

**ESCALANTE CITY
ORDINANCE 2024-13**

**AN ORDINANCE ADOPTING ESCALANTE CITY CODE NO. 7.04.060 ADDRESSING
THE CITY RIGHT-OF-WAY AND PROVIDING REPEALER WITHIN THE CITY OF
ESCALANTE, STATE OF UTAH.**

WHEREAS, the City of Escalante has had incidents where persons have placed property on the Right-of-Way without the consent of the City and

WHEREAS, the City of Escalante desires to address and define its Right-of-Way and;

WHEREAS, the City Council desires to set up a permitting process in regards to the City Right-of-Way and;

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to have a policy regarding its Right-of-Way.

NOW THEREFORE, NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF ESCALANTE CITY, GARFIELD COUNTY, STATE OF UTAH, AS FOLLOWS:

SECTION 1: **ADOPTION** “7.04.060 City Right-Of-Ways” of the Escalante Municipal Code is hereby *added* as follows:

ADOPTION

7.04.060 City Right-Of-Ways(*Added*)

SECTION 2: **ADOPTION** “Permitted Uses” of the Escalante Municipal Code is hereby *added* as follows:

ADOPTION

Permitted Uses(*Added*)

The City of Escalante authorizes the use of city right-of-way to:

- A. Park licensed operable vehicles.
- B. Park licensed operable trailers and campers for short periods of time not to exceed

thirty (30) days.

SECTION 3: **ADOPTION** “Prohibited Uses” of the Escalante Municipal Code is hereby *added* as follows:

ADOPTION

Prohibited Uses(*Added*)

It shall be unlawful to:

- A. Perform the following activities upon any public road, street, street right-of-way or alley for more than seventy-two (72) hours after receiving notice from the city:
 - 1. Park or place personal property which includes, but is not limited to:
 - a. Unlicensed vehicles and trailers
 - b. Livestock feed
 - c. Firewood
 - d. Limbs, construction waste, garbage, debris or other declaration of nuisances per Ordinance 4.12.02

SECTION 4: **ADOPTION** “Enforcement And Penalties” of the Escalante Municipal Code is hereby *added* as follows:

ADOPTION

Enforcement And Penalties(*Added*)

- A. In the event of a snowstorm, which requires snowplows to clear the public streets, the city withholds the right to remove any property in violation of Section 2 immediately and without notice.
- B. For all other types of emergencies, the city shall dispense with the seventy-two (72) hour notice requirement and provide the best notice practicable to require owners or renters to remove such personal property.
- C. Violations of this ordinance may result in an infraction with a fine of \$150.00 per incident, or other penalties as determined by the city. The city reserves the right to take any necessary action to rectify violations and recover associated costs.

SECTION 5: **REPEALER CLAUSE** Any previously enacted ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed, but only to the extent that they are inconsistent with this ordinance. The repealer shall not, however, be construed to revive any ordinance heretofore repealed.

SECTION 6: **SEVERABILITY CLAUSE** If any provision of this ordinance is declared invalid or inoperative by a court of competent jurisdiction, the remainder shall not be affected thereby, and effect shall be given to the intent manifested by the portion held invalid or inoperative.

SECTION 7: **EFFECTIVE DATE** The City Council of Escalante City, State of Utah, has determined that the public health, safety and welfare requires that this Ordinance take effect immediately. Therefore, this Ordinance shall become effective immediately upon passage and publication as required by law.

SECTION 8: **PARAGRAPH HEADINGS** The paragraph headings used herein are for convenience only and shall not be considered in the interpretation of this Ordinance.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL JUNE 18, 2024.

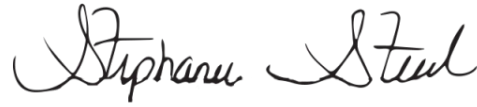
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Chad Lyman	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Sally Orme	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Marlene Stowe	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Blaine Porter	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Lenza Wilson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Melani Torgersen, Mayor, Escalante
City



Stephanie Steed, MMC, City Recorder,
Escalante City

