



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, November 18, 2021, starting at 7:00 P.M. in the **Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT.**

The meeting will be streamed on YouTube, and the link to the meeting will be posted on www.KaysvilleLive.com. For those wishing to direct comments to the City Council can do so in-person, or email comments to publiccomment@kaysvillecity.com. Emailed comments will NOT be read out-loud at the meeting. Members wishing to speak during an Action Items or during Call to the Public must sign-up in person before the meeting to speak.

CITY COUNCIL Q&A – 6:30 P.M.

The City Council will be available to answer questions or discuss any matters the public may have.

CITY COUNCIL MEETING – 7:00 P.M.

The agenda shall be as follows:

1. OPENING
 - a. Provided by Council Member Mike Blackham.
2. PRESENTATIONS AND AWARDS
 - a. Proclamation declaring November 27, 2021 as Small Business Saturday.
3. DECLARATION OF ANY CONFLICTS OF INTEREST
4. CONSENT ITEMS
 - a. A Resolution adopting the Davis County Natural Hazard Mitigation Plan.
5. ACTION ITEMS
 - a. A Resolution adopting and approving a policy establishing a Parental Leave Policy.
 - b. A Resolution amending Section 2.17 “Retirement” of the Kaysville City Personnel Rules and Regulations.
 - c. A Resolution amending Section 4 of the Kaysville City Personnel Rules and Regulations regarding the city’s paid leave policies.
6. WORK ITEMS
 - a. A Discussion about Kaysville City’s Paid Holidays.
 - b. A Resolution appointing a representative to serve on the Great Salt Lake Scenic Byway Committee.
 - c. Updates to Chapters 2, 3 and 4 of Title 9 “Public Works” of the Kaysville City Ordinances.
7. CALL TO THE PUBLIC (3 MINUTE LIMIT. MUST SIGN UP IN PERSON)
8. COUNCIL MEMBER REPORTS
9. CITY MANAGER REPORT
10. ADJOURNMENT

Kaysville City is dedicated to a policy of non-discrimination in admission to, access to, or operations of its programs, services, or activities. If you need special assistance due to a disability, please contact the Kaysville City Offices at (801) 546-1235 at least 24 hours in advance of the meeting to be held.

I hereby certify that I posted a copy of the foregoing Notice and Agenda and emailed copies to media representatives on November 12, 2021.


Annemarie Plaizier
City Recorder

**Small Business Saturday
November 27, 2021**

Whereas, the government of Kaysville City, Utah, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 31.7 million small businesses in the United States, they represent 99.7% of firms with paid employees, and they are responsible for 65.1% of net new jobs created from 2000 to 2019; and

Whereas, small businesses employ 47.1% of the employees in the private sector in the United States, 88% of U.S. consumers feel a personal commitment to support small businesses in the wake of the pandemic, and 92% of small business owners have pivoted the way they do business to stay open during the pandemic; and

Whereas, 97% of Small Business Saturday® shoppers recognize the impact they can make by shopping small, 85% of them also encouraged friends and family to do so, too; and

Whereas, 56% of shoppers reported they shopped online with a small business on Small Business Saturday in 2020; and more than 50% of consumers who reported shopping small endorsed a local business on social media or shopped at a local business because of a social media recommendation; and

Whereas, Kaysville City, Utah supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

Whereas, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

Now, Therefore, I, Kate Witt, Mayor of Kaysville City, Utah, along with the Kaysville City Council, do hereby proclaim, November 27, 2021, as:

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

In Witness Whereof I have cause the Seal of the City of Kaysville City to be affixed on this 18th day of November, 2021.



Mayor

LET'S GO SHOP SMALL[®] THIS SEASON



WHAT IS SMALL BUSINESS SATURDAY[®]?

Since its inception in 2010, Small Business Saturday, proudly backed by American Express, has illuminated the significance of supporting small, independently owned businesses across the country. Falling between Black Friday and Cyber Monday, it's a day dedicated to supporting the diverse range of local businesses that help create jobs, boost the economy, and keep communities thriving across the country.

WHY SUPPORT SMALL BUSINESS SATURDAY?

- Demonstrates a conscious commitment to the communities in which we live.
- Creates goodwill within the communities.
- When we support small businesses, we help create jobs and local communities preserve their unique culture.

2020 SMALL BUSINESS SATURDAY FACTS:

- In 2020, U.S. consumers reported spending a record high total of an estimated \$19.8 billion at independent retailers and restaurants on Small Business Saturday.¹
- On average for every dollar spent at local small businesses 67 cents stays in the local community.²
- Elected officials in all 50 states, Washington, D.C., Puerto Rico, and other U.S. territories championed Small Business Saturday.

¹ The American Express 2020 Small Business Saturday Consumer Insights Survey was conducted by Teneo on behalf of American Express and the National Federation of Independent Business (NFIB). The study is a nationally representative sample of 2,572 U.S. adults 18 years of age or older. The sample was collected using an email invitation and an online survey. The study gathered self-reported data and does not reflect actual receipts or sales. It was conducted anonymously on November 29, 2020. The survey has an overall margin of error of +/- 2.0%, at the 95% level of confidence. Projections are based on the current U.S. Census estimates of the U.S. adult population, age 18 years and over.

² The 2018 Small Business Economic Impact Study was conducted by Econsult Solutions, Inc. (ESI) on behalf of American Express. ESI calculated the share of national Gross Domestic Product (GDP), employment and employee compensation that small businesses with under 100 employees provide to the economy based on an analysis used by the U.S. Small Business Administration. ESI also estimated how much of each dollar spent at the average small business remains in their local community and used input-output analysis across 100 representative U.S. counties to calculate the additional impact that is generated locally as the result of the spending of employees and the spending of the small business with local suppliers and service providers.

LET'S GO SHOP SMALL[®] THIS SEASON



- 723 local governments issued proclamations in support of Small Business Saturday covering all 50 states and Washington, D.C.
- American Express enlisted the support of nearly 100 large companies, known as Corporate Supporters, to help drive excitement for and promote Small Business Saturday.
- The Small Business Saturday Coalition, comprised of national, state and local associations that help coordinate activities for Small Business Saturday with small business owners and consumers, had over 300 organizations help spread the Shop Small[®] message.
- According to the 2020 Small Business Saturday Consumer Insights Survey, 97% of shoppers recognized the positive impact they can make by shopping small, and 85% of them reported they also encouraged friends and family to do so, too.³

JOIN THE COALITION:

Building on the success of previous years, the Coalition of supporters are more committed than ever. This includes support from advocacy organizations that join the initiative to motivate constituents through incentives and offers to not only Shop Small on November 27, 2021, but Shop Small all year long.

The coalition is led by Women Impacting Public Policy, a business advocacy organization representing small businesses. [Join Us!](#)

Contact Info:

Small Business Saturday Program

Women Impacting Public Policy

Phone: (415) 434-4314 |Email: sbscoalition@wipp.org

³The American Express 2020 Small Business Saturday Consumer Insights Survey was conducted by Teneo on behalf of American Express. The study is a nationally representative sample of 2,572 U.S. adults 18 years of age or older. The sample was collected using an email invitation and an online survey. The study gathered self-reported data and does not reflect actual receipts or sales. It was conducted anonymously on November 29, 2020. The survey has an overall margin of error of +/- 2.0%, at the 95% level of confidence. Projections are based on the current U.S. Census estimates of the U.S. adult population, age 18 years and over.

STAFF REPORT



COUNCIL MEETING DATE: November 18, 2021

TYPE OF ITEM: Consent

SUBJECT/AGENDA TITLE: A resolution adopting the County's Hazard Plan.

EXECUTIVE SUMMARY: The City and County have been working together on a Natural Hazard Pre-Disaster Mitigation Plan Update. As part of the formal approval process required by FEMA, the City's governing body—the City Council—must officially adopt the plan. This resolution accomplishes that task so that the City and County can comply with the FEMA requirements.

Council Options: 1) Approve the resolution as written; 2) Approve the resolution with any modifications that the Council deems appropriate; 3) Decline to adopt the resolution and remand to staff with further direction.

Recommended Options: Staff recommends that the City Council move the resolution to an action item as written.

Fiscal Impact & Fund Source for Recommended Action: City Staff anticipates no costs to the City based on the passage of this resolution.

RESOLUTION 21-__-__

**A RESOLUTION ADOPTING THE DAVIS COUNTY 2021 NATURAL HAZARD
PRE-DISASTER MITIGATION PLAN UPDATE, AS REQUIRED BY THE
FEDERAL DISASTER MITIGATION AND COST REDUCTION ACT OF 2000**

WHEREAS, President William J. Clinton signed H.R. 707, the Disaster Mitigation and Cost Reduction Act of 2000 into law on October 30, 2000; and

WHEREAS, the Disaster Mitigation Act of 2000 requires all jurisdictions to be covered by a Pre-Disaster Hazard Mitigation Plan in order to be eligible for Federal Emergency Management Agency (FEMA) post-disaster funds; and

WHEREAS, the Kaysville City Council recognizes the threat that natural hazards pose to people and property within the City and Davis County, Utah; and

WHEREAS, Kaysville has participated with Davis County to prepare an update to their multi-hazard mitigation plan, hereby known as the Davis County 2021 Natural Hazard Pre-Disaster Mitigation Plan Update, in accordance with the Disaster Mitigation Act of 2000 and FEMA requirements found in 44 C.F.R. 201.6; and

WHEREAS, the Davis County 2021 Natural Hazard Pre-Disaster Mitigation Plan Update identified mitigation goals and actions to reduce or eliminate long-term risks to people and property in the City and County from the impacts of future hazards and disasters; and

WHEREAS, the City has determined that it is in the best interest of the community to adopt the Davis County 2021 Natural Hazard Pre-Disaster Mitigation Plan Update.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF KAYSVILLE, UTAH:

SECTION I: The City Council hereby adopts the 2021 Davis County Natural Hazard Pre-Disaster Mitigation Plan Update, attached hereto as Exhibit ‘A’, as the jurisdiction’s Multi-Hazard Mitigation Plan.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this **18th day of November, 2021.**

Katie Witt, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

STAFF REPORT



COUNCIL MEETING DATE: November 18, 2021

TYPE OF ITEM: Action

SUBJECT/AGENDA TITLE: A resolution enacting a paid parental leave policy for the City.

EXECUTIVE SUMMARY: The City has a strong desire to recruit and retain quality employees. The City has noticed one area of improvement to accomplish this goal. Namely, benefits for new parents. This resolution would authorize paid parental leave when employees have a new birth or adoption. This iteration would allow three weeks of paid leave for all employees who are either adopting or their spouse is having a baby. Additionally, this would allow birthing mothers an additional three weeks of leave. In the past five years, we have had two part-time employees that have given birth and would have qualified for the full six weeks. We have an additional employee that will give birth in 2022.

Council Options: 1) Approve the resolution as written; 2) Approve the resolution with any modifications that the Council deems appropriate; 3) Decline to adopt the resolution and remand to staff with further direction.

Recommended Options: Staff recommends that the City Council move the resolution to an action item as written.

Fiscal Impact & Fund Source for Recommended Action: City Staff anticipates minimal costs to the City based on the passage of this resolution.

RESOLUTION 21-XX-XX

A RESOLUTION ADOPTING AND APPROVING A POLICY ESTABLISHING A PARENTAL LEAVE POLICY

WHEREAS, the Kaysville City Council desires to recruit and retain quality City employees; and

WHEREAS, the City Council desires to establish a policy to allow employees leave when their families are expanding; and

WHEREAS, the City recognizes that establishing this policy will help retain employees; and

WHEREAS, the City believes that establishing a policy will lead to greater value returned to the City from their employees; and

WHEREAS, it is deemed to be in the best interest of the citizens of Kaysville City to adopt and approve the policy outlined below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF KAYSVILLE, UTAH:

1. The Kaysville City Personnel Policy and Regulations Section **4.10 Paid Parental Leave** is hereby enacted as follows:

4.10 Paid Parental Leave

PURPOSE—Kaysville City will provide up to three weeks of paid parental leave to employees following the birth of an employee’s child or the placement of a child with an employee in connection with adoption. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable. This policy will be in effect for births or adoptions occurring on or after January 1, 2022.

ELIGIBILITY—Eligible employees must meet the following criteria:

1. Have been employed with the City for at least 12 months.
2. Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
3. Be a full- or permanent part-time, regular employee (temporary employees and interns are not eligible for this benefit).

In addition, employees must meet one of the following criteria:

- 1) Have given birth to a child.
- 2) Be a spouse or committed partner of a woman who has given birth to a child.
 - a) Committed Partner means an unrelated and unmarried person who shares common living quarters with an employee and lives in a committed, intimate relationship.
- 3) Have adopted a child (the child must be 17 years old or younger). The adoption of a new spouse's child is excluded from this policy.

AMOUNT, TIME FRAME, AND DURATION OF PAID PARENTAL LEAVE

1. Eligible employees will receive a maximum of three weeks of paid parental leave per birth or adoption. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the three-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive

- more than three weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth or adoption event occurs within that 12-month time frame.
2. Employees who are birthing mothers will be eligible to receive the three weeks described above and an additional three weeks (total of six weeks) to support recovery from childbirth. All other conditions in this section including multiple births and the rolling 12-month time frame apply to employees who are birthing mothers.
 3. Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
 4. Approved paid parental leave may be taken at any time during the three-month period immediately following the birth or adoption. Paid parental leave may not be used or extended beyond this three-month time frame.
 5. Employees may take paid parental leave in one continuous period or take the parental leave in smaller periods of time, but must use all paid parental leave during the three-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the three-month time frame.
 6. Upon termination of the individual's employment at the City, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

COORDINATION WITH OTHER POLICIES

1. Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
2. After the paid parental leave (and any short-term disability leave for employees giving birth) is exhausted, the balance of FMLA leave (if applicable) will be compensated through employees' accrued sick or vacation time. Upon exhaustion of accrued sick, vacation and personal time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
3. The City will maintain all benefits for employees during the paid parental leave period just as if they were taking any other City paid leave such as paid vacation leave or paid sick leave.
4. If a City holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.
5. If the employee is on paid parental leave when the City offers administrative leave, that time will be recorded as paid parental leave. Administrative leave will not extend the paid parental leave entitlement.
6. An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee were on FMLA-qualifying leave.

REQUESTS FOR PAID PARENTAL LEAVE

1. The employee will provide his or her supervisor and the human resource department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete any necessary HR forms and provide all documentation as required by the HR department to substantiate the request.
2. As is the case with all City policies, the City has the exclusive right to interpret this policy.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this **18th day of November, 2021.**

Katie Witt, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

STAFF REPORT



COUNCIL MEETING DATE: November 18, 2021

TYPE OF ITEM: Action

SUBJECT/AGENDA TITLE: Retirement Incentive

EXECUTIVE SUMMARY:

Over the past year, an effort was made to evaluate Kaysville City benefits and other non-payroll related benefits. This was done through an ad-hoc committee of employees known as the Employee Morale Committee or EMC. One recommendation that came from this committee is to incentivize an employee that may desire to retire but continues to work due to health insurance requirements.

The purpose of the proposal includes the following:

- Retain/Promote good employees
- Recognize time and contribution from valuable Kaysville City Employees
- Allow a higher salaried individual to retire while capturing savings in a replacement
- Allow management throughout the city an opportunity to prepare, mentor, and succession plan.

This item is for discussion, to answer questions, and gauge council interest in this program. Please see attached potential addition to the Human Resource Manual for more information.

Council Options: 1) Approve the Policy as proposed 2) Discuss and Move the Policy with Changes 3) Do nothing to not move this proposal any further.

Recommended Options: Approve the policy as proposed

Fiscal Impact & Fund Source for Recommended Action: This proposal would compensate those retiring with health insurance while also saving payroll costs between the retiring individual and a replacement of the same.

RESOLUTION __-__-__

A RESOLUTION AMENDING SECTION 2 OF THE KAYSVILLE CITY PERSONNEL RULES AND REGULATIONS BY AMENDING SECTION 2.17

WHEREAS, the Kaysville City Council desires to encourage employees to assist the City in succession planning; and

WHEREAS, the Kaysville City Council has adopted the Kaysville City Personnel Rules and Regulations which govern the City's retirement policies; and

WHEREAS, the City Council recognizes that affording employees the opportunity to maintain their health insurance will help both employees and the City; and

WHEREAS, the Kaysville City Council desires to allow for employees to utilize the City's health insurance subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF KAYSVILLE, UTAH:

1. Sections 2.17 of the Kaysville City Personnel Rules and Regulations handbook will be amended as follows:

2.17 RETIREMENT

Retirement from City service shall be subject to the terms and conditions of the City's Retirement Systems. Employees may retire at any time following eligibility after the two (2) weeks' notice is given to the Personnel Officer.

Employees that choose to retire from Kaysville City may be compensated with up to two years of health insurance benefits available to all other city employees for them and their spouse if they meet all of the following criteria:

- Employee is retiring with an official filing with the Utah Retirement System;
- Employee provides at least 3 months' notice of retirement date; and
- Employee, or their spouse, does not qualify for any other employer- or government-funded (i.e. Medicare) health insurance coverage.

2. This resolution shall take effect immediately.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this 18th day of November, 2021.

Katie Witt, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

STAFF REPORT



COUNCIL MEETING DATE: November 18, 2021

TYPE OF ITEM: Action

SUBJECT/AGENDA TITLE: A resolution amending the City's Paid Leave Policies.

EXECUTIVE SUMMARY: The City recently discussed some potential changes to the personnel policy regarding leave. Staff received direction to explore the potential of transitioning to a paid time off policy instead of concurrent vacation and sick leave policies. This resolution would amend the City's existing policies and remove some antiquated leave policies.

Council Options: 1) Adopt this Resolution as presented; 2) Adopt the Resolution with any modifications that the Council deems appropriate; 3) Decline to adopt the resolution and remand to staff with further direction.

Recommended Options: Staff recommends that the City Council Adopt the Resolution as written.

Fiscal Impact & Fund Source for Recommended Action: City Staff anticipates minimal costs to the City based on the passage of this resolution.

RESOLUTION __-__-__

A RESOLUTION AMENDING SECTION 4 OF THE KAYSVILLE CITY PERSONNEL RULES AND REGULATIONS BY AMENDING SECTION 4.01, REPEALING SECTIONS 4.02, 4.04, 4.08, AND 4.09, AND RENUMBERING THE EXISTING SECTIONS

WHEREAS, the Kaysville City Council desires to transition from giving employees vacation and sick time to a single paid time off benefit; and

WHEREAS, the Kaysville City Council has adopted the Kaysville City Personnel Rules and Regulations; and

WHEREAS, the City Council recognizes that a simpler less segmented leave policy would be more efficient; and

WHEREAS, the Kaysville City Council desires to transition to a simplified paid time off policy,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF KAYSVILE, UTAH:

1. Sections 4.01 of the Kaysville City Personnel Rules and Regulations handbook will be amended as follows:

4.01 Paid Time Off and Short Term Medical Leave

Paid Time Off (PTO)

The City grants annual, paid time off (PTO) to its appointed, regular, and part-time benefitted employees. The amount of PTO you are given is based on your length of service since your hire date, as follows:

	Years of Service	Annual Accrual	Bi-Weekly Accrual	Maximum Accrual
Appointed & Regular**	Hire date through completion of 5 th	174 hours	6.7 hours	320 hours*
	Start of 6 th through completion of 10 th	216 hours	8.3 hours	
	Start of 11 th year	260 hours	10 hours	
Firefighters	Hire date through completion of 5 th	214.5 hours	8.25 hours	480 hours*
	Start of 6 th through completion of 10 th	292.5 hours	11.25 hours	
	Start of 11 th year	380.5 hours	14.63 hours	

* Any PTO hours over the 320/480-hour maximum accrual limits as of January 1 of each year will be forfeited.

Part-Time Benefitted: Part-time benefitted employees accrue PTO based on the number of

hours the employee is regularly scheduled to work. When you take PTO, you are paid for the number of hours you are normally scheduled to work. For example, an employee scheduled to work 20 hours a week would accrue half of the regular PTO accrual rate and when they take PTO days, they would be paid for the four hours a day they regularly work. The maximum accrual limit for part-time benefitted employees is also prorated based on the employee's regular schedule. If you have questions about your accrual rates, please contact Human Resources.

Seasonal & Part-time Non-benefitted: These positions do not receive paid time off but may be allowed leave without pay, if approved in advance by an employee's supervisor.

PTO Scheduling: PTO may be taken as weekly periods, individual days or hourly increments, as long as the periods chosen meet with departmental approval. For scheduled leave, submit a leave request to your supervisor as early as possible. The supervisor reserves the right to deny leave requests. It is the employee's responsibility to manage their leave time. Any accrued compensatory time must be used prior to PTO.

Employees may also need to use PTO for unforeseen circumstances such as illness or emergencies. Please immediately notify your supervisor in the event that you are ill on the job or are sick and cannot come to work on a given day. In the event of extended or numerous absences due to illness, you may be required by your supervisor to submit a medical statement from the attending physician. If your absence is due to an emergency, you or a member of your immediate family should inform your supervisor as soon as is practical. You may be required to submit to the Human Resources Office a detailed medical statement from the attending physician stating the reasons why and how long you will be ill or disabled.

PTO Cash-Out: Employees who have used at least 40 hours of PTO in the respective year and still have a balance of at least 240 hours (360 hours for firefighters) of PTO are eligible to cash-out between 40 - 100 hours each year. Provided they have a remaining balance of at least 200 hours (320 hours for firefighters) of PTO after the cash-out. There will be one opportunity each year to cash-out PTO in the last quarter of the calendar year as designated by Human Resources. Employees will receive \$0.50 on the dollar for each hour of PTO that is cashed-out. For example, an employee paid \$20/hour who chooses to cash-out 40 hours will receive \$400 ($\$20 \times 40 \times 0.50$). An employee can designate the cash-out be distributed in one of the following ways: Income (subject to normal payroll taxes), a retirement account contribution, or an HSA contribution. Employees are responsible for making sure any contributions to retirement or HSA accounts comply with federal limits. PTO cash-outs don't count as compensation for purposes of the Utah Retirement System. Cash-out requirements for part-time employees will be prorated based on the employee's work schedule. Contact Human Resources for more information.

PTO Payout at Separation: At the time of separation, an employee will receive payment for all unused accrued PTO at the full dollar value rather than \$0.50 on the dollar. For example, an employee paid \$20/hour who has 300 hours of PTO at the time of separation hour will receive a PTO payout of \$6,000 (subject to normal payroll taxes).

Short Term Medical Leave (STML)

The City recognizes that the inability to work because of extended illness or injury may cause economic hardship. For this reason, the City provides short term medical leave (STML) to

appointed, regular, and part-time benefitted employees. STML should not be used for purposes other than extended illness or injury. Abuse of STML may result in disciplinary action up to and including termination. Eligible employees accrue STML at the following rates:

Employment Classification	Annual Accrual	Maximum Accrual
Appointed, Regular & Firefighters	40 hours	480 hours
Part-time Benefitted 35 hours/ week	35 hours	420 hours
Part-time Benefitted 32 hours/ week	32 hours	384 hours
Part-time Benefitted 30 hours/ week	30 hours	360 hours
Part-time Benefitted 25 hours/ week	25 hours	300 hours
Part-time Benefitted 20 hours/ week	20 hours	240 hours
Seasonal & Part-time Non-benefitted	Not eligible	Not eligible

STML hours will accrue on January 1 of each calendar year assuming the employee's STML balance is below the maximum allowed amount. STML accrual amounts may be reduced if the employee is at or near the maximum allowed amount. For new employees, if your hire date is before July 1, you will receive all 40 hours of STML that calendar year. If you are hired after July 1, you will receive 20 hours of STML that calendar year. Employee STML balances may never exceed the maximum amount unless the employee has been grandfathered in and allowed to maintain a higher balance. Once a grandfathered employee's balance drops below the maximum allowed amount, they then become subject to the maximum accrual limits set forth above. No payments are made for accrued unused STML at the end of any calendar year or in the event of termination.

Qualifying for Short Term Medical Leave: In the event of extended illness or injury, an employee may access their STML after using 80 hours of PTO or other leave. If there is more than one event in the calendar year, an employee will only need to use 40 hours of PTO or other leave for each subsequent event. This amount is pro-rated for part-time employees. In order to use STML an employee must apply for STML by completing the STML application form available through Human Resources. Access to STML will not begin until the completed application has been submitted to Human Resources. STML will be used concurrently with FMLA if eligible. Eligibility to use STML will be determined based on FMLA criteria.

Correlation of STML with PTO, Workers Compensation and Disability Benefits: The Human Resources Director is authorized to correlate STML with workers' compensation and employee disability insurance. An employee cannot receive full STML/PTO pay, worker's compensation, and disability insurance at the same time. STML should be used prior to disability benefits. Up to 60 hours of STML may also be used to supplement worker's compensation up to the employee's net base pay at the time of injury.

2. The following sections are repealed in their entirety:

- 4.02—Administrative or Training Leave
- 4.04—Jury and Court Leave
- 4.08—Leave For Hearings, Examinations, and Industrial Accidents
- 4.09—Sick Leave

3. The following sections will be renumbered as follows:

Old Numbering	New Numbering
4.03 Funeral Leave	4.02 Funeral Leave
4.05 Family and Medical Leave	4.03 Family and Medical Leave
4.06 Military Leave	4.04 Military Leave
4.07 Leaves of Absence	4.05 Leaves of Absence

4. This resolution shall take effect January 1, 2022. All vacation leave accruals shall immediately be eligible for the new maximum leave accrual.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this ____ day of _____, 20__.

Katie Witt, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

STAFF REPORT



COUNCIL MEETING DATE: November 18, 2021

TYPE OF ITEM: Work

SUBJECT/AGENDA TITLE: A resolution amending the City's Paid Holidays

EXECUTIVE SUMMARY: In 2021 the Federal Government recognized Juneteenth as a Federal Holiday to be celebrated on June 19th each year. Because of this, several Kaysville City employees have asked how this affects our Holiday schedule, if it does at all. Some options for the council to consider include:

- Adding an additional Holiday to the already accepted Holidays. Currently there are 12. This would be a 13th Holiday.
- Do nothing and Juneteenth will not be celebrated as a Kaysville City Holiday
- Swap Juneteenth for another existing Holiday. Columbus Day might be a Holiday that could be exchanged for Juneteenth, for example.

Council Options: 1) Move this HR Manual Change to an action item with direction as to which Holidays to include; 2) Decline to forward this item to an Action item, thus ensuring that Holidays will stay the same for 2022.

Recommended Options: Staff recommends that the City Council weigh the pros and cons of each possibility. If pressed, I (Shayne) would recommend that Juneteenth is traded in for Columbus Day. I feel like this is a small token to make our city as inclusive as we can be.

Fiscal Impact & Fund Source for Recommended Action: City Staff anticipates minimal costs to the City based on the passage of this resolution.

STAFF REPORT



COUNCIL MEETING DATE: November 18, 2021

TYPE OF ITEM: Work

SUBJECT/AGENDA TITLE: A resolution appointing a member to serve on the Great Salt Lake Scenic Byway Committee

EXECUTIVE SUMMARY: The Great Salt Lake Scenic Byway Committee has requested that the City appoint a member to serve on this committee and to do that by resolution. Mayor Katie Witt, who will not be Mayor in January, has expressed interest in serving on this committee on behalf of the City. This is more than acceptable to city staff.

Council Options: 1) Move this item to an action item 2) Move this item to Action with any recommended changes 3) Decline to forward this item to an Action item

Recommended Options: Staff recommends that the City Council Move this item to Action as presented.

Fiscal Impact & Fund Source for Recommended Action: City Staff anticipates zero costs to the City based on the eventual passage of this resolution.

RESOLUTION 21-__-__

**A RESOLUTION APPOINTING THE KAYSVILLE CITY REPRESENTATIVE TO
THE GREAT SALT LAKE LEGACY PARKWAY SCENIC BYWAY COMMITTEE**

WHEREAS, The Great Salt Lake Legacy Parkway Scenic Byway Committee adopted formal bylaws on December 10, 2008; and

WHEREAS, the bylaws provide that Kaysville City may appoint a voting member to the Committee; and

WHEREAS, Kaysville City wants a voting member on the Committee.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF KAYSVILLE,
UTAH:**

1. Katie Witt is appointed to serve as the Kaysville representative on the committee.
2. This resolution shall become effective immediately upon passage.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this **2nd day of December, 2021.**

Katie Witt, Mayor

ATTEST:

Annemarie Plaizier, City Recorder

CITY COUNCIL STAFF REPORT



COUNCIL MEETING DATE: November 18, 2021

TYPE OF ITEM: Work

SUBJECT/AGENDA TITLE: Updates to City Ordinance: Chapters 2, 3 and 4 of Title 9 – Public Works

EXECUTIVE SUMMARY:

For the last 2 years, Public Works has spent considerable time working with outside consultants, other municipalities, elected officials, Community Development staff and the City Attorney to review the City's construction standards and ordinances regarding the City's streets, storm water and drinking water infrastructure.

In addition to changes that have already been adopted regarding Low Impact Development (LID), summer water usage and the City's construction standards, staff has also identified the following changes to Title 9 and the excavation permit that are recommended for review and adoption (underlined in red). These proposed changes are aimed at better protecting the longevity of newly paved or surfaced streets, and enhancing water quality for both storm drain and drinking water.

Council Options: 1) Move to action, 2) Move to action with recommendations

Recommended Options: Move to action.

Fiscal Impact & Fund Source for Recommended Action: NA.

9-2-9 Excavations

1. Any work impacting City owned rights of way, infrastructure, or other properties shall require prior written approval (permit). Work includes, but is not limited to, excavations, potholes, bores, paving, constructing or modifying pipelines or conduits, or otherwise altering pavements, curbs, gutters, surfaces or underground utilities. In accordance with all requirements, including (but not limited to) the provisions stated in the permit and [Division 5b of the Kaysville Technical Specifications](#), the applicant shall also:
 - a. Proceed in accordance with City standards and specifications;
 - b. Indemnify and hold the City harmless from any and all claims or damages arising out of or occasioned by their work;
 - c. Restore, at their own expense, any impacts in accordance with the permit and City standards and specifications, unless otherwise directed by the City;
 - d. Not unreasonably interfere with the access and use of the City streets or sidewalks by the traveling public, or the rights of those having existing easements adjacent to or therein. Access must be properly maintained, including (but not limited to) being free of depressions, bumps, obstacles, debris, or any other impediment to safe access or travel. For accesses not properly maintained, a fee shall be assessed;
 - e. Provide a cash or escrow bond, based on the extents or dimensions of the work or its impact, as determined by the City;
 - f. Pay the necessary fees, based on the extents or dimensions of the work or its impact, as determined by the City. Failure to comply with the requirements of the permit shall result in additional fees, as stated in the provisions therein, and may be deducted from the bond, as determined by the City;
 - g. All other requirements deemed necessary by the City.
2. Upon receipt of the application for a permit, the City shall make any necessary inquiries or inspections of the site and then approve or disapprove the same.
3. Following approval of the permit and during performance of work and any restoration, the City shall inspect, as often as necessary, the site detailed within the permit application. Where it is determined that the site is not in compliance with these provisions or those stated within the permit, non-compliant work may require removal and replacement, forfeiture of bond, voluntary additional warranty periods or other remedies as deemed necessary in the sole discretion of the City.
4. A moratorium of four years shall be applied to all new public streets, public streets that have been reconstructed or that have been overlaid, prohibiting cutting into, altering or excavating within that public street. If cutting into, altering or excavating within a public street right of way is unavoidable, as determined by the Public Works Superintendent, the Special Restoration Standard shall apply to all work done that occurs during this moratorium, or for the specified period of time after the moratorium ends. This Standard exists to protect the integrity and prolong the service life of public streets. Applicable public streets must be restored to the following Special Restoration Standard:
 - a. New public streets, reconstructed public streets, or overlaid public streets: During the moratorium, and for a period of an additional three years after its conclusion, once an excavation has been backfilled but prior to paving, the asphalt shall then be cut full depth and removed for three feet in each direction from the edge of the original cut.

Special care shall be taken to minimize impacting the base and subgrade during this removal. Substantial disturbance, as determined by the Public Works Inspector, may require additional compaction or earthwork. After paving, all edges or cold joints must be crack sealed.

- b. Public streets with preventative maintenance treatments: For a period of three years after the placement of a treatment, an area not less than one foot in all directions, from the edge of the repaved surface shall have the same type of treatment reapplied, or another treatment as approved by the City. Prior to reapplication of the treatment, all edges must first be crack sealed. In cases where the amount of reapplied treatment required is less than two hundred square feet, the applicant may request to provide funds to the City in lieu of treatment, with the amount to be approved by the City Engineer and based on the average of at least two bids for such a treatment, plus fifteen percent. These funds would be used at a later date, at the City's discretion and availability, to reapply a treatment. If funds are provided to the City, all edges must still be crack sealed by the applicant.
 - c. Requirements under the Permit: The Special Restoration Standard requirements, as detailed above, are a minimum, and are in addition to any other requirements set forth in the Excavation Permit or the Technical Specifications and Drawings.
5. The City may reject or delay the approval of a permit based on various factors, including (but not limited to) precipitation, temperatures, impact to the public or other utilities because of the timing, or other specific factors applicable. Double bond rates shall apply for any cuts or excavations made in public streets between October 15th and April 15th.

9-3a-1 Storm Water Official

1. **Storm Water Official:** The Storm Water Official shall be responsible for ensuring and performing, or causing to be done, all proper documentation, management, maintenance, repairs, inspections, enforcement, mapping and approving connections in regards to the City's storm drainage system. The Storm Water Official, or their designee, shall:
 - a. Have police powers relating to enforcement of code, rules and regulations, and shall have power to order all work stopped on construction or activities when such work is being done in violation of any provision of any ordinance relating thereto, or in violation of City ordinances, permit requirements or State storm water laws or regulations. Such order shall be in writing and should indicate the violation, the authority of the Storm Water Official, and be posted in a conspicuous location on the work site. It is unlawful for any person to continue to work on any project so posted or for any person to remove, without the consent of the Storm Water Official, any stop work order from any work site. Work shall not be resumed after the issuance of such order except by written permission from the Storm Water Official.
 - b. Have the power to draw on the performance deposit to cause violations to be resolved. A stop work order may be issued if the deposit amount is depleted, and work shall not resume until the deposit amount is replenished in full.
 - c. Have the power to enter onto any project site where ground is being disturbed, for the purpose of making routine inspections at any reasonable hour. In the case of an emergency, the Storm Water Official may inspect the site at any time. The Storm Water

Official's entry powers shall include the right to enter upon all public and private properties to inspect all facilities that relate to storm water.

9-3b-1 UPDES Permit Required

1. Except as otherwise exempted under [KCC 9-3b-2](#), any person or entity proposing any development, land disturbance or construction activity within the City that either disturbs greater than one acre, or less than one acre that is part of a common plan of development whose overall size is greater than one acre, or is determined by the Storm Water Official to have an elevated hazard potential shall be required to obtain a UPDES Permit from the State, which includes the preparation of a Storm Water Pollution Prevention Plan (SWPPP). Proof that this permit has been obtained shall be submitted to the City. Such proof shall include a copy of the approved Notice of Intent (NOI) and a copy of the SWPPP. A UPDES permit is required to be obtained prior to the issuance of any demolition, excavation, land disturbance, building, site plan, land use, or subdivision permit or approval of any development or construction activity within the City.
2. UPDES Permits shall not be transferable or assignable and work shall not be performed under a permit in any place other than that specified in the permit. Nothing contained herein shall prohibit a permittee from subcontracting the work to be performed under a permit, provided that the holder of the permit shall be and remain responsible for the performance of the work under the permit and for all bonding, insurance and other requirements of this Title. Subcontractors shall be appropriately licensed, insured and bonded.
3. Any approved UPDES Permit, SWPPP and all related documents and plans shall be available at the project site or readily accessible electronically.

9-3b-2 Exemptions

A UPDES Permit is not required for the following activities:

1. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources; or
2. Existing nursery and agricultural operations conducted as a permitted main or accessory use.
3. Developments, land disturbances or construction activities that are less than one acre and not part of a larger common plan of development (whose overall size is not greater than one acre) and have not been determined by the Storm Water Official to have an elevated hazard potential.

9-3b-3 Adequacy And Execution Of SWPPP

The Storm Water Official or City Engineer may review all UPDES Permit NOIs and SWPPPs for compliance with the terms and conditions of this Chapter. In the event the submitted NOI or SWPPP fails to meet the terms and requirements of this Chapter, the Storm Water Official or City Engineer may require additional information or impose additional conditions and requirements on the proposed construction activities to the extent necessary to bring the application or plan into compliance with the terms and purposes of this Chapter. Failure to comply with the terms and conditions of this Title shall be grounds for denial of any building, development, land use, subdivision or land disturbance permits or approvals.

Before work has commenced, BMPs identified on the SWPPP shall be installed and continue to be maintained properly as determined by the Storm Water Official, and shall be subject to inspections by the Storm Water Official or other Authorized Enforcement Agent as allowed under this Title. Failure to properly install and maintain appropriate storm water BMPs may result in penalties as detailed in KCC 9-3a-2.

9-3c-9 Stockpiling On Streets

It is unlawful for any person or entity to dump, place or otherwise stockpile construction, yard improvement materials, debris or any other items on the street, gutter, parkway, sidewalk or in any drainage channel (natural or man-made) that shall impede or obstruct the function of such, or that violates State or Federal water quality requirements or may damage such surface. This includes, but is not limited to, access ramps across the existing curb and gutter, stockpiling of topsoil or other fill material, stockpiling of sand, gravel, landscape rock, bark, mulch or any other material that may cause impact or damage, or be considered a source of pollution in the storm drainage system. The storage or stockpiling of items or materials that do not impede the function of infrastructure, do not violate State or Federal water quality requirements, and will not damage the surface shall be permitted for no longer than forty-eight (48) hours. Asphalt or concrete debris and rock larger than three (3) inches in diameter shall not be stockpiled in any City right of way at any time.

9-3d-1 Notification Of Spills

1. All persons in charge of a project, development, or facility or responsible for emergency response for a project, development or facility are responsible to train personnel, maintain records of such training and maintain notification procedures to assure that immediate notification is provided to the City upon becoming aware of any suspected, confirmed or unconfirmed release of material, pollutants or waste that creates a risk of discharge into the City's storm drainage system.
2. As soon as any person in charge of a project, development, or facility or responsible for emergency response for a project, development or facility has knowledge of any release of materials as described in Subsection (1), such person shall take all necessary steps to ensure the containment and cleanup of such release and shall immediately notify the City Storm Water Official or their designee.
3. The notification requirements of this Section are in addition to any other notification requirements set forth in federal, state, or local laws or regulations.

9-3d-8 Private Storm Water Facilities

1. In instances on private property, or outside of City right of way, where utilities are proposed for collecting, conveying, detaining, or treating storm water or ground water, and said water ultimately flows into a storm drainage system located within City right of way, the owner(s) of said utilities shall:
 - a. Be required to first submit construction drawings stamped by a licensed professional engineer that detail the proposed installation, with supporting calculations. Construction of the private utility, its discharge volumes and general function shall comply with the requirements existing codes, laws and regulations.

- b. Be required to obtain a Storm Water Maintenance agreement detailing the ownership and maintenance requirements prior to any land disturbance. This agreement shall be recorded with the Davis County Recorder's Office.
 - c. Bear the cost and responsibility of installing and maintaining all private utilities and their connections to the City owned storm drainage system.
2. The owner(s) of a private utility shall be liable for the private utility, its maintenance, the water within it, and any impacts from said water or utility.
3. Any private utility that does not have a Storm Water Maintenance Agreement, but that was installed with approval from the City prior to the effective date of this chapter shall be allowed to continue operating, but shall not be altered without a storm water maintenance agreement.
4. Any private utility found to pose a significant hazard to property, public health or environmental quality, or that is found in violation of any laws or regulations regarding water quality shall be required to remedy any applicable deficiencies or halt any activities constituting or resulting in a violation of State laws or regulations, in accordance with the requirements of subsections (a)-(c) of this chapter. Failure to remedy deficiencies or halt said activities may result in the removal of the connection to the City storm drainage system and any applicable penalties.
5. Violations of this chapter may result in the private utility losing its ability to connect with or discharge into the storm drainage system, and may also result in penalties and fees.

9-4-1 Water Official

1. The Water Official shall be responsible for ensuring/performing, or causing to be done, all proper documentation, management, maintenance, repairs, inspections, enforcement, mapping and approving connections in regards to the City's drinking water system. The Water Official, or their designee, shall:
 - a. Have police powers relating to enforcement of code, rules and regulations, and shall have power to suspend connections or order work on the City's drinking water system stopped when such work is being done in violation of any provision of any ordinance, permit requirements or State drinking water laws or regulations. Such power shall extend to all current and future connections, and shall be executed in accordance with City ordinance. Such order shall be in writing and should indicate the violation, the authority of the Water Official, and be posted in a conspicuous location on the work site. It is unlawful for any person to continue to work on the City's Drinking Water System or for any person to remove, without the consent of the Water Official, any stop work order from any work site. Work shall not be resumed after the issuance of such order except by written permission from the Water Official.
 - b. In coordination with the City Engineer, have authority to establish additional requirements for the connection to or extension of the City's drinking water system when such poses sufficient documented concerns about water quality, system integrity, pressure or fire flows.
 - c. Have the power to enter onto any project site where work is being done on the City's drinking water system, for the purpose of making routine inspections at any reasonable hour. In the case of an emergency, the Water Official may inspect the site at any time. The Water Official's entry powers shall include the right to enter upon all public and private properties to inspect all facilities that relate to drinking water.

9-4-15 Cross Connection Control And Backflow Prevention

The purpose of this chapter is to protect the public water supply of Kaysville City from the possibility of contamination or pollution by eliminating or controlling existing cross connections (actual or potential) in accordance with International Plumbing Code (IPC) and State amendments to the International Plumbing Code as well as the Utah Administrative Code.

1. External Regulations

Utah Public Drinking Water Rule (UPDWR) Section R309-105-12 states that public drinking water systems shall not allow a connection to their system which may jeopardize its quality and integrity. Cross connections are not allowed unless controlled by an approved and properly operating backflow prevention assembly or device. The requirements of the International Plumbing Code and its amendments as adopted by the Department of Commerce shall be met with respect to cross connection control and backflow prevention.

Federal Public Law 104-182, (the Safe Drinking Water Act and Amendments of 1996) identifies the responsibility of each public drinking water system to protect the quality of the water supplied to the consumers from any sources of contamination. As stated in the US EPA Cross Connection Control Manual, the water purveyor must provide water that complies with all EPA standards at the source and deliver it to the customer without the quality being compromised as a result of its delivery through the distribution system.

2. Kaysville City Regulations

To comply with the aforementioned State and Federal requirements, and to help safeguard public health, the following regulations shall also be in effect:

- a. No culinary water service connection to any premises shall be installed or maintained by Kaysville City unless the water supply is protected as required by State laws, regulations, codes, and this Chapter.
- b. Where pressure irrigation is available, no connection of an irrigation system to a culinary water service shall be allowed. Dual, or "swing", connections that allow for switching use back and forth between City culinary water and any other water source are prohibited.
- c. The use of City culinary water for irrigation or certain industrial/commercial applications shall require prior authorization from the Public Works Superintendent or an agent of the Public Works Superintendent and the installation of an approved backflow assembly. Additional requirements are detailed in subsection (e) of this chapter.
- d. All commercial/industrial connections to the public water system shall be protected by an approved backflow assembly on the service line before the first branch line leading off the service line. It shall be the responsibility of the consumer to purchase, install, test and maintain any backflow prevention device/assembly required to comply with this Chapter.
- e. Upon assessment or inspection, if the Public Works Superintendent or an agent or the Public Works Superintendent deems a new or existing service connection's water usage

is a hazard to the water supply, the connection or usage shall be protected by an approved backflow device/assembly to eliminate or satisfactorily reduce said hazard. It shall be the responsibility of the consumer to purchase, install, test and maintain any backflow prevention device/assembly required to comply with this Chapter.

- f. All backflow devices/assemblies shall be installed within 30 days of the original assessment/inspection date. Failing to do so could result in water service being discontinued until requirements have been met.
- g. “Approved Backflow Prevention Assembly” shall mean an assembly that has met completely the laboratory and field performance standard of the foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California (USC FCCCHR)
- h. The customer's system(s) shall be open for water quality assessment/inspection at all reasonable times to authorized representatives of the Public Works Superintendent. Failure to do so could result in discontinued water service.
- i. Hazard Assessment Official: This official can be anyone whom Kaysville City has authorized and delegated to perform compliance and/or hazard assessment inspections or surveys and who should also hold a Class I or Class III Utah Backflow Technician Certificate.
 - i. This individual shall conduct hazard assessments to determine the "degree of hazard" to the public drinking water system from an individual service connection (new or existing). In the case of an existing connection, a hazard assessment investigation or survey must be conducted to determine the "degree of hazard" within the existing site, as well as educating the customer to the dangers of cross connections and their personal liability should a backflow event occur.
 - ii. A hazard assessment is a detailed inspection of the customer facilities within the service connection. This inspection would involve inspecting all water uses and piping within the connection. If the customer refuses access to their facilities, the service connection must be classified as a high hazard connection and appropriate protection must be required at the service connection.
- j. The adopted Plumbing Code and associated amendments, state: “backflow preventers shall be tested at the time of installation, immediately after repairs or relocation and at least annually”. Testing shall be performed by a Utah Certified Backflow Preventer Assembly Tester.
 - i. Any commercially available Class II or III Certified Backflow Technician is authorized to test any backflow prevention assembly at the invitation of the owner, and to report the results of that test to the owner and the City. However any repairs on backflow prevention assemblies which did not pass a test conducted by a Certified Backflow Technician, must be performed by a tester having appropriate licensure from the Department of Commerce, Division of Professional Licensing who also holds a current Class II or III Backflow Technician Certificate or by an "agent of the owner" of the assembly.

- ii. Test results must be reported to the City within 30 days of testing. A failing backflow prevention assembly must be reported within five days of failing test.
- k. Backflow prevention assemblies shall be in-line serviceable (repairable), and in-line testable. Assemblies shall not be installed more than five feet above the floor unless a permanent platform is installed, and the assembly shall be installed with a minimum of 12 inches of clearance around all sides (including the floor and roof or ceiling), with adequate room for testing and maintenance. Devices/Assemblies shall be installed in accordance with Amendments to Chapter 6 of the IPC.

9-4-20 Dead-End Water Lines and Looping

To assist with efforts to maintain sufficient water quality and pressures/flows for fire suppression, the following shall be required for all new and re-development:

1. Any development containing at least fifteen lots or fifteen service connections to the culinary water system (whichever is higher) shall be required to “loop” or connect the development’s water lines with at least two existing system mainlines. Exceptions may be temporarily approved by the Water Official for a single phase of an overall development, so long as all other applicable laws, codes and requirements are satisfied, and the overall development ultimately meets this requirement.
2. Dead-end mainline lengths shall not exceed six hundred and fifty feet.

KAYSVILLE CITY PUBLIC WORKS (PW)
EXCAVATION, CROSSING OR ALTERATION (EXCAVATION) PERMIT
WITHIN KAYSVILLE CITY RIGHT OF WAY OR PROPERTY

Bond Amount: _____ Permit No: _____
Maintenance Fee Amount: _____ Issued by: _____
Receipt No: _____ Phone Number: _____
Applicant: _____ Contractor License #: _____
Purpose of excavation, crossing or alteration: _____

Location: _____

Requirements and Provisions:

1. For, and in consideration of, the granting of permission to excavate, cross or alter Kaysville City right of way, the applicant agrees to the following requirements and provisions with respect to the performance of work under this permit:
 - A. All work is limited to what is shown and/or described herein and will be done at no expense to Kaysville City. All work shall at least comply with the requirements established in this permit, the Kaysville City Ordinances and the standards and specifications of the Kaysville City Development Code.
 - B. The applicant shall hold Kaysville City Corporation, its officers, employees, or agents harmless from any and all costs, damages, and liabilities that may arise, or be claimed to arise, and all costs, damages, and liabilities that may arise, or be claimed to accrue, by reason of any work performed under a permit issued pursuant to this application. The applicant shall provide Kaysville City with the necessary bond and fee amounts, for each and every application, in accordance with Ordinance 9-2-9 and the current Kaysville City Consolidated Fee Schedule.
 - C. Cutting into asphalt less than **4-years old** is prohibited. Exceptions in the most extreme cases may be **reviewed. If** approved, the Special Restoration Standard, as detailed in Ordinance 9-2-9, would apply to the restoration.
 - D. **Between October 15th and April 15th**, bond amounts for any cuts **shall** be doubled. Approval of cuts during this time are subject to factors such as weather, impacts to access, emergency response and the general public etc. Ambient temperatures must remain at or above **50° F** for at least **2 hours** before placement of Hot Mix Asphalt (HMA) and **2 hours** after rolling/compaction. If temperatures are too low, or if HMA is not available, cold mix asphalt shall be used temporarily and properly maintained until it can be replaced at a later date in accordance with this permit.
 - E. Pot-Holing for utilities in asphalt must be done by coring a minimum width of 6-inches. Repairs shall be made with the **keyhole method** by filling the space with flowable fill up to the bottom of the asphalt and placing the original core with "Utilibond" or equivalent. Alternative pot-holing methods may be proposed to the City Engineer, and if approved, shall require the pot-hole to be filled with **flowable fill** before repaving in accordance with this permit.
 - F. The applicant shall be responsible for location and protection of all utilities within the work area location, in accordance with Utah Bluestakes laws.
 - G. This permit must be submitted with a plan view of the work showing horizontal dimensions of trenches, and the permit must be approved prior to any work commencing.
 - H. Prior to excavation, traffic control plans must be submitted and approved. **24-hour notice** is required for all residents, businesses and emergency personnel impacted by road closures or disruptions to water or other utilities. Road closures or restricting traffic to **1 lane**, will require the use of **flaggers** or hard closure barricades. Excavations shall be properly safeguarded with barricades and/or warning lights, to prevent accidents, and may require steel plates when personnel are not on site. Excavation sites not properly or safely maintained in accordance with this permit and all other applicable laws and regulations shall be assessed a fee of up to **\$500 per day**, and shall be subject to a stop work order being issued until the issue is resolved. All closures must be approved by PW, and may be subject to a fee of up to **\$500 per day**.
 - I. The applicant must provide notice to the PW Inspector at the start of excavation and prior to backfilling. Except for utility bedding materials, all backfill shall be road base (untreated base course or UTBC) and be backfilled in 1-foot lifts and compacted to **96%**. UTBC will be installed to a **minimum depth of 12-inches** within the travel and shoulder area of the road, and backfilled excavations must be maintained free of depressions or hazards. All excavation spoils, debris or other materials generated by the work shall be

disposed of by the applicant. To safeguard roadways and utilities, if rare or unusual or unsafe conditions or circumstances exist at an excavation site, or within an excavation, PW may require additional materials or methods to be utilized in backfill, paving or restoration.

- J. **After** backfill, the applicant shall then T-cut an additional 18-inches outside all of the edges of the existing asphalt. The cut edges will have tackifier applied, and the excavation repaved with at least 4-inches of PG 58-28 HMA, 1/2-inch aggregate, with no more than 15% RAP. All T-cuts must be inspected and approved before paving and asphalt plant tickets shall be provided, if requested.
 - K. Pavement must be replaced within 8 business days (from the date the excavation commences) or the applicant may be assessed a fee of up to \$500 per day. All other remaining work and restoration shall take place within 15 business days (from the date the excavation commences) or the applicant may be assessed a fee of up to \$500 per day, with the exception of the asphalt surface treatment.
 - L. In accordance with Ordinance 9-3c-9, it is unlawful to place or stockpile any dirt, rock, bark, mulch or other material on a public street right of way (including the curb and sidewalk) for more than 48-hours. Any materials stockpiled on a Public Street right of way must not damage the underlying surface, and must not violate any laws or regulations. Hot mix asphalt shall never be stockpiled on any Public Streets.
 - M. Interfaces between old and new asphalt/concrete shall be crack sealed, and inspected, before an asphalt surface treatment is applied to the repaved surface. Surface treatments shall extend 12-inches beyond asphalt cuts.
 - N. Any improvements, including (but not limited to) paint, landscaping or signage, effected by the work shall be re-established to their original condition.
 - O. Upon completion of the items above, the applicant shall request an inspection in order to receive satisfactory completion. Anything found to be defective, unsafe or non-compliant with this permit shall be removed, replaced or otherwise fixed, as required by the PW Inspector.
 - P. For 1 year after the date of satisfactory completion, the applicant shall be responsible to maintain the excavation site (including utilities, asphalt and concrete etc) and assume sole liability for any injuries or damages caused by defects resulting from the work. Defects may include, but are not limited to, settling, cracking, buckling, spawling, leaking, etc. By the end of the 1 year period, the surface treatment must be applied to the repaved surface.
 - Q. The City will notify the applicant of items requiring repair or attention. In cases of emergency, or where safety of persons or property is otherwise compromised, the applicant must respond to requests for repair within 24-hours, and resolve said issue(s) within 4-business days after receiving the request. If the applicant fails to respond within this timeframe, a fee of up to \$500 per day may be assessed, and PW may cause the necessary repairs to be made at the applicant's expense.
 - R. Bond amounts reflect the potential cost of replacing or repairing the excavation or the impacts arising from the work. The City may, at its discretion, draw on bond amounts to either finish or repair work if issues regarding defects, schedule or compliance with this permit arise.
 - S. 1 year after satisfactory completion, the applicant shall request a final inspection of the excavation site. If the final inspection finds the site to be free of defects or concerns, any remaining bond amounts shall be refunded. Any additional defects found during the final inspection must be remedied prior to refunding of the bond. Bond amounts used by the City to correct defects or concerns are non-refundable. Maintenance fees and other fees are also non-refundable, and may be deducted from the bond amount.
 - T. If the applicant exhibits a repeated pattern of failure or neglect to complete repairs and/or concerns over poor workmanship/compliance persist, in order to help safeguard utilities, infrastructure and the health and well-being of the general public, the City may reject future applications from the applicant.
2. A copy of this permit must remain at the site during construction.

I HEREBY ACKNOWLEDGE THAT I HAVE READ THESE INSTRUCTIONS AND PROVISIONS AND AGREE TO ITS REQUIREMENTS AND ASSUME ALL DUTIES AND OBLIGATIONS PROVIDED HEREIN.

Date: _____ Applicant (print): _____ Sign: _____

PW Inspector Approval: _____ Date: _____

City Locator Approval: _____ Date: _____

Additional instructions: _____

