

ORDINANCE NO. 13-01

**AN ORDINANCE PROHIBITING CONTROLLING HOURS OF OPERATION FOR
CONSTRUCTION ACTIVITY AND NOISE IN THE
TOWN OF HIDEOUT, UTAH;
PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY;
AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE**

WHEREAS, it is the desire of the Town Council to appropriately apply its inherent police powers to protect the health, safety and welfare of the citizenry; and

WHEREAS, the desire of the Town Council is to maintain the peaceful atmosphere of the Town and the comfort of its residents as far as it is possible;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF
HIDEOUT, UTAH:**

SECTION I: Repealer. If any provisions of the Town's Code heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. That the Town Council of Hideout, Wasatch County, State of Utah, does hereby adopt the following ordinance:

Hours of Construction Work:

It shall be unlawful for any person to perform or cause to be performed, any construction work on any construction site under his control or at which he is employed between the hours of 9 p.m. and 7 a.m. the following day; or before 9 a.m. on Sundays. It shall also be unlawful to move construction equipment and/or construction trailers during those same hours. The Mayor, Town Council or Town Engineer may authorize extended hours for construction operations or procedures which, by their nature, require continuous operation, or modify or waive the hours of work for or on projects located in generally isolated areas where the extended hours do not impact on adjoining property occupants.

SECTION III: Enforcement. Enforcement responsibility will reside with the Police Department and the Town Council. The Police Department and Mayor and City Council may, upon discovery or report of a violation or violations of this Ordinance, issue a written citation for the violation requiring an appearance in court to answer the charges, or may file a report with the Wasatch County Prosecutor's Office for review and issuance of an information and summons to court to answer the charges.

SECTION IV: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said

portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION V: Effective Date. This ordinance, being necessary for the peace, health, safety and welfare of the Town, shall become effective immediately upon posting.

PASSED AND ADOPTED by the Town Council of Hideout, Utah, this 13th day of June, 2013.

Bob Martino, Mayor

ATTEST:

Lynette Hallam, Town Clerk