

SOUTH JORDAN CITY  
CITY COUNCIL STUDY MEETING

October 15, 2024

**Present:** Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Tamara Zander, Council Member Don Shelton, Council Member Kathie Johnson, Council Member Jason McGuire, City Manager Dustin Lewis, City Attorney Ryan Loose, Director of Strategy & Budget Don Tingey, Director of City Commerce Brian Preece, Director of Public Works Raymond Garrison, CFO Sunil Naidu, City Engineer Brad Klavano, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, Fire Chief Chris Dawson, Director of Recreation Janell Payne, Communications Manager Rachael Van Cleave, Chief Technology Officer Matthew Davis, IS Senior System Administrator Phill Brown, GIS Coordinator Matt Jarman, City Recorder Anna Crookston, Meeting Transcriptionist Diana Baun, Associate Director of Public Works Joey Collins, Supervising Senior Engineer Ken Short, Streets Maintenance Supervisor Wesley Slawson, Street Maintenance Worker Edson Escalante

**Absent:**

**Others:**

4:38 P.M.  
STUDY MEETING

**A. Welcome, Roll Call, and Introduction:** *By Mayor, Dawn R. Ramsey*

Mayor Ramsey welcomed everyone present and introduced the meeting.

**B. Invocation:** *By Council Member, Don Shelton*

Council Member Shelton offered the invocation.

**C. Mayor and Council Coordination**

Council and Mayor discussed the WFRC meeting coming up.

Mayor Ramsey shared a press release announcing the donation of \$25 million from Larry H. and Gail Miller Family Foundation, in conjunction with the county, to build a new, state of the art, performing arts center near the new ballpark in Daybreak.

Staff and council discussed remaining council meetings for the year and cancellation of the meeting on November 5, due to Election Day. The work session on Nov. 19 will be used for the Strategic Planning/Budget meeting.

## **D. Discussion/Review of Regular Council Meeting**

### **Public Hearing:**

**Ordinance 2024-22**, Vacating a Municipal Waterline Easement located on Lots C-108 through C-113 of the Daybreak Urban Center Plat 1 Subdivision Daybreak and vacating a Fire Access Easement of Lots C-109, C-110, C-111, and C-113.

### **Wheadon Acres Land Use Public Hearings:**

**Resolution R2024-42**, Authorizing the Mayor of the City of South Jordan to enter into a Development Agreement with Mulberry Cottage LLC and WHDTMR LLC pertaining to property located at 10537 S 3010 W and 10555 S 3010 W.

**Zoning Ordinance 2024-08-Z**, Rezoning property located at 10537 S 3010 W & 10555 S 3010 W from the R-1.8 (Single Family Residential) Zone to the R-1.8 with the Flag Lot (FL) Overlay Zone. Gordon Milar Construction, LLC (Applicant).

## **E. Presentation Item**

**E.1. Pavement preservation.** *(By Director of Public Works, Raymond Garrison, Associate Director of Public Works, Joey Collins, & Supervising Senior Engineer, Ken Short)*

Associate Director Collins introduced the presenters, including Asphalt Supervisors Edson Escalante and Wesley Slawson, and reviewed his prepared presentation (Attachment A).

Council Member Shelton asked about potential options for making our own asphalt mixes versus buying them from a third party.

Director Garrison responded the city is currently looking at other options and equipment, additional ways to stretch the city's money even further and get a better value.

Council Member Harris asked about any correlation between weather and road repairs.

Director Garrison responded there are definite correlations, and that the cold patch is only temporary and sometimes only lasts a matter of hours. They are always looking at new innovations and trying other potential repair products to see what works best and adds the most value.

Council Member Zander asked about preparations being done for city roads and potential damage from future dangers like earthquakes.

Manager Lewis responded a lot depends on the damage and where it's at, and that the streets include attached infrastructure that could require repairs at the same time during an emergency. In many cases they might need to install a temporary fix like gravel to even out a road enough to allow travel because they are there fixing other vital utilities before completely re-doing the road. He noted there are other fault lines that reach into our city, and there is potential for surface fault rupture from other smaller faults. There is also the potential for liquefaction as you move

towards the eastern part of the city where there are higher ground water tables. All of those things will contribute to the level of potential damage, and pathways will be prioritized just like we do with bus and walking routes, to allow resource movement.

Council Member Zander asked if there are things our city can do to make our roads more resilient in the face of a natural disaster like an earthquake.

Manager Lewis responded that yes, staff is always looking at the latest design standards, ensuring that when roads are built they are built to those standards, that they have the right composition for the best chance at survival. South Jordan will also realistically fare slightly better than surrounding areas because much of our infrastructure is relatively new. The standards for earthquakes has changed since the 60s, and being a younger city we have been built up with the higher standards that were adopted in the 90s and later.

Associate Director Collins continued reviewing his prepared presentation (Attachment A).

Council Member Zander asked if having AI review the city's streets this year came with any cost savings.

Supervising Senior Engineer Ken Short responded that the city was actually unaware that was the method used for the evaluation at the time, and the cost was the same. They will be having conversations about that in the future to possibly negotiate. He continued reviewing Attachment A. He discussed partner projects when doing road repairs, noting that the current OCI score of the road dictates what the utility or other company working on the road has to complete their project with in terms of resurfacing or patching the road. In some projects where the city is aware the road is already in bad shape, they will financially work together to get the road rebuilt to a higher standard at the end of the project.

Associate Director Collins finished reviewing Attachment A.

Council Member Harris asked about private roads, does the city require the owners to keep their roads above a certain score or maintain things on a specific schedule.

Manager Lewis responded no, and the biggest challenge is when they let the roads get to a point of disrepair that they want the city to take over and fix them up. This is the reason for policies and procedures the council has established to govern which private roads are eligible for the city to take over.

Council Member Zander asked for more details on the backgrounds and experience of the Pavement Preservation Specialists.

Supervisor Escalante did work with Newman Construction when he was younger as a helping hand, he gained most of his experience here through South Jordan working with asphalt and working in other positions through the city.

Supervisor Slawson came from the private sector, his family owned a pavement company originating out of Arizona, giving him about 20 years of related experience. They did everything from highways to parking lots, then they moved into utilities until they decided to shut down their operations about five years ago for a couple of different reasons. He then decided rather than going to another paving company, he would try his hand with the city and see if he could help maintain roads, rather than try to put dollars in someone else's pocket.

## **F. Discussion Item**

### **F.1. Business Licensing Municipal Code. *(By City Manager, Dustin Lewis & City Attorney, Ryan Loose)***

Manager Lewis gave a brief overview of highlights from Title 5 from the City's Municipal Code [https://southjordan.municipalcodeonline.com/book?type=ordinances#name=TITLE\\_5\\_BUSINESS\\_LICENSES\\_AND\\_REGULATIONS](https://southjordan.municipalcodeonline.com/book?type=ordinances#name=TITLE_5_BUSINESS_LICENSES_AND_REGULATIONS) noting that this is the area of the code where the new short term rental regulations will be located.

Attorney Loose reviewed specifically Chapter 5.98- the Retail Tobacco Specialty Business Licenses section (Attachment C), and Chapter 5.12 - Alcoholic Beverage Licenses (Attachment B). He began by reminding the council that through zoning, the council has allowed the use, but the actual operation is governed by the business license. Business licenses do not run with the land, if there is a change in the code, when a license is up for renewal they are required to be up to date on any changes. Regarding Chapter 5.98, the state has made it clear the city does not have to allow specialty smoke shops. He reviewed the requirements in Chapter 5.98 (Attachment C) as written in city code, as well as the steps to be followed if a business license holder is breaking the rules and not compliant.

Council Member Harris asked if the city is required to let in new businesses under the new rules under this type of specialty.

Attorney Loose responded that yes, the city no longer has to grant a license for certain specialty shops. However, if the city wanted to remove a type of business that was grandfathered in and currently has a license for a business no longer allowed the city could create an amortization schedule to give enough time to move out, possibly a few years, and give current businesses notice of when their type of business will no longer be allowed to operate in the city and give them time to find another location if desired when their lease expires.

Council Member Harris asked staff to continue researching options and bring some back in the future in terms of removing certain specialty businesses from the city once their leases expire.

Attorney Loose moved on to reviewing Chapter 5.12 (Attachment B) regarding Alcoholic Beverage Licenses, noting that with the stadium being built they will have to revisit some of the code. When looking at the list of licenses available in the city, versus what the county offers, the city's list is shorter with less options. The current options within the city allow the stadium to operate as it was down at Smith's Ballpark with all services minus one, specifically their

exclusive boxes where they become a space that can qualify for a packaging license. That license allows each box to become their own mini state liquor store, where they buy as wholesalers and then retail for a price. Generally, those box owners/operators are wining and dining guests for their business or family, but that's the only type of license our city currently does not have as an option if the council is amenable to that. The stadium leadership is not asking the city to add additional bar licenses, but they would like to have the luxury boxes with the alcohol as before. They are still not allowed to have the alcohol leave the box, but it allows them to buy alcohol ahead of time and be available for guests in the future without having to be opened when it arrives in the box.

Mayor Ramsey noted there is a specific specialty shop receiving a number of complaints recently, and she appreciates staff doing the research to keep an eye on them and bring back their options.

## **ADJOURNMENT**

**Council Member Johnson motioned to adjourn the October 15, 2024 City Council Study Meeting. Council Member Zander seconded the motion; vote was 5-0 unanimous in favor.**

The October 15, 2024 City Council Study meeting adjourned at 6:16 p.m.

**This is a true and correct copy of the October 15, 2024 City Council Study Meeting Minutes, which were approved on November 19, 2024.**

*Anna Crockett*

**South Jordan City Recorder**



# Pavement Preservation Sustaining Our Roads



# SoJ Lane Miles





# In-House Operations

- 1

## Patching

Permanent fixes for minor road damage. Crews use hot mix asphalt to repair large to small areas and to fix potholes.
- 2

## Trench Paving

Deeper structural repairs. We excavate damaged sections and replace with fresh asphalt. We have done wheel paths, and full lane repairs.
- 3

## Crack Sealing

Prevents moisture infiltration. We clean out cracks, and add sealant into pavement cracks, slowing degradation.
- 4

## Mastic Application

Extends lifespan A flexible, durable material is applied to larger cracks.
- 5

## Cape Seals

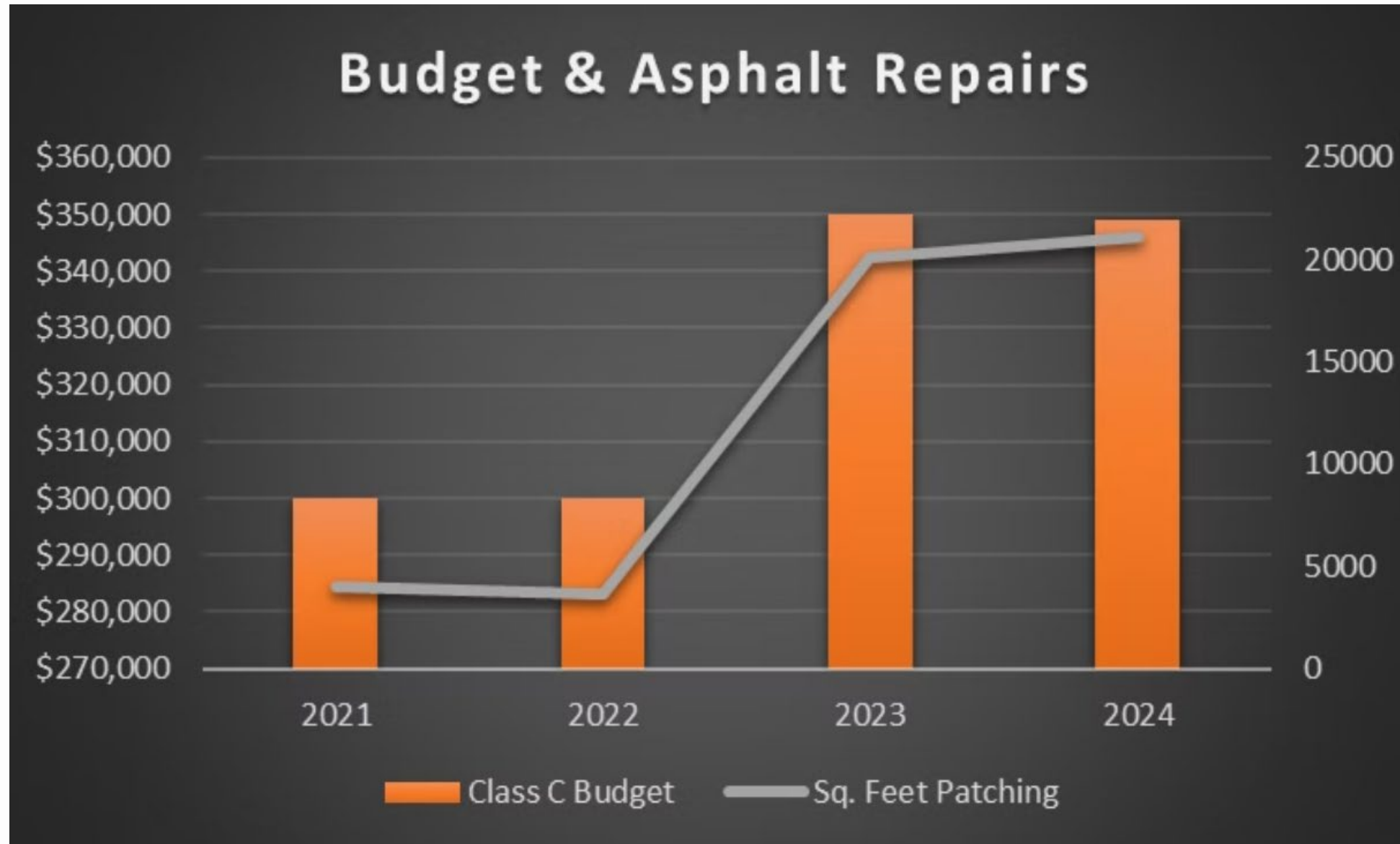
GSB-88 is in our toolbox to maintain our higher OCI roads.



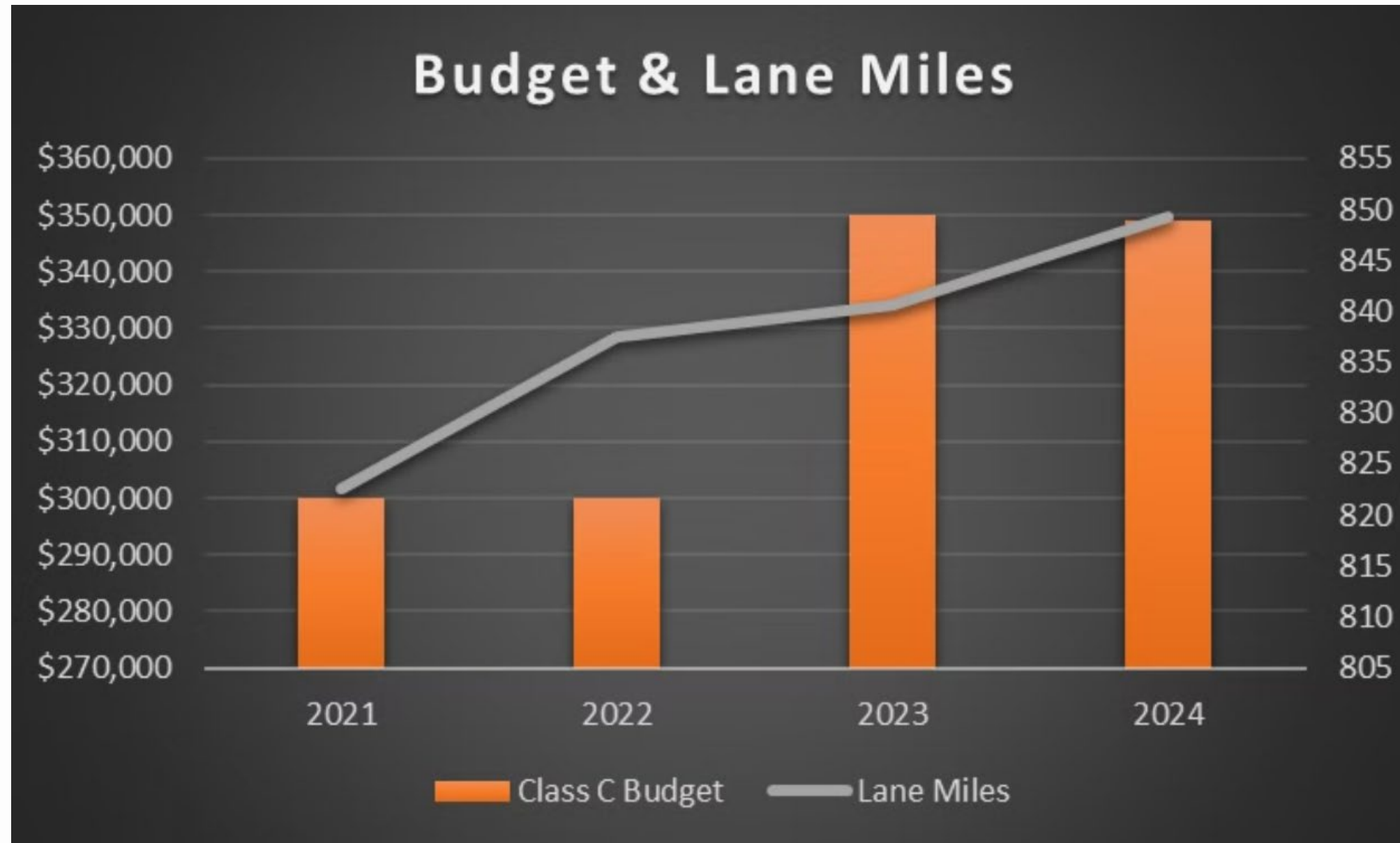


# Asphalt Maintenance Strategy

- **Streets Division Staff Knowledge**
  - Capitalize on staff expertise with trench paving, for larger repairs .
  - Allowing our crews to manage small -scale projects without the need for external contractors .
- **Repairing Wheel Paths for Prolonged Road Life**
  - Proactive maintenance to address maintenance in high -traffic lanes .
  - Stretching the budget while still keeping our service levels high.

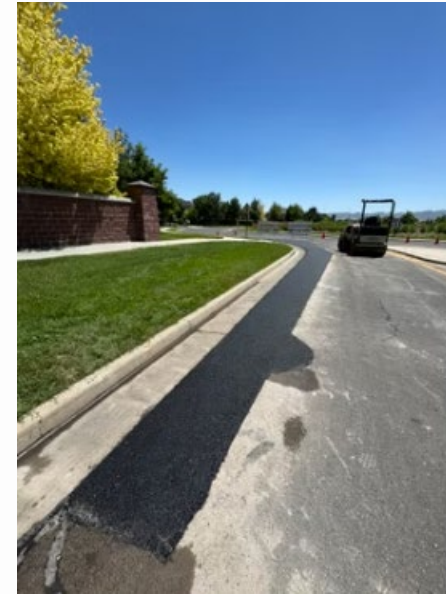


# Transportation Improvement Budget





# Pavement Patching





# Trench Paving







# Material Costs

- 2024 - Asphalt \$63.50 per ton
- 2024 - Cold mix \$150 per ton
- 2020 - Asphalt \$43.25 per ton
- 2020 - Cold mix \$100 per ton





# Winter Maintenance: Battling the Elements

## 1 Winter Damage

We have had a couple rough winters adding more larger reactive repairs to our plans.

Trying new products water activated cold patch

Staying up on products, and being innovative

## 2 Pothole Response

Our crews have a goal to fill all potholes within 24 hours of being reported. We have been 100% successful on this goal with the crews using cold-mix asphalt or Mastic through winter months.

## 3 Annual Potholes Repaired

2021 - 134

2022 - 147

2023 - 250

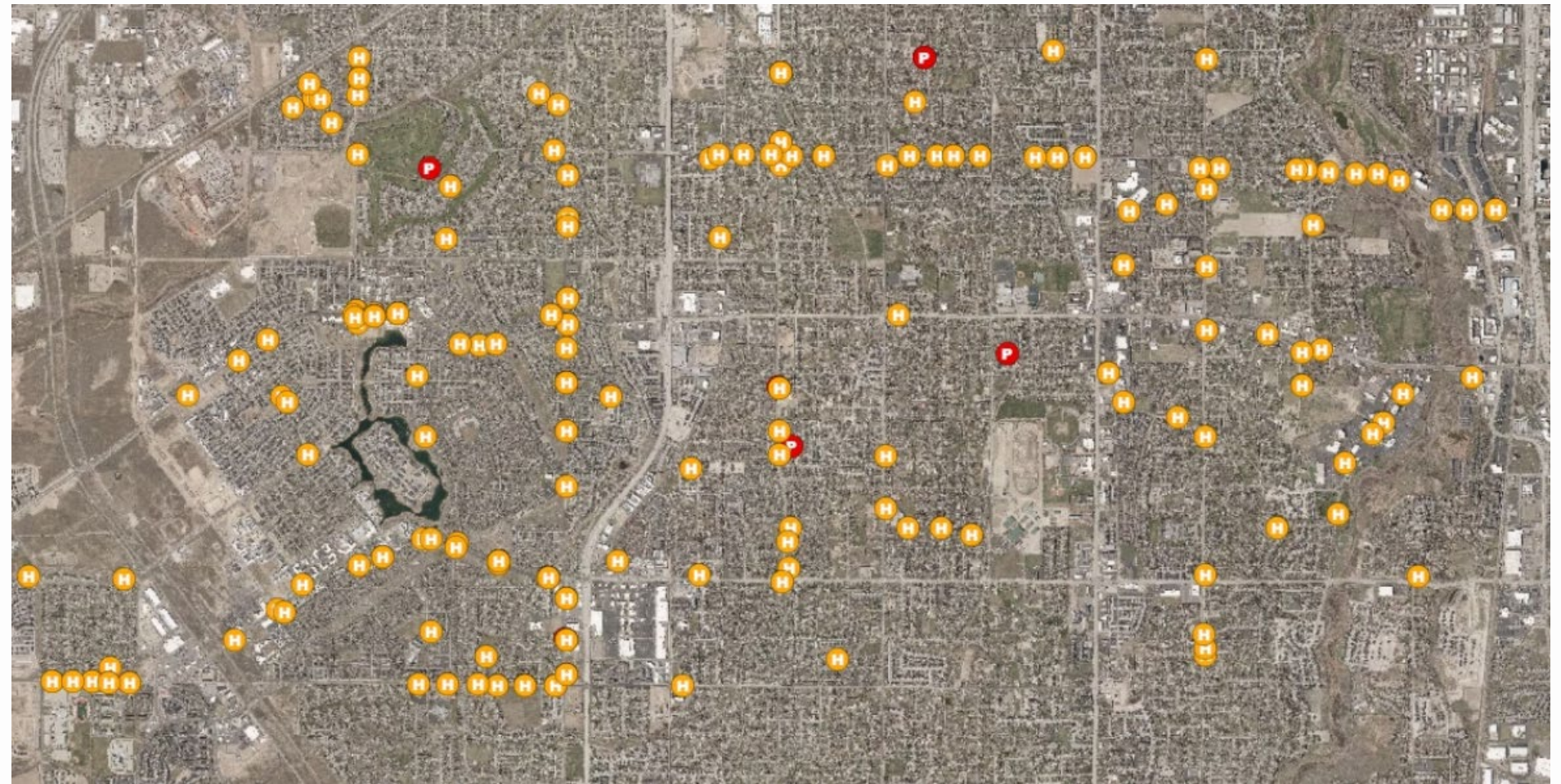
2024 - 455



# Asphalt Management

— ☒ Streets Asphalt Query Layers

- ☒ **H** Pothole Repair - open  $\leq$  1 year
- ☒ **H** Pothole Repair - in progress  $\leq$  1 year
- ☒ **H** Pothole Repair - completed  $\leq$  1 year
- ☐ **P** Pavement Patch - open  $\leq$  1 year
- ☐ **P** Pavement Patch - completed  $\leq$  1 year

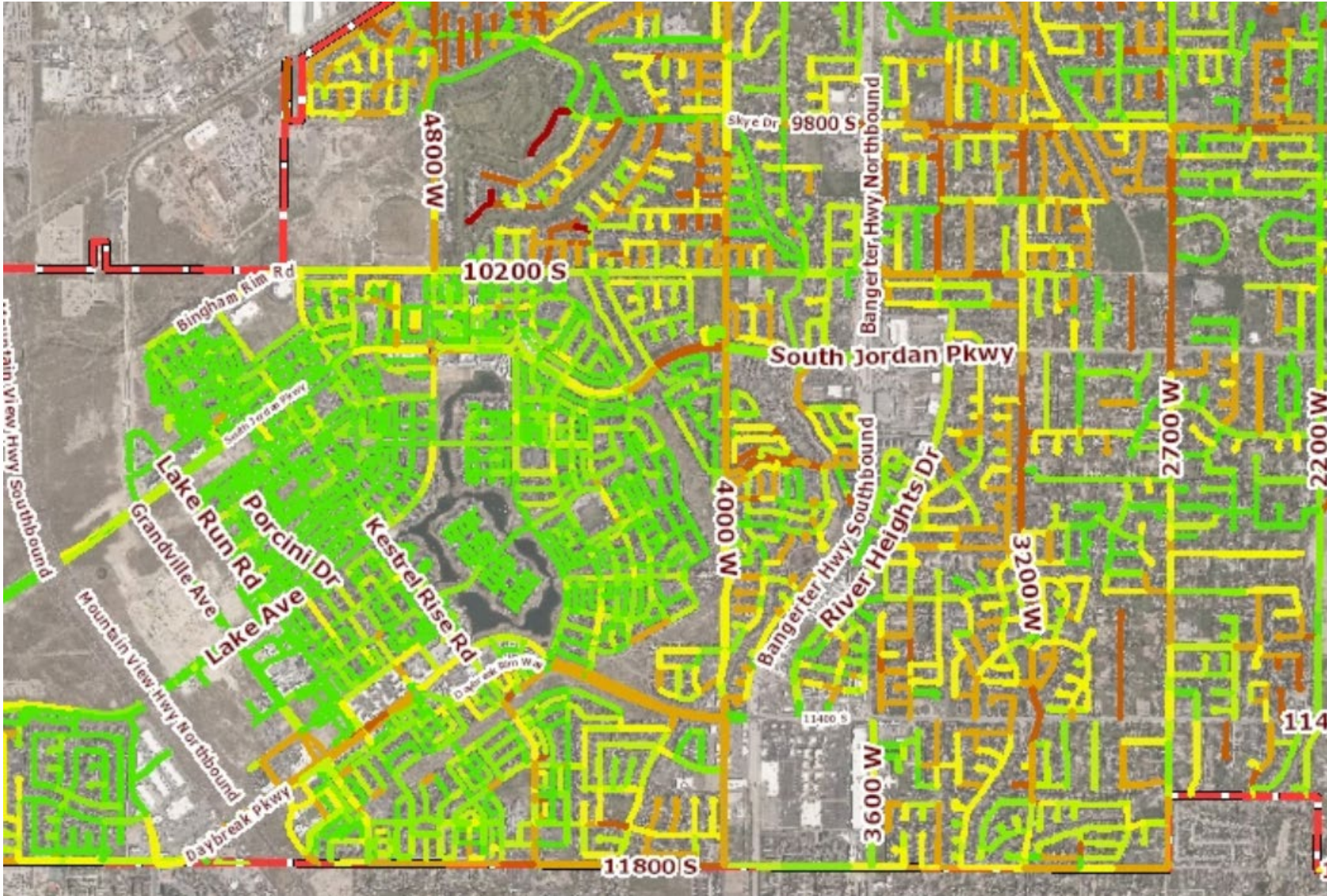




# Pavement Preservation Committee

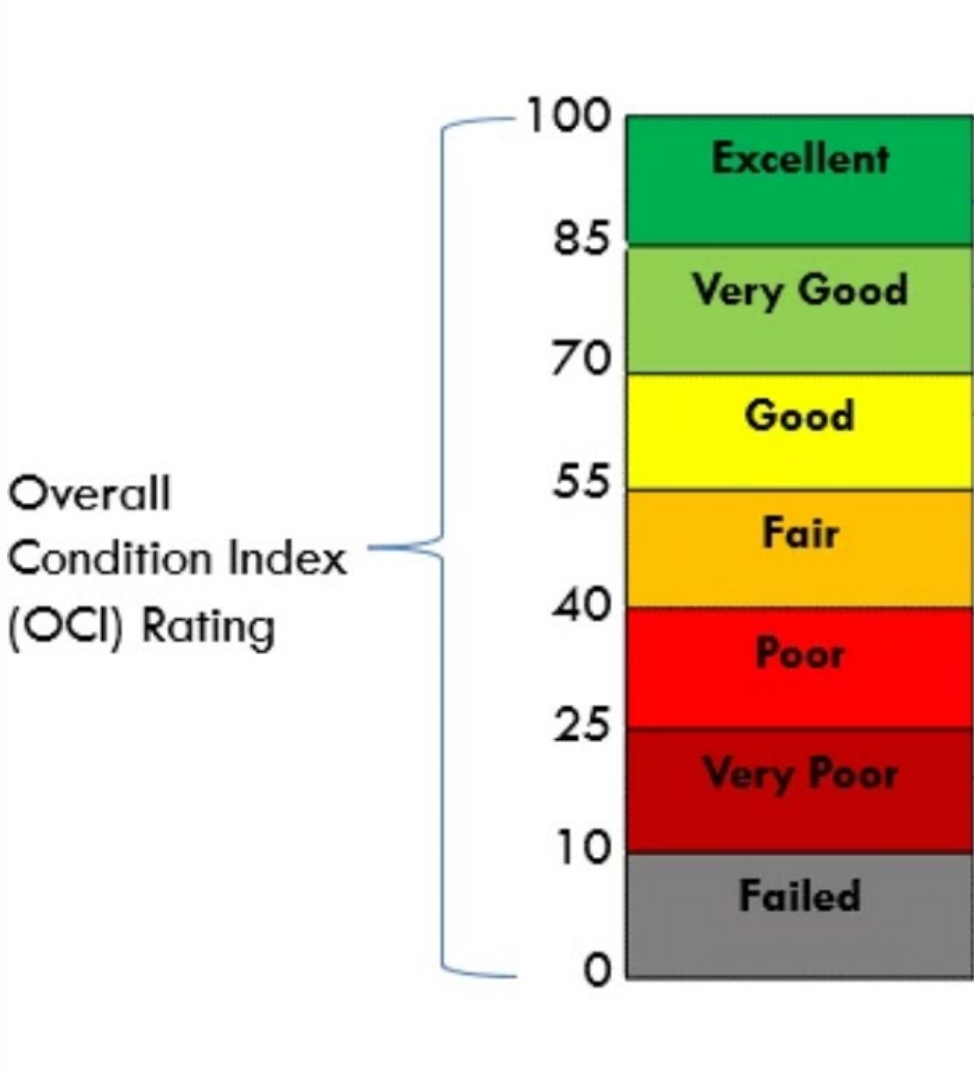
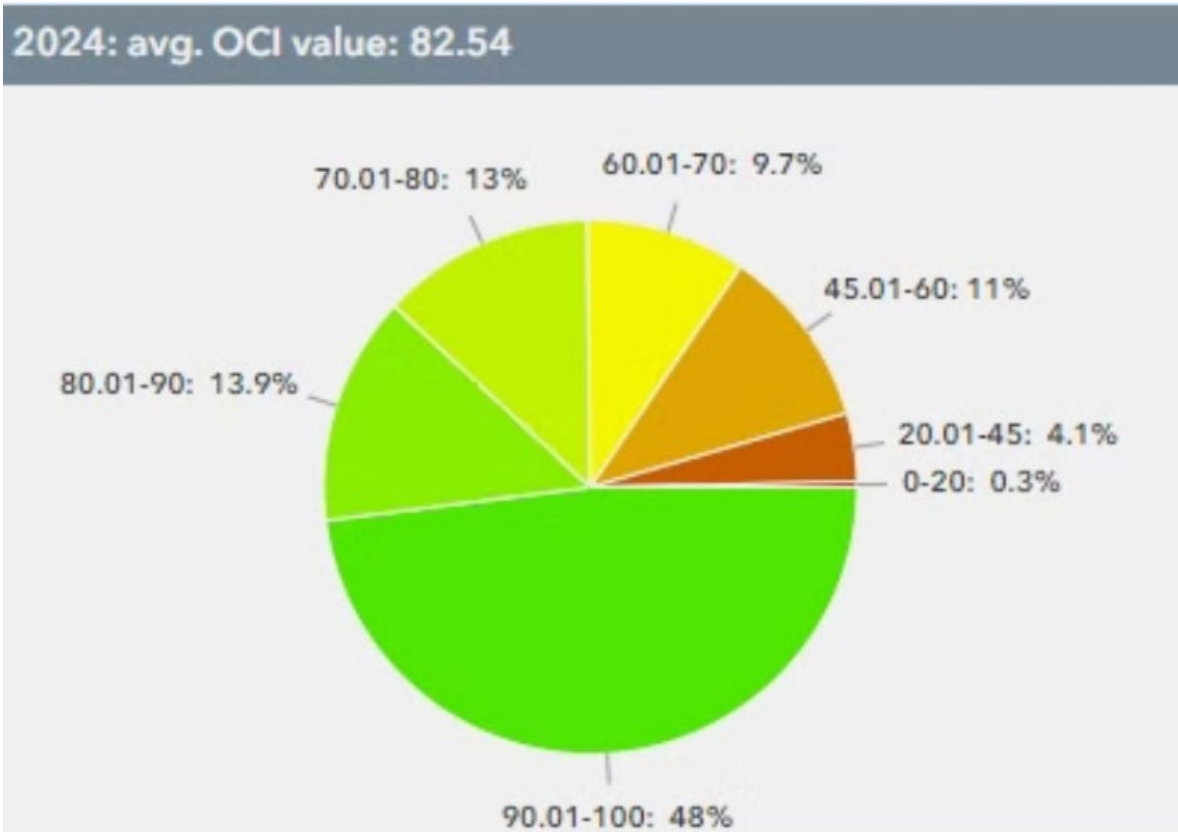
- Utility Project Coordination
- Internal Project Coordination
- Pavement Inspections
- Budget Optimization
- Experience





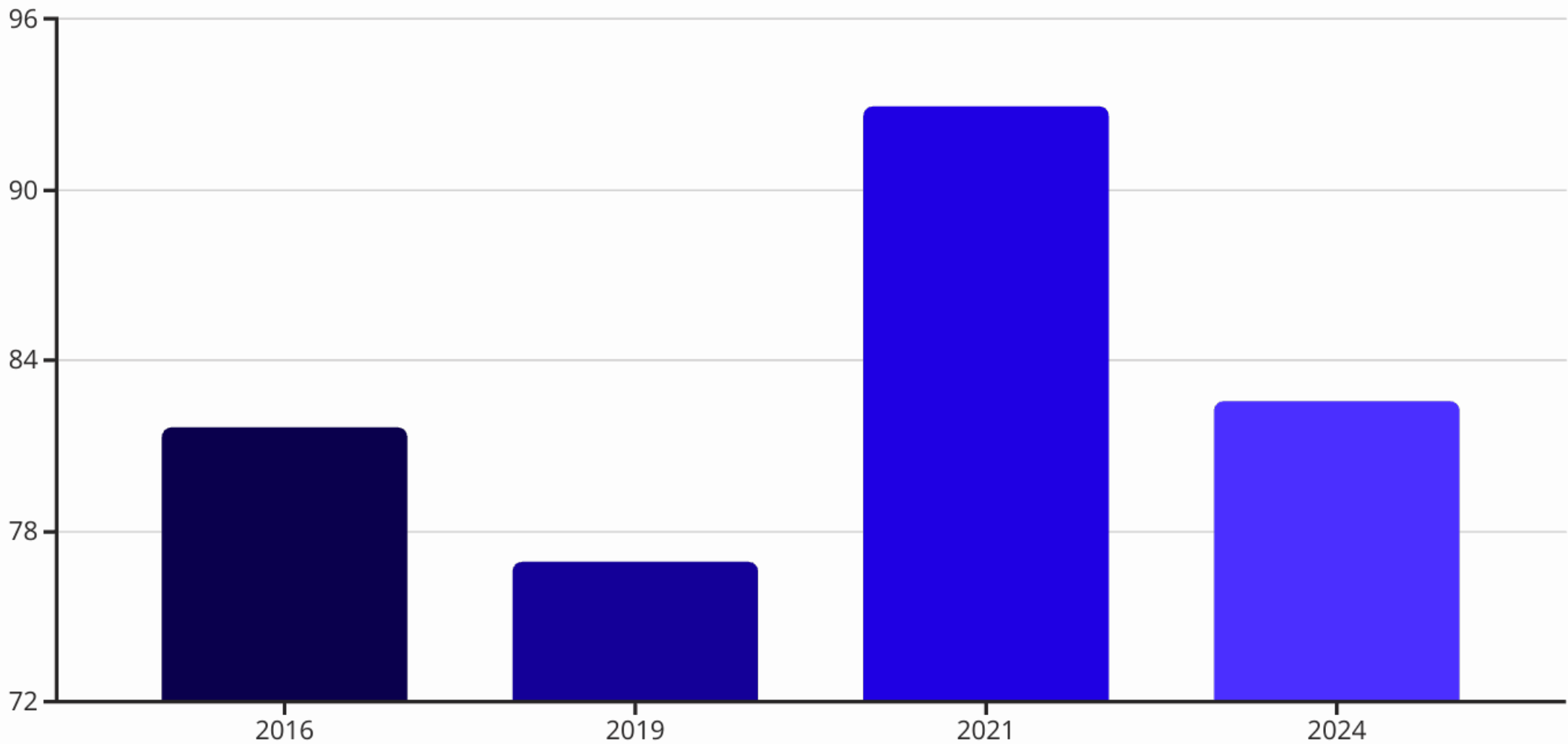
# GIS OCI Map

# Pavement Condition Index: Measuring Progress



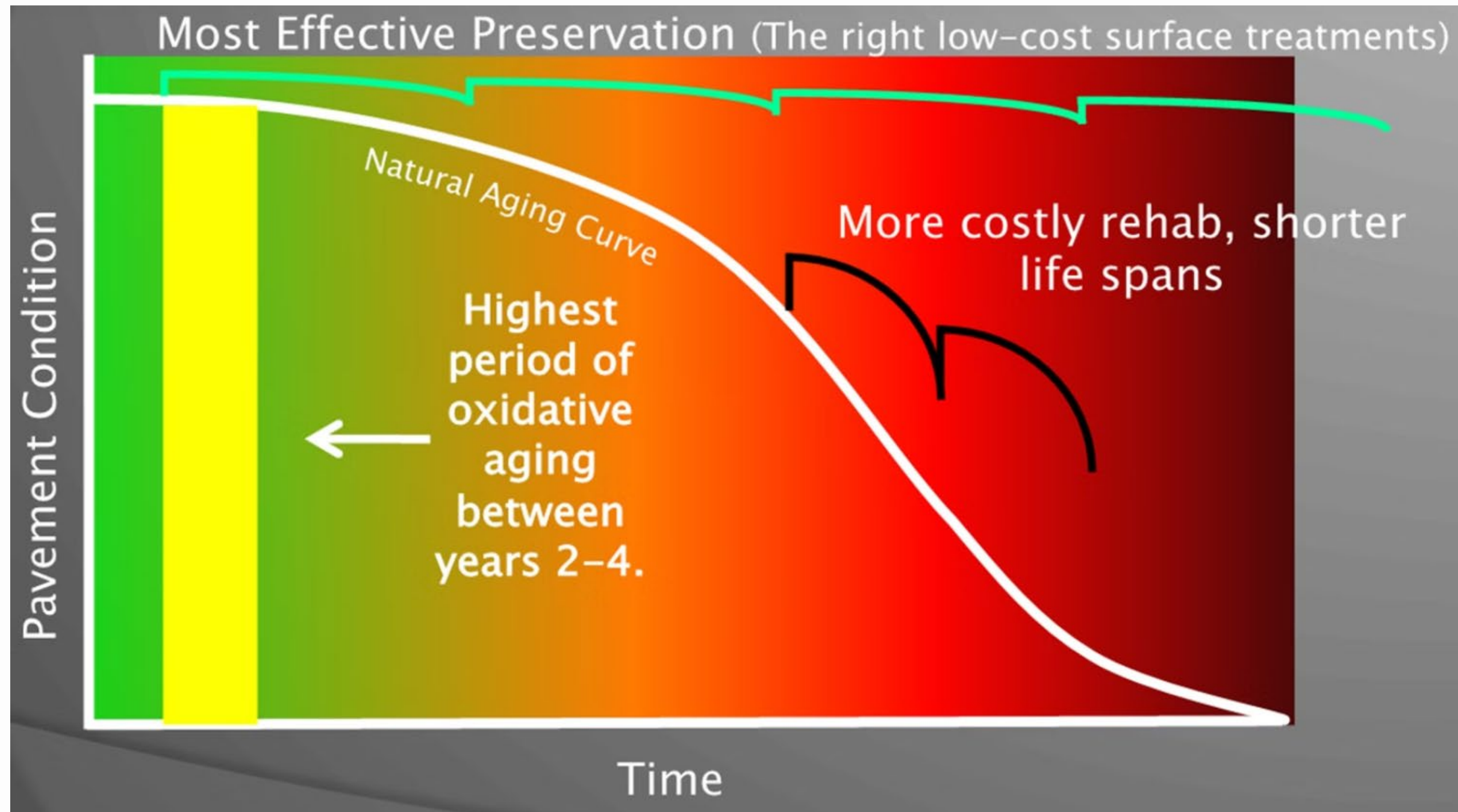
**Current OCI**    Our network average is 83% . This indicates good overall condition with room for improvement.

# Historical OCI



- **Historical Trend** - OCI has declined by 10% since 2021. Targeted preservation efforts have yielded positive results, but our overall road network is beginning to age.
- **AI Inspections** - AI road inspections have had a higher accuracy in scoring.







# Outsourced Road Maintenance

1

## Overlays

Overlays play a important role in maintaining the integrity and longevity of our roads. By applying a new layer of asphalt over an existing pavement, we can restore its surface, and extend its lifespan. Treatment is used on roads with OCI below 50.

2

## Micro Surface Treatment

Micosurfacing is applied in order to help preserve and protect the underlying pavement structure and provide a new driving surface. Treatment used on roads with OCI scores between 65-80.

3

## High Density Mineral Bond

High Density Mineral Bonds are engineered to preserve the native asphalt binder and help prevent oxidation damage to the asphalt. Treatment used on residential road with OCI between 70-95.

4

## Scrub seal/ Chip seal

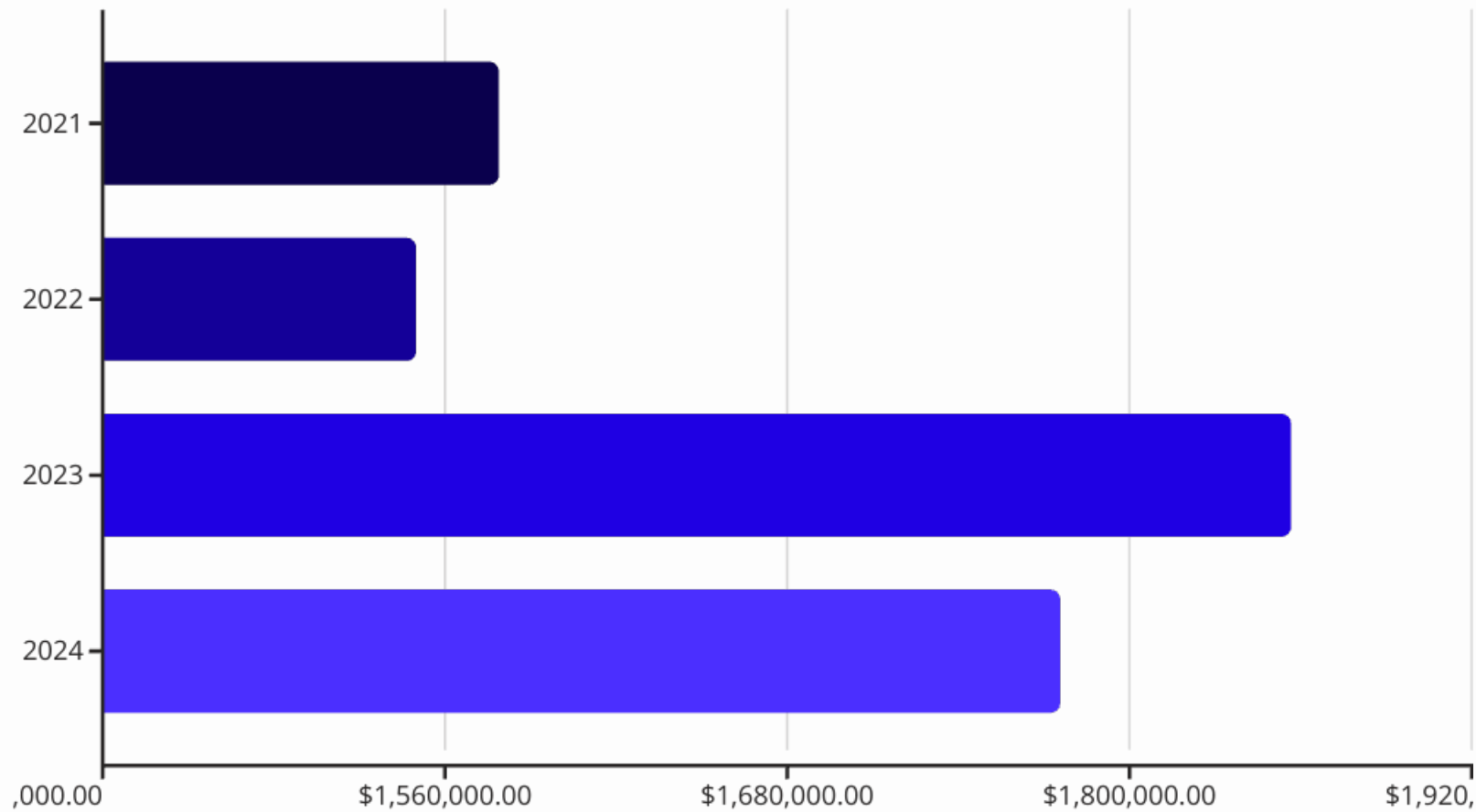
The City is evaluating using scrub seals in place of chip seals for future treatments. Scrub Seals can be used with a Micro Surface treatment (Cape Seal) Treatment used on roads with OCI scores 50-70.



# Demo HDMB Sections

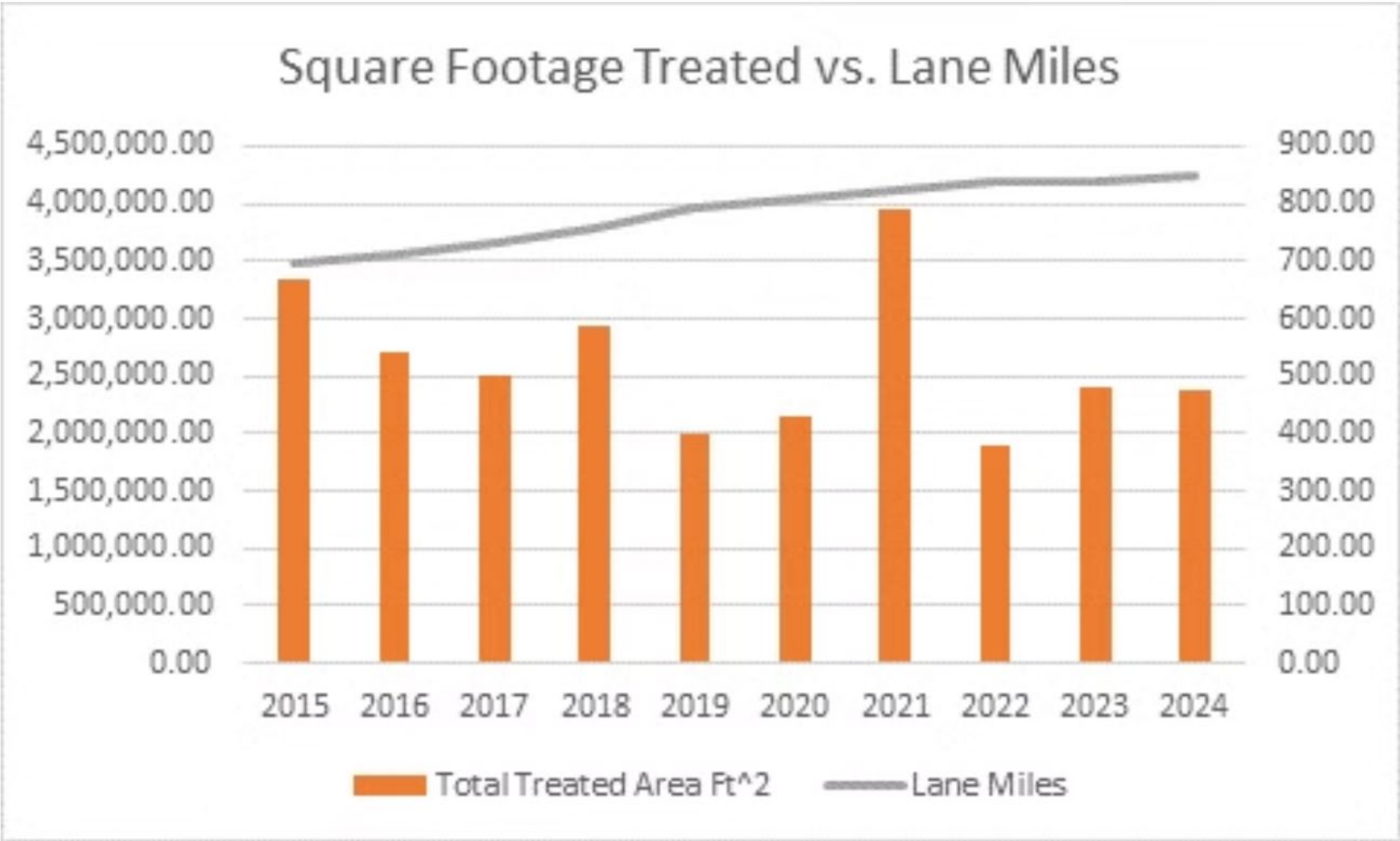
The City currently has test sections of different seal coats to evaluate the effectiveness of using them in pavement preservation in residential settings.

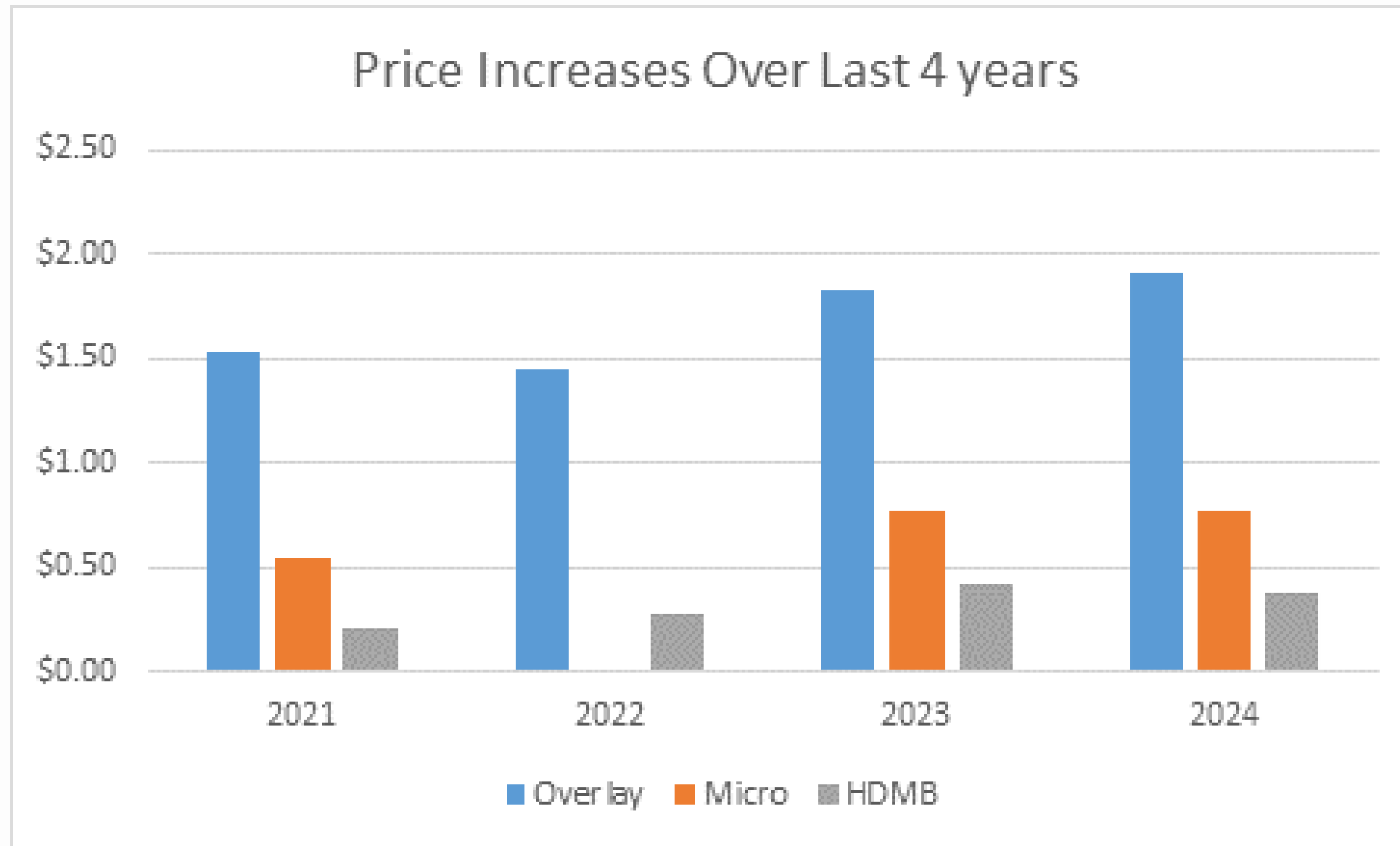




# Class C Outsourced Road Maintenance Budget











# Water Line Replacement

Water line replacement has helped repair older roads and increased our OCI. They have played a major role in getting new asphalt installed. With the last of transite water lines being replaced, this will be a large decline in project funding for overlays.

# New Opportunities for Improvement



## Technology & Equipment

**AI technology** - Recommends optimal treatment with budget based on our networks OCI. Continual pavement evaluation

**Equipment** - Pavers, Mills, Lease/Rent Vs. Purchasing



## Pavement Treatment Options

**Try New Treatments:** Scrub Seals for example - This innovative treatment combines crack sealing and surface sealing. It extends pavement life by 5 -7 years.

**Researching Others** : Collaborating with other entities on treatments. Observing Tooele County put down chip seals, all in an effort to better our strategy and make the most of our budget.



## Funding

**Grants:** Looking into additional funding from grants to help pay for treatments and equipment.



# Conclusion: Paving the Way Forward

## Effectiveness of In-House Operations

Continue to utilize our team's skills and knowledge to provide alternative solutions.

## OCI Trends

We plan to see a steady improvement, but challenges remain. We must sustain investment to keep our OCI above 80.

## Investment Needs

Material, service, and equipment costs are increasing. We are looking into grant funding for pavement preservation efforts.

## Innovation Focus

Embracing new technologies, and treatment strategies, to help better allocate our budget.

**CHAPTER 5.12 ALCOHOLIC BEVERAGE LICENSES****5.12.010: PURPOSE****5.12.020: DEFINITIONS****5.12.030: LICENSE REQUIRED TO SELL ALCOHOLIC BEVERAGES****5.12.040: LICENSES****5.12.050: APPLICATION PROCESS****5.12.060: FEES****5.12.070: DENIAL****5.12.080: QUALIFICATIONS FOR A LICENSE OR PERMIT****5.12.090: SUSPENSION****5.12.100: CRIMINAL OFFENSES****5.12.110: VARIANCES TO PROXIMITY REQUIREMENTS****5.12.120: MATRIX FOR LICENSE BY ZONE****5.12.010: PURPOSE**

- A. It is the purpose of this chapter to control and regulate the sale, distribution, and consumption of alcoholic beverages within the City; and to establish a matrix for permissible and prohibited alcoholic beverage licenses by zone. It is further the purpose of this chapter to conform to State law while maintaining for the City the right to adopt regulations that may be stricter than those imposed by State law.
- B. All sales of alcoholic beverages within the City shall be governed by the Utah Alcoholic Beverage Control Act (UABCA). In the event the ordinances of the City are inconsistent with the requirements of the UABCA, the City ordinances shall control, except that if the City ordinance is inconsistent with the State criminal provision of the UABCA, the State provision shall control.

**HISTORY**

*Repealed & Reenacted by Ord. [2013-09](#) on 6/4/2013*

**5.12.020: DEFINITIONS**

For purposes of this chapter definitions found in the Utah Alcoholic Beverage Control Act, Utah Code Annotated title 32B, as amended are hereby adopted except for those defined in this section. Words defined below are either not present in the Utah Code or more restrictive, and will also be binding within the City.

**CITY:** South Jordan City.

**PUBLICLY OWNED RECREATION FACILITY:** Any building or permanent structure owned or leased by the State, a county, city or other local political jurisdiction that is used primarily for recreational activities.

**SOUTH JORDAN BAR LICENSE:** This license may be granted only to businesses that held a South Jordan dining club license as of March 28, 2017 and allows the sale, storage, service, and consumption of alcoholic beverages by the bar on its premises.

**SOUTH JORDAN BEER ONLY RESTAURANT LICENSE:** This license permits a restaurant to store, sell and allow consumption of only beer on its premises within the City, but not liquor, spirituous liquor, flavored malt beverage, wine, or heavy beer.

**SOUTH JORDAN FULL SERVICE RESTAURANT LICENSE:** This license permits the licensee to store, sell, and allow consumption of any alcoholic beverage on its premises within the City.

**SOUTH JORDAN LIMITED SERVICE RESTAURANT LICENSE:** This license permits a restaurant to store, sell and allow consumption of only wine, heavy beer, and beer on its premises within the City, but not liquor, spirituous liquor or flavored malt beverage.

**SOUTH JORDAN OFF PREMISES BEER RETAILER LICENSE:** This license permits the licensee to sell beer on its premises in original containers for consumption off the premises in accordance with law.

**SOUTH JORDAN ON PREMISES BANQUET LICENSE:** This license permits the storage, sale, service, and consumption of liquor, wine, heavy beer, and beer for contracted banquet activities on the premises of a hotel, resort facility, sports center, or convention center. It also allows for room service in hotels and resorts. Alcoholic beverages may be sold on any day from ten o'clock (10:00) A.M. until one o'clock (1:00) A.M.

**SOUTH JORDAN ON PREMISES BEER RETAILER LICENSE:** This license permits a business establishment to sell beer (not liquor) to public patrons for consumption on the premises. These establishments must be a recreational amenity, but not taverns. This license requires local consent.

**SOUTH JORDAN SINGLE EVENT PERMIT:** Single event permits are available for a group that wants to sell liquor, wine, beer, or heavy beer at a temporary event not to exceed one hundred twenty (120) hours. These are available to a bona fide partnership, corporation, limited liability company, church, political organization, or incorporated association or to a recognized subordinate lodge, chapter or other local unit thereof that is conducting a civic or community enterprise or convention. The organization must have been in existence as a bona fide organization for at least one year prior to the date of application.

The permit allows for cash bars and the sale of alcoholic beverages to the general public, or to the organization's own invited guests for the duration of the event. The permit may only be issued for zones where regular licenses are permitted.

**SOUTH JORDAN SPECIAL USE PERMIT:** Special use permits are issued for the purchase, sale, storage, use, consumption, or manufacture of alcoholic products in limited types and quantities, and for limited purposes. The following types of permits are considered special use permits: religious wine permits issued to religious organizations, industrial or manufacturing use permits issued to persons or organizations involved in industrial or manufacturing pursuits, scientific or educational use permits issued to persons or organizations involved in scientific or educational pursuits, healthcare facility use permits issued to hospitals or healthcare facilities, and public service permits issued to operators of airlines, railroads, or other public conveyances.

**SOUTH JORDAN TEMPORARY BEER EVENT PERMIT:** Temporary event permits for the sale of beer for on premises consumption at a temporary event that does not last longer than thirty (30) days.

#### HISTORY

Amended by Ord. [2018-11](#) on 6/19/2018

### **5.12.030: LICENSE REQUIRED TO SELL ALCOHOLIC BEVERAGES**

A. It shall be a Class B misdemeanor for any person to engage in the business of the sale of alcoholic beverages within the City without first procuring and having properly displayed the appropriate license issued by South Jordan City and a license issued by the Utah Alcoholic Beverage Control Commission.

B. Any license type not listed in section 5.12.040 of this chapter is prohibited in South Jordan.

#### HISTORY

Repealed & Reenacted by Ord. [2013-09](#) on 6/4/2013



**5.12.040: LICENSES**

- A. Each Place Of Sale, License Required: A separate license shall be required for each place of sale. Each licensee shall display in a prominent place in their business the license issued by South Jordan City. The applicable alcoholic beverage license (including fees) required is in addition to the general business license that shall be required.
- B. Transfer Of License: There shall be no transfer of any type of South Jordan City license from one location to another.
- C. Monetary Value Of License: South Jordan City alcoholic beverage licenses have no monetary value for the purpose of any type of disposition. A person, having been granted a South Jordan City license, may not sell, exchange, barter, give or attempt in any way to dispose of the license whether for monetary gain or not.
- D. Utah Alcoholic Beverage Control Act: Applicable provisions of the Utah Alcoholic Beverage Control Act set forth at Utah Code Annotated section 32B-1-101 et seq., as currently adopted and as hereinafter amended are adopted as the alcoholic beverage licenses of the City.
- E. Enumerated: The following licenses shall be issued under the provisions of this chapter and shall be subject to the operational restrictions of the applicable Alcoholic Beverage Control Act sections and the limitations noted below:
  - 1. South Jordan Beer Only Restaurant License: Applicable provisions of the Utah Alcoholic Beverage Control Act pertaining to off premises beer retailer licenses as set forth at Utah Code Annotated section 32B-6-901 et seq., as currently adopted and as hereinafter amended are adopted as the South Jordan beer only restaurant license.
  - 2. South Jordan Bar License:
    - a. Applicable provisions of the Utah Alcoholic Beverage Control Act pertaining to bar licenses as set forth at Utah Code Annotated section 32B-6-401 et seq., as currently adopted and as hereinafter amended are adopted as the South Jordan bar license.
    - b. Bar licenses are transferable as to owner but not location.
  - 3. South Jordan Full Service Restaurant License: Applicable provisions of the Utah Alcoholic Beverage Control Act pertaining to restaurant licenses as set forth at Utah Code Annotated section 32B-6-201 et seq., as currently adopted and as hereinafter amended are adopted as the South Jordan full service restaurant license. This license includes a specific location authorized by the UABCC under a master full service restaurant license.
  - 4. South Jordan Limited Service Restaurant License: Applicable provisions of the Utah Alcoholic Beverage Control Act pertaining to limited restaurant licenses as set forth at Utah Code Annotated section 32B-6-301 et seq., as currently adopted and as hereinafter amended are adopted as the South Jordan limited service restaurant license. This license includes a specific location authorized by the UABCC under a master limited service restaurant license.
  - 5. South Jordan Off Premises Beer Retailer License: Applicable provisions of the Utah Alcoholic Beverage Control Act pertaining to off premises beer retailer licenses as set forth at Utah Code Annotated section 32B-7-101 et seq., as currently adopted and as hereinafter amended are adopted as the South Jordan off premises beer retailer license with the following exceptions:
    - a. Location Restrictions: A South Jordan off premises beer retailer license will not be issued to any person where the premises would be located within three

hundred feet (300') of a community location as measured from the nearest entrance of the outlet by following the shortest route of either ordinary pedestrian traffic, or where applicable, vehicular travel along public thoroughfares, whichever is the closer, to the property boundary of a public or private school, church, public library, public playground or park. The premises of a South Jordan off premises beer retailer licensee may not be established within one hundred feet (100') of any community location, measured in a straight line from the nearest entrance of the proposed outlet to the nearest property boundary of the public or private school, church, public library, public playground or park.

- b. Hours: A South Jordan off premises beer retailer licensee may only sell beer between the hours of seven o'clock (7:00) A.M. and one o'clock (1:00) A.M.
6. South Jordan On Premises Banquet License: Applicable provisions of the Utah Alcoholic Beverage Control Act pertaining to on premises banquet licenses as set forth at Utah Code Annotated section 32B-6-601 et seq., as currently adopted and as hereinafter amended are adopted as the South Jordan on premises banquet license.
7. South Jordan On Premises Beer Retailer License: Applicable provisions of the Utah Alcoholic Beverage Control Act pertaining to on premises beer retailer licenses as set forth at Utah Code Annotated section 32B-6-701 et seq., as currently adopted and as hereinafter amended are adopted as the South Jordan on premises beer retailer license. Note: South Jordan City does not permit taverns within the City even though they are permissible under the referenced section of the UABCA.
8. South Jordan Single Event Permit: Applicable provisions of the Utah Alcoholic Beverage Control Act pertaining to single event permits as set forth at Utah Code Annotated section 32B-9-301 et seq., as currently adopted and as hereinafter amended are adopted as the South Jordan single event permit.
9. South Jordan Special Use Permit: Applicable provisions of the Utah Alcoholic Beverage Control Act pertaining to special use permits as set forth at Utah Code Annotated section 32B-10-101 et seq., as currently adopted, and as hereinafter amended are adopted as the South Jordan special use permit.
10. South Jordan Temporary Beer Event Permit: Applicable provisions of the Utah Alcoholic Beverage Control Act pertaining to temporary beer event permits as set forth at Utah Code Annotated section 32B-9-401 as currently adopted and as hereinafter amended are adopted as the South Jordan temporary beer event permit.

#### HISTORY

Amended by Ord. [2018-11](#) on 6/19/2018

Amended by Ord. [2020-02](#) on 1/7/2020

### **5.12.050: APPLICATION PROCESS**

- A. Application Forms: All applications for alcoholic beverage control licenses, for renewal or reissuance of licenses and for transfer of licenses authorized by this chapter shall be made on forms provided by the City and shall conform to this chapter and the applicable State Statutes.
- B. Complete Application: A person seeking a license to sell alcoholic beverages within South Jordan City must submit a complete application. A complete application shall include the correct completed form accompanied by:
  1. The complete license fee;
  2. A copy of the applicant's business license;

3. Evidence of proximity to any community location (i.e., school, church, public library, playground, park);
4. A floor plan of the business, including where the applicant proposes to keep, store and sell liquor;
5. Evidence that the business is carrying dramshop insurance coverage, if required by State law, of at least the State required minimums;
6. If the applicant is an on premises beer retailer, a signed consent form stating that if granted a license, the licensee will permit any authorized representative of the UABCC, City, Police Department or Health Department unrestricted right to enter the licensee's premises.
7. Any other information the City may require to accurately evaluate the merits of the application.

C. Copartnership: If the entity requesting a license is a copartnership, the names and addresses of all partners must be stated on the application.

D. Corporation: If the entity requesting a license is a corporation, the names and addresses of all officers and directors must be stated on the application.

E. Circulate To City Departments: The City, upon receipt of a complete application for a license to be issued under the provisions of this chapter, shall circulate it to appropriate City departments who will investigate and make recommendations to the City's business licensing official.

#### HISTORY

Repealed & Reenacted by Ord. [2013-09](#) on 6/4/2013

### **5.12.060: FEES**

Application fees shall be established by resolution of the City Council as published in the City fee schedule.

#### HISTORY

Repealed & Reenacted by Ord. [2013-09](#) on 6/4/2013

### **5.12.070: DENIAL**

South Jordan City may deny a license for violation of applicable State law and for violations of this chapter.

#### HISTORY

Repealed & Reenacted by Ord. [2013-09](#) on 6/4/2013

### **5.12.080: QUALIFICATIONS FOR A LICENSE OR PERMIT**

A. South Jordan City shall not issue a license or permit to any person convicted of any violation of a law enumerated in Utah Code Annotated 32B-1-304 et seq.

B. South Jordan City shall revoke the license or permit of any person or any business consistent with action of the UABCC taken pursuant to Utah Code Annotated 32B-1-304 et seq.

#### HISTORY

Amended by Ord. [2018-11](#) on 6/19/2018

### **5.12.090: SUSPENSION**



Upon the arrest of any licensee, employee, or other person for the specified offenses listed in Utah Code Annotated 32B-1-304 et seq., the City business licensing official may take emergency action by immediately suspending the operation of the license for the period during which the criminal matter is being adjudicated.

#### HISTORY

*Repealed & Reenacted by Ord. [2013-09](#) on 6/4/2013*

### **5.12.100: CRIMINAL OFFENSES**

- A. South Jordan City adopts all violations and penalties as listed by Utah Code Annotated 32B-1-101 et seq., as currently adopted and as hereinafter amended.
- B. Additionally, any person who makes any false statement in any application, document, or affidavit required by this chapter is guilty of a Class B misdemeanor.

#### HISTORY

*Repealed & Reenacted by Ord. [2013-09](#) on 6/4/2013*

### **5.12.110: VARIANCES TO PROXIMITY REQUIREMENTS**

- A. Consent: South Jordan City shall authorize its written consent to a variance to reduce the distance required between a location seeking a license under this chapter and a community location if:
  - 1. The requester of the variance submits a complete and accurate request for proximity requirement variance to the Planning Commission;
  - 2. The requester pays the appropriate fee as set by the City Council;
  - 3. The Planning Commission finds that alternative locations for the licensee are limited;
  - 4. A hearing is held in a public meeting in the City; and
  - 5. The Planning Commission determines after giving full consideration to all of the attending circumstances and the policies listed in Utah Code 32B-1-202 that granting the license would not be detrimental to public health, peace, safety, and welfare of the community.
- B. Appeal: Any directly affected party aggrieved by the decision of the Planning Commission may appeal the decision to the City Council within fourteen (14) days from the Planning Commission decision.
- C. Council Review: A decision of the Planning Commission regarding the approval or denial of a variance that is appealed to the City Council will be reviewed by the Council as follows:
  - 1. The City Council may, after reviewing the record of the Planning Commission's decision, summarily affirm the decision of the Planning Commission, or review the request on a de novo basis.
  - 2. In the event the City Council decides to review the variance request de novo, the City Council shall evaluate the request for a proximity variance by reviewing all of the attending circumstances and the policies listed in Utah Code 32B-1-202 as currently adopted and as hereinafter amended.
  - 3. If the City Council determines that granting the license would not be detrimental to public health, peace, safety, and welfare of the community the variance will be granted.

4. Nothing in this section prevents the body reviewing the requested proximity variance from considering the proximity of any educational, religious, and recreational facility, or any other relevant factor in reaching a decision on whether or not to grant a variance for a proposed location.

## HISTORY

Repealed & Reenacted by Ord. [2013-09](#) on 6/4/2013

**5.12.120: MATRIX FOR LICENSE BY ZONE**

Key:

NP = Not Permitted

P = Permitted

Zone	Zone Description	SJ Off Premises Beer Retailer License	SJ On Premises Beer Retailer License	SJ Full Service Restaurant License	SJ Limited Service Restaurant License	SJ Beer Only Restaurant License	SJ On Premises Banquet License	SJ Bar License
A-5	Agricultural, 5 Acre Lot	NP	NP <sup>1</sup>	NP	NP	NP	NP	NP
A-1	Agricultural, 1 Acre Lot	NP	NP	NP	NP	NP	NP	NP
R-1.8	Residential, 1.8 Lots or Units Per Acre	NP	NP	NP	NP	NP	NP	NP
R-2.5	Residential, 2.5 Lots or Units Per Acre	NP	NP	NP	NP	NP	NP	NP
R-3	Residential, 3 Lots or Units Per Acre	NP	NP	NP	NP	NP	NP	NP
R-4	Residential, 4 Lots or Units Per Acre	NP	NP	NP	NP	NP	NP	NP

R-5	Residential, 5 Lots or Units Per Acre	NP	NP	NP	NP	NP	NP	NP
R-M	Residential, Multiple-Family	NP	NP	NP	NP	NP	NP	NP
P-O	Professional Office	NP	NP	P	P	P	P	P
C-C	Commercial-Community	P	P	P	P	P	NP	NP
MU-Ngate	Redwood Road Mixed Use-North Gateway	NP	NP	NP	NP	NP	NP	NP
MU-R&D	Redwood Road Mixed Use-Research and Development	NP	NP	NP	NP	NP	NP	NP
MU-City	Redwood Road Mixed Use-City Center	P	P	P	P	NP	NP	NP
MU-Hist	Redwood Road Mixed Use-Historic and Landmark	NP	P	P	P	P	NP	NP



MU-Comm	Redwood Road Mixed Use-Community Center	NP	P	P	P	P	NP	NP
MU-South	Redwood Road Mixed Use-South Center	P	P	P	P	P	NP	NP
MU-Sgate	Redwood Road Mixed Use-South Gateway	NP	NP	NP	NP	NP	NP	NP
C-N	Commercial-Neighborhood	P	NP	NP	NP	NP	NP	NP
C-I	Commercial-Industrial	P	P	P	P	P	NP	NP
C-F	Commercial-Freeway	P	P	P	P	P	P	NP
I-F	Light Industrial-Freeway	P	P	P	P	P	P	NP
BH-MU	Bangert Highway Mixed Use	P	P	P	P	P	P	NP
P-C	Planned Community	P	P	P	P	P	P	P

MU-TOD	Mixed Use-Transit Oriented Development	P	P	P	P	P	P	NP
MU-TC	Mixed Use-Town Center	P	P	P	P	P	P	NP

Note:

<sup>1</sup>Publicly owned recreation facilities are a permitted exception in this zone.

#### HISTORY

Amended by Ord. [2018-11](#) on 6/19/2018

**CHAPTER 5.98 RETAIL TOBACCO SPECIALTY BUSINESS LICENSES****Attachment C****5.98.010: PURPOSE****5.98.020: DEFINITIONS****5.98.030: LICENSE REQUIRED TO OPERATE A RETAIL TOBACCO SPECIALTY BUSINESS****5.98.040: LOCATION REQUIREMENTS****5.98.050: APPLICATION PROCESS****5.98.060: FEES****5.98.070: REVOCATION****5.98.080: EXCEPTION****5.98.010: PURPOSE**

It is the purpose of this chapter to control and regulate the location and activities of retail tobacco specialty businesses within the city as required by 10-8-41.6, Utah Code Annotated. It is also the purpose of the city to preserve the right to adopt regulations that may be stricter than those imposed by state law.

**HISTORY**

Adopted by Ord. [2012-11](#) on 8/7/2012

**5.98.020: DEFINITIONS**

For the purposes of this chapter definitions found in the regulation of retail tobacco specialty business act<sup>1</sup>, as amended, are adopted by the city.

**Notes**

<sup>1</sup>UCA § 10-8-41.6.

**HISTORY**

Adopted by Ord. [2012-11](#) on 8/7/2012

**5.98.030: LICENSE REQUIRED TO OPERATE A RETAIL TOBACCO SPECIALTY BUSINESS**

It shall be a class B misdemeanor for any person to engage in the business of the sale of retail tobacco specialty items within the city without first procuring and having properly displayed the appropriate license issued by the city.

**HISTORY**

Adopted by Ord. [2012-11](#) on 8/7/2012

**5.98.040: LOCATION REQUIREMENTS**

A. A retail tobacco specialty business license will not be issued if it is located within:

1. One thousand feet (1,000') of a community location;
2. Six hundred feet (600') of another retail tobacco specialty business; or
3. Six hundred feet (600') from property used or zoned for:
  - a. Agriculture use; or
  - b. Residential use.



- B. For purposes of subsection A of this section, the proximity requirements shall be measured in a straight line from the nearest entrance of the retail tobacco specialty business to the nearest property boundary of the community location, other retail tobacco specialty business or agricultural or residential use, without regard to intervening structures or zoning districts.

**HISTORY**

Adopted by Ord. [2012-11](#) on 8/7/2012

**5.98.050: APPLICATION PROCESS**

- A. Application Forms: All applications for a retail tobacco specialty business license shall be made on forms provided by the city and shall conform to this chapter and applicable state statutes.
- B. Complete Application: The application will include a completed form, including evidence of proximity to any community location, other retail tobacco specialty business, or any agricultural or residential zone.

**HISTORY**

Adopted by Ord. [2012-11](#) on 8/7/2012

**5.98.060: FEES**

Application fees shall be established by the city council as published in the city fee schedule.

**HISTORY**

Adopted by Ord. [2012-11](#) on 8/7/2012

**5.98.070: REVOCATION**

The city may revoke a business license issued under this chapter:

- A. If a licensee engages in a pattern of unlawful activity under Utah Code Annotated, title 76, chapter 10, part 16, pattern of unlawful activity act;
- B. If a licensee violates the regulations restricting the sale and distribution of cigarettes and smokeless tobacco to protect children and adolescents issued by the United States food and drug administration, 21 CFR part 1140; or
- C. Under other provisions of state law or local ordinance.

**HISTORY**

Adopted by Ord. [2012-11](#) on 8/7/2012

**5.98.080: EXCEPTION**

- A. A retail tobacco specialty business that has a general business license and is operating lawfully in the city on or before May 8, 2012, is exempt from sections 5.98.030 and 5.98.040 of this chapter.
- B. A retail tobacco specialty business may maintain an exemption under subsection A of this section if:
1. The business license is renewed continuously without relapse or permanent revocation;
  2. The retail tobacco specialty business is not closed for business or otherwise suspends the sale of tobacco products for more than sixty (60) consecutive days;

3. The retail tobacco specialty business does not substantially change the business premises or its business operation; and
4. The retail tobacco specialty business maintains the right to operate under the terms of other applicable laws, including zoning ordinances, building codes, and the business license issued on or prior to May 8, 2012.

#### HISTORY

*Adopted by Ord. [2012-11](#) on 8/7/2012*