



**COPPERTON COUNCIL
MEETING AGENDA
December 18, 2024**

Bingham Canyon Lions Club
8725 Hillcrest St.
Copperton, Utah 84006

Wednesday, December 18, 2024 – 6:30 PM

The public is encouraged to attend

PUBLIC NOTICE IS HEREBY GIVEN that the Copperton Council will hold a meeting on the **18th day of December 2024** at the Bingham Canyon Lions Club, 8725 Hillcrest St., Copperton, Utah as follows:

***** Portions of the meetings may be closed for reasons allowed by statute. Motions relating to any of the items listed below, including final action, may be taken.***

1. REGULAR MEETING

- A. Call to Order
- B. Determine Quorum
- C. Pledge of Allegiance

2. COMMUNITY INPUT

- A. Recognize Visiting Officials
- B. Citizen Comment
 - i) Please state your name and address for the record
 - ii) Limit comments to 3 minutes per person
- C. Unified Fire Authority (UFA)
- D. Unified Police Department (UPD)

3. CONSENT AGENDA (Discussion/Motion)

- A. Fiscal Items - Mayor Clayton
 - i) Approval of expenditures

4. PUBLIC HEARING

- A. Public Hearing on ***Ordinance 2024-12-01*** to Receive Public Comment Regarding Eliminating Setback Regulations for Accessory Buildings and Eliminating Certain Regulations Limiting Home Occupations.

5. COUNCIL BUSINESS

- A. Consider adopting ***Ordinance 2024-12-01*** Approving Title 19 Amendments (Discussion/Motion) – Deputy Mayor Stitzer
- B. Consider adoption of ***Resolution No. 2024-12-01*** Approving a 2025 Tax Rate in Excess of the Certified Tax Rate by the Salt Lake Valley Law Enforcement Service Area – Nathan Bracken, Legal Counsel
- C. UPHEAD – Emergency Text and Council Messaging Policy (Discussion/Motion) - Deputy Mayor Stitzer
- D. Rio Tinto Annexation Sub-Committee (Discussion/Motion) - Deputy Mayor Stitzer
- E. Process to Update Zones to Reflect General Plan Sub-Committee (Discussion Only) - Nathan Bracken, Legal Counsel
- F. Consider adopting ***Resolution 2024-12-02*** to appoint Sean Clayton to temporarily serve as Copperton’s representative to the SLVLESA Board of Trustees

- G. Consider adopting ***Resolution 2024-12-03*** to appoint Sean Clayton to temporarily serve as Copperton's representative to the UPD Board of Trustees

6. COMMITTEE/BOARD UPDATES (Discussion/Motion)

- A. Legislative Research Committee – Nathan Bracken
- B. Bingham Cemetery Board – Deputy Mayor Stitzer
- C. Copperton Community Council - Deputy Mayor Stitzer
- D. Planning Commission – Council Member Severson

7. COPPERTON COUNCIL REPORTS (Discussion/Motion)

- A. Mayor Clayton
 - i) Greater Salt Lake Municipal Services District (GSLMSD)
 - ii) Council of Governments (COG)
- B. Council Member Olsen
 - i) Unified Police Department (UPD)
 - ii) Salt Lake Valley Law Enforcement Service Area (SLVLESA)
- C. Council Member Bailey
 - i) Unified Fire Authority (UFA)
 - ii) Unified Fire Service Area (UFSA)
- D. Deputy Mayor Stitzer
 - i) Wasatch Front Waste and Recycle (WFWRD)
- E. Council Member Severson
 - i) Salt Lake County Animal Services

8. DAVID OLSEN MIDTERM VACANCY

- A. Midterm Vacancy Interviews to Fill a Midterm Vacancy on the Copperton Town Council for Council Seat D – Mayor Clayton
- B. Voting Process for Selection of Copperton Town Council Member for Council Seat D – Mayor Clayton
- C. Consider ***Resolution 2024-12-04*** Appointing _____ to serve as Copperton Council Member for Council Seat D for the Remaining Term of Office Commencing December 18, 2024, and concluding December 31, 2025 – Mayor Clayton
- D. Administration of Oath of Office – Nicole Smedley, Clerk

9. OTHER ANNOUNCEMENTS (Discussion/Motion)

- A. Public Comment
 - i) Please state your name and address for the record
 - ii) Limit comments to 3 minutes per person
- B. Announcements
 - i) Other announcements as necessary

10. CLOSED SESSIONS IF NEEDED AS ALLOWED PURSUANT TO UTAH CODE §52-4-205

- A. Discuss the character, professional competence, or physical or mental health of an individual (§ 52-4-205(1)(a))
- B. Discuss pending or reasonably imminent litigation (§ 52-4-205(1)(c))
- C. Discuss the purchase, exchange, or lease of real property (§ 52-4-205(1)(d))

D. Discuss the deployment of security personnel, devices, or systems (§ 52-4-205(1)(f))

11. ADJOURN

ZOOM:

Topic: Copperton Council Meeting

Time: December 18, 2024 06:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89793717527?pwd=yD3RQJf7BU2JcPa5Rix9KH1mzoiVKG.1>

Posted: December 16, 2024



Council Staff Report

Meeting Body: Copperton Town Council

Meeting Date: December 18th, 2024

File Number & Project Type:
OAM2024-001298- Copperton Accessory Structure and Home Occupation Amendments

Applicability: Citywide

Planner: Brian Tucker, Planning Manager

Applicant: Copperton Town Council

Staff Recommendation: Staff recommend that the Council adopt the attached ordinance. Staff recommend that the Council direct the staff and Planning Commission to explore height requirements for accessory structures on corner lots located nearer to the street than the home and a detailed evaluation of uses allowed in home occupations.

Exhibits:

A. Recommended Ordinance

BACKGROUND

When Copperton became a Metro Township in 2017, the Town adopted Salt Lake County's Ordinances. These ordinances had been developed to serve all of the unincorporated county generally, but not Copperton specifically. On July 5th, 2023 Copperton repealed and replaced Titles 18 and 19, their Subdivision and Zoning Ordinances, respectively. This "repeal and replace" was the culmination of an effort by the MSD Planning Staff, the Copperton Planning Commission, and the Copperton Council to create ordinances that better fit Copperton.

The adopted code generally retained elements that had been the basis for the existing built environment, only changing those elements that were clearly lacking or unworkable. For instance, if a community had a 25' front setback, and an 8' side setback requirement for the last 20-50 years, it wouldn't make sense to increase or decrease those setbacks and make the majority of the existing structures non-compliant.

As with any undertaking, there will always be room for additional changes and tweaks, and as these ordinances are intended to be "living documents" these changes are necessary and welcome at the end of a robust and healthy discussion, exchange of idea, and a consensus decision.

In recent months, code enforcement actions have brought to light other aspects of the newly adopted Title 19 that either don't fit the built environment or are more restrictive than the Planning Commission and Council realized when adopting the revised code. On October 16, 2024, the Copperton Council passed a resolution directing the Staff to draft a revised ordinance to address some of these issues.

A draft amendment to Title 19 was distributed by the Planning Commission Chair to the Staff and the Council via e-mail on November 7, 2024. Specific Recommendations from the Council"

draft included specific “redline” changes to Section 19.28.050, and 19.42.150, and eliminates Section 19.28.060. These “redline” changes were the subject of the Planning Commission discussion that took place after the Public Hearing. The distributed draft included Sections 19.28.040 and 19.46.110 but did not include any proposed language, only questions and comments.

ISSUES RAISED

The issues raised by the Council during the October Council meeting and in the “Specific Recommendations from the Council” draft are examined at length in the attached “working paper”. Generally, the concerns seem to be:

- That Section 19.28.040, Primary Structure Development Standards, does not uniformly reflect the setbacks of existing primary residential structures and other main buildings in Copperton and that this could cause future code enforcement actions. *Staff Note: Existing structures are not required to conform when an ordinance is changed, they become legal, non-conforming structures as defined in 19.02.040 of the Copperton Code and 10-9a-103(44) of the Utah Code.*
- If the setback requirements in Section 19.28.040, Primary Structure Development Standards, apply to accessory structures, they are excessive. *Staff Note: these setbacks do not apply to accessory structures, which are governed instead by section 19.28.050 of the Copperton Code.*
- That Section 19.28.050, Accessory Structure Development Standards, currently allows accessory structures only in interior side and rear yards. Accessory structures are not allowed in between the street and a house on corner lots and must be located 20’ from the street in a rear yard of a corner lot.
- Accessory structures between primary structures and/or main buildings are required to have a 5’ or in some cases a 10’ setback rather than the typical 1’ setback when located in an interior side yard or adjacent to an interior side yard.
- That the height of accessory structures is limited to 20’, with the exception of above-garage ADUs, which are limited to 28’.
- That Section 19.28.060, Lot Coverage, limits the combined square footage of the buildings on the lot, the size of the buildings in the rear yard, and the amount of impervious surface that can be placed on a lot.
- That Section 19.46.110, General Site Standards, has an illustration that doesn’t fit every circumstance in Copperton.
- That Section 19.42.150, Home Occupations, is generally too restrictive.

- That certain uses are prohibited as home occupations. The “Specific Recommendations from the Council” draft would remove: commercial uses of a primarily retail nature or that rely on walk up traffic; vehicle, trailer, or boat repair or maintenance, including body and fender work; and welding, iron works, foundries, manufacturing, or assembly uses from the list of prohibited uses in a home occupation.
- That the current code requires that the person conducting the home business live in the home at least 9 months of the year.
- That the current code requires that customer visits be made on an appointment only basis and group lessons can’t exceed 6 people in a session.
- That home occupations are allowed only within the home or garage.
- That home occupations cannot exceed 25% of the home’s floor area or 500 square feet, whichever is less.
- That tools, equipment, and electrical apparatus that are typically used in conjunction with or accessory to residential uses can be used in a home occupation.

PUBLIC HEARING AND PLANNING COMMISSION DISCUSSION

On November 19th, 2024, the Planning Commission held a public hearing on the draft ordinance that staff created using the “Specific Recommendations from the Council” draft as the basis. Public comment was taken from approximately 6-8 citizens who were in favor of less restrictive accessory structure setbacks and home occupation restrictions. After the public hearing, the Planning Commission and Staff held a very collaborative and productive discussion of the draft ordinance.

A number of topics were tabled to explore in detail at the December Planning Commission meeting. These topics include: accessory building height; accessory structures in the front yard; lot coverage; home occupation prohibited uses; home occupation residency requirements; home occupation hours of operation and regulations surrounding clients, foot traffic/drop in customers and groups; home occupation maximum floor area regulations; regulations on industrial or commercial grade machinery in association with a home occupation; and the illustrations associated with Section 19.46.110, General Site Standards.

The Planning Commission recommended that the Council adopt an ordinance that:

- Eliminates the prohibition on locating accessory structures between a main building and a street for street adjacent side yards (side yard, corner lots);
- Eliminates the 5’ setback requirement for accessory structures in a side yard when located between two homes in favor of a 1’ setback requirement;

- Eliminated the 20' setback requirement for accessory structures from a street facing property to an accessory structure located in the side or rear yard in favor of a 6' setback requirement;
- Eliminates the 10' rear yard setback for accessory structures when located in a rear yard adjacent to a side yard (this is an issue exclusive to corner lots). The 1' rear yard setback would apply all rear yard accessory structures;
- Eliminates the following use categories from the home occupation prohibited use list:
 - o Commercial uses of a primarily retail nature or that rely on walk up traffic;
 - o Vehicle, trailer, or boat repair or maintenance, including body and fender work;
 - o Welding, iron works, foundries, manufacturing, or assembly uses;
- Allows home occupations in detached accessory structures. The existing ordinance allows home occupation in detached garages. Because the potential amendments surrounding maximum footprint of home occupations was tabled, the language surrounding the maximum footprint was amended to account for the detached structures in the draft. This item will be discussed at the December Planning Commission and additional changes may be recommended at that time;
- Allows nameplate signs to be freestanding as an alternative to being placed on a wall; and
- Specifies weed abatement, tree and landscape trimming and junk accumulation ordinances that the owner of a home occupation must comply with rather than an unenforceable "well maintained" standard.

STAFF ANALYSIS

Accessory structures located in side yards, between two houses: The current ordinance requires that when accessory structures are located in side yards between houses, those structures must be located 5' from the property line. The current ordinance also requires a 10' setback for accessory structures located in the rear yard when that rear yard is located adjacent to the side yard on an adjoining lot. The idea is that accessory structures shouldn't be located in areas that encroach on neighboring side property lines. This might be a workable concept in communities where the lots tend to be wide and where wide side yards are typical, however in Copperton the lots tend to be relatively narrow and have relatively narrow side yards. Staff support eliminating these requirements in favor of the standard 1' setback requirement from rear and interior side yard property lines.

Accessory structure setbacks from a street in a side yard: The ordinance Copperton inherited from the County in 2017 did not allow accessory structures to be located in side yards under any circumstances. The current ordinance allows accessory structures in side yards in limited cases. The current ordinance does not allow accessory structures to be located in side yards between the street and the home. This is not a typical regulation and is not a good fit for Copperton due to the typical lot being much deeper than it is wide. The current ordinance also requires a 20' setback from the street on street facing side and rear yards. The intent behind this fairly typical regulation is to create and preserve the existing streetscapes by providing relatively uniform setbacks between the street and the buildings. Because corner lots in Copperton tend to have narrow street facing side yards that cannot accommodate an accessory structure with a 20' setback, staff support reducing the setback to the proposed 6', although staff would suggest that Copperton consider a height limit for these structures of between 10-12' to help preserve the open nature of a streetscape. A future height limit for corner lots can be a topic of a future Planning Commission workshop and shouldn't be a consideration in adopting the proposed ordinance.

Accessory structure setbacks from a street in a rear yard: Like setbacks from the street in a side yard, rear yard setbacks from the road are a consideration unique to corner lots. As with the side yard setbacks, the streetscape is the main purpose for the regulation and staff recommend the 6' setback and the future consideration of height restrictions.

Retail, repair and manufacturing uses in home occupations: The intent behind home occupation regulations is to allow commercial uses in neighborhoods but at a scale and intensity that doesn't disrupt the primarily residential nature of the residential neighborhoods. The purpose of this ordinance is to allow low intensity commercial uses in neighborhoods while requiring businesses that include inherent nuisances to locate in commercial and industrial areas. Retail uses are typically not allowed in home occupations due to the ebbs and flows of customer visits and their effect on parking and traffic in a neighborhood setting. Auto repair and manufacturing uses are not typical in home occupations due to concerns over noise, chemicals, outdoor storage and other impacts to residential neighborhoods. It is true that the current regulations could prohibit a potential home occupation that could work in a residential neighborhood. Staff recommend revisiting the list of prohibited uses in a workshop setting, with a discussion of what uses are appropriate in a neighborhood setting.

Home occupations in accessory structures: The current code allows home occupations in detached garages. Including other detached accessory structures seems to be a reasonable amendment.

STAFF RECOMMENDATION

Staff recommend that the Council adopt the attached ordinance. Staff recommend that the Council direct the staff and Planning Commission to explore height requirements for accessory structures on corner lots located nearer to the street than the home and a detailed evaluation of uses allowed in home occupations.

PLANNING COMMISSION RECOMMENDATION

The Copperton Planning Commission finds that:

1. The regulation of accessory structures in Copperton under the current ordinances is excessive due to the unique nature of lots in Copperton; and
2. The excessive regulation of home occupations in Copperton is a hinderance to economic activity in the town.

Given the above findings, the Copperton Planning Commission recommend the following action:

Approve the attached ordinance.

ORDINANCE 2024-12-01

Ordinance No. 2024-12-01

Date: December 18, 2024

AN ORDINANCE OF THE COPPERTON COUNCIL ELIMINATING SETBACK REGULATIONS FOR ACCESSORY BUILDINGS AND ELIMINATING CERTAIN REGULATIONS LIMITING HOME OCCUPATIONS

RECITALS

WHEREAS, Copperton is a municipality and has authority to adopt land use regulations pursuant to Utah Code § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 9a, Utah Code; and

WHEREAS, the Council deems it necessary to amend its land use ordinances to reduce setback regulations for accessory buildings and eliminate certain regulations limiting home occupations, and for the protection and preservation of the public health, safety and general welfare;

WHEREAS, the Copperton Planning Commission held a public hearing on November 19, 2024, to consider amending setback regulations for accessory buildings and eliminate certain regulations limiting home occupations, (the “Proposed Action”) in accordance with Utah Code §§ 10-9a-205 and 10-9a-502; and

WHEREAS, the Planning Commission has recommended that the Council amend setback regulations for accessory buildings and eliminate certain regulations limiting home occupations

BE IT ORDAINED BY THE COPPERTON TOWN COUNCIL as follows:

1. Sections 19.28.050 and 19.42.150 are hereby revised as set forth in Exhibit A.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
3. Direction to Staff. Staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener’s, formatting, and numbering errors.

4. Effective Date. This Ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

PASSED AND ADOPTED this 18th day of December 2024.

COPPERTON TOWN COUNCIL

By: Sean Clayton, Mayor

ATTEST

Nicole Smedley, Clerk

Voting:

Mayor Clayton	voting ____
Deputy Mayor Stitzer	voting ____
Council Member Bailey	voting ____
Council Member Severson	voting ____
Council Member Olsen	voting ____

(Complete as Applicable)

Date ordinance summary was posted to the Utah Public Notice website, and in a public place within Copperton per Utah Code §10-3-711: _____

Effective date of ordinance: _____

EXHIBIT A

19.28.050 – Accessory Structure Development Standards.

- A. Accessory Structure Location and Setback Requirements. The location and minimum setback requirements for an accessory structure in a single-family residential zone are as follows:
1. Accessory buildings shall be located in the side or rear yard and six feet (6') away from the dwelling. No accessory building may be located within the required front yard ~~or between the main building and a street;~~
 2. Side yard setbacks shall be as follows:
 - a. New accessory buildings located in a side yard between two existing main buildings shall be located at least ~~one foot (1') five feet (5')~~ from the interior side property line.
 - b. Shared accessory buildings (garages and sheds built across a shared side property line) in a rear yard may be altered, reconstructed or rebuilt on or across the side property line with consent of the adjacent property owner(s).
 - c. New accessory buildings located in a rear yard shall be a minimum of one foot (1') from an interior side property line, and ~~six feet (6') twenty feet (20')~~ from a street facing property line.
 3. Accessory buildings shall be located at least one foot (1') from the rear property line, ~~except that if the rear yard is adjacent to the side yard of an adjacent lot, the minimum setback shall be ten feet (10') from the adjoining side yard;~~ and
 4. Other than fences, no part of any accessory structure may be placed within one foot (1') of the property line, including eaves, cantilevers and other protrusions from the structure.

19.42.150 – Home Occupations.

Home occupations are subject to the following standards:

- A. Restrictions. The following business activities are prohibited from taking place at a residential dwelling unit:
- ~~1. Commercial uses of a primarily retail nature or that rely on walk up traffic;~~
 - ~~2. Vehicle, trailer, or boat repair or maintenance, including body and fender work;~~
 3. Vehicle sales or rentals;
 4. Impound operations, junkyards, accessory outdoor storage, or storage yards;
 5. Any use involving the storage or sale of inflammable, explosive or hazardous materials;
 6. Mortuaries or crematoriums;

7. Sexually oriented businesses; and

~~8. Welding, iron works, foundries, manufacturing, or assembly uses.~~

B. Exemptions. The following activities are exempted from or not subject to regulation under this Chapter:

1. Uses other than a home business that are listed as permitted or conditional uses in residential zones; he
2. Garage or yard sales subject to Chapter 19.44 Temporary Uses,

C. Standards. The following standards apply to home businesses:

1. The primary use of the dwelling shall be residential.
2. The person operating the business shall reside in the dwelling at least nine months per year.
3. For lots that front on a right of way less than eighty feet (80') wide, only the business operator and his/her immediate family members who reside in the home may be employed to do any work in the home, whether compensated or not, in conjunction with the business. For lots that front on a right of way of eighty feet (80') or greater, one non-resident employee is allowed to be employed to do work in the home.
4. Customers shall be allowed at the residence on an appointment only basis between the hours of 7:00 a.m. and 10:00 p.m. Group lessons or sessions may not exceed six (6) people at a time.
5. Exterior remodeling that would change the residential appearance of the home is prohibited. Interior structural alterations made to the home are allowed only if they are consistent with its primary use as a dwelling.
6. Any sale of goods not produced as part of the home occupation shall constitute a clearly incidental part of the operation of the home occupation.
7. All business activities shall take place entirely within the dwelling, ~~and/or a garage, or an accessory structure.~~ The business may not occupy an area equal to more than twenty-five percent (25%) or more than five hundred square feet (500 sq. ft.), whichever is less, of the floor area of the home.
8. Storage or display of supplies, inventory, equipment, or materials in any portion of the yard is prohibited. Explosive or combustible materials may not be stored or used in association with a home occupation.
9. The home occupation may use only those tools, equipment, or electric apparatus that are commonly used as accessories to or in conjunction with residential uses.
10. The home occupation may not emit or create excessive odors, smoke, dust, heat, fumes, light, glare, sounds, noises, vibrations, or interference with radio and/or television reception.

11. In addition to the parking spaces required for the residents of the dwelling, off-street parking for customers and for an employee, if allowed under Subsection 19.42.150.C.3 above, shall be provided in the driveway or garage. Required parking may not block access to a neighboring property's parking area or garage.

12. Any nameplate sign may not exceed three square feet and may not be illuminated, ~~and shall be attached to a wall or window of the dwelling.~~

13. Vehicles:

- a. Any commercial vehicle used for a home occupation shall comply with section 19.48.040.E of this Ordinance.
- b. One trailer may be used in association with a home occupation in accordance with the following standards:
 - i. The maximum body length of an enclosed trailer is twenty feet (20'). The maximum body length of an open trailer is sixteen feet (16').
 - ii. Trailers shall be garaged or stored on private property and may not be located within the front yard setback or, for corner lots, in either the front or side yard setback.
 - iii. Trailers may have one sign covering the lesser of twenty-four square feet (24 sq. ft.) or thirty percent (30%) of the side panel of the trailer.

14. The home occupation applicant must either be the bona fide owner of the home (as shown on the current Salt Lake County tax assessment rolls) or if the applicant is renting or leasing the home, the homeowner must provide written permission allowing the applicant to conduct a business in the home. Said letter of permission must be signed and notarized by the homeowner.

15. The property address (house number) shall be clearly posted on the home using letters at least four inches (4") in height in a color that contrasts with the color of the building.

16. The condition of the dwelling and landscaped areas yards shall be ~~well~~ maintained in accordance with Section 19.50.180 Weed Abatement and Responsibility to Keep Property Clean, Section 19.50.190 Tree and Landscape Trimming, and Subsection 19.46.110 (J) Accumulation of Junk.

17. The activities of the home occupation may not involve the use of hazardous materials or chemicals in amounts that will increase the hazard of fire, explosion, or safety to the structure the use is conducted in, adjacent structures, or the occupants thereof.

D. Regulations and Enforcement.

1. All home businesses shall comply with Title 5 Business Regulations of the Copperton Code.

2. An application for a home business shall be submitted to Planning and Development Services. The application shall be approved upon the applicant agreeing to comply with the standards set forth in this section.
3. A change of business ownership or relocation to a new address is considered a new business and requires separate approval.

SUMMARY OF
TOWN OF COPPERTON
ORDINANCE NO. 2024-12-01

On December 18, 2024, the Copperton Council enacted Ordinance No. 2024-12-01, an ordinance of the Copperton Council amending setback regulations for accessory buildings and eliminating certain regulations limiting home occupations.

By: Sean Clayton, Mayor

ATTEST

Nicole Smedley, Clerk

Voting:

Mayor Clayton	voting ____
Deputy Mayor Stitzer	voting ____
Council Member Bailey	voting ____
Council Member Severson	voting ____
Council Member Olsen	voting ____

A complete copy of Ordinance No. 2024-12-01 is available in the office of the Copperton Clerk at 2001 South State Street, N2-700, Salt Lake City, Utah.

ORDINANCE 2024-12-01

Ordinance No. 2024-12-01

Date: December 18, 2024

AN ORDINANCE OF THE COPPERTON COUNCIL ELIMINATING SETBACK REGULATIONS FOR ACCESSORY BUILDINGS AND ELIMINATING CERTAIN REGULATIONS LIMITING HOME OCCUPATIONS

RECITALS

WHEREAS, Copperton is a municipality and has authority to adopt land use regulations pursuant to Utah Code § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 9a, Utah Code; and

WHEREAS, the Council deems it necessary to amend its land use ordinances to reduce setback regulations for accessory buildings and eliminate certain regulations limiting home occupations, and for the protection and preservation of the public health, safety and general welfare;

WHEREAS, the Copperton Planning Commission held a public hearing on November 19, 2024, to consider amending setback regulations for accessory buildings and eliminate certain regulations limiting home occupations, (the “Proposed Action”) in accordance with Utah Code §§ 10-9a-205 and 10-9a-502; and

WHEREAS, the Planning Commission has recommended that the Council amend setback regulations for accessory buildings and eliminate certain regulations limiting home occupations

BE IT ORDAINED BY THE COPPERTON TOWN COUNCIL as follows:

1. Sections 19.28.050 and 19.42.150 are hereby revised as set forth in Exhibit A.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
3. Direction to Staff. Staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener’s, formatting, and numbering errors.

4. Effective Date. This Ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

PASSED AND ADOPTED this 18th day of December 2024.

COPPERTON TOWN COUNCIL

By: Sean Clayton, Mayor

ATTEST

Nicole Smedley, Clerk

Voting:

Mayor Clayton	voting	___
Deputy Mayor Stitzer	voting	___
Council Member Bailey	voting	___
Council Member Severson	voting	___
Council Member Olsen	voting	___

(Complete as Applicable)

Date ordinance summary was posted to the Utah Public Notice website, and in a public place within Copperton per Utah Code §10-3-711: _____

Effective date of ordinance: _____

EXHIBIT A

19.28.050 – Accessory Structure Development Standards.

- A. Accessory Structure Location and Setback Requirements. The location and minimum setback requirements for an accessory structure in a single-family residential zone are as follows:
1. Accessory buildings shall be located in the side or rear yard and six feet (6') away from the dwelling. No accessory building may be located within the required front yard;
 2. Side yard setbacks shall be as follows:
 - a. New accessory buildings located in a side yard between two existing main buildings shall be located at least one foot (1') from the interior side property line.
 - b. Shared accessory buildings (garages and sheds built across a shared side property line) in a rear yard may be altered, reconstructed or rebuilt on or across the side property line with consent of the adjacent property owner(s).
 - c. New accessory buildings located in a rear yard shall be a minimum of one foot (1') from an interior side property line, and six feet (6') from a street facing property line.
 3. Accessory buildings shall be located at least one foot (1') from the rear property line; and
 4. Other than fences, no part of any accessory structure may be placed within one foot (1') of the property line, including eaves, cantilevers and other protrusions from the structure.

19.42.150 – Home Occupations.

Home occupations are subject to the following standards:

- A. Restrictions. The following business activities are prohibited from taking place at a residential dwelling unit:
3. Vehicle sales or rentals;
 4. Impound operations, junkyards, accessory outdoor storage, or storage yards;
 5. Any use involving the storage or sale of inflammable, explosive or hazardous materials;
 6. Mortuaries or crematoriums;
 7. Sexually oriented businesses; and
- B. Exemptions. The following activities are exempted from or not subject to regulation under this Chapter:
1. Uses other than a home business that are listed as permitted or conditional uses in residential zones; he
 2. Garage or yard sales subject to Chapter 19.44 Temporary Uses,

C. Standards. The following standards apply to home businesses:

1. The primary use of the dwelling shall be residential.
2. The person operating the business shall reside in the dwelling at least nine months per year.
3. For lots that front on a right of way less than eighty feet (80') wide, only the business operator and his/her immediate family members who reside in the home may be employed to do any work in the home, whether compensated or not, in conjunction with the business. For lots that front on a right of way of eighty feet (80') or greater, one non-resident employee is allowed to be employed to do work in the home.
4. Customers shall be allowed at the residence on an appointment only basis between the hours of 7:00 a.m. and 10:00 p.m. Group lessons or sessions may not exceed six (6) people at a time.
5. Exterior remodeling that would change the residential appearance of the home is prohibited. Interior structural alterations made to the home are allowed only if they are consistent with its primary use as a dwelling.
6. Any sale of goods not produced as part of the home occupation shall constitute a clearly incidental part of the operation of the home occupation.
7. All business activities shall take place entirely within the dwelling, a garage, or an accessory structure. The business may not occupy an area equal to more than twenty-five percent (25%) or more than five hundred square feet (500 sq. ft.), whichever is less, of the floor area of the home.
8. Storage or display of supplies, inventory, equipment, or materials in any portion of the yard is prohibited. Explosive or combustible materials may not be stored or used in association with a home occupation.
9. The home occupation may use only those tools, equipment, or electric apparatus that are commonly used as accessories to or in conjunction with residential uses.
10. The home occupation may not emit or create excessive odors, smoke, dust, heat, fumes, light, glare, sounds, noises, vibrations, or interference with radio and/or television reception.
11. In addition to the parking spaces required for the residents of the dwelling, off-street parking for customers and for an employee, if allowed under Subsection 19.42.150.C.3 above, shall be provided in the driveway or garage. Required parking may not block access to a neighboring property's parking area or garage.
12. Any nameplate sign may not exceed three square feet and may not be illuminated.
13. Vehicles:
 - a. Any commercial vehicle used for a home occupation shall comply with section 19.48.040.E of this Ordinance.

- b. One trailer may be used in association with a home occupation in accordance with the following standards:
 - i. The maximum body length of an enclosed trailer is twenty feet (20'). The maximum body length of an open trailer is sixteen feet (16').
 - ii. Trailers shall be garaged or stored on private property and may not be located within the front yard setback or, for corner lots, in either the front or side yard setback.
 - iii. Trailers may have one sign covering the lesser of twenty-four square feet (24 sq. ft.) or thirty percent (30%) of the side panel of the trailer.

- 14. The home occupation applicant must either be the bona fide owner of the home (as shown on the current Salt Lake County tax assessment rolls) or if the applicant is renting or leasing the home, the homeowner must provide written permission allowing the applicant to conduct a business in the home. Said letter of permission must be signed and notarized by the homeowner.
- 15. The property address (house number) shall be clearly posted on the home using letters at least four inches (4") in height in a color that contrasts with the color of the building.
- 16. The condition of the dwelling and yards shall be maintained in accordance with Section 19.50.180 Weed Abatement and Responsibility to Keep Property Clean, Section 19.50.190 Tree and Landscape Trimming, and Subsection 19.46.110 (J) Accumulation of Junk.
- 17. The activities of the home occupation may not involve the use of hazardous materials or chemicals in amounts that will increase the hazard of fire, explosion, or safety to the structure the use is conducted in, adjacent structures, or the occupants thereof.

D. Regulations and Enforcement.

- 1. All home businesses shall comply with Title 5 Business Regulations of the Copperton Code.
- 2. An application for a home business shall be submitted to Planning and Development Services. The application shall be approved upon the applicant agreeing to comply with the standards set forth in this section.
- 3. A change of business ownership or relocation to a new address is considered a new business and requires separate approval.

SUMMARY OF
TOWN OF COPPERTON
ORDINANCE NO. 2024-12-01

On December 18, 2024, the Copperton Council enacted Ordinance No. 2024-12-01, an ordinance of the Copperton Council amending setback regulations for accessory buildings and eliminating certain regulations limiting home occupations.

By: Sean Clayton, Mayor

ATTEST

Nicole Smedley, Clerk

Voting:

Mayor Clayton	voting ____
Deputy Mayor Stitzer	voting ____
Council Member Bailey	voting ____
Council Member Severson	voting ____
Council Member Olsen	voting ____

A complete copy of Ordinance No. 2024-12-01 is available in the office of the Copperton Clerk at 2001 South State Street, N2-700, Salt Lake City, Utah.

SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA



DATE: September 27, 2024

TO: SLVLESA Member Municipalities and Salt Lake County

FROM: Rachel Anderson, SLVLESA District Administrator and Legal Counsel
Rick Moon, SLVLESA Treasurer

SUBJECT: SLVLESA Proposed 2025 Tax Increase

Last year, we came to you with a request for a 7% tax increase, amounting to a \$2,276,837 increase in our revenue. As stated to you at that time, the purpose was to get SLVLESA as close as possible to the statutory maximum rate of .0023. Due to higher than anticipated new growth in our tax base, we learned in June of this year that our certified tax rate was calculated to be at .002038, and thus still below the maximum rate. This presented an unexpected opportunity for us to come back again for a second round of tax increases to again attempt to get us to the maximum rate.

Last year, we were reacting to changes that were set in motion by H.B. 374, adopted by the Utah State Legislature in 2023, which required the Salt Lake County Sheriff to depart from the Unified Police Department, and we were facing a lot of uncertainty. Additionally, we were already in a situation where our budget had gotten very tight, and we were having to use fund balance to dip maintain the district's finances, which is unsustainable in the long term.

Since that time, the municipalities in SLVLESA voted to stay with UPD, while unincorporated Salt Lake County moved to being served by the County Sheriff's Office directly. SLVLESA now pays two service bills, one to each of these two providers that serve the SLVLESA areas. The UPD interlocal agreement was renegotiated, and the separation of the two entities has officially occurred. This is a complicated and unique situation, but we have met the challenges and continue to work on making this situation viable.

Despite last year's tax increase, SLVLESA's finances are still in an unstable position for the future. Many discussions have been had regarding whether the municipalities can or will raise additional funds to pay UPD for services above and beyond what SLVLESA is capable of paying on their behalf, and that is still an option that may occur in the future. I believe that districts should be fully sufficient to fund the services they were set out to provide, but these unique circumstances may

indeed warrant municipal contributions in the future. However, given the significant amount of changes in simply getting the separation off the ground, and in getting the metro townships converted to cities and towns with their own taxing authority, it has been imperative that SLVLESA remain as financially sturdy as possible during this time of change. Future funding options can be worked on in the future.

Therefore, when it became apparent that we did not, in fact, hit the tax cap in 2024, the Board of Trustees felt it was prudent to again take the opportunity to increase its revenues to further support the solvency and functionality of the District.

To that end, on August 15, 2024, the SLVLESA Board of Trustees voted to pursue the truth in taxation process on a potential 12.87% tax increase. SLVLESA's current tax rate is .002038. The intention of the 12.87% increase is to bring us to an estimated final tax rate of .0023, which is our statutory maximum property tax rate. Our final budgeted tax revenue for 2024 will be \$25,458,376. With the increase, our 2025 property tax revenue would be \$28,734,452.

This tax increase would cost an average property in the SLVLESA taxing district about \$65.00 a year or \$5.44 per month. The purpose of this tax increase would be to cover the increase of law enforcement fees paid to Unified Police Department and the Salt Lake County Sheriff's Office. Without this tax increase, SLVLESA's fund balance will be in the negative at the end of 2025. Meaning that SLVLESA will not be able to pay its obligations for 2025.

Under Utah Code § 17B-2a-903, SLVLESA is prohibited from increasing its certified property tax rate without the prior approval of the jurisdictions within SLVLESA.¹ We may satisfy this requirement in one of the following two ways:

Approval of:

- (A) The legislative body of each municipality (i.e., the metro townships), *and* the legislative body of Salt Lake County (i.e., the County Council); *or*
- (B) A majority of the legislative bodies of each municipality (i.e., the metro townships), *and* two-thirds of the legislative body of Salt Lake County (i.e. the County Council).

Accordingly, we are reporting on the proposed tax increase to your legislative body and request your approval of the proposed approximate 12.87% tax increase today.

Our truth-in-taxation hearing will be held on the day of SLVLESA's regularly scheduled December meeting, December 19, but the meeting has been moved to 6:00 p.m. in compliance with law that requires the hearing be conducted in the evening.

Thank you for your consideration of this request, and we look forward to speaking to you and answering your questions at your council meeting.

¹ Please note that this requirement is unique to law enforcement districts, and Unified Fire Service Area, which is also seeking a tax increase this year, is subject to a different statutory language which only requires them to report to your entity, and not seek approval.

COPPERTON TOWN COUNCIL

RESOLUTION NO. 2024-12-01

DATE: December 18, 2024

**A RESOLUTION OF THE COPPERTON TOWN COUNCIL APPROVING A 2025 TAX
RATE IN EXCESS OF THE CERTIFIED TAX RATE BY THE SALT LAKE VALLEY
LAW ENFORCEMENT SERVICE AREA**

RECITALS

WHEREAS, the Salt Lake Valley Law Enforcement Service Area (“SLVLESA”) was created by Resolution of the Salt Lake County Council dated August 18, 2009; and

WHEREAS, the Town of Copperton is included in the boundaries of SLVLESA for the funding and provision of law enforcement services to the areas within the boundaries of SLVLESA; and

WHEREAS, SLVLESA has proposed to budget an approximate 12.87% increase in the tax rate in excess of the certified rate as defined in Section 59-2-024 of the Utah Code in 2025 to fund costs of law enforcement through its payments to the Unified Police Department and the Salt Lake County Sheriff, respond to inflationary pressures, and maintain required minimum fund balances; and

WHEREAS, pursuant to Section 17B-1-1003 of the Utah Code, SLVLESA submitted a report on the proposed tax increase to the Copperton Town Council (“Council”) at a duly noticed meeting on October 16, 2024; and

WHEREAS, the Council allowed time during the duly noticed meeting on October 16, 2024 for comment on the proposed tax increase from members of the Council and the public; and

WHEREAS, Section 17B-2a-903 of the Utah Code requires the prior approval of an increase in the certified rate by SLVLESA from the legislative bodies of any municipality and county whose territory is located within SLVLESA, *or* approval of a majority of the municipalities and two-thirds (2/3) of the County legislative body; and

WHEREAS, before the SLVLESA Board of Trustees considers levying a tax rate that exceeds the certified tax rate, the SLVLESA Board of Trustees shall hold a public hearing on December 19, 2024 at 6:00 p.m. at the Millcreek City Hall to provide to all interested parties the opportunity to be heard regarding the proposed tax rate increase; and

WHEREAS, SLVLESA shall provide notices of the public hearing as required by Section 59-2-919 of the Utah Code; and

WHEREAS, after considering all public input from the public hearing and all other information available to them, the SLVLESA Board of Trustees will vote on whether to levy a tax rate that exceeds the certified tax rate.

NOW, THEREFORE, BE IT RESOLVED by the Copperton Town Council effective immediately that:

1. The Council hereby approves for 2025 the budgeting of an approximate 12.87% increase in property tax revenues in excess of revenues budgeted in the prior year and the imposition of property taxes in excess of the certified tax rate to generate the increase in budgeted property tax revenues as defined in Section 59-2-924 of the Utah Code.

ADOPTED AND APPROVED at a duly called meeting of the Copperton Town Council on this _____ day of _____, 2024.

TOWN OF COPPERTON

By: _____
Sean Clayton, Mayor

ATTEST

Copperton Town Clerk

VOTING:

Council Member Bailey voting	_____
Council Member Clayton voting	_____
Council Member Olsen voting	_____
Council Member Severson voting	_____
Council Member Stitzer voting	_____

COPPERTON TOWN COUNCIL

RESOLUTION # 2024-12-02

DATE: DECEMBER 18, 2024

**A RESOLUTION OF THE TOWN OF COPPERTON APPROVING A TEMPORARY
APPOINTMENT OF BOARD MEMBER TO SALT LAKE VALLEY LAW
ENFORCEMENT SERVICE AREA**

WHEREAS, the Town of Copperton (“**Copperton**”) is a town within the service area of the Salt Lake Valley Law Enforcement Service Area (“**SLVLESA**”); and

WHEREAS, Copperton has one elected official from the Copperton Town Council appointed to represent Copperton on the SLVLESA Board; and

WHEREAS, the current Copperton SLVLESA Board member is David Olsen; and

WHEREAS, David Olsen is resigned from his position on November 20, 2024; and

WHEREAS, Copperton Town Council seeks to appoint Sean Clayton as a temporary SLVLESA Board Member in David Olsen’s place until such time as the Town Council may meet to reassign its board assignments.

NOW, THEREFORE, BE IT RESOLVED by the Copperton Town Council that effective immediately:

1. Sean Clayton will act as a temporary replacement for David Olsen on the SLVLESA Board.
2. The replacement will take effect immediately after the approval and adoption of this Resolution.
3. This Resolution shall take effect immediately after adoption.

[execution on following page]

APPROVED and ADOPTED this ____ day of December, 2024.

COPPERTON TOWN COUNCIL

By: _____
Sean Clayton, Mayor

ATTEST:

Copperton Town Clerk

VOTING
Council Member Bailey voting _____
Council Member Clayton voting _____
Council Member Olsen voting _____
Council Member Severson voting _____
Council Member Stitzer voting _____

COPPERTON TOWN COUNCIL

RESOLUTION # 2024-12-03

DATE: DECEMBER 18, 2024

**A RESOLUTION OF THE TOWN OF COPPERTON APPROVING A TEMPORARY
APPOINTMENT OF BOARD MEMBER TO THE UNIFIED POLICE DEPARTMENT**

WHEREAS, the Town of Copperton (“**Copperton**”) is a town within the service area of the Unified Police Department (“**UPD**”); and

WHEREAS, Copperton has one elected official from the Copperton Town Council appointed to represent Copperton on the UPD Board; and

WHEREAS, the current Copperton UPD Board member is David Olsen; and

WHEREAS, David Olsen resigned from his position on November 20, 2024; and

WHEREAS, Copperton Town Council seeks to appoint Sean Clayton as a temporary UPD Board Member in David Olsen’s place until such time as the Town Council may meet to reassign its board assignments.

NOW, THEREFORE, BE IT RESOLVED by the Copperton Town Council that effective immediately:

1. Sean Clayton will act as a temporary replacement for David Olsen on the UPD Board.
2. The replacement will take effect immediately after the approval and adoption of this Resolution.
3. This Resolution shall take effect immediately after adoption.

[execution on following page]

APPROVED and ADOPTED this ____ day of December, 2024.

COPPERTON TOWN COUNCIL

By: _____
Sean Clayton, Mayor

ATTEST:

Copperton Town Clerk

VOTING	
Council Member Bailey voting	_____
Council Member Clayton voting	_____
Council Member Olsen voting	_____
Council Member Severson voting	_____
Council Member Stitzer voting	_____

**PUBLIC NOTICE
TO FILL A MIDTERM VACANCY ON THE
COPPERTON TOWN COUNCIL**

SALT LAKE COUNTY, UTAH

PUBLIC NOTICE is hereby given by the Copperton Town Council (“**Council**”) of a midterm vacancy for Council Seat D, which is an at-large, elected position, due to the resignation of Dave Olsen (the “**Vacancy**”), effective November 20, 2024.

Pursuant to Utah Code Ann. §§ 10-3-301 and 20A-1-510 the Council is seeking applicants to fill the Vacancy. In accordance with Utah Code § 20A-9-203, qualified applicants must: (1) be a United States citizen; (2) be a registered voter of Copperton; (3) maintain their principal place of residence within Copperton, meaning that they have resided in Copperton for twelve consecutive months before the date of the appointment; and (4) not be a convicted felon, unless their right to hold elective office has been restored.

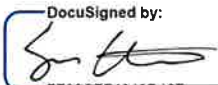
Persons interested in being considered for the Vacancy must submit a completed declaration of candidacy which can be found online at <https://copperton.utah.gov/>, a resume, and statement of interest to the Copperton Clerk, Nicole Smedley, in person at the Greater Salt Lake Municipal Services District 2001 S. State St., #N3-600, Salt Lake City, Utah 84190 no later than 5:00 pm (MST) on December 11, 2024. All documents submitted will become a public record subject to public records requests. If you have questions about the Vacancy or the application process, please contact Ms. Smedley via email at nsmedley@msd.utah.gov or (385) 508-5944.

The Council will interview applicants and consider applications for the Vacancy during its next regular meeting on December 18, 2024, at 6:30 PM, which will be open to the public and held at the Bingham Canyon Lions Club, located at 8725 W. Hillcrest Street in Copperton.

The person appointed to fill the Vacancy will serve the remainder of Councilmember Olsen’s term, which will end on December 31, 2025. If the appointed person desires to serve after that date, they will be required to file for candidacy in the 2025 general municipal election.

TOWN OF COPPERTON

ATTEST

DocuSigned by:


7E90CF4642D487
Sean Clayton, Mayor

November 21, 2024

Date


Nicole Smedley, Clerk

Date



**TOWN OF COPPERTON
TOWN COUNCIL VACANCY
AT LARGE COUNCIL SEAT D**

DECLARATION OF CANDIDACY

Applications must be submitted in-person at the Greater Salt Lake Municipal Services District, 2001 S. State St., #N3-600, Salt Lake City, Utah 84190 between 8:00AM – 5:00PM November 21, 2024 – December 11, 2024.

The deadline for submittal is Wednesday, December 11, 2024, by 5:00 PM.

Name: (print full name): HARVEY EDWARD SEAL
Residential Street Address: 8861 W. Cyprus St.
City: Copperton State: Utah Zip: 84006
Telephone Home: 801-280-0844 Cell: 801-330-3896
Email Address: harveyseal73@outlook.com

CERTIFICATION OF INFORMATION AND QUALIFICATIONS; In the presence of the Town Clerk, I hereby certify that the information above is true and correct to the best of my knowledge, that all the following statements regarding legal qualifications are also true and correct.

Please Initial:

yes The filing officer read the constitutional and statutory qualifications as listed below to me, and I meet all the qualifications for office and am eligible to fill this vacancy.

yes I understand that an individual who holds a municipal elected office may not, at the same time, hold a county elected office.

yes I provided a valid email, or physical address if no email is available. I understand the physical address will be used for all official communications and update.

Harvey Edward Seal
Signature of Applicant

(Must be signed in the presence of the Town Clerk. A designated agent may not sign on behalf of the applicant)

9 Dec 2024
Date

Subscribed and sworn to before me by Harvey Seal, on this 9th day of December, 2024.

Nicole Smedley
Town Clerk

Dec. 9, 2024
Date

QUALIFICATIONS

Before the filing officer accepts any application, the filing officer shall read to the candidate the constitutional and statutory requirements for candidacy, and the candidate shall state whether they fulfill the requirements. If the candidate indicates that they do not qualify, the filing officer may not accept the application (Utah Code Section 20A-9-203).

MUNICIPAL CANDIDATE

Utah Code §10-3-301

Utah Code §20A-9-203

- Must be a registered voter of Copperton*
- Must have resided in Copperton for the twelve consecutive months immediately before the date of appointment
- Not be convicted of a felony**

* Utah Code §20A-2-101 states: A registered voter (1) is a citizen of the United States; (2) is a resident of Utah; (3) will, on the date of that election, be at least 18 years old, (4) has been a resident of Utah for 30 days immediately before that election; (5) and is registered to vote.

** Utah Code §20A-2-101.5 states: A person convicted of a felony loses the right to hold office until (1) all felony convictions have been expunged, OR (2) ten years have passed since the most recent felony conviction AND the person has paid all court-ordered restitution and fines AND the person has completed probation, been granted parole, or completed the term of incarceration associated with the felony.



Harvey Seal

8861 W. Cyprus Street
Copperton UT. 84006

Objective

I have been a resident of Copperton since 2001. I would like to serve my community.

Experience

Copperton Improvement District

2004-Present

I am the chairman for the Copperton Water District. Some of the things I have accomplished are, retention of a highly qualified staff. Obtaining a second source of culinary water. Replacement of the pump line between the wells to the tank.

RECEIVED
12-11-24
JHS

Education

Bingham High School

I received my education from Bingham High School. I have served in the National Guard and served my county in many aspects of freedom. I worked for Kennecott before retirement.

Communication

I like working with the community, Copperton is a great a great little town. I hope to give back and help the town council. I am willing to listen to the residents and find solutions to help this be an even greater community.

I hope to serve this great town, I hope the residents of Copperton will consider me as a good representative and give me their vote.



**TOWN OF COPPERTON
TOWN COUNCIL VACANCY
AT LARGE COUNCIL SEAT D**

DECLARATION OF CANDIDACY

Applications must be submitted in-person at the Greater Salt Lake Municipal Services District, 2001 S. State St., #N3-600, Salt Lake City, Utah 84190 between 8:00AM – 5:00PM November 21, 2024 – December 11, 2024.

The deadline for submittal is Wednesday, December 11, 2024, by 5:00 PM.



Name: (print full name): Linda Marie McCalmon
Residential Street Address: 8723 West State Highway
City: Copperton State: Utah Zip: 84006
Telephone Home: 801-255-2202 Cell: same
Email Address: linda.mac51@comcast.net

CERTIFICATION OF INFORMATION AND QUALIFICATIONS; In the presence of the Town Clerk, I hereby certify that the information above is true and correct to the best of my knowledge, that all the following statements regarding legal qualifications are also true and correct.

Please Initial:

LM The filing officer read the constitutional and statutory qualifications as listed below to me, and I meet all the qualifications for office and am eligible to fill this vacancy.

LM I understand that an individual who holds a municipal elected office may not, at the same time, hold a county elected office.

LM I provided a valid email, or physical address if no email is available. I understand the physical address will be used for all official communications and update.

Linda M. McCalmon
Signature of Applicant

(Must be signed in the presence of the Town Clerk. A designated agent may not sign on behalf of the applicant)

12-11-24
Date

Subscribed and sworn to before me by Linda M. McCalmon on this 11th day of December, 2024.

Nicole Smedley
Town Clerk

12-11-24
Date

QUALIFICATIONS

Before the filing officer accepts any application, the filing officer shall read to the candidate the constitutional and statutory requirements for candidacy, and the candidate shall state whether they fulfill the requirements. If the candidate indicates that they do not qualify, the filing officer may not accept the application (Utah Code Section 20A-9-203).

MUNICIPAL CANDIDATE

Utah Code §10-3-301

Utah Code §20A-9-203

- Must be a registered voter of Copperton*
- Must have resided in Copperton for the twelve consecutive months immediately before the date of appointment
- Not be convicted of a felony**

* Utah Code §20A-2-101 states: A registered voter (1) is a citizen of the United States; (2) is a resident of Utah; (3) will, on the date of that election, be at least 18 years old, (4) has been a resident of Utah for 30 days immediately before that election; (5) and is registered to vote.

** Utah Code §20A-2-101.5 states: A person convicted of a felony loses the right to hold office until (1) all felony convictions have been expunged, OR (2) ten years have passed since the most recent felony conviction AND the person has paid all court-ordered restitution and fines AND the person has completed probation, been granted parole, or completed the term of incarceration associated with the felony.

RECEIVED
12-11-24
MB

Dear Mayor and Council:

My name is Linda McCalmon and I am applying for the vacancy in the Copperton Town Council.

I have lived in this charming and beautiful town for 34 years. My Italian ancestors came here in the late 1800's and had children and worked in the mine. Needless to say, my heart belongs in this area. I love this town.

As with everything in life change is inevitable. This creates opportunities, both exciting and daunting. I believe it is a responsibility to this community to create change that we can celebrate and include all concerned.

I have worked with the public all my life and I enjoy and welcome ideas and input from all.

I'm excited to serve and help create a growing community that we will be able to maintain the charm that defines us but also offers the growth that is necessary.

Thank you for your consideration.

Linda M. McCalmon

COPPERTON TOWN COUNCIL

RESOLUTION # 2024-12-04

DATE: DECEMBER 13, 2024

**A RESOLUTION OF THE TOWN OF COPPERTON
APPOINTING SUCCESSOR COUNCILMEMBER**

WHEREAS, David Olson was elected as councilmember to the Copperton Town Council (“**Council**”) and

WHEREAS, David Olson’s term began on January 19, 2022, and will expire on December 31, 2025; and

WHEREAS, David Olson resigned on November 20, 2024; and

WHEREAS, Utah Code § 20A-1-510 provides that “if any vacancy occurs in the office of municipal executive or member of a municipal legislative body, the municipal legislative body shall, within 30 calendar days after the day on which the vacancy occurs, appoint a registered voter in the municipality . . . to fill the unexpired term of the vacated office” after holding a duly noticed public meeting; and

WHEREAS, the Council provided public notice of the vacancy in accordance with Utah Code § 20a-1-510; and

WHEREAS, the Council held a duly noticed public meeting on December 18, 2024, to discuss the applications it received for the vacancy to appoint a replacement Trustee; and

WHEREAS, after interviewing the candidates, the Town Council desires to appoint _____ to complete the remainder of David Olson’s term pursuant to Utah Code § 20A-1-510.

NOW, THEREFORE, be it **RESOLVED** by the Copperton Town Council that, effective immediately:

1. The Council appoints _____ pursuant to Utah Code § 20A-1-510 to serve out the remainder of David Olson’s term, which will expire on December 31, 2025; and

2. _____ is instructed to complete all trainings required by Utah law within one (1) year of the date of this resolution, including Open and Public Meetings Act training; and

3. The Mayor and Copperton are authorized and directed to take such other steps as may be needed to implement this appointment as required by law.

[execution on following page]

ADOPTED AND PASSED this 16th day of December 2024.

COPPERTON TOWN COUNCIL

By: _____
Sean Clayton, Mayor

ATTEST:

Copperton Town Clerk

VOTING

Council Member Bailey voting	_____
Council Member Clayton voting	_____
Council Member Olsen voting	_____
Council Member Severson voting	_____
Council Member Stitzer voting	_____