



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
September 27, 2018**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Thursday, September 27, 2018.

CLOSED SESSION - 3:00 p.m.

To Discuss Property, Personnel, and Litigation

WORK SESSION

5:30 p.m. - City Tour 2018 Debrief

[City Tour 2018 Staff Report](#)

[Attachment A: 2018 City Tour Notes](#)

REGULAR MEETING - 6:00 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Reports

1. Open Space Bond Voter Information Brochure
[Open Space Bond Voter Information Brochure Staff Report](#)
[Park City Open Space Bond Brochure](#)

III. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

IV. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from September 13, 2018
[September 13, 2018 Minutes](#)

V. OLD BUSINESS

1. Consideration to Approve Ordinance 2018-52, an Ordinance Amending Title 4A-Special Events, Chapter 1 Definitions and Chapter 2 Special Event Permitting of the Municipal Code of Park City, Utah

(A) Public Hearing (B) Action
[Special Event Code Changes Staff Report](#)
[Exhibit A: Draft Ordinance Amending Title 4A Special Events](#)
[Exhibit B: Redlines to Special Event Code Title 4A](#)
[Exhibit C: Special Event SEAC Background and Link to Code](#)

VI. NEW BUSINESS

1. Consideration to Approve Resolution 24-2018, a Resolution Adopting Amendments to the Park City Transit Department ADA Policy and Complementary Paratransit Plan
(A) Public Input (B) Action
[Transit Amendments Staff Report](#)
[Exhibit A: ADA Policy](#)
[Exhibit B: ADA Transit Resolution](#)

VII. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org

***Parking validations will be provided for Council meeting attendees that park in the China Bridge parking structure.**

Council Agenda Item Report

Meeting Date: September 27, 2018

Submitted by: Minda Stockdale

Submitting Department: Executive

Item Type: Staff Report

Agenda Section: WORK SESSION

Subject:

5:30 p.m. - City Tour 2018 Debrief

Suggested Action:

Discuss and debrief of the 2018 CityTour to Bozeman and Livingston, MT, and Jackson Hole, WY.

Attachments:

[City Tour 2018 Staff Report](#)

[Attachment A: 2018 City Tour Notes](#)



City Council Staff Report

Subject: CityTour 2018 presentation & debrief
Author: Minda Stockdale, Leadership Admin.
Department: Executive
Date: September 27, 2018
Type of Item: Work Session

Summary Recommendation

Discuss and debrief of the 2018 CityTour to Bozeman and Livingston, MT, and Jackson Hole, WY.

Executive Summary

One of the many important aspects of the CityTour is the debrief process on Sunday morning, where the group distills their key takeaways and lessons learned from each of the communities included on the tour. This year the debrief was facilitated and summarized by Kilo Zamora, Professor of Social Change at the University of Utah and Leadership Park City visiting facilitator (Attachment A). As the second phase of the debrief process, staff will present highlights of the CityTour during a work session and take additional City Council and public input.

Background

For the past 30+ years, groups from Park City and Summit County have traveled the West visiting communities experiencing rapid growth and/or tourism & recreation development. Our goal is to share information and learn from their successes and experiences. These tours are highly informative and in many cases eye opening. We have visited Aspen, Telluride, Crested Butte, Dillon, Durango, Grand Junction, Breckenridge, Flagstaff, Sedona, Vail, Jackson, Ketchum, Sun Valley, Boulder, Steamboat Springs, Moab, Taos, Santa Fe, Missoula, Boise, McCall, Livingston, Bozeman, Helena, Fort Collins, Estes Park, Central City, Lake Tahoe, Seattle, Vancouver, Whistler and Las Vegas. Each of these communities has graciously received our group. Open and honest discussions with our counterparts have been mutually beneficial and rewarding. In many instances things we learned have influenced how we do business in Park City and imbued us with a renewed sense of vision, energy and mission. We gained valuable perspectives and made many new friends along the way.

Participants on CityTour represent a cross section of public officials, often including the Mayor and City Council, County Council, members of boards and commissions (Planning Commission, Historic Preservation Board, Recreation Advisory Board, etc.) as well as key members of our city and county staffs, including the City and County Managers and various Department Heads. In addition, the Chamber/Bureau and business and corporate leaders, and other community groups, like the Board of Realtors, Historic Park City Alliance, and non-profit, environmental and citizen groups have joined us. Our local Leadership Park City class and the media also accompany us. Our goal is to travel with as many viewpoints represented as space permits. Our groups typically number 65-70 participants.

We schedule meetings and activities in each community to foster discussion and networking. Our aim is to encourage two-way communication and consequently, we travel to both learn and

share. Many times, we in Park City have particular expertise dealing with issues that a host community is experiencing and sharing our knowledge is seen as a valuable part of our visit. We also find that extended professional and citizen activist networks develop which prove worthwhile. Because Park City helped host the 2002 Olympic Winter Games, many communities are interested in how we planned and executed this signature worldwide event.

The majority of tour participants pay their own expenses, which is approximately \$800+. We travel by bus, van and car and share rooms when possible to foster intra-group communication. We also treasure the opportunity to debrief and process what we learn and experience for reflection and implementation.

Attachments

A CityTour 2018 debrief notes, Kilo Zamora, author

Park City Citytour 2018

Bozeman, Livingston and Jackson Hole



Take-Aways From Citytour Participants

We are doing alright as a community and it is important to share that message, remind ourselves that we are fortunate, and to be kind and humble

- Keep pushing forward and maintain community momentum
- Reinforce our accomplishments and celebrate our success – create community
- Don't be afraid to try new things and fail

Social Equity

- Teen Center in Livingston
 - Cafe Cool
- Warming Shelter in Bozeman
- Mental Health murals in Jackson Hole #thereforyou
- Transportation
 - For People w/ disabilities
 - Long distant pick up for employees
 - Walk Audit to develop a more robust way to think about the multiple ways to enhance the mobility of the city- as described in the Bozeman presentation
 - Way Finding Signs- In Spanish
- Examine ways increase scope of needs and needs for homeless, seniors, and English language learners
- Community engagement places
- Using human capital to improve community livelihood. For example, utilizing the skills and talents of retirees.
- Diversity – downtown vibrancy of people, businesses, etc.

HRDC Lessons

- Just try things
- Identifying needs and fill them with innovative solutions.
- Leveraging shared services by having a large non-profit with multiple services and connecting with local government
- Effectively sorting people based on needs. A way to assess clients' needs.

Community Communication Conduit

- Enhance shared data across agencies and with community
- Multiple ways to garner community input
- Community conversations as was mentioned in the Bozeman Day of Community Conversations (Seat at The Table) to enhance the City's long range vision

Water Conservation / Management

- Developing creative solution to conserve in tandem with new development projects

Education

- Next high school to include college extension campus.
- Pay for bi-lingual education

Community Investment

- Make all communities / neighborhoods local
 - Bring locals back to Main Street – downtown vibrancy
 - Limit nightly rentals
 - Old Town Grocery Store
 - Mini-Main Street everywhere to create pockets of more vibrant neighborhoods
 - Prospector
 - Silver Summit
 - Kimball
- Invest in senior citizens so their social status increases over time.
- County, City, Community connection
 - Water dist. Services
 - Tree Management
 - Warming huts
 - Review overlapping of services
 - Create a collective vision



- Taxes
 - Increasing them allows us to provide so much for the community (i.e. Trail systems)
 - Decreasing them can doesn't necessarily equal innovation hustle
 - Be aware of how much second homeowners contribute to the tax base
- Increase outdoor ice rinks – without overdoing construction costs – low-key and weather dependent is ok.
- Preserve PC Charm & character – not everything requires polish & shine
- Growth: even if we don't want it, we must plan for and guide it.
- Affordable Housing for workforce employees – resort, restaurant, retail, tourism, services, local govt.
- Integrate streams and rivers in city master plan
- Understand the difference between residential affordable housing and employee/workforce affordable housing.
- Vertical Garden, nonprofit growing food for
 - Local restaurants
 - Compost
 - Market
 - With sustainability goals

Notes from city presentations



Chuck Winn City Manager, Bozeman

- Stats 50,000 people. They will become metropolitan which is based on population
- Montana State University 18,000 students
- We are regional retail hub
- 3 million tourists a year
- Fourth biggest city in MT.
- Busiest airport and highest per capita of private jets (regional)
- Resorts Big Sky Ski resort and Yellow Stone Club is a private ski resort
- No Sales Taxes (funded by property tax) no tax by visitors
- Median (400K house about 1,100.00 a year + other fees= 3,000 a year)
 - So they focus on gas taxes
 - State determines property tax local government doesn't have any say on taxes

- University doesn't pay taxes because it's a 501(c)3
- Safest city in Montana
- \$110,000,000 dollar city budget
- New Neighborhood Coordinator Position: Work collaboratively together.
 - Focus on the relationships at all levels makes all the difference between large groups such as MSU and Bozeman
 - wiki map for public comment which is successful.
<https://www.bozeman.net/government/mapping>
- County vs. City relationships are strained
- 1# fastest growing metropolitan in the country
- Every building adds, subtracts or is neutral to your city's aesthetic

Bozeman strategic plan, adapted in April 2017

City Strategic Plan over the next 5 years

- Struggle with Growth
- Competing priorities
- Three year process (which spanned city managers and elected officials)
- 7 Vision statement (baked into all parts of the organization)
 - An engaged community
 - Innovative Economy
 - A safe, welcoming community
 - A well Planned City
 - A creative, Learning Culture
 - A sustainable Environment
 - High Performance Organization

Priorities

- Community Outreach
- Affordable Housing
- Planning and Land Use
- Park Maintenance District
- Partnerships for educational and learning
- Public law and justice center
- We don't have a strong focus on Arts (its written into the plan but it's not a priority)
- Investment in Infrastructure
- Urban Renewal
- Montana State University Innovation on Campus
- Support for Bozeman/Yellowstone International Airport
- Bozeman Fiber Initiatives
- Educational /Workforce Development
- School District: STEM Education

- Gallatin College (2 yr.)
 - Culinary
 - Aviation
 - CNC Machining Program
 - Industrial Sewing
- MSU
 - Hospitality
 - Computer science
 - Engineering
 - Physics

Economic Challenges

- Cost of living vs. wages
- Workforce (not enough manpower)
- Affordable Housing

Parks and Recreation

- Its bare bones
- Parks: 925 acres of park land
- 79 parks
- Lots of trails
- Primer Park: Story Mill Community Park: 60 Acres
 - Nature Sanctuary
 - Teaching Garden
 - Edible Food Forrest
 - Fishing Access
 - Playground
 - Splash Pad
 - Amphitheater

AFFORDABLE HOUSING

- ordinance on 10% build out
- Developers can have a 10% buyout (low income tax credits)
- Warming Center 100% community funded “community center”
- Alternative housing methods, trailers, tiny houses, over flow shelter in a church

Environmental Sustainability

- water supply planning
- Drought management planning
- Bozeman Solar
 - The energy project: Incentives for businesses (\$2,500.00)

- Resiliency planning: Heat, Floods, Drought, Snowpack, wildfire, winter storms (more severe)
- Climate Vulnerability Assessment: Enhance preparedness, Analyze risks,

Transportation

- Night Bus
- Stream Line bus: The Roberta story
- 15% non-motor commuter rate

Aging Population

- Helping with applications
- Helping with getting assistances
- Homemaker program
- Light social boundaries to meet the needs of the clients
- Meal program with menus, most funding comes from the community
- 3 foodbanks

Downtown Bozeman Partnership

Master Plan of Downtown

- Chapter of the growth policy
- Small town to big city- The growing pains
- Engagement week: Stakeholder meetings and cataloged all peoples comments
- Themes: Mobility, Livability, Development, Businesses, Public Realm
- How Main street interacts with other nodes and how to develop synergy
- If parks work for kids it works for everyone
- More retail incubator space
- Allies and Real estate and retail
- Parking: Unlock existing spaces, diversify multi-modal choices, expand capacity

Future West Nonprofit Cathy Costakis costakisce@gmail.com

Mission: Future West helps communities identify, choose, and achieve their desired future

- Ways to partner
- Policies and Plans
 - Complete Streets, General Plans, Parks & Trails Plans, etc.
- Interdisciplinary Inclusive Walk Audits (Dan Byrdman founder of the idea)
- Demonstration Projects
 - Local Foods
 - Schools, Hospital, Food Bank, Restaurants, Local Farmers
 - Affordable Housing
- Reference- Tactical Urbanism: Mike Lyden / Lighter quicker, Cheaper
 - Temp low cost projects: Example a trailer High visibility crosswalks / traffic circle □

- Programs of interest
 - State of the Art Transportation Training: Google art of transportation
 - Art and water: Mountain Time Arts
 - A seat at the table: One day community conversation, The bluegrass foundation and collect information via surveys
 - What do you love about your community?
 - Challenges
 - Ideas to make it better
 - Civic Holiday idea to get the community to participate in community dialogues/ focus groups
 - Healthy By Design bringing partners together to talk about what they are doing

Livingston

- Located on the only road to North Yellowstone
- Story of how the commuting addressed no more mining near Yellowstone River
 - Ranchers and new folks shared leads and coalesced
 - An entire group of people that want things to stay the way they are with helped build common purpose.
- The City is
 - addressing how manage growth
 - How to get tourists to contribute
 - Do we want to structure ourselves to grow
 - Between 2000-2006 stayed 6k folks / 2006-2017 7,600k
 - We are in a period of growth,
 - Will we brake our historical model or will it recede
 - Northern Tier States struggle with Depression, substance abuse, and suicide
 - Have been losing Human Resources
 - Just started an early childhood position with 4 grants

Jackson

- Greatest challenge: balancing public transportation and housing initiatives with protecting natural environment
- World class national parks and resorts, small municipal organization with huge tourism numbers
- Average single family home price in City limits is \$2 million: how do you balance this with critical service needs, losing workforce to the private sector
- Creating jobs faster than creating housing, incentives for mixed commercial use and housing developments, increased density

Council Agenda Item Report

Meeting Date: September 27, 2018

Submitted by: Linda Jager

Submitting Department: Community & Public Affairs

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Subject:

Open Space Bond Voter Information Brochure

Suggested Action:

Attachments:

[Open Space Bond Voter Information Brochure Staff Report](#)

[Park City Open Space Bond Brochure](#)

City Council
Staff Communications Report



Subject: Open Space Bond Voter Information Brochure Review
Author: Linda Jager, Community Engagement Manager
Department: Community Engagement
Date: September 27, 2018
Type of Item: Informational

In advance of the November 6, 2018 General Election, Park City Municipal Corporation is preparing a voter information brochure to provide details related to the Open Space Bond. The brochure will be printed and mailed to all registered voters living within Park City limits. Brochures will be postmarked and mailed during the week of October 8, 2018. Staff is requesting Council review and provide feedback on the final draft of the voter information brochure.

Attachment

- ***NOTE: Attachment of final draft of pamphlet will be available and uploaded on 9/26***



PARK CITY OPEN SPACE BOND BALLOT QUESTION

Shall Park City, Utah be authorized to issue general obligation bonds to acquire, improve and forever preserve open space, park and recreational land located in Treasure Hill and Armstrong/Snow Ranch Pasture in order to protect the conservation values thereof, to eliminate any future commercial or residential development, and to make limited improvements for public access, trailhead parking and use, in an amount not to exceed \$48,000,000 and to mature in no more than 16 years from the date or dates of such bonds?

PROPERTY TAX COST OF BONDS

If the bonds are issued as planned, an annual property tax to pay debt service on the bonds will be required over a period of 16 years in the estimated amount of \$194 on a primary residence with an assessed value of \$800,000, and in the estimated amount of \$353 on a business property having the same assessed value.

The foregoing is only an estimate and is not a limit on the amount of taxes that the governing body may be required to levy in order to pay debt service on the bonds. The governing body is obligated to levy taxes to the extent provided by law in order to pay the bonds.

☐ FOR THE ISSUANCE OF BONDS

☐ AGAINST THE ISSUANCE OF BONDS



Non-Profit Organization
U.S. Postage
PAID

PARK CITY
445 MARSAC
PO BOX 1480
PARK CITY, UT 84060



POSTAL PATRON

— IMPORTANT — TAXPAYER INFORMATION



PARK CITY MUNICIPAL CORPORATION

\$48,000,000 PARK CITY OPEN SPACE BOND ELECTION

2018 GENERAL ELECTION

TUESDAY, NOVEMBER 6, 2018



VOTE BY MAIL

Ballots need to be postmarked
no later than November 5, 2018



DROP OFF
YOUR BALLOT

Drop off your ballot at City Hall
(455 Marsac Ave.) by 8 p.m.,
Tuesday, November 6, 2018

Mail in ballots must be postmarked by **11/5**. Drop-off ballots by **11/6**.
VOTE EARLY!

PRESERVATION OPPORTUNITY

After decades of unresolved negotiation, Park City voters can choose to permanently preserve and prevent the development of Treasure Hill and Armstrong/Snow Ranch Pasture. Both properties are arguably some of the last major pieces of open space available within Park City that have significant development potential. The purchase is contingent upon voters approving the November 2018 Park City Open Space General Obligation Bond. Regardless of whether you are for or against the bond proposition, Park City encourages you to familiarize yourself with information about each property and vote on Election Day.

— TREASURE HILL —

- Protects more than 100 acres of forest and hiking trails
- Maintains Old Town's historic character and scale
- Avoids construction impacts from hotel/commercial/residential and retail development

— ARMSTRONG/SNOW RANCH PASTURE —

- Preserves 19-acres in Thaynes Canyon neighborhood
- Prevents development of 49 single-family homes and associated construction impacts

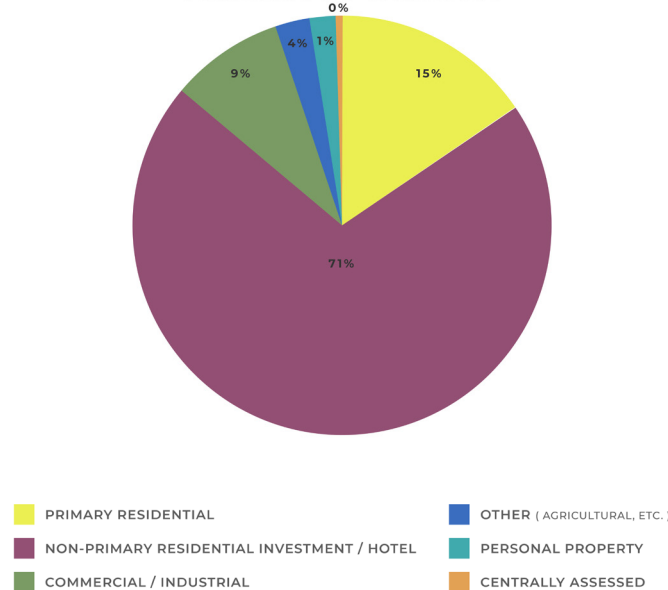
FINANCIAL

Putting the decision to voters is based upon the City's strong financial position.

SPECIFICS INCLUDE:

- An Aaa bond rating – the highest available
- Park City has one of the lowest municipal tax rates in Utah – lowest 5% of property tax rates in the nation
- Half of Park City's existing property tax debt will be paid off in 5 years
- 71% of property is owned by non-primary residents of lodging investment properties - that means that primary residents pay only 15% of Park City's total property tax collections
- Primary residents will pay \$7.2 million of the \$48 million bond

PERCENT OF TAX BASE



STRATEGIC APPROACH

City leaders are sensitive to the financial impacts on residents and businesses. The City's plan maintains its commitment to community values while simultaneously pushing back against development pressures and continuing to safeguard future finances and infrastructure needs. Our priorities for a "Complete Community" remain:

Transportation – Housing – Energy – Social Equity

ELECTION INFORMATION

THE COST OF A \$48 MILLION BOND:

The average primary resident would pay \$194 in additional property taxes for 15 years based on an assessed value of \$800,000 and a taxable value of \$440,000.

The average non-primary residence and business would pay \$355 a year on the same \$800,000 value.

GENERAL ELECTION: TUESDAY, NOVEMBER 6, 2018. The 2018 General Election will be conducted by mail. Ballots need to be postmarked no later than November 5, 2018. Please mail early to avoid missing the deadline. Early voting will be held October 30 through November 2 between 8 a.m. and 5 p.m. in the County Clerk's office, 60 N Main St., Coalville, UT. Ballots may also be dropped off at the following locations during business hours:

- Coalville City Hall – 10 S Main St.
- Kamas Services Building – 110 N Main St.
- Park City Municipal Building – 445 Marsac Ave.
- Sheldon Richins Building – 1885 W Ute Blvd.
- Fresh Market (Jeremy Ranch) – 3151 W Kilby Rd.

TO CONFIRM IF YOU ARE REGISTERED TO VOTE, PLEASE VISIT VOTE.UTAH.GOV. FOR MORE INFORMATION, PLEASE VISIT THE VOTER REGISTRATION AND ELECTIONS PAGE AT SUMMITCOUNTY.ORG OR CALL 435-336-3200.

Council Agenda Item Report

Meeting Date: September 27, 2018

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Minutes

Agenda Section: CONSIDERATION OF MINUTES

Subject:

Consideration to Approve the City Council Meeting Minutes from September 13, 2018

Suggested Action:

Attachments:

[September 13, 2018 Minutes](#)



PARK CITY COUNCIL MEETING MINUTES - DRAFT
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060

September 13, 2018

The Council of Park City, Summit County, Utah, met in open meeting on September 13, 2018, at 4:00 p.m. in the City Council Chambers.

Council Member Henney moved to close the meeting to discuss property and litigation at 4:05 p.m. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, and Worel

RECUSED: Council Member Ware Peek

EXCUSED: Council Member Joyce

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting at 4:47 p.m. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, and Worel

RECUSED: Council Member Ware Peek

EXCUSED: Council Member Joyce

WORK SESSION

Discuss Proposed Code Amendments to Special Events:

Jonathan Weidenhamer, Economic Development Manager, presented this item. He stated the outreach for the proposed amendments was continuing and noted the amendments would result in more efficient staff time. Some of the recommended changes would prohibit new events during peak event days, reclassify event levels, cap the number of Level Three, Four and Five events, deregulate Level One, Two and Three events at the resorts, have an annual application process three times per year, have a five year limit on fee waivers per organization, and update the standards for review to better reflect community goals.

1 Council Member Henney referred to the PowerPoint that stated the resort economy was
2 mature, and indicated he wanted to add "healthy" to that statement since there was now
3 an event driven vibrancy within the community. He thought because of that, the
4 resources and focus could be reallocated to now improve the experience for the
5 community.

6
7 Council Member Gerber referred to Section 4A-2-3, Special Event Permit Application
8 Procedure, D and G(2), and asked if the supplemental details were required only 30
9 days before the event. She wanted to verify that it didn't include transportation and
10 parking because she thought more time would be needed for public outreach. She
11 referred to Section 4A-2-9, Fee Reductions, and asked Weidenhamer to explain the
12 reasoning for D(1) "choosing Park City and specific venue for the event." Weidenhamer
13 stated some events just wanted Park City as a backdrop and had no tie to the City, the
14 community goals, etc. Council Member Gerber thought that language should be
15 clarified.

16
17 Council Member Worel stated in looking at the Arts and Culture District, there would be
18 a plaza and nonprofits were hoping to use that area. She thought if resorts were
19 exempt, it might be a good idea to consider exempting the nonprofits as well. Mayor
20 Beerman thought that was a good idea, but suggested bringing it back as an
21 amendment once the district was completed.

22
23 Council Member Ware Peek asserted if the resort events fell on a peak weekend,
24 adjustments would need to be made. Weidenhamer stated the code would allow
25 exceptions made by Council. He concurred that there would need to be code
26 adjustments for the Arts and Culture District when it was completed. Council Member
27 Ware Peek was in favor of the specific code language and hoped it would guard against
28 the pleas made to Council for waivers and exceptions.

29
30 Mayor Beerman opened the meeting for public input.

31
32 Sarah Klingenstein appreciated the work from staff on the code amendments. She was
33 in favor of identifying the peak days and quiet weekends. She also liked three
34 application periods per year. She hoped the shoulder seasons would continue to be
35 monitored because those quiet weeks seemed to be shrinking. She suggested defining
36 nonprofits to distinguish the purposes of the different nonprofit organizations.

37
38 Penny Kinsey stated the resorts were not completely healthy because they could not
39 retain their employees year-round. She noted that a limit on fee waivers would eliminate
40 some events after the five year grace period because there were some events
41 sponsored by nonprofits that could not operate on their own.

42
43 Canice Harte

1 Canice Harte, chair of Miners' Day, referred to that event and a few races he organized,
2 and stated he appreciated having clear guidelines. He indicated some applications for
3 events were open for registration up to a year in advance, so he hoped the event
4 application process would support that. He thanked the City for its support.

5
6 Ginger Reese represented a variety of nonprofits in the community and had organized
7 events for 25 years. She was in favor of strict code language and felt an event that
8 applied for a permit three months in advance was not a well organized event.

9
10 Shelley Gillwald represented the Park City Soccer Club and the Park City Extreme Cup
11 Tournament. With regard to the application deadline, she hoped the events would be
12 considered far enough in advance. She felt staff supported the nonprofits in the
13 community, and hoped a code would be adopted that would allow the Extreme Cup to
14 continue to happen.

15
16 Mayor Beerman closed the public input portion of the meeting.

17
18 Council Member Worel asked if unanticipated outcomes were gleaned from the
19 outreach performed. Weidenhamer stated the application deadlines were a concern for
20 some. Foster asked Council to discuss adopting the code amendments, phasing them
21 in, or passing a temporary code for a year.

22
23 Council Member Henney stated Kinsey and Klingenstein took opposite sides of the
24 issue, but there was still common ground that the code was going in the right direction.
25 He thought the code was needed.

26
27 Council Member Gerber thought Council needed the regulations and these
28 amendments were a good beginning. She noted public outreach should continue but
29 having structure was good.

30
31 Council Member Worel stated she agreed with what had been stated, and that clarity
32 was important for event organizers. Before passing these amendments, she requested
33 that the Special Events Advisory Committee (SEAC) meet to give their feedback on the
34 code changes.

35
36 Council Member Ware Peek asked staff to look at the deadline. It was indicated the limit
37 was currently set at 18 months in advance.

38
39 Mayor Beerman stated event organizers had requested that the City be consistent in
40 their event standards and this code would do that. He commended Weidenhamer and
41 Diersen for these amendments. He suggested looking into the fee waivers more and
42 noted there would be exceptions with some of the events. He suggested working more

on the scheduling so it would be harder for groups to come in at the last minute wanting to schedule events.

Council was in favor of moving forward with the code amendments and asked staff to meet with SEAC and then bring it back for approval.

Weidenhamer asked for Council feedback on having Level One, Two and Three approvals at resorts during peak times. Council Member Gerber stated having small events would be fine with her. Council Member Henney was good with that process, but thought it should be monitored. He stated there were good regulations to keep that in check.

Council Member Worel stated if the events were not at the resort base, a Level Three event would be pushing it, but she had no problem with Levels One and Two at the resorts or in town. Council Member Ware Peek agreed with Council Member Worel.

Weidenhamer stated staff would balance those events. Council Member Henney stated the base of the resorts should be deregulated and site specific, but for other areas of town, there were factors that needed to be considered.

Mayor Beerman agreed with Council Member Worel that Level One and Two events were fine but having Level Three events on those busy days concerned him.

REGULAR MEETING - 6:00 p.m.

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Becca Gerber Council Member Tim Henney Council Member Lynn Ware Peek Council Member Nann Worel Diane Foster, City Manager Matt Dias, Assistant City Manager Mark Harrington, City Attorney Michelle Kellogg, City Recorder	Present
Council Member Steve Joyce	Absent

II) APPOINTMENTS

**1. Consideration to Appoint the Following to the Historic Preservation Board:
Jordan Brody to a Term Ending May, 2021 and Re-Appoint Douglas Stephens,
Randy Scott, and Jack Hodgkins to Terms Ending May, 2021:**

Anya Grahn, Historic Preservation Board (HPB) Liaison, requested the appointment of Jordan Brody and the re-appointment of Douglas Stephens, Randy Scott, and Jack Hodgkins to the HPB board.

Mayor Beerman opened the meeting for public input. No comments were given. Mayor Beerman closed the public input portion of the meeting.

Council Member Gerber moved to appoint the following to the Historic Preservation Board: Jordan Brody to a term ending May, 2021 and re-appoint Douglas Stephens, Randy Scott, and Jack Hodgkins to terms ending May, 2021. Council Member Ware Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Ware Peek, and Worel

EXCUSED: Council Member Joyce

III) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Member Ware Peek disclosed she would recuse herself from New Business Item Five because her brother in-law had an interest in that item.

Council Questions and Comments:

Council Member Ware Peek met with members of the Community Education Foundation and they would like Council to be aware of their lesser known activities. She indicated she would schedule some Council members to be in attendance at these activities in the fall. Also, she attended the School District master plan meeting where they discussed what was learned from the last school bond proposal.

Council Member Worel thanked staff for a great Bike to School day. She attended a Social Equity listening tour at PC Tots and heard their concerns from a childcare perspective. She also attended the PC Tots board meeting and indicated there were three openings for four year olds. She went on a hard hat tour of the new Peace House. She thought City Tour was amazing and noted it was great to visit other communities and learn from them. She worked on the mental health provider RFP for the county. She indicated Emily Herr was working on the China Bridge public art project, and the Peace House Bling Fling would be held on November 1st - 3rd.

Council Member Gerber stated City Tour was outstanding and noted some stand outs for her included the tree program and warming shelters in Bozeman. She attended the

Utah League of Cities and Towns (ULCT) conference, and went on the Social Equity Listening Tour with the Lucky Ones Coffee Shop.

Council Member Henney attended the Fire District meeting, and the Mountainlands Community Housing Trust meeting, and noted they were preparing for their 25th anniversary event. He attended the Frontline Blueline event at the Eccles Center and heard some great presentations. He indicated City Tour gave the attendees the ability to compare Utah's model with Montana's model, and the Utah State Legislature gave much more autonomy to cities than Montana's legislature. He noted Dr. Brad Reed would be speaking Monday at the Blair Education Center on Parenting and Family Dynamics.

Mayor Beerman commented that Bike to School Day was amazing. He thanked Council for going on City Tour and thought having a debrief at a work meeting might be beneficial. He and Alfred Knotts met with the new planning director at UDOT and discussed the City's transportation goals. He met with the newcomers' group, and he and Diane Foster attended the Park City Community Foundation retreat.

Staff Communications Reports:

1. Historic Preservation Quarterly Update:

Council Member Worel stated she was asked by the Historic Preservation Society to put in a plug to include historic mining structures in the grant program. Grahn stated the discussion had begun and was still being worked on. Grahn also stated that she didn't have a timeline for the reinstatement for the grant program yet.

2. Backhoe Report - September 2018:

IV) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Beerman opened the meeting for those who wished to address the Council on items not on the agenda.

Neal Krasnick asked that the City Council consider September 11th as an important day to remember because of the terrorist attacks on that day in 2001. He hoped that Council could pass a day of remembrance for September 11th and the fight on terrorism. He stressed that we were part of a free nation.

Minda Stockdale, Public Art Advisory Board Liaison, introduced Emily Herr, an artist who was awarded the public art project on China Bridge.

Emily Herr stated she appreciated being chosen for the project and she hoped Council would join the community in helping create this work of art.

Mayor Beerman closed the public input portion of the meeting.

V) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from August 30, 2018:

Council Member Henney moved to approve the City Council Meeting minutes from August 30, 2018. Council Member Ware Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Ware Peek, and Worel

EXCUSED: Council Member Joyce

VI) CONSENT AGENDA

1. Request to Approve a Donation Application by Mountain Trails Foundation for Funding Associated with the Construction of the Bloods Lake Trail, Located on the Bonanza Flat Open Space:

2. Request to Authorize the City Manager to Enter into a Construction Agreement in a Form Approved by the City Attorney's Office with MC Contractors LLC., for Three Trailheads and Related Improvements located at Bonanza Flat in an Amount Not to Exceed \$412,153:

3. Request to Authorize the City Manager to Enter into a Construction Agreement in a Form Approved by the City Attorney's Office with North Ridge Construction Inc., for the Main Street Sidewalk Phase 5 - 2018 Project in an Amount Not to Exceed \$317,048.00:

Council Member Worel moved to approve the Consent Agenda. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Ware Peek, and Worel

EXCUSED: Council Member Joyce

VII) NEW BUSINESS

1. Conduct a Public Hearing to Receive Input from the Public with Respect to the Issuance of up to \$48,000,000 General Obligation Bonds for Treasure Hill and Armstrong/Snow Ranch Properties, if Approved by Eligible Voters:

Nate Rockwood, Budget, Grants and Debt Manager, stated a public hearing was required by the State on the proposed open space bond. He indicated another hearing would be next month on October 11th. A pamphlet explaining the open space bond was being prepared and Council would review it at the September 27th meeting. It would then be mailed out the week of October 11th.

Council Member Ware Peek asked if the pamphlet would include the statements for and against the bond. Rockwood stated those arguments were on the State website, but the pamphlet would explain the purpose of the bond.

Mayor Beerman opened the public hearing.

Mark Stemler thanked Council for the work they did. He was thankful the idea of development of Treasure Hill stopped. Teri Orr got people back together to make the deal happen. The community was wealthy and it could afford it, but he asked if it should happen. He knew if the development happened there would be one million square feet of development, more traffic, more noise, but he asserted the City didn't need to spend \$64 million to stop the development. There were better ways to spend \$64 million. He thought 18 homes and a boutique hotel was not too bad and maybe only 10 homes could be built there. Then the City could collect taxes for years into the future. He felt the City's effort to keep the City affordable to all would be to reduce people's taxes. He thought the Sweeney's would give the City extensions and this wasn't a one chance only opportunity. He thought the bond would pass, but he had problems with the bond. The \$11 million used to reduce the bond amount was from the Brew Pub lot project. He asked how much had been spent to get that project to this stage, only to abort it. He asked why the City wouldn't reduce staff to lower the bond amount. He thought the City's money could be used more effectively. He agreed the Treasure development needed to be stopped, but there were other ways to do it. He asserted that the second homeowners were taking the brunt of the taxes and they were Park City neighbors as well.

Jeff Brueningsen stated he was 64 years old and had lived in Park City for 21 years, and the Prospector homes had 23 underserved families that were evicted because the City thought they wouldn't be able to afford the \$400 per month HOA fee. Now the City had already spent and would be spending a total of \$100 million for open space, but the City couldn't afford to pay HOA fees. He wanted those families to be returned to their units and compensated.

Mayor Beerman closed the public hearing

2. Consideration to Authorize the City Manager to Enter into a Professional Services Agreement (PSA) with the Community Foundation in the amount of \$100,000 in a form approved by the City Attorney's Office for the Purpose of Establishing a Social Equity Community Convener:

Jed Briggs and Rocio Torres presented this item. Briggs thought having a convener was a big step in the right direction for the City. He stated Social Equity had been a Council topic for the last eight months. He indicated the convener would work with the nonprofits in the area to make the efforts by all more efficient and effective. He highlighted in the RFP that there was a deadline of July 31, but he wanted to change that to October 1st.

Mayor Beerman opened the public input portion of the meeting.

Diego Zegarra thanked Briggs and Torres for their work on Social Equity. The Community Foundation was excited for this work and he noted many more underserved groups would be heard.

Jeff Brueningsen stated there didn't seem to be a reason for a \$100,000 convener. Social Equity hadn't been defined and wouldn't be until after the money was spent. He felt the Prospector evictions were an example of the City bullying other people. He hoped the City would save their money and instead use it to make those people whole.

Angela Moschetta felt the community needed to get to a point where it acknowledged Social Equity. She felt there were underserved people who needed a hand, but others were able to support themselves, were underrepresented and needed to be heard. She indicated the same people were always at the table and more people needed to be brought in for the conversation. This was an important topic and she hoped this money would result in people being valued and heard.

Mayor Beerman closed the public input portion of the meeting.

Council Member Worel was excited for the forward movement towards a strategic plan, but she expressed concern about the performance measures. She hoped to see those measures in this contract.

Council Member Ware Peek wanted Social Equity to "build better community." She hoped the little efforts would be recorded so she could see progress and all those efforts could be included in the strategic plan.

Mayor Beerman asked how the \$100,000 would be spent. Briggs stated it was patterned after the Mental Health Alliance Strategic Plan: 50% up front and 50% at the completion of the work. He indicated check-ins could be included in the contract for the Foundation to come back and report in Council. Actual metrics might be difficult but qualitative updates would be more feasible.

1 Council Member Gerber stated it was hard to hear all groups and asked if the meetings
2 could be published so residents could know about and attend them. One goal of the
3 contract was to figure out what was missing and to figure out the metrics. She felt
4 having quarterly or bimonthly check-ins would be wonderful. Foster noted not all
5 meeting places could accommodate the public.

6
7 Council Member Henney indicated it was a process of being structured and it would be
8 put into form. He was excited to have these discussions with the community. He asked
9 Council Member Worel why she was hesitant now, when she initiated the conversation
10 last year. Council Member Worel stated she wanted to be transparent with the City's
11 money now. Last year she wanted to make Social Equity a critical priority and get the
12 process started.

13
14 Council Member Henney asked Council Member Ware Peek why she said risks should
15 be taken and things tried in Bozeman, but she also said she wanted to see more
16 measurables. Council Member Ware Peek stated in Bozeman she saw that immediate
17 action was taken as a reaction to things that happened in the community, without the
18 whole project being planned first. She knew cities couldn't react to everything, but for
19 this demographic it was good that they know the City was moving forward. She was in
20 favor of this proposal. Council Member Henney asked how the strategic plan for the
21 Mental Wellness Alliance was developed. Council Member Worel explained that a
22 coordinator was hired and then a strategic plan was developed as a coordinated effort
23 between partners. Now that a convener had been hired, she didn't want the discussion
24 to stop. Having check-ins would keep this discussion in front of the community, while
25 the partners helped develop a plan.

26
27 Mayor Beerman indicated this priority was about the journey and the destination. He
28 encouraged Council to have faith. He was confident there would be regular check-ins.
29 He thought this priority would take a generation working on it, and future councils and
30 nonprofits would continue working on this issue.

31
32 Council Member Gerber moved to authorize the City Manager to enter into a
33 professional services agreement (PSA) with the Community Foundation in the amount
34 of \$100,000 in a form approved by the City Attorney's Office for the purpose of
35 establishing a Social Equity Community Convener. Council Member Henney seconded
36 the motion.

37
38 Amendments were suggested. Harrington requested that Council choose dates in the
39 scope of work for check-ins and asked if Council also wanted to include the term
40 "underrepresented." It was suggested to come back in November. Council agreed to
41 include underrepresented. Council Member Henney requested the word "marginalized"
42 be included as well.

Council Member Gerber amended her motion to include a check-in on November 18th to verify the mission and to use the terms underrepresented and marginalized for the populations being reached out to. Council Member Henney amended his second to the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Ware Peek, and Worel

EXCUSED: Council Member Joyce

3. Consideration to Approve Ordinance 2018-48, an Ordinance Approving the Sunny Slopes Park Meadows Subdivision No. 6A, Amending Lots 24A and 25 Plat Amendment, Located at 2463 and 2467 Sunny Knoll Court, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval:

Laura Newberry, Planning Department, stated this plat amendment was for a lot line adjustment to accommodate a driveway.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Gerber moved to approve Ordinance 2018-48, an ordinance approving the Sunny Slopes Park Meadows Subdivision No. 6A, amending Lots 24A and 25 Plat Amendment, located at 2463 and 2467 Sunny Knoll Court, based on the findings of fact, conclusions of law, and conditions of approval. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Ware Peek, and Worel

EXCUSED: Council Member Joyce

4. Consideration to Approve Ordinance No. 2018-49, an Ordinance Approving an Extension of the June 8, 2017 Approval of the 243 Daly Avenue Subdivision Located at 243 Daly Avenue, Park City, Utah, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Anya Grahn, Senior Planner, requested extending a plat approval until June 8, 2019. She corrected Paragraph Seven of the ordinance to say a public hearing was held on September 13, 2018 and the plat would be extended to June 8, 2019.

Council Member Worel stated the report reflected that staff worked with the developer, and asked if it looked like progress would be made in the future. Grahn was hopeful for a completed encroachment agreement so they could proceed.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Ware Peek moved to approve Ordinance No. 2018-49, an ordinance approving an extension of the June 8, 2017 approval of the 243 Daly Avenue Subdivision located at 243 Daly Avenue, Park City, Utah, pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Ware Peek, and Worel

EXCUSED: Council Member Joyce

5. Consideration to Approve Ordinance No. 2018-50, an Ordinance Approving an Amendment to Ordinance No. 91-9 Vacating and Conveying a Portion of Platted Empire Avenue in Park City, Utah, In a Form Approved by the City Attorney:

Council Member Ware Peek recused herself from this item due to the involvement of her brother in-law.

Corey Legge, Engineering, requested the ordinance be amended to correct faulty legal descriptions.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Worel moved to approve Ordinance No. 2018-50, an ordinance approving an amendment to Ordinance No. 91-9, vacating and conveying a portion of platted Empire Avenue in Park City, Utah, in a form approved by the City Attorney. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, and Worel

RECUSED: Council Member Ware Peek

EXCUSED: Council Member Joyce

6. Consideration to Approve Ordinance 2018-51, an Ordinance Approving the Prospector Village Subdivision Amended Lot 9 Plat Amendment, Located at 2262 Comstock Drive, Based on the Findings of Fact, Conclusions of Law, and Conditions of Approval:

Laura Newberry, Planning Department, stated this amendment would combine a full legal lot with a remnant lot that was created by Little Bessie Road in 1970. There was

an active building permit at this site and this amendment needed to be approved so a driveway could be constructed.

Council Member Henney asked why the plat amendment hadn't happened before. Newberry stated the amendment had to take place before final inspection, according to the condition of approval.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Worel moved to approve Ordinance 2018-51, an ordinance approving the Prospector Village Subdivision Amended Lot 9 Plat Amendment, located at 2262 Comstock Drive, based on the findings of fact, conclusions of law, and conditions of approval. Council Member Ware Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Ware Peek, and Worel

EXCUSED: Council Member Joyce

VIII) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

Council Agenda Item Report

Meeting Date: September 27, 2018

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: OLD BUSINESS

Subject:

Consideration to Approve Ordinance 2018-52, an Ordinance Amending Title 4A-Special Events, Chapter 1 Definitions and Chapter 2 Special Event Permitting of the Municipal Code of Park City, Utah
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Special Event Code Changes Staff Report](#)

[Exhibit A: Draft Ordinance Amending Title 4A Special Events](#)

[Exhibit B: Redlines to Special Event Code Title 4A](#)

[Exhibit C: Special Event SEAC Background and Link to Code](#)

City Council Staff Report



Subject: Adoption of Special Event Code Changes
Author: Jenny Diersen, Special Event Manager
Department: Special Events & Economic Development
Date: September 27, 2018
Type of Item: Legislative

Summary Recommendation

Staff recommends City Council hold a public hearing, take public input and adopt Ordinance 2018-52 amending Title 4A Special Events of the Municipal Code as outlined in Exhibit A and B.

Executive Summary

At the [June 7](#), ([minutes](#) pages 6 to 9) and [September 13](#) meetings ([audio](#)/ minutes not yet approved), City Council provided direction to modify the Special Event regulations ([current Title 4A](#)) to better reflect community priorities.

- The goals of the proposed changes are to provide further balance and predictability to the event calendar for the community, businesses and applicants, while implementing City Council's direction and the community's desire to further minimize event impacts stemming from the Special Event Calendar.
- The changes are a balanced approach with feedback from many perspectives and stakeholders to gain balance and better management of the Special Event Calendar.

Recommended code changes are attached as Exhibit B. Next steps will include administrative changes within the department's standard operating procedures, updating processes and policies on the website and continued outreach regarding changes as staff prepares for the busy event planning season this fall. Staff has also committed to develop guidelines for event venues on city property (i.e. City Park & Main St.) as well as continue to monitor shoulder seasons.

Background

Background regarding special events can be found in Exhibit C.

Analysis

A summary of the changes as directed by Council on June 7 and September 13 (links above and in Exhibit C) include modifications to:

1. Clearly define peak time periods in which new event applications will not be approved unless:
 - a. Level 1-3 located within the resorts (Master Planned Development (MPD) boundary in the Recreation Commercial (RC) Zone and Residential Development (RD) Zones); or
 - b. Defined as a Level 1 or Level 2 event with minimal public safety or transportation impacts; or
 - c. First Amendment Events; or
 - d. Council will retain authority to consider applications of any event level during the defined peak time periods should they meet extraordinary circumstance/unique opportunities.

- e. Existing events that were approved on the 2018 calendar may be allowed during these timeframes after evaluation of standards of approval.

Peak time periods are defined as:

- 1) Sundance Film Festival;
 - 2) Presidents Day Weekend;
 - 3) Savor the Summit weekend;
 - 4) July 2, 3, 4 and 5;
 - 5) First Full Weekend of August (aka Arts Fest Weekend);
 - 6) Tour of Utah Weekend;
 - 7) Labor Day Weekend (aka Miners Day Holiday Weekend);
 - 8) 3rd Weekend in September (aka Autumn Aloft Weekend);
 - 9) October 31 (Halloween on Main);
 - 10) Winter Holiday (December 23 to 26);
 - 11) Winter Holiday 2 (December 30, 31 and January 1).
2. Re-classify event levels – Level 1, Level 2, Level 3, Level 4, Level 5 and First Amendment, and better define events directly with regards to transportation public safety impacts, and number of days of occurrence;
 3. Cap/Limit the number of Level 3, Level 4 and Level 5 events;
 4. Deregulate Level 1, 2, and 3 events at the resorts – such events will no longer require Special Event permits; Level 4 and 5 events at resorts will continue to require permits.
 5. Create a Special Event Application review/approval process 3 times per year, allowing applicants to apply up to 18 months in advance of their event, with an exception to allow Level 1 and Level 2 event to apply no later than 30 days in advance of their event.
 - a. All event applicants will be required to submit a pre-event application form before they apply for a Special Event to verify date and venue eligibility.
 - b. Non-material/specific details for events at resorts are to be submitted to the Special Event Department no later than 45 days in advance.
 - c. First Amendment events remain exempt from deadlines.
 6. Create a 5 year limit for requests by the applicants for Special Event Fee Reduction beginning with FY 2020 (events starting after July 1, 2019). Staff needs time to work through exception/ extra ordinary request processes.

Staff needs more time to work towards other next steps as Council directed, including:

1. Build quiet weekends into the peak event calendar. While this has been done administratively for several years, it will take time and continued balance to achieve quieter weekends during the peak summer season (June through September);
2. Create a sustainable framework for critical community events including Miners Day, Halloween and Fourth of July;
3. Create venue guidelines to create standard use parameters depending on venue capacities and locations;

As Council directed, additional next steps (not coded) for Special Events include:

1. Monitor shoulder seasons and ensure a proper balance of the event calendar;

2. Delay the Community Event Survey and suspend the Special Events Advisory Committee in order to focus on getting code changes, as well as process and policies, in place.

Alternatives for City Council to Consider

1. **Approval Alternative:** Staff recommends City Council hold a public hearing, take public input and adopt Ordinance 2018-52 amending Title 4A Special Events of the Municipal Code as outlined in Exhibit A and B.
2. **Modify Alternative:** Council can make modifications to language in Ordinance 2018-52 and amendments to language in Title 4A Special Events of the Municipal Code and/or choose to adopt specific parts of the proposed changes. If improvements (such as transportation, neighborhood mitigation and management) resulted in less negative feedback, the proposal could be modified to implement a phased approach to caps, waiver limitations and additional changes, while facilitating the permits at the resorts or community based events as discussed.
3. **Continue Alternative:** Council hold a public hearing, take public input, and direct continue Special Event Code changes to a subsequent meeting after additional stakeholder debrief and community engagement on this past year before proceeding with further code amendments.

Department Review

Special Events, Economic Development, Community Engagement, Sustainability, Public Safety, Emergency Management, Transportation Planning, Public Works, Parking Services, Transit, Building, Planning, Budget, Legal, and Executive

Community Engagement

Staff has continued to provide notice and opportunity for feedback regarding proposed changes to residents, businesses, community stakeholders, jurisdictional partners and event applicants. Since the September 13 meeting, staff held additional public outreach including HPCA Board meeting, Project Open House and SEAC meeting. As part of the outreach process, staff shared summary of the proposed changes and draft redlines in order to troubleshoot unanticipated outcomes.

Exhibits

- | | |
|---|--|
| A | DRAFT Ordinance 201852 Amending Title 4A Special Events |
| B | DRAFT Redlines to Special Event Code Title 4A |
| C | Special Event Background, Link to Current Code & Other Important Links |

Ordinance No. 2018-52

**AN ORDINANCE AMENDING TITLE 4A - SPECIAL EVENTS, CHAPTER 1
DEFINITIONS AND CHAPTER 2 SPECIAL EVENT PERMITTING OF THE
MUNICIPAL CODE OF PARK CITY, UTAH**

WHEREAS, special events within the city limits of Park City continue to grow; and

WHEREAS, Park City desires to facilitate events that provide positive impacts to the local resort economy, contribute to the unique historic character and cultural vitality of the City, and help to build a higher quality of life for city residents, visitors and the local business community; and

WHEREAS, special events range from very small neighborhood-level events to city-wide, multi- million dollar productions; and

WHEREAS, special events held in the City impact public safety and impede the flow of pedestrian and vehicular traffic; and

WHEREAS, amendments to the permit application process proposed herein will allow the City to manage neighborhood impacts of events and balance the competing uses of its public spaces to ensure that members of the public are able to access public spaces in a manner consistent with the following General Plan goals:

- ☐ Goal 10: Provide world class recreation and public infrastructure to host local, regional, national and international events that further Park City's role as a world class, multi-seasonal destination resort while maintaining balance with our sense of community.
- ☐ Goal 11: Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience.
- ☐ Goal 12: Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City.
- ☐ Goal 13: Park City will continue to grow as an arts and culture hub encouraging creative expression; and

WHEREAS, pursuant to its authority under Utah Code sections 10-8-29 and 10-8-84, Park City Municipal Corporation wants to ensure public health, safety, and welfare during all permitted events; and

WHEREAS, when more than one event occurs in the same general area, the occupancy level of venues, public property, adjacent city streets and sidewalks increases, which may create an unsafe condition and strain the City's resources and infrastructure; and

WHEREAS, limiting the number of special events that may occur simultaneously and limiting the overall number of large scale, Level Three, Four and Five events will allow the City to prevent people from being injured due to overcrowding, overcapacity streets, roadways and sidewalks, and will allow the City to better manage its resources and maintain infrastructure; and

WHEREAS, citizens need to quickly access public space to respond to current events through spontaneous speech.

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

SECTION 1. AMENDMENTS TO TITLE 4A – Special Events of the Municipal

Exhibit A DRAFT Ordinance 2018-52 Amending Title 4A Special Events

Code of Park City. The recitals above are incorporated herein as findings of fact. Title 4A Special Events, Chapter 1 Definitions and Chapter 2 Special Event Permitting of the Municipal Code of Park City are hereby amended as redlined as attached in Exhibit A.

SECTION 2. This ordinance shall become effective upon publication.

PASSED AND ADOPTED BY THE Park CITY COUNCIL this ____ day of _____, 2018.

PARK CITY MUNICIPAL CORPORATION

Mayor Andy Beerman

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark Harrington, City Attorney

Exhibit B DRAFT Special Event Code Changes Title 4A

4A Special Events

- [4A-1 Definitions](#)
- [4A-2 Special Event Permitting](#)
- [4A-3 Public Outdoor Music Plazas](#)

4A-1 Definitions

- [4A-1-1 Definitions](#)

4A-1-1 Definitions

For the purpose of this Title the following terms shall have the meanings herein prescribed:

4A-1-1.1 APPLICANT. The person, or group of people, who is or are the organizer(s) and with whom the responsibility for conduct of the event lies. The Applicant signs the Special Event ~~Permit~~ application and all other documents relevant to the event. If the Applicant is a corporation, corporate Sponsor, or business, or any other entity, which is not a natural person, the co-applicant or responsible party must be a natural person or persons. See Sponsor.

4A-1-1.2 AMPLIFIED EVENT OR MUSIC. An event or music utilizing an amplifier or other input of power so as to obtain an output of greater magnitude or volume through speakers or other electronic devices.

4A-1-1.3 CONCESSION. A privilege to sell food, beverages, souvenirs, or copyrighted or logoed event memorabilia at a permitted event.

4A-1-1.4 DISRUPTIVE TECHNOLOGY. An innovation that displaces an established technology and creates a new market and value network that eventually disrupts an existing market and value network, displacing established market-leading firms, products and alliances.

4A-1-1.54 FEE(S). Charges assessed by Park City for permitting, staffing, equipment use/rental, property use/rental, set-up, clean up, inspections, public employees, or public equipment assessed to a Special Event and established within the event permitting process as according to the Park City Fee Schedule which is adopted by June each year.

4A-1-1.65 PERMITTEE. The Applicant, as defined above, becomes the "Permittee" when the Special Event Permit is approved and signed by either the City Council or the Economic Development Manager or his/her designee, upon meeting all the criteria in this Title. As the permit holder, the Permittee becomes the sole proprietor of the event and inherits the responsibilities connected with all licenses and permits, Fee assessments, and insurance liabilities connected with the permitted event.

4A-1-1.76 SPECIAL EVENT.

1. A sporting, cultural, entertainment, or other type of unique activity, whether held for profit, nonprofit, or charitable purposes, occurring for a limited or fixed duration that impacts the City by involving the use of, or having impact on, City property, or requiring City licensing or services beyond the scope of normal business and/or liquor regulations, as defined by this Code; or creates public impacts through any of the following:
 - a. — Interruption of the safe and efficient flow of transportation in Park City, including streets or public rights of way, which may include full, or partial, or temporary closures or impacts on street or sidewalks closures necessary for the safe and efficient flow of traffic transportation and pedestrian movement in Park City; and /or
 - b. a. Use of public property, facilities, trails, or parks; and/or
 - c. b. Use of City parking facilities; and/or
 - c. Use of amplified sound above that defined in Title 6 of this Code; and/or
 - d. Need for Public Safety beyond their normal scope of operations; and/or
 - d. e. Requires licensing or services beyond normal scope of business; and/or
 - e. f. Outdoor or temporary events that do not normally occur with the permitted venue use.
2. Any organized activity involving the use of, or having an impact on, the above shall require a permit as outlined in Section 4A-2-1 of this Code. Event levels are determined by City staff based on degree of City impacts

Exhibit B DRAFT Special Event Code Changes Title 4A

including but not limited to: anticipated attendance as related to type of venue use whether private or public, transportation and public safety impacts ~~use of amplified sound, transportation and parking, use of public or private property, and admission~~. Any event may be defined as either a Level One Event, a Level Two Event, a Level Three Event, a Level Four Event, a Level Five Event or a First Amendment Event if they meet one or more of the listed criteria in the given category:

1. LEVEL ONE EVENT:

- a. Attendance at any one time is estimated between 50 and 250 people and occurs on one day and is not a series; and/or
- b. Has minor impact to surrounding areas and can be held within existing venue/use area; and/or
- c. Has minor transportation needs including minimal removal of parking, rolling road closures, and does not require increased transit; and/or
- d. Does not require Public Safety staffing beyond their normal operations.
- ~~a. The attraction of crowds up to 199 people; or~~
- ~~b. Necessity for rolling street closure.~~

2. LEVEL TWO EVENT:

- a. Attendance at any one time is estimated up to 500 people and the event is a series or has multiple days in consecutive occurrence; and
- b. Has minor impact to surrounding areas and can be held within existing venue/use; and/or
- c. Has minor transportation needs including minimal removal of parking, but requires a transportation mitigation plan, temporary, rolling or short term road closures, and does not require increased transit; and/or
- d. Does not require Public Safety beyond their normal operations.
- ~~a. The attraction of crowds between 200 and 499 people; or~~
- ~~b. Necessity for partial street closure.~~

3. LEVEL THREE EVENT:

- a. Attendance at any one time is estimated between 500 and 1,000 people and is no more than two (2) consecutive days or three (3) days in a non-consecutive series; and/or
- b. Has moderate impact to surrounding areas and can be held within existing venue/use area; and/or
- c. Has moderate transportation needs including removal of parking, requires a transportation mitigation plan, may require offsite parking plan, temporary, rolling or short term road closures, and does not require increased Park City transit; and/or
- d. May require limited public safety beyond their normal operations.
- ~~a. The attraction of crowds between 500 people; or~~
- ~~b. Necessity for full street closure.~~

4. LEVEL FOUR EVENT:

- a. Attendance throughout the duration of the event time period is estimated between 500 and 5,000 people and the event may be a non-consecutive series or may have multiple days in consecutive occurrence; and/or
- b. Has moderate to major impact to surrounding areas and/or cannot be held within existing venue/use; and/or
- c. Has moderate to major transportation needs including removal of parking, requires a transportation mitigation plan, requires offsite parking plan, temporary, rolling or long term road closures, and minor to moderate residential transportation mitigation and minor increase in service from Park City Transit and

Exhibit B DRAFT Special Event Code Changes Title 4A

may be required to provide additional transit services from a vendor outside of Park City's existing transit; and/or

- d. Requires Public Safety needs beyond their normal operations including moderate to major support in the venue and minor to moderate traffic control. May require Public Safety services from outside of the City's jurisdiction.

5. LEVEL FIVE EVENT:

- a. Attendance throughout the duration of the event time period is estimated to be above 5,000 people and may be a series or have consecutive days of occurrences; and/or
- b. Has moderate to severe impacts to surrounding areas and cannot be held within existing venue or use areas; and/or
- c. Has moderate to severe transportation needs including removal of parking, requires a transportation mitigation plan, requires offsite parking plan, temporary, rolling or long term road closures, moderate to major residential transportation mitigation and requires increased Park City transit and/or increased transportation provider outside of Park City's ability to provide services required; and/or
- d. Requires Public Safety needs beyond their normal operations including moderate to severe support in the venue, and moderate to severe transportation mitigation as well as support of public safety personnel from outside of the City's jurisdiction. severe

6. **FIRST AMENDMENT EVENT:** An activity conducted for the purpose of persons expressing their political, social, religious, or other views protected by the First Amendment to the United States Constitution and Article 1, Section 15 of the Utah Constitution, including but not limited to speechmaking, picketing, protesting, marching, demonstrating, or debating public issues on any City street or other property during the event. 'First Amendment Events' shall not include:

- a. Solicitations or events which primarily propose a commercial transaction;
- b. Rallies, races, parades, or events conducted with motor vehicles or bicycles;
- c. Footraces.

4A-1-1.87 SPECIAL EVENTS COORDINATOR. The City employee designated by the ~~Economic Development City Manager~~ who, under the supervision of the ~~Economic Development Manager~~ and within the Special Events Department, ~~which~~ administers the provisions in the Special Events Chapter of this Code.

4A-1-1.98 SPECIAL EVENT PERMIT. A permit sought by an Applicant for an event as defined in this Chapter, granted through the Special Events Department.

4A-1-1.109 SPONSOR. A person, group, or business which has contracted to provide financial or logistical support to any Special Event ~~or master festival~~. Such agreement may provide for advertising rights, product promotion, logo promotion, exclusivity of rights, products, or logos.

4A-1-1.110 STAGE(S). The raised and semi-enclosed platforms that are designed to attenuate sound, or as otherwise approved by Special Events staff.

4A-1-1.121 VENUE. The location or locations upon which a Special Event is held, which may include the ingress and egress route as approved in the conditions of the Special Event Permit.

Adopted by Ord. 2017-51 on 10/5/2017

4A-2 Special Event Permitting

- [4A-2-1 Unlawful To Operate Without A ~~License~~ Permit; Exceptions](#)
- [4A-2-2 Renewal Of Permit\(s\)](#)
- [4A-2-3 Special Event Permit Application Procedure](#)
- [4A-2-4 Standards For ~~License~~ Permit Approval](#)
- [4A-2-5 Conflicting Permit Applications](#)
- [4A-2-6 Licenses Necessary For A Special Event Permit](#)
- [4A-2-7 Fees To Be Assessed; Exceptions](#)
- [4A-2-8 Events In Parking Structures](#)

Exhibit B DRAFT Special Event Code Changes Title 4A

- [4A-2-9 Fee Reductions](#)
- [4A-2-10 Insurance Requirements](#)
- [4A-2-11 Permit Application Supplemental Documents](#)
- [4A-2-12 Film-Making](#)
- [4A-2-13 Criminal Penalty](#)
- [4A-2-14 Revocation For Cause; Notice To Cure](#)

4A-2-1 Unlawful To Operate Without A- ~~License~~ Permit; Exceptions

- A. It is unlawful for any person to conduct a Special Event with or without charge for admission, on public or private property, without first applying for and being granted a Special Event Permit for the specific event and its Venue(s). All permits issued pursuant to this Title are non-transferrable and expire at the completion of the given event, or upon revocation, whichever is earlier.
- B. The following are exempt from Special Event ~~licensing~~ permitting:
1. Funeral processions by a licensed mortuary;
 2. Activities lawfully conducted by a governmental agency within the scope of authority;
 - 2-3. Activities within resorts areas (Master Planned Development (MPD) boundary in the Recreation Commercial (RC) Zone and Residential Development (RD) that are determined to have Level 1, Level 2 or Level 3 impacts. Such activities in resort areas are required to obtain proper licensing and permitting from city, county or state jurisdictions.
 - 3-4. Filming activities if a permit for such activities has been issued by the City;
 - 4-5. First Amendment activities: If it is not reasonably possible to obtain a permit in advance of a First Amendment Event, no permit shall be required providing that the prohibitions of Subsections B, C, D and E of Section 4A-2-4 are not violated.

Adopted by Ord. [2017-51](#) on 10/5/2017

4A-2-2 Renewal Of Permit(s)

Permittees under the provisions of this Title who successfully operate a Special Event under the provisions of this Title and who wish to have the event on an annual or periodic basis must renew each Special Event Permit as outlined in Section 4A-2-3 herein. Event levels will be determined through the renewal process, regardless of recurrence or previously determined event levels. Activities that occur in series, falling under the criteria established in this Title, must have a Special Event Permit, which specifically authorizes each activity in the series, even if the same activity is held on separate occasions.

Adopted by Ord. [2017-51](#) on 10/5/2017

4A-2-3 Special Event Permit Application Procedure

- A. **PRE-APPLICATION REVIEW.** All event applicants must submit a Special Event Pre-Application Form and receive preliminary authorization to move forward with the date and venue requested before submitting a Special Event Application. All applicants requesting to hold new or significantly changed events are strongly encouraged to arrange a pre-application review with the Special Events Department no later than 15 business days before applications are due. Late or incomplete Special Event Applications will not be considered, and shall not be eligible for Special Event Fee Reduction.
- B. **APPLICATION SUBMITTAL.** All requests for Special Event Permit(s) shall be made on a Special Event ~~Application or First Amendment Event application~~ prescribed by the City and submitted to the Special Events ~~Coordinator~~ Department. Special Event Applications materials are available at City Special Events Department and online at the City's website, and must be submitted complete with accompanying Hold Harmless Agreement

Exhibit B DRAFT Special Event Code Changes Title 4A

~~and additional requirements as outlined below~~ and submitted to the Special Event Coordinator/Department on the following timeline unless otherwise approved by the Economic Development Manager or his/her designee for Special Events, upon a showing of good cause for onetime events that demonstrate unique opportunities that benefit Park City's community, culture and economic values. ~~City staff~~The Special Event Department~~The Special Event Department shall review the application for compliance with Section 4A-2-4 herein. Staff~~The Special Event Department shall subsequently return a copy of the application to the Applicant with comments and a recommendation, i.e., approve as is, approve with changes and/or conditions, or cause for denial. Incomplete applications will be returned to the Applicant and noted accordingly.

C. APPLICATION SUBMISSION DEADLINES.:

Special Event Applications may be submitted no earlier than 18 months in advance of the proposed start date of the event. All applications must be submitted no later than the deadlines as described below.

1. Level 3, 4 and 5 events shall adhere by the following application deadlines:

- a. First Friday in December– Complete Applications received by the first Friday in December will be reviewed and approved with conditions or denied no later than the last City Council meeting in February.
 - b. First Friday in April - Complete Applications received by the first Friday in April will be reviewed and approved, approved with conditions or denied no later than the last City Council meeting in June.
 - c. First Friday in August – Complete Applications received by the first Friday in August will be reviewed and approved with conditions or denied no later than the last City Council meeting in October.
 - d. Events that are determined to be a Level 4 or Level 5 within Master Planned Developments (MPD) boundary in the Recreation Commercial (RC) Zone and Residential Development (RD) Zone shall submit by the deadlines as described above however, final, non-material supplemental details shall be submitted not less than 45 days before the event. Material changes after deadlines may require approval by City Council. Examples of non-material information include talent information, vendors or sponsors, specifics of venue site plans etc. Material changes would include items that would increase scope of public safety, transportation needs or include dates that conflict with other events on the calendar. Events within these zones as described above shall work with the City to decrease impacts that may be caused in conjunction with other events, activities or community gatherings.
2. Level 1 and Level 2 events are exempt from these deadlines, but must submit a completed application not less than 30 days prior to the scheduled start of their event, unless otherwise approved by the Economic Development Manager or their designee. A pre-submittal application is required for Level 1 and Level 2 events.
- 1.3. Events that are determined to be a First Amendment Event, however, shall work to submit applications no less than 30 days prior to the start of their event, unless otherwise approved by the Economic Development Manager or their designee.

C. Level 1 and Level 2 events are exempt from these deadlines, but must submit a completed application not less than 30 days prior to the scheduled opening of their event, unless otherwise approved by the City Council. A pre-submittal application is not required. not less than ninety (90) days prior to the scheduled opening of any Level Three Event, not less than sixty (60) days prior to the scheduled opening of any Level Two Event, and not less than thirty (30) days prior to the scheduled opening of any Level One or First Amendment Event unless otherwise

Exhibit B DRAFT Special Event Code Changes Title 4A

~~approved by the City Council, or by the Economic Development Manager or his/her designee for Special Events, upon a showing of good cause.~~

D. PEAK TIME PERIODS. Applications for any new Level Three, Four or Five Event will not be considered during the following peak time periods. ~~—:~~

1. Sundance Film Festival (as per dates in contract – dates vary annually);
2. Presidents Day Weekend (dates vary annually);
3. Savor the Summit Weekend – Friday through Sunday (dates vary annually);
4. July 2, 3, 4 and 5;
5. First Full Weekend of August (aka Arts Fest Weekend) – Friday through Sunday (dates vary annually);
6. Tour of Utah Weekend – Friday through Sunday (dates vary annually);
7. Labor Day Weekend (aka Miners Day Holiday Weekend)– Friday through Monday (dates vary annually);
8. 3rd Weekend in September (aka Autumn Aloft Weekend)– Friday through Sunday
9. October 31 (Halloween on Main);
10. Winter Holiday (December 23 to 26);
11. Winter Holiday 2 (December 30, 31 and January 1).

EXCEPTIONS:

- a. Level One, Two and Three events located within Master Planned Developments (MPD) boundary in the Recreation Commercial (RC) Zone and Residential Development (RD) Zone are allowed during peak time period limitations in Section 4A-2-3 (D), however, are not required to obtain a Special Event Permit as per section 4A-2-1.3.
- b. First Amendment events are exempt from peak time period limitations but are required to obtain a Special Event Permit.
- c. Applications for existing events that were permitting on the 2018 event calendar may be considered during peak timeframes and shall be evaluated based on the standards of approval herein.

E. PUBLISH PEAK TIME PERIOD CALENDAR. By the last Friday of each November, the Special Event Department will publish peak time period event calendar in which any new event applications will not be considered for any date identified in Section 4A-2-3 (D) as a peak time period. Applicants that appeal to be held during peak time periods shall do so based on hardship or good cause/extraordinary circumstance to enable the application to proceed. If this is the case, the event, no matter what Level, shall be approved/denied by City Council in an open public meeting after a public hearing.

F. EVENT LEVEL LIMITS. The City restricts the number of event permits annually. An event permit may have more than one event day. Level of event types will be capped as established below. Once caps are reached, an event applicant may amend their application reduce the event scope to be re-categorized into another event level type that is unrestricted as long as it does not fall within the dates as mentioned in section 4A-2-3.D.

11. Level 1 events are unrestricted.
12. Level 2 events are unrestricted.
13. Level 3 events are capped at 17 annually.
14. Level 4 events are capped at 10 annually.
15. Level 5 events are capped at 10 annually.

EXCEPTIONS:

Exhibit B DRAFT Special Event Code Changes Title 4A

- a. First Amendment Events are exempt from caps.
- b. Events located within Master Planned Developments (MPD) boundary in the Recreation Commercial (RC) Zone and Residential Development (RD) Zone are exempt from permitting needs as per section 4A-2-1.3, and caps if determined to be a Level 1, Level 2 or Level 3. Events in this zone that are Level 4 or Level 5 are not exempt from caps.

~~F.G.~~ **ADDITIONAL REQUIREMENTS.** In addition to an application for a Special Event Permit, the Economic Development Manager or his/her designee shall require the Applicant to provide as necessary:

1. Insurance coverage, waiver and release of damages and indemnification as described in Section 4A-2-10. The applicant shall submit a hold harmless letter and current certificate of insurance effective through the date or if the expiration date is prior to the event, the applicant shall update the certificate and resubmit 14 days before any event set-up or activity occurs;
- 1.2. Supplemental ~~documents~~information, including a transportation, parking and traffic control plan, weather/emergency conditionsecontingency plan, waste and recycling plan, staff and volunteer plan, community impact outreach and notification plan, vendor or concession plan, sponsor and marketing plan, noise exemption request, and site map(s) described in Section 4A-2-11;
3. Proof that the Applicant has obtained any applicable city, county, state, or other governmental agency approvals, permits, or licenses as described in Section 4A-2-6.
- ~~2-4.~~ Letters of permission from property owners, and/or letters of recommendation or support from businesses, local organizations or residents.

H. **CITY COUNCIL REVIEW.** The City Council of Park City shall review and either approve, approve with conditions, or deny the following applications:

1. Applications for new Level Four and Five Events;
2. Applications for Level Four and Five Event permit renewals where material elements of the event have substantially changed from the previous application; and
3. Appeals of administrative decisions made pursuant to Subsection (D) Administrative Review, herein.
4. As used herein, a 'new Level Three-Four or Five Event' shall mean any Level Three-Four or Five Event being proposed for the first time, an event renewal of a Level One, Level Two, Level Three or First Amendment Event that now qualifies as a Level Three-Four or Five Event, or a Level Three-Four or Five Event which was not renewed for a period exceeding one (1) year. The City Council shall review applications for compliance with the standards for permit approval described at Section 4A-2-4 herein as follows:
 - a. Staff Review and Recommendation. Upon receipt of a complete Level Three-Four or Five Event application and accompanying Fee, City staff shall review the application for compliance with Section 4A-2-4 herein. Staff shall subsequently return a copy of the application to the Applicant with comments and a recommendation, i.e., approve as is, approve with changes and/or conditions, or cause for denial. Incomplete applications will be returned to the Applicant and noted accordingly. ~~f~~Following review of the administrative review of a Level Three-Four or Five Event application and notice to the Applicant, the Special Events Coordinator shall schedule the application for a public hearing before the City Council.
 - b. City Council Hearing. Level Three-Four or Five Event applications requiring City Council review and appeals of administrative Special Event decisions shall be heard at a duly noticed public hearing of the City Council. The City Council shall review the application for compliance with the standards set forth at Section 4A-2-4 herein, and shall record its decision with written findings

Exhibit B DRAFT Special Event Code Changes Title 4A

of fact, conclusions of law, and condition of approval, if applicable. Written notice of the City Council's decision shall be delivered to the Applicant within ten (10) days of the date of decision.

- I. **ADMINISTRATIVE REVIEW.** The Economic Development Manager or his/her designee shall review and shall have the authority to administratively approve, approve with conditions, or deny the following applications:
1. Level One, ~~and~~ Level Two, and Level Three Event applications;
 2. First Amendment Event applications that are found to have Level One, Level Two or Level Three impacts;
 3. Applications for Level ~~Three-Four or Five~~ Event renewals where material elements of the event have not substantially changed from the previous application. Upon receipt of a complete Level ~~Three-Four or Five~~ Event application that has not significantly changed ~~and accompanying Fee~~, the Special Events Coordinator shall review the application for compliance with Section 4A-2-4 herein.
- J. **DECISION.** Upon receipt of a complete Special Event Permit application ~~and accompanying Fee~~, the Special Events Coordinator shall review the application for compliance with Section 4A-2-4 herein. Following review of the application, the Special Events Coordinator shall record his/her decision with written findings of fact, conclusions of law, and conditions of approval, to the Economic Development Manager or his/her designee for final administrative ~~approval~~ review. Once approved by the Economic Development Manager or his/her designee, the Special Event Coordinator will deliver written notice of such decision to the Applicant.
- K. **APPEALS.** Any Applicant whose application has been administratively denied may appeal the decision to the City Council by filing a written request to the Special Events Coordinator within ten (10) days of the date of decision. The City Council shall hear the matter de novo and with public hearing.

Adopted by Ord. [2017-51](#) on 10/5/2017

4A-2-4 Standards For Permit Approval

Applications for Special Event Permit(s) shall be reviewed for compliance with the standards provided herein. The Economic Development Manager or his/her designee or City Council may deny or restrict any Special Event whenever any of the conditions enumerated in this Section cannot be eliminated or sufficiently mitigated by Conditions of Approval to ensure transportation access in accordance with the Park City Transportation Demand Management Plan, public safety in accordance with the requirements of the Park City Police Department and consistency with the Park City General Plan.

- A. The Special Event does not provide positive economic, cultural, or community value, or is not in accordance with the goals outlined in the Park City General Plan and City Council's Biennial Strategic Plan. The economic, cultural, and community value shall be determined by the City pursuant to the following criteria in order of priority:
1. Reasons for hosting the event in Park City and venue/use area is consistent with Park City's goals to create a complete community through its core values and/or partnerships with businesses or organizations that support Park City's community goals, local athletic, cultural or historic celebrations, or honoring local achievements, groups and/or individuals. Events that use public property only as a backdrop or venue with no authentic tie to the local community or city goals will not meet this standard.
 - 1-2. Provides direct economic benefit to the City through tax benefits sales tax, overnight resort visitation, or indirect benefit through marketing or branding value, compared to community impacts and costs of providing city services.

Exhibit B DRAFT Special Event Code Changes Title 4A

~~2.3. Provides event diversity by expressly targeting local gathering and/or under-served participants and/or uniqueness and uniqueness to the existing event calendar in a manner not reflected by other approved events;~~

~~3.4. Does not unreasonably restrict existing public access or adversely impact shared space or the public due to the number of events, the nature of the event, proposed location and/or location conditions;~~

~~4.5. Provides diversity or uniqueness to the existing event calendar;~~

~~5.6. Is not primarily retail and/or solely to avoid more restrictive general zoning and license regulations;~~

~~6.7. Provides economic benefit to the City through tax benefits, resort visitation, or marketing or branding value, compared to community impacts and costs of services.~~

- B. The conduct of the Special Event will substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its Venue.
- C. The conduct of the Special Event will require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
- D. The concentration of persons, vehicles, or animals will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health and safety services.
- E. The Special Event will substantially interfere with any other Special Event for which a permit has already been granted or with the provision of City services in support of other such events or governmental functions.
- F. Where applicable, the Applicant fails to provide the following:
 - 1. The services of a sufficient number of traffic controllers, signs or other City required barriers or traffic devices;
 - 2. Monitors for crowd control and safety;
 - 3. Safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the Special Event will be conducted without creating unreasonable negative impacts to the area and with due regard for safety and the environment;
 - 4. Adequate transportation, off-site parking and traffic circulation in the vicinity of the event;
 - 5. Required insurance, cash deposit, or other security; or
 - 6. Any other services or facilities necessary to ensure compliance with City ordinance(s).

G. The event creates the imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.

G.H. The event proposes to partner with a Disruptive Technology and has not mitigated potential impacts to businesses or the community due to nature of the technology.

Exhibit B DRAFT Special Event Code Changes Title 4A

I. The Applicant demonstrates inability or unwillingness to conduct the event pursuant to the terms and conditions of this Title or has failed to conduct a previously authorized event in accordance with the law or the terms of a permit, or both.

~~H.J.~~ The Applicant has not paid City Services, or State Sales Taxes if applicable from previous years.

~~I.K.~~ The Applicant has not obtained the approval of any other public agencies, ~~including the Park City Fire District,~~ within whose jurisdiction the event or a portion thereof will occur, or the applicant has not obtained the approval of the private property of which the event or a portion thereof will occur.

~~J.L.~~ **EXCEPTIONS.** Applications for First Amendment Event permits will be reviewed for compliance with the standards outlined in Subsections B, C, D, E, G, and Hand I above. In reviewing any Application for a permit for a First Amendment Event, the Economic Development Manager or his/her designee may place reasonable time, place, and manner of restrictions on the First Amendment Event. No such restriction shall be based on the content of the beliefs expressed or anticipated to be expressed during the First Amendment Event, or on factors such as the identity or appearance of persons expected to participate in the assembly.

Adopted by Ord. 2017-51 on 10/5/2017

4A-2-5 Conflicting Permit Applications

- A. No more than one (1) Special Event shall be approved for the same date(s) unless the Economic Development Manager or his/her designee finds that the events will not adversely impact one another and that concurrent scheduling of the events will not adversely impact the public health, safety, and welfare. In making this determination, the Economic Development Manager or his/her designee will apply the following criteria:
1. Geographic separation of the events;
 2. Proposed time and duration of the events;
 3. Anticipated attendance volumes;
 4. Necessity for public personnel, equipment, and/or transportation services at the events; and
 5. Anticipated traffic and parking impacts.
- B. In cases where an event double booking conflict arises, the Economic Development Manager or his/her designee will encourage any secondary, or subsequent, Applicant to review the feasibility of collocating with the original Applicant. If collocating proves impractical, the Economic Development Manager or his/her designee will encourage any secondary, or subsequent, Applicant to offer a viable alternative strategy that meets the needs of all Applicants, while also ensuring adequate public safety measures remain intact.
- C. If no voluntary agreement is reached, then the Economic Development Manager or his/her designee shall resolve the issue based on the following order of priorities:
1. The Special Event that provides the greatest overall value to the City based on economic, cultural, and community impacts, which for recurring events may be based on annual event debrief, ~~with recommendations from the Special Event Advisory Committee.~~
 2. Special Events planned, organized, or presented by state, federal, or City governmental entities or their agents shall have priority over conflicting applications if:
 - a. The application is timely filed and processed by the City;
 - b. Said governmental application is made in good faith and not with the effect or purpose of improperly chilling constitutional rights of conflicting Applicants.
- D. If no voluntary agreement is reached, then the first-in-time application (including consecutive, prior year approval) shall be given priority. The conflicting Applicant shall be advised of other open dates on the City's events calendar.

Exhibit B DRAFT Special Event Code Changes Title 4A

Adopted by Ord. [2017-51](#) on 10/5/2017

4A-2-6 Licenses Necessary For A Special Event Permit

The Applicant/Permittee shall procure any applicable city, county, state, or other governmental agency approvals, permits, or licenses.

Adopted by Ord. [2017-51](#) on 10/5/2017

4A-2-7 Fees To Be Assessed; Exceptions

- A. **APPLICATION FEE.** Special Event ~~A~~ application Fees shall be assessed according to the Fee resolution. All application Fees are due and payable upon ~~submission of a completed application~~ receipt of invoice from the Park City Special Events Department. Applications for annual events will not be accepted unless the applicant has paid fees in full from previous year. Applications shall be considered incomplete unless and until the application Fee is paid in full. An Applicant for a recurring event that qualifies as a new event level is responsible for Fee amounts of the given level.
- B. **CITY SERVICE FEES.** Upon receipt of a completed Special Event ~~Permit-A~~ application, the Special Events Coordinator will provide the Applicant with an estimate of City Service Fees based on the fee schedule and will provide estimated costs for City services arising from the event, including but not limited to the use of City personnel and/or equipment, City transportation services, City Public Safety services, City venues or facilities, Building inspections, and user Fees. A final assessment of City costs will occur upon completion of the Special Event. All City service Fees will be adjudged to reflect actual cost. Unless reduced pursuant to Section 4A-2-9, all City service Fees must be paid in full within thirty (30) days of the final assessment and receipt of invoice of City costs for the Special Event.
- C. **FINANCIAL SECURITY.** The ~~Special Events Coordinator~~ Economic Development Manager is authorized to require an Applicant to post a cash deposit or other security accepted by the Legal Department for all estimated contingent costs prior to the issuance of a Special Event Permit, as a guarantee against Fees, damages, clean up, or loss of public property.
- D. **EXCEPTIONS.** Specified Fees do not apply to an application for a First Amendment Event permit if the Applicant demonstrates, by sufficient evidence, that the imposition of Fees would create a financial hardship on the Applicant or would have a detrimental effect on services provided to the public.

Adopted by Ord. [2017-51](#) on 10/5/2017

4A-2-8 Events In Parking Structures

Applications for Special Events taking place within a parking structure shall be reviewed for compliance with all Codes relating to Special Events along with the standards provided below:

- A. Location – Special Events or hospitality functions taking place within a parking structure shall only take place in Historic Recreation Commercial (HRC) District and Historic Commercial Business (HCB) District zones.
- B. Duration – Permitted Special Events or hospitality events taking place within a parking structure may not exceed ten (10) calendar days in duration.
- C. Frequency – Individual parking structures will be eligible to be converted into an event or hospitality use no more than two times during one calendar year.
- D. Application Requirements – In addition to the Special Event application requirements, Applicants wishing to utilize a parking structure for a temporary assembly use as part of a Special Event or hospitality function must also provide the following:

Exhibit B DRAFT Special Event Code Changes Title 4A

1. An original set of design plans stamped by a Utah licensed mechanical engineer that meet the intent of required ventilation standards as per the International Mechanical Code Section 403.3.1.1 for both occupancies. This plan must be approved by the Building Official.
2. Design plans that demonstrate plumbing systems and fixtures provided within the event space meet the intent of the plumbing fixture requirements of IBC Chapter 29. This plan must be approved by the Building Official.
3. All plans must be approved by the Deputy Fire Marshal and shall demonstrate compliance with the International Fire Code.

Adopted by Ord. [2017-51](#) on 10/5/2017

4A-2-9 Fee Reductions

- A. Annually, the City will allocate up to two hundred thousand dollars (\$200,000) to be used to reduce City Service Fees required for Special Events. Allocation of reduced Fees will be determined at the sole discretion of the Economic Development Manager and Budget Manager(s), City Manager, and City Council. Unmet thresholds at the end of a year will not be carried forward to future years.
- B. The City Manager may reduce the following Special Event ~~permitting and associated~~ City Service Fees up to a total of twenty five thousand dollars (\$25,000) per event after reviewing a recommendation from the Economic Development Manager and Budget Manager upon a finding of eligibility pursuant to the criteria provided herein:
 1. Application;
 2. Building permit;
 3. Facility and/or equipment rentals;
 4. Field and/or park rentals;
 5. Special use of public parking permit;
 6. Bleachers;
 7. Trail; and
 8. Public Safety Personnel.

If the total Fee reduction request exceeds twenty five thousand dollars (\$25,000) per event or includes other City Service Fees outside the Fees mentioned above, then the request must be approved by City Council in a Public Meeting.
- C. All Fee reduction requests will be reviewed twice a year. All Special Event Fee reduction requests must be submitted to the Special Events Coordinator prior to the application deadlines:
 1. October 1st – Events occurring between January 1st and June 30th.
 2. April 1st – Events occurring between July 1st and December 31st.

Applications received outside of the normal application process may be considered for reductions but must demonstrate an immediate need for reduction and provide justification to why the application was not filed within the specified deadline.

Exhibit B DRAFT Special Event Code Changes Title 4A

- D. Fee reduction applications will be evaluated by a City Staff review committee comprised of City Departments which the Fees directly impact and a recommendation will be submitted to the Special Events Department. Special Events staff will make a recommendation to the Economic Development Manager, Budget Manager(s), and City Manager and/or City Council. Final determinations will be made by these parties as outlined above in Section 4A-2-9(B). All decisions may be appealed with the final decision given by the City Council. Eligibility for a full or partial Fee reduction shall be determined by the City pursuant to the following criteria, none of which shall be individually controlling:

1. Reason for choosing Park City and specific venue for the event.

~~1-2.~~ Charges event admission or Fees for participation and policy for attendees or participants unable to pay such Fees;

~~2-3.~~ Event organizers provides free programs to the community, or raises funds for organizations that provide free or low cost programs, benefiting local youth, seniors, or under-served constituents, and/or is aligned with City Council's critical goals;

~~3-4.~~ Provides economic opportunities to the community including positive tax benefits, raises funds or provides revenue opportunities to the City to offset City services and costs required by the event;

~~4-5.~~ Provides community and/or economic event opportunities during resort off seasons;

~~5-6.~~ Demonstrates extraordinary efforts to reduce and mitigate environmental, transportation, and residential impacts associated with the event consistent with adopted City Council priority/policy goals and the General Plan; and

~~6-7.~~ Demonstrates that the imposition of Fees would create a financial hardship on the Applicant or would have a detrimental effect on services provided to the public.

Fee reduction requests must be filed bi-annually, unless otherwise approved in a City services agreement by the City Council. Applications for fee reduction shall only be considered for the first five (5) years of event approval, unless otherwise approved under a City Service Agreement or by City Council. If an applicant appeals to have their application considered after five (5) consecutive years, the Economic Development Manager or their designee may require, by showing of good cause or extraordinary circumstances, review of a business plan, economic impact study and/or community vitality study for review and consideration of allowing an extraordinary circumstance for application to be considered. Approval of any fee reduction for any application shall not create a precedent for future requests.

Adopted by Ord. 2017-51 on 10/5/2017

4A-2-10 Insurance Requirements

Upon receipt and review of a Special Event Permit application, the Special Event Coordinator will submit the application with a recommendation for final authority by the City Attorney's Office for amount of liability insurance pursuant to the hazard matrix or more to be determined within ten business days (10) following submittal. The Special Event Coordinator will deliver written notice of such determination to the Applicant. Applicants shall provide proof of liability insurance in the determined amount no later than fourteen days (14) prior to the first set-up day of a Special Event. The City Attorney's Office shall require the Applicant to further name Park City Municipal Corporation as an additional insured. All Applicants shall further indemnify the City from liability occurring at the event, except for any claim arising out of the sole negligence or intentional torts of the City or its employees. Any reduction of these requirements must be approved by the City Attorney's Office prior to permit approval.

Adopted by Ord. 2017-51 on 10/5/2017

4A-2-11 Permit Application Supplemental Documents

- A. Transportation, parking and traffic control requirements and considerations:

Exhibit B DRAFT Special Event Code Changes Title 4A

1. All traffic and transportation control is the responsibility of the Applicant. A traffic and transportation control plan shall be provided to, and approved by, the Economic Development Manager or his/her designee upon recommendation by the Transportation Department by the event date. Plans are determined through collaboration with the Special Events Coordinator, and shall include determinations on transit impacts and traffic control, including pedestrian, bicycle, motorized and other methods of transport required for the event;
2. Road closures will require appropriate traffic control. Appropriate traffic control may include by uniformed state, county, or local police officers, or a private company, identified event staff, or physical devices, as determined by the Economic Development Manager or his/her designee;
3. The Economic Development Manager or his/her designee may require an alternate route, or alternative time, if the proposed Event occurs when traffic volumes are high, active road construction is present, an alternative event is already occupying the road, a safer route to accommodate the event, or the event poses a significant inconvenience to the traveling public;
4. The Applicant shall restore the road or trail segment, or impacted area to its original condition, free from litter and other material charges;
5. The Economic Development Manager or his/her designee may monitor and ensure compliance with the terms and conditions of any Special Event Permit.

B. Contingency Plan Requirements:

1. Considering the nature of the planned Special Event, the Applicant shall develop:
 - a. Contingency or emergency plans, including Emergency Medical Service, fire, and police;
 - b. Operations plan and timeline;
 - c. Weather date and/or weather conditions plan;
 - d. Residential notification and mitigation plan;
 - e. Planned rest areas, water and toilet facilities, and trash and recycling cleanup;
 - e.f. Marketing, sponsorship and vendor plans. If the event proposes partnership or sponsorship with a Disruptive Technology, the applicant shall be required to submit potential plan to mitigate impacts of Disruptive Technology at the time that the Special Event Permit is due, unless otherwise approved by the Economic Development Director or their designee.
 - f.g. Plans to ensure that participants obey the conditions of the Special Event Permit and all other generally applicable traffic laws, lights, and signs;
 - g.h. The Economic Development Manager or his/her designee may require that the Applicant provide notice to participants, bystanders, or the public of all plans enumerated in Subsection (B)(1). The amount of and method of notice shall be dependent on the circumstances of the Special Event Permit.

C. Special Event Site Identification and Private Property Use Requirements.

- D. The Applicant shall provide a detailed map showing the proposed course and direction of the event. Locations of parking areas, signs and banners, water stations, power sources, toilet facilities and other appropriate information shall also be included on this map. The Applicant is responsible for obtaining appropriate permission to locate these facilities on private property.

Exhibit B DRAFT Special Event Code Changes Title 4A

4A-2-12 Film-Making

Film-making shall be considered Special Events unless such event does not create substantial public impact or require substantial City service. Any filming undertaken by any business or corporation must first be licensed as a business under Title 4 of this Code. Corporations falling under the provisions of this Title or who are specifically in film-making or promotions on public or private property must, as a provision of their permit, provide the following: proof of insurance, shooting schedule or schedule of events, written permission of property owners, and access to any set or site for purposes of Code enforcement.

Adopted by Ord. [2017-51](#) on 10/5/2017

4A-2-13 Criminal Penalty

Any person who willfully violates any provision of this Title shall be guilty of a Class B misdemeanor. Persons conducting Special Events without having first obtained a Special Event Permit are subject to arrest and the Special Event is subject to closure.

Adopted by Ord. [2017-51](#) on 10/5/2017

4A-2-14 Revocation For Cause; Notice To Cure

- A. **NOTICE TO CURE.** If the Special Events Coordinator or any sworn law enforcement officer determines that the conditions of any permit issued pursuant to this Title have been or are being violated, then notice shall be given to the Permittee, Sponsor, or designated organizer's representative of the Special Event to cure the violation.
- B. **FAILURE TO CURE.** It is unlawful for the Permittee, Sponsor, or on-site organizer's representative of an authorized Special Event to fail to take reasonable steps to promptly cure any notice of violation of this Title. It is also unlawful for any participant or spectator to fail to comply with lawful directions issued by any sworn law enforcement officer or by the Permittee, Sponsor, or on-site organizer's representative to cure their violation of this Title.
- C. **CLEAR AND PRESENT DANGER.** If a sworn law enforcement officer determines, after consultation with the Chief of Police or the Chief of Police's designee, that any failure to cure a violation of this Title creates a clear and present danger of immediate significant harm to life, public safety, or property which cannot be reasonably mitigated by increased public safety enforcement and which, on balance, outweighs the constitutionally protected rights of the organizers or participants in the Special Event, the Permittee, Sponsor, or on-site organizer's representative of the Special Event shall be promptly notified that the permit is revoked and that the Special Event must immediately cease and desist.
- D. **VIOLATION OF CEASE AND DESIST ORDER.** If a Special Event Permit is revoked as specified in Subsection (C) above, then it shall be unlawful for any person to fail to obey the order to cease and desist from illegal activities.

Adopted by Ord. [2017-51](#) on 10/5/2017

City Council Reports:

October 9, 2014	Special Events Update Study Session – pages 2 through 17
October 9, 2014	Special Event Update Minutes – pages 1 through 2
December 4, 2014	Special Events Discussion – pages 8 through 24
December 4, 2014	Special Events Discussion Minutes – pages 9 & 10
March 26, 2015	Special Event Update – SEAC on pages 8 through 11 / Minutes – pages 1 through 2
June 4, 2015	Special Events Advisory Committee Establishment– pages 656 through 663 / Minutes – page 9
July 9, 2015	Special Events Advisory Committee Addition Manager's Report – page 14
January 28, 2016	Special Events Department Code Changes – page 93 through 140 / Minutes – pages 9 through 10
March 24, 2016	Title 4, Chapter 8 Special Event Code Amendment – pages 67 through 101 / Minutes - page 7
May 5, 2016	Special Event Fee Reduction (July 1 through December 31) pages 152 through 170 / Minutes – page 9
June 30, 2016	Staff Communications Special Event Advisory Committee Update - pages 188 through 210
September 22, 2016	Special Event Work Session Update - pages 7 through 30
September 22, 2016	Special Event Work Session Minutes - pages 7 through 11
November 3, 2016	Special Event Update Work Session - page 18 through 46
November 3, 2016	Special Event Update Work Session Minutes – pages 6 through 8
November 17, 2016	SEAC Amendment – pages 51 through 64
November 17, 2016	SEAC Amendment minutes – pages 6 through 8
January 5, 2017	SEAC Interviews – page 13
January 12, 2017	SEAC Interview – page 5
March 9, 2017	Fee Reduction Update (page 29) / Minutes (page 4-5)
March 9, 2017	Special Event Calendar Preview (page 129)
March 30, 2017	Fee Reduction Amendment Approval (page) / Minutes (page 8 to 9)
May 25, 2017	Special Event Transportation Strategies / Minutes (page 18-20)
June 29, 2017	SEAC Interviews (page 5)
July 11, 2017	SEAC Interviews (page 2)
August 3, 2017	SEAC Appointments
August 31, 2017	Special Event Parking and Transportation Planning (page 200)
September 21, 2017	SEAC Study Session (page 4 -24) / Minutes (page 1 & 2)
March 8, 2018	Special Event Calendar Preview (page 27)
May 3, 2018	Work Session Special Event Next Steps (page 44 to 49) / Minutes page 3 to 6
June 7, 2018	Special Event Next Steps Staff Report/ Minutes (p. 6 - 9)/ Audio
September 13, 2018	Work Session Special Event Next Steps (p.5 -24) / Minutes not yet approved / Audio

Other important links:

[Special Event Numbers, Level Of Service and Fee Reduction Matrix Analysis](#)
[2018 New, Significantly Changed, Cancelled Events & Current Event Calendar](#)
[Matrix of Proposed Changes to Events](#)
[SEAC Recommended Changes regarding next steps on events](#)
[2016 Event Prioritization Exercise by SEAC](#)
[SEAC Prioritization and Debrief Forms](#)
[Link to Special Event Fee Reduction Application & Criteria](#)
[Special Event Input and Permit Process Diagrams](#)
[SEAC Policies and Procedures](#)
[Similar Jurisdiction Event Comparison Analysis & Related Event Insider Articles](#)

In September of 2016, Council gave staff the direction to ‘take the foot off the gas pedal’ with regards to Special Events. The goals of doing so included:

- Reduce event impacts on residential neighborhoods;
- Create a tool for evaluating and prioritizing events;
- Increase community participation in event debriefing; and
- Efficiently utilize City Resources

Staff worked on multiple items including increasing mitigation at events specifically around transportation, sustainability, community outreach and engagement, and streamlined/increased efficiencies in the Fee Reduction process among others.

In September of 2017, at the SEAC Study Session, council agreed with SEAC’s proposed goals – which include identifying and conveying community perspective of events, creating a statistically relevant community survey regarding events, and continue event debrief. Additionally, Council discussed that SEAC should focus on gaining resident feedback from the City (84060) and measure comfortable carrying capacity with broad residential community perspective. Council asked for SEAC to make a recommendation if events should be planned year round – including in the quieter seasons. Council also discussed that events should be focused on having meaning/fit in the community. The discussion also mentioned that impacts had been minimized over the past season and it would be interesting to see if attendance to events had declined.

The Problem & the Opportunity

Years ago Council directed staff to develop the event calendar as way to provide economic vitality in the shoulder seasons and build a year vibrant round community.

- The work of the City and many community partners/residents has created a successful year round resort destination and community – growing the economy, community, culture, and creating a sense of place.
- Special Events align w/ the Arts & Culture Top Priority & effectuates positive action in the Critical Priorities areas of Transportation, Energy and Social Equity.
- Special Events align with the [General Plan](#), specifically goals, objectives and strategies.:
 - Goal 10: Provide world class recreation and public infrastructure to host local, regional, national and international events that further Park City’s role as a world class, multi-seasonal destination resort while maintaining balance with our sense of community.
 - Goal 11: Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience.
 - Goal 12: Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City.
 - Goal 13: Park City will continue to grow as an arts and culture hub encouraging creative expression.

- As the event calendar has grown, so has the need to mitigate impacts and balance the event calendar to reduce 'event fatigue'.
- While staff continuously balances the event calendar, the cost of City Services and Level of Service (LOS) continue to increase, as well as, the economic (both direct and indirect revenues) and community/cultural opportunities.
- While staff has worked to mitigate event impacts, further culling/reducing the event calendar may create unintended consequences to community, cultural and economic benefits the City receives from events and will have negative implications on the non-profit community which makes up 95% of the event calendar.
- While staff has worked on proposed changes, there is no perfect solution. The changes will pose both new opportunities and challenges.
- The changes must be applied across the board to effectuate Council's objectives; they cannot be applied individually to events.

Council Agenda Item Report

Meeting Date: September 27, 2018

Submitted by: Scott Colley

Submitting Department: Transit

Item Type: Resolution

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve Resolution 24-2018, a Resolution Adopting Amendments to the Park City Transit Department ADA Policy and Complementary Paratransit Plan
(A) Public Input (B) Action

Suggested Action:

Attachments:

[Transit Amendments Staff Report](#)

[Exhibit A: ADA Policy](#)

[Exhibit B: ADA Transit Resolution](#)



City Council Staff Report

Subject: Park City Transit Department ADA Policy and Complementary Paratransit Plan Update

Author: Scott Colley

Department: Transit

Date: September 27, 2018

Type of Item: Administrative

Summary Recommendation

Staff recommends that the City Council review the proposed amendments to the Park City Transit Department Americans with Disabilities Act (ADA) Policy and Complementary Paratransit Plan. Council should hold a public hearing and adopt a resolution amending the adopted 2013 plan and subsequent implementation of the amended Plan.

Executive Summary

As an recipient of FTA capital and operating grant funds, Park City Transit is required to comply with Title II and Title III of the ADA and the implementing regulations found in 49 CFR Part 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance, 49 CFR Part 37 – Transportation Services For Individuals With Disabilities (ADA), and 49 CFR Part 38 – Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles.

Transit staff conducted an internal review and identified necessary amendments to the plan to reflect recent organizational changes within the department, improve safety and accessibility, and reflect current best practices in order to provide the highest level of customer service and mobility throughout the community for Paratransit passengers.

Acronyms

ADA	Americans with Disabilities Act of 1990, as amended
CFR	Code of Federal Regulations
DOT	Department of Transportation
FTA	Federal Transit Administration
PCMC	Park City Municipal Corporation

The Opportunity

With recent changes in the organizational structure of the Transit Department, as well as system growth since the last ADA Plan update in August 2013, amendments to the Paratransit Plan are necessary. Through an internal review of the current Plan, Transit staff have identified areas that require amendment in order to improve safety, reflect best practices in Paratransit, and ensure compliance with ADA regulatory requirements.

A summary of the recommended amendments to the Plan are as follows:

- Updated contact information within the plan to reflect organizational changes, with the inclusion of contact information for the Transit Quality Manager.
- Clerical and grammatical changes throughout the document for clarification purposes.
- Updated the titles in Section 7: Process for Appeals & Complaints to remove the Transportation Manager and replace it with Transit & Public Works Director.
- The addition of Section 15: Mobility Devices to define and address how wheelchairs and other mobility devices will be treated by Transit, including a requirement that all mobility devices be secured on each trip for the safety of passengers. Unsecured mobility devices pose a potential hazard to the safety of passengers, equipment, and operators. The inclusion of the requirement that they be secured mitigates this risk.
- Added Section 18: Reasonable Modifications in order to be compliant with 49 CFR 37.5(i)(3) and the Department of Transportation's (DOT) requirement that transit agencies allow for the reasonable modification of policies and procedures in order to meet the origin-to-destination requirements of 49 CFR 37.3. This change codifies Transit's commitment and ongoing practice of ensuring access throughout community for individuals with disabilities.

Alternatives for City Council to Consider

- 1. Recommended Alternative:** Adopt a resolution to implement the amended ADA Paratransit Plan.

Pros

- a. Improves safety within the Transit Department and protects PCMC from potential risk
- b. Ensures the Paratransit Plan remains compliant with current rules and regulations
- c. Improves the customer experience and quality of service for passengers with disabilities

Cons

- a. There could be complaints from mobility passengers who would prefer to not be secured in the vehicle, and ensures equitable mobility for all residents and visitors.

Consequences of Selecting This Alternative

Implementing the updated ADA Paratransit Plan improves the safety and quality of services received by passengers with disabilities, protects the City from risk, and ensures compliance with regulatory requirements.

- 2. Null Alternative:** If Council chooses not to adopt the recommended amendments to the Paratransit Plan, the Plan may be found to be out of compliance with ADA regulations and could result in adverse action by pertinent regulating federal government bodies, including the possibility of a loss of federal funding or fines due

to non-compliance. Not adopting the recommended amendments also exposes the City to the risk of passenger injury and potential litigation.

Pros

- a. None.

Cons

- a. Plan may be found out of compliance by regulatory agencies
- b. Possible loss of Federal funding
- c. Does not address the safety concern of unsecured mobility devices, exposing the City and passengers to unnecessary risk

Department Review

This Staff Report has been reviewed by the Public Works & Transit Director, the Transit Quality Manager, The Transportation Planning Manager, the PCMC Legal Dept., and Executive.

Funding Source

Funding for the ADA Paratransit program and service is already included within the Transit fund. No additional funding is required.

Attachments

- A Amended Park City Transit ADA Policy and Complementary Paratransit Plan
- B Resolution adopting the amended ADA Policy and Complementary Paratransit Plan

PARK CITY TRANSIT DEPARTMENT ADA POLICY AND COMPLEMENTARY PARATRANSIT PLAN

**1053 Ironhorse Drive
P.O. Box 1480
Park City, UT 84060**

**Kenzie Coulson – Transit Quality Manager
Phone – (435)615-5371**

**Route Maps, Timetables and schedules may be obtained online at:
www.parkcitytransit.org**

1. PURPOSE

Federal Transit Administration (FTA) grantees are required to comply with Title II and Title III of the Americans with Disabilities Act (ADA) of 1990 which states that no entity will discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of complementary Paratransit service. The Park City Transit (PCT) Department herein establishes its Policy to comply with the requirements of the ADA and its implementing regulations at 49 CFR Parts 27, 37 and 38.

This plan was developed and vetted with the assistance and input from Meeche White, Director of National Ability Center, Park City, Utah. Opportunity for public review and comment was made available prior to formal adoption of the policy at a regularly scheduled Park City Council meeting held on Thursday, September 27th, 2018.

2. TRANSPORTATION FACILITY AND VEHICLE ACCESSIBILITY

PCT will construct any new facility to be used in providing designated public transportation services so that the facility is readily accessible to and usable by individuals with disabilities. PCT will also ensure that all revenue service vehicles procured or leased will be readily accessible to and usable by individuals with disabilities.

PCT currently operates a fleet of thirty (30) Low Floor buses, eight (8) electric buses, seven (7) Cut-Away buses, one (1) Transit van, and one Trolley Bus on fourteen (14) routes throughout the greater Park City area. All of PCT's vehicles and routes are 100% accessible to people with disabilities.

3. PARATRANSIT AS A COMPLEMENT TO FIXED-ROUTE SERVICE

PCT shall provide paratransit service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed-route service.

For example, paratransit trips:

- Will / may take approximately the same amount of time as the same trip on a fixed route service.
- May be combined or shared with other riders.
- May function as a feeder service to an accessible fixed route, where such service enables the individual to use the fixed route bus system for his or her trip.

4. TYPE OF ADA PARATRANSIT SERVICE

PCT Paratransit service is a curb-to-curb service. Drivers may assist passengers to and from their residence and/or destination point when such assistance is requested by the passenger. PCT requests that passengers notify the dispatcher when scheduling rides if they anticipate that they will need assistance. However, no PCT vehicle operator will enter a private residence or a public facility in order to provide this service. PCT vehicle operators will assist ADA Paratransit eligible individuals in boarding and disembarking PCT vehicles upon request, and will assist with that cargo (e.g. baggage, bags of groceries, etc.) that may be reasonably carried aboard by one person. Baggage is considered reasonable if it can be carried by a single person in one trip and weighs less than fifty (50) pounds.

If assistance is requested where a PCT vehicle operator determines provision of such assistance would pose a direct threat to the safety other passengers, vehicle and/or operator, the dispatcher on duty may pursue an alternate course of action in order to mitigate such a risk, including but not limited to picking up or dropping off a passenger at an alternative location where assistance may be provided safely.

5. ELIGIBILITY STANDARDS

The following individuals will be considered ADA Paratransit eligible:

Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the fixed-route system which is readily accessible to and usable by individuals with disabilities;

Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board ride and disembark from any vehicle which is readily accessible to and usable by individuals with disabilities if the individual wants to travel on a route on the system during the hours of operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route (e.g. when a lift is inoperable on the fixed-route system); and/or

Any individual with a disability who has a specific impairment related condition that prevents the individual from traveling to a boarding location or from a disembarking location of the fixed-route service.

One other individual accompanying an ADA Paratransit eligible individual will be provided service if 1) the accompanying individual is acting as a personal assistant; 2) is a family member or friend. If the individual accompanying the eligible individual is a personal care attendant, service will be also be provided to one additional accompanying individual.

In order to be considered as “accompanying” the eligible individual for purposes of this Policy, the other individual(s) will have the same origin and destination as the eligible individual.

6. ELIGIBILITY DETERMINATION PROCESS

All information about the eligibility process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility will be made available in accessible formats. If a request for a format not currently offered by PCT is made, PCT staff will work with local accessibility groups to produce the requested media.

Upon receipt of a completed application, PCT may contact the applicant to schedule an in-person interview and / or functional assessment. Following the interview and / or functional assessment, PCT may require a physician’s verification of the disability. PCT may utilize a third party physician or physical therapist to assist in eligibility determinations.

PCT staff will review completed applications and make a determination of eligibility in writing within twenty-one (21) calendar days. Park City Mobility may, at its discretion depending on the nature of the disability and results of functional assessments, interviews, physician verifications, and applications, determine applicants to be temporarily or conditionally eligible for service. Any conditions applied to individual eligibility will be stated in the letter of determination. If, by a date twenty-one (21) calendar days following submission of a complete application, PCT staff has not made a determination of eligibility, the applicant will be treated as eligible and provided service until and unless PCT denies the application. If the determination is that the individual is ineligible, the determination will state the reason(s) for the finding. This determination may be appealed through the appeals process described in Section 7.

Determinations will be categorized into three types of eligibility:

1. Unconditional Eligibility, where the applicant's disability prevents the use of regular fixed route services under all conditions.
2. Trip by Trip Eligibility, or Conditional, Eligibility, where the applicant's disability prevents travel on regular fixed route services only when certain conditions are present. In these cases, requested trips will be evaluated on a trip by trip basis for impairment related conditions and environmental factors to determine if the trip meets the individual's eligibility criteria. If no conditions are present which prevent the individual from using fixed route services, that person will not be considered eligible for that trip.
3. Temporary Eligibility may be granted to individuals who meet one of the three eligibility standards described in Section 5 of this plan due to a temporary illness or injury. In granting eligibility to such a person, PCT will establish an expiration of eligibility consistent with the expected duration of the disability.

PCT may require re-certification of the eligibility of ADA Paratransit eligible individuals at reasonable intervals, or as needed. Typically these recertification intervals will occur every three years.

There are certain circumstances under which an individual, otherwise eligible for ADA Paratransit services, may be denied those services, these circumstances are:

- A person whose behavior threatens or has threatened the safety of Paratransit personnel or other customers.
- Persons who demonstrate a consistent pattern of missing scheduled Paratransit trips, "no-shows", may lose their eligibility.

Such temporary suspensions of eligibility, as well as permanent loss of eligibility because of violent or threatening behavior, may be appealed through the following appeals process. In the case of temporary suspension due to "no-shows", suspension of service will not begin until the appeals process is complete.

7. PROCESS FOR APPEALS & COMPLAINTS

Administrative Appeals definitions:

- a. ADA appeals board: The City Manager or his/her designee, an attorney for the City Attorney's Office and a manager other than the Transit & Public Works Director, or the Transit Quality, Systems, or Business Managers.
- b. Complaint: A complaint shall be defined as a written assertion that any person, individually or as a member of a specific class of persons, has been subject to discrimination on the basis of a disability in connection to the provision of transportation service.

- c. ADA Officer: An employee of Park City designated by the City Manager to process Complaints according to procedure identified in this policy.
- d. Transit & Public Works Director: The Transit & Public Works Director within the Park City Public Works Department.

Administrative Appeals Process:

1. A complaint must be filed within thirty (30) calendar days of the alleged wrong doing with the City Recorder's Office (sixty (60) calendar days in the case of eligibility denials). Any individual needing assistance with writing the Complaint, may contact the City's ADA Officer for assistance in locating additional resources.
2. The Complaint shall be forwarded to the ADA Officer, who shall be appointed by the City Manager. The ADA Officer shall investigate the Complaint and prepare a written response, including any remedial or enforcement action, within thirty (30) calendar days and forward the response to the Complainant and Transit & Public Works Director. If, by a date thirty (30) calendar days following an appeal, a determination has not been made, the appealing individual will be treated as eligible and provided service until and unless the appeal is denied. The Complainant and Transit & Public Works Director shall be entitled to appear in person and to be represented by counsel, to have a hearing, and to confront the witness whose testimony is to be considered by the appeals board.
3. Board Appeal Level:

In all cases where the Complainant or Transit & Public Works Director disagrees with a decision of the ADA Officer, the Complainant or Transit & Public Works Director may appeal the decision of the ADA Officer to the Appeals Board.

The appeal shall be taken by filing written notice of the appeal with the City Recorder within ten (10) calendar days after the decision of the ADA Officer. Upon the filing of the appeal, the ADA Appeals Board shall commence its investigation, take and receive evidence, and fully hear and determine the matter. The Complainant and Transit & Public Works Director shall be entitled to appear in person and to be represented by counsel, to have a hearing, and to confront the witness whose testimony is to be considered by the appeals board. The ADA Appeals Board's decision shall be made to the Complainant and the Transit & Public Works Director in writing.

State and Federal Appeals Process:

In the event the ADA Appeals Board upholds the ADA Officer's decision, the Complainant may file the Complaint with the Utah Department of Transportation, the Federal Department of Transportation, or the Federal Transportation Administration Offices.

8. SERVICE AREA

PCT's Paratransit service area shall include all areas within $\frac{3}{4}$ mile of any PCT fixed bus route that is operated by PCT. Service Area may be limited to times when a fixed route within $\frac{3}{4}$ mile of a destination is in operation. PCT currently operates within incorporated Park City and parts of Summit County, including Kimball Junction and Quinn's Junction.

9. HOURS OF OPERATION

PCT's Paratransit service shall be available any time a fixed route service is in operation within $\frac{3}{4}$ mile of a given location or destination.

10. RESPONSE TIME

PCT will schedule and provide Paratransit service to any eligible person at any requested time PCT's fixed-route buses are in operation on a particular day in response to a request for service made the previous day and up to seven (7) days in advance. Dispatchers will take reservations from 8:00 a.m. to 5:00 p.m. seven (7) days a week. Requests received after 5:00pm for the following day will be treated as a same-day ride and will be subject to time and space availability.

Requests for ADA paratransit service may be accepted from eligible individuals only, or in the case where a disability prevents the eligible individual from making his/her own ride requests, PCT will accept requests from a legal guardian.

PCT will make an effort to schedule rides for ADA Paratransit eligible persons at the requested time however, rides may be scheduled up to one hour before or after the requested time. Dispatchers will provide eligible individuals with a thirty (30) minute pickup window when confirming ride requests. PCT is considered on time if the vehicle arrives at the scheduled pick-up point within the promised pickup window. PCT will wait up to five (5) minutes for the scheduled rider to board. If the rider has not begun the boarding process within the five (5) minute period, the vehicle will depart the location.

11. SAME DAY SERVICE

A same-day ride is classified as any request for service not received by 5:00pm the day before the requested service is to take place. Same Day service is offered as a courtesy only, and is not required by the ADA.

From 8:00 a.m. to 5:00 p.m., Monday through Friday, PCT Paratransit dispatchers can be reached to arrange same-day rides. This service is available only for same-day rides that occur between 8:00 a.m. and 5:00 p.m. Monday through Friday and are only on a space/time available basis, for the convenience of eligible riders.

Same day rides are not provided on Saturdays, Sundays, and holidays recognized by Park City Municipal Corporation.

Adjusting previously scheduled appointments the day they are to occur will effectively reclassify the ride as a same-day ride and will be subject to those limitations and restrictions.

12. SUBSCRIPTION SERVICE

Subscription service is the provision of repetitive trips over an extended period of time. PCT will allow ADA eligible riders to schedule rides for up to a six (6) month period. However, PCT will not schedule in a subscription context more than fifty (50) percent of the possible/potential trips during any two-hour window unless available capacity allows.

PCT reserves the right to establish a waiting list, capacity constraints, restrictions on trip purpose and priorities for participation in subscription service. PCT may cancel a subscription for passengers who violate the no-show policy, or in cases where repeated alterations or cancellations occur.

13. SUSPENSION OF SERVICE/NO-SHOW POLICY

PCT will suspend the provision of service to ADA Paratransit eligible individuals who establish a pattern or practice of missing scheduled trips. A “no-show” will be added to a rider’s record when the following situations occur:

- Not being at the scheduled pick-up point within five (5) minutes after the bus arrives.
- Canceling a ride less than ninety (90) minutes before the scheduled pick-up time.
- Not canceling a scheduled pick-up time.
- Choosing not to ride after the vehicle arrives for the pickup.

Return trips and / or subsequent rides on the same day as a no-show will not be automatically cancelled. Each trip or leg of a trip is treated separately and must be cancelled separately by the passenger.

Should a passenger be marked as a no show at a location other than their home, dispatchers will continue to attempt to locate and arrange transportation home for that passenger until such time that it no longer becomes feasible to ensure that passengers are not left stranded at large in the community. PCT dispatchers will attempt to reach emergency contacts and/or the Park City Police Department if there is reason to believe that the passenger is missing or in danger.

When a no-show occurs, the PCT vehicle operator will notify the PCT dispatcher. A notation will be made on the individual’s database record. If a second no-show occurs within a thirty (30) day period, PCT will make a reasonable attempt to contact the individual in writing, explain the no-show policy and attempt to identify ways for the

individual to comply with the policy. A third no-show within a thirty (30) day period will prompt a review of the passenger's record. If the percentage of the passenger's no-shows during that period indicates a personal no show rate greater than five (5) times the system average and it is deemed that a pattern or practice of no-shows exists, a six (6) month probation will result. PCT staff will mail a letter to the individual explaining that the individual's ADA Paratransit eligibility has been placed on probation, and will attempt to identify ways to avoid further sanctions.

If, during the probation period, the individual receives additional no shows and their personal no-show percentage rate exceeds five (5) times the system average, the individual will be notified by Registered Mail that their ADA Paratransit eligibility has been suspended. Eligibility will be suspended for one (1) week for the first violation. If second and subsequent violations occur during this probationary period the individual will be suspended for thirty (30) days.

The suspension of service will become effective seven (7) days from the date of the Registered letter of notification is mailed in order to allow the individual to appeal the suspension.

The notification of suspension will include the specific reasons for the suspension. The rider will have thirty (30) days from the receipt of the letter to appeal the suspension decision by following the appeal process described within the notification of suspension. If an appeal is requested, it will be scheduled for ADA Appeals Board review within thirty (30) days of the request, and the suspension of service will be delayed until the appeal is heard. If the no-shows are determined not to be the fault of the individual, service eligibility will be restored. Individuals will be notified by certified letter of the decision regarding the appeal within seven (7) days of the ADA Appeals Board meeting and this notification will state the new date on which the suspension, if upheld, will begin.

The individual requesting the appeal may bring other persons to represent him/her including a lawyer, independent living or rehabilitation counselor or other professional to testify on his/her behalf. A sign interpreter will be provided if requested, and an attempt will be made to provide language interpreters.

14. OXYGEN TANKS AND PORTABLE BREATHING AIDS

Passengers may carry aboard a portable oxygen breathing aid (such as an oxygen tank) for personal use when medically required. PCT operators may assist passengers boarding or alighting with these devices, provided that they can reasonably be expected to be carried by a single person. PCT operators are not permitted to connect hoses, disconnect hoses, or change oxygen tanks.

Oxygen is a flammable gas and as such certain safety precautions must be taken when transporting portable oxygen breathing aids. The following general procedures will apply to most portable oxygen breathing aids:

- a. Drivers will secure all oxygen and spare containers during transportation by the most secure means available.
- b. Containers commonly secured to a mobility device may stay in those securements.
- c. Containers attached to mobility aids such as walkers must be separately secured to the vehicle by the most secure means available.
- d. When scheduling a ride with Park City Mobility, passengers should inform the dispatcher at the time the reservation is made that a portable oxygen breathing aid will be transported with the passenger. Passengers are to be advised by the dispatcher under these circumstances of the estimated length of the trip and the time that the passenger is expected to be on the vehicle. This may impact the quantity of oxygen the passenger requires.

15. MOBILITY DEVICES

Passengers using mobility devices will be transported provided the lift and vehicle can physically accommodate them, unless doing so is inconsistent with legitimate safety requirements (e.g. the combined weight of the wheelchair/occupant exceeds that of the lift specifications). PCT can accommodate mobility devices that meet the following minimum standards:

- *Wheelchair* means a mobility aid belonging to any class of three or more wheels, usable indoors, designed or modified for and use by individuals with mobility impairments, whether manually operated or powered
- The mobility device must be in good working order; with batteries charged, tires inflated, footrests attached, and all parts secure.
- The combined weight of the passenger, mobility device, and all accessories does not exceed 800 pounds.

For the safety of passengers, all wheelchairs and mobility devices must be secured on each trip. Passengers who refuse to allow their wheelchairs or mobility devices to be secured may be denied service. Operators must secure wheelchairs in the designated securement area only, even if the passenger wants their mobility device to be secured in a non-designated area. While passengers who use wheelchairs or other mobility devices are not required to do so, PCT strongly recommends for their safety that passengers use the available lap and shoulder belt in addition to the mobility device securements.

Operators will use front and rear tie-downs to secure mobility devices and will secure mobility devices at the strongest parts of the device; however, the passenger may indicate the most optimal tie-down spot. The mobility device will be secured front facing unless otherwise requested by the passenger. Operators will assist passengers with securement systems, lifts, ramps, and seatbelts; however, operators cannot assist riders using power chairs or scooters with the operation of their equipment. No individual other than trained

PCT personnel may operate vehicle equipment such as lifts, ramps, or securement devices.

In the event that a wheelchair or mobility device is incompatible with PCT's securement devices and therefore cannot be secured, PCT will still provide service to that individual provided that mobility device fits within the definition described above. If the device cannot be secured because of the mobility device's design, the operator will warn the passenger of the danger of riding in a non-secured wheelchair, but the passenger still has the right to ride the vehicle.

Non-Standard Mobility Devices: Mobility devices that are not wheelchairs will be accommodated to the extent that the ADA-compliant lift and securement areas can safely do so. However, these devices are the responsibility of the individual passenger, and must be secured in a manner that does not interfere with the safe operation of the vehicle and the transport of other passengers.

16. SERVICE ANIMALS

The Americans with Disabilities Act defines a service animal as any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

Service animals are permitted to accompany individuals with disabilities in PCT vehicles and facilities. The passenger must remain in direct control of the service animal at all times. Animals that are not under the passenger's control or pose a threat to the health and safety of others may be banned from PCT vehicles. Service animals may not occupy a seat and must sit on floor under the seat or near the passenger in a manner that does not block the aisles or pose a trip hazard to other passengers.

Pets and other animals are not allowed on board PCT vehicles unless they are secured in a carrier device designed to carry such an animal and must remain secured at all times while on board.

When scheduling a ride with Park City Mobility, it is the responsibility of the passenger to inform the dispatcher that a service animal will be present.

17. VISITORS

Visitors to our service district may be asked for certification of eligibility from their resident service district. If an individual does not have certification from their resident service district but makes a claim of eligibility, the claim will be honored on a presumption of eligibility. If the visitor has no certification of eligibility and their length of stay exceeds twenty one (21) days, we may require the individual to obtain local certification of eligibility.

18. REASONABLE MODIFICATIONS

PCT will make reasonable modifications to its policies, practices and procedures to avoid discrimination and ensure that its service is accessible to individuals with disabilities. Reasonable modification does not include a fundamental alteration of service, a request that may result in a direct threat to the health or safety of others, is not needed or causes an undue financial or administrative burden to the agency. However, PCT will modify its general service practices, if reasonable, to ensure the accessibility and safety of its clients. Examples may include stopping a reasonable distance from an obstructed stop, assisting riders with fare media, allowing passengers with medical conditions to eat/drink if necessary, pick up at a requested entrance and assist in extreme weather.



Resolution No. 24-2018

**RESOLUTION ADOPTING AMENDMENTS TO THE PARK CITY TRANSIT DEPARTMENT
ADA POLICY AND COMPLEMENTARY PARATRANSIT PLAN**

WHEREAS, The City provides public transportation services funded in part with United States Department of Transportation financial assistance which requires the City to develop and implement a complementary paratransit program to serve the public with disabilities; and

WHEREAS, the City provides complementary paratransit service; and

WHEREAS, the City Council determines that it is in the public's best interest to ensure all individuals have full access to the City's public transit program;

NOW, THEREFORE BE IT RESOLVED by the City Council of Park City, Utah as follows:

The city adopts the attached "Park City Transit Department ADA Policy and Complementary Paratransit Plan."

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SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED this 27th day of September, 2018.

PARK CITY MUNICIPAL CORPORATION

Mayor Andy Beerman

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney