

## **Title 11**

### **VEHICLES AND TRAFFIC**

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## Chapter 11.04

### GENERAL PROVISIONS

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#### **11.04.010 Definitions.**

Whenever in this title the following terms are used, they shall have the meanings respectively ascribed to them in this section:

A. "*Alley*" means a public way, not designed for general travel, within a block primarily intended for service and access to abutting property by vehicles.

B. "*Authorized emergency vehicles*" means vehicles that are designated or authorized as such by the city, the police department or the fire department, and such ambulances and emergency vehicles of the United States, state and municipal governments as may be operated on the streets of the city.

C. "*Bicycle*" means every device propelled by human power upon which any person may ride, having two tandem wheels, either of which is over 20 inches in diameter, and including any device generally recognized as a bicycle, though equipped with more than one front or rear wheel.

D. "*City*" means the city of Cottonwood Heights, Utah.

E. "*Crosswalk*" means that portion of a

roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; also, any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

F. "*Crosswalk line*" means a single white line, not less than six inches in width, painted on a street marking the outlying limits of a pedestrian crossing.

G. "*Driver*" means every person who drives or is in actual physical control of a vehicle.

H. "*Fire department*" means the fire department of the city or any other entity providing fire and emergency protection services in the city, including, without limitation, the Unified Fire Authority.

I. "*Governmental OHV*" means a motor vehicle designed principally for off-road use that is owned and operated for official governmental purposes by the United States of America, the state of Utah, Salt Lake County, the city or another political subdivision of the state of Utah.

J. "*Intersection*" means:

1. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, the lateral boundary lines or the roadway of two streets that join one another at, or approximately at, right angles, or the area within which vehicles, traveling upon different streets joining at any other angle, come in conflict; or

2. Where a street includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided street by an intersecting street shall be regarded as a separate intersection.

K. "*Limited access street, highway or roadway*" means every highway, street or roadway, with respect to which owners or occupants of abutting lands and other persons

have no legal right of access except at such points and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

L. “*Low profile motorized vehicle*” shall mean any motorized vehicle that is not regulated by the state or by any other city ordinance provision, and is not otherwise permitted upon city or public property. This definition includes, but is not limited to, pocket bikes, miniature motorcycles, go-carts, and any other motor vehicles less than 36 inches in height when in its normal operating position, notwithstanding any flag, antenna, or other attachment or modifications made thereto.

M. “*Motorcycle*” means every motor vehicle, other than a tractor, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground.

N. “*Motor-driven cycle*” means every motorcycle, including every motor scooter, with a motor that produces more than five horsepower, and every bicycle with a motor attached.

O. “*Motor vehicle*” means every vehicle that is self-propelled, but not operated upon rails.

P. “*Owner*” means a person who holds the legal title to a vehicle or, in the event a vehicle is subject to an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this title.

Q. “*Park*” means the standing of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of and while actually engaged in loading or unloading.

R. “*Pedestrian*” means any person afoot.

S. “*Person*” means every natural person, firm, partnership, association, corporation, LLC, LP or other entity or artificial person.

T. “*Police department*” means the police department of the city or any other entity providing law enforcement services to the city including, without limitation, the Unified Police Department.

U. “*Private road or driveway*” means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not used by other persons.

V. “*Railroad*” means a carrier of persons or property upon cars operated upon stationary rails.

W. “*Railroad sign or signal*” means any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

X. “*Railroad train*” means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails.

Y. “*Right-of-way*” means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

Z. “*Safety zone*” means that area within the crosswalk for the exclusive use of pedestrians, bounded on two sides by the crosswalk lines and on the other two sides by yellow lines or by physical barriers, or otherwise so protected, marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

AA. “*Sidewalk area*” means that portion of a street or highway between the curb lines of the lateral lines of a roadway and the adjacent property lines.

BB. “*Stop*” means complete cessation from movement.

CC. “*Stop or limit line*” means a single white line not less than 12 inches in width behind which vehicles must stop when directed by the police department or a traffic control device.

DD. “*Stop, stopping or standing when prohibited*” means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device.

EE. “*Street*” or “*highway*” means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

FF. “*Traffic-control device*” means all signs, signals, traffic markings and devices of the state placed or erected by authority of a public body or official having jurisdiction, for the purposes of regulating, warning or guiding traffic.

GG. “*Traffic engineer*” means the traffic engineer of the city or the appointed agent of any entity providing engineering services to the city.

HH. “*Transportation engineer*” means the transportation engineer of the city or the appointed agent of any entity providing engineering services to the city.

II. “*Vehicle*” means every device in, upon or by which a person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

#### **11.04.020 Applicability.**

All vehicles using the roads and highways of the city shall be subject to the provisions of this title. Every person propelling any pushcart or riding an animal upon a roadway, and every person driving an animal-drawn vehicle, shall be subject to such provisions as are applicable to the drivers of vehicles, except those that by

their nature have no application.

#### **11.04.030 Traffic control devices.**

The traffic engineer, with concurrence of the city, shall place and maintain such traffic control devices upon city roads and highways as are necessary to indicate and to carry out the provisions of this title or to regulate, warn or guide traffic. All signs, markings and other devices shall conform to the Utah Manual on Uniform Traffic Control Devices.

#### **11.04.040 Driver’s license required.**

No motor vehicle subject to the provisions of this title shall be driven upon any road, street, highway or thoroughfare of the city by any person not in possession of a valid operator’s license issued by the Driver’s License Division of the Department of Public Safety of Utah or of some other state.

#### **11.04.050 Registration card; Exception for governmental OHVs.**

A. No motor vehicle subject to the provisions of this title shall be driven upon any road, street, highway or thoroughfare of the city unless properly registered or displaying a temporary permit. The operator shall display the registration card upon the demand of any officer of the police department.

B. Notwithstanding subsection A above, governmental off-highway vehicles (“OHVs”) registered only under UTAH CODE ANN. §41-22-3 (or its successor) being used for official business may be driven on city streets, subject to the following:

1. The vehicle shall be equipped with at least one headlight and one taillight, which shall be kept on whenever the vehicle is traveling on any city street.

2. The vehicle shall be equipped with a appropriate triangular-shaped, orange and black colored, “slow moving vehicle” placard prominently displayed on the rear of the vehicle.

3. The vehicle shall be equipped with at least one amber light that flashes at least once per second and is clearly visible in a complete horizontal circle around the vehicle,

4. The vehicle must prominently display an official logo or other marking that clearly identifies it as a governmental vehicle.

5. The vehicle must be operated by a Utah-licensed operator in a safe manner consistent with all applicable traffic laws, at a speed not exceeding 30 mph under any circumstances.

6. The vehicle must be registered as an off-highway vehicle under UTAH CODE ANN. §41-22-3 or its successor.

**11.04.060 Police department—Authority.**

The police department is authorized to enforce the provisions of this title and all laws regulating the operation of vehicles on the streets and highways of the city.

**11.04.070 Police department—Obedience required.**

A. It is unlawful for any person to willfully fail or refuse to comply with any lawful order or direction of any officer of the police department or other special officer assigned to traffic duty and vested by law with authority to direct, control or regulate traffic.

B. An officer of the police department shall direct all traffic in accordance with the provisions of this title, or in emergencies, as public safety or convenience may require. Except in case of an emergency, it is unlawful for any person not authorized by law to direct or attempt to direct traffic.

**11.04.080 Authority to direct traffic at scene of fire.**

An officer of the fire department in command, or any fireman designated by him, may exercise the powers and authority of an officer of the police department in directing traffic at the scene of any fire or where the fire

department has responded to an emergency call for so long as fire department equipment is on the scene in the absence of any officer of the police department, or while assisting the police department in discharging its duties.

**11.04.090 Enactment of state motor vehicle code.**

A. Class “B” and “C” misdemeanors and infractions found in UTAH CODE ANN. Title 41, as amended, as they exist now and as amended or enacted in the future, are hereby adopted and incorporated herein by this reference as violations of city ordinances. Peace officers and any public officials charged with enforcement of the law are hereby authorized to cite violations of the city code by citing to said Title 41.

B. The heading on prosecution documents may designate the plaintiff(s) as state of Utah, the city or any other appropriate party, and such documents will operate as a prosecution in the name of the state or in the name of the city, as may be appropriate.

## Chapter 11.08

### TRAFFIC CONTROL REGULATIONS

#### Sections:

- 11.08.010 Obedience to traffic control devices—Effect of improper sign.**
- 11.08.020 Unauthorized traffic control devices prohibited—Removal.**
- 11.08.030 Turning at intersections.**
- 11.08.040 Authority to designate crosswalks, safety zones and traffic lanes.**
- 11.08.050 Authority to designate one-way highways.**
- 11.08.060 Prohibiting use of limited-access highway.**
- 11.08.070 Entering highway from alley or private roadway.**
- 11.08.080 Following another vehicle.**
- 11.08.090 Turning on crest of hill.**
- 11.08.100 Backing vehicle onto roadway.**
- 11.08.110 Recreational activities on city roads.**
- 11.08.120 Emergency vehicles—Right-of-way—Signals and sirens.**
- 11.08.130 Emergency vehicles—Following prohibited.**
- 11.08.140 Funeral processions.**
- 11.08.150 Restrictions upon use of highways.**
- 11.08.160 Weight limits on city roads.**
- 11.08.170 Vehicle size and weight restrictions.**
- 11.08.180 Avoiding intersections prohibited.**
- 11.08.190 Driving on sidewalks or safety zones prohibited.**
- 11.08.200 Red lights prohibited when.**
- 11.08.210 Damaging traffic signs prohibited.**
- 11.08.220 Obstruction of view prohibited.**
- 11.08.230 Gravel and foreign matter on highway.**
- 11.08.240 Destructive or injurious materials on highway prohibited.**

### 11.08.250 Truck routes.

#### 11.08.010 Obedience to traffic control devices—Effect of improper sign.

A. Subject to the exceptions granted drivers of authorized emergency vehicles, no person shall disobey the instructions of any applicable traffic control device placed in accordance with the provisions of this title unless otherwise directed by an appropriate law enforcement officer.

B. No provision of this title for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen and read by an ordinarily observant person.

#### 11.08.020 Unauthorized traffic control devices prohibited—Removal.

A. No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, light, marking or other device:

1. That purports to be, imitates or resembles an official traffic control device, railroad sign or signal, or authorized emergency flashing light;

2. That attempts to direct the movement of traffic;

3. That hides from view or interferes with the effectiveness of any official traffic device or any railroad sign or signal; or

4. That is of such brilliant illumination and so positioned as to be in danger of blinding or dazzling a driver on any highway adjacent thereto.

B. Every such prohibited sign, signal, light or marking is declared to be a public nuisance which any officer of the police department is empowered to remove or cause to be removed without notice to the owner.

#### 11.08.030 Turning at intersections.

The traffic engineer may require and cause

markers, buttons or signs to be placed within or adjacent to intersections and thereby require and direct that vehicles turning at such intersections shall turn in accordance therewith, or the turning of vehicles at certain designated intersections may be prohibited altogether.

**11.08.040 Authority to designate crosswalks, safety zones and traffic lanes.**

The traffic engineer is authorized to:

A. Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where, in his opinion, there is particular danger to pedestrians crossing the roadway, and at other places as he may deem necessary;

B. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians; and

C. To mark lanes for traffic on street pavements at places he may deem advisable, consistent with this title.

**11.08.050 Authority to designate one-way highways.**

The traffic engineer with the consent of the city shall have the authority to designate by appropriate markings certain city roads and highways as one-way, requiring that all vehicles thereon move in one specific direction.

**11.08.060 Prohibiting use of limited-access highway.**

The traffic engineer may prohibit the use of any limited-access roadway by pedestrians, bicycles or other non-motorized traffic or by any person operating a motor-driven cycle. No person shall disobey posted restrictions.

**11.08.070 Entering highway from alley or private roadway.**

It is unlawful to drive a vehicle from any

alley, private driveway, or private road onto a public thoroughfare without first bringing such vehicle to a complete stop within 15 feet of the highway and yielding the right-of-way to all approaching vehicles and pedestrians.

**11.08.080 Following another vehicle.**

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent under the circumstances.

**11.08.090 Turning on crest of hill.**

No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen for at least 500 feet by the driver of any vehicle approaching from either direction.

**11.08.100 Backing vehicle onto roadway.**

All persons backing motor vehicles from any alley or private driveway must proceed in the direction of the lane of traffic immediately adjacent to same. No driver shall back any vehicle unless such movement can be made with reasonable safety and without interfering with other traffic.

**11.08.110 Recreational activities on city roads.**

There shall be no sleigh riding or other recreational activities conducted upon any roads or highways of the city unless the police department allows such activity in restricted areas by designating same with appropriate signs and other controls.

**11.08.120 Emergency vehicles—Right-of-way—Signals and sirens.**

A. All vehicles operated by the police department and fire department, as well as ambulances, shall have the right-of-way over all other vehicular traffic on the highways during emergencies. Such vehicles shall be equipped with a siren, flashing lights, and

other emergency equipment to make them recognizable visibly and audibly. Upon sounding or illuminating of same, the driver of every other vehicle then upon the highways along which the emergency vehicles are being operated shall immediately drive to a position parallel to, and as close as possible to, the right edge or curb of the highway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by an appropriate law enforcement officer.

B. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

#### **11.08.130 Emergency vehicles—Following prohibited.**

The driver of a vehicle, other than one officially authorized, shall not follow emergency vehicles traveling in response to any fire, accident, crime or other alarm, closer than 500 feet, or park such vehicle within the block where an emergency vehicle has stopped or in any way block, obstruct, or interfere with the free ingress or egress of emergency vehicles.

#### **11.08.140 Funeral processions.**

A. It is unlawful for any person to drive or cause any vehicle to be driven so as to break the consecutive line of travel of funeral processions upon any street or highway of the city. If the public safety requires, the police department may provide an escort for funeral processions, or it may require the funeral director, mortuary or agency conducting the funeral to so provide.

B. Every motorist participating in a funeral procession shall illuminate the head lamps of his vehicle or cause appropriate signs to be placed on the same, identifying it as a participating vehicle.

C. A driver in a funeral procession shall

drive as near to the right-hand edge of the roadway as reasonable unless a left turn is contemplated.

#### **11.08.150 Restrictions upon use of highways.**

The traffic engineer may prohibit the operation of all vehicles upon any highway or road of the city or impose restrictions as to the weight of vehicles thereon for a period up to 90 days in a calendar year, whenever a highway or road might otherwise be seriously damaged by deterioration or climatic conditions. All such restrictions shall be designated by appropriate signs and markings at each end of that portion of the highway affected by this chapter and shall not be effective until and unless such signs are erected and maintained. The traffic engineer may prohibit the operation of trucks or other commercial vehicles, or impose limitations as to the weight thereof, on designated highways, which prohibitions and limitations shall be designated by appropriate signs or markings.

#### **11.08.160 Weight limits on city roads.**

It is unlawful for any person to drive or move upon the roads or highways of the city any vehicle of a size or weight exceeding the limitations as provided for in this chapter.

#### **11.08.170 Vehicle size and weight restrictions.**

A. All vehicles, combinations of vehicles, or combinations of vehicle and load having a length of more than 45 feet, or a width of more than eight feet, or a height of more than 14 feet with or without load, are restricted vehicles.

B. Special permits of duration of more than one month may be issued by the city, or temporary permits for a duration of less than one month may be issued by the police department, upon application in writing and good cause being shown therefore, authorizing the applicant to operate or move a restricted

vehicle upon the street of the city, or to park a vehicle in violation of city ordinances.

**11.08.180 Avoiding intersections prohibited.**

It is unlawful for any person to drive a motor vehicle through a private driveway, lot or similar area, whether vacant or not, where any residence, business establishment, or any kind of a business or trade is maintained or carried on, for the purpose and with the intent of avoiding obedience to any traffic regulation or for the purpose and with intent of harassing and annoying the owner thereof or his patrons.

**11.08.190 Driving on sidewalks or safety zones prohibited.**

No driver of a vehicle shall drive within any sidewalk area except at a permanent or temporary driveway not into or upon any portion of a roadway marked as a safety zone.

**11.08.200 Red lights prohibited when.**

It is unlawful for any person operating a motor vehicle to drive it upon any public highway in the city with any red light visible from directly in front thereof. This section shall not apply to police, ambulance or fire department vehicles.

**11.08.210 Damaging traffic signs prohibited.**

It is unlawful for any person to drive into, alter, deface, injure, move, knock down, demolish, remove, or interfere with any traffic sign, standard, post, chain, rope, or other traffic control device installed for the purpose of directing or regulating traffic in the city.

**11.08.220 Obstruction of view prohibited.**

A. It is unlawful for persons owning or occupying property adjacent to any road or highway in the city to permit any tree, plant, shrub, sign, vehicle, fence or other obstacle of any kind located on said property to block the view of traffic signs to the vision of oncoming

motorists or to obscure the vision of oncoming traffic so as to constitute a traffic hazard.

B. When the traffic engineer determines upon the basis of an engineering and traffic investigation that a traffic hazard exists, it shall notify the owner or occupant and order that the hazard be removed within ten days.

C. The failure of the owner or occupant to remove the traffic hazard within ten days is a Class C misdemeanor.

**11.08.230 Gravel and foreign matter on highway.**

It shall be unlawful to operate or load, or cause to be operated or loaded, any type of conveyance upon any public road, highway or thoroughfare in the city from which any gravel, rocks or other materials fall or are discharged. It is unlawful to load or carry such materials so that any of the contact points of the material within the sides of the truck bed are less than six inches from the top of the truck bed. This section shall not apply to those situations where such materials are properly discharged or unloaded in connection with construction activities on the road, highway or thoroughfare by authorized persons.

**11.08.240 Destructive or injurious materials on highway prohibited.**

A. It is unlawful for any person to throw, deposit or discard, or to permit to be dropped, deposited or discarded upon any public road, highway, park or recreation area, any paper, paper container, glass bottle, glass, nails, tacks, wire, cans, barbed wire, boards, trash, garbage, or any other substance that could injure any person, animal or vehicle, or that could impair the scenic aspect of such public road, highway, park or recreation area.

B. Any person who drops, throws, deposits, or discards, or permits to be dropped, thrown, deposited or discarded upon any public road, highway, park or recreation area any destructive, injurious or unsightly material shall immediately remove the same or cause it

to be removed.

C. Any person removing a wrecked or damaged vehicle from a public road, highway, park or recreation area shall remove all glass or other injurious substances dropped upon the road or highway or in the park or recreation area from such vehicle.

D. It is unlawful to throw any lighted material from a moving vehicle.

#### **11.08.250 Truck routes.**

A. The definition of truck, truck tractor, semitrailer and trailer shall have the same meaning as provided in UTAH CODE ANN. §41-6-1.

B. The following streets are designated as truck routes:

1. 2000 East from the northern city boundary to the southern city boundary;
2. Fort Union Boulevard from the eastern city boundary to the western city boundary;
3. I-215;
4. Wasatch Boulevard from the northern city boundary to the southern city boundary;
5. 1300 East;
6. Union Park Avenue; and
7. 3000 East.

C. All trucks, truck tractors, semitrailers and trailers and all vehicles carrying flammable liquids in excess of 3,000 gallons, explosives and corrosives, shall, except as provided herein, follow such designated truck routes and not depart therefrom. The city manager may designate in writing temporary alternative truck routes and authorize said trucks to depart from the truck routes herein designated, for a temporary period not to exceed 30 days when road repairs or other obstacles block said truck routes. The city manager shall report such temporary authorization to the city council at the next regular scheduled council meeting.

D. The above truck routes shall not apply to said trucks delivering to or returning from construction sites where it is not possible to use a designated truck route, or to said trucks

delivering merchandise to or from local business or local residents.

E. An unladen truck or tractor may, for the sole purpose of going to or returning from a retail fuel outlet, depart from the truck routes designated herein, provided however, said route of travel to a retail fuel outlet must be as reasonably direct as possible.

F. The city manager or his designee shall install signs on said truck routes which indicate in words or pictures that such street is a "truck route" and install signs on major streets not designated as truck routes which indicate in words or in pictures that "trucks are prohibited." Where signs are installed indicating that trucks are prohibited, the manager or his designee may install additional signs to the effect that "local deliveries are permitted" in accordance with these provisions.

## Chapter 11.12

### VEHICLE CONTROL RESTRICTIONS

#### Sections:

- 11.12.010 Interference with control of vehicle prohibited.**
- 11.12.020 Obstructing load on vehicle prohibited.**
- 11.12.030 Reasonable and proper lookout required.**
- 11.12.040 Passengers on improper portion of vehicle prohibited—  
Exception.**
- 11.12.050 Proper riding of motorcycle—  
Passengers.**
- 11.12.055 Low profile motorized vehicles.**
- 11.12.060 One-arm driving prohibited when.**
- 11.12.070 Owner’s responsibility for improper use of vehicle.**
- 11.12.080 Driving when ill or fatigued.**
- 11.12.090 Negligent collision.**
- 11.12.100 Reckless driving prohibited—  
Penalty.**
- 11.12.010 Interference with control of vehicle prohibited.**
- No driver shall engage in any activity that interferes with the safe control and operation of his vehicle while the same is in motion.
- 11.12.020 Obstructing load on vehicle prohibited.**
- A. It is unlawful to drive a vehicle when it is so loaded with people or cargo as to obstruct the view of the driver to the front or sides of the vehicle or when the conditions interfere with the driver’s control over the driving mechanism of the vehicle.
- B. No vehicle passenger shall ride in a position that interferes with the driver’s view ahead or to the sides, or that interferes with the driver’s control over the driving mechanism of the vehicle.

#### **11.12.030 Reasonable and proper lookout required.**

It is unlawful for any person to drive a vehicle on the streets of the city without keeping a reasonable and proper lookout for other traffic, person or objects thereon or adjacent thereto.

#### **11.12.040 Passengers on improper portion of vehicle prohibited— Exception.**

No person shall ride, and no person driving a motor vehicle shall knowingly permit any person to ride upon any portion of a vehicle not designated or intended for the use of passengers. This provision does not apply to any employee engaged in the necessary discharge of his duty, or to persons over 14 years of age riding completely within or upon vehicle bodies in spaces intended for any load on the vehicle or to any vehicle with a valid parade permit or special event permit.

#### **11.12.050 Proper riding of motorcycle— Passengers.**

A person operating a motorcycle or motor-driven cycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person, nor shall any other person ride on a motorcycle or motor-driven cycle, unless such vehicle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat, if designated for two persons, or upon another seat firmly attached to the rear or side of the operator’s seat.

#### **11.12.055 Low profile motorized vehicles.**

A. It is unlawful for any person to operate a low profile motorized vehicle on public property within the city including, but not limited to, sidewalks, parks and parking lots.

B. It is unlawful for any person to operate a low profile motorized vehicle on city roadways that is not lawfully registered and

insured or otherwise permitted on the roadways by the laws of the state of Utah.

C. It is unlawful for an owner to knowingly permit the operation of a low profile motorized vehicle in violation of sections A and B above.

D. A violation of this ordinance is a class C misdemeanor.

**11.12.060 One-arm driving prohibited when.**

It is unlawful for the driver of any motor vehicle to have either arm around another person.

**11.12.070 Owner's responsibility for improper use of vehicle.**

No owner or person in control of a vehicle shall knowingly permit the vehicle to be operated by any person who is physically or mentally disabled to such an extent that such person's judgment or driving ability is impaired.

**11.12.080 Driving when ill or fatigued.**

No driver shall operate a vehicle while his ability or alertness is so impaired through fatigue, illness, or any other cause as to make it unsafe for him to drive such vehicle.

**11.12.090 Negligent collision.**

It is unlawful to operated a vehicle with such lack of due care as to cause the same to collide with any vehicle, person or object.

**11.12.100 Reckless driving prohibited—  
Penalty.**

Any person who drives any vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

## Chapter 11.16

### SPEED LIMITS

#### Sections:

**11.16.010 Designation by transportation engineer.**

**11.16.020 Minimum speed regulations.**

**11.16.030 Speed limits in public parks.**

**11.16.040 Speed contests on highway prohibited.**

#### **11.16.010 Designation by transportation engineer.**

A. The transportation engineer may alter or change the *prima facie* speed limits within the city set by UTAH CODE ANN. § 41-6-46, as follows:

1. The *prima facie* speed therein declared may be found greater than is reasonable or safe under the conditions found to exist at any intersection, and upon the erection of appropriate signs giving notice thereof, the speed limit may be changed to one deemed reasonable and safe.

2. Higher speeds than those therein authorized may be substituted upon through highways or portions thereof where there are no intersections or between widely spaced intersections, provided appropriate signs are erected giving notice of the authorized speed.

3. Determine that the *prima facie* speed permitting upon any highway outside a business or residential district is greater than is reasonable or safe under conditions found to exist and upon posting of appropriate signs and notices, declare a reasonable and safe limit which shall, in no event, be less than 35 miles per hour. Wherever the drop is ten miles per hour, it must be preceded by a sign giving advance notice of such reduction.

B. No changes shall be effective until the transportation engineer has made a full investigation of engineering and traffic conditions demanding such change.

#### **11.16.020 Minimum speed regulations.**

No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or because upon a grade or in compliance with law. The transportation engineer may determine on the basis of an engineering and traffic investigation that slow speeds on any part of a road or highway of the city impede the normal and reasonable movement of traffic and constitute a traffic hazard requiring the declaration of a minimum speed limit below which no person shall drive except when necessary for safe operation or in compliance with law. All such minimum speed limits shall be properly posted.

#### **11.16.030 Speed limits in public parks.**

The transportation engineer shall have authority to regulate the speed of vehicles in all public parks in the city upon posting appropriate signs and markings.

#### **11.16.040 Speed contests on highway prohibited.**

It is unlawful for any person to engage in any motor vehicle speed contest or exhibition of speed on a highway, and no person shall aid or abet in any such contest or exhibition on any highway.

## Chapter 11.18

### DRUG PARAPHERNALIA

#### Sections:

- 11.18.010 Purpose of provisions.**
- 11.18.020 Drug paraphernalia defined.**
- 11.18.030 Criteria for determining whether object is drug paraphernalia.**
- 11.18.040 Unlawful acts involving drug paraphernalia.**
- 11.18.050 Seizure and forfeiture of materials.**
- 11.18.060 Violation—Penalty.**

#### 11.18.010 Purpose of provisions.

It is the intent of this chapter to discourage the use of narcotics by eliminating paraphernalia designed for processing, ingesting or otherwise using a controlled substance.

#### 11.18.020 Drug paraphernalia defined.

As used in this chapter, “*drug paraphernalia*” means any equipment, product or material used or intended for use to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repack, store, contain, conceal, inject, ingest, inhale, or to otherwise introduce a controlled substance into the human body in violation of UTAH CODE ANN. Title 58, Chapter 17, as amended, or its successor, and includes, but is not limited to:

A. Kits used or intended for use in planting, propagating, cultivating, growing or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived;

B. Kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing a controlled substance;

C. Isomerization devices used, or intended for use, to increase the potency of

any species of plant which is a controlled substance;

D. Testing equipment used, or intended for use, to identify or to analyze the strength, effectiveness or purity of a controlled substance;

E. Scales and balances used or intended for use in weighing or measuring a controlled substance;

F. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannited, dextrose and lactose, used or intended for use to cut a controlled substance,

G. Separation gins and sifters used or intended for use to remove twigs, seeds, or other impurities from marijuana;

H. Blenders, bowls, containers, spoons and mixing devices used or intended for use to compound a controlled substance;

I. Capsules, balloons, envelopes and other containers used or intended for use to package small quantities of a controlled substance;

J. Containers and other objects used or intended for use to store or conceal a controlled substance;

K. Hypodermic syringes, needles and other objects used or intended for use to parenterally inject a controlled substance into the human body; and

L. Objects used or intended for use to ingest, inhale or otherwise introduce marijuana, cocaine, hashish or hashish oil into the human body, including but not limited to:

1. Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes, with or without screens, permanent screens, hashish heads or punctured metal bowls;

2. Water pipes;

3. Carburetion tubes and devices;

4. Smoking and carburetion masks;

5. Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

6. Miniature cocaine spoons and cocaine

vials;

7. Chamber pipes;
8. Carburetor pipes;
9. Electric pipes;
10. Air-driven pipes;
11. Chillums;
12. Bongs; and
13. Ice pipes or chillers.

#### **11.18.030 Criteria for determining whether object is drug paraphernalia.**

In determining whether an object is drug paraphernalia, the trier of fact, in addition to all other logically relevant factors, should consider:

- A. Statements by an owner or by anyone in control of the object concerning its use;
- B. Prior convictions, if any, of any owner, or of anyone in control of the object, under any state or federal law relating to a controlled substance;
- C. The proximity of the object, in time and space, to a direct violation of this chapter;
- D. The proximity of the object to a controlled substance;
- E. The existence of any residue of a controlled substance on the object;
- F. Instructions, whether oral or written, provided with the object concerning its use;
- G. Descriptive materials accompanying the object which explain or depict its use;
- H. National and local advertising concerning its use;
- I. The manner in which the object is displayed for sale;
- J. Whether the owner or anyone in control of the object is a legitimate supplier of life or related items to the community, such as licensed distributor or dealer of tobacco products;
- K. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
- L. The existence and scope of legitimate uses of the object in the community; and
- M. Expert testimony concerning its use.

#### **11.18.040 Unlawful acts involving drug paraphernalia.**

A. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce a controlled substance into the human body in violation of this chapter.

B. It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, any drug paraphernalia, knowing that the drug paraphernalia will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce a controlled substance into the human body in violation of this chapter.

C. It is unlawful for any person eighteen years or age or over to deliver drug paraphernalia to a minor.

D. It is unlawful for any person to place in this city, in any newspaper, magazine, handbill or other publication, any advertisement, knowing that the purpose of the advertisement is to promote the sale of drug paraphernalia.

#### **11.18.050 Seizure and forfeiture of materials.**

Drug paraphernalia used in violation of this chapter shall be subject to seizure and forfeiture to the city.

#### **11.18.060 Violation—Penalty.**

Any person who violates any provision of this chapter shall be guilty of a misdemeanor.

## Chapter 11.20

### STOPPING, STANDING AND PARKING

#### Sections:

- 11.20.010** Erection of traffic control devices.
- 11.20.020** Curb markings.
- 11.20.030** Regulation of parking.
- 11.20.040** *Reserved.*
- 11.20.050** Parking prohibited in specified areas.
- 11.20.060** Parking of trucks and commercial vehicles.
- 11.20.070** Approach to parking space.
- 11.20.080** Vehicle left unattended.
- 11.20.090** Parallel parking—Required—Exception.
- 11.20.100** Angle parking—Restrictions.
- 11.20.110** Double parking, standing or stopping prohibited—Exception.
- 11.20.120** Obstructing traffic prohibited.
- 11.20.130** Parking prohibited when.
- 11.20.140** Parking for certain purposes prohibited.
- 11.20.150** *Reserved.*
- 11.20.160** Liability.
- 11.20.170** Removal of illegally parked vehicle.

#### **11.20.010** Erection of traffic control devices.

It shall be the duty of the traffic engineer to cause traffic signs and other traffic control devices to be erected and to regulate, warn and guide traffic of the city. No traffic control device shall be placed or maintained by the city upon any highway under the jurisdiction of the Utah Department of Transportation.

#### **11.20.020** Curb markings.

A. The traffic engineer is authorized to place and maintain appropriate signs or traffic markings to indicate standing or parking regulations, and the traffic markings shall designate the zones and shall have the

meanings set forth in this chapter:

1. “Red” means no stopping, standing or parking at any time.

2. “Yellow,” with the words “Restricted Zone” stenciled thereon, means no stopping, standing or parking except as stated on the signs or markings giving notice thereof, except that this provision shall not apply on Sundays and legal holidays.

B. When appropriate signs or traffic curb markings have been erected or placed according to this section, no person shall stop, stand or park a vehicle in any zone in violation of the provisions of this section.

#### **11.20.030** Regulation of parking.

A. The traffic engineer may place signs on all roads and highways prohibiting or restricting the parking of vehicles where, in his opinion, as evidenced by an order entered in his records, such parking is dangerous to those using the roads or where the parking of vehicles would unduly interfere with the free movement of traffic thereon.

B. The traffic engineer may prohibit, restrict or regulate the parking, stopping or standing of vehicles on any off-street parking facility or property that the city owns or operates.

C. No such regulations shall apply until signs giving notice thereof have been erected.

#### **11.20.040** *Reserved.*

#### **11.20.050** Parking prohibited in specified areas.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a law enforcement officer or traffic control device, in any one of the following places:

- A. On a sidewalk area;
- B. In front of or within five feet of a private driveway;
- C. Within an intersection;

D. Within 15 feet of a fire hydrant, whether on public or private property or within a fire lane as designated and marked, whether on public or private property;

E. On a crosswalk;

F. Within 20 feet of a crosswalk at an intersection;

G. Within 30 feet of any flashing beacon or traffic control device located at the side of a roadway;

H. In front of or within 20 feet on either side of the entrance or exit of any theater, fire station or place of public assemblage;

I. Within 50 feet of the nearest rail of a railroad crossing;

J. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct or be hazardous to traffic;

K. Within any alley, except for the necessary and expeditious loading and unloading of merchandise; provided, that in no event shall the driveway or entrance to any abutting property be blocked or free movement of traffic through the alley be interfered with;

L. Upon any bridge or other elevated structure on an a street or within a street tunnel or underpass;

M. Upon that side of any street contiguous to any school property during school hours;

N. At any place where official signs or traffic controls placed by the traffic engineer prohibit stopping, standing or parking; or

O. In front of a public or private mailbox.

**11.20.060 Parking of agricultural vehicles, commercial vehicles, recreational vehicles, trailers and trucks.**

A. *Definitions.* As used in this section:

1. “*Agricultural vehicle*” means a vehicle, whether or not self-propelled, that is primarily designed or used for agricultural purposes.

2. “*Commercial vehicle*” means a vehicle in excess of one-ton capacity of whatever

make or type used for commercial purposes. The term “commercial vehicle” includes, without limitation, all so-called “semi” truck-tractors and “semi” truck-trailers.

3. “*Controlled vehicle*” means any vehicle and/or trailer described in subparts 1-2 and 4-7, inclusive, of this subsection 11.20.060(A).

4. “*Recreational vehicle*” means a vehicular unit other than a mobile home, primarily designed as a temporary dwelling for travel, recreational or vacation use, which is either self-propelled or pulled by another vehicle. Recreational vehicle also includes a boat, a snowmobile, a personal watercraft, an all-terrain vehicle, a travel trailer, a camping trailer, a motor home, and a fifth wheel trailer.

5. “*Trailer*” means any truck trailer or other trailer designed or adapted primarily for the transportation of materials, debris or property of whatever kind, including, without limitation, boats, personal watercraft, snowmobiles, all-terrain vehicles or motorcycles, whether occupied or empty.

6. “*Travel trailer,*” “*camping trailer,*” or “*fifth wheel trailer*” means a portable vehicle without motive power, whether occupied or empty, designed as a temporary dwelling for travel, recreational or vacation use that does not require a special highway movement permit when drawn by a self-propelled motor vehicle.

7. “*Truck*” means any truck-tractor, tractor-trailers, panel truck, pickup or other truck in excess of one-ton capacity.

B. *Restrictions.*

1. No person shall park any controlled vehicle on any public street adjacent to a lot or parcel containing a residential dwelling(s) or on any public street within a residential zone of the city for a period of time longer than two hours within any twenty-four hour period.

2. A controlled vehicle may be stored on the paved portion of the front, side or rear yard of a home on any residential lot, subject to the following conditions:

(a) In no case shall any portion of the controlled vehicle extend onto or over any part of the public right-of-way and/or public sidewalk.

(b) Controlled vehicles stored within the front yard of a lot in a residential zone must be operable and, if legally licensable, licensed and registered.

(c) Without the prior written approval of the city's development review committee (DRC) (as empanelled from time to time by the city's community development director), which shall primarily focus on any safety-related issues posed by parking or storing controlled vehicles hereunder, controlled vehicles shall not be stored within the required side yard setback next to the street on corner lots.

(d) Controlled vehicles may not be stored on any lot in violation of applicable "clear view" or other nationally-recognized safety standards, as determined by the city's community development director in consultation with the city engineer.

(e) Any commercial vehicle, agricultural vehicle or truck stored within the front yard or side yard of a home on any residential lot must be in active use in connection with the occupant's primary trade or business conducted by such occupant at least 20 hours weekly.

(f) No more than a total of three controlled vehicles may be stored or parked on any residential lot that is one-half acre or smaller in size. Up to a total of two additional controlled vehicles may be stored or parked on residential lots larger than one-half acre in size at the rate of one additional controlled vehicles per one quarter-acre of additional lot size, so that, for example, a total of four controlled vehicles may be parked or stored on a residential lot that is .75 acre and up to 1.00 acre in size, and a total of five controlled vehicles may be parked or stored on a residential lot that is 1.00 acre or larger in size.

C. Exception. The prohibitions in this section shall not apply to controlled vehicles actively being used in the servicing of adjacent properties or streets.

D. Conflicting Ordinances. This section shall control and take precedence over any conflicting provisions in this code concerning parking or storage of controlled vehicles.

#### **11.20.070 Approach to parking space.**

A. Every driver about to enter a parking space being vacated shall stop his vehicle and wait to the rear of the vehicle in the actual process of vacating the parking space and having so waited shall have prior right to the parking space over all other drivers.

B. No other driver shall stop his vehicle ahead of a parking space vacated and attempt to interfere with a driver who has waited properly to the rear of a parking space being vacated.

C. No driver shall stop and wait for a parking space unless the vehicle vacating the space is actually in the process of vacating.

#### **11.20.080 Vehicle left unattended.**

A. It is unlawful for any person having control of a motor vehicle to permit such vehicle to stand unattended without first stopping the engine, locking the ignition, and removing the key.

B. Neither shall any person allow a vehicle to stand upon any perceptible grade without effectively setting the brakes thereon and turning the front wheels to the curb or side of the roadway.

#### **11.20.090 Parallel parking—Required— Exception.**

No person shall stand or park a vehicle on a roadway other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement and with the right hand wheels of the vehicle within 12 inches of the curb or edge of the roadway, except as otherwise provided.

**11.20.100 Angle parking—Restrictions.**

The traffic engineer may, after placement of appropriate signs and markings, designate certain areas as suitable for angle parking, except that no angle parking shall be permitted or indicated at any place where passing traffic would thereby be caused or required to drive upon the left side of the street or where any vehicle would extend from the curb or edge of the roadway a distance greater than one-third of the width of the roadway.

**11.20.110 Double parking, standing or stopping prohibited—Exception.**

No person shall park, stand or stop a vehicle upon the roadway side of another vehicle that is parking, standing or stopped, except while actually engaged in loading or unloading passengers, or in compliance with directions of any officer of the police department or traffic control device, or when necessary to avoid other traffic.

**11.20.120 Obstructing traffic prohibited.**

No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.

**11.20.130 Parking prohibited when.**

A. It is unlawful for any person who owns or has possession, custody or control of any vehicle to park or knowingly allow to be parked any vehicle on any street:

1. After any snow accumulation, until 24 hours after the end of such accumulation;
2. Upon any street or alley for longer than 24 consecutive hours; or
3. For any period longer than that allowed by appropriate signs, markings or parking meters giving notice of such parking time limitation.

B. Whenever any police officer finds a vehicle upon a street or alley in violation of the provisions of this section, the officer may

have the vehicle impounded or otherwise removed.

**11.20.140 Parking for certain purposes prohibited.**

No person shall park or operate a vehicle upon any roadway for the principal purposes of:

A. Greasing or repairing such vehicle, except repairs necessitated by an emergency; or

B. Selling foodstuffs or other merchandise in any business district.

**11.20.150 Reserved.**

**11.20.160 Liability.**

The fact that an automobile is illegally parked shall be sufficient to constitute a rebuttable presumption that the registered owner was in control of the automobile at the time it was parked.

**11.20.170 Removal of illegally parked vehicle.**

Whenever any officer of the police department or city finds a vehicle parked or standing upon a street in violation of this title, the officer is authorized to move the vehicle or require the driver or other person in charge of the vehicle to move it to a position not in violation of this title.

## Chapter 11.22

### PARKING PERMIT PROGRAM

#### Sections:

- 11.22.010 Purpose.
- 11.22.020 Definitions.
- 11.22.030 Area designation—Authority.
- 11.22.040 Area designation—Criteria.
- 11.22.050 Area designation—Process.
- 11.22.060 Area designation
- 11.22.070 Signs and markings in designated areas.
- 11.22.080 Parking permit—Application—Term.
- 11.22.090 Fees.
- 11.22.100 Parking permit—Issuance conditions.
- 11.22.110 Parking permit—Display required.
- 11.22.120 Parking permit—Activities permitted.
- 11.22.130 Guest permits.
- 11.22.140 Parking permit—Revocation conditions.
- 11.22.150 Enlargement of area.
- 11.22.160 Removal of area designation or deletion of streets.
- 11.22.170 Modification of regulations.
- 11.22.180 Unlawful activities—Penalty.

#### 11.22.010 Purpose.

A. There exist certain facilities within the city, such as school complexes and other large buildings, which attract commuters seeking parking in nearby areas which are predominantly residential in nature. The increased demand often exacerbates the severe shortage of on-street parking for residents in such areas.

B. This chapter authorizes a program and implements a procedural system by which residents and businesses within qualifying areas may receive preferential treatment when competing with commuter vehicles for available on-street parking in predominantly

residential neighborhoods of the city. The enactment of a preferential parking permit program, administered and coordinated by community development, can address the adverse effect of motor vehicle congestion caused by the long-term parking of commuter vehicles within these areas by:

1. Increasing access to residents;
2. Increasing traffic/pedestrian safety by reducing traffic congestion;
3. Reducing the adverse environmental impacts on an area created by excessive air and noise pollution and the accumulation of trash and refuse on public streets;
4. Encouraging the use of mass transit, carpooling and other alternative modes of transaction by reducing commuter vehicle traffic that originates from outside the permit area and has no apparent relation to area residents; and
5. Promoting the tranquility, safety, health and welfare of area inhabitants, which are desirable attributes that are associated with a positive urban environment.

#### 11.22.020 Definitions.

As used in this chapter:

1. “*Address*” means the street number and applicable apartment/condominium number for each dwelling unit, business, or other use. Each apartment or commercial unit is regarded as a separate address.
2. “*Area*” refers, without reference to zoning, to a geographical region, not necessarily contiguous, where residents dwell and businesses may operate.
3. “*Area business*” means any professional establishment or nonresident property owner whose business property is located within a city parking permit area.
4. “*Area permittee*” means an area resident or an area business which has received from the city an area regular permit.
5. “*Area regular permit*” or “*regular permit decal*” means a valid decal or cardstock placard hung from the vehicle’s rearview

mirror issued by the city for assignment to vehicles under the legal control of area residents and/or area businesses.

6. “*Area resident*” means any person who is a bona fide resident of a parking permit area.

7. “*Area vehicle*” means a vehicle that originates from inside a parking permit area and is under the control of area residents or area business owners and includes automobiles, trucks, motorcycles, or other motor-driven forms of transportation. The term area vehicle does not include boats and trailers.

8. “*City permit area*” or “*parking permit area*” means any area designated by the city council as a permit parking area within the city’s corporate limits wherein motor vehicles displaying a permit as described herein shall be exempt from parking regulations or restrictions solely applicable to commuter vehicles.

9. “*City permit program*” means the city’s permit parking program, as a whole, administered by community development department.

10. “*Commuter vehicle*” means a motor vehicle parked in a city permit parking area that: (a) is not under the control of an area resident or area business; and (b) does not bear a permit as described herein for the parking permit area.

11. “*Dwelling*” means a building, or portion thereof, which is designated for residential purposes. Such dwelling must bear an address. The number of independent dwelling units recognized therein shall not exceed the number authorized by the applicable zoning ordinances.

12. “*Guest permit*” means the portable card stock placard issued by the city to area residents and area businesses for use on vehicles under the legal control of guests, customers and/or clients during periods when persons operating said vehicles are actually

visiting or engaged in business at the permittee’s address not to exceed 45 days.

13. “*Lease*” means that a person pays rent or other remuneration for use of a parcel of real property as such person’s residence or place of business.

14. “*Owns*” means that a person has at least one-quarter of the fee or equitable interest in a parcel of real property within a city permit parking area.

15. “*Permit vehicle*” refers to any vehicle properly displaying a regular permit or a guest permit issued by the city for authorized use on such vehicles.

16. “*Permit year*” refers to the 12 month period set for the administration of a city permit area, including the expiration and renewal of permit area regular and guest permits.

17. “*Program*” means and shall refer to the process of designation, administration and enforcement of all city parking permit areas and regulations established by the city council pursuant to the provisions of this chapter.

18. “*Regular permit*” means an adhesive decal or card stock placard hung from the vehicle’s rearview mirror that was issued by the city for assignment to vehicles under the legal control of area residents and area businesses.

19. “*Resident*” means a person who resides or dwells in the city parking permit area on a regular basis.

#### **11.22.030 Area designation-Authority.**

The city council may designate as a parking permit area any area within the corporate limits of the city which the city council finds to satisfy the area designation criteria detailed below. Such area shall then be a city permit area in which motor vehicles displaying an area regular permit or guest permit may stand or be parked without limitations imposed on commuter vehicles by the parking regulations in the area.

**11.22.040 Area designation--Criteria.**

A. An area may be eligible for consideration as a city permit area if the community development director determines, after proper evaluation, that the qualified area is adversely affected by commuter vehicles for any extended period(s) during the day or night, on weekends or holidays.

B. In determining adverse affects upon an area, the community development director shall analyze and evaluate factors which include, but are not limited to, the following:

1. The extent of the desire and perception of need by the residents for permit parking as evidenced by receipt of petitions as required herein;

2. The extent to which legal on-street parking spaces are occupied by motor vehicles during any given time period; and

3. The extent to which vehicles parking in the area during the period proposed for parking regulations are commuter vehicles rather than resident vehicles.

C. The community development director may consider for proposed designation as a city permit area, an area whose streets (or portions thereof) qualify by satisfying the following eligibility criteria:

1. A major portion of the parking capacity is generally occupied;

2. Such occupancy continues for any consecutive four hour period and such occupancy rate occurs on an average of at least four days per week;

3. 25% of the vehicles occupying the on-street spaces are other than area vehicles; and

4. The requesting area consists of curb space fronting a minimum of two contiguous residences in length.

**11.22.050 Area designation--Process.**

A. Persons desiring to have an area designated a parking permit area shall consult with the community development director, to tentatively establish the boundaries of the area proposed for designation.

B. As soon as practical after consulting with the community development director the proponents of the parking permit area shall submit a petition in a form acceptable to the city containing the signatures of a minimum of 51% of the residents living within the boundaries of the area proposed for the parking permit area.

C. As soon as practical after submitting the petition containing the required signatures, the proponents of the parking permit area shall submit a list from the Salt Lake County Assessor's Office that list each separate tax parcel/property owner of record within the proposed parking permit area together with the complete address of such owner.

D. Upon receipt of the petition containing the required signatures and the list from the Salt Lake County Assessor's Office and on the community development director's favorable recommendation to establish a parking permit area for the area, the city council, as soon as practicable consistent with scheduling constraints, may fix a time, date and location for a public hearing to consider the petition and the community development director's recommendation to designate the proposed area a parking permit area where on-street parking is restricted or allowed by area regular permit or temporary visitor permit only. Said hearing shall also be conducted for comment and analysis to determine the boundaries as well as the appropriate area rules and regulations, parking restrictions, issuance of permits, fees and other facets of appropriate implementation.

E. At least ten days prior to the hearing date, written notice of the public hearing(s) provided for herein shall be (1) published in a newspaper of general circulation, (2) posted not more than 400 feet apart along the streets proposed in the permit area, and (3) mailed to the property owners within the proposed area. The notice shall state the purpose of the hearing, the location of the hearing, the proposed boundaries of the parking permit

area, the proposed permit fee schedules and formulas for issuance, if any, and the location where the petition and other information is on file and available for public review.

F. Any interested party shall be entitled to appear and be heard on the public hearing subject to city council rules of procedure.

**11.22.060 Area designation.**

A. Within 30 days following the hearing, the city council shall deny or approve the designation of a parking permit area.

B. If the city council approves creation of a parking permit area, a declaration of designation shall be prepared establishing the program, including the boundaries, parking regulations, fees, etc., for its administration and implementation. The declaration of designation shall be mailed to each property owner supplied pursuant to section 11.22.050(C).

C. As part of a declaration of designation, the city council may establish a conditional citation program. The conditional citation program may include such terms and conditions as the city council shall determine appropriate and shall be included as part of the declaration of designation.

**11.22.070 Signs and markings in designated areas.**

Upon the declaration of designation, the city shall cause appropriate signs, markings and/or meters to be erected in the area, indicating prominently thereon the parking regulations, the effective date, and conditions under which permit parking shall be exempt therefrom.

**11.22.080 Parking permit—Application-term.**

Each area regular permit shall be valid for five years or portion as set forth in the declaration of designation. Permits shall not be transferable, but may be renewed every five years upon reapplication in the manner required by community development. Each application or reapplication for an area regular permit or visitor permit shall contain information sufficient to identify the applicant's identity, claim for permit eligibility, authorized residence or business address within the city permit area, the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by community development. Applications shall be accompanied by the fee established in the declaration of designation.

**11.22.090 Fees.**

To defray program administration costs, the fee for two regular permits, guest permits and replacement permits shall be as specified in the consolidated fee schedule.

**11.22.100 Parking permit—Issuance conditions.**

Area regular permits or visitor permits shall be issued by community development. Each such permit shall be designed to state or reflect thereon the particular city permit parking area. No more than one such permit shall be issued for each motor vehicle indicated on the application. The number of permits available and the manner for allocating permits between various competing resident (as opposed to commuter) vehicles, and the manner in which the process will be administered for each designated area in the program shall be established in the declaration of designation.

**11.22.110 Parking permit—Display required.**

Area regular permits or guest permits shall be displayed on or in the authorized vehicle by means of an adhesive decal attached to the rear window of the authorized vehicle or a card stock placard hung from the rearview mirror of the authorized vehicle.

**11.22.120 Parking permit—Activities permitted.**

A motor vehicle bearing an area regular permit or guest permit properly displayed as provided for herein, shall be permitted to stand or be parked in the parking permit area for which the permit has been issued without being limited by parking regulations or prohibitions solely applicable to commuter vehicles. The permit does not exempt drivers or owners from complying with general parking regulations and penalties imposed by an applicable traffic code or ordinance. All other motor vehicles not bearing an area permit or guest permit properly displayed as provided for herein that are parked within a parking permit area shall be subject to the commuter parking regulations established in the declaration of designation, and the penalties provided for herein.

**11.22.130 Guest permits.**

The community development director is authorized to issue guest permits to residents and businesses located within designated permit area for use of their bona fide transient visitors, service persons, and construction personnel for a limited duration not to exceed 45 days. Prior to expiration, a vehicle bearing a guest permit shall have all the parking rights, obligations and privileges given to area permittees.

**11.22.140 Parking permit—Revocation conditions.**

A. Faithful compliance with the terms of the permit program is a condition subsequent

to the privilege of obtaining an area regular permit or guest permit. Violation of the terms of the city permit program shall be deemed a forfeiture of those privileges.

1. Any person holding an area regular permit or guest permit that is convicted of a violation of this chapter may be required to surrender such permit as a part of sentencing.

2. The community development director is authorized to revoke an area regular permit or guest permit of any person found to be in violation of this chapter, and upon written notification thereof, the person shall surrender such permit to the community development director. Failure, when so requested, to surrender such a permit so revoked shall constitute an infraction.

3. In the event the community development director has good cause to believe that any person or entity is abusing the visitor permit system, he shall so notify such person abusing the visitor permit system. Any further application for a visitor permit by such person found abusing the visitor permit system may be denied for a period of not more than one year.

B. Any person aggrieved by such a determination made by the community development director under subsections A(2) and A(3) of this section 11.22.140 shall have the right to appeal to the mayor within seven days of such determination.

**11.22.150 Enlargement of area.**

Any existing parking permit area may be enlarged by following substantially the same procedure set forth in sections 11.22.040, 11.22.050 and 11.22.060 hereof for such enlarged area.

**11.22.160 Removal of area designation or deletion of streets.**

A. The city council may delete an area or selected street from the parking permit area by giving notice to all addresses within the boundary of the permit parking area proposed

to be wholly removed from permit parking designation or within the boundary of an existing permit parking area where certain streets (or portions thereof) are proposed to be deleted from permit parking area, that a public hearing is to be held to consider this action. Such notice shall be given as provided for in subsection 11.22.050(E) of this chapter.

B. Such notice shall contain:

1. The date, time and place of the public hearing to consider the proposed removal or deletion.

2. A description of the city council's intention to remove from designation a permit parking area or to delete certain streets (or portions thereof) from an existing permit parking area.

3. A listing of the streets (or portions thereof) proposed for removal from designation or deletion from a permit parking area.

C. The hearing shall be conducted as provided herein.

D. Within 30 days of the public hearing the city council shall approve or deny the proposed removal from permit designation of an entire permit parking area or the proposed deletion of certain streets (or portions thereof) from an existing permit parking area.

E. If permit parking area designation is removed from an entire area or if the deletion of certain streets (or portions thereof) from an existing permit parking area is approved, a declaration of removal shall be prepared and distributed to the areas so affected using the criteria outlined herein.

#### **11.22.170 Modification of regulations.**

A. The city council may modify the rules, regulations or restrictions governing an existing permit parking area by giving notice to all addresses within the boundary of the existing permit area subject to the proposed modifications of a public hearing to be held.

B. Such notice shall contain:

1. The date, time and place of the public hearing to consider the proposed modifications.

2. A description of the city council's proposed modifications to the existing permit parking area.

3. A listing of the streets (or portions thereof) that will be affected by the proposed modifications.

C. The hearing shall be conducted as provided herein.

D. Within 30 days of the public hearing the city council shall approve or deny the proposed modification(s).

E. If the modification(s) is approved, a notice shall be prepared and distributed to the areas so affected using the criteria outlined herein.

#### **11.22.180 Unlawful activities—Penalty.**

A. It is unlawful and a violation of this chapter for any person to stand or park a motor vehicle, or to cause the same to be done contrary to the parking regulations established pursuant hereto. Such violation shall be punishable by a fine not to exceed \$100.00.

B. It is unlawful and a violation of this chapter for a person to falsely represent himself as eligible for a area regular permit or a guest permit, or to furnish false information in an application therefor to the community development director. Such violation shall constitute a Class B misdemeanor.

C. It is unlawful and a violation of this chapter for a person holding an area regular permit to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute an unlawful act and violation of this chapter, both by the person holding the valid parking permit and the person who so uses or displays the permit on a motor vehicle other than that for which it is issued. Such violation shall be punishable by a fine not to exceed \$100.00.

D. It is unlawful and a violation of this chapter for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit area regular permit or a guest permit in order to evade parking regulations applicable in a city permit parking area. Such violation shall constitute a Class B misdemeanor.

## Chapter 11.24

### TRAFFIC AND PARKING ON SCHOOL GROUNDS

#### Sections:

**11.24.010 Applicable regulations enforced.**

**11.24.020 Maximum speed limit.**

**11.24.030 Limitation of vehicular traffic.**

**11.24.040 Vehicles restricted to roadways.**

**11.24.050 Parking prohibited where.**

**11.24.060 Regulations applicable to students.**

**11.24.070 Signposting.**

**11.24.080 Enforcement—Liability.**

**11.24.010 Applicable regulations enforced.**

The applicable state, county, or city traffic and parking regulations shall be enforced upon school and school district property.

**11.24.020 Maximum speed limit.**

Maximum speed on school and district premises is ten miles per hour.

**11.24.030 Limitation of vehicular traffic.**

Vehicular traffic is limited to entering, exiting and parking. No cruising or loitering will be permitted.

**11.24.040 Vehicles restricted to roadways.**

All vehicles are restricted to designated roadways. Motorized vehicles will not be driven on lawns, paths or other prohibited areas.

**11.24.050 Parking prohibited where.**

A. No parking will be allowed in the areas where the curb is painted red, designated “NO PARKING” or where such parking would obstruct regular vehicular traffic.

B. Students, staff and faculty shall not park in areas designated “FOR VISITORS” or “RESERVED.”

**11.24.060 Regulations applicable to students.**

The following rules and regulations relate to the registration, parking and control of vehicles by students:

A. All district traffic and parking regulations and individual school regulations (if any) will be distributed to every student and faculty member at or before the beginning of each school year.

B. Students must register with the school all motor vehicles that will be driven or parked on school property. A registration decal must be displayed on the vehicle as follows:

1. Cars - left side of rear window or hanging from the rearview mirror;
2. Trucks, rough terrain vehicles (Jeeps, etc.) - lower right side of front window; or
3. Motor bikes and cycles - rear frame or rear fender.

C. Prior to vehicle registration at the local high school and issuance of the decal, the student must possess a valid operator’s license issued by Utah or some other state.

D. Prior to vehicle registration at the local high school and issuance of the decal, the student must provide the following:

1. A parent’s or guardian’s written permission for the student to bring a motor vehicle to school; and
2. A signed statement by the parent and student that they understand that when any car is on school property, the car may be searched if the school authorities have reasonable cause to suspect that materials that are in violation of the state, county, city or school code are stored therein and they further understand that any materials found may be seized and used as evidence in school disciplinary hearings and/or legal proceedings.
3. A valid Utah or other state driver’s license.

E. Students are to park in the designated student parking areas and within parking spaces as directed by painted lines and signs.

F. Faculty and staff parking shall be designated and students are not to park in these areas.

**11.24.070 Signposting.**

All regulatory signs utilized on district or school property shall be placed in conspicuous and appropriate areas of the grounds. All regulatory signs must be approved by the district prior to posting.

**11.24.080 Enforcement—Liability.**

The rules and regulations provided in this chapter shall be enforced by the appropriate area law enforcement agencies. Enforcement may include, but shall not be limited to the following: citations, towing away at owner's expense and/or revocation of the privileges to park and drive on school property. The board of education assumes no responsibility for damage to cars, lost articles, damage to property, or injury to persons by the automobile or its driver while on school district property.

## Chapter 11.28

### DRIVING UNDER THE INFLUENCE OF INTOXICANTS

**Sections:**

**11.28.010 Incorporation of Utah State  
Code provisions relating to  
driving while intoxicated.**

**11.28.010 Incorporation of Utah State  
Code provisions relating to  
driving while intoxicated.**

Sections 41-6-44 through 41-6-44.30 of Article 5 of Chapter 6 of the Utah Motor Vehicle Act (UTAH CODE ANN. § 41-1a-101, *et seq.*) and their successors are hereby adopted and incorporated by this reference as violations of city ordinances.

## Chapter 11.32

### BICYCLES

#### Sections:

- 11.32.010 Bicycle dealer defined.**
- 11.32.020 License—Required—Fee.**
- 11.32.030 Inspection and licensing regulations.**
- 11.32.040 Dealer required to license and inspect bicycles.**
- 11.32.050 Serial number required.**
- 11.32.060 Unlawful to sell without title.**
- 11.32.070 Dealing with minors restricted.**
- 11.32.080 Bicycle rider subject to traffic regulations.**
- 11.32.090 Equipment.**
- 11.32.100 Prohibited acts.**
- 11.32.110 License—Removal or alteration prohibited.**
- 11.32.120 License—Revocation or suspension.**
- 11.32.130 Parental responsibility for violation by minor.**

#### **11.32.010 Bicycle dealer defined.**

Any person engaged in the business of buying, selling, bartering or exchanging bicycles, whether dealing exclusively in bicycles or in conjunction with other merchandise, is declared to be a bicycle dealer.

#### **11.32.020 License—Required—Fee.**

It is unlawful for any person to ride a bicycle upon any of the streets, alleys, sidewalks or public ways of the city until the bicycle has been registered, licensed, and is displaying the proper license, as provided in this chapter, or after the license has been suspended or revoked. Before being so registered and licensed, every bicycle must be inspected with relation to its frame number, safe operating condition. Any license issued under the provisions of this chapter shall be valid until the transfer of ownership of the

bicycle, or until the bicycle license so issued is destroyed, lost or mutilated, at which time such bicycle shall again be inspected, registered and licensed as provided in this chapter. The fee to be paid for each bicycle license or relicense shall be as specified in the consolidated fee schedule, payable in advance.

#### **11.32.030 Inspection and licensing regulations.**

The police department is authorized and directed, subject to approval of the city council, to prepare and issue regulations governing the inspection and licensing of bicycles. Any license so issued or heretofore issued by the police department shall be valid for the life of such bicycle or until the transfer of ownership thereof, or until the license issued to such bicycle becomes destroyed, lost or mutilated, at which time the bicycle shall again be inspected, registered and licensed or relicensed.

#### **11.32.040 Dealer required to license and inspect bicycles.**

A. All bicycle dealers shall inspect and license any new or used bicycles sold, bartered or exchanged by the dealer when the bicycle is purchased by or for use by, any resident of the city, or any unlicensed bicycle brought to the dealer for repair prior to the time of redelivery. The dealer shall not license bicycles purchased for use outside of the city's geographical boundaries, but shall complete the license registration form and mail it to the appropriate police department as provided in this chapter. Any required license shall be issued, completed and the license decal affixed by the dealer at a cost charged to the customer not to exceed \$1.

B. At the time of sale, the dealer shall complete a bicycle license registration form supplied by the city and available to the dealer at approximately the cost of production from the city. The license registration form shall be completed in triplicate and shall be produced

in substantially the same form as set forth in Chart 11.32.040.

C. The dealer shall give a copy of the license registration form to the owner or purchaser and affix any required city license decal to the bicycle on the seating post approximately at the midpoint between the saddle lugs and the crank facing the front of the bicycle. A copy of the license registration form shall be retained by the dealer for a period of three years and the original of the form shall be mailed, not later than one week from the date of sale, to the police department of the jurisdiction where the user resides. All entries on the license registration form shall be made in ink or typewritten and, if written in ink, shall be printed. License records of bicycle dealers shall be open for inspection by the police department at any reasonable time. It is unlawful for a dealer to fail to inspect and license a bicycle as required in this section.

**11.32.050 Serial number required.**

Prior to the sale of any bicycle that does not have a serial number on its frame, a dealer shall impress in the metal of the bicycle frame a serial number by using the dealer's initials and the license decal number issued to the bicycle or a serial number using the manufacturer's system of serial numbering. The serial number shall be placed on the underside of the bottom frame sprocket of the bicycle. It shall be unlawful for a dealer to sell any bicycle without a serial number embedded in the frame, either by the manufacturer or as provided in this chapter.

**11.32.060 Unlawful to sell without title.**

It is unlawful for any bicycle dealer to sell or otherwise dispose of any bicycle unless he can show a good title thereto, either by bill of sale from a seller, or from the former owner, or by registration.

**11.32.070 Dealing with minors restricted.**

It is unlawful for any bicycle dealer, by

himself, his agents, servants or employees, to purchase or receive from any minor any bicycle as a trade-in for another bicycle or as an outright purchase for cash, or as an exchange, or barter for another bicycle, without written consent of the parent or guardian of such minor.

**11.32.080 Bicycle rider subject to traffic regulations.**

Every person riding a bicycle upon the streets, alleys, sidewalks or public ways of the city shall be subject to the provisions of this title applicable to the driver of a motor vehicle, except those provisions that by their nature can have no application.

**11.32.090 Equipment.**

A. No bicycle shall be equipped with and no person shall use a siren or whistle as a warning device. Every bicycle shall be equipped with a brake that will enable the operator to control the movement of and to stop and hold such bicycle.

B. Any bicycle operated during the period of one-half hour after sunset and one-half hour before sunrise, shall also be equipped with a lighted lamp, visible under normal atmospheric conditions for at least 500 feet to the front and a reflector or a lighted lamp attached to the rear of the bicycle, visible under like conditions for at least 500 feet.

**11.32.100 Prohibited acts.**

It is unlawful for operators of bicycles to do the following:

A. To fail to yield the right-of-way to pedestrians and to give an audible warning before overtaking or passing any pedestrian when riding upon a sidewalk.

B. To ride more than two abreast upon any street;

C. To proceed other than single file upon any sidewalk;

D. To carry extra passengers or carry any packages, bundles or articles that would

require the removal of the hand or hands from the handlebars of the bicycle;

E. To permit the bicycle to be towed by another vehicle or bicycle; or

F. To carry more persons at one time than the number that the bicycle is designed to carry on seats firmly attached thereto.

**11.32.110 License—Removal or alteration prohibited.**

It is unlawful for a person to willfully or maliciously destroy, mutilate or alter the number of any bicycle frame number or any bicycle license issued pursuant to this title, or to remove, destroy or mutilate any license decal while the same is valid.

**11.32.120 License—Revocation or suspension.**

The juvenile court and such courts that hear traffic cases are empowered to revoke or suspend the license of any bicycle when it appears that the owner of any bicycle is not the licensee of record or that the owner of the bicycle or the licensee thereof has used or knowingly permitted the bicycle to be used in violation of this title. The police department is directed and authorized to impound any bicycle used in violation of this code for a reasonable period of time pending investigation of the alleged violation.

**11.32.130 Parental responsibility for violation by minor.**

It is unlawful for a parent or custodian of any child and the guardian of any ward to knowingly permit any such child or ward to violate any of the provisions of this chapter.

## Chapter 11.36

### PEDESTRIANS

#### Sections:

- 11.36.010 Responsibility of driver to exercise caution.**
- 11.36.020 Pedestrian with white cane.**
- 11.36.030 Pedestrian right-of-way at crosswalk.**
- 11.36.040 Use of right-hand side of crosswalks and sidewalks required.**
- 11.36.050 Yield of right-of-way when.**
- 11.36.060 Walking on or along roadways.**
- 11.36.070 Standing in roadway prohibited when.**

#### **11.36.010 Responsibility of driver to exercise caution.**

Notwithstanding the provisions of this title, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any incapacitated person upon a roadway.

#### **11.36.020 Pedestrian with white cane.**

A person wholly or partially blind, and no other person, may carry a cane or walking stick, white, or painted white in color, and seven-eighths of an inch or more in diameter, as a means of protection and identification and as an indication to all traffic to exercise extraordinary care to avoid accidents.

#### **11.36.030 Pedestrian right-of-way at crosswalk.**

A. When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if necessary, to a pedestrian crossing the roadway within the crosswalk when the pedestrian is upon the half of the

roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. Pedestrians shall not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it is impossible for the driver to yield. This provision shall not apply where the pedestrian is crossing at a place other than a crosswalk.

B. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle on either side.

#### **11.36.040 Use of right-hand side of crosswalks and sidewalks required.**

Pedestrians shall move, whenever practicable, upon the right half of crosswalks and sidewalks.

#### **11.36.050 Yield of right-of-way when.**

A. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall do so only if no crosswalk exists within 350 feet of the desired point of crossing.

B. When so crossing, the pedestrian shall yield the right-of-way to all vehicles upon the roadway.

C. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

D. Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

**11.36.060 Walking on or along roadways.**

A. Where sidewalks, walkways or paths are provided, it is unlawful for any pedestrian to walk along and upon any adjacent roadway.

B. Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic that may approach from the opposite direction. In no event shall more than two persons walk abreast alongside any city roadway.

**11.36.070 Standing in roadway prohibited when.**

No person shall stand in a roadway for the purpose of soliciting a ride, employment, the parking, watching or guarding of a vehicle, or other business from the occupant of any vehicle.

## Chapter 11.40

### ABANDONED AND IMPOUNDED VEHICLES

#### Sections:

**11.40.010 Improperly registered and stolen vehicles—Notice.**

**11.40.020 Vehicles deemed nuisance.**

**11.40.030 Notice of impounding.**

**11.40.040 Redemption of vehicle by owner.**

**11.40.050 Sale of impounded vehicles.**

**11.40.060 Distribution of funds from sale.**

**11.40.070 Records.**

**11.40.010 Improperly registered and stolen vehicles—Notice.**

The police department shall immediately impound in a proper place of storage all vehicles found within the city that are improperly registered, stolen, or bearing defaced motor numbers and shall, within 96 hours thereafter, notify in writing the Motor Vehicle Division of the Utah State Tax Commission of such impounding, setting forth the date found, the address where found, the make, registration number and date and place where stored.

**11.40.020 Vehicles deemed nuisance.**

A. In addition to vehicles parked in violation of any ordinance of the city or the laws of the state, the following are declared to be nuisances:

1. Any unattended vehicle stopped, standing or parked in violation of any of the provisions of this title;

2. Any vehicle found upon the streets or alleys of this city with faulty or defective equipment;

3. Any vehicle left unattended upon any bridge, viaduct, or at any subway where such vehicle constitutes an obstruction to traffic;

4. Any vehicle upon a street so disabled as to constitute an obstruction to traffic, when the persons in charge of the vehicle are, by

reason of physical injury, incapacitated to such an extent as to be unable to provide for its custody or removal;

5. Any vehicle left unattended upon a street or alley and parked illegally so as to constitute a definite hazard or obstruction to the normal movement of traffic;

6. Any vehicle left parked in the same place on any street or alley continuously for 24 hours;

7. Any vehicle wherein the driver has been taken into custody by the police department under circumstances so as to leave such vehicle unattended in a street, alley or restricted parking area;

8. Any vehicle being driven on the streets which is not in a proper condition to be driven; or

9. Any vehicle found so parked as to constitute a fire hazard or an obstruction to fire-fighting apparatus.

B. Such nuisances may be summarily abated by removal by, under the direction of, or at the request of an officer of the police department, to a place of storage within the city, by means of towing or otherwise.

**11.40.030 Notice of impounding.**

A. As soon as is reasonable under the circumstances, a written notice that the vehicle has been impounded shall be mailed to the owner and recorded lien holder, if there is one, of the vehicle, at the last known address as shown on the records of the Motor Vehicle Division of the Utah State Tax Commission. If the license plates on the vehicle are from another state, written notice shall be mailed to the department of motor vehicles in that state, requesting such department to notify the registered owner of the vehicle that it has been impounded by the police department and that the vehicle will be sold at public auction as provided by this title, if not claimed by the owner or his proper representative.

B. The impounding of a vehicle shall not prevent or preclude the institution and

prosecution of criminal proceedings in the state, county or municipal courts or elsewhere against the owner or operator of the impounded vehicle.

**11.40.040 Redemption of vehicle by owner.**

Before the owner or his agent shall be permitted to remove a vehicle that has been impounded, he shall:

A. Furnish satisfactory evidence to the police department of his identity and of his ownership of the vehicle;

B. Request and obtain from the police department a written order directed to the place of storage in which the vehicle is impounded, authorizing the release of the vehicle to the owner or his agent upon payment to the place of storage of towing and storage charges reasonably incurred in the towing and storage of the vehicle from the date of the impounding to the time of presenting the order of release from the police department therefor; and

C. Sign a written receipt for the vehicle and deliver the same to the place of storage upon receiving the impounded vehicle.

**11.40.050 Sale of impounded vehicles.**

If, at the expiration of 30 days after mailing the notice provided for in this chapter, an impounded vehicle is not redeemed by the owner or his proper representative, the police department or its authorized agent shall proceed to sell the same at public auction to the highest bidder, after first giving at least ten days' notice of such sale by publishing a notice at least once in a newspaper published in the city, stating the time and place of the sale. The notice shall also describe the vehicle to be sold with reasonable certainty and shall state to whom, if anyone, the records of the office of the Motor Vehicle Division of the Utah State Tax Commission show that it belongs, and if the name of the owner is unknown, that shall be stated. If the name of the owner or recorded lienholder is known, the

police department shall send the owner or recorded lienholder a copy of the notice immediately after its publication, which notice shall be mailed to their last known address or their address as shown on the records of the Motor Vehicle Division of the Utah State Tax Commission. A copy of this notice as published shall immediately, after publication, be mailed to the owner of the place of storage. The money received by the police department or its authorized agent from the sale of any impounded vehicle shall be applied first, to the actual cost of its towing and storage, then, to pay the cost of advertising the notice of sale of the vehicle, and the balance, if any, shall be tendered into the city to be used as provided in this chapter.

**11.40.060 Distribution of funds from sale.**

At any time within one year from and after such sale the former owner of the vehicle sold, upon application to the city and upon presentation of satisfactory proof that he was the owner of the vehicle sold, shall be paid the proceeds of such sale less the necessary expense thereof and less the towing, impounding and storage charges provided for in section 11.40.050 of this chapter.

**11.40.070 Records.**

The police department shall keep a record of all vehicles impounded by the manufacturer's trade name or make, body type, motor and license numbers, the names and addresses of all persons claiming the same, any other description that may aid to identify such vehicles, the nature and circumstances of impounding, the violation for which such vehicles were impounded, the date of such impounding, and the name and address of any person to whom any such vehicle is released.

## Chapter 11.44

### PENALTIES, PARTIES AND PROCEDURE ON ARREST

#### Sections:

**11.44.010 Violation—Penalties.**

**11.44.020 Parties guilty of criminal offense.**

**11.44.030 Appearance upon arrest for  
misdemeanor—Setting bond.**

**11.44.040 Notice to appear.**

**11.44.045 Notice to appear in court—  
Contents—Promise to comply—  
Signing—Release from  
custody—Official misconduct.**

**11.44.050 Violation of promise to appear as  
misdemeanor—Appearance by  
counsel.**

**11.44.010 Violation—Penalties.**

A. For purposes of this title and to the extent applicable, violations of the following statutes or their successors, which have been adopted by reference pursuant to section 11.04.090, shall be infractions: UTAH CODE ANN. § 41-6-46 (Speed regulations – Safe and appropriate speeds at certain locations – Prima facie speed limits – Emergency power of the governor); § 41-6-55 (Overtaking and passing vehicles proceeding in same direction); § 41-6-56 (Passing upon right – When permissible); § 41-6-57 (Limitation on passing – Prohibitions); § 41-6-59 (Signs and markings on roadway – No passing zones – Exceptions); § 41-6-62 (Following another vehicle – Safe distance – Caravan or motorcade – Exception for funeral procession); § 41-6-66 (Turning – Manner – Traffic-control devices); § 41-6-67 (Turning around – Where prohibited – Visibility); § 41-6-69 (Turning or changing lanes – Safety – Signals – Stopping or sudden decrease in speed – Signal flashing – Where prohibited); § 41-6-72 (Right-of-way between vehicles – unregulated intersection); § 41-6-72.10 (Right-of-way – Stop or yield signals – Yield – Collisions at intersections or junctions

of roadways – Evidence); § 41-6-73 (Vehicle turning left – Yield right-of-way); § 41-6-75.5 (Merging lanes – Yielding); § 41-6-79 (Pedestrians yielding right-of-way – Limits on pedestrians) § 41-6-85 (Carrying more persons than design permits – Exception); § 41-6-86 (Persons on bicycles, mopeds, skates and sleds not to attach to moving vehicles – Exception); § 41-6-87 (Operation of bicycle or moped on and use of roadway – Duties, prohibitions); § 41-6-87.3 (Bicycles and human powered vehicle or device to yield right-of-way to pedestrians on sidewalks, paths, or trails – Uses prohibited – Negligent collision prohibited – Rights and duties same as pedestrians); § 41-6-87.4 (Bicycles – Parking on sidewalk, roadway – Prohibitions); § 41-6-87.5 (Bicycles and mopeds – Turns – Designated lanes); § 41-6-87.9 (Bicycle racing – When approved – Prohibitions – Exceptions – Authorized exemptions from traffic laws); § 41-6-88 (Bicycles and mopeds – Carrying bundle – One hand on handlebars); § 41-6-89 (Bicycle – Prohibited equipment – Brakes required); § 41-6-90 (Bicycles – Lamps and reflective material required); § 41-6-93 (Driving on tracks); § 41-6-94 (Driving through safety zone); § 41-6-101 (Stopping or parking on roadway outside business or residential district); § 41-6-103 (Standing or parking vehicles – Restrictions and exceptions); § 41-6-104 (Stopping or parking upon roadways – Angle parking – Traffic-control devices prohibiting or restricting); § 41-6-105 (Motor vehicle left unattended – Requirements); § 41-6-106 (Backing – When permissible); § 41-6-106.10 (Sidewalk – Driving prohibited – Exception); § 41-6-107.2 (Motorcycles, motor-driven cycles, or all-terrain type I vehicles – Operation on public highways); § 41-6-107.4 (Motorcycle or motor-drive cycle – Attaching to another vehicle prohibited); § 41-6-107.6 (Motorcycle or motor-driven cycle – Footrests for passenger – Height of handlebars limited); § 41-6-108 (Prohibition as to passenger riding

on improper portion of motor vehicle – Exceptions); § 41-6-108.10 (Vehicle door – Prohibited opening); § 41-6-109 (Obstruction to driver’s view or driving mechanism); § 41-6-109.5 (Occupancy of a trailer or semitrailer while being moved on highway prohibited); § 41-6-109.10 (Entering intersection, crosswalk or railroad grade – Sufficient space required); § 41-6-112 (Following or parking near fire apparatus prohibited); §§ 41-6-117 through 41-6-175.5 (Equipment), excluding §§ 41-6-168, 41-6-172, and 41-6-173; § 41-8-1 (Operation of vehicle by persons under 16 prohibited – Exceptions for off-highway vehicles and off-highway implements of husbandry); § 41-22-3 (Registration of vehicles – Application – Issuance of stickers and card – Proof of property tax payment – Records); § 41-22-10.6 (Requiring compliance with traffic laws); § 41-22-10.7 (Vehicle equipment requirements); § 41-22-12.5 (Restrictions on use of privately-owned lands without permission – Unlawful for person to tamper with signs or fencing on privately-owned land); and § 41-22-13 (Prohibited uses).

**11.44.020 Parties guilty of criminal offense.**

Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act declared in this chapter to be unlawful, whether individually or in connection with one or more other person or as a principal, agent or accessory, shall be guilty of the offense; and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provision of this title is likewise guilty of such offense. Every person who knowingly and willfully gives false information concerning the identity of anyone who has committed any act to an officer of the police department investigating such act, known by the officer to have been committed and believed by the officer to have been unlawful shall be guilty

of a misdemeanor.

**11.44.030 Appearance upon arrest for misdemeanor—Setting bond.**

Whenever any person is arrested for any violation of this title punishable as a misdemeanor, the arrested person, for the purpose of setting bond, shall in the following cases, be taken without unnecessary delay before a magistrate in the county or city in which the offense charged is alleged to have been committed and who has jurisdiction of such offense and who is nearest or most accessible with reference to the place where the arrest was made in any of the following cases:

A. When a person arrested demands an immediate appearance before a magistrate;

B. When a person is arrested on the charge of driving while intoxicated as prescribed in chapter 11.28;

C. When a person is arrested on the charge of failure to stop in the event of an accident causing death, personal injuries, or damage to property; or

D. In any other event when the person arrested refuses to give his written promise to appear in court as hereinafter provided, or when in the discretion of the arresting officer, a written promise to appear is insufficient.

**11.44.040 Notice to appear.**

Upon any violation of this title, whenever a person is not immediately taken before a magistrate as provided in section 11.44.030, the officer shall prepare a written notice to appear in court which shall be prepared and delivered in accordance with the provisions of UTAH CODE ANN. §§ 77-7-18, 77-7-20 and 77-7-21.

**11.44.045 Notice to appear in court—Contents—Promise to comply—Signing—Release from custody—Official misconduct.**

Section 41-6-167 of Chapter 6 of the Utah

Motor Vehicle Act (UTAH CODE ANN. § 41-1a-101, *et seq.*) and its successors is hereby adopted and incorporated by this reference as a city ordinance.

**11.44.050 Violation of promise to appear as misdemeanor—Appearance by counsel.**

A. Any person willfully violating his promise to appear in court, given as provided in this title, is guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally cited.

B. A written promise to appear may be complied with by an appearance by counsel.

**CHART 11.32.040**  
**FORM FOR BICYCLE REGISTRATION**

<b>COTTONWOOD HEIGHTS LICENSE BICYCLE REGISTRATION</b>			
License No. _____	Date: _____		
Telephone _____			
Value _____			
Name: _____			
(owner/user) Last Name	First Name	Address	
Name of Purchaser (if different): _____			
Make _____	Frame Size _____		
Model No. _____	Wheel Size _____		
Frame No. _____	Color _____		
Speed _____	Boys ____	Girls ____	New ____   Used ____
Dealer: _____			
Firm	Address	By	
Reported Lost or Stolen:			
Case No. _____	Signed _____		
	Dealer		