

**TITLE 7                   GENERAL GOVERNMENT**

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**Chapter 7.04           Cemeteries**

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**7.04.010    Interment to be in Cemeteries**

No dead human bodies shall be interred within the limits of the City except in a cemetery operated by the City or otherwise established in accordance with law. It shall be unlawful for any person to be buried in the cemetery unless the casket is placed in a vault made of concrete or another material that has similar structural property as concrete and which is approved by the cemetery sexton.

(Ord. No. Amended 02/02/2010)

**7.04.020    Fees for Services**

The City may charge a reasonable fee for the right to be buried in a cemetery lot. Charge for burial rights shall include the necessary costs for future perpetual care and maintenance for such lot or burial place. In addition, reasonable charges of the digging of graves, inspections, and other services performed may be imposed. All fees shall be set by the City council. Fees may be changed no more often than annually and shall be part of the City budget, which shall be made available to the public. All fees shall be paid

to the City treasurer and shall be prepaid prior to the receiving of any services.

**7.04.030 Records**

The City recorder shall keep a record of all sales of cemetery lots and burial rights therein showing the number of the lot and the block and burial place sold, the date of sale, the person to whom sold, and the amount received for the same. The recorder shall further keep record of all transfers of cemetery lots and burial places which are properly made and filed in his or her office. The recorder shall further keep and maintain permanent records of the name, date of death, and location of all persons buried in the City's cemeteries.

**7.04.040 Forfeiture of Burial Rights**

The City shall have the right to reclaim, by forfeiture, any cemetery lot which has remained unused. In claiming any such forfeiture, the City shall comply with the provisions of Utah Code Annotated §8-5-1 et.seq. as it may from time to time be amended.

**7.04.050 Burial of Indigent Persons**

Such lots as the City council shall from time to time designate shall be reserved for the burial of indigent persons.

**7.04.060 Control and Maintenance**

The superintendent of buildings and grounds, or such other officer as may be assigned to perform the duties herein set forth, under the direction of the public works director shall have the care and control of the maintenance and operation of the City's cemeteries. All markers, planting, improvements or other work of any nature or description must be done under the direction and control of the superintendent of buildings and grounds or such other designated person. No person owning a right of burial in a lot in the City's cemeteries shall plant, grade or do any work in such cemeteries except by written authority first had and obtained from the superintendent of buildings and grounds. The City council shall, by resolution, designate the type of markers, grade of ground, plantings and other improvements which may be permitted in the City's cemeteries.

**7.04.070 Vehicular Traffic**

- A. It is unlawful for any person to drive a motor vehicle upon any cemetery lot, back over any grave, cut corners or drive such vehicle upon any part of the cemetery which is not an established roadway, but this provision shall not apply to the City employees in the discharge of their duties.
- B. It is unlawful for any person to drive a motor vehicle within the City's cemeteries at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. Where speed limits are

posted, it is unlawful for any person to drive a motor vehicle in excess of the posted speed limit.

- C. Whenever signs have been installed by the City directing traffic to proceed in one direction only upon any street in the City's cemeteries, it is unlawful for any person to disobey such signs and drive a motor vehicle in the opposite direction.

**7.04.080 Defacing or Removing Shrubs or Markers**

No person shall injure, deface, take or carry away from any grave or lot any monument, marker, tree, shrub, flower, ground or any other property or ornament in the City's cemeteries except with the written permission of the superintendent of buildings and grounds.

**7.04.090 Animals - Trespassing**

It is unlawful for the owner, agent, caretaker, or other person or persons in charge of any animal to allow or negligently permit animals to run at large or trespass on cemetery grounds.

**7.04.100 Rules and Regulations**

The City council may prepare and have printed rules and regulations for the operation of the cemetery, and such rules and regulations will cover all matters necessary for the operation of the cemetery which are not contained in this chapter.

**7.04.110 Penalty**

Any person who violates any of the provisions of this chapter shall be guilty of Class C misdemeanor.

## **Chapter 7.08        Libraries**

- 7.08.010        Repealed**  
**7.08.020        Repealed**  
**7.08.030        Fiscal Matters - Donations**  
**7.08.040        Donations of Money or Property**  
**7.08.050        Defacing Books**

### **7.08.010**

(Ord. No. 05-07, Repealed 02/20/2007)

### **7.08.020**

(Ord. No. 05-07, Repealed 02/20/2007)

### **7.08.030        Fiscal Matters - Donations**

The library board of directors shall make an annual report to the City council on the condition and operation of the library. The directors shall also provide for the keeping of such records as shall be required by the Utah State Library Commission in its request for an annual report from the public libraries, and shall submit such annual report to the commission.

### **7.08.040        Donations of Money or Property**

Any person desiring to make donations of money, personal property or real estate for the benefit of such library shall have the right to vest the title to the money, personal property or real estate so donated, in the name of Spanish Fork City, to be held and controlled by the City, when accepted, according to the terms of the deed, gift, devise, or bequest of such property; and as to such property the City shall be held and considered to be a trustee.

### **7.08.050        Defacing Books**

It is unlawful for any person to mark, tear or in any manner injure, deface, mutilate or destroy any book, pamphlet or other property of the public library of the City. After receipt of a notice from the librarian of the City library demanding the return to the library of any property received by any person from said library, it is unlawful for any person to fail to return any book, pamphlet or other property of the library within five days after receipt of such notice or within such other period as the librarian or library board of directors may determine. Violations of this section shall be punishable as infractions as provided in state law, or the City council may impose monetary penalties for violations of this section or for violations of such rules and regulations as may be established by the librarian or the library board of directors.

## Chapter 7.12 City Airport

- 7.12.010 Name - Location - Control  
 7.12.020 Authority to Make Rules - Unlawful to Violate  
 7.12.030 Definitions  
 7.12.040 Airport Board  
 7.12.050 Aeronautical Activities Standards

### 7.12.010 Name - Location - Control

The airport facility is located at 300 West 2050 North, Spanish Fork, and is hereby designated as the Spanish Fork/Springville Municipal Airport.

### 7.12.020 Authority to Make Rules - Unlawful to Violate

- A. The airport manager, with the concurrence of the Spanish Fork/ Springville Airport board, is hereby authorized and directed to promulgate rules and regulations not in conflict with law or ordinance with reference to the use of the municipal airport and the control and management thereof.
- B. It is an infraction for any person to violate any of the provisions of this title or to fail to observe and obey any of the requirements and restrictions hereof.

### 7.12.030 Definitions

As used herein, the following terms shall have the meanings indicated:

"**Acrobatic Flying**" means any international maneuver not necessary for navigation.

"**Aeronautical Activity**" means any activity, whether or not conducted on the airport, which involves, makes possible, or is required for the operation of aircraft, or which contributes to, or is required for the safety of such operations, and shall include, but not be limited to, all activities commonly conducted on airports, such as charter operations, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, flying clubs, aerial advertising and surveying, air carrier operations, aircraft sales, aircraft service, aviation petroleum product sales, repair and maintenance of aircraft, sale of aircraft parts, sales of aircraft accessories, sales and maintenance, radio sales and repair, navigation equipment sales and repair, and any other activity which, because of its direct relationship with the operation of aircraft, can properly be regarded as an aeronautical activity.

"**Aircraft**" means a device as defined by FAA that is used or intended to be used for flight in the air.

"**Airplane**" means an engine-driven fixed wing aircraft heavier than air that is supported in flight by the dynamic reaction of the air against the wings.

"**Airport**" means all of the city owned or leased real or personal property comprising Spanish Fork/Springville Municipal Airport.

"**Airport Board**" means the duly appointed airport advisory body of the cities of

Spanish Fork and Springville.

**"Airport Manager"** means the duly appointed manager of the Spanish Fork/Springville Municipal Airport.

**"Air Traffic"** means aircraft in operation anywhere in the airspace and on that area of the airport normally used for the movement of aircraft.

**"Aircraft Operation"** means an aircraft arrival at or departure from the airport.

**"Aircraft Parking and Storage Area"** means the open areas of the airport set aside for aircraft parking and storage space for the parking and storage of aircraft, or areas for the servicing of aircraft with fuel, lubricants or other supplies, or for making minor or emergency repairs to aircraft, or for any and all such purposes.

**"City"** means the corporate municipal entities known as Spanish Fork City Corporation and Springville City Corporation.

**"Commercial Aeronautical Activity"** means any aeronautical activity, as defined herein, which is conducted for profit and personal or collective gain.

**"Council"** means the municipal councils of Spanish Fork City Corporation and Springville City Corporation, which are and shall remain independent entities whose concurrence is required on all Council decisions relating to operation of the airport or this act.

**"Fixed Base Operator"** means any person meeting the minimum standards for a commercial aeronautical activity established by this ordinance and engaging in at least the following commercial aeronautical activities; public aviation fuel sales; aircraft engine, airframe, and accessory sales and service; flight training; aircraft charter and taxi service; and two (2) other commercial aeronautical activities.

**"Flying Club"** means an association or group of more than three (3) persons, organized as a non-profit corporation under the laws of the State of Utah, or, as a duly organized non-profit unincorporated association, jointly owning or leasing aircraft where payment is made to the club for the operating time of such aircraft.

**"Fuel Handling"** means the transportation, delivery, fueling and drainage of fuel or fuel waste products.

**"Fuel Storage Area"** means any portion of the airport designated temporarily or permanently by the airport manager as areas in which gasoline or any other type of fuel may be stored or loaded.

**"Master Plan"** means the currently approved, scaled dimensional layout of the entire airport properties, indicating current and proposed usage for each identifiable segment as approved by the council and amended from time to time.

**"Non-commercial Aeronautical Activity"** means any aeronautical activity, as defined herein, which is conducted by a person or organization incorporated under the laws of the State of Utah as a non-profit functioning incorporated association; and which is not conducted for personal or collective profit.

**"Off-airport User"** means a person owning or controlling one or more aircraft stored, hanged, tied down, maintained or otherwise kept on property adjacent to the airport, and who requires access to the airport for use of said aircraft.

**"Operational Area"** means any place on the airport not leased or demised to anyone

for exclusive occupancy.

**"Owner"** means a person who holds legal title of an aircraft or vehicle, or in the event that the aircraft or vehicle is the subject of a conditional sale or lease thereof, the person entitled to possession.

**"Permission or Permit"** means permission granted by the airport manager, board, and/or city councils pursuant to this ordinance to engage in a specific aeronautical or other activity on the airport.

**"Person"** means any natural person or legal entity.

**"Standards"** means the qualifications established herein, as amended from time to time by the city council's setting forth the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the municipal airport.

**"Traffic Pattern"** means the traffic flow is prescribed for aircraft landing at, taxiing on, or taking off from the airport.

**"Vehicle Parking Area"** means any portion of the airport designated and made available, temporarily or permanently by the airport manager for the parking of vehicles.

#### **7.12.040 Airport Board**

- A. **Board Created-Members.** There is hereby created and established the joint City Airport Board which shall consist of six members who shall be citizens of Spanish Fork and Springville, to include an elected official from both cities, and two citizens from each City.

(Ord. No. 05-07, Repealed 02/20/2007)

(Ord. No. 03-08, Enacted 02/05/ 2008)

#### **7.12.050 Aeronautical Activities Standards**

- A. **Airport Use.** Permits and Licenses. No person shall be permitted to use any land within the Spanish Fork/Springville Municipal Airport unless a valid contract or agreement has been executed with Spanish Fork City and Springville City and said land is used in conformance with all laws, regulations, and standards herein and elsewhere established for said use. No person shall be granted an exclusive right to conduct any aeronautical activity upon the airport. Furthermore, no person shall be permitted to use any land or conduct any aeronautical activity or the solicitation of business in connection therewith unless such aeronautical activity is conducted in accordance with the standards herein established and is based upon the issuance of the proper permits or licenses.
- B. **Applications.** Applications for leases of ground and/or facilities on the airport, or for permission to carry on any commercial or non-commercial aeronautical activity on the airport, shall be made to the airport manager who shall thereafter present the application to the board. The application shall be signed and submitted by a party owning an interest in the business, or the individual who will be managing the business, or partner of a partnership or a director or an officer of a corporation.

1. Minimum Application Information. The board will not accept or take action on a license request for any commercial or non-commercial activity until after the applicant, in writing, submits a proposal which sets forth the scope of operation proposed, including the following:
  - a. The name and address of the applicant.
  - b. the proposed land use, facility and/or activity sought including layout of buildings, appurtenances, and spaces to be occupied.
  - c. An organizational chart showing employees names, duty, status, and job qualifications.
  - d. Proof of sufficient available operating resources to sustain the operation for a reasonable length of time. Operating resources shall not include prospective profits from the operation.
  - e. Names and financial statement of any proposed guarantors.
  - f. Pro forma operating statement for first year.
  - g. A statement of tools, equipment, services and inventory, if any, proposed to be furnished in connection with such activity.
  - h. The requested or proposed date for commencement of the activity and the term of conducting the same.
  - i. The estimated cost of any structure or facility to be furnished, the proposed specifications for the same, and the means or method of financing such.
  - j. The specific types and amounts of insurance proposed in accordance with minimum requirements for the activity.
  - k. Proposed operational hours.
2. Supporting Documents. If requested by the board, the applicant shall submit the following supportive documents to the board, together with such other documents and information as may be requested by the board:
  - a. A current financial statement.
  - b. A written listing of the assets owned or being purchased which will be used in the aeronautical activity.
  - c. A current credit report.
  - d. A written authorization for the FAA and all aviation or aeronautic commissions, administrators or departments of all states in which the applicant has engaged in aeronautical activities to supply the board with all information in their files relating to the applicant or his operation. The applicant shall execute such forms, releases and discharges as may be requested by any of these agencies.
3. Notices at the discretion of the board. All other persons then conducting aeronautical activities on the airport who, in the opinion of the board, would be directly affected by the granting of the application in question may also be notified of the filing of such application and the time and place of the board meeting to consider the same.



- C. Action by Board. The board shall consider the application within a reasonable time and shall thereafter make a recommendation to the city councils recommending approval of the application, recommending approval of the application subject to reasonable conditions, or recommending denial of the application for one (1) or more of the following reasons.
1. Not Qualified. The applicant for any reason does not meet the qualifications, standards and requirements established by this chapter.
  2. Safety Hazard. The applicant's proposed operations or construction will create a safety hazard on the airport
  3. Performance Bond. The applicant is unwilling or unable to post a performance bond equal to six (6) months rental or a deposit of cash equivalent, or advance payment of six (6) months rental.
- D. Action By Councils. Upon receipt of the recommendation of the board, each of the Councils shall act upon the application within a reasonable time and shall approve the application, approve the application subject to reasonable conditions, or deny the application. Upon approval by both councils or conditional approval by both councils, the cities shall enter into a lease agreement with the applicant.
- E. Standard Requirements For All Aeronautical Activity. In order for any license request to be recommended for approval by the board or approved by the councils, the following findings must be made:
1. That such applicant has a history of management and personnel ability in conducting the same or similar or comparable type of service or activity in a good and workmanlike manner.
  2. That such applicant has the financial responsibility and ability to provide facilities and services proposed.
  3. That the applicant has, or can secure, necessary certificates from the FAA or other authority where the same are required for the activity proposed.
  4. That the applicant has, or can furnish, suitable indemnity insurance or bond to protect and hold the cities harmless from any liability in connection with the conduct of the activity proposed.
  5. That the applicant will provide the cities with a payment bond equal to not less than six (6) month's rental or other revenue to the airport.
  6. That the applicant can meet the minimum standards herein stated for the activity requested.
- F. Standards for Specific Activities.
1. All persons engaging in commercial aeronautical activities shall meet the following general requirements:
    - a. Provision of adequate insurance, as determined by the Airport board, including public products, liability, indemnifying and holding the cities of Spanish Fork and Springville harmless and naming the cities of Spanish Fork and Springville as additional insureds.

- b. Provision of adequate building floor space, as determined by the Airport board, meeting applicable laws and ordinances in which to carry on the commercial aeronautical activity.
  - c. All commercial aeronautical activities operations shall be open for business for a minimum of eight (8) hours each day, five (5) days a week, except for legal holidays.
2. Every person conducting the following specific commercial aeronautical activities shall meet the additional requirements as hereinafter set out:
- a. Fixed Base Operator. A fixed Base operator must engage in at least six (6) commercial activities; including public aviation fuel sales; aircraft engine, airframe and accessory sales and maintenance; flight training; aircraft charter and taxi service; and other commercial aeronautical activities subject to the minimum standards set forth below pursuant to each specific activity. In addition, an FBO must meet the following standards:
    - i. Storage space sufficient to hangar two (2) aircraft.
    - ii. Separate male and female restrooms.
    - iii. Public use telephone.
    - iv. Separate waiting room or pilot lounge.
    - v. Hard-surfaced and parking area for at least eight (8) aircraft.
    - vi. Minimum operating hours Monday through Saturday for eight (8) hours per day six (6) days a week, except for legal holidays.
    - vii. During normal operating hours, a line serviceman, FAA certificated commercial pilot and flight instructor and FAA certified mechanic shall be on duty and available.
  - b. Public Aviation Fuel Sales and Services. Only Fixed Base Operations shall be licensed to conduct aviation fuel and oil sales or service to the public on the Airport and shall be required to provide:
    - i. Aviation fuel located in an approved storage facility.
    - ii. An adequate inventory of at least two (2) brands of generally accepted grades of aviation engine oil and lubricants.
    - iii. Conveniently located heated lounge or waiting rooms for passengers and airplane crews of itinerant aircraft together with sanitary restrooms and public telephones.
    - iv. Adequate and sanitary handling and disposal away from the airport, of all trash, waste and other materials, including but not limited to used oil, solvents and other waste. The piling or storage of crafts, boxes, barrel and other containers will not be permitted within the lease premises.
    - v. All refueling operations, procedures and equipment must be in compliance with applicable federal, state and local fire codes and ordinances pertaining to fire safety as presently, or

- as hereinafter may be adopted. These include, but are not limited to: the Uniform Fire Code Standards, National Fire Protection Association Standards.
- c. Private Aviation Fuel Services. Duly licensed commercial aeronautical entities may conduct private fueling services for aircraft owned and operated by such entities subject to the following:
    - i. Provision of approved fuel and oil storage facilities in a location designated by the airport manager.
    - ii. Provision of mobile fuel-dispensing equipment meeting all NFPA criteria to service aircraft.
    - iii. No refueling of any privately owned aircraft, other than by fixed base operators, is permitted on the ramp of the fixed base operators, in hangars or in T-hangers.
    - iv. All refueling operations, procedures and equipment must be in compliance with applicable federal, state and local fire codes, ordinances and rules pertaining to fire safety as presently, or as hereinafter may be, adopted. These include, but are not limited to, the Uniform Building Code, Uniform Fire Code, Uniform Fire Code Standards, and National Fire Protection Association Standards.
  - d. Aircraft engine airframe and accessory sales and maintenance. All persons operating aircraft engine, airframe and accessory maintenance facilities to the public for hire shall provide:
    - i. In case of airframe and/or engine repairs, sufficient hangar space to house any aircraft upon which such service is being performed at time of service.
    - ii. Suitable inside and outside storage space for aircraft awaiting repair or maintenance of delivery after repair and maintenance have been completed.
    - iii. Adequate shop space to house the equipment and adequate equipment and machine tools, jacks, lifts and testing equipment to perform top overhauls as required for FAA certification and repair of parts not needing replacements on all single-engine land and light multi-engine land general aviation aircraft.
    - iv. At least one FAR certificated airframe and power plant mechanic available during eight (8) hours a day, five (5) days per week.
    - v. Proper equipment for repairing and inflating aircraft tires, servicing oleo struts, changing engine oil, facilities for washing and cleaning aircraft, recharging or energizing discharged aircraft batteries and starters.
    - vi. Adequate towing equipment and parking and tiedown areas

- to safely and efficiently move aircraft and store them in all reasonable expected weather conditions.
- e. Flight training. All persons conducting flight training activities shall provide:
    - i. At least one (1) full-time (eight (8) hours per day six (6) days per week) properly certificated flight instructor for single-engine land airplanes.
    - ii. At least one (1) dual-equipped single-engine land aircraft properly equipped and maintained for flight instruction and such additional types of aircraft as may be required to give flight instruction of the kind advertised.
    - iii. Adequate office and classroom space for at least five (5) students with proper restroom and seating facilities.
    - iv. Continuing ability to meet certification requirements of the FAA for the flight training proposed.
    - v. Adequate facilities for storing, parking, servicing and repairing all its aircraft or satisfactory arrangements with other operators licensed or otherwise permitted by the board on the airport for such services.
  - f. Aircraft charter and taxi service. Persons conducting an aircraft charter and/or taxi service shall provide:
    - i. Passenger lounge, restroom and telephone facilities.
    - ii. Suitable, properly certificated aircraft with properly certificated and qualified operating crew, one of which shall be located at the airport and ready for departure during at least eight (8) hours of daylight operation five (5) days per week except for legal holidays.
  - g. Aircraft rental and/or sales. Persons conducting an aircraft rental and sales activity shall provide:
    - i. Suitable office space for consummating sales and/or rentals and the keeping of proper records in connection therewith.
    - ii. Hangar storage for at least one (1) aircraft to be used for sales or rental.
    - iii. For rental, at least one (1) airworthy aircraft suitably maintained and certificated.
    - iv. Adequate facilities for servicing and repairing the aircraft or satisfactory arrangements with other operators licensed by the board on the airport for such service and repair.
    - v. The minimum stock of readily expendable spare parts, or adequate arrangements for securing spare parts required for the type of aircraft and models sold.
  - h. Crop dusting and spraying. Persons conducting crop spraying shall

provide:

- i. Suitable arrangements for the safe storage and/or containment of noxious chemical materials; no poisonous or inflammable materials shall be kept or stored in close proximity to other facility installations at the airport.
    - ii. Properly certificated aircraft suitably equipped for the agricultural operation undertaken.
    - iii. Suitable arrangements for servicing, repairing, storing and parking its aircraft with adequate safeguards against spillage on runways and taxiways or pollution or disbursement of chemicals by wind to other operational areas on the airport.
  - i. Aircraft commuter and air carrier service. Persons conducting aircraft commuter and air carrier service shall provide:
    - i. An adequately manned and operated terminal facility including ticket and operations counter area, lounge and restroom facilities.
    - ii. A published schedule of operating times and rates.
    - iii. Reservations service with continuity of communication with public which will help to prevent overbooking, provide ease of ticket purchases and cancellations and provide interline reservations.
    - iv. Baggage handling service including interline exchange.
    - v. Satisfactory evidence of reliability and responsibility including FAA operating permit.
    - vi. Operator shall furnish airport reports of operations on a monthly basis.
  - j. Other Commercial Aeronautical Activities. Commercial Aeronautical Activities other than those listed above, such as paint shops, upholstery shops, propeller shops, avionics shops may also be operated on the Spanish Fork/Springville Municipal Airport, General standards specified in §7.12.060 (F) shall apply; however, specific standards will be as directed by the airport board and shall be in compliance with applicable local, state, and federal rules and regulations.
  - k. Combination activities. Any persons conducting a combination of the specific activities listed herein shall not be required to duplicate the requirements of the individual activities where the requirements of the combination is sufficient to meet the requirement of the separate activity to be conducted.
3. Every person conducting the following specific non-commercial aeronautical activities shall meet the requirements hereinafter set out.
  - a. Flying Clubs. Persons seeking to operate flying clubs shall be required to:

- i. Be organized as a non-profit corporation under the laws of the State of Utah, or, as a duly organized non-profit unincorporated association for the purpose of fostering flying for pleasure; development of skills in aeronautics, including pilotage or navigation; development of an awareness and appreciation of aviation requirements and techniques by the general public in the field of aviation and aeronautics.
  - ii. Flying clubs, or any individual member thereof, shall not provide instruction in club owned aircraft for other than its members and shall not engage in charter service or any other commercial aeronautical activity at the Spanish Fork/ Springville Municipal Airport.
  - iii. Register all aircraft owned, leased, or used by the flying club with the airport manager.
  - iv. Assure that each aircraft operated, owned or leased by a flying club is in full compliance with air worthiness requirements of the appropriate federal agency.
- b. Hangar. All hangars constructed on the Spanish Fork/ Springville Airport shall be used for the sole purpose of aircraft storage and storage of aircraft related materials including materials used for spraying from aircraft. Storage of non-aircraft related materials shall be prohibited.
  - i. Construction. All hangars shall be constructed in a location, and in such a manner as prescribed by the Airport board. The board shall establish construction standards to regulate size, type of construction, materials used, and exterior appearance of all hangars. Individuals desiring to construct a hangar must submit to the board through the airport manager a site plan showing the following information:
    - Desired location of hangar.
    - Elevations of structure showing the general appearance and types of external materials to be used.
    - Size and number of aircraft to be stored.
    - Owner of hangar--name, address and phone number.
  - ii. Lease. Upon approval of the site plan by the board, a hangar lease agreement must be executed and a building permit obtained prior to commencing construction. All construction shall comply with the Uniform Building Codes as adopted by Spanish Fork City.
  - iii. Maintenance of hangars. All hangar owners must maintain their structure to the level of standards as prescribed by the Airport board. Necessary repairs and maintenance must be completed on the structures as directed by the board. The board can

recommend termination of the hangar lease agreement to the city councils, as prescribed in said lease agreements, if the hangar owner does not maintain and use the structure in accordance with the mandates of the boards.

**Chapter 7.16**      **REPEALED**  
(Ord. No. 07-18, Repealed 03/27/2018)

**Chapter 7.20**      **Historic Preservation**

<b>7.20.010</b>	<b><u>Definitions</u></b>
<b>7.20.020</b>	<b><u>Historic Preservation Commission</u></b>
<b>7.20.030</b>	<b><u>Commission Duties</u></b>
<b>7.20.040</b>	<b><u>Historic Sites List</u></b>
<b>7.20.050</b>	<b><u>Effect of Designation of the Historic Sites List</u></b>
<b>7.20.060</b>	<b><u>Standards for Rehabilitation and Design Guidelines</u></b>

**7.20.010**      **Definitions**

For the purposes of this Chapter, certain words and terms shall be interpreted as follows:

“**Alteration**” means any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

“**Building Code**” means the nationally recognized building code adopted by Spanish Fork City.

“**Certificate of Appropriateness**” means a certificate issued by the Historic Preservation authorizing an alteration, construction, removal, or demolition of a landmark or of a structure within a historic district.

“**Certificate of Economic Hardship**” means a certificate issued by the Historic Preservation authorizing an alteration, construction, removal, or demolition, even though a Certificate of Appropriateness has previously been denied.

“**Commission**” means the Spanish Fork City Historic Preservation Commission as designated by this chapter.

“**Construction**” means the act of adding an addition to an existing structure on a lot or property.

“**Council**” means the Spanish Fork City Council.

“**Demolition**” means any act or process that destroys in part or in whole a historic site, landmark, or structure.

“**Design Guideline**” means a standard of appropriate activity that will preserve the historic and architectural character of a structure or site.

“**Designation**” means the legal listing of a site, structure, building, natural feature, or district, as a historic site or landmark pursuant to this chapter.

“**Emergency Situations**” means any unforeseen circumstances or combination of circumstances with calls for immediate action by the commission, in order to obtain building and demolition permits to remedy a damaging, dangerous, unhealthy, or otherwise adverse situation to a nominated or designated historic landmark.

“**Hazardous or Dangerous Building**” means a building which has been determined



by the Chief Building Official to be structurally unsound or unsafe to the general public in accordance with the provisions of the Building Code.

**“Historic Site”** means any district, building, structure, object, or site, formally designated to the Spanish Fork List of Historic Sites pursuant to procedures prescribed herein.

**“Intensive Level Survey”** means detailed historic research and documentation of the structures significance, including information on previous owners (chain of title), the builder, and/or architect; significant events that may have taken place on the property; a detailed description of the building and site, including the form and style of the building, distinctive architectural features, exterior materials, and a description of any additions or changes that may have altered the original character of the structure.

**“Nomination”** is that act of proposing a site, structure, building, or natural feature, to be formally designated as a historic site.

#### **7.20.020 Historic Preservation Commission**

A Historic Preservation Commission is hereby established with the following provisions:

- A. The Commission shall consist of five members, one of whom shall be a member of the City council, with a demonstrated interest, competence, or knowledge in historic preservation. The members shall be appointed by the City Council for terms of five years. The initial appointments shall be for one, two, three, four, and five-year terms. Thereafter, appointments shall be for the full five-year term. No member shall serve more than two consecutive terms.
- B. To the extent available in the community, two Commission members shall be professionals, as defined by National Park Service regulations, from the disciplines of history, archaeology, planning, architecture, or architectural history.
- C. The Commission shall meet as needed, at least twice each year. The members shall select a chairperson who shall conduct the meetings, and who shall have the authority to call meetings. The members shall also select a secretary, who shall keep the minutes of the meetings.

#### **7.20.030 Commission Duties**

The Historic Preservation Commission shall have the following duties:

- A. Survey and Inventory Community Historic Resources. The Historic Preservation Commission shall conduct or cause to be conducted a survey of the historic, architectural, and archaeological resources within the community. The survey shall be compatible with the Utah Inventory of Historic and Archaeological Sites. Survey and inventory documents shall be maintained and shall be open to the public. The survey shall be updated at least every ten years.
- B. Review Proposed Nominations to the National Register of Historic Places. The

Historic Preservation Commission shall review and comment to the State Historic Preservation Officer on all proposed National Register nominations for properties within Spanish Fork City. When the Historic Preservation Commission considers a National Register nomination which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the Commission, the Commission shall seek expertise in that area before rendering its decision.

C. Provide advice and information.

1. The Commission shall act in an advisory role to the City Council regarding the identification and protection of local historic and archaeological resources.
2. The Commission shall work toward the continuing education of citizens regarding historic preservation and community history.
3. The Commission shall assist in the maintenance and rehabilitation of City-owned historic buildings and sites, when called upon to do so.
4. The Commission shall apply for and administer grants and other financial aid for historic preservation projects in the City.

D. State Historic Preservation Laws. The Commission shall become familiar with state laws regarding historic preservation and notify the State Historic Preservation Office of any known proposed action which will destroy or affect a site, building, or object owned by the State of Utah and included on or eligible for the State or National Registers.

**7.20.040 Historic Sites List**

There is hereby created a Historic Sites List, which shall contain the identification of properties designated by the City Council as historic properties. The list shall contain the address of the property, photographs, if available, and a brief history of the property detailing the reasons why it has been designated as an historic property. The Commission may recommend to the City Council that historic properties be added to the Historic Sites List as a means of providing recognition to and encouraging the preservation of historic properties in the community.

- A. Criteria for designating properties to the Historic Sites List. Any district, building, structure, object, or site may be designated to the Historic Sites List if it meets all of the criteria outlined below:
1. It is located within the official boundaries of the City.
  2. It is at least 50 years old.
  3. It retains its historic integrity, in that there are no major alterations or additions that have obscured or destroyed the significant historic features. Major alterations that would destroy the historic integrity include, but are not limited to, changes in pitch of the main roof, enlargement or enclosure of windows on the principal facades, addition of upper stories or the removal of original upper stories, covering the exterior walls with

non-historic materials, moving the resource from its original location to one that is dissimilar to the original, additions which significantly detract from or obscure the original form and appearance of the house when viewed from the public way.

If the property does not meet the integrity requirements outlined in 3. (a), it may still qualify for designation if it meets one of the following requirements for exceptional significance:

- i. It is directly associated with events of historic significance in the community.
  - ii. It is closely associated with the lives of persons who were of historic importance to the community.
  - iii. It exhibits significant methods of construction or materials that were used within the historic period.
4. It has been documented according to the Utah State Historic Preservation Office standards for intensive level surveys (June 1993 version or subsequent revisions) and copies of that documentation have been placed in the local and state historic preservation files.

B. Designation Procedures. Any person, group, or government agency may nominate a property for listing on the Historic Sites List. The nomination and listing procedures are as follows:

1. Completed Intensive Level Survey documentation for each nominated property must be submitted to the Commission.
2. The Commission will review and consider properly submitted nominations at its next scheduled meeting. The Commission will notify the nominating party and the property owner, in writing, one week prior to the meeting that the nomination will be considered and will place that item on the agenda posted for the meeting. The Commission may not recommend placement on the Historic Preservation list over the objection of the owner.

C. Results of Designation to the Historic Sites List.

1. Owners of officially designated historic sites may obtain a historic site certificate from the Commission. The certificate contains the historic name of the property, the date of designation, and signatures of the mayor and the Commission chairperson.
2. If a historic site is to be demolished or extensively altered, efforts will be made to document its physical appearance before that action takes place.
  - a. The City will delay issuing a demolition permit for thirty (30) days and will notify a member of the Commission, which will take responsibility for the documentation.
  - b. Documentation will include, at minimum, exterior photographs (both black and white and color slides) of all elevations of the historic building. When possible, both exterior and interior measurements

of the building will be made in order to provide an accurate floor plan drawing of the building.

- c. The demolition permit will be issued after thirty (30) days of the initial application whether or not the Commission has documented the building. The permit may be issued earlier if the Commission completes its documentation before the thirty-day deadline.
- d. The documentation will be kept in the Commission's historic site files, which are open to the public.

D. Removal of Properties from the Historic Sites List. Properties which, in the opinion of the Commission, no longer meet the criteria for eligibility may be removed from the Historic Sites List after review and consideration by the Commission.

#### **7.20.050 Effect of Designation to the Historic Sites List**

- A. Properties designated to the Historic Sites List may receive special consideration in the granting of conditional use permits in order to encourage their preservation.
- B. In the event of rehabilitation of the property, local building officials may consider waiving certain code requirements in accordance with Chapter 34 of the Uniform Building Code (1994 Edition), which deals with historic buildings, and the Uniform Code for Building Conservation, a special code for existing buildings.
- C. Owners of Historic Sites may seek assistance from the Commission in applying for grants or tax credits for rehabilitating their properties.
- D. Proposed exterior work on buildings located on Historic Sites is subject to the review and approval of the Commission. The purpose of this review is to ensure the preservation of historic properties to the greatest degree possible. This review applies only to exterior work which requires a building permit, sign permit, or demolition permit. Applications for building, demolition, or sign permits shall be forwarded by the Building Inspection Department to the Historic Preservation Commission prior to their issuance. A certificate of appropriateness shall be issued by the Commission prior to the issuance of a permit for a property on the Historic Site List.
- E. Claims of Economic Hardship. The Commission may approve a Certificate of Appropriateness for Rehabilitation or Demolition of a landmark property if the owner has presented substantial evidence demonstrating that unreasonable economic hardship will result from denial of the certificate of appropriateness.
  1. Economic Hardship Criteria. In order to sustain a claim of unreasonable economic hardship, the Commission may require the owner to provide information as to whether the property is capable of producing a

reasonable return for the owner.

2. Demonstration of economic hardship by the owner shall not be based on conditions resulting from willful or negligent acts by the owner, purchasing the property for substantially more than market value at the time of purchase, failure to perform normal maintenance and repairs, failure to diligently solicit and retain tenants, or failure to provide normal tenant improvements.
- F. An applicant who has been denied any permit by the Building Official, based on the Commission's refusal to issue a Certificate of Historic Appropriateness, may appeal that decision to the City Council. The appeal must be made, in writing, within ten (10) days after the Commission's decision.
- G. Enforcement. The provisions of this section are subject to the enforcement provisions established in the Building Code adopted by the City, or the Uniform Code for Building Conservation.

#### **7.20.060 Standards for Rehabilitation and Design Guidelines**

The following standards and guidelines shall be used by the Commission in determining the historic appropriateness of any application pertaining to Historic Site List properties. In approving an application for a Certificate of Appropriateness, the Commission must find that the project substantially complies with all of the following standards and guidelines that pertain to the application and that the decision is in the best interest of the City.

- A. The standards for rehabilitation are as follows:
1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
  2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
  3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
  4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
  5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
  6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of

missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
  8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
  9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
  10. New additions shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- B. General Design Guidelines are as follows:
1. Avoid demolition of Historic Site List buildings. They are a finite resource and cannot be replaced.
  2. Vacant buildings should be weather- and vandal-proofed in order to minimize further deterioration and the threat to public safety.
  3. Rehabilitation work, especially on the exterior and the principal facade, should preserve existing historic features or replace them if absolutely necessary with features and materials known to have existed on the building. Avoid dressing up buildings by adding features based on speculation.
  4. Avoid moving buildings whenever possible, especially to create artificial groupings of historic buildings. If buildings must be moved, the new site should be similar to the original site and the original setback and orientation of the building on the lot should be replicated.
  5. New additions should be subordinate to the original building, i.e. lower in height, attached to the rear or set back along the side, and subordinate in scale and architectural detailing.
  6. Materials should be similar to original materials.
  7. Window and door openings should be similar in size and orientation (vertical or horizontal) to the original openings and should take up about the same percentage.

**Chapter 7.24 Park Regulations**

- 7.24.010 Parks and Recreation Facilities in General**
- 7.24.020 Closure of Facilities**
- 7.24.030 Park and Recreation Facility Regulations**
- 7.24.040 Hours**
- 7.24.050 Motorized Vehicles**
- 7.24.060 Noise-Minimum Fine**
- 7.24.070 Litter**
- 7.24.080 Animals**
- 7.24.090 Alcohol and Tobacco**
- 7.24.100 Fishing**
- 7.24.110 General Boating Regulations**
- 7.24.120 Exceptions**
- 7.24.130 Violation**

**7.24.010 Parks and Recreation Facilities in General**

Spanish Fork City will construct, own, and maintain various parks and other recreational facilities for use by its residents and others. In addition to the requirements set forth in this Chapter, the City Manager, or his/her designee, is authorized to create policies for the use of these facilities, including policies which are specific to certain facilities. Specific policies for certain facilities will take precedence over the more general requirements set forth in this Chapter.

**7.24.020 Closure of Facilities**

Spanish Oaks Reservoir Park shall be closed for public use from December 1st to the following March 1st each year. In addition, thereto, the City Manager, in conjunction with the Parks and Recreation Director, has the discretion to temporarily close any park or recreational facility to public use at any other time in order to perform repair or maintenance work on the facility or for safety reasons to protect the public, or employees, from potential harm, illness, or injury.

**7.24.030 Park and Recreation Facility Regulations**

The provisions of this chapter are applicable to the parks and recreation facilities identified herein, unless otherwise indicated, including pavilions, all parking lots, and street parking adjacent to the parks and facilities described herein:

Abbie Court Park, 1438 South 2050 East	Detention Basin, 379 North 1280 East
Canyon View Park, 3300 East Powerhouse Road	Detention Basin, 375 North 1880 East
Cemetery, 420 South 400 East	Detention Basin, 2162 East 100 South
Centennial Park, 572 South 600 East	Detention Basin, 360 North 1280 East

City Park, 49 South Main Street	Detention Basin, 1100 East 600 South
Little Cleveland Park, 428 East 700 North	Old Mill Detention Basin, 1541 S. Mill Road
Little Chicago Park, 727 North 400 East	Patriot Park Detention Basin, 1100 East 1100 South
Memorial Square, 200 North Main Street	All trails.
North Park, 1185 North 400 East	
Park, 1932 East 280 South	
Park Side Estates Park, 1221 East 1480 South	
Pioneer Cemetery, 1884 South 1530 East	
Skate Park, 491 South 600 East	
Sports Park, 295 West Volunteer Drive	
Spanish Oaks Reservoir Park, 2931 South Spanish Oaks Drive	
Swenson Park, 171 West 300 South	
Urban Forest, 1375 West 520 South	
Water Park, 199 North 300 West	
Whispering Willows Park, 1149 North Ridge Court	
Wildflower Park, 293 South 630 West	

(Ord. No. 18-17, Amended 9/5/2017)

#### **7.24.040 Hours**

Spanish Oaks Reservoir Park is closed from dusk to dawn. Trails are open at all hours. All other parks and recreation facilities shall be open for public use each day beginning at 5:00 a.m. All activities must be concluded by 11:00 p.m. Persons found upon the premises of parks and recreation facilities outside of these hours are subject to trespass charges. City sponsored events are exempt from the beginning and ending hours.

#### **7.24.050 Motorized Vehicles**

Motorized vehicles are limited to designated parking areas and driveways, with the exception of police, fire, or ambulance vehicles, City maintenance vehicles, and authorized vehicles for city sponsored events, such as Fiesta Days, in order to facilitate the event.

#### **7.24.060 Noise-Minimum Fine**

A person convicted of violating the loud speaker requirements (found in Spanish Fork City Municipal Code §9.12.010) within the parks identified in §030, plus the Spanish Oaks Campground, Canyon View RV Park, and Gun Club shall pay a minimum fine of \$150.00, with the maximum fine not to exceed that allowed by law.

#### **7.24.070 Litter**

A person convicted of littering within the parks identified in §030, plus the Spanish Oaks Campground, Canyon View RV Park, Gun Club, Golf Course, and Fairgrounds shall



pay a minimum fine of \$300.00, with the maximum fine not to exceed that allowed by law.

#### **7.24.080 Animals**

- A. Domestic animals, including dogs, are prohibited in parks and recreation facilities where it is posted that no animals and/or dogs are allowed, with the exceptions noted hereafter. An exception exists for animals trained for and used by disabled persons, such as dogs for the blind or hearing impaired. An exception exists for police animals being used or trained in the facilities. The owner, or other responsible party, who has control of such animal within a park or recreation facility and meets one of the identified exceptions, shall be obligated to clean up after such animal, including any excrement.
- B. It shall be illegal for any person to drop off at parks or recreation facility any animal, including ducks, geese, other waterfowl, or fish.

#### **7.24.090 Alcohol and Tobacco**

No alcoholic beverage of any kind is permitted within parks and recreation facilities, whether the container has been opened or not. Any such alcohol found on persons or within vehicles or other forms of personal property at the park is subject to confiscation and destruction. No tobacco product of any kind, including e-cigarettes or any variation thereof, is permitted to be used within parks and recreation facilities.

(Ord. No. 05-14, Amended 04/15/2014)

#### **7.24.100 Fishing**

No ice fishing is allowed on any ponds or other bodies of water located in any parks. Fishing is otherwise allowed in parks during their open hours, in accordance with the Utah Division of Wildlife Resources regulations.

#### **7.24.110 General Boating Regulations**

No boats or other watercraft are allowed on Spanish Oaks Reservoir which have any type of motor unless they are part of a City sponsored event. No boats or other watercraft are allowed on any of the golf course ponds except for maintenance watercraft.

#### **7.24.120 Exceptions**

Spanish Fork City sponsored events are exempt from the provisions of this chapter.

#### **7.24.130 Violation**

A person who violates any section of this Chapter, except for §7.24.090, Alcohol and Tobacco, is subject to receiving an administrative notice of violation and handling the matter administratively, if they so desire. If an alleged violator wants to challenge the violation or otherwise does not want to resolve the matter administratively they shall receive a citation to court.

Violations referred to court are infractions.

(Ord. No.11-04, Enacted 09/07/2004)  
(Ord. No. 04-10, Reenacted 02/16/2010)  
(Ord. No. 012-16, Amended 08/16/2016)

**Chapter 7.28      Boards, Commissions, & Committees**

- 7.28.010      Boards, Commissions, and Committees Authorized**
- 7.28.020      Planning Commission**
- 7.28.030      Development Review Committee**
- 7.28.040      Personnel Appeal Board**
- 7.28.050      Personnel Committee**
- 7.28.060      Library Board**
- 7.28.070      Airport Board**
- 7.28.080      Arts Council Committee**
- 7.28.090      Historic Preservation Committee**
- 7.28.100      Urban Forestry Board**
- 7.28.110      Volunteer Firefighter Retirement Board**
- 7.28.120      Finance Committee**
- 7.28.130      Utility Board**
- 7.28.140      Risk Management Committee**
- 7.28.150      Waste Water Treatment Plant Advisory Committee**
- 7.28.160      Fiesta Days Committee**
- 7.28.170      Rodeo Committee**
- 7.28.180      Parks and Recreation Committee**
- 7.28.190      Seniors Board**
- 7.28.200      Miss Spanish Fork Pageant Committee**
- 7.28.210      Economic Development Committee**
- 7.28.215      Fairgrounds Recreation Complex Advisory Board**
- 7.28.220      Ad Hoc Committees**

**7.28.010      Boards, Commissions, and Committees Authorized**

The City Council hereby authorizes the creation of boards, commissions, and committees to assist the Council in carrying out the work of the City in an efficient and cost-effective manner. Unless otherwise indicated, all boards, commissions, or committees are not vested with the authority to make decisions regarding the public's business, but are advisory bodies whose purpose is to research issues, provide information, and make recommendations to the City Council. They are also to implement policies and decisions of the Council.

Members shall be appointed by the Mayor with the consent of a majority of the Council. Vacancies on any board, commission, or committee shall be filled for the unexpired term in the same manner as original appointments. As long as they remain eligible for the position, board, commission, or committee members may continue to serve until their successor has been appointed and qualified. Unless otherwise set forth herein, or unless membership is based upon a position, all terms shall commence on January 1st and end on December 31st. Unless otherwise indicated herein, members of boards, commissions, or committees may serve successive terms. Unless

otherwise set forth by ordinance, each board, commission, or committee shall meet after the annual appointments have been made and designate a chairperson to conduct the meetings during the coming year. Additional officers, such as a vice chair or secretary may be designated, as needed. A majority of the members of a board, commission, or committee is necessary to constitute a quorum in order to conduct business.

No member of a board, commission, or committee shall receive any compensation for so serving, but may be reimbursed for their authorized and reasonable expenses.

**7.28.020 Planning Commission**

- A. A planning commission is created to address land use issues as set forth in Title 15, Part 3 Chapter 8 of the Spanish Fork Municipal Code. The planning commission, in those limited instances identified in Title 15 where it is the land use authority, is vested with the authority to make decisions regarding the public's business.
  
- B. The term of the planning commission members shall commence on the first day of July and terminate on the thirtieth day of June three years later. No more than two full successive terms may be served.

**7.28.030 Development Review Committee**

- A. A development review committee is created to address the technical aspects of land use issues as set forth in Title 15, Part 3, Chapter 8 of the Spanish Fork Municipal Code. The development review committee is authorized to make decisions regarding the public's business in those limited instances identified in Title 15 where it is the land use authority.

**7.28.040 Personnel Appeal Board**

- A. A personnel appeal board is created as set forth in Spanish Fork Municipal Code §4.04.045 to handle appeals of personnel matters authorized by statute or ordinance.

**7.28.050 Personnel Committee**

- A. A personnel committee is created, consisting of the Mayor, two council members, the City Manager, the assistant City Manager, and two classified employees elected by other employees. The personnel committee is to make recommendations to the Council concerning compensation and benefits of all employees. The Committee may also make recommendations concerning the City's personnel policy and other personnel matters.
  
- B. The employee members shall serve for four-year terms. One member shall be up for election every two years. The council members shall be appointed for one-year terms.

(Ord. No. 07-12, Amended 05/15/2012)

**7.28.060     Library Board**

- A. A library board is created, consisting of eight (8) citizens, one of whom shall be a council member. The library board shall make recommendations concerning use of the library, the amount of fines and fees, and the operation and care of the library. The board may make rules and regulations concerning day to day use of the library and materials to be made available, which do not need specific council approval, but are consistent with the policies made by the council.
- B. The term of each board member shall be for three years, which terms are staggered, such that three appointments are available each year. Board members shall not serve more than two full terms in succession.

**7.28.070     Airport Board**

- A. A joint City Airport Board is created which shall consist of seven members who shall be citizens of Spanish Fork and Springville, to include an elected official from both cities, the airport manager, and two citizens from each City.
- B. The citizen members of the board shall be appointed for a term of three (3) years.
- C. The city councils of Spanish Fork and Springville may remove their respective members at any time without cause.
- D. The joint City Airport Board, by majority vote, shall elect from its members a chairperson who shall preside over the meetings of the Board and a vice chairperson who shall sit for the chairperson during his/her absence.

The election of the officers of the Board shall be held at the first regular meeting at which a quorum is present following January 1st of each even numbered year.

The Board shall adopt rules for the conduct of its meetings. No action shall be taken by the Board except by the affirmative vote of at least the majority vote of the quorum.

Four members of the joint City Airport Board shall constitute a quorum.

- E. The joint City airport board shall meet not less than four (4) times a year at times and places to be designated by said board.
- F. The joint City airport board shall have authority to recommend to the mayors and City Councils of Spanish Fork and Springville the needs and requirements of the airport and its facilities. It shall study city, state and federal budget money, appraise development that is desirable for the airport, and shall study and

appraise an overall plan for the joint municipal airport, together with such other duties and responsibilities as may be delegated to said board from time to time.

**7.28.080 Arts Council Committee**

- A. An arts council committee is created, consisting of a minimum of three and a maximum of fifteen members, one of whom shall be an elected official. The arts council committee shall foster an appreciation of the arts within the City, make recommendations to the City Council concerning cultural events to be sponsored by the City, and encourage privately sponsored cultural events to take place within the City.
- B. The terms of each committee member shall be three years, which terms shall be staggered, such that one-third of the appointments are available each year. No more than two successive terms may be served.

**7.28.090 Historic Preservation Committee**

- A. An Historic Preservation Committee is created with the duties set forth in Spanish Fork Municipal Code §7.20.030.
- B. The Committee shall consist of five members, one of whom shall be an elected official. Members should have a demonstrated interest, competence, or knowledge in historic preservation. The members shall be appointed for terms of five years. The initial appointments shall be for one, two, three, four, and five-year terms. Thereafter, appointments shall be for the full five-year term. No member shall serve more than two consecutive terms.
- C. To the extent available in the community, two Committee members shall be professionals, as defined by National Park Service regulations, from the disciplines of history, archaeology, planning, architecture, or architectural history.

**7.28.100 Urban Forestry Board**

- A. There is created an Urban Forestry Board consisting of seven members who are residents of the City. If no professionals are available within the City, one non-resident professional may serve on the Board. The Board shall make recommendations to the City Council concerning the use and planting of trees on public property, together with the recommendation for their care and maintenance, and recommendations concerning urban forestry for the benefit of the residents of the City. Recommendations for the benefit of residents may be made available in newsletters, pamphlets, or similar media.
- B. The term of each Board member shall be for three years. Terms shall be staggered such that two members will be appointed every year and three members will be appointed every three years.

(Ord. No. 02-16, Enacted 02-16-2016)

**7.28.110 Volunteer Firefighter Retirement Board**

- A. There is created a Volunteer Firefighter Retirement Board consisting of the Mayor, public safety director, City finance director, a citizen at large, the fire association president, fire association past president, and a fire association life member.
- B. The Board shall advise the Council concerning the funding of the retirement fund and shall advise the Council as to which firefighters are eligible for, or are nearing eligibility for, retirement benefits.
- C. The fire association president and past president shall serve on the retirement board for the term of their appointment as association officers. The life member shall be recommended by the fire association and shall be appointed by the Mayor, with approval by the City Council for a four-year term. The citizen at large shall be appointed by the Mayor, with approval by the City Council for a four-year term.

**7.28.120 Finance Committee**

- A. A finance committee is created consisting of two council members, the City Manager, the City Finance Director, and three citizens. The committee shall make recommendations to the City Council concerning the budget, bonding issues, and the financial affairs of the City.
- B. The citizen members shall be appointed for three-year terms, with one member appointed every year. Council members are appointed annually by the Mayor. Other members serve during their affiliation with the City in the position identified.

**7.28.130 Utility Board**

(Ord. No. 02-08, Repealed 01/22/2008)

**7.28.140 Risk Management Committee**

- A. A risk management committee is created, consisting of two council members, the City Manager, the Assistant City Manager, City Attorney, Public Works Director, Public Safety Director, Parks and Recreation Director, and Finance Director. The risk management committee shall review claims against the City, cooperate with the City insurer to reduce and minimize claims, and make recommendations to the Council concerning policies to reduce liability to the City, and, in appropriate cases, recommend settlement possibilities to the Council.
- B. The council members may be appointed by the Mayor on an annual basis.

**7.28.150 Waste Water Treatment Plant Advisory Committee**

- A. A waste water treatment plant advisory committee is created, consisting of an elected official, the City Manager, the Public Works Director, and the POTW Supervisor. The committee shall make recommendations to the Council concerning the maintenance of the waste water plant, the capacities of the plant, and measures needed to extend the life and/or capacity of the waste water treatment plant.
- B. The elected official is appointed by the Mayor on an annual basis.

**7.28.160 Fiesta Days Committee**

- A. A Fiesta Days Committee is created consisting of six (6) members, including an elected official, a representative from the public safety department, the City special events coordinator, and three citizens. One of the citizen appointees will be appointed as chair of the committee. The other two citizen members shall be the past chair and the chair elect. The committee shall make recommendations to the Council concerning the annual City celebration known as Fiesta Days. The committee may create any number of subcommittees to assist it with the Fiesta Days celebration, which subcommittees shall act as ad hoc committees.
- B. The terms of the citizens members shall be for three years, the first shall be as the chair elect, the next as chair, and the last as past chair.

**7.28.170 Rodeo Committee**

- A. A rodeo committee is created consisting of an elected official, the City Manager, a city employee, three at large representatives, and two members designated by the Diamond Fork Riding Club. The at large members shall serve four-year terms. The at large members shall have terms that expire in different years. The committee shall contract for all the necessary items for the production and operation of the Fiesta Days rodeo. The committee will enforce the contract with the Riding Club.

(Ord. No. 03-14, Amended 02/18/2014)

(Ord. No. 13-19, Amended 06/18/2019)

**7.28.180 Parks and Recreation Committee**

- A. A parks and recreation committee is created consisting of an elected official, the Parks and Recreation Director, and eight citizens. The parks and recreation committee shall make recommendations to the City Council concerning recreation facilities, programs, and participation fees.
- B. The terms of each citizen member shall be for three years, which terms shall be staggered such that three appointments are available for two years and two appointments are available for the third year.



**7.28.190 Seniors Board**

- A. A seniors board is created consisting of an elected official, the Senior Director, and nine citizens. The board shall make recommendations to the council concerning Senior facilities, programs and charges.
- B. The terms of the citizen members shall be for three years and shall be staggered such that three appointments are due each year.

**7.28.200 Miss Spanish Fork Pageant Committee**

- A. There is created a Miss Spanish Fork Pageant committee consisting of five members, one of whom shall be an elected official. The committee shall make recommendations to the City Council concerning the Miss Spanish Fork pageant and related awards. The committee shall organize the pageant, including arranging for facilities and programs.
- B. The terms of each member shall be two years and shall be staggered such that two openings are available one year and three the next.

**7.28.210 Economic Development Committee**

(Ord. No. 01-09, Repealed 01/20/2009)

**7.28.215 Fairgrounds Recreation Complex Advisory Board**

- A. A fairgrounds Recreation Complex Advisory Board is created consisting of six members, three to be appointed by Utah County and three to be appointed by Spanish Fork City. One of the members from each entity shall be an elected official. The Board shall study and provide recommendations to the Council for the Fairgrounds Recreation Complex master plan, programs, uses, operating plans, annual budgets, and for the fairgrounds facilities which provide for fairground, livestock, equestrian, and other recreational opportunities, and such other items as the Council may request, with respect to the Fairgrounds Complex.
- B. The elected City official may serve during his/her term in elected office, unless changed earlier by action of the Mayor with the consent of the Council. The other two City appointees, shall serve three-year terms. One of the initial appointees shall serve a three-year term, and the other shall serve a two-year term.

**7.28.220 Ad Hoc Committees**

- A. Ad hoc committees may be created from time to time to assist and advise the Council concerning a specific purpose or project. The number on the committee may vary from project to project as determined by the Mayor and City Council.

B. Ad hoc committee members shall serve until the purpose for which the committee was created is fulfilled, at which point the committee shall be disbanded.

(Ord. No. 02-13, Amended 02/05/2013)

**CHAPTER 32        ADMINISTRATIVE PROCESS****7.32.010 Creation of Administrative Process****7.32.020 Initiation****7.32.030 Fee Schedule Process****7.32.040 Failure to Comply****7.32.010    Creation of Administrative Process**

There is hereby created an administrative process whereby those minor regulatory matters identified throughout the Spanish Fork Municipal Code as eligible may be resolved administratively rather than through the courts. Only those matters which are uncontested and which are identified in the chapter and/or section of the Code involved are eligible for administrative resolution. Unless spelled out differently in a specific section, all administrative matters shall follow the procedure set forth in this chapter.

**7.32.020 Initiation**

All police officers, animal control officers, code enforcement officers, the public works director, public works division managers, public works inspectors, public works engineers, parks and recreation director, parks and recreation division managers, recreation supervisors (including site supervisors), parks lead workers, on-site caretakers, or the cemetery sexton, when dealing with an eligible matter may issue a notice of violation and stipulation. The notice and stipulation must be signed by the person charged. The stipulation consents to the administrative process and acknowledges that the person has violated the applicable regulation and waives all rights to contest the charge, including a right to a trial, with its attendant rights.

**7.32.030 Fee Schedule Process**

A. Fees are based on a fee schedule established by the City Council, either in the annual budget or by resolution. The fee schedule will be issued to the violator with the notice of violation and stipulation.

B. Scheduling. A person receiving an administrative notice must pay the applicable fee within thirty days. A request for an extension may be made to the City Recorder. Each party is entitled to one thirty-day extension, if requested.

**7.32.040 Failure to Comply**

A person who fails to make a scheduled payment, or perform any other task required by this chapter, is subject to being issued a court citation and/or summons for the violation. A person who violates the same provision for a third time within 24 consecutive months is ineligible to have the matter handled administratively.

(Ord. No. 04-15, Created 02/03/2015)

(Ord. No. 12-16, Amended 08/16/2016)