each title stating where the definitions could be found. The Council talked about consistency within the code and agreed to remove that section or designate it for future use and keep the definitions in one section all together.

**Motion to adopt ordinance 03-2024 PCC 7-12 Fiber Optic with the stated corrections and striking and reserving the definition section. – Council Member Sealy. 2<sup>nd</sup> – Council Member Speth.**

**Vote:**

**Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker.**

**Nay-**

**Abstained-**

**Absent-**

**Motion passes, Ordinance 03-2024 is approved and will be added to the city code.**

**48 MIN. 20 SEC.**

➤ **Item No. 4 Ordinance 04-2024 - PCC Amendments Clear View Areas and Residential Driveways:**

The Providence City Council will review, discuss, and may take action on proposed amendment changes to city code 10-9 which deals with clear view areas and residential driveways. The Planning Commission held a public hearing on this item on February 28<sup>th</sup> and motioned that the City Council approve the amendments. [\(ORDIN. 04-2024\)](#)

- Ryan Snow and Skarlet Bankhead informed the Council that the intent of this code change aims to increase pedestrian, bicyclist, and vehicle traffic visibility in Providence City. The city is striving to create visible areas at the corners of certain city intersections to ensure that pedestrians, bicyclists, and vehicle traffic can see each other as there have been issues with certain areas within the clear view area, such as trees that block visibility for bicycles, cars, and pedestrians.



- The amendments are driven by the city's vision, mission, and guiding principles found in its master plans. The Clearview project has been a result of numerous complaints mostly during the summer, particularly as trees and vegetation grow. The city is also addressing concerns about visibility at intersections, with the goal of ensuring all types of visibility for pedestrians, bicyclists, and vehicles.
- Skarlet noted that the city is not as restrictive as some cities, but it is restrictive in terms of residential driveways. The city has tried to inform residents about fire and emergency vehicle safety requirements for long driveways, which require 20-foot access for emergency services. The code has been put in place to help people design their homes accordingly.
- The Council appreciated the Planning Commission's efforts and prioritizing safety over other concerns. The Council discussed road curve issues and the potential issue with the angle coming into intersections with hilly subdivisions.
- Parties discussed the retroactivity of the ordinance throughout the city or if it is a new development-only initiative. They acknowledged that they do not have a staff plan or budget to enforce compliance with the new ordinance but that the main concern is the safety of the citizens and ensuring the safety of the children.
- The discussion revolved around the removal of trees and the need for a budget to remove them and the issue of private property rights. The ordinance is questioned for its uniformity across different intersections throughout the city and if it is going to apply to every intersection. Council Member Speth commented that people are already hesitant to comply with laws that require stop or yield, and that a greater view area may increase the problem. Suggested that if a corner is more blind, people tend to slow down and comply with the law.
- Parties talked about the responsibility of drivers in Providence to learn the rules and regulations of their community. Parties commented that the problem is a multi-prong problem, and that retrofitting the Clearview throughout Providence City may not be the right solution. Parties discussed the cost of removing trees.
- Staff noted that the clear view area has been a focus of discussion for a while now due to the issue of trees hanging down and disrupting people's visibility, particularly in the summer. The initial Clearview rule has been in place for a long time, but the city has corners with trees that need to be removed. The goal is to have a system that allows people to see their destination regardless of their driving habits. The transportation plan has changed numerous intersections, and it is difficult to look at them by each intersection. Intersections change depending on traffic patterns, road analysis, and the use of bike lanes and sidewalks. It is difficult to maintain consistency with intersections. The idea is to focus on those intersections that are causing the most problems and having something in place to deal with them.
- The parties discussed the retaining walls in the Clearview area, which impact the area and can be difficult to change. The Council suggested including a graphic or blip in the newsletter as an educational component, highlighting the importance of trimming trees to specific heights for clear view safety. They also discussed the geometry of curves and the angles that cause different variations in the road and visibility. Staff indicated that the goal is to ensure a safe result and make sure developers and engineers are aware of these safety issues or requirements.
- Council suggested adding a disclaimer to the drawings, stating that they are for illustrative purposes only and that the development and placement of homes should be approved and designed accordingly. Council Member Sealy suggested that changes in any irrigation water system, as referenced in 10-9-3 of the code which includes rerouting or altering open ditches, should be

approved by the city and the water company before construction begins. This would prevent friction between the two parties and ensure that tailwater is not affected.

- Council Member Krik suggested forming a subcommittee to address this issue more in-depth, believes that a subcommittee could be formed to address these concerns.
- Bob Washburn, a planning commission member from Providence, discussed the importance of prioritizing safety in new construction and building envelopes. He emphasized that this priority will not affect existing lots unless they are dangerous. The statements aim to not grandfather any dangerous situations but prioritize them based on significant safety issues. For example, when planting new trees, it is important to consider the visibility of the stop signs and the foliage on the trees. The intention is to prioritize dangerous situations and take care of them.
- Continued discussion revolved around the need for safety measures at intersections, including the inclusion of pedestrians traffic and vehicular traffic. They also discussed the requirement of tree canopies not blocking signs or signals, which depends on the position on the street. The idea is that trees must be cleared enough to allow visibility of signs. The parties highlighted the importance of safety measures and the need for a more efficient and effective approach to intersection safety.
- The Council deliberated on amendments to the city code regarding clear view areas and residential driveways, which aim to enhance safety across traffic intersections and residential areas. Proposed changes included graphic illustrations, updates for clarity and updates to current codes around property development.

**Motion to adopt Ordinance 04-2024 PCC amendments to the Clearview Areas and Residential Driveways with the following corrections: Typo on line 22 be corrected to ‘or’ and that cyclist be added. A disclaimer be added to the drawings and that the second sentence on 10-9-3 be stricken.- Council Member Sealy. 2<sup>nd</sup>- Council Member Kirk.**

**Vote:**

**Yea- Council Members Kunz, Kirk, Sealy & Nebeker.**

**Nay- Council Member Speth**

**Abstained-**

**Absent-**

**Motion passes, Ordinance 04-2024 is approved and will be added to the city code.**

#### **1 HR. 47 MIN. 50 SEC.**

- **Item No. 5 Ordinance 05-2024 - PCC 11-4-8 Fiber System Code (Land Use):** The Providence City Council will review, discuss, and may take action regarding new code for the city’s Fiber Optic Network as it relates to land use. The Planning Commission held a public hearing on this item on February 28<sup>th</sup> and motioned that the City Council approve the amendments. [\(ORDIN. 05-2024\)](#)

- Ryan Snow stated that the proposed ordinance includes a developer's involvement in fiber installation, which could be added by the city or the developer. The flexibility to have either option is discussed, with the city preferring the developer option be taken out.

- Discussion took place about the new code related to land use requirements of developers regarding the city's fiber optic network. It addressed the involvement of developers in ensuring compatibility with the existing city infrastructure.
- Parties discussed fiber conduit inspection requirement and where that should be place in the code.

**Motion to adopt Ordinance 05-2024 PCC 11-4-8 Fiber System Code with the following correction: that ‘by developer’ be removed from the wording. - Council Member Speth. 2<sup>nd</sup> – Council Member Kunz.**

**Vote:**

**Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker.**

**Nay-**

**Abstained-**

**Absent-**

**Motion passes, Ordinance 05-2024 is approved and will be added to the city code.**

### **1 HR. 54 MIN 30 SEC.**

- **Item No. 6 Ordinance 06-2024 - PCC Amendments Retaining Wall Use and Construction (diagram):** The Providence City Council will review, discuss, and may take action regarding proposed changes to the city code that regulates the use and construction of retaining walls. The Planning Commission held a public hearing on this item on February 28<sup>th</sup> and motioned that the City Council approve the amendments. [\(ORDIN. 06-2024\)](#)

- The Council addressed proposed changes to the code regulating retaining wall use and construction. The discussion included updating the graphics to illustrate the code more effectively and making various minor adjustments to the text for improved understanding and enforcement. Discussion revolved around the height of the walls and their connection to the original building envelope.
- Parties suggested that a wall over a certain height must be within the original building envelope and not in the setback, which could potentially impact the view of the driveway.
- Parties agreed that each graphic should have descriptions and that there should be a disclaimer regarding the graphics or illustrations.
- Parties discussed side yard requirements and including those in the illustrations as well.

**Motion to adopt Ordinance 06-2024 PCC Amendments Retaining Wall Use and Constructions with the following additions: Add wording that the graphic is illustrative, improvements on drawing #7, caption and label on wall height and captions on drawings # 1 & 2. Council Member Sealy. 2<sup>nd</sup>- Council Member Speth.**

**Vote:**

**Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker.**

**Nay-**

**Abstained-**

**Absent-**

**Motion passes, Ordinance 06-2024 is approved and will be added to the city code.**

317 **2 HR. 07 MIN. 10 SEC.**

318 ➤ **Item No. 7 Ordinance 07-2024 - PCC Amendments Sign Regulations:** The Providence City Council  
319 will review, discuss, and may take action on proposed changes to the city code regarding sign regulations.  
320 The Planning Commission held a public hearing on this item on February 28<sup>th</sup> and motioned that the City  
321 Council approve the amendments. **(ORDIN. 07-2024)**

- 322
- 323 • Skarlet Bankhead commented that the city has been reevaluating its sign regulations, recognizing  
324 that the code does not allow highway signs to have lights. The city has added new signs, such as  
325 the blade sign and roof sign, and aims to allow people to use these signs without obtaining a  
326 conditional use permit. This is to avoid unnecessary delays and ensure that the signs are used as  
327 public service announcements. The city has also looked at other cities' practices, which have  
328 clarified the process for removing signs and the appeal process. If a violation is found, the city  
329 will take every action necessary to facilitate removal if warranted. The city will try to be  
330 consistent and try and enforce the ordinance evenly.
- 331 • The meeting moved to consider updates to the sign regulations within the city code. The  
332 amendments included addressing light and noise provisions related to signs, ensuring compliance  
333 with state and federal guidelines, and adding definitions for newly recognized sign types like  
334 murals. These changes were geared towards enhancing the aesthetic appeal while maintaining  
335 order within the municipal sign propaganda.
- 336

337 **Motion to approve Ordinance 07-2024 PCC Amendments Sign Regulations. – Council**  
338 **Member Kirk. 2<sup>nd</sup> – Council Member Kunz.**

339 **Vote:**

340 **Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker.**

341 **Nay-**

342 **Abstained-**

343 **Absent-**

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345 **Motion passes, Ordinance 07-2024 is approved and will be added to the city code.**

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348 **Agreements, Contracts, Bid Awards:**

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350 **2 HR. 15 MIN. 05 SEC.**

351 ➤ **Item No. 8 Proposal for City Waste Collection Services from Clean Slate:** The Providence City  
352 Council will discuss and may move forward with a proposed contract by Clean Slate to help in assisting  
353 with the city's waste collection services. **(CONTRACT)**

- 354
- 355 • Ryan Snow reported that the Council, during their last meeting, discussed a proposal for a  
356 Providence partnership for garbage collection services with Clean Slate, and it was the Council's  
357 decision at that last meeting to work on a contract. The next step in the process was to draft a  
358 contract with Clean Slate which the city has done.
- 359 • Ryan Snow gave an update on the city's current garbage removal needs. The city purchased  
360 garbage trucks over a year ago, expecting them to be delivered by mid-April. However, the  
361 trucks have been delayed. The first truck is expected to arrive in July, and the second in October

or later. An employee has been sent to North Dakota to purchase a used truck for the time being so that the city can get by as our contract with Logan is set to expire in weeks.

- The contract with Clean Slate is to provide labor and maintenance, as we will still try and acquire the trucks. The contract with Clean Slate covers labor, supervision, staff, and maintenance. Staff recommend moving forward with the contract.
- A proposal from Clean Slate to assist with the city's waste collection services was reviewed by the Council. After some discussion and addressing concerns related to logistics and execution, the Council recognized the timely assistance Clean Slate could offer in light of challenges faced with the existing waste collection trucks and service.
- Council Member Sealy noted some typos and corrections they she believed needed to be fixed before signing which were: In 6H it reads 'its this' - should be one or the other not both. 9C says unusable waste and it should be unacceptable waste. 9 D & E seem redundant, and that E should be stricken. In section 13 Expect should be Except.
- Parties discussed commercial waste and its billing process. Parties discussed the purchase of the used truck.

**Motion to approve the Clean Slate contract for waste collection services with the previously stated corrections. – Council Member Speth. 2<sup>nd</sup>- Council Member Nebeker.**

**Vote:**

**Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker.**

**Nay-**

**Abstained-**

**Absent-**

**Motion passes, contract to be signed by parties.**

## **Plans and Other Business:**

### **2 HR. 36 MIN. 45 SEC.**

- **Item No. 9 Appointment of George Wootton to the Providence City Historic Preservation Commission:** The Providence City Council will approve the appointment of George Wootton to the Providence City Historic Preservation Commission.

- The Council expressed appreciation for George Wootton's willingness to serve on the Historic Preservation Commission after discussing his background and commitment to historic preservation within the city.
- Mr. Wootton expressed in passion for history and his understanding of the city's history and readiness to contribute positively to the committee's initiatives.

**Motion to appoint George Wootton to the Providence City Historic Preservation Commission. – Council Member Kirk. 2<sup>nd</sup> – Council Member Sealy.**

**Vote:**

**Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker.**

**Nay-**

**Abstained-**

**Absent-**

Motion passes, Mr. Wootton is appointed to the HPC.

**Study Items:**

**2 HR. 42 MIN. 30 SEC.**

- **Item No. 10 Parcel Exchange Between Millville and Providence:** The Providence City Council will review and discuss a proposal for a parcel exchange between Millville and Providence City. **(EXHIBIT)**

- Staff noted that a comment had come in from a resident via email. Comment was read on the record.\*Comment attached to minutes at the bottom.
- This agenda item involved a discussion about a potential land parcel exchange between the cities of Providence and Millville. The Council listened to public comments raising concerns regarding transparency and the implications of potential future developments. The proposal was for the composition of a subcommittee to engage in exploratory discussions with Millville regarding the feasibility and implications of such an exchange. The matter progressed with an agreement to form a subcommittee to methodically investigate the proposed exchange with Millville.

**3 HR. 29 MIN 35 SEC.**

**Staff Reports:** Items presented by Providence City Staff (including but not limited to: City Recorder, Public Works Director, Community Services Director, and City Manager) will be presented as information only.

**Ty Cameron (City Recorder):**

- Reported for the record that the next City Council meeting will be held virtually as the Council and some of the staff will be down in St. Geroge for the UCLT conference.
- Reminded Council to complete their annual OPMA training if they haven't already done so.

**Rob Stapley (Public Works Director):**

- Reported that his staff remain busy especially as it warms up there seems like there's more to do or more activity to manage.
- Noted that passing the waste removal contract will help him and his department out quite a bit and thanks the Council for that.
- Discussed a few park projects and some ongoing developments.

**Skarlet Bankhead (Community Development Director):**

- The park is expected to be busy with comp baseball games starting on Monday. Noted that the city hires youth, aged 14-15, to help with scorekeeping and umpiring. The city follows the Federal's Division of Labor's Laws, which are more restrictive than state codes. Utah is less restrictive than the federal code, which has caused frustration among parents who have been frustrated with the federal code's restrictions. But the law clearly states to follow the most restrictive code which is the federal code.



- Development activity is also increasing, with pools and retaining walls being built. Land use is expected to remain relatively busy, with changes to the subdivision ordinance.
- Reported that the city has received a rezone request and that it is on its way through the Planning Commission but that the City Council would see that in the coming months. Noted that she is incorporating the moderate-income housing plan into her staff reports.

Ryan Snow (City Manager):

- Mr. Snow discussed the accomplishments of the staff and the direction given to them by the Council. Noted that half a dozen grants have been submitted in the last month and have applied for more grant money than the entire residents of Providence have paid in property and sales tax in the year.
- The skate park is a delayed project due to issues of depth, but they are working on it. The pickleball courts are waiting for warmer temperatures to paint them. is working on the budget documents and presentation.
- Is appreciative of the opportunity to work with CleanSlate and the successes the city has had with fiber.
- In conclusion, the staff have accomplished their tasks as best they can, and they are working on various projects and initiatives to ensure they are covering costs and moving the city forward.

**Motion to adjourn the meeting. – Council Member Sealy. 2<sup>nd</sup> – Council Member Speth.**

**Vote:**

**Yea- Council Members Kunz, Kirk, Sealy, Speth & Nebeker.**

**Nay-**

**Abstained-**

**Absent-**

**Motion passes, meeting adjourned.**

**Next meeting will be held virtually on May 17<sup>th</sup>, 2024.**

**Minutes approved by vote of Council on \_\_\_\_\_ day of \_\_\_\_\_ 2024.**

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**Kathleen W. Alder, Mayor**

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**Ty Cameron, City Recorder**

**Emailed Comments.**

Hello,

My name is Alan Miller, I'm a resident at 375 W 500 S, Providence and I'm unable to attend tonight's meeting as I'm out of town.

I have questions concerning Item No. 10 Parcel Exchange Between Millville and Providence on tonight's city council agenda. I don't think tonight is a public hearing, but could you be sure to address the following for the public's information?

- What will be the process for examining this proposal?

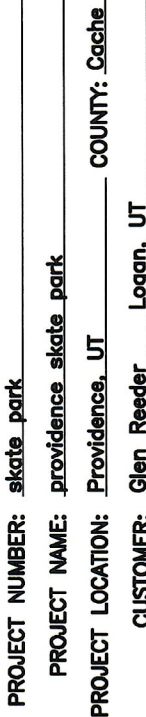
- If it is decided to exchange the land, would the new parcels be subject to the cities annexation process where the planning commission would recommend a specific zoning for the parcels (after hearing public input)?

- What ordinances does the city have (like noise and light ordinances) that could affect rumored plans for the parcel to build a baseball stadium?

- What is the connection between Mayor Alder and the group owning the properties that Providence would receive as part of the exchange (Seth Alder Farms)

I look forward to hearing answers in the live stream/recording.

Alan Miller



## PROJECT LOADS

DESIGN CODE: JRC 2021 BUILDING END USE: 4A  
 ROOF LIVE LOAD: 20 PSF MEWA OCC. CLASS:  
II - Standard Buildings  
 SNOW EXP. FACTOR: 1 SNOW IMPORTANCE FACTOR, 1  
 SNOW IMPORTANCE FACTOR, 1  
 WIND: 105 WIND IMPORTANCE FACTOR, 1W  
 EXPOSURE: C WITHIN HURRICANE COASTLINE YES ☐ NO  
 U 0 ☐ YES ☐ NO  
 RAIN INTENSITY (in/hr) 4

[illegible][illegible]

**4. A325 & A490 BOLT TIGHTENING REQUIREMENTS**

IT IS THE RESPONSIBILITY OF THE ERECTOR TO ENSURE PROPER BOLT TIGHTNESS IN ACCORDANCE WITH APPLICABLE REGULATIONS. FOR PROJECTS IN THE UNITED STATES SEE THE AISC SPECIFICATION FOR STRUCTURAL JOINTS USING A325 OR A490 BOLTS OR FOR PROJECTS IN CANADA, SEE THE CAN/CSA S16 STEEL DESIGN OF STEEL STRUCTURES FOR MORE INFORMATION.

THE FOLLOWING CRITERIA MAY BE USED TO DETERMINE THE BOLT TIGHTNESS (I.E., "SNOW-TOUGH" OR "FULLY-RETENSIONED").

ALL BOLTS SHALL BE "FULL-HEIGHT" COPIES AS FOLLOWS: "FULL-HEIGHT" COPIES AS FOLLOWS:

- a) ALL BOLTS SHALL BE "FULL-HEIGHT" COPIES AS FOLLOWS: "FULL-HEIGHT" COPIES AS FOLLOWS:
- b) ALL BOLTS SHALL BE "FULL-HEIGHT" COPIES AS FOLLOWS: "FULL-HEIGHT" COPIES AS FOLLOWS:
- c) ALL BOLTS SHALL BE "FULL-HEIGHT" COPIES AS FOLLOWS: "FULL-HEIGHT" COPIES AS FOLLOWS:

d) ANY CONNECTION DESIGNATED IN THESE DRAWINGS AS "3/8"-SC," "SUP-CRITICAL (SC)" CONNECTIONS MUST BE FREE OF PAINT, OIL, OR OTHER MATERIALS THAT REDUCE FRICTION AT CONTACT SURFACES. GALVANIZED OR LIGHTLY RUSTED SURFACES ARE ACCEPTABLE.

5. GENERAL DESIGN NOTES:

1) ALL STRUCTURAL STEEL SECTIONS AND WELDED PLATE MEMBERS ARE DESIGNED IN ACCORDANCE WITH AISC 360 "SPECIFICATIONS FOR STRUCTURAL STEEL BUILDINGS" OR THE CAN/CSA S16 "LIMIT STATES DESIGN OF STEEL STRUCTURES", AS REQUIRED BY THE SPECIFIED BUILDING CODE.

2) ALL WELDING OF STRUCTURAL STEEL IS BASED ON EITHER AWS D1.1 "STRUCTURAL WELDING CODE - STEEL" OR CAN/CSA W59 "WELDED STEEL CONSTRUCTION (STEEL AND WELDING)" AS REQUIRED BY THE SPECIFIED BUILDING CODE.

3) ALL COLD FORMED MEMBERS ARE DESIGNED IN ACCORDANCE WITH AWS/AISI 100 OR THE CAN/CSA S136 "SPECIFICATIONS FOR THE DESIGN AND CONSTRUCTION OF COLD FORMED STEEL STRUCTURAL MEMBERS" AS REQUIRED BY THE SPECIFIED BUILDING CODE.

4) ALL WELDING OF COLD FORMED STEEL IS BASED ON AWS D1.3 "STRUCTURAL WELDING CODE - SHEET STEEL" OR CAN/CSA W59 "WELDED STEEL CONSTRUCTION (METAL ARC WELDING)" AS REQUIRED BY THE SPECIFIED BUILDING CODE.

5) THIS MANUFACTURING FACILITY IS AN ISO-9001 ACCREDITED AND CAN/CSA A560 AND #471 CERTIFIED (IF APPLICABLE) FOR THE DESIGN.

6) IF JOISTS ARE INCLUDED WITH THIS PROJECT, THEY ARE SUPPLIED AS A PART OF THE SYSTEMS ENGINEERED METAL BUILDING AND ARE FABRICATED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 1928.758 OF OSHA SAFETY STANDARDS FOR STEEL ERECTION, DATED JANUARY 18, 2001.

**A. GLOSSARY OF ABBREVIATIONS:**

MW = MACHINER BOLTS	NW = NUTS
BLS = BOLT SIZES	SU = SUPPLIES
BLU = BUILD-UP	SVL = SHORT LASH VERTICAL
BS = BRASS	TBD = TO BE DETERMINED
PZ = PLANK	U.L.C. = UNLESS NOTED OTHERWISE
F3 = FOUR SIDE	O.A.L. = OVERALL LENGTH
H.S.R. = HIGH STRENGTH BOLTS	C.G. = CENTER
H.S. = HIGH LEFT VERTICAL	

?? = PART MARK TO BE DETERMINED AND WILL BE UPDATED ON FOR CONSTRUCTION DRAWINGS

PROVIDENCE SKATE PARK

DO NOT USE FOR FINAL CONSTRUCTION

GLEN READER	LOGAN, UT
-------------	-----------

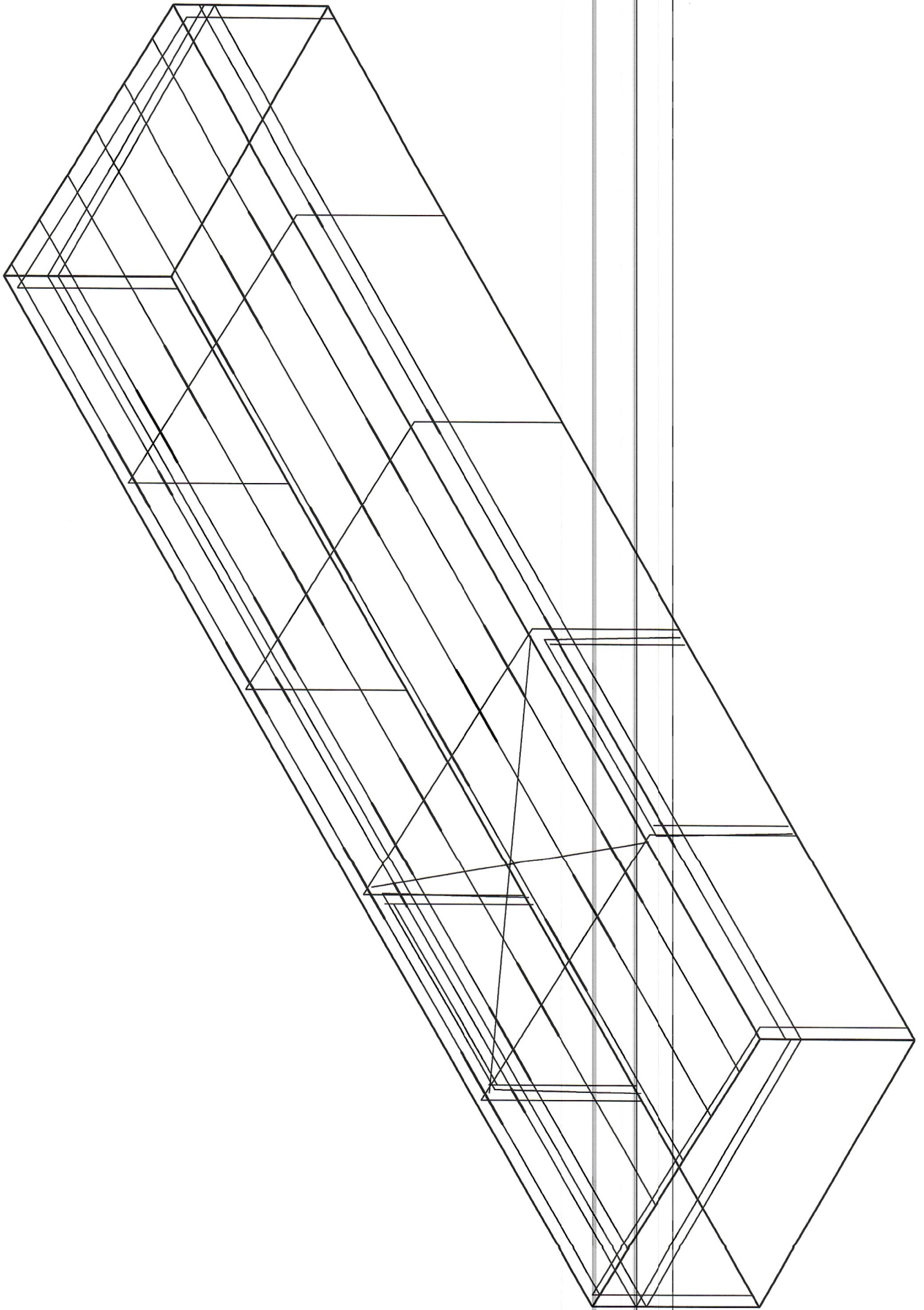
SHEET NUMBER:	C1	QUOTE NUMBER:	SKATE PARK
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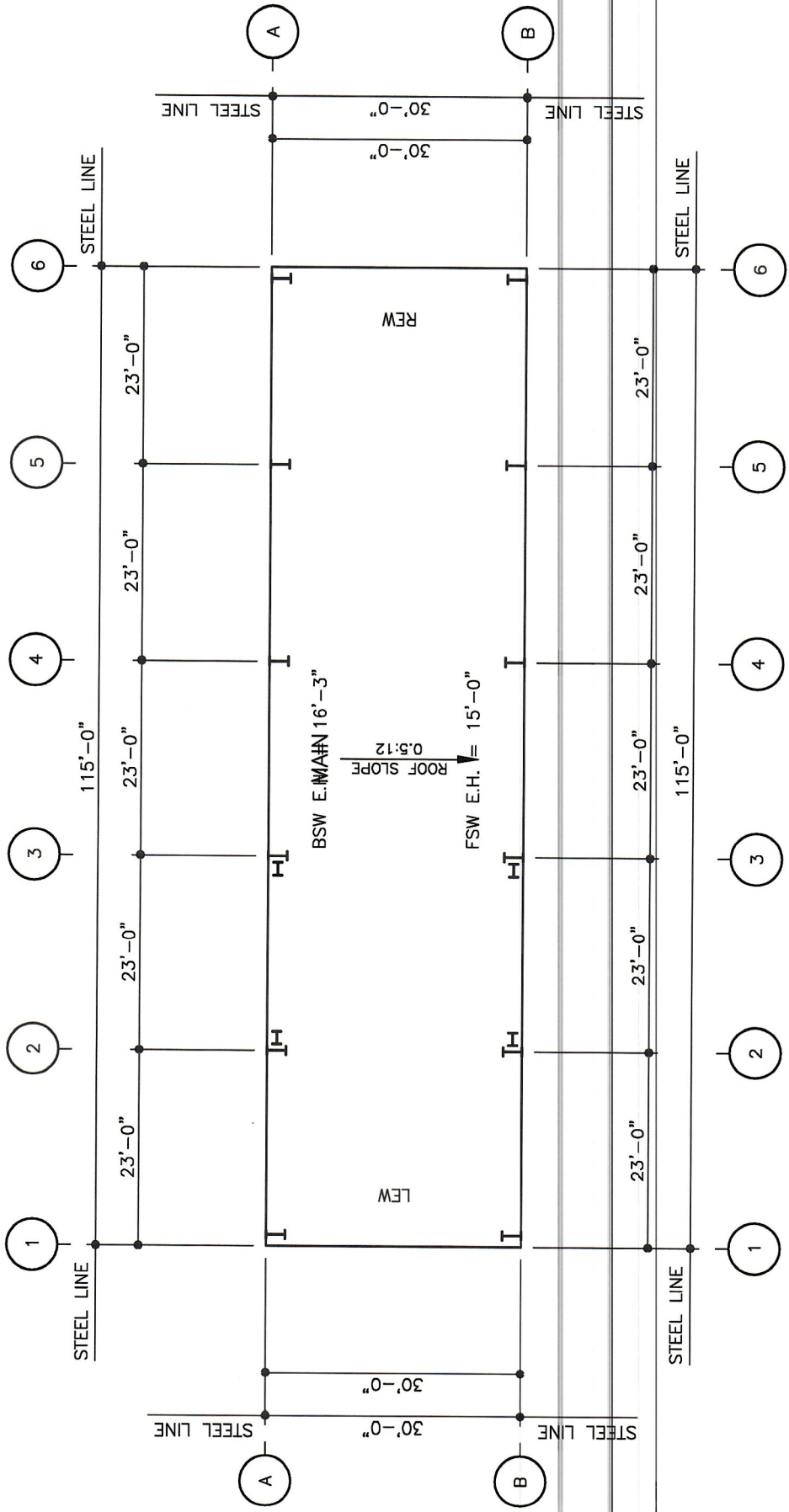
**MBMA**  
MEMBER

**ias**

תוכנית  
AC 472

BUILDING	main
ROOF DEAD (PST):	2.5
PR. COL. (PST):	3
SEC. COL. (PST):	3
SNOW CL:	1.2
SNOW CR:	
ROOF SNOW (PST):	38.12
WIND ENCLOSURE:	partially open
COOL:	
SEISMIC R:	
SEISMIC CR:	
BASE SHEAR (MPS):	



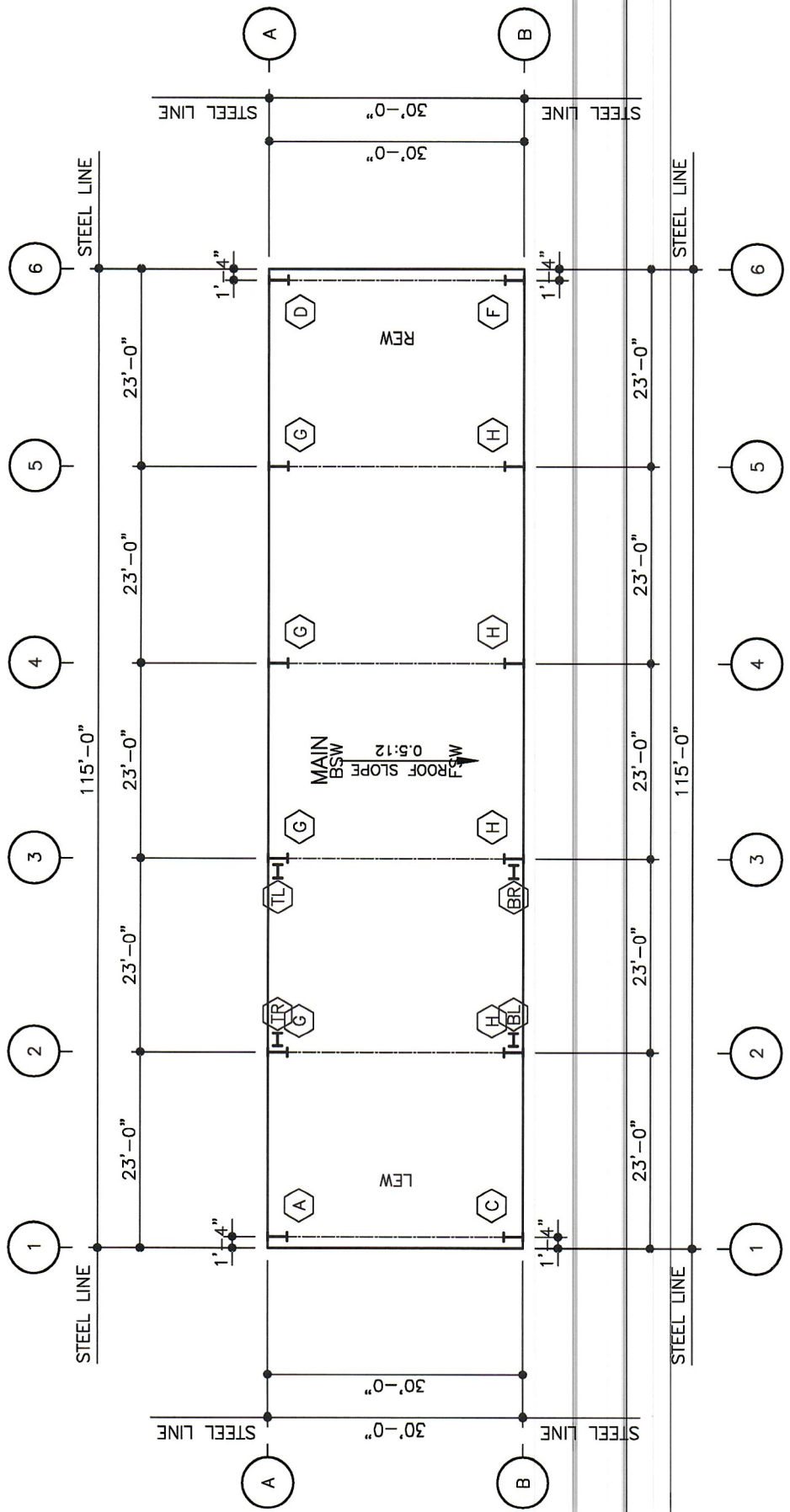




Finish floor elevation assumed to be 100'-0" unless noted otherwise.

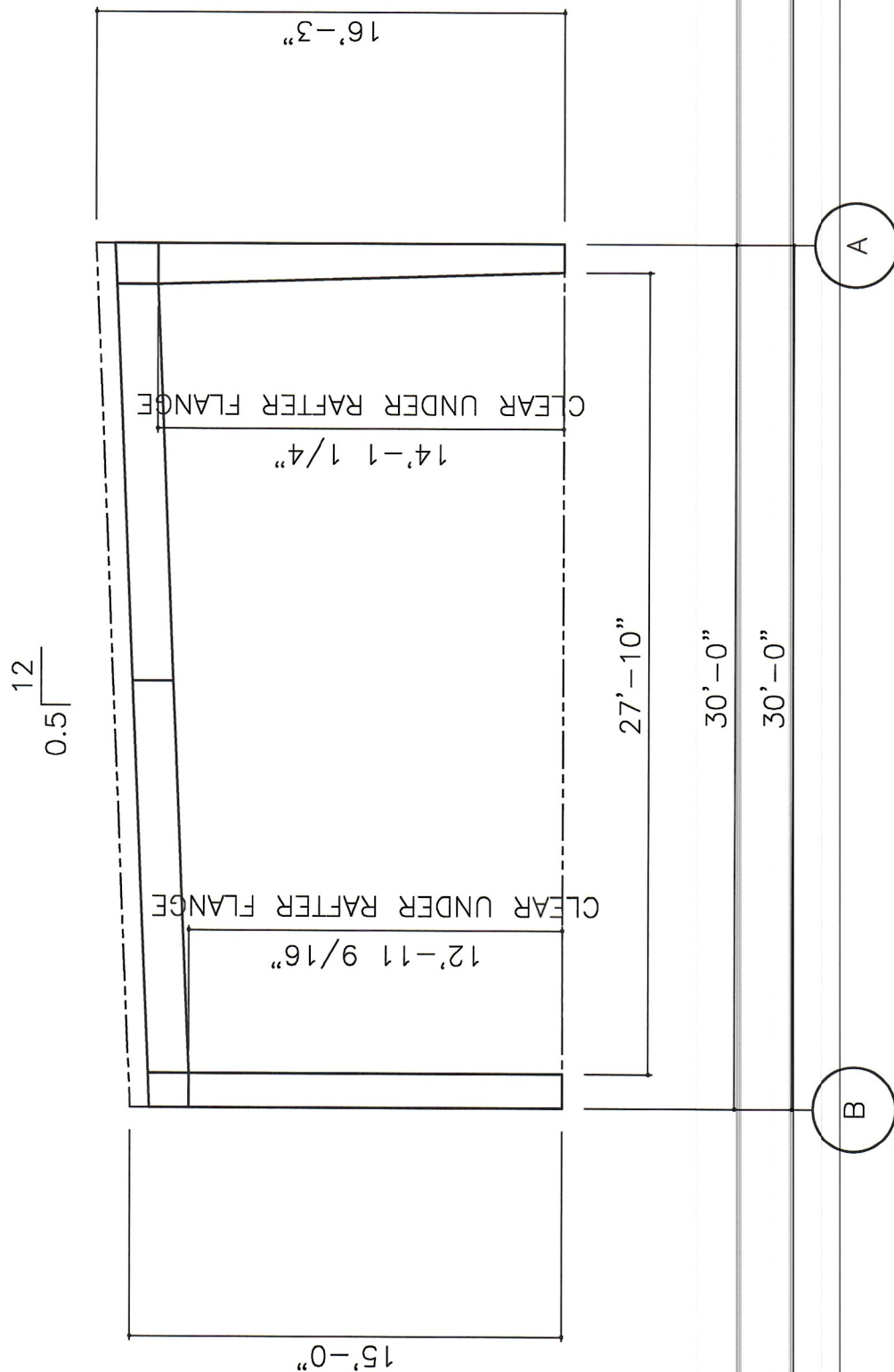
DO NOT USE FOR FINAL CONSTRUCTION	
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SHEET NUMBER:	AB1
QUOTE NUMBER:	SKATE PARK

PROJECT NAME:	PROVIDENCE SKATE PARK
CUSTOMER NAME:	PROVIDENCE, UT
GLN READER	LOGAN, UT









12'-11 9/16"

CLEAR UNDER RAFTER FLANGE

14, -1 1/4"

CLEAR UNDER RAFTER FLANGE

16'-3"

27'-10"

30'-0"

30'-0"



A

MAIN - FRAME @ LINE(S) 1,6

\*ALL CLEAR DIMENSIONS ARE SUBJECT TO CHANGE AT TIME OF FINAL DESIGN,  
UNLESS NOTED OTHERWISE IN THE SPECIAL USER NOTES SECTION.

DO NOT USE FOR FINAL CONSTRUCTION

3/19/2024 6:29 PM

FRAME CROSS SECTIONS

**SHEET NUMBER:**

SKATE PARK

GLEN REEDER

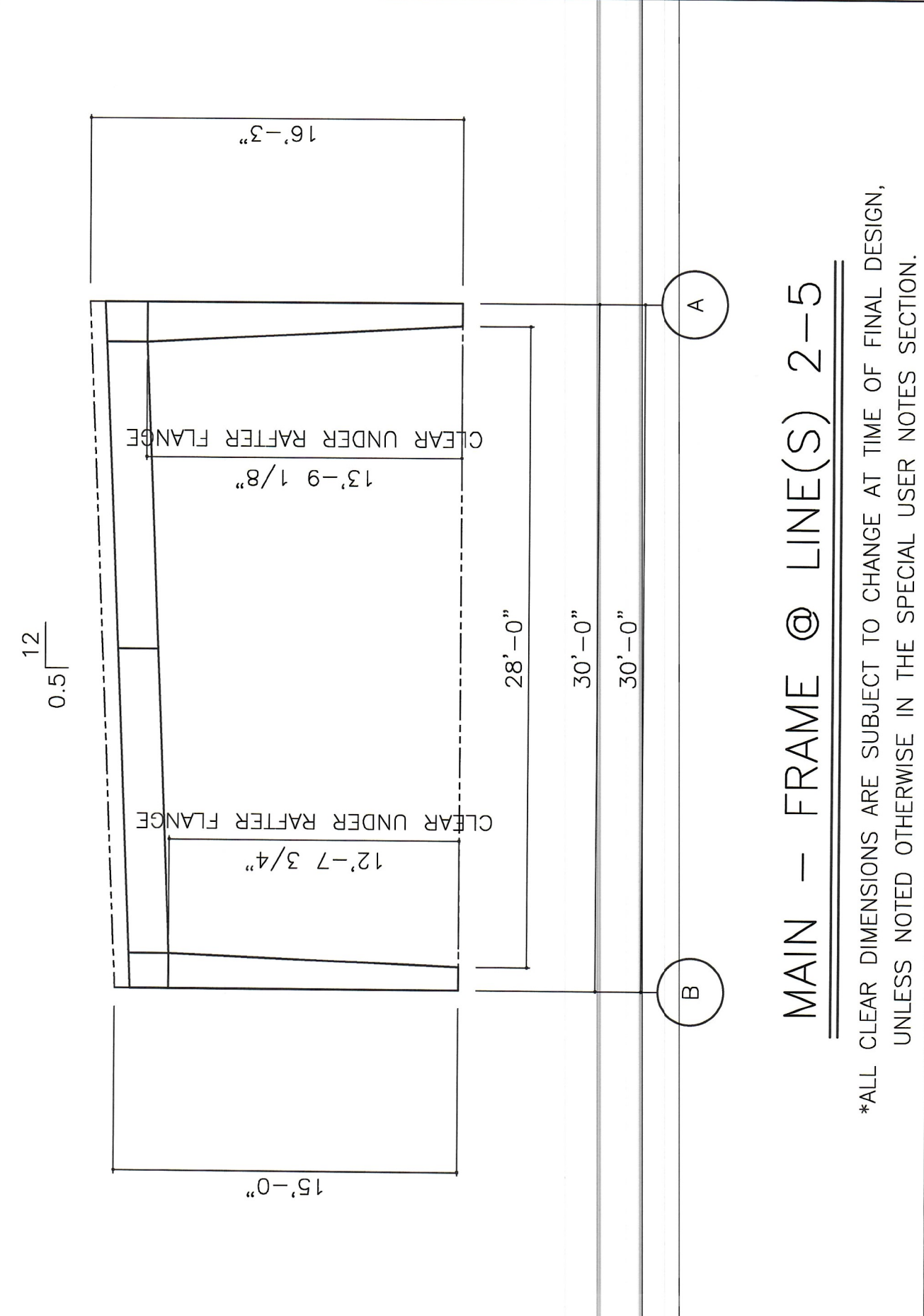
LOGAN, UT	
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PROVIDENCE SKATE PARK

PROVIDENCE, UT

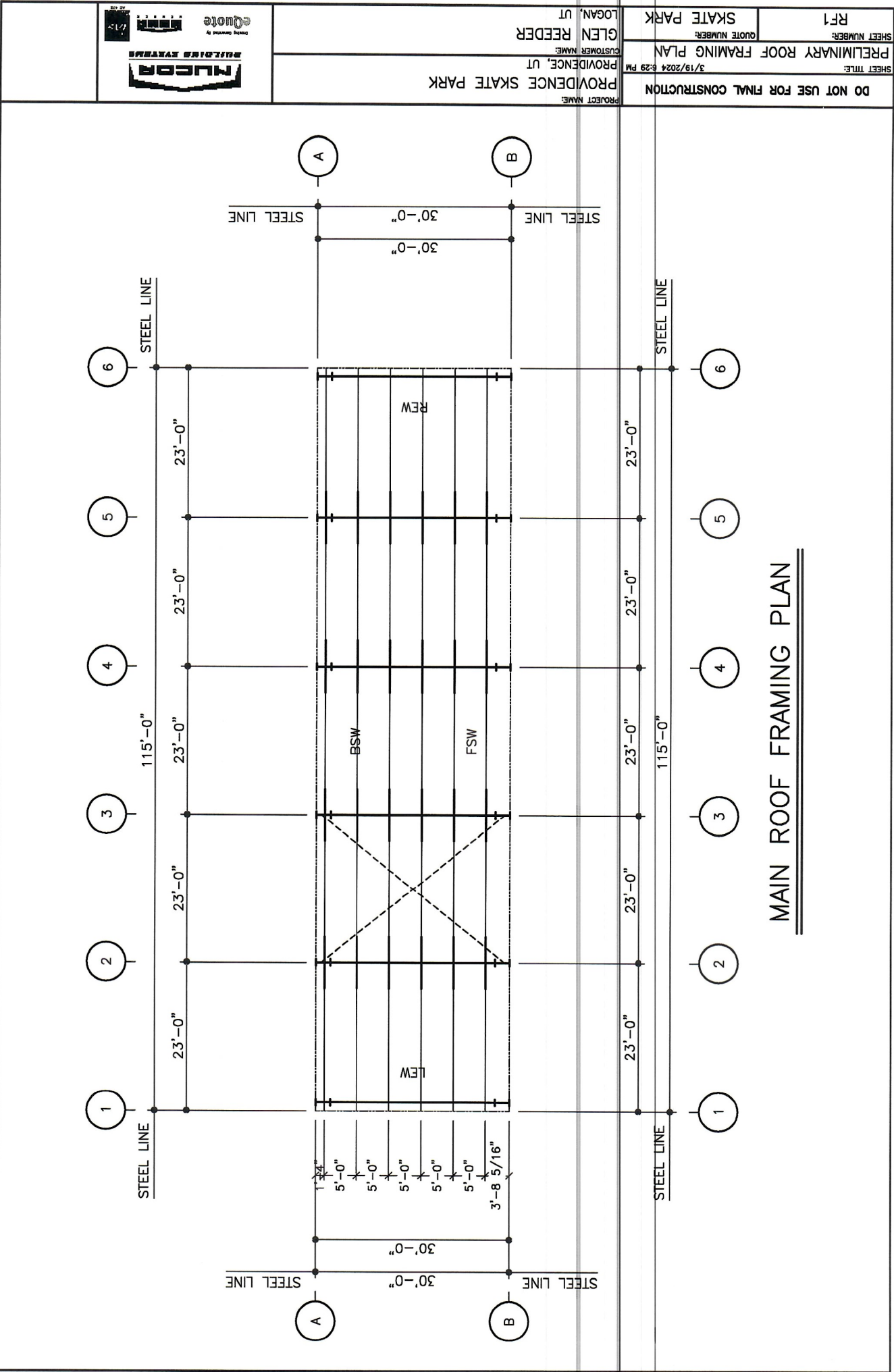
GLEN REE





# MAIN - FRAME @ LINE(S) 2-5

\*ALL CLEAR DIMENSIONS ARE SUBJECT TO CHANGE AT TIME OF FINAL DESIGN, UNLESS NOTED OTHERWISE IN THE SPECIAL USER NOTES SECTION.





SHEET NUMBER:  
ST5

SKATE PARK

PRELIMINARY STRUCTURAL ELEVATIONS

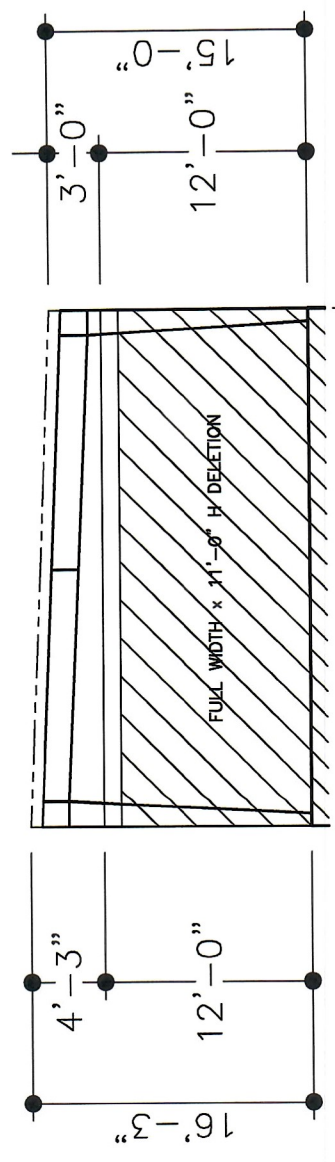
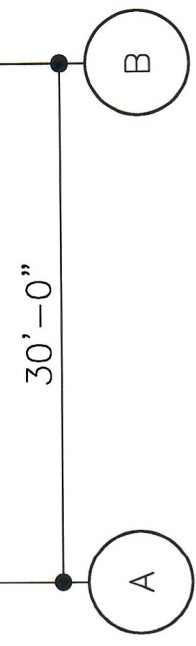
SHEET TITLE:  
3/19/2024 8:29 PM

DO NOT USE FOR FINAL CONSTRUCTION

PROJECT NAME:  
PROVIDENCE SKATE PARK  
PROVIDENCE, UT  
CUSTOMER NAME:  
GLEN REEDER  
LOGAN, UT

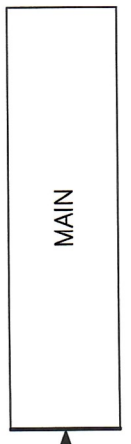


# ELEVATION AT LINE 1



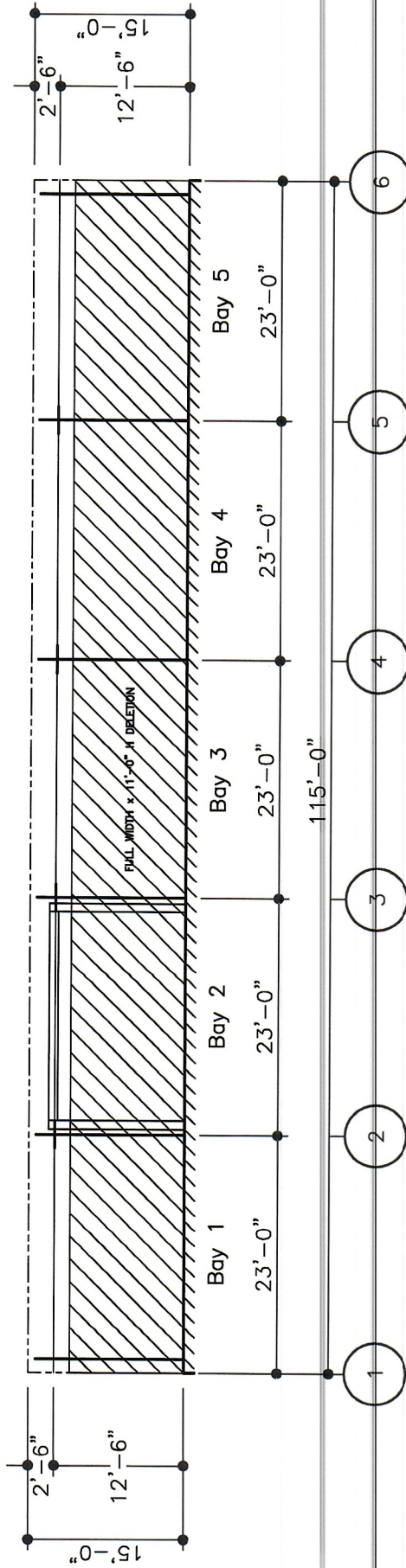
12' 0.5

KEY PLAN



KEY PLAN

MAIN



ELEVATION AT LINE B

DO NOT USE FOR FINAL CONSTRUCTION	
SHEET TITLE:	PROVIDENCE SKATE PARK
SHEET NUMBER:	ST6
QUOTE NUMBER:	SKATE PARK

PROJECT NAME:  
PROVIDENCE SKATE PARK  
PROVIDENCE, UT  
CUSTOMER NAME:  
GLEN REEDER  
LOGAN, UT

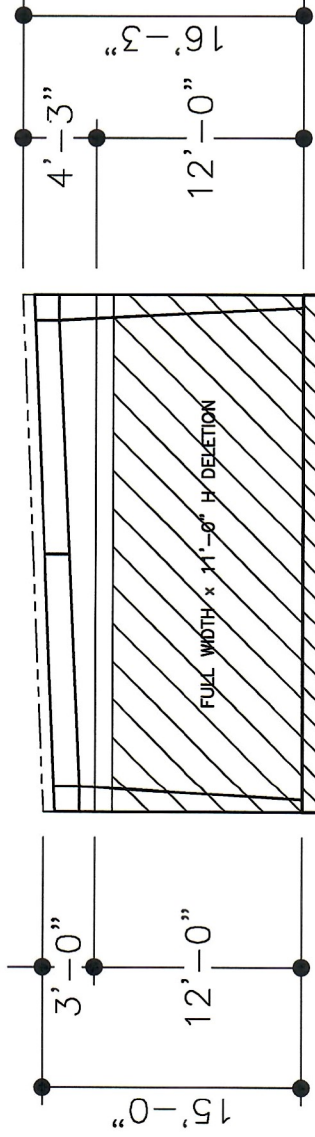




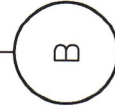
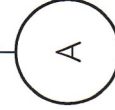
KEY PLAN

MAIN

12  
0.5'



30'-0"



ELEVATION AT LINE 6

DO NOT USE FOR FINAL CONSTRUCTION

SHEET TITLE: 3/19/2024 8:29 PM

PRELIMINARY STRUCTURAL ELEVATIONS

QUOTE NUMBER: SKATE PARK

GLEN REEDER  
LOGAN, UT

PROJECT NAME: PROVIDENCE SKATE PARK

PROVIDENCE, UT

CUSTOMER NAME:



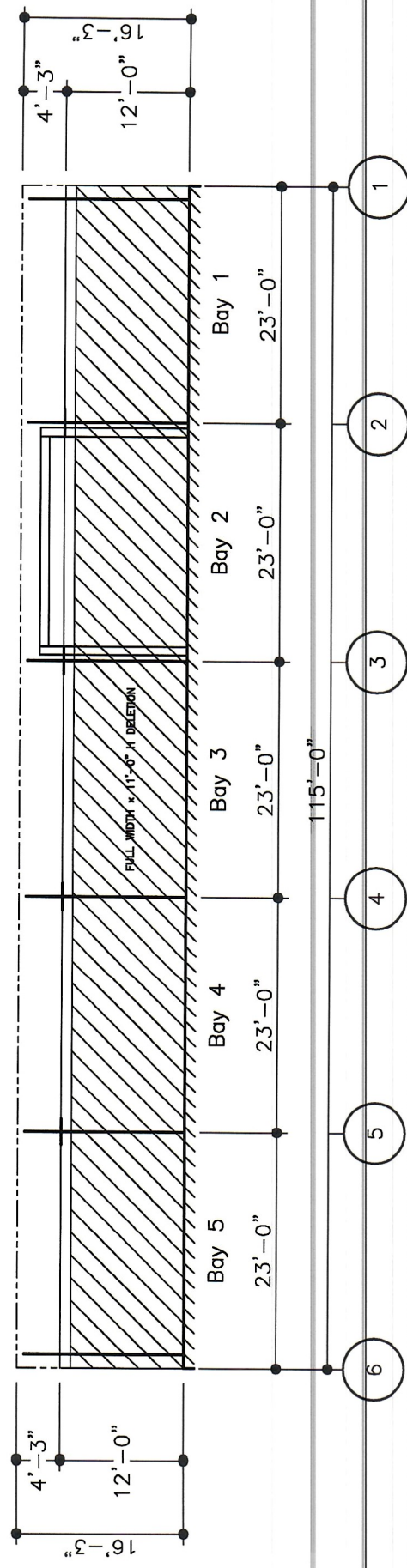
Quote





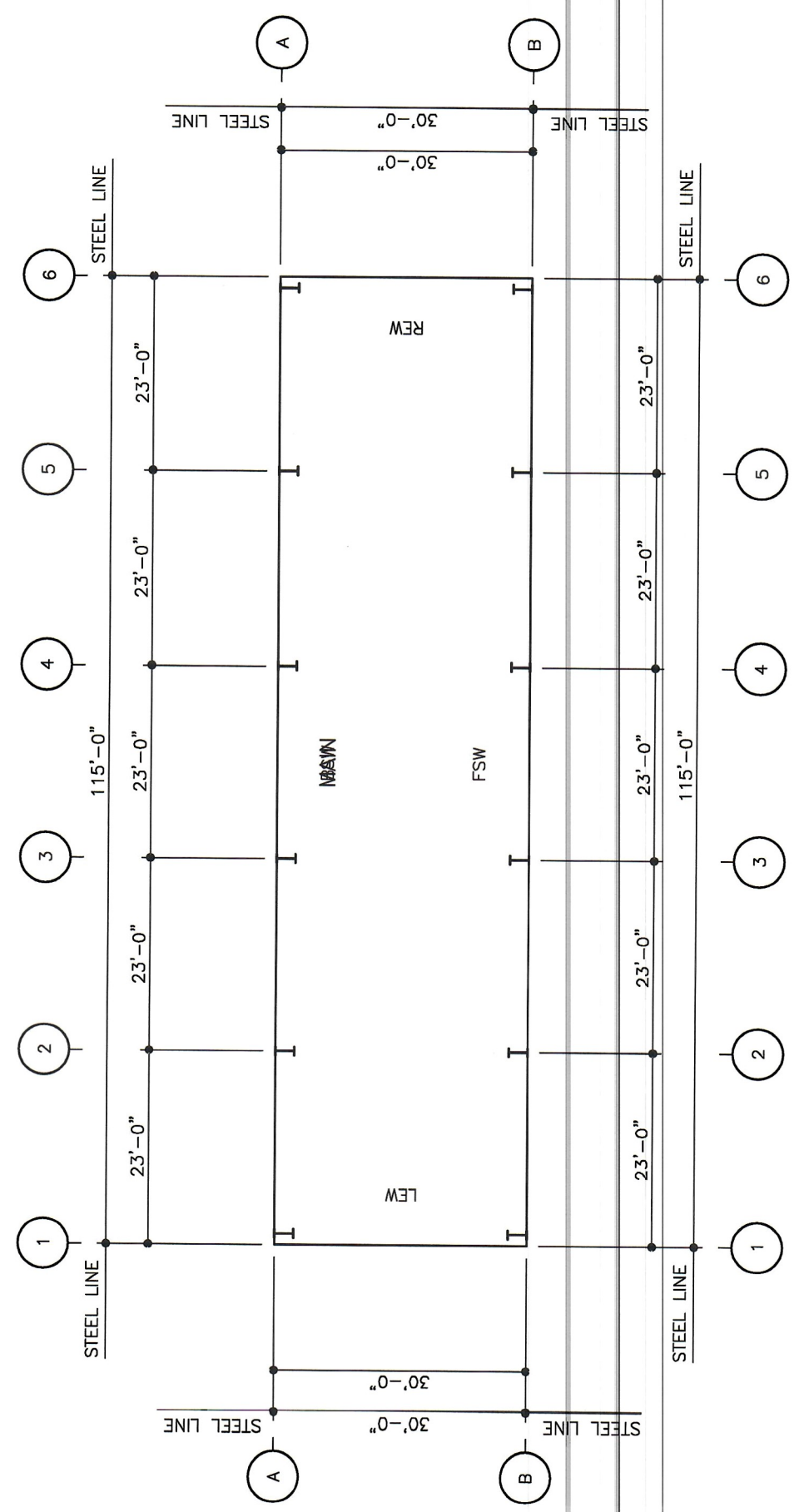
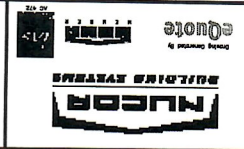
DO NOT USE FOR FINAL CONSTRUCTION

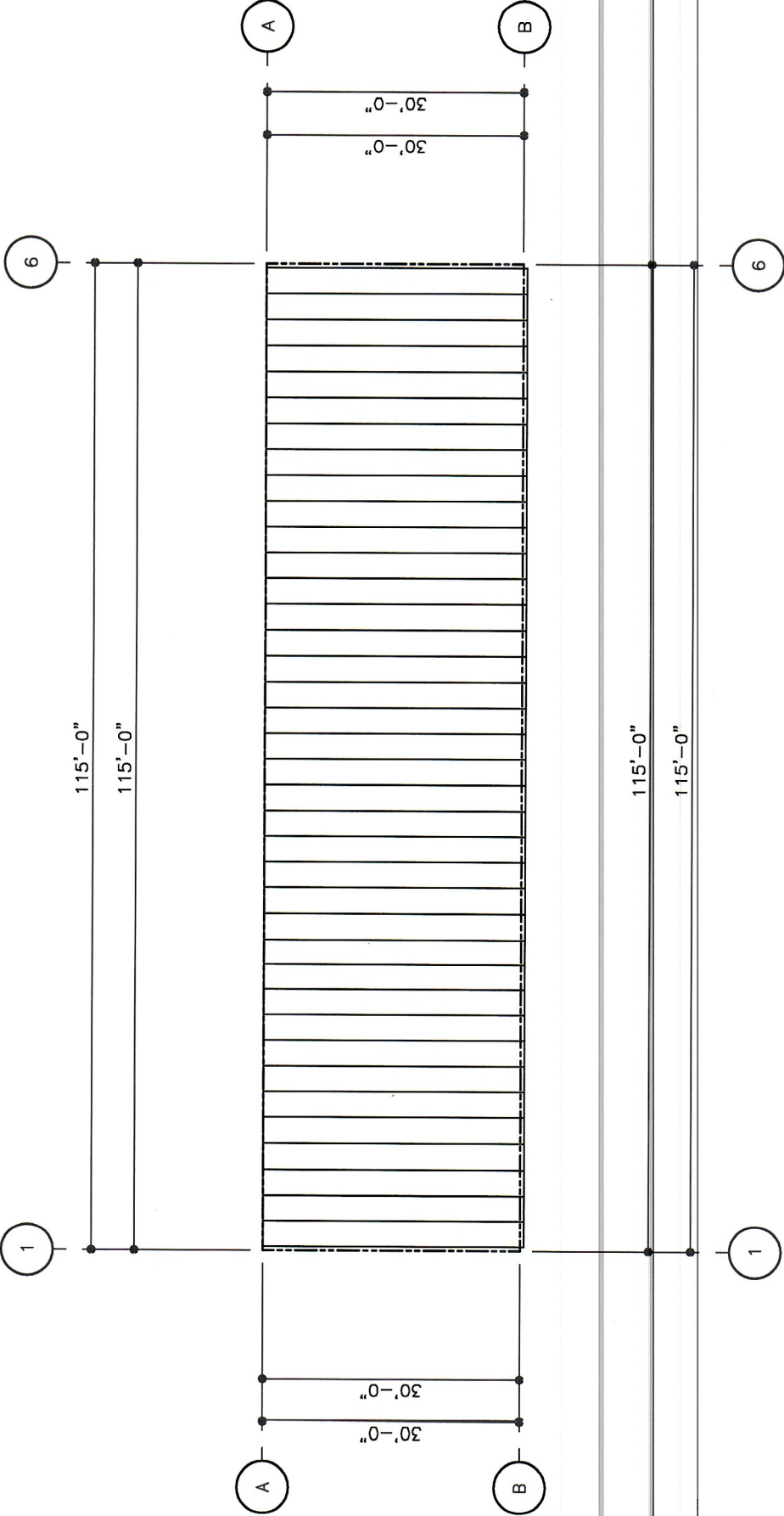
# ELEVATION AT LINE A



KEY PLAN







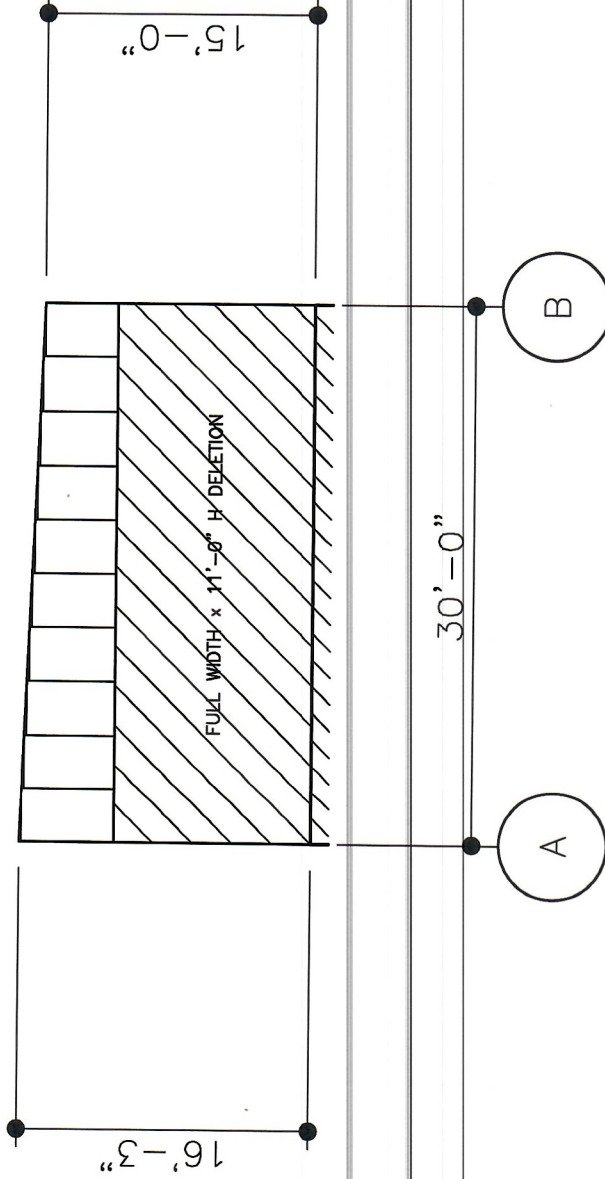
**ROOF SHEETING PLAN**

MAIN - PANELS: 26 GA. R-PANEL - TO BE SELECTED (SP)

KEY PLAN

MAIN

12' 0.5"



# WALL SHEETING ELEVATION AT LINE 1

PANELS: 26 GA. R-PANEL - TO BE SELECTED (SP)

DO NOT USE FOR FINAL CONSTRUCTION

3/19/2024 6:29 PM

SHEET TITLE: PRELIMINARY SHEETING ELEVATIONS

QUOTE NUMBER: SKATE PARK

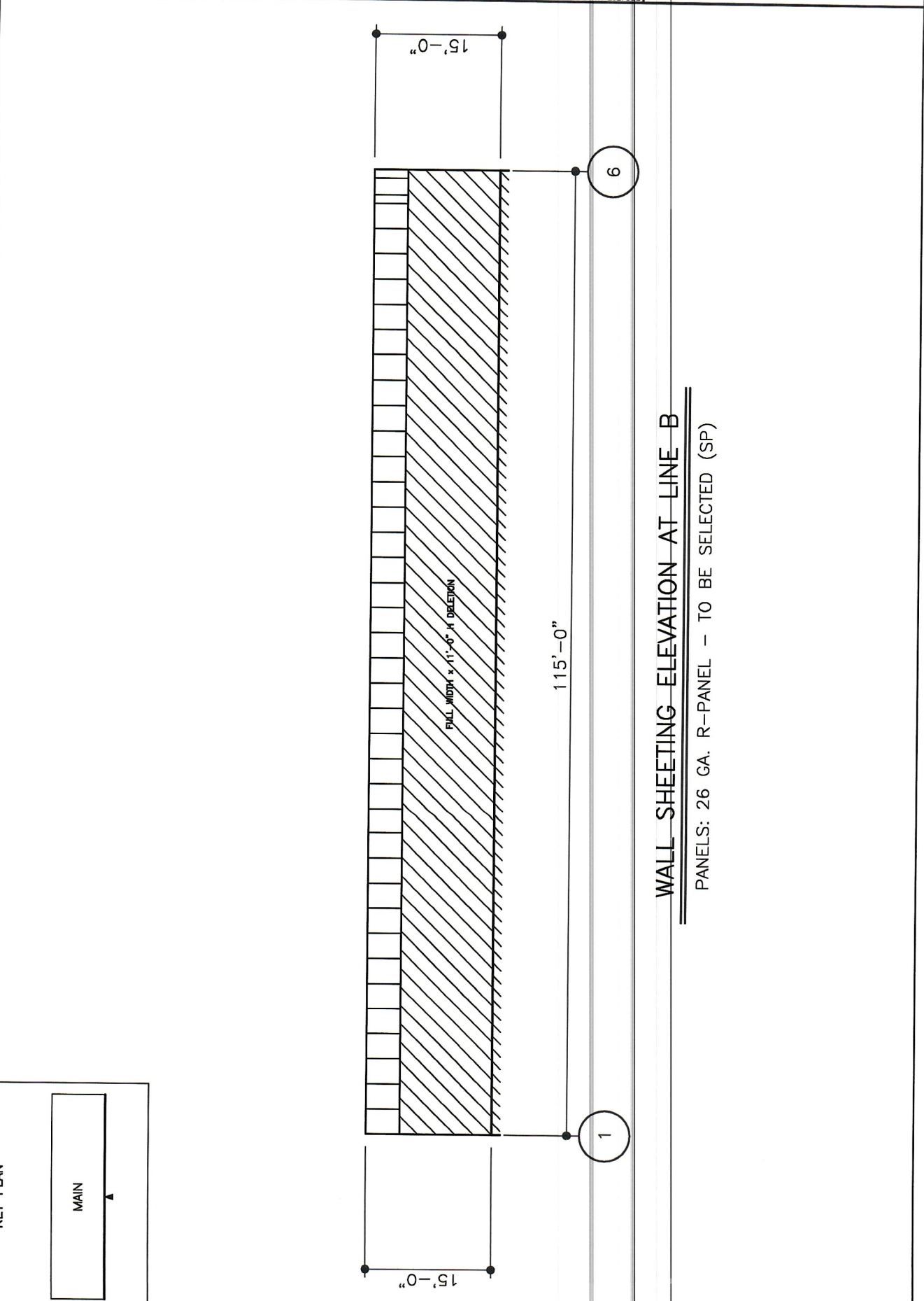
SHEET NUMBER: WS5

CUSTOMER NAME: GLEN REEDER  
PROJECT NAME: PROVIDENCE SKATE PARK  
PROVIDENCE, UT  
LOGAN, UT





SHEET TITLE: PRELIMINARY SHEETING ELEVATIONS 3/19/2024 8:29 PM		SHEET NUMBER: WS6	
QUOTE NUMBER: SKATE PARK		PROJECT NAME: PROVIDENCE SKATE PARK	
CUSTOMER NAME: PROVIDENCE, UT		GLEN REEDER LOGAN, UT	



**WALL SHEETING ELEVATION AT LINE B**

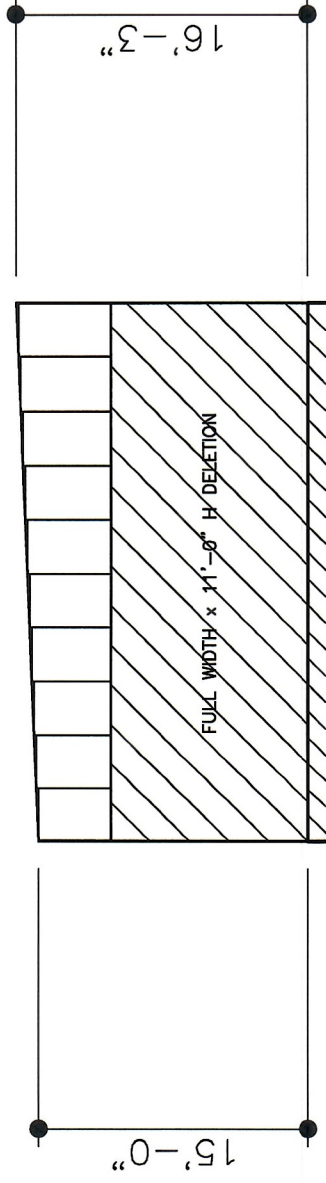
PANELS: 26 GA. R-PANEL – TO BE SELECTED (SP)



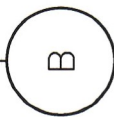
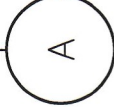
KEY PLAN



12  
0.5'



30'-0"



# WALL SHEETING ELEVATION AT LINE 6

PANELS: 26 GA. R-PANEL – TO BE SELECTED (SP)

DO NOT USE FOR FINAL CONSTRUCTION

SHEET TITLE: 3/19/2024 6:29 PM

PRELIMINARY SHEETING ELEVATIONS

SHEET NUMBER: WS7

QUOTE NUMBER: SKATE PARK

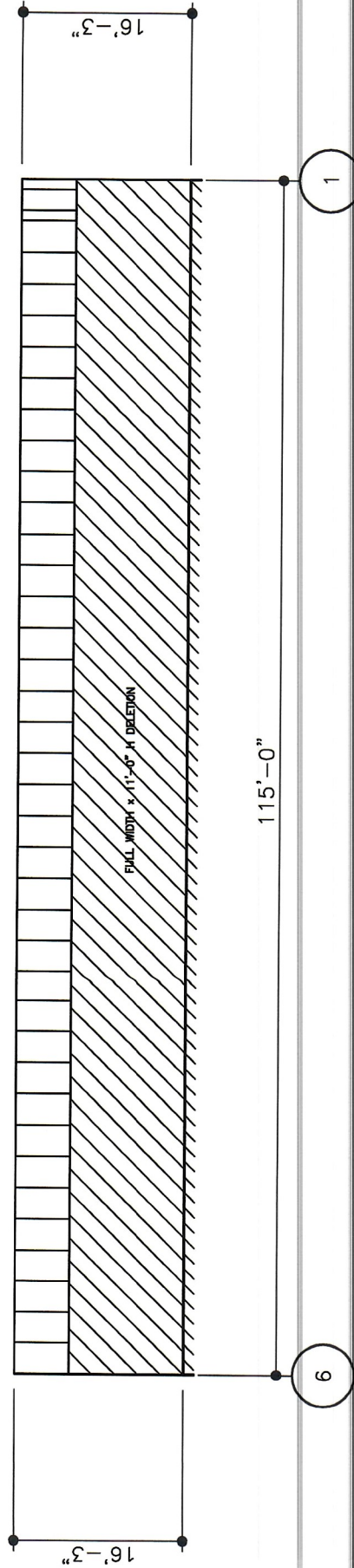
GLEN REEDER

CUSTOMER NAME: PROVIDENCE, UT

PROJECT NAME: PROVIDENCE SKATE PARK



KEY PLAN



# WALL SHEETING ELEVATION AT LINE A

PANELS: 26 GA. R-PANEL - TO BE SELECTED (SP)

DO NOT USE FOR FINAL CONSTRUCTION

SHEET TITLE:

3/19/2024 6:29 PM

PRELIMINARY SHEETING ELEVATIONS

SHEET NUMBER: WS8

SKATE PARK

GLEN REEDER

LOGAN, UT

CUSTOMER NAME:

PROVIDENCE, UT

PROJECT NAME: PROVIDENCE SKATE PARK



Quote

Building Systems











# RMC

Reeder and Murray Construction, Inc  
3282 N 1200 E  
Logan, UT 84341

## Proposal to provide services and/ or materials

Date: 3-14-2024

To: Providence City

Project: Skate Park accessory bldg

Project Location: Providence, UT

30'x115' single slope, 15' low eave/ 16'-3" high eave. 26 ga colored screw-down roof sheeting, 26 ga colored wall sheeting, 115' gutter with downspouts, 6 sidewall bays @ 23'-0", both endwall bays 1@30' Walls are open to 11' on all sides.

Engineered spot footings with columns to grade. No floor included.

**Price includes all labor: \$68,200.00**

Not included: permits/fees, imported/exported fill materials, site work/grading, electrical, mechanical, plumbing.

Price valid for 10 days

Material escalation clause: This price is not guaranteed for any period of time unless noted above. Due to commodity market volatility, if price of materials increase through no fault of RMC, the price above shall be equitably adjusted by the amount reasonably necessary to cover any increased material costs to RMC. Such price increases shall be documented through quotes, invoices or receipts. Unless noted above: No allowance for Cold weather concrete protection or concrete additives. No allowance for concrete pumping. Builders Risk Insurance not included unless noted above.



Code Amendment Review																																																		
<b>Prepared by:</b> S Bankhead			<b>Date:</b> 03/15/2024					<b>Land Use</b>		<b>Yes:</b>		<b>No: X</b>																																						
<b>Code Title:</b> 3 Business and License Regulations			<b>Title Chapter:</b> 11 Short-Term Rentals (Bed and Breakfast, Residential) New Chapter					<b>Chapter Section:</b> 3-11-1: Purposes 3-11-2: Conditional Use Permits Required 3-11-3: Business License Classification and Requirement 3-11-4: Tax 3-11-5: Noise and Occupancy 3-11-6: Parking 3-11-7: Camping 3-11-8: Pets 3-11-9: Signage and Advertising 3-11-10: Maintenance and Standards 3-11-11: Primary Residence 3-11-12: Complaints and Violations																																										
<b>Applicant:</b> Providence City																																																		
<b>Abbreviations &amp; Authority:</b> <ol style="list-style-type: none"> <li>Utah Code Annotated: UCA</li> <li>The UCA references are summarized in this analysis. For a complete details and code requirements, please review the online Utah Code at: <a href="https://le.utah.gov/xcode/code.html">https://le.utah.gov/xcode/code.html</a></li> <li>Providence City Code: PCC</li> <li>The PCC references are summarized in this analysis. For a complete details and code requirements, please review our online city code at: <a href="https://providence.municipalcodeonline.com/book?type=ordinances#name=Preface">https://providence.municipalcodeonline.com/book?type=ordinances#name=Preface</a></li> <li>Recommendation: Planning Commission (PCC: 10-4-4:B.1)</li> <li>Legislative body: City Council</li> </ol>																																																		
<b>Background Information:</b> <ol style="list-style-type: none"> <li>During planning commission discussions of internal accessory dwelling units and detached accessory dwelling units, they felt it was important to see how short-term rentals may impact accessory dwelling units. They requested the city staff consider rules and regulations for operating short-term rentals.</li> <li>Short-term rentals are not called out in the PCC 10-6-1 Use Chart; however, Bed and Breakfast is allowed as a conditional use in the following districts:               <table border="1" data-bbox="334 1335 1273 1512"> <thead> <tr> <th></th> <th></th> <th>AGR</th> <th>R-1-1</th> <th>R-1-20</th> <th>R-1-12</th> <th>R-1-10</th> <th>R-1-8</th> <th>R-1-6</th> <th>MHD</th> <th>R-M-7</th> <th>R-M-12</th> <th>R-M-18</th> <th>CGD</th> <th>CHD</th> <th>MXD</th> <th>PUB</th> </tr> </thead> <tbody> <tr> <td>13</td> <td>Bed and breakfast</td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> <td></td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> <td></td> <td>C</td> <td></td> </tr> </tbody> </table> </li> <li>PCC 1-3-2 has two definitions related to Bed and Breakfast:  <u>Bed and breakfast, residential</u>, means a residential structure used to provide rooms for temporary lodging for overnight guests on a paying basis; is occupied by the owner or individual responsible for operating the facility; and contains a maximum of five guestrooms.  <u>Bed and breakfast inn</u> means a building containing a minimum of six guestrooms used for accommodations or lodging of guests paying compensation where at least a breakfast meal is served.             </li> <li>It is the intent of the city staff that these proposed amendments will give the city the tools to allow short-term rentals in a safe manner that protects the integrity and characteristic of the land use district.</li> </ol>																			AGR	R-1-1	R-1-20	R-1-12	R-1-10	R-1-8	R-1-6	MHD	R-M-7	R-M-12	R-M-18	CGD	CHD	MXD	PUB	13	Bed and breakfast	C	C	C	C	C	C	C		C	C	C	C		C	
		AGR	R-1-1	R-1-20	R-1-12	R-1-10	R-1-8	R-1-6	MHD	R-M-7	R-M-12	R-M-18	CGD	CHD	MXD	PUB																																		
13	Bed and breakfast	C	C	C	C	C	C	C		C	C	C	C		C																																			

#### FINDINGS OF FACT:

Code Amendment Review

PCC Chapter 3-11 Short-term rentals (bed and breakfast, residential)



1. UCA 10-3-701. Legislative power exercised by ordinance. Except as otherwise specifically provided, the governing body of each municipality shall exercise its legislative powers through ordinances.
2. UCA 10-3-702. The governing body may pass any ordinance to regulate, require, prohibit, govern control or supervise any activity, business, conduct of condition authorized by this act or any other provision of law.
3. UCA 10-8-85.4 regulates ordinances regarding short-term rentals.

**CONCLUSIONS OF LAW:**

1. The Providence City Council is the governing body for Providence City.
2. The Providence City Council may pass ordinances to regulate business activities.
3. The proposed code amendment complies with UCA 10-8-85.4.

**CONDITIONS:**

1. The city council shall process the proposed code amendment in accordance with state code.
2. The applicant shall meet all applicable City, state and federal laws, codes, rules.

1 CHAPTER 3-11 SHORT-TERM RENTALS (BED AND BREAKFAST, RESIDENTIAL)

2 3-11-1: Purposes

3 3-11-2: Conditional Use Permits Required

4 3-11-3: Business License Classification and Requirement

5 3-11-4: Tax

6 3-11-5: Noise and Occupancy

7 3-11-6: Parking

8 3-11-7: Camping

9 3-11-8: Pets

10 3-11-9: Signage and Advertising

11 3-11-10: Maintenance and Standards

12 3-11-11: Primary Residence

13 3-11-12: Complaints and Violations

14  
15 3-11-1: PURPOSES:

16 The purposes of this chapter are to strengthen the City's values of community, family, and safety by permitting  
17 short-term or vacation rentals according to the standards of this chapter, to protect the integrity and  
18 characteristics of the land use districts, and to require that short-term or vacation rentals be conducted in a  
19 manner that neighbors, under normal conditions, would not be aware of their existence.  
20

21 3-11-2: CONDITIONAL USE PERMITS REQUIRED:

22 A conditional use permit shall be required for each unit used as a short-term rental, regardless of the zone, type, or  
23 primary use of the property. The conditional use permit process is found in Chapter 10-3 Section 5 of this code. See  
24 Chapter 10-6 of this code for the use chart.  
25

26 3-11-3: BUSINESS CLASSIFICATION AND LICENSE REQUIREMENT:

- 27 A. A business license is required to operate a short-term rental. General business license provisions are  
28 found in Chapter 3-1 of this title.  
29 B. A short-term rental is considered a home business and subject to the rules and regulations in Chapter 3-5  
30 Section 5 of this Title.  
31

32 3-11-4: TAX:

33 Each short-term rental owner shall collect and remit Sales, Resort, and Transient Room Taxes to the Utah State Tax  
34 Commission.  
35

36 3-11-5: NOISE AND OCCUPANCY:

37 The responsible party shall regulate the occupancy of the short-term rental and ensure that:

- 38 A. Occupants and their pets shall not create noise that by reason of time, nature, intensity or duration are  
39 out of character with noise customarily heard in the surrounding neighborhood;  
40 B. Occupants shall not disturb the peace of surrounding residents by engaging in outside recreational  
41 activities or other similar activities between ten o'clock (10:00) P.M. and six o'clock (6:00) A.M.;  
42 C. Occupants and their pets shall not interfere with the privacy of surrounding residents or trespass onto  
43 surrounding properties;  
44 D. Occupants shall not engage in disorderly or illegal conduct, including illegal consumption of drugs or  
45 alcohol.  
46

47 3-11-6: PARKING:

48 An off-street parking stall shall be provided for each vehicle the occupants bring to the short-term rental. There  
49 shall be no more occupant vehicles allowed at any one time than the number of bedrooms available in the short-  
50 term rental. Vehicles parked at the short-term rental shall not block clear sight distances, create a nuisance or  
51 hazard, violate any City laws or winter-restricted parking requirement, or infringe on other property rights.  
52

53 3-11-7: CAMPING:

No camp trailers, recreational vehicles, tents, yurts, or any similar non-permanent structures shall be allowed for short-term rentals under the conditional use permit, except those legally existing prior to the passage of this ordinance.

#### 3-11-8: PETS:

Owners or keepers of any pets using short-term rental properties are subject to the animal control rules and regulations in Chapter 5-1 of this code.

#### 3-11-9: SIGNAGE AND ADVERTISING:

- A. Information shall be displayed in the interior of the dwelling unit listing twenty-four (24) hours seven (7) days a week contact information and the regulations addressing noise, parking, pets, trespassing, illegal activity, and conduct. Exterior signage shall not be allowed.
- B. Nothing in this chapter shall be construed to prohibit see 10-85.4

#### 3-11-10: MAINTENANCE AND STANDARDS:

Any property that contains a dwelling which is licensed as a short-term rental shall conform to the following standards:

- A. Structures shall be properly maintained and kept in good repair.
- B. Grounds and landscaped areas shall be properly maintained in order that the use in no way detracts from the general appearance of the neighborhood or causes any hazard to the occupants.
- C. Each habitable space shall meet current Building Codes for size, egress, and be equipped with smoke and carbon monoxide detectors.
- D. Garbage shall not be allowed to accumulate on the property and shall be removed on regularly scheduled pick up days.
- E. A fire extinguisher shall be accessible.
- F. A fire exiting route plan shall be posted.
- G. An annual inspection shall be conducted by the Fire Marshal to ensure compliance with fire safety provisions and occupancy requirements.

#### 3-11-11: PRIMARY RESIDENCE:

Single-family homes that operate a short-term rental shall be the primary or principal place of residence of the property owner, as defined in Utah Code Annotated, Section 20A-2-105.

Applications for a short-term rental shall not be accepted until which time the owner of the subject property has demonstrated ownership and use of the home as their primary residence for no less than twelve (12) consecutive months.

#### 3-11-12: COMPLAINTS AND VIOLATIONS:

Complaints received by the City from any person alleging any violation of this chapter shall be handled as stated in this section.

- A. Upon receiving a first complaint, the City shall call or email, and send a letter or notification to the property owner and responsible party explaining the nature of the complaint and requiring immediate correction.
- B. A second complaint will result in the City sending second letter or notification to the property owner and responsible party, explaining the complaint and warning that the conditional use permit may be in jeopardy of being revoked.
- C. A third complaint will result in written notification from the City to the property owner and responsible party requiring their attendance at a land use authority meeting to show cause why the conditional use permit should not be revoked. The show-cause hearing shall be held even if the owner or responsible party fails to appear.
- D. Following a show-cause hearing and short of revoking the conditional use permit, the land use authority may add any conditions or make any other adjustments to the permit it deems reasonably necessary.
- E. Following a show-cause hearing, the land use authority may revoke a conditional use permit issued under this chapter if it finds that:

- 107 1. The permittee failed to comply repeatedly with any condition set forth in this chapter or the  
108 conditional use permit;  
109 2. The permittee engaged in a pattern of unlawful activity; or  
110 3. The permittee violated State law or local ordinances.  
111 F. Notwithstanding any other remedy in this section, violations of this Code or State law may be prosecuted  
112 as a criminal offense in the Justice Court.

DRAFT