

## CITY OF MOAB ORDINANCE 2025-12

### AN ORDINANCE ADOPTING THE CITY OF MOAB RESIDENTIAL UTILITY ASSISTANCE PILOT PROGRAM

WHEREAS, the City of Moab (“**Moab**”) is city and political subdivision of the State of Utah pursuant to Utah Code §§ 10-2-301 and 10-1-201.5; and

WHEREAS, the Moab City Council (“**Council**”) recognizes the need to establish a residential utility subsidy assistance program (“**Program**”) for qualified families who are responsible for paying utility bills, which the City Treasurer or their designee shall manage; and

WHEREAS, the 2025-2026 fiscal year budget for Moab appropriated \$75,000 for the Program; and

WHEREAS, the Council desires to adopt a policy needed to administer the Program on a first-come, first-served basis beginning July 01, 2025, and shall continue through December 31, 2025; and

WHEREAS, the Council finds that adoption of the updated policy serves the public interest by promoting equity, affordability, and access to basic services, and that it is authorized to implement such programs pursuant to Utah Code § 10-8-84, which permits municipalities to “pass all ordinances and rules, and make all regulations...as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city.”

NOW, THEREFORE, BE IT ORDAINED BY THE MOAB CITY COUNCIL AS FOLLOWS:

1. Enactment of Moab Residential Utility Assistance Pilot Program: The following documents are approved:
  - a. The amended Pilot program policy attached to this ordinance as **Exhibit 1**
2. Administration of Pilot Program: The Treasurer and all other applicable City staff are authorized and directed to implement the Program in accordance with the Pilot Policy, including undertaking any educational outreach that may be needed to inform residents of the Program and applicable filing deadlines.
3. Effective Date of Ordinance. This ordinance shall take effect as soon as it is posted pursuant to Utah Code §10-3-711, deposited, and recorded in the office of the Moab City Recorder.

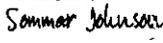
PASSED AND APPROVED this 24 day of June 2025, by a majority of the Moab City Council.

SIGNED:

Signed by:  
  
548EB4724E0B49B...  
Joette Langianese, Mayor

June 24, 2025  
Date

ATTEST:

DocuSigned by:  
  
77C1D417E26C92  
Sommar Johnson, Recorder

VOTING:

Council Member Wojciechowski voting aye  
Council Member Topper voting aye  
Council Member Knuteson-Boyd voting aye  
Council Member Myers voting aye  
Council Member Taylor absent

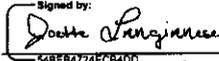
*(Complete as Applicable)*

Summary of ordinance posted to Moab City Website, the Utah Public Notice Website, and in a public location within the City boundaries pursuant to Utah Code §10-3-711 and 63G-30-102  
July 15, 2025

Effective date of ordinance: July 15, 2025

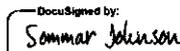
**SUMMARY OF  
CITY OF MOAB  
ORDINANCE NO. 2025-12**

On June 24, 2025, the Moab City Council enacted Ordinance No. 2025-12 to revise and extend the Moab Residential Utility Assistance Pilot Program.

Signed by:  
  
548EB4728FCB40D  
By: Joette Langianese, Mayor

June 24, 2025  
Date

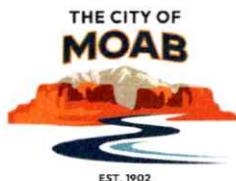
ATTEST:

DocuSigned by:  
  
77C1DA17F28E482  
Sommar Johnson, Recorder

VOTING:

Council Member Wojciechowski voting aye  
Council Member Topper voting aye  
Council Member Knuteson-Boyd voting aye  
Council Member Myers voting aye  
Council Member Taylor absent

A complete copy of Ordinance No. 2025-12 is available in the Moab City offices located at 217 E. Center Street, Moab, UT 84532.



## City of Moab Residential Utility Assistance Pilot Program Policy

### 1) GENERAL PROVISIONS

#### a) Purpose

- i. To establish an efficient and streamlined process for implementing the Residential Utility Assistance Pilot (RUAP) program (“**Pilot Program**”) for low-income families who own property or rent their place of residence and are responsible for paying utility bills.

#### b) Scope

- i. This program is available to all low-income Homeowners and Renters who are living within Moab’s City boundaries and pay utility bills (water, sewer, stormwater) directly to the City of Moab or the Grand Water and Sewer Service Agency (“**GWSSA**”).
- ii. Renters who reside within City limits, pay rent for their residence, and meet all other eligibility criteria, including having a valid lease and verified residency, may be eligible for the Program even if the utility account is not in their name or they do not directly pay the utility bills. In these cases:
  - (1) The subsidy may be issued to the Homeowner or Property Manager with written confirmation that the full benefit will be applied toward the Renter’s housing costs.
  - (2) If such confirmation cannot be obtained, the City may issue the subsidy directly to the Renter, subject to verification and approval.

#### c) Duration

- i. The Program will begin on July 1, 2025 and end on December 31, 2025.
  - (1) “**Household**” means one or more persons related or unrelated who live in the same dwelling and share meals or living accommodation, and may consist of a single family or some other grouping of people.
  - (2) “**Homeowner**” means a household who owns and occupies real property located in Moab City.
  - (3) “**Property Manager**” means a person or business such as a Homeowner, property manager, property management company, landlord, or similar, who owns and/or manages real property used for residential rental occupancy.
  - (4) “**Renter**” means a household who occupies, pays rent, or otherwise has a written agreement to reside in real property owned and/or managed by the Property Manager.

### 2) ELIGIBILITY CRITERIA

#### a) Homeowner Eligibility

- i. Homeowners qualify if they meet the income thresholds for state assistance programs such as SNAP, TANF, WIC, or free/reduced lunch, or are within 80% of the Area Median Income (AMI).

#### b) Renter Eligibility

- i. Renters may qualify for the Utility Subsidy Program if they meet the same income thresholds as Homeowners outlined in Section 2.a.i.. To be eligible, Renters must provide the following documentation:
  - (1) Valid Lease Agreement: The applicant must submit a current and valid lease agreement that includes their name, the address of the rental unit within the City of Moab, and the

- lease term. Informal arrangements, such as subleases without documentation or living with others without a lease, are not eligible under this program.
- (2) **Proof of Utility Cost Responsibility:** Renters must provide documentation confirming they are responsible for paying utility costs. Acceptable forms include:
    - (a) A utility clause in the lease agreement.
    - (b) A separate utility addendum.
    - (c) A signed letter from the Homeowner or Property Manager indicating that utilities are billed to or paid by the Renter.
  - (3) This requirement ensures that subsidies are only granted to individuals who are directly impacted.
- ii. Renters who do not directly pay a utility account tied to the residence, but who reside within City limits and meet all other eligibility requirements, including holding a valid lease, may still be eligible under the following conditions:
- (1) **Subsidy Disbursement to Homeowner or Property Manager:**
    - (a) The City may issue the utility subsidy directly to the Homeowner or Property Manager (such as an apartment complex) on behalf of the eligible Renter. This option is available when the utility account for the rental unit is held in the owner's name, and the Renter does not pay utility costs separately. Required Written Agreement: A signed agreement between the property owner/manager and the Renter may be required. This agreement must confirm:
  - (2) **Written Confirmation Required:**
    - (a) The Homeowner or Property manager must provide written confirmation that the full value of the subsidy will be applied to reduce the Renter's housing costs—such as by applying it as a rent credit, covering a portion of utility charges included in rent, or another method that benefits the tenant financially. That the benefit will be used solely to reduce the Renter's actual housing or utility costs.
  - (3) This structure allows the City to ensure that the financial benefit is applied directly to the Signed Agreement Between Parties:
    - (a) A signed agreement between the Homeowner or Property manager and the Renter may be required.
      - (i) Describe how the subsidy will be passed through to the Renter.
      - (ii) Acknowledge that the benefit is intended solely to offset the Renter's cost of housing or utilities.
      - (iii) Confirm that the Renter will not be charged separately for any portion of the benefit received by the Homeowner.
  - (4) This provision ensures that Renters without direct utility billing in their name can still receive equitable support, as long as there is a clear, documented mechanism for the subsidy to benefit them directly. All such cases will be subject to verification and City approval.
  - (5) **Direct Payment to the Renter (if necessary):**
    - (a) If the City is unable to obtain required cooperation or documentation from the Homeowner or Property Manager, but the Renter meets all other eligibility criteria, the City may issue the subsidy directly to the applicant. In such cases:
      - (i) The applicant must still provide a valid lease and proof of residence.
      - (ii) The City must determine that the subsidy will reasonably reduce the applicant's out-of-pocket housing or utility costs, even if paid indirectly.

(iii) The applicant may be required to certify how the benefit will be used and agree to additional verification or documentation.

(b) This approach ensures that eligible Renters are not unfairly excluded from the program due to a lack of cooperation from Homeowner or Property Managers, while still maintaining proper safeguards and accountability for public funds.

### 3) APPLICATION PROCEDURE

#### a) Homeowner Application Process

- i. Homeowners must submit a complete application online or in-person, with required documentation as follows:.
- ii. The application must include:
  - (1) Proof of utility account ownership such as a recent utility bill in the applicant's name for a qualifying service address (may be verified in office).
  - (2) **Income verification**, including one or more of the following:
    - (a) Most recent tax return,
    - (b) Current pay stubs,
    - (c) Documentation of enrollment in qualifying state or federal programs (e.g., SNAP, TANF, Medicaid, or SSI). Such documentation must be an official benefit or award letter dated within the last 6 months.

#### b) Renter Application Process

- i. Renters must submit a complete application either online or in person, and provide the following documentation:
  - (1) A **valid lease agreement** that clearly lists the applicant's name, the rental unit address within City limits, and the lease term.
  - (2) Proof of responsibility for utility costs, which may include:
    - (a) A utility clause in the lease,
    - (b) A separate addendum or utility agreement,
    - (c) Or written confirmation from the Homeowner or Property Manager.
  - (3) **Income verification**, using the same documentation options listed for Homeowners.
- ii. Renters enrolled in programs such as **SNAP, TANF, Medicaid, or SSI** may be considered **presumptively eligible for the income requirement** but must still submit a valid lease and residency documentation to complete the application.
  - (1) Renters enrolled in SNAP, TANF, or similar programs may be presumptively eligible. Proof must be provided via an official benefit or award letter dated within the last 6 months.
- iii. Special Consideration – Renters Without a Utility Account in Their Name
- iv. If the utility account is held by the Homeowner or Property Manager, Renters may still apply. In these cases:
  - (1) The subsidy may be issued to the Homeowner or Property Manager with written confirmation that the full benefit will be passed through to reduce the Renter's housing costs.
  - (2) If confirmation cannot be obtained, the City may issue the subsidy directly to the applicant, subject to verification and approval.

### 4) ASSISTANCE CALCULATION

#### a) Flat Rate System

- i. All qualifying participants may receive a flat-rate credit applied to their utility bill(s), capped at the lesser of the participant's total monthly utility charges or \$40 per month, per utility account. This ensures meaningful assistance while maintaining program sustainability.

**b) GWSSA Customers**

- i. For qualifying participants that receive water and sewer service from GWSSA, Moab will make a flat-rate payment to their total utility bill or \$40 per month, whichever is less per month per utility GWSSA provides directly to residents who live within Moab's City boundary.

**c) Subsidy Payment Flow for Renters Without Utility Accounts:**

- i. In cases where Renters do not hold utility accounts, but qualify for assistance, the credit may be issued directly to the Homeowner or Property Manager, provided there is written confirmation that the subsidy will reduce the Renter's housing costs.
- ii. If written confirmation cannot be obtained, the City reserves the right to issue the subsidy directly to the Renter, subject to verification and approval, to ensure the assistance reaches the intended recipient.

**5) PROGRAM ADMINISTRATION**

**a) Application Review**

- i. Applications will be reviewed by the Treasurer or designee.
- ii. The review process includes verification of eligibility, cross-referencing state databases, and confirmation of utility account ownership.
- iii. Applications will be approved on a first-come, first-served basis as funding allows.

**b) Notification**

- i. Applicants will receive notification of approval or denial within 30 days of completed application. Denials will inform applicants why they were not selected to participate in the Program and will notify them of their right to file an appeal pursuant to Section 7.0 of this Program.
- ii. Selected applicants must execute an agreement with the City.

**c) Ongoing Support and Monitoring**

- i. The City may offer periodic check-ins or reminders to participants to help them remain in compliance with Program requirements, including property tax status and continued income eligibility.
- ii. Participants found to be ineligible after enrollment may be subject to removal from the Program and may be required to return any misapplied funds.

**6) COMPLIANCE AND REPORTING**

**a) Quarterly Audits**

- i. Internal audits will be conducted on a quarterly basis to ensure program integrity, verify applicant eligibility, and confirm that subsidies are being accurately applied in accordance with program guidelines.
- ii. Audit procedures may include, but are not limited to:
  - (1) Review of application materials (such as income documentation, lease agreements, or utility account confirmations).
  - (2) Verification that disbursed funds were applied appropriately, either to utility accounts or housing costs as documented.

- (3) Review of Homeowner or Property Manager documentation in cases where subsidies are passed through to Renters.
- iii. Any discrepancies or instances of noncompliance identified during audits may result in corrective action, including but not limited to:
  - (1) Suspension or termination of benefits,
  - (2) Reimbursement of misapplied funds,
  - (3) Disqualification from future participation in the program.

**b) Renewals**

- i. Applicants must reapply to the Program on an annual basis, aligned with the City's fiscal year (July 1 – June 30).
  - (1) To continue receiving benefits without interruption, participants must submit a renewal application and updated documentation during the annual renewal period, which begins each spring and must be completed by June 30.
- ii. Renewal Period and Deadline:
  - (1) Renewal applications will open in Mid-May each year.
  - (2) All renewal materials must be submitted no later than June 30 to ensure uninterrupted benefits for the upcoming fiscal year.
- iii. Lapse in Benefits:
  - (1) Failure to submit a complete renewal application by the June 30 deadline may result in a delay or lapse in benefits until eligibility is re-established.
- iv. Required Documentation
  - (1) As part of the renewal process, applicants must submit:
    - (a) An updated application form.
    - (b) Current income documentation or proof of continued participation in qualifying assistance programs.
    - (c) An updated lease agreement (for Renters), if applicable.
    - (d) Any additional verification requested to confirm continued eligibility.

**7) APPEALS**

**a) Appeal Process**

- i. Except in cases where an application was denied because of a lack of funds (i.e., the available funding was allocated to other applications that were filed before the City received the application in question), an applicant may file a written appeal with the City Manager if the applicant believes the City denied the application in violation of the requirements of the Program or did not understand or misinterpreted facts or circumstances regarding the applicant's eligibility.
- ii. Applicants must file their written appeals with the City Manager within twenty (20) days of the date on which the City denied the applicant's application.
- iii. When filing their written appeal, the applicant must provide an detailed explanation of the reasons why the applicant believes the City's denial was improper along with any supporting information or documents.
- iv. The City Manager will issue a decision granting or denying the applicant's appeal within thirty (30) days of the date the written appeal is filed with the City.
  - (1) If, however, the City Manager does not respond within thirty (30) days, the appeal shall be deemed to be denied.

- v. A decision by the City Manager granting or denying an appeal will constitute a final agency action, meaning that the applicant may file a petition for judicial review of the City Manager's with the district court within thirty (30) days of the City Manager's decision.