PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
JUNE 6, 2013

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, June 6, 2013.

Closed Session
2:00 p.m. Property and litigation

Work Session

4:20 p.m.	Council questions and comments and Manager's Report	P. 5 - 6
4:30 p.m.	Mayor's China trip presentation	
4:40 p.m.	Hoberman Arch	P. 7 - 16
4:50 p.m.	SR248 Project at Richardson Flat – Matt Zundel, UDOT Resident Engineer	P. 17 - 18
5:00 p.m.	Budget Review: Fee resolution, Council compensation, budget policies, health insurance, and outstanding budget Issues	P. 19 - 162
5:50 p.m.	Break	

Regular Meeting
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*

IV OLD BUSINESS

Consideration of an Ordinance adopting Title 4, Chapter A – Special Event Temporary Alcoholic Beverage Licenses described in the Municipal Code of Park City and amendment Title 4, Chapter 4, Beer and Liquor Licensing; Title 4, Chapter 5, Beer Licenses described; Title 4, Chapter 6, Liquor License Described, of the Municipal Code of Park City P. 108 - 154

(a) Public hearing
(b) Action

V NEW BUSINESS

1. Consideration of an Ordinance adopting the Tentative Revised Budget for Fiscal Year 2013-2014 and the Tentative Proposed Budget for Fiscal Year 2014-2015 for Park City Municipal Corporation and its related agencies P. 28 - 32

(a) Public hearing
(b) Action

2. Consideration of a Resolution amending the Fee Resolution and replacing Resolution No. 15-12 in its entirety P. 36 - 63

(a) Public hearing
(b) Action

3. Consideration of an Ordinance establishing compensation for the Mayor, City Council and statutory officers for fiscal year 2012-2013 in Park City, Utah P. 72 - 73

(a) Public hearing
(b) Action

4. Consideration of a Resolution adopting the Comprehensive Emergency Management Plan P. 76 - 107

(a) Public hearing
(b) Action

VI ADJOURNMENT

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JUNE 6, 2013

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JANUARY 10, 2013 P. 155

IV NEW BUSINESS

Consideration of a Resolution designating a potential Bonanza Park Community Development Area and authorizing the drafting of a Project Area Plan and Project Area Budget for the designated area P. 156 - 162

V 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 p.m. to 9 p.m.

PARK CITY COUNCIL SOCIAL
SUMMIT COUNTY, UTAH
JUNE 9, 2013

PUBLIC NOTICE IS HEREBY GIVEN that the Council will be attending a social on Sunday, June 9, 2013 from 6-8 p.m. at Café Terigo. No formal business will be conducted.

Posted: 06/03/13
See: www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.

June 2013

13 Outstanding budget issues
Contract for rubber flooring, not to exceed $105,000
Ordinance regulating the use of fireworks displays in Park City, Utah
Western Summit County Master Agreement, in a form approved by the City Attorney

20 Budget – Personnel Policies and Procedures Manual, presentation of final budget, and outstanding issues – work
Library remodel update - work
Community Wildfire Protection Plan (CWPP) Adoption
Resolution adopting the Personnel Policies and Procedures Manual
Resolution adopting a final budget – public hearing/action
- RDA and MBA budgets – public hearing/action

RMP substation expansion/relocation public hearing
LMC Chapter 6 MPD, Chapter 2.16 General Commercial

27 Conservation easements - work
UDOT Region II Director (15 min - 4 to 5 p.m.)
10th and 11th Street Reconstruction Contract
Old Town curb recycling - TP

July 2013

4 No meeting

11 Appoint election judges
Study session – disposable bags with lodging community

18 *Diane at ICMA training*

25 *Diane at ICMA training*
Presentation to Courchevel students
RMP public hearing/possible action

August 2013

1

8

15

22 **No meeting**

29 **No meeting**

September 2013

5

12

19 **No meeting – City Tour**

26 Ordinance accepting the public improvements for the Echo Spur Subdivision
Ordinance renaming the section of McHenry Avenue extending from Rossi Hill Drive north to the name of Echo Spur Drive, Park City, Utah – old business

October 2013

3

10 **No meeting**

17

24

31 **No meeting**

November 2013

7
14
21
28 **No meeting - Thanksgiving**

December 2013

5
12
19
26 **No meeting**

January 2014

2
9
14&15 Tentative 2014 Visioning
16 **No meeting – Sundance**
23
30

Pending Items:

Special Event overhaul
Regional recreation strategic plan
Ice operations - study
Meeting management software
Water leak adjustment policy - work
Amendment to Municipal Code - pre-inspections for business licenses
Latino Community outreach and engagement – study

To: **Honorable Mayor/Members of City Council**
Management Team
KPCW Park Record

From: **City Manager's Office**

MANAGER'S REPORT – JUNE 6, 2013

1. Resilient Communities for America Agreement - submitted by Tyler Poulson, Sustainability. Mayor Williams has been invited to become an inaugural signatory on the Resilient Communities for America Agreement. The agreement is a call to action to create more resilient communities in the face of America's climate, energy, and economic challenges. ICLEI, an organization focused on sustainability within local governments, is coordinating the agreement along with the National League of Cities, the World Wildlife Fund, and the U.S. Green Building Council. Park City has been a member of ICLEI since 2007 and has received recognition for our work with their Five Milestone Methodology for internal and community-wide carbon mitigation efforts.

Organizers of the Resilient Communities for America Agreement have identified roughly 30 mayors and local government leaders to become initial signatories. Mayor Williams was selected due to the leadership and progress made locally with Park City's sustainability plans. The group hopes that the initial signatories, along with the theme of resilient communities, will inspire thousands of additional local leaders to join the campaign in the coming years.

Becoming a signatory of the agreement involves no financial obligation. However, the agreement does convey value to signatories in the form of free online resources, technical guidance, and new recognition opportunities. Staff has assessed the themes of the agreement, including climate preparedness, energy security, infrastructure renewal, and economic prosperity, and believes that these goals closely align with the strategic plans and stated goals of City Council. Furthermore, staff is already working across all these lines and does not anticipate that the agreement will mandate any significant new work.

A copy of the Resilient Communities for America Agreement is available by clicking here. ICLEI leadership has asked that Mayor Williams provide a decision by Friday, June 7th on whether he will sign the agreement. The Mayor intends to sign the agreement barring any concerns voiced by City Council during Questions and Comments on June 6th.

2. 2013 Wildfire Season – submitted by Hugh Daniels, Emergency Manager. While it appears that everything is "green" in Park City and Summit County, the drought in Utah has continued to increase our fire danger. The National Interagency Fire Center (NIFC) Predictive Services Unit reports significant fire potential throughout the western states for June, July, August and September and our current green conditions are expected to become dry within weeks. Further, the report outlines intensifying drought; higher than normal temperatures in June, July, August; extremely low moisture in both live and dead fuels and fire season timing continues to trend earlier than in previous years.

A task force of Emergency Management, Police, Building, Fire Marshal and Fire District have been reviewing the potential wildfire threat to Park City and Summit County and will be recommending fireworks and open fire restrictions for the 2013 fire season similar to those enacted in 2012 and will tentatively be before Council on June 20th with a proposed ordinance.

Emergency Management and Community and Public Affairs will be conducting regional outreach on both wildfire mitigation and preparedness as part of a EMPG matching grant, beginning next month.

City Council Staff Report

Subject: Hoberman Arch
Author: Jonathan Weidenhamer
Department: Sustainability
Date: June 6, 2013
Type of Item: Administrative

Summary Recommendations:
Direct staff to pursue additional feasibility work to see if there are possible locations for relocation of the Arch to Park City. Pursue an extension of end of June deadline for a decision.

Topic/Description:
The Hoberman Arch was the centerpiece of the Olympic Medals Plaza in Salt Lake City during the 2002 Winter Olympics. Following the Olympics the arch was moved to the entrance of Rice-Eccles Stadium along with a series of informational history kiosks that highlight of Salt Lake's Olympic legacy.

Background:
Due to Pac-12 requirements, for both sponsorship and space issues, for the pending expansion of Rice–Eccles Stadium, the UofU seeks to relocate the Hoberman Arch and

a series of kiosks that describe the daily Olympic events (Exhibit A has detail on the Arch and pictures of the arch/kiosks). There may be an opportunity for Park City to secure the Arch and/or Kiosks as a legacy to our participation in the 2002 Games.

Colin Hilton, the President/CEO at Utah Olympic Legacy Foundation, is assisting with the transitional plans for the items, and wondered if Park City would be interested. Of mutual interest between the U of U and the Utah Olympic Legacy Foundation is to ideally secure a home for them, even if in storage for a while prior to an eventual next permanent home. The U of U needs to decide by the end of June on what to do in order to remove them by the end of July. It is unclear if they would assist with the take-down and transport costs should a good future home be sourced.

Analysis:
The arch is 36 feet tall and 72 feet wide. Its depth is unknown at this time. It weighs 31,000 pounds. It will take significant structural footings to install. We believe it will take approximately $200,000 to relocate, which includes $50,000 in contingency. The Kiosks will be about $2000 each. It is unclear at this time if there is any formal dispensation process, or if other entities are interested in the pieces.

<u>Olympic Legacy in Park City</u>

In and around the Games, Park City installed the Olympic Welcome Plaza and Venue Tower. A public art piece is installed on the SR 224 entry corridor. There are a series of large and small way finding signs and other displays throughout Park City, and we also have a legacy agreement with the USOC for continued use of marks/branding. Celebrations are also held on the Olympic anniversaries with host partners, and the City helps honors area participants for each Olympic Games. However, opportunities for new legacy public displays are few and far between, and the City primarily is in a reactive posture allowing the Utah Legacy Foundation to take the long term lead.

The Economic Development Manager believes this is a unique and special opportunity to make a tie to and showcase one of the true pillars representing who we are. The planning for the downtown projects included Olympic legacy concepts at the Brewpub lot, and this would make a great back drop to any downtown gathering area. While, staff is unsure if this piece is feasible at the Brewpub, there are likely multiple other possible alternatives.

Economic Development Staff recommends pursuit of relocating the Arch to Park City. At this time we have not explored potential sites, or a framework for this process.

<u>Timing</u>
Based on the July deadline, there is a lot of pressure. Staff is unclear how firm this is. Moving this twice doesn't make much sense, but we are unsure that a permanent location can be identified quickly, should Council direct staff to pursue.

Branding & Licensing
We may have to remove Olympic logos or get special dispensation from USOC to display. Preliminary input through Colin seems positive.

Possible Options:

1. Pursue initial feasibility including preliminary locations and political or special interest partner or stakeholder support. **This is staff's recommendation.**
2. Ask for additional information prior to any direction;
3. Create a working committee or ask an established group such as Public Art Advisory Board to evaluate the City's interest and prioritize;
4. Do not pursue;

Issues for Discussion

1. Is there different policy or direction for the Arch v. the Kiosks?

Department Review:
This report was reviewed by Executive and Sustainability. It has not been reviewed by the Budget or Planning Departments.

Funding Source:
There is no current funding source. Depending on the location there may be various options available.

Recommendation:
Direct staff to pursue additional feasibility work to see if there are possible locations for relocation of the arch to Park City. Pursue an extension of end of June deadline for a decision.

Exhibits
A Hoberman Arch & Kiosk Pictures and Background
B Brewpub Concept Site plan

Legacy Links:

http://utaholympiclegacy.com/
http://www.olympic.org/Documents/Reference_documents_Factsheets/Legacy.pdf
http://www.olympic.org/Documents/Olympism_in_action/Legacy/Olympic_Legacy.pdf.pdf

A Hoberman Arch & Kiosk Pictures & Background


Hoberman Arch

From Wikipedia, the free encyclopedia

The Hoberman Arch was the centerpiece of the Olympic Medals Plaza in downtown Salt Lake City during the 2002 Winter Olympics. Following the Olympics the arch was moved to the Salt Lake 2002 Olympic Cauldron Park where it is now, along with the Olympic cauldron, one the main highlights and an important part of Salt Lake's Olympic legacy.

Design and History

The arch was designed by Chuck Hoberman to be used as a mechanical curtain for the Olympic Medal Plaza's stage. It is a semi-circular aluminum structure, which opened like the iris of a human eye.[1] The arch design was inspired by Utah's natural stone arches, such as Delicate Arch. At the time of its construction the arch was the largest unfolding structure in the world.[2]

It took Hoberman four months to design the arch (with support from Buro Happold), and another four months for Scenic Technologies of New Windsor, New York to build it.[3] After being constructed in their warehouse in New York it was dissembled and then trucked to Utah. It was reassembled in January 2002, and unveiled to the public and media by the Salt Lake Organizing Committee (SLOC), on January 25, 2002.[1]

When installed at the medal plaza it would open to reveal a large 3D sculpture of the 2002 Olympic logo and a second Olympic cauldron, known as the *Hero's Cauldron*. The stage not only hosted award ceremonies, where the athletes received their medals, but was used as a concert venue during the Olympics; hosting many performing artists including Creed, Brooks & Dunn and the Dave Matthews Band.

Following the Olympics, plans to install the arch in some kind of park were formulated. Many of Salt Lake's citizens wanted the arch to be used in an amphitheater or some kind of concert venue, possibly at downtown's Gallivan Center or Pioneer Park. But because the arch was a symbol of the 2002 games, the United States Olympic Committee put restrictions on possible future locations for the arch (to protect Olympic sponsors from other businesses who do not have Olympic sponsor contracts).[4] Because of these restrictions, and a lack of consensus among Salt Lake's leaders on where it would go, SLOC announced plans, on December 5, 2002, to install the arch at the Salt Lake 2002 Olympic Cauldron Park.[5]

On July 30, 2003, the arch was lifted onto its new permanent base using 3 cranes.[6] It is no longer functional, although it is lit with various colored lights at night. It is located just outside the park's southern fence and is partly open which allows visitors to walk through it.

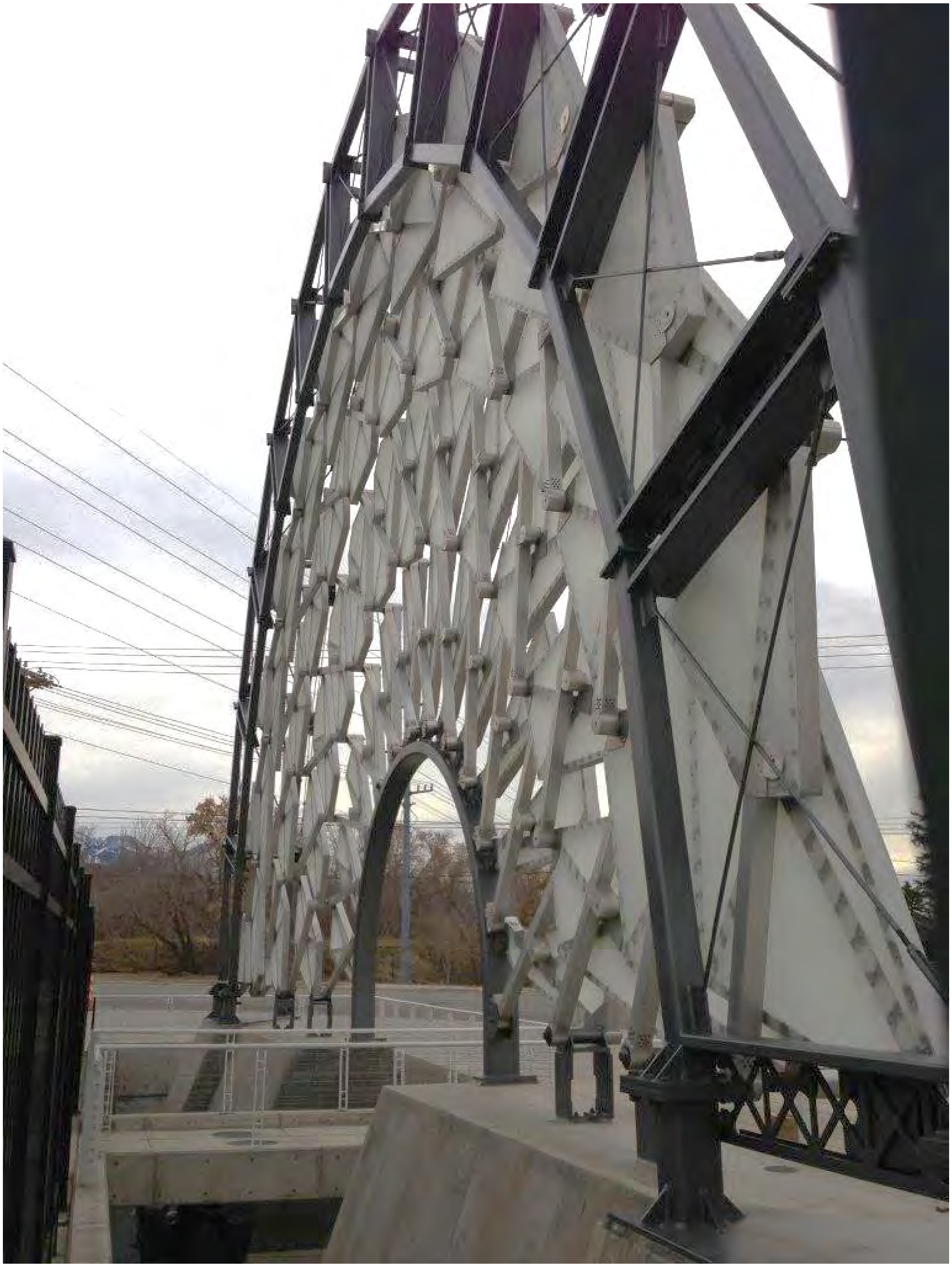
Details

The arch is 36 feet (11 m) tall, 72 feet (22 m) feet wide, and weighs 31,000 pounds (14,000 kg)[1] It is made up of 4,000 individual pieces put together as 96 connected panels and are connected with 13,000 steel rivets.[3] The 96 panels vary in size, but the largest are 9 feet (2.7 m) tall and 5 feet (1.5 m) wide. The panels are also translucent which allowed light from behind to be seen and echoed the 2002 Olympic theme *Light the Fire Within*. Two 30-horsepower motors controlled eight separate cables which pulled the mechanical curtain open in about 20 seconds.[1] When the arch was fully opened it had folded up into a 6 feet (1.8 m) ring, which framed the stage.

Because of the potential of strong storms during the games, the arch was built to operate in extreme weather, including up to 70-mile (110 km) -per-hour winds.[1]


The Heart of the Games


SALT LAKE 2002
The Hoberman Arch
For all of its shiny steel and intricate mechanisms, the Hoberman Arch remains a reflection of nature: the iris of an eye, the delicate membrane of a shell. Inspired by Utah's world-famous Delicate Arch, it contained, like all creatures, a beating heart. Athletes received medals in front of the Heroes' Cauldron, lit by the Olympic Flame. The Hoberman Arch was the centerpiece of Olympic Medals Plaza and the most ambitious undertaking in Olympic ceremonial history: a venue created with the sole purpose of honoring the medalists. Led in by a Child of Light, they listened to their anthems. Some waved, some wept, some leaped for joy. This moment would flit by, give way to headline concerts and fireworks. But as the Olympians gazed out at the sea of 20,000 fans and the stars above, they savored every second, in the cradle of the Hoberman Arch, a tribute to the theme Light the Fire Within and a fitting halo for our newest heroes.
The Heart of the Games
THE FACTS
Height: 36 feet
Diameter: 72 feet
Weight: 31,000 pounds
Structural panels: 96 panels
Individually machined pieces: More than 4,000
Steel rivets: 13,000
Designed by:

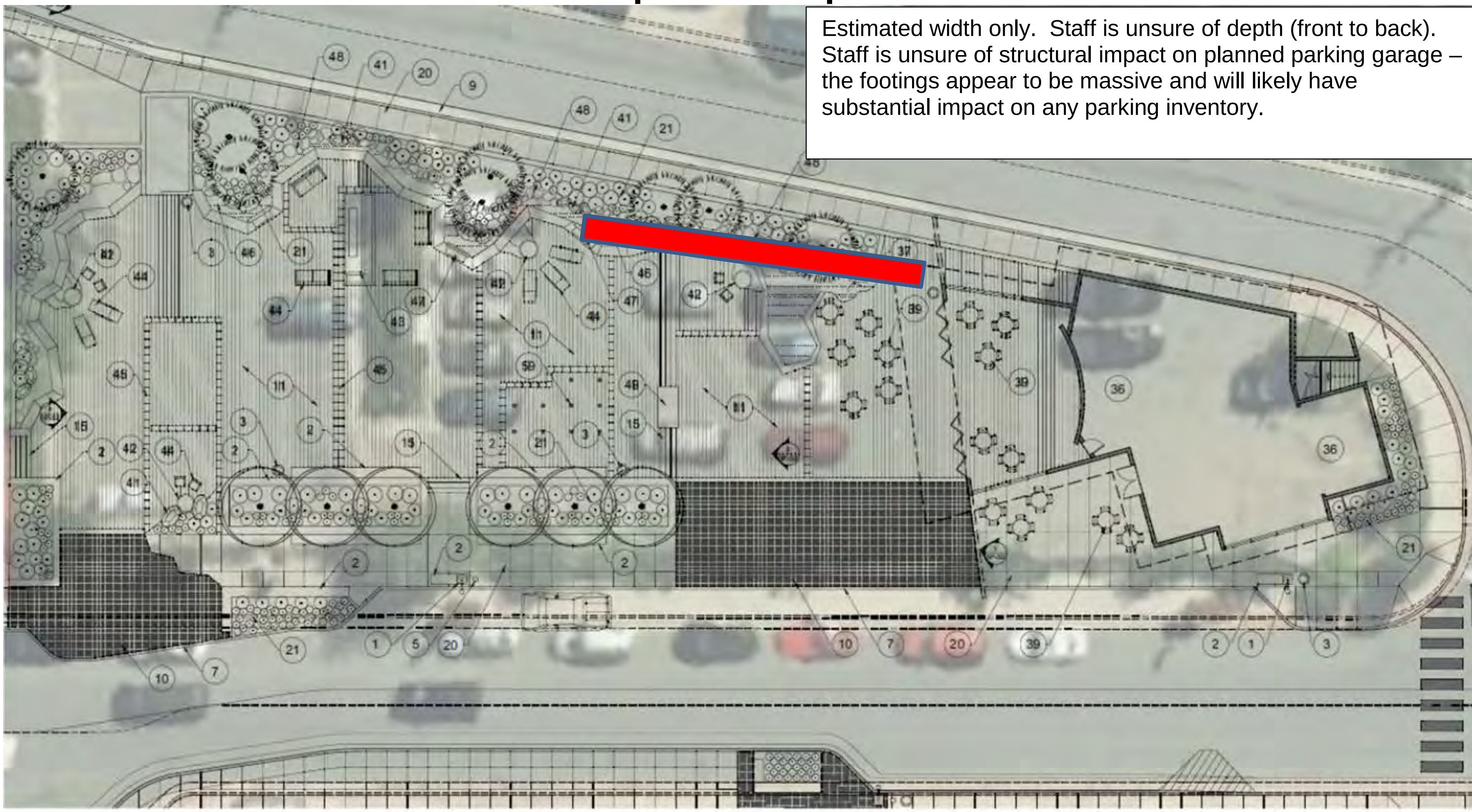


SALT LAKE 2002

SALT LAKE 2002
FEBRUARY 20, 2002

B Brewpub Concept Site Plan

Estimated width only. Staff is unsure of depth (front to back). Staff is unsure of structural impact on planned parking garage – the footings appear to be massive and will likely have substantial impact on any parking inventory.



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PARK CITY

BREW PUB SITE PLAN

June 2012

City Council
Staff Report

Subject: Construction Activity on SR - 248
Author: Brooks T. Robinson, Senior Transportation Planner
Department: Public Works
Date: June 6, 2013
Type of Item: Informational

Summary:
The project engineer from UDOT, Matt Zundel, will make a brief presentation on the construction activity on State Route 248 this summer.

Topic/Description:
As a continuing effort to implement the SR 248 Corridor Plan, adopted by the City Council in February 2009, UDOT will be widening the highway between Round Valley Drive and Richardson Flat Road.

The City continues to work with UDOT to implement the SR 248 Corridor Plan. Previous projects have included the Richardson Flat Park and Ride and the Comstock tunnel. The removal of the landscaped median for the repaving of SR 248 further allowed for the next steps in the plan implementation.

As part of the 2012 Legislative session, the State appropriated $2 million to UDOT to further improve this corridor. After preliminary design and engineering, the scope of the work has been focused on the section between Round Valley Drive and Richardson Flat Road. The work will include widening the highway on the west, inbound, side to allow for five lanes (two each direction and a center turn/median lane) and bike lanes. The project will also include improving the Richardson Flat Road intersection in preparation for a future signal with the construction of Park City Heights and the necessary lengthening of the tunnel under 248. The entire section will be thin-milled, overlaid with new asphalt top coat and re-striped.

The work will begin on June 17th and is expected to last until August 15th with no work on the July 4th weekend. Work hours are Monday – Friday, 7am to 6pm with some work anticipated on Saturdays. The tunnel will be closed on June 17th for 22 days for construction of the extension. Detour signs and maps are being prepared. The Ragnar relay previously altered their route not to include the tunnel and no other events are scheduled to use the tunnel during the closure period. The highway will always be open to two-way traffic.

Attachments
UDOT flier

SR-248
richardson flat road
to round valley drive

WHAT'S HAPPENING AND WHEN

The Utah Department of Transportation (UDOT), in partnership with Park City Municipal Corporation, performed an environmental and design study that encompasses corridor and intersection improvements to SR-248, from Richardson Flat Road to Round Valley Drive.

This project is a continuation of the City's adopted SR-248 Strategic Plan that included the signalized crosswalk at Park City High School, the tunnel at the Comstock intersection, and the installation of bike lanes from Wyatt Earp Way to Richardson Flat Road. Coordination with stakeholders (area businesses, Park City staff and Park City trail organizations) was performed and will continue during the construction phase.

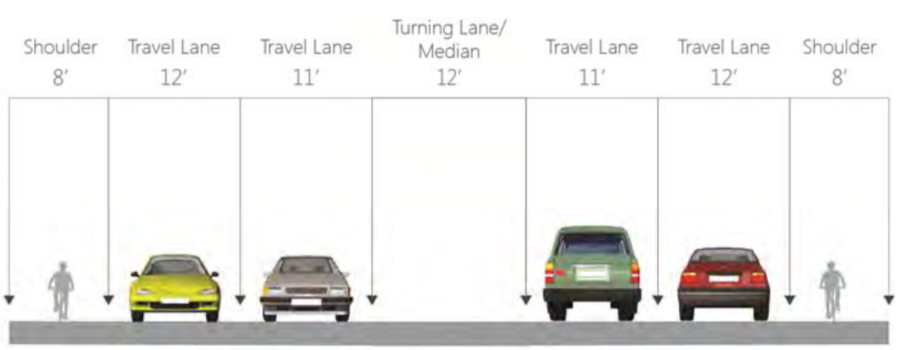
Anticipated construction schedule is **June 17, 2013 through August 15, 2013** (60 calendar days). Monday – Friday 7:00 am to 6:00 pm (with some efforts anticipated on Saturdays). No work during the weekend of the July 4th Holiday (Wednesday, July 3rd at 3:00p to Monday, July 8th at 7:00 am).

Two way travel will remain open on SR-248 at all times. Quinn's/Rail Trail Connector (tunnel at intersection) will be closed for 22 calendar days beginning **June 17, 2013.** Detour routes and information will be forthcoming. Several area events have been coordinated between the agencies and some work restrictions are identified during the construction schedule.

PROJECT IMPROVEMENTS

The project will improve the intersection of Richardson Flat Road and SR-248 with dedicated turn lanes and installation of infrastructure for an anticipated future traffic signal. The project will also widen SR-248 to five lanes (two general purpose lanes in each direction with a left-turn lane) from Richardson Flat Road intersection to Round Valley Drive with dedicated bike lanes.

The planned widening on SR-248 and the intersection improvements at Richardson Flat Road will accommodate the additional traffic anticipated from future developments near the corridor and the transit operations from the park and ride located on Richardson Flat Road.



Typical Cross-section: SR-248

For questions, please contact the project team at 888-803-3921 or via email at m.pearson@fehrandpeers.com

udot.utah.gov 888-803-3921 | www.udot.utah.gov PARK CITY

City Council Staff Report

Subject: City Manager’s Recommended Budget
Authors: Jennifer Danowski, Nate Rockwood, Brooke Moss
Department: Budget, Debt, & Grants
Date: June 6, 2013
Type of Item: Informational/Legislative

Summary Recommendations:
Hold a public hearing on the City Manager’s Recommended Budget and adopt the Tentative Budget after providing direction concerning: Changes to the City Fee Schedule, Budget Policies, Council and Statutory Officer Compensation, and Outstanding Budget Issues. Adopt the Tentative Adjusted Budget for FY 2013 and the FY 2014 Proposed Budget for Park City and its related agencies. Review and adopt the updated Contracting Policy. Review the updated Comprehensive Emergency Management Plan (CEMP) and adopt by resolution the CEMP in accordance with FEMA requirements and standards.

Topic/Description:
FY 2013 Revised Budget, FY 2014 Proposed Budget

Background:
The City usually begins the budget process in February with the City Council identifying objectives for the next year during the visioning session. This year the focus of visioning was on the strategic plans which were closely tied to the ‘Budgeting for Outcomes’ process.

On April 29 staff delivered the City Manager’s Recommended Budget (Tentative or Proposed Budget) to City Council. Public hearings are currently scheduled for May 2, 9, 30, June 6, 13, and 20. Discussion/action is slated for these dates as follows, barring changes as needed:

On May 2 staff presented the Tentative Budget, Budget Overview & Timeline, Update of Financial Impact Report (FIAR), Benefits (pay plan, URS-Retirement, Health Insurance) and the CIP Budget.

On May 9 staff presented Council with the recommended changes for the FY 14 Budget. Members of the Results Team presented on significant budget changes for each of the four Council Goals. Council gave direction to keep the current level of service for Library Reciprocal Borrowing for County residents.

On May 30 staff presented Fee Schedule changes as well as Planning and Council Department budget changes. Council gave direction to keep the cost recovery percentage at 40% for Business License recovery.

June 6 –City Fee Resolution, Council Compensation, Adopt CEMP update by resolution, Benefits Update, Adopt Tentative Budget by resolution

June 13 – Outstanding Budget Issues (If necessary)

June 20 – Presentation & Adoption of Final Budget (if no property tax increase), Adoption of Provisional Budget (if property tax will be increased)

Analysis:
On June 6, staff will focus on the following topics for discussion:

1. Adoption of the Tentative Budget
2. Special Service Contract Presentation
3. Adoption of the Fee Schedule Resolution
4. Budget Policy Changes
5. Benefits Update
6. Council Compensation
7. Comprehensive Emergency Management Plan

Adoption of the Tentative Budget

Attached to this staff report is an ordinance adopting a Tentative Revised Budget for FY 2013 and FY 2014 Proposed Budget for Park City and its related agencies. The ordinance also gives the Budget Officer the ability to set the property tax rate at a "no tax increase rate" and file it with the County.

City Council is not scheduled to adopt the final budget until June 20. There will be time to discuss and make any recommended changes on June 20 if needed.

As a result of Council direction, the following changes have been made to the Tentative Budget:

-The Planning Department will be adding one contract and one Planner II position for FY 14. These positions will be paid for by reductions in the Planning Department budget as well as reductions in the Utilities budget due to miscoding.

-The Administrative Inter Fund Transfer (ITF) was updated using the City Manager Recommended Budget. The IFT will be as follows:

	Water	Golf	Transit	Total
Current IFT	$610,398	$108,946	$521,522	$1,240,866
Proposed IFT	$633,119	$98,981	$588,742	$1,320,841
	$22,721	-$9,965	$67,220	$79,975

-The Lower Park Ave RDA operating budget will increase by $22,647 due to additional progress on the Library Remodel project for FY13.

-Council has directed Staff to continue funding the Reciprocal borrowing program in spite of losing $10k annually from the County contribution.

-The City Manager is also recommending to increase the City Council Departmental budget by $28,590. This will help Council to track expenditures in a more detailed manner for mileage reimbursement, meetings, conferences, and travel. It will also pay for professional consultants that don't have a proper budget outlined currently in the budget. It is recommended by Staff to offset this increase with a decrease in the contingency fund by the same amount. The contingency currently holds $130k and is used mostly for things like consultants and unanticipated budget items. This would make the budget increase zero-sum.

-Water Fund capital project budget adjustments were presented to Council on May 9. These adjustments have been included in the adjusted tentative budget.

-On May 9th, the City executed a contract for consulting services for Historic Preservation and Intensive Level Survey of Main Street National Register Historic District. The related capital project budget cp0298 Historic Preservation has been reduced to a total budget amount of $413,950 which includes funds sufficient to cover the contract plus an approximately 10 percent contingency.

(See Attachment A – Ordinance Adopting the Tentative Budget)
(See Attachment B- Recommended Water Capital Improvement Projects)

<u>Special Service Contracts</u>

As part of the budget process, the City Council appropriates funds to contract with organizations offering services consistent with the needs and goals of the City. According to City policy, up to one percent of the City's total budget is awarded. Payment may take the form of cash payment and/or rent contributions for the lease of City property in exchange for the value of in-kind services. The budget for Special Service Contracts for FY 2014 is $492,000. Special Service Contracts are typically awarded as two-year contracts, however, in order for the two-year grant cycle to mirror the two-year budget cycle special service contracts were evaluated and awarded on a one-year term in FY 2014. In future budget cycles the contracts will once again be awarded on a two year basis.

Special Service Contracts are awarded through a competitive application process. A request for applications (RFA) was issued in February 2013 and announced through local media. Letters announcing the RFA were sent to previous awardees. Applications were accepted through March 31 and submitted to the Special Service Contract Subcommittee for review. This Subcommittee included Council Members Simpson and Matsumoto and city staff.

The selection process involved an examination of each application to determine how well it fit the criteria outlined in the City's Public Service Contract Policy. The applications were then ranked based on the outcome of the criteria match. Using these rankings the committees allocated funding limited by the special service contract budget. In order to distribute funds to additional applications, the committees examined additional criteria to determine if funding for some applications should be redistributed. These criteria consisted of whether the total allocation was sufficiently distributed among the service contract categories, the number of beneficiaries, whether certain gaps in community service are filled, if City Council goals are advanced, and whether the service would be provided by the City in the absence of it being provided through a non-profit organization.

A summary of the subcommittee recommendation is shown in the table below and a full summary with justifications from the Special Service Contract Subcommittee is found in *Attachment C*.

Special Service Contracts FY 2014 (Subcommittee Recommended)

Organizations	Request FY 2014	Pervious Award (1-Year) FY 2013	Recommended Funding FY 2014
Park City/Summit County Arts Council	$74,170	$25,000	$25,000
Mountainland Community Housing Trust	$18,000	$15,550	$18,000
P.C. Adult ESL	$5,000	$5,500	$5,000
Park City Chamber/Bureau	$100,000	$100,000	$100,000
P.C. Historical Society and Museum	$70,000	$40,000	$40,000
Recycle Utah - Operating	$33,000	$33,000	$33,000
Recycle Utah - Rent Contribution	$25,577	$25,577	In-kind
People's Health Clinic	$39,970	$35,000	$38,000
Christian Center	$12,000	$10,700	$12,000
Mountain Mediation Center	$12,600	$12,500	$12,600
Peace House, Inc.	$30,000	$26,000	$30,000
Park City Community Outreach Center	$10,000	$10,000	$0
Habitat for Humanity	$15,000	*$20,000	$0
Mountain Trails	$10,000	$7,750	$10,000
PC Performances - Egyptian Theatre Productions	$5,000	$2,500	$2,500
PC Performances - Performing Arts Complex Space	$100,000	New	$0
Park City Business Resource Center	$20,000	$10,000	$10,000
Total	**$554,740**	**$333,500**	**$336,100**
Youth Organizations	**Request FY 2014**	**Pervious Award (1-Year) FY 2013**	**Recommended Funding FY 2014**
Sundance Institute	$9,000	$9,000	$9,000
ArtsKids	$15,000	$12,500	$12,500
PC Education Foundation	$20,000	$18,000	$20,000
Holy Cross Ministries	$7,500	$7,500	$7,500
PC Performing Arts Foundation's MGSS	$10,000	$4,000	$10,000
Pc Performing Arts Foundation (Student Outreach)	$20,000	$10,000	$5,000
Youth Winter Sports Alliance	$12,000	$9,000	$12,000
Big Brothers/Big Sisters of Utah	$15,000	$7,500	$0
Friends of the Utah Avalanche Center	$1,750	$1,500	$1,750
PC Performances - Egyptian Theatre Youth Programm	$10,000	$7,500	$7,500
Total	**$120,250**	**$86,500**	**$85,250**
Grand Total	**$674,990**	**$420,000**	**$421,350**

*Habitat for Humanity received a SSC award for $10,000 in FY2013 and an aditional $10,000 in emergency SSC requests for contaminated soils

The SSC subcommittee is currently recommending awards in FY 2014 totaling $421,350 in cash contributions leaving a remaining SSC unallocated budget of $70,650. Previously City Council has provided direction to reserve a portion of the budgeted Special Service Contract funds in order to facility extraordinary requests as defined in the Public Service Contract policy (Budget Document Vol. I, Polices & Objectives, Ch. 5

Pt. I, D). The subcommittee recommends that Council reserves $20,650 for possible extraordinary requests in FY 2014.

The subcommittee currently recognizes a potential gap in victim advocacy services. The City recently initiated a victim advocacy program which included hiring a part-time victim advocate coordinator position. The position is currently funded with through a Federal Victim of Crime Act (VOCA) grant. This grant funding source is highly susceptible to federal budget reductions; in fact, funding requests were automatically reduced by 10% for FY 2014. It is the recommendation of the subcommittee that remaining special service contract budget ($50,000) be used towards improvements to Park City's victim advocacy program. If directed by Council, staff will prepare an outline of the proposed improvements for the final budget.

City Service Fees (changes to the Fee Schedule)

Changes to the Fee Schedule were discussed in Council during the May 30, 2013, Council Meeting. Changes were proposed to the Fee Schedules of the following departments:

-Business Licenses
-Building
-Recreation
-Ice
-Golf
-Police
-Parking
-Water

(See Attachment D – Excerpts showing changes to Fees Schedule)
(See Attachment E – Resolution adopting changes to Fees Schedule)

Contracting Policy

Staff is proposing minor changes to the contract policy in order to clarify that State Code does not permit a local preference for building improvements and public works projects over the state threshold and to fix a number of typographical errors.

(See Attachment F– Contracting Policy)

Benefits Update

Health Insurance benefits for City employees has an annual renewal process which takes effect July 1 of each year, coordinating with our budget season. Changes to the City's health plan this year include adjustments made by the insurance company due to health care reform, slight changes due to usage, and elimination of the Innova health plan by Regence themselves. The budgetary increase, however, was relatively small at 4.80%. As a comparison, national averages for 2013 are projected to be 6.3%. Increases for the last several years have been in the double digits.

Due to the rising cost of health insurance as well as pending health care reform effects, it is necessary for the City staff to work proactively as a team to keep costs low and use this benefit wisely. There are a number of methods to achieve this outcome. In consideration of the current situation, the City is recommending the following changes:

- Increased ER costs to address overuse of emergency services treatable at clinics
- Increased focus on health care use education throughout the year
- $50/month increase to employee premiums beginning January 1, 2014
- Healthy cultural changes and requirements through the new "Healthy Living" program, set to begin July 1, 2013

Healthy Living is a voluntary program in which the employees can "earn" up to $50/month premium reduction in January by completing any or all of the following:

- Annual physical
- 2x annually dental cleaning
- Education on major health conditions and healthier living information (monthly educational sessions and annual health fair)
- Health goals designed to change culture and lifestyles

Study results show that for every $1 spent on wellness programs like Healthy Living, there is a return on investment of up to $6. The aim of this program is to improve the health of employees, reduce the amount and cost of care required while minimizing work days missed due to illnesses. The participation levels for this program will change and likely increase each 6 months to target different areas of vulnerabilities to unnecessary costs. Many other cost containment strategies have been introduced across the country and may be considered in the future for Park City Municipal staff members such as changing plan designs to encourage employees to consume more affordable or less health care if appropriate, exposing employees health care costs by eliminating flat amount co-pays and migrating to percentage of cost designs, migrating employees to generic prescription drugs and mail order refills for maintenance drugs, levy surcharges for working spouses or increase costs of dependent coverage. Health insurance remains to be a benefit offered by most large employers across the country and is a valued City benefit.

(See Attachment H– Healthy Living Brochures)

<u>Council Compensation</u>
During the biannual budget process the City Council looks at comparable compensation levels for all the City employees. Because this is the off year of the budget cycle, a 2% adjustment has been recommended to budgeted City positions and also City Council and Mayor elected positions. Changes to Mayor and Council compensation are adopted by Council Ordinance. Mayor and Council members are considered part time elected officials.

Also adopted by ordinance are statutory officers including the City Manager, City Attorney, City Engineer, City Treasurer and City Recorder. Like all budgeted positions, it has been recommended to increase the budget of these 2%. Increases to actual employee compensation is based on performance, and not guaranteed due to budgetary increases.

(See Attachment G– Compensation Ordinance)

<u>Comprehensive Emergency Management Plan (CEMP)</u>
The City Council adopted a new Comprehensive Emergency Management Plan (CEMP) for the City in August of 2007 and has re-adopted an updated and revised CEMP in June of each year since. The Emergency Management Group (EMG) and the City Manager made amendments to the CEMP during the 2013 fiscal year. Resolution 17-12 requires all amendments to the CEMP to be ratified by the City Council within one year. Further, the City's CEMP must be readopted annually to meet the National Incident Management System (NIMS) and Federal Emergency Management Administration (FEMA) compliance requirements.

Without formal adoption of a CEMP, the City is not eligible for certain federal grants and federal disaster Public Assistance (PA) reimbursements. Further, NIMS compliance is becoming a requirement for other federal assistance and grants. State assistance to municipalities is also available with approved emergency management plans, training, an Emergency Manager and CEMP adoption. Park City continues to receive FEMA/State Emergency Management Performance Grants (EMPG) because we have an Emergency Program Manager and have met the state and federal NIMS requirements. We will continue to apply for available EMPG grants as they become available, though this year there is expected to be additional decreases in available Federal funding and all grants have again been delayed due to Congressional budget wrangling.

In addition to the basic plan, seventeen (17) Appendices lay out the details of Mitigation, Preparedness, Response and Recovery.

(See Attachment I – Comprehensive Emergency Management Plan)
(See Attachment J – Resolution Adopting the CEMP)

Department Review:
This report has been reviewed by the Budget, Legal, and City Manager departments.
Alternatives:

A. City Council should do the following:
1. **Adopt the Tentative Budget for FY 2013 (amended) and the FY 2014 Proposed Budget Plan by ordinance;**
2. **Approve the recommendations and revisions to the Policies and Procedures Manual.** This will go into effect July 1st upon Council approval for all employees (unless otherwise specified in the manual). Employees will be issued a copy of the new manual in either hard copy or e-format. They will be required to sign that they have received a copy or understand how to open the e-copy format

of the updated manual and that they are accountable for reviewing and understanding the policies within it.

3. **Adopt the Park City Comprehensive Emergency Management Plan (CEMP) by resolution;**
4. **Adopt the Park City Fee Schedule by resolution;**
5. **Adopt the Council Compensation Ordinance**
6. **Give Direction to Staff regarding Desired Changes to the Budget to be made before Final Adoption.**

B. Continue the Item: The Final Budget needs to be adopted on June 20. Per State law, the Tentative Budget needs to be adopted and available for public review for 10 days prior to Final Budget adoption. Any possible changes to the Final Budget should be addressed on June 6 when the Tentative Budget is adopted. Subsequent discussions can occur on June 13, but final changes need to be adopted on June 20.

C. Do Nothing

D. Modify: Council could give staff direction to modify Policies and Procedures.

E. Deny: The recommendations and revisions will not go into effect and may result in noncompliance with federal and/or state regulations, which will diminish the City's ability to provide direction and/or enforce employee policies and procedures.

Significant Impacts:
The City's budget must be balanced. Staff recommends that Council provide policy direction on budget issues. Any unresolved issues should be discussed by June 13 so that the Final Budget can be prepared for adoption on June 20.

If Policies and Procedures are not adopted, the recommendations and revisions will not go into effect and may result in noncompliance with federal and/or state regulations, which will diminish the City's ability to provide direction and/or enforce employee policies and procedures.

Failure to adopt the CEMP jeopardizes the City's ability to receive State and Federal grant and disaster reimbursement funds. Pending 2013 EMPG grants and other Federal grants would be in jeopardy.

If a City Fee Schedule is not adopted, there will be confusion as to what fees to charge. This could negatively impact a department's ability to function smoothly. This could also cause potential impacts to the City's revenue.

Recommendation:
The City Council should follow the budget presentation schedule described above and provide direction as necessary.

Adopt resolutions approving recommendations and revisions to the Personnel Policies and Procedures Manual of Park City Municipal Corporation, the CEMP, and the Fee Schedule.

Attachments:

A – Ordinance Adopting the Tentative Budget
B – Recommended Water Capital Improvement Projects
C – Special Service Contract Justification
D – Excerpts showing changes to Fees Schedule
E – Resolution Adopting the Fee Schedule
F – Contracting Policy
G – Compensation Ordinance
H – Healthy Living Brochures
I – Comprehensive Emergency Management Plan
J – Resolution Adopting the CEMP

Attachment A

Ordinance No. XX-XX

ORDINANCE ADOPTING A TENTATIVE REVISED BUDGET FOR FISCAL YEAR 2012 AND A TENTATIVE BUDGET FOR FISCAL YEAR 2013 FOR PARK CITY MUNICIPAL CORPORATION AND ITS RELATED AGENCIES AND AUTHORIZING THE COMPUTATION OF THE PROPERTY TAX RATE AT A NO TAX INCREASE RATE

WHEREAS, the Utah State law requires that city budgets be adopted by ordinance: and;

WHEREAS, a public hearing was held on May 2, May 9, May 30, 2013 and one more scheduled for June 6, 2013 at the City Council's regularly scheduled meetings, complying with State law;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Park City, Utah that:

SECTION 1. TENTATIVE REVISED BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended budget presented on May 2, 2013 and with changes as summarized in the Attachments to this ordinance is hereby adopted as the tentative revised Fiscal Year 2013 budget for Park City Municipal Corporation and its related agencies.

SECTION 2. TENTATIVE BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended budget presented on May 2, 2013 and with changes as summarized in the Attachments to this ordinance is hereby adopted as the tentative budget for Fiscal Year 2014 for Park City Municipal Corporation and its related agencies.

SECTION 3. CERTIFIED PROPERTY TAX RATE. The City's Budget Officer is authorized, after the County has provided the Certified Property Tax data, to compute the City's Certified Property Tax Rate for 2012 at a "No Tax Increase Rate" and file said rate with the County.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective on publication and shall apply retroactively to July 1, 2013.

PASSED AND ADOPTED this 6th day of June, 2013

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

____
Janet M. Scott, City Recorder

Attachment A

Expenditure Summary by Fund and Major Object (FY 2013 Adjusted Budget)

Description	Personnel FY 2013	Mat, Supplies, Services FY 2013	Capital FY 2013	Debt Service FY 2013	Sub - Total FY 2013	Interfund Transfer FY 2013	Ending Balance FY 2013	Total FY 2013
Park City Municipal Corporation								
011 GENERAL FUND	$15,920,543	$6,817,163	$382,789	$0	$23,120,495	$1,994,647	$7,099,675	$32,214,817
012 QUINNS RECREATION COMPLEX	$676,788	$376,605	$6,000	$0	$1,059,393	$0	$-2,869,947	$-1,810,554
021 POLICE SPECIAL REVENUE FUND	$0	$0	$28,182	$0	$28,182	$0	$0	$28,182
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	$0	$0	$15,035	$0	$15,035	$0	$2,753	$17,788
031 CAPITAL IMPROVEMENT FUND	$0	$0	$24,638,391	$0	$24,638,391	$134,366	$9,429,731	$34,202,488
038 EQUIPMENT REPLACEMENT CIP	$0	$0	$1,950,057	$0	$1,950,057	$0	$208,076	$2,158,133
051 WATER FUND	$2,228,072	$2,919,427	$9,814,367	$4,357,538	$19,319,404	$654,000	$8,756,640	$28,730,044
055 GOLF COURSE FUND	$732,428	$457,460	$407,134	$36,081	$1,633,103	$138,600	$622,498	$2,394,201
057 TRANSPORTATION & PARKING FUND	$4,858,236	$1,172,013	$11,003,869	$0	$17,034,118	$1,995,000	$11,043,159	$30,072,277
062 FLEET SERVICES FUND	$639,304	$1,724,766	$5,000	$0	$2,369,070	$0	$581,032	$2,950,102
064 SELF INSURANCE FUND	$1	$838,300	$0	$0	$838,301	$0	$1,213,953	$2,052,254
070 SALES TAX REV BOND - DEBT SVS FUND	$0	$0	$0	$1,569,713	$1,569,713	$800,000	$1,160,727	$3,530,440
071 DEBT SERVICE FUND	$0	$0	$0	$4,678,893	$4,678,893	$0	$385,922	$5,064,815
Total Park City Municipal Corporation	**$25,055,372**	**$14,305,734**	**$48,250,824**	**$10,642,225**	**$98,254,155**	**$5,716,613**	**$37,634,219**	**$141,604,988**
Park City Redevelopment Agency								
033 REDEVELOPMENT AGENCY-LOWER PRK	$0	$805,000	$325,587	$0	$1,130,587	$426,375	$9,788,456	$11,345,418
034 REDEVELOPMENT AGENCY-MAIN ST	$0	$405,000	$622,473	$0	$1,027,473	$950,000	$617,096	$2,594,569
Total Park City Redevelopment Agency	**$0**	**$1,210,000**	**$948,060**	**$0**	**$2,158,060**	**$1,376,375**	**$10,405,552**	**$13,939,987**
Municipal Building Authority								
035 BUILDING AUTHORITY	$0	$0	$0	$249,481	$249,481	$0	$275,087	$524,568
Total Municipal Building Authority	**$0**	**$0**	**$0**	**$249,481**	**$249,481**	**$0**	**$275,087**	**$524,568**
TOTAL	**$25,055,372**	**$15,515,734**	**$49,198,884**	**$10,891,706**	**$100,661,696**	**$7,092,988**	**$48,314,858**	**$156,069,542**

Expenditure Summary by Fund and Major Object (FY 2014 Budget)

Description	Personnel FY 2014	Mat, Supplies, Services FY 2014	Capital FY 2014	Debt Service FY 2014	Sub - Total FY 2014	Interfund Transfer FY 2014	Ending Balance FY 2014	Total FY 2014
Park City Municipal Corporation								
011 GENERAL FUND	$16,823,109	$1,069,661	$364,611	$0	$18,257,381	$10,867,375	$8,572,551	$37,697,307
012 QUINNS RECREATION COMPLEX	$635,828	$53,040	$6,000	$0	$694,868	$-3,093,870	$-3,095,070	$-5,494,072
021 POLICE SPECIAL REVENUE FUND	$0	$0	$0	$0	$0	$0	$0	$0
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	$0	$0	$0	$0	$0	$2,753	$2,753	$5,506
031 CAPITAL IMPROVEMENT FUND	$0	$0	$19,162,638	$0	$19,162,638	$2,323,850	$2,189,484	$23,675,972
038 EQUIPMENT REPLACEMENT CIP	$0	$0	$905,000	$0	$905,000	$208,076	$208,076	$1,321,152
051 WATER FUND	$2,316,821	$250,255	$10,476,535	$4,586,311	$17,629,922	$10,347,418	$9,523,534	$37,500,874
055 GOLF COURSE FUND	$727,759	$75,900	$131,005	$36,080	$970,744	$707,518	$575,449	$2,253,711
057 TRANSPORTATION & PARKING FUND	$5,377,559	$232,734	$2,867,874	$0	$8,478,167	$10,970,667	$8,680,283	$28,129,117
062 FLEET SERVICES FUND	$663,050	$69,497	$5,000	$0	$737,547	$616,816	$616,816	$1,971,179
064 SELF INSURANCE FUND	$0	$12,300	$0	$0	$12,300	$929,651	$929,651	$1,871,602
070 SALES TAX REV BOND - DEBT SVS FUND	$0	$0	$0	$1,563,113	$1,563,113	$1,152,477	$1,152,477	$3,868,067
071 DEBT SERVICE FUND	$0	$0	$0	$4,671,333	$4,671,333	$358,544	$358,544	$5,388,421
Total Park City Municipal Corporation	**$26,544,126**	**$1,763,387**	**$33,918,663**	**$10,856,837**	**$73,083,014**	**$35,391,275**	**$29,714,548**	**$138,188,837**
Park City Redevelopment Agency								
033 REDEVELOPMENT AGENCY-LOWER PRK	$0	$0	$8,860,274	$0	$8,860,274	$3,199,182	$2,772,807	$14,832,263
034 REDEVELOPMENT AGENCY-MAIN ST	$0	$0	$72,053	$0	$72,053	$1,787,043	$837,043	$2,696,139
Total Park City Redevelopment Agency	**$0**	**$0**	**$8,932,327**	**$0**	**$8,932,327**	**$4,986,225**	**$3,609,850**	**$17,528,402**
Municipal Building Authority								
035 BUILDING AUTHORITY	$0	$0	$0	$0	$0	$278,087	$278,087	$556,174
Total Municipal Building Authority	**$0**	**$0**	**$0**	**$0**	**$0**	**$278,087**	**$278,087**	**$556,174**
TOTAL	**$26,544,126**	**$1,763,387**	**$42,850,990**	**$10,856,837**	**$82,015,341**	**$40,655,587**	**$33,602,485**	**$156,273,413**

All Funds Combined

Revenue	Actual FY 2010	Actual FY 2011	Actual FY 2012	Original FY 2013	Adjusted FY 2013	% Total FY 2013	Original FY 2014	% Total FY 2014
RESOURCES								
Property Taxes	$15,790,260	$17,043,800	$18,320,525	$17,924,873	$18,107,873	18%	$17,871,989	13%
Sales Tax	$11,601,845	$12,492,244	$13,366,791	$12,914,000	$13,273,000	13%	$14,571,352	11%
Franchise Tax	$2,774,320	$2,906,981	$2,816,071	$3,275,000	$2,998,000	3%	$3,136,000	2%
Licenses	$1,253,143	$1,284,053	$1,280,901	$1,217,000	$1,308,000	1%	$1,009,000	1%
Planning Building & Engineering Fees	$1,287,132	$1,464,715	$1,427,160	$2,136,751	$2,363,327	2%	$2,191,000	2%
Other Fees	$49,221	$17,707	$45,190	$12,000	$24,000	0%	$37,000	0%
Federal Revenue	$6,643,943	$5,818,357	$7,656,860	$2,907,000	$6,151,741	3%	$2,131,200	2%
State Revenue	$450,894	$452,018	$426,105	$387,000	$613,692	0%	$389,000	0%
County/SP District Revenue	$229,647	$138,214	$107,855	$50,000	$832,067	0%	$60,000	0%
Water Charges for Services	$7,355,524	$8,416,666	$9,915,490	$10,749,556	$10,716,000	11%	$11,862,500	9%
Transit Charges for Services	$2,088,700	$1,729,833	$1,918,588	$2,051,000	$1,980,000	2%	$2,090,000	2%
Cemetery Charges for Services	$53,642	$20,516	$19,196	$19,000	$21,000	0%	$22,000	0%
Recreation	$2,280,322	$1,916,305	$2,694,849	$2,906,000	$3,096,000	3%	$3,158,999	2%
Ice	$459,349	$583,221	$682,028	$701,287	$690,000	1%	$886,000	1%
Other Service Revenue	$105,644	$94,798	$79,857	$105,000	$100,000	0%	$101,000	0%
Library Fines & Fees	$21,022	$22,408	$19,661	$22,803	$22,000	0%	$22,000	0%
Fines & Forfeitures	$648,453	$708,529	$621,446	$681,000	$688,200	1%	$678,200	1%
Misc. Revenues	$6,233,947	$3,462,074	$3,891,592	$1,126,447	$1,304,153	1%	$4,455,746	3%
Interfund Transactions (Admin)	$4,373,697	$5,740,080	$5,138,802	$3,983,447	$3,983,447	4%	$4,397,218	3%
Interfund Transactions (CIP/Debt)	$10,466,324	$4,158,532	$4,038,841	$2,610,741	$3,110,741	3%	$2,303,616	2%
Special Revenues & Resources	$2,057,374	$750,993	$1,694,513	$178,912	$592,738	0%	$238,912	0%
Bond Proceeds	$9,644,255	$2,158,592	$244,982	$5,000,000	$13,100,000	5%	$14,300,000	11%
Beginning Balance	$111,667,936	$85,779,494	$80,283,334	$26,794,775	$71,208,563	27%	$48,314,858	36%
TOTAL	**$197,536,594**	**$157,160,132**	**$156,690,637**	**$97,753,592**	**$156,284,541**	**100%**	**$134,227,590**	**100%**

Attachment B

Project Number	Project Name	Funding Type	Budget FY 2013 (Includes Carry Forward)	Budget FY 2014	Budget FY 2015	Budget FY 2016	Budget FY 2017
Recommended Water Capital Improvement Projects							
CP0007	Tunnel Improvements	WATER SERVICE FEES	402,838	228,888	233,466	238,135	242,898
CP0010	Water Department service equipment	WATER SERVICE FEES	159,095	60,000	63,672	75,770	70,000
CP0021	Geographic Information Systems	WATER SERVICE FEES	6,718	0	0	0	0
CP0026	Motor Change-out and Rebuild Program	WATER SERVICE FEES	30,552	26,781	27,718	28,688	29,692
CP0040	Water Department Deficiency Correction Projects	WATER SERVICE FEES	0	621,311	0	665,563	688,858
		BOND PROCEEDS (2012B, 2014, 2015)	1,000,000	0	643,056	0	0
CP0069	Judge Water Treatment Plant.	FEDERAL GRANTS	500,000	1,473,200	0	0	0
		WATER SERVICE FEES	0	0	890,000	0	3,859,980
		BOND PROCEEDS (2012B, 2014, 2015)	2,250,000	5,426,800	0	0	0
CP0070	Meter Radio Read	WATER SERVICE FEES	145,651	0	0	0	0
CP0081	OTIS Water Pipeline Replacement Projects	WATER SERVICE FEES	0	252,806	261,657	270,815	280,294
		BOND PROCEEDS (2012B, 2014, 2015)	1,766,673	0	0	0	0
CP0140	Water System Emergency Power Master Planning	WATER SERVICE FEES	0	0	130,910	0	0
CP0178	Rockport Water, Pipeline, and Storage	WATER SERVICE FEES	1,041,796	1,046,418	1,051,086	1,055,800	1,060,562
		WATER IMPACT FEES	0	0	0	0	0
CP0180	Corrosion Study of Water System	WATER SERVICE FEES	0	0	51,750	0	0
CP0181	Spiro Building Maintenance	WATER SERVICE FEES	56,313	71,415	73,915	100,000	0
CP0238	Quinn's Junction Transmission Lines	Water Fund - EXISTING USERS	46,403	0	0	0	0
CP0239	PC Heights Capacity Upgrade	WATER SERVICE FEES	0	0	0	0	0
		WATER IMPACT FEES	0	0	315,142	318,210	329,347
CP0240	Quinn's Water Treatment Plant	BOND PROCEEDS (2012B, 2014, 2015)	1,096,921	500,000	0	0	3,000,000
		Water Fund - NEW GROWTH	0	0	0	0	0
CP0266	Prospector Drain - Regulatory Project	WATER SERVICE FEES	0	0	0	0	0
CP0273	Landscape Water Checks	WATER SERVICE FEES	10,175	5,356	5,544	6,000	0
CP0274	PC Heights Development Infrastructure (cap expansion component)	WATER IMPACT FEES	0	228,135	236,119	0	0
CP0275	Smart Irrigation Controllers	WATER SERVICE FEES	17,895	12,855	13,305	13,770	14,252
CP0276	Water Quality Study	WATER SERVICE FEES	237,476	250,000	250,000	150,000	150,000
CP0277	Rockport Capital Facilities Replacement	WATER SERVICE FEES	125,831	125,831	125,831	125,831	114,631
CP0286	Ironhorse Electronic Access Control	WATER SERVICE FEES	4,000	2,000	0	0	0
CP0300	Irrigation Screening Facility	WATER SERVICE FEES	0	61,180	0	0	0
		WATER IMPACT FEES	0	204,820	0	0	0
CP0301	Scada and Telemetry System Replacement	WATER SERVICE FEES	0	0	0	150,000	950,149
CP0302	Deer Valley Drive - Water Infrastructure	WATER SERVICE FEES	0	803,419	0	0	0
		BOND PROCEEDS (2012B, 2014, 2015)	776,250	0	0	0	0
CP0303	Empire Tank Replacement	WATER SERVICE FEES	35,000	0	0	0	0
		BOND PROCEEDS (2012B, 2014, 2015)	0	300,000	2,000,000	0	0
CP0304	Quinn's Water Treatment Plant Asset Replacement	WATER SERVICE FEES	16,000	49,939	50,938	51,957	52,900
		WATER IMPACT FEES	34,000	108,243	108,243	110,408	120,500
CP0305	Quinn's Dewatering	Water Fund - EXISTING USERS	16,000	144,000	240,000	240,000	0
		Water Fund - NEW GROWTH	34,000	306,000	510,000	510,000	0
New 14-01	Fleet Management Software	WATER SERVICE FEES	1,500	2,250	2,250	0	0
New 14-31	Spiro/Judge Pre-treatment	WATER SERVICE FEES	0	100,000	100,000	100,000	0
New 14-32	Micro-Hydro/Thanynes Pump Station	WATER SERVICE FEES	0	1,000,000	0	0	0
		Total	**9,811,087**	**13,411,647**	**7,384,602**	**4,210,947**	**10,964,063**

Attachment C

Special Service Contract Subcommittee Recommendation					
Organization	**Funding Request**	**Previous Award**	**Recommended Funding**	**% Change from Previous Award**	**Justification**
People's Health Clinic	$39,970	$35,000	$38,000	9%	The People's Health Clinic estimates that it costs $60 per patient for treatment. The Subcommittee based PHC's allocation on the amount required to provide care to Park City's non-benefitted employees: 252 Part-time or Seasonal Non-benefited City Employees budgeted in FY 2013 x $60 per visit (PHC's cost/visit) x 2.5 annual visits per Employee = approximately $38,000. The People's Heath Clinic has show great improvement in efficiency in recent years.
Park City Chamber/Bureau	$100,000	$100,000	$100,000	0%	Funding allocation for the Chamber includes the 4th of July activities, Film Commission expenses, and approximately 1/2 visitor information cost as reported in the budget (value in-kind not included).
Recycle Utah	$33,000	$33,000	$33,000	0%	The committee recommended funding requests for a portion of the cost for Transportation, Youth Education (25% of Outreach Director salary), Park City Leadership Projects, Sustainability Week, Snow Sports Equipment Handling, and E-waste.
Recycle Utah - Rent	$25,577*	$25,577*	In-kind	0%	In-kind rent for old bus barns
P.C. Adult ESL	$5,000	$5,500	$5,000	-9%	Funding allocation for the Adult ESL program and after school tutoring for children of adults in ESL program.
Christian Center	$12,000	$10,700	$12,000	12%	Pantry staffing costs and health snack program covered by funding allocation
P.C. Historical Society and Museum	$70,000	$40,000	$40,000	0%	This will help keep the research library open 5 days a week and provide a professionally trained Archivist and costs associated with historic preservation. The committee decided to fund the position for 1,200 hours at $25 which equals $30,000 a year. The committee would like the museum to use the additional $20,000 ($10,000 per year) for exhibits and activates related to youth programming.
Peace House, Inc.	$30,000	$26,000	$30,000	15%	Recommendation includes funding for the Peace House Women's Shelter and Education Services.
Mountainlands Community Housing Trust	$18,000	$15,550	$18,000	16%	Funding allocation to help support the Housing Resource Center and property listing data base.
Park City/Summit County Arts Council	$74,170	$25,000	$25,000	0%	The recommended allocation funds the costs associated with the August Artsravaganza, and the roughly half of the Director's salary associated with Cultural Tourism ($8,250 per year). The amount also includes $13,000 per year to administer the Public Art Advisory Board (as set forth in the Public Art Policy).
Mountain Mediation Center	$12,600	$12,500	$12,600	1%	The recommendation is to fund the Executive Director position which is responsible for training and coordination of volunteer mediators
Park City Community Outreach Center	$10,000	$10,000	$0	-100%	There have been performance issues related to this contract over the past 2 years. The subcommittee does not recommend funding the contract at this time.
Habitat for Humanity	$15,000	$10,000	$0	-100%	Habitat for Humanity received a SSC award for $10,000 in FY 2013 and an additional $10,000 in emergency SSC requests for contaminated soils that year. The City also awarded $10,000 in FY2012 towards the first affordable home in the project. The City initially donated land for the project in the amount of $210,000. The City has provided a line of credit towards the completion of the project in the amount of $100,000. The subcommittee does not recommend any additional SSC funds at this time.
Mountain Trails	$10,000	$7,750	$10,000	29%	Funding will provide winter trail grooming in Round Valley and trail information services.
PC Performances Egyptian Theatre Productions	$5,000	$2,500	$2,500	0%	Funding for partial cost associated with non-youth productions. Funding for Youtheatre is located in Youth Organization section below.
PC Performances Performing Arts Complex Space	$100,000	$0	New	0%	Funding would provide for purchase of additional space in basement of Main Street Mall. The subcommittee does not recommend funding for this type of service at this time. Special Service Contracts have typically not been awarded for capital improvement or capital purchase of this type.
Park City Business Resource Center	$20,000	$10,000	$10,000	$0	Resource Center will provide One-on-one consulting and mentoring, business plan development, and funding location assistance for business in Park City. Funding will offset a portion of the Director wage.
Sub Total:	**$554,740**	**$333,500**	**$336,100**		

Special Service Contract Subcommittee Recommendation - Youth Organizations					
Youth Organizations	**Funding Request**	**Previous Award**	**Recommended Funding**	**% Change from Previous Award**	**Justification**
Sundance Institute	$9,000	$9,000	$9,000	0%	This provides funding for the Filmmakers in the Classroom and High School Screenings programs
Holy Cross Ministries	$7,500	$7,500	$7,500	0%	Holy Cross Ministries has provided high quality programing over the last several years. This is a new program which will provide school readiness for low-income children entering kindergarten.
PC Education Foundation	$20,000	$18,000	$20,000	11%	The subcommittee recommends allocating a $36,000 stipend to teaching staff in providing a 5 day a week after school education program. This program has seen a large increase in student enrolment. Funding will allow program to continue to admit additional students.
ArtsKids	$15,000	$12,500	$12,500	0%	The recommendation is to fund program costs consisting of stipends for artists, facilitators, and supplies.
Youth WinterSports Alliance	$12,000	$9,000	$12,000	33%	The recommendation consists of funding $12,000 of expenses related to the McPolin Get Out and Play Program.
PC Performing Arts Foundation Mega Genius Supply Store (MGSS)	$10,000	$4,000	$10,000	150%	The program has shown positive growth and program interest during the initial evaluation period. The subcommittee recommends full funding for the program.
PC Performing Arts Foundation Student Outreach	$20,000	$10,000	$5,000	-50%	The program provided funding for student performance workshops.
Big Brothers/Big Sisters of Utah	$15,000	$7,500	$0	-100%	The subcommittee evaluated significant cost per visit related to this program. In addition the committee felt this program was not providing significant benefit within the Park City limits. The subcommittee is not recommending funding at this time.
Friends of the Utah Avalanche Center	$1,750	$1,500	$1,750	17%	Will provide funding for the Know Before You Go youth avalanche awareness program. The center will provide over 20 presentations in the Park City area over the next year.
PC Performances - Egyptian Theatre Youth Programming	$10,000	$7,500	$7,500	0%	Funding for Youtheatre - Park City Youth Productions
Sub Total:	**$120,250**	**$86,500**	**$85,250**		

Grand Total:	**$674,990**	**$420,000**	**$421,350**

*Total does not include in-kind amounts

Attachment D

PARK CITY FEE SCHEDULE (REVISED JUNE 7, 2012)
SECTION 1. CONSTRUCTION AND DEVELOPMENT RELATED FEES

1.1 PLANNING FEES

1.1.1	Plat/Subdivision *	
	Plat Amendment	$900 per application
	Subdivision	$290 per lot/parcel
	Administrative lot line adjustment	$300 per application
	Extension of Approval	$330 per application
	Condominium	
	Condominium or timeshare conversion	$450 per unit
	Record of Survey	$450 per unit
	Amendment to Record of Survey	$100 per unit affected
	Extension of Approval	$330 per application
1.1.2	Master Planned Development (MPD) Process *	
	Pre-Master Planned Development	$1,200
	Application includes one formal staff review and Planning Commission review of compliance with General Plan that includes a public hearing. If applicant files for formal Master Planned Development the $1,200 will apply toward the application fee.	
	Master Planned Development	$560 per unit equivalent
	Modification to an MPD	$330 per unit equivalent
1.1.3	Conditional Use Permit (CUP) *	
	Planning Commission Review	$1,140 per application
	Steep Slope Review	$1,330 per application
	Administrative Staff Review	$330 per application
	Extension or Modification	$330 per application
1.1.4	Zone Changes *	$1,650
1.1.5	Board of Adjustment *	
	~~Special Exception~~	~~$940 per application~~
	Variance	$940 per application
1.1.6	Architectural and Design Review	
	Historic District/Site	
	New residential construction <1000 sf	$200 per application
	New residential construction >=1000 sf	$750 per application
	Commercial review	$200 per unit equivalent for the first 10 units $15/ue after
	Non-Historic District/Site	
	New Residential - SF/Duplex	$200 per application
	Multi-Family/Commercial	$100 per unit equivalent up to 10 units then $15/ue after

	Residential Additions	$100 per application
	Commercial Additions	$100 per unit equivalent up to 10 units then $15/ue after
1.1.7	Historic Review *	
	Historic Design Review (no increase in existing area)	$210
	Historic Design Review (increase in existing area)	$1030
	Determination of Significance	$350
	Certificate of Appropriateness for Demolition	$300
1.1.8	Land Management Code Review *	$2,000 per application
1.1.9	General Plan Amendment *	$2,000 per application
1.1.10	Sign Review	
	Master Sign Plan Review	$320
	Amendment to Master Sign Plan	$120
	Individual sign permit	$120 ($118.80) plus 1% state tax)
	Sign permit under master sign plan	$130 ($128.70) plus 1% state tax)
	Temporary Sign Permit	$60 ($59.40) plus 1% state tax)
1.1.11	Annexation *	$5,850
	Annexation Fiscal Impact Analysis	$1,550
	plus actual cost of City approved consultant fee	
	Modification to Annexation Agreement	$4,150
1.1.12	Appeals Fees *	
	Appeals to Board of Adjustment	$500
	Appeals to City Council	$500
	Appeals to Historic Preservation Board	$500
	Appeals to Planning Commission	$500
1.1.13	TDR – Development Credit Determination	$100

1.1.14 Refund of Withdrawn Planning Applications
In the case of a withdrawal of an application, the associated fees shall be refunded, less the actual cost for professional services rendered by City staff.

1.1.15 Reactivation Fee
For projects that have been inactive by the applicant for more than six months a Reactivation Fee of 50% of orig. application fee will be assessed

1.1.16 Attorney or Other Professional Services
Reimbursement for actual expense incurred

* Projects under these classifications may be assessed the additional cost of the property posting and courtesy mailing as required by Land Management Code regulations at the time of submittal.

1.2 BUILDING FEES

1.2.1 Impact Fee Schedule Impact fees are now located in the Park City Municipal Code, Title 11, Chapter 13.

1.2.2 Building Permit

Total Valuation	Free
$1 and up	3/4 of 1% (.75%) of the total valuation of construction as herein above described with a minimum fee of $15.

1.2.3 Plan Check Fees

a. Deposit. On buildings requiring plan checks at the time of building permit application, the applicant shall pay a deposit of $500.00 for residential buildings; and $2,000.00 for commercial buildings The deposit shall be credited against the plan check fee when the permit is issued. This deposit is non-refundable in the event permits are not issued.

b. Fee. Except as otherwise provided herein, the plan check fee shall be equal to sixty-five percent (65.0%) of the building permit fee for that building. The plan check fee for identical plans shall be charged at a rate of $54.26 per hour of total Community Development staff time. As used herein, ~~A~~identical plans@ means building plans submitted to Park City that: (1) are substantially identical to building plans that were previously submitted to and reviewed and approved by Park City; and (2) describe a building that is: (A) located on land zoned the same as the land on which the building described in the previously approved plans is located; and (B) subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans.

1.2.4 Mechanical Permit
Plus 1% State Surcharge

See fee table below. Building Department enters the total valuation for materials and labor for each sub-permit into the Fee Table to determine the permit fee.

Total Valuation	Fee
$1.00 to $500.00	$23.50
$500.00 to $2000.00	$23.50 for the first $500.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2,000.00
$2,001.00 to $25,000.00	$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00, or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00	$391.75 for the first $25,000.00 plus $10.10 for each additional $1,000.00, or fraction thereof, to and including $50,000.00
$50,001.0 to $100,000.00	$643.75 for the first $50,000.00 plus $7.00 for each additional $1,000.00, or fraction thereof, to and including $100,000.00

$100,001.00 to $500,000.00	$993.75 for the first $100,000.00 plus $5.60 for each additional $1,000.00, or fraction thereof, to and including $500,000.00
$500,001.00 to$1,000,000.00	$3,233.75 for the first $500,000.00 plus $4.75 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	$5,608.75 for the first $1,000,000.00 plus $3.65 for each additional $1,000.00, or fraction thereof

1.2.5 Electrical Permit

See fee table below.

Total Valuation	Fee
$1.00 to $500.00	$23.50
$500.00 to $2000.00	$23.50 for the first $500.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2,000.00
$2,001.00 to $25,000.00	$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00, or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00	$391.75 for the first $25,000.00 plus $10.10 for each additional $1,000.00, or fraction thereof, to and including $50,000.00
$50,001.0 to $100,000.00	$643.75 for the first $50,000.00 plus $7.00 for each additional $1,000.00, or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00	$993.75 for the first $100,000.00 plus $5.60 for each additional $1,000.00, or fraction thereof, to and including $500,000.00
$500,001.00 to$1,000,000.00	$3,233.75 for the first $500,000.00 plus $4.75 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	$5,608.75 for the first $1,000,000.00 plus $3.65 for each additional $1,000.00, or fraction thereof

1.2.6 Plumbing Permit

See fee table below.

Total Valuation	Fee
$1.00 to $500.00	$23.50
$500.00 to $2000.00	$23.50 for the first $500.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2,000.00
$2,001.00 to $25,000.00	$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00, or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00	$391.75 for the first $25,000.00 plus $10.10 for each additional $1,000.00, or fraction thereof, to and including $50,000.00
$50,001.0 to $100,000.00	$643.75 for the first $50,000.00 plus $7.00 for each additional $1,000.00, or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00	$993.75 for the first $100,000.00 plus $5.60 for each additional $1,000.00, or fraction thereof, to and including $500,000.00

$500,001.00 to$1,000,000.00	$3,233.75 for the first $500,000.00 plus $4.75 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	$5,608.75 for the first $1,000,000.00 plus $3.65 for each additional $1,000.00, or fraction thereof

1.2.7 International Fire Code Fee Issuance Fee $20.00

In Addition:

Aircraft Refueling Vehicles	$30.00
Open Burning	$10.00
Candles and Open Flames in Assembly Area	$15.00
Compressed Gas	$15.00
Excavations Near Flammable or Combustible Liquid Pipelines	$15.00
Explosives or Blasting Agents	$150.00
Fireworks (Displays)	$120.00
Firework (Sales)	$75.00
Flammable Liquids	$15.00
Flammable or Combustible Liquid Tanks	~~$15.00~~ $130
Hot Work (welding)	$15.00
~~Garages~~	~~$15.00~~
Liquefied Petroleum Gases (heaters and devices up to 5 units)	$55.00
Liquefied Petroleum Gases (heaters and devices) each additional unit	$11.00
Liquefied Petroleum Gases on an active construction site (125+ gal)	$130.00
Places of Assembly	$15.00
Vehicles (liquid or gas fueled) within a building	$130.00
Others not listed	$15.00

Tents, air-supported structures and trailers $.20 per square foot

Temporary structures built to permanent standards will be subject to fees set forth in Section 1.2.2.

For plans already on file and approved, the fee will be reduced to $.13 per square foot

1.2.8 Grading Plan Review and Permit Fees

~~See attached appendix of fees as adopted by the Uniform Building Code Table No. 70-A and 70-B, adopted by Park City and incorporated herein by this reference.~~

See fee table below.

Total Valuation	Fee
$1.00 to $500.00	$23.50
$500.00 to $2000.00	$23.50 for the first $500.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2,000.00
$2,001.00 to $25,000.00	$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00, or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00	$391.75 for the first $25,000.00 plus $10.10 for each additional $1,000.00, or fraction thereof, to and including $50,000.00
$50,001.0 to $100,000.00	$643.75 for the first $50,000.00 plus $7.00 for each additional $1,000.00, or fraction thereof, to and including $100,000.00

$100,001.00 to $500,000.00	$993.75 for the first $100,000.00 plus $5.60 for each additional $1,000.00, or fraction thereof, to and including $500,000.00
$500,001.00 to$1,000,000.00	$3,233.75 for the first $500,000.00 plus $4.75 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	$5,608.75 for the first $1,000,000.00 plus $3.65 for each additional $1,000.00, or fraction thereof

1.2.9 Soil Sample Fee $100

1.2.10 Demolition Permit Fee

See attached appendix of fees adopted by the Uniform Building Code Table No. 1-A, incorporated herein by this reference.

1.2.11 Flatwork Permit

Total Valuation

$1 and up 3/4 of 1% (.75%) of the total valuation of construction as herein above described with a minimum fee of $15. Flatwork permits are subject to Plan Check fees as described above.

1.2.12 Other Inspections and Fees

Inspections outside normal business hours*	$150 per hour (minimum charge 2 hours)
Re-inspection fee	$75 per hour (minimum charge 1 hour)
Additional inspection services*	$75 per hour (minimum charge 1 hour)
For use of outside consultants for plan reviews, inspections or both	Actual cost**

* Or the total hourly cost to the City, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee involved. These services will be offered based on inspector availability.

** Actual Cost includes administrative and overhead costs.

1.3 ENGINEERING FEES

1.3.1 Construction Inspection Fees. Prior to receiving a building permit, a notice to proceed or plat approval, developers shall pay a fee equal to six percent (6%) of the estimated construction cost as determined by the City Engineer. In projects with private street systems that limit city inspection requirements to water, drainage, and other improvements, but not to streets, the inspection fee shall be four percent (4%) of the estimated construction cost of the improvements to be inspected as determined by the City Engineer. The city, upon notice to the developer, may charge the developer a fee of $75 per man-hour to recoup costs to the city above the fee charged. The city may also charge $75 per man-hour for re-inspections of work previously rejected.

1.3.2 Permit to Work in Public Right-of-Way

$200 fee plus $2,000 letter of credit or cashier's check plus proof of insurance

1.4 ADMINISTRATIVE CODE ENFORCEMENT (ACE) FEES

1.4.1 Civil Fee Schedule

Daily Violation Fee	~~$25~~ $100 per day
~~Minimum Fee for Noncompliance~~	~~$50~~
~~Maximum Fee for Daily Violations~~	~~$2,000~~
Re-inspection Fee	$75
~~Reoccurrence Fee~~	~~$250~~
~~Hearing Request Fee~~	~~$100~~
~~Late Payment Fee~~	~~$100~~

SECTION 2. WATER FEES

2.1 WATER IMPACT FEES. Water Impact Fees are located in the Park City Municipal Code, Title 11, Section 13.

2.2 MONTHLY WATER METERED SERVICES FEE SCHEDULE:

2.2.1 Base Rates (For all water billed on or after July 1, 2013).

Individually Metered Residential (single-family, condo, townhouse)

Meter size	Monthly Base/ Demand Charge	Meter Price
5/8 x 3/4"	~~$33.35~~ $39.35	$624.22
1"	~~$45.02~~ $53.12	$717.44
1-1/2"	~~$53.38~~ $62.99	$1020.70

Other than Individually metered Residential (Multi-Family, Commercial, Irrigation)

Meter Size	Monthly Base/ Demand Charge	Meter Price
3/4"	~~$43.35~~ $51.15	$624.22
1"	~~$73.35~~ $86.55	$717.44
1 2"	~~$156.69~~ $184.89	$1020.7
2"	~~$326.75~~ $385.57	$1805.4
3"	~~$850.30~~ $1003.35	$2135.8
4"	~~$1543.82~~ $1821.71	$3721.72

6"	~~$2910.19~~ $3434.02	$5790.26
8"	~~$5011.59~~ $5913.67	$8696.60
Construction Meter	~~$193.79~~ $228.67	
Indigent Rate*	~~$2.64~~ $3.12	

*Indigent Rate includes 10,000 gallons. Water consumption greater than 10,000 gallons is charged per the normal block structure presented in paragraph 2.2.3.

2.2.2 Water Consumption Rates. All water delivered through each meter, excepting commercial meters, between November 1 and May 31 of each year shall be charged at the rate of ~~$5.84~~ $6.89 per thousand gallons. All water delivered through commercial meters shall be charged per Paragraph 2.2.3 year-round.

2.2.3 Water Conservation Rates (For all water billed on or after July 1st, 2013). All water delivered through each meter serving single family residential, multi-family residential, commercial and landscape irrigation customers per month between June 1 and October 31 of each year shall be billed at the following rates:

Type	**Block 1 ~~$4.15~~ $4.90 per 1,000 gals**	**Block 2 ~~$6.66~~ $7.86 per 1,000 gals**	**Block 3 ~~$10.82~~ $12.77 per 1,000 gals**	**Block 4 ~~$16.66~~ $19.67 per 1,000 gals**
Single Family	0-5,000	5,001 - 30,000	30,001 - 80,000	Over 80,000
Multi-Family				
3/4"	0-10,000	10,001-36,000	36,001-80,000	Over 80,000
1"	0-17,000	17,001-57,000	57,001-120,000	Over 120,000
1.5"	0-30,000	30,001-100,000	100,001-200,000	Over 200,000
2"	0-48,000	48,001-160,000	160,001-320,000	Over 320,000
3"	0-96,000	96,001-320,000	320,001-640,000	Over 640,000
4"	0-150,000	150,001-500,000	500,001-1,000,000	Over 1,000,000
6"	0-180,000	180,001-600,000	600,001-1,200,000	Over 1,200,000
Irrigation				
3/4"		0-56,000	Over 56,000	
1"		0-90,000	Over 90,000	
1.5"		0-185,000	Over 185,000	
2"		0-300,000	Over 300,000	
3"		0-600,000	Over 600,000	
4"		0-935,000	Over 935,000	
6"		0-1,865,000	Over 1,865,000	

Commercial Year round		**~~$5.84~~ $6.89 per 1,000 gals**	**~~$9.04~~ $10.67 per 1,000 gals**	
3/4"		0-150,000	Over 150,000	
1"		0-300,000	Over 300,000	
1.5"		0-500,000	Over 500,000	
2"		0-750,000	Over 750,000	
3"		0-1,200,000	Over 1,200,000	
4"		0-1,700,000	Over 1,700,000	
6"		0-1,700,000	Over 1,700,000	
All users except construction between November & May	~~$5.84~~ $6.89 per thousand gals			
Construction Water	~~$193.79~~ $228.67 Monthly Base Chg.	~~$7.68~~ $9.06 thousand gals.		

2.3 WATER VIOLATION PENALTIES

$150.00	first violation
200.00	second violation
400.00	third violation
500.00	fourth violation
750.00	for the fifth violation and for each subsequent violation within that calendar year.

2.4 WATER SERVICE REINSTATEMENT FEE

$100 ~~fee for meter shut off because of non-payment of account.~~

2.5 WATER METER TESTING FEE $100 per test

2.6 WATER LABOR RATE $50 per Hour, rounded up to the nearest half hour.

2.7 WATER PARTS & SUPPLIES RATE Cost + 15% stocking fee

2.8 FIRE HYDRANT METER DEPOSIT FEE $1,050

Fire hydrant wrench deposit fee $50

Meter Radio $100

2.9 RENTER DEPOSIT $50

2.10 NON-MAILED SHUT-OFF NOTICE FEE $75

SECTION 3. BEER AND LIQUOR LICENSE

See attached Beer and Liquor license fees adopted and incorporated herein by this reference.

SECTION 7. PARKING, METER RATES, VIOLATIONS, TOWING, AND IMPOUND FEES

7.1 Fines for meter violations are as follows:

First violation per registered owner(s): No fine or late fees. Vehicle license plate and/or VIN numbers will be logged into the system and a courtesy card issued to welcome to Main Street and educate user on the pay-and-display meter system.

Second thru Fifth (2^{nd} - 5^{th}) violation per registered owner(s):
$20 from the date of violation until fourteen (14) days following the violation, escalating to:

$40 after 14 days;
$60 after 30 days;
$80 after 60 days

More than five (>5) violations per registered owner(s):
$40 from the date of violation until fourteen (14)days following the violation, escalating to:

$60 after 14 days
$80 after 30 days
$100 after 60 days

7.2 Fines for mobility disabled space violations are as follows:

$150 from the date of violation until fourteen (14) days following the violation, escalating to:

$170 after 14 days;
$190 after 30 days;
$210 after 60 days

7.3 Fines for special event parking violations. When enacted by the City Manager under Section 7.6, the fines for special event parking violations are as follows:

A. Egregious violations (i.e., obstructing traffic on Main Street or along bus routes) or mobility disabled space violations. $150 from the date of violation until fourteen (14) days following the violation, escalating to:

$170 after 14 days;
$190 after 30 days;
$210 after 60 days

B. Fines for all other special event parking violations. $75 from the date of the violation until fourteen (14) days following the violation.

$95 after 14 days;
$115 after 30 days;
$135 after 60 days

7.4 FINES FOR TIME LIMIT PARKING VIOLATIONS are as follows: $20 from the date of violation until fourteen (14) days following the violation, escalating to:

$50 after 14 days;
$70 after 30 days;
$90 after 60 days

More than five (>5) violations in the previous three years per registered owner(s):
$40 from the date of violation until fourteen (14) days following the violation, escalating to:

$60 after 14 days;
$80 after 30 days;
$100 after 60 days;

7.5 Fines for all other parking violations are as follows:

$30 from the date of violation until fourteen (14) days following the violation, escalating to:

$50 after 14 days;
$70 after 30 days;
$90 after 60 days

More than five (>5) violations per registered owner(s):
$50 from the date of violation until fourteen (14) days following the violation, escalating to:

$70 after 14 days;
$90 after 30 days;
$110 after 60 days;

7.6 Parking Permits.
1. Employee Parking Permit: A parking permit is available to Main Street employees for the China Bridge Parking Structure and the Gateway Garage. The cost is $100 annually, $65 if purchased after April 1st of each calendar year. A replacement permit can be purchased for $65 subject to approval by the Parking Manager.
2. Businesses with a Main Street address are eligible to purchase a Swede Alley Business Permit that allows parking over the four-hour time limits in all Swede Alley surface lots but not between the hours of 2am-6am. This permit also allows parking in the covered levels of China Bridge garage beyond the 6-hour limit not to exceed 72 hours at one time in a parking space. Cost for this permit is $500 annually.

7.7 Special Event Parking. The City Manager may implement Special Event Parking Permit Fees, Special Event Meter Rates and/or Special Event Parking Fines for events held under a Master Festival License. The fee for these Special Event Parking Permits and Special Event Meter Rates will not exceed $50 per day.

7.8 TOW AND STORAGE FEES. Vehicles towed from City parking and stored in private lots are subject to Utah State allowed amounts as outlined in the Park City Police Department Towing Rate Schedule.

7.9 Immobilization Fee $35

7.10 Fees for Special Use of Public Parking are as follows:

Main Street, Heber Avenue, Park Avenue (Heber to 9th St):	Daily rate of $16 per space
Swede Alley:	Daily rate of $12 per space
Sandridge, South City Park, Residential Permit Zones:	Monthly rate of $20 per space
a. Up to two spaces for vehicle parking with approved and active building permit	$0.00
b. Vehicle Permits	$20 per space per month
c. Dumpster or Equipment Permit	$50 per space per month
Pay station removal for construction:	$1,000
Application Fee:	$20

Applications are reviewed by appropriate divisions, such as Parking Services, Transportation, Police, Building Departments, and Special Events.

7.11 Meter rates are as follows:
For Main Street and the Brew Pub lot: $1.50 per hour up to a three hour limit. Minimum purchase is 20 minutes with coin, parking card, and tokens. No less than one hour can be purchased with a credit card. For event rates, see Section 7.7.

7.12 In-car meter devices:
Free with purchase of $50 or more of prepaid parking time. In-car meter and prepaid card parking time is available to residents at a 46.67% discount equivalent to $0.80 per hour.

7.13 Tokens are available for sale as follows:

Up to 50 tokens:	$0.50 each
50-299 tokens:	$0.40 each (20% discount)
300 or more tokens:	$0.35 each (35% discount)

Large purchases subject to Parking Manager approval and are limited to Main Street business license holders.

7.14 Meter payment by cell phone
Users sign up for a free account. Meter rates in section 7.11 apply; no less than one hour can be purchased. City pays the convenience fee charged by the service provider.

SECTION 8. RECREATION SERVICES AND FACILITY RENTAL FEES

8.1 PURPOSE AND PHILOSOPHY. Recreation Services, the Parks Department, Miners Hospital Community Center and the Library are supported primarily by tax dollars through the City's General Fund. The Golf Course has been established as an enterprise fund and should be primarily supported by revenues other than taxes. This policy applies to Recreation Services and the Golf Course Enterprise fund.

The purpose of this section is to establish a level of operations and maintenance cost recovery for programs, activities and facilities, and direction for establishing fees and charges for the use of and/or participation in the programs, activities and facilities offered by the Recreation Services, Golf Course, Library, and Miners Hospital Community Center.

It is the intent of the City to offer its Recreation Services programs, activities and facilities to the entire community. To help offset the cost of providing these services, and since the primary beneficiaries of these services are users, it is appropriate to charge fees that are adequate to fund operation of the facility in line with other like programs.

8.2 COST RECOVERY. It is the intent of the City to recover roughly 70% of the operations and maintenance expenses incurred by the Recreation Department and the Recreation Center and 100% of the operations and maintenance expenses incurred by the Golf Course through sources of revenue other than taxes. The City's cost recovery plan is described in detail in the City's budget document. User fees should not be considered the only source for accomplishing this objective. Revenues may also include:

Increases in program participation.

- Fees charged for non-recreational use of facilities (conventions/special events)
- Rental income
- New programs or activities
- Private sponsorship of programs or activities
- Public agency grants or contributions.

8.3. ESTABLISHING USER FEES. Fees shall be set at a level which ensures program quality and meets the objectives of the City Council.

8.3.1 Area Resident Discount Those people whose primary residence is within the Park City School District limits; are currently paying property tax within Park City School District limits; or are holding a valid Park City business license and leasing or renting office space within Park City are entitled to receive a discount on user fees for the Recreation Center and Golf Course.

8.3.2 Recreation Program Fees The Recreation Department, the Recreation Center and the Golf Course offer a variety of organized programs and activities. Due to the fluctuations in the number of participants and frequent changes in circumstances, program fees are established on a program-by-program basis by dividing the number of projected participants by the estimated program costs. Fees are then published in the Recreation Services annual brochure (PLAY Magazine). In most cases, fees will be kept commensurate with fees charged by others providing like service.

8.3.3 Fees for Non-Recreational Activities at the Recreation Center. The fees charged for non-recreational or special event use will be competitive with the marketplace providing the fees cover a minimum of: a) the costs involved in the production of the event; and b) recovery of lost revenue.

The Recreation Center facility is principally for recreation. Non-recreation activities usually will be charged up to fifty percent (50%) more than the minimum. No fee waivers for non-recreational or special event use will be permitted. However, the City Council may authorize the City to pay all or a portion of the fee in accordance with the master festival ordinance provisions.

8.3.4 Fee Increases Recommendations for fee increases may be made on an annual basis. The City will pursue frequent small increases as opposed to infrequent large ones. Staff will be

required to provide an annual review and analysis of the financial posture of the Golf Course Fund along with justification for any recommended increase. When establishing fees, the City will consider rates charged by other public and private providers as well as the ability of the users to pay.
To establish and maintain the Council's objective of 70% cost recovery, the City Manager will have the authority to annually increase fees up to $.50 or 10%, whichever is greater. Any requested increase over that amount will require Council action.

Fee increases will take place only if they are necessary to achieve the City Council's objective and maintain program quality, and only with the authorization of the City Manager or the City Council.

8.3.5 Discounting Fees The Recreation Services Manager may, at his or her discretion, discount fees when:

- Offering special promotions designed to increase use.
- Trying to fill non-prime time.
- Introducing new programs or activities.
- Playing conditions are below standard due to weather or facility disrepair.

8.3.6 Fee Waivers The City intends that no resident under 18 years old or over age 65 be denied the use of any program, activity or facility for reasons of financial hardship. The Recreation Services Manager may, at his discretion, waive all or a portion of a fee, or may arrange offsetting volunteer work for anyone demonstrating an inability to pay for services.

8.4. RECREATION CENTER:

8.4.1 Recreation Center Fees

Punch Card Admission. For ease of administration and convenience to users, a punch card system has been established for Recreation Center programs and activities. The purchase of a punch card may result in a savings off the regular rate.

Punch Passes	**Resident**	**Visitor**
Youth (3 to 17) 10 Punch	$28	$40
Adult 10 Punch	$70	$90
Senior & Military 10 Punch	$60	$70
Child Care 10 Punch (10 hrs)	$35	

Tennis Punch Passes	
Tennis Lesson 10 Punch (5hrs)	~~$275~~ $315
Clinic 10 Punch 1.5 hr	$200
Monthly Clinic 1.5 hr	$18 per clinic
Clinic 10 Punch 2 hr	$250
Monthly Clinic 2 hr	$20 per clinic

Tennis Court Charges	Hourly Court Fees	
	Indoor	Outdoor
Resident rate	~~$24~~ $26	~~$8~~ $10
Visitor rate	~~$32~~ $36	~~$10~~ $12

Other Tennis Fees

Private Lesson 1 Hr	$70.00
Private Lesson 1/2 Hr	~~$32.00~~ $38
Semi Private Lesson 1 Hr	~~$64.00~~ $74
Group of 3	~~$66.00~~ $78
Group of 4	~~$70.00~~ $82
~~Hitting Lesson~~	~~$50.00~~
Clinic Drop-in Fee 1.5hr	~~$20.00~~ $24
Clinic Drop-in Fee 2 hr	$30
Ball Machine	~~$9.00~~ $12
Tennis Courts Non Athletic (Daily)	$3,000

Daily Drop In	**Resident**	**Visitor**
Toddlers 2 & Under	Free	Free
Youth (3 to 17)	$3	$5
Adult	$7	$10
Senior 70+ & Military	$6	$7
Fitness Classes	$9	$12
Senior/Military Fitness Classes	$8	$9

Facility Passes: There are two types of facility passes one which includes all amenities except tennis and the other which includes all amenities except group fitness and tennis. Program fees are additional and are not included in pass fees.

Individual Rate

Term	**Facility Rate**	**Class Add On**	**Total**
1 Month	$40	$20	$60
3 Month	$110	$50	$160
6 Month	$192	$80	$272
12 Month	$345	$144	$489

Senior 70+ & Military Individual Rate

Term	**Facility Rate**	**Class Add On**	**Total**
1 Month	$36	$20	$56
3 Month	$99	$50	$149
6 Month	$173	$80	$253
12 Month	$310	$144	$454

Couple Rate

Term	**Facility Rate**	**Class Add On**	**Total**
1 Month	$72	$35	$107
3 Month	$216	$90	$306
6 Month	$328	$144	$472
12 Month	$590	$260	$850

Senior 70+ & Military Couple Rate

Term	**Facility Rate**	**Class Add On**	**Total**
1 Month	$65	$35	$100
3 Month	$194	$90	$284
6 Month	$295	$144	$439

12 Month	$531	$260	$791

Tennis Passes

Single Annual	~~$1,100~~ $1,210
Couple Annual	~~$1,950~~ $2,150
Family Annual (3 members)	~~$2,160~~ $2,375
Each Additional member	~~$205~~ $225

Gymnasium	**Hourly Resident**	**Hourly Visitor**	**Daily**
Full Gym	$65	$125	
Half Gym	$35	$75	
Non Athletic			$1,400
Fitness Studios	$65 (for profit)	$125 (for profit)	
	$35 (non-profit)	$75 (non-profit)	

Other Fees

Visitor 10 Punch Card	$90
I Month Visitor Pass	$90
Family Swim Pass	$247.50
Child Care Per Hr	$4
Personal Training 1 Hour	$50
Personal Training Punch Card (12 visits)	$500
Couple Personal Training Punch Card (12 visits)	$699
Birthday Party	$150
Party Room per hour	$50

8.5 GOLF FEES. The Park City Municipal Golf Course is an 18 hole course and 6,743 yards in length. The fees listed below are established fees, however they may be altered for certain types of tournament play. To receive a resident discount, the recreation card (which must have a City resident designation) must be presented to the golf starter. Season passes are available only to those who possess a locals card. Playing conditions on the course may vary due to weather constraints, particularly early and late in the season. The Golf Manager may, at his discretion, discount the established fees in order to encourage use of the course when playing conditions are less than optimum.

Regular Season- Memorial Day through September
Off-Season- Pre-Memorial Day, October and November

Resident Season Pass	~~$1020~~ $1050
Junior Pass	$425
Jr./Sr. Punch Pass	~~$285~~ $300
Corporate Pass	~~$2,850~~ $3000
Resident 18 Hole	~~$33~~ $34
Resident 18 Hole with Cart	~~$48~~ $49
Non-Resident 18 Hole	~~$45~~ $47

Non-Resident 18 Hole with Cart	~~$60~~ $62
Resident 9 Hole	~~$16.50~~ $17
Resident 9 Hole with Cart	~~$24.00~~ $24.50
Non-Resident 9 Hole	~~$22.50~~ $23.50
Non-Resident 9 Hole with Cart	~~$30.00~~ $31.00
Resident Off-Season 18 Hole	~~$25~~ $26
Non-Resident Off-Season 18 Hole	~~$28~~ $30
Small Range Bucket	~~$3.50~~ $4
Large Range Bucket	~~$7~~ $8

8.6. LIBRARY FEES. The Park City Library Board routinely reviews non-resident fee options and recommends changes. Library services, which are funded by the General Fund, are provided without charge to property owners, residents, and renters within the City's boundaries. Non-resident card fees are charged to those who request borrowing privileges but live outside the City's taxing area. On September 8th, 2002, the Library Board voted to change the fee charged to some non-resident library users.

Non-Resident Card Fees

Family membership	$40.00 per year
Temporary membership (90 days)	$20.00 plus
Students residing in Summit County (ages 5-18)	Free
Organization card - non-profit	$45 per year
Organization card - for-profit	$55 per year

8.7. CEMETERY FEES. Anyone owning property, currently residing, or having resided in Park City for a period of more than ten years consecutively, is eligible to purchase cemetery property or may be buried in the Park City Cemetery. All cemetery plots will be sold on a first-come, first-served basis. The same criteria above are used for the rights to purchase a plaque space on the Memorial Walls in the cemetery.

	Resident Fees	Eligible Non-Resident Fees
Single adult grave	$300	$600
Single infant grave	150	300
Opening and closing adult grave	480	480
Opening and closing infant grave	360	360
Removal of adult from one grave to another within cemetery	960	960
Removal of infant from one grave to another within cemetery	720	720
Removal of adult for interment outside cemetery	480	480
Removal of infant for interment outside cemetery	360	360
Schil for flower beds/grave	N/A	N/A

Additional charge for after hour burials including Saturdays, holidays, weekends	200	300
Interment of cremated remains	70	140
Monument grave marker maintenance	100	100
Memorial Wall plaque space	250	N/A

8.7.1.Cemetery Fee Waivers. Any or all of the fees associated with the operation of the Park City Cemetery may be waived by the Cemetery Sexton. Grave sites, located in the "veterans section" for Park City veterans, firemen and police officers will be provided free of charge, as well as fees for cemetery services. Family members wishing to be buried in this section of the cemetery will be charged for lots and services.

8.8. PARK PAVILLION RENTAL FEES. It is not mandatory that a fee be paid for the use of a park pavilion. However, those persons having reserved a pavilion and paid the reservation fee shall have the exclusive use to use that pavilion over others. Reservation fees for park pavilion use are as follows:

Rotary and South-End of City Park Pavilions	Half Day	Full Day
Residents within Park City School District	$ 50	$ 85
Non-residents/commercial +$100 refundable cleaning deposit	125+	200+

8.9. MINERS HOSPITAL COMMUNITY CENTER FEES. This facility is located at 1354 Park Avenue. Reservation fees for use of the Miners Hospital Community Center are as follows:

Function/Use	Park City/Snyderville Basin Resident or Non-Profit Commercial	Non-Resident or Non-Profit/Commercial
Single level:		
Hourly:		
First/additional up to 3 hours	$25/$16	$42/$25
Half day (4 hours.)**	$67	$101
Whole day (8 hours)***	$126	$185
Entire building:		
Two hours minimum	$101	$185
Half day**	$168	$294
Whole Day (8 a.m. to 5 p.m.)**	$210	$336
Special events (weddings, receptions, etc.)***	$673	$925

Park City/Snyderville non-profit groups will receive 12 free rentals per year, after which time the standard rate applies.

Cancellation Policies for entire building reservations:

For two hour reservations, a $25 handling fee will be charged for cancellations received less than one week prior to rental.

For half-day reservations, a $50 handling fee will be charged for cancellations received less than two weeks prior to rental.

For whole day reservations, a $75 handling fee will be charged for cancellations received less than two weeks prior to rental.

Notes:

*Snyderville Basin and Park City residents and groups were formerly charged two separate rates. Those groups have now been combined.

**a $50 damage/cleaning deposit is required on all whole day rentals, refundable if the facility is left in satisfactory condition; full payment of all fees is due two weeks prior to the facility rental.

***a $300 damage/cleaning deposit is required on all special events rentals, $275 is refundable if the facility is left in satisfactory condition; full payment of all fees for special events is due 30 days prior to the date of the event.

Snyderville Basin Resident is defined as a resident or business that is located within the boundaries of the Park City School District and Park City Fire Service District.

Commercial is defined as any use of the facility wherein participants are charged fees for profit.

8.10. PARK CITY LIBRARY & EDUCATION CENTER AUDITORIUM RENTAL RATES

This facility is located at 1255 Park Avenue. The rates for this facility are as follows:

Number of Refundable Patrons	5 Hours (or less)	Per Day	Deposit
Fewer than 50	$ 84	$168	$100
50 -100	126	252	150
100 - 150	252	505	300
150 - 250	420	841	500
More than 250 500	841	1,683	1,000

PA system rental per event $99

Notes:

1. Advance reservations and standard lease agreement required, tenants included.
2. Events without admission or fee or non-profit groups are eligible for 50% rate reduction.

3. Tenants of the Park City Library and Education Center are eligible or a 50% rate reduction.
4. Multi-day events (more than three days) are eligible for a 25% rate reduction.

5. Special parking arrangements may be required for events for more than 250 participants and guests.
6. All rates are subject to change without notice.
7. All fees are to be paid in advance.
8. Only one rate reduction may apply to any group or user (the largest allowable reduction will apply).
9. City reserves the right to change fees, especially in the case of commercial enterprises.
10. These rates apply to Auditorium rental only; rental rates for film equipment are calculated separately.

SECTION 9. ICE ARENA AND FIELDS RENTAL FEE SCHEDULE.

9.1. Establishing User Fees. Fees shall be set at a level which ensures program quality and meets the objectives of the City Council. Area rates apply to residents of Park City, Summit County and Wasatch County. Outside rates apply to requests outside Summit and Wasatch Counties.

Additional Restroom Cleaning	$30 per clean
Additional Field Prep (Softball/Baseball)	$91 per field
Special Field Prep (Low grass Cut)	$1,000 per field
Field Set Up (Lacrosse, Soccer, Football)	$200 per field
Lights - PCSC & City Park	$20 per hour

Field Prep, Bleachers, Banners & Clean Up	
Full Prep (per field, one prep)	$91.15
Partial Prep per field, one prep, drag and line only)	$60.75
~~Field Set Up (soccer & lacrosse, per field, one set up)~~	~~$266.05~~
~~Field Lights (administration, per hour)~~	~~$46.65~~
Drag Only (per field, one prep)	$30.40
Chalk (per bag, not incl. labor)	$8.50
Quick Dry (per bag, not incl. labor)	$14.30

Admission Fees	Local Area Rates	Outside Area Rates
Youth = 6 -17 year olds; Adult = 18 and over		
Public Skate – 5 & under	Free	Free
Public skate – youth/senior	$6.00	~~$9.50~~ 10.00
Public skate – adult	6.50	~~10.00~~ 10.50
Cheap Skate (includes skate rental)	6.00	~~9.00~~ 9.50
Group Rates (20+) includes admissions & skates	6.00	~~10.50~~ 11.00
Skate rental	3.50	3.50
Drop-in hockey - youth	7.50	~~10.50~~ 11.00
Drop-in hockey - adult	10.00	~~13.00~~ 13.50
Stick & Puck - youth	7.50	~~10.50~~ 11.00
Stick & Puck - adult	10.00	~~13.00~~ 13.50
Skills & Drills - youth	10.00	13.00
Skills & Drills- adult	12.50	15.50
Coached Drop-in Hockey – adult	12.50	16.00
Coached Drop-in Hockey- youth	10.00	13.00

Drop-in Speed Skating – youth	8.50	~~10.50~~ 11.00
Drop-in Speed Skating – adult	9.50	~~13.00~~ 13.50
Freestyle-Youth	7.50	~~11.50~~ 12.00
Freestyle-Adult	8.25	~~13.00~~ 13.50
Drop-in curling	11.50	~~14.50~~ 15.00
Drop-in Skating Class	14.00	17.00
Off-ice conditioning	11.50	14.00

10 Session Punch Cards will be sold to locals only - ~~$1.50~~ $1.00 off each session or ~~$15~~ $10 off in total.

Admission Passes (10 admissions)		
Public Skate – youth/senior	~~$45~~ $50	N/A
Public Skate – adult	~~50~~ 55	N/A
Drop-in Hockey - youth	~~60~~ 65	N/A
Drop-in Hockey – adult	~~85~~ 90	N/A
Stick and Puck – youth	~~60~~ 65	N/A
Stick and Puck – adult	~~85~~ 90	N/A
Skills and Drills – youth	90	N/A
Skills and Drills – adult	115	N/A
Freestyle	~~60~~ 65	N/A
Drop-in Speedskating – youth	~~60~~ 65	N/A
Drop-in Speedskating – adult	~~85~~ 90	N/A
Off-ice conditioning – 5 punch	~~55~~ 60	N/A
Off-ice conditioning – 10 punch	~~100~~ 105	N/A

Internet Admissions Fees (discounted registration fee for registering on-line)

Adult Drop-in Hockey	$9.00
Youth Freestyle	$6.50

If a customer purchases 10 or more admissions for the same program in one transaction on-line, the price per session will be discounted an additional $.50 per session.

Hourly Ice	
User Groups*/Employees	~~$180~~ $185
Locals / Businesses	~~200~~ 205
For-profit	~~260~~ 265

Daily Facility Rental

The daily facility rental fee includes the use of the party rooms with the applicable hourly ice rate when eight (8) or more hours of ice are rented in one day.

*User Groups are defined as local, organized programs who rent weekly ice from the arena (minimum 25 hours per season).

Season Passes (11 month season)	
Family (4)*	$500
Additional Family Member	$50 per person

Adult	$250
Youth (6-17 year olds/Senior +55 years)	$180

Equipment (per hour)

Broomball	~~$25.00~~ $30.00
Curling (2 hour minimum)	$50.00

Skate Services

Hockey Skate Sharpening	
24 Hours	~~$5.00~~ $5.50
Immediate	~~$8.00~~ $8.50
Goalie Skate Sharpening	
24 Hours	~~$6.00~~ $6.50
Immediate	~~$9.00~~ $9.50
Figure Skate Sharpening	
24 Hours	~~$7.00~~ $7.50
Immediate	~~$10.00~~ $10.50
Custom Radius	$20.00
Figure Skate Sealing	$30.00
Rivets Replacements	$2.00 (ea.)
Blade Holder Replacements	varies with skate and blade type
Figure Skate Blade Mounting per blade	$10.00

Room Rental

Multi-purpose Rooms	$40/hr (ea.)

User Groups can use the ~~Upper Level Meeting~~ Party Room for ~~monthly board meetings~~ 24 hours at no cost, but rooms must be booked in advance.

Gate Fees

The Park city Ice Arena will take 25% of any gate fees collected for an event.

Vendor Fees

The Park City Ice Arena will ~~take 10% of gross sales for any food, beverage, or merchandise sold.~~ charge a flat fee of $50/day for any food, beverage or merchandise sold. Vendors are not permitted to sell products that are also sold by the Park City Ice Arena.

Advertising Fees and Sponsorship Fees per year

Dasher Board Ads	~~$1,500 (136.36/mo.)~~ $800-1600 (depending on location)
~~East Wall~~	~~$725 (65.91/mo.)~~
In Ice Ads $25/sq. foot	$2,000 ~~(182.82/mo.)~~
Speed Skating Pad Pockets	$150 ~~(13.64/mo.)~~
~~North~~ Wall Banners	~~$1,100 (100/mo.)~~ $2500
~~Score Clock Banner~~	~~$2,500 (227.27/mo.)~~
Glass Decals	$400 ~~(36.36/mo.)~~
Program Sponsorship	~~$1,000 Varies by program~~
Information Screen	$150 (per month)
Scoreboard Screen	$150 (per month), $1500/yr

Note: All user groups will receive a free dasher board ad on the east side to promote their activity. They can sell the ad, acknowledge their sponsors or promote their program.

9.2. Recreation Program Fees The Park City Ice Arena offers a variety of organized programs and activities. Due to the fluctuations in the number of participants and frequent changes in circumstances, program fees are established on a program-by-program basis by dividing the number of projected participants by the estimated program costs. Fees are then published in the Recreation Services annual brochure. In most cases, fees will be kept commensurate with fees charged by others providing like service.

9.3. Fees for Non-Recreational Activities at the Ice Arena Facility The fees charged for non-recreational or special event use will be competitive with the marketplace providing the fees cover a minimum of: a) the costs involved in the production of the event; and b) recovery of lost revenue.

The Park City Ice Arena is principally for recreation. Non-recreation activities usually will be charged up to fifty percent (50%) more than the minimum. No fee waivers for non-recreational or special event use will be permitted. However, the City Council may authorize the City to pay all or a portion of the fee in accordance with the master festival ordinance provisions.

9.4. Fee Increases Recommendations for fee increases may be made on an annual basis. The City will pursue frequent small increases as opposed to infrequent large ones. Staff will be required to provide an annual review and analysis of the financial posture of the Ice Arena Fund along with justification for any recommended increase. When establishing fees, the City will consider rates charged by other public and private providers as well as the ability of the users to pay.

The City Manager will have the authority to annually increase fees up to $.50 or 10%, whichever is greater. Any requested increase over that amount will require Council action. Fee increases will take place only if they are necessary to achieve the City Council's objective and maintain program quality, and only with the authorization of the City Manager or the City Council.

9.5. Discounting Fees The Ice Arena Manager may discount fees when:

1. Offering special promotions designed to increase use.
2. Trying to fill non-prime time.
3. Introducing new programs or activities.
4. Playing conditions are below standard due to weather or facility disrepair.

9.6. Fee Waivers. The City intends that no resident under 18 years old or over age 65 be denied the use of any program, activity or facility for reasons of financial hardship. The Ice Arena Manager may, at his discretion, waive all or a portion of a fee, or may arrange offsetting volunteer work for anyone demonstrating an inability to pay for services.

9.7 **Establishing User Fees:** Fees shall be set at a level which ensures field quality and meets the objectives of the City Council. Resident rates apply to residents of Park City School District. Visitor rates apply to requests outside of the Park City School District Boundaries. In order to receive the resident rate a minimum of 75% of the participants must be residents of the Park City School District.

FULL

	FULL DAY VISITOR	FULL DAY RESIDENT	HR/FIELD VISITOR	HR/FIELD RESIDENT	COMPLEX RATES VISITOR TOTAL	RESIDENT TOTAL
PCSC Stadium SB	$500	$200	$100	$50		
PCSC Stadium SOC	$500	$200	$100	$50		
PCSC multipurpose	$375	$100	$75	$40	**$1,600**	**$1,000**
PCSC Sportexe	$1,000	$500	$200	$100		
PCHS BB	$375	$100	$75	$40		
PCHS SB	$375	$100	$75	$40		
PCHS LL	$375	$100	$75	$40	**$800**	**$575**
North 40 North	$375	$250	$75	$40		
North 40 South	$375	$250	$75	$40	**$500**	**$350**
City Park	$375	$250	$75	$40	**$350**	**$250**
PCHS Dozier	$1,000	$500				
TMIS	$375	$100	$75	$40	**$675**	**$450**
Stakeholder Fee						$200 per team per season

Additional Restroom Cleaning $30 per clean
Additional Field Prep (Softball/Baseball) $75 per field
Special Field Prep (Low grass Cut) $1,000 per field
Field Set Up (Lacrosse, Soccer, Football) $200 per field
Lights - PCSC & City Park $20 per hr

SECTION 10. MISCELLANEOUS FEES. The following fees are set to insure cost recovery anduse feees for additional City services associated with but not limited to Master Festival, Special Event or Small Scale Community Licenses and approved filming activity.

10.1 Fee for in lieu of providing public parking $14,000 per stall

10.2 Returned Check Charge: $25.00

10.3 News Rack Application and Permit $50 per application
$75 per three-year permit

10.4 Bleachers
Bleacher Rental (per bleacher, per day) $53.00
Bleacher Delivery and Pick Up (per event, all bleachers) $93.25

10.5 Banner Installation
Street Banner Installation-entire Main $648.70
Street Banner Installation-every other Main $486.55
Street Banner Installation-every 3rd $324.35
Street banner Installation- Roundabout $346.65
Street Banner Installation- Kearns $1,431.00
(Includes state permit, barricades and signage, required during install and takedown)

10.6 Parks Clean Up, Labor and Equipment

Pressure Washing (per hour, incl operator)	$47.70
Pavilion Cleaning	$157.95
Trash Removal	$33.90
(public property only - not provided for private property)	
Extra Trash Cans	$6.75
Trash Bags	$2.10

10.7 Public Safety

Police Officer	~~$65.00~~ $75.00
(per employee, per hour - four hour minimum)	

10.9 Parking Reservation Fees (Parking Department)

Application Fee	$22.25
Main Street, Heber Avenue, Park Avenue (Heber to 9th St)	$20.00
Swede Alley Parking Space (per space, per day)	$13.25

10.10 Barricades (cost per barricade)

Crowd Control Barricades	$5.90
Street Barricades	$1.40

10.11 Dumpsters

8 Yard (delivery + haul off fee)	$210.00
30 yard (delivery + haul off fee)	$210.00
Landfill fee for 30 yard dumpster (per ton)	$23.00

10.12 Streets Equipment and Materials

Equipment

(2 hour min. - billable rate is portal to portal, cost includes operator, fuel, maintenance)

Large Loader (per hour, 1 staff)	$103.20
Small Loader (per hour, 1 staff)	$71.95
Street Mechanical Sweeper (per hour, 1 staff)	$150.60
Unimog with Snow Blower (per hour, 1 staff)	$180.20
Unimog Snowplow (per hour, 1 staff)	$88.35
Loader with Blower (per hour, 1 staff)	$218.65
1 Ton Truck with dump (per hour, 1 staff)	$54.15
2 Ton Truck with dump (per hour, 1 staff)	$86.55
Bucket Truck (per hour, 2 staff)	$117.65
Skid Steer (Cat 262 - per hour, 1 staff)	$55.90
Add Grinder	$7.60
Add Snow Blower	$6.35
Backhoe (per hour, 2 staff)	$98.75
Air Compressor (per hour, 1 staff)	$42.00
Graffiti Truck (per hour, 1 staff)	$75.05
Portable Electronic Sign/ message board (per day)	$151.20

10.13 Materials

Salt (per ton)	$39.95
Road base (per ton)	$13.50
Sand (per ton)	$13.50
Cold Patch (per ton)	$90.70
Hot Mix (per ton)	$66.95

10.14 Personnel (total compensation per employee, per hour, during regular business hours)

Parks Dept. (PCMC employee - Seasonal Parks III –non-benefited)	$23.30
Streets Department (Streets III employee)	$30.25
Special Events Department (staff)	$42.25
Cleaning Labor – restrooms, buildings and other (contract labor)	$28.00

10.15 Application Fee (Processing and Analysis)

New Event	$160
Reoccurring Event	$ 80

10.16 Public Parking Lot Use Rates for approved Master Festival Events:

All lot fees are for approved Master Festival licensed events only. Regular parking rates apply at all other times

Brew Pub Lot – Upper Lot	$240 per day
Brew Pub Lot – Lower Lot	$105 per day
North Marsac Lot	$ 50 per day
Swede Alley Surface Lot	$ 50 per day
Swede Alley Wall Lot	$ 50 per day
Flag Pole Lot	$ 50 per day
Sandridge lot – Upper/Lower	$ 50 per day/ per lot
Quinn's Sports Parking Lots 1, 2, 3	$ 50 per day/ per lot
Mawhinney Parking Lot	$ 50 per day
Library Parking Lot – Partial Use Only	$ 50 per day

10.17 Trail Use Fees

Trail Use Fee and Deposit Schedule

ACTIVITY	NUMBERS	LOCAL NON-PROFIT	OUT OF AREA NON-PROFIT	LOCAL PROFIT	OUT OF AREA PROFIT
Mountain Biking	30-350	1% x $150 x number of participants	2% x $150 x number of participants	1.5% x $150 x number of participants	3% x $150 x number of participants

Cross Country Skiing*	30-350	.5% x $150 x number of participants	1% x $150 x number of participants	1% x $150 x number of participants	1.5% x $150 x number of participants
Triathlon*	30-350	1.5% x $150 x number of participants	2.5% x $150 x number of participants	2% x $150 x number of participants	3.5% x $150 x number of participants
Running/Walking/Snowshoe*	30-500	.5% x $150 x number of participants	1% x $150 x number of participants	1% x $150 x number of participants	1.5% x $150 x number of participants
Other (Events that may propose significant impacts to the system)	TBD	TBD	TBD	TBD	TBD

If Council approves additional participation above a capped quota of participants, add $2/participant in addition to fees provided below.

*All winter events that propose to use the winter trails system may be subject to a grooming fees of $30/hr. This fee may include pre-event preparation of the trails and post event maintenance of the trails.

Attachment E

Resolution No.

RESOLUTION AMENDING THE FEE RESOLUTION; AND REPLACING AND REPEALING RESOLUTION 08-12 IN ITS ENTIRETY

WHEREAS it is necessary to update the fee resolution to reflect the changing costs of performing services; and

WHEREAS, a public hearing was held on June 6, 2013, to receive public comments on the user fee increases,

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

SECTION 1. FEE SCHEDULE AMENDMENTS. The Park City Fee Schedule is hereby re-adopted with changes as outlined in Exhibit D

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

PASSED AND ADOPTED this 6th day of June, 2013.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

____
Janet M. Scott, City Recorder

Approve as to form:

____
Mark D. Harrington, City Attorney

ATTACHMENT F

PART II - CONTRACTING AND PURCHASING POLICY

A. Purpose

These rules are intended to provide a systematic and uniform method of purchasing goods and services for the City. The purpose of these rules is to ensure that purchases made and services contracted are in the best interest of the public and acquired in a cost-effective manner.

Authority of Manager: The City Manager or designate shall be responsible for the following:

1. Ensure all purchases for services comply with these rules;
2. Review and approve all purchases of the City;
3. Establish and amend procedures for the efficient and economical management of the contracting and purchasing functions authorized by these rules. Such procedures shall be in writing and on file in the office of the manager as a public record;
4. Maintain accurate and sufficient records concerning all City purchases and contracts for services;
5. Maintain a list of contractors for public improvements and personal services who have made themselves known to the City and are interested in soliciting City business;
6. Make recommendations to the City Council concerning amendments to these rules.

B. *Definitions*

Building Improvement: The construction or repair of a public building or structure (Utah Code 11-39-101).

City: Park City Municipal Corporation and all other reporting entities controlled by or dependent upon the City's governing body, the City Council.

Contract: An agreement for the continuous delivery of goods and/or services over a period of time greater than 15 days.

CPI: The Consumer Price Index for All Urban Consumers as published by the Bureau of Labor Statistics of the United States Department of Labor.

Local Business: a business having:

a. A commercial office, store, distribution center or other place of business located within the boundaries of Summit County, with an intent to remain on a permanent basis;
b. A current County or City business license; and
c. At least one employee physically present at the local business outlet.

Local Bidder: A Local Business submitting a bid on a Park City Public Works Project or Building Improvement

Manager: City Manager or designee.

Public Works Project: The construction of a park, recreational facility, pipeline, culvert, dam, canal, or other system for water, sewage, storm water, or flood control (Utah Code 11-39-101). "Public Works Project" does not include the replacement or repair of existing infrastructure on private property (Utah Code 11-39-101), or emergency work, minor alteration, ordinary repair, or maintenance necessary to preserve a public improvement (such as lowering or repairing water mains; making connections with water mains; grading, repairing, or maintaining streets, sidewalks, bridges, culverts or conduits).

Purchase: The acquisition of goods (supplies, equipment, etc.) in a single transaction such that payment is made prior to receiving or upon receipt of the goods.

C. General Policy

1. All City purchases for goods and services and contracts for goods and services shall be subject to these rules.
2. No contract or purchase shall be so arranged, fragmented, or divided with the purpose or intent to circumvent these rules. All thresholds specified in this policy are to be applied to the total cost of a contract over the entire term of the contract, as opposed to annualized amounts.
3. City departments shall not engage in any manner of barter or trade when procuring goods and services from entities both public and private.
4. No purchase shall be contracted for, or made, unless sufficient funds have been budgeted in the year in which funds have been appropriated.
5. Subject to federal, state, and local procurement laws when applicable, reasonable attempts should be made to support Park City businesses by purchasing goods and services through local vendors and service providers.
6. All reasonable attempts shall be made to publicize anticipated purchases or contracts in excess of $15,000 to known vendors, contractors, and suppliers.
7. All reasonable attempts shall be made to obtain at least three written quotations on all purchases of capital assets and services in excess of $15,000.
8. When it is advantageous to the City, annual contracts for services and supplies regularly purchased should be initiated.
9. All purchases and contracts must be approved by the manager or their designee unless otherwise specified in these rules.
10. All contracts for services shall be approved as to form by the city attorney.
11. The following items require City Council approval unless otherwise exempted in these following rules:
    - **a.** All contracts (as defined) over $25,000
    - **b.** All contracts and purchases awarded through the formal bidding process.
    - **c.** Any item over $15,000 that is not anticipated in the current budget.
    - **d.** Accumulated "Change Orders" which would overall increase a previously approved contract by:
        - **i.** the lesser of 20% or $25,000 for contracts of $250,000 or less
        - **ii.** more than 10% for contracts over $250,000.
12. Acquisition of the following items must be awarded through the formal bidding process. In accordance with state code, none of these items are subject to the local bidder preference:

a. All contracts for building improvements over the amount specified by state code, specifically:
   i. for the year 2003, $40,000
   ii. for each year after 2003, the amount of the bid limit for the previous year, plus an amount calculated by multiplying the amount of the bid limit for the previous year by the lesser of 3% or the actual percent change in the CPI during the previous calendar year. (see Park City's Best Practices in Procurement for updated thresholds)
b. All contracts for public works projects over the amount specified by state code, specifically:
   i. for the year 2003, $125,000
   ii. for each year after 2003, the amount of the bid limit for the previous year, plus an amount calculated by multiplying the amount of the bid limit for the previous year by the lesser of 3% or the actual percent change in the CPI during the previous calendar year. (see Park City's Best Practices in Procurement for updated thresholds)
~~c. Contracts for grading, clearing, demolition or construction in excess of $2,500 undertaken by the Community Redevelopment Agency.~~

13. The following items require a cost benefit analysis where there is a quantifiable return on investment as defined by the Budget, Debt, and Grants Department before approved:
   a. All contracts, projects and purchases over $25,000
   b. All contracts and purchases awarded through the formal bidding process.
   c. Any item over $15,000 that is not anticipated in the current budget process.

14. City Employees or anyone acting on behalf of the City may not receive or accept any gift or loan if the gift or loan could influence a reasonable person in the discharge of the person's official duties including but not limited to the granting of City contracts. This prohibition does not apply to any occasional non-pecuniary (non-cash equivalent) gifts with a value less than $50.0. Employees must abide by PCMC 3-1-4.

D. Exceptions

Certain contracts for goods and services shall be exempt from bidding provisions. The manager shall determine whether or not a particular contract or purchase is exempt as set forth herein.

1. Emergency contracts which require prompt execution of the contract because of an imminent threat to the safety or welfare of the public, of public property, or of private property; circumstances which place the City or its officers and agents in a position of serious legal liability; or circumstances which are likely to cause the City to suffer financial harm or loss, the gravity of which clearly outweighs the benefits of competitive bidding in the usual manner. The City Council shall be notified of any emergency contract which would have normally required their approval as soon as reasonably possible. Consult the Emergency Manager regarding purchases for disaster events.

2. Projects that are acquired, expanded, or improved under the "Municipal Building Authority Act" are not subject to competitive bidding requirements.

3. Purchases made from grant funds must comply with all provisions of the grant.

4. Purchases from companies approved to participate in Utah State Division of Purchasing and General Services agreements and contracts and under $100,000 are not subject to competitive bidding requirements.
5. Purchases made via public auction.
6. Purchases from local government purchasing pools in which the City is a participant as approved by a resolution of the City Council.

E. *General Rules*

1. **Purchases of Materials, Supplies and Services** are those items regularly purchased and consumed by the City. These items include, but are not limited to, office supplies, janitorial supplies, and maintenance contracts for repairs to equipment, asphalt, printing services, postage, fertilizers, pipes, fittings, and uniforms. These items are normally budgeted within the operating budgets. Purchases of this type do not require "formal" competitive quotations or bids. However, for purchases in excess of $15,000 all reasonable attempts shall be made to obtain at least three written quotations and to notify via the City website any local businesses that, in the normal course of business, provide the materials, supplies or services required by the City. A written record of the source and the amount of the quotations must be kept.
2. **Purchases of Capital Assets** are “equipment type” items which would be included in a fixed asset accounting system having a material life of three years or more and costing in excess of $5,000. These items are normally budgeted within the normal operating budgets. Purchases of this type do not require "formal" bids. All reasonable attempts shall be made to obtain at least three written quotations on all purchases of this type in excess of $15,000. A written record of the source and the amount of the quotations must be kept. A reasonable attempt will be made to notify via the City website any local businesses that, in the normal course of business, sells the equipment required by the City.
3. **Contracts for Professional Services** are usually contracts for services performed by an independent contractor, in a professional capacity, who produces a service predominately of an intangible nature. These include, but are not limited to, the services of an attorney, physician, engineer, accountant, architectural consultant, dentist, artist, appraiser or photographer. Professional service contracts are exempt from competitive bidding. All reasonable attempts shall be made to obtain at least three written quotations on all contracts exceeding $15,000 and to notify via the City website any local businesses that, in the normal course of business, provide the service required by the City. A written record of the source and the amount of the quotations must be kept.

   The selection of professional service contracts in an amount exceeding $25,000 shall be based on a formal documented evaluation process such as Request for Proposals (RFP), Statement of Qualifications (SOQ), Qualification Based Selection (QBS), etc. (see Park City’s Best Practices in Procurement for details). The evaluation process should include an objective assessment, preferably by multiple reviewers, of the services needed, the abilities of the contractors, the uniqueness of the service, the cost of the service, and the general performance of the contractor. Special consideration may also be given to local businesses during the evaluation in instances where knowledge of local issues, geography, statutes, etc., may enhance the quality of service rendered. The lowest quote need not necessarily be the successful contractor. Usually, emphasis will be placed on quality, with cost being the deciding factor when everything else is equal. The manager shall determine which contracts are professional service contracts. Major professional service contracts ($25,000 and over) must be approved by the City Council.

4. **Contracts for Public Improvements** are usually those contracts for the construction or major repair of roads, highways, parks, water lines and systems (i.e., Public Works Projects); and buildings and building additions (i.e. Building Improvements). Where a question arises as to whether or not a contract is for public improvement, the manager shall make the determination.

   Minor public improvements (less than the amount specified by state code.): The department shall make a reasonable attempt to obtain at least three written competitive quotations for contracts in excess of $15,000. A written record of the source and the amount of the quotations must be kept. Procurement for all minor public improvements in excess $25,000 shall be based on a formal documented evaluation process (see Park City's Best Practices in Procurement for details). The evaluation process should include, at minimum, an objective assessment of the services needed, the abilities of the contractors to perform the service and the cost of the service. A reasonable attempt will be made to notify via the City website any local businesses that, in the normal course of business, provide the public improvements required by the City. The manager may require formal bidding if it is deemed to be in the best interest of the City.

   Major public improvements (greater than or equal to the amount specified by state code): Unless otherwise exempted, all contracts of this type require competitive bidding.

5. **Contracts for Professional Services, where the Service Provider is responsible for Building Improvements/Public Works Project (Construction Manager / General Contractor "CMGC" Method)** are contracts where the City contracts with a "Construction Manager/General Contractor" which is a contractor who enters into a contract for the management of a construction project when that contract allows the contractor to subcontract for additional labor and materials that were not included in the contractor's cost proposal submitted at the time of the procurement of the Construction Manager/General Contractor's services. It excludes a contractor whose only subcontract work not included in the contractor's cost proposal submitted as part of the procurement of construction is to meet subcontracted portions of change orders approved within the scope of the project. The CMGC contract is exempt from competitive bidding. The selection of CMGC contracts shall be based on a documented evaluation process such as a Request for Proposals (RFP), Statement of Qualifications (SOQ), Qualification Based Selection (QBS), etc. (see Park City's Best Practices in Procurement for details). The evaluation process should include an objective assessment, preferably by multiple reviewers, of the services needed, the abilities of the contractors, the uniqueness of the service, the cost of the service, and the general performance of the contractor. Special consideration may also be given to local businesses during the evaluation in instances where knowledge of local issues, geography, statutes, etc., may enhance the quality of service rendered. The lowest quote need not necessarily be the successful contractor. Usually, emphasis will be placed on quality, with cost being the deciding factor when everything else is equal. The manager shall determine which contracts are CMGC contracts. Major CMGC contracts (over $25,000) must be approved by the City Council. The selected CMGC will then implement all bid packages and

subcontractors under a competitive bid requirement as required herein. The Project Manager will attend the award of all subcontracts which meet the threshold requirements of General Policy 12 (a) or (b) above.

F. Formal or Competitive Bidding Provisions

1. **Bid Specifications:** Specifications for public contracts shall not expressly or implicitly require any product by any brand name or make, nor the product of any particular manufacturer or seller, unless the product is exempt by these regulations or the City Council.
2. **Advertising Requirements:** An advertisement for bids is to be published at least twice in a newspaper of general circulation, printed and published in the city and in as many additional issues and publications as the manager may determine, at least five days prior to the opening of bids. The advertisement shall also be posted on the Park City website and the Utah public legal notice website established by the combined efforts of Utah's newspapers. Advertising for bids relating to Class B and C road improvement projects shall be published in a newspaper of general circulation in the county at least once a week for three consecutive weeks as well as be posted on the Park City website and the Utah public legal notice website established by the combined efforts of Utah's newspapers.

   All advertisements for bids shall state the following:
   - **a.** The date and time after which bids will not be accepted;
   - **b.** The date that pre-qualification applications must be filed, and the class or classes of work for which bidders must be pre-qualified if pre-qualification is a requirement;
   - **c.** The character of the work to be done or the materials or things to be purchased;
   - **d.** The office where the specifications for the work, material or things may be seen;
   - **e.** The name and title of the person designated for receipt of bids;
   - **f.** The type and amount of bid security if required;
   - **g.** The date, time, and place that the bids will be publicly opened.
3. **Requirements for Bids:** All bids made to the city shall comply with the following requirements:
   - **a.** In writing or electronically sealed;
   - **b.** Filed with the manager;
   - **c.** Opened publicly by the manager at the time designated in the advertisement and filed for public inspection;
   - **d.** Have the appropriate bid security attached, if required.
4. **Award of Contract:** After bids are opened, and a determination made that a contract be awarded, the award shall be made to the lowest responsible bidder. "Lowest responsible bidder" shall mean the lowest bidder who has substantially complied with all prescribed requirements and who has not been disqualified as set forth herein. The successful bidder shall promptly execute a formal contract and, if required, deliver a bond, cashier's check, or certified check to the manager in a sum equal to the contract price, together with proof of appropriate insurance. Upon execution of the contract, bond, and insurance, the bid security shall be returned. Failure to execute the contract, bond, or insurance shall result in forfeit of the bid security.

a. **Local Bidder Preference**: For all bids except for building improvements or public works projects greater than or equal to the amount specified by state code, ~~I~~if the bid of a nonlocal bidder is lowest and there was a local bidder who also submitted a bid which was within five percent (5%) of the low bid, then the contract shall be awarded to the local bidder if the bidder agrees in writing within forty-eight (48) hours after being notified of the low bid, that the bidder will meet the bid price while the bidder meets all the prescribed requirements set forth in the bid documents. If there are more than two local bidders who are within 5% then the contract shall be awarded to the local bidder which had the lowest original bid according to the procedure above.

5. **Rejection of Bids:** The manager or the City Council may reject any bid not in compliance with all prescribed requirements and reject all bids if it is determined to be in the best interest of the City.
6. **Disqualification of Bidders:** The manager, upon investigation, may disqualify a bidder if he or she does not comply with any of the following:
   a. The bidder does not have sufficient financial ability to perform the contract;
   b. The bidder does not have equipment available to perform the contract;
   c. The bidder does not have key personnel available, of sufficient experience, to perform the contract;
   d. The person has repeatedly breached contractual obligations with public and private agencies;
   e. The bidder fails to comply with the requests of an investigation by the manager.
7. **Pre-qualification of Bidders:** The City may require pre-qualification of bidders. Upon establishment of the applicant's qualifications, the manager shall issue a qualification statement. The statement shall inform the applicant of the project for which the qualification is valid, as well as any other conditions that may be imposed on the qualification. It shall advise the applicant to notify the manager promptly if there has been any substantial change of conditions or circumstances which would make any statement contained in the pre-qualification application no longer applicable or untrue. If the manager does not qualify an applicant, written notice to the applicant is required, stating the reasons the pre-qualification was denied, and informing the applicant of his right to appeal the decision within five business days after receipt of the notice. Appeals shall be made to the City Council. The manager may, upon discovering that a pre-qualified person is no longer qualified, revoke pre-qualification by sending notification to the person. The notice shall state the reason for revocation and inform the person that revocation will be effective immediately.
8. **Appeals Procedure:** Any supplier, vendor, or contractor who determines that a decision has been made adversely to him, by the City, in violation of these regulations, may appeal that decision to the City Council. The complainant contractor shall promptly file a written appeal letter with the manager, within five working days from the time the alleged incident occurred. The letter of appeal shall state all relevant facts of the matter and the remedy sought. Upon receipt of the notice of appeal, the manager shall forward the appeal notice, his investigation of the matter, and any other relevant information to the City Council. The City Council shall conduct a hearing on the matter and provide the

complainant an opportunity to be heard. A written decision shall be sent to the complainant.

Attachment G

Ordinance No. XX-XX

ORDINANCE ESTABLISHING COMPENSATION FOR THE MAYOR, CITY COUNCIL, AND STATUTORY OFFICERS FOR FISCAL YEAR 2013 – 2014 IN PARK CITY, UTAH

WHEREAS, the City Council has the power to establish compensation schedules pursuant to UCA Section 10-3-818; and

WHEREAS, the number of duties for the Mayor and City Council is significant and each elected officer is required to devote considerable time and expense to public service and community affairs; and

WHEREAS, a public hearing was duly advertised and held on June 6, 2013;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Park City, Utah that:

SECTION 1. REPEALER: All previous compensation ordinances regarding elected and statutory officers hereby are repealed.

SECTION 2. COMPENSATION FOR MAYOR, CITY COUNCIL, AND STATUTORY OFFICERS ADOPTED: The following salary levels are hereby adopted:

	FY 2013-2014
Mayor	$1,955.61 per month
City Council	$1,061.31 per month

City Manager	$99,567 - $147,900 per year
City Attorney	$93,542 - $138,950 per year
City Treasurer	$78,585 - $116,733 per year
City Engineer	$78,585 - $116,733 per year
City Recorder	$27,915 - $41,456 per year

SECTION 3. BENEFITS: The Mayor and each member of the City Council shall receive family medical insurance. This benefit may be received as cash in lieu of the insurance coverage. The Mayor shall also receive $250 per month in car allowance. In addition, the Mayor and Mayor Pro-Term shall receive $100 per wedding performed. Statutory officers are eligible for all benefits available to regular FTE, unless otherwise determined by the Mayor and City Council.

SECTION 4. EFFECTIVE DATE**.** This Ordinance shall be effective on publication and shall apply retroactively to July 1, 2013.

PASSED AND ADOPTED this 6th day of June, 2013

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

____
Janet M. Scott, City Recorder

Approved as to form:

____
Mark Harrington, City Attorney

Take A Hike To Beat The Hike

The new Patient Protection and Affordable Care Act (PPACA) will result in health-insurance premium increases for City employees, starting January 2014. But there are ways to offset rising costs. Don't be caught sitting on the couch - get up, get active, and save!

Earn Cash By Cutting Calories!

Save up to $50 per month simply by following the City's new Healthy Living Challenge, step-by-step. Save money, feel better and add years to your life!

Get Moving And Feel Better!

Healthy weight loss isn't just about a diet or program, it's about living an ongoing healthy lifestyle that includes long-term changes in daily eating and exercise habits.

For More Information Contact:

Chris Morgan, HR Generalist
615-5243 or christine.morgan@parkcity.org

Penny O'Brien, Wellness Coordinator
901-9893 or penny.obrien@parkcity.org

Tate Shaw, Recreation Supervisor
615-5418 or tshaw@parkcity.org

Heather Todd, Recreation Coordinator
615-5410 or heather.todd@parkcity.org

Did You Know?

•Activities such as gardening, walking, stretching and actively playing with children constitute moderate physical activity.

•The Center for Disease Control (CDC) recommends two hours and 30 minutes of moderate physical activity each week to maintain a healthy weight.

•Being overweight is a risk factor for diabetes, arthritis, high blood pressure and high cholesterol.

•Cut up to 650 calories per day by substituting zero or low-calorie drinks for sugar-sweetened beverages.

•The average American consumes about 3,400 mg of sodium — more than double the recommended maximum! Watch your sodium by avoiding processed foods and restaurant meals.

•Smoking harms nearly every organ of the body and is the leading cause of preventable death in the United States.

•To stay at a healthy weight, it's worth doing a little planning now. If you are overweight but aren't ready to lose weight, preventing further weight gain is a worthy goal.

HEALTHY LIVING

Name: ______________________

Get Up, Get Active & Take The Healthy Living Challenge!

July 1-December 31, 2013

PARK CITY
1884

HEALTH & MEDICAL ASSESSMENTS

Complete the following and earn a
$20 Monthly Premium Credit

Dental Exam and Cleaning

Initial: _________ Date: _________

Annual Physical

I have had a physical in the last 12 months

Initial: _________ Date: _________

An annual physical may involve the following:

- Blood Pressure
- Glucose Test
- Cholesterol
- Height and Weight
- Alcohol and/or Tobacco Use Screening
- Mental Health and/or Depression Screening

Immunizations *(suggested but not required)*

- Flu Vaccination, Annually
- Tetanus-Diphtheria Booster, Every 10 Years
- Shingles/Herpes Zoster, Once After 60 Years

Additional Medical Assessments

- Colon Cancer Screening, Ages 50-75, Once Every Five Years
- Breast Cancer, Women Ages 40+, Annually
- Pap Exam, Women Only, Every Two Years
- Bone Density Screening, Women Ages 65+, Annually

PREVENTIVE HEALTH CARE

Complete the following and earn a
$10 Monthly Premium Credit

Know Risk Factors of Coronary Vascular Disease

- Age: Male 45 + Female 55 +
- Cigarette Smoker or Exposure to Environmental Tobacco Smoke
- Obesity: BMI > 30 or Waist Girth > 40 Inches for Men and > 35 Inches for Women
- Family History
- Sedentary Lifestyle: Not Participating In at least 30 Minutes of Moderate Intensity Physical Activity at least Three Days Per Week for at least Three Months
- High Blood Pressure

I have read all of the above

Initial: _________ Date: _________

Please Complete Only One of the Following Two Options During the Year:

1. Participate in City Health Fair Once

Initial: _________ Date: _________

Attend/Watch 2 PC MARC Lunch & Learns

1. Initial: _________ Date: _________
2. Initial: _________ Date: _________

2. Attend/Watch 4 PC MARC Lunch & Learns

1. Initial: _________ Date: _________
2. Initial: _________ Date: _________
3. Initial: _________ Date: _________
4. Initial: _________ Date: _________

PROACTIVE HEALTH CARE

Complete the following and earn a
$20 Monthly Premium Credit

Fitness/Health Goal Setting

Generate goals and a plan for a healthy lifestyle.

My Personal Health Goal ____________________

____

____

____

____

____.

I have completed my goal to my satisfaction!

Initial: _________ Date: _________

Options/Ideas for Health Goals:

- Daily Walk (maybe with the dog?)
- Eat One Vegetarian Meal a Week
- Lose 5-10 Pounds
- Work With a Personal Trainer 4 Times A Week
- Attend Group Exercise Classes Regularly
- Train for a 5k
- Participate in Regular Family and/or Personal Fitness Activities
- Attend One City-Wide Cooper Standard Exam
- Take a CPR and First Aid Certification Course (May Have a Cost Associated)
- Participate in at least One PC MARC Health and Wellness Challenge
- Quit Smoking

Attachment I

PARK CITY MUNICIPAL CORPORATION

COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)

June 2013

Re-adopted 6/6/2013

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APPENDICES (provided under separate covers)

Appendix A. Park City Municipal Code - Emergency Management & Responsibilities
Appendix B. State of Utah Code Annotated 1953 - Title 63 - Disaster Response & Recovery
Appendix C. Hazard Identification and Vulnerability Analysis Worksheets and Emergency/Disaster Action Plans (HIVA/EAP) (Protected*)
Appendix D. Emergency Preparedness for City Facilities (Protected*)
Appendix E. Training, Implementation and Exercise Plan
Appendix F. Incident Command Structure (ICS)
Appendix G. Mutual Aid Agreements
Appendix H. Resource List and Contracts
Appendix I. Employee Contact List (Protected*)
Appendix J. Available FEMA Training Courses
Appendix K. Emergency Operations Center (EOC) (Protected*)
Appendix L. Emergency Support Functions (ESF) (Protected*)
Appendix M. Community Preparedness Information and Plan
Appendix N. Acronyms and Glossary
Appendix O. Form and Log Templates
Appendix P. Emergency Manager (EM) Notification Procedure
Appendix Q. Standard Operating Procedures (SOP) in Support of ESF (Protected*)

* Some parts or all of these appendices are Private or Protected pursuant to UCA - 63-2-304 and UCA 62-2-106

Resolution No. -13

A RESOLUTION ADOPTING THE PARK CITY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)

WHEREAS, the purpose of the CEMP is to develop a comprehensive emergency management program that will provide a system to mitigate the effects of an emergency or disaster, preserve life, respond during emergencies, provide necessary assistance, and establish a recovery system in order to return the community to its normal state of affairs; and

WHEREAS, this plan attempts to define clearly the roles and responsibilities of each department and function within the City organization by providing guidance in accomplishing the objectives of this plan with lists of guidelines, plans, assessments and resources; and

WHEREAS, on February 28, 2003, the President issued Homeland Security Presidential Directive (HSPD) - 5 *Management of Domestic Incidents,* which directs the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS) and the directive also requires Federal Departments and agencies to make adoption of the NIMS by State, tribal and local organizations a condition for Federal preparedness assistance beginning in Federal FY 2005; and

WHEREAS, certain State and Federal disaster reimbursements require local jurisdictions to adopt and train in a CEMP, NIMS and Incident Command Systems (ICS); and

WHEREAS, it is expected that certain Federal grant programs now require or will require an adopted CEMP; and

WHEREAS, the City Manager and the Emergency Management Group (EMG) has reviewed the updated Comprehensive Emergency Management Plan with all of its attachments as periodically amended by the EMG and recommends adoption by the City Council; and

WHEREAS, the City Council deems it in the best interest of Park City Municipal Corporation to formally adopt them;

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

SECTION 1. ADOPTION . The Comprehensive Emergency Management Plan, dated June, 2013 attached hereto, along with all appendices and compendiums as periodically amended by the City Manager, are hereby adopted, to replace any and all others previously adopted. Any amendments approved by the City Manager shall be effective for not more than one year unless ratified by the City Council.

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

PASSED AND ADOPTED this 6th day of June, 2013

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

____
Janet M. Scott, City Recorder

Approved as to form:

____
Mark Harrington, City Attorney

Resolution No. 23-07

A RESOLUTION ADOPTING THE USE OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

WHEREAS, natural and man-made disasters may occur in any part of Park City, and;

WHEREAS, Utah State Code Title 63, State Affairs in General, Chapter 5a, Disaster Response and Recovery outlines authority, and;

WHEREAS, Park City is responsible to respond to emergency incidents as well as disasters with local responders, i.e. Law Enforcement, Fire, Emergency Medical Services, Public Services, and other such departments and divisions that might be required, and;

WHEREAS, City departments may be called to respond to and/or assist in response and/or recovery from the effects of emergency incidents and disasters, and;

WHEREAS, Park City is committed to achieving a system that will provide a consistent approach for local, state and federal governments to work effectively and efficiently together to prevent, prepare for, respond to and recover from domestic emergency and disaster incidents, regardless of cause, size or complexity, and;

WHEREAS, The Homeland Security Presidential Directive (HSPD-5) requires federal departments and local jurisdictions to adopt the National Incident Management Systems (NIMS), and;

WHEREAS, in times of disaster, local and state agencies work closely with federal agencies, and;

WHEREAS, NIMS provides a consistent nationwide template for all agencies to work together to prevent, prepare for, respond to and recover from all hazards, and;

WHEREAS, as a condition for federal preparedness assistance, beginning in federal Fiscal Year 2005, local organizations are mandated by HSPD-5 to adopt NIMS as the model for incident management in times of disaster;

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

SECTION 1. ADOPTION. Park City Municipal Corporation hereby adopts the National Incident Management System (NIMS) to be used by all City departments in response to all incidents and/or disasters within Park City.

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

PASSED AND ADOPTED by the City Council this 9th day of August, 2007.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1,
1884

Approved as to form:

Mark Harrington, City Attorney

Park City Municipal Corporation
Comprehensive Emergency Management Plan
Record of Changes

Pursuant to Resolution XX-13, the City Manager may approve amendments to the Comprehensive Emergency Management Plan (CEMP), which shall remain in effect for up to one year or until permanently ratified by the City Council.

Nature of Changes	Date of Change	Pages Affected	City Manager's Signature

PARK CITY MUNICIPAL CORPORATION

COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)

PURPOSE

The purpose of the Park City Comprehensive Emergency Management Plan (CEMP) is to develop a comprehensive emergency management program that will provide a system to mitigate the effects of an emergency or disaster, preserve life, respond during emergencies, provide necessary assistance, and establish a recovery system in order to return the community to its normal state of affairs.

This plan attempts to define clearly the roles and responsibilities of each department and function within the City organization by providing guidance in accomplishing the objectives of this plan with lists of guidelines, plans, assessments and resources.

CONCEPT & PRINCIPALS

On February 28, 2003, the President issued Homeland Security Presidential Directive (HSPD) - 5 *Management of Domestic Incidents,* which directs the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS). This plan utilizes the tenants of NIMS, including the Incident Command System (ICS), as the basis for operations and to the level the various tenants apply to local government. In adopting this CEMP, Park City Municipal Corporation also adopts NIMS and ICS as required in HSPD-5.

It is the responsibility of Park City government to undertake comprehensive emergency management planning in order to protect life and property from the effect of an event prompted by natural or man-made occurrences. Local government has the primary responsibility of emergency management activities. When the emergency exceeds the local government's capabilities to respond, assistance will be requested from Summit County, and then the State of Utah. The Federal Government will provide assistance to the State when appropriate.

This plan is based upon the concept that the emergency functions for City departments, functions or groups will generally parallel their normal day-to-day functions. To the extent possible, the same personnel and material resources will be employed in both cases.

Day-to-day functions that do not contribute directly to the emergency response or operations may be suspended for the duration of the incident. The efforts that would normally be required for those functions will be redirected to accomplish the emergency response tasks.

A CEMP should be concerned with all types of emergency situations. It is more than an operational plan and it accounts for activities before, during and after the emergency operations. While the City has a plan as outlined herein, we realize that we may not have adequate resources to carry out all phases of the plan depending on the size and type of a specific emergency or disaster. The following are the four phases of a CEMP;

Phases of Emergency Management

1. Mitigation: Mitigation activities are those that eliminate or reduce the probability of an occurrence. Actions accomplished before an event to prevent it from

causing a disaster, or to reduce its effects if it does, save the most lives, prevent the most damage, and are the most cost effective. City departments will enforce all public safety mandates including land use management and building codes; and recommend to governing bodies legislation required to improve the emergency readiness of the City. These activities also include long-term efforts that lessen the undesirable effects of unavoidable hazards.

2. Preparedness: Preparedness activities develop the response capabilities needed if an emergency arises. Preparedness consists of almost any pre-disaster action that is assured to improve the safety or effectiveness of disaster response. Preparedness consists of those activities that have the potential to save lives, lessen property damage, and increase individual and community control over the subsequent disaster response. Emergency/Disaster Action Plans spell out the scope of activities required for community response. Departments/agencies shall ensure that employees are trained to implement emergency and disaster procedures and instructions. Departments/agencies shall validate their level of emergency readiness through internal drills and participation in exercises selected by the Emergency Program Manager (EPM). Other government jurisdictions within and outside the city boundaries shall also participate in these exercises. Exercise results shall be documented and used in a continuous planning effort to improve the city's emergency readiness posture. In addition to the ongoing training and education of City employees and elected officials in the CEMP, local citizens and businesses shall also be educated on their responsibilities in preparing for an emergency.

3. Response: Response is the actual provision of services during the incident or crisis. These activities help reduce casualties and damage and speeds recovery from the incident. The active use of resources to address the immediate and short-term effects of an emergency or disaster constitutes the response phase and is the focus of department/agency Emergency/Disaster Action Plans. They include emergency and short-term medical care, return of vital life-support systems to minimum operating conditions, mass communications, evacuations and initial damage assessment. When any department/agency within the city receives information about a potential emergency or disaster, it will conduct an initial assessment, determine the need to alert others, and set in motion appropriate actions to reduce risk and potential impacts. Emergency response activities will be described in department/agency Emergency/Disaster Action Plans and may involve activating the Emergency Operations Center (EOC) for coordination and support of the Incident Command System (ICS). Departments/agencies will strive to provide support to warning and emergency public information, save lives and property, supply basic human needs, maintain or restore essential services, and protect vital resources and the environment.

4. Recovery: Recovery is both a short-term and long-term process. They involve detailed damage assessments, complete restoration of vital life-support systems, financial assistance, and long-term medical care. There is no definite point at which response ends and recovery begins. However, generally speaking, most recovery efforts will occur after the emergency organization is deactivated and departments/agencies have returned to pre-disaster operation, and will be integrated with day-to-day functions. The recovery period is also an opportune

time to institute mitigation measures, particularly those related to the recent incident. Examples of recovery actions would be: provision of temporary housing and food, restoration of non-vital government services, and reconstruction of damaged areas.

OBJECTIVES CONTAINED WITHIN THE CEMP

1. Defines clearly what the roles and responsibilities are of key members of City staff, City departments or functions and elected officials, in order to mitigate, prepare for, respond to and recover from the effects of any major emergency or disaster.

2. Establishes and defines roles and responsibilities within NIMS and ICS, as required by law.

3. Ensures that essential City services are maintained during an emergency or disaster.

4. Outlines the cooperative efforts between the City, the County, other governmental subdivisions and the State in response to an emergency or disaster.

5. Provides the necessary Mitigation, Preparedness, Response, Recovery, Mutual Aid, Action Plans, Hazard Identification, Risk Assessment, Emergency Support Functions, Resource Lists, Contact Lists and documents in appendices and compendiums to accomplish the activities laid out in this CEMP.

CHAPTER 1 – Authority

Emergency Authority

A compendium of existing local and state legislation pertaining to emergency management and authority are shown in Appendix A and B.

Mayor

Statutory Authority

The Mayor, as outlined in City Code 2-2-3, shall be the chief executive of the City. He/she shall be recognized as the head of the City government for all ceremonial and legal purposes, and he/she shall execute and authenticate legal instruments requiring his/her signature as such official. Further, the Mayor has emergency powers as set out in UCA 63K-4-202. The Mayor heads the Emergency Policy Council.

Proclamation of Local Emergency

In the event of or threat of, as disaster, attack, internal disturbance, natural phenomenon, or technological hazard, as defined in UCA 63K-4-103, the Mayor may proclaim a state of "Local Emergency" under UCA 63K4301.

Appointment of Special Police

Under City Code 2-4-12C, the Mayor may upon any emergency, riot, pestilence, invasion, or at any time he shall deem necessary for the peace, good order or health of the City, order the Chief of Police to appoint special policemen for a specified time.

<u>City Council</u>

Emergency Ordinances

Emergency ordinances, as outlined in City Code 2-3-7C, may be enacted by City Council for the preservation of public property, health, peace or safety. Further, the City Council may authorize expenditures for an emergency in excess of the budget as outlined in UCA 10-6-129.

Emergency Interim Successors

The City Council and Mayor shall annually set out Emergency Interim Successors for Local Officers as set out in UCA 63K-1-401 (see also Continuity of Government Operations - Succession of Command)

<u>City Manager</u>

Statutory Authority

The City Manager is the Chief Administrative Officer of the City as defined in City Code 2-4-1 and will administer all affairs of the City as directed in City Code 2-4-3 A through M. In the absence of the Mayor the City Manager may proclaim a state of "Local Emergency" as provided for in City Code.

Administrative Authority

The City Manager or his/her designee or successor, as Chief Administrative Officer shall administer all emergency or disaster operations as outlined in the CEMP, including but not limited to EOC Operations Commander, Unified Commander (UC), Area Commander (AC) and/or Incident Commander (IC).

<u>City Attorney</u>

Statutory Authority

The City Attorney shall be the legal representative of the City and he shall advise the Mayor and Council and City officials in matters relating to their official powers and duties and perform such other duties as the Mayor and Council may prescribe by ordinance, resolution or otherwise as outlined in City Code 2-4-10 .

<u>Chief of Police/Fire Marshal</u>

Statutory Authority

The Chief of Police shall direct the police department in the enforcement of all the laws of the City and all statutes of the State of Utah applicable to the City as outlined in City Code 2-4-12, 6-3-6 and 11-9-2, including evacuation orders. The Chief of Police shall also serve as the City's Fire Marshal.

Emergency Program Manager

Administrative Authority

The Emergency Program Manager (EPM), also sometimes known as the Emergency Manager (EM) is hereby appointed by the City Manager to act as the City's designated manager to be involved in all areas of emergency management for the City. His or her responsibilities include; the keeping of the CEMP with all of its appendices (which must be updated annually); establishing and maintaining the City's state and federal NIMS compliance in the FEMA database; Emergency Operations Center (EOC) manager; establishes, maintains and participates in the training of all City staff in emergency preparedness and response; helps set City building preparedness and response to building specific emergencies; identifies and analyzes potential hazards to the community and the City's response; liaison to the County Emergency Manager and Utah Region 2 of the Office of Public Safety/Division of Emergency Management; participates in individual incidents as a coordinator and review officer and in conjunction with the Community and Public Affairs Manager sets up citizen and business emergency preparedness programs. The EPM works with a policy and review body called the Emergency Management Group (EMG). The City Manager may reassign the responsibilities of EPM at any time with or without cause.

Community and Public Affairs Manager

Administrative Authority

The Community and Public Affairs Manager is hereby appointed by the City Manager to act as the City's designated Public Information Officer (PIO). The City Manager may reassign the responsibilities of the PIO at any time with or without cause.

Chief Building Official/Deputy Fire Marshal

Statutory Authority

The Chief Building Official shall be responsible for the enforcement of the building codes, and all other such codes as adopted by the City and as outlined in City Code 6-1-2, 6-3-6, 11-2-2, 11-2-3 and 11-9-1. The Chief Building Official or his/her designee shall serve as the Deputy Fire Marshal.

CHAPTER 2 – Organization

Departments within the City will have emergency functions in addition to their normal duties. Each department is responsible for developing and maintaining its own emergency management procedures with assistance from the Emergency Manager and in concert with the CEMP. Departments will prepare plans, forms, documents and procedures to carry out their missions as outlined in the CEMP. Specific responsibilities for some departments may be outlined within the plan and/or in the appendix sections.

Emergency Management Group (EMG)

An Emergency Management Group (EMG) has been established to assist in the preparation of the CEMP, make periodic reviews and amendments, provide assistance and direction to the Emergency Program Manager (EPM) and assist departments with their components and implementation of the CEMP. The EPM is Chair of this group and the Police Chief is the Vice-Chair.

The Emergency Management Group (EMG) members are:

1. City Manager – Operations Commander
2. Assistant City Manager
3. Emergency Program Manager (EPM) - Chair
4. Community and Public Affairs Manager
5. Information Technology Director
6. Chief of Police – Vice Chair
7. City Attorney
8. Public Works Management Representative
9. Chief Building Official
10. City Engineer
11. Outside Agency and other members (as decided by the City Manager)

The Committee will ensure that emergency policies, activities, and resources, are coordinated among the City departments. On no less than an annual basis, the EPM will hold an EMG policy review meeting; make necessary CEMP amendments and a training session for the Committee members and the elected City officials.

As well, the EPM will facilitate on at least a bi-annual basis a City wide emergency response field training exercise or table top training exercise to evaluate this plan, its components and the individual department's emergency management procedures.

<u>Departmental Emergency Management</u>

Under the direction of each City department manager or designee, each department will educate its employees on the CEMP and how it impacts their department, including individual and department roles and responsibilities, specific facility action plans and they will conduct regular training to meet the requirements of the CEMP. Further, training in the ICS will be conducted at all levels, including the need to complete tasks while under the supervision of an Incident Commander who may not be a regular supervisor. An outline of FEMA training required for various line and supervisory levels of City staff are outlined in Appendix E and F.

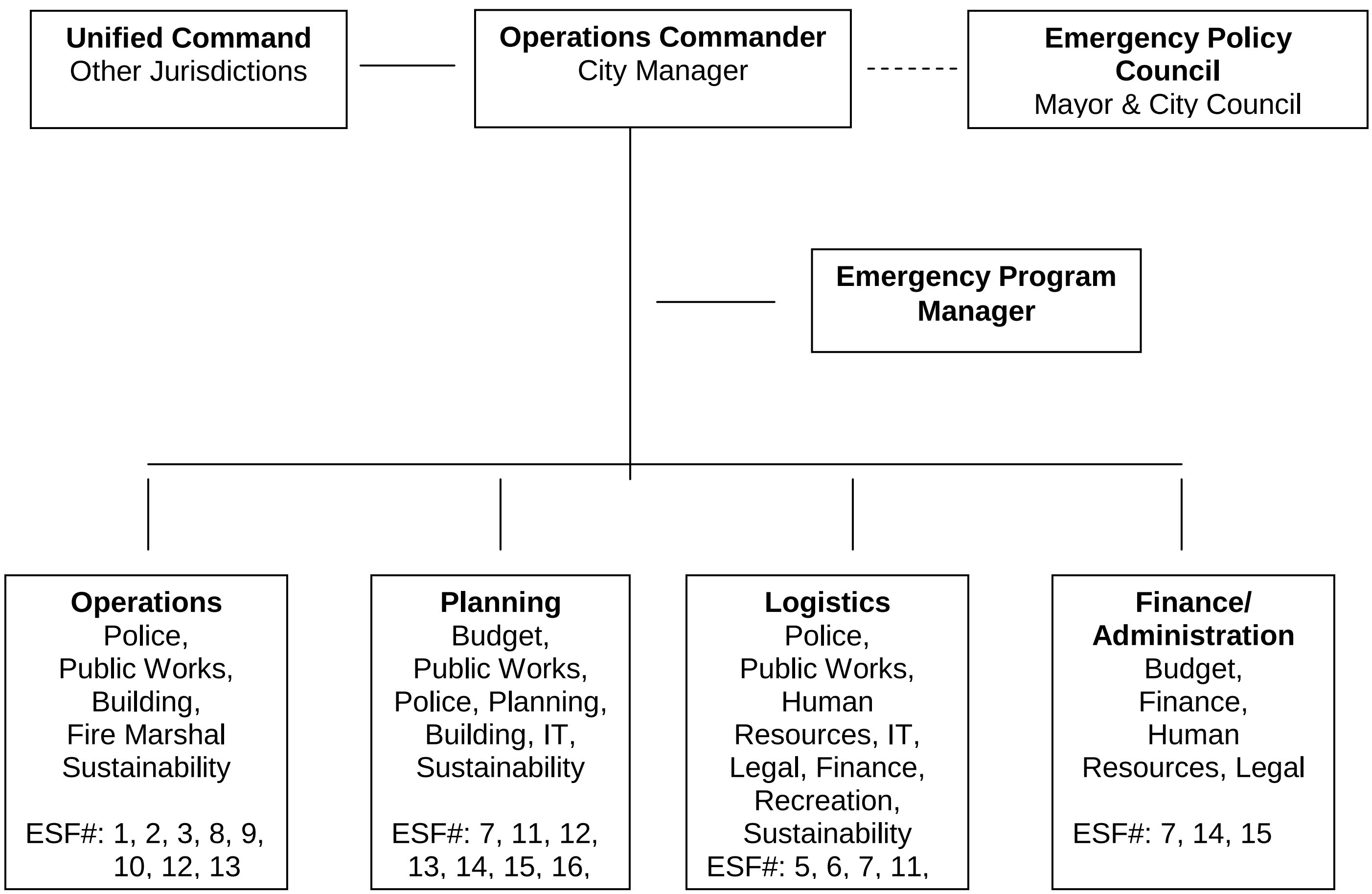
<u>Direction and Control</u>

The final responsibility for all emergency management belongs to the City Manager, a member of the Emergency Management Group (EMG) and Operations Commander. The EMG is responsible for all policy level recommendations and changes. The City Council shall adopt by resolution the CEMP and the federal NIMS, including all appendices and compendiums that encompass the total plan as periodically amended by the EMG. During response operations, elected official(s) will be available to, interact with constituents and forward community concerns, provide emergency policy direction, enact emergency legislation, provide for funding and provide designated public information in conjunction with the Public Information Officer (PIO) and/or other duties as agreed upon with the Operations Commander

The EPM has responsibility for coordinating the entire emergency plan and response program, and makes all routine decisions for this committee. During emergency operations, the EPM ensures that the policy and coordination of all groups are working in concerted, supportive effort to overcome the emergency.

CEMP Organizational Chart

Emergency Management Plan
Organizational Chart



Continuity of Government Operations

Succession of Command

1. The line of succession of the City Manager as the Operations Commander is to the Assistant City Manager, the Police Chief, and then to the Emergency Manager. In the event the Emergency Manager assumes the Operations Commander position, he/she will be replaced by a trained Acting Emergency Manager.

   The line of succession of the City Manager for his/her position as City Manager, i.e. appointment of an Acting City Manager, is to the Assistant City Manager, then to the City Attorney. An Acting City Manager may not hold the position of Emergency Manager or Acting Emergency Manager at the same time.

2. The line of succession of each City department is according to the operating procedures established by each department and should be no less than three deep.

3. The line of succession of the Mayor is to the Mayor Pro Tempore, to the Alternate Mayor Pro Tempore and then to the most senior member of the City Council.

4. The line of succession of the City Council shall be governed by Park City Municipal Code 2-2-9. In the event a majority of Council members are unavailable or unable to fill vacancies by appointment, then emergency interim succession pursuant to UCA 63K-1-401 shall be to the Planning Commission, starting with the Chair, and then to the Chair Pro Tempore, if any, and then to the next most senior member of the Planning Commission.

Preservation of Records

1. In order to develop after-action reports, all messages and logs will be maintained and submitted to the EPM immediately after deactivating emergency operations.

2. Documentation of emergency response actions is required for the following:
   a. Accounting/reimbursement
   b. Response action improvement
   c. Possible legal action

Administrative Items

Emergency Authority

1. A compendium of existing state legislation pertaining to emergency management are shown in Appendix A and B.

Mutual Aid/Automatic Aid

1. Should local government resources prove to be inadequate during an emergency operation, requests will be made for assistance from other local jurisdictions and higher levels of government according to existing or emergency negotiated mutual aid/automatic aid agreements and memorandums of understanding entered into by duly authorized officials and will be formalized in writing whenever possible. See Appendix G.

Consumer Protection

1. Consumer complaints pertaining to alleged unfair or illegal business practices will be referred to the State Attorney General's Consumer Protection Division.

Accounting for Resources, Costs and Losses

In an emergency, proper accounting of costs and losses is required for insurance or federal disaster assistance reimbursements. Care should be taken to include all direct and indirect costs. Park City will use accounting methods in accordance with federal guidelines. The required documentation will be forwarded to appropriate state and federal agencies.

Incident Command System (ICS)

The Incident Command System is one of the key organizational systems of the National Incident Command System (NIMS). The ICS provides overall management at the incident site. The Incident Commander develops a management structure based on the needs of the incident. All appropriate elected officials, department heads, managers, supervisors and line personnel shall be trained in the ICS. See Appendix E and F.

Plan Development and Maintenance

If a plan is to be effective, its contents must be known and understood by those who are responsible for its implementation. The Emergency Program Manager (EPM) and members of the Emergency Management Group (EMG) will brief appropriate public/private sector officials in emergency management operations of this plan in particular.

The plan shall be updated at least once every year. Training for all employees and elected officials shall be ongoing.

CHAPTER 3 – Procedures and Operations

Emergency Levels

During the emergency operation, a timely and well-documented system of assessing the damage that is caused or expected is crucial for determining appropriate response actions, alleviating victim suffering and hardship, managing resources effectively, and planning future hazard mitigation activities.

When carrying out the Comprehensive Emergency Management Plan, the transition from normal operations to emergency operation must be orderly. To achieve unified response operations, it is important that all departments have a common definition and status of emergencies. These defined levels of an emergency provide a transition from normal operating posture to full alert and provide for coordination with other agencies. When responding to emergencies, the following apply:

Level I: NO OUTSIDE ASSISTANCE NECESSARY

An emergency that poses a threat to life, property, or the environment and <u>where ample resources exist.</u> The responding department(s) handles the incident with on-duty resources and notifies the City Manager or his/her designee via department notification protocols.

Level II: ENHANCED RESPONSE REQUIRED

An emergency of a greater hazard, which poses a threat to life, property, or the environment, and <u>requires coordination between more than one City department.</u> Park City personnel handle the emergency with City resources, mutual aid, and resource sharing. Once a Level II emergency is in effect, any request for assistance or resources from the on scene Incident Commander will take precedence over other daily activities. Incident Commanders responding to Level II emergencies will notify the City Manager or his designee via department notification protocols. If needed, request for EOC activation may be made by responding Incident Commander(s), involved department chiefs or department heads, the City Manager, or the Emergency Program Manager.

Level III: MAJOR INCIDENT

An emergency involving a catastrophic incident. The incident may result from a natural or man-made disaster such as earthquake, flood, fire, terrorism, etc. The incident may result in an immediate threat to persons, property, or the environment and <u>requires the resources of the entire City, including government, private, and outside assistance.</u> The Mayor or designee may issue a formal declaration of emergency.

During response operations, responders maintain the principle of centralized control and decentralized execution. All response actions are in harmony and orchestrated by legal authority from the Emergency Operations Center.

As City departments, agencies, and non-governmental organizations progress from normal operations to an emergency posture, they go through the response conditions outlined below in accordance with the emergency level. For example, a Level II emergency would require Response Condition II.

<u>Response Conditions</u>

Response Condition - I: NO OUTSIDE ASSISTANCE NECESSARY

1. Monitor the situation regularly.
2. Review applicable plans and Standard Operating Procedures.
3. Review the status of all equipment and supplies.
4. Notify the City Manager and key personnel.

Response Condition II: ENHANCED RESPONSE REQUIRED

1. The Emergency Operations Center may be activated as needed with partial staffing.

2. Notify City Manager and key personnel.
3. Accelerate repair or procurement of equipment and supplies on an emergency basis 24 hours a day, if necessary. Emergency procedures for procurement of supplies and equipment may be implemented.
4. Place personnel on standby status as needed.

Response Condition III: MAJOR INCIDENT

1. Place Emergency Operations Center on full staffing.
2. Bring equipment and supplies to full operational status.
3. Recall personnel as necessary.
4. Freeze supplies and resources and commit them to the emergency as needed.

The above procedures will not constrain or limit the emergency actions of any department or agency involved in a response.

Declaration of Emergency

Park City is the primary responder to a disaster in the City. As such, it rapidly mobilizes forces, assesses the situation, and plans a course of action. Once the situation exceeds Park City's capability to respond, officials will first seek supplemental resources from Summit County, then the State of Utah, and finally the Federal government.

A local "emergency" may be declared by proclamation of the Mayor. In the absence of the Mayor, the interim successor or City Manager may declare an emergency. Nothing in this section is intended to preclude the declaration of an emergency and the exercise of emergency powers as long as those actions are consistent with the requirements of declaring an emergency outlined herein.

The proclamation declaring the emergency will be filed with the City Recorder and will state four things:

- the nature of the emergency.
- the areas threatened.
- the various conditions which cause the emergency to be declared.
- the initial period of the emergency.

The declaration is kept on file with other supporting documentation to justify the disbursement of disaster assistance funds if available. See Appendix O for templates.

Emergency Operations Center (EOC)

The EOC serves as a centralized management center for emergency operations. Here, decisions are made by the EOC managers based upon information provided by the IC and other personnel. Regardless of size or process, every facility should designate an area where decision makers can gather during an emergency.

Each facility must determine its requirements for an EOC based upon the functions to be performed and the number of people involved. Ideally, the EOC is a dedicated area equipped with communications equipment, reference materials, activity logs and all the tools necessary to respond quickly and appropriately to an emergency.

EOC Resources:

- Communications equipment
- A copy of the emergency management plan and EOC procedures
- Blueprints, maps, status boards
- A list of EOC personnel and descriptions of their duties
- Technical information and data for advising responders
- Building security system information
- Information and data management capabilities
- Telephone directories
- Backup power, communications and lighting
- Emergency supplies

An Emergency Operations Center (EOC) has been established within the Police Facility Building, 2060 Park Avenue. Those participating in the EOC will be located in secure meeting space adjacent to Police Records/Reception (the Lloyd D. Evans, Sr. Meeting Room). The Emergency Policy Council (EPC) will be located in the secure Police Facility Administrative Conference Room. The general operations of the EOC functions will be conducted within the confines of the space available at the time of activation of the EOC.

1. Secondary Emergency Operations Center. Should the primary EOC location, become unavailable due to structure failure, road inaccessibility, etc., the EOC functions will be moved to the Marsac Building and shall function at that location until such time as the primary EOC becomes operational or an alternate site is identified that can facilitate the EOC operations to a higher degree.

2. Alternative Emergency Operation Center. At the point that any Park City Municipal Corporation facilities available to be used as an EOC site become unavailable or unusable, the EOC function will be moved to the Summit County Emergency Operations Center at the Summit County Search and Rescue Building in Kamas or the Summit County Mobile Command Post (SCMCP).

3. Authority to Activate EOC. Activation of the Emergency Operations Center (EOC) is solely the responsibility of the City Manager, designee, or successor. The City Manager may consult with the Emergency Program Manager, Chief of Police, Public Works Management and the Mayor in making the determination to activate the EOC; however, the final decision rests with the City Manager. In the absence of the City Manager or an immediate successor, in order to expedite the City's emergency response, the Emergency Program Manager may activate the EOC.

4. EOC Command Structure. While the Emergency Operations Center (EOC) is functional, the City Manager will act as the EOC Commander, unless he/she relinquishes that responsibility to a designee. The City Manager will interact with the appropriate manager or managers when addressing the incident response, operations, assessment and recovery phases. Each City Department or function involved in any phase of an incident will have a management representative located within the EOC operations area, or in a location directed by the City Manager. The EPM or designee shall manage the EOC. See Appendix K.

CHAPTER 4 – Incident Response and Management
Emergency Support Functions (ESF) Concept

In order to facilitate the delivery of emergency services during a disaster, Park City has adopted the Emergency Support Function (ESF) concept found in the National Response Framework (NRF). The Emergency Support Function concept is based on the idea of designating specific emergency response tasks to the City departments and outside organizations best suited to complete the designated task. Each function has an assigned department or organization responsible for that function with other departments and organizations playing supporting roles.

ESF Overview

The tasks that may need to be performed in emergency situations have been categorized as Emergency Support Functions (ESFs) under the National Incident Management System (NIMS) and Park City's CEMP has chosen to follow that categorization. The tasks have been grouped into 18 Emergency Support Functions. Each ESF is supported by Standard Operating Procedures (SOP) for that ESF. See ESF and SOP details in Appendix L.

ESF 1 TRANSPORTATION **Public Works/Transit /Fleet**
Coordinate the use of transportation resources required to perform the emergency response, recovery and assistance mission.
ESF 2 COMMUNICATIONS **Police/Information Technology**
Coordinate and provide communication support, and, where necessary, establish temporary telecommunications support.
ESF 3 PUBLIC WORKS **Public Works/Streets/Building/Engineering**
Assist in lifesaving or life-protection activity following a disaster. This may include technical advice and evaluation, engineering services, construction management and inspection, emergency contracting, and emergency repairs.
ESF 4 FIRE FIGHTING **Park City Fire District (PCFD)**
Manage and coordinate firefighting and emergency medical activity.
ESF 5 INFORMATION MANAGEMENT **Sustainability**
Collect, process, and organize information about a potential or actual disaster or emergency. Disseminate accurate information to the public.
ESF 6 MASS CARE **Red Cross/FEMA/Recreation**
Coordinate activities involved with emergency shelter, mass feeding, bulk distribution of relief supplies for victims of disaster, and disaster welfare information.
ESF 7 RESOURCE SUPPORT **Sustainability/Emergency Mgr**
Provide logistical and resource support. This includes provision of emergency relief supplies, space, office equipment, office supplies, telecommunications, contracting services, transportation services, and personnel.
ESF 8 HEALTH & MEDICAL SERVICES **Summit County Health/PCFD**
Provide assistance in identifying and meeting the health and medical needs of disaster victims and emergency responders.
ESF 9 URBAN SEARCH & RESCUE **Park City Fire District (PCFD)**
Provide support in locating, extricating and treating victims if buildings are damaged or collapse.

ESF 10 HAZARDOUS MATERIALS **PCFD/Summit County Health**
Provide support in response to actual or potential discharge and/or release of hazardous materials.

ESF 11 FOOD & WATER **Recreation Departments**
Identify food and water needs. Identify sources of water; arrange for manpower and transportation to the disaster area and distribute as needed to responders and mass shelters.
ESF 12 UTILITIES **Public Works/Water/Utility Companies**
Assist in coordinating efforts to provide emergency power and fuel to support response operations as well as providing power and fuel to restore normal community functions.
ESF 13 LAW ENFORCEMENT **Police**
Provide sufficient resources to maintain civil order under emergency conditions.
ESF 14 LEGAL **City Attorney/Legal**
Review local legal authorities and state statutes relating to emergency activities and advise City decision makers.
ESF 15 FINANCE MANAGEMENT **Finance**
Create a central management committee to oversee the emergency purchasing and reimbursement process. Maintain a disaster documentation system.
ESF 16 FACILITIES **Building/Engineering/Building Maintenance**
Coordinate the inspection and use of City owned/operated facilities to support disaster response and recovery operations.
ESF 17 VOLUNTEERS & DONATIONS **Human Resources**
Coordinate the use of volunteers and donated goods in support of disaster recovery operations.
ESF 18 ANIMALS **Summit County Animal Services**
Provide for emergency evacuation, medical care, shelter food and water for domestic animals.

<u>Departmental Roles and Responsibilities</u>

<u>General Responsibilities</u>

1. General Preparedness Responsibilities
   The following common responsibilities are assigned to each department listed in this plan. Further, each department shall create an internal emergency management organization and develop standard operating procedures (SOP) in accordance with the provisions of this plan. Preparation activities include:
   - Establishing departmental and individual responsibilities (as indicated in this plan); identify emergency tasks.
   - Working with other departments to enhance cooperation and coordination, and eliminate redundancy. Departments having shared responsibilities should work to complement each other.
   - Establishing education and training programs so that each division and employee will know exactly where, when and how to respond.
   - Developing site specific plans for department facilities as necessary.
   - Ensuring that employee job descriptions reflect their emergency duties.
   - Training staff and volunteer augmentees to perform emergency duties, tasks.
   - Identifying, categorizing and inventorying all available departmental resources, including but not limited to fixed assets, personnel and contracts.
   - Developing procedures for mobilizing and employing additional resources.
   - Ensuring communication capabilities.
   - Preparing to provide internal logistical support to department operations during the initial emergency response phase.
   - Prepare Standard Operating Procedures (SOP) in support of ESF responsibilities.

2. General Response Responsibilities
   The following common responsibilities are assigned to each department listed in this plan.
   - Upon receipt of an alert or warning, initiate notification actions to alert employees and volunteer augmentees assigned response duties.
   - As appropriate:
     Suspend or curtail normal business activities
     Recall essential off-duty employees
     Send non-essential employees home
     Evacuate departmental facilities
   - As requested, augment the City's effort to warn the public through use of vehicles equipped with public address systems, sirens, radio, employees going from door to door, etc.
   - Keep the Operations Commander informed of field activities, and maintain a communications link to the Incident Commander and/or EOC.
   - Activate a control center to support and facilitate department response activities, maintain events log, and report information within the ICS or EOC.
   - Report damages and status of critical facilities within the ICS or EOC.
   - If appropriate or requested, send a representative to the EOC.
   - Ensure staff members tasked to work with the EOC have the authority to commit resources and set policies.
   - Coordinate with the EOC to establish protocols for interfacing with county, state, federal responders.
   - Utilize only the Public Information Officer to release any information to the media.
   - Submit reports to the EPM detailing departmental emergency expenditures and obligations.

<u>Individual Responsibilities</u>

1. Chief Administrative Officer/City Manager (Executive)
   a. Provides overall administration, direction and control of the emergency, damage assessment and response operation within Park City
   b. Is a member of the Emergency Management Group (EMG)
   c. Commands the EOC
   d. Coordinates with the Mayor and Emergency Policy Council
   e. Provide risk management reporting and city insurance program
   f. Provide supplies, equipment, and personnel as requested

2. Emergency Program Manager (Executive)
   a. Assists the City Manager with the planning, management and control of emergency operations
   b. Makes the Emergency Operations Center available to Park City officials for conducting overall direction/coordination of response and recovery operations. Manages and coordinates the EOC and interdepartmental operations
   c. Maintains supplies and equipment for the Emergency Operations Center.
   d. Coordinates department provision of supplies, equipment, and personnel as requested
   e. Works with the PIO and volunteer agencies to inform citizens of the actions they should take for their protection
   f. Coordinates with other departments to ensures that special needs populations receive

information regarding actions taken for them to protect their life and property

g. Conducts after-action meetings and prepares after-action reports in conjunction with the Operations Commander and/or Incident Commander(s)
h. Additional responsibilities prior to an emergency include:
    1) Updating the Comprehensive Emergency Management Plan, and providing updated copies of the CEMP
    2) Coordinating emergency management exercises involving the City and community
    3) Participate in community preparedness training in conjunction with the PIO
    4) Coordinates the Special Needs Registry and assists in Special Needs community planning

3. Mayor and City Council
    a. Monitors situations within their constituencies and coordinates information with City Manager or designee
    b. Mayor submits formal local disaster declarations
    c. Meets formally as a City Council as necessary.
    d. Mayor or designee acts as official City spokesperson in concert with the PIO, as needed
    e. Provides emergency policy direction
    f. Issue emergency rules and proclamations that have the force of law during proclaimed emergency period
    g. Appropriate funds to meet disaster expenditure needs
    h. Extend or terminate emergency disaster declarations

4. Finance
    a. Perform functions in the EOC or on-scene as assigned
    b. Provide IC and/or EOC initial situation/damage reports as per field units observations and reports from the general public
    c. Provide supplies, equipment, and personnel as requested
    d. Provide appraisers to assist with damage assessments
    e. Process emergency purchases/procurement
    f. Establish and maintain a system whereby incident costs are identified and accumulated for county, state and federal reimbursement
    g. Ensure payroll system setup to pay employees and contractors
    h. Coordinate financial resources
    i. Maintains records of expenditures and use of resources.
    j. Under the direction of the City Manager, helps with the resolution of claims and accounting for resources expended during the emergency.

5. City Attorney
    a. Provides legal advice to staff and Council
    b. Becomes familiar with laws governing emergency powers and provides advice on all related issues
    c. Reviews and approves as to form all emergency documents signed by the Mayor or designee
    d. Perform functions in the EOC as needed or assigned

6. City Recorder (Executive)
    a. Provides safekeeping of vital records during the emergency
    b. Co-signs all emergency documents signed by the Mayor or designee

c. Assists in logging and documenting all actions during the emergency

7. Police
    a. Perform functions in the EOC or on-scene as assigned
    b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
    c. Provide supplies, equipment, and personnel as requested
    d. Augment warning system by providing siren-equipped and/or public address mobile units, and/or manpower for door-to-door warning
    e. Coordinate to lost persons, search and rescue, and coordination of heavy rescue operations in conjunction with PCFD and SCSD as needed
    f. Maintain law and order and provide public safety activities as required
    g. Provide security for key facilities
    h. Protect property in evacuated area
    i. Enforce orders of fire officers and implement/enforce evacuation orders, when necessary
    j. Provide law enforcement and traffic control in support of emergency actions
    k. Organizes auxiliary law enforcement personnel and commits available resources to maintain peace
    l. Coordinate City radio communication capabilities

8. Budget and Grants
    a. Perform functions in the EOC or on-scene as assigned
    b. Provide IC and/or EOC initial situation/damage reports as per field unit's observations and reports from the general public
    c. Provide supplies, equipment, and personnel as requested
    d. Provides planning, logistic and financial support to operations

9. Sustainability/Community and Public Affairs
    a. Perform functions in the EOC or on-scene as assigned
    b. Provide IC and/or EOC initial situation/damage reports as per field unit's observations and reports from the general public
    c. Provide logistical and resource support as requested, which may include, the provision of emergency relief supplies, space, office equipment, office supplies, telecommunications, contracting services, transportation services, and personnel
    d. Serves as the Public Information Officer (PIO)
    e. Under the direction of the City Manager, collects, organizes, prepares and distributes public information materials about a potential or actual disaster or emergency.
    f. Participates with the EPM in disseminating and training in citizen and business preparedness plans
    g. In conjunction with the Mayor acts as the designated contact for the news media and public
    h. Ensures that special needs populations receive information regarding actions taken for them to protect their life and property

10. Public Works
    a. Perform functions in the EOC or on-scene as assigned
    b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
    c. Provide supplies, equipment, and personnel as requested

d. Assist with initial infrastructure damage assessment of horizontal construction, i.e., roads, bridges, storm sewers, etc.
e. Provide heavy equipment to support rescue operations
f. Provide technical information on damaged structures
g. Provide traffic control signs and barricades
h. Assist with the identification of evacuation routes and keep evacuation routes clear of stalled vehicles
i. Coordinate the disposal of solid waste from congregate care facilities (shelter/mass feeding)
j. Coordinate emergency utility support requirements with public and private utilities
k. Operate fleet repair facility
l. Provide for availability of motor fuels, vehicles and fuel driven equipment
m. Provide for storage of equipment and vehicles in a safe place
n. Provide comprehensive list of City vehicles and equipment to IC or EOC
o. Provides for the removal of debris and maintenance of roadways
p. Obtains additional equipment and transportation resources
q. Establishes contracts for outside services in compliance with FEMA schedules
r. Coordinate transportation requirements for special needs agencies/individuals
s. Provide buses for evacuations and temporary shelters
t. Provide additional bus transportation resources
u. Coordinate mobilization of emergency transportation services
v. Use transportation communication links to provide damage assessment information
w. Insures that transportation assets meet the demands of emergency response personnel
x. Maintains a resource list of all Park City fleet equipment and provides the EOC with updates of disaster damage to fleet

11. Information Technology
    a. Perform functions in the EOC or on-scene as assigned
    b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
    c. Provide supplies, equipment, and personnel as requested
    d. Maintain all communication and data systems
    e. Protect archives and necessary documents
    f. Provide supplies, equipment, and personnel as requested

12. Building/Fire Marshal/Engineering
    a. Perform functions in the EOC or on-scene as assigned
    b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
    c. Provide supplies, equipment, and personnel as requested
    e. Direct building inspectors and/or rapid assessment teams to assist with damage assessment and safety of City facilities
    f. Provide Fire Marshal services

13. Planning
    a. Perform functions in the EOC or on-scene as assigned
    b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
    c. Provide supplies, equipment, and personnel as requested
    d. Assist in initial planning and ongoing planning during an emergency

e. Organize staff into damage assessment teams and participate in City wide damage assessment and recovery
e. Provide documents and maps to assist in response and recovery
f. Support building and engineering in their emergency functions.

14. Human Resources
   a. Perform functions in the EOC or on-scene as assigned
   b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
   c. Provide supplies, equipment, and personnel as requested
   d. Establish an employee call back system
   e. Establish a system to check on employee's families and communicate that information
   f. Assist with employee needs at work and with their families
   g. Track man power requests and needs and assist with obtaining outside staffing
   h. Coordinate volunteers and donations with the assistance of Recreation

15. Recreation [for the purpose of this document, "Recreation" refers to the Ice, Golf, Library and MARC departments working jointly]
   a. Perform functions in the EOC or on-scene as assigned
   b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
   c. Provide supplies, equipment, and personnel as requested
   d. Assist with the assessment of human needs during and after a disaster
   e. Obtain and supply food and water to city and emergency staff
   f. Coordinate with the Red Cross, and other agencies as necessary to provide emergency programs for basic human needs to include reception centers, shelters, mass feeding at City designated shelters
   g. Provide assistance in the registration of people at congregate care facilities (shelter/mass feeding)
   h. Work in close concert with Red Cross and others in activation and operation of short term, and longer-term shelters/disaster centers
   i. Assist Human Resources in managing and coordinating volunteers and donations
   j. Provide facilities for emergency shelter, food, and water distribution points, child care facilities as needed
   k. Provide receiving and distribution sites
   l. Assist with the delivery of goods

CHAPTER 5 – Damage Assessment and Recovery

Damage Assessment and Analysis Information

1. Accurate damage assessment information must be obtained by Park City at the earliest possible time in order to:
   a. Evaluate the impact on the population and socioeconomic system of Park City and its ability to respond and recover.
   b. Assist the Governor with determining local and state level of contribution to the recovery effort.
   c. Allow the State Coordination Officer and the Federal Emergency Management Agency Regional Director to determine the kinds and quantities of disaster assistance to be provided by the state and federal government, if appropriate.

d. Document the need for supplementary federal assistance under a Presidential 'Emergency' or 'Major Disaster' Declaration.
e. Notify insurers of damaged/destroyed property.

Damage Assessment and Reporting

1. Initial Damage Assessment. The nature and magnitude of a disaster will determine how quickly a complete Initial Damage Assessment can be conducted. Widespread debris, washed out bridges, inundated roads, and unsafe buildings are a few of the problems that can delay the assessment. Immediately after the occurrence of a disaster, it is important to get a preliminary assessment of the extent and magnitude of the damage. The Planning Department will assist in this function.

2. Damage Assessment Forms. During the response and recovery phases of a disaster, it is vital that the State Coordinating Officer and the Governor have accurate damage, cost and socioeconomic impact information available in summary form. This will determine how best to supplement the action taken by Park City and whether federal assistance is required. See Appendix O.

3. City Manager. It is the responsibility of the City Manager or his or her designee to coordinate with City and County elected officials to determine a systematic, unified course of action. The following items should be covered:

- Outline the extent (geographic area) and magnitude (severity) of the damage.
- Assess the socioeconomic impact on the City.
- Discuss the need for requesting outside assistance, the nature of such assistance and implications of accepting aid.
- Specify the geographic areas and damage categories, which need to be examined in greater detail.

4. Department Managers. It is the responsibility of department directors to oversee the gathering of damage assessment information in accordance with the assigned departmental duties. To assure accurate and efficient collection of data, department heads must take the following actions:

- Designate assessment teams of two or three people with specific areas of expertise.
- Assign the team to a specific geographic area or category of damage.
- Brief team members to ensure uniformity and understanding of damage categories, community impact, costs, reporting, procedures, etc.
- Identify damage sites by map location and street address. Roads and bridges should be listed by pre-assigned Utah State Department of Transportation numbers. Maps and photo identifications of damage sites will aid in conducting future surveys and on-site assessments.
- Provide each team with supplies to effectively perform the assessments (maps, cameras, list of property owners and locations). Have teams take photographs of damage sites and attach brief descriptions detailing vital information and describing the damage.
- Establish a deadline for gathering information so it can be summarized and presented to the governing body.
- Gather and maintain supporting documentation (invoices, contracts, expenditure records) for costs incurred in emergency response and mitigation work. Copies of

emergency expenditure records should be maintained and attached to each damage site file.

<u>Incident Reporting</u>

1. Description and Purpose. Situation Reports should be made to continually update disaster status information. The information provided in the initial and subsequent Situation Reports should outline a sequential record of actions taken from the point of first response through restoration activities. The degree of detail will vary with the type and severity of the events.

2. Content and Format. Situation Reports contain specific data and answer the following basic questions:

a. Location and nature of damage.
b. Description of the categories and degree of damage.
c. Socioeconomic impact on the community.
d. Response actions being taken by local government.
e. Form of supplemental state and federal assistance requested.
f. Public assistance and individual assistance for the community.

<u>Reports and Record Keeping</u>

1. A number of prescribed documents, reports and records must be executed and maintained during disaster operations. These ensure prompt and coordinated state and federal disaster response and maximize financial assistance.

2. Once an emergency is declared an '**Emergency'** or '**Major Disaster**' by the President of the United States, the federal disaster assistance programs may be made available to the state and its designated political subdivision. The Federal Emergency Management Agency is responsible for coordinating and administering all federal disaster relief programs through the Region VII office. Subsequent to a presidential declaration, the Federal Coordinating Officer will establish a field office in the disaster area to administer disaster relief programs according to Public Law 93-288, the Robert T. Stafford Disaster Relief and Emergency Assistance, and the Code of Federal Regulations, Title 44, Part 206.

3. An accurate record system maintained separately from normal day-to-day operations should be established immediately at the onset of the emergency. All recipients of state and federal monies must maintain adequate disbursement and accounting records of costs incurred for approved disaster work.

4. One of the main responsibilities of Park City officials involved in disaster operations will be the preparation and maintenance of all required documents, reports and records. The Governor's Authorized Representative is responsible for the execution of all necessary documents on behalf of the State of Utah for state and federal disaster assistance including certifying any applications for public assistance. In addition, the Governor's Authorized Representative will provide guidance and assistance to Park City officials involved in the preparation and maintenance of their required reports and records.

5. All contracts must follow the **Procurement Guidance as found in Title 44 of the Code of Federal Regulations Part 13.36.**

END

Attachment J

PARK CITY
1884

Resolution No. -13

A RESOLUTION ADOPTING THE PARK CITY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)

WHEREAS, the purpose of the CEMP is to develop a comprehensive emergency management program that will provide a system to mitigate the effects of an emergency or disaster, preserve life, respond during emergencies, provide necessary assistance, and establish a recovery system, in order to return the community to its normal state of affairs; and

WHEREAS, this plan attempts to define clearly the roles and responsibilities of each department and function within the City organization by providing guidance in accomplishing the objectives of this plan with lists of guidelines, plans, assessments and resources; and

WHEREAS, on February 28, 2003, the President issued Homeland Security Presidential Directive (HSPD) - 5 *Management of Domestic Incidents,* which directs the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS) and the directive also requires Federal Departments and agencies to make adoption of the NIMS by State, Tribal and local organizations a condition for Federal preparedness assistance beginning in Federal FY 2005; and

WHEREAS, certain State and Federal disaster reimbursements require local jurisdictions to adopt and train in a CEMP, NIMS and Incident Command Systems (ICS); and

WHEREAS, certain Federal grant programs now require or will require an adopted CEMP; and

WHEREAS, the City Manager and the Emergency Management Group (EMG) have reviewed the updated Comprehensive Emergency Management Plan with all of its attachments as periodically amended by the EMG and recommends adoption by the City Council; and

WHEREAS, the City Council deems it in the best interest of Park City Municipal Corporation to formally adopt them;

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

SECTION 1. ADOPTION . The Comprehensive Emergency Management Plan, dated June, 2013 attached hereto, along with all appendices and compendiums as periodically amended by the City Manager, are hereby adopted, to replace any and all others previously adopted. Any amendments approved by the City Manager shall be effective for not more than one year unless ratified by the City Council.

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

PASSED AND ADOPTED this 6th day of June, 2013

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

____
Janet M. Scott, City Recorder

Approved as to form:

____
Mark Harrington, City Attorney

City Council Staff Report

Subject: Liquor License Amendments
Author: Rebecca Gillis and Shelley Hatch
Department: Finance Department
Date: June 6, 2013
Type of Item: Legislative

Summary Recommendations:
Hold a public hearing and consider amending the municipal code as proposed in the attached ordinances. The attached ordinances amend Sections 4-4-1 thru 4-6-6 of the Municipal Code. The amendments clarify Park City's Special Event liquor licensing process, allow the Finance Department to simplify the liquor licensing application process, and provide clarity and ensure internal consistency within the Municipal Code. Retain Council authority to legislatively approve temporary licenses during the Sundance Film Festival.

Topic/Description:
Amending the Municipal Code for Beer and Liquor licenses and updating Park City Liquor License application to comport with those changes.

Background:
Throughout the years, Municipal Code sections 4-4-1 thru 4-6-6 were amended to ensure the Municipal Code remained consistent with changes made to State alcoholic beverage control laws. The changes made over the years have made the Municipal Beer and Liquor Licensing ordinances hard to read and hard to understand. The last changes made to the Municipal Code occurred on May 20, 2010.

On December 20, 2012 the City Council held a Work Session to discuss amending the liquor licensing provisions in the Park City Municipal Code in preparation for Sundance 2014. The proposed changes were divided into two sections. The first section, Section A, proposed changes to clean-up the Code and proposed changes to the Temporary Special Event Permitting process to parallel the requirements in the State Code. The second section, Section B, proposed a broader policy change in which the City Council retain final approval of all Special Event Liquor Licenses during the Sundance Film Festival and continue to delegate authority to give local consent regarding all other liquor licenses to the Business License Clerk. After review, the City Council decided to revisit Section B at a later date, but instructed staff to move forward with Section A.

In addition, following the Work Session, the Police requested the following additional changes:

- Stricter criminal background restrictions on applicants (see point 1(C) below); and
- The ability to reject applications where an applicant's previous conduct indicates future violations of liquor laws are likely (see point 5 below).

On February 28, 2013, Staff moved forward with Section A as directed and amendments were submitted to the City Council for consideration and a public hearing. At public hearing, business owners and the HPCA expressed concern that they had not received adequate notice of the proposed changes and requested that the matter be continued to allow an opportunity for Staff to meet with interested individuals. In response to these concerns, City Council continued the matter and gave Staff direction to do outreach with the concerned business owners and the HPCA.

On March 19, 2013, Staff met with bar/restaurant owners and the HPCA to discuss their concerns regarding the proposed amendments. The representative from the restaurant association was planning on attending but could not make it at the last minute. The primary concerns voiced by those present at the meeting related to increased authority granted to the Police Chief's to deny licenses and the new code section proposed by Police addressing denial, suspension, and revocation of liquor licenses.

At the March 19th meeting, the HPCA and bar/restaurant owners also discussed the amendments proposed in Section B of the December 20, 2012 work session. After the March 19 meeting the HPCA and bar/restaurant owners expressed support of all the amendments proposed on December 20, 2012 and February 28, 2013 with the following adjustments below. Staff extended an invitation to meet again with the same group to go over the final draft of this report and the final version of the amendments. Only the HPCA president, Alison Butz, met with the City and expressed general support for the changes.

4-4-3. License Qualifications
Business owners expressed concerns that the stricter criminal history considerations requested by the Police would have a negative impact on business. After discussion, Staff and business owners came to the consensus that Park City's criminal history considerations should mirror the state code. Accordingly, this section has been changed to reflect the stricter criminal history considerations set forth in Utah Code Ann. § 32B-1-304.

4-4-5. Referral of License Application to Chief of Police
Business owners expressed concerns that the proposed changes were vague and therefore granted the Police Chief too much discretion in denying liquor licenses. Accordingly, this section was amended to provide a more precise framework regarding what factors the Chief of Police may consider when recommending a liquor licensing application be denied. This section was also amended to reflect specific discretionary authority granted to municipalities under state liquor laws.

4-4-9. Grounds for License Denial, Suspension, or Revocation
Business owners expressed concern that this section granted the City too much authority to deny, suspend, or revoke a liquor license. Accordingly, this section has been amended to mirror the grounds for denial, suspension, and/or revocation set forth under State liquor laws.

Analysis:

A. General Liquor License Code Amendments

Staff has reviewed the current Municipal Beer and Liquor Licensing ordinances and recommends that changes to the existing ordinance be made. The proposed changes to the Municipal Code fall into the following categories:

1. Delineate a new process for reviewing applications for Special Event Temporary Beer Licenses and Special Event Liquor Licenses. Under the current Municipal Code applicants for Special Event Temporary Beer Licenses and Special Event Liquor Licenses must comply with the same requirements as applicants for full beer or liquor licenses. The Department of Alcoholic Beverage Control (DABC) has less restrictive requirements for Single Event Permits as compared to regular licenses. The existing Municipal Code treats Special Event Temporary Beer and Liquor licenses the same as regular liquor licenses under our code which is stricter than even the DABC requires. Accordingly, the proposed changes (Exhibit A) would:
   A. *Replace the current Special Event Temporary Beer Licenses and Special Event Liquor Licenses with a single Special Event Alcoholic Beverage License*. The privileges granted under this new license will be dependent upon the type of license an applicant secures at the state level.
   B. *Replace the current procedure that requires applicants to obtain a Utah criminal background check for all officers, board of directors, and partners*. Instead, Staff feels it more appropriate to mirror the State's policy and have applicants sign a statement under oath attesting to their criminal background.
   C. *Make the Criminal Background requirements stricter*. Restrict liquor licenses for individuals who have had a felony within the past five (5) years, as opposed to the previous two (2) years. Restrict liquor licenses for individuals who have had a violation of any law or ordinance relating to the importation or sale of intoxicating liquors, or of keeping a gambling or disorderly establishment, or who have plead guilty to or forfeited bail on a charge of having violated any such law to five (5) years instead of the previous three (3) years. Restrict liquor licenses for anyone with a misdemeanor(s) involving alcohol or controlled substances during a period of two (2) years instead of the previous one (1) year. This amendment mirrors the State Code.
   D. *Clarify that a license can be revoked immediately if the licensee isn't in compliance*.
   E. *Only bona fide corporations will be permitted to apply for a license*. A bona fide corporation is one that has been in existence for at least one year prior to application. This amendment mirrors the State Code.
   F. *Prohibit all Special Event Alcoholic Beverage License holders from holding an event unless they secure liquor liability insurance or a liquor liability insurance rider.* In reviewing this added provision, Staff contacted two agencies in Utah and one in Colorado and reviewed statutory liability limitations determined that at the $1/2M insurance coverage level, hosted service (giving away

alcohol for no charge) coverage is available without additional fees. Selling alcohol requires an additional fee based on number of event attendees. The rider could cost anywhere from $100.00 to over $1000.00 depending on the event.

G. *Require all servers to be TIP certified*.

2. Modifying the construction and the order of Municipal Code sections 4-4-1 thru 4-6-6.
   A. Staff felt the construction and order of Municipal Code sections 4-4-1 through 4-6-6 is cumbersome and fails to account for important variations between temporary and regular alcoholic beverage licenses. Proposed changes address this by establishing separate chapters for General licensing policies (chapter 4), Special Event Alcoholic Beverage Licenses (chapter 4A), Beer Licenses (Chapter 5), and Liquor Licenses (Chapter 6); reorganizing portions of the code; and proposing new sections.
   B. Chapter 4 General licensing policies describes general licensing policies in Park City applicable to all beer and liquor licenses.
   C. Chapter 4A Special Event Alcoholic Beverage Licenses details the changes described above and would replace current references to Special Event Temporary Beer Licenses and Special Event Liquor Licenses to a single Special Event Alcoholic Beverage License. This section also provides for situations in which individuals are required to obtain a license from Park City but not from the state.
   D. Chapter 5 Beer Licenses continues to detail Park City's beer licenses. For organizational purposes the application process for beer licenses has been moved from Chapter 4 into this section and modified as necessary to pertain only to beer licenses.
   E. Chapter 6 Liquor Licenses continues to detail Park City's liquor licenses. For organizational purposes the application process for liquor licenses has been moved from Chapter 4 into this section and modified as necessary to pertain only to liquor licenses.
   F. Where applicable, the phrase "this Chapter" would be replaced with "this Title" to ensure that unchanged code provisions remain applicable under the new organization.

3. Change the assigned department or designee charged with administering or having authority under the Code to reflect more accurately who actually has those responsibilities.

4. Clarify that all applications may take up to 10 working days to process. Before an application can be approved or denied it must be reviewed by the Police, Planning, and Building Departments. This interdepartmental review takes time and staff feels it would be helpful to give applicants a clear understanding of how long it may take to process an application so applicants may plan accordingly.

5. Modifying Municipal Code section 4-4-5 to grant the Police a greater ability to deny liquor licenses for applicants that have shown through previous conduct

that they are unlikely to comply with the provisions of the liquor license and/or state and local liquor laws.

6. Modifying the text as necessary to correct grammatical errors and to reflect gender neutrality.

In addition to the proposed changes to the Municipal Code, for informational purposes, Staff has provided a revised application for the Special Event Alcoholic Beverage License. (Exhibit B). This application reflects the proposed changes, is easier to read and understand, and more closely resembles the DABC application for Single Event Permits.

B. Sundance Special Event Liquor License Process for Council Approval.

Staff and the City Attorney continue to recommend, as discussed during the December 20, 2012 work session, that for temporary licenses effective during the Sundance Film Festival, the Council retract the delegated authority giving local consent on behalf of the City from the Business License Clerk. Local consent from the City is required for any liquor license approved by the DABC. Currently, Council has delegated that authority to the Business License Clerk who grants that consent as long as the requirements of our local liquor license are met, including review by the Police Department.

The proposed change would mean that by the final regularly scheduled Council meeting in December of each year preceding the festival the Council will approve/deny all temporary special event liquor licenses. This schedule is consistent with the regular DABC process which requires applicants to apply by the 10th of the month a month prior to the event. Thus, for 2014, applicants will have to submit their application with the DABC by December 10, 2013, for the festival starting on January 16, 2014. In July of last year, the DABC started allowing for special/emergency meetings up to one week prior to the event. However, all those going through the normal process are required to have their applications in by the 10th of the month before the event. Similar to the state DABC process, staff has included language to allow for a special/emergency meeting. Staff however, recommends a bright line deadline, a higher fee and cap on the number of late applications (first in time to be filed) at 12. Applications, to be ready for the last meeting in December, would have to be submitted at a minimum 10-14 days prior to the meeting. The deadline for the January meeting would be the first Friday (January 3rd), however only the first 12 complete applications will be heard. No further exceptions will be made.

This requirement of Council review would allow the City to monitor issuance of the licenses collectively, with the benefit of more time to allow staff's review of individual applications. Staff is not recommending any additional limitations on the scope or number of licenses issued. However, long term, this process would proactively position the Council to better address issues related to adverse impacts or carrying capacity issues related to the licensed activity and volume, as well as coordinate with the DABC hearing as necessary. It also allows service departments, event staff and public safety to obtain a more adequate picture of the total public service demands for the festival in a timeframe that provides for service level and cost adjustments. As a benefit to applicants, it provides them greater advance time to address issues that may otherwise delay or result in denial of their event. From a level playing field perspective, the deadline is also closer to the supplemental plan approval and informal application deadline agreement the City has required of Sundance and its sponsors for the actual MFL activities. That deadline is typically early December. Also, it puts applicants who have to get DABC approval on the same timeline as those who don't need DABC approval, but require a City license. Since the activities associated with special event alcoholic beverage licenses often directly impact transportation, public safety and other service levels, it is only logical the City should be processing all the applications during the same timeframe, rather than in a reactive manner that can stress already allocated resources, and therefore put the public and service standards at risk.

Staff discussed this proposed amendment with the HPCA and restaurant/bar owners in March and they expressed support of the change in timing. At the recent meeting with the HPCA, Ms. Butz indicated that one HPCA member suggested having Council delegate the local consent to staff up until the last meeting in December and then retaining the ability to hear special meetings after that point. For the reasons stated above, Staff does not recommend following that suggestion.

Department Review:
The City Manager, Legal Department, Sustainability Department, Police Department, and Finance Department reviewed this report.

Alternatives:

A. Approve:
The recommended action would enact the changes to the City's Municipal Code as shown in the attached documents. **This is staff's recommendation.**

B. Deny:
Council could deny the request to move forward with the amendments to Municipal Code 4-4-1 thru 4-6-6.

C. Modify:
Council could direct Staff to modify or add amendments to the current ordinance. Any significant changes to the ordinance would require staff to return at a future Council meeting with an amended ordinance incorporating the Council's changes.

D. Continue the Item:
Council could ask for this ordinance change to be continued for further discussion. Council should provide additional policy clarity and describe what additional information the Council would like to move forward.

E. Do Nothing:
Council could do nothing on this request. Staff does not recommend this alternative.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Unique and diverse businesses + Balance between tourism and local quality of life + Varied and extensive event offerings ~ Internationally recognized & respected brand	~ Reduced municipal, business and community carbon footprints	+ Shared use of Main Street by locals and visitors + Vibrant arts and culture offerings + Shared use of Main Street by locals and visitors ~ Primarily locally owned businesses	+ Fiscally and legally sound + Engaged and informed citizenry + Streamlined and flexible operating processes + Ease of access to desired information for citizens and visitors
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Neutral	Positive	Very Positive
Comments:				

The primary impacts of the proposed changes will be to applicants for special event alcoholic beverage licenses. The proposed changes will mirror the State requirements (DABC) for special event temporary license.

Consequences of not taking the recommended action:

If no action is taken at this time the current ordinance will remain hard to follow and understand. Moreover, applicants for single events will continued to be required to submit to application requirements more suited to applications for full licenses and well above what the State requires of temporary licensees.

Recommendation:

Hold a public hearing and consider amending the municipal code as proposed in the attached ordinances. The attached ordinances amend Sections 4-4-1 thru 4-6-6 of the Municipal Code. The amendments clarify Park City's Special Event liquor licensing process, allow the Finance Department to simplify the liquor licensing application process, and provide clarity and ensure internal consistency within the Municipal Code. Retain Council authority to legislatively approve temporary licenses during the Sundance Film Festival.

Exhibits:

Exhibit A – Draft Ordinance

Exhibit B – Updated liquor license application based upon proposed amendments
Exhibit C - Minutes December 20, 2012
Exhibit D – Minutes February 28, 2013

Ordinance No. 13-

AN ORDINANCE ADOPTING TITLE 4, CHAPTER 4A – SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSES DESCRIBED IN THE MUNICIPAL CODE OF PARK CITY AND AMENDING TITLE 4, CHAPTER 4, BEER AND LIQUOR LICENSING; TITLE 4, CHAPTER 5, BEER LICENSES DESCRIBED; TITLE 4, CHAPTER 6, LIQUOR LICENSE DESCRIBED OF THE MUNICIPAL CODE OF PARK CITY

WHEREAS, there is a need to clarify Park City's special event temporary alcoholic beverage licensing process; and

WHEREAS, the Finance Department wishes to simplify the liquor licensing application process; and

WHEREAS, the Park City's temporary special event liquor license was more cumbersome than the State Code; and

WHEREAS, in order to be more effective, the Criminal Background requirements preventing those who have committed felonies or other criminal activity are increased; and

WHEREAS, Police need greater ability to deny liquor licenses for applicants that have shown through previous conduct that they are unlikely to comply with the provisions of the liquor license and/or state and local liquor laws; and

WHEREAS, before an application can be approved or denied it must be reviewed interdepartmentally, therefore, all applications may take up to 10 business days to process; and,

WHEREAS, insurance shall be required for all special event temporary alcoholic beverage licenses and all servers shall be TIP certified; and

WHEREAS, in order to be consistent with the DABC process and allow the City to monitor issuance of the licenses collectively, with the benefit of more time to allow staff review of individual applications for temporary licenses effective during the Sundance Film Festival, Council will not delegate its authority to give local consent; and

WHEREAS, these amendments and adoption provide clarity and ensure internal consistency within the Municipal Code and consistency with the State Code.

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

Section I. Amendment. Title 4, Chapter 4, Beer and Liquor Licensing; Title 4, Chapter 5 Beer Licenses Described; and Title 4, Chapter 6, Liquor Licenses Described of the Municipal Code are amended to read as outlined in Exhibit A.

Section II. Adoption. Title 4, Chapter 4A, Special Event Temporary Alcoholic Beverage Licenses is adopted and reads as outlined in Exhibit A.

Section III. Effective Date. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 6th day of June, 2013.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

____
Janet M. Scott, City Recorder

Approved as to form:

____
Mark D. Harrington, City Attorney

CHAPTER 4 - BEER AND LIQUOR LICENSING

4- 4- 1. POLICY.

It is the policy of Park City Municipal Corporation to permit the operation of establishments serving beer and liquor in a manner consistent with the provisions of the Alcoholic Beverage Control Act and related provisions of State Law. It is also the policy of Park City Municipal Corporation to place the primary responsibility for maintaining order and preventing breaches of the peace within establishments selling and serving beer and liquor on the owners and managers of those establishments.

~~4- 4- 2. LICENSE APPLICATION.~~

~~Applications for new beer or liquor licenses shall be made in writing to the City Council or its designee upon a form furnished by the Finance Manager to be filed with the Finance Manager and include the information set forth in (A) through (E) below:~~

~~Each application shall state the name, street address, mailing address, age and citizenship of the applicant; and contain an indication as to whether the applicant meets the Licensee qualifications set out in Section 4-4-3;~~

~~A copy of the applicant's criminal history obtained from the Utah Bureau of Criminal Identification completed within three years of application;~~

~~The Street address of the business; whether the applicant has complied with requirements specified in the Alcoholic Beverage Control Act; the location of any other beer or liquor licenses held by the applicant; the name and Utah address for the business' agent for service of process; and any other reasonably pertinent information required by the Finance Manager or City Council;~~

~~The application must be subscribed by the applicant who shall state under oath that the facts therein contained are true; and~~

~~If the applicant is a partnership, association, corporation, or limited liability company the applicant shall include a copy of the articles of incorporation or the written partnership agreement; and the information set forth in (A) and (B) for each officer, partner, or director.~~

~~*(Amended by Ord. Nos. 01-32, 10-21)*~~

4- 4~~A~~- 2. LOCAL CONSENT.

(A) The issuance of a Park City beer or liquor license ~~may~~ pursuant to Section 4-4-10 below shall constitute local consent for the purpose of any license issued by the state of Utah under the Alcoholic Beverage Control Act.

(B) Retained Council Authority:

(i) all Special Event Temporary Alcoholic Beverage Licenses effective during the applicable Sundance Film Festival annual Master Festival License period shall require City Council approval no later than the last regularly scheduled meeting in the preceding month of December.

(ii) An Emergency Meeting may be held by Council to hear no more than twelve (12) applications for late applications. All applications must be complete and submitted no later than the first Friday in January to be heard no later than the second Thursday in January. No more than the first twelve complete applications to be submitted will be heard. A higher fee, pursuant to the fee schedule, will be required due to the expedited nature of the emergency meeting.

(Amended by Ord. No. 10-21)

4- 4- 2.1. DEFINITION OF APPLICANT OR LICENSEE

Throughout this Title, the term "applicant" or "licensee" shall include the individual, or any partner, managing agent, manager, officer, director, stockholder holding at least 20% of the total issued and outstanding stock of a corporation, or member who owns at least 20% of the limited liability company applying for or being granted a license under this Title.

4- 4- 3.~~–~~ LICENSEE QUALIFICATIONS.

No beer or liquor license shall be granted to any individual, ~~retailer,~~ partnership, corporation, limited liability company, or association if the applicant ~~any partner, director, or officer~~ does not meet the qualifications for a license as set forth in (A) through (~~D~~ E), below:

(A) Must be ~~The licensee shall be over the age of~~ twenty-one (21) years of age or older;

(B)~~–~~ ~~No beer or liquor license shall be granted to anyone who has been~~Must not have been convicted of:

1) ~~or plead guilty to~~ a felony under federal or state law; ~~within two (2) years of date of the application~~

2) a violation of a federal law, state law, or local ordinance concerning the sale, offer for sale, warehousing, manufacture, distribution, transportation, or adulteration of an alcoholic product;

3) ~~,~~a crime involving moral turpitude; or

~~1)~~4) on two (2) or more occasions within the five (5) years before the day on which the license is issued, driving under the influence of alcohol, drugs, or the combined influence of alcohol and drugs;~~or of misdemeanors involving alcohol or controlled substances during a period of one (1) year prior to the application;~~

~~(C) No beer or liquor license shall be granted to any person who has been convicted of any violation of any law or ordinance relating to the importation or sale of intoxicating liquors, or of keeping a gambling or disorderly establishment, or who has plead guilty to or forfeited his bail~~

~~on a charge of having violated any such law or ordinance within the preceding three (3) years of the date of application; or~~

(~~D~~C)- Must not have had any type of ~~Any person whose~~ beer or liquor license ~~was~~ revoked ~~pursuant to this Title is ineligible to reapply for a beer or liquor license until the expiration of~~within the last three (3) years ~~from the date such license is revoked~~;

(D) Must comply with federal and state laws pertaining to the payment of taxes and contributions to unemployment and insurance funds; and

(E) Must meet all other state requirements for the applicable license.

(Amended by Ord. Nos. 01-32, 01-21)

4- 4- 4.- APPLICATION FEE.

Each beer and liquor license application shall be accompanied by the regulatory license fee required by ~~Section 4-5-2 or Section 4-4-6~~this Title. If the license is denied, fifty percent (50%) of the license fee will be retained to pay the costs of processing the application.

4- 4- 5.- REFERRAL OF LICENSE APPLICATION TO CHIEF OF POLICE.

All applications filed in accordance with this ~~Chapter~~ Title shall be referred to the Chief of Police or designee for inspection and report. The ~~Chief of~~ Police shall, within ten (10) business days after receiving such application, conduct an investigation. ~~of~~ In conducting an investigation and making a recommendation, the Chief of Police or designee may base a decision upon factors such as:

(A) whether the applicant meets the licensee qualifications under this Title or State Code;

(B) any criminal violations or charges against the applicant where the criminal violation at issue would make an applicant ineligible for a license under state statute or this Title;

(C) compliance with state alcoholic beverage laws and this Title;

(D) the nature and kind of business to be conducted ~~at such place~~ by the applicant;

(E) the nature and kind of entertainment that will occur on the premises if licensed~~t, if any, at such place~~;

(F) policies and safety protections the applicant has in place to restrict minors from accessing the portion or portions of a premises where alcoholic beverages are sold;

(G) policies and safety protections the applicant has in place to prevent minors from gaining access to and/or consuming alcoholic beverages;

(H) ~~and~~ the proximity of ~~such~~ the premises to any community location, school, or church.

~~–~~The Chief of Police or designee shall, upon completion of such investigation, submit ~~his/her~~a recommendation as to whether the license should be granted. ~~–In making his/her recommendation, the Chief of Police may refer to the character of other licensed premises owned in full or in part by the applicant.–~~If recommending denial of a special event temporary alcoholic beverage, beer or liquor license application, the Chief of Police or designee shall submit a detailed report of ~~his/her~~the investigation, record the recommendation on the application, and sign the application.~~–~~ If recommending approval of a beer or liquor license application, the Chief of Police or designee shall record such recommendation on the application, sign the application, and may, at his/her sole discretion, submit a detailed report of the investigation.

(Amended by Ord. No. 01-32)

4- 4- 6. REFERRAL OF APPLICATION TO BUILDING DEPARTMENT AND PLANNING DEPARTMENT.

The Finance Manager or designee shall refer the application to the Building and Planning Departments for review by the Building Official to ensure compliance with the applicable building codes~~,~~; determination of the maximum number of occupants the premises may safely accommodate at one time, given the location and number of emergency exits;~~,~~ and compliance with the Park City Land Management Code, Title 15. The Building and Planning Departments shall, within ten (10) businesses days after receiving such application, submit to the Finance Manager or designee a recommendation to approve or deny the application.

(Amended by Ord. No. 01-32)

4- 4- 7. REFERRAL OF LICENSE APPLICATION TO HEALTH DEPARTMENT.

The Building Department may refer any application filed in accordance with this ~~Chapter~~ Title to the County Health Department which may inspect all premises to be licensed to assure compliance with all laws and regulations of the State of Utah and the ordinances, rules, and regulations of Park City governing the sanitary preparation, storage, distribution, or sale of beer and food.

(Amended by Ord. No. 01-32)

4- 4- 8.~~–~~ PERIODIC INSPECTION OF PREMISES BY CHIEF OF POLICE.

The Chief of Police or ~~his/her~~ designee shall be permitted to have access to all premises licensed or applying for license under this ~~Chapter~~Title, and may make periodic inspections of said premises and may report his/her findings to the ~~City Council~~Finance Manager or designee.

(Amended by Ord. No. 01-32)

4- 4- 9. GROUNDS FOR LICENSE DENIAL SUSPENSION, OR REVOCATION.

(1) The City ~~Council or its designee may~~ shall deny a ~~beer or liquor~~ license application under this Title if:

(A) The license application does not contain all of the information required by this Title ~~Section 4-4-2~~;

(B) The application fee is not paid;

(C) The premises to be licensed do not comply with the applicable zoning regulations and building codes in force at the time of application;

(D) The applicant does not meet the licensee qualifications set out in Section 4-4-3, elsewhere in this Title or in the state code;

(E) The applicant intentionally misrepresented or concealed information required by ~~Section 4-4-2~~this Title in an application for the license;

(F) The proposed premises do not meet all applicable health and building codes, and the applicant does not provide reasonable assurances that the premises will be brought into compliance upon approval of the license;

(G) The applicant holds other licenses under this Title, which are not in good standing, or upon which licensed premises the provisions of this Code and state laws are frequently violated; or

(H) Applicant does not hold a current Park City business license.

(2) The City may suspend, revoke, or not renew a license under this Title if:

(A) The licensee fails to meet the licensee qualifications in Section 4-4-3, or the license could be denied for any of the reasons listed in Subsection (1) above.

(B) The licensee no longer possesses the qualifications required by state and local laws;

(C) The licensee violates state or local alcoholic beverage laws or regulations;

(D) The licensee does not pay an application fee, license cost, or fine;

(E) The licensee fails to maintain a Park City business license;

(F) The licensee fails to notify the City of a change in ownership

(i) For a corporation, this includes changes related to corporate officers, directors of the retail licensee, or shareholders holding at least 20% of the total issued or outstanding stock of the corporation;

(ii) For a limited liability company, this includes changes related to managers of the limited liability company or members owning at least 20% of the limited liability company;

(G) If any of the following fails to complete an alcohol training and education seminar (TIPS);

(i) ~~for~~ Any manager, supervisor that oversees the furnishing of alcoholic products, or any individual who serves an alcoholic product to a patron for consumption on the licensed premises where the license is a retail license,

(ii) Any supervisor who supervises the sale of beer, or individual who sells beer to a patron for consumption off the premises where the license is an off-premise beer retailer~~.~~;

~~(B)~~(H) The licensee is an off-premise beer retailer license and the licensee is on probation for multiple violations involving the sale of alcoholic beverages to minors, and the licensee or his/her staff are involved in any violation during the probationary period;

(I) The licensee violates a state alcoholic beverage law, Utah Department of Alcoholic Beverage Control rule, or local ordinance.

(3) Emergency Suspension by Police is applicable for violation of any of the provisions listed above pursuant to Section 4-4-15.

(Amended by Ord. No. 01-32)

4- 4- 10. ISSUANCE OF LICENSE CERTIFICATE.

All beer and liquor license certificates shall be signed by the City Manager and Finance Manager, attested by the City Recorder under the seal of the City, and shall contain the following information:

(A) The street address of the licensed premises and mailing address if different;

(B) A detailed description of the portion of the building designated as the licensed premises;

(C) The maximum occupancy of the licensed premises;

(D) The beer or liquor license classification;

(E) The name of the person to whom such certificate has been issued and the name of a local contact person;

(F) The name of the business;

(G) The term of the license, including commencement and expiration dates; and

(H) That the license is subject to revocation by the City for violation of this Title or the Alcoholic Beverage Control Act.

(Amended by Ord. No. 01-32)

4- 4-11. CITY LICENSE PERIOD.

Unless otherwise provided under this Title, t~~T~~he license certificate shall be valid through December 31 of the year of issuance, unless revoked or suspended under this Title or unless the licensee's required State license is suspended, revoked or denied.

4- 4-12. CITY RENEWAL PROCEDURE.

On or before December 1 of each year, the City shall send via first class mail, notice to each beer, restaurant liquor or Club Licensee within the City that the regulatory license fee required by ~~Section 4-5-2 or 4-6-6~~this Title is due by December 31st. Upon receipt of the regulatory license fee and finding that renewal is proper pursuant to the criteria in this Title and set forth herein at Subsections (A) through (E), the ~~City Council~~Finance Manager or ~~its~~ designee shall issue a license certificate valid through December 31st of the next licensing year.

Upon notification by the Police Department, the licensee must close the licensed premises on the expiration date of the license and keep the premises closed for the consumption or storage of beer or liquor until the date his/her renewal license is issued by the ~~City Council~~Finance Manager or ~~its~~ designee. In the absence of such notice, pending action on license renewals, the license is deemed extended provided a renewal application was filed on or before December 31 of the year in which the prior license was issued. The Finance Manager or designee shall prepare a list or lists of all licenses to be renewed, and the ~~City Council~~Finance Manager or ~~its~~ designee may approve all renewals on that list or lists.

Licenses shall be renewed unless the ~~Council~~ Finance Manager or ~~its~~ designee shall find ~~that~~:

(A) The licensee has attempted to transfer or assign the license to others in violation of this Title;

(B) The licensee no longer holds the qualifications required of licensee under the provisions ~~of Section 4-4-3 of~~ this Title;

(C) The premises have been remodeled or changed in a manner that eliminates required exits, creates closed booths or stalls;

(D) The licensee or his/her employees or agents have been convicted of or plead guilty to more than five (5) violations of this Title or state liquor control statutes relative to the conduct of the licensed premises in a single calendar year preceding the renewal, not including violation by patrons; or

(E) Licensee does not hold a current valid Park City business license~~ or has not been exempted under Chapter 2 of this Title~~.

In the event the ~~Council~~ Finance Manager or ~~its~~ designee finds any of the foregoing conditions (A) through (E) to exist with respect to a license renewal application, the ~~Council~~ Finance Manager or ~~its~~ designee may waive the violations and grant a renewal license, grant a probationary renewal for a fixed period of time less than one year, or deny the application for renewal. When deemed appropriate, the Council may hold hearings on specific license renewal applications prior to granting the renewal license.

(Amended by Ord. Nos. 01-32, 10-21)

4- 4-13. LICENSES NON-TRANSFERABLE.

No license issued under this ~~Chapter~~ Title is transferable from the original licensee to any other person, partnership, corporation or other entity. Each year, as a part of the renewal process, the licensee shall indicate the board of directors, or all partners, and if there are any changes from the previous year, the license shall be reviewed as a new application to the extent of the changes in ownership.

(Amended by Ord. No. 01-32)

4- 4-14. TRAINING REQUIREMENTS FOR THE EMPLOYEES OF BEER AND LIQUOR LICENSE PREMISES.

No ~~person~~ applicant shall be granted a special event temporary alcoholic beverage, ~~new~~ beer or liquor license, unless that ~~person~~ applicant shall show by certificate(s) granted by the DABC or by adequate proof of the existence of such certificate(s), that each employee of the business engaging in the serving, selling or furnishing of such alcohol on the premises has completed the Alcohol Training and Education Seminar, as required in U.C.A. Section 62A-15-401.

Every new employee of a licensee who is required to complete this seminar shall complete the seminar within thirty (30) days of commencing employment. Violation of this Section will result in revocation of the license granted unless the licensee provides to the Finance Manager or designee proof of compliance within thirty (30) days of the time that licensee is first notified that such violation occurred.

(Amended by Ord. Nos. 01-32, 10-21)

4- 4-15. EMERGENCY SUSPENSIONS BY POLICE.

Licenses under this ~~Chapter~~ Title may be suspended by the Chief of Police or ~~his/her~~ designee without prior hearing provided ~~that~~ there is probable cause to believe ~~that~~ violations of this ~~Chapter~~ Title or state law are occurring, and the conditions are such that the public health and safety are endangered. Such temporary suspension shall occur only if the management or the licensee fails to remedy the situation within fifteen (15) minutes of notification by the Chief of Police or ~~his/her~~ designee that a suspension will occur if the conditions complained of are not remedied in a manner that eliminates the immediate danger to public health and safety. No emergency suspension by the Chief of Police or ~~his/her~~ designee shall extend beyond the ordinary close of business on the day on which the suspension was given.

(Amended by Ord. No. 01-32)

4- 4-16. OFFENSES OF LICENSEE.

It shall be unlawful for the holder of any license issued under this ~~Chapter~~ Title or any employee or agent of the holder to cause or permit to be caused on his or her premise any of the following acts:

(A) **SALE DURING REVOCATIONS**. To sell any beer or liquor during any period of a license revocation or suspension.

(B) **FAILURE TO DISPLAY LICENSE**. To fail to have the license issued under this ~~Chapter~~ Title on display in the licensed premises.

(C) **EXCESS HOURS OF OPERATION**. Beer may not be sold or offered for sale by any on-premise Beer retailer after 1:00 a.m. and before 10:00 a.m.

(1) Liquor may not be sold or offered for sale at a duly licensed restaurant during the following days or hours:

(a) on any day after 12 midnight and before 12 noon.

(2) Liquor may not be sold or offered by a Club Licensee during the following days or hours:

(a) all days after 1:00 a.m. and before 10:00 a.m.

Holders of off-premise beer licenses may sell beer for consumption off the premises at any time of day.

(D) **MINORS ON THE PREMISES**. To permit a minor to be in or enter into a licensed premises which holds an on-premise tavern beer license. There shall be no restriction on the admission of minors being in or remaining in any of the following licensed premises:

(1) Off-Premise Beer License

(2) On-Premise Beer License, except taverns

(3) Restaurant Liquor Licenses

(4) Temporary Licenses of these classifications

It shall not be a violation of this ~~Chapter~~ Title for minors to enter a licensed club, provided, however, that minors must be accompanied by a parent or guardian, and shall be only within an area of the licensed premises designated as food service area.~~–~~ It shall be unlawful for any Club Licensee to permit minors to be within the license premises when not accompanied by a parent or guardian, or to permit minors to remain in or about the liquor service portion of the premises. Licensees may prohibit minors from entering the premises at all at their discretion by posting a sign at the entrance that states that minors are not permitted inside.

Except as otherwise provided herein, it shall not be a violation of this ~~Chapter~~ Title to permit minors to work in any licensed premises, regardless of license classification, provided that minors shall not work in any capacity that involves handling, selling, or serving alcoholic beverages.~~–~~ It shall be unlawful to permit minor employees to sell, serve, or handle alcoholic beverages.~~–~~ Minors may not work on or otherwise be on the premises of an On-Premise Retail Tavern.

(E) **SALE OR SERVICE TO MINORS**.~~–~~ To furnish or sell, directly or indirectly, through its agents or employees, an alcoholic beverage to persons under the age of twenty-one (21) years, or to permit patrons within the licensed premises to provide alcoholic beverages to persons under the age of twenty-one (21) years on the licensed premises.

(F) **NUISANCE**.~~–~~ To keep or permit a nuisance on the premises as defined by ~~Section 4-1-1 of~~ this Title.

(G)~~–~~ **UNTAXED LIQUOR**.~~–~~ To possess or sell on the licensed premises any liquor which was not purchased from a Utah State Liquor Store or a package agency of that store, except as provided by State law.

(H) **ADULTERATED ALCOHOLIC BEVERAGES**.~~–~~ To possess or sell on the licensed premises any adulterated, impure, diluted, or misbranded liquor.

(I) **FAILURE TO CONTROL NOISE**.~~–~~ To permit or provide either live or recorded amplified music without first having closed all exterior doors and windows of the licensed premises to control noise.~~–~~ Doors may be opened to provide ingress and egress, but shall not be blocked in the open position to provide ventilation.~~–~~ Doors shall be equipped with automatic closing devices to keep them in the closed position except to permit ingress and egress of patrons.

(J) **OUTDOOR SPEAKERS**.~~–~~ To permit or cause to exist any loud speaker or sound amplification equipment on any outdoor balcony deck, patio, or garden associated with the licensed premises other than speaker systems or sound amplification equipment in conjunction with approved outdoor dining.

(K)~~–~~ **EXCESS HOURS OUTSIDE**.~~–~~ To sell or service alcoholic beverages or to permit patrons to remain on any outdoor balcony, deck, patio, or garden associated with the licensed premises after the hour of 10 p.m. except licensed premises may permit patrons to ingress and egress through a closed door to such an area until 12 a.m. provided that food and alcohol are neither sold nor allowed to be consumed or carried out to the area.

(L) **GAMBLING**.~~–~~ To permit, cause, participate, or allow any gambling or gaming, as defined by the laws of the state of Utah within any licensed premises.

(M)~~–~~ **CONTROLLED SUBSTANCES**.~~–~~ To permit or tolerate, or participate in the use, sale, or possession of any unlawful controlled substance within the licensed premises.

(N) **OVERLOADING**.~~–~~ To permit or tolerate the licensed premises to be occupied by more person than the assigned occupancy load for the building assigned by the Building Official or Fire Marshall under the ~~Uniform~~ applicable Building and Fire Code regulations.

(O) **LICENSE VIOLATION**.~~–~~ To permit the consumption of alcohol on any premises licensed with an off-premise beer license, or to open any container for consumption on the premises by the holder of any off-premise beer license or his/her agents or employees; or to permit, cause, or tolerate on the licensed premises the sale, use, consumption, or possession of alcoholic beverages in a manner that is in violation of the limits imposed by the license granted.

(P)~~–~~ **SERVICE OF INTOXICATED PERSONS**.~~–~~ To sell or serve alcoholic beverages to a person who is obviously intoxicated, or to permit an obviously intoxicated person to remain in or about the premises.

(Q) **OPERATING WITHOUT REQUIRED STATE LICENSES**.~~–~~ To continue to sell, serve or store alcoholic beverages on a licensed premise after the state license required under the Alcoholic Beverage Control Act has been denied, suspended or revoked.

(Amended by Ord. Nos. 01-32; 06-62; 07-38; 10-21)

4- 4-17.~~–~~ OFFENSES BY PATRONS.

It shall be unlawful for any person within a licensed premise under this ~~Chapter~~Title, whether as a guest, patron, invitee, supplier, or in any other capacity other than as an employee of the license holder or as the licensee to commit or perform any of the following within the licensed premises:

(A)~~–~~ To enter or remain in any licensed premises holding an on-premise tavern license while under the age of twenty-one (21) years.

(B) To enter or remain in any premises licensed as a private club while under the age of twenty-one (21) years, except when accompanied by a parent or guardian or as a non-alcoholic handling employee of the licensee.

(C) To be in or around the portion of any licensed premise holding a private club license which is designated or functioning as a liquor selling portion of the premises, rather than the area primarily designed and intended for the sale of food when under the age of twenty-one (21) years.

(D)~~–~~ To furnish directly or indirectly alcoholic beverages to any persons under the age of twenty-one (21) years, or to possess or consume alcoholic beverages while under the age of twenty-one (21) years.

(E)~~–~~ To enter or remain in any licensed premises after being ordered to leave the premises by the licensee or the agent or employees of the licensee.

(F) To enter or remain in any licensed premises while intoxicated.

(Amended by Ord. No. 10-21)

4- 4-18. **CITATIONS/ VIOLATIONS.**

The commission of any act or offense listed in Section 4-4-16 or 4-4-17 above shall be a Class “B” misdemeanor, except violations of Section 4-4-16(E) and (Q) shall be Class A misdemeanors.~~–~~ Both the license holder and/or ~~his~~ an employee or agent, and the patron of the licensed premises may be charged from the same incident, as the offenses of the licensee and the offenses of the patron are separate offenses.~~–~~ The licensee shall be civilly responsible for all violations permitted or caused by the agent or employee of the licensee and the criminal acts of the employees or agents committed on the premises in the course of employment shall be deemed the acts of the licensee for purposes of revocation, suspension, or non-renewal by the City

4- 4-19.~~–~~ **WHOLESALER AND RETAILER NOT TO HAVE COMMON INTERESTS.**

It shall be unlawful for any dealer, brewer or wholesaler to either directly or indirectly supply, give or pay for any furniture, furnishings or fixtures of a retailer, and it shall be unlawful for any dealer or brewer to advance funds, money or pay for any license of a retailer or to be financially interested either directly or indirectly in the conduct, operation, or ownership of any premises with a beer license, "club" liquor license or "seasonal" license for any of these license classes.

(Amended by Ord. No. 20-21)

4- 4-20.~~–~~ **BUILDING REQUIREMENTS.**

It shall be unlawful for any person who obtains a liquor or beer license after the adoption of this ~~Chapter~~ Title to own, operate or manage any premises licensed for the retail sale or consumption of beer or liquor without complying with the following lighting and view requirements:

(A)~~–~~ During business hours, adequate lighting shall be maintained in all areas of the licensed premises to allow safe movement within the licensed premises, visibility for business activity, and visibility of all areas of the licensed premises from a point within the licensed premises at or near the main public entrance.

(B) A clear, unobstructed view of all areas of the licensed premises shall be available at all times from a point within the licensed premises at or near the main entrance.

Persons who have obtained beer or liquor licenses from the City before adoption of this ~~Chapter~~ Title and who annually renew their licenses with the City shall not be required to comply with the requirements of this section.

4- 4-21.~~–~~ CLOSED STALLS AND BOOTHS PROHIBITED.

It shall be unlawful for any closed booths or stalls to exist on premises licensed for the retail sale or consumption of beer or liquor.~~–~~ This provision shall not prevent the use and operation of private dining or conference rooms as a part of the licensed premises.

4- 4-22.~~–~~ OCCUPANCY LOAD.

On any premises licensed after the date of this ~~Chapter~~Title, the Building Official shall determine the maximum safe occupancy load of the building, as provided in the ~~Uniform~~ International Building Code, and it shall be unlawful and a Class "B" misdemeanor for any license with an assigned occupancy load to permit more than that number of persons to be within the licensed premises.~~–~~ Once an occupancy limit is assigned, the limit shall be posted with the license in a prominent place within the licensed premises.~~–~~ This provision shall not apply to premises licensed as off-premise beer licenses.

4- 4-23.~~–~~ APPLICABILITY.

The provisions of this ~~Chapter~~ Title shall apply to all licensed premises and all licensees who are issued either a new license or a renewal of an existing license after the date of this ~~Chapter~~Title. Amendments to this ~~Chapter~~ Title may be made from time to time, and all licenses or renewals issued hereunder are subject to amendments as they become effective, except that amendments which address structural requirements of any licensed premises existing at the time of the amendment shall not apply to existing structures until such time as the license is transferred, forfeited, or allowed to expire.~~–~~ As existing structures are sold, remodeled, or re-licensed, but not on renewal of existing licenses, however, full compliance will be required prior to the issuance of a new license, new class of license, or license to a new licensee at that location.

4- 4- 24. APPEALS OF LICENSE DENIAL OR REVOCATION.

Denial or revocation of a license under this Title may be appealed within five (5) days to the City Manager by written notice of appeal. The notice of appeal shall be filed with the City Recorder. The City Manager may consider the appeal based upon the written submissions. However, for good cause shown, the City Manager may also hear oral evidence and argument. The City Manager shall consider the matter using an error of law standard of review.

CHAPTER 4A – SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSES DESCRIBED

4- 4A- 1. SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSE REQUIRED.

It shall be unlawful for any person to sell beer or liquor at any event within the City without first procuring a Special Event Temporary Alcoholic Beverage License as required by this Title. No alcoholic beverages may be served at any event(s) at which natural person(s) or entities (including, but not limited to corporations, partnerships, unincorporated associations or joint ventures) will be engaging in business unless a Special Event Temporary Alcoholic Beverage License is secured prior to the event.– A City issued Special Event Temporary Alcoholic Beverage License is required if Engaging In Business at an event, even if a State Department of Alcoholic Beverage Control (DABC) license is not required.

In addition to the City license, a State Temporary Beer Event Permit or Single Event Permit shall be required for all sales of beer or liquor at any event. No license may be transferred, assigned or subleased in any manner. Licenses are invalidated by transfer or attempted transfer. All licensees shall comply with the provisions of the Alcoholic Beverage Control Act and this Title.

4- 4A- 2. LICENSE APPLICATION.

Applications for a Special Event Temporary Alcoholic Beverage License shall be made on behalf of a bona fide association, corporation, church or political organization or a recognized lodge, chapter or other local unit, in writing, to the Finance Manager or designee and include the information set forth in (A) through (G) below:

(A) Each application shall list the street address of the business; whether the applicant has complied with requirements specified in the Alcoholic Beverage Control Act; the location of any other beer or liquor licenses held by the applicant; the name and Utah address for the business' local agent for service of process; and any other information required by the Finance Manager or designee;

(B) The name, street address, mailing address, date of birth, and driver's license of the party responsible for completing the application and supervising the event at which the license will be used;

(C) A statement detailing applicant's criminal history and certified and signed by the applicant;

(D) The application must be subscribed by the applicant who shall state under oath that the facts contained therein are true;

(E) A certificate of existence and a copy of the articles of incorporation, the written partnership agreement, or other applicable documentation showing entity has been in existence for at least one (1) calendar year prior to the date of application;

(F) The name, contact information, and/or any other information needed by the City to verify each officer, partner, or director meets the requirements set forth in the statutes of Utah and this Title; and

(G) Affirmation indicating each officer, partner, or director meets the Licensee qualifications set forth in the statutes of Utah and this Title;

Applications may take up to ten (10) business days to process. As provided by this Title, applicants may not store, sell, serve or otherwise facilitate the consumption of alcoholic beverages by others until applicant has procured a license as required by this Title and, if required a State issued license.

4- 4A- 3. REGULATORY SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSE FEE.

The regulatory liquor license fee shall be set by resolution for all Special Event Temporary Beer Licenses and Special Event Liquor Licenses. The regulatory license fees shall be used by the City to defray, in part, the costs of alcohol related enforcement and responding to alcohol related offenses within Park City. This fee may be waived by the Finance Manager or designee for special event temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations.

4- 4A- 4. SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSE.

(1) A Special Event Temporary Alcoholic Beverage License shall grant a bona fide association, corporation, church or political organization or a recognized lodge, chapter or other local unit that is conducting a convention, civic or community enterprise the privilege to store, sell, service and consume alcoholic beverages in accordance with (i) an applicant's State liquor license or (ii) in case of Business activity where a State liquor license is not required, as outlined below.

(2) The privileges granted by this license shall be limited by the type of temporary license or permit the applicant obtains from the State as follows:

(A) Where an applicant obtains a State Temporary Beer Event Permit, this license shall carry the privileges and responsibilities granted State Temporary Beer Event Permit holders and shall authorize the storage, sale, service and consumption of beer for a period not to exceed thirty (30) days. A State Temporary Beer Event Permit may authorize multiple sales outlets on different properties under one State Temporary Beer Event Permit. No person, individual, or association shall in any one (1) calendar year operate under a Special Event Temporary Alcoholic Beverage License for more than a total of ninety (90) days; or

(B) Where an applicant obtains a State Single Event Permit this license shall carry the privileges and responsibilities granted State Single Event Permit holders and shall authorize for a period not to exceed one-hundred and twenty (120) consecutive hours or five (5) consecutive days the storage, sale, service and consumption of liquor. In any one (1) calendar year an applicant may obtain up to twelve (12) licenses provided that all such licenses in the calendar year are for seventy-two (72) hours or fewer. If any license issued to an applicant within one (1) calendar year exceeds seventy-two (72) hours, applicant may obtain no more than four (4) special event liquor licenses for that one (1) calendar year.

(3) Special Event Temporary Alcoholic Beverage Licensees must provide the Finance Manager or designee with proof of State licensure if required not less than ten (10) business days prior to the event for which the City license has been issued. Unless otherwise provided for in this Title, Special Event Temporary Alcoholic Beverage Licenses shall be valid only if a licensee has received a State liquor license from the Utah Alcoholic Beverage Control Commission for the same event. All licensees must notify the Finance Manager or designee immediately if their State license is denied, revoked, or suspended for any reason. In the event an applicant is not required to obtain a State Temporary Beer Event Permit or State Single Event Permit, the privileges granted by a Special Event Temporary Alcoholic Beverage License shall be contingent upon the type of alcoholic beverages to be served at the event as established by the Special Event Temporary Alcoholic Beverage License application. Applicants serving only beer at an event shall receive the privileges and shall be subject to the limitations described in (2)(A) above. Applicants serving any liquor at an event shall receive the privileges and shall be subject to the limitations described in (2)-(B) above.

(4) Subject to the limitations set forth in (2)-(A) and (B), a Special Event Temporary Alcoholic Beverage License shall authorize the storage, sale, service and consumption of alcoholic beverages in conjunction with a master festival, special event, convention, civic or community event and pursuant to the Utah Alcoholic Beverage Control Act, Alcoholic Beverage Control Commission rules and regulations, and the ordinances of Park City.

(5) No person under the age of twenty-one (21) shall sell or serve alcohol under a Special Event Temporary Alcoholic Beverage License.

4- 4A- 5. INSURANCE REQUIREMENTS.

No Special Event Temporary Alcoholic Beverage Event may take place until the applicant presents the Finance Manager or designee proof of liquor liability insurance coverage in the amount of one million dollars ($1,000,000) per occurrence and two million dollars ($2,000,000) aggregate or more as may be required by the Finance Manager or designee based on factors such as the nature, size and location of an event.

CHAPTER 5 - BEER LICENSES DESCRIBED

4- 5- 1. BEER LICENSE REQUIRED.

It shall be unlawful for any person to engage in the business of the sale of beer at retail or wholesale within the City without first procuring a beer license as required by this ~~Chapter~~Title. In addition to the City license, a State beer license shall be required for all sales of beer for on-premise consumption or for purchase or sale of beer in a container exceeding two liters. A separate license shall be required for each place of retail sale, for each separate premise, except that separate licenses are not required for each retail beer dispensing outlet located in the same building or on the same resort premise owned or operated by the same applicant. No beer license may be transferred, assigned or subleased in any manner. Licenses are invalidated by transfer or attempted transfer. All licensees shall comply with the provisions of the Alcoholic Beverage Control Act, and this Title. No Beer License shall be issued for any club or bar in the HCB District or HRC District that is regulated as a Storefront Property pursuant to LMC Chapter 15-15 unless the general public may join the club, either as an annual member or a temporary visitor, and the cost of that annual membership or temporary visitor card is not more than $50.00.

(Amended by Ord. Nos. 07-28; 07-69; 10-21)

4- 5- 2. LICENSE APPLICATION.

Applications for new beer licenses shall be made in writing to the Finance Manager or designee and include the information set forth in (A) through (E) below:

(A) Each application shall state the name, street address, mailing address, age and citizenship of the applicant; and contain an indication as to whether the applicant meets the Licensee qualifications set out in this Title;

(B) The applicant's criminal history obtained from the Utah Bureau of Criminal Identification completed within three years of application;

(C) The Street address of the business; whether the applicant has complied with requirements specified in the Alcoholic Beverage Control Act; the location of any other beer or liquor licenses held by the applicant; the name and Utah address for the business' agent for service of process; and any other reasonably pertinent information required by the Finance Manager or designee;

(D) The application must be subscribed by the applicant who shall state under oath that the facts therein contained are true; and

(E) If the applicant is a partnership, association, corporation, or limited liability company the applicant shall include a certificate of existence, copy of the articles of incorporation or the written partnership agreement; and the information set forth in (A) and (B) for each officer, partner, or director.

4- 5- ~~2~~3. REGULATORY BEER LICENSE FEE.

The regulatory liquor license fee shall be set by resolution for all beer licenses. The regulatory license fees shall be used by the City to defray, in part, the costs of alcohol related enforcement and responding to alcohol related offenses within Park City. This fee may be waived by the ~~City Council~~Finance Manager or ~~its~~ designee for special event temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations.

4- 5- 4~~3~~. RETAIL BEER LICENSE CATEGORIES.

Retail beer licenses issued under the provisions of this ~~Chapter~~ Title shall be classified and carry the privileges and responsibilities hereinafter set forth in this ~~Chapter~~Title:

(A) **OFF-PREMISE BEER LICENSE**. An off-premise retail license shall entitle the licensee to sell bottled or canned beer on the licensed premises in accordance with the Alcoholic Beverage Control Act and the ordinances of Park City.

(1) Beer may not be sold, provided, or possessed for off-premise consumption in containers larger than two (2) liters.

(2) A minor may not sell beer for off-premises consumption except under the supervision of a person twenty-one (21) years of age or older who is on the premises.

(3) A beer retailer shall display beer sold by the retailer in an area that is visibly separate and distinct from the area where nonalcoholic beverages are displayed except that nonalcoholic beer may be displayed with alcoholic beer.

(4) The beer retailer shall post a sign that reads, “These beverages contain alcohol. Please read the label carefully.”

(5) No consumption of beer or alcoholic beverage shall be permitted on the premises of an off-premise licensee.

(B) **ON-PREMISE RETAIL BEER LICENSE**. Any establishment desiring to sell beer at retail for on-premise consumption shall first obtain a Park City on-premise retail beer license and a State on-premise retail beer license as required under U.C.A. Section 32A-10-201. An on-premise retail beer license shall entitle the licensee to sell beer at retail in bottles, cans or at draft for consumption on the premises.

All State-issued on-premise beer retail licenses expire on the last day of February of each year. Accordingly, applicants must submit a renewal application to the DABC no later than January 31st of each year. City beer licenses shall expire on December 31st of each year and the licensee must submit a renewal application to the City prior to December 15th. All licensees must notify the City immediately if the State license is denied or revoked for any reason. On-premise licensees must provide the City with proof of State licensure by March 1 of each year or be subject to cancellation, revocation or termination of the City's license issued hereunder.

On-premise beer retail license holders may sell beer in open containers, in any size not exceeding two (2) liters, and on draft.~~–~~ Liquor may not be stored or sold on the premises of any on-premise retail beer licensee.~~–~~ Beer sold in sealed containers smaller than two (2) liters by the on-premise Licensee may be removed from the premises.

There are two types of licenses to be issued under this Section:

(1) **ON-PREMISE RETAIL TAVERN LICENSE**.~~–~~ An on-premise retail tavern license shall be required for all premises where the primary or main business is that of selling beer for consumption on the licensed premises.~~–~~ An on-premise retail tavern license shall entitle the licensee to sell bottled, canned, or draft beer for consumption on the licensed premises.~~–~~ No person under the age of twenty-one (21) years shall be employed or otherwise be on the premises licensed as an on-premise retail tavern.

(2) **ON-PREMISE RETAIL BEER LICENSE - ALL OTHERS**. An on-premise retail beer license restaurant shall entitled the licensee to sell beer at retail in bottles, cans or draft for consumption on the premises in conjunction with restaurant food service.~~–~~ No person under the age of twenty-one (21) years shall serve or sell beer under this license.

~~(C) SPECIAL EVENT TEMPORARY BEER LICENSES. A special event temporary beer license shall carry the privileges of either an on-premise or off-premise license. A special event temporary beer license shall authorize the storage, sale, service and consumption of beer in conjunction with a master festival, special event, convention, civic or community event and pursuant to the Utah Alcoholic Beverage Control Act, Alcoholic Beverage Control Commission rules and regulations, and the ordinance of Park City. No person under the age of twenty-one (21) shall sell or serve beer under this license. Special event temporary beer licenses shall be valid only if the licensee has been granted a temporary special event beer permit by the Utah Alcoholic Beverage Control Commission pursuant to U.C.A. Sections 32A-10-301 to 306, as amended, for the same master festival, special event, or other convention, civic or community event. Special event temporary beer licenses must provide the City with proof of State licensure not less than ten (10) business days prior to the master festival, special event, or other convention, civic or community event for which the City license has been issued. All licensees must notify the City immediately if their State license is denied, revoked, or suspended for any reason. A temporary beer license shall authorize the storage, sale, service and consumption of beer for a period not to exceed thirty (30) days. No person, individual, or association shall in any one (1) calendar year be licensed for more than a total of ninety (90) days.~~

~~A special event temporary beer license may authorize multiple sales outlets on different properties under one special event temporary beer license.~~

(C~~D~~) **BEER CLUB LICENSE**.~~–~~ A Beer club Licensee shall carry the privileges of a tavern beer license provided that such license shall be issued only to bona fide clubs which are organized, incorporated, bonded, regulated, and operated in compliance with the Alcoholic

Beverage Control Act, and the Utah Alcoholic Beverage Control Commission Rules and Regulations.

(Amended by Ord. Nos. 04-19; 08-14; 10-21)

CHAPTER 6 - LIQUOR LICENSE DESCRIBED

4- 6- 1.~~–~~ LIQUOR LICENSE REQUIRED.

No person shall operate a place of business~~,~~
which allows customers, members, guests, visitors, or other persons to possess, consume, or store liquor on the premises of the place of business without a liquor license issued by the City. A separate license shall be required for each place of business.~~–~~ No liquor license may be transferred, assigned, or subleased in any manner. ~~—~~All licensees shall comply with the provisions of the Alcoholic Beverage Control Act, Utah Alcoholic Beverage Control Commission rules and regulations, and this ~~Chapter~~Title. No Liquor License shall be issued for any club, bar or restaurant in the HCB District or HRC District that is regulated as a Storefront Property pursuant to LMC Chapter 15-15, as described in Sections 4-6-2 and 4-6-3 unless the general public may join the club, either as an annual member or a temporary visitor, and the cost of that annual membership or temporary visitor card is not more than $50.00.

(Amended by Ord. Nos. 07-28; 07-6; 10-21)

4- 6- 2. LICENSE APPLICATION.

Applications for a new liquor license shall be made in writing to the Financial Manager or designee and include the information set forth in (A) through (E) below:

(A) Each application shall state the name, street address, mailing address, age and citizenship of the applicant; and contain an indication as to whether the applicant meets the licensee qualifications set out in this Title;

(B) The applicant's criminal history obtained from the Utah Bureau of Criminal Identification completed within three years of application;

(C) The Street address of the business; whether the applicant has complied with requirements specified in the Alcoholic Beverage Control Act; the location of any other beer or liquor licenses held by the applicant; the name and Utah address for the business' agent for service of process; and any other reasonably pertinent information required by the Finance Manager or designee;

(D) The application must be subscribed by the applicant who shall state under oath that the facts therein contained are true; and

(E) If the applicant is a partnership, association, corporation, or limited liability company the applicant shall include a certificate of existence, a copy of the articles of incorporation or the written partnership agreement; and the information set forth in (A) and (B) for each officer, partner, or director.

(Amended by Ord. Nos. 01-32, 10-21)

4- 6- 3. REGULATORY LIQUOR LICENSE FEE.

The regulatory liquor license fee shall be set by resolution for all liquor licenses. The regulatory license fees shall be used by the City to defray, in part, the costs of alcohol related enforcement and responding to alcohol related offenses within Park City. This fee may be waived by the Finance Manager or designee for temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations. This fee may be waived by the Finance Manager or designee for special event temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations.

4- 6- 4~~2~~. RESTAURANT LIQUOR LICENSE.

A restaurant liquor license shall only be issued to persons licensed by the Utah Alcoholic Beverage Control Commission under U.C.A. Section 32A-4-101 to 106, as amended. A "restaurant" liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premise. Only bona fide restaurants shall be entitled to a restaurant liquor license. Patrons must intend to order food, which is prepared, sold, and served on the premises, in accordance with the Alcoholic Beverage Control Act and Utah Alcoholic Beverage Control Commission rules and regulations and the ordinances of Park City. Liquor is to be provided only in conjunction with a meal, and it shall be unlawful to serve or sell liquor except with a meal. No person under the age of twenty-one (21) years shall serve or sell liquor under this license. All liquor must be purchased in the restaurant from a server designated and trained by the licensee. Any alcoholic beverages under this license must be consumed at the patron or guest's table. A restaurant liquor license shall not entitle the storage of liquor on the licensed premises, except as designated on the application.

A restaurant liquor licensee may sell or provide a primary spirituous liquor only in a quantity not to exceed 1.5 ounces per beverage dispensed through a calibrated metered dispensing system approved by the Commission, except that:

(A) A spirituous liquor need not be dispensed through a calibrated metered dispensing system if used as a secondary flavoring ingredient in a beverage subject to the following restrictions:

(1) the secondary ingredient may be dispensed only in conjunction with the purchase of a primary spirituous liquor.

(B) Spirituous liquor need not be dispensed through a calibrated metered dispensing system if used as a flavoring on a dessert; and in the preparation of a flaming food dish, drink, or dessert;

(C) A restaurant patron may have no more than 2.5 ounces of spirituous liquor at a time; and a restaurant patron may have no more than one spirituous liquor drink at a time before the patron.

All holders of restaurant liquor licenses shall maintain records which shall disclose the gross sales of liquor and the gross sales of food served and any other items sold for consumption on or off the premises. Such sales shall be shown separately. Each licensee shall retain all invoices, vouchers, sales slips, receipts, and other records of beer and other commodity purchases from all suppliers. Such records shall be available for inspection and audit by the ~~Director~~Finance Manager or ~~his or her~~ designee at any time following the close of the semi-annual period and for one (1) year thereafter, or as required by State regulations. Failure to properly maintain such records for such inspection and audit shall be cause for revocation of the restaurant liquor license.

Each restaurant liquor licensee shall maintain at least seventy percent (70%) of its total restaurant business from the sale of food, which does not include mix for alcoholic beverages or service charges. If any audit or inspection discloses that the sales of food on the licensed premises are below seventy percent (70%) of the gross dollar volume of business for any semi-annual period, the restaurant liquor license shall immediately be suspended and shall not be reinstated until the licensee is able to prove to the satisfaction of the ~~City Council~~Finance Manager or ~~its~~ designee that in the future, the sales of food on the licensed premises will not fall below seventy percent (70%) of the gross dollar volume of business.

All Park City issued restaurant liquor licenses shall expire on December 31st of each year thereafter. All State-issued restaurant liquor licenses expire on October 31st of each year. All licensees must notify the City immediately if the State liquor license is denied, suspended or revoked for any reason. Restaurant liquor license applicants must provide the City with proof of State licensure by December 1st of each year or be subject to cancellation, revocation or termination of the City's license issued hereunder. All renewal applications must attach a copy of a valid State license.

(Amended by Ord. No. 10-21)

4- 6- 5~~3~~. PRIVATE CLUB LIQUOR LICENSE.

A liquor club Licensee shall be entitled to serve, sell, and store liquor, pursuant to Utah Alcoholic Beverage Control Commission rules and regulations, and the ordinances of Park City. No person under the age of twenty-one (21) years shall serve or sell liquor. All State-issued club licenses shall expire December 31st of each year. All State-issued club liquor licenses expire on June 30 of each year. All licensees must notify the City immediately if the State-issued club liquor license is denied, suspended or revoked for any reason. Club liquor license applicants must provide the ~~City~~ Finance Manager or designee with proof of the State licensure by July 1st of each year or be subject to cancellation, revocation or termination of the City's license issued hereunder. All renewal applications must attach a copy of a valid State license.

(Amended by Ord. Nos. 10-21)

4- 6- ~~6~~4. SEASONAL LIQUOR LICENSE.

A seasonal liquor license shall carry the privileges of a restaurant liquor license for a period of less than one (1) year to be determined by the ~~City Council~~Finance Manager or ~~its~~ designee. No person under the age of twenty-one (21) years shall sell or serve liquor under this license.

~~4- 6- 5. SPECIAL EVENT LIQUOR LICENSE.~~

~~A special event liquor license shall authorize for a period not to exceed one-hundred and twenty (120) consecutive hours or five (5) consecutive days the storage, sale, service and consumption of liquor at an event sponsored by a bona fide association, corporation, church or political organization or a recognized lodge, chapter or other local unit that is conducting a convention, civic or community enterprise. The City may not issue more than four (4) special event liquor licenses in any one (1) calendar year to the same association, church, or political organization, chapter, lodge or unit thereof, if any special event liquor license issued in any one (1) calendar year to said association, church, or political organization, chapter, lodge or unit thereof exceeds seventy-two (72) hours. If no special event liquor license exceeding seventy-two (72) hours has been granted to said association, church, or political organization, chapter, lodge, or unit thereof in any one (1) calendar year, the City may issue up to twelve (12) single event liquor licenses provided that all such licenses in the calendar year are seventy-two (72) hours or fewer.~~

~~A special event liquor license may authorize multiple sales outlets on different properties under one special event liquor license.~~

~~(Amended by Ord. Nos. 04-19; 08-14; 10-21)~~

~~4-6-6 REGULATORY LIQUOR LICENSE FEE.~~

~~The regulatory liquor license fee shall be set by resolution for all liquor licenses. The regulatory license fees shall be used by the City to defray, in part, the costs of alcohol related enforcement and responding to alcohol related offenses within Park City. This fee may be waived by the City Council or its designee for temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations. This fee may be waived by the City Council or its designee for special event temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations.~~

Park City Municipal

APPLICATION FOR SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSE

1. **Organizational Information.**

Name of Organization: ______________________________

Address: ______________________________
Street   Suite #   City   State   Zip

Business License Number: ______________ Date Organization Founded: ______________

Mailing Address (if different): ______________________________

Type of organization: (check one)

☐ Incorporated Association ☐ Religious Organization ☐ Corporation ☐ Partnership

☐ Non-Profit Corporation ☐ Political Organization ☐ Limited Liability Company

☐ ***Check if a local chapter or sub-unit of any of the above.***

☐ Utah state agency or political subdivision of the state including a county or a municipality

Please attach a Certificate of Existence and one additional document verifying the existence of business (check all that apply)

☐ Certificate of Existence (*Required*) ☐ Articles of Incorporation

☐ Partnership Agreement ☐ Other: ______________________

Utah Sales Tax Number: ______________________________

Names of all Owners, Officers, and Directors that have power to make decisions for the entity. Include partners, managers, managing agents, stockholders who hold at least 20% of the total issued and outstanding stock of applicant corporation, or members who own at least 20% of an applicant limited liability company (attach additional page if necessary).

Name	Home Address	City, State, Zip	Date of Birth & Driver's License #

2. **Liquor Liability Insurance Information.**

Insurance Company Name and Address: ____

Policy Number: ___________________________ Effective Date: __________________________

Attach insurance certificate for insurance with a minimum amount of $1 million per occurrence, $2 million aggregate.

3. **Responsible Party.** Please list the name of the person responsible for completing, signing, and submitting this application.

Name: ______________________________________ Date of Birth: _______________________

Mailing Address: __________________________________ , _____________ , ____ __________

(Street Address) (City) (State) (Zip Code)

Phone number: ___________________________ Fax: ___________________________________

E-mail: ____

Driver's License Number: ____________________________ Issuing State: __________________

4. **Local Agent.** Please list the name and Utah mailing address of a local agent authorized to receive service of process.

Name: ____

Utah Mailing Address: ________________________________ , _____________ , UT ________

(Street Address) (City) (Zip Code)

Phone number: ___________________________ Fax: ___________________________________

E-mail: ____

5. **Event Information.**

Name of event: ____

Location of event: ____ Unit # ________

Years at this location: ________ Date(s) and hours of event: ______________________________

Description of event: ____

Type of alcohol being served:____

Number of people at event: ____

Admission policy (Admission Charge; Guest List, etc.):___________________________________

____

6. **Liquor License Information.**

Please list existing or prior beer or liquor licenses held (include special events licenses): ___________

____

Have you or anyone claiming ownership or directorship had any beer or liquor licenses revoked by a government agency within the past 3 years? [ ] YES [ ] NO

7. **Criminal History.** Please list all criminal offenses, other than minor traffic offenses, of which you or any officers, partners, managers, managing agents, directors, stockholders who hold at least 20% of the total issued and outstanding stock of an applicant corporation, members who own at least 20% of an applicant limited liability company, and any person employed in a supervisory or managerial capacity have ever been convicted (also include any pending criminal charges). If none, the undersigned applicant attests that the above persons have not been convicted of any disqualifying criminal offense (attach additional page if necessary).

Name	Criminal Offense	Date of Conviction

By signing below, the above listed Responsible Party attests that:

- The Responsible Party is authorized to act on behalf of the applicant;
- The Responsible Party is responsible to ensure that all actions taken under a license derived from this application comply with state and local laws;
- The Responsible Party may be held liable for any actions taken under a license derived from this application, including, but not limited to, any criminal or civil penalties arising from the misuse of a liquor license or the violation of state and/or local liquor laws;
- The Responsible Party's acceptance of responsibility, including liability for any criminal or civil penalties stemming from the violation of state and/or local liquor laws, is separate from and in no way limits the duties and liabilities held by directors, officers, managers, or other agents of the above named organization to ensure compliance with state and local liquor laws;
- No one under the age of 21 is a partner or managing agent of the applicant partnership; a managing agent, officer, director, or stockholder who holds at least 20% of the total issued and outstanding stock of the applicant; or a manager or member who owns at least 20% of the applicant limited liability company;
- The Applicant and all officers, partners, and/or directors meet the Licensee qualifications set forth under the Utah Code Annotated and the Park City Municipal Code;

- No person in the alcoholic beverage industry (winery, brewery, distillery, importer, supplier, wholesaler, bottler, or warehouser) holds a partial interest in the ownership of the retail business or in the real or personal property owned, occupied, or used by the applicant in the conduct of the applicant's business.
- No gambling or any other violation of law or ordinance will be allowed on the premises serviced by the single event permittee;
- The applicant does not and will not discriminate against persons on the basis of race, color, sex, religion, ancestry, or national origin at the event;
- He/she has read and abides by the provisions of the relevant parts of Utah Code 32B-9 & 32B-15, all Rules of the Commission and directives of the Department of Alcoholic Beverage Control; and understands that failure to comply with these provisions, including any ongoing eligibility requirements, may result in immediate suspension and/or revocation of the license;
- The applicant gives consent that authorized representatives of the commission, department, or any law enforcement officers will have unrestricted right to enter the premises during the event;
- Responsible Party authorizes the Local Agent listed in this application to accept service of process; and,
- The Responsible Party attests under penalty of perjury that the information contained in this application is true and correct.

Dated this _____ day of_________________ , ________.

____
Responsible Party's Signature

____
Name/Title

State of ________________________________

County of _______________________________

Subscribed & sworn to before me this ________

day of _____________________ , ___________.

____
Notary Public

SEAL:

He stated that he intentionally avoided addressing the cost of a project manager in his staff report. A typical project manager can range anywhere from $95/hour to $150/hour depending upon his or her position in the company. Engineers in a support role as part of a project team range from $95 to $150 and specialized civil engineers can run as high as $230. He felt that the project manager would be needed an average of 20 hours a week and maybe 35 hours a week on the front end.

Cindy Matsumoto asked for clarification about a statement in his staff report, "*The consulting fees will be recovered through defining our ownership and financial roles by property disposition and also through effective project management roles with reduced construction costs*". Mr. Weidenhamer explained that this person will use a value engineering process. The City used an independent construction manager for the MARC resulting in construction savings. Dick Peek pointed out that the project manager for the renovation of the Museum was paid $100 an hour.

Mr. Weidenhamer emphasized the value of someone with experience in Park City. Andy Beerman asked if hiring someone in-house was considered because there are so many upcoming projects including the downtown area. Jonathan Weidenhamer felt that the City may not be able to offer an adequate salary to a person of that the skill-set. Diane Foster interjected that creation of the position would occur outside the budget process which is not preferred. Jonathan Weidenhamer explained that project management would be tied to a capital project. A full-time employee cannot be paid out of a capital budget or out of the RDA. Mr. Beerman asked if it is anticipated to hire project managers for other projects. Jon Weidenhamer felt projects like Main Street and the Library can be handled with current staff. Alex Butwinski believed that a contract also offers more flexibility. Ms. Foster pointed out the importance of gaining efficiencies and using staff as public information officers. Dick Peek suggested that the RFP be written so that there is an ability to handle additional projects. The Mayor felt these should be done one at a time and Ms. Foster explained that a large number of projects are anticipated in the Lower Park Avenue RDA. Staff will cover Main Street and the Library and there is not a lot more on the horizon. The City Council was supportive of proceeding to contract with a project manager.

5. Liquor License Amendments and Amendments for Sundance Film Festival Special Event Liquor Licenses effective 2014. Mark Harrington pointed out that the staff report outlines two different types of amendments that staff is recommending regarding general liquor licensing amendments and licensing specific Sundance Film Festival temporary events starting in 2014. Section A of the report outlines a number of administrative clean-up items and a few substantive changes in terms of general licensing. The effective date is February 1 because the City is already in the middle of licensing for the bulk of Sundance this year and almost through the process for renewals for 2013 for general licensing. This schedule will provide a sufficient notice period for Sundance 2014.

He referred to Section B in the staff report. The City Council had asked staff to look at a broad spectrum of things and some are on-going. The broader policy discussions deal with the ease of temporary licensing, swapping out premises, carrying capacity, and broader impacts to the community and events. There was a request to increase the lead in time for all licenses and make everyone come in at the end of December or early January to stop the crunch that happens in the last ten days and during the Festival. Mark Harrington continued to explain that staff was also looking at the ability to regulate additional business activity both in the downtown core and residential areas.

In looking at the long term, staff came up with an interim first step recommendation in terms of addressing the temporary liquor licenses. He felt one reason is pragmatic in terms of making the City's regulations more consistent with the state process. The DABC primarily requires most licensees make the December meeting but there is an administrative exception period. The cohesiveness between the City's and the state's processes will greatly aid both the lead time problem and the ability for both agencies to better coordinate in terms of analyzing the magnitude of all of the licenses in the community. For example, over half of the temporary liquor licenses are currently issued during or within the ten day period as opposed to the front end and this would shift over 50% to the front end. He continued to explain that because these temporary licenses cover many activities at the same premise, the convention sale and business swap out licenses will also be done a little bit earlier in order for the liquor license to go forward.

Mr. Harrington commented that it is helpful to be able to measure the impacts of special events in advance and for this reason, staff believes this is a good first step. He encouraged proactively issuing liquor licenses in a more cohesive manner with the state process, providing staff more time to analyze and coordinate applications. In response to a question from Liza Simpson, Mr. Harrington explained that staff is still working through an exception process which will likely parallel the state's practice. Licensing with the City could be at risk if there are any problems with the state. The City will look to do something and January 10 may be the hard cut-off. The DABC currently has a pretty flexible policy. There is no hardship component but an enhanced fee if a special meeting is required and an administrative process with a subcommittee.

Andy Beerman asked why Council would approve Sundance licenses, which seems to encumber the process as opposed to the City Manager. Mark Harrington explained that the power starts with the Council which is currently delegated. From a scheduling perspective, it enables the City more time by retaining it at the Council level because if it is delegated to staff, it is a little harder in terms of the state regulations on processing permits what limitations we can have at the staff level or how many days in advance we can require some of that information. By retaining the Council authority, it can be tied to Council's schedule providing a concrete objective reason why the City has to have the information in advance. Without that, there is a risk of meddling with the soft dates and the burden shifts to the Police and Business Licensing Departments.

Dick Peek understood that current liquor license holders, like restaurants and bars, wouldn't have to go through this process. Mark Harrington confirmed and clarified that this would only be applicable for temporary applications, not a regular business license. Mr. Peek felt this would create a robust market for existing license holders to lease their properties but Mr. Harrington disagreed. He would be surprised if there is a direct impact on a reduction of permits issued but it may be attractive in a last minute situation.

Shelly Hatch explained that the change is distinguishing between a regular and a single event license. At this time, there is no distinct process. Ms. Matsumoto felt that some of this is being driven by the number of temporary license applications in January. Alex Butwinski stated that he is still struggling with the time line and Mark Harrington explained that anything submitted within ten days of the event is at risk because the City needs a minimum of ten days to process. Last minute developments associated with Sundance were discussed. Andy Beerman commented that Sundance will not have the ability to make last minute changes. Mark Harrington explained that the City will have the ability to do some things beyond the last meeting in December as the state does but that is not fully defined. There may be some flexibility up to the January 10th date.

Andy Beerman asked staff about workload and the typical turn-around. Ms. Hatch explained that some are permanent liquor licenses and about 50 are single event liquor licenses. The office gets backlogged. Staff tries to accommodate applicants but she doesn't know how much more can be handled especially when inspections are needed. Liza Simpson pointed out that at the same time, business licensing staff is handling taxis. She is very much in favor of the City setting a schedule aligned with the DABC and ramifications with being late. Shelley Hatch stated that staff is already busy and a part-time person is hired in the Finance Department to help out at the front desk during this time.

Mark Harrington stated that staff is charting how this will work with the DABC process and making sure our dates align including the exception process. The Park City Council is the only city council in the state that delegates liquor license approvals to the licensing staff. He asked that delegation be pulled back for the purposes of this ten day period. Every state license requires a local consent. Alex Butwinski commented on providing people with enough notice on procedures and Mark Harrington stated that the *Rules of the Road* have been circulated this year and an early outreach on the change on occupancy. The Mayor invited public input.

Alison Butz, HPCA, thanked Mr. Harrington for speaking at a board meeting. The most important thing is being proactive for 2014. She referred to the discussion last year and this is the first opportunity to begin addressing these issues again. The HPCA notified all of its members about the change in over-crowding. She asked that this be put back on the table with all of the business licenses because the unintended consequences are unknown. She requested that all issues be opened up again all at once so some outreach can be done with the merchants.

Mike Sweeney, property owner, stated that the staff is doing a good job of trying to move forward into the future. He is permitting 20 sites on Main Street. Sundance does not permit each individual site but permits its locations where its activities are held. Of the 22 or so, 19 are only holding licenses with the City and not pulling any DABC permits. The way the ordinance is being structured will have some repercussions on how establishments can conduct business and be competitive. The Sundance Film Festival is extremely important to Park City but it is a different world from 15 years ago. There is tough competition in the world film business and it is going to impact Park City if we're not competitive and make it so difficult for people to try to do business here in town. His biggest concern is the ability to be competitive and the County has a competitive advantage. The HPCA is correct in asking for time to sit back and educate everybody and to really understand this process. Mr. Sweeney stated that deals do not happen until the last minute but the liquor license is essentially used to be able to throw a private party which the Liquor Commission does not govern. If we are matching the state's process, we wouldn't be worried about the private party aspect of the liquor law.

Shelley Hatch asked Mr. Sweeney about the problem of not getting a liquor license for The Yard. He stated that he is not having a problem with it because he is not permitting it. He is the facilitator and manager of The Yard and is helping Sundance out. There was going to be a bar there but now there isn't. The Mayor noted that he is still trying to figure out what Mr. Sweeney is asking for or explaining. He understood that there are a number of licenses that don't go through the DABC. Mr. Sweeney clarified his point to be that putting those people on the schedule for the DABC is unnecessary. The DABC does not require a permit for a private party where the alcohol is given away and most of the activities on Main Street fall in that category. The City should update its liquor license ordinance and the Police Department should be notified but the Building and Planning Departments don't need to worry about it. There needs to be some thorough thought on this so Park City remains competitive in the market place.

Mark Harrington asked Mr. Sweeney if an additional two or three weeks would hinder the market place, particularly for someone that would likely stand to benefit from sending someone here in December to do the grunt work. Mr. Sweeney noted that the way the money flows in making all of these activities possible for corporations is based on budgets and time schedules. Mr. Harrington argued that they are always going to apply at the last minute. When Sundance was moved back, they had the same problems initially because sponsors like to do things that way. Mike Sweeney stated that the real world works a little differently than that and these corporations are not doling out the money until the last minute. If the cut-off date is the end of December, the City will lose business and make it tougher for people to compete. The Mayor understood that the drop dead date is not being changed. Shelley Hatch felt it will get applications in sooner at the front end so the City can be more proactive. Mark Harrington clarified that there will be a new application deadline with this scenario. The Mayor stated that he is not sure that it is the City's obligation to make sure that someone who did not bother to get things done months ahead of time and decides he wants to do something 24 hours before the Festival starts, be accommodated. He doesn't understand why this proposal is considered anti-business; it is being proposed a year out.

Cindy Matsumoto felt it is the nature of the beast and feared that the venues in Park City might be hurt with a deadline. Andy Beerman agreed and pointed out the large number of licenses pulled at the last minute. Sundance is a scramble and it may be difficult to retrain people. We're either going to lose a lot of business or there's going to be a ton of pressure put on the exceptions which is not really a goal. He continued to state that more importantly a year ago November, he was on the other side of the dais, talking about business licenses not liquor licenses, and it was agreed to get the business community and Sundance together and come up with a reasonable way to handle this. That has not been done and it is still incumbent upon us to do that before moving forward.

Alex Butwinski felt that having a clear time frame is beneficial and corporations have these types of events budgeted. Just because they are entertainment people doesn't mean they can't make up their minds. They are in business the same as anyone else and a dead line should work. No one wants to be at Kimball Junction during Sundance. Dick Peek suggested that licensing taxis be moved. Mr. Harrington stated that taxi renewals alone are not contributing to the backlog; the taxis, convention/sales licenses and the temporary licenses for Sundance are the three categories that are really impacting the window of time. Mr. Peek asked if those can be moved to a different cycle. Mr. Harrington responded no; those three are all essentially affected by Sundance. Instead of moving to a different time of year, the smallest segment of those three, temporary liquor licenses, is being shifted back a couple of weeks. Staff feels this is the least impactful and a way to better plan with the state. The Mayor pointed out that there is still another year to get information out to people.

Liza Simpson commented that she would like a better understanding of just how many licenses would fall under the exception provision and how many are private parties. She is sensitive about the larger venues and agreed with Mr. Butwinski's comments. The HPCA should remain involved. The Mayor questioned using the same dead line for applications not requiring DABC approval. Shelley Hatch explained that the Police Department is called to private parties and without a license, no one is accountable. Mark Harrington added that the City does not know to what degree either further additional enforcement or regulations are going to make processes more closely aligned. The DABC exemption was written for true private events and not a commercial activity. The Sundance private parties are more of a hybrid with huge numbers and impacts and to treat them the same seems fair.

Liza Simpson asked if the first Council meeting in January would work rather than the last meeting in December. Mark Harrington explained that it might not work because the DABC deadline has passed, if applicable. She asked if there is a way to regulate based on size. The City Attorney spoke about evolving attendance. Andy Beerman stated that he is okay with mirroring the DABC processes but questioned why it needs to come before Council because it seems like there is more flexibility with staff approval. Scheduling action at a Council meeting adds another week for the applicant. He asked if Part A is inclusive of the date changes. Mr. Harrington suggested that if discussion is delayed on Part B, to move forward with Part A. Cindy Matsumoto read language on bona fide businesses which must be in business for one year and asked about non-profits. Polly McLean explained that the wording mirrors state code and applies to both non-profits and for-profits.

The Mayor summarized consensus to be to move ahead with Part A and discuss Part B at a later date.

6. Capital Budget Check-In and Capital Spending Philosophy. Nate Rockwood pointed out that the purpose of this work session is to discuss current project allocations, the funding philosophy of bonding versus pay as you go, and operating impacts. During the CIP process several projects were scored but because the funding was so significant, staff offered funding strategies which lead to the resort cities sales tax increase. He displayed a table which summarizes the four big projects over a ten year period. It was always the plan that before the funding came in that needed adjustments be made. The current plan was approved and the first five years were put in the CIP. A combination of cash and debt will be used to fund these projects in different years and staff tried to match those up with when the phasing of the projects would occur. Open space was front-loaded as much as possible. He stated that originally Council talked about allowing flexibility which was lost to a certain extent when it was decided to expedite OTIS as more bonding would be necessary. Of the projects identified here, about 75% of those would be funded with debt and 25% with cash. The big change would be for open space and right now staff is recommending not to bond for open space until the open space is identified. Open space pending commitments include the Gillmor Toll Canyon property and about $1.5 million would be needed this year to pay the first installment and $2.5 in 2015. The $1.5 was not budgeted in 2013 and staff is asking Council in order to pay that, a bond should be issued in the next three to four months to cover that cost. Issuing a bond opens up the possibility to bond for a little bit more to start some of the projects, most notably Main Street. If Council is comfortable with going forward with a bond, staff would like to return after Visioning to review a plan showing schedules for the Main Street projects, open space, and maybe some OTIS.

He stated that in 2014, OTIS Phase A is $1.8 million for the Empire Avenue reconstruction. During the budget process, the projects were bundled together but Council wanted to move forward earlier with Empire. That money was pulled from the General Fund balance with an understanding that additional money that would be transferred to the Capital Fund after the year ended instead would be kept in the General Fund to help bump the fund balance back to 18%. It turned out that the amount was about $1 million and rather than $1.8 million, probably about $700,000 would be needed to get the General Fund back to the 18%. Mr. Rockwood asked if that

2. Consideration of an Ordinance approving the Park Avenue Subdivision Plat located at1492 Park Avenue, Park City, Utah – Planner Anya Grahn explained that the applicant is requesting a one lot subdivision. While reviewing the HDDR, it was found that the property was a metes and bounds parcel and never platted. The Planning Department has been working very closely with the applicant on the renovation of the non-historic building on the site. Staff has been working with them to create an at-risk building permit and issued a demolition permit for some roofing material. The Building Department has asked that additional walls come down and be rebuilt. It is a non-complying building because it does not meet setback requirements on the north or west sides. The applicants have been very proactive in working with the 7-11 to obtain encroachment and snow-shed agreements. Condition of Approval No. 8 asks for a ten foot easement from Sullivan Road for snow storage but staff doesn't believe that will be necessary and is suggesting it be removed but to retain the Park Avenue snow storage portion.

The Mayor Pro Tem opened the public hearing and with no input, closed the hearing. Liza Simpson, "I move that we approve the Ordinance for the Park Avenue Subdivision according to the Findings of Fact, Conclusions of Law, and Conditions of Approval with a modification to Condition of Approval No. 8 eliminating the last three words in that condition". Andy Beerman seconded. Motion unanimously carried.

3. Consideration of an Ordinance adopting Title 4, Chapter A – Special Event Temporary Alcoholic Beverage Licenses described in the Municipal Code of Park City and amendment Title 4, Chapter 4, Beer and Liquor Licensing; Title 4, Chapter 5, Beer Licenses described; Title 4, Chapter 6, Liquor License Described, of the Municipal Code of Park City – Shelley Hatch explained that on December 20, 2012 the City Council held a work session to consider amending the liquor license provisions in the Municipal Code. The proposal is divided into two sections. Section A cleans up the Code and the provision for temporary single event permits parallels state code. Section B provides that the Council review all Sundance special event liquor license applications. In December, the Council decided to revise Section B at a later time but instructed staff to move forward with Section A.

Staff recommends eliminating the current procedure requiring all organizations to obtain a criminal background check for officers, board of directors, and partners. It is suggested that applicants sign under oath attesting to their criminal backgrounds. The license can be revoked immediately if the license is not in compliance. A bonafide corporation will be permitted to apply for a single event temporary alcohol beverage license. It may take up to ten working days for a license to be processed. Staff recommends that Council consider amending the Ordinance as suggested.

Cindy Matsumoto felt the criminal background check component is confusing. Ms. McLean explained that filling out the application will be easier. Currently the City requires fingerprints from applicants for all single event liquor licenses. Applicants have to go to Utah BCI to get fingerprinted which is more restrictive to what the DABC requires. In that sense, the City is relaxing its requirements and trusting people more. The City is less stringent than the state when somebody is denied based on their criminal background.

Ms. McLean spoke about all cities following state liquor laws but Park City is unique in that there are circumstances where a state liquor license is not required because the event falls under the private party exception but the City requires a local liquor license because many hosts are conducting business or promoting an item. In those cases, the City is requiring our own liquor license and criteria.

Andy Beerman asked for clarification of the processing time if the Building and Police Departments are part of the review. Shelley Hatch indicated that the applications go to the departments first and it could take up to ten days for the Finance Department to process. Mr. Beerman suggested clarifying the language because it sounds like the whole process takes ten days which is misleading.

Liza Simpson addressed denying liquor licenses based on prior experiences. Captain Rick Ryan explained that the Department keeps a log of complaints of promoters where there is fraud or damage to locations in town. Ms. McLean pointed out that Section 4-5 actually lists factors that would be considered. Andy Beerman referred to Section 4-6-3, regulatory liquor license fee, and asked if it is a new fee. Shelley Hatch advised that there has been no fee change and the cost has been $100 per license. Ms. McLean explained that the intent was to separate the liquor license fee from other business licensing fees. Ms. Simpson referred to Section 4-4-17(f) commenting that being intoxicated in a bar is illegal.

Alex Butwinski opened the public hearing.

Alison Buts, HPCA, stated that members were unaware that this issue was coming back to Council and there are concerns from licensed establishments that some of these changes may impact them. She asked that the matter be continued so there is an opportunity for the group to meet with staff to make sure businesses are not negatively impacted.

Mike Sweeney, property and business owner, stated that he spent 30 hours reviewing the document and has about 35 comments on its content. There are unintended consequences with this Ordinance which he doesn't feel the Council understands. This covers not only temporary licenses but all licenses. Now the Planning, Building, and Police Departments have the ability to shut down a business or a private party. A person could hold DABC licenses but be prohibited from conducting business in Park City. We are spending millions of dollars to attract people to conduct business here and the way this is currently drafted, he can't have any kind of party at The Yard without obtaining a convention and sales license and a liquor license for every party even if it is a private party. The definition of conducting business is too broad. Now non-profits need a City liquor license to hold a fund-raiser. Mr. Sweeney elaborated on the hardships this Ordinance will cause him and feels this was not the intent of the Ordinance. There are holes in the language. He suggested forming a committee comprised of business people to review the draft.

Jesse Shetler, owner of three liquor licenses and soon to be five, relayed that many business owners just found out about this amendment today. He would like to see this matter tabled in order to give them another opportunity to review it. There are some things he has seen in the Ordinance that concerns him and he would like them addressed. The City has been great to work with in obtaining business and liquor licenses and he is worried about making serving liquor more difficult. He thinks Park City has been very successful *in not having the Utah liquor laws get the best of us*. He would hate to see that go the other way. It was clarified that this amendment only addresses temporary licenses.

Mike Sweeney interjected that the Ordinance includes amendments to general liquor license provisions and Mr. Shetler asked if all licenses are affected. Polly Samuels McLean explained the reason all of Title 4 is included is because of the restructure of the titles and chapters so that it reads better and these are minor housekeeping changes. The intent of the Ordinance is to make it easier for people to obtain temporary liquor licenses and part of the reason staff brought this to Council was in response to business community concerns, like the requirement for fingerprinting. Instead of submitting a criminal background check, applicants are asked to sign an affidavit. This is really an attempt to simplify things and nothing other than that has changed. The things that Mr. Sweeney brought up are already in the Code.

Jesse Shetler expressed that there might be an impact on general licenses and it may be of little concern to owners but there should be more discussion. He felt there was no proper notification. The noticing may have been legal but there should be more time spent on this.

With no further comments, Alex Butwinski closed the public hearing. Cindy Matsumoto stated that she has no problem with continuing this but emphasized that the intent was to make the process easier for temporary liquor licenses. She expressed confusion about licensing non-profits. Mark Harrington clarified that if it is truly a private party as defined by the state and there is no other business being conducted at the event, a liquor license is not required. Most fund-raising is considered conducting business and if there is a direct charge for the dinner and the free provision of alcohol, for example, he believes the state requires a license. The grey area are the Sundance sponsor houses, for example, where there is free alcohol but there also may be a free massage room or the party-pack hand-out. The state won't typically require the premise to get licensed but the City does and that is the biggest difference.

Shelley Hatch stated that there is no fee for non-profits to obtain a liquor license and the main reason a license is required is to have critical contact information for the Police Department with regard to identifying the responsible party. A non-profit can obtain 12 temporary liquor licenses a year for 72 hours per event. Mark Harrington clarified that this provision is in the existing Code.

With regard to notice, Ms. McLean stated that she notified Alison Butz on Tuesday but she didn't respond. She then sent her something yesterday. Except for the background check and the insurance requirement, all of the changes were reviewed by Council in December so this draft has been around for a while. She apologized for any miscommunication but staff did not receive any feedback about this proposal being problematic.

Andy Beerman stated that the clear intent is to clean things up but when changes involve businesses, special events and liquor licenses, it is important to meet with the stakeholders. Staff often says they are going to talk to them ahead of time before coming to Council and it seems like we're still not doing that. He felt that we can reach out to representatives from the Chamber, the Restaurant Association and the HPCA and give them some time to work on it because the process would go a lot smoother.

Liza Simpson, "I move that we move this item to the first meeting in April". Andy Beerman seconded. Motion unanimously carried. She noted that this has been on the master calendar since January and Mark Harrington added that staff believed these amendments were non-controversial and underestimated the interest in these changes. Liza Simpson amended her motion, "to give direction to staff to do some outreach with the concerned business owners and the HPCA". Andy Beerman seconded. Motion unanimously carried.

4. Consideration of an amendment to the contract for state lobbying services with Legislative Executive Consulting, LLC for an additional $80,000 for the 2013 legislative session, in a form approved by the City Attorney – Diane Foster explained that it has come to staff's attention that there is an opportunity for potential funding for infrastructure improvements related to economic development. Staff believes that if two additional individuals are hired for the balance of the year that the City has a reasonable chance of obtaining funding.

Andy Beerman asked the logic of using the Risk Management Fund as the funding source. She indicated that the Budget Team recommended this fund because it had available funds. Mr. Beerman asked if the fund will be reimbursed at some point from other sources. Mark Harrington cautioned on using this fund in too many instances because it is the City's self-insurance fund although he was aware of this recommendation. It is not a discretionary fund. Ms. Foster explained that there were RDA funds available but the Budget Department was not comfortable with that choice.

Liza Simpson, "I move that we amend the contract for state lobbying service with Legislative Executive Consulting, LLC for an additional $80,000 for the 2013 legislative session, in a form approved by the City Attorney". Andy Beerman seconded. Motion unanimously carried.

PARK CITY REDEVELOPMENT AGENCY **DRAFT**
SUMMIT COUNTY, UTAH
JANUARY 10, 2013

I ROLL CALL

Chairman Dana Williams called the regular meeting of the City Council to order at approximately 6:40 p.m. at the Marsac Municipal Building on Thursday, January 10, 2013. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Diane Foster, Interim City Manager and Tom Daley, Deputy City Attorney.

II PUBLIC INPUT

None.

III MINUTES OF MEETING OF NOVEMBER 29, 2012

Liza Simpson, "I move we approve the Redevelopment Agency minutes for November 29, 2012". Alex Butwinski seconded. Motion unanimously carried.

IV CONSENT AGENDA

Resolution establishing a regular meeting date, time, and location for 2012 meetings and appointing officers of the Board of Directors of the Park City Redevelopment Agency – Andy Beerman, "I move we approve the Consent Agenda". Liza Simpson seconded. Motion unanimously carried.

V ADJOURNMENT

With no further business, the regular meeting of the RDA was adjourned.

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott, Secretary

PARK CITY 1884

City Council Staff Report

Subject: **Bonanza Park CDA – Area Designation Resolution & Authorization to Draft Potential CDA Area Plan**
Authors: **Nate Rockwood, Capital Budget Manager**
Date: **June 6, 2013**
Type of Item: **Legislative**

Recommendation:
Staff recommends that the Park City Redevelopment Agency adopt a resolution designating a potential Bonanza Park Community Development Area and authorizing the drafting of a PROJECT AREA PLAN and PROJECT AREA BUDGET for the designated area.

The creation of the Bonanza Park Community Development Area is only necessary if Council provides direction to move the RMP Substation. Council direction is not anticipated until June 20 but this preliminary step is necessary to maintain Rocky Mountain's schedule. If direction is not given to move the substation, no further action is necessary and the Resolution will automatically sunset.

Topic/Description: Bonanza Park Community Development Area (CDA) – Area designation and authorization to draft potential CDA Area Plan and Area Budget.

Background:
Rocky Mountain Power (RMP) owns the Park City Substation in the Bonanza Park area which is critical to the City's power grid. It takes transmission line energy and converts it to distribution level charges that flow to homes and businesses in a significant portion of Park City. The substation is at nearly full. RMP has indicated that it needs to upgrade the substation by fall 2015 in order to meet local power needs.

The Bonanza Park Area Plan includes the relocation of the substation to further economic and community development in the Bonanza Park Area. In previous Council meetings, staff discussed the probable cost for relocating the power substation to be $10 million - $12 million. This includes access road(s), possible rights of way acquisition, site preparation, landscaping and improvements, and burying distribution and transmission lines from the substation to Kearns Boulevard. One possible funding source which has been presented to Council is through the creation of a Bonanza Park Community Development Area.

Staff commissioned a feasibility study of creating a Community Development Area (CDA) for Bonanza Park to assist in funding the substation expansion, including undergrounding the power lines. A CDA is a form of tax increment finance which allows the City to define a community project area which is expected to see sales and property tax growth as a direct result of project improvements. **Again, this preliminary step merely keeps the Council on schedule should they decide to pursue the alternative location for the substation. This action in no way binds the City Council in that decision.** However, staff sincerely hopes that by providing the public with as much detail regarding the boundaries and terms of the potential CDA prior to the Council's decision, such advanced information improves the degree and scope of the public participation.

Analysis
In the proposed CDA, initial project costs are funded by the developer and tax increment resulting from the project would be rebated in the form of incentives to cover an agreed upon portion of the original project costs. Once the initial project costs are recovered, the increment is no longer isolated and the full sales and property tax revenue is collected by the public taxing entities. Randy Sant, (RS Contract Management) a leading expert on the creation of CDAs was contracted by the City to prepare the preliminary CDA analysis. RS Contract Management prepared several CDA scenarios which show the increment potential of the defined CDA.

The creation of a CDA includes a formal public noticing and public hearing process. RS Contract Management has prepared a tentative schedule of events necessary for the creation of the Bonanza Park CDA in the event that Council provides direction to relocate the Substation. The first step of this process included formal direction from the Redevelopment Agency of Park City ("RDA") to adopt a resolution authorizing the drafting of a PROJECT AREA PLAN and PROJECT AREA BUDGET for a specific designated area (attachment A).

In order for City Council to have as much time as possible to properly evaluate all options available regarding the Bonanza Park Area and potential substation relocation, staff has continued to provide as much flexibility as possible in the decision making process. This includes taking the necessary steps which would allow for the creation of a CDA if directed by Council. **The attached resolution does not formally create the CDA nor does it mean that Council is planning on voting to move the substation, but is simply the first step necessary for drafting the document which will be necessary if Council ultimately provided direction on the creation of a Bonanza Park CDA and relocation of Rocky Mountain Power's Bonanza Substation.**

Once drafted, and if directed by Council, the CDA area plan and budget would be made public by June 18th. Thirty days after the documents are made available to the public, a public hearing on the drafted CDA area plan and budget would be held on July 18th.

Department Review:
This report has been reviewed by City Manager, Budget and Legal. All comments have been integrated into this report.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Unique and diverse businesses + Safe community that is walkable and bike-able + Balance between tourism and local quality of life	- Managed natural resources balancing ecosystem needs + Economically and environmentally feasible soil disposal + Abundant preserved and publicly-accessible open space	+ Residents live and work locally + Cluster development while preserving open space + Physically and socially connected neighborhoods	+ Fiscally and legally sound + Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Positive	Very Positive	Very Positive
Comments:				

The above recommendation grid is based on the substation being moved to the 1555 Lower Iron Horse Drive location. The significant impacts from moving the substation include:

- By moving the substation to a location that currently houses a fueling station and laundry facilities, the open space in BoPa can be fully realized.
- Locating the substation near the rail trail and along Bonanza Drive will create challenges in trying to soften and/or hide the proposed facility to reduce its visual impacts to the trail users and those entering the City. The use of a low-profile substation will significantly increase the ability to mitigate the visual impacts to the nearby recreational facilities.

Recommendation:

Staff recommends that the Park City Redevelopment Agency adopt a resolution designating a potential Bonanza Park Community Development Area and authorizing the drafting of a PROJECT AREA PLAN and PROJECT AREA BUDGET for the designated area.

Attachments:

A – Bonanza Park CDA Project Area Designation Resolution

PARK CITY REDEVELOPMENT AGENCY

Resolution No. ______

A RESOLUTION OF THE PARK CITY REDEVELOPMENT AGENCY DESIGNATING THE BONANZA PARK COMMUNITY DEVELOPMENT PROJECT AREA AND AUTHORIZING AND DIRECTING ALL NECESSARY ACTION BY THE AGENCY, STAFF, AND CONSULTANTS.

WHEREAS, the Park City Redevelopment Agency (the "Agency") having made preliminary investigations and conducted initial studies and inquiries, desires now to designate a Project Area for a possible community development project pursuant to the provisions and policies of the limited purpose Local Government Entities Community Development and Renewal Agencies Act, chapters 1 & 4 of Title 17C of the Utah Code (the "Act"); and

WHEREAS, the Agency staff and consultant have recommended that the area defined as attached hereto as Exhibit "A" be designated as a community development project area and authorizes the preparation of a draft community development project area plan.

THEREFORE, BE IT RESOLVED BY THE PARK CITY REDEVELOPMENT AGECY AS FOLLOWS:

1. That the proposed community development project area is hereby designated as the Bonanza Park Community Development Project Area.

2. That the Agency, its staff and consultant, are hereby authorized and directed to undertake and complete the preparation of a draft community development project area plan.

3. That the Agency, staff, and consultant are directed and authorized to take such action as may be necessary to prepare a community development project area plan, and conduct any examination, investigation, and negotiation regarding the project area plan that the staff and consultant considers appropriate. The staff and consultant are authorized to prepare the public hearing notice, notify the property owners and taxing entity committee members, prepare the required project area budget, and complete other requirements necessary for the project area plan and area to be created and adopted.

4. If the CDA is not finally created and authorized by ___________, this Resolution shall automatically sunset and be void. No further action shall be necessary to un-designate the Project Area.

This Resolution shall take effect upon the adoption.

Adopted and approved this ___ day of _____, 2013

PARK CITY REDEVELOPMENT AGENCY

____
Chairman Dana Williams

Attest:

____
Janet M. Scott, Deputy Secretary

Approved as to form:

____
Mark D. Harrington, City Attorney

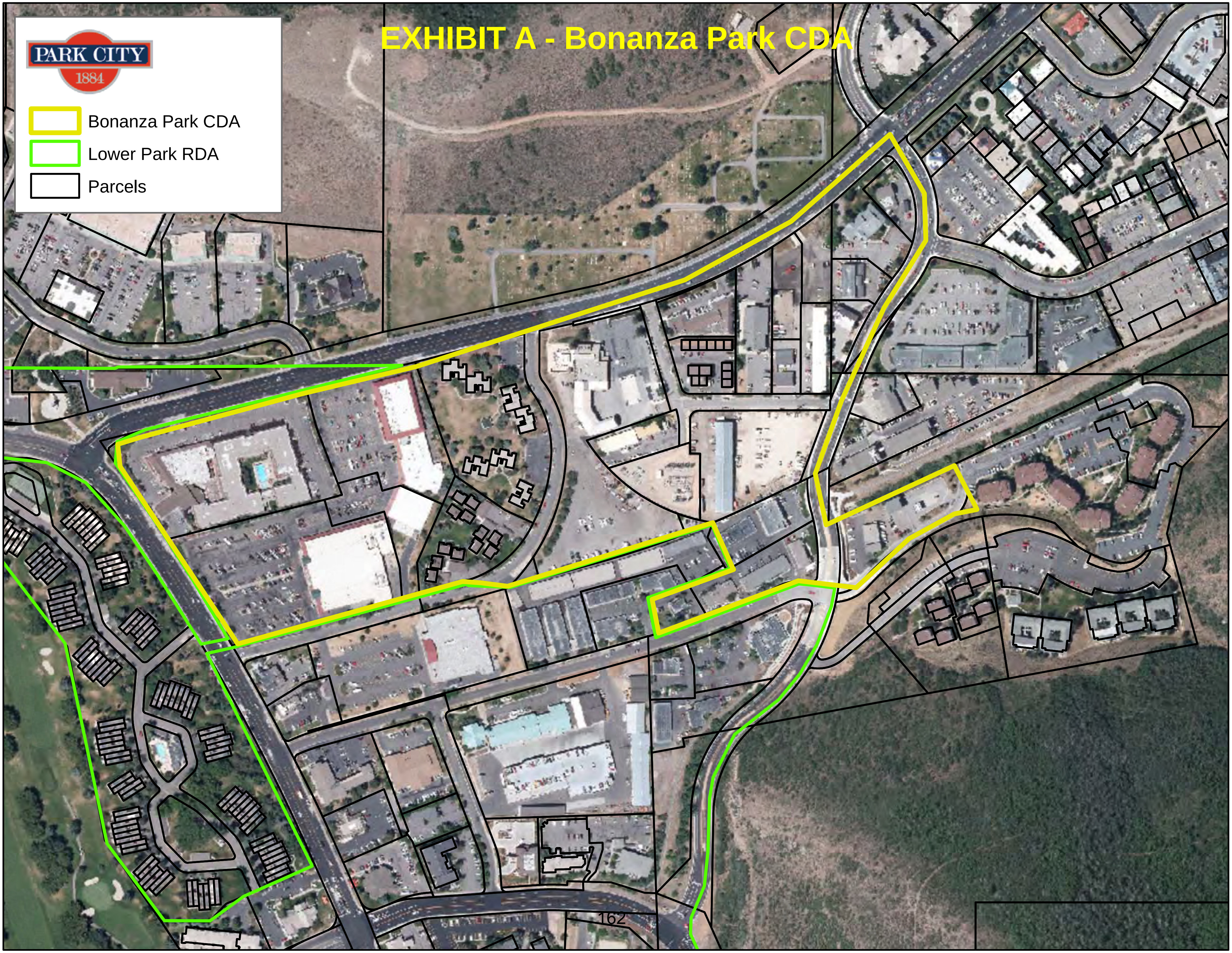


EXHIBIT A - Bonanza Park CDA
PARK CITY
1884
Bonanza Park CDA
Lower Park RDA
Parcels