

**From:** Zachary Shaw <ZShaw@slco.org>  
**Sent:** Tuesday, June 23, 2020 6:50:18 PM  
**To:** Alan Bachman <alan@mountainwestlaw.com>  
**Cc:** David Pena <DPena@slco.org>  
**Subject:** Crawford GRAMA Response

Alan: please see the attached GRAMA Response. A refund of unused fees will be forthcoming. Let me know if you have any questions. Thanks!

**From:** Teresa Gray  
**Sent time:** 11/15/2018 04:47:12 PM  
**To:** Ronald Lund  
**Cc:** Jorge Mendez; Royal Delegge  
**Subject:** Cardiff Fork  
**Attachments:** Wayne Crawford yurt tg 02-16-16.pdf Wayne Crawford talking points for Temporary Housing.docx

---

Ron,

Here is the letter that we sent to Wayne Crawford about yurts on his property and talking points that were given to Gary. He met with Gary around May 2016 and I believe another letter was sent at that time. I will see if I can find it.

They has started to sell share in a camping area and have installed a container that has been converted to have a wood burning stove, porch, front door, and a window to store sleeping bags, and cots. It is believed that they have 150 shares in the Cardiff Fork HOA (?).

County Planning met with Crawford, Dave Robinson, an Kyle Buckston this week. Zach is going to write an opinion for them. Greg suggested that we have Zach and Mitch talk before the decision is sent.

Teresa.

-----Original Message-----

From: Jeremy Roberts  
Sent: Monday, April 18, 2016 9:16 AM  
To: Heather Edwards  
Cc: Teresa Gray  
Subject: RE: Scanned image from HL GC S2500 COPIER

Heather,

I have attached the letter that we sent to Wayne.

Thanks,

Jeremy Roberts, LEHS  
Environmental Health Supervisor  
BUREAU OF WATER QUALITY AND HAZARDOUS WASTE T 385-468-3913 F 385-468-3863 ER# [REDACTED]  
slcohealth.org

-----Original Message-----

From: Heather Edwards  
Sent: Friday, April 15, 2016 3:18 PM  
To: Jeremy Roberts  
Cc: Teresa Gray  
Subject: FW: Scanned image from HL GC S2500 COPIER

Hi Jeremy,

Here is what we received from Wayne Crawford yesterday.

See you on Monday,

--Heather

-----Original Message-----

From: [REDACTED]@slco.org [mailto:[REDACTED]@slco.org] On Behalf Of [REDACTED]@  
Sent: Friday, April 15, 2016 2:19 PM  
To: Heather Edwards  
Subject: Scanned image from HL GC S2500 COPIER

Reply to: [REDACTED]@slco.org Device Name: HL GC S2500 COPIER Device Model: MX-5500N  
Location: S2500 GC

File Format: PDF (Medium)  
Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader4.0 or later version, or Adobe(R)Reader(TM) of Adobe Systems Incorporated to view the document.

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<http://www.adobe.com/>

**From:** Teresa Gray  
**Sent time:** 02/25/2020 10:06:31 AM  
**To:** Gary Edwards  
**Cc:** Royal Delegee; Jorge Mendez  
**Subject:** RE: HB297: Yurt amendments; meeting with Rep. Brammer + follow up

Please call me.

Register is to add to a list. We register someone who has completed a training. It does not mean that we can add requirements or even review plans. I am concerned about the circular conversation and that it has nothing to do with public health.

The latest language contains options that are name brands.

**(a) "Backcountry waste containment and disposal system" means a pickle pail, rocket box, tube toilet, John-E partner, or similar container used to collect and carry out waste, including fecal matter.**

Pickle pail is a 5 gallon bucket. No one is going to pack out a bucket.



Rocket box

The **20mm Rocket Box** is most commonly used to store the spare tanks for the Eco Safe Toilet System. A Rocket Box Ammo Can can also be used on a river trip for storage of the days camp supply needs: food, cooking supplies, and camp needs. Due to

the size and weight of this item there will be an oversized shipping charge. *Ammo cans are NOT in new condition; they are retired from the military. This is not something that is easily packed out.*



### Tube toilet

I could not find on google I did find PVC Poop Tubes which are **PVC Poop Tubes**

PVC “poop tubes” are a popular option for climbers and hikers. They are lightweight and easily fit in a backpack, or climbing bag while you continue to ascend. Open the tube up, position it *carefully* and do your business. When finished, seal the tube back up and pack it out of the wilderness with you. **No mess, no pollution, no bags necessary.**



John-E partner did not come up on Google. The photos were of a port a potty.

Also, most are used on rivers where you can take them out at docks that have a location to dump the waste. There is no location identified to dispose of the waste once it is collected. There is no way to verify that the waste was disposed of correctly.

The bill is based on Snowbird request. This is for a commercial application. So, is it just something you sign that the person states they will bring? Or is it supplied by the operator. If so, how is it cleaned and serviced?

I would like to know also which takes precedence Extraterritorial Jurisdiction or this Yurt bill? There are multiple private property interests within our watershed that have undeveloped lots because they do not have water.

We are currently settling a NOV with Crawford and Buxton. They could set up multiple Yurts on their property, estimate 14. There are two lots in Solitude Ski resort, multiple in Brighton Township, and the property in Alta Ski resort (Melville Haik and Houge).

Emigration has dozens of lots that were originally plotted as tent lots that could site yurts under this bill.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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- [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]



[REDACTED]



[REDACTED]



[REDACTED]

### **Salt Lake County Planning Commission:**

- New Chair is in place
- 04.15.2020 Jake presented background ADU information to PC
- **MSD and RPT to get an ADU ordinance** in place by Dec 1 to show progress to State for SLCo report on Housing
- **All Planning Commission websites disappeared**, talked with IS and MSD no one is taking responsibility, met with Jerome twice this week and he's looking into with the help of Sam S.
- Jake suggests increasing size of Planning Commission from 5 members (3 unincorporated and 2 unincorporated) to 7 members (4 unincorporated and 2 incorporated), with 2 alternates (same as before). Bigger PC provides more depth for upcoming serious projects Olympia Hills CSPs and West Bench General Plan. **Seeking approval from Dina to work with Zach in preparing ordinance for PC changes.**

### **Buxton/Crawford**

- **Do we have approval from Mike R. or Catherine to talk with SLCPU regarding?**
- Crawford summary coming tomorrow

### **Olympia Hills**

- Working with MSD on CSP requirements

### **Wasatch Canyons General Plan**

- Document loaded online and shared with MPDPC and a few stakeholders
- Today Jake will talk with County Council SPAs and let them know about the document and process
- County Council Public Hearing will happen if group meetings are allowed; however I think if things don't change in June we should consider online Public Hearing and Adoption

<https://slco.org/globalassets/1-site-files/planning--transportation/wasatch-canyons/wasatch-canyons-general-plan-april-2020-draft.pdf>

### **Subdivision Ordinance Zach**

- **Zach is seeking approval to start approval/adoption update**

### **Regional Solutions Event – Missing Middle Housing**

- Jason Rose working with Jake on the contract

- as soon as contract is in place we will send out save the date and start fund raising

### **MSD Coordination**

- 04.15.2020 Jake presented on Oquirrh View/ West Bench to MSD
- Last week Jake discussed WCGP, Olympia Hills (w/ others) and West Bench with Jim McNulty

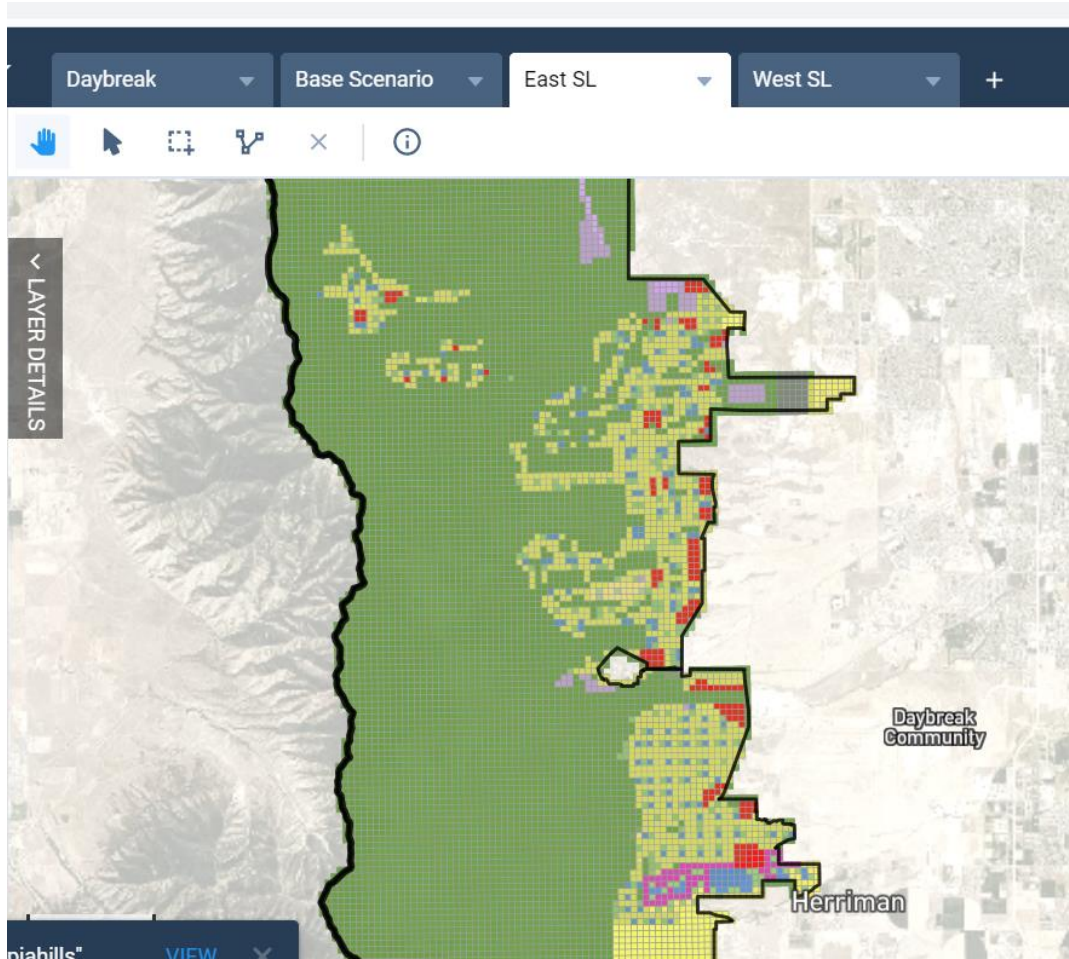
### **Snowbird nothing new**

### **Mountainous Planning District Legislation –**

- **Created outline of research/ more research to come**
- Zach sent Polly the draft ordinance for the County process to work with Brighton

### **West Bench**

- 3 Scenarios have been created (see stats below):
  - West Salt Lake
  - East Salt
  - Daybreak
- 3 other scenarios in process
  - No build, but growth goes elsewhere (WFRC is helping with that one), what are the impacts on the region
  - Mostly attached housing
  - Smart Growth/ Context Sensitive Clustering
- Meeting next with Rio Tinto
- In middle of May we would like to start having online focus groups/workshops with the cities regarding scenarios
- Outline of document is done and we're creating our appendices of data first and starting with some of the chapters



| Salt Lake County - All Unincorporated - Gridded Canvas: Summary Statistics Report |               |            |            |            |
|---|---------------|------------|------------|------------|
| Population, people  |               |            |            |            |
|   | Base Scenario | Daybreak   | East SL    | West SL    |
| Population  | 40,494.93     | 259,250.59 | 179,878.83 | 175,379.55 |
| Housing, dwelling_units   |               |            |            |            |
|   | Base Scenario | Daybreak   | East SL    | West SL    |
| Dwelling Units  | 16,444.85     | 95,908.27  | 60,694.70  | 64,299.53  |
| Households, dwelling_units_occupied   |               |            |            |            |
|   | Base Scenario | Daybreak   | East SL    | West SL    |
| Households (Occupied Dwelling Units)  | 15,458.15     | 90,153.77  | 57,053.02  | 60,441.56  |
| Jobs  |               |            |            |            |
|   | Base Scenario | Daybreak   | East SL    | West SL    |
| Employment  | 19,742.75     | 66,967.81  | 62,517.15  | 117,781.83 |

**From:** Dina Blaes  
**Sent time:** 04/10/2020 10:53:34 AM  
**To:** Ryan Perry; Jake A. Young  
**Subject:** RE: Buxton/Crawford

---

Ryan,

I actually think Catherine has not stayed engaged on this. I think an initial call to Zach, [REDACTED] and then a call to Mike. Zach will focus less on the politics but Mike is a good resource on this one.

Dina

---

**From:** Ryan Perry <[REDACTED]@slco.org>  
**Sent:** Friday, April 10, 2020 10:40 AM  
**To:** Jake A. Young <[REDACTED]@slco.org>; Dina Blaes <[REDACTED]@slco.org>  
**Subject:** RE: Buxton/Crawford

Dina,

Jake and I were able to talk about this issue. I will get with Catherine/Mike and get direction on inviting Salt Lake Public Utilities to the conversation.

Ryan

---

**From:** Jake A. Young <[REDACTED]@slco.org>  
**Sent:** Friday, April 10, 2020 9:55 AM  
**To:** Ryan Perry <[REDACTED]@slco.org>; Dina Blaes <[REDACTED]@slco.org>  
**Subject:** RE: Buxton/Crawford

Ryan,

[REDACTED], do you mean if Health and MSD also request communication with SLCPU? Because its become a legal process Zach is now assigned from the DA and representing the County.

By not involving SLCPU the whole situation could become much worse, through our WCGP they were involved in every single step and part of the planning process, otherwise they may have fought the plan. I realize it makes the situation more complex, but it also prevents SLCPU vs SLCO later on and helps focus on solving the Buxton portal problem.

I'm relaying what [REDACTED]. Next Friday's meeting includes both MSD and Health Department, maybe that topic can be settled at that meeting.

Thanks, Jake



**Jake Young**, AICP, PLA, ASLA  
*Planning Program Manager*

**Regional Planning & Transportation**  
2001 South State Street, Suite S2-100  
P.O. Box 144575  
Salt Lake City, UT 84114-4575  
Office 385-468-4859 | TTY 7-1-1



---

**From:** Ryan Perry <[REDACTED]@slco.org>  
**Sent:** Friday, April 10, 2020 9:41 AM  
**To:** Jake A. Young <[REDACTED]@slco.org>; Dina Blaes <[REDACTED]@slco.org>  
**Subject:** RE: Buxton/Crawford

I believe that [REDACTED]. This is a difficult situation where there are multiple County entities involved. The Health Department and MSD code enforcement has been taking most of the lead on communication. Because this is a highly litigious situation, I would suggest that we not reach out to SLCPU until requested to do so.

Ryan

---

**From:** Jake A. Young <[REDACTED]@slco.org>  
**Sent:** Friday, April 10, 2020 9:36 AM  
**To:** Dina Blaes <[REDACTED]@slco.org>; Ryan Perry <[REDACTED]@slco.org>  
**Subject:** Buxton/Crawford

Dina and Ryan,

Yesterday I had a long conversation with Zach about the Buxton and Crawford cases and feel like I get the basis for now.

This where we are to my understanding:

[REDACTED]

[REDACTED]

[REDACTED]

The meeting planned next Friday by Zach will cover Crawford.

How should we go about getting approval to talk with SLCPU and further the Buxton case?

Thank you, Jake



**Jake Young**, AICP, PLA, ASLA  
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**From:** Ryan Perry  
**Sent time:** 04/16/2020 08:29:06 PM  
**To:** Mike Reberg  
**Subject:** Re: Buxton/Crawford  
**Attachments:** image001.png image002.png image003.png

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Sounds good. Thanks! I will be in the meeting tomorrow morning.

Ryan

Sent from my iPhone

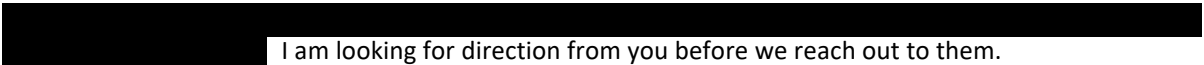
On Apr 16, 2020, at 7:59 PM, Mike Reberg <MReberg@slco.org> wrote:

Are we still discussing this in the morning? I would like to walk through it tomorrow and then we can discuss engaging Public Utilities. Make sense?

Get [Outlook for iOS](#)

On Thu, Apr 16, 2020 at 7:40 PM -0600, "Ryan Perry" <RPerry@slco.org> wrote:

Mike,

 I am looking for direction from you before we reach out to them.

Sincerely,

Ryan Perry

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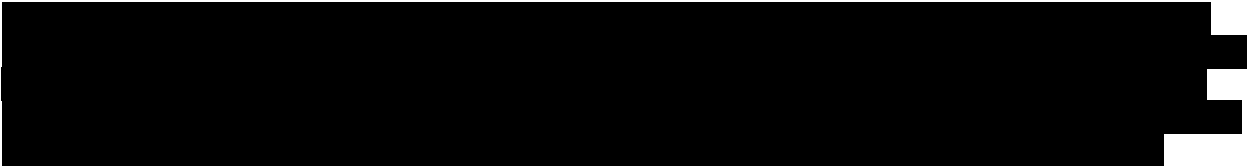
**From:** Jake A. Young <JAYoung@slco.org>  
**Sent:** Friday, April 10, 2020 9:36 AM  
**To:** Dina Blaes <DBlaes@slco.org>; Ryan Perry <RPerry@slco.org>  
**Subject:** Buxton/Crawford

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This where we are to my understanding:





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Thank you, Jake

<image001.png>

**Jake Young**, AICP, PLA, ASLA  
*Planning Program Manager*

**Regional Planning & Transportation**  
2001 South State Street, Suite S2-100  
P.O. Box 144575  
Salt Lake City, UT 84114-4575  
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[<image002.png>](#)

[<image003.png>](#)



**From:** Ryan Perry  
**Sent time:** 04/16/2020 08:29:06 PM  
**To:** Mike Reberg  
**Subject:** Re: Buxton/Crawford  
**Attachments:** image001.png image002.png image003.png

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Mike,

[REDACTED]  
[REDACTED] I am looking for direction from you before we reach out to them.

Sincerely,

Ryan Perry

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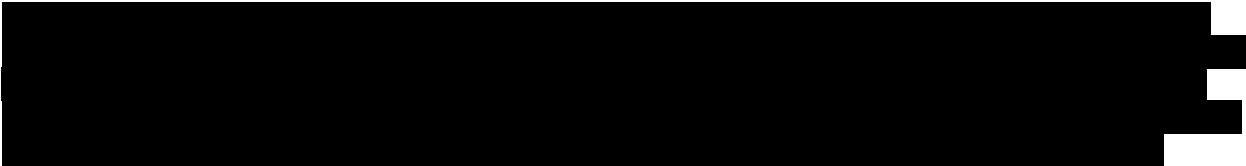
**From:** Jake A. Young <[REDACTED]@slco.org>  
**Sent:** Friday, April 10, 2020 9:36 AM  
**To:** Dina Blaes <[REDACTED]@slco.org>; Ryan Perry <[REDACTED]@slco.org>  
**Subject:** Buxton/Crawford

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This where we are to my understanding:

[REDACTED]



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Thank you, Jake

<image001.png>

**Jake Young**, AICP, PLA, ASLA  
*Planning Program Manager*

**Regional Planning & Transportation**  
2001 South State Street, Suite S2-100  
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Salt Lake City, UT 84114-4575  
Office 385-468-4859 | TTY 7-1-1

[<image002.png>](#)

[<image003.png>](#)

It doesn't appear the property is located in a drinking water source protection area.

The HD has not been able to verify ownership (see attached documents retrieved from the Dept. of Commerce. I wonder if Mr. Crawford is the actual owner of the property.

My interpretation of the Sanitation and Safety temporary housing regulation is

As follows:

The Salt Lake County Health Department Housing Regulation 4.7 .2 (Temporary Housing) was written to allow an exemption for a property owner who wishes to allow friends and family to visit in a motorhome, or to allow children to enjoy a sleep-over in a tent in the property owners' rear yard; in either case, when the health department receives a complaint pertaining to 4.7.2, access to water and proper disposal of waste is verified by the health department.

Temporary housing is considered a "one time usage." The 10 day time allowance does not apply to the visitor(s) per se, but to the particular property, and the perpetual rotation of visitors was not the intent of the regulation. Neither was the temporary housing regulation written to provide monetary or personal gain, which would be a contradiction to the spirit of the regulation.

I have been unable to find anything pertaining to temporary housing in the State Rule.

We have a regulation pertaining to camping:

Utah Code Annotated 26A and #7 General Sanitation Regulation 4.19 Encampments Prohibited. No person shall establish an encampment on private or public property not licensed and zoned for overnight camping. All trash, debris, and any personal items left on this property will be deemed abandoned and disposed of.

I spoke to Sandy Zoning today; a representative stated that a nightly/weekly rental arrangement may not be allowed in the area, even where there is a traditional dwelling.

The comparisons provided by Mr. Crawford regarding approved campgrounds include available water, a pit privy (public lands which allow access and are subject to inspections), or if on private property,

approved waste water disposal is available. Campgrounds on private properties are subject to business licensing and zoning requirements, possibly permitted facilities.

I would like to do more research on the subject tomorrow, but even if a pit privy is a possibility, there are many other limitations such as problems with private property and access for inspection, zoning, and business licensing restrictions.

Reference was made to the camping cabin at the KOA in Salt Lake City. In talking to the KOA there is no kitchen or bathroom in the cabin but there is access to a bath house within walking distance. The bath house is connected to Public Drinking Water and Sanitary Sewer.

In talking to the Salt Lake County Planner (Todd Draper) who provided Mr. Crawford the "Preliminary Verification of Water Availability", Mr. Crawford told him that he wanted to set up tuff sheds and that he did not plan on moving them. He felt that because they did not have a foundation that they could be considered "Temporary Housing". Based on Mr. Crawford's discussion with the planner the project proposal is for a conditional use private or commercial campground.

There is a state rule R392-300 from DOH for Recreation Camp Sanitation. Based on what I see in this regulation there is requirements for water and wastewater.

February 16, 2016

Wayne Crawford  


RE: Request for Letter of Determination

Dear Mr. Crawford:

On January 25, 2016 you hand delivered a letter to the Salt Lake County Health Department, with a request to provide a letter of determination on "Camping Cabins" to be accepted as temporary housing. Unfortunately, the Health Department cannot make an evaluation since no formal plans were submitted. There are many Health Department Regulations and State Rules that address minimum requirements for housing, potable water and proper wastewater disposal. Listed below are some of the regulations and rules that would apply.

All Health Department Regulations can be found on our website at <http://slcohealth.org/envRegs/index.html>. The main Health regulations that apply to your questions are #03 Housing Regulation, #07 General Sanitation Regulation, #11 Individual Water Systems Regulation, #13 Wastewater Disposal Regulation and #14 Watershed Regulation.

Salt Lake County Ordinance can be found at [https://www.municode.com/library/ut/salt\\_lake\\_county/codes/code\\_of\\_ordinances](https://www.municode.com/library/ut/salt_lake_county/codes/code_of_ordinances)  
The ordinance that may apply is 9.25 Drinking Water Source Protection.

The State rules that apply can be found at <http://www.rules.utah.gov>. The main State Rules are Rule R317-560. Rules for the Design, Construction, and Maintenance of Vault Privies and Earthen Pit Privies and Rule R317-4 Onsite Wastewater Systems.

Attached is an outline of some of the regulations that may apply to your proposal to have a temporary structure with an "outhouses" or vault privies in the watershed areas. This list may not be a full listing but will give an overview of the regulations concerning these issues.

In general, there are many overlapping regulations that apply to your question concerning temporary structures, vault privies, and construction within the watershed.



Sam Bawden  
May 16, 2015  
Page 2

### Temporary Structures

The Health Department considers temporary buildings, such as tents, campers or trailers, as being temporary if used less than 10 consecutive days (HR #3 4.7.2). These temporary structures or "encampments" must be in an approved area (HR#7 4.19). If in use longer then it is considered a dwelling and would need to meet the requirements in HR#3.

### Construction in the watershed

Cardiff Fork is located in the Salt Lake City Watershed Area. This area is protected through HR #14. Section 2 outlines the "Prohibited Acts". It is prohibited to:

- Dispose of wastewater or any other solid waste in the watershed in less in an approved septic system or municipal sewage system. (HR#14 4.2.3, 4.2.5)
- Camp overnight in an area other than an approved campground. (HR#14 4.2.11)
- The area may also be in a Drinking Water Source Protection Area. (SLCO 9.25).  
If you have an exact location we can look that up for you.

For additional zoning and building requirements contact Salt Lake Planning and Developmental Services at 385-468-7130.

If you have additional question, please feel free to call Jeremy Roberts with any additional questions at 385-468-3862.

Sincerely,



Teresa Gray, L.E.H.S.  
Bureau Manager, Water Quality and Hazardous Waste





## **Health Department Regulation #3 Housing Regulation**

### **2. DEFINITIONS**

For the purposes of this regulation, the following terms, phrases, and words shall have the meanings herein expressed:

- 2.8. "Dwelling" shall mean a building or structure that is intended or designed to be used, rented, leased, let or hired out for human habitation.
- 2.9. "Dwelling unit" shall mean a single habitable unit in a dwelling which provides independent living facilities. A dwelling unit includes space for living and sleeping and may provide access to shared space for personal hygiene and/or cooking and eating.

### **3 GENERAL PROVISIONS**

#### **3.1. Jurisdiction of the Department.**

- 3.2. It shall be unlawful for any person not to comply with any regulation promulgated by the Department unless granted an express variance by the Salt Lake Valley Board of Health.

#### **4.4. Structural Requirements.**

- 4.4.2. **Bathroom Facilities.** Every dwelling unit, except rooming units, shall contain a toilet, handwash sink, and bathtub or shower in good working condition and properly connected to an approved water and sewer system. The handwash sink shall be conveniently located to the toilet. Rooming units shall have either individual or shared bathroom facilities.

- 4.4.3. **Kitchen Facilities.** Every dwelling unit, except rooming units, shall be provided with a kitchen that contains a refrigeration unit and a cooking appliance in good working condition, and an approved kitchen sink which is properly connected to an approved water and sewer system.

#### **4.7. Standards for Emergency and Temporary Housing.**

- 4.7.2. **Temporary Housing.** Tents, trailers, campers, or other temporary housing located on private property with the permission of the property owner shall not create a public health nuisance but may be used as a dwelling unit for up to 10 consecutive days provided that liquid waste is contained and properly disposed. Exemptions may be granted by the Director.

#### **4.8. Closing and Vacating of Unfit Dwellings.**

4.8.1. **Closing Unfit Dwellings.** Any dwelling or dwelling unit which is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin infested that it creates or may create a hazard to the health or safety of the occupants or of the public may be deemed unfit for human habitation, closed to occupancy, and posted with a placard by the Director. Lack of electricity, potable water, heating facilities during cold weather, or sewer service may be considered prima facie evidence of a health or safety hazard sufficient to require closure.

## **Health Department Regulation #7 General Sanitation Regulation**

For the purposes of this regulation, the following terms, phrases, and words shall have the meanings herein expressed:

2.14. "Encampment" shall mean an illegally established camping site used for eating, sleeping, and living activities.

4.19. **Encampments Prohibited.** No person shall establish an encampment on private or public property not licensed and zoned for overnight camping.

## **Health Department Regulation #11 Individual Water Systems Regulation**

For the purposes of this regulation, the following terms, phrases, and words shall have the meanings herein expressed:

- 2.6. "Individual water system" shall mean any drinking water system not subject to the rules of the State Department of Environmental Quality, Division of Drinking Water.

### **4. SUBSTANTIVE PROVISIONS**

4.1. **Approved Drinking Water Supply Required.** No person shall occupy, lease for occupancy, or permit the occupancy of any building or structure within Salt Lake County:

- 4.1.1. Unless the building or structure is connected to a public water system; or

- 4.1.2. Unless the building or structure is connected to an individual water system approved by the Director that provides water that meets standards of quantity, pressure, and quality as stated herein.

4.2. Quantity, Pressure, and Quality Standards.

4.2.1. Quantity. In order for an individual water supply to be approved, the individual system owner shall have the necessary water rights and the system shall have the physical ability to supply a minimum of 400 gallons (800 gallons if landscaping is to be watered) per day per household 365 days a year. For seasonally used recreational housing, the system shall meet the same requirements during the time period the housing is occupied. Seasonally used recreational housing shall not be occupied when the above requirements cannot be met.

4.2.2. Pressure. Individual water systems shall provide a minimum of 20 pounds per square inch of pressure at all times.

4.3. Plan Approval for Individual Systems.

## Health Department Regulation #13 Wastewater Disposal Regulation

For the purposes of this regulation, the following terms, phrases, and words shall have the meanings herein expressed:

- 2.1. "Black water" shall mean wastewater from toilets and urinals.
- 2.3. "Collection Entity" shall mean a political subdivision of the State of Utah which owns and/or operates facilities for collection and transmission of sewage to a treatment plant.
- 2.6. "Discharge" shall mean the accidental or intentional releasing, spilling, leaking, pumping, pouring, emitting, emptying, or dumping of any solid waste or solid waste constituents, wastewater, including leachate, into or on any air, land, or water.
- 2.7. "Human waste" shall mean the waste produced by the human body; including but not limited to urine or fecal matter or both.
- 2.8. "Onsite Wastewater System" shall mean an underground wastewater disposal system for domestic wastewater. It usually consists of a building sewer, a septic tank and an absorption system.
- 2.11. "Pollution" shall mean such contamination, or other alternation of the physical, chemical, or biological properties of any waters of the state, or such discharge of any liquid, gaseous or solid substance into any waters of the state as will create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.
- 2.13. "Sewage" shall mean a combination of liquid or water-carried wastes from residences, businesses, institutions, and other establishments with installed plumbing facilities, together with those from industrial establishments, and with such groundwater, surface water, and storm water as may be present.
- 2.14. "Sewer or Sewer System" shall mean pipes, channels, or other facilities used for the collection, transmission, treatment, and/or disposal of sewage by a POTW.
- 2.15. "Sewer Connection Availability" shall mean approval from a POTW for the connection to an approved sewer conveyance system.
- 2.18. "Wastes" shall mean all substances which pollute or if discharged, are capable of polluting waters of the state.
- 2.19. "Wastewater" shall mean sewage, industrial waste, or other liquid or waterborne substances causing or capable of causing pollution of waters of the state. Intercepted groundwater which is uncontaminated by wastes is not included.
- 2.20. "Waters of the State" shall mean all streams, lakes, ponds, marshes, water courses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or

accumulations of water, surface and underground, natural, or artificial, public or private, which are contained within, flow through, or border upon this State or any portion thereof, insofar as within the jurisdiction of the Department, provided that bodies of water confined to and retained within the limits of private property, and which do not develop into or constitute a nuisance, or a public health hazard or a menace to fish and wild life, shall not be considered waters of this State under this definition.

2.21. "Watershed Area" shall mean the area defined in the Department's Health Regulation #14, Watersheds.

#### 4. SUBSTANTIVE PROVISIONS

##### 4.1. Permits Required.

4.1.1. Department Approval and Onsite Wastewater Permit Required. No person shall construct, occupy, or own a building that has an onsite wastewater disposal system; replace an existing absorption system; or remodel a building to which an onsite wastewater system is connected in such a way that increases the bedroom count without prior written approval and a corresponding valid Onsite Wastewater Permit.

##### 4.1.2. Onsite Wastewater Permit Application.

(i) To apply for an Onsite Wastewater Permit when constructing a building that has an onsite wastewater disposal system or to replace an existing absorption system, the applicant shall:

- a. Submit a completed Department-provided application form;
- b. Submit written documentation from the Collection Entity which has jurisdiction where the property is located, stating that sewer service is not available;
- c. Cause percolation tests and soil explorations to be performed by a certified professional in the areas of the primary and replacement drain fields. At least 24 hours prior to performing the tests, the Department shall be notified of the day and time the tests will be performed to give the Department the opportunity to witness the tests.
- d. Submit a completed application to the Department pursuant to Utah Administrative Code R317-4.3 including plans, design, design criteria, and test results which shall be performed by a person who is certified as required under Utah Administrative Code R317-11 and which verify that the system meets the requirements of Utah Administrative Code R317.

(ii) To apply for an Onsite Wastewater Permit when remodeling a building to which an existing onsite wastewater system is connected in such a way that increases the

bedroom count, the applicant shall submit to the Department properly prepared drawings, engineering reports, and design criteria for review and approval.

4.2. Onsite wastewater systems must be constructed and installed in accordance with the plans approved by the Department.

4.3. Prohibited Acts. It shall be unlawful for any person:

4.3.1. To place or conduct any sewage or wastewater into any storm drain system, street, alley, sidewalk, gutter, watercourse, canal, river, stream or other waters of the State of Utah, or in any landscaped area, vacant land, or other place not suited or designated for the disposal of sewage or wastewater.

4.3.2. To discharge wastewater into the sanitary sewer, either on or off a job site, without the permission of the owner of the property and the associated POTW. The permit holder shall provide proof of such permission to the Director upon demand.

4.3.3. Construct or cause to be constructed a septic tank or other privately owned wastewater disposal system on property required to be connected to the sewer system by subsection 4.1 above.

4.4. Onsite Wastewater Disposal System Maintenance. Onsite wastewater disposal systems shall be maintained in a manner that prevents the surfacing of sewage, the creation of a nuisance, a public health hazard, or a menace to fish or wildlife.

4.5. Watershed. Any wastewater disposal system on property in the watershed area shall conform to the Department's Health Regulation #14, Watersheds. All blackwater discharged from any property in a watershed area shall be discharged into a holding tank as outlined in Utah Administrative Code R317-4-12. Septic tanks with drainfields may be used for the disposal of other domestic wastewater in a watershed (from sinks, washbowls, bathtubs, washing machines, and dishwashers) in compliance with Utah Administrative Code R317-4.

4.8. Toilet Facilities.

4.8.1. Required. The owner(s) or occupant(s) of any building used for human habitation shall install and maintain a toilet in conformance with the provisions of Salt Lake Valley Health Department Regulation No. 3, part 4.4.2 and the International Plumbing Code. It shall be unlawful for any person to establish or maintain any privy, vault privy, or place other than a toilet for the deposit of human waste except as provided in Utah Administrative Code R317-560.

## Health Department Regulation #14 Watershed Regulation

### 4.5. Subdivision and Individual Construction on Watershed Areas.

#### 4.5.1. Department Approval for Water-Using Facilities and Wastewater

**Disposal Systems.** It shall be unlawful for any person, without first obtaining written approval from the Director, to construct, provide, use, or maintain any privy, chemical toilet, composting toilet, or similar receptacle; or a wastewater disposal system; a public pool as defined in Salt Lake Valley Health Department Regulation No. 2 or private residential swimming pool as defined in Salt Lake Valley Health Department Regulation No. 2 within a watershed area. The Director shall issue written approval only upon compliance with all applicable Department regulations and upon the condition that facilities will not endanger the sanitary condition of the drinking water supply.

4.5.2. **Approval Required for Subdivision and Individual Construction.** It shall be unlawful to grade, excavate, disturb, or to record any subdivision or to construct any house, building, or other structure in a watershed area without first obtaining a building permit and written Department approval.

4.5.3. **Approved Drinking Water Supply Required.** All applicants requesting individual building permits in the watershed area shall submit to the Department an availability letter from a public water supply system or the required documents for an individual water system as required in Salt Lake Valley Health Department Regulation #11, Individual Water Systems. Applicants for building permits within the Salt Lake City Watershed Area shall also submit to the Department a letter from the Director of Public Utilities stating that the applicant has received water available through a water sales agreement with Salt Lake City for the project.

4.5.4. **Building Near Water Source Prohibited.** Unless otherwise approved, it shall be unlawful for any person to build any house, cottage, cabin, or other structure to be occupied by people within 50 feet of any watercourse or source of drinking water within the watershed area or within the watercourse buffer area established by the Department. Unless otherwise approved, it shall be unlawful for any person to build any kennel, stable, barn or other structure to be occupied by animals, any onsite wastewater disposal system,



or any holding tank within 100 feet of any watercourse or source of drinking water within the watershed areas or within the watercourse buffer area established by the Department. In extraordinary cases, relief from the 50 foot requirement for human inhabited structures may be granted by the Director and the Director of Public Utilities or watershed superintendent over the impacted watershed, based upon a written application demonstrating that:

- (i) No reasonable alternative is available based on property boundaries in existence as of January 1, 2007;
- (ii) Groundwater and surface waters will be protected from runoff or contamination; and
- (iii) Specific conditions or requirements deemed necessary by the Director and the Director of Public Utilities or watershed superintendent will be followed

R317. Environmental Quality, Water Quality.

**Rule R317-560. Rules for the Design, Construction, and Maintenance of Vault Privies and Earthen Pit Privies.**

2.1 Vault privies and earthen pit privies are permitted as a substitute for water closets, for temporary or limited use in remote locations where provisions for water supply or wastewater disposal pose a significant problem. The intended primary use of vault and pit privies in this rule is for facilities such as labor camps, semi- developed and semi-primitive recreational camps, temporary mass gatherings, and other approved uses. Potable water under pressure may or may not be available.

**R317-4-3. General Standards, Prohibitions, Requirements, and Enforcement.**

3.1. Failure to Comply With Rules.

Any person failing to comply with this rule shall be subject to enforcement action as specified in Sections 19-5-115 and 26A-1-123.

3.2. Feasibility.

Onsite wastewater systems are not feasible in some areas and situations. If property characteristics indicate conditions that may fail in any way to meet the requirements specified herein, the use of onsite wastewater systems shall be prohibited

SALT LAKE COUNTY  
COUNTYWIDE POLICY  
ON  
GRAMA APPEALS PROCEDURE

**Reference --**

Government Records Access and Management Act (GRAMA), Utah Code Annotated, Sections 63G-2-401 through 407 & 701

Records Management, Salt Lake County Ordinance, Section 2.82.100

**Purpose --**

The appeals process provides members of the public with a process for petitioning Salt Lake County to reconsider records request issues.

**1.0 Types of Appeals**

Members of the public may appeal a decision made by the County concerning:

- 1.1 records classifications
- 1.2 fees charged for records
- 1.3 an agency's response to a records request

**2.0 Appeals**

2.1 Agency Designee

2.1.1 County agencies shall attempt to resolve public complaints concerning records requests informally and at the lowest possible administrative level.

2.1.2 If a requestor is aggrieved by the county's classification of a record, the fees charged for a record, or by an agency's response to a record request, the requestor may request and be granted an initial administrative appeal of that grievance, in accordance with countywide policies and procedures adopted by the council. The initial administrative appeal is made to the agency designee pursuant to countywide policies and procedures adopted by council.

2.1.3 The agency designee shall have ten business days after the agency designee's receipt of the notice of appeal (or twelve business days after the county sends a notice of appeal to a person who submitted a claim of business confidentiality) to respond to the record request. Designee shall provide a written decision to the appellant.

2.1.4 If a requestor and a County agency designee cannot resolve a complaint at the agency level, the requestor may submit a written notice of appeal to the Chief Administrative Officer for Appeals (“CAOA”). The notice of appeal shall state the basis of the appeal and the relief requested. The requestor shall file the notice of appeal within thirty (30) days of receiving an adverse decision from a County agency.

2.1.5 A notice of appeal is considered filed when it is received and date-stamped at the County office of the CAO A designated to respond to the specific records request, located at 2001 South State Street, N3200, Salt Lake City, Utah 84190. No notices of appeal sent by facsimile, e-mail, or any other electronic submission will be accepted.

## 2.2 Chief Administrative Officer of Appeals

2.2.1 Upon receiving an appeal notice of an agency decision, the CAO A shall have ten (10) business days after the CAO A’s receipt of the notice of appeal (or twelve (12) business days after the county sends a notice of appeal to a person who submitted a claim of business confidentiality) to respond to the record request.

2.2.2 The county shall send written notice of the CAO A’s decision to all participants.

2.2.3 In the event the CAO A affirms the access denial, or fails to respond to the records request within the time limits listed above, the person aggrieved may then appeal the CAO A’s decision.


## 2.3 Appeal of the Chief Administrative Officer of Appeals’ Decision

2.3.1 Either party may appeal the decision of the CAO A to the state records committee or by filing a petition for judicial review with the district court.

2.3.2 A party who appeals the CAO A decision to the records committee does not lose or waive the right to seek judicial review of the decision of the records committee.

APPROVED and PASSED this day of .

SALT LAKE COUNTY COUNCIL:

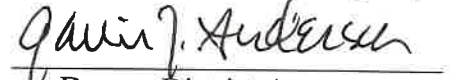
By 

Steve DeBry, Chair

ATTEST:

  
Sherrie Swensen, County Clerk

Approved as to form and legality:

  
Deputy District Attorney

Date: 31 Oct 2017



**Ralph Chamness**  
Chief Deputy  
Civil Division

**Lisa Ashman**  
Administrative  
Operations

**SIM GILL**  
DISTRICT ATTORNEY

**Jeffrey William Hall**  
Chief Deputy  
Justice Division

**Blake Nakamura**  
Chief Deputy  
Justice Division

June 23, 2020

**BY E-MAIL (alan@mountainwestlaw.com) AND FIRST-CLASS MAIL**

Alan Bachman, Esq.  
50 West Broadway, Ste. 1200  
Salt Lake City, Utah 84101

**Re: Salt Lake County response to GRAMA request dated January 29, 2020.**

Dear Alan:

This letter is in response to your request for records under Utah GRAMA law, dated January 29, 2020, and is a follow-up to my letter dated June 3, 2020. In that letter, I estimated the cost to process your request to be \$546, and you provided payment in this amount. Upon receipt of your payment, all of the records that County IT located in response to certain search terms identified in my letter were reviewed to determine responsiveness to your January 29 request. Many of the documents identified other "Crawfords" than your client, and many others were notices sent to your client but were unrelated to his property (for example, dozens of meeting notices sent by the Central Wasatch Commission to all persons on its email list but having nothing to do with your client's property).

Still other documents that were reviewed included summaries of discussions that were subject to the attorney-client privilege and are therefore protected under Utah Code Section 63G-2-305(17). Those documents that are responsive to your January 29 request and are not protected are attached to the email delivery of this June 23 letter. Personal identifiers have been redacted pursuant to Salt Lake County Ordinance Chapter 2.81. Communication that is subject to the attorney-client privilege was also redacted.

A total of 8 hours was spent retrieving the requested records at a cost of \$14 per hour, or \$112. Therefore, you will be refunded \$434 of the \$546 that was estimated.

You have the right to appeal my response to your request. Appeals must be made within thirty (30) days of this response and in accordance with Salt Lake County Policy 2040, a copy of which is attached. Your appeal must be in writing and include your name, mailing address, a daytime telephone number, and state the basis of your appeal and the relief sought. If you wish to appeal please send your written appeal to the Salt Lake County Office of Regional Development's designated hearing officer:

Dina Blaes, Director  
Office of Regional Development  
Salt Lake County Government Center  
2001 South State Street, Suite S2-100  
Salt Lake City Utah 84190

In addition, if you believe I have missed something, or that I have improperly withheld, in whole or in part, what you believe is a "record," please feel free to contact me and I will attempt to first resolve your concerns outside the formal GRAMA appeal process.

Best regards,

/s

Zach Shaw  
Managing Attorney  
Salt Lake County District Attorney's Office

Enclosure

