



The Eagle's View

City News Feb. 28, 2022 Eagle Mountain City Government

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Don't forget your personal checklist



1 - Mayor Tom Westmoreland

Life can be full of struggle and disappointment when dealing with our own human needs, desires and expectations.

As we interact with others, it is common for those emotions to be compounded. In order to deal with our changing world, we will need all the resources available to us to strengthen ourselves and assist others.

After being down for several weeks with COVID-19 and working to get my strength back, I have been reflecting more deeply on our dependence on each other for quality of life. Fortunately for me, I have great friends and family that helped me through it.

Life in our time is changing. I see many threats to our health, safety and wellbeing. Whether it is disease, finances or international tensions, there is much to be concerned about.

Many of the benefits that come from living in this great country are slipping away or are at serious risk. Mental and emotional health is being tested and no one is immune, not even in Eagle Mountain, U.S.A. - - evident by real personal tragedy manifesting itself in the form of divorce, suicide, depression, and alcohol and drug abuse.

As we do our best to meet these challenges, stress will be ever more present in our lives. If not actively addressed and managed, stress can be harmful to our bodies, minds and relationships. Knowing that stress will be present, we must decide if we are going to be part of the solution or part of the problem.

Too much effort gets spent pulling others down rather than lifting others up. We see incivilities every day in traffic, schools and our neighborhoods.

There is much that government can and should do to help in the form of sensible laws, a strong local economy, environmental conservation, recreation options, convenient goods and services, transportation, and culture. Ultimately, though, government can only facilitate and reflect society. It cannot force people to be respectful, reasonable and caring.

Allow me to emphasize, government does not replace society, it merely facilitates it. Government can reach no higher than society's grasp.

Some ways we can improve our society is to be aware of our surroundings and more engaged with those around us. Everyone carries burdens we do not see. Some may be about to crack but don't show symptoms until it is too late.

Before we can help others, it is important that we do not deprive ourselves. Self-maintenance is a must to keep ourselves strong and healthy. Neglect yourself, and everyone around you pays the price. When we need help, we owe it to ourselves and others to utilize all resources available to us.

To illustrate this point, we can look to the experience of air travel.

Traveling on a commercial airline has become commonplace in our time. Flying has made distant travel fast and easy. It has only become commonplace through the practice of very important disciplines, without which flying would be less predictable and more dangerous.

One of those disciplines we are guaranteed to see every time we take a commercial flight. It is so common we might miss its importance. An airline representative while going through a checklist of instructions for inattentive travelers will tell them that in the event the plane should lose pressure, an oxygen mask will drop down.

The attendant will then say, "Put on your oxygen mask before attempting to assist others." It might seem obvious, but our natural tendency is the opposite. We tend to want to help others before assuring we are prepared to do so.

This airline discipline has been repeatedly confirmed as a best practice usually from tragedies that could have been avoided. Such was the case on a small jet carrying professional golfer Payne Stewart. As the jet climbed higher toward its desired altitude warnings in the cockpit began to tell the pilots that something was wrong.

The pilots were trained to go to the manual for procedures to address the problem, which they immediately did. Not included in the manual was the directive that before you do anything, put on your oxygen mask. As they attentively followed each detailed procedure in the manual the jet lost pressure.

Before they could complete their checklist, they lost consciousness and died from lack of oxygen. Many hours later, the plane finally ran out of fuel and crashed in an open field. The only thing they did wrong was forget a single personal need.

In conclusion, we can strengthen our society and be less dependent on government by asking for help, knowing which resources are available to us, becoming more skilled, and being prepared to provide help. Assume everyone needs help in some way.

Mayor Tom Westmoreland

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Know the code - Weed management



With the relative low moisture content we have had this past winter, spring and summer approaching, ongoing drought conditions, and properties that are overgrown with weeds, the potential for fire hazards will increase.

We encourage Eagle Mountain residents to maintain their properties according to the codes below so the hazards associated with weeds and other refuse are eliminated.

Eagle Mountain City Neighborhood Improvement officers are addressing properties that are in violation of EM City Codes.

With the arrival of the Administrative Law Judge in 2021, this gives the Neighborhood Improvement officers the ability to address a violation and resolve said violation in a timely manner.

It also gives the residents of Eagle Mountain the opportunity to appeal the violation to that court.

8.07.020 Weeds and other refuse.

A. Responsibility to Keep Property Clean. **It is unlawful for any person, corporation, partnership, or legal entity owning or occupying real property in the city to let the height of weeds on such property grow beyond the maximum permitted, or to fail to remove from the property any such weeds or**

refuse, dog manure or waste, unsightly or deleterious objects or structures, after having been given written notice by the city.

B. Weed Control Standards. **Weeds shall not be permitted to reach a height of more than six inches at any time or to otherwise create a fire hazard to structures or habitat for disease, insect vectors, or vermin.** As used in this chapter, the term “weeds” means plants which are unwanted in the location where they are growing, and which are not a part of landscaping, xeriscaping, or native plant landscaping. The term “weeds” also includes noxious weeds which are described under the Utah Noxious Weed Act, defined by the State Weed Committee of the state of Utah and by Utah County. In addition, the following plants are designated as noxious weeds by Eagle Mountain City:

1. Kochia (Kochia scoparia);
2. Russian thistle (Salsola tragus);
3. Jim Hill mustard (Sisymbrium altissimum);
4. Cheatgrass (Bromus tectorum);
5. Bur buttercup (Ceratocephala testiculata);
6. Tausi mustard.

C. Examination of Property for Compliance. The examination and investigation authorized by this section shall not include physical entry to private property in the city, unless probable cause exists to believe that a violation of this chapter is present. The officer of the city is authorized to make observations based on conditions in plain view from public property or from the property of a complaining witness and nothing in this section shall be construed to prevent the officer from entering on property to deliver a notice to the occupant of the property.

D. Violation – Notice to Owner. Upon a determination that a violation of the provisions of this section exists, the officer shall ascertain the name of the owner and a description of the premises where the violation exists. The officer shall serve notice in writing upon the owner or occupant of such property, either personally or by certified mail, postage prepaid, addressed to the owner or occupant at the last known post office address as disclosed by the records of the county assessor, requiring such owner/occupant, as the case may be, to eradicate, destroy or remove the weeds, refuse, objects or structures causing the violation within such time as the officer may designate, which shall be no less than 10 days from the date of service of such notice.

E. Civil Penalties.

1. Determination of Civil Penalties

a. Civil penalties shall be assessed per violation per day at the rate established in the Eagle Mountain City consolidated fee schedule.

b. Civil penalties shall continue to accrue until the violation(s) has/have been brought into compliance with the city code or applicable state codes.

2. Modifications of Civil Penalties.

- a. Upon completion of the notice of violation or administrative enforcement order, the administrative law judge may modify the civil penalties on a finding of good cause.
- b. Civil penalties may be waived or modified by the administrative law judge if there is finding of good cause based on the responsible person's claim of nonconforming use or conditional use and:
 - i. The city's need to verify the claim; or
 - ii. The responsible person's filing of an application for either use before expiration of the date to correct.

F. Property Cleaned by City When – Costs.

1. If any owner or occupant of property described in the notice provided in this section fails to eradicate or destroy and remove such weeds, refuse, dog manure or waste, objects, or structures in accordance with such notice, the officer is authorized to employ necessary assistance and cause such weeds, refuse, dog manure or waste, objects, or structures to be destroyed or removed at the expense of the city.
2. The officer shall prepare an itemized statement of all expenses incurred in the removal and destruction of same and shall mail a copy thereof to the owner demanding payment within 20 days of the date of mailing. Such notice shall be deemed delivered when mailed by registered mail and addressed to the last known address of the property owner.
3. **Costs – Alternate Methods of Compelling Payment.** In the event the owner fails to make payment of the amount set forth in such statement to the city treasurer within 20 days of the date of mailing, the city may cause suit to be brought in an appropriate court of law, or pursue remedies as provided in Section 10-11-1 et seq., Utah Code Annotated 1953.
4. **Costs – Collection by Lawsuit.** In the event collection of expenses of destruction and removal are pursued through the court, the city shall sue for and receive judgment for all expenses of destruction and removal, together with reasonable attorney's fees, interest, and court costs, and shall execute upon such judgment in the manner provided by law.
5. **Costs – Included in Tax Notice – Procedure.** In the event collection of expenses of destruction and removal are pursued as provided in Section 10-11-1 et seq., Utah Code Annotated 1953, the provisions of this subsection apply:
 - a. Upon receipt of the itemized statement of the costs of destroying or removing the weeds, refuse, objects or structures, the city treasurer shall forthwith mail one copy to the owner of the land from which the same was removed, together with a notice that objection in writing to the city may be made within 30 days to the whole or any part of the statement so filed. The city treasurer shall, at the same time, deliver a copy of the statement to the city recorder.
 - b. If objections to any statement are filed with the city, a date for hearing shall be set, giving notice thereof, and upon the hearing of the matter, fix and determine the actual cost of destruction or removal; hearing findings shall be reported to the city treasurer.
 - c. If no objection to the items of the account are made within 30 days of the date of mailing, the city treasurer shall comply with the requirements of Section 10-11-1 et seq., Utah Code Annotated 1953.

8.07.030 Junk.

A. Responsibility to Keep Property Free of Junk. **It is unlawful for any person, corporation, partnership, or legal entity owning or occupying real property in the city to allow the accumulation of junk or to fail to remove from the property any junk.**

B. Junk Defined.

1. "Junk" means any salvaged or scrap copper, brass, iron, steel, metal, rope, rags, batteries, paper, wood, trash, plastic, rubber, tires and waste, or other articles not stored for recycling purposes in a fully enclosed container, or materials commonly designated as junk. "Junk," except as provided in subsection (B)(2) of this section, shall also mean any motor vehicle not currently registered and dismantled, wrecked or inoperable, motor vehicles or parts thereof which are stored or parked on property outside of an enclosed building and which remain in such condition for a period of time in excess of 60 days.

2. One truck with a capacity of one ton or less or automobile which is inoperable may be stored in a side yard, except a side yard which faces on a street or a rear yard on property, for a period not to exceed two years; provided, that the automobile or truck is secured with the windows closed, the trunk and hood closed and the doors locked and is not damaged or exposing jagged metal and is fully covered and concealed with a covering maintained in a secure good condition which does not extend closer to the ground than the lowest point on the vehicle body.

C. Examination of Property for Compliance. The examination and investigation authorized by this section shall not include physical entry to private property in the city, unless probable cause exists to believe that a violation of this chapter is present. The officer of the city is authorized to make observations based on conditions in plain view from public property or from the property of a complaining witness and nothing in this section shall be construed to prevent the officer from entering on property to deliver a notice to the occupant of the property.

D. Penalties. Any person who violates the provisions of this section shall be subject to criminal and civil penalties as set forth in this section.

E. Violation – Penalties and Remedies.

1. Violation of any of the provisions of this section is punishable as a Class B misdemeanor upon conviction. In addition, the provisions of this section may also be enforced by injunctions, mandamus, abatement, civil penalties, or any other remedies provided by law.

2. Anyone, all, or any combination of the penalties and remedies set forth in subsection (E)(1) of this section may be used to enforce the provisions of this section.

3. Each day that any violation continues after notification by the officer that such violation exists shall be considered a separate offense for purposes of penalties and remedies set forth in this section.

4. Accumulation of penalties for continuing violations, but not the obligation for payment of penalties already accrued, shall stop upon correction of the violation.

F. Violation – Persons Liable. Any person, corporation, or other entity, whether as owner, occupant, agent, or employee, who causes, permits or otherwise participates in any violation of the provisions of this section may be held responsible for the violation, suffer the penalties, and be subject to the remedies provided by law.

G. Violation – Notice and Order.

1. Upon inspection and discovery that any provision of this section is being violated, the officer shall provide a written notice of violation and order to the property owner and to any other party who may be responsible for the violation.
2. The written notice shall:
 - a. Indicate the nature of the violation;
 - b. Order the action necessary to correct the violation;
 - c. Give information regarding the established warning period for the violation; and
 - d. State the action the officer intends to take if the violation is not corrected within the warning period.
3. The written notice shall be delivered personally or mailed, postage prepaid, certified, return receipt requested, to the property owner, as shown on the records of the county recorder, and to any other person who may be responsible for the violation. "Receipt of notice" shall mean three days after the date written notice is delivered or mailed as provided herein.
4. The written notice shall serve to start any warning periods provided in this chapter, commencing upon receipt of notice. If the violation remains uncured within five days after the expiration of the warning period, a second notice of violation and order shall be delivered in the same manner as the first notice. The second notice shall serve to start the civil penalties.
5. In cases where the officer determines that a delay of enforcement would pose a danger to the public health, safety, or welfare, or would otherwise compromise the effective enforcement of this section, the city attorney may seek immediate enforcement without prior written notice by instituting any appropriate remedies.

H. Civil Penalties.

1. Determination of Civil Penalties.

- a. Civil penalties shall be assessed per violation per day at the rate established in the Eagle Mountain City consolidated fee schedule.
- b. Civil penalties shall continue to accrue until the violation(s) has/have been brought into compliance with the city code or applicable state codes.

2. Modifications of Civil Penalties.

- a. Upon completion of the notice of violation or administrative enforcement order, the administrative law judge may modify the civil penalties on a finding of good cause.
- b. Civil penalties may be waived or modified by the administrative law judge if there is finding of good cause based on the responsible person's claim of nonconforming use or conditional use and:
 - i. The city's need to verify the claim; or
 - ii. The responsible person's filing of an application for either use before expiration of the date to correct.

3. Violation Appeal Procedure.

a. The council, as it determines, shall constitute an appellate panel to consider matters relating to the violation of this section or it may appoint a hearing officer to consider matters relating to the violation of this section.

b. Any person having received notice of such violation, or the owner of any affected property, may appear before the council or a hearing officer and present and contest such alleged violation of this section.

c. The burden to prove any defense specified in subsection (H)(3)(d) of this section shall be upon the person raising such defense.

d. If the council or a hearing officer finds that no violation occurred and/or a violation occurred but one or more of the defenses set forth in this subsection is applicable, the council or hearing officer may dismiss the written notice of violation. Such defenses are:

i. At the time of the receipt of the written notice of violation, compliance would have violated the criminal laws of the state of Utah.

ii. Compliance with the subject sections of this chapter would have presented an imminent and irreparable injury to persons or property.

e. If the council or hearing officer finds that a violation of this section occurred and no applicable defense exists, the council or hearing officer may, in the interest of justice and on behalf of the city, enter into an agreement for the timely or periodic payment of the applicable penalty by the violator.

f. No action by the council or hearing officer shall relieve the violator from complying with any of the provisions of this section.

Front yards landscaped within one year and back yards within two years of receiving a certificate of occupancy, unless required sooner through the project's CC&Rs or a development agreement.

Wildlife - An enquiry concerning the proud American Robin



Abundant poems and nursery rhymes have been written about the delightful American Robin, also known by the scientific name of *Turdus migratorius*.

With its large population, red breast and loud song, it is one of the most recognizable backyard birds in North America.

Ever wonder why we see robins, often thought of as a herald of spring, in winter? Or maybe you've wondered how they know where the worms are. And what do they eat when the ground is frozen and they cannot get worms?

Some of these questions have puzzled scientists and bird experts for many years. We are finally learning the answers to many of these questions.

Robins don't all fly south for the winter. Some stay in the north and gather in flocks to rest, keep warm and search for fruit in the form of berries and other fruits, which are their only winter fuel for keeping their warm body temperature (104°).

It is important to understand that they do not eat seeds. Their stomach and intestines are not designed to digest them. If you are inclined to provide food for the robins during winter, Utah Valley Gardens BlogSpot suggests cutting up apples, pears, oranges, blueberries, cranberries, raisins, currants, cherries or other berries.

These items can be placed in a sheltered area near or on the ground where they are accustomed to finding their food. Placing them in a sunny spot where they won't freeze will enable them to be readily eaten and enjoyed.

As for those juicy worms and how the robins find them, according to Bay Area News Group, scientists and bird experts have puzzled about this for many years.

A series of experiments was conducted by various researchers, wherein they explored the various senses robins might use in detecting worms beneath the surface of the ground. They learned that robins primarily rely on their keen sight and hearing.

The birds are able to see worms that are close to the surface in their tunnels, but they can also hear them squirming and moving about below the surface. Most birds, with notable exceptions, have a poor sense of smell. Tests done on robins indicate their olfactory sense is of no help in finding worms.

Instinct also aids in helping them know where the good places are for finding worms. You may have noticed robins searching for worms after you've recently watered your lawn or raked or dug in an area of soil. They quickly appear and begin hopping along the lawn looking, listening and finding those fat, juicy worms.

Soon, spring will arrive in the Eagle Mountain area once again and those robins who flew south will return to begin searching for good nesting spots. Thus continues the propagation of their species and our enjoyment of these pleasant birds with their cheerful song.

New business development



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Eagle Mountain continues to grow. Follow along each month to track new businesses with plans to locate in the community.

Eagle Mountain City hiring Environmental Planner



Eagle Mountain is dedicated to preserving an open and rural feel in the community. Part of those efforts include looking after the wildlife that call the Cedar Valley home.

To better consider the impact of development on local wildlife populations, the City is currently in the process of hiring for a Wildlife Biologist/Environmental Planner.

The person hired for this position will advise the City to better plan for the impact of new development on local animal populations, including: birds, deer, pronghorn, and predators such as foxes and cougars.

Once filled, the Wildlife Biologist and Environmental Planner position will act as an added layer of oversight and accountability for new development planning to locate in Eagle Mountain.

Already, the City presents development plans to the state and federal government when environmental and conservation issues may be present.

Having a position at the City level dedicated to identifying issues earlier in the process, communicating with community stakeholders, and resolving environmental and wildlife issues with developers is anticipated to have long-term benefits for Eagle Mountain and its residents.

The City has previously worked to identify shortcomings in its conservation plans with community stakeholders. The Eagle Mountain City Council has also approved the state's first deer migration and wildlife overlay corridor to preserve seasonal mule deer migrations through the community.

The additional step to add an environmental planner to the City's planning department will also contribute to the progress of any future parks or conservation corridors in the community. Some of these features, set out in the City's Parks, Trails, and Open Space Master Plan, will contribute toward the City's commitment to keep a rural feel despite Eagle Mountain's substantial population growth.

Emergency prep - Proper water storage



A top priority for emergency preparedness is water storage. Clean, safe drinking water is absolutely critical for survival. A person can only survive a few days without water.

The easy availability of clean drinking water often makes us complacent about our need to store water. However, you cannot assume that the current water infrastructure will be intact after a major disaster or other emergency. Water is delivered to your home through a series of buried pipes of various sizes and materials.

If these pipes are damaged, it could take from a few days up to a few weeks to get them repaired to deliver water to your home again. Natural disasters such as floods or earthquakes may cause such damage and pollute or disrupt public water supplies. It is wise to prepare now for such an event by storing appropriate amounts of water that will meet your water needs in an emergency.

How much water do I need?

- Store at least 1 gallon of water per person per day for 3 days for drinking and sanitation. Try to store a 2-week supply if possible. Pets and other animals water needs should be included in your water storage plan.
- Consider storing more than this for hot climates, pregnant women, and persons who are sick.
- Observe the expiration date for store-bought water.
- Replace non-store-bought water every 6 months.
- Store a bottle of unscented liquid household chlorine bleach (label should say it contains between 5% and 9% of sodium hypochlorite) to disinfect your water, if necessary, and to use for general cleaning and sanitizing.

How do I store it?

When storing safe water (water that has been treated to make it safe to use), it is best to use food-grade water storage containers, which do not transfer toxic substances into the water they are holding. FDA-approved food-grade storage containers can be found at surplus or camping supply stores. Contact the manufacturer if you are not sure if a storage container is food grade. If you are not able to use a food-grade water storage container, be sure the container you choose:

- Has a top that can be closed tightly
- Is made of durable, unbreakable materials (i.e., not glass)
- If possible, use a container with a narrow neck or opening so water can be poured out.
- DO NOT USE containers that previously have been used to hold liquid or solid toxic chemicals (bleach, pesticides, etc.)

For more information on sanitizing and storing water for emergency use, visit <https://www.cdc.gov/healthywater/emergency/>.

City jobs available



Here are the available positions with Eagle Mountain City

Deputy Recorder II

Part-time Rec Aid

Planner I or II

Recreation Sports Official

Streets Operator I or II

Water Department Supervisor

Wildlife Biologist/Environmental Planner

To find the position that's right for you, click [here](#).

EM City introduces "What's Happening?" service



Residents will often find themselves driving around Eagle Mountain and asking 'what's going there?'

The City is now offering a service through its website to put helpful information about all of the development in the community in one place. "What's Happening" can be located at eaglemountaincity.com by clicking on the Resident Portal button and then locating the What's Happening button after that.

"What's Happening" helps residents identify new developments in the areas of business, housing, roads and major transportation projects. Basic information such as location, approval phase, and, in the case of residential housing, how many units are anticipated for development is also available.

This new feature is a great way for residents to confirm their speculation about new businesses, new projects, new housing, and new infrastructure in Eagle Mountain.

Questions about the new developments can also be forwarded to the proper Eagle Mountain City department head.

"What's Happening" pairs with the new "Rumor Stop" feature of the City website as well. Residents will find convenient answers to questions surrounding the many developments occurring throughout the City. Eagle Mountain City is also providing links to important documents, including the City's master plan to help residents better understand new development and how that fits into the community's overall development picture.

This new feature is fast, easy, and convenient. Residents are encouraged to visit "What's Happening" [here](#).

Upcoming events

- March 1- [City Council Meeting](#)
- March 2 - [Multi-Chamber of Commerce Luncheon](#)
- March 8 - [Planning Commission Meeting](#)
- March 15 - [City Council Meeting](#)
- March 17- [Connect4 Luncheon](#)
- March 22 - [Planning Commission Meeting](#)

Contact us

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Visit us on the web at www.eaglemountaincity.com.

After-hours hotline for Water, Parks, Streets, Storm Water, and Sewer: (801) 789-5959

Can't find the answers you need on the website? Email info@emcity.org

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