

## APPROVED MINUTES

### CACHE COUNTY COUNCIL

**December 14, 2021 at 5:00 p.m. - Cache County Chamber at 199 North Main, Logan, Utah.**

*In accordance with the requirements of Utah Code Annotated Section 52-4-203, the County Clerk records in the minutes the names of all persons who appear and speak at a County Council meeting and the substance "in brief" of their comments. Such statements may include opinions or purported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.*

**MEMBERS PRESENT:** Chair Gina H. Worthen; Vice Chair Barbara Tidwell; Councilmembers: Paul R. Borup, Gordon A. Zilles, Nolan Gunnell, David L. Erickson  
**MEMBERS EXCUSED:** Karl B. Ward  
**STAFF PRESENT:** County Executive David Zook, Clerk/Auditor Jess Bradfield, County Attorney John Luthy, , HR Director Amy Adams, Fire Chief Rod Hammer, IT Director Bart Nelson, Executive Admin Janeen Allen, Development Services Director Chris Harrild , and Deputy Clerk Bryson Behm

**OTHER ATTENDANCE:**

**CDBG ATTENDANCE:**

#### Council Meeting

**1. Call to Order 5:00p.m.** – Chair Gina Worthen

**2. Opening Remarks and Pledge of Allegiance** – County Executive David Zook [0:43](#)

**3. Review and Approval of Agenda APPROVED [2:32](#)**

**Action:** Motion made by Councilmember Zilles to approve the agenda with the requested amendments; Seconded by Councilmember Tidwell

**Motion passes.**

**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson

**Nay:** 0

**Absent:** 1 Karl B. Ward

**4. Review and Approval of Minutes POSTPONED [2:52](#)**

**Action:** Postponed without objection

**5. Report of the County Executive [2:59](#)**

- a. Thanked everyone's support of Bryce Mumford and family and all that was done to help his family. Exec. Zook also reported on a meeting regarding Newton Reservoir with State Sen. Chris Wilson.

**6. Items of Special Interest**

- a. **Request for Support for a Grant Application for the Fire District [4:23](#)**

**Discussion:** Fire Chief Rod Hammer presented on the grant that the fire district is applying for and according to the grant the fire district needs council's support.

**Action:** Motion made by Councilmember Erickson to support the Fire District's pursuit of the grant; Seconded by Councilmember Tidwell

**Motion passes.**

**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson

**Nay:** 0

**Absent:** 1 Karl B. Ward

- b. **Recognition of Cache Valley Women's Suffrage Award [5:58](#)**

**Discussion:** Karina Brown chair of the Cache Celebration of Women's Suffrage presented on the award that the group had won and the accomplishments that the group has achieved.

## 7. Department or Committee Reports

### a. Treasurer [12:30](#)

**Discussion:** County Treasurer Craig McAllister reported on the collection of property taxes as well as changes/innovations happening in his office

### b. Recognition of Accomplishment: Paul Berntson and Brian Abbott [23:39](#)

**Discussion:** Development Services Director Chris Harrild recognized the accomplishment of obtaining their master code professional.

## 8. Board of Equalization Matters N/A

## 9. Public Hearings [26:08](#)

### a. First CDBG Public Hearing [26:24](#)

**Action:** Motion made by Councilmember Zilles to close the public hearing; Seconded by Councilmember Tidwell.

**Motion passes.**

**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson

**Nay:** 0

**Absent:** 1 Karl B. Ward

### b. Public Hearing – Resolution 2021-28 and Resolution 2021-30 [29:07](#)

**Action:** Motion made by Councilmember Zilles to close the public hearing; Seconded by Councilmember Erickson.

**Motion passes.**

**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson

**Nay:** 0

**Absent:** 1 Karl B. Ward

## 10. Pending Action

### a. Ordinance 2021-22 Adopting the Cache County Consolidated Fee Schedule **APPROVED** [30:41](#) **ATTACHMENT 1**

**Discussion:** Councilmember Erickson thought it was good idea for the overhaul and thanked all you worked on it.

**Action:** Motion made by Councilmember Erickson to approve Ordinance 2021-22; Seconded by Councilmember Borup.

**Motion passes.**

**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson

**Nay:**

**Absent:** 1 Karl B. Ward

### b. Ordinance 2021-25 An ordinance changing the salaries of the Cache County Elected Officers and members of the Cache County Council [32:50](#) **APPROVED ATTACHMENT 2**

**Discussion:** Amy Adams HR Director presented the research and methodology performed by HR and the County Compensation Committee regarding the recommended salary adjustments for elected county officers. Chief Deputy Attorney Tony Baird spoke in favor of the increase. County Attorney John Luthy noted that it is the role of the people of Cache County to hire and manage elected officials and recommended that council consider what is equitable for the office, rather than council's opinion of the officeholder, when determining the pay of other elected officials. Councilmembers Tidwell and Zilles spoke in favor of the recommended increases, Chair Worthen spoke in favor of a council salary raise. Councilmember Erickson expressed concern about the wages of the Clerk/Auditor, Executive/Surveyor and Recorder, stating that other elected offices needed licenses or trainings, but the aforementioned offices only require a "pretty face." Executive Zook mentioned his qualifications of having a master's degree in public administration and his certification as a member of the International City and County Management Association, but made it clear that he was not advocating for a personal raise, stating that would donate his increase to charity until after reelection. Councilmember Erickson desired to split the motion.

**Motion passes.**

**Action:** Motion made by Councilmember Erickson to approve the raise for Assessor, Treasure, Sheriff and Attorney at the 2022 rate; Seconded by Councilmember Borup

**Aye:** 4 Gina H. Worthen, Paul R. Borup, Nolan Gunnell, David Erickson

**Nay:** 2 Gordon A. Zilles, Barbara Tidwell

**Absent:** 1 Karl B. Ward

**Action:** Motion made by Councilmember Borup to approve the Recorder (\$94,000); Clerk/Auditor (\$104,826); and Executive/Surveyor (\$122,000); Seconded by Nolan Gunnell

**Aye:** 4 Gina H. Worthen, Paul R. Borup, Nolan Gunnell, David Erickson

**Nay:** 2 Gordon A. Zilles, Barbara Tidwell

**Absent:** 1 Karl B. Ward

**Motion passes.**

**Action:** Motion made by Councilmember Zilles to approve the council salary change for members (\$16,000) and Chair (\$20,000 and \$100 Vehicle stipend); Seconded by Councilmember Tidwell

**Aye:** 4 Gina H. Worthen, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell

**Nay:** 1 David Erickson

**Abstain:** 1 Paul R. Borup

**Absent:** 1 Karl B. Ward

\* All actions will be considered into one ordinance (2021-25)

#### **11. Initial Proposals for Consideration of Action**

- a. **Ordinance 2021-28 An ordinance amending section 1.10.060 of the Cache County Code and repealing sections 1.10.030, 1.10.040, 1.10.050, 1.10.060, 1.10.070, 1.10.080, 1.10.090, 1.10.100, 1.10.110, 1.10.120, 1.10.130, 1.10.140, 1.10.150, 1.10.160, 1.10.170, 1.10.180, 1.10.190, 1.10.200, 1.10.210, 1.10.220, and 1.10.230 APPROVED [1:55:28](#) ATTACHMENT 3**

**Discussion:** County Attorney John Luthy presented on the details of the amended version regarding voting precincts.

**Action:** Motion made by Councilmember Erickson to waive the rules and approve Ordinance 2021-28; Seconded by Councilmember Borup

**Motion passes.**

**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson

**Nay:**

**Absent:** 1 Karl B. Ward

- b. **Resolution 2021-31 A resolution amending and updating the Cache County map of voting precincts APPROVED [1:58:15](#) ATTACHMENT 4**

**Discussion:** Chair Worthen gave background to the amendments to the precinct map.

**Action:** Motion made by Councilmember Borup to waive the rules and approve Resolution 2021-31; Seconded by Councilmember Erickson

**Motion passes.**

**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson

**Nay:**

**Absent:** 1 Karl B. Ward

- c. **Ordinance 2021-27 An ordinance updating the Cache County Council Districts APPROVED [2:03:11](#) ATTACHMENT 5**

**Discussion:**

**Action:** Motion made by Councilmember Borup to waive the rules and approve Ordinance 2021-27; Seconded by Councilmember Tidwell

**Motion passes.**

**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson

**Nay:**

**Absent:** 1 Karl B. Ward

- d/e. **Resolution 2021-28 and 2021-30A resolution authorizing the conveyance of real property APPROVED [2:09:33](#) ATTACHMENT 6**

**Action:** Motion made by Councilmember Erickson to waive the rules and approve Resolution 2021-28 and 2021-30; Seconded by Councilmember Tidwell

**Motion passes.**

**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson

**Nay:**

**Absent:** 1 Karl B. Ward

- f. **Review of Ridgeview Annexation Petition to the City of Providence APPROVED [2:10:28](#) ATTACHMENT 7**  
**Discussion:** Tim Watkins of Development Services presented on the proposed annexation.  
**Action:** Motion made by Councilmember Zilles to let the continuing of the annexation; Seconded Councilmember Erickson  
**Motion passes.**  
**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson  
**Nay:**  
**Absent:** 1 Karl B. Ward

- g. **Property Tax Relief Request APPROVED [2:19:55](#)**  
**Action:** Motion made by Councilmember Erickson to approve the request effective 11/29/2021 with authority to waive penalties; Seconded by Councilmember Tidwell  
**Motion passes.**  
**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson  
**Nay:**  
**Absent:** 1 Karl B. Ward

**12. Other Business**

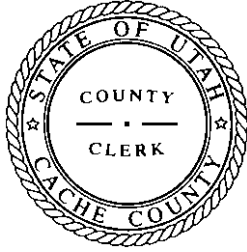
- 13. Councilmember Reports [2:25:10](#)**  
**David Erickson** – Merry Christmas.  
**Gordon Zilles** – Report on the dispute between Nibley Cemetery board and Millville city.  
**Karl Ward** – Absent  
**Barbara Tidwell** – Happy Holidays.  
**Paul Borup** – Thanked Cache County employees and wished everyone a Happy Holidays.  
**Nolan Gunnell** – Water project in Lewiston update. Chad Brown reported for the new pump station in Lewiston.  
**Gina Worthen** – Apology to Clerk/Auditor for misinterpretation of procedures and Merry Christmas.

- 14. Executive Session – Utah Code 52-4-205(1)(c) Discussion of the sale of Real Property Utah Code 52-4-205(1)(e) – Discussion of the sale of real property [2:36:56](#)**  
**Action:** Motion made by Councilmember Zilles to enter Executive Session; Seconded by Councilmember Tidwell  
**Motion passes.**  
**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson  
**Nay:**  
**Absent:** 1 Karl B. Ward  
**Action:** Motion made by Councilmember Borup to exit Executive Session; Seconded Councilmember Tidwell.  
**Motion passes.**  
**Aye:** 6 Gina H. Worthen, Paul R. Borup, Gordon A. Zilles, Barbara Tidwell, Nolan Gunnell, David Erickson  
**Nay:**  
**Absent:** 1 Karl B. Ward

**15. Adjourn Approximately 8:00PM**

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**ATTEST: Jess W. Bradfield**  
**County Clerk/Auditor**



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**APPROVAL: Gina. H. Worthen**  
**Chair**

**CACHE COUNTY COUNCIL MEETING  
DECEMBER 14, 2021**

**ATTACHMENT 1**



## **CACHE COUNTY ORDINANCE 2021 - 22**

### **AN ORDINANCE ADOPTING THE CACHE COUNTY CONSOLIDATED FEE SCHEDULE**

WHEREAS, Utah Code Ann. § 17-53-211 requires the County Council to adopt an ordinance establishing fees for services provided by certain County officers; and

WHEREAS, the County Council believes it is appropriate to adopt and include within the County Code a listing of fees and charges imposed by the County to provide notice of those fees and charges to County residents; and

WHEREAS, the County provides services to County residents and desires to establish a Consolidated Fee Schedule that includes the fees charged by the following County Offices: the Clerk/Auditor's Office, the Development Services Office, the Events Center and Fairgrounds, the Fire District and EMS, the Library, the Recorder's Office, the Treasurer's Office, and the Sheriff's Office; and

WHEREAS, after considering the facts presented to it, the County Council believes this action reasonably furthers the health, safety, and general welfare of the citizens of Cache County;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

#### **SECTION 1:**

The following sections of the Cache County Code are amended to read as set forth in Exhibit A: 2.64.100, 2.70.040, 3.84.090, 5.04.040, 5.04.060, 5.08.040, 5.08.080, 5.08.090, 5.20.050, 5.20.070, 5.20.150, 6.08.010, 8.04.010, 8.40.040, 15.04.040, 15.12.010, 16.03.030, 17.14.110, and 17.20.040.

#### **SECTION 2:**

The Consolidated Fee Schedule attached hereto as Exhibit B is adopted and is to be included in the Cache County Code immediately following Title 17, as indicated in Exhibit B. This Consolidated Fee Schedule supersedes all prior fee schedules that set forth fees for the services identified in this Consolidated Fee Schedule.

#### **SECTION 3:**

This ordinance takes effect on January 1, 2022.

PASSED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH, THIS 14th DAY OF DECEMBER 2021.



	In Favor	Against	Abstained	Absent
Paul R. Borup	X			
David Erickson	X			
Barbara Tidwell	X			
Karl Ward				X
Gina Worthen	X			
Jon White	X			
Gordon Zilles	X			
Total	6			

CACHE COUNTY COUNCIL

By:

A handwritten signature in blue ink, appearing to read "Gina Worthen", written over a horizontal line.

Gina Worthen, Chair

ATTEST:

By:

A handwritten signature in blue ink, appearing to read "Jess W. Bradfield", written over a horizontal line.

Jess W. Bradfield, County Clerk



## **Exhibit A**

### **2.64.100: FEES:**

A. Fees for copies of records and services shall be charged on a reasonable basis to reimburse the county for the actual costs of duplication and compilation of a record in a form other than that regularly maintained by the county. No fees shall be charged to inspect public records.

B. Fee amounts specified by statute shall be imposed and collected by the responsible department. The responsible department may waive charges if the department head determines that:

1. Releasing the record primarily benefits the public rather than an individual person;
2. The individual requesting the record is the subject of the record; or
3. The requester's rights are directly implicated by the information in the record and the requester is impecunious.

C. The county shall charge a fee equivalent to the cost of services provided to an individual and any public or private agency for those individual's or agency's sole or personal use. Services or information provided to any individual or any agency for resale shall be charged at the fair market value of such services or information; provided, that such fee shall be never less than the full cost incurred by the county in the provision of such information or services.

D. The county records committee, in cooperation with the county records manager, shall review the full cost of providing records services at least annually and make recommendations to the county council.

E. The county council shall approve all fee schedules for use by all county departments.

F. Fee schedules shall be uniform throughout the county.

G. If a request for a record requires extraordinary services, the requester shall be given an estimate of approximate costs before such extraordinary costs are accrued.

H. Payment of fees shall be required at the time records are made and delivered to the requesting party, except that if fees are anticipated to exceed fifty dollars (\$50.00), the department from which the record is requested may require payment in advance in full or in part.

I. Fees shall be enumerated in the Consolidated Fee Schedule approved by the County Council.

### **2.70.040: PROPOSAL AND APPROVAL OF AGRICULTURE PROTECTION AREA:**

A. Filing Procedure: Any owner or owners of land in agricultural production may file a proposal for creation of an agriculture protection area with the county executive by completing forms approved by the county executive and filing the forms in the office of the county executive. The county executive or other person(s) designated by the county executive to receive and process proposals shall accept and process such forms only if they are properly completed and accompanied by the filing fee as provided in this section. The proposal shall contain the following information:

1. The land in agricultural production that the proposal sponsors wish to become part of an agriculture protection area;

2. Any limits on the type of agriculture production to be allowed within the agriculture protection area; and

3. For each parcel of land:

- a. The owners of the land contained within the parcel;

- b. The tax parcel number or account number of each parcel; and

- c. The number or account number of acres as listed on the parcel tax records.

B. Notice Requirements: The county executive shall provide notice of the proposal for an agriculture protection area as required by title 17, chapter 41, Utah Code Annotated, 1953, as amended.

C. Review Of Proposal:

1. After fifteen (15) days from the date of the notice, the county executive shall refer the proposal, and any proposed modifications and objections to the proposal, to the advisory board and planning commission for their review, comment and recommendations.

2. Within forty five (45) days after receipt of the proposal, the advisory board and planning commission shall each submit a report to the Cache County council relative to their review, comments and recommendations as provided in title 17, chapter 41, Utah Code Annotated, 1953, as amended.

3. After receipt of the reports from the advisory board and planning commission, or after forty five (45) days have expired, whichever is earlier, the Cache County council shall schedule a public hearing and provide notice of the same, conduct a public hearing, and act on the same as required by title 17, chapter 41, Utah Code Annotated, 1953, as amended.

D. Minimum Size For Agriculture Protection Area: At least five (5) continuous acres within Cache County must be included in each agriculture protection area.

E. Fees For Accepting And Processing Agriculture Protection Area Proposals: Any person or persons filing a proposal to create an agriculture protection area pursuant to title 17, chapter 41, Utah Code Annotated, 1953, as amended, shall pay a fee at the time of filing. See Consolidated Fee Schedule for fee amount. This fee includes all costs associated with processing agriculture protection area proposals.

F. Adding Land To An Agriculture Protection Area:

1. Any owner of land may add land to an existing agriculture protection area by:

- a. Filing a proposal with the county executive; and

- b. Obtaining approval of the Cache County council for the addition of the land to the area.

2. The Cache County council shall comply with the provisions for creating an agriculture protection area in determining whether or not to accept the proposal.

G. Removing Land From An Agriculture Protection Area:

1. Any owner may remove land from an agriculture protection area by filing a petition for removal of the land from the agriculture protection area with the county executive.

2. The Cache County council shall:

a. Grant the petition for removal of land from an agriculture protection area even if removal of the land would result in an agriculture protection area of less than the number of acres established by the Cache County council as the minimum under this section; and

b. In order to give constructive notice of the removal to all persons who have acquired or who may acquire an interest in land in or adjacent to the agriculture protection area and the land removed from the agriculture protection area, file a legal description of the revised agriculture protection area with the Cache County recorder and the planning commission.

3. The remaining land in the agriculture protection area is still an agriculture protection area.

4. When a municipality annexes any land that is part of an agriculture protection area, the Cache County council shall, within thirty (30) days after the land is annexed, review the feasibility of that land remaining in the agriculture protection area according to the procedures and requirements of title 17, chapter 41, Utah Code Annotated, 1953, as amended. If appropriate, the Cache County council shall remove the annexed land from the agriculture protection area.

#### H. Review Of Agriculture Protection Area:

1. The county council shall review any agriculture protection area created under the authorization of this chapter in the twentieth calendar year after it is created.

2. In the twentieth calendar year, the Cache County council shall:

a. Request the planning commission and advisory board to submit recommendations about whether the agriculture protection area should be continued, modified, or terminated;

b. At least one hundred twenty (120) days before the end of the calendar year hold a public hearing to discuss whether the agriculture protection area should be continued, modified, or terminated;

c. Give notice of the hearing using the same procedures for any notice employed to establish an agriculture protection area; and

d. After the public hearing, continue, modify, or terminate the agriculture protection area.

3. If the Cache County council modifies or terminates the agriculture protection area, it shall file an executed document containing the legal description of the agriculture protection area with the Cache County recorder.

4. If the Cache County council does not affirmatively continue, modify, or terminate the agriculture protection area in the twentieth calendar year, the agriculture protection area is considered to be reauthorized for another twenty (20) years.

### **3.84.090: PROCEDURES FOR RECORDING TAX DEEDS:**

A. Upon payment, the county treasurer will issue a temporary receipt. Within sixty (60) days of the date of the sale and after approval of all sales by the county council and after recordation, the county auditor will mail the tax deed to the name and address listed on the bid sheet and bidder registration form. Deeds issued by the county auditor shall recite the following:

1. The total amount of all the delinquent taxes, penalties, interest and administrative costs which were paid for the execution and delivery of the deed;

2. The year for which the property was assessed, the year the property became delinquent, and the year the property was subject to tax sale;

3. A full description of the property; and

4. The name of the grantee.

B. When the deed is executed and delivered by the county auditor, it shall be prima facie evidence of the regularity of all proceedings subsequent to the date the taxes initially became delinquent and of the conveyance of the property to the grantee in fee simple.

C. The deed issued by the county auditor under this section shall be recorded by the county recorder.

D. The fee for the recording shall be included in the administrative costs of the sale. See Consolidated Fee Schedule for fee amount.

#### **5.04.040: FEES:**

Fees shall be assessed for the issuance or renewal of any business license, including late fees. See Consolidated Fee Schedule for fee amount.

#### **5.04.060: PAYMENT DATE:**

A. All license fees shall be due and payable on or before February 1 of each and every year for which the license is issued or renewed.

B. If any license fee is not paid before its due date, a late fee may be added to the original fee, in accordance with the Consolidated Fee Schedule adopted by the County Council, and no license shall be issued until all fees and late fees have been paid in full. See Consolidated Fee Schedule for fee amounts.

#### **5.08.040: APPLICATION FOR CONSENTS TO STATE RESTAURANT LIQUOR LICENSES:**

A. Applications for consents to state restaurant liquor license shall be verified and filed in duplicate with the county clerk. The applicant shall provide all information required on the application form provided by the county clerk. The county clerk shall submit a copy of the application to the county executive.

B. The information to be provided by the applicant shall include, but not be limited to, the applicant's full name, and if the applicant is a partnership or a corporation, then in addition, the names and addresses of all partners, managers, officers, directors or stockholders, and such other information as may be required by the county.

C. Each applicant must be over the age of twenty one (21) years, a citizen of the United States and the state of Utah, of good moral character, and a fit and proper person to be granted a consent to a state restaurant liquor license. In the event that the applicant is a partnership or a corporation, the partnership or corporation must be duly registered to do business in the state of Utah, possess a business license from Cache County, and be a fit and proper entity to be granted a consent to a state restaurant liquor license.

D. Each applicant must provide a copy of the applicant's current business license and a copy of the application submitted for a state restaurant liquor license to the state of Utah.

E. No consent shall be granted to an applicant who has been convicted of a felony under federal or state law; convicted of any violation of federal or state law or local ordinance concerning the sale, manufacture, distribution, warehousing, adulteration or transportation of alcoholic beverages; nor convicted of any crime involving moral turpitude. If the applicant is a partnership or corporation, no consent shall be granted to the applicant if any partner, managing agent, officer, director or stockholder holding at least twenty percent (20%) of the stock or interest in the applicant partnership or corporation has been convicted of any such offense.

F. In the event that any such conviction occurs during the term of the license, the county shall have the authority to immediately withdraw its consent.

G. No consent shall be issued unless and until the Cache County sheriff's office has made a diligent check of the applicable records and provides a copy of the criminal record, if any, of the applicant to the county clerk.

H. No consent shall be issued unless and until the applicant provides written approval from the Utah department of transportation, if access to the proposed premises is to and from a state highway; or from the Cache County road department, if access is to and from a county road, approving the access for the proposed use.

I. No consent shall be issued until the applicant has first procured from the county health department a permit certifying that the premises is in sanitary condition and the equipment used complies with all health regulations of the state of Utah and Cache County.

J. The applicant must provide written confirmation from the development services department that the premises for which the license is sought is within a zone permitting the establishment of a state restaurant liquor outlet.

K. Upon the receipt by the county clerk of the completed application form, copies of the applicant's current business license and application for state restaurant liquor license, the report of the sheriff's office, written approval from the Utah department of transportation or Cache County road department and written confirmation from the development services department as to the zone of the premises, and a permit from the county health department, then the county clerk shall submit those materials and any other attachments or documents necessary and pertinent to the application to the county council. No application shall be forwarded by the county clerk to the county council unless and until the application fee has been paid. See Consolidated Fee Schedule for fee amount.

L. The county council, upon receipt of the application and accompanying materials from the county clerk, shall place the matter on its agenda for consideration.

M. The granting of a consent to a state restaurant liquor license is deemed a policy decision and therefor shall be under the authority and responsibility of the county council. All consents must be approved by the county council.

#### **5.08.050: PROCEDURES:**

A. In granting any consent, the county council shall give consideration to the locality upon which the proposed resort restaurant is to be operated in its proximity to any existing similar establishments possessing similar licenses, its proximity to any school, church,

library, public park, playground or wilderness, public recreation or recreational area, or residential area; and to the potential impact of the granting of such license and the use of the premises as a state restaurant liquor outlet upon traffic and highway safety and the surrounding area.

B. No consent shall be granted to the applicant until he shows that he has filed with the county clerk a bond payable to Cache County in the amount of ten thousand dollars (\$10,000.00). The bond shall be in a form approved by the county attorney and shall be conditioned upon the applicant's faithful compliance with this chapter and the rules and regulations established by the county. If the bond is cancelled due to the applicant's negligence, the county may assess a reinstatement fee. See Consolidated Fee Schedule for fee amount. No part of any cash or corporate bond so posted may be withdrawn during the period that the consent is in effect or while revocation proceedings are pending against the applicant. The bond filed may be forfeited if the consent is revoked.

C. No consent shall be issued until the applicant has first procured from the county health department a permit certifying that the premises are in sanitary condition and the equipment used complies with all health regulations of the state of Utah and Cache County.

D. Each application shall be accompanied by a cashier's check payable to Cache County, as and for a nonrefundable application fee which shall be deemed to cover county expenses in the application process. See Consolidated Fee Schedule for fee.

#### **5.08.080: ANNUAL FEES:**

There shall be an annual fee for a consent to a state restaurant liquor license, in addition to the application fee, which shall be payable on or before October 31 of each year. See Consolidated Fee Schedule for amount of fee.

#### **5.08.090: TRANSFERS:**

Consents issued by the county may be transferred from one premises to another or from the applicant to any successor or assign only upon the specific written consent of the county council. Any proposed transferee or new premises must meet all the qualifications of the original licensee and premises, including the payment of a nonrefundable application fee. See Consolidated Fee Schedule for amount of fee.

#### **6.08.010: LICENSING OF DOGS:**

A. It shall be unlawful for any person or other entity to own, keep, maintain or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, without obtaining and possessing a current license or certificate of registration of the dog.

B. There shall be an annual license fee. See Consolidated Fee Schedule for amount of fee.

C. Dogs are required to be licensed at the age of six (6) months.

D. It shall be unlawful for any person or other entity to own, keep, maintain, or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, without having affixed to the dog a collar, which shall be worn at all times by the dog, with a current metallic license tag attached to said collar.

E. No dog license shall be transferable to another dog.

F. Replacement tags may be issued by the county clerk or animal control officer upon presentation of the receipt showing payment of the license fee and the payment for such replacement.

G. It shall be unlawful for any person to remove a license tag from a dog not owned, kept, maintained, or in the temporary or permanent custody of that person.

#### **8.40.040: APPLICATION PROCEDURE, DEADLINES, SUBMITTAL REQUIREMENTS, AND FEES:**

A. Application Submittal: Each applicant for a special event permit must submit a special event application and fee to the Cache County Development Services Department for review. The application form must reflect the requirements of this code. See Consolidated Fee Schedule for amount of fee.

1. Special event applications can be submitted no earlier than six (6) months prior to the date of the event.

2. Applications must be submitted at least forty five (45) calendar days in advance of the special event.

3. Applications submitted fewer than forty five (45) calendar days in advance of the special event will not be accepted, unless the following criteria are all met:

a. The special event applicant is a first-time applicant;

b. The director or designee determines there is still adequate time to review the application; and

c. Double application fees are paid to defray the increased costs of expediting the application.

B. Submittal Requirements: All applications for special event permits shall be made on a special event permit application form and shall include the following information:

1. Type and description of event;

2. Name of person or entity organizing the event, contact person, address and telephone number;

3. Proposed date(s) of the event, together with beginning and ending times for each date;

4. Proposed location, including a plat or map of the area to be used, including any barricade, street route plans, or perimeter/security fencing;

5. Written approval of the property owner, if the applicant is not the owner of the property on which the special event is to take place.

6. Estimated numbers of event staff, participants and spectators;

7. Public health plans, including plans for culinary water supplies, solid waste collections and disposal and waste water (toilet facilities);

8. Fire prevention and emergency medical services plans;

9. Security plans and/or law enforcement response;

10. Admission fee, donation, or other consideration to be charged or requested;

11. Plans for parking;

12. Proof that the applicant has obtained any applicable county, state, or other governmental agency approvals, permits, or licenses; and

13. Signature of applicant.

C. Fees:

1. Application Fee: Each special event permit application must be accompanied by the non-refundable application fee. See Consolidated Fee Schedule for amount of fee. All application fees are due upon application. Applications will be considered incomplete until the application fee is paid in full.

2. Fee Exemption: The following special events are exempt from the non-refundable application fee but may be subject to the fees of other agencies or departments:

- a. Expressive activity;
- b. Event sponsored by a religious organization on private property;
- c. Event sponsored in whole or part by the county or a municipality;
- d. Block party or family reunion;
- e. Revenue-raising event where the revenue directly benefits the Cache County government; and
- f. Events where the county or a municipality is the primary sponsor.

3. County Services Fees: Upon review of a completed special event permit application by the departments listed in section 8.40.050B, the individual departments will provide the applicant with an estimate of their fees based on the estimated costs for county services arising from the event. The applicant must pay those additional fees directly to the individual departments providing services for the event, and the fees must be paid prior to the issuance of the special event permit.

4. No Vested Right: The payment of fees and/or acceptance of fees by the county does not constitute approval, vesting, or signify that the application is complete or appropriate in any manner. The collection of the non-refundable application fee is required to begin the review process.

**15.04.040: FEES:**

Building permit fee schedules including plan review fees shall be based on the total valuation of the proposed project and be adopted by a resolution of the county council. See Consolidated Fee Schedule for amount of fee.

**15.12.010: ESTABLISHED; FEES:**

A. Pursuant to the provisions of Utah Code Annotated section 17-23-19, the public land corner preservation fund is established. Monies generated for the fund shall be used only to pay expenses incurred in the establishment, reestablishment, and maintenance of corners of government surveys pursuant to the powers and duties provided under title 17, chapter 23, and title 57, chapter 10, of the Utah Code Annotated, 1953.

B. The county shall establish a fee schedule for filing maps, records of survey, road dedication plats, and other property plats in the development services office. All monies collected from these identified fees shall be used for the public land corner preservation fund. 435-535-6803



### **16.03.030: PRELIMINARY SUBDIVISION PLAT REQUIREMENTS:**

The following information is required for the subdivision of all lands located within Cache County. The applicant may be required to provide other information as required by the Director of Development Services, Planning Commission, and/or County Council necessary to evaluate the proposed subdivision.

A. An application for a subdivision, provided by the Director, completed and signed by the owner(s), or authorized agent of the owner(s), of the land parcel(s) proposed to be subdivided.

B. A preliminary subdivision plat shall be prepared by a licensed land surveyor in pen and the sheets shall be numbered in sequence if more than one sheet is used or required by the Director.

C. The preliminary subdivision plat shall show the following:

1. The layout or configuration of the proposed subdivision at a scale of no more than one inch equals one hundred feet (1" = 100'), or as recommended by the Director;

2. Located at the top and center of the subdivision plat the proposed name of the subdivision and the section, township, range, principal median, and county of its location;

3. A title block, placed on the lower right hand corner of the plat showing:

a. Name and address of owner(s) of record; and

b. Name and address of the licensed land surveyor responsible for preparing the preliminary plat; and

c. Date of preparation of the preliminary subdivision plat, and any revision dates;

4. Signature blocks prepared, as required and provided by the county, for the dated signatures of the Planning Commission Chair, Deputy County Surveyor, County Attorney, County Recorder and Bear River Board of Health Director;

5. North arrow, graphic and written scale, and the basis of bearings used;

6. Bearings shall be shown to the nearest second; lengths to the nearest hundredth foot; areas to the nearest hundredth acre;

7. Tabulation of the number of acres in the proposed subdivision, showing the total number of lots, and the areas of each lot;

8. A vicinity map of the site at a minimum scale of one inch equals two thousand feet (1" = 2,000');

9. Surveyed boundary of the proposed subdivision; accurate in scale, dimension, and bearing; giving the location of and ties to the nearest two (2) existing government control monuments. This information shall provide data sufficient to determine readily the location, bearing, and length of all lines and the location of all proposed monuments. The names of all adjoining property owners shall be shown;

10. A legal description of the entire subdivision site boundary;

11. All existing monuments found during the course of the survey (including a physical description such as "brass cap");

12. Identification of known natural features including, but not limited to, wetlands as identified by the U.S. Army Corps of Engineers, areas which would be covered in the event of one hundred (100) year floods, all water bodies, floodways and drainage ways, slopes

exceeding twenty percent (20%) and slopes exceeding thirty percent (30%), and any other natural features as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site, including a tabulation of the acres in each;

13. Identification of known manmade features including, but not limited to, high voltage power lines, high pressure gas lines, hard surfaced roads, road easements, road rights-of-way, bridges, culverts and drainage channels, field drains, existing water and sewer trunk lines, all utility easements, railroads and railroad easements, irrigation ditches, canals and canal easements within and adjacent to the subdivision site as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site;

14. The location and dimensions of all existing buildings, existing property lines and fence lines;

15. The location with name and parcel number of all existing platted lots within, or contiguous to the subdivision site;

16. All lots, rights-of-way, and easements created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose, shall be given. The addresses of all lots shall be shown. All proposed new roads, whether public or private, shall be numbered, as provided by the Development Services Department, with the coordinates to proposed connections to existing county roads being shown;

17. All existing and proposed roadway locations and dimensions, including the width of the driving surface and the rights-of-way, with cross sections of all proposed roads. All proposed roads shall be designed to comply with the adopted road standards of Cache County;

18. Location and size of existing and proposed culinary water and sewer lines and/or, the location of all wells proposed, active and abandoned, and springs used for culinary water and the location of all septic systems and drain fields, as applicable, and the location of fire hydrants, and secondary water facilities if proposed as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site shall be shown;

19. Proposed storm water drainage system for both surface and flood water, including any drainage easements and natural drainage ways, indicating how the flow will be altered with the proposed development;

20. Layout of proposed power lines, including the source and connection to the existing power supply, together with the location of existing and proposed bridges, culverts, utilities, utility easements, and any common space or open space areas including the location and dimensions of all property proposed to be set aside for public or private reservation, with designation of the purpose of those set aside, and conditions, if any, of the dedication or reservation;

21. Located on the preliminary plat, or separate map, the identification of the minimum building setback lines for each lot shall be shown;

22. An indication of the use for all proposed lots including required plat notes identifying agricultural protection areas, and other proposed or required protective and restrictive covenants;

23. Endorsement on the plat by every person having a security interest in the subdivision property that they are subordinating their liens to all covenants, servitudes, and easements imposed on the property;

24. All monuments erected, corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted. The legend for metal monuments shall indicate the kind of metal, the diameter, and length of the monuments;

25. A letter or other written form of consent by the owner including a reference to the named subdivision and the dedication of public ways or spaces, as required. This shall be signed, dated, and notarized;

26. A surveyor's certificate showing the name and registration number of the land surveyor responsible for making the final plat, and certifying to the plat's accuracy. A simple subdivision may not require a full survey, but instead may be completed through a metes and bounds determination. A waiver form shall be approved by the Cache County Recorder, the County Surveyor (or their representative), and the Director;

27. Any subdivision notes as required by the Director. An approved list of all possible notes and their applicability shall be maintained by staff.

D. A title report for the property proposed to be subdivided provided by a title company within thirty (30) days of the date of subdivision application.

E. A development phasing schedule (if applicable) including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of all private and public improvements.

F. A tax clearance from the Cache County Treasurer indicating that all taxes, interest and penalties owing for the property have been paid.

G. The names and addresses of all owners of record of real property within three hundred feet (300') of the parcel of land proposed for subdivision, including the names and addresses of the holders of any known valid mineral leases.

H. Payment of the non-refundable administrative processing fee, and a refundable preliminary plat application fee. See Consolidated Fee Schedule for amount of fee.

#### **17.14.110: FEES:**

Any person filing an application for approval of a master plan or development plan application under the RR zone shall pay a fee. See Consolidated Fee Schedule for amount of fee.

#### **17.20.040: APPLICATION AND REVIEW PROCEDURE:**

##### **A. Conditional Use Permit:**

1. All requests shall be reviewed and considered consistent with the procedures for the review of a conditional use as provided in section 17.06.050 of this title, the standards of this chapter, and must include the following:

- a. A completed application signed by the applicant.
- b. A copy of the lease or a letter of authorization from property owner evidencing the applicant's authority to pursue a conditional use permit.
- c. As defined by the FCC under FCC report and order FCC 14-153, identify if the proposal qualifies as a substantial change.
- d. A development plan prepared and certified by an appropriate professional that consists of:
  - (1) Property boundaries, setbacks, topography, elevation views, and dimensions of improvements drawn to scale.
  - (2) A written description and scaled drawings of the proposed support structure, including structure height, ground and structure design, and proposed materials.
  - (3) The number and type of proposed antennas and their height above ground level, including the proposed placement of antennas on the support structure.
  - (4) A line of sight diagram or photo simulation, showing the proposed support structure set against the skyline and viewed from at least three (3) directions within the surrounding areas.
- e. A copy of the supporting federal certifications as follows:
  - (1) Federal communications commission (FCC) license for the facility, or a signed, notarized statement from the owner and/or operator of the facility attesting that the facility complies with all current FCC regulations.
  - (2) Certification by an appropriate professional that the proposed facility will comply with all of the applicable standards of the American National Standards Institute (ANSI), the Electronics Industries Association standard for antenna towers and antenna support structures, and any other applicable technical and structural codes.
- f. A written description of how the proposed facility fits into the applicant's telecommunication network. As part of this description, the applicant shall describe anticipated maintenance needs, including frequency of service, personnel needs, equipment needs, and traffic, noise, or safety impacts of such maintenance. In all cases, the equipment at a telecommunication facility shall be automated to the greatest extent possible to reduce traffic, congestion, and noise associated with maintenance and upkeep of the facility.
- g. Application fee.

**B. Administrative Zoning Clearance:**

- 1. All requests must include the following:
  - a. A completed zoning clearance application signed by the applicant.
  - b. A copy of the lease or a letter of authorization from property owner evidencing the applicant's authority to pursue a zoning clearance.
  - c. As defined by the FCC under FCC report and order FCC 14-153, provide supporting documentation that identifies if the proposal qualifies as a substantial change.
  - d. A development plan prepared and certified by an appropriate professional that consists of:
    - (1) Graphic and written descriptions of proposed improvements related to the requirements listed in this chapter and including property boundaries, setbacks,

topography, elevation views, dimensions of improvements, the number and type of proposed antennas and their height above ground level, including the proposed placement of antennas on the support structure.

e. Application fee. See Consolidated Fee Schedule for amount of fee.

C. Exempt: No application or review required.

## REDLINE VERSION OF AMENDMENTS:

### **2.64.100: FEES:**

A. Fees for copies of records and services shall be charged on a reasonable basis to reimburse the county for the actual costs of duplication and compilation of a record in a form other than that regularly maintained by the county. No fees shall be charged to inspect public records.

B. Fee amounts specified by statute shall be imposed and collected by the responsible department. The responsible department may waive charges if the department head determines that:

1. Releasing the record primarily benefits the public rather than an individual person;
2. The individual requesting the record is the subject of the record; or
3. The requester's rights are directly implicated by the information in the record and the requester is impecunious.

C. The county shall charge a fee equivalent to the cost of services provided to an individual and any public or private agency for those individual's or agency's sole or personal use. Services or information provided to any individual or any agency for resale shall be charged at the fair market value of such services or information; provided, that such fee shall be never less than the full cost incurred by the county in the provision of such information or services.

D. The county records committee, in cooperation with the county records manager, shall review the full cost of providing records services at least annually and make recommendations to the county council.

E. The county council shall approve all fee schedules for use by all county departments.

F. Fee schedules shall be uniform throughout the county.

G. If a request for a record requires extraordinary services, the requester shall be given an estimate of approximate costs before such extraordinary costs are accrued.

H. Payment of fees shall be required at the time records are made and delivered to the requesting party, except that if fees are anticipated to exceed fifty dollars (\$50.00), the department from which the record is requested may require payment in advance in full or in part.

I. Fees shall be enumerated in the Consolidated Fee Schedule approved by the County Council.

### **2.70.040: PROPOSAL AND APPROVAL OF AGRICULTURE PROTECTION AREA:**

A. Filing Procedure: Any owner or owners of land in agricultural production may file a proposal for creation of an agriculture protection area with the county executive by completing forms approved by the county executive and filing the forms in the office of the county executive. The county executive or other person(s) designated by the county executive to receive and process proposals shall accept and process such forms only if they are properly completed and accompanied by the filing fee as provided in this section. The proposal shall contain the following information:



1. The land in agricultural production that the proposal sponsors wish to become part of an agriculture protection area;

2. Any limits on the type of agriculture production to be allowed within the agriculture protection area; and

3. For each parcel of land:

a. The owners of the land contained within the parcel;

b. The tax parcel number or account number of each parcel; and

c. The number or account number of acres as listed on the parcel tax records.

B. Notice Requirements: The county executive shall provide notice of the proposal for an agriculture protection area as required by title 17, chapter 41, Utah Code Annotated, 1953, as amended.

C. Review Of Proposal:

1. After fifteen (15) days from the date of the notice, the county executive shall refer the proposal, and any proposed modifications and objections to the proposal, to the advisory board and planning commission for their review, comment and recommendations.

2. Within forty five (45) days after receipt of the proposal, the advisory board and planning commission shall each submit a report to the Cache County council relative to their review, comments and recommendations as provided in title 17, chapter 41, Utah Code Annotated, 1953, as amended.

3. After receipt of the reports from the advisory board and planning commission, or after forty five (45) days have expired, whichever is earlier, the Cache County council shall schedule a public hearing and provide notice of the same, conduct a public hearing, and act on the same as required by title 17, chapter 41, Utah Code Annotated, 1953, as amended.

D. Minimum Size For Agriculture Protection Area: At least five (5) continuous acres within Cache County must be included in each agriculture protection area.

E. Fees For Accepting And Processing Agriculture Protection Area Proposals: Any person or persons filing a proposal to create an agriculture protection area pursuant to title 17, chapter 41, Utah Code Annotated, 1953, as amended, shall pay a fee at the time of filing.

~~The fee for accepting and processing a proposal to create an agriculture protection area shall be two hundred dollars (\$200.00). See Consolidated Fee Schedule for fee amount. This fee includes all costs associated with processing agriculture protection area proposals. The fee amount may be modified by resolution of the county council of Cache County, Utah.~~

F. Adding Land To An Agriculture Protection Area:

1. Any owner of land may add land to an existing agriculture protection area by:

a. Filing a proposal with the county executive; and

b. Obtaining approval of the Cache County council for the addition of the land to the area.

2. The Cache County council shall comply with the provisions for creating an agriculture protection area in determining whether or not to accept the proposal.

G. Removing Land From An Agriculture Protection Area:

1. Any owner may remove land from an agriculture protection area by filing a petition for removal of the land from the agriculture protection area with the county executive.

2. The Cache County council shall:

a. Grant the petition for removal of land from an agriculture protection area even if removal of the land would result in an agriculture protection area of less than the number of acres established by the Cache County council as the minimum under this section; and

b. In order to give constructive notice of the removal to all persons who have acquired or who may acquire an interest in land in or adjacent to the agriculture protection area and the land removed from the agriculture protection area, file a legal description of the revised agriculture protection area with the Cache County recorder and the planning commission.

3. The remaining land in the agriculture protection area is still an agriculture protection area.

4. When a municipality annexes any land that is part of an agriculture protection area, the Cache County council shall, within thirty (30) days after the land is annexed, review the feasibility of that land remaining in the agriculture protection area according to the procedures and requirements of title 17, chapter 41, Utah Code Annotated, 1953, as amended. If appropriate, the Cache County council shall remove the annexed land from the agriculture protection area.

#### H. Review Of Agriculture Protection Area:

1. The county council shall review any agriculture protection area created under the authorization of this chapter in the twentieth calendar year after it is created.

2. In the twentieth calendar year, the Cache County council shall:

a. Request the planning commission and advisory board to submit recommendations about whether the agriculture protection area should be continued, modified, or terminated;

b. At least one hundred twenty (120) days before the end of the calendar year hold a public hearing to discuss whether the agriculture protection area should be continued, modified, or terminated;

c. Give notice of the hearing using the same procedures for any notice employed to establish an agriculture protection area; and

d. After the public hearing, continue, modify, or terminate the agriculture protection area.

3. If the Cache County council modifies or terminates the agriculture protection area, it shall file an executed document containing the legal description of the agriculture protection area with the Cache County recorder.

4. If the Cache County council does not affirmatively continue, modify, or terminate the agriculture protection area in the twentieth calendar year, the agriculture protection area is considered to be reauthorized for another twenty (20) years.

### **3.84.090: PROCEDURES FOR RECORDING TAX DEEDS:**

A. Upon payment, the county treasurer will issue a temporary receipt. Within sixty (60) days of the date of the sale and after approval of all sales by the county council and after recordation, the county auditor will mail the tax deed to the name and address listed on the bid sheet and bidder registration form. Deeds issued by the county auditor shall recite the following:



1. The total amount of all the delinquent taxes, penalties, interest and administrative costs which were paid for the execution and delivery of the deed;

2. The year for which the property was assessed, the year the property became delinquent, and the year the property was subject to tax sale;

3. A full description of the property; and

4. The name of the grantee.

B. When the deed is executed and delivered by the county auditor, it shall be prima facie evidence of the regularity of all proceedings subsequent to the date the taxes initially became delinquent and of the conveyance of the property to the grantee in fee simple.

C. The deed issued by the county auditor under this section shall be recorded by the county recorder.

D. The fee for the recording shall be included in the administrative costs of the sale. ~~See Consolidated Fee Schedule for fee amount.~~

#### **5.04.040: FEES:**

Fees shall be assessed for the issuance or renewal of any business license, including late fees, ~~according to a fee schedule adopted by the County Council by resolution.~~ ~~See Consolidated Fee Schedule for fee amount.~~

#### **5.04.060: PAYMENT DATE:**

A. All license fees shall be due and payable on or before February 1 of each and every year for which the license is issued or renewed.

B. If any license fee is not paid before its due date, a ~~penalty late fee~~ may be added to the original fee, in accordance with the ~~Consolidated Fee Schedule~~ adopted by the County Council ~~by resolution~~, and no license shall be issued until all fees and ~~penalties late fees~~ have been paid in full. ~~See Consolidated Fee Schedule for late fee amounts.~~

#### **5.08.040: APPLICATION FOR CONSENTS TO STATE RESTAURANT LIQUOR LICENSES:**

A. Applications for consents to state restaurant liquor license shall be verified and filed in duplicate with the county clerk. The applicant shall provide all information required on the application form provided by the county clerk. The county clerk shall submit a copy of the application to the county executive.

B. The information to be provided by the applicant shall include, but not be limited to, the applicant's full name, and if the applicant is a partnership or a corporation, then in addition, the names and addresses of all partners, managers, officers, directors or stockholders, and such other information as may be required by the county.

C. Each applicant must be over the age of twenty one (21) years, a citizen of the United States and the state of Utah, of good moral character, and a fit and proper person to be granted a consent to a state restaurant liquor license. In the event that the applicant is a partnership or a corporation, the partnership or corporation must be duly registered to do business in the state of Utah, possess a business license from Cache County, and be a fit and proper entity to be granted a consent to a state restaurant liquor license.



D. Each applicant must provide a copy of the applicant's current business license and a copy of the application submitted for a state restaurant liquor license to the state of Utah.

E. No consent shall be granted to an applicant who has been convicted of a felony under federal or state law; convicted of any violation of federal or state law or local ordinance concerning the sale, manufacture, distribution, warehousing, adulteration or transportation of alcoholic beverages; nor convicted of any crime involving moral turpitude. If the applicant is a partnership or corporation, no consent shall be granted to the applicant if any partner, managing agent, officer, director or stockholder holding at least twenty percent (20%) of the stock or interest in the applicant partnership or corporation has been convicted of any such offense.

F. In the event that any such conviction occurs during the term of the license, the county shall have the authority to immediately withdraw its consent.

G. No consent shall be issued unless and until the Cache County sheriff's office has made a diligent check of the applicable records and provides a copy of the criminal record, if any, of the applicant to the county clerk.

H. No consent shall be issued unless and until the applicant provides written approval from the Utah department of transportation, if access to the proposed premises is to and from a state highway; or from the Cache County road department, if access is to and from a county road, approving the access for the proposed use.

I. No consent shall be issued until the applicant has first procured from the county health department a permit certifying that the premises is in sanitary condition and the equipment used complies with all health regulations of the state of Utah and Cache County.

J. The applicant must provide written confirmation from the development services department that the premises for which the license is sought is within a zone permitting the establishment of a state restaurant liquor outlet.

K. Upon the receipt by the county clerk of the completed application form, copies of the applicant's current business license and application for state restaurant liquor license, the report of the sheriff's office, written approval from the Utah department of transportation or Cache County road department and written confirmation from the development services department as to the zone of the premises, and a permit from the county health department, then the county clerk shall submit those materials and any other attachments or documents necessary and pertinent to the application to the county council. No application shall be forwarded by the county clerk to the county council unless and until the application fee has been paid. **See Consolidated Fee Schedule for fee amount.**

L. The county council, upon receipt of the application and accompanying materials from the county clerk, shall place the matter on its agenda for consideration.

M. The granting of a consent to a state restaurant liquor license is deemed a policy decision and therefor shall be under the authority and responsibility of the county council. All consents must be approved by the county council.

#### **5.08.050: PROCEDURES:**

A. In granting any consent, the county council shall give consideration to the locality upon which the proposed resort restaurant is to be operated in its proximity to any existing similar establishments possessing similar licenses, its proximity to any school, church,



library, public park, playground or wilderness, public recreation or recreational area, or residential area; and to the potential impact of the granting of such license and the use of the premises as a state restaurant liquor outlet upon traffic and highway safety and the surrounding area.

B. No consent shall be granted to the applicant until he shows that he has filed with the county clerk a bond payable to Cache County in the amount of ten thousand dollars (\$10,000.00). The bond shall be in a form approved by the county attorney and shall be conditioned upon the applicant's faithful compliance with this chapter and the rules and regulations established by the county. If the bond is cancelled due to the applicant's negligence, the county may assess a reinstatement fee ~~of three hundred dollars (\$300.00)~~. **See Consolidated Fee Schedule for fee amount.** No part of any cash or corporate bond so posted may be withdrawn during the period that the consent is in effect or while revocation proceedings are pending against the applicant. The bond filed may be forfeited if the consent is revoked.

C. No consent shall be issued until the applicant has first procured from the county health department a permit certifying that the premises are in sanitary condition and the equipment used complies with all health regulations of the state of Utah and Cache County.

D. Each application shall be accompanied by a cashier's check ~~in the amount of five hundred dollars (\$500.00)~~, payable to Cache County, as and for a nonrefundable application fee which shall be deemed to cover county expenses in the application process. **See Consolidated Fee Schedule for fee.**

#### **5.08.080: ANNUAL FEES:**

There ~~shall be an~~ annual fee for ~~a consents~~ to ~~a~~ state restaurant liquor licenses, in addition to the application fee, ~~shall be three hundred dollars (\$300.00)~~, which shall be payable on or before October 31 of each year. **See Consolidated Fee Schedule for amount of fee.**

#### **5.08.090: TRANSFERS:**

Consents issued by the county may be transferred from one premises to another or from the applicant to any successor or assign only upon the specific written consent of the county council. Any proposed transferee or new premises must meet all the qualifications of the original licensee and premises, including the payment of a nonrefundable application fee. **See Consolidated Fee Schedule for amount of fee.**

#### **6.08.010: LICENSING OF DOGS:**

A. It shall be unlawful for any person or other entity to own, keep, maintain or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, without obtaining and possessing a current license or certificate of registration of the dog.

B. There shall be an annual license fee ~~of ten dollars (\$10.00) per dog. Such license fee may be changed at any time by the Cache County council by resolution.~~ **See Consolidated Fee Schedule for amount of fee.**

C. Dogs are required to be licensed at the age of six (6) months.



D. It shall be unlawful for any person or other entity to own, keep, maintain, or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, without having affixed to the dog a collar, which shall be worn at all times by the dog, with a current metallic license tag attached to said collar.

E. No dog license shall be transferable to another dog.

F. Replacement tags may be issued by the county clerk or animal control officer upon presentation of the receipt showing payment of the license fee and the payment for such replacement.

G. It shall be unlawful for any person to remove a license tag from a dog not owned, kept, maintained, or in the temporary or permanent custody of that person.

#### **8.40.040: APPLICATION PROCEDURE, DEADLINES, SUBMITTAL REQUIREMENTS, AND FEES:**

A. Application Submittal: Each applicant for a special event permit must submit a special event application and fees to the Cache County Development Services Department for review. The application form must reflect the requirements of this code. ~~See Consolidated Fee Schedule for amount of fee. Fees must be approved by the County Council.~~

1. Special event applications can be submitted no earlier than six (6) months prior to the date of the event.

2. Applications must be submitted at least forty five (45) calendar days in advance of the special event.

3. Applications submitted fewer than forty five (45) calendar days in advance of the special event will not be accepted, unless the following criteria are all met:

- a. The special event applicant is a first-time applicant;
- b. The director or designee determines there is still adequate time to review the application; and
- c. Double application fees are paid to defray the increased costs of expediting the application.

B. Submittal Requirements: All applications for special event permits shall be made on a special event permit application form and shall include the following information:

1. Type and description of event;
2. Name of person or entity organizing the event, contact person, address and telephone number;
3. Proposed date(s) of the event, together with beginning and ending times for each date;
4. Proposed location, including a plat or map of the area to be used, including any barricade, street route plans, or perimeter/security fencing;
5. Written approval of the property owner, if the applicant is not the owner of the property on which the special event is to take place.
6. Estimated numbers of event staff, participants and spectators;
7. Public health plans, including plans for culinary water supplies, solid waste collections and disposal and waste water (toilet facilities);
8. Fire prevention and emergency medical services plans;

9. Security plans and/or law enforcement response;
10. Admission fee, donation, or other consideration to be charged or requested;
11. Plans for parking;
12. Proof that the applicant has obtained any applicable county, state, or other governmental agency approvals, permits, or licenses; and
13. Signature of applicant.

C. Fees:

1. Application Fee: Each special event permit application must be accompanied by the non-refundable application fee. ~~according to the Development Services Office fee schedule.~~ **See Consolidated Fee Schedule for amount of fee.** All application fees are due upon application. Applications will be considered incomplete until the application fee is paid in full.

2. Fee Exemption: The following special events are exempt from the non-refundable application fee but may be subject to the fees of other agencies or departments:

- a. Expressive activity;
- b. Event sponsored by a religious organization on private property;
- c. Event sponsored in whole or part by the county or a municipality;
- d. Block party or family reunion;
- e. Revenue-raising event where the revenue directly benefits the Cache County government; and
- f. Events where the county or a municipality is the primary sponsor.

3. County Services Fees: Upon review of a completed special event permit application by the departments listed in section 8.40.050B, the individual departments will provide the applicant with an estimate of their fees based on the estimated costs for county services arising from the event. The applicant must pay those additional fees directly to the individual departments providing services for the event, and the fees must be paid prior to the issuance of the special event permit.

4. No Vested Right: The payment of fees and/or acceptance of fees by the county does not constitute approval, vesting, or signify that the application is complete or appropriate in any manner. The collection of the non-refundable application fee is required to begin the review process.

**15.04.040: FEES:**

Building permit fee schedules including plan review fees shall be based on the total valuation of the proposed project and be adopted by a resolution of the county council. **See Consolidated Fee Schedule for amount of fee.**

**15.12.010: ESTABLISHED; FEES:**

A. Pursuant to the provisions of Utah Code Annotated section 17-23-19, the public land corner preservation fund is established. Monies generated for the fund shall be used only to pay expenses incurred in the establishment, reestablishment, and maintenance of corners



of government surveys pursuant to the powers and duties provided under title 17, chapter 23, and title 57, chapter 10, of the Utah Code Annotated, 1953.

B. The county shall establish a fee schedule, ~~adopted by resolution~~, for filing maps, records of survey, road dedication plats, and other property plats in the development services office. All monies collected from these identified fees shall be used for the public land corner preservation fund.

#### **16.03.030: PRELIMINARY SUBDIVISION PLAT REQUIREMENTS:**

The following information is required for the subdivision of all lands located within Cache County. The applicant may be required to provide other information as required by the Director of Development Services, Planning Commission, and/or County Council necessary to evaluate the proposed subdivision.

A. An application for a subdivision, provided by the Director, completed and signed by the owner(s), or authorized agent of the owner(s), of the land parcel(s) proposed to be subdivided.

B. A preliminary subdivision plat shall be prepared by a licensed land surveyor in pen and the sheets shall be numbered in sequence if more than one sheet is used or required by the Director.

C. The preliminary subdivision plat shall show the following:

1. The layout or configuration of the proposed subdivision at a scale of no more than one inch equals one hundred feet (1" = 100'), or as recommended by the Director;
2. Located at the top and center of the subdivision plat the proposed name of the subdivision and the section, township, range, principal median, and county of its location;
3. A title block, placed on the lower right hand corner of the plat showing:
  - a. Name and address of owner(s) of record; and
  - b. Name and address of the licensed land surveyor responsible for preparing the preliminary plat; and
  - c. Date of preparation of the preliminary subdivision plat, and any revision dates;
4. Signature blocks prepared, as required and provided by the county, for the dated signatures of the Planning Commission Chair, Deputy County Surveyor, County Attorney, County Recorder and Bear River Board of Health Director;
5. North arrow, graphic and written scale, and the basis of bearings used;
6. Bearings shall be shown to the nearest second; lengths to the nearest hundredth foot; areas to the nearest hundredth acre;
7. Tabulation of the number of acres in the proposed subdivision, showing the total number of lots, and the areas of each lot;
8. A vicinity map of the site at a minimum scale of one inch equals two thousand feet (1" = 2,000');
9. Surveyed boundary of the proposed subdivision; accurate in scale, dimension, and bearing; giving the location of and ties to the nearest two (2) existing government control monuments. This information shall provide data sufficient to determine readily the location, bearing, and length of all lines and the location of all proposed monuments. The names of all adjoining property owners shall be shown;

10. A legal description of the entire subdivision site boundary;
11. All existing monuments found during the course of the survey (including a physical description such as "brass cap");
12. Identification of known natural features including, but not limited to, wetlands as identified by the U.S. Army Corps of Engineers, areas which would be covered in the event of one hundred (100) year floods, all water bodies, floodways and drainage ways, slopes exceeding twenty percent (20%) and slopes exceeding thirty percent (30%), and any other natural features as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site, including a tabulation of the acres in each;
13. Identification of known manmade features including, but not limited to, high voltage power lines, high pressure gas lines, hard surfaced roads, road easements, road rights-of-way, bridges, culverts and drainage channels, field drains, existing water and sewer trunk lines, all utility easements, railroads and railroad easements, irrigation ditches, canals and canal easements within and adjacent to the subdivision site as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site;
14. The location and dimensions of all existing buildings, existing property lines and fence lines;
15. The location with name and parcel number of all existing platted lots within, or contiguous to the subdivision site;
16. All lots, rights-of-way, and easements created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose, shall be given. The addresses of all lots shall be shown. All proposed new roads, whether public or private, shall be numbered, as provided by the Development Services Department, with the coordinates to proposed connections to existing county roads being shown;
17. All existing and proposed roadway locations and dimensions, including the width of the driving surface and the rights-of-way, with cross sections of all proposed roads. All proposed roads shall be designed to comply with the adopted road standards of Cache County;
18. Location and size of existing and proposed culinary water and sewer lines and/or, the location of all wells proposed, active and abandoned, and springs used for culinary water and the location of all septic systems and drain fields, as applicable, and the location of fire hydrants, and secondary water facilities if proposed as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site shall be shown;
19. Proposed storm water drainage system for both surface and flood water, including any drainage easements and natural drainage ways, indicating how the flow will be altered with the proposed development;
20. Layout of proposed power lines, including the source and connection to the existing power supply, together with the location of existing and proposed bridges, culverts, utilities, utility easements, and any common space or open space areas including the location and dimensions of all property proposed to be set aside for public or private reservation, with designation of the purpose of those set aside, and conditions, if any, of the dedication or reservation;



21. Located on the preliminary plat, or separate map, the identification of the minimum building setback lines for each lot shall be shown;

22. An indication of the use for all proposed lots including required plat notes identifying agricultural protection areas, and other proposed or required protective and restrictive covenants;

23. Endorsement on the plat by every person having a security interest in the subdivision property that they are subordinating their liens to all covenants, servitudes, and easements imposed on the property;

24. All monuments erected, corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted. The legend for metal monuments shall indicate the kind of metal, the diameter, and length of the monuments;

25. A letter or other written form of consent by the owner including a reference to the named subdivision and the dedication of public ways or spaces, as required. This shall be signed, dated, and notarized;

26. A surveyor's certificate showing the name and registration number of the land surveyor responsible for making the final plat, and certifying to the plat's accuracy. A simple subdivision may not require a full survey, but instead may be completed through a metes and bounds determination. A waiver form shall be approved by the Cache County Recorder, the County Surveyor (or their representative), and the Director;

27. Any subdivision notes as required by the Director. An approved list of all possible notes and their applicability shall be maintained by staff.

D. A title report for the property proposed to be subdivided provided by a title company within thirty (30) days of the date of subdivision application.

E. A development phasing schedule (if applicable) including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of all private and public improvements.

F. A tax clearance from the Cache County Treasurer indicating that all taxes, interest and penalties owing for the property have been paid.

G. The names and addresses of all owners of record of real property within three hundred feet (300') of the parcel of land proposed for subdivision, including the names and addresses of the holders of any known valid mineral leases.

H. Payment of the non-refundable administrative processing fee, and a refundable preliminary plat application fee, ~~as established by resolution by the County Council.~~ See Consolidated Fee Schedule for amount of fee.

#### **17.14.110: FEES:**

Any person filing an application for approval of a master plan or development plan application under the RR zone shall pay a fee ~~as established by resolution adopted by the county council.~~ See Consolidated Fee Schedule for amount of fee.



#### **17.20.040: APPLICATION AND REVIEW PROCEDURE:**

##### **A. Conditional Use Permit:**

1. All requests shall be reviewed and considered consistent with the procedures for the review of a conditional use as provided in section 17.06.050 of this title, the standards of this chapter, and must include the following:

- a. A completed application signed by the applicant.
- b. A copy of the lease or a letter of authorization from property owner evidencing the applicant's authority to pursue a conditional use permit.
- c. As defined by the FCC under FCC report and order FCC 14-153, identify if the proposal qualifies as a substantial change.

d. A development plan prepared and certified by an appropriate professional that consists of:

- (1) Property boundaries, setbacks, topography, elevation views, and dimensions of improvements drawn to scale.
- (2) A written description and scaled drawings of the proposed support structure, including structure height, ground and structure design, and proposed materials.
- (3) The number and type of proposed antennas and their height above ground level, including the proposed placement of antennas on the support structure.
- (4) A line of sight diagram or photo simulation, showing the proposed support structure set against the skyline and viewed from at least three (3) directions within the surrounding areas.

e. A copy of the supporting federal certifications as follows:

- (1) Federal communications commission (FCC) license for the facility, or a signed, notarized statement from the owner and/or operator of the facility attesting that the facility complies with all current FCC regulations.
- (2) Certification by an appropriate professional that the proposed facility will comply with all of the applicable standards of the American National Standards Institute (ANSI), the Electronics Industries Association standard for antenna towers and antenna support structures, and any other applicable technical and structural codes.

f. A written description of how the proposed facility fits into the applicant's telecommunication network. As part of this description, the applicant shall describe anticipated maintenance needs, including frequency of service, personnel needs, equipment needs, and traffic, noise, or safety impacts of such maintenance. In all cases, the equipment at a telecommunication facility shall be automated to the greatest extent possible to reduce traffic, congestion, and noise associated with maintenance and upkeep of the facility.

g. Application fee.

##### **B. Administrative Zoning Clearance:**

1. All requests must include the following:

- a. A completed zoning clearance application signed by the applicant.
- b. A copy of the lease or a letter of authorization from property owner evidencing the applicant's authority to pursue a zoning clearance.

c. As defined by the FCC under FCC report and order FCC 14-153, provide supporting documentation that identifies if the proposal qualifies as a substantial change.

d. A development plan prepared and certified by an appropriate professional that consists of:

(1) Graphic and written descriptions of proposed improvements related to the requirements listed in this chapter and including property boundaries, setbacks, topography, elevation views, dimensions of improvements, the number and type of proposed antennas and their height above ground level, including the proposed placement of antennas on the support structure.

e. Application fee. **See Consolidated Fee Schedule for amount of fee.**

C. Exempt: No application or review required.

Exhibit B

TITLE 17  
ZONING REGULATIONS

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CHAPTER 17.24  
SEXUALLY ORIENTED BUSINESSES

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17.24.050: DEFINITIONS:

- A. The definition of a sexually oriented business and all other terms involving sexually oriented businesses which are not defined in this title shall have the meanings set forth in Title 5 of this code.
- B. For purposes of sexually oriented businesses, "school" means an institution of learning or instruction primarily catering to minors, whether public or private, which is licensed as such facility by either the county, a city or the state. This definition shall include, but not be limited to, kindergartens, elementary schools, junior high schools, middle high schools, senior high schools, or any special institution of learning under the jurisdiction of the state department of education, but not including trade schools, charm schools, dancing schools, music schools or similar limited schools, nor public or private universities or colleges.

CACHE COUNTY CONSOLIDATED FEE SCHEDULE

(Fees in addition to those set forth in this Consolidated Fee Schedule may be charged if such fees are otherwise allowed by County Ordinance or state statute)

COMMON FEES FOR ALL COUNTY OFFICES

Action	Fee	Utah State Code Reference
Copy of Public Records	\$0.50 per page	

# ATTORNEY'S OFFICE

Action	Fee	Utah State Code Reference
Criminal Case Discharge	\$25	

## CLERK/AUDITOR OFFICE

General Clerk/Auditor Fees			
Action	Fee		Utah State Code Reference
Marriage License	\$50		62A-1-120
Marriage Ceremony (In Office Only)	\$40		
Certified Copy	\$10		
Clerk Designee	\$10		30-1-6
Uncertified Copy	\$5		
Signature Witnessing (Notary)	\$5 per signature		
Notary Acknowledgment (Notary)	\$5 per signature		
Electronic Copy	\$5		
Dog License	\$10 per license. Approval by land use authority is required if licensing more than six dogs.		
Voter Information Request			
Action	Fee		Utah State Code Reference
Setup Fee (In addition to other charges)	\$20		63-2-203 (10)
List of Registered Voters	\$0.005 Per Name for electronic copy \$0.01 Per Name for hard copy		63-2-203 (10)
Purchase USB	\$10		
Business			
Action	Fee		Utah State Code Reference



Home Occupation Business	\$10 Processing Fee	5.04.040
Alcohol Consent (Includes Winery Manufacturing or Type 5 Package Agency must also pay for commercial business license )	\$300	5.04.040
Contractors (Home is base of business but does contracting work away from home)	\$100	5.04.040
Commercial Business (less than 10 employees)	\$150	5.04.040
Commercial Business (more than 10 employees)	\$250	5.04.040
Fire Inspection Fee	\$45	5.04.040
Self-Inspection Fee	\$0	5.04.040
Late Fee	\$50	5.04.040
Late Fee (non-compliance after 45 days of notification)	\$500	5.04.040
Temporary Business (non-permanent basis or transit business person)	\$10 per calendar day of operation	5.04.040
<b>Action</b>	<b>Fee</b>	<b>Utah State Code Reference</b>
GRAMA Fees	<p>The county shall charge a fee equivalent to the cost of services provided to an individual and any public or private agency for those individual's or agency's sole or personal use. Services or information provided to any individual or any agency for resale shall be charged at the fair market value of such services or information; provided, that such fee shall be never less than the full cost incurred by the county in the provision of such information or services.</p> <p>Cache County, after the first quarter hour of staff time, may charge an hourly charge, in increments of 15 minutes. The fee may not exceed the salary of the lowest paid employee</p>	<p>CCC 2.64.100 63G-2-203</p>

	who, in the discretion of the custodian of records, has the necessary skill and training to perform the request.	
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### DEVELOPMENT SERVICES DEPARTMENT

Land Use Fees		
Action	Fee	Utah State Code Reference
Zoning Clearance – Primary Use	\$75	17-27a-509
Zoning Clearance – Accessory Use	\$30	17-27a-509
Special Event Permit	\$75	17-27a-509
Conditional Use Permit	\$600	17-27a-509
Rezone	\$600	17-27a-509
Resort Recreation Development	\$15,000	17-27a-509
Subdivision	\$1,600 + \$60/lot or parcel	17-27a-509
Subdivision Amendment	\$1,560 + \$60/lot or parcel	17-27a-509
Amendment to the Ordinance or General Plan	\$600	17-27a-509
Variance	\$300	17-27a-509
Appeal	\$300	17-27a-509
Floodplain Permit	\$25	17-27a-509
Extension of Land Use Approval	\$225	17-27a-509
Agricultural Protection Area	\$450	17-27a-509
Record of Survey	\$40/sheet	17-27a-509
Annexation Review	\$750	17-27a-509
Building Fees		
Action	Fee	Utah State Code Reference
<b>Application Review<sup>1</sup></b>		
Commercial <5M sq feet	\$1,000	17-27a-509
Commercial >5M sq feet	\$2,500	17-27a-509
<b>Plan Review</b>		
Residential	1/10 of 1% of the Building Permit Base Fee (Min. \$20)	Utah State Code Reference 17-27a-509
Commercial	65% of Building Permit Base Fee <sup>2</sup>	17-27a-509
<b>Building Permit</b>		Utah State Code Reference



Structure	As established by the 1997 Uniform Building Code; Table 1A (Building Permit Base Fees) <sup>3</sup>	17-27a-509
Plumbing	\$7.00 per fixture (residential)	17-27a-509
Mechanical	\$15 per unit	17-27a-509
Electrical	\$0.04 per square foot of structure (residential)	17-27a-509
<b>Demolition Permit</b>	<b>Fee</b>	<b>Utah State Code Reference</b>
Residential	\$80.60	17-27a-509
Commercial	\$141.20	17-27a-509
<b>Electrical/Mechanical Replacement Service</b>	<b>Fee</b>	<b>Utah State Code Reference</b>
Residential	\$40.40	17-27a-509
Commercial	\$80.80	17-27a-509
<b>HVAC Replacement – Residential</b>	<b>Fee</b>	<b>Utah State Code Reference</b>
Furnace Only	\$40.40	17-27a-509
Furnace and Duct Work	\$80.80	17-27a-509
<b>Water Heater Replacement – Residential</b>	<b>\$40.40</b>	<b>17-27a-509</b>
<b>Roof Reshingle – Paper, Ice Shield and Shingles</b>	<b>\$100.80</b>	<b>17-27a-509</b>
1 Additional fees may be assessed based on the need for external consulting or engineering review as approved by the Director of Development Services or their designee.		
2 Building permit fees may be assessed at double the listed rate if a building permit is not obtained prior to construction.		
3 If work fails an inspection more than two times, or if work has not been completed prior to the arrival of the county inspector more than two times, or a combination of both, a \$50 additional fee will be assessed for each related, subsequent inspection.		
4. At the time the Building Permit is sold, the total Building Permit Fee is reduced by this amount.		
5. May be reduced by the Chief Building Official based on the size and scope of the project		
6. Valuation amounts are set by square-foot and reviewed annually by the Chief Building Official.		
<b>GIS Fees</b>		
<b>Action</b>	<b>Fee</b>	<b>Utah State Code Reference</b>
<b>City GIS Services</b>		
Collector App: One Login – field worker user type	\$350 per year	17-27a-509
Server Software, storage space, and programming time	\$1,500 per year	17-27a-509
Initial data scrub and import database	\$0 – Existing Data      \$500 – Create Data	17-27a-509
One online web map with widgets	\$250 per year	17-27a-509

Custom reports, geoprocessing widgets, and additional requests	\$45 per hour	17-27a-509
Technical support and staff training – Maximum of 5 hours	\$100 per hour	17-27a-509
GIS Programming	\$50 per hour (\$25 minimum)	17-27a-509
<b>Map Prints</b>	<b>B&amp;W / Color</b>	<b>Utah State Code Reference</b>
8.5" x 11"	\$0.25 / \$1	17-27a-509
11" x 17"	\$1.50 / \$3	17-27a-509
24" x 36"	\$10 / \$20	17-27a-509
36" x 48"	\$20 / \$40	17-27a-509
42" x 60"	\$27.50 / \$55	17-27a-509

### EVENTS CENTER AND FAIRGROUNDS DEPARTMENT

Building	Room	Unit	For Profit Fee	Private Rental Fee	Non-Profit Adult Fee	Non-Profit Youth Fee	Comment
Arena Riding Passes	Daily Riding Pass	(none)	N/A	\$10	N/A	N/A	
	Family Day Pass	(none)	N/A	\$20	N/A	N/A	
	Individual Riding Pass	Monthly	N/A	\$30	N/A	N/A	
		Annual	N/A	\$90	N/A	N/A	
		Seasonal	N/A	\$70	N/A	N/A	
	Family Riding Pass	Annual	N/A	\$125	N/A	N/A	
		Seasonal	N/A	\$90	N/A	N/A	
Cache Event Center	All Building	Daily	\$1,500	\$1,000	\$800	\$600	
	Event Hall	Daily - Combo	\$1,200	\$900	\$750	\$500	
		Daily – Middle	\$900	\$750	\$600	\$300	
		Daily – North	\$500	\$400	\$350	\$200	
		Daily – South	\$500	\$400	\$350	\$200	
	NE Function Room	Hourly*/Daily	60/300	40/200	25/125	20/100	
	NW Function Room	Maximum	60/300	40/200	25/125	20/100	
	SW Function Room		60/300	40/200	25/125	20/100	
	Kitchen Base	Daily	\$300	\$300	\$300	\$300	\$500 deposit
	Kitchen Full		\$500	\$500	\$500	\$500	\$500 deposit



Arena	Cache Arena Outdoor Arena Roping Arena	Hourly*/Daily Maximum	50/450	40/360	30/270	25/225	\$10/hr surcharge for cattle
			50/450	40/360	30/270	25/225	
			50/450	40/360	30/270	25/225	
			50/450	40/360	30/270	25/225	
Boardwalk	Concessions	Daily	\$200	\$150	\$100	\$50	
Bowery	Bowery	Daily	\$100	\$75	\$50	\$40	
Cow Barn	Cow Barn	Daily	\$100	\$75	\$50	\$40	
Grand Stand	Grand Stand	Daily	\$300	\$250	\$200	\$100	
Green Space	Green Space	Daily	\$150	\$75	\$50	\$40	
	Infield	Daily	\$150	\$75	\$50	\$40	
Millburger	Millburger	Daily	\$300	\$250	\$200	\$100	
Misc Items	50 Bleachers	Event	\$75	\$50	\$50	\$50	Delivery additional >5 miles
	150 Bleachers	Event	\$1,500	\$1,500			
	Portable Stage	Event	\$650	\$600	\$550	\$500	Includes setup/take down
Pig Barn	Pig Barn	Daily	\$100	\$75	\$50	\$40	
Pit Stop	Pit Stop	Daily	\$300	\$250	\$200	\$100	
Event Camping	Green Space	Daily	\$30				TRT Included
Non-Event Camping	Green Space	Daily	\$35				TRT Included
Water Truck	Equipment	Hourly	\$95				
Horse Stall	Rental	Monthly	\$80				
		Overnight/Event	\$15				\$100 Damage Deposit
		Daily (Prorated)	\$3				
Disc Golf	Green Space	Front 9/Daily	\$1000				
Disc Golf	Infield	Back 9/Daily	\$1000				
Stage	Rental	Event	\$50	\$50	\$50	\$50	Per platform

Spider Boxes	Rental	Event	\$25	\$25	\$25	\$25	Per box
Staff Labor	Rate	Hourly	\$25	\$25	\$25	\$25	
Sheriff Sec. Fees							Ask for pricing

\*Hourly rate charge minimum of two hours applies even if the full two hours are not needed

### **FIRE/EMS SERVICES DEPARTMENT**

Permits							
Action		Fee					Utah State Code Reference
Zoning Clearance		\$120					
New Construction Commercial with Sprinkler System		\$350					
New Construction Commercial without Sprinkler System		\$120					
Fire Self-Inspection Filing Fee		\$15					
Business License Renewal Inspection		\$45					
Special Event – Fireworks		\$60					
Fire Standby		Per MOU					

### **EMERGENCY MEDICAL SERVICES**

Action		Fee					Utah State Code Reference
Ambulance Transportation Services							Pursuant to Utah Code 26-8-4(18); Administrative Rule R426-1-8-2, 3, and 4; the Utah Department of Health establishes and orders the maximum allowable rates for each fiscal year, which rate shall be the rate assessed by the Cache County Fire Department. Rates for each fiscal year are listed at <a href="https://rules.utah.gov/public/code/r426-008.htm#T2">https://rules.utah.gov/public/code/r426-008.htm#T2</a> .
Ambulance Supplies		Two times actual cost					
Ambulance Report		\$10 per report					

### **IT DEPARTMENT**

General Fees
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<b>Action</b>	<b>Fee</b>	<b>Utah State Code Reference</b>
CORE - Basic Taxation Information	\$0	
CORE - Online Property Documents and Full Access One Time	\$10/day	
CORE - Online Property Documents and Full Access Monthly Ongoing Subscription	\$80/month	
CORE - Online Property Documents and Full Access Annual Ongoing Subscription	\$960/year	
Online Bulk Records	\$0.02/record (Total amount varies by request/query)	
Raw Data Manual Export	\$16.85 minimum charge (½ hour of lowest paid qualified technician's hourly wage)	
Predefined Manual Data Export	\$0.02/record	
Manual Data Export for Data Available Online	\$0.03/record	

### **LIBRARY**

<b>Check-Outs</b>	
<b>Action</b>	<b>Fee</b>
Late Fees	
Book Late Fee	\$0.05 per day
DVD Late Fee	\$1.00 per day

### **RECORDER'S OFFICE**

<b>Action</b>	<b>Fee</b>	<b>Utah State Code Reference</b>
<b>Recording:</b>		
Standard Recording Fee for any instrument not otherwise outlined in this schedule.	\$40	§ 17-21-18,5(1)(a)

Each additional legal description over ten for any instrument containing more than ten legal descriptions	\$2 per description	§ 17-21-18.5(1)(b)
For Recording Any Plat	\$50 per sheet	§ 17-21-18.5(3)(c)
Each lot or unit designation for any plat	\$2 per lot or unit	§ 17-21-18.5(3)(c)
<b>Physical Copies:</b>		
Unassisted Print of Recorded Documents	\$1 for first page, \$0.25 for each additional page	§ 17-21-18.5(3)(a)
Staff Assisted Copy/Print of Recorded Document	\$2 per page	§ 17-21-18.5(3)(a)
Copy of Ownership Plat 18 x 18	\$8 per sheet	§ 17-21-18.5(3)(a)
Copy of Any Plat 24 x 36	\$10 per sheet	§ 17-21-18.5(3)(a)
Certification of Document Copy	\$5 + Copy Fee	§ 17-21-18.5(3)(b)
<b>Digital Copies:</b>		
Recorded Documents (Staff Assisted via email)	\$1.00 per instrument	§ 17-21-18.5(3)(a)
Unlimited Recorded Documents (Via Core Daily Subscription)	\$10.00 per day	§ 17-21-18.5(3)(a)
Unlimited Recorded Documents (Via Core Monthly Subscription)	\$80.00 per month	§ 17-21-18.5(3)(a)
Unlimited Recorded Documents (Via Core Yearly Subscription)	\$960.00 per year	§ 17-21-18.5(3)(a)
* The recorder may not record any instrument, furnish any copies, or provide any service connected with the office, until the fees prescribed by law have been paid or have been authorized to be paid electronically.		

### SHERIFF'S OFFICE

General Fees		
Action	Fee	Utah State Code Reference
Sex Offender Registration		17-22-2.5
Civil Processes		17-22-2.5
DNA		17-22-2.5

Background Report	\$20	
GRAMA Requests (Incident Reports)	\$10	
CD (photos)	\$20	
CD (video)	\$20 minimum (please inquire)	
Redactions	\$20 per hour	
<b>Jail Fees</b>		
<b>Action</b>	<b>Fee</b>	
Jail Records	\$10	
Jail Work Diversion	\$10 per day	
Work Release	\$20 per day when out	
Dr. Visit Copay	\$15	
Nurse Visit Copay	\$5	
Nurse Practitioner Copay	\$15	
Pharmacy Copay	\$15	
Stock Meds	\$15	
Dentist Copay	\$15	
Bear River Mental Health Visit	\$5	
Medical Forms	\$1.50	
Medical Lab Tests	\$15	
EKG Tests	\$15	
Medical fees are not charged to State or Federal inmates. The medical costs associated with these inmates are covered with our housing contracts with these agencies.		
<b>Probation Fees</b>		
<b>Action</b>	<b>Fee</b>	
Monthly Probation Fee	\$30	
Initial Risk Assessment Fee	\$10	
Initial UA Test	\$10	
Random Office UA Test	\$10	
CCSO Probation Pre-Sentence Report	\$60	
Probation Ankle Monitor	\$6 per day	
Probation Alcohol Monitor	\$5 per day	



## TREASURER'S OFFICE

Payment Processing		
Action	Fee	Utah State Code Reference
Debit Card	\$3.95 for any amount	
Credit Card	2.45% of payment amount (\$1.95 minimum)	
Delinquencies		
Action	Fee	
Late Penalty	Payments are due on November 30 each year. If the 30 <sup>th</sup> falls on a weekend, it is due the following business day. Late fees are as follows:	59-2-1331
November 30 - Jan 31 <sup>st</sup>	1% or \$10, whichever is greater	59-2-1331
Jan 31 <sup>st</sup> or After	2.5% or \$10, whichever is greater	59-2-1331
Interest after January 1 <sup>st</sup>	6% above Federal Discount Rate	59-2-1331

## UTILITY BILLING

General Fees		
Action	Fee	Utah State Code Reference
Paper Statements	\$3	
Electronic Statements	\$1	
Annual Advance Payment	\$0	
Monthly Late Fee	1.5%	

## PUBLIC WORKS DEPARTMENT

Permit Fees		
Action	Fee	Comments
Encroachment Permit Minor Work	\$50	
Encroachment Permit Major Work	\$250 (min. Bond fee \$500)	
Encroachment Permit Extension	\$150 (6 month max)	
Land Disturbance Permit	\$75 for SWPPP Review \$300 for Single Family Dwelling	Projects lasting more than one year will be charged a monthly inspection fee of \$50.

		\$200 for Developments Less than 1 acre \$400 for Developments Greater than 1 acre and \$100 for each additional acre.	
Design Exception to Road Standards		\$80	
<b>Personnel</b>			
<b>Action</b>	<b>Fee</b>		<b>Comments</b>
County Engineer	\$90		Per hour
Staff Engineer	\$70		Per hour
Public Works Inspector	\$50		Per hour
Superintendent	\$70		Per hour
Foreman	\$60		Per hour
Crew Lead	\$50		Per hour
Equipment Operator 1	\$30		Per hour
Equipment Operator 2	\$35		Per hour
Equipment Operator 3	\$40		Per hour
Part Time Employee	\$25		Per hour
Seasonal Employee	\$20		Per hour
<b>Equipment and Material Rates</b>			
<b>Action</b>	<b>Fee</b>		<b>Comments</b>
Asphalt Paver	\$185		Per hour with operator
Chipper	\$185		Per hour with operator
Heavy Duty Equipment	\$145		Per hour with operator
Medium Duty Equipment	\$85		Per hour with operator
Light Duty Equipment	\$25		Per hour with operator
Heavy Duty Trucks	\$125		Per hour with operator
Medium Duty Trucks	\$100		Per hour with operator
Light Duty Passenger	\$25		Per hour with operator
Materials	Cost plus 10%		

## FRANCHISES

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**CACHE COUNTY COUNCIL MEETING  
DECEMBER 14, 2021**

**ATTACHMENT 2**



# CACHE COUNTY

## ORDINANCE 2021-25

### AN ORDINANCE CHANGING THE SALARIES OF THE CACHE COUNTY ELECTED OFFICERS AND MEMBERS OF THE CACHE COUNTY COUNCIL

WHEREAS, the Cache County Council, upon lawful notice and in accordance with Utah Code Section 17-16-14, held on November 23, 2021, a public hearing on a proposed county budget amendment for the 2022 budget that included a cost of living salary adjustment for Cache County Officers and members of the Cache County Council; and

WHEREAS, that budget amendment was approved and adopted on November 23, 2021, by the Cache County Council in accordance with applicable law; and

WHEREAS, the Organic Act for the Government of Cache County, Utah, as approved on November 6, 1984, and amended from time to time thereafter, authorizes the modification of salaries for all elected county officers by ordinance; and

WHEREAS, an ordinance providing for salary changes for Cache County Officers and members of the Cache County Council is appropriate for implementing the approved budget changes; and

NOW THEREFORE, the County Legislative Body of Cache County ordains as follows:

#### ORDINANCE SECTIONS:

##### **2.28.010: County Council**

The salaries earned for members of the Cache County Council for the period of January 1, 202 through December 31, 2022 shall be as follows:

Council Member	\$16,000.00
Council Chair	\$18,197.00

##### **2.28.030: County Officers**

A. The salaries for County Officers for the period of January 1, 2022 through December 31, 2022 shall be as follows:

County Executive/Surveyor	\$129,019.00
County Assessor	\$107,476.00
County Attorney	\$146,467.00
County Clerk/Auditor	\$104,826.00
County Recorder	\$99,552.00
County Sheriff	\$113,640.00
County Treasurer	\$99,575.00

B. The County Council, consistent with subsection 2.12.120C of this title, may adjust the foregoing County Officer salaries from full time salaries to part time salaries, or from part time salaries to full time salaries as the Council in its discretion may deem appropriate. This includes adjustments to existing salaries made at any time during the

current or subsequent pay periods within the current term of office, consistent with subsection 2.12.120C2 of this title; and it applies to adjustments to future salaries for pay periods during a term of office after the current term of office, consistent with subsection 2.12.120C3 of this title.

C. A County Officer will be paid a part time salary if the County Officer gives notice that he or she chooses to work, or the County Council finds that the County Officer in fact works, less than thirty (30) hours per week, in which case the part time salary will be an hourly wage based upon the prorated amount of the full time salary and the County Officer may not receive other compensatory benefits unless approved by the County Council.

**REPEALER SECTION:**

The salary provisions of all prior ordinances or resolutions, or any parts thereof, in conflict with the above ordinance amendments, are hereby repealed and superseded to the extent of such conflict. Otherwise such resolutions and ordinances shall remain in full force and effect.

**EFFECTIVE SECTION:**

This ordinance takes effect fifteen (15) days following its approval by the County Council.

APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH, THIS 14TH DAY OF DECEMBER 2021.

	<b>In Favor</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Paul R. Borup				
David Erickson				
Nolan P. Gunnell				
Barbara Tidwell				
Karl Ward				
Gina Worthen				
Gordon Zilles				
<b>TOTAL:</b>				

CACHE COUNTY COUNCIL:

ATTEST:

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Gina Worthen, Chair

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Jess W. Bradfield, County Clerk/Auditor

**CACHE COUNTY COUNCIL MEETING  
DECEMBER 14, 2021**

**ATTACHMENT 3**



**CACHE COUNTY  
ORDINANCE NO. 2021-28**

**AN ORDINANCE AMENDING SECTION 1.10.010 OF THE CACHE COUNTY CODE  
AND REPEALING SECTIONS 1.10.020, 1.10.030, 1.10.040, 1.10.050, 1.10.060, 1.10.070,  
1.10.080, 1.10.090, 1.10.100, 1.10.110, 1.10.120, 1.10.130, 1.10.140, 1.10.150, 1.10.160,  
1.10.170, 1.10.180, 1.10.190, 1.10.200, 1.10.210, 1.10.220, AND 1.10.230 OF THE CACHE  
COUNTY CODE**

WHEREAS, under Utah Code section 20A-5-303(1)(a), the Cache County Clerk is to provide recommendations to the Cache County Council regarding the establishment, dividing, abolishing, and changing of voting precincts in accordance with state law; and

WHEREAS, under Utah Code section 20A-5-303(1)(a), the Cache County Council is authorized to then “establish, divide, abolish, and change voting precincts” in accordance with state law; and

WHEREAS, under Utah Code section 17-20-1.7(1) & (2), the Cache County Clerk has the duty to “record all proceedings of the county legislative body” and “make full entries of all resolutions and decisions of the county legislative body on all questions concerning the county”;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

**SECTION 1:**

Section 1.10.010 of the Cache County Code is amended to read in full as follows:

**1.10.010: ESTABLISHED BY COUNTY COUNCIL**

The County Council is authorized to establish, divide, abolish, and change voting precincts in accordance with state law. The voting precinct map currently approved by the County Council, and any accompanying boundary descriptions of the voting precincts of Cache County currently approved by the County Council, shall be maintained in the office of the Cache County Clerk.

**SECTION 2:**

Sections 1.10.020, 1.10.030, 1.10.040, 1.10.050, 1.10.060, 1.10.070, 1.10.080, 1.10.090, 1.10.100, 1.10.110, 1.10.120, 1.10.130, 1.10.140, 1.10.150, 1.10.160, 1.10.170, 1.10.180, 1.10.190, 1.10.200, 1.10.210, 1.10.220, and 1.10.230 of the Cache County Code are hereby repealed.



SECTION 3:

This ordinance amends and supersedes Chapter 10 of Title 1 of the Cache County Code and all prior ordinances, resolutions, policies, and actions of the Cache County Council establishing, dividing, abolishing, or changing voting precincts, including Ordinance 2021-26, which has yet to take effect.

EFFECTIVE DATE

In light of the deadlines regarding elections that are set forth in the Utah Code, it is the opinion of the Cache County Council that this Ordinance is necessary for the immediate preservation of the peace and safety of the County and the County's inhabitants. Accordingly, pursuant to Utah Code section 17-53-208(5), this ordinance will take effect immediately upon its publication in one issue of a newspaper published in and having general circulation in the County.

PASSED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH, THIS 14th DAY OF DECEMBER 2021.

	In Favor	Against	Abstained	Absent
Paul R. Borup	X			
David Erickson	X			
Nolan P. Gunnell	X			
Barbara Tidwell	X			
Karl Ward				X
Gina Worthen	X			
Gordon Zilles	X			
Total	6			

CACHE COUNTY COUNCIL

  
Gina Worthen, Chair

ATTEST:

  
Jess W. Bradfield, County Clerk





REDLINE VERSION OF AMENDMENT:

**1.10.010: ESTABLISHED BY COUNTY COUNCIL:**

The County Council is authorized to establish, divide, abolish, and change voting precincts in accordance with state law. The voting precinct map currently approved by the County Council, and any accompanying boundary descriptions of the voting precincts of Cache County currently approved by the County Council, shall be maintained in the office of the Cache County Clerk. ~~There are established eighty five (85) precincts in Cache County. All boundary descriptions are set forth below generally and more fully set forth on the Cache County Precinct map available for inspection in the Office of the Cache County Clerk. All descriptions start on the northwest corner and continue clockwise to the point of origin. Where a description refers to streets that do not presently exist, follow the lines where the north/south and east/west coordinates would most reasonably place the street in Cache County.~~

**1.10.020: AMALGA PRECINCT:**

~~The Amalga Precinct is established with the following general boundaries: The Bear River on the north and east and south to 4600 North Street then west along 4600 North Street to Sam Fellow Road to the Utah House of Representatives District 1 boundary, the Amalga Town boundary and the Trenton municipal boundary on the west.~~

**1.10.030: BENSON PRECINCT:**

~~The Benson Precinct is established with the following general boundaries: Sam Fellow Road on the north to 4600 North Street then east along 4600 North Street to the Bear River on the north to SR-218 on the north to 1200 West Street in Cache County; then south along 1200 West Street in Cache County and its extension to the Hyde Park and Logan Municipal boundaries on the east and south to SR-30 on the south to the Little Bear River on the west to 4800 West Street.~~

**1.10.040: CLARKSTON PRECINCT:**

~~The Clarkston Precinct is established with the following general boundaries: The Utah State border on the north; Stink Creek Road on the east to 11800 North Street to 7200 West Street to SR-142 on the east and north; then north along 5200 West Street excepting the Trenton Municipal Boundaries to 11400 North Street in Cache County then east to the Utah House of Representatives District 1 boundaries on the east to the extension of 8800 North Street on the south and the Cache County boundary on the west.~~

**1.10.050: COLLEGE/YOUNG PRECINCT:**

~~The College/Young Precinct is established with the following general boundaries: The Utah House of Representatives District 4 boundaries on the north and east to 1000 South Street then following the Logan Municipal boundaries on the east to 3000 South Street then along the Utah Senate District 17 boundaries on the south to the Little Bear River on the west.~~





#### **~~1.10.060: CORNISH PRECINCT:~~**

~~The Cornish Precinct is established with the following general boundaries: The Utah State border on the north; the Utah House of Representatives District 3 boundaries on the east and south to 5200 West Street then south along 5200 West Street excepting the Trenton municipal boundaries, to SR 142 to 7200 West Street to 11800 North Street to Stink Creek Road on the west.~~

#### **~~1.10.070: COVE PRECINCT:~~**

~~The Cove Precinct is established with the following general boundaries: The Utah State line on the north; the Utah State House of Representatives District 3 boundaries on the east; to the extension of 11400 North Street in Cache County; then westerly to 2000 East Street in Cache County, then westerly along the northern municipal boundary of Richmond to 11400 North Street in Cache County, then westerly along 11400 North Street in Cache County and its extension on the south; and the Lewiston municipal boundaries on the west.~~

#### **~~1.10.080: HYDE PARK PRECINCTS:~~**

~~A. — The Hyde Park 01 Precinct is established with the following general boundaries: Center Street in Hyde Park (3700 North Street and its extension to the west in Cache County) east to 400 East Street in Hyde Park; then north along 400 East Street to 450 North Street in Hyde Park; then eastward to 490 East Street in Hyde Park to 410 North Street in Hyde Park to 600 East Street in Hyde Park to 300 North Street in Hyde Park to 1000 East in Hyde Park; then south on 1000 East Street to Canyon Road in Hyde Park on the north; then along the Hyde Park municipal boundaries on the east to the westward extension of Center Street in Hyde Park and the Utah State House of Representatives District 3 boundaries on the east to 200 South Street and its extension in Hyde Park; the Hyde Park, North Logan and Logan municipal boundaries on the south and the Benson irrigation canal on the west.~~

~~B. — The Hyde Park 02 Precinct is established with the following general boundaries: 600 feet (one block) north of 4200 North Street in Cache County west of U.S. Highway 91, then north along said Highway 91 to 4500 North Street in Cache County, then east along 4500 North Street and its extension on the east; then northward and eastward following the Hyde Park municipal boundaries on the north to the eastward extension of 4500 North Street in Cache County to the Utah State House of Representatives District 3 boundary on the east; then south to Center Street and its extension in Hyde Park westward to the Hyde Park municipal boundaries; then northward along the municipal boundaries to Canyon Road; then west along Canyon Road to 1000 East Street in Hyde Park; to 300 North Street in Hyde Park to 600 East Street in Hyde Park to 410 North Street in Hyde Park to 490 East Street in Hyde Park to 450 North Street in Hyde Park, then west along 450 North Street in Hyde Park to 400 East Street in Hyde Park; then south to Center Street in Hyde Park; then westward along Center Street to 3700 North Street in Cache County on the south to the approximate extension of 1200 West Street in Cache County on the west.~~





#### **~~1.10.090: HYRUM PRECINCTS:~~**

~~A. — The Hyrum 01 Precinct is established with the following general boundaries: Main Street and its extension in Hyrum on the north; 200 East Street and its extension in Hyrum on the east; 7400 South Street and its extension in Cache County to the extension of 900 West Street in Cache County to the extension of 1500 West Street in Cache County to approximately 8000 South Street in Cache County on the south; and 2400 West Street in Cache County on the west.~~

~~B. — The Hyrum 02 Precinct is established with the following general boundaries: The Nibley municipal boundaries on the north; the southern extension of 500 East Street in Cache County and all territory within Hyrum municipal boundaries north of SR 101 on the east; SR 101 in Cache County westward to Main Street in Hyrum then along Main Street on the south; and 200 East Street in Hyrum (700 West Street in Cache County) on the west.~~

~~C. — The Hyrum 03 Precinct is established with the following general boundaries: 4000 South Street in Cache County on the north; the Nibley municipal boundaries and 700 West Street in Cache County and 200 East Street in Hyrum on the east; Main Street in Hyrum on the south; and 2400 West Street in Cache County on the west.~~

~~D. — The Hyrum 04 Precinct is established with the following general boundaries: Main Street in Hyrum on the north; SR 165 on the east; 7400 South Street in Cache County on the south; and 200 East Street and its southern extension on the west.~~

~~E. — The Hyrum 05 Precinct is established with the following general boundaries: SR 101 to the eastern Hyrum City boundaries on the north; then the Utah House of Representatives District 5 boundaries on the north and east; approximately 7100 South Street in Cache County on the south; and SR 165 on the west.~~

#### **~~1.10.100: LEWISTON PRECINCTS:~~**

~~A. — The Lewiston 01 Precinct is established with the following general boundaries: The Utah State border on the north; Lewiston municipal boundaries on the east; Cub River on the south; and 800 West Street in Lewiston on the west.~~

~~B. — The Lewiston 02 Precinct is established with the following general boundaries: The Utah State border on the north; 800 West Street in Lewiston on the east; the Cub River on the south and the Trenton and Cornish municipal boundaries on the west.~~

#### **~~1.10.110: LOGAN PRECINCTS:~~**

~~The Logan Precincts Number 1 through 33:5 are established within the Logan municipal boundaries and such internal boundaries as set forth on the Logan Precinct map available for inspection in the office of the Cache County Clerk.~~





#### **~~1.10.120: MENDON PRECINCTS:~~**

~~A. — The Mendon 01 Precinct is established with the following general boundaries: The Utah State House of Representatives District 3 boundaries on the north; the Little Bear River on the east and the Utah State House of Representatives District 3 boundaries on the south and west.~~

~~B. — The Mendon 02 Precinct is established with the following general boundaries: The Utah State House of Representatives District 3 boundaries on the north; the Little Bear River on the east and the Utah State Senate District 17 boundaries on the south and the Utah State House of Representatives District 5 boundaries on the west.~~

#### **~~1.10.130: MILLVILLE PRECINCTS:~~**

~~A. — The Millville 17 Precinct is established with the following general boundaries: The Utah State Senate District 17 boundaries on the north and east; the Utah State House of Representatives District 5 boundaries on the east; then west at approximately 5000 South Street in Cache County on the south; along the Nibley municipal boundaries on the west.~~

~~B. — The Millville 25 Precinct is established with the following general boundaries: Beginning at a point on U.S. Highway 89/91 midway between 800 West and Park Avenue (approximate coordinates X:429088.49 and Y:4617150.53) on U.S. Highway 89/91 then along the Logan, Millville and Providence municipal boundaries on the north and the Utah State House of Representatives District 4 boundaries on the east and the Utah Senate District 17 boundaries on the south to the Millville municipal boundaries and 800 West Street in Cache County on the west.~~

#### **~~1.10.140: NEWTON PRECINCT:~~**

~~The Newton Precinct is established with the following general boundaries: Approximately 8800 North Street in Cache County on the north, the Amalga Town boundary, and the Utah House of Representatives District 1 boundaries, excepting the Trenton municipal boundaries on the north, east and south; the Cache County boundary on the west.~~

#### **~~1.10.150: NIBLEY PRECINCTS:~~**

~~A. — The Nibley 01 Precinct is established with the following general boundaries: Along the Nibley municipal boundaries continuing along 2200 South Street in Cache County on the north; south on 800 West Street following the Nibley municipal boundaries to 1000 West Street; east along 2600 South Street; south along 800 West Street; west along 3200 South Street; following the Nibley municipal boundaries on the east; 4000 South Street on the south; northward along the Wellsville municipal boundaries and the Utah Senate District 25 boundaries on the west.~~





~~B. — The Nibley 17 Precinct is established with the following general boundaries: The Nibley municipal boundaries beginning at 800 West Street eastward along 2200 South Street to RR; then south along RR to 2600 South Street in Cache County; then west to SR 165; then north to Nibley municipal boundary; then east and south along Nibley municipal boundary to 3100 South Street in Cache County; then west on 3100 South Street to SR 165; south on SR 165 to 3200 South Street in Cache County; west to 640 West Street; south on 640 West Street; then along the Nibley municipal boundaries northerly to 3200 South Street; north on 800 West Street; west on 2600 South Street; north along 1000 West Street and its extension; northward along the Nibley municipal boundaries.~~

~~C. — The Nibley 25 Precinct is established with the following general boundaries: 2200 South Street and the Blacksmith Fork River to 2400 South Street on the north; the Millville municipal boundaries on the east to the Nibley municipal boundary; then south to the Utah Senate District 17 boundaries on the south and west.~~

~~D. — The Nibley 03 Precinct is established with the following general boundaries: 3200 South Street on the north to SR 165 north to 3100 South Street; south along the Blacksmith Fork River turning east at approximately 5000 South Street in Cache County and continuing along the Utah State House of Representatives District 5 boundaries on the east; the Hyrum municipal boundaries on the south; turning north at approximately 500 East Street in Cache County to the Nibley municipal boundaries and 640 West Street on the west to 3200 South Street.~~

#### **1.10.160: NORTH LOGAN PRECINCTS:**

~~A. — The North Logan 01 Precinct is established with the following general boundaries: 2200 North Street in North Logan on the north; 800 East Street in North Logan on the east and the Logan municipal boundaries on the south and west.~~

~~B. — The North Logan 02 Precinct is established with the following general boundaries: 3100 North Street in North Logan and the Hyde Park municipal boundaries on the north; 400 East Street in North Logan on the east; 2200 North Street in North Logan on the south and the Logan municipal boundaries on the west.~~

~~C. — The North Logan 03 Precinct is established with the following general boundaries: The Hyde Park municipal boundaries on the north; 1200 East Street in North Logan southward to 1250 East Street; then south to 2300 North Street in North Logan; then westward to 1200 East Street in North Logan; then southward to 2200 North Street in North Logan on the east; 2200 North Street in North Logan on the south and 400 East Street in North Logan on the west.~~

~~D. — The North Logan 04 Precinct is established with the following general boundaries: 3400 North Street and its eastward extension in Cache County and the Hyde Park municipal boundaries on the north; the Utah House of Representatives District 3 boundaries on the east; 2300 North Street in North Logan on the south; and 1250 East Street and 1200 East Street in North Logan on the west.~~





~~E. — The North Logan 05 Precinct is established with the following general boundaries: 2200 North Street in North Logan eastward to 1200 East Street in North Logan; then northward on 1200 East Street to 2300 North Street in North Logan; then eastward on 2300 North Street on the north; the Utah House of Representatives District 3 boundaries on the east; Green Canyon Road westward to 1900 North Street and then westward to 1800 North Street on the south; and 800 East Street on the west.~~

~~F. — The North Logan 06 Precinct is established with the following general boundaries: 1800 North Street to 1900 North Street to the Green Canyon Road on the north; the Utah House of Representatives District 3 boundaries on the east; the Logan municipal boundaries on the south; and 800 East Street on the west.~~

#### ~~1.10.170: PARADISE PRECINCT:~~

~~The Paradise Precinct is established with the following general boundaries: Starting at approximately 8000 South Street in Cache County; then east to approximately 1500 West Street; then north to approximately 7800 South Street; then east to 800 West Street; then north to 7400 South Street; then east to SR 165 and north along SR 165 to approximately 7100 South Street on the north; the Cache County boundaries on the east and south; and the Cache County boundaries and 2400 West Street in Cache County on the west.~~

#### ~~1.10.180: PROVIDENCE PRECINCTS:~~

~~A. — The Providence 01 Precinct is established with the following general boundaries: The Providence municipal boundaries on the north; the Utah House of Representatives District 5 boundaries on the east; Eagle View Drive and its eastward extension to Sherwood Drive in Providence; then south to Center Street in Providence on the south and Main Street in Providence north to 200 North Street in Providence; then west along 200 North Street to 100 West Street in Providence on the west.~~

~~B. — The Providence 02 Precinct is established with the following general boundaries: Center Street in Providence to Sherwood Drive to Eagle View Drive on the north; the Utah House of Representatives District 5 boundaries on the east; Canyon Road westerly to 600 South Street in Providence and westerly to 650 South Street in Providence on the south; 100 East Street in Providence northerly to 200 South Street in Providence; then northerly along Main Street to Center Street on the west.~~

~~C. — The Providence 03 Precinct is established with the following general boundaries: 100 South Street in Providence and its westward extension on the north; Main Street in Providence on the east; the Millville municipal boundaries on the south and the Millville and Logan municipal boundaries on the west.~~

~~D. — The Providence 04 Precinct is established with the following general boundaries: The Providence municipal boundaries on the north; 100 West Street in Providence on the east to~~





~~200 North Street in Providence; then east along 200 North Street to Main Street in Providence on the east; 100 South in Providence on the south and the Logan municipal boundaries on the west.~~

~~E. — The Providence 05 Precinct is established with the following general boundaries: 200 South Street in Providence easterly to 100 East Street in Providence; then southerly to 650 South Street in Providence; then easterly to 600 South Street in Providence; then easterly to Canyon Road in Providence on the north; the Millville municipal boundaries on the east; the Providence municipal boundaries on the south; then the Providence municipal boundaries and Main Street in Providence on the west.~~

#### **~~1.10.190: RICHMOND PRECINCTS:~~**

~~A. — The Richmond 01 Precinct is established with the following general boundaries: Beginning at an extension of 11400 North Street in Cache County and the Lewiston municipal boundary, then east to the northern Richmond municipal boundary; then following the northern boundary of Richmond to 2000 East Street in Cache County, then continuing easterly along an extension of 11400 North Street in Cache County on the north; the Utah House of Representatives District 3 boundaries on the east; 100 South Street in Richmond and its extension on the south and the Lewiston municipal boundaries on the west.~~

~~B. — The Richmond 02 Precinct is established with the following general boundaries: The Lewiston municipal boundaries and the extension of 100 South Street in Richmond on the north; the Utah House of Representatives District 3 boundaries on the east; 8300 North Street and its extensions on the south and the Bear River and Cub River on the west.~~

#### **~~1.10.200: RIVER HEIGHTS PRECINCTS:~~**

~~A. — The River Heights 01 Precinct is established with the following general boundaries: The River Heights municipal boundaries, but including the residence at 495 River Heights Blvd and the residence at 292 South 500 East Street on the north; 600 East Street in Cache County on the east; the Providence municipal boundaries on the south and the Logan municipal boundaries on the west.~~

~~B. — The River Heights 02 Precinct is established with the following general boundaries: The Logan municipal boundaries from the approximate southern extension of 560 South Street in Logan then along the River Heights municipal boundaries on the north; the Logan municipal boundaries on the east; the Providence municipal boundaries on the south; 600 East Street in Cache County northward to the Logan municipal boundaries on the west.~~

#### **~~1.10.210: SMITHFIELD PRECINCTS:~~**

~~A. — The Smithfield 01 Precinct is established with the following general boundaries: 8300 North Street in Cache County and its extensions on the north; the Utah House of Representatives District 3 boundaries on the east; Smithfield Canyon Road in Cache County southwesterly to the intersection of Smithfield Canyon Road and Upper Smithfield Canyon Road~~





~~then following the Upper Smithfield Canyon Road westerly to 200 North Street in Smithfield then west on 200 North Street on the south; U.S. Highway 91 (Smithfield Main Street) northward on the west.~~

~~B. — The Smithfield 02 Precinct is established with the following general boundaries: 200 North Street in Smithfield eastward to the Upper Smithfield Canyon Road then easterly along the Upper Smithfield Canyon Road to the intersection with the Smithfield Canyon Road, then northeasterly along the Smithfield Canyon Road on the north; the Utah State House of Representatives District 3 boundaries on the east; 30 South Street in Smithfield and its easterly extension to 1000 East Street in Smithfield to the easterly extension of 20 North Street in Smithfield; then along the western extension of 20 North Street to the western boundary of the Birch Creek Golf Course to Center Street in Smithfield and its extension on the south; U.S. Highway 91 (Smithfield Main Street) on the west.~~

~~C. — The Smithfield 03 Precinct is established with the following general boundaries: Center Street in Smithfield to the western boundary of the Birch Creek Golf Course then along 20 North Street in Smithfield and its western extension to 1000 East Street in Smithfield to 30 South Street in Smithfield and its easterly extension on the north; the Utah House of Representatives District 3 boundaries on the east; Smithfield Dry Canyon Road in Cache County westerly to 5400 North Street in Cache County then to 300 South Street in Smithfield then westerly along 300 South Street on the south; U.S. Highway 91 (Smithfield Main Street) on the west.~~

~~D. — The Smithfield 04 Precinct is established with the following general boundaries: 300 South Street in Smithfield easterly to the Smithfield Dry Canyon Road in Cache County then easterly on the north; the Utah House of Representatives District 3 boundaries on the east; the easterly extension of 4500 North Street in Cache County and the Hyde Park municipal boundary and 4500 North Street and its extension on the south; 455 East Street in Smithfield on the west.~~

~~E. — The Smithfield 05 Precinct is established with the following general boundaries: 300 South Street in Smithfield on the north; 455 East Street in Smithfield on the east; the extension of 4500 North Street in Cache County on the south; U.S. Highway 91 (Smithfield Main Street) on the west.~~

~~F. — The Smithfield 06 Precinct is established with the following general boundaries: SR 218 (Smithfield 100 North Street) on the north; U.S. Highway 91 (Smithfield Main Street) on the east; 600 feet (one block) north of 4200 North Street in Cache County on the south; 1500 West Street in Cache County and its extension, then along Summit Creek and 1200 West Street in Cache County on the west.~~

~~G. — The Smithfield 07 Precinct is established with the following general boundaries: 8300 North Street in Cache County on the north; U.S. Highway 91 (Smithfield Main Street) on the east; SR 218 (Smithfield 100 North Street) on the south; the Bear River on the west.~~





#### **~~1.10.220: TRENTON PRECINCT:~~**

~~The Trenton Precinct is established with the following general boundaries: The Trenton municipal boundaries.~~

#### **~~1.10.230: WELLSVILLE PRECINCTS:~~**

~~A. — The Wellsville 01 Precinct is established with the following general boundaries: Utah Senate District 17 boundaries on the north; a line which is the extension of Center Street in Wellsville southward to Main Street on the east; Main Street in Wellsville west to the Wellsville municipal boundaries; then westerly along the Wellsville municipal boundaries to a point approximately half way between the western extension of Main Street in Wellsville and the western extension of 100 North Street in Wellsville on the south to the Utah State House of Representatives District 5 boundaries on the west.~~

~~B. — The Wellsville 02 Precinct is established with the following general boundaries: The western extension of a point halfway between Main Street in Wellsville and 100 North Street in Wellsville to the Wellsville municipal boundary; following the municipal boundaries to Main Street in Wellsville and its western extension on the north; Center Street south to U.S. Highway 89/91 then southerly to the Old Sardine Canyon Road in Cache County then southerly along the Old Sardine Canyon Road on the east; the Cache County boundaries on the south and the west.~~

~~C. — The Wellsville 03 Precinct is established with the following general boundaries: The Utah Senate District 17 boundaries and the Wellsville municipal boundary to 4000 South Street on the north; 2400 West Street in Cache County on the east; SR 101 westward to the intersection of Main and Center Streets in Wellsville on the south; and Center Street in Wellsville and its extension on the west.~~

~~D. — The Wellsville 04 Precinct is established with the following general boundaries: Main Street in Wellsville and SR 101 on the north; 2400 West Street in Cache County on the east; the Cache County boundary on the south; the Old Sardine Canyon Road in Cache County northward to U.S. Highway 89/91 then northward to Center Street in Wellsville then northward along Center Street in Wellsville on the west.~~

**CACHE COUNTY COUNCIL MEETING  
DECEMBER 14, 2021**

**ATTACHMENT 4**

**CACHE COUNTY  
RESOLUTION 2021-31**

**RESOLUTION AMENDING AND UPDATING THE  
CACHE COUNTY MAP OF VOTING PRECINCTS**

WHEREAS, under Utah Code section 20A-5-303(1)(a), the Cache County Council is authorized to “establish, divide, abolish, and change voting precincts”; and

WHEREAS, under Utah Code section 20A-5-303(5), on the current election cycle the County Council has until January 31, 2022, to make changes to voting precincts; and

WHEREAS, there is good cause to make some changes to the voting precincts in Cache County as they currently exist;

NOW, THEREFORE, be it resolved that:

**Section 1:** As of the date of this Resolution, the voting precincts in Cache County will be as set forth in the map attached hereto as Exhibit A and accessible electronically at:  
<https://cacheut.maps.arcgis.com/apps/webappviewer/index.html?id=390a2425a5964f48a97f3064eedbd749>

**Section 2:** Pursuant to section 1.10.010 of the Cache County Code, the County Clerk is directed to maintain in the office of the County Clerk the precinct map adopted herein and attached hereto as Exhibit A.

Adopted by the County Council of Cache County, Utah, this 14<sup>th</sup> day of December 2021.

CACHE COUNTY COUNCIL

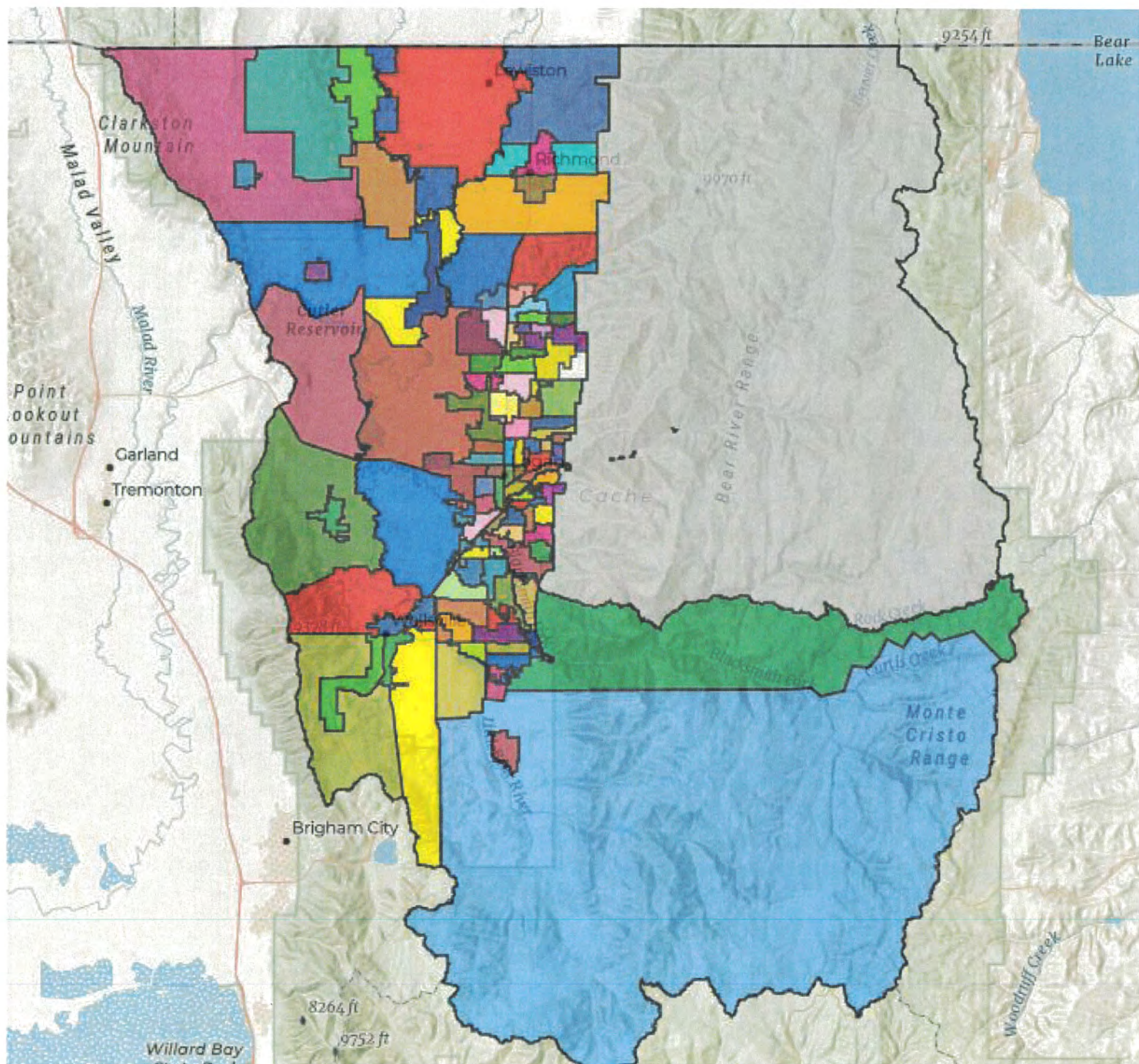


Gina Worthen, Chair

ATTEST:

  
\_\_\_\_\_  
Jess W. Bradfield, County Clerk/Auditor





**CACHE COUNTY COUNCIL MEETING  
DECEMBER 14, 2021**

**ATTACHMENT 5**

**CACHE COUNTY  
ORDINANCE 2021-27**

**AN ORDINANCE UPDATING THE CACHE COUNTY COUNCIL DISTRICTS**

WHEREAS, the Cache County Council Districts may be changed, modified or amended from time to time by a two-thirds vote of the full membership of the County Council; and

WHEREAS, the Cache County Council has approved updates to the voting precincts in Cache County, including the dividing, abolishing, and/or renumbering of certain voting precincts; and

WHEREAS, the Council Districts' boundaries have not changed but precincts within those boundaries have been changed;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

Section 2.12.60 of the Cache County Code is amended to read in full as follows:

A. The council districts shall have substantially the same population, based on the latest federal population census. To the extent practical, council districts shall be compact and contiguous, allowing ease of contact between residents and council members and the fair representation of all geographical areas of Cache County.

B. The council districts may be changed, modified or amended from time to time by two-thirds (2/3) majority vote of the full membership of the county council, pursuant to the aforesaid standards.

C. The Districts of the Cache County Council shall be based on the voting precincts as approved by the County Council on December 14, 2021, and shall be as follows:

1. The Northeast Council District shall include these voting precincts: Hyde Park 1-3, North Logan 1-6, and Smithfield 4, 5, and 8.
2. The North Council District shall include these voting precincts: Amalga, Benson, Clarkston, Cornish, Cove, Lewiston, Newton, Richmond 1-2, Trenton, and Smithfield 1, 2, 3, 6, and 7.
3. The South Council District shall include these voting precincts: Hyrum 1-5, Mendon 1-2, Paradise, and Wellsville 1-3.
4. The Southeast Council District shall include these voting precincts: College-Young Ward, Millville 1-2, Nibley 1-4, Providence 1-6, River Heights 1-2.
5. The Logan Council District No. 1 shall include these voting precincts: Logan 15, 16, 17, 18, 21, 22, 23, 24, and 25.
6. The Logan Council District No. 2 shall include these voting precincts: Logan 1, 2, 3, 4, 9, 12, and 13.
7. The Logan Council District No. 3 shall include these voting precincts: Logan 5, 6, 7, 8, 10, 11, 14, 19, and 20.

APPROVED AND ADOPTED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH, THIS 14TH DAY OF DECEMBER, 2021.

	In favor	Against	Abstained	Absent
Borup	X			
Erickson	X			
Gunnell	X			
Tidwell	X			
Ward				X
Worthen	X			
Zilles	X			
Total	6			

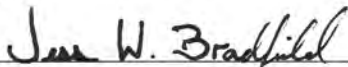
CACHE COUNTY COUNCIL

By



Gina H. Worthen, Chair

ATTEST:

  
 Jess W. Bradfield, County Clerk



## CHAPTER 2.12 COUNTY COUNCIL

### 2.12.060: COUNCIL DISTRICTS:

A. The council districts shall have substantially the same population, based on the latest federal population census. To the extent practical, council districts shall be compact and contiguous, allowing ease of contact between residents and council members and the fair representation of all geographical areas of Cache County.

B. The council districts may be changed, modified or amended from time to time by two-thirds (2/3) majority vote of the full membership of the county council, pursuant to the aforesaid standards.

~~C. The council districts shall be based upon the voting districts as such districts existed as of January 5, 1987, and shall be as follows:~~

~~— 1. Northeast Council District: This district shall include the following voting districts: Smithfield 1-4, Hyde Park and North Logan 1-2.~~

~~— 2. North Council District: This district shall include the following voting districts: Lewiston 1-2, Cove, Richmond 1-2, Cornish, Clarkston, Trenton, Amalga, Newton and Benson.~~

~~— 3. South Council District: This district shall include the following voting districts: Hyrum 1-3, Paradise, Wellsville 1-2 and Mendon.~~

~~— 4. Southeast Council District: This district shall include the following voting districts: Providence 1-2, River Heights, Millville, Nibley and College Young Ward.~~

~~— 5. Logan Council District No. 1: This district shall include the following voting districts within Logan City: 1, 7, 8, 9, 10, 14, 15, 22 and 24.~~

~~— 6. Logan Council District No. 2: This district shall include the following voting districts within Logan City: 2, 3, 4, 5, 6, 16, 17 and 25.~~

~~— 7. Logan Council District No. 3: This district shall include the following voting districts within Logan City: 11, 12, 13, 18, 19, 20, 21, 23 and 26.~~

C. The Districts of the Cache County Council shall be based on the voting precincts as approved by the County Council on December 14, 2021 and shall be as follows:

1. The Northeast Council District shall include include these voting precincts: Hyde Park 1 -3, North Logan 1-6, and Smithfield 4, 5, and 8.

2. The North Council District shall include these voting precincts: Amalga, Benson, Clarkston, Cornish, Cove, Lewiston, Newton, Richmond 1-2, Trenton, and Smithfield 1, 2, 3, 6, and 7.

3. The South Council District shall include these voting precincts: Hyrum 1-5, Mendon 1-2, Paradise, and Wellsville 1-3.

4. The Southeast Council District shall include these voting precincts: College-Young Ward, Millville 1-2, Nibley 1-4, Providence 1-6, River Heights 1-2.

5. The Logan Council District No. 1 shall include these voting precincts: Logan 15, 16, 17, 18, 21, 22, 23, 24, and 25.

6. The Logan Council District No. 2 shall include these voting precincts: Logan 1, 2, 3, 4, 9, 12, and 13

7. The Logan Council District No. 3 shall include these voting precincts: Logan 5, 6, 7, 8, 10, 11, 14, 19, and 20

**CACHE COUNTY COUNCIL MEETING  
DECEMBER 14, 2021**

**ATTACHMENT 6**



**CACHE COUNTY  
RESOLUTION 2021 – 28**

**RESOLUTION AUTHORIZING CONVEYANCE OF REAL PROPERTY**

WHEREAS, Cache County owns a 8.03 acre parcel of real property identified by tax ID number 04-058-0050 and Cache County does not have a future interest in this real property; and

WHEREAS, Cache County has previously declared by Resolution, the property as “Surplus Property” pursuant to Cache County Ordinances 3.40.010, 3.40.020, and 3.40.040, and

WHEREAS, an interested party has submitted an acceptable bid to purchase the property; and

WHEREAS, the County Executive intends to execute a warranty deed conveying all rights, title, and interest in the real property described in this resolution and attached as Exhibit A to the purchaser; and

WHEREAS, Utah Code Ann. Section 17-50-312 provides that the county legislative body shall provide by ordinance, resolution, rule or regulation for the manner in which property shall be acquired, managed, and disposed of and requires the County to provide reasonable notice of the proposed disposition at least 14 days before the opportunity for public comment and allow an opportunity for public comment on the proposed disposition; and

WHEREAS the Cache County Council must hold a public hearing before the Surplus Property can be disposed of by conveyance to the purchaser, CORY GOETTSCHE, and/or assigns; now


THEREFORE, the Cache County Council finds as follows:

1. That the parcel identified by tax ID number 04-058-0050 was declared “Surplus Property” by the County Council on October 26, 2021 at a public hearing by Resolution 2021-21, and
2. That pursuant to Cache County Ordinance 3.40.020, the property is being sold for not less than fair market value to CORY GOETTSCHE, and/or assigns, for \$1,300,000.00.

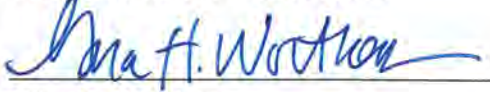
THEREFORE, the Cache County Council, after holding a public hearing, resolves that the Property, better described in “Exhibit A” has been declared surplus, and that such surplus property may be disposed of by the County Executive by executing an appropriate deed to CORY GOETTSCHE, and/or assigns. This resolution takes effect immediately upon adoption.

Dated this 14th day of December, 2021.

ATTESTED TO:

  
\_\_\_\_\_  
Jess W. Bradfield /  
Cache County Clerk/Auditor

CACHE COUNTY COUNCIL

  
\_\_\_\_\_  
Gina H. Worthen  
Council Chair

# EXHIBIT A



LOT 10 CACHE RECREATION COMPLEX SUBDIVISION UNIT 2 AS SHOWN ON THE OFFICIAL PLAT THEREOF  
FILED IN THE OFFICE OF THE CACHE COUNTY RECORDERS OFFICE. 04-058-0050

Address: 110 E 3100 N, Hyde Park, UT.



**CACHE COUNTY  
RESOLUTION 2021 – 30**

**RESOLUTION AUTHORIZING CONVEYANCE OF REAL PROPERTY**

WHEREAS, Cache County owns a 3.29 acre parcel of real property identified by tax ID number 04-058-0051 and Cache County does not have a future interest in this real property; and

WHEREAS, Cache County has previously declared by Resolution, the property as “Surplus Property” pursuant to Cache County Ordinances 3.40.010, 3.40.020, and 3.40.040, and

WHEREAS, an interested party has submitted an acceptable bid to purchase the property; and

WHEREAS, the County Executive intends to execute a warranty deed conveying all rights, title, and interest in the real property described in this resolution and attached as Exhibit A to the purchaser; and

WHEREAS, Utah Code Ann. Section 17-50-312 provides that the county legislative body shall provide by ordinance, resolution, rule or regulation for the manner in which property shall be acquired, managed, and disposed of and requires the County to provide reasonable notice of the proposed disposition at least 14 days before the opportunity for public comment and allow an opportunity for public comment on the proposed disposition; and

WHEREAS the Cache County Council must hold a public hearing before the Surplus Property can be disposed of by conveyance to the purchaser, RICHARD T. GALLACHER, and/or assigns; now

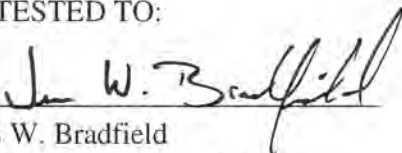
THEREFORE, the Cache County Council finds as follows:

1. That the parcel identified by tax ID number 04-058-0051 was declared “Surplus Property” by the County Council on February 23, 2020 at a public hearing by Resolution 2020-25, and
2. That pursuant to Cache County Ordinance 3.40.020, the property is being sold for not less than fair market value to RICHARD T. GALLACHER, and/or assigns, for \$620,000.00.

THEREFORE, the Cache County Council, after holding a public hearing, resolves that the Property, better described in “Exhibit A” has been declared surplus, and that such surplus property may be disposed of by the County Executive by executing an appropriate deed to RICHARD T. GALLACHER, and/or assigns. This resolution takes effect immediately upon adoption.

Dated this 14th day of December, 2021,

ATTESTED TO:

  
\_\_\_\_\_  
Jess W. Bradfield

Cache County Clerk/Auditor

CACHE COUNTY COUNCIL

  
\_\_\_\_\_  
Gina H. Worthen

Council Chair



# EXHIBIT A



LOT 11 CACHE RECREATION COMPLEX SUBDIVISION UNIT 2 AS SHOWN ON THE OFFICIAL PLAT THEREOF  
FILED IN THE OFFICE OF THE CACHE COUNTY RECORDERS OFFICE. 04-058-0051

**CACHE COUNTY COUNCIL MEETING  
DECEMBER 14, 2021**

**ATTACHMENT 7**

## Review of Alder Annexation Petition to the City of Providence

**Agenda request submitted by:** Chris Harrild, Director – Forwarded from the County Planning Commission  
**Assisting Department:** Development Services  
**Requested Council meeting date:** December 14 , 2021

**Agenda Item Language:** Review a petition submitted to the City of Providence for the annexation of ~22.13 acres of property, and then act to agree or disagree with the annexation request.

**Recommendation:** Planning Commission (N/A)

**Background:** If approved the ~22.13 acre area proposed for annexation will result in a smaller unincorporated area that is reduced from ~95.70 acres to ~73.57 acres, including an island with three parcels totaling ~3.78 acres to the west, and an island area with three larger parcels to the east totaling ~69.79 acres. The remaining unincorporated island requires that the County agree to the request for the annexation petition to move forward.

**Fiscal Impact:** N/A

**Public Hearing Required:** N/A  
See attached for additional information.

**County Staff Presenter:** Chris Harrild

**Presentation Time:** Less than 5 minutes.

**County Staff Point of Contact:** Tim Watkins, County Planner Manager

**Legal Review:** N/A



This staff report is an analysis of the request based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the request. Additional information may be provided that supplements or amends this staff report.

### Staff Report

December 14, 2021

### Ridgeview Annexation to the City of Providence

#### Purpose

To review a petition (Attachment 1) submitted to the City of Providence for the annexation of property from unincorporated Cache County to the City of Providence, and then act to agree or disagree with the annexation request. If approved by the City, the proposed annexation will reduce the size of the existing unincorporated island, however, two smaller unincorporated islands will remain. The remaining unincorporated island areas require that the County agree to the request for the annexation petition to move forward.

#### Property Information

**Parcels owned by Ridgeview Park LLC: 02-004-0001, 02-004-0002**

Total Acreage: ~22.13 acres

Contact Sponsor: Dallas Nicoll



## **Staff Recommendation**

Staff recommends the Council agree to allow the reduced unincorporated island area(s) resulting from the Ridgeview Annexation to the City of Providence.

## **Findings of Fact**

### **A. Applicable Ordinance**

1. Annexation of unincorporated property into a municipality is governed by State Code section 10-2, part 4 Annexation.
2. If approved the ~22.13 acre area proposed for annexation will result in a smaller unincorporated area that is reduced from ~95.70 acres to ~73.57 acres, including an island with three parcels totaling ~3.78 acres to the west, and an island area with three larger parcels to the east totaling ~69.79 acres.
3. Utah Code sections 10-2-418-1-b and 10-2-402-1-b-iii-B require that unincorporated islands and peninsulas are not permitted unless agreed to by the county.
4. No formal action has been taken by the county to prohibit or agree to allow a reduction in the existing unincorporated island at this location.

### **B. Impacts to County Facilities**

1. Access to these properties is from 600 South (River Heights) and 1000 East. 1000 East is a county roadway that is isolated and not connected to another county roadway.
2. At this location, the majority of the use of 1000 East is due to municipal development in the three adjoining municipalities of River Heights City, Providence City, and Logan City. The large majority of the development along 1000 East is residential and is in River Heights City.
3. The proposed annexation will incorporate the adjacent section of 1000 East into Providence City.

### **C. Possible Actions**

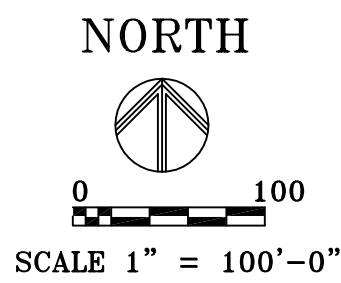
1. Agree – Agree to allow the annexation and resultant reduction in the total unincorporated island area(s).
2. Disagree – Disagree with the annexation and resultant reduction in the total unincorporated island area(s) and formally protest the annexation request.

## **Conclusions**

Based on the findings of fact noted herein, staff recommends that the County Council agree to allow the reduced unincorporated island area resulting from the Ridgeview Annexation to the City of Providence as:

1. The County Council is the county legislative body of Cache County.
2. It has been reviewed by the County in conformance with State Code.
3. The proposed annexation into Providence City will substantially reduce the existing unincorporated island area(s).

4. The affected area is currently a single unincorporated island, the area proposed for annexation would result in two smaller unincorporated islands but reduce the overall unincorporated area, and the adjacent roadway is included in the annexation.
5. The County will provide comments to the petitioner and to Providence City for correcting and finalizing the survey plat.

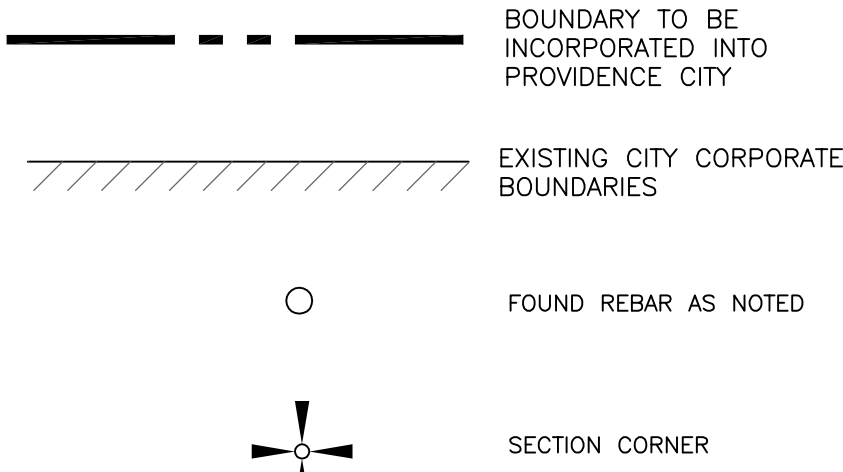


# RIDGEVIEW ANNEXATION

## TO THE PROVIDENCE CITY

PART OF THE SOUTHWEST QUARTER OF SECTION 2  
AND SOUTHEAST QUARTER OF SECTION 3  
TOWNSHIP 11 NORTH, RANGE 1 EAST  
SALT LAKE BASELINE AND MERIDIAN  
CACHE COUNTY, UTAH

### LEGEND



### ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, THE PROVIDENCE CITY COUNCIL, HAVE RECEIVED A PETITION SIGNED BY A MAJORITY OF THE OWNERS OF THE TRACT SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED TO PROVIDENCE CITY; AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERewith ALL IN ACCORDANCE WITH THE UTAH CODE SECTION 10-2-403, AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID CITY.

WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

RECORDER

APPROVED: \_\_\_\_\_  
MAYOR

### DEPUTY COUNTY SURVEYOR APPROVAL

I certify that I have examined this plat and find it to be correct and in accordance with information on file in this office.

Date \_\_\_\_\_ Deputy County Surveyor \_\_\_\_\_

### SURVEYOR'S CERTIFICATE

I, BRIAN G. LYON, HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO PROVIDENCE CITY, CACHE COUNTY, UTAH.



### BOUNDARY CERTIFICATE

Part of the Southwest Quarter of Section 2 and the Southeast Quarter of Section 3, Township 11 North, Range 1 East of the Salt Lake Meridian described as follows:

Commencing at the Northeast Corner of Section 2, Township 11 North, Range 1 East of the Salt Lake Meridian monumented with a Cache County Brass Cap, thence S89°42'27"W 5433.19 feet to the Northwest Corner of Section 2; thence S00°04'53"W 2997.19 feet to the POINT OF BEGINNING on the south right of way line of 600 South Street and running

thence S 88°08'39" E 1,156.12 feet along the south right of way line of 600 South Street and it's projection thereof to the east right of way line of 1000 East Street also being along the Corporate Boundary line of River Heights City and it's projection thereof; thence S 01°20'49" W 825.19 feet along the East right of way line of 1000 East Street; thence N89°05'49"W 1153.52 feet along the Corporate Boundary line of Providence City; thence N 01°10'17" E 844.40 feet along the east line of South Fields Subdivision to the point of beginning, containing 22.13 acres, more or less.

### SURVEYOR'S NOTES/NARRATIVE

1. The purpose of this survey was to locate the boundary of Parcels 02-004-0001 and 02-004-0002 for annexation into Providence City.
2. The basis of bearing is S89°42'27"W along the North line of Section 2, Township 11 North, Range 1 East of the Salt Lake Base and Meridian.
3. Boundary established along the south right of way line of 600 South Street.
4. Boundary established along the east right of way line of 1000 East Street.
5. Established along the east line of South Field Subdivision as shown.

### RIDGEVIEW ANNEXATION

#### TO THE

### PROVIDENCE CITY

PART OF THE SOUTHWEST QUARTER OF SECTION 2  
AND SOUTHEAST QUARTER OF SECTION 3  
TOWNSHIP 11 NORTH, RANGE 1 EAST  
SALT LAKE BASELINE AND MERIDIAN  
CACHE COUNTY, UTAH



ALLIANCE CONSULTING  
ENGINEERS

150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321  
(435) 755-5121

DATE OCT-2018



## Notice of Intent to File An Annexation Petition

PURSUANT TO Utah Code Ann. §10-2-403(2), notice is hereby given that the person or persons identified below intend to file an annexation petition with providence. The area proposed for annexation in the annexation petition is commonly described as (~~ADD NON-TECHNICAL DESCRIPTION~~). Further, an accurate map of the area that is proposed to be annexed is attached to this Notice.

*vineyard  
North  
Phase*

*Person or persons intending to file annexation petition:*

NAME

ADDRESS

Jon HARROP (Visionary homes)      about E600S S1000E  
parcel # 02-004-0001  
parcel # 02-004-0002





**PETITION FOR ANNEXATION AND REZONE INTO THE CORPORATE LIMITS OF PROVIDENCE CITY,  
UTAH**

The undersigned petitioner(s) and person(s) petitioning for annexation to and into the corporate limits of Providence City, pursuant to Utah Code Annotated Section 10-2-403, hereby certify by the signature(s) below that we are the owner(s) of real property shown on the attached plat or map, which is located within a certain territory which is contiguous to the corporate boundaries of Providence. The territory is more fully described in the accompanying plat or map and legal description prepared for this annexation and attached and incorporated hereto; and furthermore, we by the signature(s) below so indicate our desire to have said territory, including the real property we own located within said territory, annexed to and into the corporate limits of Providence City and therefore do hereby submit this petition for annexation with the accompanying plat or map and legal description to Providence City by the filing of same with the Providence City Recorder.

Furthermore, we by the signatures below certify that (a) we are the owner(s) of 100% of the land area within the area proposed for annexation; and (b) we are the owners of at least 1/3 in value of the real property as shown by the last assessment rolls located in the territory being proposed for annexation as described in the accompanying plat or map and legal description, and (c) that we are the majority of the owner(s) of the real property located in the territory described in the accompanying plat or map and legal description.

Further, we hereby give notice to Providence City that we have designated Ridgeview Park, LLC as our representatives and attorneys in fact with respect to the annexation and subdivision of the property described herein. We further authorize Ridgeview Park to seek a rezone of the property.

We hereby request the Providence City Council to accept, by resolution or ordinance, this petition for annexation for the purpose of preparing a policy declaration relative to the proposed annexation.

Dated this fifth day of November, 2021.

Petitioner: [Signature]

Petitioner: Dallas Nicoll, manager

STATE OF UTAH )  
: SS  
COUNTY OF CACHE )

I hereby certify that on the 5 day of Nov., 2021, personally appeared before me Dallas Nicoll, who being first duly sworn, declared that she/he is the person(s) who signed the foregoing petition and/or is the person(s) of said title and office indicated above and she/he by her/his title and office is so authorized to sign this petition.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5 day of Nov., 2021.

Residing in Cache County, Utah [Signature]

