

APPENDIX C

**SAMPLING TEST RESULTS AND
PCMC "LANDSCAPING AND MAINTENANCE OF SOIL COVER ORDINANCE"**



INORGANIC ANALYSIS REPORT

AMERICAN WEST ANALYTICAL LABORATORIES
 Client: Applied Geotechnical
 Date Sampled: October 6, 2005
 Project: Treasure Hill / 1051008
Lab Sample ID:
 L68131-01A

Contact: Thomas Atkinson
 Date Received: October 6, 2005

Field Sample ID:
 Southeast Adit SS#1

TOTAL METALS

463 West 3600 South
 Salt Lake City, Utah
 84115

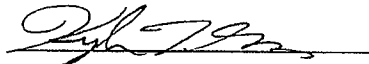
<u>Analytical Results</u>	<u>Units</u>	<u>Date Analyzed</u>	<u>Method Used</u>	<u>Reporting Limit</u>	<u>Analytical Results</u>
Arsenic	mg/kg-dry	10/10/2005 10:56:11 AM	6020	55	6200 ²
Lead	mg/kg-dry	10/7/2005 2:43:48 PM	6010B	55	30000 ²

² Analyte concentration is too high for accurate spike recovery.

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Kyle F. Gross
 Laboratory Director

Peggy McNicol
 QA Officer

Released by: 
 Laboratory Supervisor

Report Date: October 10, 2005

Page 1 of 8



INORGANIC ANALYSIS REPORT

AMERICAN
WEST
ANALYTICAL
LABORATORIES

Client: Applied Geotechnical
Date Sampled: October 6, 2005
Project: Treasure Hill / 1051008
Lab Sample ID:
L68131-02A

Contact: Thomas Atkinson
Date Received: October 6, 2005

Field Sample ID:
Southeast Adit SS#2

TOTAL METALS

463 West 3600 South
Salt Lake City, Utah
84115

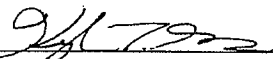
Analytical Results	Units	Date Analyzed	Method Used	Reporting Limit	Analytical Results
Arsenic	mg/kg-dry	10/10/2005 11:16:31 AM	6020	56	8800
Lead	mg/kg-dry	10/7/2005 2:59:44 PM	6010B	56	380000

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Page 2 of 8



INORGANIC ANALYSIS REPORT

AMERICAN WEST ANALYTICAL LABORATORIES
Client: Applied Geotechnical
Date Sampled: October 6, 2005
Project: Treasure Hill / 1051008
Lab Sample ID:
L68131-03A

Contact: Thomas Atkinson
Date Received: October 6, 2005

Field Sample ID:
Northwest Adit SS#3

TOTAL METALS

463 West 3600 South
Salt Lake City, Utah
84115

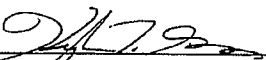
Analytical Results	Units	Date Analyzed	Method Used	Reporting Limit	Analytical Results
Arsenic	mg/kg-dry	10/10/2005 11:22:20 AM	6020	0.56	27
Lead	mg/kg-dry	10/7/2005 3:03:39 PM	6010B	5.6	290

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Page 3 of 8



INORGANIC ANALYSIS REPORT

AMERICAN
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Client: Applied Geotechnical
Date Sampled: October 6, 2005
Project: Treasure Hill / 1051008
Lab Sample ID:
L68131-04A

Contact: Thomas Atkinson
Date Received: October 6, 2005

Field Sample ID:
Northwest Adit SS#4

TOTAL METALS

463 West 3600 South
Salt Lake City, Utah
84115

<u>Analytical Results</u>	<u>Units</u>	<u>Date Analyzed</u>	<u>Method Used</u>	<u>Reporting Limit</u>	<u>Analytical Results</u>
Arsenic	mg/kg-dry	10/10/2005 11:28:09 AM	6020	0.54	36
Lead	mg/kg-dry	10/7/2005 3:07:36 PM	6010B	5.4	350

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Page 4 of 8



INORGANIC ANALYSIS REPORT

AMERICAN WEST ANALYTICAL LABORATORIES
Client: Applied Geotechnical
Date Sampled: October 6, 2005
Project: Treasure Hill / 1051008
Lab Sample ID:
L68131-05A

Contact: Thomas Atkinson
Date Received: October 6, 2005

Field Sample ID:
Creole Shaft SS#5

TOTAL METALS

463 West 3600 South
Salt Lake City, Utah
84115

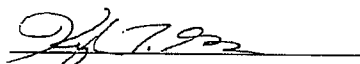
<u>Analytical Results</u>	<u>Units</u>	<u>Date Analyzed</u>	<u>Method Used</u>	<u>Reporting Limit</u>	<u>Analytical Results</u>
Arsenic	mg/kg-dry	10/10/2005 12:13:20 PM	6020	5.3	290
Lead	mg/kg-dry	10/7/2005 3:25:29 PM	6010B	5.3	2200

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Page 5 of 8



INORGANIC ANALYSIS REPORT

**AMERICAN
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ANALYTICAL
LABORATORIES**
Client: Applied Geotechnical
Date Sampled: October 6, 2005
Project: Treasure Hill / 1051008
Lab Sample ID:
L68131-06A

Contact: Thomas Atkinson
Date Received: October 6, 2005

Field Sample ID:
Creole Shaft SS#6

TOTAL METALS

463 West 3600 South
Salt Lake City, Utah
84115

<u>Analytical Results</u>	<u>Units</u>	<u>Date Analyzed</u>	<u>Method Used</u>	<u>Reporting Limit</u>	<u>Analytical Results</u>
Arsenic	mg/kg-dry	10/10/2005 12:19:10 PM	6020	5.2	200
Lead	mg/kg-dry	10/7/2005 3:29:35 PM	6010B	5.2	1500

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Page 6 of 8



INORGANIC ANALYSIS REPORT

AMERICAN
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Client: Applied Geotechnical
Date Sampled: October 6, 2005
Project: Treasure Hill / 1051008
Lab Sample ID:
L68131-07A

Contact: Thomas Atkinson
Date Received: October 6, 2005

Field Sample ID:
Creole Adit SS#7

TOTAL METALS

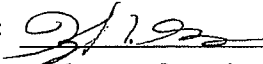
463 West 3600 South
Salt Lake City, Utah
84115

Analytical Results	Units	Date Analyzed	Method Used	Reporting Limit	Analytical Results
Arsenic	mg/kg-dry	10/10/2005 12:24:56 PM	6020	53	1700
Lead	mg/kg-dry	10/7/2005 3:33:55 PM	6010B	53	11000

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Page 7 of 8



INORGANIC ANALYSIS REPORT

AMERICAN
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LABORATORIES

Client: Applied Geotechnical
Date Sampled: October 6, 2005
Project: Treasure Hill / 1051008
Lab Sample ID:
L68131-08A

Contact: Thomas Atkinson
Date Received: October 6, 2005

Field Sample ID:
Creole Adit SS#8

TOTAL METALS

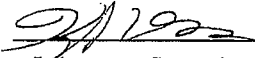
463 West 3600 South
Salt Lake City, Utah
84115

Analytical Results	Units	Date Analyzed	Method Used	Reporting Limit	Analytical Results
Arsenic	mg/kg-dry	10/10/2005 12:30:46 PM	6020	54	1800
Lead	mg/kg-dry	10/7/2005 3:39:06 PM	6010B	54	11000

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Report Date: October 10, 2005

Page 8 of 8

American West Analytical Labs

WORK ORDER SUMMARY

06-Oct-05

Work Order L68131

RUSH

QC Level: 1

Client ID: APP100

Project: Treasure Hill / 1051008

Comments: Rush Level 3; QCLevel: 1

Location: HOKSP

08131

Sample ID	Client Sample ID	Collection Date	Date Received	Date Due	Matrix	Test Code	Storage
L68131-01A	Southeast Adit SS#1	10/6/2005 12:00:00 PM	10/6/2005	10/11/2005	Soil	3051A-ICPMS	oct 6 - metals
				10/11/2005		6020-S	oct 6 - metals
				10/11/2005		ICP-S	oct 6 - metals
L68131-02A	Southeast Adit SS#2			10/11/2005		PMOIST	oct 6 - metals
				10/11/2005		3051A-ICPMS	oct 6 - metals
				10/11/2005		6020-S	oct 6 - metals
				10/11/2005		ICP-S	oct 6 - metals
L68131-03A	Northwest Adit SS#3	10/6/2005 12:15:00 PM		10/11/2005		PMOIST	oct 6 - metals
				10/11/2005		3051A-ICPMS	oct 6 - metals
				10/11/2005		6020-S	oct 6 - metals
				10/11/2005		ICP-S	oct 6 - metals
L68131-04A	Northwest Adit SS#4			10/11/2005		PMOIST	oct 6 - metals
				10/11/2005		3051A-ICPMS	oct 6 - metals
				10/11/2005		6020-S	oct 6 - metals
				10/11/2005		ICP-S	oct 6 - metals
L68131-05A	Creole Shaft SS#5	10/6/2005 12:30:00 PM		10/11/2005		PMOIST	oct 6 - metals
				10/11/2005		3051A-ICPMS	oct 6 - metals
				10/11/2005		6020-S	oct 6 - metals
				10/11/2005		ICP-S	oct 6 - metals
L68131-06A	Creole Shaft SS#6			10/11/2005		PMOIST	oct 6 - metals
				10/11/2005		3051A-ICPMS	oct 6 - metals
				10/11/2005		6020-S	oct 6 - metals
				10/11/2005		ICP-S	oct 6 - metals
L68131-07A	Creole Adit SS#7	10/6/2005 12:45:00 PM		10/11/2005		PMOIST	oct 6 - metals
				10/11/2005		3051A-ICPMS	oct 6 - metals
				10/11/2005		6020-S	oct 6 - metals
				10/11/2005		ICP-S	oct 6 - metals

WORK ORDER SUMMARY

Client ID: APP100
Project: Treasure Hill / 1051008
Comments: Rush Level 3; QCLevel: 1

QC Level: 1
Location:

06-Oct-05

Work Order L68131

RUSH

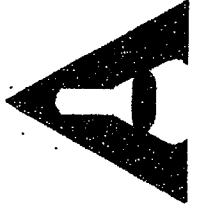


Sample ID	Client Sample ID	Collection Date	Date Received	Date Due	Matrix	Test Code	Storage
L68131-07A	Creole Adit SS#7	10/6/2005 12:45:00 PM	10/6/2005	10/11/2005	Soil	PMOIST	oct 6 - metals
L68131-08A	Creole Adit SS#8			10/11/2005		3051A-JCPMS	oct 6 - metals
				10/11/2005		6020-S	oct 6 - metals
				10/11/2005		ICP-S	oct 6 - metals
				10/11/2005		PMOIST	oct 6 - metals

Client Albe
 Address 600 West Sandy Parkway
Sandy UT Zip 84070
 Phone 506-6349 Fax 566-6493
 Contact Tom Atkinson

AMERICAN WEST ANALYTICAL LABORATORIES
 463 West 3600 South
 Salt Lake City, Utah
 (801) 263-8686
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 Fax (801) 263-8687
 Email: awal@awal-labs.com

Lab Sample Set # 68131
 Page 1 of 1
 Turn Around Time Circle One
 1 day 2 day 3 day 4 day 5 day Standard
 QC 1 2+ 3 3+ 4



Project Name atkinson caging inc. con
 Project Number/P.O.# 1051008
 Sampler Name Tom Atkinson

Date/Time Collected	Matrix	Number of Containers (Total)	Total Lead	Total Arsenic	COMMENTS
10/6/05 12:00	5	1	X	X	
12:00					
12:15					
12:15					
12:30					
12:30					
12:45					
12:45					

Please indicate tests needed below

LABORATORY USE ONLY

SAMPLES WERE:
 1 Shipped or hand delivered
 Notes: (circled)

Ambient/for Chilled
 Notes: (circled)

3 Temperature 22°C

4 Received Broken/Leaking (Improperly Sealed)
 Y (circled) N (circled)
 Notes: (circled)

5 Property Preserved
 Y (circled) N (circled)
 Notes: (circled)

6 Received Within Fluctuating Times
 Y (circled) N (circled)
 Notes: (circled)

COC Tape Was:
 1 Present on Outer Package Y (circled) N (circled) NA (circled)

2 Unbroken on Outer Package Y (circled) N (circled) NA (circled)

3 Present on Sample Y (circled) N (circled) NA (circled)

4 Unbroken on Sample Y (circled) N (circled) NA (circled)
 Notes: (circled)

Discrepancies Between Sample Labels and COC Record?
 Y (circled) N (circled)
 Notes: (circled)

Special Instructions:

Relinquished By: Signature <u>[Signature]</u>	Date <u>10/6/05</u>	Received By: Signature <u>[Signature]</u>
PRINT NAME <u>Tom Atkinson</u>	Time <u>3:40</u>	PRINT NAME <u>REBEKAH WINKLER</u>
Relinquished By: Signature	Date	Received By: Signature
PRINT NAME	Time	PRINT NAME
Relinquished By: Signature	Date	Received By: Signature
PRINT NAME	Time	PRINT NAME
Relinquished By: Signature	Date	Received By: Signature
PRINT NAME	Time	PRINT NAME

Sample ID
Southeast Adit 55#1
Southeast Adit 55#2
Northwest Adit 55#3
Northwest Adit 55#4
Creek Shaft 55#5
Creek Shaft 55#6
Creek Adit 55#7
Creek Adit 55#8



Building Department • City Engineer • Planning and Zoning

February 4, 2005

Sweeny Land Development Company
P.O. Box 2429
Park City, Utah 84060

Attention: Mike Sweeny

Subject: Treasure Hill Development

Dear Mr. Sweeny:

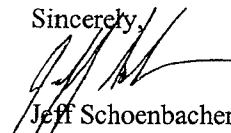
The purpose of this correspondence is to thank you for meeting with Ron Ivie and me, February 3rd and providing Park City Municipal Corporation (PCMC) with an overview of previous environmental assessments that have been completed within the Treasure Hill Development parcel.

As discussed during our meeting, last year USEPA and UDEQ approved PCMC Environmental Management System (EMS) as the program to oversee the management of historic environmental mining impacts. A component of that program is areas that are planned for development and are known to have mining impacts will be assessed to determine environmental and human health risks. In the event there is discovery, PCMC has agreed to integrate these properties into the "Landscaping and Maintenance of Soil Cover Ordinance" found within the building code under Chapter 11-15. As agreed upon at the conclusion of our meeting, PCMC request the following information for the Treasure Hill proposed developed areas:

- Identification of areas or structures that have historic hard rock mining impacts.
- Identification of mine workings, tailings, or other suspected waste types.
- Estimated volumes discovered.
- Sample results for discovered waste that reflect the "total" concentration for lead analyzed under lab Method 160.3 SW-846 6010.
- Proposed location that will contain material exhibiting elevated lead levels when excavated.

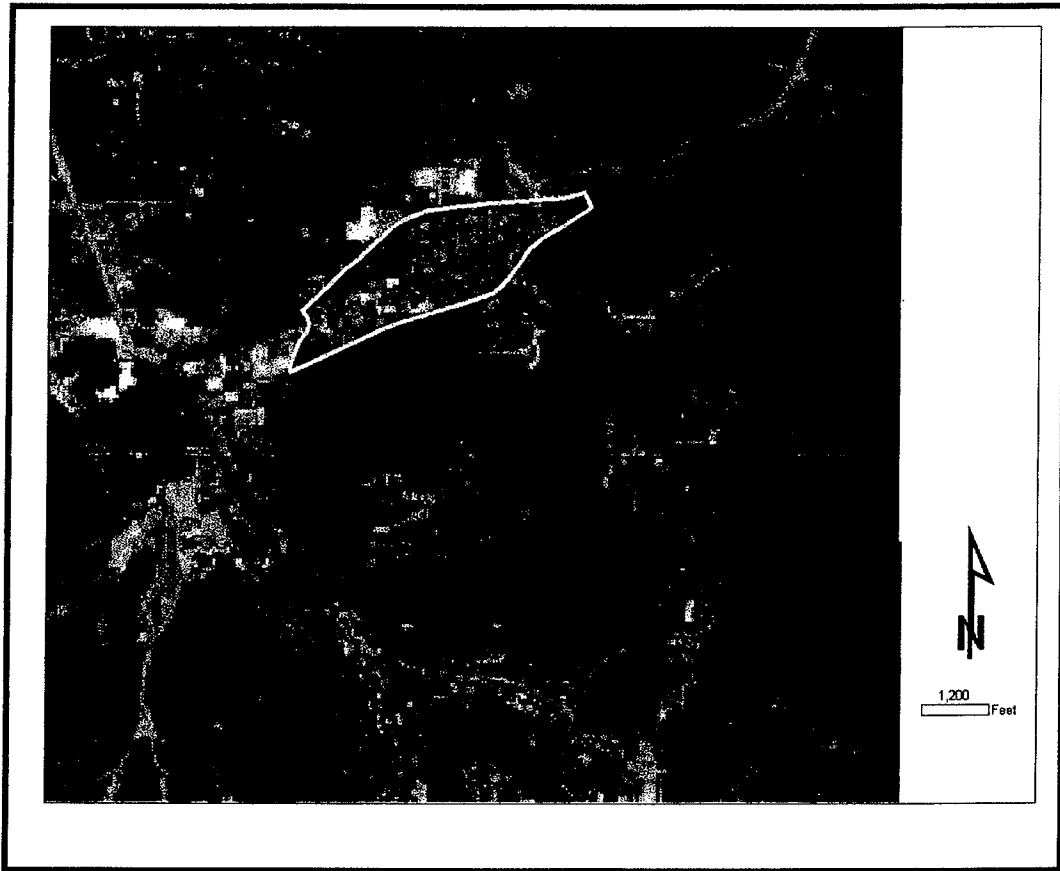
For your convenience, I have enclosed a copy of the ordinance for your reference. Should you have any question please do not hesitate to contact me at 435-615-5058 or email jschoenbacher@parkcity.org. Until then, I thank you for your time and consideration.

Sincerely,


Jeff Schoenbacher
Environmental Coordinator

CC: Ron Ivie
Pat Putt
Kirsten Whetstone

JTS: Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Building Department • (435) 615-5100 • FAX (435) 615-4900
City Engineer • (435) 615-5055 • FAX (435) 615-4906
Planning and Zoning • (435) 615-5060 • FAX (435) 615-4906



MAP OF AREA SUBJECT TO LANDSCAPING AND TOPSOIL REQUIREMENTS (ORIGINAL MAP ON FILE IN THE CITY RECORDER'S OFFICE) and as described as follows:

Beginning at the West 1/4 Corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base & Meridian; running thence east along the center section line to the center of Section 10, T2S, R4E; thence north along the center section line to a point on the easterly Park City limit line, said point being South 00°04'16" West 564.84 feet from the north 1/4 corner of Section 10, T2S, R4E; thence along the easterly Park City limit line for the following thirteen (13) courses: North 60°11'00" East 508.36'; thence North 62°56' East 1500.00'; thence North 41°00' West 30.60 feet; thence North 75°55' East 1431.27'; thence North 78°12'40" East 44.69 feet; thence North 53°45'47" East 917.79 feet; thence South 89°18'31" East 47.22 feet; thence North 00°01'06" East 1324.11 feet; thence North 89°49'09" West 195.80 feet; thence South 22°00'47" West 432.52'; thence South 89°40'28" West 829.07 feet; thence North 00°09'00" West 199.12 feet; thence West 154.34 feet to a point on the west line of Section 2, T2S, R4E; thence south on the section line to the southerly right-of-way line of State Route 248; thence westerly along said southerly right-of-way line to the easterly right-of-way line of State Route 224, also

known as Park Avenue; thence southerly along the easterly line of Park Avenue to the west line of Main Street; thence southerly along the westerly line of Main Street to the northerly line of Hillside Avenue; thence easterly along the northerly line of Hillside Avenue to the westerly line of Marsac Avenue, also known as State Route 224; thence northerly along the westerly line of Marsac Avenue to the westerly line of Deer Valley Drive; thence northerly along the westerly line of Deer Valley Drive, also known as State Route 224, to the southerly line of Section 9, T2S, R4E; thence easterly to the west line of Section 10, T2S, R4E; thence northerly to the point of beginning.

EXCEPTING THEREFROM all lots and parcels platted as Chatham Crossing Subdivision, Hearthstone Subdivision, Aerie Subdivision and Aerie Subdivision Phase 2, according to the official plats thereof recorded in the office of the Summit County Recorder.

(Amended by Ord. No. 03-50)

11-15- 2. MINIMUM COVERAGE WITH TOPSOIL OR OTHER ACCEPTABLE MEDIA.

- (A) All real property within the Soils Ordinance Boundary must be covered and maintained with a minimum cover of six inches (6") of approved topsoil and acceptable cover described in Section 11-15-3 over soils exceeding the lead levels specified in Section 11-15-7, except where such real property is covered by asphalt, concrete, permanent structures or paving materials.
- (B) As used in this Chapter, "approved topsoil" is soil that does not exceed 200 mg/Kg (total) lead representatively sampled and analyzed under method SW-846 6010.

(Amended by Ord. No. 03-50)

11-15- 3. ACCEPTABLE COVER.

- (A) All areas within the Soils Ordinance Boundary where real property is covered with six inches (6") or more of "approved topsoil" defined in Section 11-15-2 (B) must be vegetated with grass or other suitable vegetation to prevent erosion of the 6" topsoil layer as determined by the Building Department.
- (B) Owners that practice xeriscape are allowed to employ a weed barrier fabric if the property is covered with six inches (6") of rock or bark and maintained to prevent soil break through.
- (C) As used in this Chapter, "soil break through" is defined as soil migrating through the fabric and cover in a manner that exposes the public and shall be deemed in violation of this Chapter.

- (D) As used in this Chapter, "xeriscape" is defined as a landscaping practice that uses plants that grow successfully in arid climates and a landscaping design intended to conserve City water resources.

(Amended by Ord. No. 03-50)

11-15- 4. ADDITIONAL LANDSCAPING REQUIREMENTS.

In addition to the minimum coverage of topsoil requirements set forth in Section 11-15-2 and the vegetation requirements set forth in Section 11-15-3, the following additional requirements shall apply:

- (A) **FLOWER OR VEGETABLE PLANTING BED AT GRADE.** All flower or vegetable planting beds at grade shall be clearly defined with edging material to prevent edge drift and shall have a minimum depth of twenty-four inches (24") of approved topsoil so that tailings are not mixed with the soil through normal tilling procedures. Such topsoil shall extend twelve inches (12") beyond the edge of the flower or vegetable planting bed.
- (B) **FLOWER OR VEGETABLE PLANTING BED ABOVE GRADE.** All flower or vegetable planting beds above grade shall extend a minimum of sixteen inches (16") above the grade of the six inches (6") of approved topsoil cover and shall contain only approved topsoil.
- (C) **SHRUBS AND TREES.** All shrubs planted after the passage of this Chapter shall be surrounded by approved topsoil for an area, which is three times bigger than the rootball and extends six inches (6") below the lowest root of the shrub at planting. All trees planted after the passage of this Chapter shall have a minimum of eighteen inches (18") of approved topsoil around the rootball with a minimum of twelve inches (12") of approved topsoil below the lowest root of the tree.

(Amended by Ord. No. 03-50)

11-15- 5. DISPOSAL OR REMOVAL OF AREA SOIL.

- (A) Following any work causing the disturbance of soils within the Soils Ordinance Boundary, such as digging, landscaping, and tilling soils, all disturbed soils must be collected and reintroduced onsite by either onsite soil capping specified in Section 11-15-2 or off-site disposal as required by this Chapter and/or State and/or Federal law.
- (B) All soil generated from the Soils Ordinance Boundary that cannot be reintroduced within the Soils Ordinance Boundary and are destined for off-site disposal must be sampled and characterized with representative sampling and tested at a State Certified Laboratory.
- (C) Soils exhibiting a hazardous characteristic exceeding the following Toxic Characteristic Leaching Procedure (TCLP) standards, must be managed as a hazardous waste and disposed of within a Utah Department of Environmental Quality permitted facility:

Arsenic – 5.0 mg/L (TCLP) Method 6010 B

Lead – 5.0 mg/L (TCLP) Method 6010 B

- (D) Soils not failing the TCLP standards may be disposed within a non-hazardous landfill facility providing a “Disposal Acceptance Letter” to the Building Department is issued by the disposal facility.
- (E) No soils generated within the Soils Ordinance Boundary are allowed to be exported for use as fill outside the Soils Ordinance Boundary.
- (F) Reuse of generated soils within the Soils Ordinance Boundary is acceptable provided the receiving property is covered with six inches (6”) of clean topsoil or covered with an acceptable media, i.e. vegetation, bark, rock, as required by this Chapter.
- (G) Soils that are relocated within the Soils Ordinance Boundary must be pre-approved by the Building Department before being relocated and reused.

(Amended by Ord. No. 03-50)

11-15- 6. DUST CONTROL.

Contractor or owner is responsible for controlling dust during the time between beginning of construction activity and the establishment of plant growth sufficient to control the emissions of dust from any site. Due care shall be taken by the contractor or owner, to protect workmen while working within the site from any exposure to dust emissions during construction activity by providing suitable breathing apparatus or other appropriate control.

11-15- 7. CERTIFICATE OF COMPLIANCE.

- (A) Upon application by the owner of record or agent to the Park City Building Department and payment of the fee established by the department, the Park City Building Department shall inspect the applicant's property for compliance with this Chapter. When the property inspected complies with this Chapter, a Certificate of Compliance shall be issued to the owner by the Park City Building Department.
- (B) Verifying soil cap depth and representative samples results that are equal to or below the following standards will result in full compliance and eligibility for the certificate:

Occupied Property – Lead 200 mg/Kg (Total) Method SW-846 6010

Vacant Property – Lead 1000 mg/Kg (Total) Method SW-846 6010

(Amended by Ord. No. 03-50)

11-15- 8. TRANSIT CENTER DISTURBANCE

All construction activity, utility modification, and landscaping that results in the breach of the installed protective cap or the generation of soils must be conducted in accordance to the implemented Site Management Plan, which is retained within the Building Department.

(Amended by Ord. No. 02-32; 03-50)

11-15- 9. PROPERTY WITH KNOWN NON-COMPLIANT LEVELS OF LEAD

- (A) Property exceeding the lead levels defined in Section 11-15-7 that have been representatively sampled and have not been capped per Section 11-15-2 are required to comply with this Chapter by December 31, 2004.
- (B) Non-compliant lots exceeding the criteria within Section 11-15-7 will be sent two (2) warning notices in an effort to correct the non-compliance issue.

(Amended by Ord. No. 03-50)

11-15- 10. WELLS.

All wells for culinary irrigation or stock watering use are prohibited in the Area (Soils Ordinance Boundary).

11-15- 11. NON-SAMPLED AND UNCHARACTERIZED LOTS.

- (A) Lots that have not been characterized through representative sampling and are within the original Soils Ordinance Boundary are required to be sampled by the year 2006.
- (B) After the property has been sampled, lots exceeding the lead levels within Section 11-15-7 are required to comply with this Chapter within a 12-month period.

11-15- 12. FAILURE TO COMPLY WITH CHAPTER.

Any person failing to landscape, maintain landscaping, control dust or dispose of tailings as required by this Chapter and/or comply with the provisions of this Chapter, shall be guilty of a Class B misdemeanor. Any person failing to comply with the provisions of this Chapter may be found to have caused a public nuisance as determined by the City Council of Park City, and appropriate legal action may be taken against that person.

(Amended by Ord. No. 03-50)

CHAPTER 15 - PARK CITY LANDSCAPING AND MAINTENANCE OF SOIL COVER

11-15- 1. AREA.

This Chapter shall be in full force and effect only in that area of Park City, Utah, which is depicted in the map below and accompanied legal description, hereinafter referred to as the Soils Ordinance Boundary.

(Amended by Ord. No. 03-50)