

Nibley City Planning Commission

Wednesday, November 9, 2016 455 W. 3200 S. Nibley, UT

5:30 p.m. Call to Order

Approval of Agenda
Approval of Minutes

Application for An Accessory Building Permit

1. Discussion and consideration of an application for an Accessory Building Permit (Applicate John Swanton)

Final Plat

2. Discussion and consideration of a final plat for Phases 1 and 2 of Summerfield Place, a 28-lot subdivision located at approximately 2700 South 1000 West. (Applicant: Kelly Loosle)

Ordinance Revision

- 3. Discussion and consideration of an update to Nibley City Fence Ordinance
- 4. Discussion and consideration of an update to Nibley City Canal Ordinance
- 5. Staff Report

Planning Commission agenda items may be tabled if: 1) Additional information is needed in order to take action on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 752-0431 A MINIMUM OF 24 HOURS BEFORE THE MEETING.

Agenda Item #: 1

Description	Discussion and consideration of an application for an accessory
	Building Permit (Applicate John Swanton)
Department	Planning
Presenter	Stephen Nelson, City Planning
Sponsor	NA
Applicant	John Swanton
Background	The Planning and Zoning Commission had previously given the former City Planner (Shari Phippen) the authority to approve Accessory Building Permits according to City Ordinance 2-1-4 B, however, the authority went back to the Planning and Zoning Commission once Shari had left the City. The follow requirements can be found in 10-12-6: Proposed Building Size: 18x30 Total Sq Ft: 540 Height: 18' Proposed Use: Storage Lot Size: .34 Arce. Max. Sq. Ft. Allowed: 1000 Max Height Allowed: 20' Zone: R-2A Setbacks: The accessory building is being proposed to be built 3' off the side property line, 2' off the side and 40' from the back of the house. This conforms to city code.
	This comornie to sity occes.
Recommendation	Because this application meets Nibley City ordinances, staff recommends that the Planning and Zoning Commission approve this application for an accessory building permit.
Financial Impact	NA
Reviewed By	Stephen Nelson, City Planner

Agenda Item #: 2

Description										
2000	Discussion and consideration of a final plat for Summerfield Place, a									
	28-lot subdivision located at approximately 2700 South 1000 West									
Department	Planning									
Presenter	Stephen Nelson, City Planner									
Sponsor	NA									
Applicant	Kelly Loosle									
Background										
	This final plat is for a 28-lot subdivision located at approximately 2700 South 1000 West, just north of the Sunset Parks PUD.									
	This property is zoned R-2A. The following are the development standards found in Nibley City Code 10-6C, for subdivisions in the R-2A zone, and whether the proposed preliminary plat meets those standards:									
	Zone Requirement Final Plat									
	Min. Lot Size 12,000 All lots meet or exceed standard									
	Lot Size Avg. 14,000+ 14,793 sq ft									
	Min. 100' All lots meet or exceed standard									
	Frontage									
	 The subdivision is proposed for development in two phases. Phase 1 will be Lots 1-9 and 22-28, which will build along 1000 West, 2600 South and 1100 West. Phase 2 will be Lots 10-21 and will build on the cul-de-sac. The phasing is acceptable. Staff and Engineering Review There are a few items that are on this plat that need to be change to meet with City code and standards. These items are currently being work on to be updated to our standards and the developer should have a new plat ready by Planning and Zoning Commission. A couple of items that need to be change are the plat needs to note the ground water elevation as stated by City Ordinance 11-3-8 B2. Also, a number of final plat signature boxes have been updated with the new standards, and the Mayor's signature block needs to be updated. City staff is currently working with the developer to insure these changes are made. 									
	Roads Our engineering standards, as well as Nibley City Code 11-5-5(E) limit the length of a cul-de-sac to 660'. The cul-de-sac measures 620' to the center of the cul-de-sac, so it is acceptable for street development. The cul-de-sac will be a 60' ROW, which is acceptable for a local road. 1000 West, 1100 West and 2600 South will each be a 66' ROW, which is suitable for neighborhood roads that carry a larger traffic load than the									

cul-de-sac.

- Stormwater Stormwater needs for this subdivision will be handled by the Sunrise Meadows ponds. Those ponds were built with this property in mind. Rather than building a separate pond at this site, stormwater will be piped to the regional Sunrise Meadows ponds and this developer will pay for a proportionate share of the cost for those ponds.
- Infrastructure As part of the submittal of the final plat for each phase, the developer has submitted construction drawings related to the infrastructure construction. Those drawings are being reviewed by the City Engineer and staff for compliance with City standards and specifications.
- Pedestrian ROW Nibley City Code 11-5-5(E) requires that culde-sacs have a pedestrian ROW from the cul-de-sac, linking it to the nearest public ROW. The City Council, on September 1, 2016 approved the preliminary plat based on the following changes to the pedestrian right-of-way
 - A portion of the property (squaring the property) in the southwest corner of the proposal be included as land sold by the city to the proponent with the open space to be mitigated with the other parts of the proposal
 - That the pedestrian right of way be established, either through land acquisition in trade, or through a right-ofway easement running east and west along the south border of the proposal
 - The pedestrian right-of-way on the preliminary plat the goes to the east would not be required
 - A north-south pedestrian right-of-way between lots 15 and 16 would be pedestrian right-of way established to get to the south pedestrian right-of way
 - The City would split 50/50 the cost of developing the pedestrian access with the proponent.
- These items have been incorporated into the final plat. However, a couple of questions remain regarding the trail system. The first item that needs consideration is that according to City Ordinance 11-1-8-C:

"Developers may choose to construct infrastructure improvements within the proposed subdivision, which may include, but are not limited to: utilities, parks, open space, stormwater facilities, trails, etc. When such improvements are approved as part of the subdivision approval, they shall be phased in proportion, based on percentage of the total value of the amenities in the subdivision, to the total number of lots in the subdivision, per phase. Example: If a phase contains 25% of the lots for the subdivision, then 25% of the total value of the

subdivision's amenities are required to be constructed along with that phase." This would mean the developer would need to construct 50% of the trail in Phase 1. Another item to consider is designs for the trail. City Ordinance 11-5-5-E: "Cul-De-Sacs: Cul-de-sacs shall not exceed one-eighth (1/8) mile in length, except in R-E zones where they shall not exceed onefourth $\binom{1}{4}$ mile in length. Each cul-de-sac must be terminated by a turnaround with a radius of at least sixty feet (60'). If surface water drainage runs into the turnaround due to the grade of the street, necessary catch basins and drainage easements shall be provided. Where a street is designed to remain only temporarily as a dead end street, an adequate temporary turning area shall be provided at the dead end street. It shall remain and be available to the public so long as the dead end exists. 1. The subdivider shall provide a pedestrian ROW as outlined below linking the cul-de-sac to the nearest adjacent public ROW unless expressly prohibited by conflict with previously developed subdivisions or land uses. 2. In the event that this provision requires a trail that terminates adjacent to a compatible or undeveloped land use, viz. agriculture or undeveloped subdivision, the ROW and sidewalk shall be provided to the subdivision property line. Upon development of the adjacent land, the sidewalk and ROW shall be continued from that point through the new subdivision to the nearest public trail or street. 3. All pedestrian ROWs shall be designed for compliance with the Transportation Master plan to maximize non-motorized transportation network efficiency. 4. The right-of-way shall consist of a minimum 5' sidewalk and a minimum 7.5'landscaped area on each side of the sidewalk The Developer shall submit a compliant Landscaping Plan to the City for approval. The ROW shall be dedicated to the City upon completion and acceptance by the Public Works Director." Staff would like to see a Landscaping Plan prior to approval of the final plat. This item was reviewed by the Planning Commission at its June 22, 2016 and City Council on September 1, 2016 Recommendation **Financial Impact** n/a **Reviewed By** City Planner, City Engineer, Public Works Director, City Manager, P&Z,

City Council

Agenda Item #: 3

Description	Discussion and consideration of an update to Nibley City fence ordinance								
Department	Planning								
Presenter	Stephen Nelson, City Planner								
Sponsor	NA								
Applicant	NA NA								
Background	The plan was for the Commission to hold a public hearing regarding this ordinance this week; however staff missed the deadline to submit it to the newspaper. The public hearing will be held on November 16, 2016.								
	 Mayor Dustin has asked that the Commission address some concerns regarding pedestrian walkways, trails, and fences. The Mayor's proposal to the Commission is below. It is not intended that the Commission will adopt any of changes at this meeting because a draft ordinance changes has not yet been drafted and a public hearing must first be held for ordinance changes as well. The purpose of this agenda item will be a first look at the Mayor's suggestions and an opportunity for Planning Commission members to begin their discussion. There currently is not a proposed ordinance in front of the Commission, but wording is being work on by the City Attorney and Staff at this time. 								
	 The idea for the changes listed is to help ensure that walkways and trails that run between personal property is safe and to avoid creating alleyways with tall fences on both sides of a trail. There is also a need to clarify setbacks for some of the unusual corner lots when it comes to fences. 								
	 Some items for the Commission to consider and give direction on is the proposed height of fence along trails and other similar right-of-ways. 								
	The following are the Mayor's suggestions:								
	As we have begun to implement the provisions of our subdivision ordinance that require pedestrian walkways and trails, we've realized that it creates a public safety issue. The fence ordinance needs to be revised to reflect this. There are some great examples of fences that allow for the compromise between private property and public responsibility, but essentially, the discussion in Council has been that 6 ft privacy								

fences along the 20 ft ROW for trails are a bad idea from a public safety/liability standpoint. We have examples of this at a couple of places in town and we need to get a handle on it before we inadvertently create spaces for bad things to happen while we are trying to do good things.

We've also had a problem with the interpretation of code for fence permits on corner lots that effectively allows corner lot owners to use a loophole to build privacy fences to lot lines on one or both sides of the house if the house is set at an angle on the lot. This makes for issues with neighbors where the neighbor is governed by a different setback than the corner lot and results in dumb looking fences. That's the technical term.

I've proposed a couple of solutions below. I'd like P&Z to weigh in on these. I don't feel that they are substantive changes that require a whole lot of agonizing; we should try them and if we don't get it exactly right, we will change them again till we do get them right but these need to be implemented soon, preferably this month so when spring construction/permits start, we can be ready. Please have something to the Council ASAP. Ideally, Council will consider this and do our public hearing at our meeting Nov 19 and pass it in our December meeting.

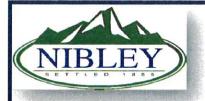
Fence Ordinance key points

- Public Safety along Trails and other Public Rights of Way:
 - PROPOSAL: For fences along trails and similar public rights of way that are open to public nonmotorized access, the following fence types are permitted (insert photographs). All heights given are as measured from the centerline of the public trail surface:
 - Post and Rail fences
 - Field Fences
 - Barbed Wire
 - High Tension Wire
 - Other types that are maximum 20% opaque
 - Opaque fences or hedges not exceeding 42" height
 - Chain Link to 42" height
 - The following types are specifically not permitted
 - Opaque fences exceeding 42" height
 - Chain link exceeding 42" height
 - Opaque fences to 42" high with lattice or other construction above the 42" level that is more than 20% opaque
- Clarification for fencing on corner lots

	For all corner lots or other irregular lots with frontage on more than one side to a public or private road: For the purposes of fencing, all frontage facing a public or private road shall be regarded as Front Yard for the purpose of determining setbacks and compliance with the fence ordinance. (Insert pictures to show examples)"
Recommendation	
Financial Impact	
Reviewed By	City Planner, City Manager, City Attorney, Mayor, Planning and Zoning Commission

Agenda Item #: 4

Description	Discussion and consideration of an update to Nibley City canal ordinance								
Department	lanning								
Presenter	tephen Nelson, City Planner								
Sponsor	NA								
Applicant	NA								
Background	 The plan was for the Commission to hold a public hearing regarding this ordinance this week; however staff missed the deadline to submit it to the newspaper. The public hearing will be held on November 16, 2016. Staff and the City Attorney have been working to create a canal ordinance. It is not expected that the Commission will take any action on this item this week because the Commission will need to hold a public hearing first. The recommendation is to review the document and note any changes or identify any problems with the proposed code changes. The goal of this ordinance is to reduce conflicts that have occurred between the canal companies and adjacent land uses. There have been some issues in the past that the canal 								
	companies in Nibley were not able to access their canals for maintenance and repairs. Parts of this ordinance have been taken from an agreement that that the City entered into with the Nibley Blacksmith Fork Canal Company. These ordinance would formalize those aspects of the agreement. The canal companies are being sent a copy of the ordinance so they might comment at the future public hearing or otherwise provide input.								
Recommendation									
Financial Impact									
Reviewed By	City Planner, City Manager, City Attorney, Mayor, Planning and Zoning Commission								



APPLICATION FOR ACCESSORY BUILDING PERMIT

PROPERTY OWNER INFORMATION									
Name John Swanton Address 2915 3 1080 W NIBLEY, UT 84321 Phone 435-279-6803 Cell Fax Email jandr Swanton Ryatton, com John, Swanton RORBITALATK, COM									
Email jandes	WANTON A YA	400, COM	/ John , JWANTO	WOORBITAL	ATK, COM				
Proposed Building Size 18 x 30 Lot Size 33									
The allowed square	e footage of accesso	ry buildings are	e limited based on the siz	e of the lot, as sh	own below:				
Lot Size	Max. Sq. Ft.	Height Max.	Lot Size	Max. Sq. Ft	Height Max.				
0-14,000 sq ft	1,000	20'	14,001 sq ft49 acre	1,200	20'				
.574 acre	1,500	20'	.7599 acres	3,000	30'				
1.00-1.99 acres	5,000	30'	2.00+ acres	No Limit	30'				
application will not	be accepted by Nib	ley City.	u st be submitted with thi	s Accessory Build	ing Application, or the				
Plot Plan showing:	(please initial each i	tem)			City Staff Review				
The applica	ant's name, address	and the date t	he plan was completed						
An arrow in	ndicating North				-				
An approxi	mate scale								
Property bo	oundaries of the lot	on which the b	uilding is being proposed	l					
Roads or st	reets adjacent to the	e lot (include s	treet names)						
Public and	private easements o	n the lot							
Existing bui	ildings				Annual Manager				
The locatio	n of the proposed a	ccessory buildi	ng or addition						
Dimensions	s of the proposed ac	cessory buildin	g or addition						
Distance from	om the proposed ac	cessory buildin	g or addition to lot boun	daries					
Distance from	om the proposed ac	cessory buildin	g or addition to existing l	buildings					
Vehicle acc	ess plan to the prop	osed accessory	/ building or addition (if a	pplicable)	-				
Elevation Drawings of the proposed accessory building or addition showing:									
Accessory b	ouilding height, pitch	and all other	dimensions		-				
Approximate location of doors and windows									
distribution of the second		1000	kimate building appearan uilding (if applicable)	ce					
Please describe the proposed use for this accessory building:									



Nibley City Application For Building Permit

Building Department 455 W. 3200 S. Nibley, Utah 84321

Austen: (435)979-6488 austen@nibleycity.com

Applicant Nam	ne	John S	Swanto	 n	Cell#	er.	4	35-2	279-68	03		Phor	ne #			
Applicant	A VI	Street Add			15 S 1080 W				City Nibley							
Address	10. V	State:	04,845,77,78	UT		•	_		_		Z	77	84321			
Email #1	STATE	Company of the second s	kowoni Prowoni	nton@yahoo.com Email #2			<u>ده</u>	<i>-</i>		0432	<u> </u>					
	197 - 65 114 - 65	janc	IISWall	cone			4			65.00						
Project Addres		N. 111 1					5 5 1	080	W Nit	oley,	U	J. 1970	2000 to			
Subdivision	mer 13	Nibley	Garder	าธ_	Phase					_		Walk	Lot			
Total Est. Valu	Je:					000	Prop	erty	/Tax I	D				-		
											:				and the state of	1. T#1.#1
Gen.	Build	Rite LLC	www	. BUI⊢	DRITESHE	DS	. 600	1				435		8	779933-550	ાક્ષતા <u>ાઇ:</u> 1
Contractor				_							3	13-823	_		ntractor w/LF	
Email address		l	einze@bu	ultritesh	eds.com				Defense					<u> </u>	TILIACIOI W/LF	<u> </u>
Lillali audiess									Primar	y cont	act	DJ H	<u>einze</u>			
Engineer																
Architect																
Carpentry Sub:			_	•			_					•				
Electrical													_			
Sub.																
10月2日中心社会等。15年1日7月2日				_												
Plumbing Sub.																
Mechanical																
Sub.																
Masonry Sub.																
		_								_						
Insulation Sub.																
Drywali					-									_		
Sub.	orie terre de l						,									
Storm water	G &4 (5633)		yes		<u>#2:</u> Will		yes			If and	WA	ed ves to	question	to:	#1 or #2 go to	
Compliance:		#1: Is constructed in a subdivision?			nstruction prod sturb more tha		<u> </u>		http://	www.c	dea.	utah.gov/	Permits/	wate	er/updes/stormwa	ter
(For new home construction only)		III a subdivision :	no	"	acre of land?		no	X			S	SWPPP ar	nd NOI Is	rec	quired	
	24		Visite el				204	3/ TE		The state of	i prijek	Sex construction	Selection and the selection of the selec	r tensko:	THE REPORT OF THE PARTY OF THE PARTY.	or the least trees.
						1						1 to 1	1,52,73			
Complete to	到一个						成场景景 等	7.	等地位 化发光		**					
Dwelling Commercial	-	Wood Frame Masonry	e /	Crawl	Area on Grade	+	# of S			R	\rightarrow	N/A			Single Car	
Agriculture		Steel		Baser		+	Heigh Size		iter Servi		-	Garage Carport			Two Car Three Car	
Other: ACC SHLL	ONO	Other;		Other		1			wer Serv		$\neg \dagger$	Sign		- l	Attached	_
M TANAMA CARAMA AND AREA. W TROOM TO	s	Talan sa sedicas	nga nga mangangan Paga	ar to the dead	participation of the State	\$ 00.000.	No contract of	e - e - pa	an service in a	1	\dashv	Fence		1	Detached	
New		Moving		Full							_†	Deck			Solar Panel	
Addition		Demolition		Partia		4						Shed				
Alteration	-	Basement F	ınish	Rougi		4					_	Patio				
Repair Other:		Grading		Finish N/A	ed							Other:				
I hereby certify that I	have	read and examin	ned this a	ppllcatio	n and know	the s	same to	be to	rue and o	orrect	Δ	l provisio	ns of law	6 25	d ordinances	
governing this type o or cancel the provision	f wor	« will be complied	d with who	ether sp	ecified hereii	n or r	not. Th	e gra	inting of a	a perm	nit d	oes not bi	resume t	o gi	ve authority to vio	late
2. 02.100. die pro #1010	-110 OI	any valor state	or room la	roguic	aniy wastu	OUOII	or ure	helio	mnance (or con:	รแน	GUOTI.				

Signature of applicant or authorized agent

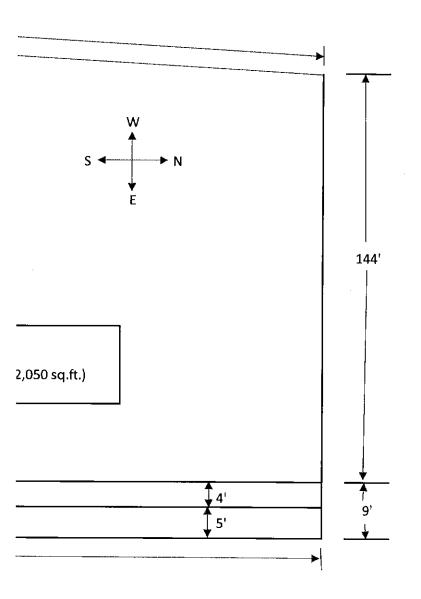
John Swanton

Printed name

2000T 2016

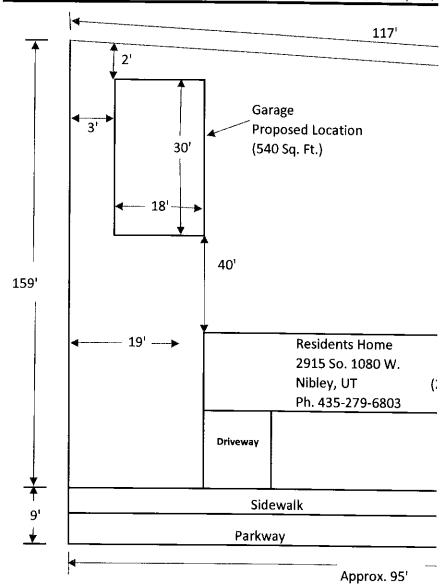
Date

Acreage 0.34 (Lot 131 Garden State Cont.)



John Swanton 18x30 Gara

Plot ID# 03-166-0131, Home 2,050 Sq. Ft.,





Eagle Metal Products 12300 Ford Road, Sulte 110 Dallas, Texas 75234 eaglemetal.com To Whom It May Concern:

The attached truss design drawings referenced below have been prepared by me or under my direct supervision based on the design parameters provided by **A Truss Inc.** and are assumed to be in accordance with the appropriate building code.

Any changes to these parameters and/or information provided on the original truss drawing voids the affected sealed truss drawing and new information shall be submitted to this office for additional review.

Listed below are the truss designs included in this package and covered by this seal. Job Name: **BR16658** - 1067256 T02

Please refer to individual truss designs for specific loading and design criteria.



Matt Vinson (UT, 6671398-2202)

My license renewal date for the state of UT is 03/31/2017

The seal on these drawings indicates acceptance of professional engineering responsibility solely for the truss components shown. It is the responsibility of the building designer as to the suitability for use of each truss listed above.

DESIGN NOTES

- The Truss Design Drawing(s) provided with these General Notes have been prepared under and are subject to ANSI/TPI1. Capitalized terms have the meanings provided in ANSI/TPI1.
- Copies of each Truss Design Drawing shall be furnished to the installation contractor, Building Designer, Owner and all persons fabricating, handling, installing, bracing, or erecting the trusses.

DESIGN LIMITATIONS

- 3. The Truss Design Drawing is based upon specifications provided by the Building Designer in accordance with ANSI/TPI1. Neither the Truss Designer, Eagle, nor an engineer who seals this design (if any) assumes any responsibility for the adequacy or accuracy of specifications provided by the Building Designer.
- 4. The Building Designer is solely responsible for the suitability based upon the Truss Design Drawing and shall be responsible for reviewing and verifying that the information shown is in general conformance with the design of the Building.
- Each Truss Design Drawing is for the individual building component (a truss). A seal on the Truss Design Drawing indicates acceptance of professional engineering responsibility solely for the individual truss.
- Each Truss Design Drawing assumes trusses will be suitably protected from the environment.

HANDLING, INSTALLING AND BRACING

- Refer to BCSI for handling, installing, restraining and bracing trusses. Copies can be obtained from the Truss Plate Institute (TPI), 218 N Lee Street, Suite 312, Alexandria, VA 22314, www.tpinst.org or SBCA, 6300 Enterprise Lane, Madison, WI 53719, www.sbcindustry.com.
- 8. Bracing shown on each Truss Design Drawing is for lateral support of individual truss components only to reduce buckling lengths. All temporary and permanent bracing, including lateral load and diagonal or cross bracing, are the responsibility, respectively, of the erector and Building Designer.
- When a clear span truss is 60 ft or greater, Eagle recommends, and ANSI/TPI1 (2007) requires, that a registered design professional be involved in the erection process.
- 10. Eagle is not responsible for improper truss fabrication, handling, erection or bracing.
- Compression chords shall be laterally braced by the roof or floor sheathing, directly attached, or have purlins provided at spacing shown, unless noted otherwise.

- 12. Bottom chord requestructural rated ce
- Strongbacking shi including flooring : Refer to BCSI-B7.
- 14. Never exceed the or other materials
- 15. Concentration of a shall not be applied
- Trusses shall be it damage. Refer to erection.

MATERIALS AND FAI

- 17. Lumber moisture a fabrication unless
- 18. Lumber used shal equal to or better
- Unless expressly with fire retardant
- Plates shall be ap embedded fully, K regulated in accor
- 21. The plate type, siz indicate minimum
- 22. Connections not s
- 23. Adequate support loads.
- 24. Cut members to b

OTHER NOTES

- 25. Camber is a non-struss fabricator. \ recommendation i
- 26. Do not cut or alter from a profession:

ired bracing shall be at 10ft spacing or less, if no illing is installed, unless noted otherwise.

all be installed on all parallel chord trusses, systems, to limit deflection and reduce vibration.

design loading shown and never stack building on inadequately braced truss; refer to BCSI.

construction loads greater than the design loads 3d to the trusses at any time; refer to BCSI.

nandled with care prior to erection to avoid BCSI for recommended truss handling and

BRICATION

content shall be 19% or less at the time of noted otherwise.

I be of the species and size, and in all respects, than that specified.

noted, the truss designs are not applicable for use or preservative treated lumber.

plied on both faces of truss at each joint and inots and wane at joint locations shall be dance with ANSI/TPI1.

ze, orientation, and location dimensions shown plating requirements.

shown are the responsibility of others.

: shall be provided to resist gravity, lateral, uplift

ear tightly against each other.

structural consideration and is the responsibility of /alues shown on truss drawing are a pased on industry standards.

any truss member or plate without prior approval al engineer.

SYMBOLS

Plate Size 3x4 -

The first dimension is the width perpendicular to slots. Second dimension is the length parallel to slots.

-, /, |, Indicates required direction of slots; Reference "Joint Details" for more information.

20 Ga Gr40 connectors required

3x10-20H\$ 8x10-18H\$ 20 Ga Gr60 connectors required 18 Ga Gr60 connectors required

Lateral Bracing



When this symbol shown, continuous lateral bracing is required on the web of the truss.

Bearing



Indicates location where bearings (supports) occur,

Plate Location & Orientation



The plate shall be centered on joint and/or placed in accordance with the design drawing/QC full scale details.

REFERENCES

- ANSI/TPI1: National Design Standard for Metal Plate Connected Wood Trusses
- BCSI: Building Component & Safety Information - Guide to Good Practice for Handling, Installing, Restraining & Bracing of Metal Plate Connected Wood Trusses
- NDS: National Design Specification for Wood Construction
- ESR 1082 published by the international Code Council.



v02,11

A Truss Inc.

1350 E. Washington Dam Rd, Washington, Utah 84780

Office 435-628-3800 Fax 435-674-4338

Truss: T02

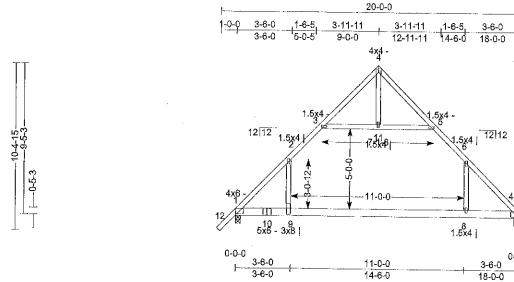
Job.Name;	BK16658	
Date:	10/13/16	1

15:09:21 Page: 1 of 1

No. 6671398

MATTHEW D. VINSO

SPAN	PITCH	QTY	OHL	OHR	CANT L	CANT R	PLYS	SPACING	WGT/PLY
18-0-0	12/12	14	1-0-0	1-0-0	0-0-0	0-0-0	1	24 in	95 lbs



All plates shown to be Eagle 20 unless otherwise noted.

Coading (psf) General	CSI Summary TC: 0.87 (6-7) BC: 0.88 (8-9) Web: 0.35 (5-11)	Deflection Vert II.: 0.8 in Vert II.: 0.36 in Hozz TL: 0.02 in	L/ L/263 L/585	(loc) (8-9) (8-9) 7	Allowed L/240 L/240
-------------------------	--	--	----------------------	------------------------------	---------------------------

Reaction Summary

JT	Brg Combo	Brg Width	Rqd Brg Width	Max Roact	Max Gray Uplift	Max Wind Uplift	Max Uplift	Max Horiz
1	1	3,5 in	1.79 in	1,681 lbs				140 lbs
7	1	3.5 in	1 79 in	1 681 lbe				110 103

Material Summary

TC DFL#1B 2x 4 ВC Webs

DFL Stud 2x 4

Bracing Summary

Sheathed or Purlins at 3-4-0, Purlin design by Others. TC Bracing: Sheathed or Purlins at 10-0-0, Purlin design by Others. BC Bracing:

Loads Summary

1) This truss has been designed for the effects due to 10 psf bottom chord live load plus dead loads.

2) This truss has been designed for the effects of balanced snow loads for hips/gables in accordance with ASCE7 - 10 except as noted, with the following user defined input: 50 psf ground snow load. NOTE: Conservatively, all flat/sloped roof factors have been ignored and the ground snow load has been used for the roof snow load, DOL = 1.15. If the roof configuration differs from hip/gable, Building Designer shall verify snow loads.

This truss has not been designed for the effects of unbalanced snow loads.

4) This truss has been designed for the effects of wind loads in accordance with ASCE7 - 10 with the following user defined input: 115 mph (Pactored), Exposure C, Enclosed, Gable/Hip, Risk Category II, Overall Bidg Dims 60 ft x 99 ft, h = 20 ft, Not End Zone Truss, Both end webs considered. DOL = 1.60

5) This truss has been designed for the effects of a 35 psf live load computed in accordance with IRC 2015 assuming slope = 5/12 and area supported = 52 ft^2, DOL = 125 %.

Unbalanced roof live loads have not been considered.

Minimum storage attic loading has not been applied in accordance with IRC 301.5

Me	mber	Forces	Summary	Table Indic	ates: Memb	r ID, max CSI, n	nax axial force, (max	compr. force	e if différent fram	max axial force). De	ly forces meater than	1 1 Milles are above 1	n thin taki.
TC	1-2 2-3	0.874 0.843	-2,067 lbs -1,356 lbs	3-4 4-5	0.715 0.715	-414 lbs -414 lbs	5-6 6-7	0.843 0.874	-1,356 lbs -2,067 lbs]	-A cor sao Branco: 7164	. Pooled at out town !	T ALIS MINES
BC	7-8	0.486	I,195 lhs	8-9	0.876	[,195 lbs	9-1	0.508	1,195 lbs				٦
Wohe	2-9 3-J 1	0.207 0.351	619 lbs -1,118 lbs	5-11 6-8	0.351 0.207	-1-118 lbs						-	┥

Notes:

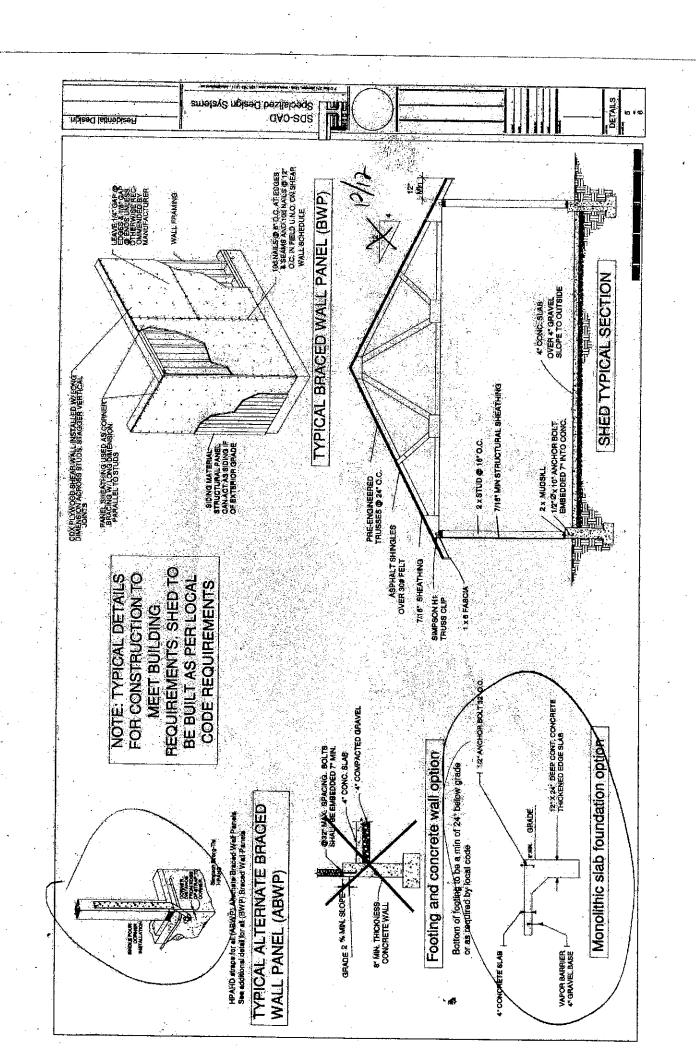
- 1) Unless noted otherwise, do not cut or alter any truss member or plate without prior approval from a Professional Engineer.
- 2) Attic floor area has been designed for storage with a 20 psf floor live and a 5 psf floor dead lead.

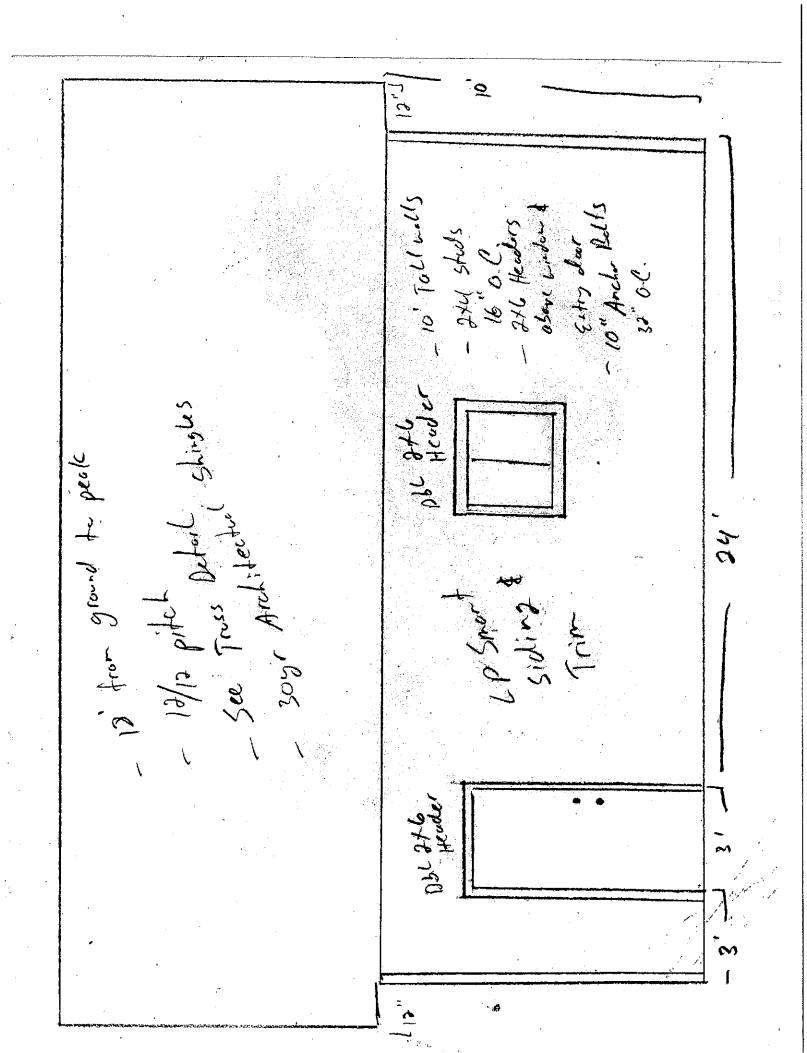
 3) When this truss has been chosen for quality assurance inspection, the Effective Tooth Count Method per TPI 1-2002/A3.4 shall be used.

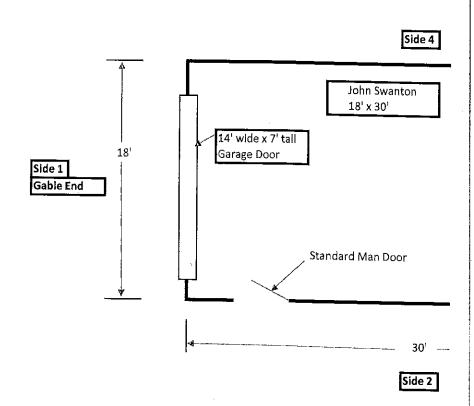
4) Brace bottom chord with approved sheathing or purlins per Bracing Summary.

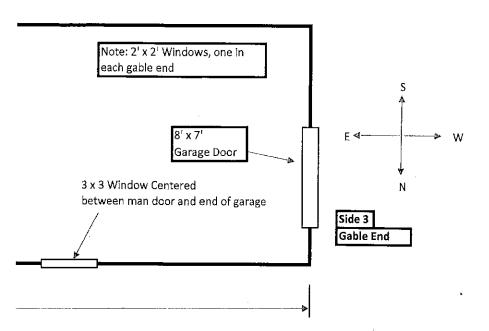
5) At least one web of this truss has been designed with a panel point in the web. All panel points on such webs shall be braced laterally perpendicular to the plane of the truss. Lateral braces shall be installed within 6 " of each web pane!

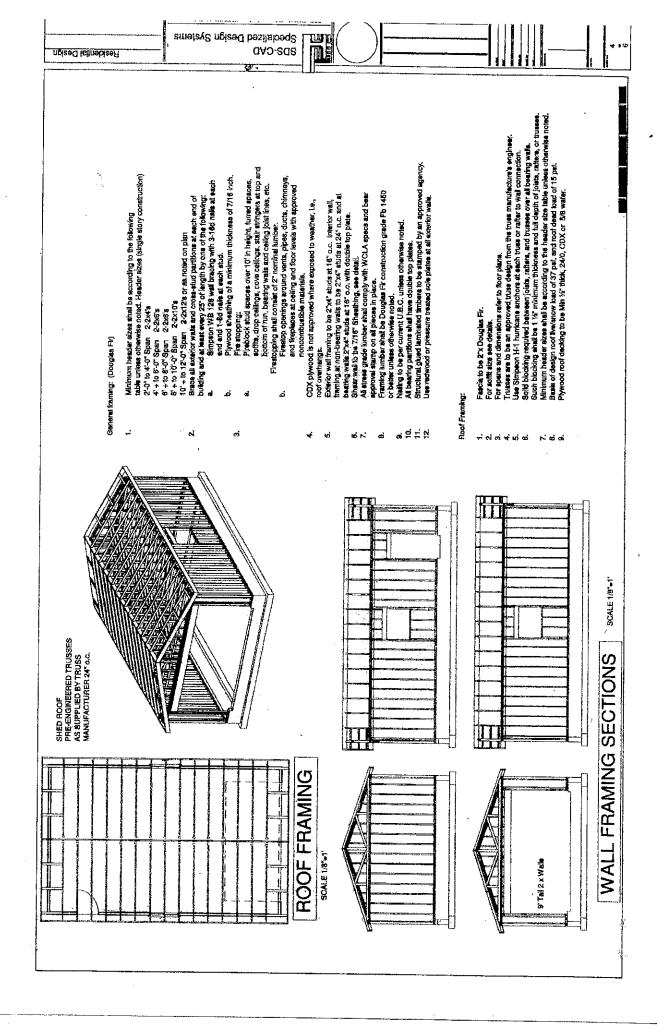
Creep has been considered in the analysis of this truss.
 Listed wind uplift reactions based on MWFRS Only loading.











Certificate of License Renewal

Your license has been renewed and this temporary Certificate of License Renewal allows you to practice. In approximately 15 to 30 working days you will receive your wallet card and wall certificate in the mail. If you do not receive it within this time, please contact DOPL immediately at (801) 530-6628 or (866) 275-3675 (toll-free in Utah only).

DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING

Certificate of License Renewal Control Number: 8779933-5501-20151229

RENEWAL DATE: 12/29/2015

EXPIRATION DATE: Thu Nov 30 2017

ISSUED TO: Built Rite LLC

CLARENCE CONTROL CONTR



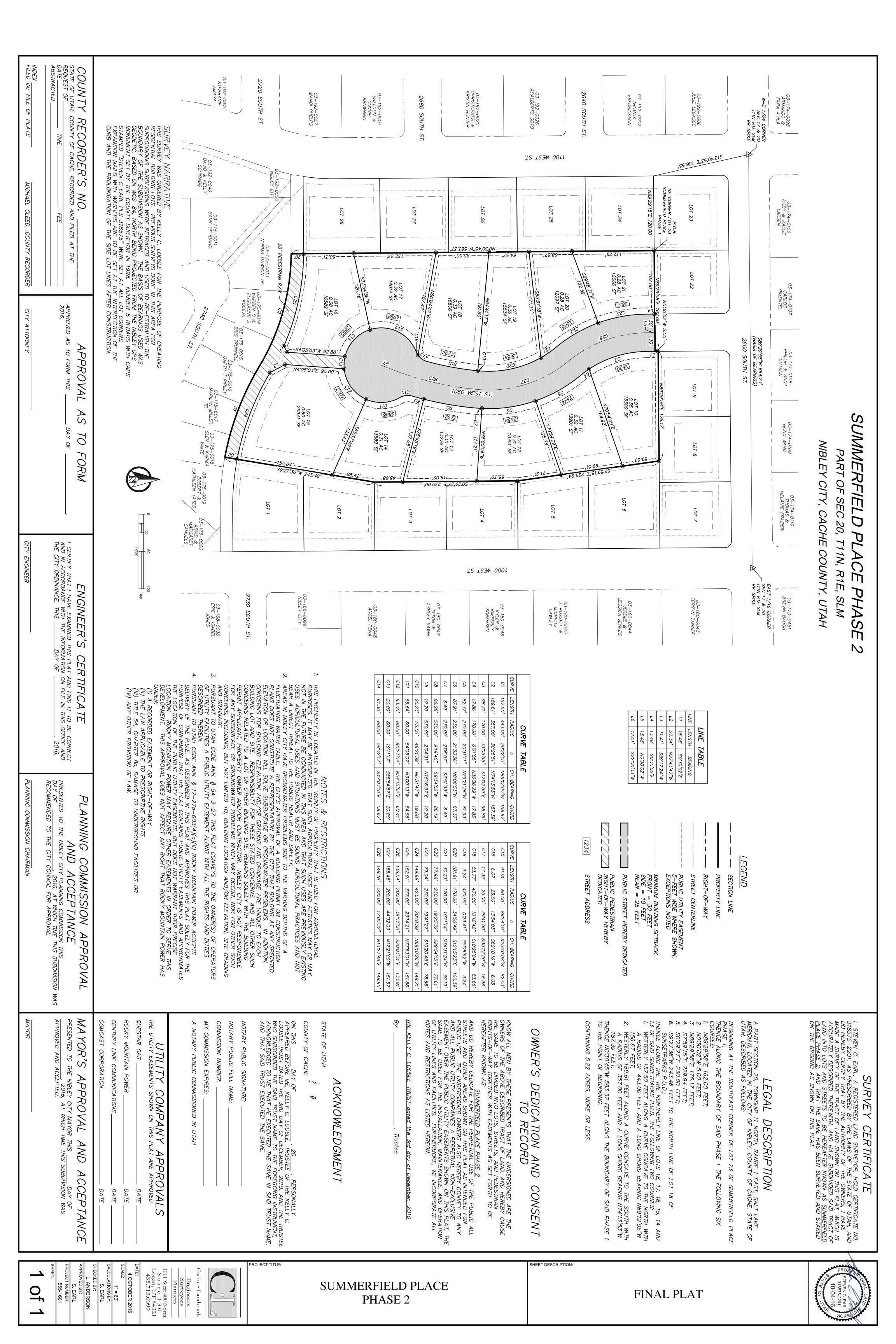
REFERENCE NUMBER(S), CLASSIFICATION(S) & DETAILS(S)

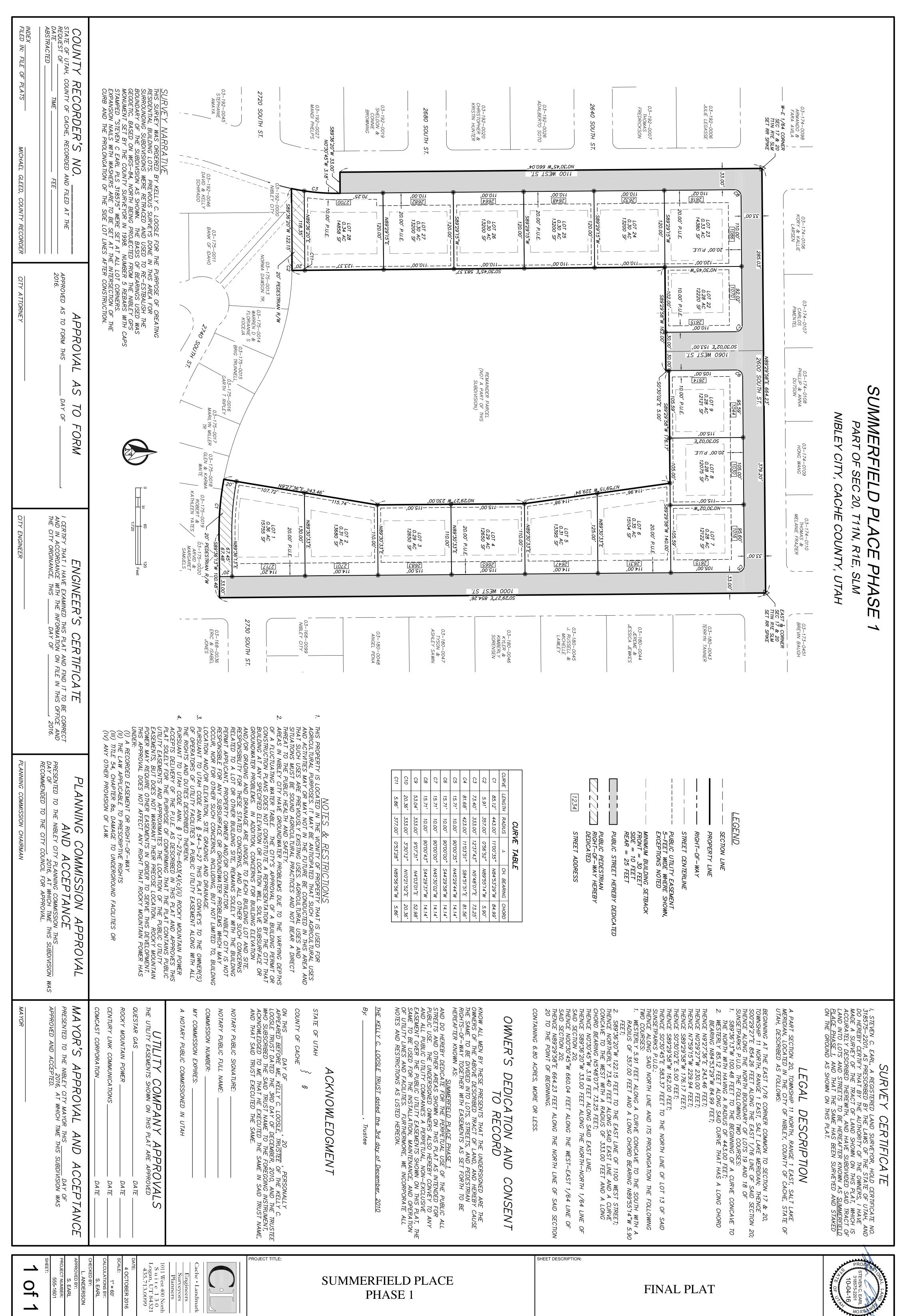
8779933-5501

Contractor With LRF

Please note that DOPL reserves the right to initiate action at any time against a licensee who did not meet the renewal/reinstatement requirements at the time this license was issued.

is fol 13/12 pitch Joss Defuil 8ે 2-2×12646 Simpson stras fix
Held Downs 8 18" 18







SUMMERF SNO IE/ **UMENTS**

LOCATED AT 2650 S. NIBLEY, UTAH 84321 1000 W.

GENERAL SILE NOILS
A. NO WORK IS TO BEGIN UNTIL NECESSARY PERMITS HAVE BEEN OBTAINED.
B. REQUIREMENTS SHOWN ON SITE PLAN SHALL GOVERN. GENERAL CONTRACTOR TO POINT OUT ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
C. ENTIRE INSTALLATION SHALL MEET ALL APPLICABLE CODES.
D. VERIFY ALL CONDITIONS AND DIMENSIONS ON SITE.
E. GENERAL CONTRACTOR RESPONSIBLE TO OBTAIN AND PAY FOR ALL NECESSARY PERMITS.
F. GENERAL CONTRACTOR TO COORDINATE ALL UTILITY WORK WITH THE APPROPRIATE UTILITY PROVIDER. GENERAL CONTRACTOR TO VERIFY AND FOLLOW ALL UTILITY PROVIDER REQUIREMENTS, PROCEDURES, STANDARDS, AND SPECIFICATIONS.

I. ALL PUBLIC IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE CITY OF NIBLEY STANDARDS AND SPECIFICATIONS FOR THE DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS, LATEST REVISION THEREOF. IT IS RECOMMENDED THAT THE CONTRACTOR OBTAIN A COPY OF THIS MANUAL FROM THE NIBLEY CITY PUBLIC WORKS DEPARTMENT FOR REFERENCE DURING ALL SITE CONSTRUCTION. WATER AND SEWER TO COMPLY WITH NIBLEY CITY STANDARDS H. GENERAL CONTRACTOR TO PERFORM GENERAL YARD AND BUILDING CLEAN—UP AT COMPLETION OF WORK. G. GENERAL CONTRACTOR FINAL CHECKOUT OF ALL FACILITIES BY OWNER'S REPRESENTATIVE.

L. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE ACTUAL LOCATION AND ELEVATION OF EXISTING UTILITIES WHICH MAY BE IN CONFLICT WITH THE PROPOSED CONSTRUCTION. IF A CONFLICT DOES EXIST, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION SO THAT ADJUSTMENTS CAN BE MADE. K. GENERAL CONTRACTOR SHALL PROVIDE COMPREHENSIVE TRAFFIC CONTROL PLAN WHICH SHALL BE SUBMITTED TO AND APPROVED BY THE CITY PRIOR TO ANY WORK IN THE PUBLIC R/W. CONTRACTOR IS RESPONSIBLE FOR SAFETY THE PUBLIC BY MINIMIZING THE INTERRUPTION OF THE USE OF ROADS AND PROVIDING SIGNS, FLARES, BARRICADES, ETC. AS NECESSARY. TRAFFIC CONTROL TO BE COMPLIANT WITH CURRENT MUTCD. WORK SHALL COMPLY WITH "WORK IN R/W" PERMIT.

M. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY ALL UTILITIES WHEN CONSTRUCTION WORK BEGINS IN THE VICINITY OF ANY UTILITY LINES AND TO ARRANGE FOR A REPRESENTATIVE OF THE UTILITY TO BE PRESENT IF THE CONTRACTOR'S OPERATIONS ARE IN CLOSE PROXIMITY TO AN LINES IN THEIR EXISTING OR RELOCATED POSITION WHICH COULD CREATE A HAZARDOUS CONDITION.

O. THE CONTRACTOR AND CLEAR OF ALL . WHERE THERE IS A CONFLICT BETWEEN THESE PLANS AND THE PECIFICATIONS, OR ANY APPLICABLE STANDARDS, THE HIGHER QUALITY TANDARD SHALL APPLY, AS APPROVED BY THE NIBLEY CITY ENGINEER. SHALL BE RESPONSIBLE FOR KEEPING ROADWAYS CONSTRUCTION DEBRIS AND DIRT TRACKED FROM NOT TO BE SCALED
NOT SHOWN, CONTACT
ANNOTATE THE DIMENSION S FREE THE SITE.

P. DIMENSIONS FOR LAYOUT AND CONSTRUCTION ARE FROM ANY DRAWING. IF PERTINENT DIMENSIONS ARE THE CONSULTING ENGINEER FOR CLARIFICATION, AND A ON THE AS—BUILT RECORD DRAWINGS.

PLOTTED October 18, 2016 BY Steve Earl FILE Z:\2016 PROJECTS\555-1601 SUMMERFIELD PLACE SUBDIVISION\ACAD\CONSTRUCTION DOCUMENTS\C-001 555-1601 INDEX SHEET.DWG

J. ALL ASPHALT CUTS FOR UTILITIES AND PAVEMENT WITHIN PUBLIC RIGHTS WAY SHALL BE IN ACCORDANCE WITH THE CITY OF NIBLEY STANDARDS AND SPECIFICATIONS. "WORK IN R/W" PERMITS ARE REQUIRED. STANDARDS. POWER:
Rocky Mountain Power
780 North Main
Smithfield, UT 84335
CONTACT: Jim Knight
TEL: (435) 563-2953
james.knight@rockymountainpower.net STORM SEWER AND ROADS:
Public Works—Engineering
625 West 3200 South
Nibley, Utah 84321
CONTACT: Justin Maughan
TEL: (435) 752—0431 NATURAL GAS:
Questar Gas Company
895 West 800 North
Logan, Utah 84321
CONTACT: Cristi Fiedel
TEL: (435) 755-2206
cristi.fiedel@questar.com SANITARY SEWER / WATER:
Public Works—Engineering
625 West 3200 South
Nibley, Utah 84321
CONTACT: Justin Maughan
TEL: (435) 752—0431 FIRE PROTECTION:
Hyrum City Fire Dept.
50 North 100 West
Hyrum, Utah 84319
CONTACT: Cordell Nielsen
TEL: (435) 245-6033

CACHE-LANDMARK ENGINEERING
1011 WEST 400 NORTH, SUITE 130
Logan, Utah 84321
ATTN: Steven Earl, P.E., P.L.S.
TEL: (435) 713-0099
FAX: (435) 713-0055
MOB: (435) 787-1199
Email: searl@cachelandmark.com

130

ENGINEER

TELEPHONE:
Century Link Communications
431 East 26th Street
Ogden, Utah 84401
CONTACT: Tom Larsen
TEL: (385) 245-5314

STORM WATER PERMIT:

STATE OF UTAH

DEPARTMENT OF ENVIRONMENTAL

QUALITY

DIVISION OF WATER QUALITY

288 North 1460 West

P.O. Box 144870

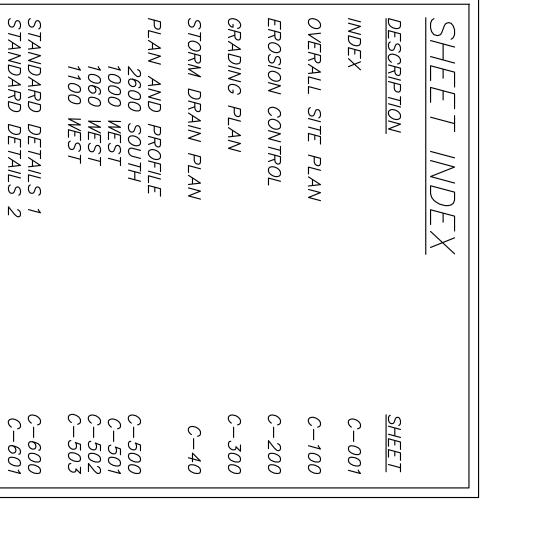
Salt Lake City, Utah 84114-4870

TEL: (801) 538-6146

WEBSITE: https://secure.utah.gov/swp/client CABLE TELEVISION:
Comcast Corporation
9075 South 700 West
Sandy, UT 84070
CONTACT: Sheryl Sweeten
TEL: (801) 401-3023
FAX: (801) 255-2711
E-mail:
sheryl-sweeten@cable.comc sweeten@cable.comcast.com

SHEE INDEX PLAN GRADING PLAN EROSION CONTROL OVERALL <u>DESCRIPTION</u> STORM DRAIN PLAN N AND PROFILE 2600 SOUTH 1000 WEST 1060 WEST 1100 WEST SITE PLAN

ORIGINAL ISSUE: Know what's **below.** Call 811 before you dig. BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111 18 OCTOBER 2016 PREPARA TION:





KELLY C LOOSLE 3569 S. HWY 23 Wellsville, Utah 84339 TEL: (435) 757-7786

PROPER

				*	Ø	4	8		∑₹		6"W	6"SS	18"SS	SD		PWR		——————————————————————————————————————	GAS	GAS	SYR	CTV					4501		 × 			
EXISTING CONCRETE	PROPOSED ASPHALT	EXISTING ASPHALT	EXISTING TREE	EXISTING LIGHT POLE	EXISTING SEWER MANHOLE	EXISTING SIGN	EXISTING WATER METER	EXISTING FIRE HYDRANT	EXISTING WATER VALVE	PROPOSED POWER POLE	EXISTING WATER LINE & SIZE	PROPOSED SEWER LINE & SIZE	EXISTING SEWER LINE & SIZE	PROPOSED STORM DRAIN LINE	EXISTING STORM DRAIN LINE & SIZE	PROPOSED UNDERGROUND POWER LINE	EXISTING UNDERGROUND POWER LINE	EXISTING OVERHEAD POWER LINE	PROPOSED GAS LINE	EXISTING GAS LINE	EXISTING UNDERGROUND SYRINGA COMM LINE	EXISTING UNDERGOURND CABLE TV LINE	PROPOSED PAINT STRIPE	EXISTING PAINT STRIPE	PROPOSED CURB & GUTTER	EXISTING CURB AND GUTTER	EXISTING MINOR CONTOUR	EXISTING MAJOR CONTOUR	EXISTING FENCE	EDGE OF CONCRETE	RIGHT-OF-WAY LINE	PROPERTY LINE

C-001	PROJECT NUMBER: 555-1601	APPROVED BY:	CHECKED BY: XXX	DESIGN BY: S. EARL	SCALE: NTS	DATE: 18 OCTOBER 2016	1011 West 400 North S u i t e 1 3 0 Logan, UT 84321 435.713.0099	Engineers Surveyors Planners	Cache • Landmark	

SUMMERFIELD PLACE SUBDIVISION 2650 S. 1000 W.

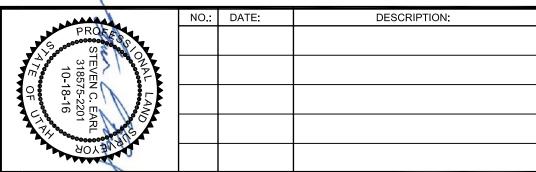
NIBLEY, UT

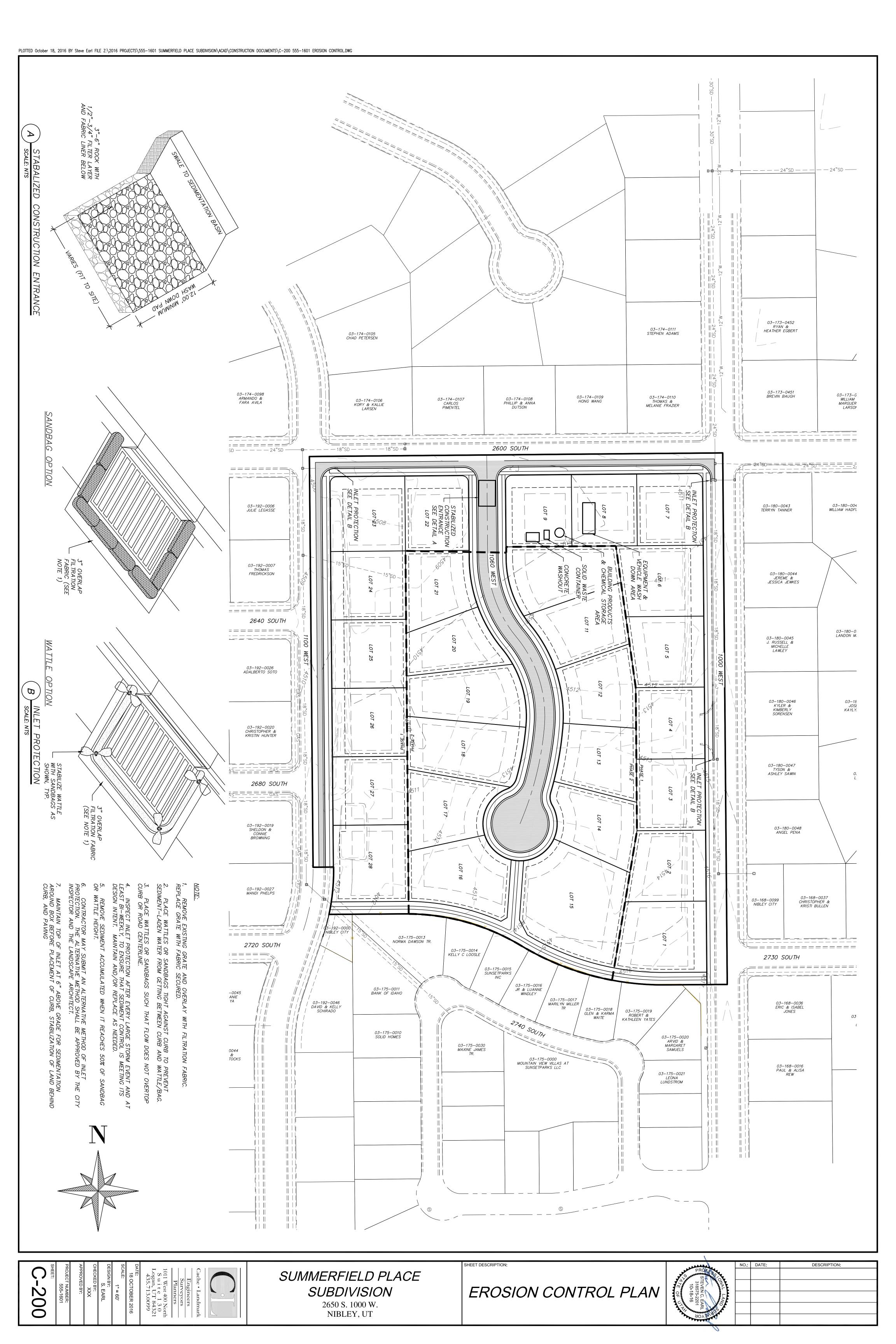
INDEX SHEET

SHEET DESCRIPTION:

	\			
٦	- Leaves	NO.:	DATE:	DESCRIPTION:
	PROF			
	7/F 10-			
	LAW N.C. E. 75-220 18-16			
	A ARL			
	LONEYOR			

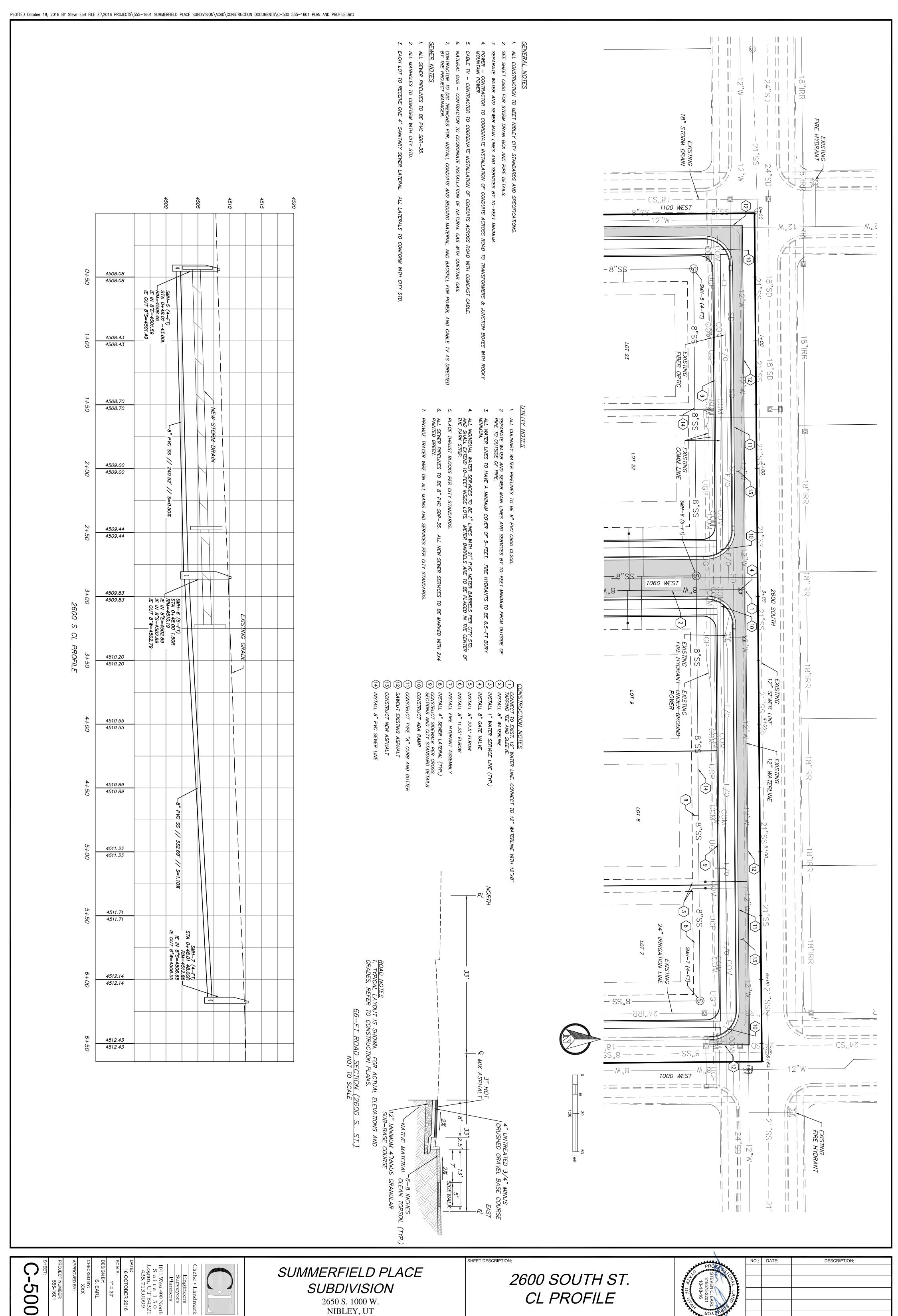






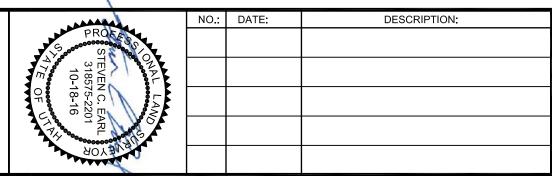
2650 S. 1000 W. NIBLEY, UT

2650 S. 1000 W. NIBLEY, UT



SUBDIVISION 2650 S. 1000 W. NIBLEY, UT

CL PROFILE



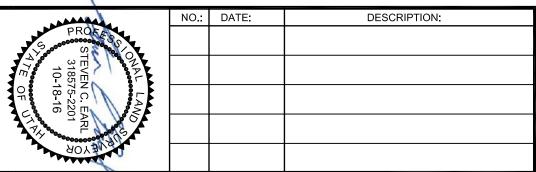
PLOTTED October 18, 2016 BY Steve Earl FILE Z:\2016 PROJECTS\555-1601 SUMMERFIELD PLACE SUBDIVISION\ACAD\CONSTRUCTION DOCUMENTS\C-500 555-1601 PLAN AND PROFILE.DWG *4512.67* 4512.67 4512.89 4512.89 4513.11 ⊗,"∀_ 18. 18. 18. *4513.37* PVC SS 4513.63 3" SEWER LINE 3+001 4513.88 8,2,8 4514.08 CONSTRUCTION NOTES

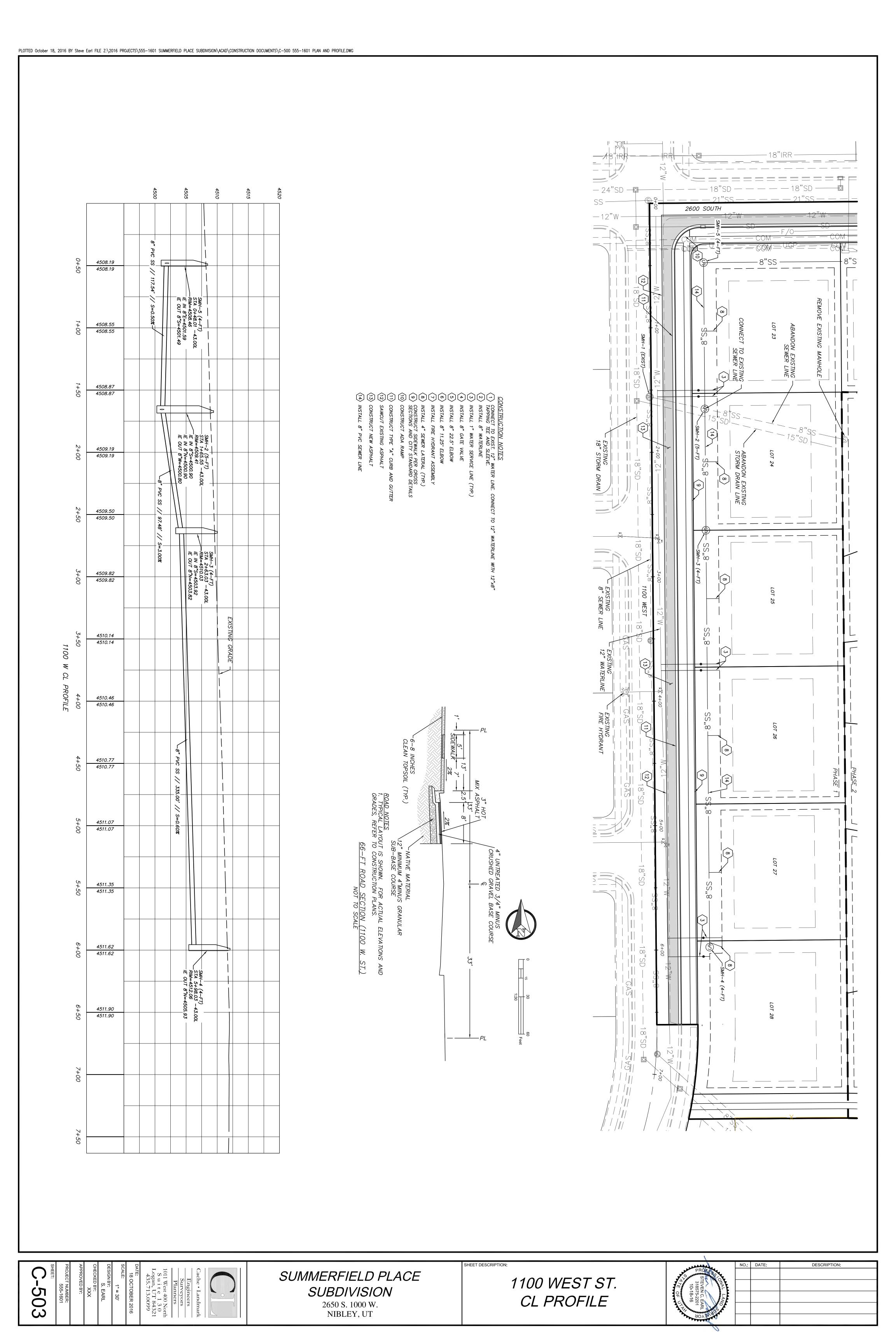
(1) CONNECT TO EXIST. 12" WATER LINE. CO.
(2) INSTALL 8" WATERLINE
(3) INSTALL 8" WATER SERVICE LINE (TYP.)
(4) INSTALL 8" GATE VALVE
(5) INSTALL 8" 11.25" ELBOW
(6) INSTALL 8" 11.25" ELBOW
(7) INSTALL 4" SEWER LATERAL (TYP.)
(8) INSTALL 4" SEWER LATERAL (TYP.)
(9) CONSTRUCT SIDEWALK PER CROSS
(9) SECTIONS AND CITY STANDARD DETAILS
(10) CONSTRUCT TYPE "A" CURB AND GUTTE
(11) CONSTRUCT NEW ASPHALT
(13) CONSTRUCT NEW ASPHALT
(14) INSTALL 8" PVC SEWER LINE 1000 W CL 4514.29 -8"SS (ISTING GRADE PROFILE 18" STORM DRAIN LINE 4514.50 *4514.73* - EXISTING 8 -8, SS 4515.06 18"SD -*4515.38 4515.71* 4516.01 4516.01 4516.31 4516.58 4516.84 4516.84 - ⊗"W-SHEET DESCRIPTION: DESCRIPTION: SUMMERFIELD PLACE 1" = 30' 3NBY: S. EARL 1000 WEST ST. SUBDIVISION CL PROFILE 2650 S. 1000 W.

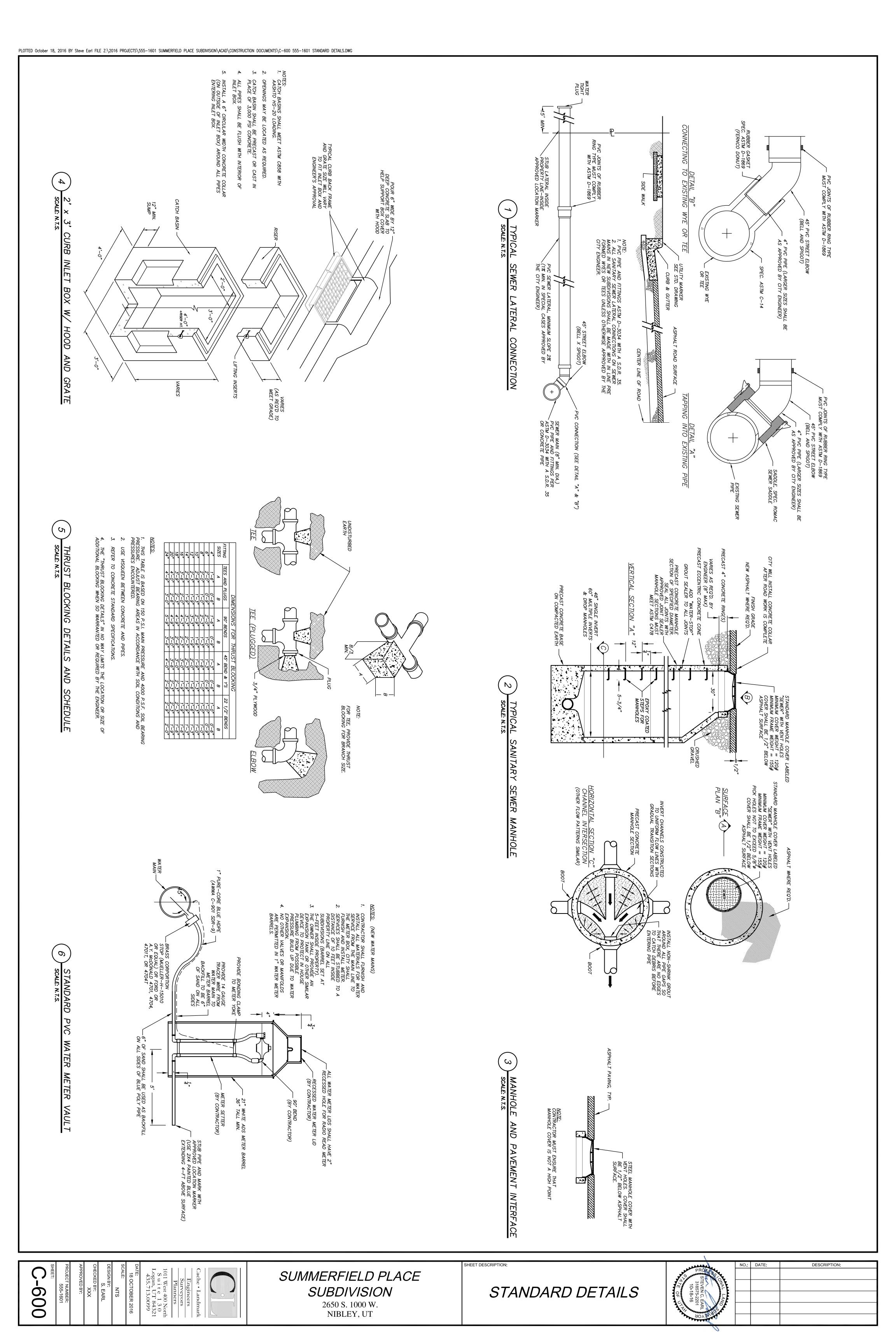
NIBLEY, UT

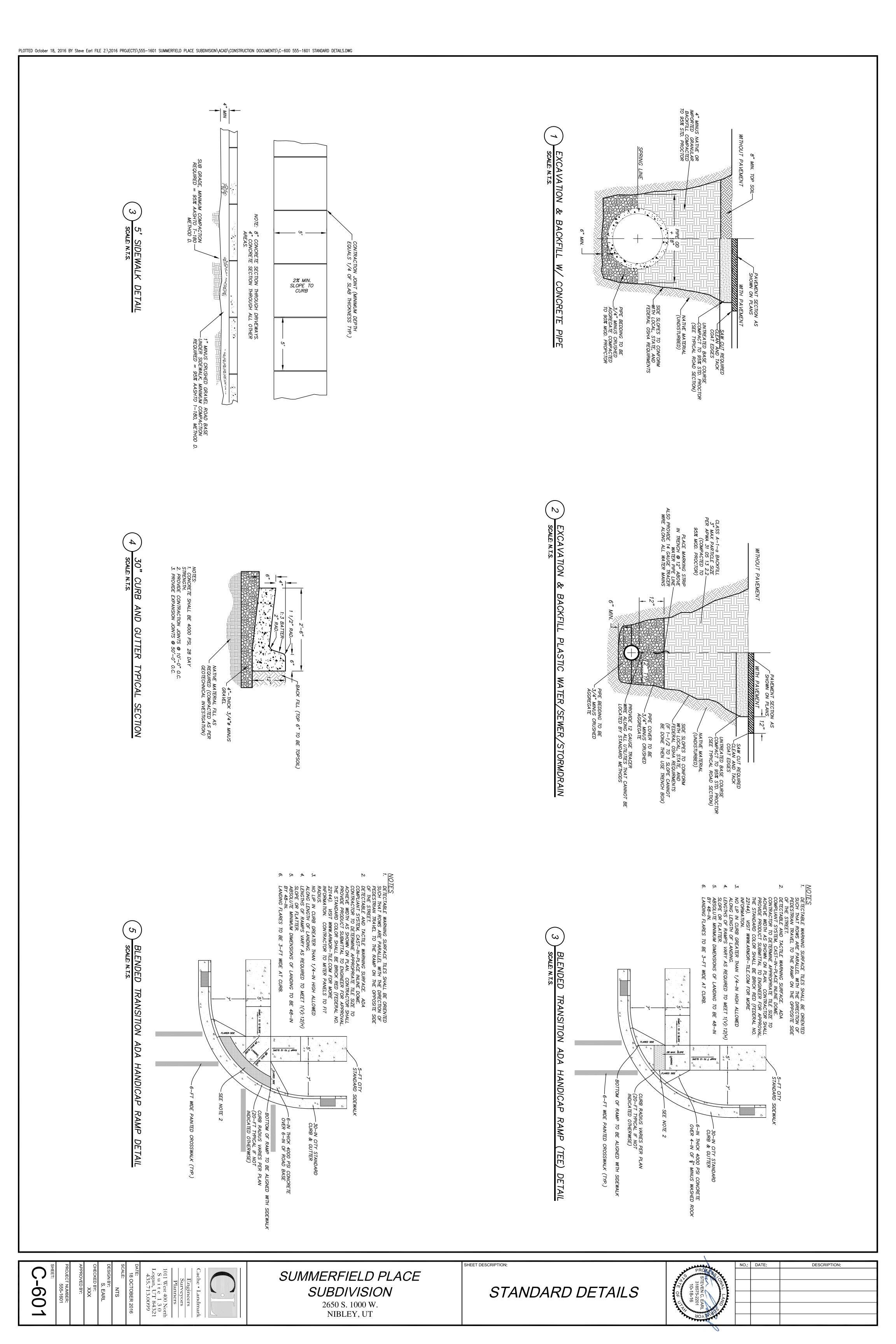
SUMMERFIELD PLA SUBDIVISION 2650 S. 1000 W. NIBLEY, UT

1060 WEST ST. CL PROFILE









ORDINANCE 16-___ AN ORDINANCE PRESERVING THE SAFETY AND ALLOWING FOR MAINTENANCE OF CANALS AND WATERWAYS

WHEREAS, Nibley City has an ownership interest in all canal and/or irrigation companies within the City; and

WHEREAS, Nibley residents rely on free-flowing and clean canals and waterways for the conveyance of irrigation water to agricultural and rural landscapes, and also for the conveyance of City stormwater; and

WHEREAS, unobstructed canals and waterways are critical to controlling flooding of private and public property within the City, and, in some cases, are integral parts of the City's stormwater infrastructure; and

WHEREAS, open canals and waterways provide critical wildlife habitat and corridors, opportunities for connectivity and recreation, and are an integral part of the rural landscape; and

WHEREAS, increased development pressure is impeding canal and waterway owners' ability to maintain the infrastructure such that it can function for its intended purposes of flood control and irrigation delivery; and

WHEREAS, Nibley City has certain contractual obligations with respect to the Nibley Blacksmith Fork Irrigation Company (NBFI); and

WHEREAS, Nibley City has the authority to establish policies to control the impact of development on commonly held assets and resources within the City.

NOW THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY. UTAH THAT:

- 1. The attached ordinance, titled "An Ordinance Preserving the Safety and Allowing for Maintenance of Canals and Waterways" is hereby adopted.
- 2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
- 3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from

	visions or applications, and to this end the ther with the regulations contained therein	•	
4. 7	This ordinance shall become effective upon	n posting as required by law.	
PASSED BY T	HE NIBLEY CITY COUNCIL THIS	_ DAY OF, ,2	2016.
	Shaun	Dustin, Mayor	
ATTEST:			
David Zook ,City	y Recorder		

ORDINANCE 16-___ AN ORDINANCE PRESERVING THE SAFETY AND ALLOWING FOR MAINTENANCE OF CANALS AND WATERWAYS

- 1. Waterways as used in this Ordinance includes surface water runoff and drainage, drainage ditches and irrigation ditches, whether surface or subsurface.
- 2. Irrigation and canal companies shall have the right of access to canals and waterways as allowed by state law, and as permitted by the easements and rights of way of such companies.
- 3. Nibley City will not issue building, fence, grading or other permits that would limit, hinder, infringe or encroach upon any established rights of way, whether established by deed, use, or otherwise, for access to or maintenance of the canals and waterways within the City. Absent clear and convincing evidence otherwise, the City presumes that all canals and waterways have an access easement and setback fifteen feet (15') in width from the top of each inside bank or the toe of the Canal, whichever is greater, to the edge of the easement. To protect this easement, there is a fifteen foot (15') setback requirement prohibiting any fences, structures or permanent improvements within fifteen feet (15') of the bank of any canal or waterway. The City will not require permits for existing fences, structures or permanent improvements within the fifteen foot (15') setback if such were legal under Nibley City Ordinances when installed. Improvements or modifications to existing fences, structures or other permanent improvements shall be subject to this ordinance.
- 4. For changes in land use, including but not limited to building permits, new subdivisions, rezones, annexations, and development:
 - a. Nibley City may condition approval upon the formal recording of any reasonable canal and/or waterway easements, for access, maintenance, public right-of-way, and public safety.
 - b. Canal and waterway easements will not count against zoning density requirements for open canals and waterways.
 - c. Easements for canals and waterways and for access to the same within any new subdivision shall be required for approval of any proposed subdivision.
 - d. Easements for canals and waterways and for access to the same may be required by Nibley City across property that adjoins the subdivision when necessary to properly serve the subdivision or protect the City and may be a condition for approval of any proposed subdivision.
 - e. Developers who choose to establish deeded public rights-of-way along open canals and waterways shall be entitled to an increased (10%) density bonus, as outlined in the Nibley City Subdivision Ordinance.

- f. The City may require Preliminary Plats to be submitted to canal or irrigation companies, who may be impacted by the subdivision, for review, comment and/or approval.
- 5. The City adopts the following conditions and requirements with respect to any land use change, development, or improvement that may impact the NBFI Canal ("Canal") and which, at the discretion of the City Manager, in consultation with the Mayor, may be applied to and required for other canals and water ways within the City prior to any land use change, development or improvement:
- a. Authorization for New Storm Water Inlet Structures and Outlet Structures. No new or additional Storm Water Inlet Structures and Outlet Structures and no increases in the flow of such inlets or outlets beyond the Current Discharge as defined by an Agreement between the City and NBFI, shall be created or maintained except in conformance with the following procedure.
 - (1) The City, a landowner or a developer may at any time contact NBFI to evaluate the potential for new Inlet Structures and Outlet Structures, or the potential for an increase in the capacity of any existing Inlet Structure or Outlet Structure.
 - (2) The City, a landowner or a developer shall provide a written request to NBFI for each additional Storm Water Inlet Structure or Outlet Structure, and for increases in flow beyond the Current Discharge or any previously approved increase for existing Inlet Structures or Outlet Structures. The request shall be accompanied by the following:
 - (i) Drawings in both digital and printed copy showing the location, size and design specifications of each Inlet Structure or Outlet Structure proposed to be added or increased.
 - (ii) Drawings showing the drainage area to be served by the Inlet Structure.
 - (iii) Expected occurrences that will cause Storm Water inflow into the Canal, including an estimate of the time of year during which maximum inflows are expected, subject to subsection (iv) below.
 - (iv) An estimate of the maximum inflow to be expected from the area to be served by the Inlet Structure (with the understanding that the maximum flow may not exceed the flow allowed by Current Design Standards). This rate is determined by completing a hydrologic analysis based on soil types to determine the runoff rates prior to any land use change, development or improvement for sites greater than 1 acre, or by assuming a historical runoff rate of 0.1 cfs per acre for sites smaller than 1 acre.

- (v) Written disclosure of whether the Storm Water discharge to the Canal is expected to contain any Pollutant regulated under the Utah Clean Water Act and implementing regulations thereof.
- (vi) Certification that the City, landowner or developer have complied and will comply with all applicable requirements of the Utah Water Quality Act and associated regulations.
- (vii) Any additional documentation or information reasonably requested by NBFI.
- b. Any objections of any kind by NBFI to a new proposed Inlet Structure, Outlet Structure, or the enlargement of either, shall be given by written notice within sixty (60) days after receipt by NBFI of the written request for the same from the City, landowner or developer. NBFI shall have the right to refuse such approval only if, as demonstrated by empirical data:
 - (1) in the case of a new Inlet Structure or enlargement of an existing Inlet Structure, water inflow into the Canal from such inlet will exceed the Current Discharge into the Canal from the drainage area to be served by such inlet;
 - (2) the inflows are found by a City-County Health Department or other State, County or federal agency to be physically harmful to animals, crops of any kind, or any other beneficial use of the water; or
 - (3) the proposed Inlet Structure or Outlet Structure will diminish the ability to utilize all of the water to which NBFI is entitled under its water rights, hinder water deliveries, or alter, damage or obstruct, diversion structures, measuring devices, or regulating headgates on the Canal.
- c. If NBFI does not provide written objections within sixty (60) days after receipt of the City's, landowner's, or developer's written request, NBFI shall be deemed to have approved the additional Inlet Structure, Outlet Structure, or increase in capacity of either.
- d. If the request for additional Inlet Structures, Outlet Structures or increase in capacity of an inlet or outlet is not agreed to, NBFI shall work with the City, landowner or developer in an attempt to reach an equitable resolution in order to provide for the same.
- e. If the additional Inlet Structure, Outlet Structure or increase in flow is formally approved or deemed approved as provided herein, the City shall allow commencement of construction or modification only after a written Agreement has been agreed-to, signed by the City, landowner or developer and NBFI.
- f. The City shall require, as a condition to any land use change, development or improvement approval, that infrastructure (such as fencing or other improvements) be

installed by a landowner or developer as part of a land development project, when reasonably determined by the City to be necessary.

- g. Landowners or developers of any land within the City must include with their plans and specifications a storm water detention plan that provides for all storm water to be retained at the site of such any land use change, development, or improvement except as may be otherwise approved by the City and NBFI.
- h. If any landowner or developer of any land proposes any piping of the Canal, the construction of bridges or retaining walls, the installation of culverts, or any other action which may in any way affect the Canal, the City shall require that the plans and specifications be delivered to NBFI, and that NBFI consent to the same, in writing, prior to the approval of such land development by the City, which consent or the basis for denying such consent shall be given by NBFI within sixty (60) days after NBFI receipt of the request for approval.
- i. Trash Racks. The City shall require landowners or developers to install, in connection with City-approved land use changes, development plans, or improvements, trash racks and inlet grates on all Inlet Structures so as to prevent clogging of the headgates, screens and pipelines situated within the Canal.
- 6. Alteration of canals or waterways, including grading, modification, contouring or removal of vegetation or soil of banks to canals and waterways, shall only be done by the canal or irrigation company, or pursuant a written permit issued by the canal or irrigation company.
- 7. Vested rights in the established canals and waterways for both conveyance of water and for access and maintenance of the canal or other waterway shall be protected against all encroachments and no improvements shall be erected that interfere with the same and the City shall issue no permits for improvements that interfere with the same.
- 8. A civil action for damages and other relief under this ordinance may be brought by the City or any person injured by another's actions in violation of this ordinance. Such civil action may be brought independent of any criminal action.
- 9. It is unlawful for any person to place any pole, board or other obstruction whatsoever, or any trash, yard waste or other waste material, other than irrigation water, in any ditch, waterway, or canal for any purpose, or in any manner to interfere with the free and unobstructed flow of water in such ditch, waterway, or canal. Violation of this provision constitutes a Class B misdemeanor under this Code.
- 10. It shall be unlawful to willfully or maliciously alter, break, or injure any dam, canal, headgate, water ditch, or other means of diverting or conveying water for irrigation or other useful purpose, or to dig away the bank or banks of any ditch, canal, or reservoir within the Nibley City boundaries. Violation of this provision constitutes a Class B misdemeanor under this Ordinance.

- 11. Whenever any irrigation or canal company has a right-of-way for any canal or other waterway, it shall be unlawful for any person to place or maintain in place any obstruction, or change of the water flow by fence or otherwise, along or across or in such canal or waterway, without first receiving written permission for the change from the irrigation or canal company. Violation of this provision constitutes a Class B misdemeanor under this Ordinance.
- 12. Any person who in any way unlawfully interferes with, injures, destroys, or removes any dam, head gate, weir, casing, valve, cap, or other appliance for the diversion, apportionment, measurement, or regulation of water, or who interferes with any person authorized to apportion water while in the discharge of his or her duties, is guilty of a class B misdemeanor under this Ordinance.
- 13. It shall be unlawful for any person to place or cause to be placed in the easement, channel, bed or bank of any river, stream, wash or other natural drain or within or upon any storm drain, flood control channel, reservoir, detention basin, debris basin, or other property over which the City, canal or irrigation company has an interest, matter of any kind that may operate to impede, retard or change the normal direction of the flow of flood, storm or other waters, or that may catch or collect debris carried by such waters, or that may be carried downstream by such waters to the damage and detriment of adjacent private or public property, or that may degrade the quality of the water, without first obtaining a written permit for such placement from the City and canal and/or irrigation company. Violation of this provision constitutes a Class B Misdemeanor under this Ordinance.
- 14. In the event any person violates any of the provisions of this Ordinance and the City takes action to correct the violation in order to protect the health, safety or welfare of its residents or to protect public or private property, the violator shall pay all reasonable costs and expenses incurred by the City (including but not limited to reasonable charges for use of City equipment and employees plus ten percent (10%) overhead) when invoiced by the City. Failure to pay within thirty (30) days of invoice shall cause the amount due to bear interest at eighteen percent (18%) per annum from the invoice date until paid, plus attorney fees and costs incurred by the City in collecting the same.