

**PUBLIC HEARING AND CITY COUNCIL MEETING**  
**Tuesday, October 20, 2009 7:00 p.m.**  
**Public Safety Building**  
**3925 W Cedar Hills Drive, Cedar Hills, Utah**

*This meeting may be held electronically via telephone to permit one or more of the council members to participate.*

NOTICE is hereby given that the City Council of the City of Cedar Hills, Utah, will hold a Public Hearing in connection with their Regular City Council Meeting on Tuesday, October 20, 2009, beginning at 7:00 p.m.

**COUNCIL MEETING**

1. Call to Order, Invocation and Pledge
2. Public Comment: Time has been set aside for the public to express their ideas, concerns, and comments (Comments limited to 3 minutes per person with a total of 30 minutes for this item).

**PUBLIC HEARINGS**

3. City Code Amendments Regarding Development in Required Setback Area (Decks, Porches, Patios, Pergolas, Awnings, Hot Tubs, and Similar Structure), Definitions, Parking and Storage of Vehicles, and Landscaping
4. Whether to declare forfeited certain performance guarantees posted to guarantee the construction and completion of subdivision improvements for The Cedars, Plat J-2
5. Whether to declare forfeited certain performance guarantees posted to guarantee the construction and completion of subdivision improvements for The Cedars, Plat J-3

**CONSENT AGENDA**

6. Minutes from the October 6, 2009, Regular City Council Meeting

**SCHEDULED ITEMS**

7. Presentation of Master Municipal Clerk to Kim Holindrake, City Recorder, by the Utah Municipal Clerks Association
8. Review/Action on Ordinances for City Code Amendments Regarding Development in Required Setback Area (Decks, Porches, Patios, Pergolas, Awnings, Hot Tubs, and Similar Structure), Definitions, Parking and Storage of Vehicles, and Landscaping
9. Review/Action on Eagle Scout Project for a Welcome to Cedar Hills Sign
10. Review/Action on Harvey Boulevard Street Striping
11. Review/Action on whether to declare forfeited certain performance guarantees posted to guarantee the construction and completion of subdivision improvements for The Cedars, Plat J-2
12. Review/Action on whether to declare forfeited certain performance guarantees posted to guarantee the construction and completion of subdivision improvements for The Cedars, Plat J-3
13. City Manager Report and Discussion

**MAYOR AND COUNCIL REPORTS**

14. Board and Committee Reports

**EXECUTIVE SESSION**

15. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-205  
\* \* \* EXECUTIVE SESSION \* \* \*
16. Motion to Adjourn Executive Session and Reconvene City Council Meeting

**ADJOURNMENT**

17. Adjourn

Posted this 15th day of October, 2009.

\_\_\_\_\_  
Kim E. Holindrake, City Recorder

- Supporting documentation for this agenda is posted on the City's Web Site at [www.cedarhills.org](http://www.cedarhills.org).
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at least 48 hours in advance of the meeting to be held.
- The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public.



# CITY OF CEDAR HILLS

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**TO:** Mayor McGee, City Council, and Staff  
**FROM:** Kim E. Holindrake, City Recorder  
**DATE:** October 15, 2009

## City Council Memorandum

**SUBJECT:** Presentation of MMC to Kim Holindrake, City Recorder  
**APPLICANT PRESENTATION:**  
**STAFF PRESENTATION:**

Donna Weaver, President of the Utah Municipal Clerks Association will be present with other members of the Association.



# CITY OF CEDAR HILLS

<b>TO:</b>	City Council
<b>FROM:</b>	Brad Kearl
<b>DATE:</b>	October 20, 2009

## City Council Agenda Item

<b>SUBJECT:</b>	Amending Ordinances
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Brad Kearl – Zoning Administrator
<b>BACKGROUND AND FINDINGS:</b> Ordinance 10-5-29, amending the requirements relating to the development in required setback areas, Zoning Definitions, Parking and Storage of Vehicles, and Landscaping. Suggestions were made by the PC concerning the verbiage and definitions. Staff made the changes.	
<b>PREVIOUS LEGISLATIVE ACTION:</b> None	
<b>FISCAL IMPACT:</b> None	
<b>SUPPORTING DOCUMENTS:</b> See attached Definitions and Ordinances.	
<b>RECOMMENDATION:</b> To amend existing Ordinances as proposed.	
<b>MOTION:</b> To approve; <b>AN ORDINANCE AMENDING TITLE 10 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE REQUIREMENTS RELATING TO DEFINITIONS, SUPPLEMENTARY DEVELOPMENT STANDARDS, DEVELOPMENT IN REQUIRED SETBACK AREAS, LANDSCAPING REGULATIONS, AND PARKING REQUIREMENTS.</b>	
<b>MOTION:</b> To approve; <b>AN ORDINANCE AMENDING TITLE 5 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE REQUIREMENTS RELATING TO PARKING REGULATIONS.</b>	
<b>MOTION:</b> To approve; <b>AN ORDINANCE AMENDING TITLE 4 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE REQUIREMENTS RELATING TO NUISANCES AND THE IMPROPER PARKING OR STORAGE OF VEHICLES.</b>	

## 10-2-1: DEFINITIONS:

**AWNING:** A roof like cover extending over or in front of a place (as over the deck or in front of a door or window) as a shelter.

**BUILDING:** ~~Any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.~~ A roofed and completely walled structure built for permanent use.

**BUILDING, ACCESSORY:** A subordinate building, the use of which is incidental to that of the main building-, including, but not limited to, detached garages and storage sheds greater than 120 sq ft.

**BUILDING, MAIN:** One or more of the principal buildings upon a lot. Garages, ~~carports~~ and other buildings that are attached to a dwelling or other main building or that are situated within twelve feet (12') of a main building shall be considered as part of the main building.

**CARPORT:** A structure not completely enclosed by walls for the shelter of automobiles.

**CUSTOMARY RESIDENTIAL ACCESSORY STRUCTURE:** A structure constructed on the same zoning lot as a dwelling and that is intended for the incidental and exclusive use of the residents of said dwelling, including, but not limited to, ~~detached garages, carports,~~ swimming pools, tennis courts, greenhouses.

**HARD SURFACE:** Concrete, asphalt, road base, gravel, pavers and other materials approved by the Zoning Official.

**PORTABLE GARAGE:** A portable shelter constructed with a soft canopy covering.

**RECREATIONAL VEHICLE:** A vehicle designed for recreational use such as a boat, trailer, camper and other vehicles approved by the Zoning Official.

**SETBACK:** The shortest distance between the property line and outside surface of the foundation, wall ~~or main frame~~ of the main building. ~~Main building includes overhangs, porches and decks.~~

**SETBACK AREA, REQUIRED (REQUIRED YARD AREA):** That portion of a lot between the lot boundary and the required setback lines.

**SETBACK, REQUIRED (REQUIRED YARD):** The minimum required space between a lot boundary line and the foundation wall of the main building. The depth of the required setback shall be as set forth under the zone requirements as measured at right angle to the applicable lot boundary line. ~~Main building includes overhangs, porches and decks.~~

## 10-5-5: DEVELOPMENT IN REQUIRED SETBACK AREA (REQUIRED YARD AREA):

All required setback area (required yard area) of a lot shall be open and unobstructed, except for the following uses and projections:

### A. Side Setback Areas (Side Yard Areas):

4. Awnings projecting from side of dwelling. ~~over doorways and windows not more than three feet (3')~~.
8. Hot tubs, patios or similar uses at ground level shall be allowed in a side yard, provided they are located at least one foot (1) ~~five feet (5')~~ from the property line. (Ord. 1-20-2004B, 1-20-2004)
9. Accessory buildings and Portable Sheds located in conformance with the applicable setback requirements.
12. Parking of recreational vehicles, boats, trailers, etc. is permitted within the optional enclosure area, in a private driveway or directly adjacent to the garage/driveway on an approved surface.

### B. Rear Setback Areas (Rear Yard Areas):

8. Hot tubs, patios or similar uses at ground level shall be allowed in a rear yard setback area, provided they are located at least one foot (1) ~~five feet (5')~~ from the property line. (Ord. 1-20-2004B, 1-20-2004)
9. Accessory buildings and Portable Sheds located in conformance with the applicable setback requirements.

## Ordinance 5-29-2009A

### 10-5-29: DECKS, PORCHES, PATIOS, PERGOLAS, AWNINGS, HOT TUBS, AND SIMILAR STRUCTURES:

- A. Decks, porches, patios, pergolas, awnings, recreational equipment (such as swing sets, slides, and trampolines), hot tubs and similar structures are permitted in the rear and side setback areas subject to the following conditions:
1. All sides of the portion of the structure located within a designated setback area shall remain open.
  2. No structure within a setback area shall be converted into livable space, nor shall it be constructed as to appear as though it could be easily converted into livable space.
  3. Prior to construction, a building permit shall be obtained for all structures.
    - a. Prior to issuing a building permit, the Chief Building Official shall make a finding whether the materials and finish of the proposed structure are in harmony with the primary structure and the surroundings as a whole and issue a permit with a positive finding.
    - b. The structure shall not be located closer than five (5) feet to the property line, except those structures that comply with items (1) or (2) below, notwithstanding that no structure shall be constructed within a Clear View Area nor on a corner lot beyond the Optional Enclosure Area. Additionally, structures in the rear setback area shall not cover over 50% of the rear setback area.
      - (1) Structures located entirely at ground level shall be permitted to be located no closer than one (1) foot of the property line.
      - (2) Special exception for awnings located in the side setback area and immediately adjacent to a garage. A permanent awning located in the side setback area may be constructed immediately adjacent to the outside wall of an attached garage provided that:
        - (a) The front, rear, and sides shall remain open, except that an approved fence may be constructed independent of the structure.
        - (b) The awning shall be constructed over a hard surface area [as defined in Chapter 2](#),

Definitions. ~~(e.g. concrete, asphalt, roadbase, gravel, etc.).~~

(c) The awning shall ~~not be more~~ be no closer than one foot from the property line and no higher than seven (7) feet tall, at the lowest point. ~~one (1) foot from the property line, nor a~~ The roof pitch cannot be greater than 4:12.

(d) Three (3) feet is the fire separation distance. Any portion of the awning structure projecting within three (3) feet of the property line shall be one-hour fire resistance rated construction per building code.

~~(d)~~(e) The awning shall include a system or method for retaining rain water on the property owner's own property.

4. The finished level of any deck shall be not more than six (6) feet above the finished grade at any location within ten (10) feet from the property line.
5. The height for the structure shall not be greater than the height allowed for an accessory building at the same location.

~~6. —Any setback shall be proportioned equally between property owners.~~

- B. Temporary Structures: The temporary version of any structure listed in Subsection A above shall be subject to the same provisions as that of a permanent structure. Portable garages are not permitted.
- C. Additional Requirements: The determination that a structure~~d~~ is allowed by City Code shall not be interpreted as to meaning that the structure meets the requirements of any private CC&Rs applicable to the parcel.

### 4-2-3: v) IMPROPER PARKING OR STORAGE:

- (1) Parking or storage of inoperative, unregistered, abandoned, wrecked or dismantled vehicles, boats, trailers or vehicle parts, including recreational vehicles, on a premises **that can be seen from the street** or in the public right of way. Storage or parking that is specifically allowed by the city zoning ordinance shall not be considered a nuisance.
- (2) Parking or storage of registered vehicles, trailers and/or boats in violation of city ordinance.
- (3) The parking or storage of any recreational vehicle on any premises or property shall be considered a nuisance unless the recreational vehicle, **and/or boat or trailer** is parked or stored upon a hard **concrete pad** surface that extends to the edges of the recreational vehicle.

### 10-5-27: LANDSCAPING:

B. Required: The front yard area of any existing lot containing a dwelling shall be landscaped. It shall be unlawful for the owner of any residential lot within the city to refuse to install and maintain landscaping within the front yard area of any existing residential lot containing a dwelling. The front yard area shall consist of the entire lot area from the front lot line to the face of the dwelling, or the front setback area, whichever is greater. **(except for approved designated parking areas.)** Corner lots have two (2) front setback areas. Landscaping shall be properly maintained including removing weeds and mowing turf areas. Turf grass shall not exceed six inches (6") in height.

### 10-4 REGULATIONS WITHIN ZONES

D. Off Street Parking:

1. Not less than two (2) off street parking spaces shall be required for each dwelling unit. Each off street parking space shall be not less than ten feet by twenty feet (10' x 20') per space. ~~and shall not be located within any portion of a front or side setback area adjacent to a street.~~
3. **Parking of recreational vehicles, boats, trailers, etc. is permitted within the optional enclosure area, in a private driveway or directly adjacent to the garage/driveway on an approved surface.**

## 5-2-5: PARKING REGULATIONS:

A. Definitions: For purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them:

**HARD SURFACE:** Concrete, asphalt, road base, gravel, pavers and other materials approved by the Zoning Official.

**LOCATION:** The area of road that provides frontage for each individual property.

**STREET:** The entire width between property lines of every way or place of whatever nature when any part of it is open to the public as a matter of right, for purposes of pedestrian or vehicular traffic.

**VEHICLE:** Any of the following:

1. Camper Shell Or Camper: An accessory for use in conjunction with a pickup truck. It is a temporary dwelling used for travel, recreational and vacation use.
2. Commercial Vehicle: Any vehicle, trailer or construction equipment that is primarily used in a trade or business that bears any logo or other advertisement of a trade or business, or that is actually being used in a trade or business.
3. Impaired Motor Vehicle: A vehicle that was intended primarily as a motor vehicle, but is impaired in some manner and not operable.
4. Implement Of Husbandry: Every vehicle exclusively used by the owner in the conduct of agricultural operations.
5. Motor Vehicle: Any self-propelled vehicle.
6. Motorboat: A self-propelled vehicle intended for use and operation on the water.
7. Motorcycle: A motor vehicle having a saddle for the use of a rider.
8. Pickup Truck: A motor vehicle with a motive power manufactured, remanufactured or materially altered to provide an open cargo area. It also includes motor vehicles with the open cargo area covered with a camper, camper shell, tarp, removable top or similar structure.
9. **RECREATIONAL VEHICLE:** A vehicle designed for recreational use such as a boat, trailer, camper and other vehicles approved by the Zoning Official.
10. Sailboat: A vehicle that is not self-propelled, but intended for use and operation on the water.
11. Trailer: A vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle.
12. Travel Trailer: A trailer designed as a temporary dwelling for travel, recreational and vacation use. (Ord. 12-4-2001A, 12-4-2001; amd. Ord. 8-5-2008A, 8-5-2008)

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 4 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE REQUIREMENTS RELATING TO NUISANCES AND THE IMPROPER PARKING OR STORAGE OF VEHICLES.**

WHEREAS, pursuant to Utah Code Annotated § 10-9a-501, the City Council of the City of Cedar Hills (“City Council”) may adopt ordinances to govern the use and development of land within the City; and

WHEREAS, pursuant to Utah Code Annotated § 10-8-84, the City Council may adopt ordinances “necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City”; and

WHEREAS, the City Council, following receipt of a recommendation from the Planning Commission, has determined that it is in the best interest of the public health, prosperity, comfort, and convenience of the City of Cedar Hills, and the residents thereof, to enact certain amendments to Title 4 of the City Code dealing with nuisances and the improper parking or storage of vehicles;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH COUNTY, STATE OF UTAH:**

**PART I  
AMENDMENTS**

**SECTION 1.** Title 4, Chapter 2, Section 3, of the City Code, entitled Nuisance Defined and Enumerated, Subsection C5v, Improper Parking or Storage, is hereby amended to read as follows.

- (1) Parking or storage of inoperative, unregistered, abandoned, wrecked or dismantled vehicles, boats, trailers or vehicle parts, including recreational vehicles, on a premises that can be seen from the street or in the public right of way. Storage or parking that is specifically allowed by the city zoning ordinance shall not be considered a nuisance.
- (2) Parking or storage of registered vehicles, trailers and/or boats in violation of city ordinance.
- (3) The parking or storage of any recreational vehicle on any premises or property shall be considered a nuisance unless the recreational vehicle, and/or boat or trailer is parked or stored upon a hard surface that extends to the edges of the recreational vehicle.

**PART II  
PENALTY AND ADOPTION**

**A. CONFLICTING PROVISIONS**

Whenever the provisions of this Ordinance conflict with the provisions of any other Ordinance, resolution or part thereof, the more stringent shall prevail.

**B. PROVISIONS SEVERABLE**

This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

**C. AMENDMENT TO BE ADDED TO CITY CODE**

The City Council hereby authorizes and directs that insert pages reflecting the provisions enacted hereby shall be made and placed in the City Code, Title 4.

**D. PENALTY**

Hereafter these amendments shall be construed as part of the Health and Safety Ordinance of the City Code of the City of Cedar Hills, Utah, to the same effect as if originally a part thereof, and all provisions of said regulations shall be applicable thereto, including, but not limited to, the enforcement, violation and penalty provisions.

**E. EFFECTIVE DATE**

This Ordinance shall take effect upon its passage and publication as required by law.

**PASSED AND ORDERED POSTED BY THE CITY COUNCIL OF CEDAR HILLS, UTAH,  
THIS 20TH DAY OF OCTOBER, 2009.**

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Michael C. McGee, Mayor

ATTEST:

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Kim E. Holindrake, City Recorder

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 5 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE REQUIREMENTS RELATING TO PARKING REGULATIONS.**

WHEREAS, pursuant to Utah Code Annotated § 10-9a-501, the City Council of the City of Cedar Hills (“City Council”) may adopt ordinances to govern the use and development of land within the City; and

WHEREAS, pursuant to Utah Code Annotated § 10-8-84, the City Council may adopt ordinances “necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City”; and

WHEREAS, the City Council, following receipt of a recommendation from the Planning Commission, has determined that it is in the best interest of the public health, prosperity, comfort, and convenience of the City of Cedar Hills, and the residents thereof, to enact certain amendments to Title 5 of the City Code dealing with parking regulations;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH COUNTY, STATE OF UTAH:**

**PART I  
AMENDMENTS**

**SECTION 1.** Title 5, Chapter 2, Section 5, of the City Code, entitled Parking Regulations, is hereby amended by adding a definition for Hard Surface and adding Paragraph 9 to the definitions of Vehicle with the remaining paragraphs being renumbered to read as follows.

**HARD SURFACE:** Concrete, asphalt, road base, gravel, pavers and other materials approved by the Zoning Official.

9. **RECREATIONAL VEHICLE:** A vehicle designed for recreational use such as a boat, trailer, camper and other vehicles approved by the Zoning Official.

**PART II  
PENALTY AND ADOPTION**

**A. CONFLICTING PROVISIONS**

Whenever the provisions of this Ordinance conflict with the provisions of any other Ordinance, resolution or part thereof, the more stringent shall prevail.

**B. PROVISIONS SEVERABLE**

This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it

is hereby declared that the remainder of the ordinance shall not be affected thereby.

**C. AMENDMENT TO BE ADDED TO CITY CODE**

The City Council hereby authorizes and directs that insert pages reflecting the provisions enacted hereby shall be made and placed in the City Code, Title 5.

**D. PENALTY**

Hereafter these amendments shall be construed as part of the Public Safety and Traffic Regulations Ordinance of the City Code of the City of Cedar Hills, Utah, to the same effect as if originally a part thereof, and all provisions of said regulations shall be applicable thereto, including, but not limited to, the enforcement, violation and penalty provisions.

**E. EFFECTIVE DATE**

This Ordinance shall take effect upon its passage and publication as required by law.

**PASSED AND ORDERED POSTED BY THE CITY COUNCIL OF CEDAR HILLS, UTAH,  
THIS 20TH DAY OF OCTOBER, 2009.**

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Michael C. McGee, Mayor

ATTEST:

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Kim E. Holindrake, City Recorder

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 10 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE REQUIREMENTS RELATING TO DEFINITIONS, SUPPLEMENTARY DEVELOPMENT STANDARDS, DEVELOPMENT IN REQUIRED SETBACK AREAS, LANDSCAPING REGULATIONS, AND PARKING REQUIREMENTS.**

WHEREAS, pursuant to Utah Code Annotated § 10-9a-501, the City Council of the City of Cedar Hills (“City Council”) may adopt ordinances to govern the use and development of land within the City; and

WHEREAS, pursuant to Utah Code Annotated § 10-8-84, the City Council may adopt ordinances “necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City”; and

WHEREAS, the City Council, following receipt of a recommendation from the Planning Commission, has determined that it is in the best interest of the public health, prosperity, comfort, and convenience of the City of Cedar Hills, and the residents thereof, to enact certain amendments to Title 10 of the City Code dealing with definitions, supplementary development standards, development in required setback areas, landscaping requirements, and parking requirements;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH COUNTY, STATE OF UTAH:**

**PART I  
AMENDMENTS**

**SECTION 1.** Title 10, Chapter 2, Section 1, of the City Code, entitled Definitions, is hereby amended by adding the following definitions to read as follows:

10-2-1 Definitions

**AWNING:** A roof like cover extending over or in front of a place (as over the deck or in front of a door or window) as a shelter.

**HARD SURFACE:** Concrete, asphalt, road base, gravel, pavers and other materials approved by the Zoning Official.

**PORTABLE GARAGE:** A portable shelter constructed with a soft canopy covering.

**PORTABLE UTILITY SHED:** A single-storied structure with one or more sides enclosed, for the purpose of storing tools and equipment. Limited to 120 sq. ft. floor area, maximum height of 10 feet and not having a footing or foundation.

RECREATIONAL VEHICLE: A vehicle designed for recreational use such as a boat, trailer, camper and other vehicles approved by the Zoning Official.

**SECTION 2.** Title 10, Chapter 2, Section 1, of the City Code, entitled Definitions, is hereby amended by amending the following definitions to read as follows:

**BUILDING:** A roofed and completely walled structure built for permanent use.

**BUILDING, ACCESSORY:** A subordinate building, the use of which is incidental to that of the main building, including, but not limited to, detached garages and storage sheds greater than 120 sq ft.

**BUILDING, MAIN:** One or more of the principal buildings upon a lot. Garages and other buildings that are attached to a dwelling or other main building or that are situated within twelve feet (12') of a main building shall be considered as part of the main building.

**CUSTOMARY RESIDENTIAL ACCESSORY STRUCTURE:** A structure constructed on the same zoning lot as a dwelling and that is intended for the incidental and exclusive use of the residents of said dwelling, including, but not limited to, swimming pools, tennis courts, greenhouses.

**LIVESTOCK MANAGEMENT AREA:** All portions of a lot devoted exclusively to the care and keeping of livestock and fowl, including, but not limited to, barns, sheds, coops, corrals and pastures.

**SETBACK:** The shortest distance between the property line and outside surface of the foundation wall of the main building.

**SETBACK, REQUIRED (REQUIRED YARD):** The minimum required space between a lot boundary line and the foundation wall of the main building. The depth of the required setback shall be as set forth under the zone requirements as measured at right angle to the applicable lot boundary line.

**SECTION 3.** Title 10, Chapter 5, Supplementary Development Standards, Section 29, of the City Code, entitled Decks, Porches, Patios, Pergolas, Awnings, Hot Tubs, and Similar Structures, is hereby amended to read as follows:

**10-5-29: DECKS, PORCHES, PATIOS, PERGOLAS, AWNINGS, HOT TUBS, AND SIMILAR STRUCTURES:**

A. Decks, porches, patios, pergolas, awnings, recreational equipment (such as swing sets, slides, and trampolines), hot tubs and similar structures are permitted in the rear and side setback areas subject to the following conditions:

1. All sides of the portion of the structure located within a designated setback area shall remain open.

2. No structure within a setback area shall be converted into livable space, nor shall it be constructed as to appear as though it could be easily converted into livable space.
3. Prior to construction, a building permit shall be obtained for all structures.
  - a. Prior to issuing a building permit, the Chief Building Official shall make a finding whether the materials and finish of the proposed structure are in harmony with the primary structure and the surroundings as a whole and issue a permit with a positive finding.
  - b. The structure shall not be located closer than five (5) feet to the property line, except those structures that comply with items (1) or (2) below, notwithstanding that no structure shall be constructed within a Clear View Area nor on a corner lot beyond the Optional Enclosure Area. Additionally, structures in the rear setback area shall not cover over 50% of the rear setback area.
    - (1) Structures located entirely at ground level shall be permitted to be located no closer than one (1) foot of the property line.
    - (2) Special exception for awnings located in the side setback area and immediately adjacent to a garage. A permanent awning located in the side setback area may be constructed immediately adjacent to the outside wall of an attached garage provided that:
      - (a) The front, rear, and sides shall remain open, except that an approved fence may be constructed independent of the structure.
      - (b) The awning shall be constructed over a hard surface area as defined in Chapter 2, Definitions.
      - (c) The awning shall be no closer than one foot from the property line and no higher than seven (7) feet tall at the lowest point. The roof pitch cannot be greater than 4:12.
      - (d) Three (3) feet is the fire separation distance. Any portion of the awning structure projecting within three (3) feet of the property line shall be one-hour fire resistance rated construction per building code.
      - (e) The awning shall include a system or method for retaining rain water on the property owner's own property.

4. The finished level of any deck shall be not more than six (6) feet above the finished grade at any location within ten (10) feet from the property line.
5. The height for the structure shall not be greater than the height allowed for an accessory building at the same location.

B. Temporary Structures: The temporary version of any structure listed in Subsection A above shall be subject to the same provisions as that of a permanent structure. Portable garages are not permitted.

C. Additional Requirements: The determination that a structure is allowed by City Code shall not be interpreted as to meaning that the structure meets the requirements of any private CC&Rs applicable to the parcel.

**SECTION 4.** Title 10, Chapter 5, Section 5, of the City Code, entitled Development in Required Setback Area (Required Yard Area), Subsection A, Paragraphs 4 and 9 are hereby amended and Paragraph 12 is hereby added to read as follows.

4. Awnings projecting from side of dwelling.
9. Accessory buildings and Portable Sheds located in conformance with the applicable setback requirements.
12. Parking of recreational vehicles, boats, trailers, etc. is permitted within the optional enclosure area, in a private driveway or directly adjacent to the garage/driveway on an approved surface.

**SECTION 5.** Title 10, Chapter 5, Section 5, of the City Code, entitled Development in Required Setback Area (Required Yard Area), Subsection B, Paragraphs 9, is hereby amended and a new paragraph 8 is hereby added to read as follows with the remaining paragraphs being renumbered.

9. Accessory buildings and Portable Sheds located in conformance with the applicable setback requirements.
8. Hot tubs, patios or similar uses at ground level shall be allowed in accordance with the provisions of Section 10-5-29 of this Chapter.

**SECTION 6.** Title 10, Chapter 5, Section 27, of the City Code, entitled Landscaping, Subsection B, is hereby amended to read as follows.

B. Required: The front yard area of any existing lot containing a dwelling shall be landscaped. It shall be unlawful for the owner of any residential lot within the city to refuse to install and maintain landscaping within the front yard area of any existing residential lot containing a dwelling. The front yard area shall consist of the entire lot

area from the front lot line to the face of the dwelling, or the front setback area, whichever is greater (except for approved designated parking areas). Corner lots have two (2) front setback areas. Landscaping shall be properly maintained including removing weeds and mowing turf areas. Turf grass shall not exceed six inches (6") in height.

**SECTION 7.** Title 10, Chapters 4A (R-1-11,000) and 4B (R-1-15,000), Section 8; and Chapters 4G (PR 2-2) and 4H (PR 3.4), Section 6, entitled Dwelling Requirements, Subsection D, Off Street Parking, and Chapter 4D, (H-1 Hillside), Section 9, entitled Dwelling and Structural Requirements, Subsection E, Off Street Parking, of the City Code are hereby amended to read as follows.

1. Not less than two (2) off street parking spaces shall be required for each dwelling unit. Each off street parking space shall be not less than ten feet by twenty feet (10' x 20') per space.
2. Not less than two (2) off street parking spaces appurtenant to a dwelling shall be enclosed within a garage.
3. Parking of recreational vehicles, boats, trailers, etc. is permitted within the optional enclosure area, in a private driveway or directly adjacent to the garage/driveway on an approved surface.

## **PART II PENALTY AND ADOPTION**

### **A. CONFLICTING PROVISIONS**

Whenever the provisions of this Ordinance conflict with the provisions of any other Ordinance, resolution or part thereof, the more stringent shall prevail.

### **B. PROVISIONS SEVERABLE**

This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

### **C. AMENDMENT TO BE ADDED TO CITY CODE**

The City Council hereby authorizes and directs that insert pages reflecting the provisions enacted hereby shall be made and placed in the City Code, Title 10.

### **D. PENALTY**

Hereafter these amendments shall be construed as part of the Zoning Ordinance of the City Code of the City of Cedar Hills, Utah, to the same effect as if originally a part thereof, and all provisions of said regulations shall be applicable thereto, including, but not limited to, the enforcement, violation and penalty provisions.

### **E. EFFECTIVE DATE**

This Ordinance shall take effect upon its passage and publication as required by law.

**PASSED AND ORDERED POSTED BY THE CITY COUNCIL OF CEDAR HILLS, UTAH,  
THIS 20TH DAY OF OCTOBER, 2009.**

---

Michael C. McGee, Mayor

ATTEST:

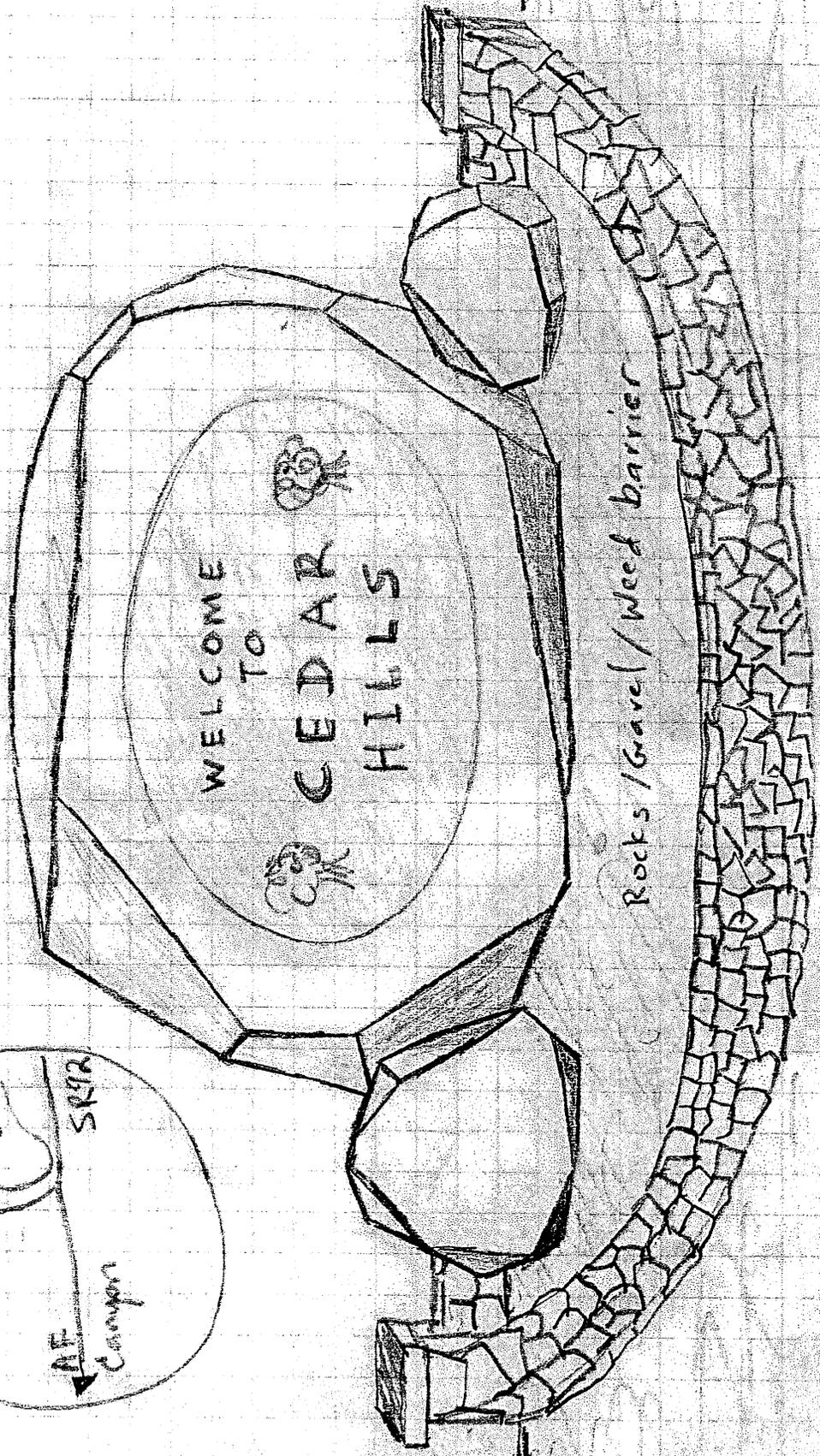
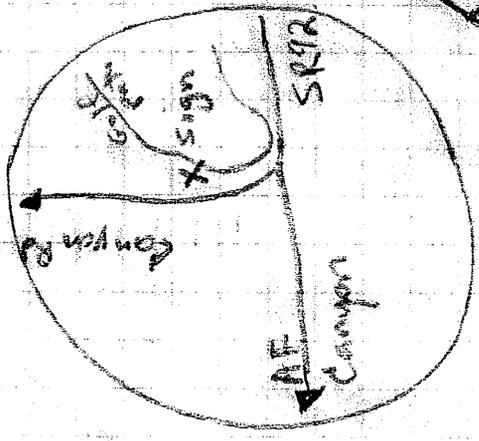
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Kim E. Holindrake, City Recorder

Option B

Hunter Wilson Eagle Project  
796-7601 1959daniel@msn.com (email questions etc)

Plasma cut metal sign (3'x5' oval) mounted on Boulder



Rocks / Gravel / Weed barrier



# CITY OF CEDAR HILLS

<b>TO:</b>	Mayor and City Council
<b>FROM:</b>	Konrad Hildebrandt, City Manager <i>per</i>
<b>DATE:</b>	10/20/2009

City Council  
**Agenda Item**

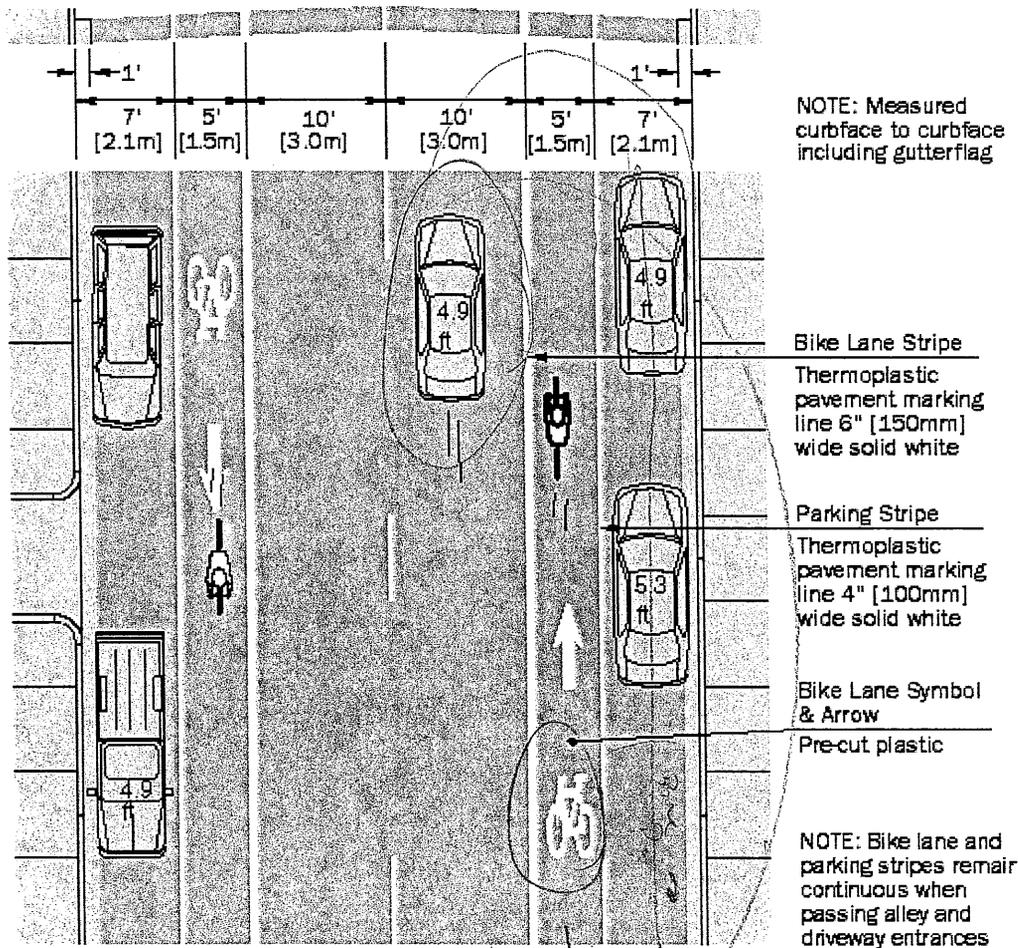
<b>SUBJECT:</b>	Shoulder Line Striping for Harvey Boulevard
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Konrad Hildebrandt, City Manager
<b>BACKGROUND AND FINDINGS:</b> Recently, the City has provided an useful life enhancing asphalt application (chip and crack seal) to Harvey Boulevard. Based on City Council review and action, staff did not replace the shoulder stripe (Called by some residents a Bike Lane) to the road.  The City has been confronted by some residents that feel that without the shoulder stripe, the safety of their children is reduced.	
<b>PREVIOUS LEGISLATIVE ACTION:</b> NONE	
<b>FISCAL IMPACT:</b> \$200-300 dollars	
<b>SUPPORTING DOCUMENTS:</b> None	
<b>RECOMMENDATION:</b> Staff recommends that the City Council approve the inclusion of the shoulder stripe	
<b>MOTION:</b> The City Council, by motion, approve the painting of a shoulder stripe consistent with the stripe that previously existed prior to the new asphalt application.	

### 3.2.1 Pictorial Misrepresentation

The standard plans carry dimensioned lane widths. They also depict cars and bicycles using the lanes. The pictorial appearance is that there is plenty of room. However, that is misleading, because the drawings have been incorrectly done. It is easy to calculate the scale of such a drawing. Say the drawing gives a lane width of 10 feet, and the width measured on the drawing is 23.5 mm. The scale factor is 2.35 mm/foot. If the drawing of a car is 11.5 mm wide, dividing 11.5mm by 2.35 mm/foot gives a car width of 4.9 feet. These are the actual values for the 44-foot roadway drawing and the one car shown moving in the motor lane.

The widths of the cars shown in these drawings range from 4.4 feet to 5.4 feet, with a typical width of 4.9 feet. Excluding the smallest cars such as the Geo Metro, the width of cars ranges from 5.8 feet to 6.1 feet, with vans running 6.6 feet. In other words, the cars shown in the dimensioned drawings are only about 80% of the correct size. See Figure 1.

## Standard Road Striping Bike Lane on 44' Wide Street



From the Chicago Guide. Car widths added for this article,

4.9  
5.3



# CITY OF CEDAR HILLS

<b>TO:</b>	Mayor and City Council
<b>FROM:</b>	Konrad Hildebrandt, City Manager <i>Konrad</i>
<b>DATE:</b>	10/20/2009

City Council  
Agenda Item

<b>SUBJECT:</b>	Ordinance declaring default and forfeiture of the performance guarantees for the Cedars Plat J - 2
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Konrad Hildebrandt, City Manager
<b>BACKGROUND AND FINDINGS:</b>	
<p>The City Council finds that the Developer has failed or neglected to satisfactorily install all required subdivision improvements for the Cedars Plat J-2 within the required time frame or make required corrections and has failed in carrying out the activity for which the performance guarantees were required.</p> <p>Upon passage of this ordinance, the city will be authorized to install, repair or cause to be installed or repaired, the required but uncompleted or unsatisfactory improvements and to secure reimbursement of the costs incurred by the City in performing inspections, administrative activities, enforcement or legal proceedings relating to the project improvements.</p>	
<b>PREVIOUS LEGISLATIVE ACTION:</b>	
NONE	
<b>FISCAL IMPACT:</b>	
Amount of the Bonds	
<b>SUPPORTING DOCUMENTS:</b>	
Ordinance enclosed	
<b>RECOMMENDATION:</b>	
Staff recommends that the City Council approve enclosed ordinance	
<b>MOTION:</b>	
The City Council, by motion, approve ordinance # 10-20-2009A – An ordinance declaring default and forfeiture of the Performance Guaranties for the Cedars Plat J-2.	

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE DECLARING DEFAULT AND FORFEITURE OF THE PERFORMANCE GUARANTEES FOR THE CEDARS AT CEDAR HILLS, PLAT J-2.**

WHEREAS, the City Council of the City of Cedar Hills, Utah (the “City”) has the power to adopt, revise, revoke and rescind ordinances from time to time to govern, control or supervise any activity, business, conduct, or condition for which the City was organized and empowered, pursuant to Title 10, Chapter 3, Part 7 of the Utah Code; and

WHEREAS, BFK, LLC is the developer of The Cedars at Cedar Hills, Plat J-2, residential subdivisions within the City (the “Developer”); and

WHEREAS, Title 11, Chapter 4, Section 5.A of the Cedar Hills City Code requires that subdividers post a performance bond or other financial assurance with the City, as provided in Title 9, Chapter 2, to guarantee installation and completion of all required on-site and off-site subdivision improvements in a timely manner and in accordance with City standards and good engineering practice, as well as the durability of the improvements following construction thereof; and

WHEREAS, the Developer has secured and provided for the benefit of the City certain performance guarantees to ensure the installation and completion of the required subdivision improvements in accordance with City specifications and good quality of workmanship, and to that end has provided and set aside for the City a cash loan by escrow agreement (the “Escrow Agreement”); and

WHEREAS, Section 9-2-5 of the Cedar Hills City Code allows the City Council to declare a performance guarantee forfeited if the developer “a) fails or neglects to satisfactorily install the required improvements within the required time frame or make required corrections thereto . . . or c) otherwise fails in carrying out the activity for which the construction guarantee or durability retainer was required”; and

WHEREAS, the required public improvements in The Cedars at Cedar Hills, Plat J-2, have not been satisfactorily installed or completed within the required time frame and/or according to City specifications and standards; and

WHEREAS, the City Council desires to act in the best interest of the City and its citizens and consistent with the Constitution and laws of the State of Utah:

BE IT ORDAINED by the City Council of the City of Cedar Hills, Utah County, Utah as follows:

1. The City Council finds that the *Developer* has failed or neglected to satisfactorily install all required subdivision improvements for The Cedars at Cedar Hills, Plat J-2, within the required time frame or make required corrections thereto, and has failed in carrying out the activity for which the performance guarantees were required.

2. The Performance Guarantee for The Cedars at Cedar Hills, Plat J-2, BFK, LLC cash loan set aside in escrow with Bank of American Fork is hereby declared forfeited.
3. The City is authorized to proceed to install or repair, or cause to be installed or repaired, the required but uncompleted or unsatisfactory improvements, and to secure reimbursement of the costs incurred by the City in performing inspections, administrative activities, enforcement or legal proceedings relating to the project improvements using the remainder of the remaining performance guarantee proceeds.

APPROVED AND ADOPTED this 20th day of October, 2009.

---

Michael C. McGee, Mayor

Attest:

---

Kim E. Holindrake, City Recorder

(SEAL)

**RECORD OF PROCEEDINGS**

The City Council of the City of Cedar Hills met in public session at the regular meeting place of the Council at 3925 W. Cedar Hills Dr. in Cedar Hills, Utah, on October 20, 2009, at the hour of 7:00 p.m., or as soon thereafter as feasible, with the following members of the Council being present:

- Michael McGee, Mayor
- Kenneth Kirk, Councilmember
- Charelle Bowman, Councilmember
- Eric Richardson, Councilmember
- Marisa Wright, Councilmember
- Jim Perry, Councilmember

Also present:

- Konrad Hildebrandt, City Manager
- Kim E. Holindrake, City Recorder

Absent:

After the Meeting had been duly called to order and after other matters were discussed, the foregoing Ordinance was introduced in written form and fully discussed.

A motion to adopt the Ordinance was then duly made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_, and said Ordinance was put to a vote and carried, the vote being as follows:

Those Voting Yes:

Those Voting No:

Those Absent:

Other business not pertinent to the foregoing Ordinance appears in the minutes of the Meeting. Upon the conclusion of all the business on the agenda and upon motion duly made and seconded, the Meeting was adjourned.

**CERTIFICATE OF CITY RECORDER**

I, Kim E. Holindrake, the undersigned and duly qualified and acting City Recorder of the City do hereby certify:

The attached Ordinance is a true, accurate and complete copy thereof adopted by the City Council of the City of Cedar Hills at a lawful public meeting duly held and conducted by the City Council in Cedar Hills, Utah, on October 20, 2009, commencing at the hour of 7:00 p.m. (the "Meeting"), as recorded in the regular official book of the proceedings of the City kept in my office. The Meeting was called and noticed as required by law as is evidenced by the following Certificate of Compliance with Open Meeting Law. The persons present and the result of the vote taken at the Meeting are all as shown above.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this \_\_\_\_\_ day of October, 2009.

\_\_\_\_\_  
Kim E. Holindrake, City Recorder

( S E A L )

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Kim E. Holindrake, the undersigned City Recorder of the City of Cedar Hills, do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than 24 hours public notice of the agenda, date, time and place of the October 20, 2009, public meeting, held by the City Council of the City of Cedar Hills, as follows:

- a. By causing a Meeting Notice, in the form attached, to be posted at the City's principal offices, at least 24 hours before the convening of the meeting, the Meeting Notice having continuously remained posted and available for public inspection until the completion of the meeting; and
- b. By causing a copy of the Meeting Notice to be delivered to a newspaper of general circulation in the City at least 24 hours prior to the convening of the meeting.
- c. By causing a copy of the Meeting Notice to be posted on the Utah Public Notice Website at least 24 hours prior to the convening of the meeting.

In addition, the Notice of 2009 Annual Meeting Schedule for the City, attached hereto, specifying the date, time and place of the regular meetings of the Council to be held during the 2009 calendar year was posted on December 15, 2008, at the principal office of the Council and provided to at least one newspaper of general circulation within the City on December 15, 2008.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this \_\_\_\_\_ day of October, 2009.

\_\_\_\_\_  
Kim E. Holindrake, City Recorder

( S E A L )

(Attach Schedule 1, Agenda of Meeting)

(Attach Schedule 2, 2009 Annual Meeting Schedule)

(Attach Notice of Publication of Ordinance)



# CITY OF CEDAR HILLS

<b>TO:</b>	Mayor and City Council
<b>FROM:</b>	Konrad Hildebrandt, City Manager <i>(Konrad)</i>
<b>DATE:</b>	10/20/2009

City Council  
**Agenda Item**

<b>SUBJECT:</b>	Ordinance declaring default and forfeiture of the performance guarantees for the Cedars Plat J - 3
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Konrad Hildebrandt, City Manager
<b>BACKGROUND AND FINDINGS:</b> The City Council finds that the Developer has failed or neglected to satisfactorily install all required subdivision improvements for the Cedars Plat J-3 within the required time frame or make required corrections and has failed in carrying out the activity for which the performance guarantees were required.  Upon passage of this ordinance, the city will be authorized to install, repair or cause to be installed or repaired, the required but uncompleted or unsatisfactory improvements and to secure reimbursement of the costs incurred by the City in performing inspections, administrative activities, enforcement or legal proceedings relating to the project improvements.	
<b>PREVIOUS LEGISLATIVE ACTION:</b> NONE	
<b>FISCAL IMPACT:</b> Amount of the Bonds	
<b>SUPPORTING DOCUMENTS:</b> Ordinance enclosed	
<b>RECOMMENDATION:</b> Staff recommends that the City Council approve enclosed ordinance	
<b>MOTION:</b> The City Council, by motion, approve ordinance # 10-20-2009B – An ordinance declaring default and forfeiture of the Performance Guaranties for the Cedars Plat J-3.	

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE DECLARING DEFAULT AND FORFEITURE OF THE PERFORMANCE GUARANTEES FOR THE CEDARS AT CEDAR HILLS, PLAT J-3, AMENDED.**

WHEREAS, the City Council of the City of Cedar Hills, Utah (the “City”) has the power to adopt, revise, revoke and rescind ordinances from time to time to govern, control or supervise any activity, business, conduct, or condition for which the City was organized and empowered, pursuant to Title 10, Chapter 3, Part 7 of the Utah Code; and

WHEREAS, Rolfe Excavating and Construction is the developer of The Cedars at Cedar Hills, Plat J-3, Amended, residential subdivision within the City (the “Developer”); and

WHEREAS, Title 11, Chapter 4, Section 5.A of the Cedar Hills City Code requires that subdividers post a performance bond or other financial assurance with the City, as provided in Title 9, Chapter 2, to guarantee installation and completion of all required on-site and off-site subdivision improvements in a timely manner and in accordance with City standards and good engineering practice, as well as the durability of the improvements following construction thereof; and

WHEREAS, the Developer has secured and provided for the benefit of the City certain performance guarantees to ensure the installation and completion of the required subdivision improvements in accordance with City specifications and good quality of workmanship, and to that end has provided for the City a construction and performance guarantee in the form of a subdivision bond; and

WHEREAS, Section 9-2-5 of the Cedar Hills City Code allows the City Council to declare a performance guarantee forfeited if the developer “a) fails or neglects to satisfactorily install the required improvements within the required time frame or make required corrections thereto . . . or c) otherwise fails in carrying out the activity for which the construction guarantee or durability retainer was required”; and

WHEREAS, the required public improvements in The Cedars at Cedar Hills, Plat J-3, Amended, have not been satisfactorily installed or completed within the required time frame and/or according to City specifications and standards; and

WHEREAS, the City Council desires to act in the best interest of the City and its citizens and consistent with the Constitution and laws of the State of Utah:

BE IT ORDAINED by the City Council of the City of Cedar Hills, Utah County, Utah as follows:

1. The City Council finds that the *Developer* has failed or neglected to satisfactorily install all required subdivision improvements for The Cedars at Cedar Hills, Plat J-3, Amended within the required time frame or make required corrections thereto, and has failed in carrying out the activity for which the performance guarantee was required.

2. The Performance Guarantee for The Cedars at Cedar Hills, Plat J-3, Rolfe Excavating and Construction, surety bond held by Travelers Casualty and Surety Company of America is hereby declared forfeited.
3. The City is authorized to proceed to install or repair, or cause to be installed or repaired, the required but uncompleted or unsatisfactory improvements, and to secure reimbursement of the costs incurred by the City in performing inspections, administrative activities, enforcement or legal proceedings relating to the project improvements using the remainder of the remaining performance guarantee proceeds.

APPROVED AND ADOPTED this 20th day of October, 2009.

---

Michael C. McGee, Mayor

Attest:

---

Kim E. Holindrake, City Recorder

(SEAL)

**RECORD OF PROCEEDINGS**

The City Council of the City of Cedar Hills met in public session at the regular meeting place of the Council at 3925 W. Cedar Hills Dr. in Cedar Hills, Utah, on October 20, 2009, at the hour of 7:00 p.m., or as soon thereafter as feasible, with the following members of the Council being present:

- Michael McGee, Mayor
- Kenneth Kirk, Councilmember
- Charelle Bowman, Councilmember
- Eric Richardson, Councilmember
- Marisa Wright, Councilmember
- Jim Perry, Councilmember

Also present:

- Konrad Hildebrandt, City Manager
- Kim E. Holindrake, City Recorder

Absent:

After the Meeting had been duly called to order and after other matters were discussed, the foregoing Ordinance was introduced in written form and fully discussed.

A motion to adopt the Ordinance was then duly made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_, and said Ordinance was put to a vote and carried, the vote being as follows:

Those Voting Yes:

Those Voting No:

Those Absent:

Other business not pertinent to the foregoing Ordinance appears in the minutes of the Meeting. Upon the conclusion of all the business on the agenda and upon motion duly made and seconded, the Meeting was adjourned.

**CERTIFICATE OF CITY RECORDER**

I, Kim E. Holindrake, the undersigned and duly qualified and acting City Recorder of the City do hereby certify:

The attached Ordinance is a true, accurate and complete copy thereof adopted by the City Council of the City of Cedar Hills at a lawful public meeting duly held and conducted by the City Council in Cedar Hills, Utah, on October 20, 2009, commencing at the hour of 7:00 p.m. (the "Meeting"), as recorded in the regular official book of the proceedings of the City kept in my office. The Meeting was called and noticed as required by law as is evidenced by the following Certificate of Compliance with Open Meeting Law. The persons present and the result of the vote taken at the Meeting are all as shown above.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this \_\_\_\_\_ day of October, 2009.

\_\_\_\_\_  
Kim E. Holindrake, City Recorder

( S E A L )

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Kim E. Holindrake, the undersigned City Recorder of the City of Cedar Hills, do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than 24 hours public notice of the agenda, date, time and place of the October 20, 2009, public meeting, held by the City Council of the City of Cedar Hills, as follows:

- a. By causing a Meeting Notice, in the form attached, to be posted at the City's principal offices, at least 24 hours before the convening of the meeting, the Meeting Notice having continuously remained posted and available for public inspection until the completion of the meeting; and
- b. By causing a copy of the Meeting Notice to be delivered to a newspaper of general circulation in the City at least 24 hours prior to the convening of the meeting.
- c. By causing a copy of the Meeting Notice to be posted on the Utah Public Notice Website at least 24 hours prior to the convening of the meeting.

In addition, the Notice of 2009 Annual Meeting Schedule for the City, attached hereto, specifying the date, time and place of the regular meetings of the Council to be held during the 2009 calendar year was posted on December 15, 2008, at the principal office of the Council and provided to at least one newspaper of general circulation within the City on December 15, 2008.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this \_\_\_\_\_ day of October, 2009.

\_\_\_\_\_  
Kim E. Holindrake, City Recorder

( S E A L )

(Attach Schedule 1, Agenda of Meeting)

(Attach Schedule 2, 2009 Annual Meeting Schedule)

(Attach Notice of Publication of Ordinance)