

Moroni City
Codes and Ordinances

Title 4 – Public Health and Safety

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Fire Department

Section

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4-1-1: Established

There is hereby created a Fire Department to be known as the Moroni City Volunteer Fire Department. (1982 Code 10-111)

4-1-2: Fire Chief

1. **Created:** There is hereby created the position of Chief of the Fire Department. (1982 Code § 10-121)
2. **Powers and Duties:**
 - a. **Supervision of Department:** The Fire Chief shall have responsibility for the general supervision of the Department.
 - b. **Control and Extinguish Fire:** During a fire, the Fire Chief shall have full authority to take all measures as he shall deem necessary, subject to State law, to control and extinguish the fire and for that purpose he is hereby made a special peace officer.
 - c. **Report Information to City Council:** The Fire Chief shall, at least quarterly, report to the City Council the condition of the fire equipment, the number of fires and their causes and the estimated loss therefrom, together with such other information as the City Council may request or as he shall deem appropriate.
 - d. **Enforce Fire Protection and Prevention:** The Fire Chief shall strictly enforce all of the provisions of the ordinances of the City relating to the protection against and prevention of fire.

- e. **Maintain Equipment:** The Fire Chief shall maintain the equipment of the Department in good repair and order and ready for use.
- f. **Establish Rules and Regulations:** The Fire Chief, subject to the approval of the Mayor and City Council, shall establish rules and regulations for the operation of the Department.
- g. **Delegate Duties:** The Fire Chief may delegate his duties to any person employed by the Department, but such delegation shall not relieve the Fire Chief of his responsibility for the performance thereof.
- h. **Investigation of Fires:** The Fire Chief shall cause all fires to be promptly investigated to determine the cause of the fire and report the cause of the fire, the time originated and such other information as may be relevant to prevent other fires. (1982 Code § 10-122)
- i. **Employ Firefighters and Personnel:** The Fire Chief may make recommendations to the Mayor relating to the employment of firefighters and such other personnel as may be necessary to enforce the provisions of this Chapter. The Fire Chief may employ such additional personnel as the Mayor and City Council may direct or authorize. (1982 Code § 10-1 23)

4-1-3: Designation of Emergency Vehicles

Fire trucks and other motor vehicles used to transport fire equipment or fire personnel are hereby designated authorized emergency vehicles. (1 982 Code § 10-131; amd 2000 Code)

4-1-4: Responsibilities, Rights and Restrictions

1. **Removal of Obstructions at Fire:** The officer in charge at any fire may order the removal or destruction of any fence, building or structure, or that any utility be closed, cut or removed when deemed necessary to control, extinguish or prevent the spread of fire. (1982 Code § 10-132)
2. **Control of Persons:** All persons present at a fire shall obey the lawful orders of any firefighters. (1982 Code § 10-133)
3. **Interference With Firefighters:** Every person at the scene of any fire who willfully disobeys the lawful orders of any public officer or firefighter, or offers any resistance to or interference with the efforts of any firefighter, or company of firefighters to extinguish the same, or engages in any disorderly conduct calculated to prevent the same from being extinguished, or who forbids, prevents or dissuades others from assisting to extinguish

the same, is guilty of an infraction and subject to penalty as provided in Section 1-4-1 of this Code. (1982 Code § 10-134; amd. 2000 Code)

4. **Unlawful Interference:** Any person who shall willfully hinder any officer or firefighter in the discharge of his duty at a fire, or in any manner injure, deface or destroy any engine, hose or other fire apparatus belonging to the City or who shall interfere with any fire company or person, or who shall willfully break or injure any water pipe or interfere with the water or its source of supply, shall be deemed guilty of a Class B misdemeanor and subject to penalty as provided in Section 1-4-1 of this Code. (1982 Code § 10-135; amd. 2000 Code)
5. **Investigation After Fire Report:** The Fire Chief, or such other persons as he shall designate, shall, after extinguishing a fire, make a prompt and thorough investigation of the cause of the fire, the time the fire began, the amount of loss and insurance, a description of the affected buildings and premises, and shall secure all other useful information available, and record the same in a record book kept for that purpose in the office of the Department and shall report the same to the City Council at such time as it may direct. (1982 Code § 10-1 36)
6. **Right to Enter and Inspect:** The Fire Chief or his deputies, upon presentation of proper credentials, shall have the right to enter upon any premises at all reasonable hours for the purpose of making inspections. (1982 Code § 10-137)
7. **Persons Present Subject To Orders:** Every capable person eighteen (18) years or older present at a fire shall be subject to the orders of the officer in command and shall render assistance in the manner directed by the officer in command. (1982 Code § 10-138;amd. 2000 Code)
8. **False Alarm:** It shall be unlawful for any person to turn in or report to the Fire Department a false alarm or report of a fire or to tamper or remove any part of the fire alarm system. (1982 Code § 10-139)

Nuisances

Section

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4-2-1: Definitions

As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section:

- **Author:** Where a nuisance exists upon property and is the outgrowth of the usual, natural or necessary use of the property, the landlord or his agent, the tenant or his agent, and all other persons having control of the property on which such nuisance exists, shall be deemed to be the authors thereof and shall be equally liable and responsible. Where any such nuisance shall arise from the unusual or unnecessary use of such property or from the business thereon conducted, then the occupants and all other persons contributing to the continuance of such nuisance shall be deemed the authors.
- **Nuisance:** Whatever is dangerous to human life or health and whatever renders soil, air, water or food impure or unwholesome is declared to be a nuisance and unlawful. It shall be unlawful for any person either as an owner, agent or occupant to create or aid in creating or contributing to or maintaining a nuisance. (1982 Code § 10-311, 10-312; amd. 2000 Code)

4-2-2: Declaration of Nuisance

1. **Statement:** Every act or condition made, permitted, allowed or continued in violation of Section 4-2-1 of this Chapter, is hereby declared to be a nuisance and may be abated and punished as hereinafter provided.
2. **Specified:** Nuisances include, but are not limited to:
 - a. Befouling Water: Befouling water in any spring, stream, well or water source supplying water for culinary purposes. (1982 Code §10-313)
 - b. Privies, Cesspools: Allowing any privy vault or cesspool or other individual wastewater disposal system to become a menace to health or a source of odors or contamination to air or water. (1982 Code § 10-313; amd. 2000 Code)
 - c. Garbage Containers, Offensive: Permitting any garbage container to remain on premises when it has become unclean and offensive.
 - d. Garbage Accumulation: Allowing vegetable waste, garbage, litter, filth or refuse of any nature to accumulate within or upon any private alley, yard or area, except when it is temporarily deposited for immediate removal.
 - e. Manure Accumulation: Permitting the accumulation of manure In any stable, stall, corral, feed yard, yard or in any other building or area in which any animals are kept.
 - f. Slaughterhouses, Feed Yards: Permitting any slaughterhouse, market, meat shop, stable, feed yard or other place or building wherein any animals are slaughtered, kept, fed or sold to remain unclean or in any state or condition detrimental to health or creating a nuisance because of odors, or in which flies or rodents breed. (1982 Code § 10-313)
 - g. Discharging Offensive Water or Liquid Waste: Discharging or placing any offensive water, chemical spray, liquid waste or refuse of any kind into any street, alley, sidewalk, gutter, stream, wash, natural watercourse, ditch, canal or any vacant lot or which, as the result of continued discharge, will render the place of discharge offensive or likely to become so. (1982 Code § 10-313; amd. 2000 Code)
 - h. Collecting Grease, Offensive Matter: Keeping or collecting any stale or putrid grease or other offensive matter.

- i. Flies and Mosquitos: Having or permitting upon any premises any fly- or mosquito-producing condition.
 - j. Public Drinking Vessels: Keeping any drinking vessel for public use without providing a method of decontamination between uses.
 - k. Ablutions near Drinking Fountain: Permitting or performing any ablutions in or near any public drinking fountain.
 - l. Boarding House or Factory, Sanitary Condition: Failing to furnish any dwelling house, boarding house or factory or other place of employment with such privy vaults, water closets, sinks or other facilities as may be required to maintain the same in sanitary condition.
 - m. Cleaning Privy Vaults: Neglecting or refusing to discontinue use of, clean out, disinfect and fill up all privy vaults and cesspools or other individual wastewater disposal systems within twenty (20) days after notice from an enforcement officer or official of the City.
 - n. Stagnant Water; Offensive Substances: Permitting any lot or excavation to become the repository of stagnant water or any decaying or offensive substances.
 - o. Obstructing Public Ways, Watercourses, Parks: Obstructing or tending to obstruct or interfere with or render dangerous for passage any street or sidewalks, lake, stream, drainage, canal or basin, or any public park without first obtaining the written permission of the City Council. (1982 Code § 10-313)
3. **Enumeration**: The types of nuisances above stated shall be deemed in addition to and in no way a limitation of the nuisances subject to this Chapter. (1982 Code § 10-314)

4-2-3: Restroom or Sewer Facilities

All restroom or sewer facilities shall be constructed and maintained in accordance with Utah law and City ordinances. All such facilities that do not comply with such provisions are hereby declared to be a nuisance and are subject to abatement as herein prescribed. (1982 Code § 10-315; amd. 2000 Code)

4-2-4: Restrictions on Blocking Water

- 1. **Unlawful**: It shall be unlawful for any person to permit any drainage system, canal, ditch, conduit or other watercourse of any kind or nature, natural or artificial, to become so

obstructed as to cause the water to back up and overflow therefrom, or to become unsanitary.

2. **Nuisance Declared:** Maintenance of any such watercourse in such condition shall constitute a nuisance and the same shall be subject to abatement. (1982 Code § 10-31 6)

4-2-5: Nuisances on Property

1. **Definition:** For the purpose of this Section, the term “nuisance” is defined to mean any condition or use of premises or of building exteriors which are deleterious or injurious, noxious or unsightly, which includes, but is not limited to, keeping or depositing on or scattering over the premises any of the following:
 - a. Lumber, junk, trash or debris. (1982 Code § 10-331)
 - b. Abandoned, discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans, containers, or other discarded items not currently in use. (1982 Code § 10-331; amd. 2000 Code)
2. **Duty of Maintenance:** No person owning, leasing, occupying or having charge of any premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such premises in any manner causing substantial diminution in the value of the other property in the neighborhood in which such premises are located. (1982 Code § 10-332)
3. **Storage of Personal Property:** Unsheltered storage of old, unused, stripped and junked machinery, implements, equipment or personal property of any kind which is no longer safely usable for the purposes for which it was manufactured, for a period of thirty (30) days or more (except in licensed junk yards) within the City, is hereby declared to be a nuisance and dangerous to the public safety. (1982 Code § 10-333)
4. **Abatement by Owners:** The owner, owners, tenants, lessees or occupants of any lot within the City on which such ‘storage’, as defined in subsection C of this Section, is made, and also the owner, owners or lessees of the above-described personal property involved in such storage, shall jointly and severally abate such nuisance by its prompt removal into completely enclosed and secured yards or buildings to be used for such purposes, or otherwise remove such property from the City. (1982 Code § 10-334)

4-2-6: Noise

The use of “Jake Brakes” is not permitted within the Moroni City limits at any time.

1. The ringing of bells, loud music or the making of, or other noises for the purpose of business, amusement or otherwise are not permitted in the Moroni City limits between the hours of 10:00 pm and 6:00 am, unless authorized by Moroni City.
2. The city imposes a minimum criminal penalty for the violation of the provisions of this ordinance of a fine not to exceed the maximum class B misdemeanor fine under Section 76-3-101 U.C.A or by a term of imprisonment up to six months, or by both the fine and term of imprisonment. (02-18-2006)

4-2-7: Prohibition of Smoking in City Parks, Cemeteries and Recreational Areas

1. **Smoking is defined as:** any use of traditional cigarettes, e-cigarettes, vaping devices or other similar type materials that produce smoke or vapor for personal consumption.
Smoking is prohibited in the following city areas, in conjunction with Section 26-38-6 of the Utah Code restricting smoking in outdoor places of public access:
 2. City Parks (City owned ball diamonds, parks, pocket parks, soccer fields, linear parks/trails, bleachers and spectator areas, picnic pavilions and shelters, and playgrounds)
 3. Cemeteries
 4. Recreational Areas
 5. Other City Owned property and during City sponsored events

Within the aforementioned areas, Smoking may be allowed, in areas specifically designated by the City as smoking areas.

A violation of this ordinance is an infraction for the first offense and a Class C misdemeanor for any subsequent offense. (05-04-2017)

4-2-8: Abatement Procedure

1. **Nuisance Inspector:**
 - a. Appointment: There is hereby established the position of nuisance inspector, whose duties it shall be to enforce the provisions of this Chapter. Until another person is designated, the Chief of Police shall enforce the provisions of this Chapter. More than one person may be appointed to act as nuisance inspector under this Section.

- b. Duties: The nuisance inspector is authorized to:
- i. Perform all functions necessary to enforce the provisions of this Chapter.
 - ii. Inspect or cause to be inspected, as often as needed, all buildings, structures, lots or places for the purpose of determining whether such are in compliance with the provisions of this Chapter.
- c. Existence Of Objectionable Condition: If he concludes there exists an objectionable condition in violation of this Chapter, the nuisance inspector shall:
- i. Ascertain the names of the owners and occupants and descriptions of the premises where such objects and conditions constituting a nuisance exist.
 - ii. Serve notice in writing upon the owner and occupant of such premises, either personally or by mailing notice prepaid, addressed to the owner and occupant at their last known post office addresses as disclosed by the records of the County Assessor, or as otherwise ascertained, requiring such owner or occupant, or both, as the case may be, to eradicate or destroy and remove the nuisance within such time as the nuisance inspector may designate; provided, that any person notified pursuant to this subsection shall be given at least ten (10), but not more than twenty (20) days, as determined by the nuisance inspector following the date of service of such notice, to correct the objectionable condition. The notice shall:
 1. Contain a specific statement of the nature of the violation and generally describe the premises on which the violation exists.
 2. Inform the owner, occupant or other person that in the event he disagrees with the determination of the nuisance inspector and does not wish to comply with the provisions of the notice or that he objects to the factual or legal basis for the notice, he may request in writing a hearing before the City Council at a time and place to be set by the City Council. A written application for a hearing shall state the time within which the person must conform to the provisions of the notice.
 3. Inform the person that in the event he fails or neglects to correct the objectionable condition, the City will correct the objectionable

condition and will collect the costs of so correcting the objectionable condition by either a court action, in which case he will be assessed such costs, together with reasonable attorney fees and court costs, or will charge the cost of correcting the violation against the property as a tax.

- iii. In the event the owner or occupant makes such request for a hearing, the City Council shall set the time and place for hearing objections and the City Recorder/Clerk shall notify the owner, occupant or other persons having an interest in said property on the condition thereof in writing of the time and place at which they may appear and be heard. The hearing shall be heard within less than five (5) days from the date of service or mailing of the notice of hearing. (1982 Code § 10-351)

2. **Hearing:**

- a. Informal Hearing; Written Decision: At the written request of an owner, occupant or other person having an interest in property which is the subject of a notice to remove or abate weeds, objectionable conditions or objects from the property, the City Council shall conduct an informal hearing (which need not be reported), wherein such persons may present such evidence and argument as is pertinent to the question of whether or not the removal or abatement of the objects or conditions is properly within the purview of this Chapter. The City Council shall also permit the presentation of evidence and argument by the nuisance inspector and other interested parties. Thereafter, within not less than five (5) nor more than ten (10) days, the City Council shall, over the signature of the Mayor, or such other member of the City Council as it may designate, render its written decision, a copy of which shall be mailed to or served upon the owner or any other person to whom the original notice was given by the nuisance inspector.
- b. Notice Of Decision; Abatement By Owner Or Occupant: In the event the decision of the City Council upholds the determination of the nuisance inspector, the notice originally given by the nuisance inspector as above provided shall be deemed to be sufficient to require the owner or occupant to remove or abate the objectionable objects or conditions, and he shall have up to ten (10) days from the date of notice of the decision within which to conform thereto, unless additional time, not to exceed thirty (30) days, is authorized by the nuisance inspector.
- c. Time Period For Compliance: In the event that the decision of the City Council either overrules or modifies the determination of the nuisance inspector, the

written decision of the City Council shall apprise the owner or occupant of that fact and set forth the details and extent to which the owner or occupant must make removal or other abatement of the objectionable objects or conditions, if any. The owner or occupant shall be required to conform to the decision of the City Council within ten (10) days after service or mailing of a copy of the decision, and the decision shall be deemed to be the modified decision of the nuisance inspector, unless additional time is authorized by the City Council.

- d. Filing of Amended Notice: The nuisance inspector shall file an amended notice and proof of service of notice and file the same in the office of the County Treasurer. (1982 Code § 10-352)
3. **Failure To Comply; Abatement By City**: If any owner, occupant or other person having an interest in land described in such notice of decision to whom, the notice was given shall fail or neglect to conform to the requirements thereof relating to the eradication, destruction or removal of such weeds, garbage, refuse, objects or structures, the nuisance inspector shall employ all necessary assistance to cause such objectionable objects or conditions to be removed or destroyed at the expense of the City. (1982 Code § 10-353)
4. **Itemized Statement**: The nuisance inspector shall prepare an itemized statement of all expenses incurred in the removal and destruction of nuisances, and shall mail a copy thereof to the owner or occupant or both or to persons having an interest in the property, demanding payment within twenty (20) days of the date of mailing. The notice shall be deemed delivered when mailed by registered mail, addressed to the last known address of the property owner, occupant or persons having an interest in the property. (1982 Code § 10-354)
5. **Failure to Make Payment**: In the event the owner, occupant or person having an interest in the property fails to make payment of the amount set forth in the statement to the City Treasurer within the twenty (20) days, the nuisance inspector may either cause suit to be brought in an appropriate court of law or may refer the matter to the County Treasurer as provided in this Chapter. (1982 Code § 10-355)
6. **Collection**
 - a. Lawsuit: In the event collection of expenses of destruction and removal are pursued through the courts, the City shall sue and receive judgment for all of said expenses of destruction and removal, together with reasonable attorney fees, interest and court costs, and shall execute upon such judgment in the manner provided by law. (1982 Code § 10-356)

- b. **Taxes:** In the event that the nuisance inspector elects to refer the expenses of destruction or removal to the County Treasurer for inclusion in the tax notice of the property owner, he shall make in triplicate an itemized statement of all expenses incurred in the destruction and removal of the same, and shall deliver three (3) copies of the statement to the County Treasurer within ten (10) days after the completion of the work of destroying or removing such weeds, refuse, garbage, objects or structures. Thereupon, the costs of the work shall be pursued by the County Treasurer in accordance with the provisions of Utah Code Annotated section 10-11-4, as amended, and the recalcitrant owner shall have such rights and shall be subject to such powers as are thereby granted. (1982 Code § 10-357)
7. **Criminal Proceedings:** The commencement of criminal proceedings for the purpose of imposing penalties for violations of this Chapter shall not be conditioned upon prior issuance of a notice or the granting to the defendant an opportunity to abate or remove the nuisance. The provisions of this Chapter relating to notice and abatement shall be deemed merely alternative and additional methods of securing conformity to the provisions of this Chapter. (1982 Code § 10-358)

4-2-9: Penalty for Failure to Comply

1. **Class C Misdemeanor:** Any owner, occupant or person having an interest in property subject to this Chapter who shall fail to comply with the notice or order given pursuant to this Chapter shall be guilty of a Class C misdemeanor and subject to penalty as provided in Section 1-4-1 of this Code. (1982 Code § 10-359; amd. 2000 Code)
2. **Criminal Proceedings:** Compliance by any owner, occupant or person to whom a notice has been given subsequent to the commencement of criminal proceedings as provided in this Chapter shall not be admissible in any criminal, proceeding brought pursuant to this Section. (1982 Code § 10-359)

Weeds

Section

- Definition 4-3-1
- Standard of Weed Control 4-3-2
- Penalty 4-3-3

4-3-1: Definition

Weeds shall include any vegetation commonly referred to as a weed or which shall have been designated a noxious weed by the Utah Commissioner of Agriculture. (1982 Code § 10-322)

4-3-2: Standard of Weed Control

It is hereby declared that the above stated weeds constitute a nuisance when they create a fire hazard, a source of contamination or pollution of the water, air or property, a danger to health, a breeding place or habitation for insects or rodents or other forms of life deleterious to humans or are unsightly or deleterious to their surroundings. (1982 Code § 10-323)

4-3-3: Penalty

It shall be an infraction, subject to penalty as provided in Section 1-4-1 of this Code, for any person owning or occupying real property to allow weeds to grow higher on such property than is permitted by this Chapter or not to remove from such property any cuttings of such weeds or any refuse, unsightly or deleterious objects after having been given notice from the Zoning Officer. (1982 Code § 10-321; amd. 2000 Code)

Garbage and Refuse

Section

- Definitions 4-4-1
- Regulations 4-4-2

4-4-1: Definitions

As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this section:

- **Commercial Garbage:** Refers to garbage produced in commercial establishments, public or quasi-public institutions or establishments, including restaurants, hotels, motels and similar establishments.
- **Community Waste:** Lawn cuttings, clippings from bushes and shrubs, leaves and trees and tree branches.
- **Container or Regulation Container:** A type of garbage or trash container of galvanized metal or other approved material and having a tight-fitting lid or properly and sufficiently treated weather-resistant paper bag manufactured specifically for use in garbage and refuse collection.
- **Garbage:** Waste from the preparation, handling, storing, cooking or consumption of food and food products.
- **Refuse:** All waste matter, except garbage, attending or resulting from the occupancy of residences, apartments, hotels or other places of dwelling and from the operation of a business. Refuse shall not be deemed to include industrial waste or waste matter resulting from the construction, demolition or repair of a building or other structure.
- **Residential Garbage:** Garbage produced in places of private residence and dining halls not open to the public. (1982 Code § 10-411; amd. 2000 Code)

4-4-2: Regulations

1. **Accumulation Unlawful:** It shall be unlawful for any person to accumulate garbage or refuse or cause garbage or refuse to be deposited upon any street or alley or upon any premises in the City without express permission from the County Health Officer. The County Health Officer may permit the feeding or processing of garbage or refuse upon premises properly equipped and maintained so as to prevent the creation of a nuisance or

a hazard to health, or permit the depositing of ashes and other dry material for filling purposes at such places as the County Health Officer may designate and under such restrictions as the City Council may by regulation impose. Additionally, the County Health Officer may grant to any person permission for sorting, bailing and marketing trade waste upon premises properly equipped and maintained. (1982 Code § 10-415; amd. 2000 Code)

2. **Containers:** All garbage and refuse shall be placed in suitable and sufficient garbage receptacles with tight-fitting lids or properly and sufficiently treated water-resistant paper bags manufactured specifically for use in garbage and refuse collection, or plastic bags manufactured specifically for use in garbage and refuse collection. (1982 Code § 10-41 6)
3. **Closing of Containers Required:** All garbage and market waste must be placed in rainproof and fly-proof receptacles. The receptacle shall be tightly closed in such manner as to prevent offensive odors or flies. (1982 Code § 10-41 7)
4. **Community Waste:** Community waste may be disposed of by residents and business establishments in vehicles provided by them, subject to regulation by the City Council as to the places of disposal and as to the type of vehicle used to avoid spillage upon the public ways of the City, hazards to safety and the prevention of nuisances. (1982 Code § 10-41 9)
5. **Burning of Refuse Prohibited:** It shall be unlawful for any person to burn garbage, market waste, manure or other refuse in the open air or in any furnace or stove within the City. (1982 Code § 10-420)
6. **Dumping Refuse Prohibited:** It shall be unlawful for any person to place, deposit or dump garbage, ashes, market waste, paper boxes, cartons, trade waste, manure or night soil, or any other refuse upon any lot within the City whether such lot is occupied or vacant and whether such person so placing, depositing or dumping such refuse is the owner, tenant, occupant or lessor thereof or has the same under his jurisdiction and control. (1982 Code § 10-421)
7. **Limitations upon Dumping:** Dumping waste and garbage shall be permitted only in such places as are designated by the City Council. Dumping shall be subject to such rules and regulations as may be formulated by the City Council. (1982 Code § 10-422)
8. **Unauthorized Use of Dump:** It shall be unlawful for any unauthorized person to use the City garbage dump after the authorized hours. (1982 Code § 10-423)

Litter; Handbills

Section

- Definitions 4-5-1
- Litter Regulations 4-5-2
- Handbills and Posters; Restricted Activity 4-5-3
- Handbill Regulations 4-5-4

4-5-1: Definitions

For the purpose of this Chapter:

- **Authorized Receptacle:** A public or private litter storage and collection receptacle.
- **Commercial Handbill:** Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copies of any matter or literature:
 - Which advertises for sale any merchandise, product, commodity or thing;
 - Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest in sales thereof;
 - Which directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind, for which an admission fee is charged for the purpose of private gain or profit. However, the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition or event of any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided, that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition or event of any kind without a license, where such license is or may be required by any law of this State, or under any ordinance of the City; or

- Which, while containing reading matter other than advertising matter is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distribution.
- **Garbage:** Waste from the preparation, cooking or consumption of food, condemned food products and all refuse and waste from the handling, storage, preparation and sale of produce. Garbage originates primarily in kitchens, stores, markets, restaurants, hotels and other places where food is handled, stored, sold, cooked and consumed.
- **Litter:** “Garbage”, “refuse” and “rubbish”, as defined herein, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety, welfare or appearance of the City.
- **Newspaper:** Any newspaper of general or local circulation or any periodical or current magazine regularly published with not less than four (4) issues per year, and sold to the public.
- **Non Commercial Handbill:** Any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of a commercial handbill or newspaper.
- **Park:** A park, reservation, playground, beach, recreation center or any other public area in the City owned or used by the City.
- **Refuse:** Putrid and non putrid solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, and solid market and industrial wastes.
- **Rubbish:** Non putrid solid wastes consisting of both combustible and noncombustible waste, such as paper, wrapping, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.
- **Vehicle:** Every device in, on or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively on stationary rails or tracks. (1982 Code § 10-431)

4-5-2: Litter Regulations

1. **Public Places:** No person shall throw or deposit litter in or on any Street, sidewalk or other public place except:

- a. In authorized receptacles for collection or in official City garbage dumps; or
 - b. For collection as authorized by the City Council. (1982 Code § 10-432)
2. **Placement in Receptacles:** Persons placing litter in authorized receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements on any street, sidewalk or other public place or on private property. (1982 Code § 10-433)
3. **Sweeping Into Gutters Prohibited:** No person shall sweep into or deposit in any gutter, street or other public place the accumulation of litter from any building or lot or from any public or private sidewalk or driveway, except as authorized by the City Council. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter. (1982 Code § 10-434)
4. **Merchants Duty to Keep Sidewalks Free:** No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business shall keep the sidewalk in front of their business premises free of litter. (1982 Code § 10-435)
5. **Thrown by Person in Vehicle:** No person, while a driver or passenger in a vehicle, shall throw or deposit litter on any street or other public place, or on private property. (1982 Code § 10-436)
6. **Truck Loads Causing:** No person shall drive or move any truck or other vehicle unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited on any street, alley or other public place. Nor shall any person drive or move any vehicle or truck, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind. (1982 Code § 10-437)
7. **Parks:** No person shall throw or deposit litter in any park except in authorized receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements on any part of the park or on any street or other public place. Where authorized receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein. (1982 Code § 10-438)

8. **Lakes and Fountains:** No person shall throw or deposit litter in any fountain, pond, lake, stream or any other body of water in a park or elsewhere within the City. (1982 Code § 10-439)
9. **Occupied Private Property:** No person shall throw or deposit litter on any occupied private property, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements on any street, sidewalk or other public place or on any private property. (1982 Code § 10-447)
10. **Vacant Lots:** No person shall throw or deposit litter on any open or vacant private property whether or not owned by such person. (1982 Code § 10-448)

4-5-3: Handbills and Posters; Restricted Activity

No person or business shall post, stick, stamp, paint or otherwise fix, or cause the same to be done by any person, any notice, placard, bill, card, poster, advertisement or other paper or device calculated to attract the attention of the public, or upon any sidewalk, curb or any other portion or part of any public way or public place or any lamp post, electric light, telegraph, telephone or railway structure, hydrant, shade tree or tree box, or upon the columns, trusses, girders, railings, gates or other parts of any bridge or other public structure or building, or upon any pole, box or fixture of the fire alarm or police telegraph system, except such as may be authorized or required by the laws of the United States, or State of Utah and the ordinances of the City. (1982 Code § 10-449A)

4-5-4: Handbill Regulations

1. **Throwing or Distributing in Public Places; Penalty:** No person shall throw or deposit any commercial or noncommercial handbill in or on any sidewalk, street or other public place within the City. Unless otherwise authorized by the City Council, it is an infraction, subject to penalty as provided in Section 1-4-1 of this Code, for any person to hand out, distribute or sell any commercial handbill in any public place; provided, however, that it shall not be unlawful on any sidewalk, street, or other public place for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it. (1982 Code § 10-440; amd. 2000 Code)
2. **Placing on Vehicles:** Unless otherwise authorized by the City Council, no person shall throw or deposit any commercial or noncommercial handbill in or on any vehicle; provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute without charge to the receiver thereof a noncommercial handbill to any occupant of a vehicle who is willing to accept it. (1982 Code § 10-441)

3. **Depositing On Uninhabited or Vacant Premises:** No person shall throw or deposit any commercial or noncommercial handbill in or on any private premises which are temporarily or continuously uninhabited or vacant. (1982 Code § 10-442)
4. **Prohibiting Distribution Where Properly Posted:** No person shall throw, deposit or distribute any commercial or noncommercial handbill on any private premises, if requested by anyone thereon not to do so or if there is placed on said premises in a conspicuous position near the entrance thereof a sign being the words “No Trespassing”, “No Peddlers or Agents”, “No Advertisements”, or any similar notice, indicating in any manner that the occupants of the premises do not desire to be molested or to have their right of privacy disturbed or to have any such handbills left on such premises. (1982 Code § 10-443)
5. **Distributing at Inhabited Private Premises:** No person shall throw, deposit or distribute any commercial or noncommercial handbill in or on private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or on such private premises. However, in case of inhabited private premises which are not posted, as provided in this Section, such person, unless requested by anyone on such premises not to do so, may place or deposit any such handbill in or on such inhabited private premises if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets or other public places, and except that mailboxes may not be so used when prohibited by Federal postal law or regulations. (1982 Code § 10-444)
6. **Exception for Mail and Newspapers:** The provisions of this Chapter shall not apply to the distribution of mail by the United States, nor to newspapers except that newspapers shall be placed on private property in such a manner so as to prevent their being carried or deposited by the elements on any street, sidewalk or other public place or on private property. (1982 Code § 10-445)
7. **Posting Notice Prohibited:** No person shall post or affix any notice, poster or other paper or device, calculated to attract the attention of the public, to any lamp post, public utility pole or shade tree, or on any public structure or building, except as may be authorized or required by law. (1982 Code § 10-446)