

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING
Wednesday, July 10, 2024, 6:00 p.m.
Huntsville Town Maintenance Shed, 165 South 7500 East, Huntsville

Name	Title	Status
Richard L. Sorensen	Mayor	Present
Bruce Ahlstrom	Council Member	Present
Lewis Johnson	Council Member	Excused
Sandy Hunter	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present

Citizens: Mike Hillstrom, Clay Poulter, Craig Powell, Liz Poulter, Clark Wangsgard, Jeremiah Johnson- representing Nova Tierra.

Zoom: Sherry Crandall

***The written minutes from this meeting were recorded the following day. There were technical difficulties with the audio recording and it is unavailable.**

1-Mayor Richard Sorensen called the meeting to order. There is a full quorum present.

2-Pledge of Allegiance led by Clark Wangsgard

3-Opening Ceremony given by TCM Powell

4-Public Comments: Clark Wangsgard stated that his water had a milky look for the past two weeks. He had talked to the clerks, the mayor, and Thom Summers, who fixes water issues in Town, and couldn't get his problem solved. But, after recently talking to Ron Gault, Town water board chair, he discovered that some work had recently been done in the area and that's why his water appeared that way. Due to the pipe's size and the number of residents on his street, it would be a while until the air cleared from the water. He was satisfied with that explanation and came to report that everything was ok.

5- Sheriff's Report: No Sheriff's report. Lt. Butler was unable to attend.

6- Discussion and/or action on approval of Business License- Sandbox Construction and Development LLC (See Attachment #1)

The owner of the business was unable to attend and desired to be on the next agenda. **TCM Hunter motioned to table the approval of Business License Sandbox Construction LLC. TCM Ahlstrom seconded the motion. All votes Ayes. Motion passed.**

7. Discussion and/or action on approval of Business License – Valley House Inn (See Attachment #2)

Sherry Crandall, a local realtor, is in the middle of purchasing the Valley House Inn with a partner. She plans to live in the house and continue to operate it as a bed and breakfast and desires to get a business license. She has spoken to the health and fire departments to get the

necessary permits and inspections. She was told by the Weber Morgan Health department that an inspection was unnecessary due to the conditions she would operate under. She had not heard back from the fire department. The TC suggested she get the septic system inspected and she said she would add it to the list of improvements they planned on making to the property. The TC discussed the Town code that only allows 3 rooms to be rented out if you operate a bed and breakfast. The Valley House has had 4 rooms rented out by previous owners prior to the 3-room restriction in the code, which would permit 4 rooms due to grandfathering.

TCM Powell motioned to approve the business license for the Valley House Inn after the fire department does their inspection. In addition, she could rent out four rooms due to the grandfathered status of the property. TCM Hunter seconded the motion. Roll Call Vote. Votes reflected below. Motion passed 4-0.

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Lewis Johnson				X
CM Sandy Hunter	X			
CM Artie Powell	X			

8. Discussion and/or action on the approval of Minutes for Town Council Meeting June 20, 2024 (See Attachment #3)

TCM Powell motioned to approve Minutes for Town Council Meeting June 20, 2024. TCM Hunter seconded the motion. All votes Ayes. Motion passed.

9. Discussion and/or action on approval of Minutes for Town Council Meeting June 25, 2024. (See Attachment #4)

TCM Powell motioned to approve Minutes for Town Council Meeting June 25, 2024. TCM Hunter seconded the motion. All votes Ayes. Motion passed.

10. Discussion and/or action on approval of purchase of mini backhoe from Huntsville Waterworks. (See Attachment #5)

Huntsville Waterworks, Huntsville Town’s secondary water company, purchased a mini backhoe for \$67,200 and offered to let Huntsville Town share it. The Town would pay half when they could fit it in the budget in the following year but is free to use it now. Huntsville Town will store the mini backhoe in its maintenance shed.

The TC discussed the possibility of purchasing the mini backhoe this coming fiscal year (24-25).

TCM Powell motioned to approve paying \$33,600, half the price of the mini backhoe, to Huntsville Water Works and buy it this year if the funds are available. TCM Hunter seconded the motion. Roll Call Vote. Votes reflected below. Motion passed 4-0.

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Lewis Johnson				X

CM Sandy Hunter	X			
CM Artie Powell	X			

11. Discussion and/or action on approval of Resolution 2024-7-10 Green Waste Facility Contract (See Attachment #6)

There were a few East Huntsville residents who border Huntsville’s green waste facility in attendance. They had many questions and concerns about the operation of the facility. Mayor Richard Sorensen explained the history of the property. At one time it was a garbage dump, but now it is only used for green waste. Some concerns that were brought up to the TC by residents were traffic, noise, the narrow access road being able to handle increased traffic if the facility is opened up to valley residents, and if the culvert that goes under the road can handle the heavy loads and heavy equipment that will pass through there. One resident, Craig Powell wondered why they weren’t informed sooner of the green waste facility proposal.

Jeremiah Johnson, from Nova Tierra, the company wishing to use Huntsville’s green waste to make compost was there to try and answer any questions. He stated that the grinding of the material would take place on a few weekends a year. TCM Hunter explained that this was an experiment and if opening the facility to valley residents created too much traffic, they could go back to only allowing Huntsville Town residents to use it. Clay Poulter, another resident asked if the current use of the facility is allowed under the FV-3 zoning. Mayor Sorensen assured him the use is grandfathered into the property since it has been operating for many years.

Mike Hillstrom, an East Huntsville resident, wondered if he and his neighbors could be notified about further action on the Green Waste facility. Nikki Wolthuis, Town clerk explained the state noticing requirements for meetings. Notices are posted at Town Hall, the Post Office, the Utah public notice website, and Huntsville Town’s website. Nikki did agree to collect the email addresses of concerned neighbors gathered from Mike Hillstrom to help notify them of facility news.

TCM Powell motioned to table Resolution 2024-7-10 to gather more information. TCM Hunter seconded the motion. All votes Ayes.

Jeremiah Johnson asked if Nikki could email him the questions and concerns of the TC and residents so he could inform his boss and have answers for the next meeting.

The TC had some further discussion on the contract. They questioned why Huntsville Town was letting Nova Tierra use their loader. They didn’t like the 3rd bullet point under #2 that said, “Nova Tierra will work with the Town Council and other county government officials to ban the burning of green waste inside county borders.” They were not interested in being involved in that.

TCM Hunter motioned to close the regular meeting and open the work session. TCM Powell seconded the motion. All votes Ayes. Motion passed. Meeting adjourned at 7:05 pm

The Work Session commenced at 7:07 pm

WORK SESSION

Residents who attended the work session: Tyson and Heather Georgi, Chris Wangsgard, JD Dunn, and Liz Poulter

Discussion of Road Issues on 7700 E.

TCM Sandy Hunter opened the work session by explaining the history of 7700 E. from 600 S. to the end of the south Town boundary (**Attachment #7**). The road was once part of the property belonging to Mr. Keith Tyler. He is now deceased. When the property was sold to the next property owners the road was not part of the transaction. A question mark remains on the county plat maps indicating that the road has no formal ownership. For years Huntsville Town has maintained the road and the TC now plans to make it an official Town road. Town Attorney, Bill Morris believes the Town can take over ownership of the land using the Laches defense and plans to do so soon.

A map of the road and surrounding properties was shown and residents and Town Council members discussed easements and utilities and what the road will look like going forward. One question was about the shape of the south end of the road. The property line of the road ends with the west side squared off but the east side extends south in an acute triangle. (**See attachment #8**) Should the Town square off the road right there and give the triangle piece to the neighboring property owners, the Dunns? Should they keep it as is? These are questions to ask the surveyor and to work out with the Dunns. JD Dunn's wife couldn't be there, and he said he would like to talk to her before making any decisions.

TCM Hunter motioned to close the Work Session and reopen the regular TC Meeting. TCM Powell seconded the motion. All votes Ayes. Motion passed.

TC MEETING

12. Discussion and/or action on approval of Ordinance 2024-6-20 Title 14 Transportation Code (See Attachment #9)

The Town Council went through the ordinance and made some minor clerical changes. They also changed the wording to some of the code and took out some sentences. In the section about signs they removed the provision that a resident needs permission to put a sign in a public right-of-way. In 14.03.030.1 TCM Hunter changed it to say, "It is unlawful for anyone to place or plant any object beyond the property line in Town alleyways."

In the Transportation Devices section, 14.05.030, the TC wanted to specify which transportation devices could not be driven on sidewalks- OHVs, golf carts, and class 3 e-bikes. They also wanted to make sure a regular bicycle was not included in the same category as OHVs and electrically powered devices.

TCM Ahlstrom had a question about 14.15.020 "Crossings" He was worried about the safety issue of allowing pedestrians the right of way at all intersections whether there was a crosswalk or not. The Town Council felt like the language was good and decided not to change it.

TCM Hunter motioned to approve Ordinance 2024-6-20 Title 14 Transportation Code with the changes. TCM Ahlstrom seconded the motion. Roll Call vote. Votes reflected below. Motion passed 4-0.

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Lewis Johnson				X
CM Sandy Hunter	X			
CM Artie Powell	X			

Department Updates

Mayor Richard Sorensen- said that the 4th of July went well and after all the comments are in they should have a meeting with event coordinator, Lindsey Ketcham and other event leaders to discuss ways to make it better.

TCM Bruce Ahlstrom- The FEMA report is finished. He was in an emergency meeting lately where they discussed the connection between faith-based groups and disaster relief.

TCM Sandy Hunter- spoke about gathering feedback about the 4th of July. She wondered if the comments should be opened to subscribers of the Valley News. Mayor Sorensen said he had already been asked by Shanna Francis if they should include it in the paper and Richard told them yes.

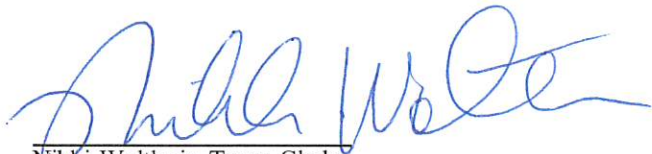
TCM Artie Powell – is also gathering and charting the 4th of July comments. He showed a photo of ruts in the park near the playground (**See Attachment #10**) and wondered if they were from a truck or something else. Mayor Sorensen is guessing that it is the septic system from the nearby bathrooms. TCM Powell suggested tracking down the septic plans for the park and finding out how to fix the ruts.

TCM Hunter motioned to approve the May bills. TCM Ahlstrom seconded the motion. All votes Ayes. Motion passed.

TCM Hunter motioned to approve the June bills. TCM Ahlstrom seconded the motion. All votes Ayes. Motion passed.

TCM Powell motioned to adjourn the meeting. TCM Ahlstrom seconded the motion. All votes Ayes. Motion passed.

Meeting adjourned at 9:03 p.m.


Nikki Wolthuis, Town Clerk



July 3, 2024

To: Huntsville Town Council

Submitted By: Nikki Wolthuis, Clerk

Subject: Business License for Sandbox Construction LLC, 7342 E. 100 S. Huntsville.

Background: The business is a general contracting company working with new and existing residential and commercial.

Recommendation:

Motion: To approve/not approve a commercial business license for Sandbox Construction, LLC.

Action:

Motion:

Second:

Mayor Sorensen:

Bruce Ahlstrom:

Lewis Johnson

Sandy Hunter:

Artie Powell:

Mailing Address

P.O. Box 267
Huntsville, UT 84317

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801.745.3420

Fax

801.745.1792

Web

www.huntsvilletown.com

Mayor

Richard L. Sorensen

Town Council

Kevin Anderson
Bruce Ahlstrom
Sandy Hunter
Artie Powell

Town Clerk/Recorder

Beckki Endicott

Treasurer

Sheree Evans

Attorney

Bill Morris



July 10, 2024

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Mayor

Richard L. Sorensen

Town Council

Louis Johnson
Bruce Ahlstrom
Sandy Hunter
Artie Powell

Town Clerk/Recorder

Nikki Wolthuis

Treasurer

Melissa Knowles

Attorney

Bill Morris

To: Huntsville Town Council

Submitted By: Beckki Endicott, Clerk

Subject: Business License for the Valley House, Sherry Crandall & Charles Harder

Background: Sherry Crandall will be living in the Valley House and running it like a bed and breakfast.

Recommendation: Conditionally approve the commercial business license for the Valley House based on the required inspections from the Weber Morgan Health Department and Fire Department.

Motion: To conditionally approve/not approve a business license for the Valley House based on approval of the required inspections from the Weber Morgan Health Department and the Fire Department.

Action:

Motion: Tcm Powell

Second: Tcm Hunter

Mayor Sorensen: aye

Bruce Ahlstrom: aye

Louis Johnson: excused

Sandy Hunter: aye

Artie Powell: aye

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING
Thursday, June 20, 2024, 6:00 p.m.
Huntsville Town Maintenance Shed, 165 South 7500 East, Huntsville

Name	Title	Status
Richard L. Sorensen	Mayor	Present
Bruce Ahlstrom	Council Member	Present
Lewis Johnson	Council Member	Present
Sandy Hunter	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present

Citizens: Jeab Ammar, Mousa Ammar – Aluminum Art, Christopher Franz and Mandy J-Country, Community, Honor, Melissa Knowles - Huntsville Town Treasurer, Michael Tovar-Commander American Legion Post 129, Beckki Endicott - Huntsville Town Clerk, Liz Poulter - resident. Kelly Peterson- Nova Tierra, Jeremiah Johnson- resident.

1-Mayor Richard Sorensen called the meeting to order. There is a full quorum present.

2-Pledge of Allegiance led by Michael Tovar “Sarge”

3-Opening Ceremony given by TCM Ahlstrom

4-Public Comments: No comments.

5. Presentation by Christopher Franze of Country, Community, Honor- He started his non-profit, nonpartisan organization to elect better people to congress. He stated that corporations and those with a lot of money are choosing who gets elected and he wants to change that. He stated that he is trying to get Paul Miller elected and he listed several reasons why Blake Moore should not get elected. He suggested Paul Miller was a guy who was “not just talk, but action” and he would stand up for the values of Utahns. He gave his website information in case anyone had any questions.

6- Sheriff’s Report: Lt. Butler talked briefly about the RAGNAR race. The event was smaller than previous years and it went smoothly. He asked for help getting in touch with the 4th of July event organizer to coordinate the Sheriff’s 4th of July duties.

There were several parties at the end of the school year including a student fight party that switched locations from Middle Fork to Eden Park to Maverik to Snowcrest Jr. High until they were able to give out citations and disperse the students.

TCM Ahlstrom asked Lt. Butler about providing help for the traffic for funerals in the cemetery on weekends. Lt. Butler said to contact them ahead of time and they could help.

TCM Hunter moved to close the regular meeting and begin the public hearing. TCM Ahlstrom seconded the motion. All votes aye.

PUBLIC HEARING

No public comments.

TCM Ahlstrom motioned to close the public hearing and open the regular meeting. TCM Hunter seconded the motion. All votes Ayes. Motion passed.

7- Discussion and/or action on approval of Utah State Tax Rate (See Attachment #1)

Melissa Knowles, Huntsville Town Treasurer, directed the Town Council to the tax rate documents that compare the rate for the past couple of years. She explained that they couldn't raise the rate, only lower it.

TCM Ahlstrom motioned to approve the Utah State Tax Rate. TCM Hunter seconded the motion. Roll call Vote. Votes Reflected below. Motion passed 4-1.

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Lewis Johnson		X		
CM Sandy Hunter	X			
CM Artie Powell	X			

8. Discussion and/or action on approval of Aluminum Art business license (See Attachment #2)

The business owners Jeab and Mousa Ammar came to get approval for a license to do their Aluminum Art business at the American Legion. They were hoping to start that night and continue for 20 days. TCM Powell advised them to keep their statues off the verge of Highway 39 so they didn't obstruct views.

TCM Powell motioned to approve the business license for Aluminum Art LLC. TCM Hunter seconded the motion. All votes Ayes. Motion passed.

9. Discussion and/or action on the Green Waste Facility Proposal

TCM Johnson began by listing some of the problems with Huntsville's Green Waste facility. It is not profitable, it's difficult to employ a person to be there and accept waste, and neighbors complain when they burn. He introduced Kelly Peterson who owns the business, Nova Tierra, a renewable energy and biowaste company, that turns waste into compost. Mr. Peterson stated that they would have a commercial grinder at the Huntsville Town Green Waste Facility to grind up green waste from everyone in Huntsville Town and possibly other valley residents. With that waste they will be able to make wood chips and compost and sell it to residents. There would be no need to burn. TCM Hunter wondered if they would get overwhelmed with material if they were to open it up to all valley residents. Mayor Sorensen recounted that years ago they opened up the dump to all valley residents and it did not get overwhelmed. Mayor Sorensen also stated that years ago when he was on the Town Council he was able to secure a grant to grind up the

waste at the facility and sell it as compost to residents. It ended up being pretty expensive so they stopped doing it. Beckki Endicott, clerk, asked what the cost would be to the Town if Mr. Peterson were to set up his business at the facility. There would be no cost to the Town. TCM Johnson explained that they could still have a dump fee and valley residents would be charged more to dump than Huntsville residents.. TCM Johnson suggested they keep their Saturday hours but open it up to business owners at special times during the week. Nova Tierra would employ someone to be there so the Town wouldn't need their own employee. TCM Powell suggested they write up an official proposal for the next meeting. Beckki suggested they put it into a legal agreement, and they have a work session to work out the details.

9. Discussion and/or action on approval of Ordinance 2024-6-20 Title 14 Transportation Code (See Attachment #3)

Mayor Sorensen started the discussion with a background on the ordinance. There was a request from a resident at the last meeting to create a Jake Brake Ordinance on HWY 39 to reduce noise around the 500 S. intersection. Beckki spoke with attorney Bill Morris and he adjusted Title 14 to include language about Jake Brakes. TCM Powell had several questions about Title 14. Beckki went through the ordinance and the TC discussed it in depth.

They discussed the definition of a road and a vehicle as well as traffic control devices and election signs. TCM Powell suggested changing 14.03.010 to read, "Each traffic control device must be sufficiently legible, visible, and understood by a reasonable person."

In 14.03.030 3b a change was suggested that "The box shall be set back so as not to interfere with the flow of traffic or snowplows."

TCM Hunter suggested that they should add to the ordinance that it is unlawful for any person to plant a tree in a right-of-way or alleyway unless authorized by the Town. Another change was made in 14.13.050 to eliminate commercial restrictions. Lt. Butler explained that other cities were changing their ordinances to allow vehicles to park on the road in the winter under certain circumstances. The TC discussed making those same changes to Title 14. The OHV section was discussed, and e-bikes and electric scooters were considered, but not added to the restrictions at this time. Beckki decided she would make the changes to the ordinance and bring it back to the next meeting for a vote.

TCM Ahlstrom motioned to table Ordinance 2024-6-20. TCM Powell seconded the motion. All votes Ayes. Motion passed.

10. Discussion and/or action on approval of Minutes for Town Council Meeting June 6, 2024 (See Attachment #4)

TCM Powell motioned to approve minutes for Town Council Meeting June 6, 2024. TCM Ahlstrom seconded the motion. All votes Ayes. Motion passed.

Department Updates

TCM Lewis Johnson- spoke about the Town budget for this year and next year for new equipment. The secondary water company decided to buy the equipment the Town needs, a mini

hoe, now and the Town can pay them half for it later. The Town could keep it in their shed and use it now if they want. Mayor Sorensen felt it was a generous offer. Cathy Stoker, cemetery sexton, explained that the mini hoe could be used often in the cemetery to get between headstones. TCM Powell spoke in favor of it. The Town is saving money by sharing the cost of the mini hoe with the secondary water company. The TC will need to approve the transaction in a TC meeting.

TCM Sandy Hunter- The subdivision ordinance done by Hansen is getting close to being completed. The planning commission has read and discussed a draft of it. Earnest Rowley, a surveyor the Town hired, called her to discuss the survey of 7700 E. He discovered that the road is in the name of a man named Tyler who owned the property years ago and is now deceased. The TC wants to get the road in the Town's name. They decided to hold another meeting the following week on 7700 E. to measure the pavement and decide on the total width of the road.

TCM Artie Powell said the 4th of July celebration planning is on schedule. The OVPSA is working through the process of distributing the money and paying the routine maintenance bills. They are getting closer to giving money to Huntsville Town for the parks.

TCM Richard Sorensen- He went to a graveside service in Ogden recently and learned that in that particular cemetery caskets can be double stacked in graves. He wondered if that was possible in the Huntsville Town Cemetery. Beckki suggested a work session in the future to discuss the cemetery code.

TCM Sandy Hunter motioned to adjourn the meeting. TCM Ahlstrom seconded the motion. All votes Ayes. Motion passed.

Meeting adjourned at 8:10 p.m.

Nikki Wolthuis, Town Clerk

**MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING
 Wednesday, June 25, 2024, 10:00 am.
 621 S. 7700 E, Huntsville**

Name	Title	Status
Richard L. Sorensen	Mayor	Present
Bruce Ahlstrom	Council Member	Present
Lewis Johnson	Council Member	Excused
Sandy Hunter	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present

Citizens: Liz Poulter, Jennifer Georgi, Star Primm

The Town Council met at 7700 E. near 621 South in Huntsville to discuss the road issue. Last year it was brought to the Town’s attention that 7700 E. from 600 S. all the way to the end of the street going south was part of private property and was not owned by the Town. TCM Hunter reached out to a surveyor last fall to survey the property and clear up the issue. The Town Council would like to have the road under the ownership of the Town so that they can maintain it and prevent future issues.

At the meeting on 7700 E. the Town Council met to measure the width of the pavement and locate utilities along the roadway. As they were discussing the road, nearby residents Star Primm and Jennifer Georgi were outside and briefly joined the discussion. They have lived in their home at the end of the lane for several years and had an interest in the state of the road. It was decided that the Town would hold a public meeting with the residents of 7700 E. to inform them of the history and the future of the road, easements and maintenance, and answer any questions that the residents have. The meeting will be held at the Huntsville Mercantile on Wednesday July 10th at 7:00 pm.

Mayor Richard Sorensen motioned to adjourn the meeting by consent. There were no objections.

Meeting adjourned at 10:45 am.

Nikki Wolthuis, Town Clerk



4343 Century Drive, Salt Lake City, UT 84123
 Phone (801) 262-5761 Fax (801) 262-6780 www.centuryeq.com

1350 South 2000 West
 Springville, UT 84663
 Phone (801) 794-1463
 Fax (801) 794-1414

453 North 1000 West
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 Phone (435) 752-1533
 Fax (435) 752-5722

482 North Main Street
 Cedar City, Utah 84720
 Phone (435) 586-4406
 Fax (435) 586-2362

549 32 Road
 Clifton, CO 81520
 Phone (970) 434-7363
 Fax (970) 434-7367

2030 Sunset Drive
 Rock Springs, WY 82901
 Phone (307) 382-6570
 Fax (307) 382-6574

855 Highway 51 Bypass North
 Dyersburg, TN 38024
 Phone (731) 285-2875
 Fax (731) 285-2877

1097 Highway 3
 Durango, CO 81301
 Phone (970) 247-0522
 Fax (970) 247-9721

6301 Edith Blvd NE
 Albuquerque, NM 87107
 Phone (505) 433-2246
 Fax (505) 433-4414

Customer Quotation & Order Form

Customer's Name Huntsville City			Deliver To: Gary Probasco		
Address 7483 E 100 S			Address State Contract #MA3377		
City or Town Huntsville	State UT	Zip Code 84317	Email garpro766@hotmail.com		
Date 06/13/24	Expected delivery date TBD	Account No.	Invoice No.	Phone Number (801) 791-9225	

QUANTITY	DESCRIPTION OF GOODS	S/N	Price
1	CASE CX60C Mini Excavator	JK0001118	67,200.00
	CAB, Long Arm, Rubber Tracks 400MM, two-way AUX Joystick		
	Werk-Brau CPLR 16247-1-2		
	Werk-Brau Thumb 16247-3-1		
	Werk-Brau Bucket 24" 16247-2-2 23 SER teeth		
	Machine has 685 hours on it.		

No Warranty - Sold As-Is

Huntsville Town will pay Huntsville Waterworks 50% of the cost of the mini hoe for a total of \$33,600.00. This will be paid during the 25-26 Fiscal year. Huntsville Town will store the mini hoe at the Town Shop and can start using it today.

Thanks! Mike

TRADE-IN ON

NONE

<input checked="" type="checkbox"/> NO WARRANTY SOLD AS IS, OR <input type="checkbox"/> INCLUDES WARRANTY SEE ABOVE		TOTAL TRADE VALUE	-
<p>This order is subject to the Manufacturers availability. Century Equipment (seller) shall not be held liable if delivery of the Equipment is delayed or prevented due to labor disturbances, transportation difficulties, or for any reason beyond control of seller. The purchase price is subject to any new or increased taxes in effect at time of delivery. The balance due shall be paid in full at the time of delivery however, if purchaser is unable to obtain satisfactory financing, seller shall be paid \$1,000 for each day the Equipment is in the possession of purchaser. The down payment (including any trade-in) may be retained by seller as security for said payment. Upon signing, purchaser implies complete knowledge and acceptance of the terms & conditions as stated. Any deposits or down payments made, may be retained by seller if customer does not accept equipment or perform all other terms of this agreement. If a "trade-in" is applied against the cash price, purchaser warrants, except in the amount set forth as owing, that such item(s) shall be free and clear of all security agreements, liens, and encumbrances at the time of transfer to seller.</p>		TOTAL AMOUNT	67,200.00
		DEDUCT TRADE IN	-
		CASH DIFFERENCE	67,200.00
		SALES TAX	0.000%
		TRADE PAYOFF (if applicable)	-
		OTHER	-
		TOTAL CASH PRICE	\$ 67,200.00
LESS CASH RECEIVED	-		
BALANCE DUE ON DELIVERY	\$ 67,200.00		

Signature of Purchaser or Agent _____ Date _____

Signature of Purchaser or Agent _____ Date _____

Witnessing Sales Representative of Century Equipment Company, Inc. _____ Date _____

Order Accepted By:
 CENTURY EQUIPMENT COMPANY, INC.

RESOLUTION 2024-7-10

A RESOLUTION OF HUNTSVILLE TOWN, UTAH, TO ENTER INTO AN AGREEMENT WITH NOVA TIERRA LLC, AN INDEPENDENT CONTRACTOR TO WORK WITH HUNTSVILLE TOWN ON USAGE AND OPERATION OF THE GREEN WASTE LANDFILL.

WHEREAS, Huntsville Town (hereafter “Town”) is a municipal corporation duly organized and existing under the laws of the State of Utah;

WHEREAS, the Town Council is the municipal legislative body;

WHEREAS, the Town desires to make green waste disposal more eco-friendly by reducing burning of green waste and provide neighbors and valley residents with the convenience of recycling green waste, and a local product;

WHEREAS, the Town understands that providing services for green waste recycling may contribute to canyon traffic safety by reducing the amount of loads being transported to Ogden;

WHEREAS, the Town Council has entered into an agreement with Nova Tierra LLC and desires to ratify that Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Huntsville Town Council as follows;

Section 1. Ratification. That the Agreement between Huntsville Town and Nova Tierra Energy attached hereto as Exhibit “A” and incorporated herein by this reference is hereby ratified by the Town Council and shall continue in full force and effect according to the terms of the Agreement.

Section 2. Effective Date. This Resolution is effective immediately upon adoption by the Town Council.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Richard Sorensen				
CM Lewis Johnson				
CM Sandy Hunter				
CM Artie Powell				
CM Bruce Ahlstrom				

PASSED AND ADOPTED by the Town Council on this ____ day of _____, 2024.

RICHARD SORENSEN, Mayor

ATTEST:

NIKKI WOLTHUIS, Clerk

RECORDED this 10TH day of JULY, 2024.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal clerk of Huntsville Town, hereby certify that foregoing resolution was duly passed and published, or posted at 1) Town Hall 2) www.huntsvilletown.com 3) pmn.gov

Huntsville Town Clerk

DATE: _____

INDEPENDENT CONTRACTOR AGREEMENT

THIS INDEPENDENT CONTRACTOR AGREEMENT (the "Agreement") dated this 10th day of July, 2024.

BETWEEN:

Huntsville Town, Inc of 7381 E 200 S, Huntsville, UT 84317, USA
(the "Client")

- AND -

Nova Tierra Energy,
(the "Contractor").

BACKGROUND:

- A. The Client is of the opinion that the Contractor has the necessary qualifications, experience and abilities to provide services to the Client.

- B. The Contractor is agreeable to providing such services to the Client on the terms and conditions set out in this Agreement.

IN CONSIDERATION OF the matters described above and of the mutual benefits and obligations set forth in this Agreement, the receipt and sufficiency of which consideration is hereby acknowledged, the Client and the Contractor (individually the "Party" and collectively the "Parties" to this Agreement) agree as follows:

Services Provided

1. Huntsville Town, hereby agrees to allow Nova Tierra, LLC to provide green waste recycling services at the Huntsville green waste landfill according to the following guidelines:
 - The Huntsville Green Landfill to continue to allow green waste only.
 - The burning of green waste will cease immediately.
 - Nova Tierra, at its own expense, will staff the landfill at a minimum of every Saturday from 10 a.m. to 1 p.m., weather permitting.

- Landfill to accept all sizes of green waste, as long as it is free of chemicals and contaminants.
- Huntsville residents to be charged \$5/load.
- Non-residents to be charged \$20/load.

2. The Services will also include any other tasks which the Parties may agree on. Nova Tierra, LLC hereby agrees to provide such Services to Huntsville Town. Some of these services include:

- ? ✓
- Nova Tierra, LLC will be granted access to the loader owned by Huntsville Town for use in unloading, organizing, stacking, and moving material. Nova Tierra will be responsible for the fuel while using the loader.
 - Nova Tierra will grind, compost and windrow the green waste accumulated throughout the season.
 - Nova Tierra will work with the Town Council and other county government officials to ban the burning of green waste inside county borders.
- Bruce X

Term of Agreement

3. The term of this Agreement (the "Term") will begin on the date of this Agreement and will remain in full force and effect indefinitely until terminated as provided in this Agreement.
4. In the event that either Party wishes to terminate this Agreement, that Party will be required to provide at least 30 days' notice to the other Party.
5. In the event that either Party breaches a material provision under this Agreement, the non-defaulting Party may terminate this Agreement and require the defaulting Party to indemnify the non-defaulting Party against all reasonable damages.
6. This Agreement may be terminated at any time by mutual agreement of the Parties.
7. Except as otherwise provided in this Agreement, the obligations of the Contractor will end upon the termination of this Agreement.

Performance

8. The Parties agree to do everything necessary to ensure that the terms of this Agreement take effect.

Currency

9. Except as otherwise provided in this Agreement, all monetary amounts referred to in this Agreement are in US Dollars.

Compensation

10. For the services rendered by Nova Tierra, LLC as required by this Agreement:

11.

- Huntsville Town will receive all fees charged for bringing green waste to the landfill.
- Beginning each spring, Nova Tierra will make available for purchase the compost, mulch and/or firewood at rates consistent with current market conditions.

12. The Compensation as stated in this Agreement does not include sales tax, or other applicable duties as may be required by law. Any sales tax and duties required by law will be charged to the Client.

Confidentiality

13. Confidential information (the "Confidential Information") refers to any data or information relating to the business of Huntsville Town which would reasonably be considered to be proprietary to the Huntsville Town including, but not limited to, accounting records, business processes, and Town records and that is not generally known in the industry of the Town and where the release of that Confidential Information could reasonably be expected to cause harm to the Town.

14. Nova Tierra, LLC agrees that it will not disclose, divulge, reveal, report or use, for any purpose, any Confidential Information which the Town has obtained, except as authorized by Huntsville Town. This obligation will survive the expiration or termination of this Agreement and will continue indefinitely.

15. All written and oral information and materials disclosed or provided by Huntsville Town to Nova Tierra, LLC under this Agreement is Confidential Information regardless of whether it was provided before or after the date of this Agreement or how it was provided to Nova Tierra, LLC.

Ownership of Materials and Intellectual Property

16. All intellectual property and related materials (the "Intellectual Property") including any related work in progress that is developed or produced under this Agreement, will be the sole property of the Huntsville Town. The use of the Intellectual Property by Huntsville Town will not be restricted in any manner.
17. Nova Tierra, LLC may not use the Intellectual Property for any purpose other than that contracted for in this Agreement except with the written consent of the Huntsville Town. Nova Tierra, LLC will be responsible for any and all damages resulting from the unauthorized use of the Intellectual Property.

Return of Property

18. Upon the expiry or termination of this Agreement, Nova Tierra, LLC will return to Huntsville any property, documentation, records, or Confidential Information which is the property of Huntsville Town.

Capacity/Independent Contractor

19. In providing the Services under this Agreement it is expressly agreed that Nova Tierra, LLC is acting as an independent contractor and not as an employee. Nova Tierra, LLC, and Huntsville Town acknowledge that this Agreement does not create a partnership or joint venture between them, and is exclusively a contract for service.

Notice

20. All notices, requests, demands or other communications required or permitted by the terms of this Agreement will be given in writing and delivered to the Parties of this Agreement as follows:

- a. Huntsville Town, Inc
7381 E 200 S, Huntsville, UT 84317, USA

- b. Nova Tierra, LLC
Kelly Peterson, CEO _____

or to such other address as any Party may from time to time notify the other.

Indemnification

21. Except to the extent paid in settlement from any applicable insurance policies, and to the extent permitted by applicable law, each Party agrees to indemnify and hold harmless the other Party, and its respective affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from or arise out of any act or omission of the indemnifying party, its respective affiliates, officers, agents, employees, and permitted successors and assigns that occurs in connection with this Agreement. This indemnification will survive the termination of this Agreement.

Insurance

22. Nova Tierra, LLC will be required to maintain general liability insurance including coverage for bodily injury and property damage at a level that would be considered reasonable in the industry of the Contractor based on the risk associated with the characteristics of this Agreement and only to the extent permitted by law. All insurance policies will remain materially unchanged for the duration of this Agreement.

Legal Expenses

23. In the event that legal action is brought to enforce or interpret any term of this Agreement, the prevailing Party will be entitled to recover, in addition to any other damages or award, all reasonable legal costs and fees associated with the action.

Modification of Agreement

24. Any amendment or modification of this Agreement or additional obligation assumed by either Party in connection with this Agreement will only be binding if evidenced in writing signed by each Party or an authorized representative of each Party.

Time of the Essence

25. Time is of the essence in this Agreement. No extension or variation of this Agreement will operate as a waiver of this provision.

Assignment

26. The Contractor will not voluntarily, or by operation of law, assign or otherwise transfer its obligations under this Agreement without the prior written consent of the Client.

Entire Agreement

27. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressly provided in this Agreement.

Endurement

28. This Agreement will endure to the benefit of and be binding on the Parties and their respective heirs, executors, administrators, successors and permitted assigns.

Titles/Headings

29. Headings are inserted for the convenience of the Parties only and are not to be considered when interpreting this Agreement.

Gender

30. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.

Governing Law

31. It is the intention of the Parties to this Agreement that this Agreement and the performance under this Agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of Utah, without regard to the jurisdiction in which any action or special proceeding may be instituted.

Severability

32. In the event that any of the provisions of this Agreement are held to be invalid or unenforceable in whole or in part, all other provisions will nevertheless continue to be valid and enforceable with the invalid or unenforceable parts severed from the remainder of this Agreement.

Waiver

33. The waiver by either Party of a breach, default, delay or omission of any of the provisions of this Agreement by the other Party will not be construed as a waiver of any subsequent breach of the same or other provisions.

IN WITNESS WHEREOF the Parties have duly affixed their signatures under hand and seal on this 10 day of July, 2024.

Huntsville Town, Inc

WITNESS: _____

Per: _____ (Seal)

Nova Tierra, LLC, Kelly Peterson, CEO

WITNESS: _____

Per: _____ (Seal)

POSSIBLE SOLUTION FOR 7700 E

After talking with Ernest Rolley on June 28, 2024, in reference to Weber County Parcel 24-018-0023, he feels the best course of action for this section of 7700 E is to use the Laches defense (undue delay in asserting a legal right, or abandonment).

The section of 7700 E that runs south of 600 South is a platted section and was originally attached to parcel 24-018-0023. This parcel belonged to Keith Tyler prior to 1994 and was all one piece including the platted strip which is now 7700 E. Ernest Rolley has done a lot of research on this parcel in the last several months. Mr. Rolley has determined that when the Fullers purchased the parcel from Keith Tyler in 1994 or 1995 the strip (7700 E) was not included in the Title. Only the portion of the parcel which includes the house was deeded over to the Fullers. That parcel is still 24-018-0023 but does not include the strip that is 7700 E. See Weber County plat map for this parcel, and the platted strip which is 7700 E with a (?). Mr. Rolley has determined that this section of 7700 E is a piece of property that was last owned by Keith Tyler. This piece of property should be considered abandoned property.

Keith Tyler is now deceased and has no heirs that we know of. Liz Poulter, who owns a parcel a little north of Keith Tyler's, knew Keith when she moved to her parcel in the early 1980's. Liz said Keith was not married and had no children.

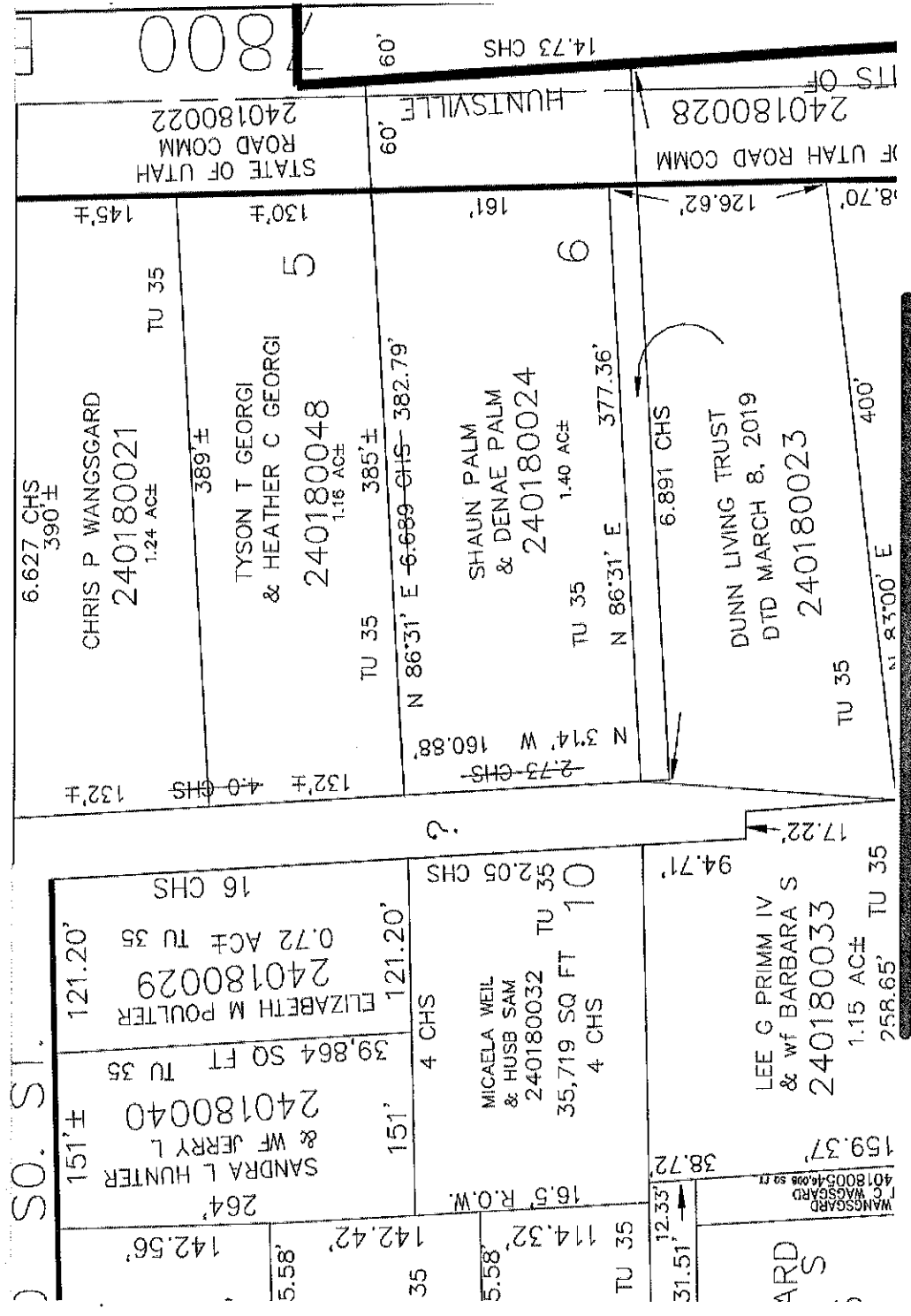
Huntsville Town has treated this property (7700 E) as a Town street and has paved, maintained, and plowed it since at least 1990 or earlier.

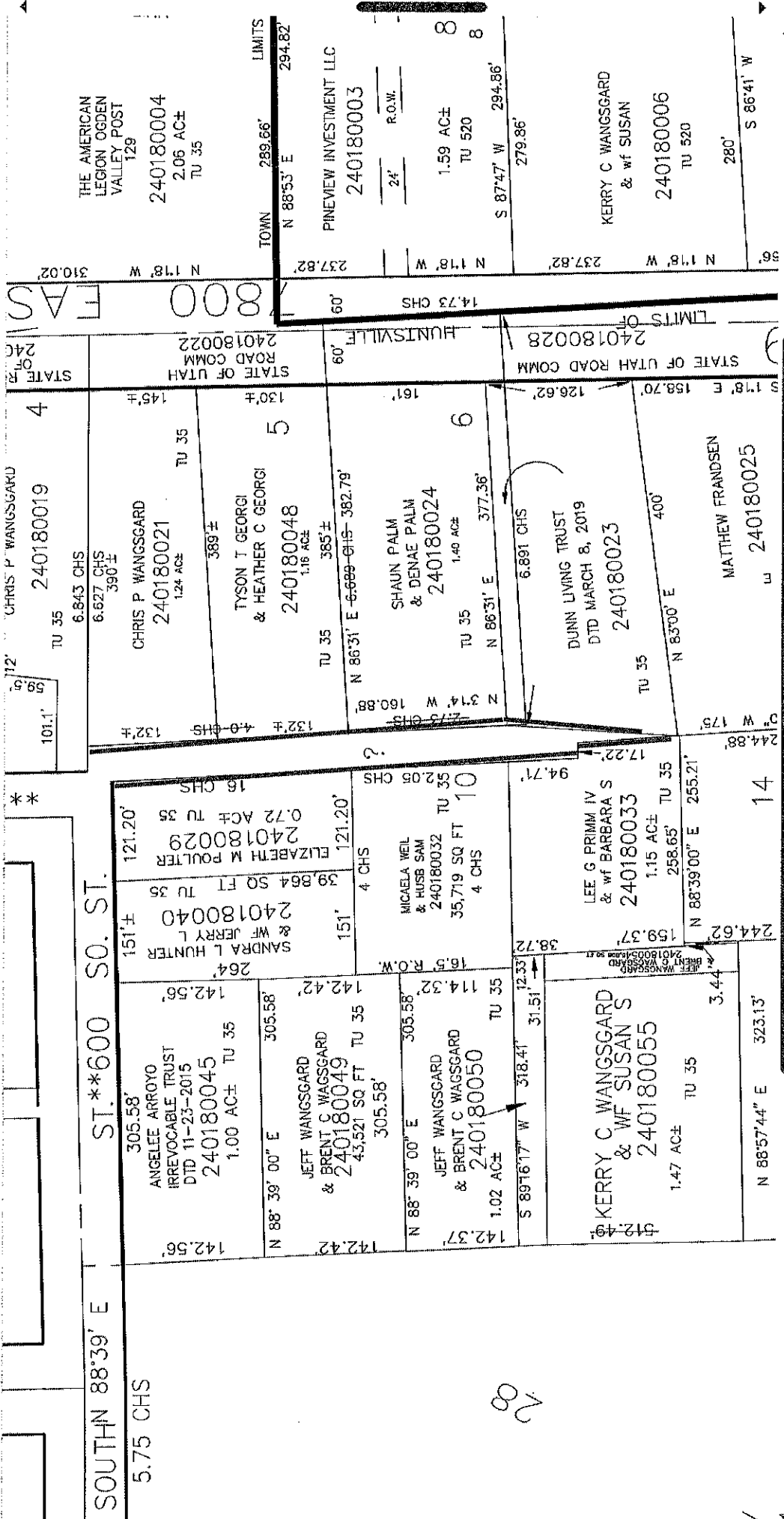
The Town wishes to use the Laches defense because the Town feels this property has been abandoned by the last known owner, Keith Tyler. The Town and the residents along the street have treated it as a Town street. The Town would like to seek a court order to turn this abandoned property over to the Town. The Town feels this would also benefit the property owners along this street if it was declared official Town property because it would give those property owners "frontage" on a Town street which is a requirement in the Town's municipal code for building new dwellings and remodeling existing dwellings.

Since this portion of 7700 East is platted, the boundary lines for the property owners on the east and west side of this street would remain the same if the Town took formal ownership of the platted property. As it now stands, this property is determined a right-of-way over private property because it has been used as such for well over 34 years.

I discussed this with the Town's attorney, Bill Morris, and sent him this information. Bill agrees the Laches defense should work and is familiar with it. He will prepare the case to present to the court asking for an order to turn the abandoned property over to the Town.

Sandy Hunter
Huntsville Town Councilmember





SOUTH N 88°39' E
5.75 CHS

ST. *600 SO. ST.

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TU 35
6.843 CHS
6.627 CHS
390±

CHRIS P WANGSGARD
240180019

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TYSON J GEORGI
& HEATHER C GEORGI
240180048
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6
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1.40 AC±
377.36'

SHAUN PALM
& DENAE PALM
240180024

10
TU 35
1.15 AC±
258.65'

LEE G PRIMM IV
& wf BARBARA S
240180033

14
TU 35
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323.13'

ANGELEE ARROYO
IRREVOCABLE TRUST
DTD 11-23-2015
240180045
1.00 AC± TU 35

JEFF WANGSGARD
& BRENT C WAGSGARD
240180049
43,521 SQ FT TU 35

JEFF WANGSGARD
& BRENT C WAGSGARD
240180050

KERRY C WANGSGARD
& wf SUSAN S
240180055

SANDRA L HUNTER
& wf JERRY L
240180040

ELIZABETH M POULTER
240180029
0.72 AC± TU 35

MICHAELA WEIL
& HUSB SAM
240180032
35,719 SQ FT TU 35

DUNN LIVING TRUST
DTD MARCH 8, 2019
240180023

MATTHEW FRANDBSEN
240180025

CHRIS P WANGSGARD
240180021
1.24 AC±

THE AMERICAN
LEGION OGDEN
VALLEY POST
129
240180004
2.06 AC±
TU 35

TOWN 289.66'
N 88°53' E 294.82'

PINEVIEW INVESTMENT LLC
240180003
24' R.O.W.

1.59 AC±
TU 520

KERRY C WANGSGARD
& wf SUSAN
240180006
TU 520

280'
S 86°41' W

237.82'
N 118' W

279.86'
S 87°47' W 294.86'

14.73 CHS
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126.62'
S 118' E 158.70'

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4.0 CHS

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59.5'

112'
CHRIS P WANGSGARD
240180019

161'

160.88'
N 31.4' W

6.891 CHS

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94.71'

38.72'

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**HUNTSVILLE TOWN
ORDINANCE 2024-6-20**

TRANSPORTATION CODE

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, REPEALING AND RE-ENACTING TITLE 14 OF THE HUNTSVILLE TOWN CODE TO BE ENTITLED "TRANSPORTATION CODE"; SEVERABILITY; AND PROVIDE AN EFFECTIVE DATE.

WHEREAS, Huntsville Town (hereafter "Town") is a municipal corporation, duly organized and existing under the laws of the state of Utah;

WHEREAS, *Utah Code Annotated* §10-8-8, 1953 as amended, authorizes the Town to "lay out, establish, open, alter, widen, narrow, extend, grade, pave or otherwise improve streets";

WHEREAS, *Utah Code Annotated* §10-8-11, 1953 as amended, empowers the Town to regulate "the use of streets, avenues, alleys, sidewalks, crosswalks, parks and public grounds, prevent and remove obstructions and encroachments thereon, and provide for the lighting and sprinkling of the same";

WHEREAS, *Utah Code Annotated* §10-8-84, 1953 as amended, grants the Town broad authority to provide for safety and preserve health, and promote prosperity, improve morals, peace and good order, comfort, convenience, and for the protection of property;

WHEREAS, *Utah Code Annotated* §10-8-60, 1953 as amended, grants the Town broad authority to declare what shall be a nuisance, abate the same, and to impose fines for such nuisances;

WHEREAS, the Town is the "Highway Authority" under state law for certain roads within its jurisdiction;

WHEREAS, the Town Council desires to adopt a "Transportation Code";

NOW, THEREFORE, be it ordained by the Town Council of Huntsville, Utah as follows:

Section 1: Repealer. Any word, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Adoption. Title 14 is hereby repealed and re-enacted to read as follows:

**Title 14
Transportation**

Chapters:

- 14.01 General Provisions**
- 14.03 Traffic Control Regulations**
- 14.05 Operational Restrictions**
- 14.07 Winter Snow Removal**

- 14.09 Speed Limits
- 14.11 Towing and Impound
- 14.13 Stopping and Parking Regulations
- 14.15 Pedestrians
- 14.17 Penalties and Procedures

**Chapter 14.01
General Provisions**

Sections:

- 14.01.010 Definitions.
- 14.01.020 Highway Authority.
- 14.01.030 Applicability.
- 14.01.040 Traffic Control Devices.
- 14.01.050 Motor Vehicle Code.

14.01.010 Definitions.

In addition to the definitions of the municipal code, this Chapter adopts the applicable definitions set forth in Title 72 and Title 41 of the Utah Code Annotated.

1. "Director" means the Public Works Director of the Town.
2. "Road" means any street, highway, alley, or other similar term identifying transportation along a right-of-way, whether dedicated or prescriptive. Depending on the context or state law, road may be limited to roads where the Town is the highway authority, or all roads in the Town.
3. "Town" means the municipal corporate limits of Huntsville, Utah.

14.01.020 Highway Authority and Administration.

The Town is the highway authority for all roads under its jurisdiction. This Title is administered by the Director and may require in collaboration with the Mayor, Town Council, Town Engineer or any consultant employed by the Town as the case may be.

14.01.030 Applicability.

All vehicles using the roads in the Town shall be subject to the provisions of this Title. This Title also applies to every person operating a transportation device, or utilizing an animal upon a roadway, except for those that by their nature have no application.

14.01.040 Traffic Control Devices.

The Director, who may consult with the Town Engineer, shall install and maintain traffic control devices as necessary to carry out the provisions of this Title or otherwise regulate, warn, or guide traffic. Traffic control devices should generally conform to the most current publication of the Manual on Uniform Traffic Control Devices (MUTCD), published by the Federal Highway Administration (FHWA), as adapted and applied by the Town.

14.01.050 State Motor Vehicle Code.

The provisions of Title 41 and Title 76, Utah Code Annotated, as amended, are hereby adopted and incorporated herein by this reference as part of the Huntsville Town Code as if set forth fully herein, except those statutory references that do not come within the jurisdiction of the classification of the Town under state law, or the jurisdiction of the justice court designated by the Town.

**Chapter 14.03
Traffic Control Regulations**

Sections:

- 14.03.010 Compliance with Traffic Control Devices.**
- 14.03.020 Unauthorized Signs or Devices Prohibited.**
- 14.03.030 Obstruction Prohibited.**
- 14.03.040 Crosswalks, Safety Zones, and Traffic Lanes.**
- 14.03.050 One-Way Roads.**
- 14.03.060 Size, Weight, and Route Restrictions.**
- 14.03.070 Truck Routes.**
- 14.03.080 Limited Access Roads and Toll Roads.**
- 14.03.090 Dynamic Braking Devices.**

14.03.010 Compliance with Traffic Control Devices.

Subject to the exceptions granted drivers of authorized emergency vehicles, no person shall disobey the instructions of any applicable traffic control device placed in accordance with this Title unless otherwise directed by an appropriate law enforcement officer. Traffic control devices must be properly installed and maintained at the time and place of the alleged violation in order to be enforceable. Each traffic control device must be sufficiently legible, ~~to be visible and understandable~~ by an reasonable person.

14.03.020 Unauthorized Signs and Devices Prohibited.

The accumulation of non-traffic signs or devices can distract drivers, cause accidents, injuries, and otherwise threaten public safety. ~~All signs posted on the public right-of-way must be approved by the Director acting as the Highway Authority. Any prohibited sign, signal, light, device, or marking is hereby declared to be a public nuisance and may be abated or removed without notice to the owner. No person shall place, maintain or display upon or in view of any road any unauthorized sign, signal, light, marking or other device:~~

1. That purports to be, imitates or resembles an official traffic control device, railroad sign or signal, or authorized emergency flashing light.
2. That attempts to direct the movement of traffic.
3. That hides from view or interferes with the effectiveness of any official traffic device or any railroad sign or signal.
4. That is of such brilliant illumination and so positioned as to be in danger of blinding or dazzling a driver on any adjacent road.
- ~~5. Is an unauthorized sign, signal, light, device, or marking.~~

Prohibited

Any sign, signal, light or marking that is determined to be a public nuisance may be abated or removed without notice

14.03.030 Obstruction Prohibited.

1. Obstructions Generally. It is unlawful for persons owning or occupying property adjacent to any road to permit any tree, plant, shrub, sign, vehicle, fence, or other obstacle of any kind located on said property to block any traffic control device to the vision of oncoming motorists or to obscure the vision of oncoming traffic so as to constitute a traffic hazard. ~~It is unlawful for anyone to place or plant any object beyond the property line, including the alleyways.~~ ^{TOWN} The Director may determine, upon investigation, that a traffic hazard exists and notify the owner or occupant to immediately remove the hazard or allow up to ten (10) days for removal depending upon the severity of the obstruction.
2. Repairs. It is unlawful to conduct any vehicle service or make repairs of any kind in any right-of-way or road, except in case of a bona fide emergency.
3. Mailbox Standards. The following standards applies for the location and type of mailboxes and/or newspaper boxes ("boxes") on the public right-of-way:
 - a. Location and material type shall conform with the current standard regulations of the Department of Transportation and the U.S. Postal Service.
 - b. The mailbox shall be positioned so as not to interfere or obstruct the flow of traffic and ~~Location shall be reasonably set back from road to avoid being~~ damaged by snow plows and other vehicles.
 - c. Relocation by road construction shall meet current standards and regulation.
 - d. Boxes which constitute a traffic hazard shall be removed or altered by the owner to conform to current standards and regulations, such removal or alteration shall be at the expense of the owner.
 - e. The owner is subject to all liability related to boxes, including but not limited to: placement, construction materials, and maintenance.

14.03.040 Crosswalks, Safety Zones, and Traffic Lanes.

The Director may designate and maintain, upon appropriate investigation where there is particular danger to pedestrians, any crosswalks along with the applicable devices, marks, or lines upon the surface of the road. The Director may also establish safety zones of such kind and character and at such places as deemed necessary for the protection of the public. The Director may designate traffic lanes on roads at places deemed advisable.

14.03.050 One-Way Roads.

The Town Council may approve the Director to designate and mark roads as one-way, requiring that all vehicles thereon move in one specific direction.

14.03.060 Size, Weight, and Route Restrictions.

The current vehicle size and weight standards as set forth in state code apply to Town roads. The Director may upon designation and posting appropriate traffic control devices at each end of that portion of the road affected:

1. Prohibit the operation of vehicles upon any Town road or impose restrictions as to the weight of vehicles thereon for a period of time for a road project, emergency, or otherwise.

2. Prohibit the operations of vehicles on any Town road whenever such might be damaged by deterioration or climatic conditions.
3. Prohibit or limit the operation of trucks or commercial vehicles, including imposing weight limitations on certain roads and designating truck routes.
4. Review and issue travel permits on Town roads to move a vehicle restricted for weight and size where a written application is submitted and good cause shown.

14.03.070 Truck Routes.

Subject to the appropriate traffic control device no commercial vehicle, semi-truck, or semi-trailer shall operate on any Town roads, except where the Town Council has approved a designated as a truck route or for local delivery within the Town.

14.03.080 Limited Access Roads and Toll Roads

The Town Council may approve the Director to designate and regulate limited-access roads and facilities. The Director may further prohibit or limit the use on limited access highway by pedestrians, animals, transportation devices, or traffic. A person operating a vehicle may not enter, exit, or cross a limited-access road, except at designated points where access is permitted. Barriers or fencing may be installed or maintained by the Director to prevent unauthorized access. No person may connect to or intersect with a limited access road or facility without approval of the Town Council.

Where necessary due to accelerated damage from greater than average use of a Huntsville road, said road may be declared a toll road by the Huntsville Town Council. The operator of a vehicle traveling on a Huntsville Town toll road shall pay the toll set by resolution of the Huntsville Town Council. The Huntsville Town toll may be instituted during any portion of the year when guilty of an infraction. Penalty set by resolution.

14.03.090 Noise Ordinance – Dynamic Braking Devices Restricted.

It is unlawful for any person to operate any motor vehicle with a dynamic braking device engaged on Town roads, except for the aversion of imminent danger. A dynamic braking device includes, but is not limited to: Jacob brake, engine brake, compression break, or other device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes. This section applies to State Route 39 subject to the state placement of signs under this noise ordinance.

**Chapter 14.05
Operational Restrictions**

Sections:

- 14.05.010 Operation Interference Prohibited.**
- 14.05.020 Negligent Collision.**
- 14.05.030 Transportation Devices.**

14.05.010 Operation Interference Prohibited.

No driver or other person shall engage in any conduct that interferes with the safe control and operation of a vehicle in motion.

14.05.020 Negligent Collision

It is unlawful to operate a vehicle with such lack of due care as to cause the same to collide with any vehicle, person, or object.

14.05.030 Transportation Devices.

1. Permitted Devices. In addition to duly licensed and registered motorized vehicles authorized on the Town road surface, the following are classified as "transportation devices" permitted to be operated on the public right-of-way within the Town:
 - a. Off-highway vehicle (OHV).
 - b. Golf cart.
 - c. Low-speed vehicle.
 - d. Motorized wheelchair.
 - e. Electric personal assistive mobility device.
 - f. Electric assisted or standard bicycle.
 - g. Motor assisted scooter.
2. Operation. The following applies to transportation devices:
 - a. The definitions and any regulations in state law apply to each specific transportation device.
 - b. Operator must be of sufficient age to properly operate a transportation device, and comply with applicable traffic regulations. A person under age 16 may not operate and an owner may not give that person permission to operate an OHV or other transportation device on Huntsville streets or roads.
 - c. Transportation devices are prohibited on Huntsville roads and streets between the hours of 10 p.m. and 8 a.m. from March 1 to October 31, and
 - d. Transportation devices are prohibited on Huntsville roads and streets between the hours of 9 p.m. to 8 a.m. from November 1 to February 28 (February 29 during a leap year).
 - e. First Street or 100 South is excluded as a designated street for OHVs or other transportation devices but may be crossed to gain access to or from a private or public area designated for OHVs.
 - b.f. OHVs and other transportation devices shall not be operated on shoulders of the roads or the verge, with the exception of snowmobiles when there is inadequate snow coverage on the street or road. *except bicycles*
 - e. Operation of a transportation device after dark requires adequate lighting and reflective equipment on the transportation device.
 - d. Industry standards for the specific transportation device is the basis for proper operation and adequate lighting.
 - e.g. Operator assumes all risk and liability for operation of a transportation device.
 - f. Transportation devices not normally operated on the sidewalk shall not be operated on the sidewalk.
 - g.h. The Town Council may designate additional limitations by vote and will

golf cart, or class 3 electric bike,

OHVs, golf carts, and class 3 electric bikes shall not be operated on the sidewalk

*g
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post signs for the additional requirements.

Chapter 14.07 Winter Snow Removal

Sections:

- 14.07.010 Snow Removal on Town Roads.**
- 14.07.020 Snow Removal on Sidewalks.**
- 14.07.030 Winter Parking Restrictions.**
- 14.07.040 Nuisance Vehicle.**
- 14.07.050 Interfering with Snow Removal.**

14.07.010 Snow Removal on Town Roads.

The Director is responsible for snow removal on Town roads, except where otherwise provided. Snow removal from roads is prioritized in the following order:

1. Arterial roads.
2. Collector roads.
3. Residential roads.

14.07.020 Snow Removal on Sidewalks and Private Property.

1. Responsibility. It is the responsibility of the abutting property owner to remove snow from sidewalks and driveway approaches accessing the road within twenty-four (24) hours of the end of a snowstorm event.
2. Placement. Snow from private property shall remain on private property. In clearing driveway openings, snow shall be placed on the same side of the street as the driveway opening where possible, so as not to restrict traffic movement or create a hazardous condition. Snow from the length of private driveways shall not be pushed onto a paved Huntsville Town street but must remain on private property or on the parking strip or within the shoulder of the Huntsville Town paved street so as not to impede the street traffic movement, including any sidewalk or driveway shall not:
 - a. Be placed on any road, travel lane, or in a manner that may create a hazardous condition.
 - b. Be pushed across the Town road and deposited on the road side opposite the driveway, except by permit from the Town.
 - c. Be pushed onto or placed on a Town road. There is no public expectation that snow placed in the road will be removed or pushed aside by snow plows.

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14.07.030 Winter Parking Restrictions.

~~In order to adequately remove snow on roads and to avoid property damage, as far as possible, no vehicle, trailer, or other object shall park on any road between October 31 through May 1 each year to allow snow removal from Town roads. Any such vehicle, trailer, or object so parked or placed on any Town road, is hereby declared a public nuisance and is subject to immediate abatement.~~

It shall be unlawful for any person who owns or has possession, custody, or control of any vehicle, or other object, to park or place such item or property upon, or in, any street of the Town from October 31 to May 1 when snow removal is imminent. Prohibited hours of parking will be from 12 hours before the time of the projected arrival of an imminent snowstorm, as broadcast over any commercial radio or television station, and the time the streets have been plowed or otherwise treated by the Town. Parking may be additionally prohibited for snow removal purposes when determined necessary by Town or law enforcement personnel. This section shall not apply to authorized emergency personnel acting in the scope of their duties.

14.07.040 Nuisance Vehicle.

Law enforcement is hereby authorized to abate any vehicle, trailer, or object in violation of this Chapter by moving, removing, causing to be removed, or impound the same.

14.07.050 Interfering with Snow Removal.

When a Town official, employee, or contractor is engaged in snow removal on behalf of the Town, it unlawful for any person to:

1. Communicate a threat to commit an assault or any violent felony towards the snow plow operator, or another, in the course of the snow plow operator's duties.
2. Interfere, harm, injure, damage, or destroy the snow plow operator or their equipment.
3. Remove a snow plow operator from their vehicle, or remove any part, component, bolt, or piece from any snow plow equipment unless authorized to do so by the Town.

4. Place or maintain in place any obstruction, blockade, barrier, equipment, fence, object, item, or other change in, upon, or across the public right-of-way without first receiving written permission from the Town.
5. Stand or place any item on or in front of a snow plow operator in the course of their duties.
6. Throw or otherwise propel snow or any other substance or object at a snow plow operator in the course of their duties.
7. Otherwise inhibit or attempt to inhibit the operation of a snow plow operator in the course of their duties.

**Chapter 14.09
Speed Limits**

Section:

14.09.010 Speed Limits Established.

14.09.020 Impeding Traffic.

14.09.010 Speed Limits Established.

The Director may establish speed limits in accordance with Utah Code 41-6a-603, as amended.

14.09.020 Impeding Traffic.

No person shall operate a vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or because upon a grade or in compliance with law. The Director may determine and post a minimum speed limit on certain roads.

**Chapter 14.11
Towing and Impound**

Sections:

14.11.010 Declaration of Nuisance Vehicle.

14.11.020 Towing Zones.

14.11.030 Procedure.

14.11.010 Declaration of Nuisance Vehicle.

In accordance with Utah Code §10-8-60, as amended, any vehicle described below is hereby determined to be a public nuisance subject to immediate abatement by the Town or by law enforcement:

1. Any unattended vehicle stopped, stationed, or parked in violation of any of the provisions of this Title, or other law.
2. Any vehicle found upon the road with faulty or defective equipment.
3. Any vehicle left unattended upon any bridge, road, or other location in the Town where such vehicle constitutes an obstruction, hazard, or blocks access.
4. Any vehicle parked on a closed or restricted road.
5. Any vehicle parked in a road construction area where such vehicle constitutes an obstruction to the construction project.
6. Any disabled or inoperable vehicle on a road.
7. A vehicle the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.
8. A vehicle on public property that is not designated for parking or parked in public parking area more than twenty-four (24) hours.
9. Any vehicle on the road or public property where the person or persons in charge of the vehicle are taken into custody by a law enforcement under such circumstances as would leave such vehicle unattended.
10. Any vehicle found parked in such a manner to constitute a fire hazard or an obstruction to firefighting apparatus, including marked or reasonably identifiable hydrants.
11. Any vehicle that met the circumstances set forth in Utah Code §41-1a-1101, as amended.

14.11.020 Towing Zones.

In accordance with Utah Code §41-6a-1406, the Director may establish towing zones on applicable Town roads where necessary.

14.11.030 Procedure.

The removal, towing, and/or impoundment of any vehicle, trailer, or object by the Town, law enforcement, or towing agent shall be completed in accordance with the procedure of the

applicable state law. Any applicable appeals may be made in accordance with the appeal procedure set forth in the Municipal Code or other applicable governing law.

Chapter 14.13
Stopping and Parking

Sections:

- 14.13.010 Traffic Control.**
- 14.13.020 Traffic Markings.**
- 14.13.030 Parking.**
- 14.13.040 Commercial Parking.**
- 14.13.050 Commercial Restrictions.**
- 14.13.060 Liability.**

14.13.010 Traffic Control.

The Director shall cause traffic control devices to be erected to regulate, warn, and guide all types of traffic on Town roads.

14.13.020 Traffic Markings.

When appropriate traffic markings may be placed on the road or curb. Any person operating a vehicle shall comply with the appropriate traffic marking. Traffic markings are not required where signs are duly posted, unless required by applicable law. The Director is authorized to place and maintain appropriate traffic markings. Curb traffic markings apply as follows:

1. "Red" means no stopping, standing, or parking at any time.
2. "Yellow" means a restricted zone where stopping, standing, or parking are limited to certain times as designated.
3. "Blue" means parking for a person with a disability who has the proper display or license plate.
4. "White" means loading or unloading zone.

14.13.030 Parking.

The Director may place signs and/or markings on all Town roads to prohibit or restrict stopping, standing, or parking. The Director may also prohibit, restrict, or regulate the stopping, standing, or parking on any property the Town owns or operates. The following are prohibited from parking on any road at any time:

1. Any recreational vehicle, boat, or trailer of any kind.
2. Any dump truck, heavy equipment, or other object of any kind, except use for on a bona fide utility project, Town project, road project, or development permitted by the Town.

14.13.040 Commercial Parking.

1. Commercial Vehicles. No commercial vehicle, semi-truck, semi-trailer, or storage container shall be allowed to be parked on any road for a period in excess of two (2) hours, except while actually loading or unloading.
2. Location. No commercial vehicle with a rated capacity of one and one-half (1½) tons or more, or in excess of eighteen thousand (18,000) pounds gross vehicle weight shall be

parked on any road closer than thirty (30) feet to any driveway, unless it is the driveway being serviced.

3. **Presumption.** For the purposes of this Section a commercial vehicle is deemed parked, even when the motor is running, if the commercial vehicle is left unattended by the driver for more than fifteen (15) minutes, except when unloading or loading.

14.13.050 Commercial Restrictions.

It is unlawful to park any vehicle or trailer, or object of any kind on any road for the purpose of displaying it for sale or commercial advertising.

14.13.060 Liability.

Where any vehicle is illegally parked it constitutes a rebuttable presumption that the registered owner was in control of the vehicle at the time it was parked.

**Chapter 14.15
Pedestrians**

Sections:

14.15.010 Driver Caution.

14.15.020 Crossings.

14.15.030 Right-of-Way.

14.15.040 Standing Prohibited.

14.15.010 Driver Caution.

Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any road, shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any pedestrian, transportation device, animal, or other object on any road.

14.15.020 Crossings.

Each intersection is considered a crosswalk regardless of whether marked or unmarked, or whether traffic control is in operation or not in operation. The driver of a vehicle shall yield the right-of-way, slow down, and/or stop if necessary to permit any pedestrian to cross the road within a crosswalk. Pedestrians shall not suddenly leave a curb or other place of safety to walk or run into traffic where it is impossible for the driver to yield. If any vehicle is stopped at a crosswalk or intersection to permit a pedestrian to cross the road, the driver of any other vehicle approaching shall not overtake and pass the stopped vehicle on any side.

14.15.030 Right-of-Way.

Every pedestrian crossing a road at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall do so only if no crosswalk exists within a reasonable distance to the desired point of crossing. When so crossing, the pedestrian shall yield the right-of-way to all vehicles upon the roadway. ~~Between intersections where traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.~~

14.15.040 Stopping or Standing Prohibited.

The Director may designate a pedestrian "Limited Access Area" to restrict or prohibit pedestrian traffic from stopping, standing, or loitering where public safety necessitates.

**Chapter 14.17
Penalties and Procedures**

Sections:

14.17.010 Violation Penalties.

14.17.020 Procedures.

14.17.010 Violation Penalties.

Any violations of this Title where governed by state law shall be in accordance with the penalties prescribed by the applicable state law. All other violations of this Title shall be an "infraction" subject to a fine not to exceed \$1,000, or the applicable bail schedule as applied by the applicable court. The penalties and procedures in this Title do not apply to public officials or employees in the course of their duties or where otherwise permitted by law.

14.17.020 Procedures.

Any person who violates this Title may be issued a citation or information for the violation(s) subject to the procedure afforded by law and the applicable court. The penalties and procedures in this Title do not apply to public officials or employees in the course of their duties or where otherwise permitted by law

Section 3: Severability. If a court of competent jurisdiction determines that any part of this

