

MEMO



To: Planning Commission

From: Ryan Harris, Senior Planner

Date: June 7, 2024

RE: Code Amendment - Clarifying Warranty Requirements for Infrastructure Improvements

It is proposed that the Planning Commission and City Council consider amending the language in Santaquin City Code 11.44.030 regarding the warranty requirement for infrastructure improvements.

The current code requires a warranty period of two (2) years, but the City Engineer and the Public Works Director can reduce it to one (1) year if specific requirements are met. Staff has received questions about the warranty period in the past and has reviewed the code. Changes need to be made to better align the Santaquin City Code with the State Code. Below are some of the proposed changes.

1. The warranty period will now be one (1) year.
2. The City Engineer can extend the warranty period for more than a year if one of the items below can be shown.
 - a. "Prior poor performance by the applicant and or the applicant's contractor or subcontractor."
 - b. "The area upon which the infrastructure will be constructed contains suspect soil, and the City has not otherwise required the applicant to mitigate the suspect soil."
(Suspect soils can be found when a geotechnical report is completed, which is required during the subdivision review process.)
3. If the City Engineer determines that a one-year warranty period is insufficient due to one of the items listed above, the City Engineer shall determine the appropriate length of the warranty period, to protect the public interest.

These updates will align Santaquin City Code with State Code requirements. The attached draft ordinance has the proposed language for the Planning Commission's review. The Planning Commission's responsibility is to forward a recommendation to the City Council.

Recommended Motion: "Motion to recommend approval of the proposed code amendment which amends Santaquin City Code 11.44.030."