



CITY COUNCIL MEETING

Thursday, February 17, 2022 at 6:30 PM
Council Chambers, 60 West Main, Hyrum, Utah

AGENDA

Public notice is hereby given of a Hyrum City Council Meeting to be held in the Council Chambers, 60 West Main, Hyrum, Utah at 6:30 PM, February 17, 2022. The proposed agenda is as follows:

1. **ROLL CALL**
2. **CALL TO ORDER**
3. **WELCOME**
4. **PLEDGE OF ALLEGIANCE**
5. **INVOCATION**
6. **APPROVAL OF MINUTES**
7. **AGENDA ADOPTION**
8. **PUBLIC COMMENT**
9. **SCHEDULED DELEGATIONS**
 - A. **Annette Francis** - To request use and sponsorship of the Elite Hall twice a week for play days for mother's with children.
 - B. **Lindsay Johnson** - To request sponsorship and use of the Blacksmith Fork Park on June 4, 2022 for a fundraiser event.
 - C. **Dan Larsen, Auburn Hills, LLC.** - To request preliminary plat approval for Auburn Hills Phase 7 located at approximately 720 East 600 South for a 41 single family lot subdivision located on approximately 15 acres.
 - D. **Hayden and Collette Petersen** - To request amending the Hyrum City Zoning Map by rezoning property located at approximately 605 Park Drive Parcel #01-013-0031 from Residential R-2 to Residential R-2A to allow the existing home that contains an accessory dwelling unit to be modified into a duplex.
10. **INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES**
 - A. **Ordinance 22-01** - An ordinance amending the Zoning Map of Hyrum City, Utah by rezoning property located at approximately 605 Park Drive Parcel #01-013-0031 from Residential R-2 to Residential R-2A.
 - B. **Resolution 22-03** - A resolution setting electrical power monthly service fees and power rates for all customers or canyon customers receiving electrical power from the Hyrum City Municipal Power System.

11. OTHER BUSINESS

- A. Mayor and City Council Reports.

12. ADJOURNMENT

Stephanie Fricke
City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Hyrum City at 435-245-6033 at least three working days before the meeting.

CERTIFICATE OF POSTING - The undersigned, duly appointed and acting City Recorder of Hyrum City, Utah, does hereby certify that a copy of the foregoing Notice was emailed to The Herald Journal, Logan, Utah, posted on the Utah Public Notice Website and Hyrum City's Website, provided to each member of the governing body, and posted at the City Offices, 60 West Main, Hyrum, Utah, this **14th day of February, 2022**. Stephanie Fricke, MMC, City Recorder.

AUBURN HILLS PHASE 7 – PRELIMINARY PLAT
720 E 600 SOUTH
CITY COUNCIL MEETING
FEBRUARY 17, 2022

Summary: Auburn Hills LLC. is seeking preliminary approval for Phase 7 of their Auburn Hills development. This proposes 41 single family lots to be built on approximately 15 acres.

ZONING: R-1 Residential

UTILITIES:

Power:	To be constructed with development
Culinary:	To be constructed with development
Sewer:	To be constructed with development
Irrigation:	To be constructed with development

NOTES:

Property line along canal and city property needs to be evaluated to clarify current ownership. Auburn Hills LLC has agreed to dedicate land along canal to the City thus preventing a “no man’s land.”

A chain-link fence has been installed along the northeasterly boundary of the canal. Installation of combustible fence and/or materials by owner to be prohibited on plat, CC&R, or at notified at-risk. Canal Company/City not to be liable for fence damaged by fire.

Lots 101 and 102 at reduced area in exchange for additional dedication of portions of 770 E, 800 E, and 700 S. These lots meet the minimum width requirements but are reduced in depth.

The boundaries along 700 S and 800 E should be marked as having no rights of access from the lots along the road/property boundary.

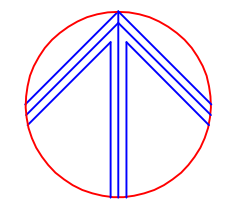
Easement for irrigation main needs to be added to lot 87. This will affect setbacks for this lot. Foundation will need to be outside of the easement and no permanent

structures may be built over the mains, including concrete. No trees to be planted near enough that the root systems will interfere with the pipes.

AUBURN HILLS PHASE 7

PART OF THE NORTH EAST QUARTER OF SECTION 9
TOWNSHIP 10 NORTH RANGE 1 EAST
SALT LAKE BASE AND MERIDIAN
600 SOUTH, 800 EAST
HYRUM, UTAH

PRELIMINARY PLAT NORTH



0 60 120ft.
SCALE 1" = 60'-0"

LEGEND

- SUBDIVISION BOUNDARY LINE
- LOT LINES
- ROAD E
- EASEMENT

- NOTES:**
- OWNER/DEVELOPER: AUBURN HILLS LLC, 601 WEST 1700 SOUTH SUITE A, LOGAN, UTAH 435-755-7080
 - ZONING- R-1 SINGLE FAMILY RESIDENTIAL
 - TOTAL ACRES- 14.91 acres
NUMBER OF LOTS- 41
UNITS PER ACRE- 2.75
MIN. LOT SIZE: 9,900 S.F.
 - SETBACKS
PER CURRENT ZONING REQUIREMENTS
5. PUBLIC UTILITY EASEMENTS-UNLESS OTHERWISE NOTED
FRONT AND REAR- 10 FT
SIDEYARD- 5 FT
NO PERMANENT STRUCTURE MAY BE BUILT OVER ANY EASEMENT.
 - TWO TREES PER LOT AND FOUR TREES PER CORNER LOT ARE REQUIRED BY HYRUM CITY SPEC.
 - 5/8" REBAR WITH CAP# 275617 SET AT ALL REAR AND INTERIOR PROPERTY CORNERS. CURB PINS WILL BE SET AT THE INTERSECTION OF THE LOT LINE WITH THE CURBING ONCE IT IS PLACED.
 - ALL EXPENSES INVOLVING THE NECESSARY IMPROVEMENTS OR EXTENSIONS FOR SANITARY SEWER SYSTEM, GAS SERVICE, ELECTRICAL SERVICE, GRADING AND LANDSCAPING, STORM DRAIN SYSTEMS, POTABLE WATER LINES, IRRIGATION SYSTEM, CURBS AND GUTTERS, MONUMENTS, FIRE HYDRANTS, PAVEMENT, SIDEWALKS, STREET LIGHTING AND SIGNING, AND OTHER IMPROVEMENTS SHALL BE FINANCED BY THE SUBDIVIDER. THE DEVELOPER'S PROPOSED METHOD OF SATISFYING THE SECURITY OF PERFORMANCE IS A LETTER OF CREDIT.
 - THIS AREA IS SUBJECT TO THE NORMAL EVERYDAY SOUNDS, ODORS, SIGHTS, EQUIPMENT, FACILITIES, AND ALL OTHER ASPECTS ASSOCIATED WITH AN AGRICULTURAL LIFESTYLE. FUTURE RESIDENTS SHOULD ALSO RECOGNIZE THE RISKS INHERENT WITH LIVESTOCK.
 - PER THE NATIONAL WETLANDS INVENTORY NO KNOWN WETLANDS ARE FOUND ON THE SITE.
 - NO SLOPES OVER 30% ARE CONTAINED WITHIN THE SITE.
 - EXISTING VEGETATION CONSISTS MAINLY OF AGRICULTURAL CROPS.
 - ALL STREETS ARE TO BE DEDICATED PUBLIC STREETS.
 - AS A CONDITION OF THE DEDICATION OF 700 SOUTH AND 800 EAST, THE OWNERS OF LOTS 99 THROUGH 109 INCLUSIVE ABUJITTING THESE HIGHWAYS WILL HAVE NO VEHICULAR RIGHT OF ACCESS, EXCEPT THE GENERAL EASEMENT OF TRAVEL.

CITY STANDARDS ALSO REQUIRE THIS BE MARKED WITH A T-POST PLEASE ADD TO NOTE

LEGAL DESCRIPTION

Part of the Northeast Quarter of Section 9, Township 10 North, Range 1 East of the Salt Lake Base and Meridian described as follows:

Commencing at the Northeast Corner of Section 9, Township 10 North, Range 1 East of the Salt Lake Base and Meridian monumented with a Railroad Spike, thence S 00°18'58" W 2650.36 feet along the east line of the Northeast Quarter of said Section 9 to the East Quarter Corner of said Section 9 monumented with an Aluminum Cap, thence S 89°54'10" W 34.49 feet to a point on the west right of way of State Route 165 per Utah Department of Transportation plans F.A.S. 8A dated 1938 and the POINT OF BEGINNING and running

BOUNDARY DOES NOT MATCH LEGAL DESCRIPTION FROM DEED

thence S 89°54'10" W 502.77 feet;

thence along the center of Hyrum Canal the next five courses:

- 1) thence N 58°34'26" W 99.80 feet;
- 2) thence N 52°35'12" W 145.11 feet;
- 3) thence N 55°32'14" W 295.57 feet;
- 4) thence N 57°34'06" W 134.46 feet;
- 5) thence N 54°32'24" W 276.27 feet;

thence N 00°31'42" E 128.27 feet;

thence S 89°59'44" E 1,288.66 feet along the south boundary of Auburn Hills Subdivision Phase 1 and 4 and their projection thereof to the west right of way line of State Route 165;

thence along south right of way line the next two courses:

- 1) thence S 00°28'20" W 335.82 feet to a point at Station 1502+78 34.8 left;
- 2) thence S 00°17'22" W 331.33 feet to the point of beginning, containing 14.91 acres, more or less.

REVISION	DATE	BY

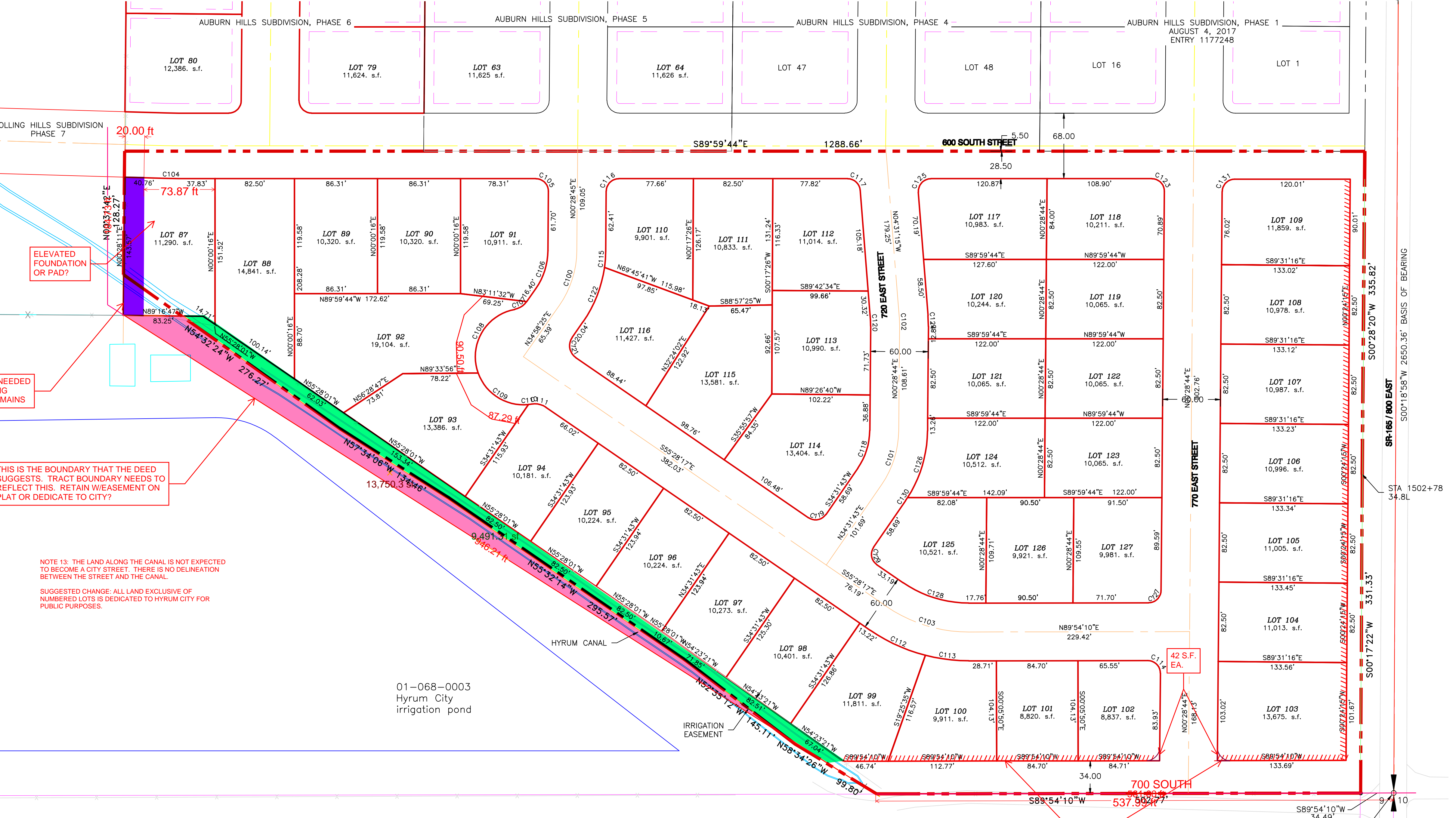
AE ALLIANCE CONSULTING ENGINEERS

150 EAST 200 NORTH SUITE P
LOGAN, UTAH 84321

AUBURN HILLS PHASE 7 PRELIMINARY PLAT

PART OF THE NORTH EAST QUARTER OF SECTION 9
TOWNSHIP 10 NORTH RANGE 1 EAST
SALT LAKE BASE AND MERIDIAN
600 SOUTH, 800 EAST
HYRUM, UTAH

SCALE: AS NOTED	DRAWN BY: AM	CHECKED BY: AM	DATE: 2-2022
APPROVED BY: BL	DWG DATA: prelim.DWG		



ROLLING HILLS SUBDIVISION PHASE 7

20.00 ft

ELEVATED FOUNDATION OR PAD?

EASEMENT NEEDED FOR EXISTING IRRIGATION MAINS

THIS IS THE BOUNDARY THAT THE DEED SUGGESTS. TRACT BOUNDARY NEEDS TO REFLECT THIS. RETAIN W/ EASEMENT ON PLAT OR DEDICATE TO CITY?

NOTE 13: THE LAND ALONG THE CANAL IS NOT EXPECTED TO BECOME A CITY STREET. THERE IS NO DELINEATION BETWEEN THE STREET AND THE CANAL.

SUGGESTED CHANGE: ALL LAND EXCLUSIVE OF NUMBERED LOTS IS DEDICATED TO HYRUM CITY FOR PUBLIC PURPOSES.

01-068-0003
Hyrum City
irrigation pond

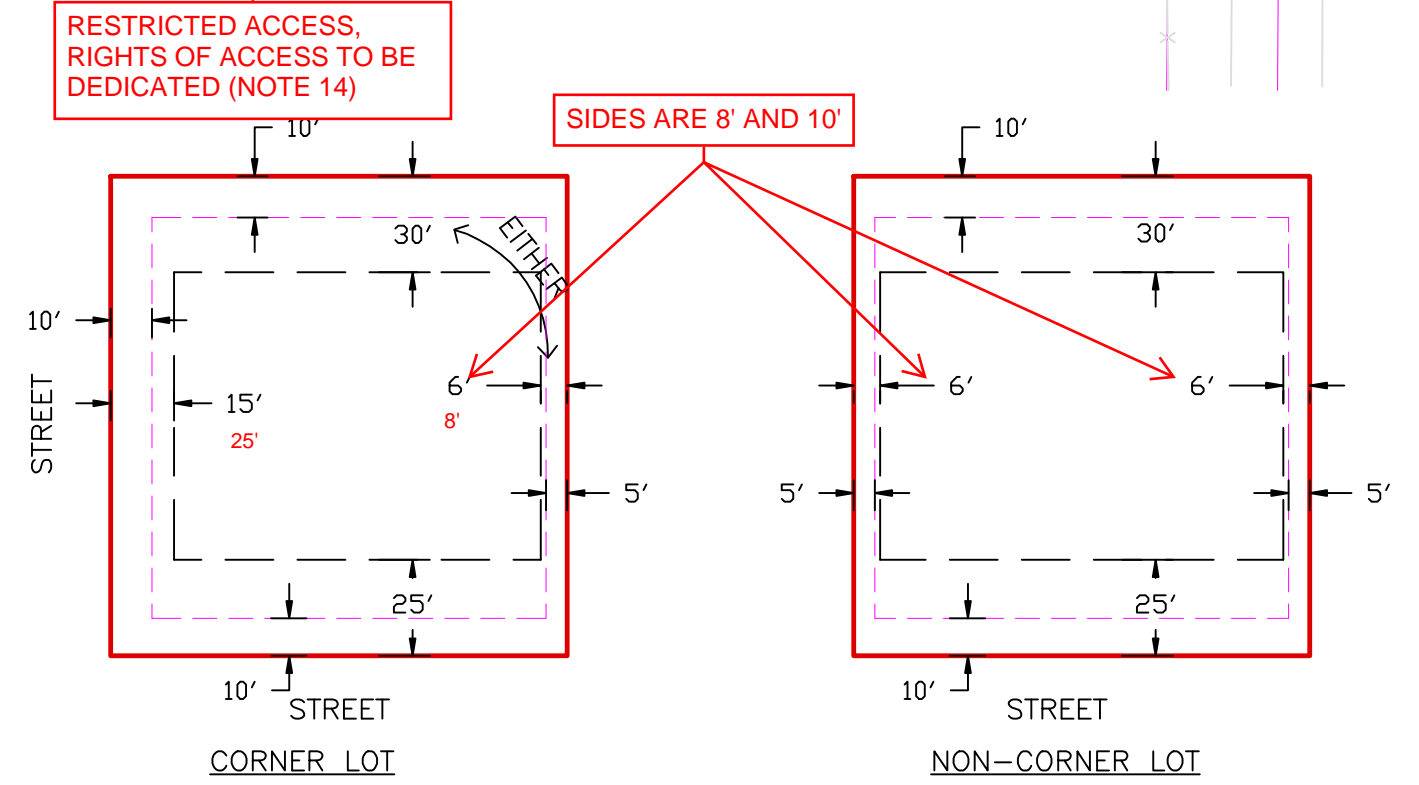
IRRIGATION EASEMENT

01-071-0002
Farrell D TR
Petersen

42 S.F. EA.

SEC 9
(CACHE CO. AL. CAP)
ELEV: 4758.41

CURVE TABLE			CURVE TABLE		
CURVE	LENGTH	RADIUS	CURVE	LENGTH	RADIUS
C100	60.20	100.00	C116	20.31	130.00
C101	59.43	100.00	C117	19.39	130.00
C102	8.73	100.00	C118	41.60	70.00
C103	90.65	150.00	C119	20.42	130.00
C104	15.63	534.00	C120	6.11	70.00
C105	20.53	130.00	C121	23.68	150.00
C106	42.14	70.00	C122	61.18	130.00
C107	15.50	20.00	C123	20.53	130.00
C108	86.58	50.00	C124	11.34	130.00
C109	66.50	50.00	C125	21.45	130.00
C110	3.37	50.00	C126	73.22	130.00
C111	15.50	20.00	C127	20.29	130.00
C112	63.20	180.00	C128	72.52	120.00
C113	45.59	180.00	C129	20.42	130.00
C114	20.55	130.00	C130	4.03	130.00
C115	17.09	130.00	C131	20.31	130.00



TYPICAL LOT DETAILS

PETERSEN REZONE PETITION
ZONING DESIGNATION AMENDMENT
605 EAST PARK DRIVE
CITY COUNCIL MEETING
FEBRUARY 03, 2022

Summary: Hayden and Collette Petersen of 605 Park Drive have petitioned the City to change the zoning designation of Parcel 01-013-0031 from R-2 to R-2A. This change in designation would allow for the existing home that contains an accessory dwelling unit (ADU/basement apartment) to be modified into a duplex (multi-family housing).

ZONING: R-2 Residential

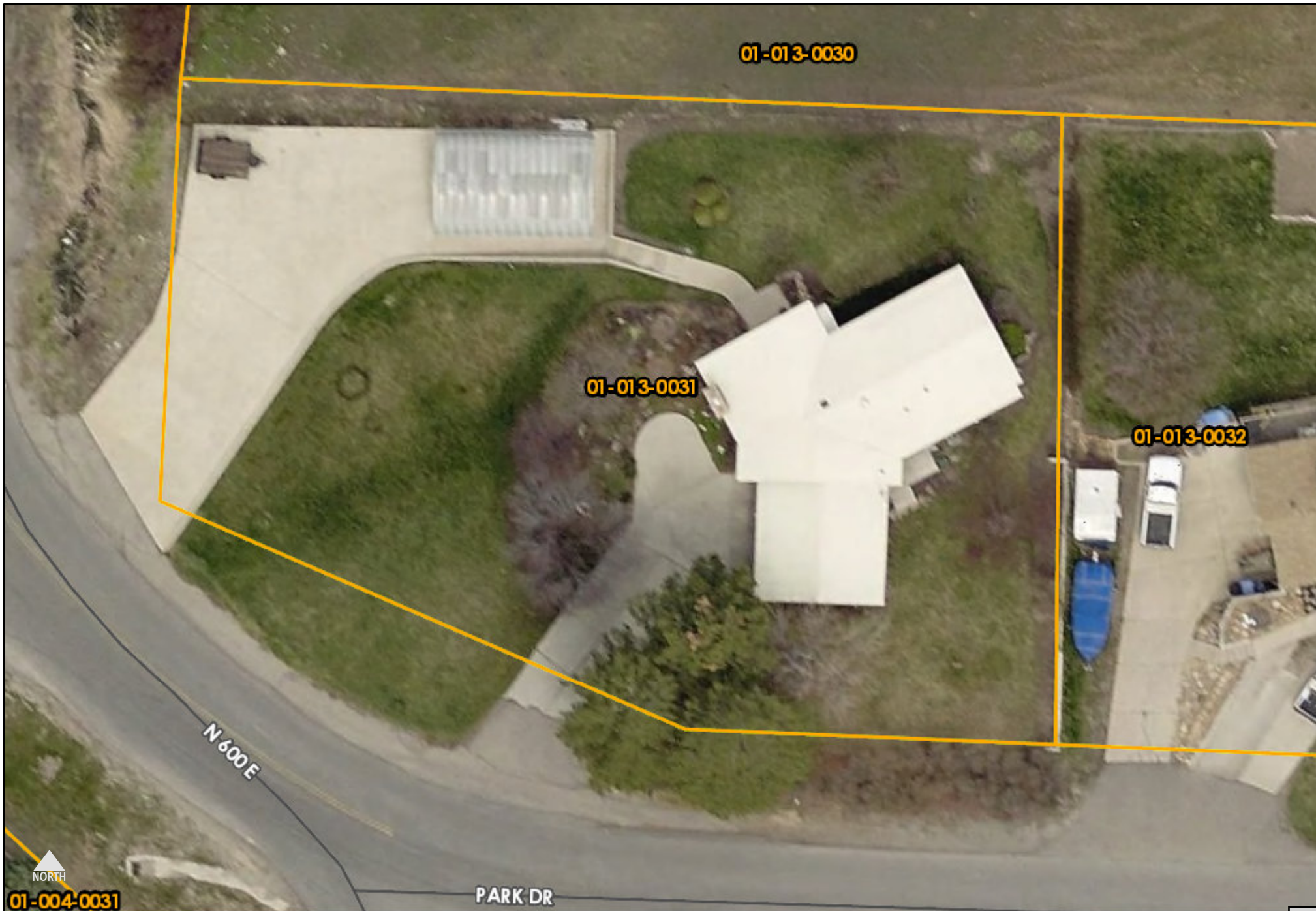
NOTES: Under the current zoning designation, a home with an ADU must be owner occupied and be contained completely within the main structure. A duplex would allow the owner to live separately and rent both portions to separate family units. Multi-family housing must meet the requirements of H.C.C. Section 17.30.

PLANNING COMMISSION:

The Planning Commission recommended approval of the rezone of 605 East Park Drive from R-2 to R-2A. Discussion included:

1. The current appearance and layout of the home, including grade separation between entrances and its orientation,
2. The presence of separate existing driveways, location of parking
3. Current landscaping with mature trees,
4. The apparent intent of the code to allow multi-family/multi-plex houses spread throughout the city,
5. Limited number of other homes facing the residence,
6. Proximity to other multi-family housing, meets the requirements,





01-013-0030

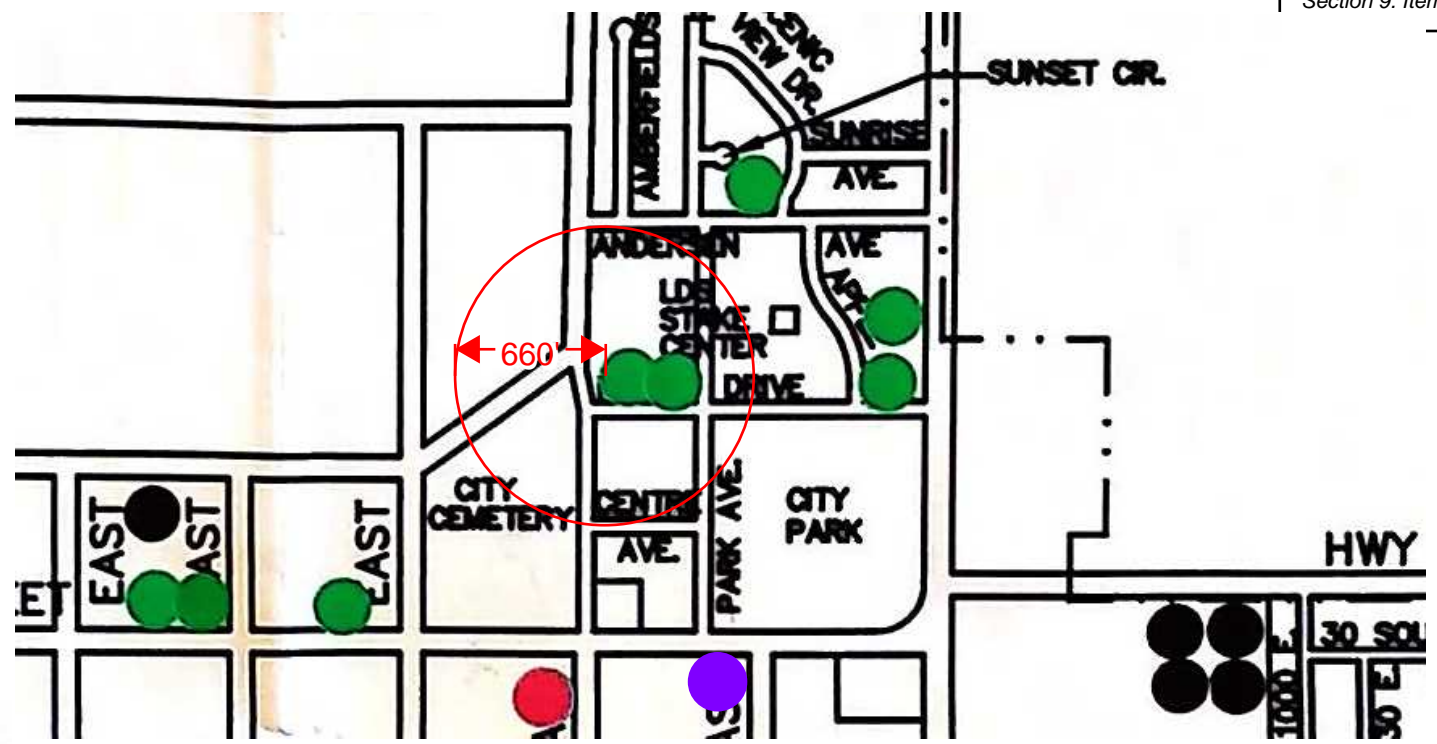
01-013-0031

01-013-0032

01-004-0031

N 600 E

PARK DR



- ACCESSORY APT.
- DUPLEX
- TRIPLEX
- FOURPLEX
- FIVEPLEX
- SIXPLEX
- UNKNOWN MARK
- MULTI-FAMILY PUD

17.30.070 Duplexes, Triplexes, Fourplexes/All Multi-Family Housing

Multi-family housing, unless approved as a PUD, will be limited to four (4) family units per City block (the full area of the block not linear). This can consist of two (2) duplexes or one (1) triplex or one (1) fourplex. The following criteria must be met for all multi-family housing of new construction, and conversion of existing structures into multi-family housing: (The City Council, with Planning Commission recommendation, may make adjustments to these requirements, as they deem appropriate, for senior housing developments)

- A. Front setback shall be a minimum of thirty (30) feet and shall be landscaped.
- B. Side yards must have landscaped strips a minimum of ten (10) feet in width.
- C. The front of the multi-family housing units shall face the street unless otherwise approved by the Planning Commission.
- D. Multi-family housing developments may not be located closer than 660 feet, as measured from the midpoint of the platted front property line to the midpoint of the platted front property line to any other duplex, triplex, or fourplex. Measurements are made from City plats following front property lines and include distances to cross streets at right angles as required.
- E. In considering a recommendation to the City Council for approval for multi-family housing, the Planning Commission will also act as an Architectural Review Committee, and will evaluate the Site Plan for meeting the following standards:
 1. Buildings.
 - a. A building's modulation, articulation, details, and materials shall be arranged to give the building the appearance of a large single-family detached home.
 - b. Multi-family residential buildings require the exterior building walls to be composed of the required brick or stone, equal to a minimum of one (1) times the square feet of the exterior building perimeter.
 - c. Buildings shall be attractive and durable. To ensure this, buildings shall be constructed of high-quality materials and require minimal maintenance. Exterior materials allowed for use on visual (from street) elevations of the building are: stone, cast stone, brick, synthetic stone, stucco, water-managed EIFS, cement board, and wood. Use of other materials is subject to approval by the Planning Commission.
 - d. Walls of buildings are to have relief features with a variety of different wall planes and roof planes, which may include pop-outs, recesses, columns, variation in materials, etc. Relief is to be seen at a minimum of every twenty five feet (25') of wall length.
 - e. All exterior building material colors shall be earth tones.
 - f. Buildings shall have consistent detailing on all four elevations; a building shall have building details and proportions to ensure a "four-sided" architectural quality for the building with emphasis on the street visual sides.
 - g. Building design shall respect the context of adjacent residential neighborhoods, including the height, scale, form, and character of surrounding development.
 - h. Residential buildings shall limit the use of long, monotonous facades. The maximum length of multi-family buildings shall be 200 (two hundred) feet.
 - i. Roofs shall have a minimum 6" fascia, minimum 6/12 pitch on over 80% of roofs, no pitch flatter than 4½ /12.

- j. Building roofs shall be attractive and durable. To ensure this, roofs shall be constructed of high-quality materials and require minimal maintenance. Pitched roofs shall be finished with wood shingles, slate, clay tiles, concrete tiles, standing-seam metal, or composition shingles. Use of other materials is subject to approval by the Planning Commission.
- k. Roofs shall be simple hip, shed, or gable configurations. Roofline offsets shall be provided to lend architectural interest and variety to the building and to relieve the effect of a single, long roof. The use of alternating dormers, stepped roofs, gables, or other roof elements can be used to add visual relief and articulation to the overall building form.
- l. Distinctive architectural features that positively enhance the structures, such as porches, patios, balcony, wrought iron railings, porticos, quoins, eaves, overhangs, canopies, etc. shall be included in the building design.
- m. Mechanical equipment on rooftops to be architecturally screened from view.
- n. Any portion of a building closer than 50 feet from a common property line that abuts a property developed as a single family home shall be no higher than twelve (12) feet above the highest point of the closest existing residential structure.

2. Parking.

- a. A minimum 2.5 parking spaces per unit.
- b. Garages have 4 walls, roof, doorway at least 9 feet in width, and door that is lockable, and minimum interior dimension of 22 feet x 12 feet.
- c. Parking structures shall be made of similar materials and design as buildings.
- d. Parking lot to be asphalt or cement, to have poured concrete bumpers and curbs.
- e. Driveways and uncovered parking areas shall be paved and striped.
- f. Parking lot shall be located at rear of dwelling units. The Planning Commission may approve garages with front entrances for multi-family buildings.
- g. No tandem parking permitted unless both spaces reserved for the same dwelling unit.
- h. No recreational vehicle parking permitted on site whether inside or outside of a garage.
- i. No surface parking permitted within required setback or buffer, except access driveways.
- j. Bicycle parking racks to park bikes in the amount of minimum two (2) spaces per unit.

3. Landscaping.

- a. A landscape plan is required to be approved with the project site plan.
- b. A minimum of 50% of the lot must be open and landscaped.
- c. A minimum of 10% of the lot shall be provided as a children's playground, such as, a sandbox, open grass area, etc.
- d. All areas in the front, side, and rear yards that are not developed shall be landscaped, unless a unique natural vegetation or wetlands area is included, subject to approval.

- e. A minimum landscaped street buffer area shall be provided at a width of _____.
- f. Landscaped street buffer area may not include paved surfaces, except for sidewalks, driveways, or trails.
- g. A minimum of 1 tree shall be planted per 1,000 square feet of required landscaped areas. At least 30% shall be evergreens.
- h. Landscaping shall include a mix of deciduous and evergreen trees, ground cover, and shrubs.
- i. Minimum plant sizes shall be as follows:
 - (1) Deciduous trees, 2 inch caliper
 - (2) Evergreen trees, 7 feet in height
 - (3) Shrubs, 5 gallon container
 - (4) Grass or ground cover, 10 foot square area
 - (5) Existing trees, native vegetation and rare plants shall be retained wherever possible.
- j. Maximum height of berms, fences, signs or ground cover within a clear vision sight triangle is 3 feet.
- k. Maintenance and replacement of required landscaping and screening shall be the responsibility of the property owner.

4. Other Features.

- a. Dumpsters shall be located behind a sight obscuring enclosure, built of materials complimenting the architectural style of the buildings.
- b. When practical, a minimum 5 foot landscaping area will be required around dumpster enclosures.
- c. A solid, sight obscuring fence or wall with a minimum height of six (6) feet shall be installed on all sides of the parking lot facing neighboring properties.
- d. The City may require the inclusion of a wall, fence or screen to mitigate noise or unsightly uses.
- e. Visual area (usually front yard) perimeter fencing shall match the building design, i.e., masonry columns or piers with same brick or stone as the buildings.
- f. Walls or fences with lengths greater than 100 feet shall be interrupted with offsets, landscaping or accents.
- g. Any areas which are to be screened shall be done with a solid, sight-obscuring fence or wall, and landscaping to soften fence appearance.
- h. Utilities shall be located underground and above ground boxes screened.
- i. Exterior lighting fixtures that match the architectural design theme shall be included for street, walkways, parking areas, entrances and building exteriors. Exterior up lighting is encouraged to accent the structures and provide additional safety. Exterior lighting shall be dark-sky sensitive.
- j. Any developments with more than 12 dwelling units, such as PUD's, shall include playground equipment and may require other recreational amenities for residents, which may include swimming pools, spas, sports courts, barbecue grills and picnic

facilities, etc. (Adjustments to these requirements may be made to fit retirement communities, etc.)

- k. Any project signage shall be built of materials complimenting the architectural style of the buildings. (Must comply with existing sign ordinance requirements found in HCC 17.72).
- l. Curb, gutter, planting strip, and sidewalk shall be installed along public roadways where adjacent to existing curb, gutter, and sidewalks. (Ord. 13-04)

HISTORY

Amended by Ord. [19-04](#) on 3/8/2019

ORDINANCE 22-01

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 17 of the Hyrum City Municipal Code is known as the Zoning Ordinance of Hyrum City and sets forth regulations governing land use within the municipal limits, including the establishment of zones, the boundaries of which are shown on the Zoning Map of Hyrum City; and

WHEREAS, Section 17.04.040 allows Title 17 of the Hyrum City Municipal Code, the Zoning Ordinance, including the Zoning Map, to be amended by the City Council following fourteen days' notice and a public hearing; and

WHEREAS, the City Council, upon the recommendation of the Planning Commission, has determined there is a need to revise the Zoning Map of Hyrum City, Utah.

NOW, THEREFORE, following a public hearing as required by Section 17.04.040, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING THE ZONING MAP OF HYRUM CITY, UTAH BY REZONING PROPERTY LOCATED AT APPROXIMATELY 605 PARK DRIVE PARCEL #01-013-0031 FROM RESIDENTIAL R-2 TO RESIDENTIAL R-2A.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. ZONING CHANGE. The following described real property located in Hyrum City, Cache County, Utah which is currently zoned Residential R-2 is hereby rezoned to Residential R-2A:

Tax Parcel No. 01-013-0031

BEG N 87*27' W 410 FT OF SE COR BLK 5 PARK ADDITION TO HYRUM CITY,
W 74.6 FT N 68*58' W 116.3 FT N 6*15' E 88.2 FT S 87*27' E 175.5
FT S 48' W125 FT TO BEG NE/4 SEC 4 T 10N R 1E

2. ZONING MAP AMENDMENT. The Zoning Map of Hyrum City is hereby amended to reflect the changes authorized herein.

3. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

4. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

5. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

6. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 3rd day of February, 2022.

HYRUM CITY

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted: _____

RESOLUTION 22-03

A RESOLUTION SETTING ELECTRICAL POWER MONTHLY SERVICE FEES AND POWER RATES FOR ALL CUSTOMERS OR CANYON CUSTOMERS RECEIVING ELECTRICAL POWER FROM THE HYRUM CITY MUNICIPAL POWER SYSTEM.

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the Hyrum City Municipal Code, a recodification of municipal ordinances encompassing the Revised Ordinances of Hyrum City and ordinances adopted through July 15, 1993; and

WHEREAS, Title 13 of the Hyrum City Municipal Code provides for the operation and maintenance of public utility services, including culinary water, wastewater, irrigation water, and electrical power; and

WHEREAS, Chapter 13.16 of Title 13 specifically sets forth those regulations governing operation of the municipal electrical power system, including the establishment of service rate schedules and related fees; and

WHEREAS, after careful review of industry trends and performance of the city's electric utility along with needs for capital and operational reserves, the City Council has determined that an adjustment to the power factor rate is necessary and standard.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hyrum, Cache County, Utah, as follows:

1. The following classes of service and service schedules are hereby adopted as the schedule of rates to be charged users of the municipal electrical system:

A. RESIDENTIAL SERVICE

I. General Application.

This schedule is for alternating current, single-phase electric service supplied at approximately 120 or 240 volts through one kilowatt-hour meter at a single point of delivery for all service required on the premises for residential purposes, at any point on the City's interconnected system (except Blacksmith Fork Canyon) where there are facilities of adequate capacity.

When there is more than one dwelling unit or apartment in a single building, the electrical wiring shall be arranged to allow separate metering of each unit or apartment; or the

charge for service will be computed by multiplying the minimum charges by the maximum number of dwelling or apartment units that may be served.

When a portion of a dwelling is used regularly for business, professional or other gainful purposes and fifty percent (50%) or more of the electrical energy is used for residential purposes, the premises shall be subject to this or other residential rate schedule. If fifty percent (50%) or more of the electrical energy supplied to the premises is used for other than residential purposes, the premises may be classified as nonresidential and the appropriate rate schedule applied. However, if wiring is arranged to allow for separate metering of residential and commercial or industrial consumption, this schedule will be applied to the residential portion of electrical power service.

II. Monthly Billing

Customer Charge:

\$ \$6.00 per service connection

Energy Charge:

\$.084560 per kWh for the first 500 kWh

.110295 per kWh for the next 250 kWh

.137648 per kWh for all over 750 kWh

Minimum: The monthly customer charge plus appropriate power and energy charges.

III. Requested Service Reconnection and Disconnection Fee:

\$25.00 per reconnect or disconnect

B. RESIDENTIAL - BLACKSMITH FORK CANYON

I. General Application.

This schedule is for alternating current, single-phase electric service supplied at approximately 120 or 240 volts through one kilowatt-hour meter at a single point of delivery for all service required on the premises for residential purposes, at any point on the City's interconnected system located in Blacksmith Fork Canyon (beginning at the City's easternmost corporate boundary) where there are facilities of adequate capacity.

When there is more than one dwelling unit or apartment in a single building, the electrical wiring shall be arranged to

allow separate metering of each unit or apartment; or the charge for service will be computed by multiplying the minimum charges by the maximum number of dwelling or apartment units that may be served.

When a portion of a dwelling is used regularly for business, professional or other gainful purposes and fifty percent (50%) or more of the electrical energy is used for residential purposes, the premises shall be subject to this or other residential rate schedule. If fifty percent (50%) or more of the electrical energy supplied to the premises is used for other than residential purposes, the premises may be classified as nonresidential and the appropriate rate schedule applied. However, if wiring is arranged to allow for separate metering of residential and commercial or industrial consumption, this schedule will be applied to the residential portion of electrical power service.

II. Monthly Billing

Customer Charge:

\$ 10.00 per service connection

Energy Charge:

\$.084560 per kWh for the first 500 kWh

.110295 per kWh for the next 250 kWh

.137648 per kWh for all over 750 kWh

Minimum: The monthly customer charge plus appropriate power and energy charges.

III. Requested Service Reconnection and Disconnection Fee:

\$50.00 per reconnect or disconnect

C. **RESIDENTIAL SERVICE - RENEWABLE WIND ENERGY**

I. General Application.

This schedule is for alternating current, single-phase electric service supplied at approximately 120 or 240 volts through one kilowatt-hour meter at a single point of delivery for all service required on the premises for single- or multi-family residential purposes only, at any point on the City's interconnected system (except Blacksmith Fork Canyon) where there are facilities of adequate capacity.

II. Monthly Billing

Customer Charge:

\$6.00 per service connection

Energy Charge:

\$.107391 per kWh for the first 500 kWh
.140080 per kWh for the next 250 kWh
.174812 per kWh for all over 750 kWh

Minimum Charge: The monthly customer charge plus appropriate power and energy charges.

Limits: This rate is restricted to residential users only who occupy single- or multi-family dwellings and energy provided under this rate is limited to a maximum of 1,000 kWh per billing month up to 80 percent of the city's total available renewable resource. All power consumed over the maximum allowable will be billed at the rate of 0.137648 per kWh. Subscription to renewable power is voluntary and the user may cancel at any time; however, having cancelled, the user may not re-subscribe more than once in any 12-month period.

III. Requested Service Reconnection and Disconnection Fee:
\$25.00 per reconnect or disconnect

D. SMALL COMMERCIAL (UNDER 35 KW)

I. General Application

This schedule is for alternating current, single or three-phase nonresidential electric service supplied at the City's available voltage at a single point of delivery through a demand or other type of metering installation for all service required on the premises by customers with a power requirement not greater than thirty-five (35) kW.

II. Monthly Billing

Customer Charge:

\$ 10.00 per service connection

Power Charge:

\$ 8.00 per kW for all kW over 5 kW

Energy Charge:

\$.097750 per kWh first 1,500 kWh
\$.051750 per kWh for all over 1,500 kWh

Minimum: The monthly customer charge plus appropriate power and energy charges.

Power Factor: This rate is based on the customer maintaining at all times a power factor of ninety five ~~ninety~~ percent (95%) ~~(90%)~~ lagging, or higher, as determined by measurement. If the average power factor is found to be less than ninety five ~~ninety~~ percent (95%) ~~(90%)~~ lagging, the power as recorded by the City's meter will be increased by three quarters (3/4) of one percent (1%) for each one percent (1%) that the power factor is less than ninety five ~~ninety~~ percent (95%) ~~(90%)~~.

Power: The kW as shown by or computed from the readings of the City's meter for the fifteen (15) minute period of customer's greatest use during the month, adjusted for power factor as specified, determined to the nearest kW.

III. Requested Service Reconnection and Disconnection Fee:
\$25.00 per reconnect or disconnect

E. LARGE COMMERCIAL (OVER 35 KW)

I. General Application

This schedule is for alternating current, single or three-phase non-residential electric service supplied at the City's available voltage, but less than 46,000 volts, at a single point of delivery through a demand or other type of metering installation for all service required on the premises by customers with a power requirement that exceeds thirty-five (35) kW during seven (7) of any continuous twelve (12) month period.

II. Monthly Billing

Customer Charge:
\$20.00 per service connection

Power Charge:
\$ 8.00 per kW for all kW over 5 kW

Energy Charge:
\$.062500 for the first 50,000 kWh
\$.048750 for all additional kWh

Minimum: The monthly customer charge plus appropriate power and energy charges.

Power Factor: This rate is based on the customer maintaining at all times a power factor of ninety percent (90%) lagging, or higher, as determined by measurement. If the average power factor is found to be less than ninety percent (90%) lagging, the power as recorded by the City's meter will be increased by three-quarters (3/4) of one percent (1%) for each one percent (1%) that the power factor is less than ninety percent (90%).

Power: The kW as shown by or computed from the readings of the City's meter for the fifteen (15) minute period of customers greatest use during the month, adjusted for power factor as specified, determined to the nearest kW.

III. Requested Service Reconnection and Disconnection Fee:
\$25.00 per reconnect or disconnect

F. INDUSTRIAL

I. General Application

This schedule is for alternating current, three-phase electric service supplied at approximately 46,000 volts, at a single point of delivery through a demand or other type of metering installation.

II. Monthly Billing

Customer Charge:
\$200.00 per service connection

Power and Energy Charge: Five percent over city's blended cost for power, energy, transmission, administrative costs, etc. plus such surcharge as required and approved by the City Council. Current surcharge is \$.005 of all kWh consumed.

Minimum: The monthly customer charge plus appropriate power and energy charges.

Power Factor: This rate is based on the customer maintaining at all times a power factor of ninety five ~~ninety~~ percent (95%) (~~90%~~) lagging, or higher, as determined by measurement. If the average power factor is found to be less than ninety five ~~ninety~~ percent (95%) (~~90%~~) lagging, the power as recorded by the City's meter will be increased by three-quarters (3/4) of one percent (1%) for each one percent (1%) that the power factor is less than ninety five ~~ninety~~ percent (95%) (~~90%~~).

Power: The kW as shown by or computed from the readings of the City's meter for the fifteen (15) minute Period of customer's greatest use during the month, adjusted for power factor as specified, determined to the nearest kW.

III. Requested Service Reconnection and Disconnection Fee:
\$25.00 per reconnect or disconnect

G. TEMPORARY SERVICE

I. General Application

This schedule is for alternating current, single-phase electric service supplied at approximately 120 or 240 volts through one kilowatt-hour meter at a single point of delivery for all separately metered service required on the premises for temporary purposes, such as construction, at any point on the City's interconnected system (except Blacksmith Fork Canyon) where there are facilities of adequate capacity. The City reserves the right to determine the length of time that use of a temporary service is permitted.

Temporary service is only allowed and granted for construction activity and not for any other purposes including housing, house trailer, tent, etc. Any use other than construction is required to have a permanent meter installed and will be subject to all residential service fees.

II. Monthly Billing

Customer charge:
\$30.00 per temporary panel for single-phase service

H. FORCE MAJEURE

Neither City nor customer shall be subject to any liability or damages for inability of the City to serve the Customer's load due to lack of available power and energy or other conditions beyond the City's control. In the vent of natural disasters or acts of God such as earthquakes, floods, or severe storms, neither party shall be liable for damages due to lack of ability for operations which affect the other party economically. Should any of the foregoing occur, the minimum billing demands that would otherwise be applicable under this Schedule shall be waived and Customer will have no liability for service charges until such time as Customer is reasonably able to resume service.

2. This resolution shall become effective March 1, 2022 and rates will be increased one percent (1%) each month until August 1, 2022 when the power factor fee is at ninety five percent (95%), and the rate schedules contained herein shall apply to all subsequent electrical power billings.

ADOPTED AND PASSED by the Hyrum City Council this 17th day of February, 2022.

HYRUM CITY CORP.

By: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder