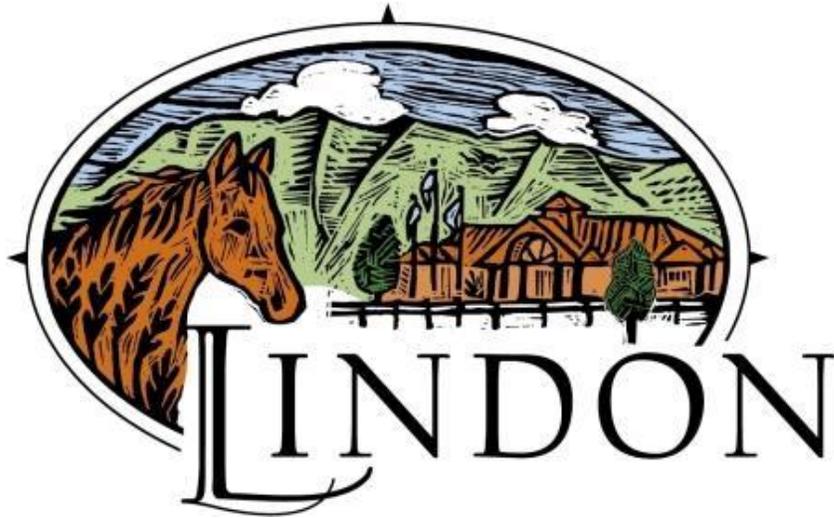


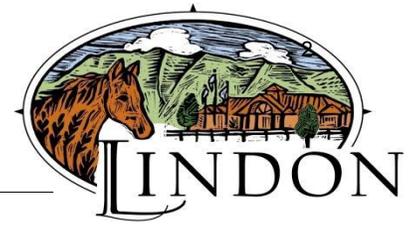
Lindon City Council Staff Report



Prepared by Lindon City
Administration

May 4, 2020

Notice of Meeting of the *Lindon City Council*



The Lindon City Council will hold a meeting beginning at **5:15 p.m. on Monday, May 4, 2020** to be broadcast electronically from the Lindon City Center, 100 N. State Street, Lindon, UT. Due to the Coronavirus gathering restrictions no public access to the building is permitted. However, the public can view the meeting and comment electronically on a live broadcast at www.facebook.com/lindoncity. Emailed public comments on agenda items sent prior to the meeting are encouraged and can be sent to kmoosman@lindoncity.org. The agenda will consist of the following:

Scan or click here for link to download agenda & staff report materials:



REGULAR SESSION – 5:15 P.M. - Conducting: Jeff Acerson, Mayor

Invocation: Van Broderick

- 1. Call to Order / Roll Call** *(Review times are estimates only)*
(2 minutes)
- 2. Approval of minutes:** The regular City Council meeting of April 13, 2020 minutes will be reviewed. *(5 minutes)*
- 3. Council Reports** *(10 minutes)*
- 4. Administrator’s Report** *(10 minutes)*
- 5. Presentations and Announcements** *(5 minutes)*
 - a) Comments / Announcements from Mayor and Council members.
- 6. Open Session for Public Comment** *(For items not on the agenda)* *(10 minutes)*
- 7. Consent Agenda —** *(Items do not require public comment or discussion and can all be approved by a single motion.)*
 - a. Rocky Mountain Power, Street Light Utility Agreement. *(5 minutes)*
- 8. Discussion Item — FY2021 Proposed Budget.** The Lindon City Council will review and discuss the proposed Fiscal Year 2021 budget. The Council will provide direction on specific items. *(60 minutes)*
- 9. Public Hearing — Ordinance #2020-7-O;** Ordinance amendment to Title 17.62 Flood Damage Prevention ordinance and adopting pending FEMA Flood Insurance Study and Flood Insurance Rate Maps. *(20 minutes)*
- 10. Review & Action — Emergency Declaration Extension; Resolution #2020-10-R.** The Lindon City Council will consider the issuance of an extension to the emergency declaration on March 23, 2020 by the Lindon City Mayor declaring a local emergency in Lindon City in response to the evolving COVID-19 pandemic and to consider approval of Resolution #2020-10-R consenting to such extension. *(20 minutes)*

Adjourn

All or a portion of this meeting may be held electronically to allow a council member to participate by video conference or teleconference. Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathryn Moosman, City Recorder at 801-785-5043, giving at least 24 hours-notice.

CERTIFICATE OF POSTING:

I certify that the above notice and agenda was posted in three public places within the Lindon City limits and on the State (<http://pmn.utah.gov>) and City (www.lindoncity.org) websites.

Posted by: /s/ Kathryn A. Moosman, City Recorder

Date: April 30, 2020; Time: 2:00 p.m.; Place: Lindon City Center, Lindon Police Dept., Lindon Community Center

REGULAR SESSION – 5:15 P.M. - Conducting: Jeff Acerson, Mayor

Invocation: Van Broderick

Item 1 – Call to Order / Roll Call

May 4, 2020 Lindon City Council meeting.

Jeff Acerson
Carolyn Lundberg
Van Broderick
Jake Hoyt
Randi Powell
Mike Vanchiere

Staff present: _____

Item 2 – Approval of Minutes

- Review and approval of City Council minutes: **April 13, 2020**

2 The Lindon City Council held a regularly scheduled *electronic meeting* on **Monday,**
 4 **April 13, 2020, at 5:15 pm** in the Lindon City Center, City Council Chambers, 100
 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 5:15 P.M.**

Conducting: Jeff Acerson, Mayor

8 Invocation: Mike Vanchiere

10 **PRESENT**

EXCUSED

Jeff Acerson, Mayor

12 Carolyn Lundberg, Councilmember

Jacob Hoyt, Councilmember

14 Van Broderick, Councilmember

Mike Vanchiere, Councilmember

16 Randi Powell, Councilmember

Adam Cowie, City Administrator

18 Mike Florence, Planning Director

Brian Haws, City Attorney

20 Kathryn Moosman, City Recorder

22 1. **Call to Order/Roll Call** – The meeting was called to order at 5:15 p.m.

24 2. **Approval of Minutes** – The minutes of the regular meeting of the City Council
 meeting of March 16, 2020 were reviewed.

26

COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE MINUTES
 28 OF THE REGULAR CITY COUNCIL MEETING OF MARCH 16, 2020 AS
 PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE
 30 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE

32 COUNCILMEMBER HOYT AYE

COUNCILMEMBER BRODERICK AYE

34 COUNCILMEMBER VANCHIERE AYE

COUNCILMEMBER POWELL AYE

36 THE MOTION CARRIED UNANIMOUSLY.

38 **3. COUNCIL REPORTS:**

40 **Councilmember Hoyt** – Councilmember Hoyt reported the Tree Advisory Board has a
 few new members on the Board. He also reported the Parks and Recreation Department
 42 has postponed several activities due to the pandemic.

44 **Councilmember Vanchiere** – Councilmember Vanchiere reported he had the
 opportunity to visit the Bayview Landfill for a personal tour with Roger Harper on Friday
 46 They also visited the Fairfield Construction and Demolition Landfill which was very

2 informative. He noted there are 650 acres out in Elberta and they estimate it will fill up in
4 100 years. He added it is very technical how they align a landfill noting the construction
6 and demolition landfills are very profitable. The advantages for Lindon and the North
8 Pointe Solid Waste landfill is the close proximity for residents and the good location. He
pointed out we pay \$30.50 tipping fee per ton (which is down from \$32.50). He also
reported we will be doing more green waste processing. He has also been working with
Mike Florence, Planning Director, on some different issues in the planning department.

10 **Mayor Acerson** – Mayor Acerson reported the ULCT held an electronic conference this
12 afternoon where Cameron Diehl shared the care funds from the feds that will be used for
14 cities. He noted there has to be 500,000 people to qualify and only three qualify. There
16 have also been discussions with the league and the governor regarding the 4th round of
18 funding of monies allocated to the smaller cities where the state should take the lead.
Mayor Acerson also noted we need to keep good accounting from March 1st on
qualifying expenditures during this pandemic. He asked Mr. Cowie if we have
completed the survey from the league. Mr. Cowie confirmed the survey has been
completed.

20 **Councilmember Broderick** – Councilmember Broderick reported on April 23rd he will
22 be attending the Provo River Water Users Association meeting. He mentioned the
24 bylaws (written proxy) are only good for 11 months. Mr. Cowie stated he will send the
26 notice. He also reported he and Councilmember Powell talked about projects for the
stormwater system noting we need to begin early and look at the associated costs. He
understands we will be having discussion on priorities and funding in regards to storm
water fees noting it may need to be bumped up a little.

28 **Councilmember Lundberg** – Councilmember Lundberg reported the Lindon/Pleasant
30 Grove Chamber of Commerce President and association are busy right now during the
32 pandemic with providing loan information on how to navigate to access funds through
34 electronic meetings. She noted the Chamber magazine is going forward and has been
36 successful in other cities (there is no charge for the magazine); this will give them a boost
38 to get things going. They are also putting a free ad regarding Lindon Days in the
40 magazine. They have social media where any business can put themselves on their
42 Facebook page where they encourage to buy local. She also reported she watched the
44 ULCT webinar townhall today where Juliet Tenor talked about interesting data points
which will be on the ULCT page. The takeaways from the webinar are that Utah has the
most diverse economy in the country and the Utah unemployment rate is 5% of the
population. She also mentioned local resident Jason Brown contacted her about the
intersection of Locust and 400 North and asked if the city would consider a traffic
calming measure at that location (flashing sign or 4 way stop). She noted Mr. Brown
indicated he will even donate and contribute to help out. Mr. Cowie stated he will ask the
city engineer to evaluate this issue.

46 **Councilmember Powell** – Councilmember Powell mentioned Brad Jorgenson, Public
Works Director has given his notice and will be leaving on Friday. She noted Brad has

2 been great to work with and he has gotten everything up to speed. There is a large
 4 applicant pool for the vacant position and the application period ends April 22nd. She
 6 mentioned she has been fielding calls of concerns regarding the secondary water not
 8 being on yet. She asked if this is a typical delay. Mr. Cowie said this is the standard and
 10 typical for the last 2 or 3 years (3rd week in April). He noted April 15th is the soonest but
 12 it is common for the 3rd week of April. It is under the control of the Provo River Water
 14 Users Commissioner and we don't have control over when the water is delivered. She
 16 also mentioned her concerns along the north union canal and it is her hope that we stay
 18 away from weeds and she would like to have more dialogue before putting the native
 20 grass in.

22 **4. Administrator's Report:** Mr. Cowie reported on the following items followed by
 24 discussion.

26 **Misc. Updates:**

- 28 • May newsletter article: Phil Brown - Article due to Kathy Moosman by end of
 30 March
 - 32 ○ COVID-19 updates:
 - 34 ○ Some confirmed cases do exist within Lindon City.
 - 36 ○ As of 4/7/2020 one employee has been instructed by health officials to
 38 quarantine 14-days due to close contact with confirmed case. Two others
 40 tested; one negative, one pending.
 - 42 ○ Employee efforts to stay healthy: work staggering, disinfecting facilities &
 44 equipment, social distancing, working from home, avoiding close contact as
 46 able.
 - All City facilities closed to walk-in traffic. Remote / electronic & phone help
 going well.
- Some forced changes have made for better efficiency (zoom meetings, more
 digital invoices / less paper, saved fuel, etc.)
 - Parks are open for use but with closed playgrounds, pavilions, and pickleball /
 tennis courts.
 - Nets on courts had to be removed due to gates being forced open when locked
 - More PPE's for public safety on order. Some masks obtained by PD provided
 to Public Works.
 - Emergency Planning Coordinator & PD Chief communicating with State and
 County Emergency Management daily.
- Tracking direct expenses for potential reimbursement; also tracking indirect
 expenses (although not eligible for reimbursement)
- In regular contact with group homes & senior living facilities
 - Senior Center offering curb-side lunch pick up to about 30 people; 3-days per
 week
 - Soccer pushed to May 16th through June 20th (pending if State/County lifts
 social distancing)
 - All recreation and community programs canceled during month of April
 - 4 crossing guards, 3 community/senior center employees paid through first

2 two-weeks of crisis. Then, after discussing with Mayor and not having work
4 for them to do, furloughed until further notice. All others still working regular
hours.

- 6 ○ Community and business help links continuing to be sent out by email,
Everbridge, and social media
- 8 ● Lots of seasonal job openings (we are continuing to interview for positions in
hopes the Aquatics Center opens this season); 1 new PD officer and 2 water
operators hired; 2 Sewer Operator openings; PW Director opening.
- 10 ● FYI - Road Maintenance projects in process. Anticipated Council bid approval in
May.
- 12 ● Misc. Items

14 **Upcoming Meetings & Events:**

- 16 ● Spring Clean-up dumpsters: April 10th – 20th. Dump passes are being mailed to
residents who call and request them.
- 18 ● CANCELED: April 22nd-24th – Utah League of Cities and Towns spring
conference in St George
- 20 ● May 4th City Council meeting – likely electronic only
- 22 ● May 18th City Council meeting. Little Miss Lindon Royalty and Employee of the
Quarter, Josh Edwards, to be recognized.

24 **5. Presentations and Announcements:**

- a) Comments/Announcements from Mayor and Council members.

26 **6. Open Session for Public Comment** – Mayor Acerson called for any public
comment not listed as an agenda item. There were no public comments.

28 **7. Consent Agenda Items** – The following consent agenda item was presented for
30 approval.

- a) Telecommunications Franchise Agreement with Zayo Group, LLC
32 permitting infrastructure in right-of-way

34 COUNCILMEMBER VANCHIERE MOVED TO APPROVE THE CONSENT
AGENDA ITEM AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED
36 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

38 COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE
40 COUNCILMEMBER VANCHIERE	AYE
COUNCILMEMBER POWELL	AYE

42 THE MOTION CARRIED UNANIMOUSLY.

44 **CURRENT BUSINESS**

46 **8. Continued Public Hearing — Nuisance Ordinance updates, Ordinance**

2 #2020-4-O. The City Council will review and consider Ordinance #2020-4-O
4 updating Lindon City Code Chapter 8.20, Public Nuisances. This item was
continued from the March 16, 2020 meeting.

6 COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING.
8 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

10 Adam Cowie, City Administrator, stated Brian Haws, City Attorney, will lead this
12 agenda item. Mr. Haws explained since the last discussion they added one paragraph to
the ordinance as discussed. This would allow the Council to have more input when more
14 serious actions are being taken or if they are planning to file criminal charges. Mr. Haws
stated it is their hope that this addresses the concerns on more serious abatement actions.
16 He then went over the ordinance and identified the new additions and language followed
by some general discussion.

18 Following discussion, the Council was in agreement they are in favor of the
changes and agreed to approve the ordinance amendment as presented.

20 Mayor Acerson called for any public comments at this time. Hearing none he
called for a motion to close the public hearing.

22 COUNCILMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
24 COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

26 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

28 COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE
30 AMENDMENT #2020-4-O UPDATING LINDON CITY CODE CHAPTER 8.20
PUBLIC NUISANCES AS PRESENTED. COUNCILMEMBER POWELL
32 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
34 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
36 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER VANCHIERE AYE
38 COUNCILMEMBER POWELL AYE
THE MOTION CARRIED UNANIMOUSLY.

40 **9. Public Hearing — FY2021 Tentative Budget Adoption, FY2020 Budget &**
42 **Fee Schedule Amendment, Resolution #2020-8-R.** The City Council will
review and consider Resolution #2020-8-Ramending the FY2020 budget and fee
44 schedule and adopting the FY2021 Tentative Budget for Lindon City. Lindon City
Finance Director, Kristen Colson, will present the budget amendments and
46 Tentative Budget for consideration. The City will hold additional public meetings
to review the budget on May 4, 2020 and May 18, 2020. The City will hold a

2 public hearing to adopt the FY2021 Proposed Budget on May 18, 2020 and a
4 public hearing to amend the FY2020 budget and adopt the FY2021 Final Budget
on June 15, 2020.

6 COUNCILMEMBER LUNDBERG MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL
8 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10 Mr. Cowie led this discussion item by stating Kristen Colson, Finance Director is
in attendance to present the actual costs associated with current projects and
12 revenue/expenditure line items updated based on new information and data obtained
since the budget was adopted in June of 2019. He noted a public notice of the budget
14 amendment has been advertised of the public hearing held on March 16, 2020 regarding
the proposed amendments.

16 Kristen Colson addressed the council at this time. Ms. Colson stated at this time
we don't have any idea how the city will be impacted in regards to the corona virus
18 pandemic as it continues to change. She noted the League of Cities and Towns
recommends being conservative on the budget, and to be aware that there will be budget
20 amendments because it won't be until July that we see the impact the pandemic has had.
She noted when we see recovery happening, we can do budget amendments to make
22 further expenditure cuts when looking at the budget process. As things are progressing
and when we do have expenditures, we will look at the timing and see what impact the
24 economy is having on the city.

Ms. Colson indicated we do have good sales tax generators with Walmart and
26 Home Depot and three car dealerships, but they are more impacted. However, we
generate more sales tax per capita than a lot of cities, but half is distributed based on
28 population so we don't get all of it back. Ms. Colson commented she doesn't know how
we are going to be affected with sales tax decreasing state wide and we may even get
30 less, but right now the city has reserves.

Mr. Cowie stated the department heads have already submitted budgets and they
32 were asked to reduce them by 5% and an additional 5% (10 % across the board for all
departments) noting if we need to reduce further those are already done. The Parks and
34 Recreation Department has the largest non-enterprise next to the Public safety
Department (15% level for Parks & Recreation). They have meetings set up to work with
36 the departments on paring things back to make it work, because there is a pretty big
unknown on sales tax at this time.

38 Mayor Acerson pointed out from an administrative point of view, that we don't
know where sales tax will be and the overarching principle would be to keep in mind that
40 we make sure that we don't have to let employees go and focus on that as we think these
things through. Following some discussion, the Council was in agreement that is the goal.

42 Ms. Colson then spoke on sales tax concerning the parc and transit tax noting
these taxes are not charged on groceries so there may be a decrease in those. Also, the
44 road fund allotment will decrease with people staying home and not driving as much. She
then called for any questions from the council.

2 Following some general discussion, the Council expressed their appreciation for
 4 the great work on the budget noting the chart provided is very beneficial. They also
 expressed their appreciation to the department heads for their efforts to get through this
 period not knowing what the end result will be.

6 Mr. Cowie spoke on the ending balances and changes in the chart noting the
 general fund ending balance is what he is focused on the most as to make sure to have
 8 something in reserves if the recession is longer than 12 months. He noted the Tentative
 Budget is like a rough-draft of the budget and, in this rapidly changing economy, may
 10 have significant alterations before the final budget adoption in June. Additional changes
 will certainly be forthcoming. They will carefully monitor economic conditions to
 12 forecast a reasonable budget prior to adoption.

Ms. Colson then went over the budget amendment and fee schedule items
 14 followed by some additional discussion.

Mayor Acerson called for any public comments. Hearing none he called for a
 16 motion to close the public hearing.

18 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
 HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL
 20 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

22 Mayor Acerson called for any further comments or discussion from the Council.
 Hearing none he called for a motion.

24 COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION #2020-
 26 8-R ADOPTING THE FY2021 TENTATIVE BUDGET AND THE FY2020 BUDGET
 & FEE SCHEDULE AMENDMENT AS PRESENTED. COUNCILMEMBER
 28 VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS
 FOLLOWS:

30 COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER HOYT	AYE
32 COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER VANCHIERE	AYE
34 COUNCILMEMBER POWELL	AYE

THE MOTION CARRIED UNANIMOUSLY.

36 **10. Recess to Lindon City Redevelopment Agency Meeting (RDA).**

38 COUNCILMEMBER BRODERICK MOVED TO RECESS THE MEETING OF
 40 THE LINDON CITY COUNCIL AND CONVENE THE MEETING OF THE LINDON
 CITY REDEVELOPMENT AGENCY AT 6:42 P.M. COUNCILMEMBER POWELL
 42 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
 CARRIED.

44 BOARDMEMBER POWELL MOVED TO ADJOURN THE MEETING OF
 46 THE LINDON CITY RDA AND RE-CONVENE THE MEETING OF THE LINDON

2 CITY COUNCIL MEETING AT 6:52 P.M. BOARDMEMBER BRODERICK
 4 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
 CARRIED.

6 **11. Public Hearing — 2020 Parks, Trails and Recreation Master Plan,**
Resolution #2020-9-R. The City Council will review and consider Resolution
 8 #2020-9-R for adoption of the 2020 Parks, Trails and Recreation Master Plan.

10 COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
 COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL PRESENT
 12 VOTED IN FAVOR. THE MOTION CARRIED.

14 Heath Bateman, Parks & Recreation Director, led this agenda item by stating they
 have been working on this document since the fall and they feel they are to a point where
 16 we can now get this passed. He mentioned Ryan Wallace consultant with (MHTN) is in
 attendance. He pointed out there are a few housekeeping items with one or two typos,
 18 but they feel the meat of this plan is ready to discuss and pass.

Mr. Bateman then gave a brief summary stating public input on parks, trails, and
 20 recreation within the City was gathered through community wide surveys and a public
 open house. In addition, a Parks Master Plan Committee was formed with elected
 22 officials, citizens, staff, and the consultants participating in several work meetings to
 discuss public input and desires, then prepare and finalize the document. He noted the
 24 draft master plan has also been presented to the Planning Commission for their input and
 feedback. Mr. Bateman stated if approved, this document will be used as the basis for
 26 updating the impact fee studies/plans that will be prepared and brought back for
 consideration in a future meeting.

28 Mr. Ryan Wallace, with MHTN Consultants, explained the biggest reduction of the
 document is the quantity of pages. He then went over the changes that have occurred by
 30 chapter as follows:

- 32 • Chapter 1: Amount of credits provided.
- Chapter 2: Level of service.
- 34 • Chapter 3: Recommendations to soften language.
- Chapter 4: IFFP removed.
- 36 • Chapter 5: Council approved park concept plans (included in appendix).

38 Mr. Bateman then reviewed the park properties added to the master plan as follows:

- 40 1. Radmall property next to Pheasant Brook park
2. Cook property on Lakeview Drive
- 42 3. Hollow Park expansion
4. Mayor's property

44 Mr. Bateman stated he talked to two landowners who prefer to not be on the
 master plan, the Radmall's and the Cook's.

46

2 Mr. Cowie spoke on these items noting within each of these parks in the current
plan are listed amenities and dollar amounts that were calculated into the plan. He noted
4 having property identified on the park's master plan doesn't change the zoning or
property value. It is identified as a future park and if they choose to adopt this, the
6 council would hope to acquire this future open space for the resident's use. We have had
situations in the past where there are areas identified that we were not able to acquire and
8 those opportunities changed, and that is part of this plan is to update and to look at these
areas for the council's current vision.

10 Brian Haws, City Attorney commented that Utah State Code, under the Land Use
Management Act, it makes it clear that if in the future we want these types of parks they
12 need to be identified on the master plan, and it also states specifically that the adoption of
a map does not require the city to take action to acquire the property or to dedicate any
14 land; it is just an advisory point in the general map.

16 At this time, Mr. Bateman mentioned he received a lot of emails from the public
about the horse arena as a future amenity. Mr. Cowie commented this would be a little
late in the process, for future parks and amenities, with associated costs with those
18 improvements. He asked the council if there is a desire to look at the arena and if they
want to put more numbers and calculations to it but it cannot be adopted tonight.

20 Councilmember Powell commented she agrees at this point it is a little late for the
numbers, but she is a huge fan of the arena having improvements as a future amenity and
22 preserve that space for that specific purpose.

24 Councilmember Lundberg suggested adding it as a quick blurb on the potential
improvements page if it has to be tied to a number crunch.

26 Mr. Cowie said we would have to have a number calculation to it as there is a lot
of unknowns. Mayor Acerson asked if impact fees aren't used to perhaps have a broader
discussion and maybe use the general fund or another source of money or grant to
28 improve the arena. Councilmember Vanchiere suggested voting on approval and add that
paragraph in as a condition of approval.

30 Mr. Cowie stated there is a planned addition of bleachers already in the city center
park by the arena and an amphitheater and restroom. Updating fencing or stalls are there
32 but are maintenance issues. He asked the council what is the vision is on the arena.

34 Councilmember Lundberg pointed out the ground is impacted clay and needs a
refresh. Mr. Bateman stated that would be a general maintenance issue and needs to
happen for safety. He added the arena is too small for roping and barrels etc. and would
36 have to be widened. Councilmember Lundberg agreed the arena is too small for events
and activities to get the highest and best use and needs to be lengthened and widened.
38 She believes residents would love to see that happen and suggested we could go after
grant money.

40 Mayor Acerson stated he would like to see a committee or group of citizens
formed to hear what they would like to see with their knowledge and do the ground work
42 and bring it back to the council as to be a part of the discussion. He also asked is a
paragraph could be added to the plan to that effect, so, we could go for grant money and
44 see an overall vision and plan that the council can review and then add it into the master
plan that the citizens and residents support. Following some discussion the council was in
46 agreement to add the paragraph/language regarding the arena to the plan.

2 Mayor Acerson commented it is important to get the committee going and then
4 the council can move forward with that perceived vision. Mr. Bateman said he will come
up with paragraph to add to the plan that fits the bill.

6 Councilmember Broderick expressed that he understands impact fees are not a
part of this discussion tonight, but stated for the record that he is not in favor in raising
any impact fees whatsoever. Councilmember Hoyt agreed with that statement.

8
10 Mayor Acerson called for any public comment at this time. There were several
residents that commented as follows:

12 **Blaine Hamilton:** Mr. Hamilton spoke on the nature of virtual meetings and suggested
14 having public comments links right on the agenda. He also appreciates the mayor's
comments of putting a committee in place with an interest in the parks. He noted he has
16 lived in Lindon for 21 years and was on the committee for Pheasant Brook Park and they
went through a similar process there. It would be interesting to see if we continue to
18 pursue having a larger ball park on the master plan as 20 years ago as there were surveys
sent out to residents and a committee formed etc. and the majority of usage was to not
20 have ball diamonds in place; is this still being pushed forward as it has been looked at
before. This is more of an outside interest as a recreational use, as the interest in baseball
22 has diminished and Equestrian parks are more utilized than the existing ball parks; he is
in support of improvements.

24 **Deann Huish:** Ms. Huish stated she is with the Utah Valley Home Builders Association.
She expressed that Adam and Heath have done a great job on the master plan and it is
26 done very well. She is happy they removed the IFFP with the next step being to look at
the impact fees. She noted the vision is the first step as they move forward, but with
28 caution. She pointed out the purpose of impact fees is to keep that level of service for
residents and to keep them usable; she is in favor of this master plan.

30 **Tony Cook:** Mr. Cook said his property is listed as a potential site on the master plan.
32 He noted he spoke with Brad Jorgensen, Public Works Director, and he made it clear they
are not looking for dollars. He lives in Lindon but would suggest they look for something
34 comparable, but that is not something that is out there on the market. Mr. Cook made it
clear he does not want to be on the master plan.

36
38 Mayor Acerson called for any further public comment. Hearing none he called for
a motion to close the public hearing.

40 COUNCILMEMBER VANCHIERE MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL
42 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

44 Mayor Acerson called for any further comments from the council at this time.

2 Councilmember Hoyt asked council how they feel about those residents that are
opposed to being on the master plan.

4 Councilmember Broderick questions what the drawbacks would be of listing it as
a possible location as it doesn't diminish the value of property and may in fact increase it.

6 Councilmember Vanchiere agreed with that statement re-iterating it doesn't
diminish property value. He pointed out the city would pay market value for property and
8 it doesn't obligate them or us. The benefit of having it listed for the city is far more
beneficial than not listing it. He appreciates the property owner's desires, but it doesn't
10 harm them and does everything for the city down the road; the benefits far out way the
negatives.

12 Councilmember Powell echoed the sentiments stated. She would like to make sure
people are comfortable and to not take away from the rights of property owners and the
14 value of their property. However, we also need to preserve the opportunity of the
possibility to acquire land as that is part of the process, we have to go through in looking
16 at what the future holds.

Councilmember Lundberg mentioned Pheasant Brook park was discussed for 21
18 years and no trigger was pulled. As we look at this document not everything will be
necessarily implemented and we have to discuss where the priorities are. It is more like a
20 strategic vision and we would have to allocate the funding for it. She expressed that she is
sensitive to the property owners and how it may impact them, but it would just be in the
22 Lindon City repository; she hopes this mitigates some of their concerns.

Councilmember Hoyt stated he agrees we should always be cautious when we as
24 a government body say what is right for a property owner. He agrees with statements
from the councilmembers and he hopes the property owners know where the council is
26 coming from.

Mayor Acerson commented his property has been on the master plan since 2008.
28 He expressed that he never wants a citizen to feel the city is telling them what to do with
their property, and he would be the last to impose eminent domain. We need to be
30 respectful to people's property rights, and to acquire a piece of property should be a win
win for everyone and the council is sensitive to that.

32 Following some additional discussion, the council was in agreement to approve
the document as presented with the added paragraph/language regarding the vision for the
34 equestrian arena to be included in the master plan.

36 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

38 COUNCILMEMBER LUNDBERG MOVED TO APPROVE RESOLUTION
#2020-9-R ADOPTING THE 2020 PARKS, TRAILS AND RECREATION MASTER
40 PLAN AS PRESENTED WITH THE CHANGE TO HAVE SAID CONSULTANTS OF
THE DOCUMENT ADD TO THE PROJECTED AMENITIES FOR
42 CONSIDERATION TO THE DOCUMENT IMPROVEMENTS TO THE LINDON
CITY ARENA. COUNCILMEMBER POWELL SECONDED THE MOTION. THE
44 VOTE WAS RECORDED AS FOLLOWS:

46 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE

2 COUNCILMEMBER BRODERICK AYE
 COUNCILMEMBER VANCHIERE AYE
 4 COUNCILMEMBER POWELL AYE
 THE MOTION CARRIED UNANIMOUSLY.

6

12. Public Hearing — Development Moratorium, 700 North ‘Lindon Village

8 **Commercial Zone Ordinance #2020-5-O.** The City Council will review and
 consider Ordinance #2020-5-O creating a temporary land use ordinance
 10 (development moratorium) along portions of the 700 North ‘Lindon Village
 Commercial Zone’ in order to prepare an area master plan and associated zoning
 12 standards. This ordinance will temporarily prohibit the filing of new development
 applications within the designated area for an anticipated period of six-months or
 14 less.

16 COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
 COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT VOTED IN
 18 FAVOR. THE MOTION CARRIED.

20 Mike Florence, Planning and Economic Development Director, led this discussion
 item by stating Lindon City recently was awarded a technical planning grant from UDOT
 22 to create a master plan for the Lindon Village zone. He explained with the creation of the
 master plan the City will also be updating the Lindon Village ordinance to coincide with
 24 the masterplan. He noted due to development pressures that the City is receiving for the
 Lindon Village zone, they need to put a plan together to adopt a Temporary Land Use
 26 regulation as per Utah Code 10-9a-504. He stated this regulation will enact a moratorium
 that will prohibit the filing of new development applications for the period not to exceed
 28 six months.

30 Mr. Florence explained the City is in the process of finalizing a contract with IBI
 Group to be the consultant on this master planning project. He noted the master plan will
 also include an economic development market analysis to ensure that what is proposed in
 32 the master plan can realistically be developed. He then referenced Utah Code: 10-9a-504.
 Temporary land use regulations. He added notices were sent to property owners
 34 regarding this public hearing tonight. He stated they estimate this could take up to five
 months to ensure this is done well.

36 Following some general discussion, the Council was in agreement that this is a
 needed action at this time.

38 Mayor Acerson called for any public comments. There were several comments
 from residents as follows:

40

Ron Anderson: Mr. Anderson commented he is not opposed to this action. He feels
 42 within the scope of work doing an economic analysis is good.

44 **Skylar Peterson:** Mr. Peterson questioned what exactly is the intent behind this action.
 Mr. Florence explained we want to be able to put a vision together for the area so it
 46 develops efficiently and with that vision to make the process transparent to the developer

2 that will create more value for the property owner so they can also understand what can
 4 be developed and is a predictable process.

6 COUNCILMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
 8 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
 10 VOTED IN FAVOR. THE MOTION CARRIED.

12 Mayor Acerson called for any further comments or discussion from the Council.
 14 Hearing none he called for a motion.

16 COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE
 18 #2020-5-O AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED THE
 20 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

22	COUNCILMEMBER LUNDBERG	AYE
24	COUNCILMEMBER HOYT	AYE
26	COUNCILMEMBER BRODERICK	AYE
28	COUNCILMEMBER VANCHIERE	AYE
30	COUNCILMEMBER POWELL	AYE

32 THE MOTION CARRIED UNANIMOUSLY.

34 **13. Review & Action — Lindon Treasury B Major Subdivision Approval.**

36 Approximately 200 W. 130 S. Jeff Bastian requests major subdivision approval
 38 for a 4-lot single family residential subdivision located in the R1-20 zone. Parcel
 40 #'s 14:069:0301, 14:069:0140. The Planning Commission recommended approval
 42 to the City Council.

44 Mr. Florence led this discussion item by stating the applicant, Mr. Jeff Bastian is
 seeking preliminary major subdivision approval for a 4-lot single family home
 Development. The applicant will be connecting 130 South and dedicating new access
 right-of-way. He noted the Lindon City Streets Master Plan map identifies connecting
 130 South as well as a future north/south road connecting 130 South to 40 South.

Mr. Florence explained the applicant, will only be installing a portion of the new
 north/south road and future development will connect to this partially installed road. The
 proposed 4-lots meet the minimum lot size for the R1-20 zone. He noted the City
 Engineer is working through technical issues related to the plat and civil engineering
 plans and will ensure all engineering related issues are resolved before final approval is
 granted. He then turned the time over to the applicant for comment.

Mr. Jeremy Ackley commented as far as his piece goes, he is weighing out the
 financial aspect as there is a heavy burden on the roads and also on Mr. Bastian's piece.
 He added they are splitting some the costs of the road to connect to 40 South as there is
 such a heavy burden with asphalt and concrete etc. that goes into the decision making. He
 just wanted to acquire that piece to make sure no one builds in his back yard. He hopes
 to have this done in the next few years, if not sooner, if it all works out as planned. Mr.
 Bastian stated he also plans to build on one of lots.

2 Mr. Florence then presented an Aerial photo, Street Master Plan Map, Vicinity
map and the Plat followed by discussion. He noted the planning commission
4 recommended approval to the city council with the listed conditions.

6 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

8 COUNCILMEMBER HOYT MOVED TO APPROVE LINDON TREASURY
PLAT B WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL
10 CONTINUE TO WORK WITH THE CITY STAFF TO MAKE ALL FINAL
CORRECTIONS TO THE ENGINEERING DOCUMENTS AND PLAT; 2. PRIOR TO
12 PLAT RECORDING THE APPLICANT WILL PROVIDE STAFF WITH A FINAL
PLAT MYLAR TO INCLUDE NOTARIZED SIGNATURES OF OWNER'S
14 CONSENT TO DEDICATION, OBTAIN SIGNATURE OF ALL ENTITIES
INDICATED ON THE ATTACHED SUBDIVISION PLAT; 3. COMPLETE (OR POST
16 AN ADEQUATE IMPROVEMENT COMPLETION ASSURANCE), WARRANT AND
POST REQUIRED WARRANTY ASSURANCE FOR ALL REQUIRED PUBLIC
18 INFRASTRUCTURE IMPROVEMENTS; 4. THE PLANS AND PLAT WILL MEET
AND BE CONSTRUCTED AS PER THE RELEVANT SPECIFICATIONS AS FOUND
20 IN THE LINDON CITY DEVELOPMENT MANUAL; 5. THE CONNECTING
PORTION OF 130 S. AS WELL AS THE IDENTIFIED SEGMENT OF 200 W., AS
22 IDENTIFIED ON THE PLAT, WILL BE DEDICATED TO LINDON CITY; 6. PRIOR
TO FINAL APPROVAL THE APPLICANT SHALL PLACE PERMANENT SURVEY
24 MONUMENTS IN THE SUBDIVISION; 7. ALL ITEMS OF THE STAFF REPORT.
COUNCILMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS
26 RECORDED AS FOLLOWS:

28 COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE
30 COUNCILMEMBER VANCHIERE	AYE
COUNCILMEMBER POWELL	AYE

32 THE MOTION CARRIED UNANIMOUSLY.

34 **14. Review & Action — Lindon Harbor Industrial Condominium Approval –**

36 Approximately 220 S. 1250 W. Dennis and Burl Franco request major subdivision
approval for a commercial condominium subdivision to subdivide the two
existing buildings into nine condominium units. The project is located in the light
38 industrial zone. Parcel # 45:241:000. The Planning Commission recommended
approval to the City Council.

40 Mr. Florence opened this discussion by stating Jared Hunt is representing the
42 property owner for this agenda item. He noted the applicants are seeking preliminary
major subdivision approval for a 9-unit industrial condominium development. He noted
44 the two buildings are existing and no new development is occurring with this proposal.
Mr. Florence pointed out that condominium developments follow Utah Code Title 57
46 Chapter 8 for dividing property as well as Lindon City major subdivision requirements

2 and processes. He noted the planning commission recommended approval to the city
council following review with the listed conditions.

4 Mr. Florence stated the applicant has provided letters from both an architect and
an attorney stating that the application follows the Utah Condominium Code Title 57
6 Chapter 8 (letters are included in the staff report). The proposed development meets the
one-acre minimum lot size requirement for the LI zone. Mr. Florence pointed out the
8 applicant has provided Covenants, Conditions and Restrictions (CC&R's) for the
development. He added the condominium plat includes sheets identifying both the
10 internal floor area and vertical space.

12 Mr. Florence stated the City Engineer is working through technical issues related
to the plat and civil engineering plans and will ensure all engineering related issues are
resolved before final approval is granted. He noted Staff is recommending approval with
14 the listed conditions. He then turned the time over to the applicant for comment.

16 Mr. Hunt, representing the applicant, stated several tenants that are occupying the
units have expressed an interest to own and they started to recognize there are not a lot of
opportunities for small proprietors to own their own shop at a reasonable price, so that
18 motivated them to consider doing a condo unit so tenants can own rather than pay rent.

20 Mr. Florence then referenced an Aerial photo, the Plats and Compliance letters
followed by some general discussion.

22 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

24 COUNCILMEMBER POWELL MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR PRELIMINARY APPROVAL OF THE LINDON HARBOR
26 INDUSTRIAL CONDOMINIUM PLAT WITH THE FOLLOWING CONDITIONS: 1.
THE APPLICANT WILL CONTINUE TO WORK WITH CITY STAFF TO MAKE
28 ALL FINAL CORRECTIONS TO THE PLAT FOR RECORDING; 2. PRIOR TO PLAT
RECORDING THE APPLICANT WILL PROVIDE STAFF WITH A FINAL PLAT
30 MYLAR TO INCLUDE NOTARIZED SIGNATURES OF OWNER'S CONSENT TO
DEDICATION AND OBTAIN SIGNATURES OF ALL ENTITIES INDICATED ON
32 THE ATTACHED SUBDIVISION PLAT; 3. THE PLANS AND PLAT WILL MEET
AND BE CONSTRUCTED AS PER THE RELEVANT SPECIFICATIONS AS FOUND
34 IN THE LINDON CITY DEVELOPMENT MANUAL; 4. FINAL COVENANTS,
CONDITIONS AND RESTRICTIONS WILL BE RECORDED WITH THE
36 SUBDIVISION PLAT; 5. ALL ITEMS OF THE STAFF REPORT.

COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
38 RECORDED AS FOLLOWS:

40 COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE
42 COUNCILMEMBER VANCHIERE	AYE
COUNCILMEMBER POWELL	AYE

44 THE MOTION CARRIED UNANIMOUSLY.

2 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion to adjourn.

4 **Adjourn** –

6 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
8 AT 8:15 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10 Approved – May 4, 2020

12
14 _____
Kathryn Moosman, City Recorder

16
18 _____
Jeff Acerson, Mayor

DRAFT

Item 3 - COUNCIL REPORTS:*(10 minutes)*

- A) MAG, COG, UIA, Utah Lake Comm., ULCT, NUVAS, IHC Outreach, County Board of Health - Jeff Acerson
- B) Police/Fire/EMS, Emergency Mgmt., Irrigation Co. Representative/Board member, City Buildings - Van Broderick
- C) Public Works/Engineering, Historic Commission, Administration, Building Const. & Inspection - Randi Powell
- D) PG/Lindon Chamber of Commerce, Economic Development, Lindon Days - Carolyn Lundberg
- E) Planning Commission/BOA, Planning/Zoning, General Plan, Transfer Station/Solid Waste Board - Mike Vanchiere
- F) Parks, Trails, and Recreation, Cemetery, Tree Advisory Board - Jake Hoyt

Item 4 - ADMINISTRATOR'S REPORT

(10 minutes)

Misc. Updates:

- COVID-19
 - State of Utah Phase Health Guidelines. See Moderate (orange) risk level: <https://coronavirus-download.utah.gov/Health/Phased%20Health%20Guidelines%20V3.pdf>
 - City facilities to remain closed to public walk-in traffic for a few more weeks.
 - Park pavilions, restrooms, pickleball & tennis courts will open week of May 4th.
 - Playgrounds to remain closed per State guidelines.
 - Memorial Day - no ceremony; perimeter flags will be placed
 - Soccer canceled; no rec events in May. Planning for small classes in June/July (10-15 participants)
 - Continued electronic meetings likely through May and maybe June, or until State moves to 'low' risk category. (difficult to know if we'll hit 20-person cap and have to keep people out)
- Road maintenance project bids due May 12th
- PW Director applications being reviewed. Interviews scheduled soon.
- Misc. Items

Upcoming Meetings & Events:

Item 5 – Presentations and Announcements

- a) Comments / Announcements from Mayor and Council members.

Item 6 – Open Session for Public Comment

(For items not on the agenda - 10 minutes)

Item 7 – Consent Agenda – *Consent agenda may contain items which have been discussed beforehand and/or do not require significant discussion, or are administrative in nature, or do not require public comment. The Council may approve all Consent Agenda items in one motion, or may discuss individual items as needed and act on them separately.*

a. Rocky Mountain Power, Street Light Utility Agreement.

Rocky Mountain Power was refusing to charge any of our light poles that had electrical outlets on them because their rules stating that no light pole with an outlet can be charged unless it is also metered (ours are not metered.) We negotiated with them to charge our pole without requiring the meter if we promised not to use the outlets without some further agreement on compensation.

We also included a penalty if we violate the agreement. For each month we use an un-metered outlet without a compensation agreement in place, we have to pay Rocky Mountain as usage fee in an amount equal to the highest metered outlet on a light pole that is owned by another municipality in Utah County. So, there is an incentive for us to make sure we don't hook up the Christmas lights without an agreement, but we won't be getting hit with some random number as the rate will at least be based on a similar usage from another city.

Sample Motion: *I move to (approve, deny, continue) the consent agenda item(s) (as presented, or with changes).*

UTILITY AGREEMENT
Electrical Power to Street Lights

This UTILITY AGREEMENT (hereafter “Agreement”) entered into the date and year hereinafter provided, by and between LINDON CITY, a municipal corporation of the state of Utah, (hereafter “City”), and ROCKY MOUNTAIN POWER, (hereafter “Company”).

RECITALS

WHEREAS, A number of light poles located within the City which support street lights are currently uncharged or without power due to the fact that the light poles are also equipped with outlets and the Company’s Electrical Service Requirements Manual indicates that light poles with electrical outlets need to be metered;

WHEREAS, the outlets are located high up on these light poles where access is only available to the City;

WHEREAS, the City does not intend to access or utilize these electrical outlets at this time and the costs to the City of removing the outlets or installing meters would be unreasonably burdensome; and

WHEREAS, the City and the Company have reached an agreement that will allow the light poles to be charged and still maintain the protections and purposes of the Company’s Electrical Service Requirements Manual.

NOW THEREFORE, in consideration of the premises and other good and valuable consideration, the parties mutually agree as follows:

AGREEMENT

The City hereby agrees that it will not access or utilize outlets on any light pole located in Lindon City that is not metered without first reaching a written agreement with the Company for such access or use, which shall include an agreement as to the compensation that will be paid to the Company for such access or use.

In exchange for such promises and consideration, the Company agrees to charge the light poles with an electrical outlet without requiring the light pole to be metered.

In the event that the City accesses an electrical outlet on any unmetered light pole without a written agreement in place, the City shall pay a usage fee to the Company in an amount equal to the highest monthly usage for a metered light pole, owned and maintained by a municipality in Utah County, which is drawing power from the Company through an electrical outlet. The amount shall be set by applying the highest usage as described above from the same month in which the City accessed the outlet on an unmetered pole. This penalty shall be applied on a “per-pole” basis and the City shall pay set the monthly usage fee for each electrical outlet that is accessed by the City without written consent. In addition, the Company may remove or

disconnect power from the unmetered light pole(s) containing the electrical outlet used by the City and may leave the pole(s) uncharged until it is either metered or has the electrical outlet removed.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

Except for the terms expressly contained herein, this Agreement does not waive, alter, or modify any other terms, conditions, or regulations the Company requires to provide electrical services to the City and does not modify or amend any other written franchise or service agreement that has been entered into by the parties.

THIS AGREEMENT is executed in duplicate originals on this _____ day of _____, 2020.

LINDON CITY

ROCKY MOUNTAIN POWER

Jeff Acerson, Mayor

By: _____
Title: _____

ATTEST:

Kathryn Moosman, City Recorder

8. **Discussion Item — FY2021 Budget Discussion.** The City Council will review and discuss the Lindon City 2020-FY2021 Budget. Lindon City Finance Director, Kristen Colson, will be in attendance for this discussion item to answer any questions the council may have. Staff is requesting final Council feedback on the budget at this time. *(20 minutes)*

Discussion item only with no motion necessary.

****This is the meeting that Council members should provide any desired changes or significant budget issues/concerns so that we can finalize the budget before adoption dates listed below.** With how rapidly information is changing related to the COVID-19 crisis, and with limited real-time data on sales tax and other tax revenues, we expect that a budget amendment may be needed in early fall.

The City will hold additional public meetings to review the budget on May 4, 2020 and May 18, 2020. The City will hold a public hearing to adopt the FY2021 Proposed Budget on May 18, 2020 and a public hearing to amend the FY2020 budget and adopt the FY2021 Final Budget on June 15, 2020.

SUMMARY OF DRAFT PROPOSED BUDGET May 4, 2020

The first draft of the Proposed Budget will be reviewed during City Council meeting on Monday, May 4, 2020. The budget preparation began in a robust economy, but things have changed quickly with the coronavirus pandemic. In 2 months, Utah went from business as usual to only essential business and now many businesses are in the process of reopening with safety precautions in place. Our country has never experienced anything like this before which makes it impossible to use past experiences to prepare a comprehensive budget. We need to recognize that this budget will need to be flexible throughout the 2020-2021 fiscal year (FY) and there may be a need for frequent budget amendments starting as early as August 2020.

This draft of the proposed budget contains the following.

Estimated Revenues

- General Fund
 - Sales tax is estimated to decrease 20%
 - Building permits is estimated to decrease 25%
 - Court revenue is estimated to decrease 33%
 - Overall revenue is estimated to decrease 14.7%, not counting police vehicle lease revenue and the sale of current police vehicles
- Enterprise Funds
 - Culinary water rates will increase 9%
 - Sewer rates will increase 4%
 - Garbage and recycling rates will increase 3%
 - Storm Water rates will increase 13%
 - For an average home between Geneva Road and the North Union Canal, with secondary water and using 8,000 gallons of water per month, their monthly bill will increase:

Culinary water	3.39
Sewer	1.66
Garbage	.31
Recycling	.11
Storm Water	1.31
Tax	<u>.41</u>
Total	7.19
 - Recreation revenue has been estimated based on resuming activities and facility rentals by July 1, which may or may not be possible

Budgeted Expenditures

- Personnel
 - No cost of living allowance (COLA) increase, which is usually effective July 1
 - Implement new pay scale effective January 1, 2021
 - Employees already on steps 1-5 will move up to the next step
 - Employees currently in the mid-high range will be placed on the step higher than their current hourly wage
 - This will cost the City an additional \$86,000 and is in this budget

- Employees will begin participating in the payment of their medical insurance premiums by paying 3% of the premium; employees with family coverage for dental insurance will continue to pay 50% of the premium. The amounts are shown below.
 - Employee only coverage: \$18.06/month for medical insurance
 - Employee plus spouse coverage: \$37.39/month for medical insurance
 - Employee plus family coverage:
 - \$50.57 for medical insurance
 - \$46.60 for dental insurance
- Medical insurance premiums increased 7.6% and dental insurance premiums will decrease 10% by switching insurance providers again. With the employee participation for premiums (which is about \$24,760 for the year), the City's costs for medical and dental insurance premiums will increase 3.9% or \$30,785.
- Retirement costs for Tier 2 public safety employees were increased by the legislature effective July 1, 2020.
 - 2% mandatory increase to be paid by the employer will increase Lindon City costs about \$4,450 for the fiscal year
 - 2.27% mandatory increase may be paid by the employee or the employer. This budget includes Lindon City paying this cost, which is about \$5,050 for the year.
- Operations
 - Department heads have cut operational costs while still maintaining infrastructure and current levels of service
 - Travel expenses have been cut except where training is needed to maintain required certifications
- Capital Expenditures
 - Capital expenditures have been eliminated as much as possible in the general fund. Other capital expenditures, where funds have already been set aside and are restricted to specific uses, are still in the budget
 - General Fund capital expenditures
 - \$15,000 for City Center HVAC upgrades (replacing furnaces over 20 years old)
 - \$650,000 for 15 police vehicles funded by lease revenue; annual lease payments are estimated to be \$90,000
 - \$36,000 for a new software program for inspections and community development. This was in the 2020FY budget, but staff is still researching to find the right software.
 - \$2.1M for Road Capital Improvements
 - Park Impact fee expenditures
 - \$30,000 to install picnic areas and drinking fountain at Meadow Park
 - \$100,000 to install second pavilion at Fryer Park
 - Water Fund
 - \$500,000 for new well site
 - \$50,000 for well improvements
 - \$250,000 for Canal Dr pipe
 - \$30,000 for secondary water traveling screen rebuild
 - \$25,000 for culinary and secondary water master meter upgrades
 - \$40,000 to finish PRV upgrades
 - \$45,000 for 835 E booster station upgrades
 - \$200,000 for impact fee project

- Sewer Fund
 - \$35,000 for trash pump
 - \$29,000 to install a generator at sewer lift #4
 - \$25,000 to upgrade hardware and software for sewer truck tv
 - \$100,000 install sewer mainline in Treasury subdivision and rebuild sewer lift #4
- Storm Water Fund
 - \$270,000 for
 - Upper main drain
 - 600 E upsize
 - Bank repair behind Scotts Miracle Grow
 - Geneva Rd lining
 - 200 W box culvert
- Recreation Fund (funded by PARC Tax transfers)
 - \$25,000 for Aquatics Center pump maintenance and replacement
 - \$80,000 for Aquatics Center boiler maintenance and replacement
 - \$20,000 for Community Center furnaces maintenance and replacement

Fund Balances

- The General Fund is anticipated to end the 2021FY with a fund balance over \$2M, which is 24.3% of budgeted revenues. The maximum allowed by the State is 25%
- The Road Fund is anticipated to end the 2021 FY with a fund balance of \$2.5M

Again, this is a draft of the Proposed Budget which will be reviewed and discussed at the May 4, 2020 City Council meeting. Any changes discussed will be incorporated in the Proposed Budget which will be presented at the May 14 City Council meeting for adoption. The Final Budget will be presented at the June 15 City Council meeting for adoption.

BUDGET SUMMARY

DESCRIPTION	2017-2018 ACTUAL	2018-2019 ACTUAL	2019-2020 ORIGINAL	2019-2020 AMENDED	2020-2021 REQUESTED
GENERAL FUND REVENUES					
Taxes					
Property Taxes	2,282,186	2,231,416	2,160,069	2,241,150	2,177,500
General Sales & Use Tax	4,244,129	4,359,858	4,555,600	4,202,000	3,361,500
Other Taxes	1,605,530	1,556,259	1,594,000	1,539,000	1,487,000
Licenses & Permits	531,076	1,113,012	589,600	469,600	366,250
Grants & Intergovernmental	45,928	169,608	174,360	171,155	18,200
Charges for Services	278,986	485,719	240,000	114,885	88,750
Fines & Forfeitures	523,011	607,173	597,000	522,000	353,000
Miscellaneous Revenue	516,784	3,287,213	744,295	697,335	1,614,720
Cemetery	49,025	75,390	58,000	78,140	58,000
Transfers & Contributions	1,084,407	973,298	1,068,799	1,124,199	990,419
Use of Fund Balance, General Fund	0	-	-	975,361	296,557
TOTAL GENERAL FUND REVENUES	11,161,063	14,858,947	11,781,723	12,134,825	10,811,896
GENERAL FUND EXPENDITURES					
Legislative	101,862	100,722	106,315	102,820	101,900
Judicial	552,216	563,662	560,940	515,840	472,420
Administrative	872,476	1,024,857	981,850	974,225	974,250
Legal Services	100,653	105,721	130,975	119,425	121,470
Engineering	147,237	76,494	150,000	50,000	50,000
Elections	8,476	89	25,000	10,700	0
Government Buildings	246,182	569,003	386,260	347,980	282,310
Police Services	2,545,668	3,330,235	2,708,631	2,639,281	3,255,446
Fire Protection Services	1,480,200	1,508,666	1,508,762	1,508,762	1,508,762
Protective Inspections	293,223	298,674	303,945	285,095	294,955
Animal Control Services	18,118	22,650	24,900	23,225	22,725
Streets	378,828	340,411	450,080	458,330	421,360
Public Works Administration	586,192	499,459	776,470	784,120	661,860
Parks	487,693	539,433	950,575	1,067,310	514,600
Library Services	13,663	14,470	16,000	15,000	15,000
Cemetery	12,912	13,293	16,850	35,525	16,200
Planning & Economic Development	353,941	309,597	407,385	366,735	396,150
Transfers	2,894,025	4,790,573	2,188,100	2,817,452	1,689,488
Contributions	12,619	11,788	13,000	13,000	13,000
Appropriation, General Fund Bal.	54,878	739,151	75,685	0	0
TOTAL GENERAL FUND EXPENDITURES	11,161,063	14,858,947	11,781,723	12,134,825	10,811,896
REDEVELOPMENT AGENCY FUND					
STATE STREET DISTRICT REVENUES					
Tax Increment	202,928	254,285	190,000	209,000	0
Other	4,477	8,515	7,000	9,500	6,000
Use of Fund Balance	21,168	0	15,535	0	0
TOTAL STATE STREET DISTRICT REVENUES	228,573	262,801	212,535	218,500	6,000
STATE ST DISTRICT EXPENDITURES					
Operations	228,573	29,910	182,535	32,200	5,600
Capital	0	0	30,000	30,000	0
Appropriation to Fund Balance	0	232,891	0	156,300	400
TOTAL STATE ST DISTRICT EXPENDITURES	228,573	262,801	212,535	218,500	6,000
WEST SIDE DISTRICT REVENUES					
Other	414	513	500	375	250
Use of Fund Balance	1,420	0	1,335	0	0
TOTAL WEST SIDE DISTRICT REVENUES	1,833	513	1,835	375	250
WEST SIDE DISTRICT EXPENDITURES					
Operations	1,833	0	1,835	0	0
Appropriation to Fund Balance	0	513	0	375	250
TOTAL WEST SIDE DISTRICT EXPENDITURES	1,833	513	1,835	375	250

BUDGET SUMMARY

DESCRIPTION	2017-2018 ACTUAL	2018-2019 ACTUAL	2019-2020 ORIGINAL	2019-2020 AMENDED	2020-2021 REQUESTED
DISTRICT #3 REVENUES					
Tax Increment	0	0	0	0	0
Other	6,295	10,324	10,000	7,500	5,000
Use of Fund Balance	687	0	0	0	2,000
TOTAL DISTRICT #3 REVENUES	6,982	10,324	10,000	7,500	7,000
DISTRICT #3 EXPENDITURES					
Operations	6,982	5,148	7,000	7,000	7,000
Capital	0	0	0	0	0
Appropriation to Fund Balance	0	5,176	3,000	500	0
TOTAL DISTRICT #3 EXPENDITURES	6,982	10,324	10,000	7,500	7,000
700 NORTH CDA REVENUES					
Tax Increment	72,958	102,228	105,000	118,010	120,000
Other	201	1,823	1,800	3,000	2,500
Use of Fund Balance	0	0	0	0	0
TOTAL 700 NORTH CDA REVENUES	73,159	104,051	106,800	121,010	122,500
700 NORTH CDA EXPENDITURES					
Operations	49,510	16,614	19,700	19,700	21,800
Appropriation to Fund Balance	23,650	87,437	87,100	101,310	100,700
TOTAL 700 NORTH CDA EXPENDITURES	73,159	104,051	106,800	121,010	122,500
PARC TAX FUND REVENUES					
PARC Tax	595,280	610,362	630,000	600,000	510,000
Other	10,839	20,081	15,000	15,000	10,000
Use of Fund Balance	0	0	212,290	352,305	0
TOTAL PARC TAX FUND REVENUES	606,119	630,443	857,290	967,305	520,000
PARC TAX FUND EXPENDITURES					
Operations	468,294	427,014	607,290	717,305	501,900
Capital	56,975	0	250,000	250,000	0
Appropriation to Fund Balance	80,851	203,429	0	0	18,100
TOTAL PARC TAX FUND EXPENDITURES	606,119	630,443	857,290	967,305	520,000
DEBT SERVICE REVENUES - transfers					
	858,371	2,946,429	1,145,200	1,174,552	646,113
DEBT SERVICE EXPENDITURES					
Principal	760,998	2,844,850	1,120,876	1,149,876	635,953
Interest	94,260	98,386	22,724	23,026	8,510
Paying Agent Fees	3,114	3,193	1,600	1,650	1,650
TOTAL DEBT SERVICE EXPENDITURES	858,371	2,946,429	1,145,200	1,174,552	646,113
CLASS C ROADS C.I.P. REVENUES					
Taxes	444,465	474,449	450,000	820,000	740,000
Impact Fees	65,711	181,412	60,000	5,000	5,000
Transfers In	1,700,000	1,000,000	300,000	800,000	0
Other	255,235	164,508	10,000	24,000	12,000
Use of Fund Balance	0	0	664,000	0	1,754,000
TOTAL CLASS C ROADS C.I.P. REVENUES	2,465,410	1,820,369	1,484,000	1,649,000	2,511,000
CLASS C ROADS C.I.P. EXPENDITURES					
Operations	367,901	333,229	184,000	421,400	411,000
Capital	565,144	128,526	1,300,000	1,200,000	2,100,000
Appropriation to Fund Balance	1,532,365	1,358,615	0	27,600	0
TOTAL CLASS C ROADS C.I.P. EXPENDITURES	2,465,410	1,820,369	1,484,000	1,649,000	2,511,000
PARKS C.I.P. REVENUES					
Impact Fees	399,508	475,543	260,000	390,000	220,000
Transfers In	0	10,593	11,000	11,000	10,000
Use of Fund Balance	0	0	34,200	0	0
TOTAL PARKS C.I.P. REVENUES	399,508	486,136	305,200	401,000	230,000

BUDGET SUMMARY

DESCRIPTION	2017-2018 ACTUAL	2018-2019 ACTUAL	2019-2020 ORIGINAL	2019-2020 AMENDED	2020-2021 REQUESTED
PARKS C.I.P. EXPENDITURES					
Operations	10,000	10,000	20,000	20,000	20,000
Capital	1,785	60,045	285,200	332,300	130,000
Appropriation to Fund Balance	387,723	416,091	0	48,700	80,000
TOTAL PARKS C.I.P. EXPENDITURES	399,508	486,136	305,200	401,000	230,000
WATER FUND REVENUES					
Utility Fees	2,233,925	2,408,750	2,598,200	2,598,200	2,794,200
Impact Fees	156,506	221,425	132,000	152,000	78,000
Other	1,931,594	710,242	409,100	420,000	74,300
Use of Fund Balance	0	0	0	0	122,000
TOTAL WATER FUND REVENUES	4,322,025	3,340,417	3,139,300	3,170,200	3,068,500
WATER FUND EXPENDITURES					
Personnel	290,910	335,892	292,010	308,390	164,900
Operations	1,166,785	1,061,655	1,310,838	1,231,138	1,338,565
Capital	365,686	501,933	1,022,000	963,500	1,140,000
Appropriation to Fund Balance	2,498,644	1,440,937	514,452	667,172	425,035
TOTAL WATER FUND EXPENDITURES	4,322,025	3,340,417	3,139,300	3,170,200	3,068,500
SEWER FUND REVENUES					
Utility Fees	1,773,733	1,508,923	1,647,360	1,647,360	1,713,300
Impact Fees	100,760	184,732	90,000	98,000	40,000
Other	2,005,578	105,173	49,000	40,100	31,400
Use of Fund Balance	236,442	240,011	21,966	0	160,543
TOTAL SEWER FUND REVENUES	4,116,513	2,038,840	1,808,326	1,785,460	1,945,243
SEWER FUND EXPENDITURES					
Personnel	231,623	178,592	256,950	227,220	271,350
Operations	2,051,788	1,149,051	1,501,376	1,395,426	1,484,893
Capital	902,024	413,896	50,000	35,000	189,000
Appropriation to Fund Balance	931,078	297,301	0	127,814	0
TOTAL SEWER FUND EXPENDITURES	4,116,513	2,038,840	1,808,326	1,785,460	1,945,243
WASTE COLLECTION REVENUES					
Utility Fees	415,471	479,759	510,000	510,000	525,300
Use of Fund Balance	36,178	9,195	550	3,400	2,812
TOTAL WASTE COLLECTION REVENUES	451,649	488,955	510,550	513,400	528,112
WASTE COLLECTION EXPENDITURES					
Operations	451,649	488,955	510,550	513,400	528,112
Appropriation to Fund Balance	0	0	0	0	0
TOTAL WASTE COLLECTION EXPENDITURES	451,649	488,955	510,550	513,400	528,112
STORM WATER DRAINAGE REV.					
Utility Fees	799,344	920,072	1,030,000	1,030,000	1,163,900
Impact Fees	124,858	207,429	95,000	75,000	50,000
Other	469,047	56,268	10,200	16,000	16,000
Use of Fund Balance	0	0	0	0	0
TOTAL STORM WATER DRAINAGE REV.	1,393,249	1,183,769	1,135,200	1,121,000	1,229,900
STORM WATER DRAINAGE EXP.					
Personnel	183,501	197,500	190,375	199,565	201,080
Operations	697,551	787,118	399,578	455,823	378,157
Capital	51,581	9,361	165,000	183,000	270,000
Appropriation to Fund Balance	460,617	189,789	380,247	282,612	380,663
TOTAL STORM WATER DRAINAGE EXP.	1,393,249	1,183,769	1,135,200	1,121,000	1,229,900

BUDGET SUMMARY

DESCRIPTION	2017-2018 ACTUAL	2018-2019 ACTUAL	2019-2020 ORIGINAL	2019-2020 AMENDED	2020-2021 REQUESTED
RECREATION FUND REVENUES					
Bond Proceeds/Interest	2,069	4,896	4,500	3,800	3,000
Admission	405,834	405,022	425,500	350,600	400,000
Lessons/Programs	178,150	158,703	187,650	74,910	133,200
Rentals	150,244	127,992	142,800	130,030	152,800
Grants and Contributions	847,163	5,864	6,300	5,975	6,300
Transfers In	976,300	985,512	1,137,900	1,162,900	1,263,375
Use of Fund Balance	0	0	319,905	364,775	11,525
TOTAL RECREATION FUND REVENUES	2,559,760	1,687,988	2,224,555	2,092,990	1,970,200
RECREATION FUND EXPENDITURES					
Personnel	558,800	579,692	703,455	731,455	779,225
Operations	855,045	893,446	1,111,100	1,075,680	1,065,975
Capital	134,300	142,675	410,000	285,855	125,000
Appropriation to Fund Balance	1,011,615	72,176	0	0	0
TOTAL RECREATION FUND EXPENDITURES	2,559,760	1,687,988	2,224,555	2,092,990	1,970,200
TELECOMMUNICATIONS FUND REV.					
Customer Connection Fee	45,055	57,067	54,000	54,000	50,000
Other	21,204	2,872	-	-	-
Use of Fund Balance	0	-	-	-	-
TOTAL TELECOMMUNICATIONS FUND REV.	66,259	59,939	54,000	54,000	50,000
TELECOMMUNICATIONS FUND EXP.					
Operations	51,877	59,683	54,000	54,000	50,000
Appropriation to Fund Balance	14,383	256	-	-	-
TOTAL TELECOMMUNICATIONS FUND EXP.	66,259	59,939	54,000	54,000	50,000
TOTAL CITY BUDGET	28,710,474	29,919,921	24,776,514	25,411,117	23,646,714

GENERAL FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
GENERAL FUND REVENUES					
TAXES					
Gen. Property Taxes - Current	1,837,618	1,922,103	1,867,569	1,885,000	1,900,000
Fees in Lieu of Prop. Tax	129,557	130,163	125,000	125,000	125,000
Prior Year Taxes	306,665	176,620	165,000	228,100	150,000
Penalties and Interest	8,346	2,531	2,500	3,050	2,500
General Sales & Use Tax	4,242,568	4,358,567	4,554,000	4,200,000	3,360,000
Mass Transit Tax	1,000	446	1,000	500	500
Room Tax	560	845	600	1,500	1,000
Telecommunications Tax	168,720	164,613	160,000	160,000	155,000
Cable Franchise Tax	38,170	35,470	34,000	34,000	32,000
Energy Franchise Tax	1,398,641	1,356,176	1,400,000	1,345,000	1,300,000
TOTAL TAXES	8,131,845	8,147,533	8,309,669	7,982,150	7,026,000
LICENSES AND PERMITS					
Business Licenses & Permits	69,418	68,252	68,000	68,000	65,000
Home Occupancy Application	300	-	-	-	-
Alarm Permits & False Alarms	175	150	150	150	100
Building Permits	337,933	694,672	400,000	300,000	225,000
1% State Fee - Bldg Permits	690	1,033	800	800	500
Building Bonds Forfeited	8,000	-	-	-	-
Plan Check Fee	113,381	348,184	120,000	100,000	75,000
Animal License	1,180	720	650	650	650
TOTAL LICENSES AND PERMITS	531,076	1,113,012	589,600	469,600	366,250
GRANTS & INTERGOVERNMENTAL					
CDBG Grants	-	119,000	-	10,280	-
Federal Grants	-	-	-	-	-
State Liquor Fund Allotment	10,878	11,158	11,500	12,015	12,200
Police Misc. Grants	29,343	13,100	-	-	-
State IDC Grant	-	20,757	20,000	6,000	6,000
State Grants	-	-	142,860	142,860	-
County Grants	5,707	5,593	-	-	-
TOTAL GRANTS & INTERGOVERNMENTAL	45,928	169,608	174,360	171,155	18,200
CHARGES FOR SERVICES					
Zoning & Subdivision Fee	105,735	58,995	60,000	55,000	45,000
Engineering Review Fees	15,252	11,594	12,000	2,500	2,000
Planning Admin Fee	13,775	26,968	15,000	5,000	3,750
Materials Testing Fee	-	-	-	-	-
Street and Regulatory Signs	-	-	-	-	-
Construction Services Fee	59,667	211,629	61,000	6,000	5,000
Re-Inspection Fee	750	50	-	-	-
Park & Public Property Rental	15,823	20,345	18,000	15,000	10,000
Police Impact Fees	36,044	83,660	40,000	16,355	12,000
Fire Impact Fee	31,942	72,479	34,000	15,030	11,000
Weed Abatement	-	-	-	-	-
TOTAL CHARGES FOR SERVICES	278,986	485,719	240,000	114,885	88,750
FINES & FORFEITURES					
Court Fines	503,134	581,140	575,000	500,000	335,000
Traffic School Fees	19,877	26,033	22,000	22,000	18,000
TOTAL FINES & FORFEITURES	523,011	607,173	597,000	522,000	353,000
MISCELLANEOUS REVENUE					
Interest Earnings	116,977	257,057	220,000	250,000	200,000
Credit for E911 Tax to Orem	107,374	107,374	107,375	82,900	82,900
Police Misc. Fees	6,903	8,921	8,800	5,000	5,000
Lindon Youth Court	690	780	720	720	720
LD Car Show Contrib to Police	9,100	9,004	-	8,150	-
Pmt Service/Convenience Fee	3,288	4,641	60,000	20,000	20,000
Misc Attorney Fees	-	90	-	-	-
Donations	-	-	-	-	-
Fixed Asset Disposal Gain/Loss	45,898	2,152,907	84,200	65,400	476,100
Misc. Park Revenue	1,404	-	1,200	-	-
Sundry Revenue	7,881	20,790	5,000	5,000	5,000
Lease Revenue	135,924	178,669	175,000	175,000	175,000

GENERAL FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
Funds from Financing Sources	81,344	546,982	82,000	85,165	650,000
TOTAL MISCELLANEOUS REVENUE	516,784	3,287,213	744,295	697,335	1,614,720
CEMETERY					
Sale of Burial Plots	36,910	52,425	40,000	60,000	40,000
Transfer Fees	40	40	-	140	-
Interment Fees	12,075	21,050	16,000	16,000	16,000
Headstone Inspection Fee	-	1,875	2,000	2,000	2,000
TOTAL CEMETERY	49,025	75,390	58,000	78,140	58,000
TRANSFERS AND CONTRIBUTIONS					
Admin Costs from RDA	26,740	38,624	41,300	41,300	16,800
Transfer from PARC Tax Fund	-	-	-	55,400	-
Admin Costs from Water	266,787	265,100	207,856	207,856	223,536
PW Admin Dept cost share-Water	146,548	124,865	194,118	194,118	165,465
Admin Costs from Sewer	223,768	174,240	131,789	131,789	137,064
PW Admin Dept cost share-Sewer	146,548	124,865	194,118	194,118	165,465
Admin Costs frm Solid Waste Fd	16,240	17,940	20,400	20,400	21,012
Admin Costs from Storm Drain	108,528	100,100	82,400	82,400	93,112
PW Admin Dept cost share-Storm	146,548	124,865	194,118	194,118	165,465
Admin Costs from Telecomm Fd	2,700	2,700	2,700	2,700	2,500
Use of Fund Balance	-	-	-	975,361	296,557
TOTAL TRANSFERS AND CONTRIBUTIONS	1,084,407	973,298	1,068,799	2,099,560	1,286,976
TOTAL GENERAL FUND REVENUES	11,161,063	14,858,947	11,781,723	12,134,825	10,811,896

GENERAL FUND EXPENDITURES

DEPT: LEGISLATIVE

PERSONNEL

Salaries & Wages	52,746	51,644	54,200	54,200	54,200
Planning Commission Allowance	8,700	8,300	9,600	9,600	9,600
Benefits - FICA	4,701	4,586	4,900	4,900	4,900
Benefits - Workers Comp.	1,155	726	1,200	1,200	1,200
TOTAL PERSONNEL	67,302	65,255	69,900	69,900	69,900

OPERATIONS

Travel & Training	2,600	4,846	6,000	1,500	500
Miscellaneous Expense	4,649	2,716	2,500	2,500	2,500
Mountainland Assoc of Govt	4,508	4,508	4,510	4,480	4,500
Utah Lake Commission	3,100	3,193	3,200	3,245	3,300
Utah League of Cities & Towns	9,703	10,203	10,205	11,195	11,200
Chamber of Commerce	10,000	10,000	10,000	10,000	10,000
TOTAL OPERATIONS	34,560	35,467	36,415	32,920	32,000

TOTAL LEGISLATIVE

DEPT: JUDICIAL

PERSONNEL

Salaries & Wages	101,962	144,414	174,000	174,000	179,220
Salaries & Wages - Overtime	-	-	-	-	-
Benefits - FICA	7,800	11,006	13,350	13,350	13,750
Benefits - LTD	251	424	580	580	550
Benefits - Life	158	187	260	260	200
Benefits - Insurance Allowance	19,218	24,280	29,150	29,150	30,300
Benefits - Retirement	16,571	22,563	27,900	27,900	28,300
Benefits - Workers Comp.	133	476	1,400	1,400	1,400
TOTAL PERSONNEL	146,093	203,351	246,640	246,640	253,720

OPERATIONS

Membership Dues & Subscriptions	-	315	600	400	400
Travel & Training	1,094	2,348	3,800	1,500	2,000
Office Supplies	3,002	2,754	2,750	2,750	2,750
Operating Supplies & Maint	778	531	1,000	500	500
Telephone	373	1,420	850	850	850
Gasoline	29	246	1,000	500	500
Professional & Tech Services	201,588	127,147	70,000	55,000	70,000
Insurance	1,834	1,834	2,200	2,200	2,200
Court Surcharges & Fees	186,929	209,283	220,000	195,000	130,000
Bailiff & Transport Services	10,496	9,647	9,600	8,000	8,000

GENERAL FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
Purchase of Equipment	-	4,788	2,500	2,500	1,500
TOTAL OPERATIONS	406,123	360,312	314,300	269,200	218,700
TOTAL JUDICIAL	552,216	563,662	560,940	515,840	472,420

DEPT: ADMINISTRATION

PERSONNEL

Salaries & Wages	458,577	484,520	501,650	501,650	513,500
Salaries & Wages - Overtime	240	-	-	-	-
Salaries - Temp Employees	680	252	2,000	2,000	-
Benefits - FICA	35,897	36,607	38,550	38,550	39,300
Benefits - LTD	2,367	2,322	2,350	2,350	2,250
Benefits - Life	898	823	1,000	1,000	800
Benefits - Insurance Allowance	81,878	86,163	88,500	88,500	91,650
Benefits - Retirement	93,014	96,826	101,600	101,600	104,000
Benefits - Workers Comp.	2,842	2,730	3,000	3,000	3,050
TOTAL PERSONNEL	676,392	710,243	738,650	738,650	754,550

OPERATIONS

Membership Dues & Subscriptions	1,455	1,641	2,000	1,800	1,800
Public Notices	3,153	2,947	5,000	3,000	3,000
Clothing Allowance	-	-	700	700	700
Travel & Training	5,912	5,969	7,000	3,500	3,000
Tuition Reimbursement Program	4,000	6,000	6,000	6,000	2,000
Office Supplies	6,335	6,919	7,500	7,000	7,000
Operating Supplies & Maint	1,641	2,698	2,500	2,500	2,000
Miscellaneous Expense	260	552	500	500	500
Telephone	1,776	2,108	2,500	2,500	2,500
Gasoline	956	1,350	1,800	1,500	1,500
Employee Recognition	2,577	1,108	2,500	2,500	2,500
Professional & Tech Services	102,969	199,854	120,000	120,000	120,000
Merchant Fees	59,778	71,608	80,000	70,000	70,000
Bad Debt Expense	-	-	-	-	-
Insurance & Surety Bond	1,834	1,891	2,200	2,200	2,200
Insurance - Treasury Bond	1,415	-	-	-	-
Other Services	-	19	-	-	-
Purchase of Equipment	2,022	2,567	3,000	7,300	1,000
TOTAL OPERATIONS	196,083	307,231	243,200	231,000	219,700

CAPITAL OUTLAY

Purchase of Capital Asset	-	7,383	-	4,575	-
TOTAL CAPITAL OUTLAY	-	7,383	-	4,575	-
TOTAL ADMINISTRATION	872,476	1,024,857	981,850	974,225	974,250

DEPT: LEGAL SERVICES

PERSONNEL

Salaries & Wages	-	42,089	76,400	76,400	77,800
Benefits - FICA	-	3,185	5,900	5,900	6,000
Benefits - LTD	-	181	350	350	320
Benefits - Life	-	42	150	150	125
Benefits - Insurance Allowance	-	5,776	9,750	9,750	10,100
Benefits - Retirement	-	6,712	13,000	13,000	13,200
Benefits - Workers Comp.	-	408	1,275	1,275	1,275
TOTAL PERSONNEL	-	58,393	106,825	106,825	108,820

OPERATIONS

Membership Dues & Subscriptions	-	315	600	400	400
Travel & Training	-	634	1,800	1,800	500
Office Supplies	-	194	250	250	250
Operating Supplies & Maint	-	183	250	250	250
Telephone	-	917	250	250	250
Gasoline	-	99	500	500	500
Professional & Tech Services	94,121	36,799	10,000	-	10,000
Claims Settlement Contingencies	6,532	6,532	10,000	8,250	-
Purchase of Equipment	-	1,655	500	900	500
TOTAL OPERATIONS	100,653	47,328	24,150	12,600	12,650

TOTAL LEGAL SERVICES**DEPT: ENGINEERING**

Professional & Tech Services	147,237	76,494	150,000	50,000	50,000
TOTAL ENGINEERING	147,237	76,494	150,000	50,000	50,000

GENERAL FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
DEPT: ELECTIONS					
Election Judges	74	-	3,000	-	-
Special Department Supplies	-	-	-	-	-
Other Services	8,402	89	22,000	10,700	-
TOTAL ELECTIONS	8,476	89	25,000	10,700	-
DEPT: GOVERNMENT BUILDINGS					
PERSONNEL					
Salaries & Wages	39,213	54,629	58,800	63,800	64,800
Benefits - FICA	3,376	3,879	4,500	4,900	5,000
Benefits - LTD	246	224	260	260	260
Benefits - Life	145	145	120	120	100
Benefits - Insurance Allowance	22,440	18,297	19,450	19,450	20,300
Benefits - Retirement	2,592	3,236	5,080	5,450	5,500
Benefits - Workers Comp.	828	826	1,000	1,100	1,100
TOTAL PERSONNEL	68,840	81,237	89,210	95,080	97,060
OPERATIONS					
Membership Dues & Subscriptions	-	750	1,000	1,000	1,000
Uniform Expense	-	150	250	250	150
Travel & Training	-	-	1,000	1,000	1,000
Office Supplies	-	-	-	-	-
Operating Supplies & Maint	17,386	17,022	22,000	22,000	20,000
Miscellaneous Expense	11,223	13,937	15,000	15,000	15,000
Utilities	50,336	45,266	50,000	50,000	50,000
Telephone	155	572	400	400	400
Gasoline	353	1,055	1,200	1,200	1,200
Professional & Tech Services	23,447	19,817	25,000	25,000	25,000
Insurance	8,947	9,007	9,700	8,800	9,000
Other Services	38,865	51,235	50,000	50,000	45,000
Purchase of Equipment	1,085	1,831	12,500	14,250	2,500
TOTAL OPERATIONS	151,796	160,643	188,050	188,900	170,250
CAPITAL OUTLAY					
Building Improvements	-	327,123	109,000	64,000	15,000
Purchase of Capital Asset	25,546	-	-	-	-
TOTAL CAPITAL OUTLAY	25,546	327,123	109,000	64,000	15,000
TOTAL GOVERNMENT BUILDINGS	246,182	569,003	386,260	347,980	282,310
DEPT: POLICE SERVICES					
PERSONNEL					
Salaries & Wages	1,129,117	1,183,474	1,138,000	1,126,500	1,135,000
Salaries & Wages, X-ing Guard	18,643	18,551	24,000	24,000	24,000
Salaries & Wages - Overtime	76,383	87,790	75,000	75,000	75,000
Salaries - Temp Employees	965	10,649	25,000	30,000	25,000
Benefits - FICA	98,093	102,814	96,600	96,100	96,500
Benefits - LTD	6,205	5,705	5,550	5,550	5,550
Benefits - Life	2,655	2,459	2,450	2,450	1,700
Benefits - Insurance Allowance	253,817	257,418	304,500	280,000	303,500
Benefits - Retirement	375,645	365,138	400,000	370,000	400,800
Benefits - Workers Comp.	24,201	20,603	22,000	22,120	22,500
TOTAL PERSONNEL	1,985,722	2,054,601	2,093,100	2,031,720	2,089,550
OPERATIONS					
Membership Dues & Subscriptions	1,238	4,191	4,500	4,500	4,500
Uniform Expense	10,884	19,108	13,000	16,000	13,000
Travel & Training	9,379	9,560	11,000	11,000	10,000
Office Supplies	4,623	5,412	5,000	5,100	5,000
Operating Supplies & Maint	10,189	9,196	20,000	15,000	15,000
Telephone	20,776	16,919	17,000	17,000	18,000
Gasoline	30,932	33,106	36,000	30,000	33,000
Professional & Tech Services	36,851	37,277	47,000	47,000	45,000
Dispatch, Orem City	117,935	120,446	120,446	120,446	120,446
K9 Supplies and Services	869	-	-	-	-
Special Department Supplies	7,324	10,441	8,000	11,000	8,000
Insurance	4,963	3,376	4,200	5,000	5,000
Equipment Rental	600	14,759	26,300	15,000	15,000
Vehicle Lease	45,898	310,157	84,200	84,200	84,200
Other Services	-	750	750	750	750
Risk Management	-	-	1,000	-	-

GENERAL FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
Emergency Preparedness	5,866	10,548	1,500	9,650	1,500
Miscellaneous Expense	2,141	2,543	3,000	1,000	3,000
Youth Court Expenses	168	80	500	100	500
N.O.V.A. Expense	1,395	2,169	1,800	1,800	1,800
Use of USAAV Funds	10,878	11,158	11,500	12,015	12,200
Public Outreach	1,398	2,387	2,500	1,500	-
Purchase of Equipment	20,189	14,372	23,000	23,000	30,000
Vehicle Lease Principal	109,692	87,842	76,200	76,200	90,000
Vehicle Lease Interest	10,586	2,856	15,135	15,135	-
TOTAL OPERATIONS	464,775	728,653	533,531	522,396	515,896
CAPITAL OUTLAY					
Purchase of Capital Asset	13,741	-	-	-	-
Vehicles	81,430	546,982	82,000	85,165	650,000
TOTAL CAPITAL OUTLAY	95,171	546,982	82,000	85,165	650,000
TOTAL POLICE SERVICES	2,545,668	3,330,235	2,708,631	2,639,281	3,255,446
DEPT: FIRE PROTECTION SERVICES					
Telephone	519	503	600	600	600
Orem Fire/EMS	1,361,746	1,387,716	1,387,716	1,387,716	1,387,716
Dispatch	117,935	120,446	120,446	120,446	120,446
Weed Abatement	-	-	-	-	-
TOTAL FIRE PROTECTION SERVICES	1,480,200	1,508,666	1,508,762	1,508,762	1,508,762
DEPT: PROTECTIVE INSPECTIONS					
PERSONNEL					
Salaries & Wages	162,114	166,381	168,000	168,000	169,800
Salaries & Wages - Overtime	-	-	-	-	-
Benefits - FICA	12,564	12,935	12,875	12,875	13,000
Benefits - LTD	866	806	820	820	780
Benefits - Life	316	269	350	350	275
Benefits - Insurance Allowance	32,416	30,155	29,100	29,100	30,300
Benefits - Retirement	33,466	34,490	35,500	35,500	35,800
Benefits - Workers Comp.	3,085	2,194	3,100	3,100	3,100
TOTAL PERSONNEL	244,828	247,231	249,745	249,745	253,055
OPERATIONS					
Membership Dues & Subscriptions	837	739	700	700	700
Uniform Expense	-	300	600	600	300
Travel & Training	3,025	2,469	3,000	3,500	3,000
Office Supplies	1,813	2,089	4,000	2,000	2,000
Operating Supplies & Maint	3,565	851	4,000	1,500	1,000
Telephone	965	1,552	2,500	1,500	1,500
Gasoline	2,655	2,613	4,000	3,000	3,000
Professional & Tech Services	7,455	10,688	20,000	15,000	15,000
Insurance	1,990	2,067	2,400	2,400	2,400
Purchase of Equipment	544	645	1,000	1,000	1,000
TOTAL OPERATIONS	22,849	24,013	42,200	31,200	29,900
CAPITAL OUTLAY					
Purchase of Capital Asset	25,546	27,430	12,000	4,150	12,000
TOTAL CAPITAL OUTLAY	25,546	27,430	12,000	4,150	12,000
TOTAL PROTECTIVE INSPECTIONS	293,223	298,674	303,945	285,095	294,955
DEPT: ANIMAL CONTROL SERVICES					
Operating Supplies & Maint	26	589	1,000	1,000	500
Special Dept Supplies	-	-	250	250	250
North Ut County Animal Shelter	16,887	21,376	23,000	21,325	21,325
NUC Shelter-remit license fees	1,205	685	650	650	650
Deer Management	-	-	-	-	-
TOTAL ANIMAL CONTROL SERVICES	18,118	22,650	24,900	23,225	22,725
DEPT: STREETS					
PERSONNEL					
Salaries & Wages	127,787	134,747	137,500	137,500	143,800
Salaries & Wages - Overtime	171	233	-	-	-
Salaries - Temp Employees	136	-	4,000	4,000	5,000
Benefits - FICA	9,838	10,422	10,825	10,825	11,400
Benefits - LTD	710	728	675	675	650
Benefits - Life	316	290	300	300	230

GENERAL FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
Benefits - Insurance Allowance	33,553	20,577	20,600	33,500	35,300
Benefits - Retirement	27,473	28,569	29,150	29,150	29,800
Benefits - Workers Comp.	3,285	2,576	3,550	4,200	4,500
TOTAL PERSONNEL	203,270	198,142	206,600	220,150	230,680
OPERATIONS					
Membership Dues & Subscriptions	140	81	100	100	100
Uniform Expense	387	382	380	380	380
Travel & Training	(340)	775	1,000	1,000	1,000
Office Supplies	813	592	1,000	1,000	1,000
Operating Supplies & Maint	18,757	15,697	18,000	18,000	18,000
Miscellaneous Expense	40	-	200	3,400	200
Utilities	18,036	1,715	2,000	2,000	2,000
Telephone	943	804	1,000	1,000	1,000
Gasoline	7,654	5,101	8,000	8,000	7,000
Professional & Tech Services	47,009	5,502	30,000	30,000	10,000
Street-side Landscaping	44,845	60,548	70,000	63,000	65,000
Materials Testing	-	-	2,000	2,000	2,000
Traffic Study	-	-	2,000	2,000	2,000
Special Snow Removal	8,358	20,998	34,000	27,000	34,000
Sidewalk Maintenance	7,699	9,150	15,000	15,000	15,000
Special Dept Supplies	4,216	4,843	6,000	36,000	5,000
Insurance	5,053	7,797	8,000	8,000	8,000
UTA Tax Payment	1,000	446	1,000	500	500
Equipment Rental	1,868	1,695	3,500	3,500	3,500
Other Services	5,778	4,064	6,000	6,000	6,000
Purchase of Equipment	3,303	2,078	2,300	2,300	6,000
TOTAL OPERATIONS	175,558	142,268	211,480	230,180	187,680
CAPITAL OUTLAY					
New Sidewalks	-	-	-	-	-
ADA Ramps	-	-	10,000	-	3,000
Purchase of Capital Asset	-	-	-	-	-
Traffic Calming Projects	-	-	22,000	8,000	-
TOTAL CAPITAL OUTLAY	-	-	32,000	8,000	3,000
TOTAL STREETS	378,828	340,411	450,080	458,330	421,360
DEPT: PUBLIC WORKS ADMINISTRATION					
PERSONNEL					
Salaries & Wages	356,122	306,547	405,500	396,500	382,100
Salaries & Wages - Overtime	-	6,837	-	-	-
Salaries - Temp Employees	-	-	7,500	-	-
Benefits - FICA	27,183	23,437	31,600	30,350	29,250
Benefits - LTD	1,799	1,935	2,000	2,000	1,700
Benefits - Life	684	581	860	860	550
Benefits - Insurance Allowance	80,165	70,921	97,150	90,100	95,900
Benefits - Retirement	69,894	63,704	85,600	77,100	77,400
Benefits - Workers Comp.	6,473	3,252	7,000	7,000	6,300
TOTAL PERSONNEL	542,320	477,214	637,210	603,910	593,200
OPERATIONS					
Membership Dues & Subscriptions	85	544	800	800	500
Uniform Expense	539	641	760	760	760
Travel & Training	1,733	2,693	8,000	8,000	4,000
Office Supplies	1,204	1,244	1,000	1,500	1,500
Operating Supplies & Maint	5,945	2,985	3,500	3,500	3,500
Miscellaneous Expense	66	111	200	200	200
Telephone/Cell Phone	1,905	1,659	3,000	2,000	2,000
Gasoline	2,253	2,728	4,000	4,000	4,000
Professional & Tech Services	903	2,588	5,000	6,300	10,000
Insurance	-	-	-	150	200
Purchase of Equipment	3,695	3,588	16,000	16,000	30,000
TOTAL OPERATIONS	18,326	18,780	42,260	43,210	56,660
CAPITAL OUTLAY					
Building Improvements	-	3,465	-	40,000	-
Purchase of Capital Asset	25,546	-	97,000	97,000	12,000
TOTAL CAPITAL OUTLAY	25,546	3,465	97,000	137,000	12,000
TOTAL PUBLIC WORKS ADMINISTRATION	586,192	499,459	776,470	784,120	661,860

GENERAL FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
DEPT: PARKS					
PERSONNEL					
Salaries & Wages	140,351	148,111	147,000	152,000	158,100
Salaries & Wages - Overtime	4,019	2,578	-	-	-
Salaries - Temp Employees	11,564	17,838	19,000	19,000	19,000
Benefits - FICA	11,971	12,915	12,700	13,085	13,600
Benefits - LTD	753	726	725	725	500
Benefits - Life	369	338	350	350	200
Benefits - Insurance Allowance	30,483	27,820	27,100	21,100	20,100
Benefits - Retirement	30,523	31,513	31,000	31,000	32,100
Benefits - Workers Comp.	2,937	2,152	3,100	3,100	3,300
TOTAL PERSONNEL	232,970	243,991	240,975	240,360	246,900
OPERATIONS					
Membership Dues & Subscriptions	570	275	700	700	700
Uniform Expense	375	371	500	500	600
Travel & Training	1,738	2,664	3,000	1,735	1,500
Office Supplies	262	81	200	200	400
Operating Supplies & Maint	26,801	43,848	50,000	50,000	55,000
Miscellaneous Expense	8,879	5,793	8,000	8,000	5,000
Trails Maintenance	6,656	3,363	8,000	15,500	5,000
Utilities	5,441	4,101	8,000	6,000	6,000
Telephone	1,091	1,064	1,200	1,200	1,200
Gasoline	3,765	4,230	5,000	4,500	4,500
Professional & Tech Services	9,009	95	45,000	40,000	10,000
Parks Maintenance Contract	132,206	132,206	140,800	145,800	159,400
Special Dept Supplies	-	14,187	15,000	15,000	-
Insurance	5,686	5,497	6,400	6,400	6,400
Equipment Rental	1,176	684	2,000	3,000	3,000
Other Services	147	7,490	1,500	1,500	1,500
Tree City USA Expenses	774	1,066	2,500	1,700	1,500
Tree Purchases & Services	4,164	4,189	5,000	6,800	5,000
Purchase of Equipment	18,635	968	2,500	2,500	1,000
TOTAL OPERATIONS	227,376	232,172	305,300	311,035	267,700
CAPITAL OUTLAY					
Improvements Other than Bldgs	-	6,588	314,300	444,700	-
Purchase of Capital Asset	27,347	56,683	90,000	58,415	-
Trails Construction & Improvmt	-	-	-	12,800	-
TOTAL CAPITAL OUTLAY	27,347	63,271	404,300	515,915	-
TOTAL PARKS	487,693	539,433	950,575	1,067,310	514,600
DEPT: LIBRARY SERVICES					
Library Card Reimbursement	13,663	14,470	16,000	15,000	15,000
TOTAL LIBRARY SERVICES	13,663	14,470	16,000	15,000	15,000
DEPT: CEMETERY					
OPERATIONS					
Operating Supplies & Maint	2,042	1,638	2,000	3,000	3,000
Professional & Tech Services	527	1,915	3,000	2,000	2,000
Grounds Maintenance Contract	7,348	7,348	7,350	8,025	8,700
Special Dept Supplies	2,852	2,142	1,500	1,500	1,500
Equipment Rental	143	249	3,000	1,000	1,000
Purchase of Equipment	-	-	-	-	-
TOTAL OPERATIONS	12,912	13,293	16,850	15,525	16,200
CAPITAL OUTLAY					
Improvements Other than Bldgs	-	-	-	20,000	-
TOTAL CAPITAL OUTLAY	-	-	-	20,000	-
TOTAL CEMETERY	12,912	13,293	16,850	35,525	16,200
DEPT: PLANNING & ECONOMIC DEVELOPMENT					
PERSONNEL					
Salaries & Wages	203,083	204,545	211,700	211,700	218,600
Salaries & Wages - Overtime	-	-	-	-	-
Salaries - Interns & Temp Emp	735	1,670	3,200	3,200	3,200
Benefits - FICA	15,733	15,883	16,440	16,440	17,000
Benefits - LTD	1,041	911	950	950	900
Benefits - Life	474	383	425	425	300
Benefits - Insurance Allowance	54,173	38,671	37,600	37,600	38,900

GENERAL FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
Benefits - Retirement	39,847	36,051	40,100	40,100	41,350
Benefits - Workers Comp.	2,834	(930)	3,000	3,000	3,050
TOTAL PERSONNEL	317,919	297,184	313,415	313,415	323,300
OPERATIONS					
Membership Dues & Subscriptions	806	1,139	1,670	1,670	1,650
Uniform Expense	-	-	300	300	-
Travel & Training	2,303	1,087	4,000	4,000	4,000
Office Supplies	1,589	1,870	1,800	1,800	1,800
Operating Supplies & Maint	1,743	412	2,000	2,000	2,000
Telephone	895	2,033	2,900	2,900	2,900
Gasoline	441	271	400	400	400
Professional & Tech Services	3,517	998	60,800	28,000	40,000
Insurance	1,901	1,893	2,400	2,400	2,400
Master Plan	113	-	2,000	2,000	2,000
Miscellaneous Expense	41	15	400	400	400
Economic Development Expense	-	1,603	1,800	1,800	1,800
Purchase of Equipment	32	788	1,000	1,000	1,000
Historical Preservation Socy	525	302	500	500	500
TOTAL OPERATIONS	13,906	12,412	81,970	49,170	60,850
CAPITAL OUTLAY					
Purchase of Capital Asset	22,115	-	12,000	4,150	12,000
TOTAL CAPITAL OUTLAY	22,115	-	12,000	4,150	12,000
TOTAL PLANNING & ECON. DEVELOPMENT	353,941	309,597	407,385	366,735	396,150
DEPT: TRANSFERS AND CONTRIBUTIONS					
TRANSFERS					
Transfer to Road Fund	1,500,000	1,000,000	300,000	800,000	-
Trfr to Debt Svc-2005 Road Bnd	-	1,352,777	-	-	-
Trfr to Debt Svc - UTOPIA	436,251	444,976	453,876	453,876	462,953
Trfr to Debt Svc-Pub Sfty Bldg	198,724	1,138,676	681,324	710,676	173,160
Trfr to CIP - Parks Fd 47	-	5,593	-	-	-
Trfr to Recreation-Aquatics Bd	589,050	548,550	552,900	552,900	553,375
Trfr to Recreation Fund	170,000	300,000	200,000	300,000	500,000
TOTAL TRANSFERS	2,894,025	4,790,573	2,188,100	2,817,452	1,689,488
CONTRIBUTIONS					
Education Grants	1,000	1,000	1,000	1,000	1,000
Contrib - Miss Pleasant Grove	2,000	2,000	2,000	2,000	2,000
Little Miss Lindon Sponsorship	5,736	5,344	6,000	6,000	6,000
Parade Float Sponsorship	3,883	3,444	4,000	4,000	4,000
Appropriate to Fund Balance, General Fund	54,878	739,151	75,685	-	-
TOTAL CONTRIBUTIONS	67,497	750,939	88,685	13,000	13,000
TOTAL TRANSFERS AND CONTRIBUTIONS	2,961,523	5,541,511	2,276,785	2,830,452	1,702,488
TOTAL GENERAL FUND EXPENDITURES	11,161,063	14,858,947	11,781,723	12,134,825	10,811,896

REDEVELOPMENT AGENCY FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
STATE STREET DISTRICT					
REVENUES					
State St - Interest Earnings	4,477	8,515	7,000	9,500	6,000
State St - Tax Increment	179,220	172,929	170,000	176,600	-
State St - Prior Yr Tax Incr	23,708	81,356	20,000	32,400	-
State St - Use of Fund Balance	21,168	-	15,535	-	-
TOTAL STATE ST REVENUES	228,573	262,801	212,535	218,500	6,000
EXPENDITURES					
Miscellaneous Expense	-	-	4,100	4,100	4,100
Professional & Tech Services	1,833	1,500	1,835	1,500	1,500
Other Improvements	-	-	30,000	30,000	-
Admin Costs to General Fund	26,740	28,410	26,600	26,600	-
Trfr to Road Fund	200,000	-	-	-	-
Trfr to Rereation Fund	-	-	150,000	-	-
Appropriate to Fund Balance	-	232,891	-	156,300	400
TOTAL STATE ST EXPENDITURES	228,573	262,801	212,535	218,500	6,000
WEST SIDE DISTRICT					
REVENUES					
West Side - Interest Earnings	414	513	500	375	250
West Side - Use of Fnd Balance	1,420	-	1,335	-	-
TOTAL WEST SIDE REVENUES	1,833	513	1,835	375	250
EXPENDITURES					
Miscellaneous Expense	-	-	-	-	-
Professional & Tech Services	1,833	-	1,835	-	-
Other Improvements	-	-	-	-	-
Appropriate to Fund Balance	-	513	-	375	250
TOTAL WEST SIDE EXPENDITURES	1,833	513	1,835	375	250
DISTRICT #3					
REVENUES					
District 3 - Interest Earnings	6,295	10,324	10,000	7,500	5,000
District 3 - Sundry Revenue	-	-	-	-	-
District 3 - Use of Fund Bal	687	-	-	-	2,000
TOTAL DISTRICT #3 REVENUES	6,982	10,324	10,000	7,500	7,000
EXPENDITURES					
Miscellaneous Expense	-	-	-	-	-
Professional & Tech Services	6,982	5,148	7,000	7,000	7,000
Insurance	-	-	-	-	-
Other Improvements	-	-	-	-	-
Appropriate to Fund Balance	-	5,176	3,000	500	-
TOTAL DISTRICT #3 EXPENDITURES	6,982	10,324	10,000	7,500	7,000
700 NORTH CDA					
REVENUES					
700N CDA - Interest Earnings	201	1,823	1,800	3,000	2,500
700N CDA - Tax Increment	72,958	95,194	100,000	113,120	115,000
700N CDA - Prior Yr Tax Incr	-	7,034	5,000	4,890	5,000
700N CDA - Use of Fund Balance	-	-	-	-	-
TOTAL 700N CDA REVENUES	73,159	104,051	106,800	121,010	122,500
EXPENDITURES					
Miscellaneous Expense	-	-	-	-	-
Professional & Tech Services	49,510	6,400	5,000	5,000	5,000
Insurance	-	-	-	-	-
Other Services	-	-	-	-	-
Other Improvements	-	-	-	-	-
Admin Costs to General Fund	-	10,214	14,700	14,700	16,800
Appropriate to Fund Balance	23,650	87,437	87,100	101,310	100,700
TOTAL 700N CDA EXPENDITURES	73,159	104,051	106,800	121,010	122,500

PARC TAX FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
REVENUES					
PARC Tax	595,280	610,362	630,000	600,000	510,000
Interest Earnings	10,839	20,081	15,000	15,000	10,000
Use of Fund Balance	-	-	212,290	352,305	-
TOTAL PARC TAX FUND REVENUES	606,119	630,443	857,290	967,305	520,000
PARC TAX FUND EXPENDITURES					
DEPT: AQUATICS CENTER					
Operating Supplies & Maint	7,601	2,100	20,000	20,000	20,000
Pool Chemicals	30,775	32,753	45,000	45,000	45,000
Utilities - Electricity	34,167	26,966	36,000	36,000	36,000
Utilities - Gas	16,099	12,023	16,000	16,000	16,000
Utilities - Telephone	156	151	200	200	200
Utilities - Water/Sewer	25,758	54,219	47,000	47,000	47,000
Professional & Tech Services	25,802	675	23,140	23,140	10,000
Other Services	-	-	-	-	-
Purchase of Equipment	18,649	36,895	40,000	40,000	-
Trfr to Recreation-Capital Exp	122,585	42,964	150,000	150,000	105,000
TOTAL AQUATICS CENTER	281,591	208,746	377,340	377,340	279,200
DEPT: COMMUNITY CENTER					
Operating Supplies & Maint	-	-	4,000	4,000	10,000
Utilities - Electricity	7,549	6,859	8,000	8,000	8,000
Utilities - Gas	4,506	5,749	6,000	6,000	6,000
Utilities - Telephone	381	402	1,200	1,200	1,200
Utilities - Water/Sewer	4,872	5,831	6,000	6,000	6,000
Professional & Tech Services	-	10,070	-	500	-
Other Services	-	-	-	-	-
Purchase of Equipment	-	14,712	-	-	-
Trfr to Recreation-Capital Exp	11,715	7,098	-	75,000	20,000
TOTAL COMMUNITY CENTER	29,023	50,720	25,200	100,700	51,200
DEPT: VETERANS HALL					
Operating Supplies & Maint	-	-	2,500	5,000	5,000
Utilities - Electricity	368	274	600	600	600
Utilities - Gas	537	524	600	600	600
Utilities - Water/Sewer	664	716	800	800	800
Professional & Tech Services	-	-	-	-	-
Other Services	-	-	-	-	-
Building Improvements	12,019	-	-	-	-
TOTAL VETERANS HALL	13,587	1,514	4,500	7,000	7,000
DEPT: PARKS AND TRAILS					
Operating Supplies & Maint	20,090	9,280	45,000	21,115	5,000
Utilities - Electricity	5,424	4,101	7,500	7,500	7,500
Utilities - Water/Sewer	36,409	34,660	42,000	42,000	42,000
Professional & Tech Services	-	12,840	-	500	-
Other Services	-	-	-	-	-
Improvements Other than Bldgs	44,956	-	250,000	250,000	-
Trfr to Parks CIP	-	5,000	11,000	11,000	10,000
TOTAL PARKS AND TRAILS	106,879	65,881	355,500	332,115	64,500
DEPT: GRANTS TO OTHER ENTITIES					
Grants to Other Entities	11,238	13,253	9,750	9,750	15,000
TOTAL GRANTS TO OTHER ENTITIES	11,238	13,253	9,750	9,750	15,000
DEPT: NON-DEPARTMENTAL					
Trfr to General Fund	-	-	-	55,400	-
Trfr to Recreation	82,950	86,900	85,000	85,000	85,000
Appropriate to Fund Balance	80,851	203,429	-	-	18,100
TOTAL NON-DEPARTMENTAL	163,801	290,329	85,000	140,400	103,100
TOTAL PARC TAX FUND EXPENDITURES	606,119	630,443	857,290	967,305	520,000

DEBT SERVICE FUND

	<u>2017-2018 Actual</u>	<u>2018-2019 Actual</u>	<u>2019-2020 Original Budget</u>	<u>2019-2020 Amended Budget</u>	<u>2020-2021 Budget</u>
Trfr from Gen Fd-2005 Road Bnd	-	1,352,777	-	-	-
Trfr from Road Fd - 700 N Bond	213,396	-	-	-	-
Trfr from Gen Fd - UTOPIA	436,251	444,976	453,876	453,876	462,953
Trfr From Gen Fd-Pub Sfty Bldg	198,724	1,138,676	681,324	710,676	173,160
Trff from Park CIP Fund	10,000	10,000	10,000	10,000	10,000
Use of Fund Balance	-	-	-	-	-
TOTAL DEBT SERVICE REVENUES	<u>858,371</u>	<u>2,946,429</u>	<u>1,145,200</u>	<u>1,174,552</u>	<u>646,113</u>
EXPENDITURES					
2016 Public Safety Bldg Princ	157,000	1,104,000	657,000	686,000	163,000
2016 Public Safety Bldg Int	40,124	33,076	22,724	23,026	8,510
2016 Public Safety Bldg AgtFee	1,600	1,600	1,600	1,650	1,650
Parks Prop. Purchase Principal	10,000	10,000	10,000	10,000	10,000
UTOPIA Backstop	436,251	444,976	453,876	453,876	462,953
700 N Road Bond Principal	157,747	1,285,874	-	-	-
700 N Road Bond Interest	54,136	65,310	-	-	-
700 N Road Bond Pay Agent Fees	1,514	1,593	-	-	-
Appropriate to Fund Balance	-	-	-	-	-
TOTAL DEBT SERVICE EXPENDITURES	<u>858,371</u>	<u>2,946,429</u>	<u>1,145,200</u>	<u>1,174,552</u>	<u>646,113</u>

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**CAPITAL IMPROVEMENT
PROGRAM FUNDS**

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
CIP 11 - CLASS C ROADS					
REVENUES					
Road Fund Allotment	444,465	474,449	450,000	420,000	400,000
Transit Tax	-	0	-	400,000	340,000
Road Impact Fees	65,711	181,412	60,000	5,000	5,000
Interest Earnings, Impact Fees	799	-	-	-	-
Interest Earnings PTIF Class C	8,958	29,434	10,000	24,000	12,000
Street Light Reimbursement	130,908	128,526	-	-	-
Interest, US Bank, 700 N Bond	741	261	-	-	-
Miscellaneous	113,828	6,287	-	-	-
Transfer from General Fund	1,500,000	1,000,000	300,000	800,000	-
Transfer from RDA	200,000	-	-	-	-
Use of Fund Balance	-	-	664,000	-	1,754,000
TOTAL ROAD FUND REVENUES	2,465,410	1,820,369	1,484,000	1,649,000	2,511,000
EXPENDITURES					
OPERATIONS					
Operating Supplies & Maint	-	27	-	-	-
Street Lights Utilities	78,083	70,228	85,000	85,000	85,000
Professional & Tech Services	38,439	86,583	50,000	50,000	150,000
Street Lights	32,308	6,076	15,000	25,000	30,000
Street Striping	5,675	-	7,000	7,000	21,000
Crack Sealing	-	170,316	27,000	254,400	125,000
Purchase of Equipment	-	-	-	-	-
Trfr to Debt Serv - 700 N Bond	213,396	-	-	-	-
Appropriate to Fund Balance	1,532,365	1,358,615	-	27,600	-
TOTAL OPERATIONS	1,900,266	1,691,844	184,000	449,000	411,000
CAPITAL OUTLAY					
Street Light Installation	130,908	128,526	-	-	-
Class C Capital Improvements	434,236	-	1,300,000	1,200,000	2,100,000
TOTAL CAPITAL OUTLAY	565,144	128,526	1,300,000	1,200,000	2,100,000
TOTAL ROAD FUND EXPENDITURES	2,465,410	1,820,369	1,484,000	1,649,000	2,511,000
CIP 47 - PARKS PROJECTS					
REVENUES					
City Wide Impact Fees	387,000	444,000	240,000	360,000	200,000
City Wide Interest Earned	12,508	31,543	20,000	30,000	20,000
Grant Proceeds	-	-	-	-	-
Funds from Financing Sources	-	-	-	-	-
Trfr from General Fund	-	5,593	-	-	-
Trfr from PARC Tax	-	5,000	11,000	11,000	10,000
Use of Fund Balance	-	-	34,200	-	-
TOTAL PARKS CIP REVENUES	399,508	486,136	305,200	401,000	230,000
EXPENDITURES					
OPERATIONS					
Professional & Tech Services	-	-	10,000	10,000	10,000
Trfr to Debt Service	10,000	10,000	10,000	10,000	10,000
Appropriate to Fund Bal	387,723	416,091	-	48,700	80,000
TOTAL OPERATIONS	397,723	426,091	20,000	68,700	100,000
CAPITAL OUTLAY					
Pioneer Park	-	-	1,800	17,300	-
Pheasant Brook Park	-	-	151,800	151,800	-
Meadow Park Fieldstone	-	-	1,000	1,600	30,000
Hollow Park	1,785	10,599	1,800	17,300	-
Keenland Park	-	-	-	-	-
Anderson Farms Park	-	-	-	-	-
City Center Park	-	49,446	27,800	43,300	-
Lindon View Trailhead Park	-	-	-	-	-
Fryer Park	-	-	101,000	101,000	100,000
TOTAL CAPITAL OUTLAY	1,785	60,045	285,200	332,300	130,000
TOTAL PARKS CIP EXPENDITURES	399,508	486,136	305,200	401,000	230,000

WATER FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
REVENUES					
Interest Earnings	2,785	5,884	2,500	9,000	6,000
Culinary Water Impact Fees	149,136	207,857	120,000	140,000	70,000
Interest, PTIF Cul Impact Fees	7,370	13,568	12,000	12,000	8,000
Hydrant Meter & Water Usage	8,078	23,343	15,000	15,000	10,000
Metered Water User Fees	1,830,978	1,996,828	2,180,000	2,180,000	2,376,200
Secondary Water User Fees	402,947	411,921	418,200	418,200	418,000
Water Line Inspection Fee	3,895	7,450	5,000	6,300	2,100
Water Main Line Assessment	55,794	36,858	10,000	10,000	5,000
Meter Installation, Bldg Permt	38,910	65,345	30,000	46,500	20,000
Utility Application Fee	1,810	1,660	1,600	1,300	1,200
Utility Collection Fees	48,257	45,798	45,000	31,900	30,000
Secondary Water Share Rentals	-	-	-	-	-
Fee in Lieu of Water Stock	171,570	272,895	-	-	-
Federal Capital Grant Proceeds	-	-	300,000	300,000	-
Contributions from development	1,411,617	28,390	-	-	-
Water shares received	155,230	208,971	-	-	-
Sundry Revenue	33,648	13,648	-	-	-
Funds from Other Entities	-	-	-	-	-
Use of Impact Fees	-	-	-	-	122,000
Use of Fund Balance	-	-	-	-	-
TOTAL WATER FUND REVENUES	4,322,025	3,340,417	3,139,300	3,170,200	3,068,500
EXPENDITURES					
PERSONNEL					
Salaries & Wages	182,585	206,807	181,700	194,200	21,300
Salaries & Wages - Overtime	5,839	13,530	-	-	-
Salaries - Temp Employees	136	-	4,000	4,000	5,000
Benefits - FICA	14,099	19,436	14,210	15,170	16,500
Benefits - LTD	939	848	900	900	900
Benefits - Life	501	508	400	400	400
Benefits - Insurance Allowance	35,910	43,023	49,500	49,500	75,700
Benefits - Retirement	36,582	40,192	37,750	40,435	41,000
Benefit Expense	(53,834)	(39,083)	-	-	-
Actuarial Calc'd Pension Exp	64,688	46,467	-	-	-
Benefits - Workers Comp.	3,464	4,163	3,550	3,785	4,100
TOTAL PERSONNEL	290,910	335,892	292,010	308,390	164,900
OPERATIONS					
Membership Dues & Subscriptions	1,110	1,255	1,200	1,200	1,200
Uniform Expense	762	744	760	760	760
Travel & Training	1,907	1,603	2,800	2,000	2,000
Office Supplies	21,399	23,581	20,000	20,000	20,000
Operating Supplies & Maint	82,772	79,104	80,000	90,000	100,000
Miscellaneous Expense	40	-	200	200	200
Utilities	222,960	194,476	250,000	250,000	250,000
Telephone	1,444	1,680	2,500	2,500	2,500
Gasoline	8,132	7,808	8,000	8,000	8,000
Professional & Tech Services	100,325	110,288	120,000	30,000	120,000
Services - Impact Fees	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-
Special Dept Supplies	48,505	59,879	80,000	80,000	80,000
Insurance	11,853	13,109	14,000	14,000	14,000
Equipment Rental	3,831	1,785	3,000	3,500	3,500
Other Services	3,189	4,997	15,000	8,000	10,000
CUP/Alpine Reach Watr Carriage	-	-	12,000	2,300	5,000
Claims Settlement/Expense	-	-	-	-	-
CUP/Bonneville OM&R	38,191	41,490	42,000	48,000	50,000
Purchase of Equipment	465	2,078	5,000	8,245	20,000
CUWCD Power Loss Charge	-	4,648	5,000	6,055	5,000
Water Stock Assessment	89,057	102,690	105,000	112,000	115,000
Depreciation	392,808	432,595	-	-	-
CUP Water Principal	54,997	56,769	58,598	58,598	60,486
CUP Water Interest	86,669	84,897	83,806	83,806	81,918
700 N Water Bond Interest	3,717	4,919	-	-	-
700 N Water Bond Principal	10,831	88,286	-	-	-
Close Out to Balance Sheet	(431,514)	(646,988)	-	-	-
Admin Costs to General Fund	266,787	265,100	207,856	207,856	223,536

WATER FUND

	<u>2017-2018 Actual</u>	<u>2018-2019 Actual</u>	<u>2019-2020 Original Budget</u>	<u>2019-2020 Amended Budget</u>	<u>2020-2021 Budget</u>
P.W. Admin Costs to Gen. Fund	146,548	124,865	194,118	194,118	165,465
Appropriate to Impact Fee Bal	-	-	132,000	152,000	-
Appropriate to Fund Balance	2,498,644	1,440,937	382,452	515,172	425,035
TOTAL OPERATIONS	<u>3,665,429</u>	<u>2,502,592</u>	<u>1,825,290</u>	<u>1,898,310</u>	<u>1,763,600</u>
CAPITAL OUTLAY					
Improvements Other than Bldgs	-	-	-	-	-
Purchase of Capital Asset	25,546	-	-	-	-
Well Reconstruction	54,178	30,555	50,000	30,000	550,000
North Union Canal Piping	-	37,577	582,000	873,500	-
Special Projects	285,962	433,801	390,000	60,000	390,000
Impact Fee Projects	-	-	-	-	200,000
TOTAL CAPITAL OUTLAY	<u>365,686</u>	<u>501,933</u>	<u>1,022,000</u>	<u>963,500</u>	<u>1,140,000</u>
TOTAL WATER FUND EXPENDITURES	<u>4,322,025</u>	<u>3,340,417</u>	<u>3,139,300</u>	<u>3,170,200</u>	<u>3,068,500</u>

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SEWER FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
REVENUES					
Sewer Charges	1,773,733	1,508,923	1,647,360	1,647,360	1,713,300
Interest Earnings	17,994	23,034	20,000	13,000	8,500
Sundry Revenue	67,583	11,052	-	-	-
Sewer Line Inspection Fee	3,895	9,787	9,000	6,300	2,100
Sewer Impact Fee	100,629	184,729	90,000	98,000	40,000
Interest PTIF Sewer Impact Fee	131	4	-	-	-
Sewer Assessment	53,655	54,575	20,000	20,800	20,800
Bond Proceeds	1,262,000	-	-	-	-
Contributions from development	600,452	6,725	-	-	-
Use of Impact Fees	236,442	240,011	-	-	-
Use of Fund Balance	-	-	21,966	-	160,543
TOTAL SEWER FUND REVENUES	4,116,513	2,038,840	1,808,326	1,785,460	1,945,243
EXPENDITURES					
PERSONNEL					
Salaries & Wages	153,257	120,193	168,500	155,000	167,500
Salaries & Wages - Overtime	108	111	-	-	-
Salaries - Temp Employees	136	-	4,000	4,000	5,000
Benefits - FICA	11,968	10,390	13,200	12,170	13,250
Benefits - LTD	807	629	850	850	750
Benefits - Life	421	290	400	400	250
Benefits - Insurance Allowance	26,619	13,444	32,500	21,800	47,700
Benefits - Retirement	30,040	26,555	34,250	30,000	33,700
Benefit Expense	(47,795)	(25,822)	-	-	-
Actuarial Calc'd Pension Exp	53,120	30,700	-	-	-
Benefits - Workers Comp.	2,941	2,103	3,250	3,000	3,200
TOTAL PERSONNEL	231,623	178,592	256,950	227,220	271,350
OPERATIONS					
Membership Dues & Subscriptions	1,105	1,059	1,000	1,000	1,000
Uniform Expense	580	396	570	570	570
Travel & Training	1,412	440	3,200	650	1,500
Office Supplies	1,037	609	1,000	1,000	1,000
Operating Supplies & Maint	34,827	29,868	40,000	40,000	40,000
Miscellaneous Expense	99	-	200	200	200
Utilities	27,843	30,541	30,000	30,000	35,000
Telephone	894	1,034	1,500	1,500	1,700
Gasoline	5,940	2,945	8,000	6,000	6,000
Professional & Tech Services	124,713	36,677	75,000	15,000	75,000
Services - Impact Fees	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-
Special Dept Supplies	10,167	746	-	-	-
Insurance	8,464	8,481	8,500	9,000	9,000
Orem City Sewage Collection	464,930	475,143	520,000	520,000	520,000
Equipment Rental	1,907	1,583	3,000	3,000	3,500
Other Services	3,971	5,708	61,000	15,000	65,000
Sewer Backup Claims	-	-	-	-	-
Purchase of Equipment	465	2,968	1,000	5,100	1,000
Depreciation	542,720	559,679	-	-	-
Orem Swr Plant Expansn Princpl	125,977	125,977	125,977	125,977	125,977
Geneva Rd Proj. Bond Principal	136,000	140,000	143,000	143,000	147,000
Geneva Rd Proj Bond Interest	56,275	52,875	49,375	49,375	45,800
2017 Sewer Bond Principal	-	68,000	70,000	70,000	72,000
2017 Sewer Bond Interest	18,949	37,891	33,147	33,147	31,117
Close Out to Balance Sheet	113,198	(732,674)	-	-	-
Admin Costs to General Fund	223,768	174,240	131,789	131,789	137,064
P.W. Admin Costs to Gen. Fund	146,548	124,865	194,118	194,118	165,465
Appropriate to Impact Fee Bal	-	-	-	-	-
Appropriate to Fund Balance	931,078	297,301	-	127,814	-
TOTAL OPERATIONS	2,982,866	1,446,352	1,501,376	1,523,240	1,484,893
CAPITAL OUTLAY					
Purchase of Capital Asset	-	27,428	-	-	89,000
Special Projects	902,024	386,468	-	35,000	100,000
Infiltration Elimination	-	-	50,000	-	-
Impact Fee Projects	-	-	-	-	-
TOTAL CAPITAL OUTLAY	902,024	413,896	50,000	35,000	189,000
TOTAL SEWER FUND EXPENDITURES	4,116,513	2,038,840	1,808,326	1,785,460	1,945,243

SOLID WASTE COLLECTION FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
REVENUES					
Waste Collection Fees	371,753	425,641	450,000	450,000	463,500
Recycling Collection Fees	43,718	54,118	60,000	60,000	61,800
Use of Fund Balance	36,178	9,195	550	3,400	2,812
TOTAL SOLID WASTE REVENUES	451,649	488,955	510,550	513,400	528,112
EXPENDITURES					
Other Supplies & Services	746	-	-	-	-
Republic Collection Fees	231,787	232,306	239,850	244,000	251,300
Landfill	136,754	141,763	143,500	140,000	144,200
Republic Recycling Charges	49,195	75,924	82,800	85,000	87,600
North Pointe Punch Passes	7,632	7,123	8,000	8,000	8,000
City Wide Cleanup	6,992	12,947	14,000	14,000	14,000
Bad Debt Expense	-	-	-	-	-
Other Services	2,303	952	2,000	2,000	2,000
Admin Costs to General Fund	16,240	17,940	20,400	20,400	21,012
Appropriate to Fund Balance	-	-	-	-	-
TOTAL SOLID WASTE EXPENDITURES	451,649	488,955	510,550	513,400	528,112

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**STORM WATER DRAINAGE
SYSTEM FUND**

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
REVENUES					
Storm Water Utility	799,344	920,072	1,030,000	1,030,000	1,163,900
Storm Water Impact Fee	124,858	207,429	95,000	75,000	50,000
Sundry Revenue	-	(35)	-	-	-
Grant Proceeds	-	-	-	-	-
Interest Earned	(138)	49	-	-	-
Ground Water Pumping Utility	-	2,556	10,200	16,000	16,000
Funds from Other Sources	-	-	-	-	-
Fixed Asset Disposal Gain/Loss	-	-	-	-	-
Contributions from development	469,185	53,698	-	-	-
Use of Fund Balance	-	-	-	-	-
TOTAL STORM WATER REVENUES	1,393,249	1,183,769	1,135,200	1,121,000	1,229,900
EXPENDITURES					
PERSONNEL					
Salaries & Wages	121,330	123,186	120,600	123,500	125,300
Salaries & Wages - Overtime	638	236	-	-	-
Salaries - Temp Employees	554	7,259	6,000	11,650	10,000
Benefits - FICA	9,327	10,212	9,700	10,340	10,380
Benefits - LTD	595	639	600	600	600
Benefits - Life	316	290	275	275	200
Benefits - Insurance Allowance	25,218	24,297	25,500	25,500	26,200
Benefits - Retirement	24,327	25,073	25,350	25,350	25,900
Benefit Expense	(44,111)	(24,381)	-	-	-
Actuarial Calc'd Pension Exp	43,016	28,987	-	-	-
Benefits - Workers Comp.	2,292	1,702	2,350	2,350	2,500
TOTAL PERSONNEL	183,501	197,500	190,375	199,565	201,080
OPERATIONS					
Membership Dues & Subscriptions	1,660	1,755	2,500	2,500	2,000
Uniform Expense	387	413	380	380	380
Travel & Training	810	1,503	1,900	500	1,500
Office Supplies	890	648	1,000	1,000	1,000
Operating Supplies & Maint	19,587	23,401	20,000	20,000	20,000
Miscellaneous Expense	40	-	200	200	200
Utilities	20,873	4,464	5,000	5,000	5,000
Telephone	890	1,559	2,000	1,200	1,200
Gasoline	9,112	7,720	8,000	8,000	8,000
Professional & Tech Services	29,564	54,629	45,000	100,000	50,000
Services - Impact Fees	54,085	108,515	15,000	15,000	5,000
Claims Settlement/Expense	472	716	2,900	2,900	-
Bad Debt Expense	-	-	-	-	-
Special Dept Supplies	(115)	34	2,000	2,000	2,000
Insurance	4,879	4,221	4,880	5,325	5,500
Equipment Rental	1,868	1,583	3,000	3,000	3,500
Other Services	3,817	3,801	4,000	4,000	6,000
Storm Water Mgmt Program	1,320	1,750	3,200	3,200	3,200
Purchase of Equipment	465	2,077	2,100	5,100	5,100
Depreciation	333,029	338,109	-	-	-
700N Storm Water Bond Interest	10,097	15,370	-	-	-
700N Storm Wtr Bond Principal	29,423	239,840	-	-	-
Street Sweeper Principal	40,585	41,677	-	-	-
Street Sweeper Interest	327	(765)	-	-	-
Close out to Balance Sheet	(121,589)	(290,868)	-	-	-
Admin Costs to General Fund	108,528	100,100	82,400	82,400	93,112
P.W. Admin Costs to Gen. Fund	146,548	124,865	194,118	194,118	165,465
Appropriate to Fund Balance	460,617	189,789	380,247	282,612	380,663
TOTAL OPERATIONS	1,158,167	976,908	779,825	738,435	758,820
CAPITAL OUTLAY					
Purchase of Capital Asset	-	-	-	-	-
Special Projects	51,581	9,361	165,000	183,000	270,000
Impact Fee Projects	-	-	-	-	-
TOTAL CAPITAL OUTLAY	51,581	9,361	165,000	183,000	270,000
TOTAL STORM WATER EXPENDITURES	1,393,249	1,183,769	1,135,200	1,121,000	1,229,900

RECREATION FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
REVENUES					
Interest Earnings	2,069	4,896	4,500	3,800	3,000
Daily Admission	211,065	208,670	225,000	180,000	200,000
Resident Season Pass	8,304	6,675	7,500	7,500	7,500
Flow Rider Daily Admission	39,262	32,986	37,000	28,000	30,000
Pool Punch Pass	70,414	73,073	72,000	50,000	70,000
Water Aerobics	-	106	-	1,100	500
Concessions	75,849	81,826	82,000	82,000	90,000
Merchandise	940	1,685	2,000	2,000	2,000
Swim Classes	51,732	40,500	51,000	25,000	35,000
Swim Team	27,572	19,366	27,650	-	18,000
Flow Rider Lessons	155	470	4,000	200	200
Private Pool Rentals	76,630	65,610	80,000	80,000	90,000
Party Room Rentals	2,310	2,123	1,800	1,800	1,800
FlowTour Event	-	-	-	-	-
Recreation Center Classes	13,267	14,961	16,000	10,230	16,000
Special Event Revenue	-	1,760	2,000	-	-
Recreation Sports Fees	62,438	58,932	65,000	20,000	55,000
Lindon Days Revenue	35,357	37,787	38,000	29,710	25,000
Till Adjustments	(735)	(112)	-	-	-
Community Center Donations	1,245	864	500	500	500
MAG Senior Lunch Donations	9,472	12,220	10,000	10,000	10,000
Community Center Rental	48,565	33,078	35,000	28,000	35,000
Grant Proceeds	5,000	5,000	5,800	5,475	5,800
Capital Contrib from Gen Fd	840,918	-	-	-	-
Sundry Revenue	1,632	-	-	-	-
Transfer from PARC Tax Fund	217,250	136,962	235,000	310,000	210,000
Transfer from RDA	-	-	150,000	-	-
Trfr from GF-Aquatic Ctr Bond	589,050	548,550	552,900	552,900	553,375
Transfer from General Fund	170,000	300,000	200,000	300,000	500,000
Use of Fund Balance	-	-	319,905	364,775	11,525
TOTAL RECREATION FUND REVENUES	2,559,760	1,687,988	2,224,555	2,092,990	1,970,200
DEPT: AQUATICS FACILITY					
PERSONNEL					
Salaries & Wages	26,170	36,534	59,100	59,100	61,500
Salaries & Wages - Overtime	-	-	-	-	-
Salaries - Seasonal Help	290,412	288,264	344,000	370,000	404,000
Benefits - FICA	24,433	24,847	30,840	32,840	35,610
Benefits - LTD	160	202	290	290	280
Benefits - Life	53	59	150	150	100
Benefits - Insurance Allowance	6,405	6,138	11,200	11,200	11,600
Benefits - Retirement	6,143	7,513	12,100	12,100	12,500
Benefit Expense	-	-	-	-	-
Actuarial Calc'd Pension Exp	-	-	-	-	-
Benefits - Workers Comp.	5,029	1,138	7,600	7,600	8,750
TOTAL PERSONNEL	358,805	364,695	465,280	493,280	534,340
OPERATIONS					
Membership Dues & Subscriptions	2,801	5,696	5,000	5,000	7,500
Uniform Expense	2,267	5,998	5,500	5,500	8,500
Travel & Training	623	1,548	4,000	1,160	1,000
Licenses & Fees	3,976	8,303	6,500	6,500	6,500
Office Supplies	4,569	2,208	2,000	2,600	3,000
Operating Supplies & Maint	51,811	65,677	57,000	57,000	57,000
Parts and Supplies	-	-	1,000	-	-
Miscellaneous Expense	9,515	4,545	5,000	1,000	1,000
Concessions Expenses	41,294	48,670	55,000	55,000	65,000
Utilities	49,793	33,059	52,000	52,000	52,000
Telephone	445	710	1,300	1,300	1,300
Gasoline	36	435	200	1,000	1,000
Professional & Tech Svcs	11,244	10,364	10,000	14,375	-
Aquatics Ctr. Program Expenses	-	-	-	5,000	5,000
Insurance	8,564	7,981	9,600	9,600	9,600
Other Services	6,089	21,378	21,000	4,000	5,000
Purchase of Equipment	2,422	2,741	1,000	1,000	10,000
TOTAL OPERATIONS	195,450	219,316	236,100	222,035	233,400

RECREATION FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
CAPITAL OUTLAY					
Improvements	122,585	73,611	335,000	185,000	105,000
Purchase of Capital Asset	-	9,799	-	14,105	-
TOTAL CAPITAL OUTLAY	122,585	83,410	335,000	199,105	105,000
TOTAL AQUATICS FACILITY	676,840	667,421	1,036,380	914,420	872,740
DEPT: COMMUNITY CENTER					
PERSONNEL					
Salaries & Wages	138,159	152,787	170,200	170,200	175,310
Salaries - Temp Employees	9,653	12,546	14,000	14,000	14,000
Benefits - FICA	11,353	12,602	14,100	14,100	14,520
Benefits - LTD	417	418	650	650	650
Benefits - Life	194	177	275	275	275
Benefits - Insurance Allowance	14,261	13,592	15,900	15,900	16,380
Benefits - Retirement	15,375	16,285	19,550	19,550	20,140
Benefit Expense	(30,256)	(23,141)	-	-	-
Actuarial Calc'd Pension Exp	38,051	27,514	-	-	-
Benefits - Workers Comp.	2,787	2,215	3,500	3,500	3,610
TOTAL PERSONNEL	199,995	214,996	238,175	238,175	244,885
OPERATIONS					
Membership Dues & Subscriptions	1,001	1,240	1,000	1,000	1,000
Uniform Expense	731	186	700	700	500
Recreation Uniforms	13,415	12,668	16,000	15,000	16,000
Travel & Training	1,550	4,677	5,000	2,105	2,500
Licenses & Fees	622	-	600	600	2,000
Office Supplies	2,270	2,780	2,500	2,500	2,500
Operating Supplies & Maint	16,803	22,267	15,000	15,000	15,000
Parts and Supplies	-	-	1,500	1,500	3,000
Miscellaneous Expense	395	783	1,000	500	500
Concessions Expenses	-	-	600	-	-
Utilities	12,529	18,537	17,500	17,500	17,500
Telephone	1,493	983	2,500	2,500	2,500
Gasoline	1,636	1,907	1,500	1,500	1,500
Professional & Tech Svcs	5,200	4,392	13,500	10,000	6,500
Recreation Program Expenses	20,250	20,040	30,000	30,000	20,000
Comm. Ctr. Program Expenses	5,647	4,560	9,500	3,500	13,000
Senior Ctr. Program Expenses	5,676	6,462	5,500	5,500	8,000
Lindon Days	52,894	63,606	50,000	56,440	55,000
Other Community Events	6,674	11,514	13,000	8,100	15,000
Insurance	6,403	6,352	7,200	6,800	7,200
Other Services	14,097	25,645	23,000	15,000	5,000
Purchase of Equipment	13,182	2,999	20,000	20,000	-
TOTAL OPERATIONS	182,467	211,599	237,100	215,745	194,200
CAPITAL OUTLAY					
Building Improvements	11,715	49,265	75,000	75,000	20,000
Purchase of Capital Asset	-	10,000	-	11,750	-
TOTAL CAPITAL OUTLAY	11,715	59,265	75,000	86,750	20,000
TOTAL COMMUNITY CENTER	394,176	485,861	550,275	540,670	459,085
NON-DEPARTMENTAL					
OPERATIONS					
Depreciation Expense	317,067	322,433	-	-	-
2008 Aquatics Center Principal	310,000	320,000	-	-	-
2008 Aquatics Center Interest	19,000	6,400	-	-	-
Aquatic Ctr Paying Agent Fees	1,900	2,000	-	-	-
2015 Refunding Principal	40,000	40,000	375,000	375,000	385,000
2015 Refunding Interest	265,883	264,283	261,300	261,300	251,775
2015 Refunding Agent Fees	1,600	1,600	1,600	1,600	1,600
COI Amortization	(2,511)	-	-	-	-
Premium Amortizatn Series 2015	(33,734)	(33,734)	-	-	-
Loss Amortization Series 2015	42,224	42,224	-	-	-
Close Out to Balance Sheet	(484,300)	(502,675)	-	-	-
Appropriate to Fund Balance	1,011,615	72,176	-	-	-
TOTAL OPERATIONS	1,488,744	534,707	637,900	637,900	638,375
TOTAL NON-DEPARTMENTAL	1,488,744	534,707	637,900	637,900	638,375
TOTAL RECREATION FUND EXPENDITURES	2,559,760	1,687,988	2,224,555	2,092,990	1,970,200

TELECOMMUNICATIONS FUND

	2017-2018 Actual	2018-2019 Actual	2019-2020 Original Budget	2019-2020 Amended Budget	2020-2021 Budget
REVENUES					
Customer Connction Fee	45,055	57,067	54,000	54,000	50,000
Contributions from development	21,204	2,872	-	-	-
Sundry Revenue	-	-	-	-	-
Use of Fund Balance	-	-	-	-	-
TOTAL TELECOMMUNICATIONS REVENUES	<u>66,259</u>	<u>59,939</u>	<u>54,000</u>	<u>54,000</u>	<u>50,000</u>
EXPENDITURES					
UTOPIA Customer Services	42,749	49,495	51,300	51,300	47,500
Depreciation	6,428	7,488	-	-	-
Admin Costs to General Fund	2,700	2,700	2,700	2,700	2,500
Appropriate to Fund Balance	14,383	256	-	-	-
TOTAL TELECOMMUNICATIONS EXPENDITURES	<u>66,259</u>	<u>59,939</u>	<u>54,000</u>	<u>54,000</u>	<u>50,000</u>

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SUMMARY OF CHANGES IN FUND BALANCES

	Governmental Funds						Proprietary Funds						Total All Funds
	General	RDA	PARC Tax	Roads CIP	Parks CIP	Debt Svc	Water	Sewer	Garbage	Storm	Recreation	Telecomm.	
Beginning Balances	2,334,996	1,167,362	490,464	4,262,075	1,450,455	-	7,530,436	2,807,210	38,267	1,274,094	155,393	17,864	21,528,615
Revenues													
Program revenues													
Charges for services	1,833,419						2,794,200	1,713,300	525,300	1,163,900	689,000	50,000	8,769,119
Impact Fees	23,000			5,000	220,000		78,000	40,000		50,000			416,000
Grants and contributions	18,200										6,300		24,500
General revenues													
Property taxes	2,177,500												2,177,500
Sales tax	3,361,500												3,361,500
Other taxes	1,487,000	120,000	510,000	740,000									2,857,000
Other	1,614,720	13,750	10,000	12,000	-		74,300	31,400		16,000		-	1,772,170
Total revenues	10,515,339	133,750	520,000	757,000	220,000	-	2,946,500	1,784,700	525,300	1,229,900	695,300	50,000	19,377,789
Transfers In	-	-	-	-	10,000	646,113	-	-	-	-	1,263,375	-	1,919,488
Expenses													
General government	3,399,515	34,400											3,433,915
Public safety	4,786,933												4,786,933
Streets	421,360			411,000									832,360
Parks and recreation	514,600		281,900										796,500
Capital projects	-	-		2,100,000	140,000								2,240,000
Debt Service	-					646,113							646,113
Water							2,643,465						2,643,465
Sewer								1,945,243					1,945,243
Solid Waste									528,112				528,112
Storm Water Drainage	-									849,237			849,237
Recreation Fund											1,970,200		1,970,200
Telecomm. Fund												50,000	50,000
Total expenses	9,122,408	34,400	281,900	2,511,000	140,000	646,113	2,643,465	1,945,243	528,112	849,237	1,970,200	50,000	20,722,078
Transfers Out	1,689,488	-	220,000	-	10,000	-	-	-	-	-	-	-	1,919,488
Ending Balances	2,038,439	1,266,712	508,564	2,508,075	1,530,455	-	7,833,471	2,646,667	35,455	1,654,757	143,868	17,864	20,184,326
Percent Change	-12.7%	8.5%	3.7%	-41.2%	5.5%	0.0%	4.0%	-5.7%	-7.3%	29.9%	-7.4%	0.0%	-6.2%

GENERAL FUND:

	Fund Bal.	% of Rev.
6/30/2020	2,334,996	23.62%
6/30/2021	2,038,439	24.27%

GENERAL FUND LIMITS:

ending max	2,099,705	25.0%
ending min	419,941	5.0%

Example General Fund Balance Levels based on projected revenues for:

	2019-2020	2020-2021
25%	2,471,175	2,099,705
24%	2,372,328	2,015,717
22%	2,174,634	1,847,740
20%	1,976,940	1,679,764
18%	1,779,246	1,511,788

Date printed: 4/28/2020

- 9. Review & Action — Ordinance #2020-7-O;** Ordinance amendment to Title 17.62 Flood Damage Prevention ordinance and adopting pending FEMA Flood Insurance Study and Flood Insurance Rate Maps. (25 minutes)

See attached materials from the Planning Department.

Sample Motion: I move to (approve, deny, continue) Ordinance #2020-7-O (as presented, or with changes).

Ordinance Amendment - Flood Damage Prevention

Date: May 4, 2020

Applicant: Lindon City

Presenting Staff: Michael Florence

Type of Decision: Legislative

Council Action Required: Yes, the planning commission gave a unanimous recommendation of approval

Motion

I move to (*approve, deny, or continue*) ordinance amendment 2020-7-O (*as presented, or with changes*).

Overview:

The National Flood Insurance Program (NFIP) is a voluntary program that Cities elect to participate in and is administered by the Federal Emergency Management Agency (FEMA). According the NFIP website: “the NFIP program aims to reduce the impact of flooding on private and public structures. It does so by providing affordable insurance to property owners, renters and businesses and by encouraging communities to adopt and enforce floodplain management regulations. These efforts help mitigate the effects of flooding on new and improved structures. Overall, the program reduces the socio-economic impact of disasters by promoting the purchase and retention of general risk insurance, but also of flood insurance, specifically.” (<https://www.fema.gov/national-flood-insurance-program>)

FEMA has recently updated their Flood Insurance Study and Flood Insurance Rate Map for Utah County and incorporated areas, such as Lindon. The study and maps become effective on June 19, 2020. Before this date and to remain in the NFIP program, Lindon City is required to update its Flood Damage Prevention ordinance to meet the minimum program requirements and recognize the newest studies and maps published by FEMA. This ordinance affects only those locations in Special Flood Hazard Areas or areas that the Lindon or another agency has studied and know of potential flooding risks.

General Pan: The Lindon City General Plan states the city should update existing floodplain ordinances and building requirements to be consistent with current Federal Emergency Management Agency standards and best floodplain management principles. Efforts to exceed minimum National Flood Insurance Program requirements, therefore lowering flood insurance for Lindon residents, should be pursued

The Utah Division of Emergency Management provided two model ordinances for communities to follow. One ordinance was similar to Lindon’s current minimum standards ordinance and the other was a higher standard ordinance. As the city planning director and engineer evaluated the two ordinances, they felt like the higher standards ordinance provided a better review process, provided more definitions, and suggested design standards that should be considered when building structures in a Special Flood Hazard Area. Many sections of the ordinance are “boiler plate” and are required. However, the city council should specifically review the higher standards section found in 17.62.270. These are standards that go above what is required but city staff felt like they should be included in the ordinance. City staff did not include all of the higher standards in the model ordinance, only those that could be reasonably applied to Lindon’s specific circumstances.

The ordinance update adds the below new sections to the code required by FEMA:

- Stop work order process for a property owner who builds in a floodplain without obtaining a Floodplain Development Permit; See 17.62.160
- Penalties section for constructing, locating, extending, converting or altering a building in the floodplain without obtaining a Floodplain Development Permit; See 17.62.170
- Perquisite requirements for when the Board of Adjustment can grant a variance. See 17.62.220
- Requiring notice to adjacent communities, Utah Division of Water Resources, and FEMA prior to altering or relocating a watercourse that requires a State of Utah permit; See 17.62.240
- New manufactured homes are required to be installed using methods and practices that minimize flood

- damage and sets forth minimum construction requirements. See 17.62.270(7)
- Recreational vehicles being used for habitation can only be onsite for two weeks within a six-month period. This is consistent with Lindon City Code 17.64.020. See 17.62.270 (8)
- An enclosure is an enclosed walled-in area below the lowest floor of an elevated building and are used for building access, parking and storage. An example would be a parking garage. See 17.62.207(9)
- Shallow flooding areas are locations with one to three feet of flooding where a known channel doesn't exist and that are unpredictable. The ordinance requires specific construction requirements for Flood Zones AO and AH. Lindon City currently does not have these two zones. However, City staff felt that if FEMA ever adopted these zones in the City then Lindon would already be prepared with ordinance. See 17.62.280

The Utah Division of Emergency Management has recommended that Utah communities consider adopting a number of “higher standards” than what is typically required by the Flood Damage Prevention ordinance. Below is a list of those recommendations:

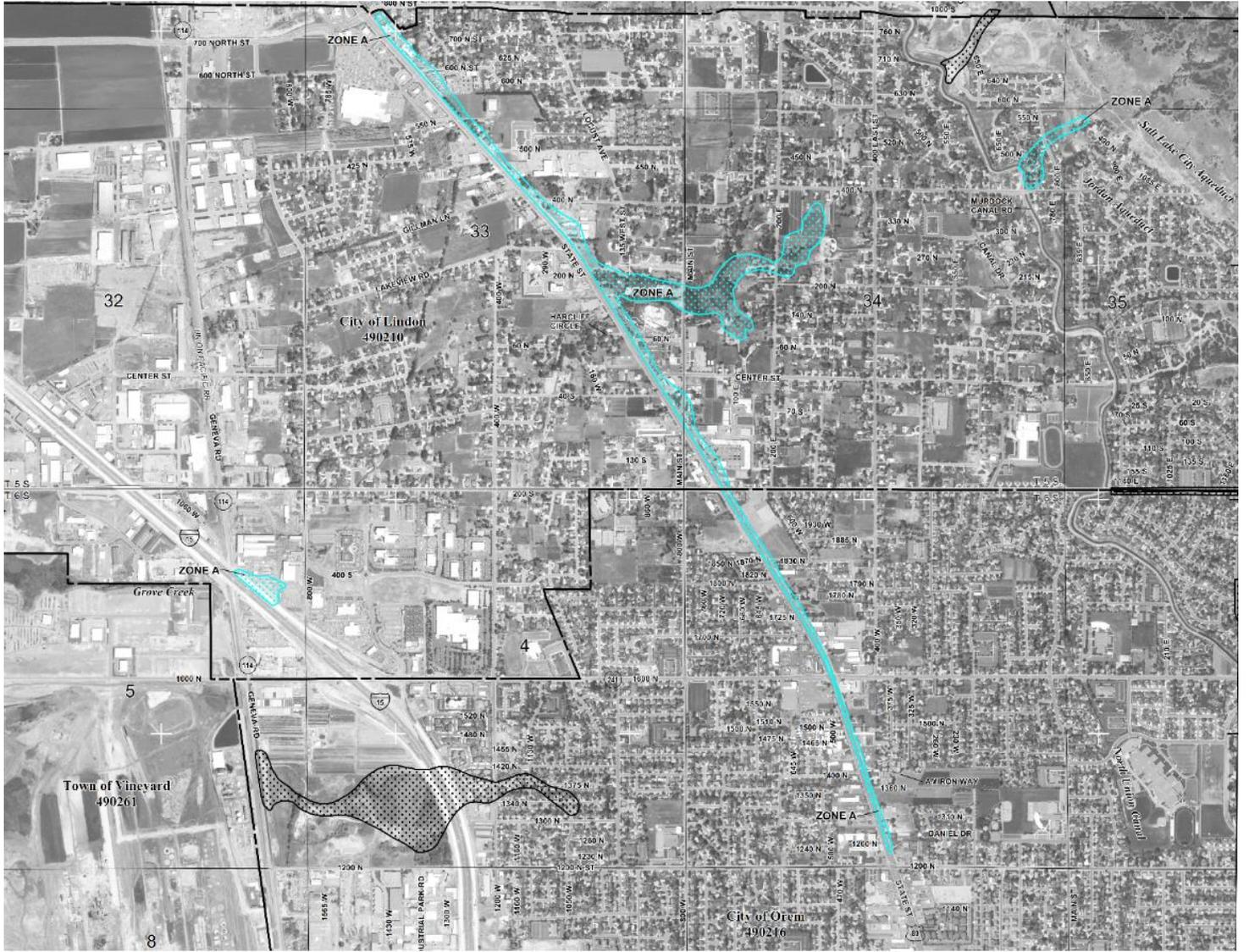
- 17.62.040 add additional definitions which makes the code easier to use in order to find how a term in the ordinance is defined. Staff have reviewed each of definitions in the ordinance update.
- Best Available Data is existing flood data information that the community has that may not be on the Flood Insurance Rate Map. These are areas that have been studied by other agencies, the State or Community and are known to be flood hazard areas. The higher standard allows communities to apply the Flood Damage Prevention ordinance to these areas. See 17.62.040 and 17.62.060;
- Freeboard is a factor of safety that is expressed in feet above the flood level. For example, in ordinance 17.62.270 city staff are recommending a one-foot freeboard requirement above the Base Flood Elevation. The Utah Division of Emergency Management recommends, at a minimum, the City adopt the one-foot Freeboard Requirement among all of the higher standards;
- 17.62.070 states that land annexed into Lindon would be regulated by the City's floodplain ordinance;
- 17.62.190 adds to the responsibilities of the floodplain administrator with the following requirements.
 - Sections 11 and 12 don't apply unless FEMA designates floodplain zones A-30, AE or AH. Staff feels like these sections should be added through in case FEMA ever does come back and designate these areas in Lindon;
 - Section 13 allows the floodplain administrator to require an encroachment analysis when a floodway has not been designated by FEMA but is reasonably believed to cause an adverse impact. The encroachment analysis will create a baseline of existing conditions and determine potential impacts;
 - Section 14 allows for inspections;
 - Section 15 allows for Best Available Data to be used if there is an area not designated on a floodplain map and has been studied that there are floodplain issues;
 - Section 16 allows the floodplain administrator to require FEMA map revisions if a project is reasonably believed to cause adverse impacts;
 - Section 17 if fill is placed in a Special Flood Hazard Area that it should not result in any net loss of natural floodplain storage or increase in water surface elevations during the base flood.
- 17.62.210 allows for the City to request floodplain elevation certificates during construction phases to ensure that structures are constructed to the correct elevation when built in a Special Flood Hazard Area;
- 17.62.220 does not allow for a variance to reduce the one-foot Freeboard requirement;
- 17.62.250 requires that if structures located in a Special Flood Hazard Area makes substantial improvements to a structure or a structure is damaged up to 50% of the market value then the structure needs to meet the Flood Damage Prevention ordinance. The thought in this is that if additions or repairs exceed 50% of the market value of the structure then it should be brought up to code. This would limit property owners from making significant additions to their home or restoring a home if damaged 50% or greater in a flood event;
- 17.62.270(3) – requires to the extent practicable that non-residential structures, walkways, driveways, and roadways be located not less than the Base Flood Elevation and with dry land access. This requirement ensures that property owners can safely leave their property and emergency personnel can access the property as well.;

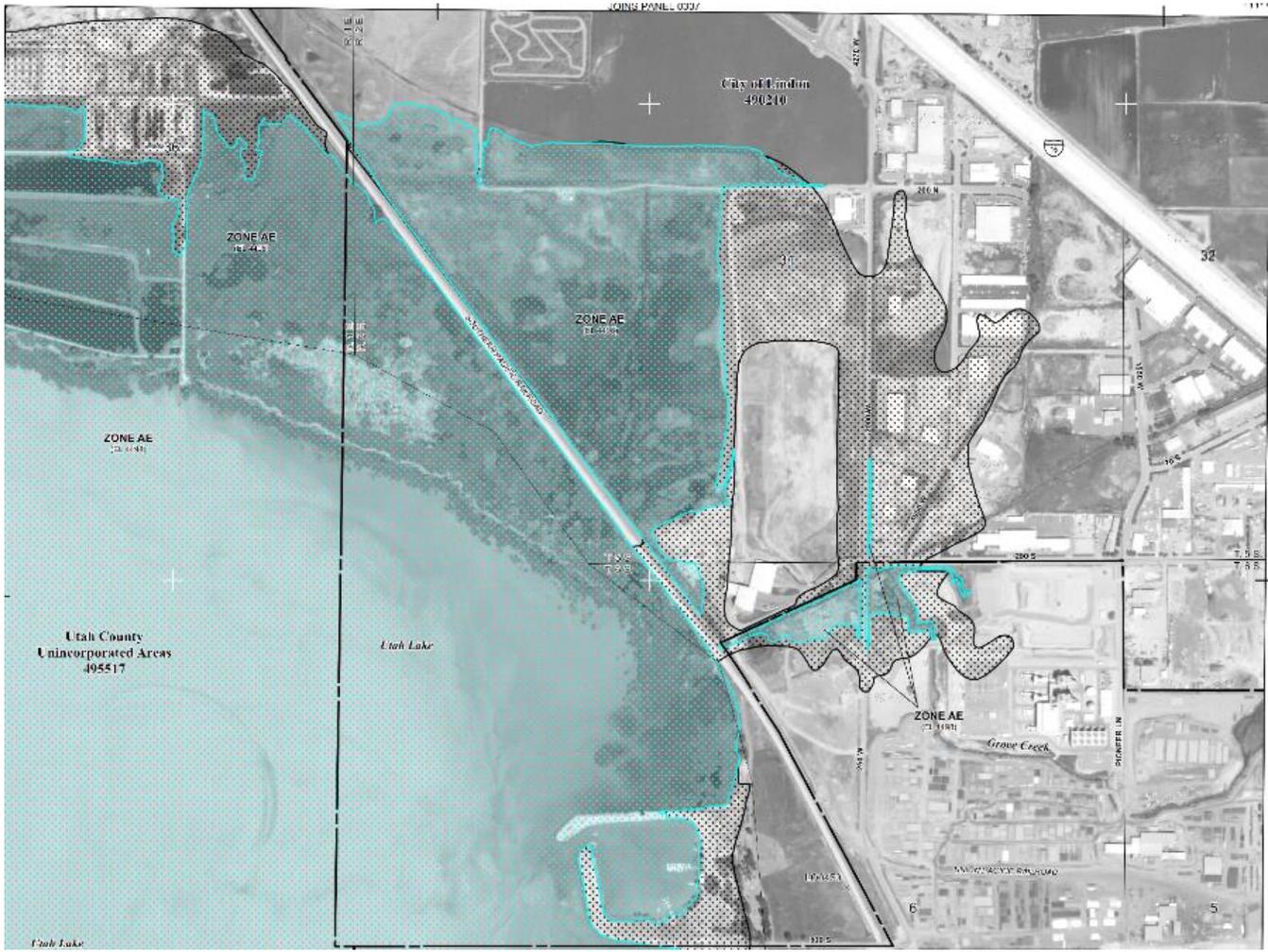
- 17.62.270(4) allows for wetproofing of commercial, industrial and non-residential structures. Wetproofing is a design of flood resistant materials and allows for automatic entry and exist of flood waters through the use of opening. Building also need to properly anchored to resist floatation;
- 17.62.270(5) requires an agreement with the city that if a structure is wetproofed it won't be later converted to residential use;
- 17.62.270(6) allows for a residential or commercial crawlspace if it meets FEMA regulations and standards set out in the ordinance;
- 17.62.270(10) sets requirements for accessory structures that are constructed in specific floodplain zones

Exhibits

Pending Flood Insurance Rate Map sections for Lindon City
 Draft Flood Damage Prevention Ordinance
 Draft Flood Damage Prevention Ordinance with "redline" changes







Ordinance No. 2020-7-O

AN ORDINANCE AMENDING CHAPTER 17.62 OF THE LINDON CITY CODE AMENDING THE FLOOD DAMAGE PREVENTION ORDINANCE AND ADOPTING PENDING FEMA FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS

WHEREAS, Lindon City's community officials have elected to join the program, participate, and enforce this Flood Damage Prevention Ordinance and the requirements and regulations of the National Flood Insurance Program; and

WHEREAS, The National Flood Insurance Program, established in the National Flood Insurance Act of 1968, provides that areas of the Lindon City having a special flood hazard be identified by Federal Emergency Management Agency, and that floodplain management measures be applied in such flood hazard areas; and

WHEREAS, The Federal Emergency Management Agency has a pending Flood Insurance Study and Flood Insurance Rate Maps that will be adopted June 19, 2020; and

WHEREAS, Lindon City elects to comply with the requirements of the National Flood Insurance Act of 1968; and

WHEREAS, the City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment is consistent with the goal of the General Plan to update existing floodplain ordinances and building requirements to be consistent with current Federal Emergency Management Agency standards and best floodplain management principles. Efforts to exceed minimum National Flood Insurance Program requirements, therefore lowering flood insurance for Lindon residents, should be pursued; and

WHEREAS, on April 28, 2020, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance and recommended that the Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on May 4, 2020, to consider the recommendation and the Council received and considered all public comments that were made therein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

SECTION I: Amendment. Amend Lindon City Code Section 17.62 as follows:

Chapter 17.62 FLOOD DAMAGE PREVENTION

Sections:

- 17.62.010 Statutory authorization.
- 17.62.020 Finding of Fact
- 17.62.030 Statement of Purpose
- 17.62.040 Definitions.
- 17.62.050 Methods of Reducing Flood Losses
- 17.62.060 Lands to which this Ordinance Applies
- 17.62.070 Annexation
- 17.62.080 Basis for Establishing the Areas of Special Flood Hazard
- 17.62.090 Use of Best Available Data
- 17.62.100 Severability
- 17.62.110 Compliance
- 17.62.120 Abrogation and Greater Restrictions.
- 17.62.130 Interpretation
- 17.62.140 Liability
- 17.62.150 Establishment of Floodplain Development Permit
- 17.62.160 Stop Work Order
- 17.62.170 Penalties for Non-Compliance
- 17.62.180 Designation of the Flood Plain Administrator
- 17.62.190 Duties and Responsibilities of the Floodplain Administrator
- 17.62.200 Requirements to Submit New Technical Data
- 17.62.210 Use of Elevation Certificates
- 17.62.220 Variance Procedures
- 17.62.230 Watercourse Alterations
- 17.62.240 General Standards
- 17.62.250 Substantial Improvement, Substantial Damage, and Determinations
- 17.62.260 Standards for Subdivision Proposals
- 17.62.270 Specific Standards
- 17.62.280 Standards for Areas of Shallow Flooding (AO/AH Zones)

17.62.010 Statutory authorization.

The Legislature of the State of Utah has in 10-3-701 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Lindon City Council of Lindon City, Utah, does ordain as follows:

The City of Lindon elects to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended). The National Flood Insurance Program (NFIP) is a voluntary program administered by the Federal Emergency Management Agency (FEMA), a component of the U.S. Department of Homeland Security, and Lindon City's community officials have elected

to join the program, participate, and enforce this Flood Damage Prevention Ordinance and the requirements and regulations of the NFIP. The NFIP, established in the aforesaid act, provides that areas of the Lindon City having a special flood hazard be identified by FEMA, and that floodplain management measures be applied in such flood hazard areas. Furthermore, Lindon City may elect to administer the Flood Damage Prevention Ordinance to areas not identified as Special Flood Hazard Areas (SFHAs) by FEMA on the community's effective Flood Insurance Rate Map (FIRM), if the community has documentation to support that there is an inherent risk of flooding in such areas.

17.62.020 Findings of Fact.

1. The flood hazard areas of Lindon City are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare of the inhabitants of Lindon City.

2. These potential flood losses are caused by:

1. The cumulative effect of obstructions in floodplains that are known to cause increases in flood heights and velocities;
2. The occupancy of flood hazard areas by structures vulnerable to floods because they are inadequately elevated or otherwise unprotected from flood damages; and
3. Uses deemed unsuitable for floodplain areas or that do not account for the increased flood risk.

17.62.030 Statement of Purpose.

It is the purpose of this ordinance to promote the public health, safety, and general welfare of the community, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize public expenditure on flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and are generally undertaken at the expense of the public;
4. Minimize prolonged business interruptions caused by flooding;
5. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; streets; and bridges located in areas of special flood hazard;
6. Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas;
7. Promote that potential buyers are notified if properties are a flood area;
Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
8. Minimize damage to public infrastructure, including but not limited to utilities, streets, and bridges that are susceptible to flooding; and

9. Protect and safeguard the welfare and safety of first responders should an emergency response be needed.

17.62.040 Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application. Where terms are not defined, definitions as most currently adopted by FEMA will be used.

“Accessory Structure” is a structure that is detached from a principal building and customarily incidental and subordinate to the principal building or use. An accessory structure is a non-residential structure of typically lesser value than the principal building or use and is used for the parking of vehicles and storage of tools, materials, or equipment.

“Addition” is any improvement that expands the enclosed footprint or increases the square footage of an existing structure. This includes lateral additions added to the side, front, or rear of a structure; vertical additions added on top of a structure; and enclosures added underneath a structure.

“Alluvial Fan Flooding” means flooding occurring on the surface of an alluvial fan or similar landform that originates at the apex. It is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

“Apex” means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

“Appurtenant Structure”—see Accessory Structure.

“Area of Future-Conditions Flood Hazard” means the land area that would be inundated by the 1-percent-annual-chance (100-year) flood, based on future-conditions hydrology.

“Area of Shallow Flooding” means a designated AO, AH, AR/AO, or AR/AH zone on a community's Flood Insurance Rate Map (FIRM) with a one (1) percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

“Area of Special Flood-Related Erosion Hazard” is the land within a community that is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area, in preparation for publication of the FIRM, Zone E may be further refined.

“Area of Special Flood-Related Erosion Hazard” is the land within a community that is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-

related erosion hazard area, in preparation for publication of the Flood Insurance Rate Map (FIRM), Zone E may be further refined.

“Area of Special Flood Hazard (SFHA)” is the land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the Flood Insurance Rate Map (FIRM), Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, or V1-30, VE, or V. For purposes of these regulations, the term “special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

“Base Flood” means the flood having a one percent (1%) chance of being equaled or exceeded in any given year.

“Base Flood Elevation (BFE)” is the water surface elevation of the 1-percent-annual-chance flood event. It is the height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. It is also the elevation shown on the FIRM and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1-percent chance of equaling or exceeding that level in any given year.

“Basement” means any area of the building having its floor subgrade (below ground level) on all sides..

“Best Available Data” is existing flood hazard information adopted by a community and reflected on an effective Flood Insurance Rate Map (FIRM), Flood Boundary and Floodplain Map (FBFM), and/or within an Flood Insurance Study (FIS) report; or draft or preliminary flood hazard information supplied by Federal Emergency Management Agency (FEMA) or from another source. Other sources may include, but are not limited to, state, other federal agencies, or local studies, the more restrictive of which would be reasonably used by the community. Refer to section 17.62.090

“Building” — see Structure.

“Channelization” means the artificial creation, enlargement, realignment, or alteration of a stream channel’s slope, shape, or alignment. Streambank restoration may be deemed as channelization.

“Crawlspace” means an under-floor space that has its interior floor area (finished or not) no more than 4 feet from the bottom floor joist the next higher floor elevation, designed with proper openings that equalize hydrostatic pressures of flood water, and is not used for habitation. Refer to section 17.62.270.

“Development” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving,

demolition, excavation or drilling operations, or storage either temporary or permanent of equipment or material.

“Elevated Building” is a non-basement building built, in the case of a building in Zone A1-30, AE, A, A99, AR, AO, AH, B, C, X and D, to have the top of the elevated floor above the ground level by means of pilings, columns (post and piers), or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of a building in Zone A1-30, AE, A, A99, AR, AO, AH, B, C, X and D, an “elevated building” also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

“Enclosure” refers to an enclosed walled-in area below the lowest floor of an elevated building. Enclosures below the BFE may only be used for building access, vehicle parking, and storage.

“Erosion” means the process of the gradual wearing away of land masses by wind, water, or other natural agents.

“Existing Construction” refers to structures for which the “start of construction” commenced before the effective date of the Flood Insurance Rate Map (FIRM) or before January 1, 1975, for FIRMs effective before that date. It may also be referred to as Existing Structures.

“Existing Manufactured Home Park or Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

“Existing Structures” — see Existing Construction.

“Expansion to an Existing Manufactured Home Park or Subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

“FEMA” means the Federal Emergency Management Agency.

“Fill” refers to the placement of materials, such as dirt, sand, or rock to elevate a structure, property, or portion of a property above the natural elevation of the site, regardless of where the material was obtained from. The common practice of removing unsuitable material and replacing with engineered material is not considered fill if the elevations are returned to the existing conditions. Any fill placed or used prior to the area being mapped as a flood hazard area is not deemed as fill.

“Flood” or “flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters; ~~and/or surface waters from any source.~~

- b. The unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Insurance Rate Map (FIRM)” means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

“Flood Insurance Study (FIS)” is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map (if applicable), Flood Insurance Rate Map and supporting technical data.

“Floodplain Development Permit” is a community issued permit or document that is used for any development that occurs within a Special Flood Hazard Area (SFHA) identified by Federal Emergency Management Agency (FEMA) or the community. It is used to address the proposed development to ensure compliance with the community’s ordinance.

“Floodplain or Flood-Prone Area” means any land area susceptible to being inundated by water from any source whether or not identified by Federal Emergency Management Agency (FEMA) (see definition of Flooding).

“Floodplain Management” means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, mitigation plans, and floodplain management regulations.

“Floodplain Management Regulations” means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for flood damage prevention and reduction.

“Flood Protection System” means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to an SFHA and to reduce the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized, flood modifying works are those constructed in conformance with sound engineering standards.

“Floodproofing” means any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

“Floodway” (Regulatory Floodway) means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

“Floodway Encroachment Lines” mean the lines marking the limits of floodways on federal, state, and local flood plain maps.

“Freeboard” means a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

“Functionally Dependent Use” means a development that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and repair facilities. It does not include long-term storage or related manufacturing facilities.

“Highest Adjacent Grade (HAG)” means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

“Historic Structure” means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic reservation programs that have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior in states without approved programs.

“Levee” means a man-made structure usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

“Levee System” means a flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

“Lowest Adjacent Grade (LAG)” means the lowest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. For an existing structure, it means the lowest point where the structure and ground touch, including but not limited to attached garages, decks, stairs, and basement windows.

“Lowest Floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

“Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle;” however, a manufactured home may be used for both residential and non-residential use.

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“Map” means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by Federal Emergency Management Agency (FEMA).

“Mean Sea Level” means, for purposes of the NFIP, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which BFEs shown on a community's FIRM are referenced.

“New Construction” means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

“New Manufactured Home Park or Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

“No-Rise Certifications” are formal certifications signed and stamped by a professional engineer licensed to practice in the state, demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that a proposed development will not result in any increase (0.00 feet) in flood levels within the community during the occurrence of a base flood event.

“Physical Map Revision (PMR)” is FEMA’s action whereby one or more map panels are physically revised and republished.

“Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, creek, etcetera, which can be intermittent or perennial.

“Special Flood Hazard Area (SFHA)” — see Area of Special Flood Hazard.

“Start of Construction” (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“Structure” means, for flood plain management purposes, a walled and roofed building, culvert, bridge, dam, or a gas or liquid storage tank that is principally above ground, as well as a manufactured home. Structure for insurance purposes mean:

1. A building with two or more outside rigid walls and a fully secured roof, which is affixed to a permanent site;
2. A manufactured home (“a manufactured home,” also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or
3. A travel trailer without wheels built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.

For insurance purposes, “structure” does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

“Substantial improvement” means any reconstruction, rehabilitation, addition, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. Refer to section 17.62.250

a. The term does not, however, include either:

- i. Any project for improvement of a structure to comply with correct existing violation of state or local health, sanitary, or safety code specifications that have been identified by

the local code enforcement official and are the minimum necessary to assure safe living conditions; or

- ii. Any alteration of a “historic structure,” if the alteration will not preclude the structure’s continued designation as a “historic structure.”

“Variance” means a grant of relief by a community from the terms of a flood plain management regulation. Reference: 17.62.220.

“Violation” means the failure of a structure or other development to be fully compliant with the community’s flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Sections 44 CFR 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

“Water Surface Elevation” means the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies, such as the 1-percent-annual-chance flood event, in the flood plains of coastal or riverine areas.

“Watercourse” means the channel and banks of an identifiable water in a creek, brook, stream, river, ditch or other similar feature.

17.62.050 Method of Reducing Flood Losses.

To accomplish the purposes outlined in 17.62.030 Statement of Purpose, this ordinance applies the following methods:

1. Restricts or prohibits land uses that are dangerous to health, safety, or property in times of flooding, cause excessive increases in flood heights or velocities;
2. Requires that land uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
3. Controls the alteration of natural flood plains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
4. Controls filling, grading, dredging, and other development that may increase flood damage; and
5. Prevents or regulates the construction of flood barriers that will unnaturally divert flood waters or may increase flood hazards to other areas. (Ord. 110 §1.4, amended, 1984)

17.62.060 Lands to which this Ordinance Applies.

This ordinance shall apply to all areas of special flood hazards identified by Federal Emergency Management Agency (FEMA) or, if elected in Section 17.62.090, Use of Best Available Data, areas identified and documented flood risk supported using Best Available Data within the Jurisdiction of Lindon City. (Ord. 110 §3.1, amended, 1984)

17.62.070 Annexation.

When the community annexes any land from a neighboring jurisdiction, Lindon City will manage and regulate the annexed land under this ordinance.

17.62.080 Basis for Establishing the Areas of Special Flood Hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled, “Flood Insurance Study for Utah County, Utah and Incorporated Areas”, dated June 19, 2020, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FMFM) and any revisions thereto are hereby automatically adopted by reference and declared to be a part of this ordinance. The Flood Insurance Rate Map and Flood Insurance Study (FIS) are on file at 100 N. State Street, Lindon, Utah. (Ord. 160 §12, amended, 1987)

17.62.090 Use of Best Available Data

The community has elected to adopt Best Available Data, defined in Section 17.62.060, Lands to Which this ordinance applies, to regulate floodplain development in addition to utilizing the effective Flood Insurance Rate Maps (FIRMs), Flood Insurance study (FIS), and/or Flood Boundary and Floodway Map (FBFM). Where Best Available Data contradicts the FIRMs, FIS, and/or the FBFM, the more restrictive data shall be utilized.

17.62.100 Severability

If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court, the remainder of the ordinance shall not be affected.

17.62.110 Compliance.

No structure or developments including buildings, recreational vehicles, or manufactured homes or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Nothing herein shall prevent the Lindon City Council from taking such lawful action as is necessary to prevent or remedy any violations. (Ord. 110 §3.3, amended, 1984)

17.62.120 Abrogation and greater restrictions.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 110 §3.4, amended, 1984)

17.62.130 Interpretation.

In the interpretation and application of this ordinance, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and

3. Deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. 110 §3.5, amended, 1984)

17.62.140 Warnings and Disclaimer or Liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes.

This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the city, or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder. (Ord. 160 §12, amended, 1987)

17.62.150 Establishment of Floodplain Development Permit.

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

Application for a Floodplain Development Permit shall be made on forms furnished by City and may include, but not be limited to:

1. Duplicated plans drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations;
 2. Duplicated plans drawn to scale showing the location, dimensions, and elevation of existing and proposed structures, including the placement of manufactured homes;
 3. Location of the foregoing in relation to SFHAs;
 4. Elevation (in relation to mean sea level), of the lowest floor (including basement and crawlspace) of all new and substantially improved structures, if applicable;
 5. Elevation (in relation to mean sea level), to which any nonresidential structure (if applicable) has been flood-proofed;
 6. A certificate from a registered professional engineer or architect that the nonresidential structure (if applicable) shall meet the flood-proofing criteria of this ordinance and the NFIP Regulations;
 7. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development, if applicable;
 8. At the community's discretion, the community may charge a fee for issuance of Floodplain Development Permits;
 9. Copies of all Floodplain Development Permits and the associated documents shall become property of the community and a permanent record.
- (Ord. 110 §4.1, amended, 1984)

Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

1. The danger to life and property due to flooding or erosion damage;

2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
3. The danger that materials may be swept onto other lands to the injury of others;
4. The compatibility of the proposed use with existing and anticipated development;
5. The safety of access to the property in times of flood for ordinary and emergency vehicles;
6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems;
7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
8. The necessity to the facility of a waterfront location, where applicable;
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
10. The relationship of the proposed use to the comprehensive plan for that area;

17.62.160 Stop Work Order.

1. Authority. Whenever the floodplain administrator or other community official discovers any work or activity regulated by this ordinance being performed in a manner contrary to the provision of this ordinance, the floodplain administrator is authorized to issue a stop work order.
2. Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
3. Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by local or state law including but not limited to the penalties outlined.

17.62.170 Penalties for Non-Compliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a Class C misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$200.00 in a residential zone and 400.00 in a commercial or industrial zone, for each violation assessed daily, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent Lindon City from taking such other lawful action as is necessary to prevent or remedy any violation.

17.62.180 Designation of the Flood Plain Administrator.

The Planning Director is hereby appointed the Flood Plain Administrator to administer and implement this ordinance and other appropriate sections of the National Flood Insurance Program (NFIP) regulations and 44 CFR pertaining to floodplain management. (Ord. 110 §4.2, amended, 1984)

17.62.190 Duties and Responsibilities of the Floodplain Administrator.

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following: (Ord. 110 §4.3, amended, 1984)

1. Uphold the goals of the community and the National Flood Insurance Program (NFIP) to reduce risk when possible and increase the community's resistance to future disasters.
2. Review, approve, or deny all applications for Floodplain Development Permits required by adoption of this ordinance.
3. Review all Flood Plain Development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.
4. Assure that the flood carry capacity with the altered or relocated portion of any watercourse is maintained.
5. Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance, including the actual elevation of the lowest floor (including basement or crawlspace) of all new or substantially improved structures and any floodproofing certificates, including the data supporting such certificates.
6. Maintain and hold open for public inspection maps that identify and locate the boundaries of the Special Flood Hazard Area's (SFHAs) to which this ordinance applies, including, but not limited to, the Flood Insurance Rate Map (FIRM).
7. Review development proposals to determine whether a proposed building site, including sites designed for the placement of manufactured homes, will be reasonably safe from flooding.
8. Ensure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334 and the Endangered Species Act of 1973) from which prior approval is required.
9. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Floodplain Administrator shall make the necessary interpretation.
10. When Base Flood Elevation (BFE) data has not been provided by Federal Emergency Management Agency (FEMA), the Floodplain Administrator shall obtain, review, and reasonably utilize any BFE data and floodway data available from a federal, state, or other source including data provided by the applicant, in order to administer the provisions of this ordinance.
11. When a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30, AE, and AH on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and

anticipated development, will not increase the water surface elevation of the base flood more than 0.50 foot at any point within the community unless the community has adopted higher standard options.

12. Under the provisions of 44 CFR Chapter 1, Section 65.12 of the NFIP Regulations, a community may approve certain development in Zones A1-30, AE, and AH on the community's FIRM, which increases the water surface elevation of the base flood by more than 0.50 foot, provided that the community first meets the requirements of Section 65.12 for a conditional FIRM revision through FEMA's Conditional Letter of Map Revision process.
13. **Zone A Areas:** When a regulatory floodway has not been designated and if the project is determined or reasonably believed to cause an adverse impact, the Floodplain Administrator may require new construction, substantial improvements, or other development (including fill, grading or excavation) permitted in a Zone A to have an encroachment analysis done prior to issuance of a Floodplain Development Permit. The encroachment analysis shall create a baseline of existing conditions model and compare it to the proposed conditions model to determine the potential impact of the project. Based on the findings, the floodplain administrator may require as a condition of the permit a Conditional Letter of Map Revision (CLOMR) to be submitted and approved prior to any work occurring and/or that a Letter of Map Revision (LOMR) be submitted to FEMA within 6 months of completion of the development.
14. May inspect development at appropriate times during the period of construction to ensure compliance with all provisions of this ordinance, including proper elevation of structures.
15. In addition to utilizing the effective Flood Insurance Rate Maps (FIRMs), Flood Insurance Study (FIS), Flood Boundary and Floodway Map (FBFM), permit reviews may utilize Best Available Data. See section 17.62.090.
16. If the project is determined or reasonably believed to cause an adverse effect on the BFE(s), boundaries of the floodplain or any insurable structures, technical justification for the proposed development shall be submitted and the community may require a CLOMR or LOMR to be submitted prior to the permit approval or as a requirement of the permit.
17. Fill placed within the Special Flood Hazard Area (SFHA) should not result in any net loss of natural floodplain storage or increase in water surface elevations during the base flood. The City may require that the volume of the loss of floodwater storage due to filling in the SFHA be offset by providing an equal volume of flood storage by excavation or other compensatory measures at or adjacent to the development site.

17.62.200 Requirement to Submit New Technical Data.

1. The property owner or developer shall notify Federal Emergency Management Agency (FEMA) by submittal of a Letter of Map Revision (LOMR) within 6 months of project completion when an applicant had obtained a Conditional Letter of Map Revision (CLOMR) from FEMA or when development altered a watercourse, modified floodplain boundaries, or modified Base Flood Elevation (BFE).
2. The property owner or developer shall be responsible for preparing technical data to support the CLOMR or LOMR application and paying any processing or application fees to FEMA. The property owner or developer is responsible for submitting the CLOMR

and LOMR to FEMA and shall provide all necessary data to FEMA if requested during the review process to ensure the CLOMR or LOMR is issued.

3. The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this ordinance and all applicable state federal, and local laws.

17.62.210 Use of Elevation Certificates.

Lindon City may require that the following Elevations Certificates be completed for any new residential or non-residential building construction within the Special Flood Hazard Area (SFHA):

1. Proposed Conditions: A proposed conditions Elevation Certificate is required to be completed by a professional and licensed engineer, surveyor, or architect as part of the Floodplain Permit package;
2. Building Under Construction: a building under construction Elevation Certificate is required to be completed by a professional and licensed engineer, surveyor, or architect after foundation has been poured; and
3. Finished Construction: a finished construction Elevation Certificate is required to be completed by a professional and licensed engineer, surveyor, or architect once the structure is completed, utilities are installed, and grading and landscaping has been completed.

17.62.220 Variance Procedures.

The Lindon City Board of Adjustment, as established by Lindon City, shall hear and render judgment on requests for variances from the requirements of this ordinance after a Floodplain Development Permit has been denied.

1. Any person or persons aggrieved by the decision of the Lindon City Board of Adjustment may appeal such decision in the courts of competent jurisdiction.
2. The Board of Adjustment shall hear and render judgement on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement of administration of this ordinance.
3. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to Federal Emergency Management Agency (FEMA) and the State Coordinating Agency upon issuing a variance.
4. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in 17.62.220 have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

5. Upon consideration of the factors noted above and the intent of this ordinance, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance.
6. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
7. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure. The term “substantial improvement” does not include any alteration of a structure or facility listed on the National Register of Historic Places or a State Inventory of Historic Places.

Prerequisites for granting variances:

1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. Variances shall only be issued upon:
 - a. Showing a good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, conflict with existing local laws or ordinances, considers the need of ingress and egress during times of floods, and does not jeopardize first responders' health and welfare.
2. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the BFE, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
3. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
 - a. The criteria outlined in 17.62.220 are met; and
 - b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
4. Variance Procedures for Freeboard and Allowable Increases
 - a. Variances shall not be issued to:
 - i. Reduce the freeboard requirement as described in section 17.62.270 for residential and non-residential structures; or
 - ii. Reduce allowed increase in BFE for floodplain Zones A1-30, AE, and AH as described in section 17.62.190 subsection 12.

17.62.230 Watercourse Alterations.

The Floodplain Administrator shall:

1. Notify adjacent communities and the Utah Division of Water Resources prior to any alteration or relocation of a watercourse requiring a State issued stream alteration permit and submit evidence of such notification to the Federal Emergency Management Agency.
2. Require that maintenance is provided within the altered or relocated portion of such watercourse so that the flood-carrying capacity is not diminished. (Ord. 160 §12, amended, 1987)

17.62.240 General Standards.

In all areas of special flood hazards, the Following provisions are required for all new construction and substantial improvements: (Ord. 110 §5.1, amended, 1984)

1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and
7. On-site waste disposal systems shall be designed or located to avoid impairment to them or contamination from them during flooding.

17.62.250 Substantial Improvement, Substantial Damage, and Determinations within a Special Flood Hazard Area (SFHA).

1. Any combination of repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, if the cumulative cost of the entire project equals or exceeds fifty (50) percent of the market value of the structure only (not of the structure and land value combined) before the improvement or repair is started then the work shall be considered as substantial improvement. If the structure has sustained substantial damage, any repairs are considered substantial improvements regardless of the actual repair work performed. The term does not, however, include either:
 - a. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; and
 - b. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

2. Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed fifty (50) percent of the market value of the structure only, unless a higher standard option is selected, before the damage occurred. This term also applies to structures which have incurred any damage that equals or exceeds fifty (50) percent of the structure's market value regardless of the actual repair work performed. When a structure or building has been determined as substantially damaged, any work or repair on said structure or building will be considered as substantial improvement and will be required to meet the development requirements set forth within this ordinance for substantial improvement.
3. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the applicable community officials and staff, shall:
 - a. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure only, not of land and building, before the start of construction of the proposed work. In the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
 - b. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure.
 - c. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; the determination requires evaluation of previous permits issued for improvements and repairs as specified in this ordinance.
 - d. Utilize Federal Emergency Management Agency (FEMA's) Substantial Improvement/Substantial Desk Reference when making any determination on Substantial Improvement and/or Substantial Damage.
 - e. The substantial improvement regulations apply to all of the work that is proposed as the improvement, even if multiple permits are issued. Therefore, the determination of the cost of the improvement should consider all costs of all phases of the work before issuance of the first permit.
 - f. Notify the applicant that if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood, this ordinance is required.

17.62.260 Standards for Subdivision Proposals.

1. All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with the provisions of this ordinance;
2. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;

3. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of this ordinance;
4. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood damage;
5. Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions, which is greater than fifty (50) lots or five acres (whichever is less); and
6. New subdivision development proposals shall be designed, to the maximum extent practicable, so residential buildings sites, walkways, driveways, and roadways are located on land with elevation not less than the BFE and with dry land access.

(Ord. 110 §5.1-4, amended, 1984)

17.62.270 Specific Standards

In all Special Flood Hazard Area's (SFHA's), and if 17.62.090 – Use of Best Available Data has been selected, areas of known or suspected flood risk areas the following provisions are required:

1. Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to the Base Flood Elevation (BFE), unless a freeboard option is noted below. If a freeboard option is noted, new construction and substantial improvement shall have the lowest floor (including basement) elevated to the freeboard elevation. A registered professional engineer, architect, or land surveyor shall submit certified elevations to the Floodplain Administrator that the standards of this ordinance are satisfied.
 - a. Lindon City has elected to adopt a freeboard option for new construction and substantial improvement of any residential structure. The freeboard option requires that lowest floor elevation to be built above the BFE by the height selected. Lindon City has elected a one (1) foot of freeboard meaning the lowest floor must be built one (1) foot above the BFE.
2. Non-residential Construction. New construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall either have the lowest floor (including basement) elevated to the base flood level, unless a freeboard option is noted below, or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification that includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator. If the use or occupancy of the building changes in the future to residential, then the dry floodproofing of the structure cannot be used when determining compliance of the structure to the residential construction of this ordinance, Section 17.62.260(1). As

such, the building will not be grandfathered into compliance and will be required to be brought into compliance with the residential construction requirements of this ordinance.

- a. Lindon City has elected to adopt a freeboard option for new construction and substantial improvement of any nonresidential structure. The freeboard option requires that lowest floor elevation to be built above the BFE by the height selected. Lindon City has elected a one (1) foot of freeboard meaning the lowest floor must be built one (1) foot above the BFE.
3. Non-residential Construction Access (Ingress and Egress). New development proposals will be designed, to the maximum extent practicable, so non-residential building sites, walkways, driveway, and roadways are located on land within elevation not less than the BFE and with dry land access.
4. Non-residential Construction Wet Floodproofing. New construction and substantial improvements of any commercial, industrial, or other non-residential structure including but not limited to detached garages, agricultural buildings, and storage buildings may be allowed to be wet floodproof provided that:
 - a. The structure is strictly a nonresidential structure used for building access, parking or storage only;
 - b. The structure is an accessory or appurtenant structure of low value;
 - c. Designed to allow for the automatic entry and exit of flood waters through the use of openings;
 - d. Be constructed of flood resistant materials;
 - e. Be properly anchored to resist flotation, collapse, and lateral movement;
 - f. Mechanical and utility equipment must be elevated or floodproofed to or above the BFE;
 - g. Must comply with the floodway encroachment provisions of the National Flood Insurance Program (NFIP) and this ordinance; and
 - h. Designed and built to adhere to Federal Emergency Management Agency (FEMA) Technical Bulletins 1, 2, and 7.

A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification that includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator. If the use or occupancy of the building changes in the future to residential, then the wet floodproofing of the structure cannot be used when determining compliance of the structure to the residential construction of this ordinance, section 17.62.206. As such, the building will not be grandfathered into compliance and will be required to be brought into compliance with the residential construction of this ordinance.

5. Wet Floodproofing Non-conversion Agreement. For any nonresidential construction that has been wet floodproofed, a non-conversion agreement must be completed as part of the permitting process. The non-conversion agreement:
 - a. Acknowledges the risk associated with this building practice;

- b. Acknowledges the use of the area that was wet floodproof will be used solely on nonresidential accessory or appurtenant structure of low value whose usage is only for building access, parking or storage; and
 - c. Allows for community, state and/or federal officials to conduct periodic inspections to ensure compliance.
 - d. This section shall follow Federal Emergency Management Agency Policy # 104-008-03, Floodplain Management Requirements for Agricultural Structures and Accessory Structures or as periodically updated by FEMA. A copy is on file at the Lindon City Community Development Office.
6. Crawlspace. New construction and substantial improvements built on a crawlspace or sub-grade (below grade) crawlspace may be permitted if the development is designed and meets or exceeds the standards found in Federal Emergency Management Agency's (FEMA's) Technical Bulletins 1, 2, and 11, which include but are not limited to the following:
 - a. The structure must be affixed to a permanent foundation, designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer;
 - b. The crawlspace is an enclosed area below the Base Flood Elevation (BFE) and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one (1) foot above the Lowest Adjacent Grade (LAG);
 - c. The crawlspace enclosure must have proper openings that allow equalization of hydrostatic pressure by allowing automatic entry and exit of floodwaters. To achieve this, a minimum of one (1) square inch of flood opening is required per one (1) square foot of the enclosed area subject to flooding;
 - d. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, piers, or other materials that extend below the BFE. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters;
 - e. Any building utility systems within the crawlspace must be elevated above the BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions;
 - f. The interior grade of a crawlspace below the BFE must not be more than Two (2) feet below the LAG;
 - g. The height of the below-grade crawlspace, measured from the lowest interior grade of the crawlspace floor to the bottom of the floor joist of the next higher floor cannot exceed four (4) feet at any point;
 - h. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event; and

- i. Buildings with below-grade crawlspaces will have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation at or above the LAG.
7. Manufactured Homes.
 - a. Require that all manufactured homes to be placed within Zone A on a community's Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM) shall be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
 - b. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites outside of a manufactured home park or subdivision;) in a new manufactured home park or subdivision; in an expansion to an existing manufactured home park or subdivision; or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the Base Flood Elevation (BFE), unless a higher standard option was selected, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - c. In A-1-30, AH, AO and AE Zones, require that manufactured homes to be placed or substantially improved in an existing manufactured home park to be elevated so that the lowest floor is at or above the BFE, unless a higher standard option was selected; or the chassis is supported by reinforced piers no less than 36 inches in height above grade and securely anchored.
8. Recreational Vehicles. Require that recreational vehicles placed on sites and where temporarily being used for human occupancy within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map (FIRM) either:
 - a. Be on the site for two (2) weeks within a six (6) month time frame and be fully licensed and ready for highway use. See also 17.64.020;
 - i. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
9. Enclosures. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
 - b. The bottom of all openings shall be no higher than one-foot above grade or Base Flood Elevation (BSE); and

- c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters
10. Accessory Structures. Accessory structures located within zones A, A1-A30, AH, AO, or AE must be:
- a. Detached from a residence;
 - b. On the same parcel of property as the principal structure to be insured;
 - c. Incidental to the use of the principal structure;
 - d. Is solely used for parking or limited storage and not human habitation;
 - e. Is low valued, represents a minimal investment, and must be unfinished on the interior;
 - f. As required in the 44 CFR Section 60.3(a)3:
 - i. “be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy;”
 - ii. “be constructed with materials resistant to flood damage” below the BFE, be designed to allow for the automatic entry of flood waters and meet all applicable building codes;”
 - iii. “be constructed by methods and practices that minimize flood damages;”
 - iv. “be constructed with electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities that are designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding.”
 - g. Comply with the floodway encroachment “no-rise” provisions of the National Flood Insurance Program (NFIP) regulations;
 - h. Not be used for human habitation including but not limited to working, sleeping, and living;
 - i. Include, in the submittal for Floodplain Development Permit, sufficient documentation demonstrating full compliance with this section, including, but not limited to, the use of flood resistant materials, anchoring, and flood openings.
 - j. This section shall follow Federal Emergency Management Agency Policy # 104-008-03, Floodplain Management Requirements for Agricultural Structures and Accessory Structures or as periodically updated by FEMA. A copy is on file at the Lindon City Community Development Office.

17.62.280 Standards for Areas of Shallow Flooding (AO/AH Zones).

Located within the areas of special flood hazard are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- 1. Require within Zone AO that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as

2. high as the depth number specified in feet on the community's Flood Insurance Rate Map (FIRM) (at least two feet if no depth number is specified).
3. Require within Zone AO that all new construction and substantial improvements of non-residential structures;
 - a. have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or;
 - b. together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
3. A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section and Section 17.62.200 are satisfied.
4. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2020.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL

Chapter 17.62 FLOOD DAMAGE PREVENTION

Sections:

- 17.62.010 Statutory authorization.
- 17.62.020 Findings. [Finding of Fact](#)
- 17.62.030 Purpose. [Statement of Purpose](#)
- 17.62.040 Definitions.
- 17.62.050 Flood loss reduction—Methods. [Methods of Reducing Flood Losses](#)
- 17.62.060 Applicability. [Lands to which this Ordinance Applies](#)
- ~~17.62.070~~ [17.62.070](#) Flood hazard areas—Basis for establishment. [Annexation](#)
- ~~17.62.070~~ [17.62.080](#) Compliance [Basis for Establishing the Areas of Special Flood Hazard](#)
- ~~17.62.090~~ [17.62.090](#) Abrogation and Greater Restriction [Use of Best Available Data](#)
- ~~17.62.100~~ [17.62.100](#) Interpretation [Severability](#)
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- ~~17.62.120~~ [17.62.120](#) Permit Establishment Information Required [Abrogation and gGreater rRestrictions.](#)
- ~~17.62.080~~ [17.62.130](#) Building and Zoning Officer Authority [Interpretation](#)
- ~~17.62.090~~ [17.62.140](#) Building and Zoning Officer Duties [Liability](#)
- ~~17.62.100~~ [17.62.150](#) Interpretation. [Establishment of Flood Plain Development Permit](#)
- ~~17.62.110~~ [17.62.160](#) Use of Other Flood Base Data [Stop Work Order](#)
- ~~17.62.120~~ [17.62.170](#) Permit Establishment—Information required. [Penalties for Non-Compliance](#)
- ~~17.62.130~~ [17.62.180](#) Building and zoning officer—Authority. [Designation of the Flood Plain Administrator](#)
- ~~17.62.140~~ [17.62.190](#) Building and zoning officer—Duties. [Duties and Responsibilities of the Floodplain Administrator](#)
- ~~17.62.150~~ [17.62.200](#) Permit Review. [Requirements to Submit New Technical Data](#)
- ~~17.62.160~~ [17.62.210](#) Use of other base flood data. [Use of Elevation Certificates](#)
- ~~17.62.170~~ [17.62.220](#) Information to be obtained and maintained. [Variance Procedures](#)
- ~~17.62.180~~ [17.62.230](#) Alteration of watercourses. [Watercourse Alterations](#)
- ~~17.62.190~~ [17.62.240](#) Interpretation of FFBM boundaries. [General Standards](#)
- ~~17.62.200~~ [17.62.250](#) Standards—Generally. [Substantial Improvement, Substantial Damage, and Determinations](#)
- ~~17.62.210~~ [17.62.260](#) Anchoring. [Standards for Subdivision Proposals](#)
- ~~17.62.220~~ [17.62.270](#) Construction materials and methods. [Specific Standards](#)
- ~~17.62.230~~ [17.62.280](#) Utilities and equipment. [Standards for Areas of Shallow Flooding \(AO/AH Zones\)](#)
- ~~17.62.240~~ [17.62.290](#) Subdivision proposals.
- ~~17.62.250~~ [17.62.300](#) Encroachments.
- ~~17.62.260~~ [17.62.260](#) Standards—Specifically.
- ~~17.62.270~~ [17.62.270](#) Residential construction and non-residential construction.

17.62.010 Statutory authorization.

~~The Legislature of the State of Utah has, in Title 10, UCA, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the city council of the city does ordain as set forth in this chapter. (Ord. 110 §1.1, amended, 1984)~~

The Legislature of the State of Utah has in 10-3-701 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Lindon City Council of Lindon City, Utah, does ordain as follows:

The City of Lindon elects to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended). The National Flood Insurance Program (NFIP) is a voluntary program administered by the Federal Emergency Management Agency (FEMA), a component of the U.S. Department of Homeland Security, and Lindon City's community officials have elected to join the program, participate, and enforce this Flood Damage Prevention Ordinance and the requirements and regulations of the NFIP. The NFIP, established in the aforesaid act, provides that areas of the Lindon City having a special flood hazard be identified by FEMA, and that floodplain management measures be applied in such flood hazard areas. Furthermore, Lindon City may elect to administer the Flood Damage Prevention Ordinance to areas not identified as Special Flood Hazard Areas (SFHAs) by FEMA on the community's effective Flood Insurance Rate Map (FIRM), if the community has documentation to support that there is an inherent risk of flooding in such areas.

17.62.020 Findings of Fact

1. The flood hazard areas of Lindon City are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare of the inhabitants of Lindon City.

~~2. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss. (Ord. 110 §1.2, amended, 1984)~~

2. These potential flood losses are caused by:

1. The cumulative effect of obstructions in floodplains that are known to cause increases in flood heights and velocities;
2. The occupancy of flood hazard areas by structures vulnerable to floods because they are inadequately elevated or otherwise unprotected from flood damages; and
3. Uses deemed unsuitable for floodplain areas or that do not account for the increased flood risk.

17.62.030 Statement of Purpose.

It is the purpose of this ~~chapter~~ ordinance to promote the public health, safety, and general welfare of the community, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. ~~To p~~Protect human life and health;
2. ~~To m~~Minimize public expenditure on ~~of public money for costly~~ flood control projects;
3. ~~To m~~Minimize the need for rescue and relief efforts associated with flooding and are generally undertaken at the expense of the ~~general~~ public;
4. ~~To m~~Minimize prolonged business interruptions caused by flooding;
5. ~~To m~~Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; streets; and bridges located in areas of special flood hazard;
6. ~~To h~~Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner ~~of special flood hazard so~~ as to minimize future flood blight areas;
7. ~~To ensure~~ Promote that potential buyers are notified ~~that if property~~ properties are a flood area ~~is in an area of special flood hazard; and~~
8. ~~To e~~Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.
9. Minimize damage to public infrastructure, including but not limited to utilities, streets, and bridges that are susceptible to flooding; and
10. Protect and safeguard the welfare and safety of first responders should an emergency response be needed.

17.62.040 Definitions.

Unless specifically defined in this section below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter ordinance its most reasonable application. Where terms are not defined, definitions as most currently adopted by FEMA will be used.

“Accessory Structure” is a structure that is detached from a principal building and customarily incidental and subordinate to the principal building or use. An accessory structure is a non-residential structure of typically lesser value than the principal building or use and is used for the parking of vehicles and storage of tools, materials, or equipment.

“Addition” is any improvement that expands the enclosed footprint or increases the square footage of an existing structure. This includes lateral additions added to the side, front, or rear of a structure; vertical additions added on top of a structure; and enclosures added underneath a structure.

“Alluvial Fan Flooding” means flooding occurring on the surface of an alluvial fan or similar landform that originates at the apex. It is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

“Apex” means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

“Appurtenant Structure”—see Accessory Structure.

“Area of Future-Conditions Flood Hazard” means the land area that would be inundated by the 1-percent-annual-chance (100-year) flood, based on future-conditions hydrology.

“Area of Shallow Flooding” means a designated AO, AH, AR/AO, or AR/AH zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

“Area of Special Flood-Related Erosion Hazard” is the land within a community that is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area, in preparation for publication of the Flood Insurance Rate Map (FIRM), Zone E may be further refined.

“Area of Special Flood-Related Erosion Hazard” is the land within a community that is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area, in preparation for publication of the FIRM, Zone E may be further refined.

“Area of special flood hazard” means is the the land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the Flood Insurance Rate Map (FIRM), Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, or V1-30, VE, or V. For purposes of these regulations, the term “special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

“Base flood” means the flood having a one percent (1%) chance of being equaled or exceeded in any given year.

“Base Flood Elevation (BFE)” is the water surface elevation of the 1-percent-annual-chance flood event. It is the height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. It is also the elevation shown on the FIRM and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1-percent chance of equaling or exceeding that level in any given year.

“Basement” means any area of the building having its floor subgrade (below ground level) on all sides.

“Best Available Data” is existing flood hazard information adopted by a community and reflected on an effective Flood Insurance Rate Map (FIRM), Flood Boundary and Floodplain

Map (FBFM), and/or within an Flood Insurance Study (FIS) report; or draft or preliminary flood hazard information supplied by Federal Emergency Management Agency (FEMA) or from another source. Other sources may include, but are not limited to, state, other federal agencies, or local studies, the more restrictive of which would be reasonably used by the community. Refer to section 17.62.090

“Building” — see Structure.

“Channelization” means the artificial creation, enlargement, realignment, or alteration of a stream channel’s slope, shape, or alignment. Streambank restoration may be deemed as channelization.

“Crawlspace” means an under-floor space that has its interior floor area (finished or not) no more than 4 feet from the bottom floor joist the next higher floor elevation, designed with proper openings that equalize hydrostatic pressures of flood water, and is not used for habitation. Refer to section 17.62.270.

“Development” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, demolition, excavation or drilling operations, or storage either temporary or permanent of equipment or material. ~~located within the areas of special flood hazard.~~

“Elevated Building” is a non-basement building built, in the case of a building in Zone A1-30, AE, A, A99, AR, AO, AH, B, C, X and D, to have the top of the elevated floor above the ground level by means of pilings, columns (post and piers), or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of a building in Zone A1-30, AE, A, A99, AR, AO, AH, B, C, X and D, an “elevated building” also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

“Enclosure” refers to an enclosed walled-in area below the lowest floor of an elevated building. Enclosures below the BFE may only be used for building access, vehicle parking, and storage.

“Erosion” means the process of the gradual wearing away of land masses by wind, water, or other natural agents.

“Existing Construction” refers to structures for which the “start of construction” commenced before the effective date of the Flood Insurance Rate Map (FIRM) or before January 1, 1975, for FIRMs effective before that date. It may also be referred to as Existing Structures.

“Existing Manufactured Home Park or Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

“Existing Structures” — see Existing Construction.

“Expansion to an Existing Manufactured Home Park or Subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

“FEMA” means the Federal Emergency Management Agency.

“Fill” refers to the placement of materials, such as dirt, sand, or rock to elevate a structure, property, or portion of a property above the natural elevation of the site, regardless of where the material was obtained from. The common practice of removing unsuitable material and replacing with engineered material is not considered fill if the elevations are returned to the existing conditions. Any fill placed or used prior to the area being mapped as a flood hazard area is not deemed as fill.

“Flood” or “flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters; ~~and/or surface waters from any source.~~
- b. The unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Insurance Rate Map (FIRM)” means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

“Flood Insurance Study (FIS)” is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map (if applicable), Flood Insurance Rate Map and supporting technical data.

“Floodplain Development Permit” is a community issued permit or document that is used for any development that occurs within a Special Flood Hazard Area (SFHA) identified by Federal Emergency Management Agency (FEMA) or the community. It is used to address the proposed development to ensure compliance with the community’s ordinance.

“Floodplain or Flood-Prone Area” means any land area susceptible to being inundated by water from any source whether or not identified by FEMA (see definition of Flooding).

“Floodplain Management” means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, mitigation plans, and floodplain management regulations.

“Floodplain Management Regulations” means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The

term describes such state or local regulations, in any combination thereof, which provide standards for flood damage prevention and reduction.

“Flood Protection System” means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to an SFHA and to reduce the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized, flood modifying works are those constructed in conformance with sound engineering standards.

“Floodproofing” means any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

“Floodway” (Regulatory Floodway) means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

“Floodway Encroachment Lines” mean the lines marking the limits of floodways on federal, state, and local flood plain maps.

“Freeboard” means a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

“Functionally Dependent Use” means a development that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and repair facilities. It does not include long-term storage or related manufacturing facilities.

“Highest Adjacent Grade (HAG)” means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

“Historic Structure” means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic reservation programs that have been approved by the Secretary of the Interior; or

4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior in states without approved programs.

“Levee” means a man-made structure usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

“Levee System” means a flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

“Lowest Adjacent Grade (LAG)” means the lowest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. For an existing structure, it means the lowest point where the structure and ground touch, including but not limited to attached garages, decks, stairs, and basement windows.

“Lowest Floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

“Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected attached to the required utilities. ~~For flood plain management purposes the term “manufactured home” also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term “manufactured home” does not include park trailers, travel trailers, and other similar vehicles ”~~ does not include a “recreational vehicle;” however, a manufactured home may be used for both residential and non-residential use..

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“Map” means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by Federal Emergency Management Agency (FEMA).

“Mean Sea Level” means, for purposes of the NFIP, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which BFEs shown on a community's FIRM are referenced.

“New Construction” means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes

any subsequent improvements to such structures. For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

“New Manufactured Home Park or Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

“No-Rise Certifications” are formal certifications signed and stamped by a professional engineer licensed to practice in the state, demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that a proposed development will not result in any increase (0.00 feet) in flood levels within the community during the occurrence of a base flood event.

“Physical Map Revision (PMR)” is FEMA’s action whereby one or more map panels are physically revised and republished.

“Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, creek, etcetera, which can be intermittent or perennial.

“Special Flood Hazard Area” — see Area of Special Flood Hazard.

“Start of Construction” (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“Structure” means, for flood plain management purposes, a walled and roofed building, ~~or mobile home that is principally above ground.~~ culvert, bridge, dam, or a gas or liquid storage tank that is principally above ground, as well as a manufactured home. Structure for insurance purposes mean:

1. A building with two or more outside rigid walls and a fully secured roof, which is affixed to a permanent site;
2. A manufactured home (“a manufactured home,” also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or
3. A travel trailer without wheels built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.

For insurance purposes, “structure” does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

~~“Substantial Improvement.”~~

~~a. “Substantial improvement” means any repair, reconstruction, rehabilitation, addition, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either: before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. Refer to section 17.62.250~~

~~i. Before the improvement or repair is started; or~~

~~ii. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.~~

~~b. a. The term does not, however, include either:~~

~~i. Any project for improvement of a structure to comply with correct existing violation of state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions that have been identified by the local code enforcement official and are the minimum necessary to assure safe living conditions; or~~

~~ii. Any alteration of a “historic structure,” listed on the National Register of Historic Places or a state inventory of historic places. (Ord. 160 §12, amended, 1987) if the alteration will not preclude the structure’s continued designation as a “historic structure.”~~

“Variance” means a grant of relief by a community from the terms of a flood plain management regulation. Reference: 17.62.220.

“Violation” means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Sections 44

CFR 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

“Water Surface Elevation” means the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies, such as the 1-percent-annual-chance flood event, in the flood plains of coastal or riverine areas.

“Watercourse” means the channel and banks of an identifiable water in a creek, brook, stream, river, ditch or other similar feature.

17.62.050 ~~Flood loss reduction—Methods.~~ Method of Reducing Flood Losses

~~In order to~~ To accomplish its ~~the~~ purposes outlined in 17.62.030 Statement of Purpose, this chapter ~~ordinance~~ includes ~~applies~~ and ~~provisions for~~ the following methods:

1. ~~Restrictings or prohibiting~~ land uses ~~which that~~ are dangerous to health, safety, ~~and or~~ property ~~due to water or erosion hazards in times of flooding, or which result in~~ damaging increases in erosion or cause excessive increases in flood heights or velocities;
2. ~~Requirings~~ that land uses vulnerable to floods, including facilities ~~which that~~ serve such uses, be protected against flood damage at the time of initial construction;
3. ~~Controlling~~ s the alteration of natural flood plains, stream channels, and natural protective barriers, which ~~help accommodate or channel flood water~~ are involved in the accommodation of flood waters;
4. ~~Controlling~~ s filling, grading, dredging, and other development ~~which that~~ may increase flood damage; and
5. ~~Preventing~~ s or ~~regulating~~ s the construction of flood barriers ~~which that~~ will unnaturally divert flood waters or which may increase flood hazards ~~in to~~ other areas. (Ord. 110 §1.4, amended, 1984)

17.62.060 ~~Applicability.~~ Lands to which this Ordinance Applies

~~This chapter ordinance~~ shall apply to all areas of special flood hazards ~~within the jurisdiction of the city.~~ identified by Federal Emergency Management Agency (FEMA) or, if elected in Section 17.62.090, Use of Best Available Data, areas identified and documented flood risk supported using Best Available Data within the Jurisdiction of Lindon City. (Ord. 110 §3.1, amended, 1984)

17.62.070 Annexation

When the community annexes any land from a neighboring jurisdiction, Lindon City will manage and regulate the annexed land under this ordinance.

17.62.07080 ~~Flood hazard areas—Basis for establishment.~~ Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its a scientific and engineering report entitled, “Flood Insurance Rate Map (FIRM) Study for Utah County, Utah and Incorporated Areas”, Ord. 4902100005-C, dated February 19, 1986 June 19, 2020, are adopted by reference and declared to be a part of this chapter as if set out in full. with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FMFM) and any revisions thereto are hereby automatically adopted by reference and declared to be a part of this ordinance. The Flood Insurance Rate Map and Flood Insurance Study (FIS) are is on file at ~~383 West 300 North Lakeview Road~~ 100 N. State Street, Lindon, Utah. (Ord. 160 §12, amended, 1987)

17.62.090 Use of Best Available Data

The community has elected to adopt Best Available Data, defined in Section 17.62.060, Lands to Which this Ordinance Applies, to regulate floodplain development in addition to utilizing the effective Flood Insurance Rate Maps (FIRMs), Flood Insurance study (FIS), and/or Flood Boundary and Floodway Map (FBFM). Where Best Available Data contradicts the FIRMs, FIS, and/or the FBFM, the more restrictive data shall be utilized.

17.62.100 Severability

If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court, the remainder of the ordinance shall not be affected.

~~17.62.080~~110 Compliance.

No structure or developments including buildings, recreational vehicles, or manufactured homes or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ~~chapter~~ ordinance and other applicable regulations. Nothing herein shall prevent the Lindon City Council from taking such lawful action as is necessary to prevent or remedy any violations. (Ord. 110 §3.3, amended, 1984)

~~17.62.090~~120 Abrogation and greater restrictions.

This ~~chapter~~ ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ~~chapter~~ ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 110 §3.4, amended, 1984)

~~17.62.100~~130 Interpretation.

In the interpretation and application of this ~~chapter~~ ordinance, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. 110 §3.5, amended, 1984)

~~17.62.110~~140 Warnings and Disclaimer or Liability.

The degree of flood protection required by this ~~chapter~~ **ordinance** is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. ~~Larger floods can and will occur~~ **On rare occasions, greater floods can and will occur and Flood** heights may be increased by man-made or natural causes.

This ~~chapter ordinance~~ does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ~~chapter ordinance~~ shall not create liability on the part of the city; ~~or any officer official or employee thereof; or the Federal Emergency Management Agency;~~ for any flood damages that result from reliance on this ~~chapter ordinance~~ or any administrative decision lawfully made thereunder. (Ord. 160 §12, amended, 1987)

~~17.62.120150 Permit Establishment Information required:~~ **Establishment of Floodplain Development Permit**

A **Floodplain dDevelopment** permit shall be ~~obtained~~ **required** before construction or development begins within any area of special flood hazard established in Section ~~17.62.070~~: **to ensure conformance with the provisions of this ordinance.**

Application for a ~~fFloodplain dDevelopment pPermit~~ shall be made on forms furnished by the ~~building and zoning officer~~ **City** and may include, but not be limited to: ~~plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:~~

1. Duplicated plans drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations;
2. Duplicated plans drawn to scale showing the location, dimensions, and elevation of existing and proposed structures, including the placement of manufactured homes.
3. Location of the foregoing in relation to SFHAs.
4. ~~1.~~ Elevation (in relation to mean sea level), of the lowest floor (including basement **and crawlspace**) of all **new and substantially improved** structures, **if applicable**;
5. ~~2.~~ Elevation (in relation to mean sea level), to which any **nonresidential** structure (**if applicable**) has been flood-proofed;
6. ~~3.~~ **A Certification certificate by from** a registered professional engineer or architect that the flood-proofing methods for any nonresidential structure (**if applicable**) shall meet the flood-proofing criteria in Section ~~17.62.280~~ **of this ordinance and the NFIP Regulations;** ~~and~~
 - a. ~~If it is determined that there is no adverse effect and the development is not a building, then the permit shall be granted without further consideration.~~
 - b. ~~If it is determined that there is an adverse effect, then technical justification (i.e., a registered professional engineer) for the proposed development shall be required.~~
 - c. ~~If the proposed development is a building, then the provisions of this chapter shall apply. (Ord. 110 §4.3 1, amended, 1984)~~
7. 4. Description of the extent to which any watercourse **or natural drainage** will be altered or relocated as a result of proposed development, **if applicable**;

8. At the community's discretion, the community may charge a fee for issuance of Floodplain Development Permits.
9. Copies of all Floodplain Development Permits and the associated documents shall become property of the community and a permanent record.
(Ord. 110 §4.1, amended, 1984)

Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

1. The danger to life and property due to flooding or erosion damage.
2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
3. The danger that materials may be swept onto other lands to the injury of others.
4. The compatibility of the proposed use with existing and anticipated development.
5. The safety of access to the property in times of flood for ordinary and emergency vehicles.
6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems.
7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.
8. The necessity to the facility of a waterfront location, where applicable.
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
10. The relationship of the proposed use to the comprehensive plan for that area.

17.62.160 Stop Work Order

1. Authority. Whenever the floodplain administrator or other community official discovers any work or activity regulated by this ordinance being performed in a manner contrary to the provision of this ordinance, the floodplain administrator is authorized to issue a stop work order.
2. Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
3. Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by local or state law including but not limited to the penalties outlined

17.62.170 Penalties for Non-Compliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a Class C misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$200.00 in a residential zone and 400.00 in a commercial or industrial zone, for each violation assessed daily, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent Lindon City from taking such other lawful action as is necessary to prevent or remedy any violation.

~~17.62.130~~ 180 Building and zoning officer Authority. Designation of the Flood Plain Administrator

The ~~building and zoning officer~~ Planning Director is hereby appointed the Flood Plain Administrator to administer and implement this ~~chapter by granting or denying development permit applications in accordance with its provisions.~~ ordinance and other appropriate sections of the National Flood Insurance Program (NFIP) Regulations and 44 CFR pertaining to floodplain management. (Ord. 110 §4.2, amended, 1984)

~~17.62.140~~ 190 Building and zoning officer Duties. Duties and Responsibilities of the Floodplain Administrator

Duties and responsibilities of the ~~building and zoning officer~~ Floodplain Administrator shall include, but not be limited to, ~~those provisions set out in Sections 17.62.150 through 17.62.190.~~ the following: (Ord. 110 §4.3, amended, 1984)

~~17.62.150~~ — Permit Review.

The ~~building and zoning officer~~ shall:

1. Uphold the goals of the community and the National Flood Insurance Program (NFIP) to reduce risk when possible and increase the community’s resistance to future disasters;
2. ~~4.~~ Review, approve, or deny all applications for Floodplain dDevelopment permits to determine that the permit requirements of this chapter have been satisfied; required by adoption of this ordinance;
3. ~~2.~~ Review all Floodplain dDevelopment permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;
4. ~~3.~~ Review all development permits to determine if the proposed development adversely affects the flood-carrying capacity of the area of special flood hazard. For the purposes of this chapter, “adversely affects” means damage to adjacent properties because of rises in flood stages attributed to physical changes of the channel and the adjacent overbank areas. Assure that the flood carry capacity with the altered or relocated portion of any watercourse is maintained;
 - a. ~~If it is determined that there is no adverse effect and the development is not a building, then the permit shall be granted without further consideration.~~

- ~~b. If it is determined that there is an adverse effect, then technical justification (i.e., a registered professional engineer) for the proposed development shall be required.~~
- ~~c. If the proposed development is a building, then the provisions of this chapter shall apply. (Ord. 110 §4.3-1, amended, 1984)~~
5. Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance, including the actual elevation of the lowest floor (including basement or crawlspace) of all new or substantially improved structures and any floodproofing certificates, including the data supporting such certificates.
 6. Maintain and hold open for public inspection maps that identify and locate the boundaries of the Special Flood Hazard Area's (SFHAs) to which this ordinance applies, including, but not limited to, the Flood Insurance Rate Map (FIRM).
 7. Review development proposals to determine whether a proposed building site, including sites designed for the placement of manufactured homes, will be reasonably safe from flooding.
 8. Ensure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334 and the Endangered Species Act of 1973) from which prior approval is required.
 9. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Floodplain Administrator shall make the necessary interpretation.
 10. When Base Flood Elevation (BFE) data has not been provided by Federal Emergency Management Agency (FEMA), the Floodplain Administrator shall obtain, review, and reasonably utilize any BFE data and floodway data available from a federal, state, or other source including data provided by the applicant, in order to administer the provisions of this ordinance.
 11. When a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30, AE, and AH on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than 0.50 foot at any point within the community unless the community has adopted higher standard options.
 12. Under the provisions of 44 CFR Chapter 1, Section 65.12 of the NFIP Regulations, a community may approve certain development in Zones A1-30, AE, and AH on the community's FIRM, which increases the water surface elevation of the base flood by more than 0.50 foot, provided that the community first meets the requirements of Section 65.12 for a conditional FIRM revision through FEMA's Conditional Letter of Map Revision process.
 13. Zone A Areas: When a regulatory floodway has not been designated and if the project is determined or reasonably believed to cause an adverse impact, the Floodplain Administrator may require new construction, substantial improvements, or other development (including fill, grading or excavation) permitted in a Zone A to have an encroachment analysis done prior to issuance of a Floodplain Development Permit. The

encroachment analysis shall create a baseline of existing conditions model and compare it to the proposed conditions model to determine the potential impact of the project. Based on the findings, the floodplain administrator may require as a condition of the permit a Conditional Letter of Map Revision (CLOMR) to be submitted and approved prior to any work occurring and/or that a Letter of Map Revision (LOMR) be submitted to FEMA within 6 months of completion of the development.

14. May inspect development at appropriate times during the period of construction to ensure compliance with all provisions of this ordinance, including proper elevation of structures;
15. In addition to utilizing the effective Flood Insurance Rate Maps (FIRMs), Flood Insurance Study (FIS), Flood Boundary and Floodway Map (FBFM), permit reviews may utilize Best Available Data. See section 17.62.090;
16. If the project is determined or reasonably believed to cause an adverse effect on the BFE(s), boundaries of the floodplain or any insurable structures, technical justification for the proposed development shall be submitted and the community may require a CLOMR or LOMR to be submitted prior to the permit approval or as a requirement of the permit.
17. Fill placed within the Special Flood Hazard Area (SFHA) should not result in any net loss of natural floodplain storage or increase in water surface elevations during the base flood. The City may require that the volume of the loss of floodwater storage due to filling in the SFHA be offset by providing an equal volume of flood storage by excavation or other compensatory measures at or adjacent to the development site.

17.62.200 Requirement to Submit New Technical Data

1. The property owner or developer shall notify Federal Emergency Management Agency (FEMA) by submittal of a Letter of Map Revision (LOMR) within 6 months of project completion when an applicant had obtained a Conditional Letter of Map Revision (CLOMR) from FEMA or when development altered a watercourse, modified floodplain boundaries, or modified Base Flood Elevation (BFE).
2. The property owner or developer shall be responsible for preparing technical data to support the CLOMR or LOMR application and paying any processing or application fees to FEMA. The property owner or developer is responsible for submitting the CLOMR and LOMR to FEMA and shall provide all necessary data to FEMA if requested during the review process to ensure the CLOMR or LOMR is issued.
3. The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this ordinance and all applicable state federal, and local laws.

17.62.210 Use of Elevation Certificates

Lindon City requires that the following Elevations Certificates be completed for any new residential or non-residential building construction within the Special Flood Hazard Area (SFHA):

1. Proposed Conditions: A proposed conditions Elevation Certificate is required to be completed by a professional and licensed engineer, surveyor, or architect as part of the Floodplain Permit package.
2. Building Under Construction: a building under construction Elevation Certificate is required to be completed by a professional and licensed engineer, surveyor, or architect after foundation has been poured.
3. Finished Construction: a finished construction Elevation Certificate is required to be completed by a professional and licensed engineer, surveyor, or architect once the structure is completed, utilities are installed, and grading and landscaping has been completed.

~~17.62.160 — Use of other base flood data.~~

~~When the base flood elevation data has not been provided in accordance with Section 17.62.070, Flood hazard areas—Basis for establishment, the building and zoning officer shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source, in order to administer Section 17.62.260, Standards—Specifically. (Ord. 110 §4.3 2, amended, 1984)~~

~~17.62.170 — Information to be obtained and maintained.~~

~~The building and zoning officer shall:~~

- ~~1. Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement;~~
- ~~2. For all new or substantially improved flood proofed structures:

 - ~~a. Obtain and record the actual elevation (in relation to mean seal level) to which the structure has been flood proofed.~~
 - ~~b. Maintain the flood proofing certifications required in Section 17.62.120 C;~~~~
- ~~3. Maintain for public inspection all records pertaining to the provisions of this chapter. (Ord. 160 §12, amended, 1987)~~

17.62.220 Variance Procedures

The Lindon City Board of Adjustment, as established by Lindon City, shall hear and render judgment on requests for variances from the requirements of this ordinance after a Floodplain Development Permit has been denied.

1. Any person or persons aggrieved by the decision of the Lindon City Board of Adjustment may appeal such decision in the courts of competent jurisdiction;
2. The Board of Adjustment shall hear and render judgement on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement of administration of this ordinance.

3. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to Federal Emergency Management Agency (FEMA) and the State Coordinating Agency upon issuing a variance.
4. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in 17.62.220 have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
5. Upon consideration of the factors noted above and the intent of this ordinance, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance.
6. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
7. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure. The term "substantial improvement" does not include any alteration of a structure or facility listed on the National Register of Historic Places or a State Inventory of Historic Places.

Prerequisites for granting variances:

1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. Variances shall only be issued upon:
 - a. Showing a good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, conflict with existing local laws or ordinances, considers the need of ingress and egress during times of floods, and does not jeopardize first responders' health and welfare.
2. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the BFE, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
3. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
 - a. The criteria outlined in ARTICLE IV, SECTION E. VARIANCE PROCEDURES are met; and
 - b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
4. Variance Procedures for Freeboard and Allowable Increases
 - a. Variances shall not be issued to:

- i. Reduce the freeboard requirement as described in section 17.62.270 for residential and non-residential structures; or
- ii. Reduce allowed increase in BFE for floodplain Zones A1-30, AE, and AH as described in section 17.62.190 subsection 12.

~~17.62.180~~230 ~~Alteration of watercourses.~~ Watercourse Alterations

The ~~building and zoning officer~~ Floodplain Administrator shall:

1. Notify adjacent communities and the Utah Division of Water Resources prior to any alteration or relocation of a watercourse requiring a State issued stream alteration permit and submit evidence of such notification to the Federal Emergency Management Agency;
2. Require that maintenance is provided within the altered or relocated portion of such watercourse so that the flood-carrying capacity is not diminished. (Ord. 160 §12, amended, 1987)

~~17.62.190~~ — Interpretation of FHBM boundaries. **Section moved to 17.62.190**

The ~~building and zoning officer~~ shall make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). (Ord. 160 §12, amended, 1987)

~~17.62.200~~ 240 ~~Standards—Generally.~~ General Standards

In all areas of special flood hazards, the ~~standards set out in Sections 17.62.210 through 17.62.280~~ are required. Following provisions are required for all new construction and substantial improvements: (Ord. 110 §5.1, amended, 1984)

1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and
7. On-site waste disposal systems shall be designed or located to avoid impairment to them or contamination from them during flooding.

~~17.62.210 — Anchoring.~~

- ~~1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.~~
- ~~2. All manufactured homes to be placed within Zone A on Lindon City's FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. (Ord. 160 §12, amended, 1987)~~

~~17.62.220 — Construction materials and methods.~~

- ~~1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.~~
- ~~2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage. (Ord. 110 §5.1-2, amended, 1984)~~

~~17.62.230 — Utilities and equipment.~~

- ~~1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;~~
- ~~2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;~~
- ~~3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and~~
- ~~4. Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (Ord. 149 §1.3, amended, 1986)~~

17.62.250 Substantial Improvement, Substantial Damage, and Determinations within a Special Flood Hazard Area (SFHA)

1. Any combination of repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, if the cumulative cost of the entire project equals or exceeds fifty (50) percent of the market value of the structure only (not of the structure and land value combined) before the improvement or repair is started then the work shall be considered as substantial improvement. If the structure has sustained substantial damage, any repairs are considered substantial improvements regardless of the actual repair work performed. The term does not, however, include either:
 - a. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions;

2. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
 3. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of this ordinance.
 4. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood damage; and
 5. Base flood elevation data shall be ~~provided~~ generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions, which ~~contain at is greater~~ least than fifty (50) lots or five acres (whichever is less).
 6. New subdivision development proposals shall be designed, to the maximum extent practicable, so residential buildings sites, walkways, driveways, and roadways are located on land with elevation not less than the BFE and with dry land access.
- (Ord. 110 §5.1-4, amended, 1984)

~~17.62.250 — Encroachments.~~

~~Any proposed development shall be analyzed to determine effects on the flood carrying capacity of the area of special flood hazard as set forth in Section 17.62.150C, Permit Review. (Ord. 110 §5.1 5, amended, 1984)~~

~~17.62.260~~270 Standards ~~Specifically:~~ Specific Standards

~~In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 17.62.160, Use of other base flood data, the standards set out in Sections 17.62.270 and 17.62.280 are required. (Ord. 110 §5.2, amended, 1984)~~

~~17.62.270 — Residential construction and non-residential construction.~~ **Where moved?**

~~The Lindon City Building and Zoning Officer shall obtain, review, and reasonably utilize any base flood elevation and flood way data available from a Federal, State, or other source as criteria for requiring within Zone A the following:~~

1. ~~New construction and substantial improvements of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation.~~
2. ~~New construction and substantial improvement of any nonresidential structure shall either have the lowest floor, including basement, elevated to or above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:~~
 - a. ~~Be flood proofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;~~
 - b. ~~Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and~~

~~e. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this paragraph.~~

~~3. Encroachments, including fill, new construction, substantial improvements, and other development shall be prohibited in any flood way unless a technical evaluation demonstrates that the encroachments will not result in any increase in flood levels during the occurrence of the base flood discharge. (Ord. 149 §1.4, amended, 1986)~~

In all Special Flood Hazard Area's (SFHA's), and if 17.62.090 – Use of Best Available Data has been selected, areas of known or suspected flood risk areas the following provisions are required:

1. Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to the Base Flood Elevation (BFE), unless a freeboard option is noted below. If a freeboard option is noted, new construction and substantial improvement shall have the lowest floor (including basement) elevated to the freeboard elevation. A registered professional engineer, architect, or land surveyor shall submit certified elevations to the Floodplain Administrator that the standards of this ordinance are satisfied.
 - a. Lindon City has elected to adopt a freeboard option for new construction and substantial improvement of any residential structure. The freeboard option requires that lowest floor elevation to be built above the BFE by the height selected. Lindon City has elected a one (1) foot of freeboard meaning the lowest floor must be built one (1) foot above the BFE.
2. Non-residential Construction. New construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall either have the lowest floor (including basement) elevated to the base flood level, unless a freeboard option is noted below, or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification that includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator. If the use or occupancy of the building changes in the future to residential, then the dry floodproofing of the structure cannot be used when determining compliance of the structure to the residential construction of this ordinance, Section 17.62.260(1). As such, the building will not be grandfathered into compliance and will be required to be brought into compliance with the residential construction requirements of this ordinance.
 - a. Lindon City has elected to adopt a freeboard option for new construction and substantial improvement of any nonresidential structure. The freeboard option requires that lowest floor elevation to be built above the BFE by the height selected. Lindon City has elected a one (1) foot of freeboard meaning the lowest floor must be built one (1) foot above the BFE.

3. Non-residential Construction Access (Ingress and Egress). New development proposals will be designed, to the maximum extent practicable, so non-residential building sites, walkways, driveway, and roadways are located on land within elevation not less than the BFE and with dry land access.
4. Non-residential Construction Wet Floodproofing. New construction and substantial improvements of any commercial, industrial, or other non-residential structure including but not limited to detached garages, agricultural buildings, and storage buildings may be allowed to be wet floodproof provided that:
 - a. The structure is strictly a nonresidential structure used for building access, parking or storage only.
 - b. The structure is an accessory or appurtenant structure of low value.
 - c. Designed to allow for the automatic entry and exit of flood waters through the use of openings.
 - d. Be constructed of flood resistant materials.
 - e. Be properly anchored to resist flotation, collapse, and lateral movement;
 - f. Mechanical and utility equipment must be elevated or floodproofed to or above the BFE.
 - g. Must comply with the floodway encroachment provisions of the National Flood Insurance Program (NFIP) and this ordinance.
 - h. Designed and built to adhere to Federal Emergency Management Agency (FEMA) Technical Bulletins 1, 2, and 7.

A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification that includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator. If the use or occupancy of the building changes in the future to residential, then the wet floodproofing of the structure cannot be used when determining compliance of the structure to the residential construction of this ordinance, section 17.62.206. As such, the building will not be grandfathered into compliance and will be required to be brought into compliance with the residential construction of this ordinance.

5. Wet Floodproofing Non-conversion Agreement. For any nonresidential construction that has been wet floodproofed, a non-conversion agreement must be completed as part of the permitting process. The non-conversion agreement:
 - a. Acknowledges the risk associated with this building practice.
 - b. Acknowledges the use of the area that was wet floodproof will be used solely on nonresidential accessory or appurtenant structure of low value whose usage is only for building access, parking or storage.
 - c. Allows for community, state and/or federal officials to conduct periodic inspections to ensure compliance.
 - d. This section shall follow Federal Emergency Management Agency Policy # 104-008-03, Floodplain Management Requirements for Agricultural Structures and Accessory Structures or as periodically updated by FEMA. A copy is on file at the Lindon City Community Development Office.

6. Crawlspace. New construction and substantial improvements built on a crawlspace or sub-grade (below grade) crawlspace may be permitted if the development is designed and meets or exceeds the standards found in Federal Emergency Management Agency's (FEMA's) Technical Bulletins 1, 2, and 11, which include but are not limited to the following:
 - a. The structure must be affixed to a permanent foundation, designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer.
 - b. The crawlspace is an enclosed area below the Base Flood Elevation (BFE) and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one (1) foot above the Lowest Adjacent Grade (LAG).
 - c. The crawlspace enclosure must have proper openings that allow equalization of hydrostatic pressure by allowing automatic entry and exit of floodwaters. To achieve this, a minimum of one (1) square inch of flood opening is required per one (1) square foot of the enclosed area subject to flooding.
 - d. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, piers, or other materials that extend below the BFE. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.
 - e. Any building utility systems within the crawlspace must be elevated above the BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.
 - f. The interior grade of a crawlspace below the BFE must not be more than two (2) feet below the LAG.
 - g. The height of the below-grade crawlspace, measured from the lowest interior grade of the crawlspace floor to the bottom of the floor joist of the next higher floor cannot exceed four (4) feet at any point.
 - h. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
 - i. Buildings with below-grade crawlspaces will have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation at or above the LAG.
7. Manufactured Homes.
 - a. Require that all manufactured homes to be placed within Zone A on a community's Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM) shall be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties

- to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
- b. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites outside of a manufactured home park or subdivision;) in a new manufactured home park or subdivision; in an expansion to an existing manufactured home park or subdivision; or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the Base Flood Elevation (BFE), unless a higher standard option was selected, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - c. In A-1-30, AH, AO and AE Zones, require that manufactured homes to be placed or substantially improved in an existing manufactured home park to be elevated so that the lowest floor is at or above the BFE, unless a higher standard option was selected; or the chassis is supported by reinforced piers no less than 36 inches in height above grade and securely anchored.
8. Recreational Vehicles. Require that recreational vehicles placed on sites and where temporarily being used for human occupancy within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map (FIRM) either:
- a. Be on the site for two (2) weeks within a six (6) month time frame and be fully licensed and ready for highway use. See also 17.64.020;
 - i. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
9. Enclosures - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
- a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - b. The bottom of all openings shall be no higher than one-foot above grade or above grade or Base Flood Elevation (BSE).
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters
10. Accessory Structures. Accessory structures located within zones A, A1-A30, AH, AO, or AE must be:
- a. Detached from a residence.
 - b. On the same parcel of property as the principal structure to be insured;
 - c. Incidental to the use of the principal structure.
 - d. Is solely used for parking or limited storage and not human habitation;
 - e. Is low valued, represents a minimal investment, and must be unfinished on the interior.

- f. As required in the 44 CFR Section 60.3(a)3:
 - i. “be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy;”
 - ii. “be constructed with materials resistant to flood damage” below the BFE, be designed to allow for the automatic entry of flood waters and meet all applicable building codes;”
 - iii. “be constructed by methods and practices that minimize flood damages;”
 - iv. “be constructed with electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities that are designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding.”
- g. Comply with the floodway encroachment “no-rise” provisions of the National Flood Insurance Program (NFIP) regulations.
- h. Not be used for human habitation including but not limited to working, sleeping, and living.
- i. Include, in the submittal for Floodplain Development Permit, sufficient documentation demonstrating full compliance with this section, including, but not limited to, the use of flood resistant materials, anchoring, and flood openings;
- j. This section shall follow Federal Emergency Management Agency Policy # 104-008-03, Floodplain Management Requirements for Agricultural Structures and Accessory Structures or as periodically updated by FEMA. A copy is on file at the Lindon City Community Development Office.

17.62.280 Standards for Areas of Shallow Flooding (AO/AH Zones)

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

1. Require within Zone AO that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's Flood Insurance Rate Map (FIRM) (at least two feet if no depth number is specified).
2. Require within Zone AO all new construction and substantial improvements of non-residential structures;
 - a. have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or;
 - b. together with attendant utility and sanitary facilities be designed so that below the

base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

3. A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Article 4, Section C (1)a., are satisfied.
4. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

10. Review & Action — Emergency Declaration Extension; Resolution #2020-10-R. The Lindon City Council will consider the issuance of an extension to the emergency declaration on March 23, 2020 by the Lindon City Mayor declaring a local emergency in Lindon City in response to the evolving COVID-19 pandemic and to consider approval of Resolution #2020-10-R consenting to such extension.
(20 minutes)

Sample Motion: I move to (approve, deny, continue) Resolution #2020-10-R (as presented, or with changes).

RESOLUTION NO. 2020-10-R

A RESOLUTION OF THE LINDON CITY COUNCIL CONSENTING TO AN EXTENSION OF THE PROCLAMATION OF THE LINDON CITY MAYOR DECLARING A LOCAL EMERGENCY IN LINDON CITY.

WHEREAS, the Lindon City Mayor issued Proclamation 2020-1 on March 23, 2020 Declaring a Local Emergency (Declaration) in Lindon City in response to the COVID-19 pandemic; and

WHEREAS, the Lindon City Council carefully reviewed the Declaration, and the reasons set forth for the issuance of thereof, and finds that the Lindon City Mayor exercised reasonable and prudent judgment in issuing the Declaration; and

WHEREAS, the Declaration was effective for 30 days unless extended through and by the consent of the Lindon City Council, and State and Federal health officials have indicated that the emergency conditions may continue for longer than 30 days; and

WHEREAS, the Lindon City Council, passed Resolution 2020-7-R consenting to the Declaration and providing for an additional 15 days for the Declaration to be effective for a total of 45 days, which ends on March 6, 2020; and

WHEREAS, State and Federal health officials have indicated that the COVID-19 emergency conditions are still present and will continue longer than the 45 days covered in the city Declaration; and

WHEREAS, it is in the best interest of the citizens of Lindon City to ensure that city officers and staff have the ability to seek and utilize assistance from State, Federal, and other local agencies in responding to the present emergency conditions, until such time as those conditions subside.

NOW, THEREFORE, BE IT RESOLVED BY THE LINDON CITY COUNCIL, as follows:

1. That the Lindon City Council continues to consent to the Proclamation of the Lindon City Mayor Declaring a Local Emergency in Lindon City on March 23, 2020.
2. That this Consent shall be effective so as to allow the Declaration to be in effect for an extension of time from May 4, 2020 continuing until the State of Utah declares that the public is no longer within a high, moderate, or low risk condition for health orders related to COVID-19, unless terminated earlier or unless the City Council extends the Declaration through further Resolution.

PASSED, AND RESOLVED by the Council of Lindon City, Utah, this 4th day of May, 2020.

JEFF ACERSON
MAYOR

ATTEST:

KATHRYN MOOSMAN
CITY RECORDER

Proclamation No. 2020-01

A PROCLAMATION DECLARING A LOCAL EMERGENCY IN LINDON CITY

WHEREAS, Section 2.04.050 of the Lindon City Code and § 10-3b-104 of the Utah State Code authorize the Lindon City Mayor to exercise all granted authority to enforce the law and to keep the peace within Lindon City, and § 53-2a-208 of the Utah State Code authorizes the Mayor to proclaim a local emergency; and

WHEREAS, on January 21, 2020, the Utah Department of Health activated its Department Operations Center in response to the evolving COVID-19 global outbreak and the Utah Department of Health recognizes COVID-19 as an imminent threat to the health and safety of the residents of Utah; and

WHEREAS, on February 28, 2020, the State Emergency Operations Center raised its activation level to Level 3-Elevated Action and the Utah Division of Emergency Management and the Utah Department of Health activated a Joint Information System for public information; and

WHEREAS, the Center for Disease Control identifies the potential public health threat posed by COVID-19 within the United States as “high”, and has advised that person-to-person spread of COVID-19 will continue to occur globally and within the United States; and

WHEREAS, the Utah Department of Health recognizes that the confirmed community transmission of COVID-19 within the United States, and especially within Utah, significantly increases the risk of exposure and infection to the State of Utah’s general public, including the residents of Lindon City, and creates an extreme public health risk that may spread quickly; and

WHEREAS, the identification of COVID-19 cases in Utah, including in Utah County, has created conditions that are likely to cause the need for resources and support to exceed the capacity of local agencies to meet those demands if authorities do not respond in an efficient and expedited manner. These conditions require prompt and continuous coordination with other political entities and subdivisions to effectively combat COVID-19; and

WHEREAS on March 6, 2020, the Governor of the State of Utah issued an executive order declaring a state of emergency in response to the evolving COVID-19 pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency to respond to the COVID-19 pandemic; and

WHEREAS, the mobilization of local resources, the ability to coordinate interagency responses, the ability to accelerate the procurement of vital supplies, and the effective use of mutual aid will be critical to successfully respond to COVID-19; and

)

WHEREAS, the City of Orem, a sister city with which Lindon City has an interlocal agreement for the provision of emergency services and critical utility services, and with which the Lindon City Police Department has an extensive history of agency assists and coordination, declared a local emergency on March 16, 2020; and

WHEREAS, it is reasonable and prudent to ensure Lindon City is able to continue this close coordination and cooperation with Orem City by having access to the same resources and assistance from state and federal agencies as our sister city, which are made available through the issuance of a declaration of a local emergency; and

WHEREAS, the existence of the conditions described herein, creates a "State of Emergency" as established in the Utah Disaster Response and Recovery Act, found in Title 53, Chapter 2a of the Utah State Code, and such conditions create the need for Lindon City to declare the existence of a local emergency through proclamation.

NOW, THEREFORE IT IS HEREBY PROCLAIMED AND ORDERED by the Mayor of Lindon City, Utah;

1. A local emergency exists in Lindon City due to the presence of COVID-19 within the State of Utah and due to the potential for the rapid spread of the virus.
2. Lindon City staff and personnel are authorized to perform all emergency functions and procedures authorized by federal, state, and local laws to address this emergency.
3. Lindon City is authorized to request assistance from the State of Utah, the Federal Government, including the Federal Emergency Management Agency, and any other local government entity or private resource necessary to address this emergency condition.
4. Lindon City is authorized to enter into, or activate, all applicable mutual aid agreements that will assist the City in responding to this emergency condition.
5. This Proclamation and Order shall be effective immediately and will continue for 30 days. Upon the consent and ratification of the Lindon City Council, this Proclamation and Order shall continue for an additional 15 days for a total of 45 days, unless terminated earlier by proclamation or further extended by resolution by the Lindon City Council.
6. This Declaration and Order shall be filed with the Lindon City Recorder and with the Utah County Clerk.

Dated this 23rd day of March, 2020.

ATTEST


 By: JEFF ACERSON,
 Lindon City Mayor


 By: KATHRYN MOOSMAN,
 Lindon City Recorder



RESOLUTION NO. 2020-7-R

A RESOLUTION OF THE LINDON CITY COUNCIL CONSENTING TO THE PROCLAMATION OF THE LINDON CITY MAYOR DECLARING A LOCAL EMERGENCY IN LINDON CITY.

WHEREAS, the Lindon City Mayor has issued a Proclamation declaring a Public Emergency in Lindon City in response to the COVID-19 pandemic; and

WHEREAS, the Lindon City Council has carefully reviewed the Declaration, and the reasons set forth for the issuance of thereof, and finds that the Lindon City Mayor has exercised reasonable and prudent judgment in issuing the Declaration; and

WHEREAS, the Declaration is only effective for 30 days unless extended through and by the consent of the Lindon City Council, and State and Federal health officials have indicated that the emergency conditions may continue for longer than 30 days; and

WHEREAS, the Declaration issued by the Lindon City Mayor provides that upon consent of the Lindon City Council, the Declaration will be effective for an additional 15 days for a total of 45 days; and

WHEREAS, it is in the best interest of the citizens of Lindon City to ensure that city officers and staff have the ability to seek and utilize assistance from State, Federal, and other local agencies in responding to the present emergency conditions, until such time as those conditions subside.

NOW, THEREFORE, BE IT RESOLVED BY THE LINDON CITY COUNCIL, as follows:

1. That the Lindon City Council consents to the Proclamation of the Lindon City Mayor Declaring a Local Emergency in Lindon City on March 23, 2020.
2. That this Consent shall be effective so as to allow the Declaration to be in effect for a total of 45 days from March 23, 2020, unless terminated earlier or unless the City Council extends the Declaration through further Resolution.

PASSED, AND RESOLVED by the Council of Lindon City, Utah, this 23 day of March, 2020.



 JEFF ACERSON
 MAYOR

ATTEST:



 KATHRYN MOOSMAN
 CITY RECORDER



ADJOURN