

TITLE 10

VEHICLES AND TRAFFIC

Chapters:

<u>10.04</u>	<u>Uniform Traffic Code Adopted</u>
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Chapter 10.04

UNIFORM TRAFFIC CODE ADOPTED

Sections:

[10.04.010 Adopted.](#)

[10.04.020 Definitions.](#)

10.04.010 Adopted.

The State of Utah Traffic Rules and Regulations, 1983 Edition, and subsequent editions, as compiled, prepared and published as a code in book form by the Utah Department of Public Safety and as they may be subsequently amended by legislative act or executive order, three copies of which have been filed for use and examination by the public in the office of the municipal recorder/clerk, are approved and adopted as the traffic code for this municipality except as such code may be altered or modified by the ordinances of this municipality. Three copies of any subsequent editions shall be filed for use and examination by the public in the office of the municipal recorder/clerk upon receipt by the city. (Ord. 83-07 § 1: prior code § 11-321)

10.04.020 Definitions.

Unless the context otherwise requires, all references in the traffic code to:

- A. **"State Road Commission" or "State Department of Transportation"** mean this municipality and its officers, departments, agencies and agents;
- B. **"Local authorities"** mean the governing body of this municipality;
- C. The **"Department of Public Safety of the State of Utah"** mean the chief of police of this municipality or his agent; and
- D. **"Magistrate"** shall mean the justice of the peace or judge of this municipality. (Prior code § 11-322)

Chapter 10.08

ENFORCEMENT OF TRAFFIC REGULATIONS

Sections:

[10.08.010 Violation-Penalty.](#)

10.08.010 Violation-Penalty.

Any person violating, causing or permitting violation of any provision of Chapters 10.04, 10.12 and 10.16 of this code shall be guilty of a misdemeanor. Notwithstanding other language or provisions in the State of Utah Traffic Rules and Regulations, 1983 Edition, and subsequent editions, adopted, any violator of Chapters 10.04, 10.12 and 10.16 of this code, upon conviction, shall be punished by a fine of not more than two hundred ninety-nine dollars or by a jail sentence not to exceed six months, or by both a fine and jail sentence; provided, that minimum sentences and all other sanctions consistent with the aforementioned guidelines and contained in the 1983 code edition, and subsequent editions, are incorporated here in this section by reference. (Ord. 83-07 § 2: prior code § 11-327)

Chapter 10.12

SPEED LIMITS

Sections:

[10.12.010 When posted.](#)

[10.12.020 When not posted.](#)

[10.12.030 Use of Dynamic Braking Devices Prohibited.](#)

10.12.010 When posted.

When appropriate traffic control or regulatory signs giving notice of speeds are posted, the prima facie maximum speed limits designated upon the signs shall apply to the appropriate streets or portions of streets so posted. (Prior code § 11-323 (A))

10.12.020 When not posted.

In the absence of any speed limit sign designating a speed limit applicable thereto, the prima facie speed limit shall be twenty-five miles per hour. (Ord. 99-09; Prior code § 11-323 (B))

10.12.030 Use of Dynamic Braking Devices Prohibited.

- A. Definition. A dynamic braking device (commonly referred to as a Jacobs brake, engine brake, or compression brake) means a device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.
- B. Use of Dynamic Braking Systems Prohibited. It is unlawful for any person to operate any motor vehicle with a Dynamic Braking Device engaged, except for the aversion of imminent danger, within the corporate limits of Hyrum City.

Chapter 10.16

TRAFFIC CONTROL DEVICES

Sections:

[10.16.010 Stop and yield entrances-Posting.](#)

[10.16.020 Designations of places requiring traffic control devices.](#)

10.16.010 Stop and yield entrances-Posting.

When appropriate traffic control or regulatory signs are posted at entrances to intersections identifying them as stop or yield entrances, such streets are declared to be stop entrances and yield entrances as designated by the signs. (Prior code § 11-325)

10.16.020 Designation of places requiring traffic control devices.

The governing body shall designate the places at which appropriate traffic control devices or regulatory signs shall be placed relating to maximum speed limits, angle parking, through streets, stop and yield intersections and other regulations governing traffic. (Prior code § 11-326)

Chapter 10.18

VEHICLE WEIGHT AND OTHER TRAFFIC RESTRICTIONS

Sections:

[10.18.010 Weight Restrictions](#)

10.18.010 Weight restrictions.

The governing body may impose vehicle weight limitations on certain streets within the municipality to limit or restrict a certain class or kind of traffic when such traffic, in the opinion of the governing body, poses a threat to other classes or kinds of traffic, pedestrians, or neighborhood residents. All such restrictions shall be clearly posted at the entrance to the street or part thereof affected by these regulations. (Ord. 00-21)

Chapter 10.20

STOPPING, STANDING AND PARKING

Sections:

- 10.20.010 Parking or blocking streets or highways.
- 10.20.020 Areas where prohibited.
- 10.20.030 Parking regulations-Sign placement.
- 10.20.040 Unattended motor vehicles.
- 10.20.050 Abatement of nuisance vehicles-Impounding.
- 10.20.060 Approach to parking spaces.
- 10.20.070 Parking not to obstruct traffic.
- 10.20.080 Parking in alleys.
- 10.20.090 Parking restrictions during winter months.
- 10.20.095 Snow removal.
- 10.20.100 Parking in excess of forty-eight hours on public streets or property.
- 10.20.105 Parking restrictions for recreational vehicles, utility trailers, and agricultural equipment.
- 10.20.110 Parking for purpose of loading or unloading.
- 10.20.120 Parking or operating vehicles for certain purposes prohibited.
- 10.20.130 Cutting through private property.
- 10.20.140 Obstructing intersections or crosswalks.
- 10.20.150 Parking in ditches or gutters.
- 10.20.160 Placing no parking signs without city's permission prohibited.
- 10.20.170 Public parking areas.
- 10.20.180 Overnight camping prohibited.
- 10.20.190 Parking regulations at Mountain Crest High School.
- 10.20.200 Handicapped parking.
- 10.20.210 Semi-truck and trailer parking.
- 10.20.220 Violation-Penalty.

*Prior ordinance history: Ords. 81-1, 83-06 and 93-02

10.20.010 Parking or blocking streets or highways.

In addition to the parking provisions contained in the Utah Traffic Code, as adopted by this municipality, it shall be a class B misdemeanor for any person to:

- A. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereon;
- B. Willfully remain standing, lying or sitting on any street or highway in such manner for more than one minute after being requested to move by any police officer;
- C. Willfully remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property

having access to such street or highway. (Ord. 93-03 § 1 (part): prior code § 11-314)

10.20.020 Areas where prohibited.

- A. 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 police officer or traffic control device, in any of the following places:
1. On a sidewalk;
 2. In front of a public or private driveway;
 3. Within an intersection;
 4. Within fifteen feet of a fire hydrant;
 5. On a crosswalk;
 6. Within twenty feet of a crosswalk at an intersection;
 7. Within thirty feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
 8. Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings;
 9. Within thirty feet of the nearest rail of a railroad crossing;
 10. Within twenty feet of the driveway entrance to any fire station or within seventy-two feet of the entrance when properly sign posted;
 11. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
 12. On the roadway side of any vehicle stopped or parked at the end or curb of a street;
 13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 14. At any place where signs or markings placed by order of the municipal council prohibit stopping, standing or parking, or in a manner contrary to the directions on such signs or markings;
 15. In any parking stall marked for angle parking with the rear wheels of the vehicle adjacent to the curb;
 16. In any parking stall marked by painted lines unless the vehicle is entirely within such parking space or painted lines upon the surface of the street or parking area;
 17. On that portion of an unlaned roadway which is within fifteen feet from the center of such roadway on a street not having adjacent curbs;
 18. Parked in a direction opposite to the direction of traffic flow on a one-way street.
- B. No person shall move a vehicle not lawfully under his control into any such prohibited area or away

from a curb such distance as is unlawful. (Ord. 93-03 § 1 (part): prior code § 11-342.1)

10.20.030 Parking regulations-Sign placement.

- A. Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be stopped or parked with the right-hand wheels parallel to and within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder so as not to be facing oncoming traffic.
- B. On one-way streets, vehicles may also park parallel with the curb and with the left-hand wheel adjacent to and within eighteen inches of the left-hand curb.
- C. Unless otherwise posted, and regardless of the presence or absence of curbing, motorists may park parallel to the curb (or where the curb would be if present), or at an angle to the curb (or where the curb would be if present), on all city streets so long as the angle parked vehicle does not protrude into the immediately adjacent lane of traffic or otherwise impede traffic flow, restrict or endanger the free use of city streets by other motorists, or violate the provisions of Section 10.20.070. In the absence of curbing, motorists may also park perpendicular to the point where the curb would be so long as the perpendicularly parked vehicle does not protrude into the immediately adjacent lane of traffic or otherwise impede traffic flow, restrict or endanger the free use of city streets by other motorists, or violate the provisions of Section 10.20.070. Parking on all state highways within Hyrum City (including Main Street, 800 East Street, and parts of 300 North and 400 West Streets) is regulated by the State of Utah. (Ord. 97-02)
- D. The municipal council may direct the placement of signs prohibiting, restricting or otherwise directing the stopping, standing or parking of vehicles on any public property, street or highway where it is determined that such stopping, standing or parking would unduly interfere with the free movement of traffic thereof, or to otherwise indicate standing or parking regulations. Such signs as are placed at the direction of the municipal council or the State Road Commission shall be official signs, and no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs. (Ord. 93-03 § 1 (part): prior code § 11-342.2)

10.20.040 Unattended motor vehicles.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, placing the

transmission in park or the gears in low or reverse if the vehicle has a manual shift, or effectively setting the brakes thereon; and when standing upon any perceptible grade, turning the front wheels to the curb or side of the highway. (Ord. 93-03 § 1 (part): prior code § 11-342.3)

10.20.050 Abatement of nuisance vehicles-Impounding.

Every police officer of the city is authorized summarily to seize and take possession of every abandoned or illegally parked or operated vehicle, which are declared to be an obstruction to traffic and a nuisance, wherever found, by removing or causing such vehicle to be removed and impounded in any authorized vehicle pound. Every police officer of the city is also further authorized to seize and take possession of any vehicle which is being operated upon the public streets of the city with improper registration, or which the officer has good reason to believe has been stolen, or on which any motor number, manufacturer's number or identification mark has been defaced, altered or obliterated, and to remove or cause such vehicle to be removed and impounded in any authorized vehicle pound. An impounded vehicle shall be stored and disposed of in accordance with the provisions of Chapter 10.24 of this code or as required by state law, with the state law to prevail in the event of a conflict with city ordinance. (Ord. 93-03 § 1 (part): prior code § 11-342.4)

10.20.060 Approach to parking spaces.

- A. Every driver about to enter a parking space being vacated shall stop his or her vehicle and wait to the rear of the vehicle in the actual process of vacating the parking space.
- B. No driver shall stop her or his vehicle ahead of a parking space being vacated and attempt to interfere with a driver who has waited properly in 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 motion in the process of vacating. (Ord. 93-03 § 1 (part): prior code § 11-343.1)

10.20.070 Parking not to obstruct traffic.

No person shall stop or park any vehicle upon a street in such manner as to leave available less than twenty feet of width of the roadway for free movement of vehicular traffic nor upon any laned roadway within the lanes designated for moving traffic, nor on any public street or alley where the width of the roadway or traveled portion is less than twenty feet. (Ord. 93-03 § 1 (part): prior code § 11-343.2)

10.20.080 Parking in alleys.

No person shall park a vehicle within an alley except during the necessary and expeditious loading and unloading of merchandise, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway

entrance to any abutting property or interfere with the free movement of traffic through the alley. (Ord. 93-03 § 1 (part): prior code § 11-343.3)

10.20.090 Parking restrictions during winter months.

It is unlawful for the driver of any vehicle to park a motor vehicle on any street, or within ten feet of roadway pavement in any municipal right-of-way unless such vehicle is in a driveway approach or otherwise parked behind the curb where curb exists, in this municipality between the first day of November of each year and the first day of April of the following year, for a period of time longer than fifteen minutes when loading or unloading passengers and for a period of time longer than fifteen minutes when loading or unloading or delivering property between the hours of twelve midnight and eight a.m. This section shall not apply to emergency vehicles, such as ambulance and fire vehicles, or private vehicles used to convey fire or other emergency response personnel to the scene, or vehicles used in the repair of utilities. (Ord. 05-02; Ord. 93-03 § 1 (part): prior code § 11-343.4 (A))

10.20.095 Snow removal.

In addition to the restrictions found in Section 12.04.010 of the Hyrum City Municipal Code, it is unlawful for any person removing snow from any parking lot, driveway, or sidewalk to push, blow, or otherwise deposit such snow onto the roadway of any public street or push it across said roadway in such a manner as to leave a residue or otherwise increase the amount of snow on the roadway. (Ord.06-01)

10.20.100 Parking in excess of forty-eight hours on public streets or property.

No person who owns or has possession, custody or control of any vehicle shall park or leave standing any such vehicle on any public road, street, alley or municipal property for forty-eight or more consecutive hours, and any vehicle so parked or left standing may be impounded and removed by the chief of police. For purposes of impoundment and removal, the chief of police may impound and remove any motor vehicle which reasonably appears to have remained unmoved for forty-eight consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle. (Ord. 93-03 § 1 (part): prior code § 11-343.4 (B))

10.20.105 Parking restrictions for recreational vehicles, utility trailers, and agricultural equipment.

- A. It is unlawful to park any recreational vehicle, including motor homes, camp and travel trailers, campers, boats, snowmobiles, four-wheelers, or unlicensed motorcycles, as well as utility, livestock, or construction trailers, or any agriculture-related implement, including tractors,

combines, and swathers, on municipal roadsides, rights-of-way, easements, or other public property except for brief periods not to exceed forty-eight (48) consecutive hours. All persons who own or have possession, custody or control of such recreational vehicles, campers, and utility trailers, as well as agriculture implements and tractors, must provide permanent parking for such items on private property zoned for the purpose. Any item named herein so parked or left standing on the roadside or public right-of-way between private property lines on each side of the roadway may be subject to citation under this chapter or impounded and removed by the city.

- B. For purposes of impoundment and removal, the city may impound and remove any recreational vehicle, camper, utility trailer, or agricultural tractor or implement which reasonably appears to have remained unmoved for forty-eight consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded item. (Ord. 07-05)

10.20.110 Parking for purpose of loading or unloading.

When not otherwise posted or subject to another ordinance of this municipality, it is unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than necessary for loading or unloading of passengers, not to exceed ten minutes, and for the driver to stand or park any freight-carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials, not to exceed thirty minutes in any place designated by resolution of the governing body as a loading zone and marked as such. (Ord. 93-03 § 1 (part): prior code § 11-343.4 (C))

10.20.120 Parking or operating vehicles for certain purposes prohibited.

No person shall park or operate a vehicle upon any roadway for the principle purpose of:

- A. Displaying such vehicle for sale;
- B. Greasing or repairing such vehicle except repairs necessitated by an emergency;
- C. Displaying advertising; or
- D. The sale of foodstuffs or other merchandise in any business district. (Ord. 93-03 § 1 (part): prior code § 11-343.5)

10.20.130 Cutting through private property.

No driver of a motor vehicle, motorcycle or vehicle of any kind shall drive through any private driveway or private property, such as a gas station/convenience store or lot or similar area, whether vacant or not, with intent to avoid obedience to any traffic regulation set forth in this title;

and no person shall drive a motor vehicle, motorcycle or any other vehicle through any private driveway, lot or similar area where any business establishment, manufactory, retail store, drugstore, cafe, confectionery, drive-in food and drink establishment, or drive-in market or any other kind of business or trade is maintained or carried on for the purpose and intent of avoiding obedience to any traffic regulation or for the purpose and with the intent of harassing and annoying the owner thereof or the owner's patrons. (Ord. 93-03 § 1 (part): prior code § 11-343.6)

10.20.140 Obstructing intersections or crosswalks.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle the driver is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed. (Ord. 93-03 § 1 (part): prior code § 11-343.7)

10.20.150 Parking in ditches or gutters.

It is unlawful for any person to park a vehicle in any ditch or gutter in such a manner as to hinder the free flow of the full stream of water through such ditch or gutter. (Ord. 93-03 § 1 (part): prior code § 11-343.8)

10.20.160 Placing no parking signs without city's permission prohibited.

No person shall, without the permission of the municipal council, place or cause to be placed on any street or sidewalk or on any building any sign preventing or forbidding the parking of vehicles in the street in front of any building or place of business. (Ord. 93-03 § 1 (part): prior code § 11-343.9)

10.20.170 Public parking areas.

- A. Definition. "Public parking area" means any land within the corporate limits of the city other than public streets owned by or under the supervision and control of the city, county or any instrumentality of the state or federal government which has been specifically designated or made available for off-street parking purposes for the public at large or for a particularly limited or specific purpose.
- B. The municipal council is authorized to cause to be placed upon any public parking area within the city appropriate signs regulating parking thereon, including regulations pertaining to the maximum duration during which parking is allowed, periods of time when parking may be prohibited, specified uses for particular parking facilities, the designation of certain parking spaces for parking municipal, county, state or federal employees and

other matters pertaining to the efficient regulation and control of public parking areas.

- C. When signs are in place in public parking areas controlling or regulating parking thereon and have been so placed in conformity with the provisions of this hereof, it is unlawful to park any vehicle in a public parking area within the city in violation of the direction given by such signs. (Ord. 93-03 § 1 (part): prior code § 11-343.10)

10.20.180 Overnight camping prohibited.

Overnight and extended camping is prohibited in any Hyrum City park or street, and no tents or other temporary structures are to be erected for camping purposes. Hyrum City may grant permission for one-night stopovers for tourists or travelers who have and utilize self-contained stopover units such as campers or housetrailer. Such units will be placed in designated areas after permission has been obtained from Hyrum City law enforcement personnel and subject to personnel jurisdiction and supervision. Extended stopovers for more than one night for tourists and travelers is prohibited unless specific approval is granted for such extension by the mayor, councilman in charge of parks, or his designee. (Ord. 93-03 § 1 (part): prior code § 11-344)

10.20.190 Parking regulations at Mountain Crest High School.

- A. Mountain Crest High School may post the parking lots and other areas at the high school, where parking is to be restricted, with appropriate signs prohibiting parking except as directed on the signs, between the hours of seven-thirty a.m. and four p.m., inclusive. It is unlawful to park any vehicle on Mountain Crest High School property in violation of the direction given by such signs.
- B. The city has received a request from Cache County School District to enforce such parking regulations and city law enforcement officers shall have full authority to patrol any parking lot on the school grounds to enforce this section or any other ordinance. (Ord. 93-03 § 1 (part): prior code § 11-345)

10.20.200 Handicapped parking.

Only those vehicles carrying a distinctive (logo) handicapped license plate or transferable identification card may park in a parking space which is clearly identified as reserved for use by the handicapped. This section applies to and may be enforced on public property and on private property which is used or intended for use by the public. (Ord. 93-03 § 1 (part): prior code § 11-346)

10.20.210 Semi-truck and trailer parking.

- A. In addition to those regulations governing stopping, standing, and parking of motor vehicles

found in this chapter, the following rules apply to the parking, stopping, or standing of semi-trucks and trailers within Hyrum City limits:

1. No refrigeration units may be left running within city limits between the hours of 10:00 p.m. and 6:00 a.m. except within Zone M-1, Manufacturing, and in commercial zones for the purposes of loading/unloading, not to exceed one (1) hour. Refrigeration units may operate 24-hours per day in Zone M-1 provided the trailer is parked at least three hundred thirty (330) feet from the closest residential building.
2. Semi-truck engines, including auxiliary engines, generators, etc., must be shut down within 15 minutes after parking said vehicle within city limits, except within Zone M-1, Manufacturing, and must be started no sooner than 15 minutes prior to departure.
3. Semi-trucks with or without attached trailers must not be parked closer than twenty-five (25) feet to any residential, agricultural, or commercial driveway.
4. Semi-trucks with trailers may not be parked within any platted subdivision unless fully parked on private property at least fifteen (15) feet from the front property line. To be operated on platted subdivision streets for the purpose of gaining access to parking on private property, semi-truck trailers must be unloaded. While accessing private property for the purpose of parking semi-truck and/or trailer, owners will be responsible for damage to city sidewalks, curbing, trees, or any other municipal improvements. Semi-trucks may be parked on platted subdivision streets for a period not to exceed one hour in any twenty-four (24) hour period for the purpose of loading or unloading personal property.
5. Semi-trucks and trailers must park with the right side against the curb or, in the absence of curbing, the left side of the semi-truck/trailer must be at least four (4) feet from the edge of the pavement. No part nor portion of the semi-truck/trailer may park on or extend over the sidewalk. Semi-trucks and trailers may be parked on the public right-of-way between private property lines on each side of the roadway for a period not to exceed forty-eight (48) consecutive hours, except where prohibited by law, and any person who owns or has possession, custody or control of a semi-truck or trailer must provide permanent parking for such vehicle on private property zoned for this purpose.

6. Semi-trucks/trailers may not park closer than thirty (30) feet from an intersection or as otherwise posted or marked.
7. Where posted, semi-trucks/trailers may not be parked on or adjacent to city parks and recreational areas or on city-owned parking lots.
8. Semi-truck/trailers/moving vans parked for purposes of loading/unloading furniture, household goods, etc., as part of moving or transporting household effects are exempt from the provisions of this section, except number 6, for a period not to exceed ninety-six (96) hours. (Ord. 07-05)

10.20.220 Violation-Penalty.

- A. Any person engaged in the unauthorized stopping, standing or parking of a vehicle within the city shall be liable for a civil penalty. Any penalty assessed therein, in appropriate cases, may be in addition to such other penalties as may be provided in the Uniform Traffic Code, as adopted by the city.
- B. 1. Civil penalties shall be imposed as follows:

Section	Penalty
10.20.020 (A) (1)	30.00
10.20.020 (A) (2)	35.00
10.20.020 (A) (3)	35.00
10.20.020 (A) (4)	35.00
10.20.020 (A) (5)	35.00
10.20.020 (A) (6)	35.00
10.20.020 (A) (7)	35.00
10.20.020 (A) (8)	35.00
10.20.020 (A) (9)	35.00
10.20.020 (A) (10)	35.00
10.20.020 (A) (11)	35.00
10.20.020 (A) (12)	35.00
10.20.020 (A) (13)	30.00
10.20.020 (A) (14)	30.00
10.20.020 (A) (15)	30.00
10.20.020 (A) (16)	30.00
10.20.020 (A) (17)	35.00
10.20.020 (A) (18)	35.00
10.20.030 (A)	30.00
10.20.030 (B)	30.00
10.20.030 (C)	30.00
10.20.030 (D)	30.00
10.20.040	30.00
10.20.070	35.00
10.20.080	35.00
10.20.090	35.00
10.20.100	35.00
10.20.110	35.00
10.20.120 (A)	30.00

10.20.120 (B)	30.00
10.20.120 (C)	30.00
10.20.120 (D)	30.00
10.20.150	30.00
10.20.170 (C)	30.00
10.20.190 (A)	35.00
10.20.200	75.00

2. Any penalties that are paid within five normal working days from the date of receipt of notice shall be reduced by the sum of twenty-five dollars.
 3. Any penalties that are paid after the fifth working day but not later than the tenth working day from the date of receipt of notice shall be reduced by the sum of fifteen dollars. After the tenth day, the penalty shall be the full amount specified in subsection B (1) of this section.
 4. As used in this section, "receipt of notice" means the affixing of a notice to the vehicle alleged to have been employed in such unauthorized stopping, standing or parking or by delivery of such notice to the owner or driver thereof.
- C. Whenever a vehicle shall have been employed in the unauthorized stopping, standing or parking on the streets within the city, the person or persons in whose name such vehicle is registered shall be strictly liable for such unauthorized stopping, standing or parking and the penalty therefor. Except that the person or person in whose name such vehicle is registered shall not be liable for a civil penalty for violations of Section 10.20.020 (B), 10.20.060, 10.20.130, 10.20.140, 10.20.160 and 10.20.180. Penalties for violations of Sections 10.20.020 (B), 10.20.060, 10.20.130, 10.20.140, 10.20.160 and 10.20.180 shall be imposed as provided in subsection D of this section.
- D. Any person who violates any of the provisions of Sections 10.20.020 (B), 10.20.060, 10.20.130, 10.20.140, 10.20.160 and 10.20.180 shall for each and every violation and compliance, be guilty of an infraction, and upon conviction thereof shall be fined a sum not to exceed seventy-five dollars for each offense or violation. (Ord. 93-05 § 1, 2, 3; Ord. 93-03 § 1 (part): prior code § 11-347)

Chapter 10.24

ABANDONED, WRECKED, JUNKED AND DISABLED MOTOR VEHICLES

Sections:

[10.24.010 Findings.](#)

[10.24.020 Definitions.](#)

[10.24.030 Prohibitions-Designation as nuisance-Exceptions.](#)

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[10.24.100 Notice to remove-Hearing procedure.](#)

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[10.24.180 Removal by city-Owner's liability for expenses.](#)

[10.24.190 Abandoned vehicles-Alternate provisions for dealing with adopted.](#)

10.24.010 Findings.

- A. Motor vehicles are or may in the future be abandoned, dismantled, partially dismantled, wrecked, junked, inoperative or discarded or left about the municipality, in places other than junkyards or other appropriate areas; and
- B. Such conditions tend to impede traffic in the streets; interfere with the enjoyment of property; reduce the value of private property; invite plundering; create fire hazards; extend and aggravate urban blight; and are a nuisance; and result in serious hazard to the public health, safety, comfort, convenience, welfare and happiness of the residents of the municipality. (Prior code § 10-361)

10.24.020 Definitions.

- A. For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein:

"Junked motor vehicle" means any motor vehicle, as defined in this section, which does not have lawfully affixed thereto both an unexpired license plate or plates and a current motor vehicle safety inspection certificate, and the

condition of which is wrecked, dismantled, partially dismantled, inoperative, abandoned, or discarded.

"Motor vehicle" means any vehicle which is self-propelled and designed to travel along the ground and shall include, but not be limited to, automobiles, buses, motorbikes, motorcycles, motorscooters, trucks, tractors, gocarts, golf carts, campers and trailers.

"Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

"Private property" means any real property within the municipality which is privately owned and which is not public property as defined in this section.

"Public property" means any street or highway which shall include the entire width between the boundary lines of every way publicly maintained for the purposes of vehicular travel, and also means any other publicly owned property or facility.

- B. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. (Prior code § 10-362)

10.24.030 Prohibitions-Designation as nuisance-Exceptions.

No person shall park, store, leave, or permit the parking, storing or leaving of any motor vehicle of any kind which is in an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled condition whether attended or not, on any public or private property within the municipality for a period of time in excess of seventy-two hours. The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled vehicle or parts thereof, on private or public property is declared a public nuisance which may be abated as such in accordance with the provisions hereof. This section shall not apply to any vehicle enclosed within a building on private property or to any vehicle held in connection with a business enterprise, lawfully licensed by the municipality, or to any motor vehicle in operable condition specifically adopted or designed for operation on drag strips or raceways, or any vehicle retained by the owner for antique collection purposes. (See Section 10.24.090 for further guidance in the regulation of motor vehicles as herein contemplated.) (Ord. 93-02 § 1 (part); prior code § 10-363)

10.24.040 Right of entry for inspection.

- A. Whenever any officer or employee of the city is authorized to enter any building or premises for

the purpose of making an inspection to enforce any ordinance, he may enter such building or premises at all reasonable times to inspect the same; provided, that he shall effect entry in the manner provided in subsection B of this section, except in emergency situations, or when consent of the person having charge or control of such building or premises has been otherwise obtained.

- B. If the building or premises to be inspected is occupied, the authorized officer or employee shall first present proper credentials and demand entry; and if such building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and demand entry. If consent to such entry is not given, the authorized officer or employee shall have recourse to every remedy provided by law to secure entry.
- C. The ordinance codified in this section shall be controlling over any other ordinance or part of an ordinance on the same subject, whether heretofore or hereafter adopted, unless such ordinance or part of an ordinance provides differently by an express reference to this section or the ordinance codified in this section. Notwithstanding any other ordinance of this city, whether heretofore or hereafter adopted, it shall not be a violation of an ordinance to refuse or fail to consent to an entry for inspection. (Ord. 93-02 § 1 (part): prior code § 10-379)

10.24.050 Notice to remove.

Whenever it comes to the attention of the chief of police that any nuisance as defined in Section 10.24.030 exists in the municipality a notice in writing shall be served on the occupant of the land where the nuisance exists, or in case there is no such occupant, then on the owner of the property or his agent, notifying them of the existence of the nuisance and requesting its removal in the time specified in this chapter. (Prior code § 10-364)

10.24.060 Responsibility for removal.

On proper notice and opportunity to be heard, the owner of the abandoned, wrecked, dismantled, or inoperative vehicle and the owner or occupant of the private property on which the same is located, either or all of them shall be responsible for its removal. In the event of removal and disposition by the municipality, the owner or occupant of the private property where same is located, shall be liable for the expenses incurred. (Prior code § 10-365)

10.24.070 Notice to remove-Method-Timing.

The municipality shall give notice of removal to the owner or occupant of the private property where it is located, at least ten days before the time of compliance. It shall

constitute sufficient notice when a copy of same is posted in a conspicuous place on the private property on which the vehicle is located and duplicate copies are sent by registered mail to the owner or occupant of the private property at his last known address. (Prior code § 10-366)

10.24.080 Notice to remove-Content.

The notice shall contain the request for removal within the time specified in this chapter, and the notice shall advise that on failure to comply with the notice to remove, the municipality or its designee shall undertake such removal with the cost of removal to be levied against the owner or occupant of the property. (Prior code § 10-367)

10.24.090 Notice to remove-Request for hearing.

The persons to whom the notices are directed, or their duly authorized agents, may file a written request for hearing before the council of the municipality or its designee within the ten-day period of compliance prescribed in Section 10.24.070 for the purpose of defending the charges by the municipality. (Prior code § 10-368)

10.24.100 Notice to remove-Hearing procedure.

The hearing shall be held as soon as practicable after the filing of the request and the persons to whom the notices are directed shall be advised of the time and place of the hearing at least ten days in advance thereof. At any such hearing, the municipality and the persons to whom the notices have been directed may introduce such witnesses and evidence as either party deem necessary. (Prior code § 10-369)

10.24.110 Removal by city-Circumstances-Interference with prohibited.

If the violation described in the notice has not been remedied within the ten-day period of compliance, or in the event that a notice requesting a hearing is timely filed, a hearing is had, and the existence of the violation is affirmed by the council of the municipality or its designee, the chief of police or his designee shall have the right to take possession of the junked motor vehicle and remove it from the premises. It is unlawful for any person to interfere with, hinder, or refuse to allow such person or persons to enter upon private property for the purpose of removing a vehicle under the provisions of this chapter. (See Section 10.24.040 which provides for guidelines in determining the right of entry for appropriate city officials.) (Ord. 93-02 § 1 (part): prior code § 10-370)

10.24.120 Removal by city-Notice requirements.

Within forty-eight hours of the removal of such vehicle, the chief of police shall give notice to the registered owner of the vehicle, if known, and also to the owner or occupant of the private property from which the vehicle was removed, that the vehicle, or vehicles, has been impounded and stored for

violation of this chapter. The notice shall give the location of where the vehicle or vehicles, is stored, and the costs incurred by the municipality for removal. (Prior code § 10-371)

10.24.130 Procedure for removal from public property.

If any nuisance as defined in Section 10.24.030 is located on public property owned or subject to regulation by the municipality, the chief of police may remove such nuisance without giving to the property owner the notice and opportunity for hearing required in Sections 10.24.030 and 10.24.060 through 10.24.100 and remove the nuisances in the manner provided in Sections 10.24.140 through 10.24.180, except that where the registered owner of such nuisance can be determined by contacting the Utah Department of Motor Vehicles, such owners may be given notice of the sale of such vehicles by notice mailed to him or her at least thirty days prior to such sale. (Ord. 93-02 § 1 (part); prior code § 10-372)

10.24.140 Removal by city-Appraisal-Disposition.

On removing a vehicle under the provisions of Sections 10.24.110 or 10.24.130, the municipality shall after ten days cause it be appraised. If the vehicle is appraised at seventy-five dollars or less, the chief of police shall execute an affidavit so attesting and describing the vehicle, including the license plates, if any, and stating the location and appraised value of the vehicle. The chief of police, after complying with the above, may summarily dispose of the vehicle and execute a certificate of sale. If the vehicle is appraised at over seventy-five dollars, the chief of police shall give notice of public sale not less than ten days before the date of the proposed sale. (Prior code § 10-373)

10.24.150 Removal by city-Sale-Notice.

The notice of sale shall state:

- A. The sale is of abandoned property in the possession of the municipality;
- B. A description of the vehicle, including make, model, license number and any other information which will accurately identify the vehicle;
- C. The term of sale;
- D. The date, time and place of the sale. (Prior code § 10-374)

10.24.160 Removal by city-Sale-Procedures.

The vehicle shall be sold to the highest and best bidder. At the time of payment of the purchase price, the chief of police shall execute a certificate of sale in duplicate, the original of which to be given to the purchaser, the copy thereof to be filed with the recorder of the municipality. Should the sale for any reason be invalid, the municipality shall be limited to the return of the purchase price. (Prior code § 10-375)

10.24.170 Removal by city-Redemption by owner.

The owner of the vehicle seized under the provisions of this chapter may redeem such vehicle at any time after its removal but prior to the sale or destruction thereof on proof of ownership and payment to the municipality such sum as he may determine and fix for the actual expense of removal, and any preliminary sale advertising expenses, not to exceed seventy-five dollars plus five dollars per day for storage for each vehicle redeemed. (Prior code § 10-376)

10.24.180 Removal by city-Owner's liability for expenses.

On the failure of the owner or occupant of property on which abandoned vehicles have been removed by the municipality to pay the unrecovered expenses incurred by the municipality in such removal, a lien shall be placed on the property for the amount of such expenses. (Prior code § 10-377)

10.24.190 Abandoned vehicles-Alternate provisions for dealing with adopted.

UCA 41-6-116.10 is adopted by the city and incorporated in this code by reference as an alternative for action in dealing with abandoned vehicles and the other procedures herein referenced. In the event the provisions of this chapter conflict with the referenced section of the state code, the provisions of the state code shall prevail except for the provisions of this chapter which are less restrictive. In the alternative, appropriate city officials, employees and law enforcement personnel may follow the provisions of the UCA section in pursuing a course of action for dealing with abandoned vehicles within the city and the other matters covered by said section. (Ord. 93-02 § 1 (part): prior code § 10-378)

Chapter 10.28

NONMOTORIZED VEHICLES

Sections:

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- [10.28.020 Use on public streets.](#)
- [10.28.030 Clinging to vehicles.](#)
- [10.28.040 Duty to yield right-of-way.](#)
- [10.28.050 Use on private property.](#)
- [10.28.060 Use on public property.](#)
- [10.28.070 Use in business district.](#)
- [10.28.080 Damaging city property.](#)
- [10.28.090 Use of ramps or jumps.](#)
- [10.28.100 Impoundment.](#)
- [10.28.110 Violation-Penalty.](#)

10.28.010 Definitions.

As used in this chapter, unless the context requires otherwise, the words and terms defined in this section shall have the meaning as ascribed to them herein:

- A. **"Business district"** means that area on both sides of Main Street between 100 West and 100 East.
- B. **"Skateboard"** means a device with wheels for riding upon, usually standing, including, without limitations, skateboards of all types.
- C. **"Toy vehicle"** means, but is not limited to, coasters, scooters, roller skates, or any other non-motorized device with wheels or rollers upon which a person may ride. This section does not apply, so long as they are used for the purposes for which they are intended, to wagons and strollers or other devices designed and used for the purpose of transporting children, infants, invalids or incapacitated persons, or to carts or other devices intended and used for transporting merchandise or materials. (Ord. 89-06 § 1 (part): prior code § 11-411)

10.28.020 Use on public streets.

No person shall operate a skateboard or toy vehicle on a public street if there is a sidewalk adjacent or parallel to such street. If no such sidewalk exists, skateboards may be ridden on the street providing street riding shall be done as far to the right side of the road as possible, and in the same direction as traffic. (Ord. 89-06 § 1 (part): prior code § 11-412)

10.28.030 Clinging to vehicles.

No person operating a skateboard, toy vehicle, or other non-motorized device shall attach himself or herself to any vehicle upon a roadway. (Ord. 89-06 § 1 (part): prior code § 11-413)

10.28.040 Duty to yield right-of-way.

Any person operating a skateboard or other toy vehicle must yield the right-of-way to any pedestrian or motor vehicle. (Ord. 89-06 § 1 (part): prior code § 11-414)

10.28.050 Use on private property.

- A. No person shall operate a skateboard or toy vehicle on the premises of any business, residence or other private property in violation of a sign complying with this section.
- B. Areas in which skateboarding or operation of a toy vehicle is prohibited must be indicated by one or more signs which are positioned to provide actual or constructive notice and which contain the words "No Skateboarding" or any other word or combination of words indicating that skateboarding or operation of a toy vehicle is prohibited. Letters on the sign must be clearly legible. (Ord. 89-06 § 1 (part): prior code § 11-415)

10.28.060 Use on public property.

- A. No person shall operate a skateboard or toy vehicle in, upon or on the grounds of the Hyrum Civic Center, the cultural center, Elite Hall, East Park, the fire station or city shops.
- B. No person shall operate a skateboard or toy vehicle in violation of a sign erected by Hyrum City or other governmental entity prohibiting or regulating skateboarding. (Ord. 89-06 § 1 (part): prior code § 11-416)

10.28.070 Use in business district.

No person shall operate a skateboard or toy vehicle within Hyrum City's business district. (Ord. 89-06 § 1 (part): prior code § 11-417)

10.28.080 Damaging city property.

No person shall operate a skateboard or toy vehicle on or against any city-owned table, bench, structure, tennis court, parking stop, retaining wall, fountain, statue or other improvement which may suffer damage by such use. (Ord. 89-06 § 1 (part): prior code § 11-418)

10.28.090 Use of ramps or jumps.

No person shall use or place a ramp, jump or any other device used to force a skateboard or toy vehicle off the pavement on the grounds of any city-owned parking lot, park or sidewalk. (Ord. 89-06 § 1 (part): prior code § 11-419)

10.28.100 Impoundment.

Law enforcement officers who observe any person using, operating or riding on a skateboard or other toy vehicle in violation of this chapter shall immediately impound such person's skateboard or toy vehicle pending disposition of a

violation under this chapter by a court of competent jurisdiction. (Ord. 89-06 § 1 (part): prior code § 11-420)

10.28.110 Violation-Penalty.

- A. Any person found to have violated this chapter shall be guilty of an infraction and, upon conviction, be liable for the following fines and penalties:
 - 1. First offense: Confiscation of the skateboard or toy vehicle for a period of seven days or a fine not exceeding twenty-five dollars, or both. The skateboard or toy vehicle shall be returned to the operator at the end of the seven-day period, or if the operator is under the legal age, to the parent or legal guardian of the operator;
 - 2. Second offense: Forfeiture of the skateboard or toy vehicle or a fine not exceeding fifty dollars, or both;
 - 3. Third offense: Forfeiture of the skateboard or toy vehicle or a fine not exceeding one hundred dollars, or both;
 - 4. Subsequent offenses: Forfeiture of the skateboard or toy vehicle or a fine of three hundred dollars or both.
- B. Forfeited skateboards or toy vehicles shall be destroyed by Hyrum City after a period of three months from the date of forfeiture.
- C. The court having jurisdiction may order community service to be performed in lieu of the fine imposed.
- D. Any parent or guardian who knowingly permits his or her minor child or ward to violate any of the provisions of this chapter shall, upon conviction before a court of competent jurisdiction, be guilty of an infraction and shall pay a fine of one hundred dollars for each such violation.
- E. In addition to any and all other penalties imposed under this chapter, the court may order any person or the parent or guardian of a minor child or ward who has damaged any property of Hyrum City through improper use of a skateboard or toy vehicle to repair or restore the property to its original condition prior to damage. (Ord. 89-06 § 1 (part): prior code § 11-421)