

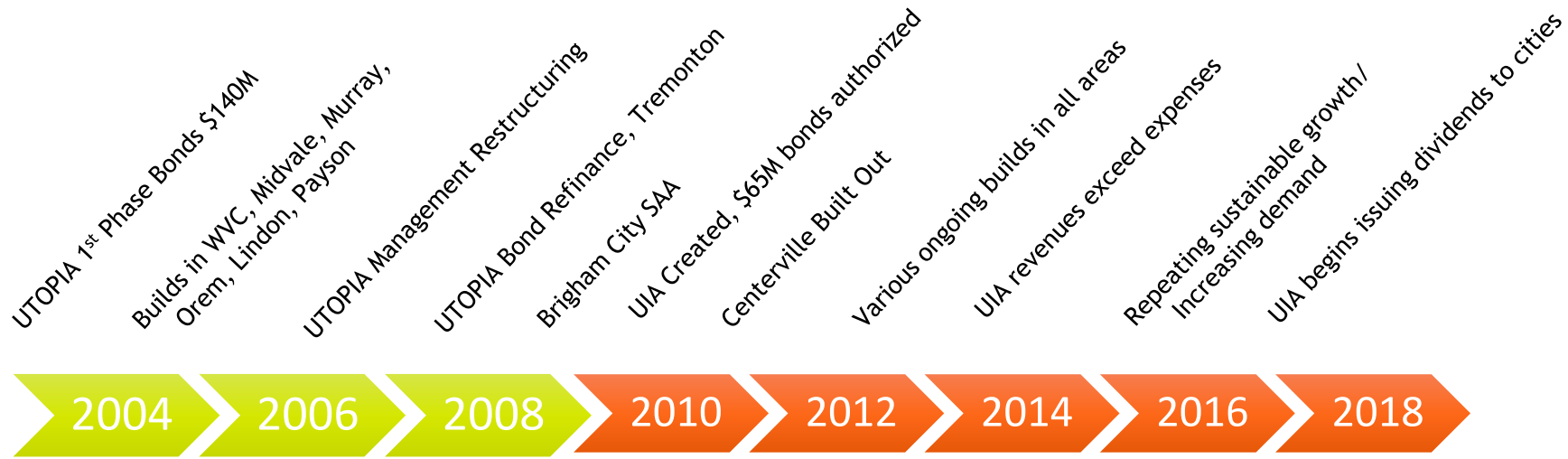


UTOPIA FIBER UPDATE

JULY 2018



UTOPIA/UIA HISTORICAL



Phase 1

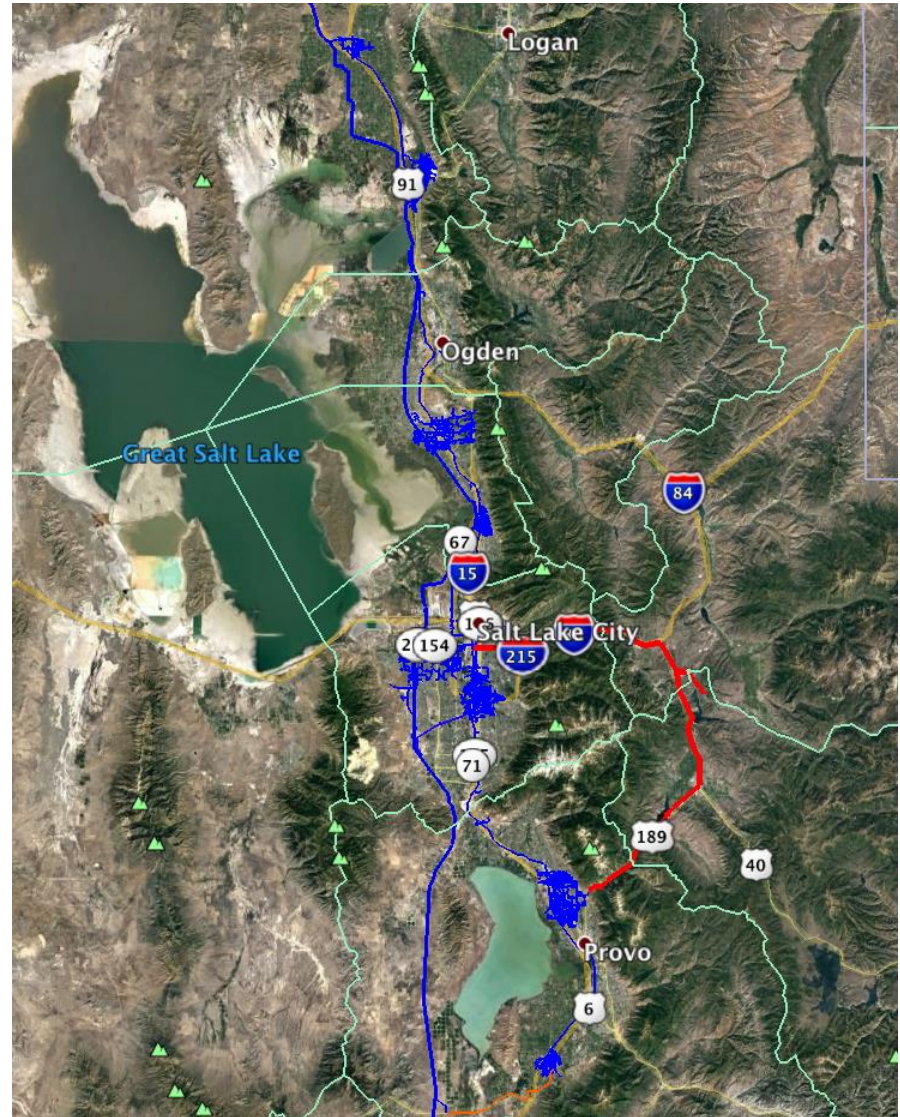
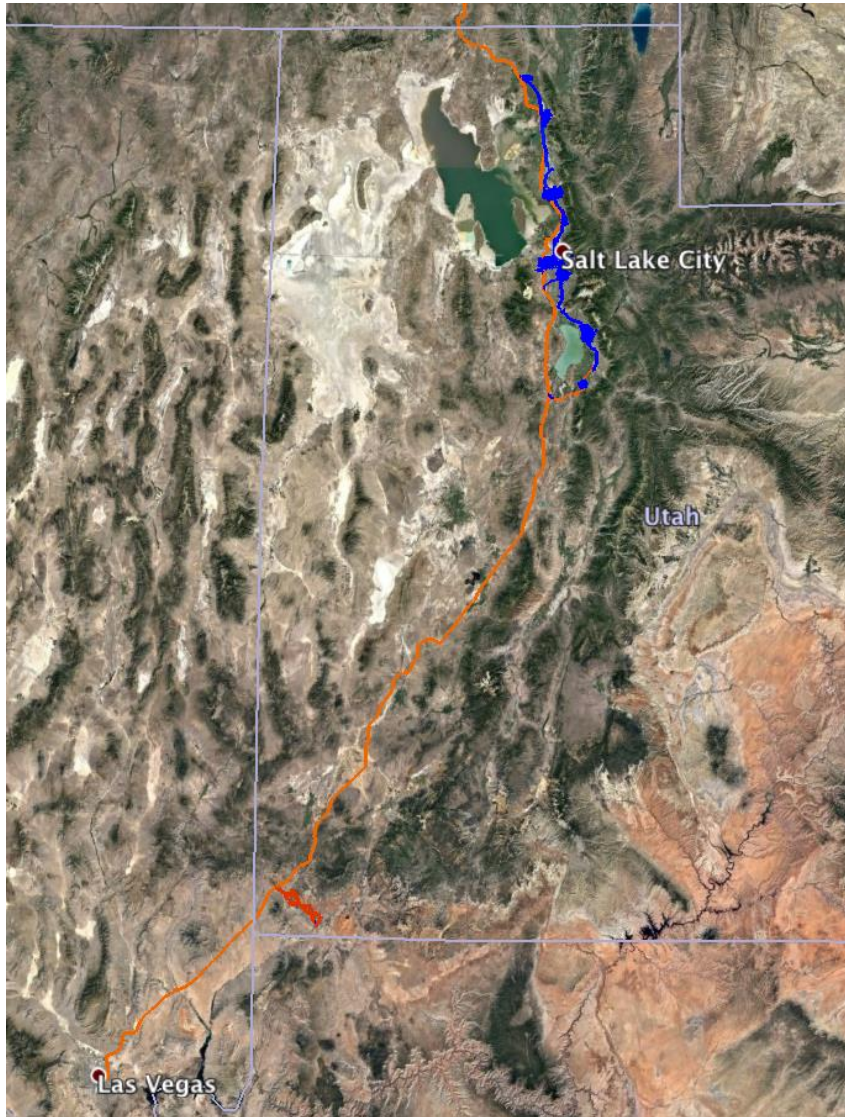
- Core Backbone Built
- Revenues lagged
- Higher expenses
- Few service providers

Phase 2

- Revenues exceeding debt service
- Sustainable buildouts
- Lower material and electronics costs
- Strong service provider competition

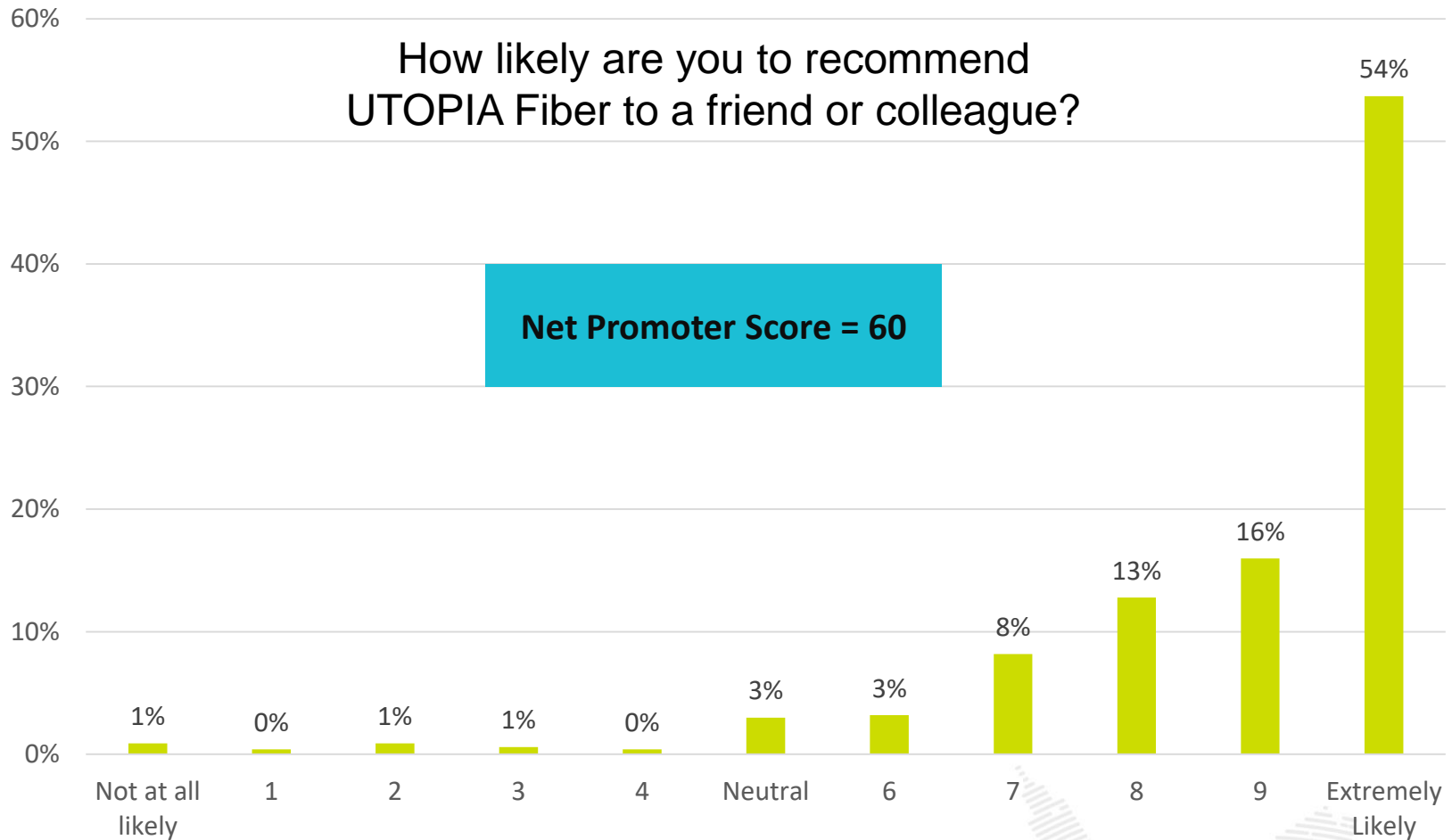


WHERE IS UTOPIA FIBER



UTOPIA FIBER CUSTOMER SATISFACTION

Highest customer satisfaction in Utah!



Third-party survey conducted May 2017 by Boncom



NON-UTOPIA FIBER OPTIONS

**#11 of “The 15 Most Disliked
Companies in America”
– Business Insider**

“one of the most widely disliked in an
industry of companies with poor
reputations” - USA Today - 2018

*“Worst company in America
2014” - Consumerist*

**#1 in “Customer Service Hall of Shame”
– 24/7 Wall St.**

“lost 65,000 broadband customers
during the second quarter”
(2017)

**#1 of “Most hated companies
in America” – Huffington Post**

– DSL Reports



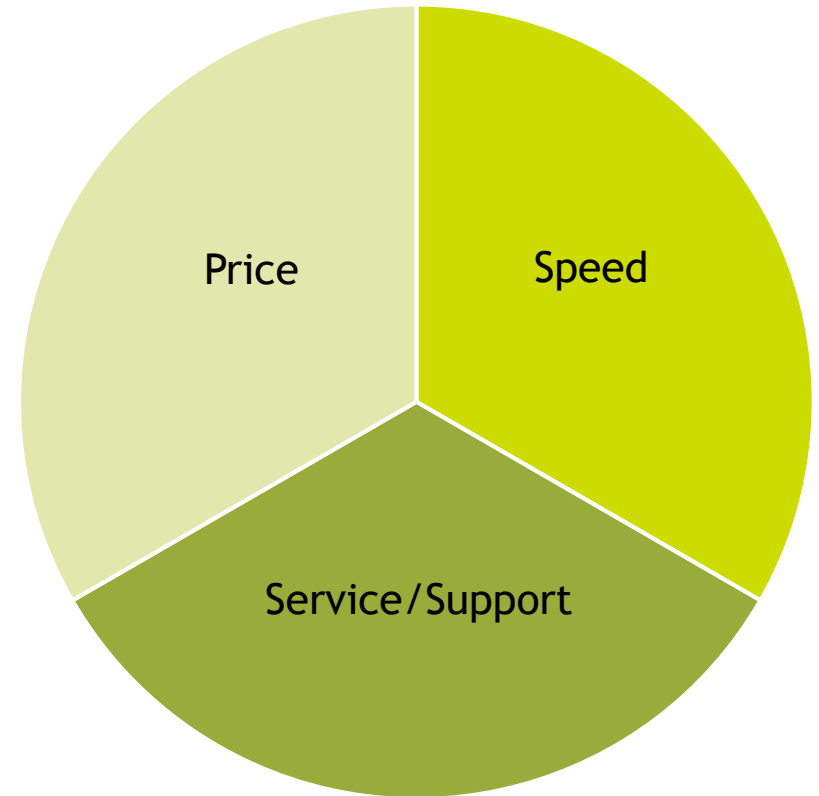
Google Reviews

Provider	Score	Source
All West	1.9	https://goo.gl/maps/DKr99kKBxAk
Beehive Broadband	3.9	https://goo.gl/maps/ha5s3zSCNZ72
Comcast	2.5	https://goo.gl/maps/e2B7BfDLVyB2
Centracom	2.1	https://goo.gl/maps/b9y29wadCrR2
Centurylink	1.7	https://goo.gl/maps/BbWkqByaTDQ2
Emery Telcom	1.9	https://goo.gl/maps/A76PxBYsfEx
Google Fiber	3.9	https://goo.gl/maps/xEksEoo3ob12
UTOPIA Fiber	4.3	https://goo.gl/maps/8xeqhDQ6KU82



UTOPIA FIBER LEADING OPTION

- Fastest in country
 - 10 Gbps Residential
 - 100 Gbps Business
- Top Rated in Utah
 - Net Promoter Score = 60
 - Google Rating - 4.4 Stars
- Best Value
 - 250 Mbps - \$65
 - 1 Gbps - \$78



UTOPIA & UIA CURRENT STATUS

UTOPIA

- UTOPIA is covering all of its operational expenses
- UTOPIA cities are paying for original UTOPIA bond obligations

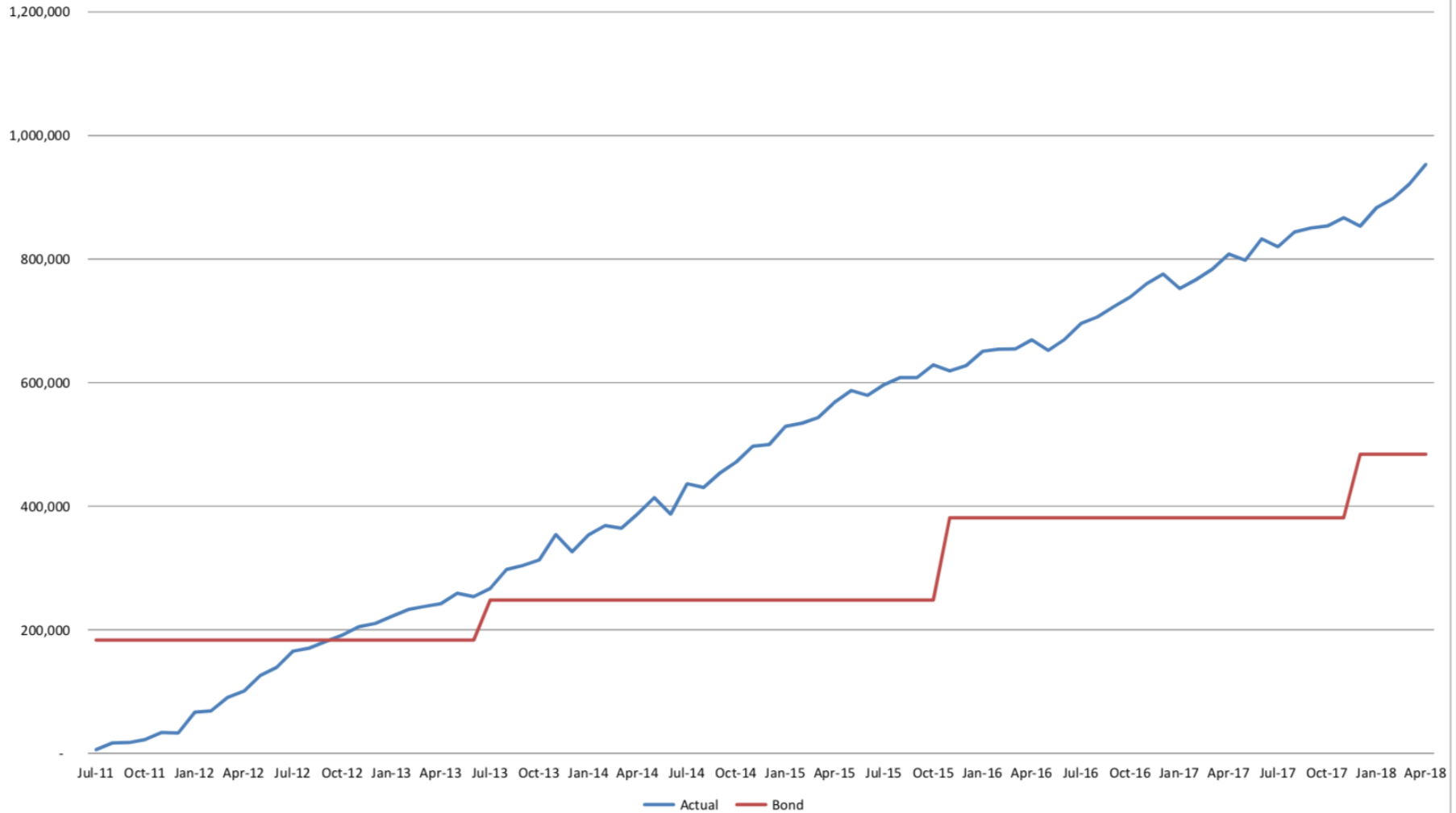
UIA

- UIA is covering all of its operational expenses and debt service
- UIA net revenues continue to grow
- UIA is paying increasing dividend to cities
- Rapid growth of ~1000 new homes each month



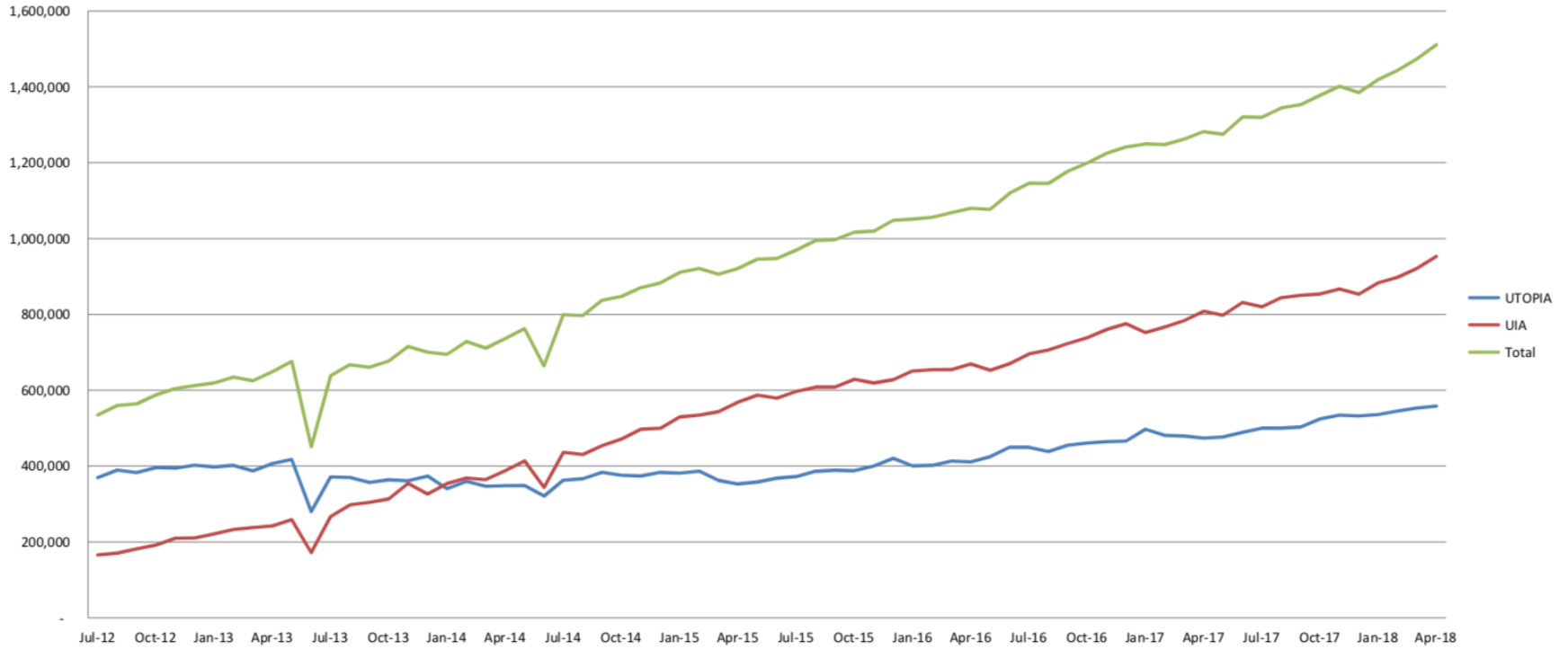
UIA REVENUE

UIA Revenue v. Bond Obligation (Monthly Recurring Revenue)



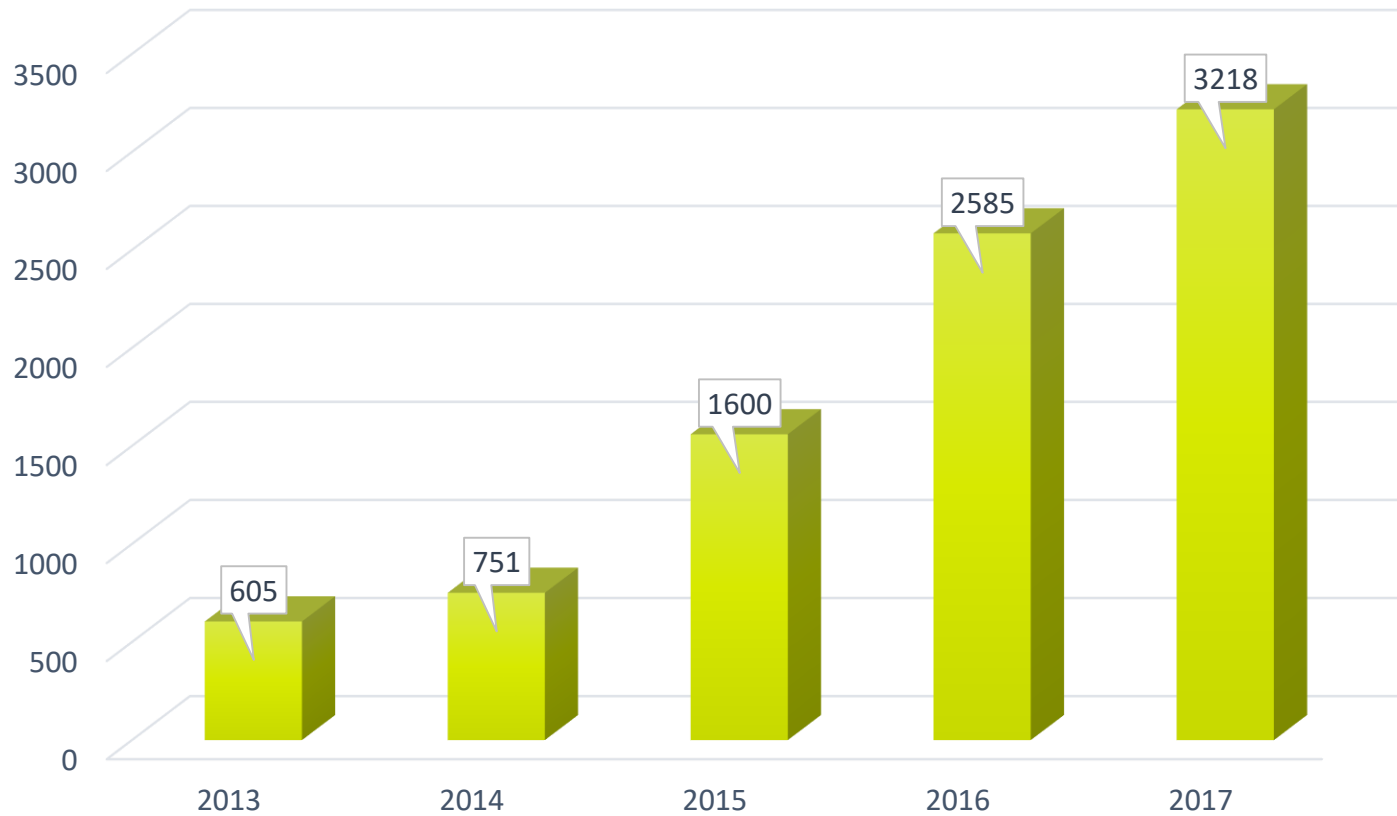
UTOPIA & UIA REVENUE

Recurring Revenue
Combined (UTOPIA and UIA)




Skyrocketing Demand

RESIDENTIAL SALES 2013-2017



CONSTRUCTION IMPACT/MARKETING




ATTENTION!



**LOOK FOR OUR CREWS
IN YOUR NEIGHBORHOOD**

Our UTOPIA Fiber crews will be in your area in the next few days to begin constructing and installing a fiber optic network.


WWW.GIVEMEUTOPIAFIBER.COM




support@utopiafiber.com | (801) 613-3880
www.utopiafiber.com



**ADDITIONAL WATERING MAY BE
REQUIRED FOR THE AREAS WHERE
YOUR SOD HAS BEEN RESTORED**



HAVE QUESTIONS OR CONCERNS? CONTACT:



CONSTRUCTION IMPACT/MARKETING



CONSTRUCTION IMPACT/MARKETING



POST-CONSTRUCTION MARKETING



1-800-267-6534
UTOPIAFiber.com

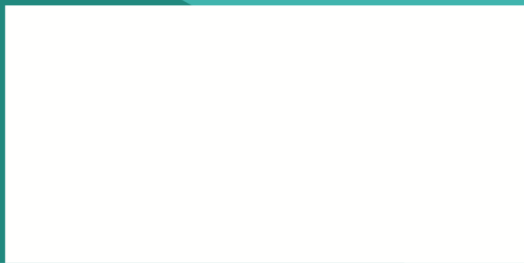


GET A FIBER OPTIC CONNECTION THAT'S 30X FASTER



They were on time, fast, polite, left my home clean, and an awesome little welcome box that puts the level of service a real step ahead. The internet is fast and reliable. I definitely recommend Utopia for product and service.

-Danielle



THE INTERNETS ARE FASTER WITH UTOPIA

WHAT WOULD YOU DO WITH THE WORLD'S FASTEST CONNECTION?

It's all there waiting for you. Powered by a fiber optic connection powerful enough to travel through an interdimensional portal.

UTOPIA Fiber's unprecedented bandwidth makes other ISPs look as outdated as your last mixtape. Whether you're fighting an interstellar war online with all your friends, hunting down the first space shooter you ever played in an arcade, or watching four chefs chop up a salad named after an emperor, you'll be able to upload and download all of it faster and smoother than ever before.



Payson

RESIDENTIAL SERVICE PROVIDERS

Beehive Broadband • Brigham.net • Fibernet • InfoWest • Intellipop
Senawave • Sumo Fiber • Veracity Networks • Voonami • XMission

UP TO 30 TIMES FASTER

Our fiber optic connection is up to 30 times faster than a standard copper line.

NO SHARED CONNECTIONS

You get a dedicated fiber optic cable straight to your home—no more sharing bandwidth with neighbors.

COMMITMENT ISSUES?

UTOPIA Fiber only requires a one-year commitment—giving you the ultimate in fiber optic flexibility.

250

Mbps

\$65

PER MO.

With a one-year commitment



Learn more at
UTOPIAFiber.com or
call 1-800-267-6534

*Depending on your choice of products or ISPs, prices may vary.



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Potential partnership with UTOPIA Fiber - hideout

Municipality (individual or collectively)

- Pledge agreement based RFI proposal terms - ~50% take rate target on initial project (209 units x \$42.81/mo)

UTOPIA/UIA

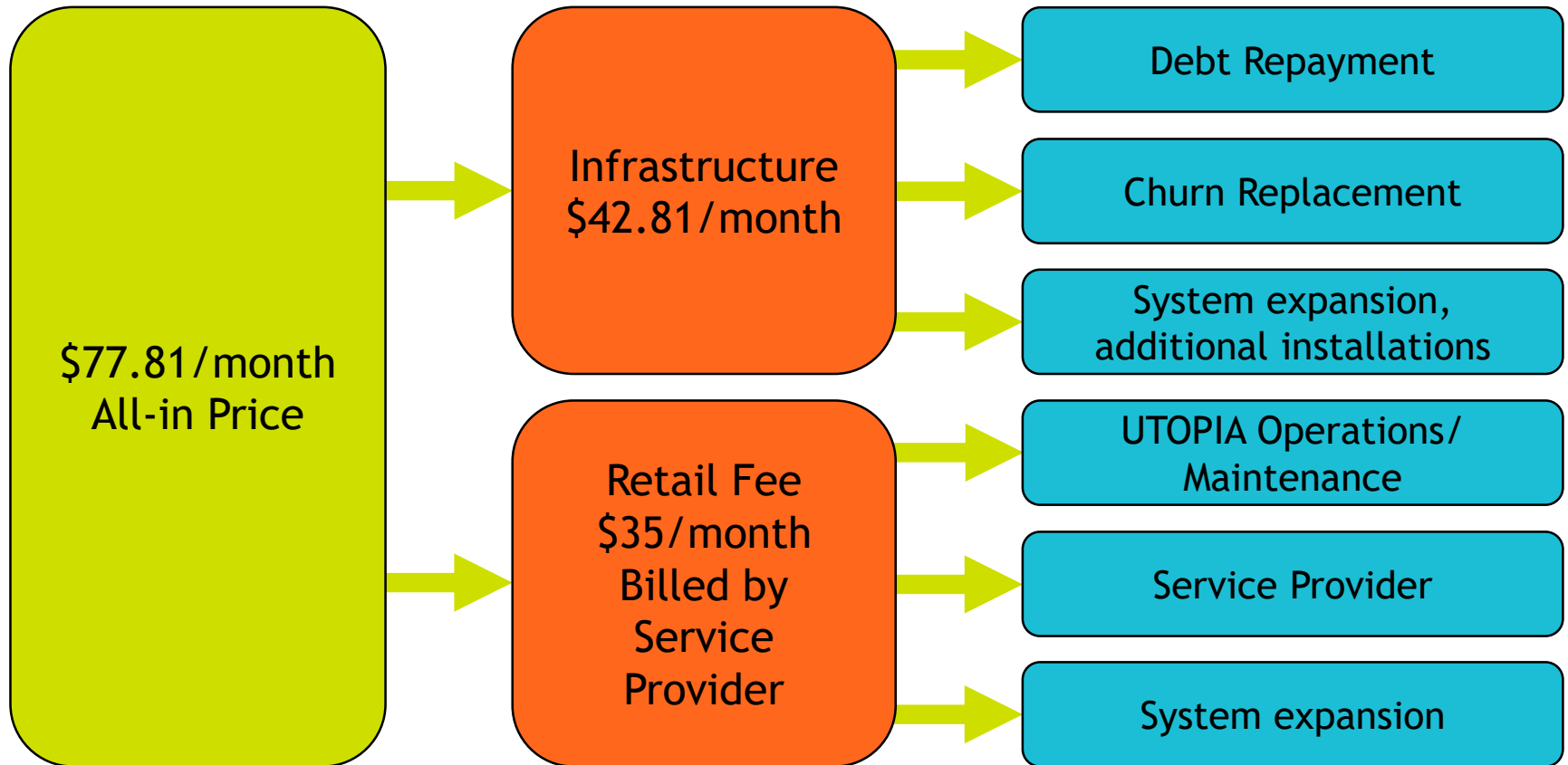
- Bonds for construction of project
- Infrastructure fees pay bond service, churn
- Receives portion of subscriber fees to cover operational expenses
 - Electronics replacement
 - Fiber maintenance
 - Utility locating
 - Repairs
 - Backbone interconnectivity
 - Network Operations Center monitoring
 - Service provider management
 - Marketing
 - Finances expansion and installations of system for green-field developments beyond initial project



Potential partnership with UTOPIA Fiber

Revenue Distribution

Example - Minimum 250/250 Mbps Internet Package, 1yr commitment



What are the risks?

- At a ~50% residential take rate all expenses are covered from revenues
- UIA revenues (all projects since 2009) have exceeded debt coverage

*Based on 417 homes, 30yr financing term

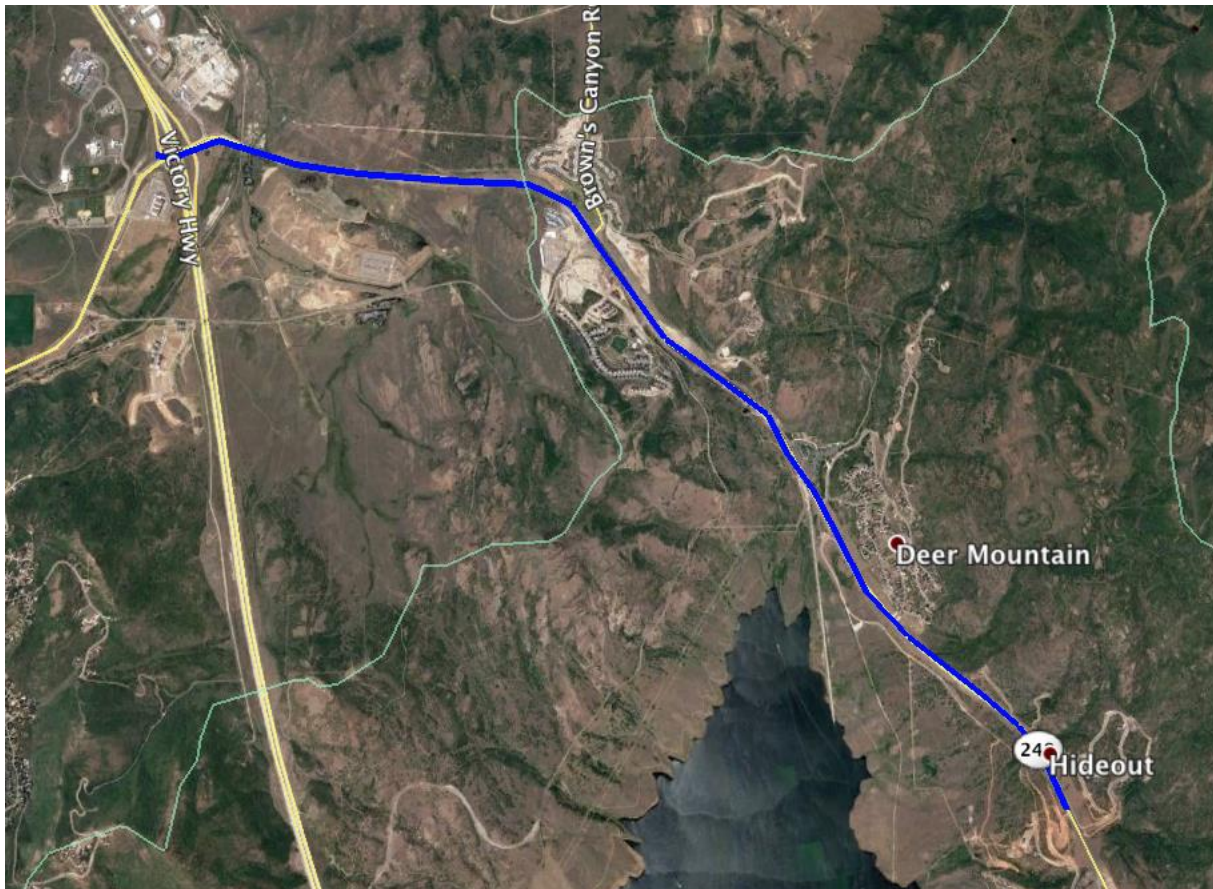
Take Rate	City Obligation
50% (209)	\$0
45% (189)	\$895/mo
40% (168)	\$1790/mo
35% (147)	\$2685/mo
30% (126)	\$3580/mo
25% (105)	\$4475/mo
20% (84)	\$5370/mo
15% (63)	\$6265/mo
10% (42)	\$7160/mo
5% (21)	\$8055/mo
0% (0)	\$8,948/mo

What are the benefits?

- Bring top speeds, price, service, value, for telecommunications services to city
 - Expected decreased cost of service for all residents of \$27/month or more* (\$11,259/mo)
 - Increased residential property values by 3.1%** (\$13M)
 - Better service and lower costs municipal services, other.
- [*https://medium.com/@fiberbroadband/when-gigabit-internet-comes-to-town-it-could-mean-savings-for-consumers-4feccd69223](https://medium.com/@fiberbroadband/when-gigabit-internet-comes-to-town-it-could-mean-savings-for-consumers-4feccd69223)

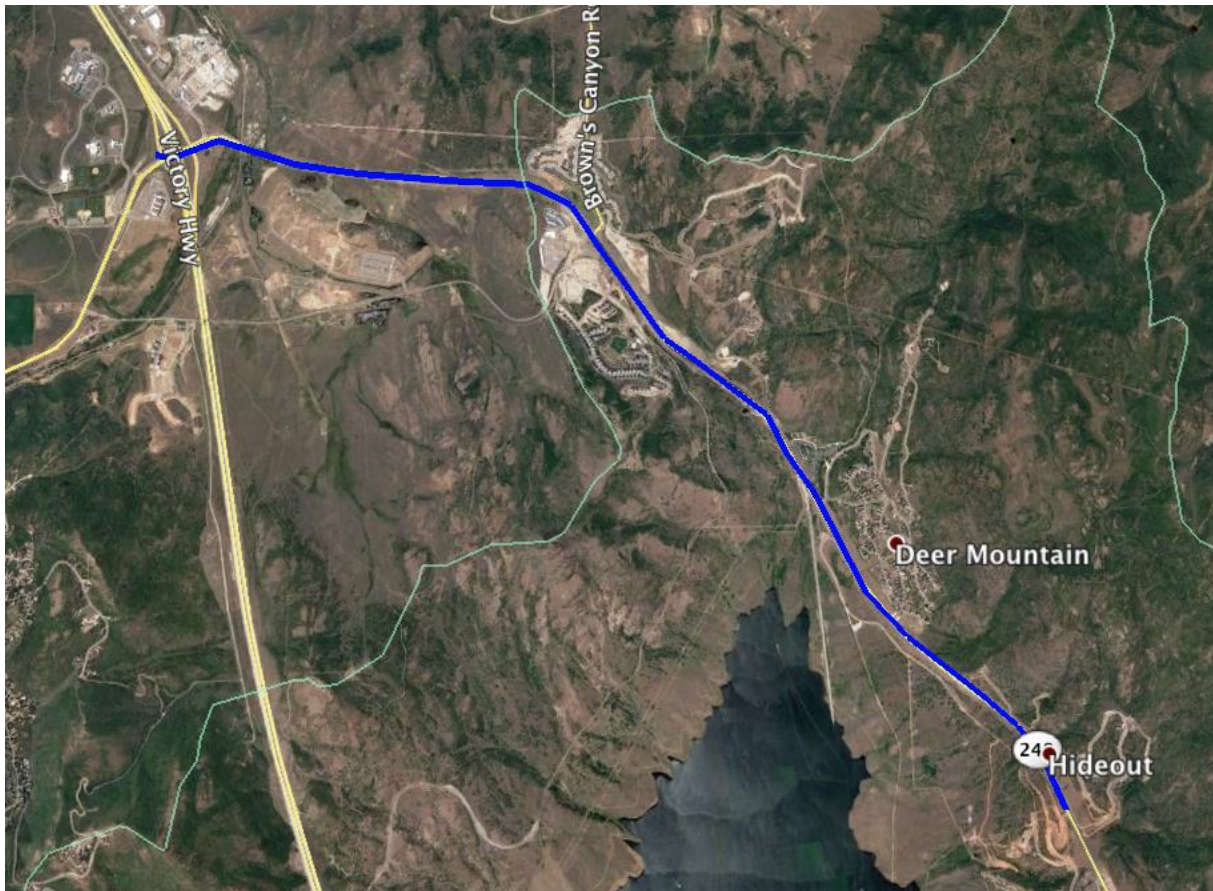
Future options

- Goal to decrease monthly fees to standard amount (\$30/mo infrastructure) if other communities attach to Interconnect.



Decrease term of obligation

- With the growth of community and economies of scale benefits from neighboring communities, we will work with Hideout to negotiate terms to decrease Hideout obligations.





801.613.3800 | 5858 S. 900 E. Murray, UT 84121 | UTOPIAfiber.com



Questions?

Roger Timmerman, Executive Director

rtimmerman@utopiafiber.com

www.utopiafiber.com

801-613-3855



CHAPTER 3

SUBDIVISION APPLICATION AND REVIEW PROCESS

Section

PART 1: APPLICATION PROCESS GENERALLY

- 10.03.101: PURPOSE
- 10.03.102: APPLICABILITY
- 10.03.103: APPLICATION FORMS AND PROCEDURES
- 10.03.104: PERMITS REQUIRED
- 10.03.105: DEVELOPMENT APPLICATION; INITIATION
- 10.03.106: DETERMINATION OF APPLICATION COMPLETENESS
- 10.03.107: WITHDRAWAL OF APPLICATION
- 10.03.108: REAPPLICATION FOLLOWING APPLICATION DENIAL
- 10.03.109: INSPECTIONS
- 10.03.110: FEES

PART 2: CONCEPT PLAN

- 10.03.201: ACTION NOT BINDING

PART 3: PRELIMINARY PLAN

- 10.03.301: REVIEW PROCESS

PART 4: FINAL PLAT

- 10.03.401: REVIEW PROCESS
- 10.03.402: FINAL PLAT EXPIRATION
- 10.03.403: AMENDING RECORDED PLAT
- 10.03.404: VACATING RECORDED PLAT

PART 5: DEVELOPMENT AGREEMENT

- 10.03.501: PURPOSE
- 10.03.502: GENERAL REQUIREMENTS
- 10.03.503: APPROVAL
- 10.03.504: RECORDING

PART 1: APPLICATION PROCESS GENERALLY

10.03.101: PURPOSE:

Land use applications, and application review procedures, are provided to achieve the purposes of the general plan and all land use ordinances, including this title.

10.03.102: APPLICABILITY:

A land use application or building permit application, as applicable, shall be required for the establishment of all uses, expansion of uses, and construction or modifications for all buildings and structures located within the town, unless exempt, as provided by the land use ordinances or building code, as adopted. All use and building permit applications shall be presented to the town on the applicable application forms, provided by the town. The type of application presented is at the sole discretion of the applicant.

10.03.103: APPLICATION FORMS AND PROCEDURES:

The mayor or his/her designee manager shall provide application forms and may identify submittal requirements and processing procedures for the acceptance and filing of all applications required by the land use ordinances and building codes, as adopted.

10.03.104: PERMITS REQUIRED:

The requirements of all land use ordinances and building codes, as applicable, shall apply to all uses, buildings or structures located, or proposed, within the town. No use, building or structure shall be commenced or occupied unless and until all necessary approvals, permits and licenses have been issued in accordance with all requirements of the land use ordinances and building codes, as applicable.

10.03.105: DEVELOPMENT APPLICATION; INITIATION:

The procedures for any required approval, permit or license shall be initiated by submitting the appropriate land use application to the zoning administrator.

10.03.106: DETERMINATION OF APPLICATION COMPLETENESS:

Before a land use application is accepted, the zoning administrator, or his designee, shall determine if the application is complete on its face, i.e., all items listed on the application checklist have been submitted with the application. Only if the application is complete will the application be accepted for review. If the zoning administrator determines that the application is incomplete, the zoning administrator shall identify the application

deficiencies and advise the applicant that no action will be taken by the land use authority, as applicable, until all application deficiencies have been corrected.

10.03.107: WITHDRAWAL OF APPLICATION:

An applicant may withdraw a land use application at any time prior to a land use authority decision on the application. Application fees shall not be refundable if prior to withdrawal:

- (1) A review of the application by the zoning administrator or technical review committee has commenced; or
- (2) Required notice of a public hearing or public meeting to consider the application with the land use authority has been provided.

10.03.108: REAPPLICATION FOLLOWING APPLICATION DENIAL:

If a land use application is denied for failure to meet the requirements of the land use ordinances and building codes, a land use application for all or any part of the same property shall not be considered by a land use authority for a period of at least one year from the date of denial, unless the subsequent land use application is substantially different from the previously denied application, the prior denial was based upon a mistake of fact, or on a motion duly passed by the town council to act immediately and identifying a valid public purpose.

10.03.109: INSPECTIONS:

In order to review information relevant to an application, a land use authority, the zoning administrator and/or other town staff may enter upon any land at reasonable times to make examinations and surveys related to the application.

10.03.110: FEES:

The town council shall establish, by resolution, a fee schedule for the processing and review of all land use applications required by all land use ordinances, and designed to recover the actual or anticipated costs for the processing of the land use application. The fee schedule may be included in the town consolidated fee schedule, which schedule may be amended from time to time by resolution of the town council. The fee schedule for the processing and review of all land use applications may include a processing fee and an

application fee. Fees shall not be required for land use applications initiated by a land use authority.

PART 2: CONCEPT PLAN

10.03.201: ACTION NOT BINDING:

Meetings with staff do not constitute acceptance of the project and only provide a forum to discuss issues that will assist the developers in preparing a preliminary plan application. Compliance with comments by individual staff members does not grant any vested rights and will not guarantee or imply approval of the preliminary plan or final plat for the subdivision.

PART 3: PRELIMINARY PLAN

10.03.301: REVIEW PROCESS:

(1) Staff Review And Report: The preliminary plan will be reviewed by the zoning administrator and town engineer for general compliance with this title, the standard specifications, the design guidelines and all applicable ordinances. If the application is not complete or not in general compliance, the zoning administrator shall notify the applicant in writing and specify the deficiencies in the application. When the application is complete and in general compliance, the zoning administrator shall forward the completed application to other town staff and departments, and affected government entities and public utilities to obtain comment regarding the application. Town staff will review the preliminary plan, make site visits, discuss engineering issues, and check compliance with the general plan, master plans and municipal ordinances to determine the adequacy of public facilities. The zoning administrator and town engineer shall prepare a staff report, which shall include all review comments by other staff members and all other agencies required to review the application and submittals. The zoning administrator shall forward the completed application and the staff report to the planning commission.

PART 4: FINAL PLAT

10.03.401: REVIEW PROCESS:

(1) Town Attorney Review: The town attorney shall review the final plat and the current title report. The legal description in the title report shall be compared with any legal description in the restrictive covenants, articles, consents and other legal documents. All persons shown on the title report as owners or lien holders must sign and have acknowledged by a notary on the plat unless prior approval is given by the town attorney. All lien holder consents must not only show consent to recording of the plat and any

restrictive covenants, but must also indicate the lien holder's approval of and joiners in the dedication of any public streets or rights of way. The applicant shall also submit the improvement guarantee and any other documents and information required by the town attorney. Once the town attorney has reviewed and is satisfied that the final plat is in compliance with all requirements of this title, he shall sign the final plat.

10.03.402: FINAL PLAT EXPIRATION:

If the final plat is not recorded within one year from the date of approval, the approval shall expire and the final plat shall be null and void. The town council may grant a one time extension to the recording of the final plat not exceeding six (6) months; provided, that the developer submits the request for extension prior to expiration of the final plat and satisfies any new town requirements pertaining to the public health, safety and welfare.

10.03.403: AMENDING RECORDED PLAT:

(1) Any landowner whose land has been platted as provided in this title may, upon application to the town, have such plat or portion thereof, or any street or alley therein contained, altered or amended.

(2) The procedure for amending or altering a subdivision plat is the same as for approval of a new subdivision.

10.03.404: VACATING RECORDED PLAT:

The procedure for vacation of a plat shall be governed by provisions of Utah Code Annotated sections 10-9a-608 and 10-9a-609.

PART 5: DEVELOPMENT AGREEMENT

10.03.501: PURPOSE:

The developer/property owner and the town may enter into a development agreement that outlines the duties, responsibilities, obligations, commitments and promises of the developer/property owner and the commitments of the town.

10.03.502: GENERAL REQUIREMENTS:

(1) The development agreement shall be prepared by the town attorney and shall incorporate all agreements between the parties.

(2) The development agreement must be approved prior to final plat recording.

(3) If the developer is including parks, open space, clubhouses and/or trail improvements within a development, the development agreement shall include proposed phasing and terms of completion of these improvements.

(4) Any special agreements, conveyances, restrictions or covenants which govern the use, maintenance and continued protection of common areas shall be included in the development agreement.

(5) The development agreement may provide limitations on the number of building permits issued and/or phases of the project to be approved subject to the completion of the improvements.

(6) The development agreement for phased subdivisions shall incorporate the phased subdivision master plan.

(7) The development agreement shall include any provisions for security for completion of the subdivision improvements and/or schedule of utility construction and restoration bond requirements.

(8) If the development is a phased subdivision, the development agreement shall specify all conditions and requirements that must be met in order to protect and maintain a vested approval for all subsequent phases. For example, the town may impose as a condition precedent to final approval of subsequent phases, the availability and access to water and sewer services and source sufficient to accommodate the subsequent phases.

10.03.503: APPROVAL:

The development agreement shall be approved by the town council and signed by the mayor.

10.03.504: RECORDING:

The development agreement shall be recorded by the town at the Wasatch County recorder's office. Recordation by the town shall only take place after all of the necessary signatures are obtained, all approvals given, and all bonds and fees posted. The development agreement must be recorded prior to the recording of the final plat.

TOWN OF HIDEOUT, UTAH

Ordinance No. 2018-08

AN ORDINANCE AMENDING PROVISIONS OF THE TOWN CODE RELATING POTENTIAL WILDFIRE IGNITION SOURCES

WHEREAS the Town Council of the Town of Hideout desires to enhance the health, safety, and well-being of the residents of the Town of Hideout; and

WHEREAS, the Town Council finds that wild fires present a risk to public health, safety, and well-being; and

WHEREAS, the Town Council finds that wild fires also present a risk of adverse economic hardship to the Town of Hideout and its residents; and

WHEREAS the Town Council finds that certain conditions exist in the Town of Hideout which contribute to increased risk from wild fires, including, but not limited to, the following:

The area comprising the Town of Hideout has been designated by Wasatch County as Wildland-Urban Interface zone, a designation which identifies a community that is adjacent to wildlands; and

Wildland-Urban Interface zones are areas where increased risk of wild fires exists; and

Maps generated by the Utah State Division of Forestry, Fire & State Lands show the Town of Hideout and surrounding areas as having an elevated fire risk; and

The topography and flora of the Town of Hideout creates a risk of fast-moving and potentially destructive grass or brush fires; and

The Town of Hideout is bisected by Highway 248, which creates a risk of grass or brush fires ignited by automobile accidents, cigarette butts discarded by motorists, sparks generated by dragging metal, etc.; and

WHEREAS, the Town Council finds that restricting certain ignition sources when weather or other conditions create enhanced risk of wildfires is a way for the Town of Hideout to enhance public safety; and

WHEREAS, Chapter 4 of Title 5 of the Town Code contains some restrictions on fireworks, which are a potential wild fire ignition source; and

WHEREAS, the Town Council believes additional restrictions on fireworks and other potential wild fire ignition sources are appropriate; and

WHEREAS, the Town Council believes additional revisions to the Town Code are necessary to enhance public safety and address the issues identified herein; and

WHEREAS, Section 1A.01.103 of the Town Code provides that the Town Code may be amended by ordinance; and

WHEREAS, the Town has published notice, as required by law, of its intent to amend the provisions of the Town Code; and

WHEREAS, on August 9, 2018, the Town Council held a public hearing to discuss amendments to the provisions of the Town Code regarding the issues identified herein, and the Town Council heard public comment regarding such issues; and

WHEREAS, the Town Council finds good cause for amending the Town Code as provided herein.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Hideout, Utah, as follows:

Section 1 – Recitals Incorporated. The foregoing recitals are hereby incorporated into this Ordinance as findings of fact.

Section 2 – Restriction on Ignition Sources. Chapter 4 of Title 5 of the Town Code is hereby amended to add a new section, 5.04.102, with the following language:

5.04.102: Authority to Restrict Fireworks and Other Ignition Sources. If the Town Fire Marshall or Town Building Official determine that weather conditions, including but not limited to, temperature, drought, high winds, etc., create and elevated risk of wild fire danger, the Town Fire Marshall or Town Building Official may, upon 24-hour notice, impose a ban on the outdoor use of potential wild fire ignition sources. Items banned may include, but are not limited to, fireworks, open fires, matches, sky lanterns, etc. If notice of the ban is posted on the Town’s website, no additional notice shall be required before initiating the ban as provided for herein. Any ban on ignition sources shall not last longer than ninety (90) days, but

such ban may be renewed by the Town Fire Marshall or Town Building Official at or prior to the expiration of such ninety (90) days by providing notice as required herein. The ban provided for herein may be enforced by the Town Fire Marshall, Town Building Official, pursuant to the provisions of the Town Code for enforcement of ordinances, or by the Wasatch County Sheriff.

Section 3 – Clerk to Update Code. Immediately after the effective date, the Town Clerk is hereby directed to update the official version of the Town Code to reflect the changes identified herein.

Section 4 – Effective Date. This Ordinance will be effective immediately upon adoption by the Town Council.

WHEREFORE, Ordinance 2018-_____ has been **Passed** and **Adopted** by the Town of Hideout.

TOWN OF HIDEOUT

Philip Rubin, Mayor

Attest:

Lynette Hallam, Town Clerk

TOWN OF HIDEOUT, UTAH

Ordinance No. 2018-07

AN ORDINANCE AMENDING PROVISIONS OF THE TOWN CODE RELATING TO DOGS AND DOG LICENSES

WHEREAS, certain provisions of the Town Code address dog licenses and other issues relating to dogs; and

WHEREAS, such provisions address services that the Town cannot offer and / or include terms that are otherwise outdated or inaccurate; and

WHEREAS, the Town Council believes additional revision to certain provisions of that Title and Chapter are necessary; and

WHEREAS, Section 1A.01.103 of the Town Code provides that the Town Code may be amended by ordinance; and

WHEREAS, the Town has published notice, as required by law, of its intent to amend the provisions of the Town Code; and

WHEREAS, on July 12, 2018, the Town Council held a public hearing to discuss amendments to the provisions of the Town Code dealing with dogs, and the Town Council heard public comment regarding such issues; and

WHEREAS, the Town Council finds good cause for amending the Town Code as provided herein.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Hideout, Utah, as follows:

Section 1 – Recitals Incorporated. The foregoing recitals are hereby incorporated into this Ordinance as findings of fact.

Section 2 – Dog Licenses. Section 5.05.103 of the Town Code is hereby deleted in its entirety and replaced with the following language:

5.05.103: LICENSE AND REGISTRATION OF DOGS. (A) License Required. It shall be unlawful for any person to own, keep, harbor, board, or maintain a dog within the town limits, without obtaining a license for such dog. Licenses shall be obtained from Wasatch County, through the offices of Heber City. All persons shall comply with the requirements and regulations promulgated by Wasatch County associated with dog licenses and shall pay all fees established by Wasatch County or Heber City for issuing dog licenses. (B) Tag and Collar. All dogs shall wear a collar with a copy of the license tag issued by Wasatch County affixed to the collar. Any dog without a collar and license tag is hereby declared a public nuisance. Any dog which has not been registered within thirty (30) days after entering the town and any unlicensed puppy older than six (6) months is hereby declared a public nuisance. Any dog which is deemed to be a public nuisance shall be immediately impounded. (C) Number of Dogs per Residence. No person may keep more than two (2) dogs, except for puppies under six (6) months old, at any residence within the town.

Section 3 – Dogs at Large. The definition of “AT LARGE” in Section 5.05.102 of the Town Code is hereby deleted in its entirety and replaced with the following language:

AT LARGE: A dog shall be considered to be “at large” when it is off the owner’s property and not under immediate control by means of either (a) a durable restraint device capable of keeping the dog restrained, or (b) an e-collar where the dog owner/handler has the control device in-hand and has on their person a durable restraint device capable of keeping the dog restrained.

Section 4 – Clerk to Update Code. Immediately after the effective date, the Town Clerk is hereby directed to update the official version of the Town Code to reflect the changes identified herein.

Section 5 – Effective Date. This Ordinance will be effective when it has been published as provided by law.

[End of Ordinance. Signature Page Follows.]

WHEREFORE, Ordinance 2018-_____ has been **Passed** and **Adopted** by the Town of Hideout.

TOWN OF HIDEOUT

Philip Rubin, Mayor

Attest:

Lynette Hallam, Town Clerk

TOWN OF HIDEOUT, UTAH

Ordinance No. 2018-_____

AN ORDINANCE AMENDING PROVISIONS OF THE TOWN CODE RELATING TO REVIEW OF SUBDIVISION PLATS TO ADDRESS RISKS OF FIRE DANGER

WHEREAS the Town Council of the Town of Hideout desires to enhance the health, safety, and well-being of the residents of the Town of Hideout; and

WHEREAS, the Town Council finds that wild fires present a risk to public health, safety, and well-being; and

WHEREAS, the Town Council finds that wild fires also present a risk of adverse economic hardship to the Town of Hideout and its residents; and

WHEREAS the Town Council finds that certain conditions exist in the Town of Hideout which contribute to increased risk from wild fires, including, but not limited to, the following:

The area comprising the Town of Hideout has been designated by Wasatch County as Wildland-Urban Interface zone, which indicates a community that is adjacent to wildlands; and

Wildland-Urban Interface zones are areas that are at increased risk of wild fires; and

Maps generated by the Utah State Division of Forestry, Fire & State Lands show the Town of Hideout and surrounding areas as having an elevated fire risk; and

The topography and flora of the Town of Hideout creates a risk of fast-moving and potentially destructive grass or brush fires; and

The Town of Hideout is bisected by Highway 248, which creates a risk of grass or brush fires ignited by automobile accidents, cigarette butts discarded by motorists, sparks generated by dragging metal, etc.; and

WHEREAS, the Town Council finds that review of subdivision plat maps is one way for the Town of Hideout to enhance public safety; and

WHEREAS, the Wasatch County Fire District (“**District**”) has the capacity to provide review and feedback with respect to proposed subdivision plats; and

WHEREAS, the District provides review of subdivision plats for all new developments within the Wasatch County, and all the municipalities within Wasatch County, except for developments within the Town of Hideout; and

WHEREAS, Chapter 3 of Title 10 of the Town Code addresses the procedure for review of the subdivision plats within the Town; and

WHEREAS, the Town Council believes additional revisions to that Title and Chapter providing for review of subdivision plats by the District are necessary to enhance public safety and address the issues identified herein; and

WHEREAS, Section 1A.01.103 of the Town Code provides that the Town Code may be amended by ordinance; and

WHEREAS, the Town has published notice, as required by law, of its intent to amend the provisions of the Town Code; and

WHEREAS, on September ____, 2018, the Town Council held a public hearing to discuss amendments to the provisions of the Town Code regarding the issues identified herein, and the Town Council heard public comment regarding such issues; and

WHEREAS, the Town Council finds good cause for amending the Town Code as provided herein.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Hideout, Utah, as follows:

Section 1 – Recitals Incorporated. The foregoing recitals are hereby incorporated into this Ordinance as findings of fact.

Section 2 – Ignition Sources. Section 10.03.301 of the Town Code is hereby amended to add a new subsection, 10.03.301(2) with the following language:

(2). Without limiting Section 10.03.301(1), upon receipt of the application the zoning administrator will forward a copy of the preliminary plan to the Wasatch County Fire District for review and comment. The Fire Marshal of the Wasatch County Fire District shall provide comment and feedback to the applicant. Any such comment or feedback shall be forwarded to the

planning commission for consideration. In addition, and notwithstanding Section 10.03.401(1), no subdivision plat shall be considered final and eligible for recording without the signature of the Fire Marshall or other authorized representative of the Wasatch County Fire District.

Section 3 – Public Interest. The Town Council formally finds, on the record, that a compelling, countervailing public interest would be jeopardized by approving applications for subdivisions which do not comply with the provisions and requirements of Section 2 of this Ordinance and the modifications to the Town Code set forth therein. The intent of this Ordinance is that the provisions and requirements hereof apply to all subdivision applications made for any subdivision within the Town regardless of prior vested rights. This finding is made pursuant to Utah Code § 10-9a-509(1)(a)(ii), as the same exists as of the date of this Ordinance.

Section 4 – Clerk to Update Code. Immediately after the effective date, the Town Clerk is hereby directed to update the official version of the Town Code to reflect the changes identified herein.

Section 5 – Effective Date. This Ordinance will be effective immediately upon adoption by the Town Council

WHEREFORE, Ordinance 2018-_____ has been **Passed** and **Adopted** by the Town of Hideout.

TOWN OF HIDEOUT

Philip Rubin, Mayor

Attest: _____
Lynette Hallam, Town Clerk

CHAPTER 4 FIREWORKS

Section

- 5.04.101: STATE PROVISIONS ADOPTED BY REFERENCE
- 5.04.102: ENFORCEMENT
- 5.04.103: SALES
- 5.04.104: PUBLIC DISPLAY OR SPECIAL EFFECTS; PERMIT REQUIRED
- 5.04.105: PROHIBITED ACTS AND ACTIVITIES
- 5.04.106: AUTHORITY OF TOWN TO PROHIBIT DISCHARGE
- 5.04.107: CONFLICTING PROVISIONS

5.04.101: STATE PROVISIONS ADOPTED BY REFERENCE:

This chapter includes, but is not limited to, sections of the Fire Prevention and Fireworks Act found in Utah Code Annotated title 53, chapter 7, part 2, and sections of the County and Municipal Fireworks Act found in Utah Code Annotated Title 11, Chapter 3, which sections are, by this reference, adopted as town ordinances. Each section of the Fire Prevention and Fireworks Act adopted by this reference shall have a new section number as determined by this present chapter. The following subsections are adopting those provisions by reference.

- A. Definition of Terms: Adopting Utah Code Annotated section 53-7-202.
- B. Restrictions on Sale or Use of Fireworks: Adopting Utah Code Annotated section 53-7-222.
- C. Times for Sale and Discharge of Fireworks: Adopting Utah Code Annotated section 53-7-225.
- D. Exemptions: Adopting Utah Code Annotated sections 11-3-10 and 53-7-221.
- E. Penalties: Adopting Utah Code Annotated sections 11-3-11 and 53-7-226.
- F. State Fire Prevention Board Rules: Rules, specifications, standards or requirements promulgated by the Utah fire prevention board as permitted or required by the various sections of the fire prevention and fireworks act (Utah Code Annotated section 53-7-201 et seq.), are included and adopted as part of this chapter.

5.04.102: ENFORCEMENT:

The FireChief, the chief's designee, peace officers and special function officers authorized by the Town within those capacities, are hereby authorized to enforce this chapter, and the applicable provisions of the Fire Prevention and Fireworks Act and the County and Municipal Fireworks Act within Utah Code Annotated.

5.04.103: SALES:

A. Permit Required; Application:

1. No person shall offer for sale or sell, at retail, any fireworks without a permit countersigned by the fire chief. A separate permit shall be required for each separate sales location, and for each of the following time periods: June 20 through July 25, inclusive; December 20 through January 2, inclusive; and fifteen (15) days prior to and through the Chinese New Year inclusive. The fee for each permit shall be as set forth in the consolidated fee schedule. Each permit shall remain in effect for the specified time period unless the permittee violates a provision of this chapter, in which event the permit may be revoked. Applications for a permit to sell fireworks shall be in writing on the "application for sales of fireworks" form and shall:

- a. Include the name and address of the person, firm or corporation applying for the permit;
- b. Describe the specific location where fireworks will be sold;
- c. Include evidence of commercial general liability insurance in an amount not less than one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) aggregate; and
- d. Include any other information reasonably required by the fire department.

2. All of the above required information, including fees, shall be submitted no less than fourteen (14) days prior to the specified time period. However, if the permit application is for a location for which a conditional use permit has not been issued or is no longer valid, both permit applications shall be submitted no less than five (5) weeks prior to the desired time period for the sale of fireworks. The applicable and required fees shall accompany the permit application and be submitted at the time of application.

B. Sales Locations: Retail sales of fireworks shall be permitted within a permanent structure in connection with an applicable and properly issued business license which is in effect pursuant to provisions of Title 3, Chapter 1 of this code, or, from a temporary stand, or trailer or tent. Retail sales of fireworks shall be allowed only at locations within the commercial, manufacturing and industrial zoning districts. Sales both in permanent structures and in temporary stands, or trailers or tents, shall be subject to the following requirements:

1. No sales of fireworks shall be permitted from stands, trailers or tents located within one hundred feet (100') of any other building, nor within one hundred feet (100') of any gasoline pump or dispensing device, or other combustibles. No sales of fireworks shall be permitted from permanent structures located within fifty feet (50') of any gasoline pump or dispensing device, or other combustibles.

2. Fireworks stands, trailers or tents need not comply with the provisions of the international building code, however, all stands, trailers or tents shall be erected in a manner that will reasonably assure the safety of attendants and patrons.
3. Each stand, trailer or tent shall not have in excess of four hundred fifty (450) square feet of floor space, and each stand, trailer or tent shall have not less than two (2) exits, each of which must be at least thirty six inches (36") in width.
4. A sign prohibiting the discharge of any fireworks within one hundred feet (100') of the fireworks stand, trailer or tent shall be prominently displayed.
5. All employees on duty at all times shall be at least eighteen (18) years of age or older. Fireworks shall be sold only as packaged units with displays to be arranged so as to prevent the touching or handling of non-packaged fireworks.
6. Displays of fireworks in permanent structures shall be within constant visual observation.
7. Fireworks stands, trailers or tents shall be removed within seven (7) days after retail sales cease.
8. Prior to the issuance of a permit, each applicant shall file with the town a cash deposit in an amount set forth in the consolidated fee schedule for each retail sales location to assure compliance with the provisions of this section, including, but not limited to, the removal of the stand, trailer or tent and the cleaning of the site. In the event the permittee does not comply with the provisions of this chapter or remove the stand, trailer or tent, or clean the site thereof, the town may remove the stand, trailer or tent and clean the site or cause the same to be done by other persons and the reasonable cost thereof shall be a charge against the permittee and shall be subtracted from the bond described above.
9. No person shall be permitted to sleep in the fireworks stand or trailer overnight.

5.04.104: PUBLIC DISPLAY OR SPECIAL EFFECTS; PERMIT REQUIRED:

A. Permit Application: No person shall discharge any display or special effects fireworks without first obtaining a permit countersigned by the Fire Chief. A separate permit will be required for each public display or special effects event. The fee for a single permit is as set forth in the consolidated fee schedule. Application for this permit shall be in writing on the application form "public display or special effects fireworks" and shall:

1. Include the name, address and telephone number of the person, firm, entity or corporation applying for the permit;
2. Describe the specific location of the discharge, display, fallout and spectator locations;

3. Include evidence of commercial general liability insurance in an amount not less than one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00), aggregate;

4. Describe a plan for monitoring weather conditions, crowd control and contingency plans for adverse or changing conditions;

5. Include any additional information reasonably required by the town.

B. Time Limit For Submission; Exemptions: The above information shall be submitted to the fire chief at least fourteen (14) days prior to the planned discharge of display or special effects fireworks. Governmental subdivisions and governmental entities are exempt from the permit fee requirements of this section, however, the application must be timely submitted and the proper permit obtained prior to the planned discharge of display or special effects fireworks.

5.04.105: PROHIBITED ACTS AND ACTIVITIES:

A. It shall be unlawful to discharge fireworks:

1. Within one hundred feet (100') of any place where fireworks are sold or offered for sale;

2. Within three hundred feet (300') of any church, hospital, rest home, retirement center, school building or similar institution;

3. In such a manner that the fireworks project over or onto the property of another person without the consent of the person owning or controlling such property; or

4. In any public park.

B. It shall be unlawful to ignite, discharge or throw any fireworks from or into any motor vehicle, or at or near any person.

C. It shall be unlawful to make, sell, or offer to sell or to discharge any type of homemade fireworks.

D. It shall be unlawful to sell or to offer to sell fireworks:

1. Without a permit;

2. In violation of any requirement of this chapter or any regulations adopted by the Utah fire prevention board;

3. At a location not specified in the permit application;

4. Without the insurance coverage required in the permit application; or

5. In violation of subsection 5.04.103B of this chapter.

E. Except as provided in subsection 5.04.101 of this chapter, it shall be unlawful for any person, firm or corporation to at any time own, possess, control, sell or offer to sell any fireworks other than as set forth in Utah Code Annotated section 53-7-222.

5.04.106: AUTHORITY OF TOWN TO PROHIBIT DISCHARGE:

The Town Council, during times of adverse fire conditions, may review information regarding meteorological conditions, moisture content of plants and soil, and other information related thereto, and may at its discretion prohibit the use of all fireworks in the protection of the health, safety and welfare of the public. Such a prohibition shall be for a defined period of time and may be limited to identified areas of the town, or may be applicable throughout the town.

5.04.107: CONFLICTING PROVISIONS:

In the event there should at any time be a conflict between the provisions of this chapter, and provisions of Utah Code Annotated or the rules and regulations adopted pursuant thereto, the more strict provision shall control.

HIDEOUT GENERAL PLAN

April 12, 2012

Planning Commission:

Dave Erichsen

Kip Paul

Chris Hemmersmeier

Dan Matta

Dan Garcia

INTRODUCTION

The Town of Hideout, Utah is located approximately five miles east of Park City, and is known for its breathtaking views of the Jordanelle Reservoir and the Wasatch Mountain range, including Mt. Timpanogas and the Deer Valley ski resort. With close access to three world-class ski resorts and numerous recreational areas, the Town of Hideout offers its residents a resort town atmosphere full of recreational opportunities with close proximity to all the amenities of a big city.

The Town of Hideout was incorporated in 2008 with approximately 750 residents, but with a large amount of undeveloped and vacant land. As a result, the intent of this General Plan is for guiding future growth and development in the Town of Hideout and to promote an economically healthy and functional town that allows for responsible growth and makes Hideout a great place to live. This General Plan provides an officially adopted guide to future development for the Town Council, Planning Commission and other concerned governmental entities, committees, residents, property owners, business people and others interested in the future of the Town of Hideout.

The fundamental purposes of the General Plan include the following:

- Preserving Community Identity
- Controlling Density
- Mitigating Impacts of Growth
- Promoting Public Interest
- Creating Long Range Objectives to Govern Short Range Actions

GENERAL LAND USE

The main focus of the General Plan is to provide designations for land use within the Town of Hideout. It also provides policies for each of the land use elements incorporated within the Plan. This is to ensure that guidelines are in place for future development decisions in Hideout. The Land Use Plan is general.

General Land Use Policies:

1. All zoning and other land use decisions shall be consistent with the General Plan.

2. Sensitive lands in a proposed development shall be identified on a plan prepared and stamped by a licensed geotechnical engineer or licensed geologist. No land shall be developed that does not conform to the physical constraints standards established by recommendations of a geological engineer or a geotechnical engineer licensed in the State of Utah for a particular development.
3. Innovative urban planning should be used in all zones to protect, enhance and blend development with the unique natural character of the area.
4. Growth should pay its own way; i.e. the costs for new public infrastructure should be paid by the development that generated the need and that will benefit there from.
5. Clustered developments should be encouraged to promote open space and view sheds where it is consistent with surrounding neighborhoods.
6. Medium and low-density development should be encouraged.
7. Higher density development may be allowed within the areas proposed for such.
8. Preserve and enhance existing vegetation where possible for visual buffers and erosion control.
9. The existing location of the electrical transmission lines presents a significant challenge to the Town's ability to grow and develop, and it creates a significant risk in the event of a fire. Planning zoning ordinances should promote the creation of a transmission line easement that runs along the SR248 highway right-of-way to help facilitate the relocation of this line. (added 3/10/11)

RESIDENTIAL LAND USE

The majority of the zoning in Hideout is for residential uses. However, it is the objective of the General Plan to indicate the Town's goal with regard to development, to introduce greater density variations within the zones indicated in order to accomplish preservation of mountain views and open space. The objective is to achieve preservation of key scenic features and important amenities per the General Plan.

Residential Policies:

1. Set standards for minimum lot sizes, setbacks, building heights, and maximum lot coverage.
2. Set architectural guidelines consistent with surrounding neighborhoods.
3. Establish road standards.
4. Areas that contain designated open space, parks, or other scenic/natural resources should be zoned at a lower overall density with clustering encouraged preserving the desired resource(s) and resulting net density shown on the Land Use element.

5. Apartment/condominium housing should be located so as not to block views of the mountains and the building mass should avoid a boxy appearance.
6. Promote a sense of community.
7. Encourage the development of neighborhood watch programs.

RESORT AREAS

Hideout's proximity to world-class ski resorts, mountain views, and the Jordanelle Reservoir combined with its own natural beauty provides significant opportunities for the Town to promote resort development. This type of development both provides tax revenues and supports mountain residential community living.

A significant area within the Town has been identified as being able to support a Resort Specialty Planned Area (RSPA). To be zoned as a RSPA the development should contain a resort amenity that can be used to anchor the resort. A 9-hole* golf course or larger golf course within the development is required in order to be zoned as a RSPA. (*changed 4/12/12)

COMMERCIAL LAND USE

As the Town of Hideout grows, it will need a corresponding growth in commercial development. The Town should include not only a viable commercial and activity core, but also include the surrounding and integrated uses that support and add life to the core area. Commercial uses are to be permitted in the RSPA.

Commercial Policies:

1. All commercial development should have a pleasing appearance with attractive and ample landscaping.
2. The Town strongly supports developing a primary, unified, pedestrian-oriented commercial center to create a safe and comfortable atmosphere for patrons to the area.
3. The Town supports creating and maintaining a healthy, vibrant, small retail area that will provide convenient shopping for residents while minimizing travel.
4. Encourage neighborhood businesses.
5. Create architectural guidelines for commercial structures.

LOW-COST HOUSING

One of the goals is to promote an adequate supply of housing to meet the needs of all economic segments of the community. Hideout will continue to encourage a diversity of housing types and cost ranges, including those that will permit persons of low and moderate incomes to locate here. Low-cost does not necessarily equate to market demand. The current supply of low-cost homes exceeds the market demand.

Low-Cost Housing Policies:

1. Insure compliance with the Fair Housing Act of 1968 that prohibits discrimination in sales, rental, and financing of dwellings based on race, color, creed, gender religion, national origin, financial status, source of income or disability.
2. Permit increased density where traded off for open space, i.e. playground for children, open picnic area, etc., within a development.
3. Openly coordinate and assist builders who desire to build low cost housing.

PARKS AND RECREATION

Parks and recreation are important aspects of a healthy community. Recreation opportunities help attract people and businesses to a community. In a mountain community, open space and native habitat should be encouraged over large sodded parks as should smaller pocket parks be favored over larger parks.

Parks and Recreation Policies:

1. The Town shall strive to increase the total developed parkland.
2. New development shall provide neighborhood park facilities or impact fees-in-lieu to meet the demand created by the residents of the development.
3. The Town shall encourage the development of a bicycle/pedestrian trail network to connect to neighborhood parks, open spaces, recreation and other community facilities, the purpose of which is to preserve and appreciate native landscapes, wildlife habitats and natural beauty.

OPEN SPACE

Open space is land not used for buildings or structures, a respite from development. Open space may be mountains, farmland, golf courses, parks and

ridgeline vistas. Permanent, accessible open space within the community is important to the residents' quality of life.

Open Space Policies:

1. The Town shall actively pursue the preservation of such significant open space through zoning, conservation easements, acquisition, clustering, by enlisting the aid of organizations such as the land trusts, and other land preservation techniques.
2. The Town shall attempt to preserve land as designated open space and left in a natural state for public, recreational purposes.

PUBLIC LANDS

There is some public land within and near the Town of Hideout that is managed mostly by the Bureau of Reclamation (BOR).

Public Land Policies:

1. Lands within the Town under the jurisdiction of the U.S. Bureau of Reclamation should be carefully reviewed for development impacts and/or opportunities by the Town.

TRANSPORTATION

The transportation element of the General Plan addresses the transportation of people, goods, and services within the Town of Hideout and its interaction with surrounding communities. The primary objective is to provide guidelines that will develop and maintain a safe transportation system that meets the needs of the community both now and in future.

Transportation Policies:

1. The construction of new roads, and widening of existing roads, should be paid for by those who generate the need and who will benefit from such improvements. In most cases, this means a developer or group of developers will need to pay for new roads or road widening to serve their project(s). Where a proposed road will also clearly benefit existing development, a combination of developer(s) and existing residents may jointly fund road improvements, through special service districts.
2. Establish speed limits based on traffic engineering analysis. Enforce speed limits.

3. Protect crossings for children, particularly near schools and recreation areas.
4. Improve guidance of traffic on streets through striping, raised medians and islands, reduction of roadside obstructions, and other traffic engineering solutions.
5. In submittals for development approval, the determination of roadway use and capacities and the road impacts of the development shall be based upon a traffic study in accordance with accepted traffic engineering principles.
6. Establish safety of the transportation system as a priority and work diligently to meet applicable safety standards.
7. Design transportation to assure efficient traffic flow throughout the Town with compatible connections to regional transportation systems.
8. Aesthetic consideration are an important element of the street design in addition to the transportation role the street serves.
9. Support and encourage cyclists, pedestrians, and other non-motorized travel within the Town of Hideout. Coordinate with adjacent jurisdictions to offer continuous routes for travel and recreation between communities. Bike trail planning should consider the needs of all residents: children, teenagers, retirees and tourists. As Hideout grows, well-planned and functional bikeways systems will be an important part of the community development plan.
10. Preserve peace and quiet in residential areas through circulation design that slows traffic flow and encourages safe driving practices.
11. The Town will attempt to preserve natural swales, to the extent practicable, and search for other drainage techniques that might be affordable alternatives to curb and gutter and that will preserve the character of the Town.
12. The Town should establish a program to regularly maintain and inspect all traffic control devices within its jurisdiction.
13. The Town should consider the establishment of public transportation or inter-local agreements that could provide public transportation.
14. The Town should take the lead on pursuing available grants and funding instruments for new roads when it is in the best interest of the Town.

(added 3/10/11)

PUBLIC UTILITIES

A. Water.

Like most western towns, Hideout's future growth is closely tied to the availability of water.

Water Policies:

1. Level of Service. The minimum level of service for culinary water is to maintain a water system capable of meeting the daily and peak demand of Town residents and businesses, including the provision for adequate fire flows. The distribution system must be sized to accommodate peak hourly instantaneous flows.
2. The Town should encourage the gradual reduction of per capita consumption of water from the current level.
3. The Town should adopt water conservation measures for its own facilities, including:
 - xeriscape landscape design;
 - installation of water saving plumbing fixtures;
 - use of secondary water for major irrigated areas;
 - use of irrigation control systems responsive to weather conditions that reduce water runoff.
4. Users of large amounts of water for landscaping and other exterior purposes shall be encouraged to use secondary and irrigation water rather than culinary water.

B. Wastewater.

Re-use of wastewater is encouraged when possible. Re-use of wastewater has a potentially valuable application for water-intensive irrigation (agriculture, golf courses, etc.)

Wastewater Policies:

1. Level of Service. The minimum level of service is to maintain a collection and treatment system capable of meeting the daily and peak flows for the service area in compliance with State and Federal standards.
2. Examine the practicality of a Town owned and operated wastewater facility.
3. Enforcement of state laws requiring sewer connection within three hundred feet of sewer mains.

C. Gas/Electric.

Gas is provided by Questar, which services all areas of Hideout. Electric is provided by Rocky Mountain Power, which services all areas of Hideout.

Gas/Electric Policies:

1. The Town encourages the conservation of energy resources in anticipation of future costs and shortages.
2. Gas and electric infrastructure is needed for the Town to prosper, however the placement and aesthetics of such infrastructure has a significant impact on the Town. The Town will manage this infrastructure through a Conditional Use Permit process. The Town will also work with providers to establish long-term plans and objectives. (added 3/10/11)

COMMUNITY IMAGE

The physical appearance of a community conveys an impression about the values and pride of the community. The Town of Hideout should appear to be a small, friendly, and well maintained community, nestled harmoniously in a unique and beautiful natural setting.

Community Image Policies:

1. Encourage fewer, more modest in size and design signage.
2. Upgrade the Town entrances and high traffic routes with landscaping and well maintained roads to give a pleasant first impression of the community.
3. Encourage basic design standards to assure that new building are “good neighbors” to existing development and to ensure that they do not detract from the natural beauty of the areas.
4. Encourage underground power lines and other utilities.
5. Walls and fences, when needed, must be innovatively designed so as not to leave streets monotonous and sterile. Natural colors and materials should be used, and a landscaped buffer area should be placed between walls and streets.

ENVIRONMENTAL CONCERNS

The protection, conservation, development, and use of natural resources, including the quality of air, forests, soils, rivers and other waters and other natural resources should be considered in future development.

TITLE 5

PUBLIC SAFETY

Subject	Chapter
General	1
Offenses	2
Minors	3
Fireworks	4
Animal Control	5

CHAPTER 1

GENERAL

Section

- 5.01.101: INTERNATIONAL BUILDING CODE ADOPTED
- 5.01.102: JURISDICTION OF OFFENSES
- 5.01.103: CONTINUING VIOLATION

5.01.101: INTERNATIONAL BUILDING CODE ADOPTED:

All provisions of the International Building Code are hereby adopted in their entirety, including all subsequent amendments, modifications or alterations which may be enacted after the effective date hereof. At such time as said amendment, modification or alteration becomes effective, said amendment, modification or alteration shall be deemed to automatically supersede the prior provision of the International Building Code for the purposes of this section and said amendment, modification or alteration shall be incorporated herein.

5.01.102: JURISDICTION OF OFFENSES:

- (1) A person is subject to prosecution in this town for an offense which he commits while either within or outside the town by his own conduct or that of another for which he is legally accountable if:
 - (a) The offense is committed either wholly or partly within this town;
 - (b) The conduct outside this town constitutes an attempt within this town;
 - (c) The conduct outside this town constitutes a conspiracy to commit an offense within this town and an act in furtherance of the conspiracy occurs in this town; or
 - (d) The conduct within this town constitutes an attempt, solicitation or conspiracy to commit in another jurisdiction an offense under this code and such other jurisdiction.
- (2) An offense is committed partly within this town if either the conduct which is an element of the offense, or the result which is such an element, occurs within this town.
- (3) An offense which is based on an omission to perform a duty imposed by this code is committed within this town regardless of the location of the offender at the time of the omission.

5.01.102: CONTINUING VIOLATION:

In all instances where the violation of these ordinances or any ordinance hereinafter enacted is a continuing violation, a separate offense shall be deemed committed on each day during or on which the violation occurs or continues to occur.

CHAPTER 2 OFFENSES

Section

5.02.101: UTAH CRIMINAL CODE ADOPTED

All criminal provisions of the Utah code are hereby adopted in their entirety, including all subsequent amendments, modifications or alterations which may be enacted after the effective date hereof. At such time as said amendment, modification or alteration becomes effective, said amendment, modification or alteration shall be deemed to automatically supersede the prior provision of the Utah code for the purposes of this section and said amendment, modification or alteration shall be incorporated herein.

CHAPTER 3 MINORS

Section 5.03.101: CURFEW

Section 5.03.102: DAYTIME LOITERING OF JUVENILES ON SCHOOL DAYS

5.03.101: CURFEW:

It shall be unlawful for any person under the age of sixteen (16) years to be or remain in or upon any of the streets, alleys or public places or vacant lots within the town at night between the hours of eleven o'clock (11:00) P.M. and four o'clock (4:00) A.M. the following day, unless such person is accompanied by parent, guardian or other person having legal custody of such minor person or whose employment makes it necessary to be upon the streets during the nighttime after the specified hour and it shall be unlawful for any person under the age of eighteen (18) years to be or remain in or upon any of the streets, alleys or public places or vacant lots within the limits of the town at night between the hours of twelve o'clock (12:00) midnight and four o'clock (4:00) A.M. the following day, unless such person is accompanied by a parent, guardian or other person having the legal custody of such minor person, or whose employment makes it necessary to be upon the streets during the nighttime after said specified hour.

5.03.102: DAYTIME LOITERING OF JUVENILES ON SCHOOL DAYS:

A. Definitions: For the purposes of this section:

ADULT:	Any person not a "juvenile", as defined in this subsection that is eighteen (18) years of age or older or who is sixteen (16) years of age or older and is not subject to the state's compulsory education law.
EMERGENCY:	Includes, but is not limited to, fire, natural disaster, automobile accident, or requirement for immediate medical care for another person.
JUVENILE:	Any person who is subject to the state's compulsory education law or who is eighteen (18) years of age or older and enrolled in public education.

LOITER: Subject to the defenses contained in subsection C of this section and for purposes of this section only, to "loiter" means to be absent from school when school is in session without permission from a parent or school official.

PARENT: A person who is the natural or adoptive parent of a person. "Parent" includes a court appointed guardian or other person eighteen (18) years of age or older authorized by the parent, by a court order, or by a court appointed guardian to have the care and custody of the person.

B. Offenses:

1. It is unlawful for any juvenile who is subject to compulsory education to loiter during the hours that school is in session for that juvenile.
2. It is unlawful for a juvenile not enrolled in the public schools of the county or an adult to encourage or assist a student not to attend or return to school unless the absence is excused by a school official or such absence is excused under one of the defenses found in this chapter.

C. Defenses: It is a defense to prosecution under this section:

1. When the juvenile is accompanied by a parent;
2. When the juvenile is on an emergency errand directed by a parent;
3. When the juvenile is going to, or coming from, their place of school approved employment;
4. When the juvenile is going to, or coming from, a medical appointment;
5. When the juvenile has permission to leave the school campus for lunch or a school sponsored activity, or has in their possession a valid, school issued, off campus permit;
6. When the juvenile is going to, or coming from, another education program activity such as DATC, early college or an internship;
7. When the juvenile is attending, or without any detour or stop, going to or returning from, an official school, religious, government sponsored activity supervised by adults and sponsored by the town or county, or a civic organization, the school district, religious, or other government organization.

D. Enforcement Procedure:

1. Upon any violation of subsection B of this section, a peace officer may issue a written warning to the juvenile and may transport the juvenile home or to the school from which the juvenile is absent. The parent shall be advised in writing by law enforcement officials or their designee that the juvenile was warned for a violation of this section. Such written notice shall notify the parents of their responsibility and liability as the juvenile's parents.
2. If a juvenile has been previously warned as set forth in this section, a peace officer will issue a citation for an infraction.
3. When a juvenile has previously been issued a warning and two (2) citations for an infraction as set forth in subsection B1 of this section upon any subsequent violation, a peace officer will issue a citation for a class C misdemeanor to the juvenile to appear in court.

E. Penalty:

1. Penalties under Subsection B1 Of This Section:

- a. A juvenile will be given a written warning on the first violation of subsection B1 of this section.
- b. A juvenile guilty of a second violation of subsection B1 of this section may either pay a fine of fifty dollars (\$50.00) or attend youth court in the county. This violation is considered an infraction.
- c. A juvenile guilty of a third violation of subsection B1 of this section is guilty of an infraction. The fine is one hundred dollars (\$100.00).
- d. A juvenile guilty of subsequent violations of subsection B1 of this section will be fined two hundred fifty dollars (\$250.00) and charged with a class C misdemeanor.
- e. The enforcement procedures and penalties return to the first step upon each new school year.

2. Penalties under Subsection B2 of This Section:

- a. Upon any violation of subsection B2 of this section, the person will be given a written warning. On subsequent violations of this section, a peace officer will issue a citation.
- b. A person guilty of a violation of subsection B2 of this section will be fined one hundred dollars (\$100.00). Subsequent violations will be

charged as a class C misdemeanor with a fine of two hundred fifty dollars (\$250.00).

CHAPTER 4 FIREWORKS

Section

5.04.101:	STATE PROVISIONS ADOPTED BY REFERENCE
5.04.102:	ENFORCEMENT
5.04.103:	SALES
5.04.104:	PUBLIC DISPLAY OR SPECIAL EFFECTS; PERMIT REQUIRED
5.04.105:	PROHIBITED ACTS AND ACTIVITIES
5.04.106:	AUTHORITY OF TOWN TO PROHIBIT DISCHARGE
5.04.107:	CONFLICTING PROVISIONS

5.04.101: STATE PROVISIONS ADOPTED BY REFERENCE:

This chapter includes, but is not limited to, sections of the Fire Prevention and Fireworks Act found in Utah Code Annotated title 53, chapter 7, part 2, and sections of the County and Municipal Fireworks Act found in Utah Code Annotated Title 11, Chapter 3, which sections are, by this reference, adopted as town ordinances. Each section of the Fire Prevention and Fireworks Act adopted by this reference shall have a new section number as determined by this present chapter. The following subsections are adopting those provisions by reference.

- A. Definition of Terms: Adopting Utah Code Annotated section 53-7-202.
- B. Restrictions on Sale or Use of Fireworks: Adopting Utah Code Annotated section 53-7-222.
- C. Times for Sale and Discharge of Fireworks: Adopting Utah Code Annotated section 53-7-225.
- D. Exemptions: Adopting Utah Code Annotated sections 11-3-10 and 53-7-221.
- E. Penalties: Adopting Utah Code Annotated sections 11-3-11 and 53-7-226.
- F. State Fire Prevention Board Rules: Rules, specifications, standards or requirements promulgated by the Utah fire prevention board as permitted or required by the various sections of the fire prevention and fireworks act (Utah Code Annotated section 53-7-201 et seq.), are included and adopted as part of this chapter.

CHAPTER 5 ANIMAL CONTROL

Section

5.05.101:	ADMINISTRATION
5.05.102:	DEFINITIONS
5.05.103:	LICENSE AND REGISTRATION OF DOGS
5.05.104:	DOGS AT LARGE
5.05.105:	DANGEROUS AND/OR VICIOUS ANIMALS
5.05.106:	NUISANCE ANIMALS
5.05.107:	RABIES CONTROL AND ANIMAL BITES
5.05.108:	NONCONFORMING OWNERS
5.05.109:	IMPOUNDMENT
5.05.110:	ENFORCEMENT
5.05.111:	CITATION FOR MISDEMEANOR
5.05.112:	PENALTY

5.05.101: ADMINISTRATION:

The town council or authorized agent shall resolve dog related disputes within the corporate limits of the town.

5.05.102: DEFINITIONS:

The following words and phrases used in this chapter shall have the following meanings unless a different meaning clearly appears from the context:

ADDITIONAL PET:	Any dog in addition to the amount allowed per household.
ANIMAL SHELTER:	Any facility owned and operated by a government entity or any animal welfare organization, which is incorporated within the state of Utah, for the purpose of preventing cruelty to animals, and used for the care and custody of seized, stray, homeless, quarantined, abandoned or unwanted dogs, cats or other domestic animals.
AT LARGE:	A dog shall be considered to be “at large” when it is off the owner’s property and not under immediate control by means of a

durable restraint device capable of keeping the dog restrained.

BITE:

Any actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal.

DANGEROUS ANIMAL:

Any animal that, according to the records of the town or county police agency:

A. Has inflicted serious injury on a human being, with or without provocation, on public or private property

B. Has killed or injured a domestic animal, with or without provocation, while off the owners' property;

C. Has previously been found to be "potentially dangerous", the owner having received notice of such, and it is witnessed and documented that the animal aggressively bites, attacks or endangers the safety of humans or domestic animals;

D. The animal is found to be in violation of any restrictions placed upon the animal pertaining to a potentially dangerous animal, as designated in this chapter.

DOG:

Any canine over six (6) months of age. Any canine under six (6) months of age is a puppy.

DOMESTIC ANIMAL:

Animals accustomed to living in or about the habitation of man, including, but not limited to, cats, dogs, rabbits, fowl, horses, swine, goats, sheep, mules, donkeys, llamas and cattle.

NONCOMFORMING:

Anyone in conflict with this chapter as to the number of dogs, upon its enactment.

OFFICER:

The entity, person or persons contracted or appointed by the mayor and town council to give citations and impound dogs, as needed.

OWNER:	Any person or persons, association, firm or corporation owning, keeping or harboring a dog.
POTENTIALLY DANGEROUS ANIMAL:	Any animal that, with or without provocation, chases or approaches a person upon the streets, sidewalks or any public grounds, in a threatening or menacing fashion, or apparent attitude of attack, or any animal with a known propensity, tendency or disposition to attack, with or without provocation. In addition a “potentially dangerous animal” is any animal that, because of witnessed and documented action, is believed capable of causing injury, or otherwise posing a threat to the safety of humans or domestic animals.
QUARANTINE:	The isolation of an animal in a substantial enclosure, so the animal is not subject to contact with other animals or unauthorized persons.
RESTRAINT DEVICE:	Any chain, leash, cord, rope or other device commonly used to restrain an animal.
VICIOUS ANIMAL:	Any animal which: <ul style="list-style-type: none"> A. Has inflicted serious injury on a human being, with or without provocation, on public or private property; B. Has killed or injured a domestic animal, with or without provocation, on public or private property; C. Has previously been found to be a “dangerous animal”. The owner having received notice of such and the animal again bites, attacks or endangers the safety of humans or domestic animals; or it is witnessed and documented that the animal is in violation of restrictions placed upon the animal pertaining to a potentially dangerous or dangerous animal, pursuant to section 5.05.105 of this chapter.

WORRY:

To harass by tearing, biting or shaking with the teeth, with or without provocation.

5.05.103: LICENSE AND REGISTRATION OF DOGS:

A. License and Registration:

1. License Required: It is unlawful for any person to own, keep, harbor, board or maintain a dog within the town limits, without registering and obtaining a license for such dog, available from the town recorder or other person designated by the mayor and town council.

2. When to Apply: The license may be applied for any time after January 1, and up to February 28 of any year.

3. Time Limit to Register: All dogs brought into the town shall require registering and licensing within thirty (30) days after they enter the town, or within thirty (30) days after reaching the age of six (6) months.

4. Late Fee: Persons who fail to obtain a license, as required within the time period specified in this section, will be subject to an additional licensing "late fee".

5. Information Required: The owner shall state at the time of application for license, the owner's name and address, and the dog's name, sex, breed and color.

6. Proof of Spay or Neuter; Exception:

A. No dog shall be licensed as spayed or neutered without proof that the surgery has been performed.

B. An exception is allowed if a written statement is received from a licensed veterinarian stating that the animal in question cannot, for a stated reason, have the surgery performed, or that the animal is of such an age that the surgery would not alter the outcome.

7. Rabies Inoculation; Exception:

A. Proof that the dog has a current rabies inoculation shall be present at the time the license is applied for. Proof must be in writing and must include the name and signature of the licensed veterinarian who administered the vaccine. Exception: If a written statement is received from the licensed veterinarian stating that the animal in question cannot, for stated reasons, have a rabies inoculation.

B. Rabies vaccinations become invalid after two (2) years from the date of vaccination, unless otherwise shown on the rabies certificate. Vaccinations expiring January through June of the license year will be required to be brought current prior to licensing. Exception: If a written statement is received from a licensed veterinarian stating that the vaccination will be valid through the current calendar year.

B. Fees for Dog Licensing:

1. Payment Required: The town shall issue no dog license until the required fee, as set forth in the town fee schedule, is paid.
2. Term of License; Expiration: The license fee shall cover the calendar year in which it was issued; expiring on December 31 of the year of issuance, regardless of the date when issued.

C. Tag and Collar:

1. Requirements: Upon payment of the license fee, the owner shall be issued a license certificate and a numbered metal tag for each dog so licensed. The tag shall change each year and shall have stamped thereon the year for which it was issued. Every dog owner, except those operating a boarding kennel or other such establishment, shall provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn.
2. Duplicate license: In case a dog tag is lost or destroyed, the town recorder, upon presentation of the license for the current year, will issue a duplicate.
3. Nontransferable; Refunds: Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee because of the death of the dog or the owner leaving the town, before expiration of the license period.
4. Unlawful to Deprive: It shall be unlawful to deprive a registered dog of its collar and/or tag.
5. Nuisance Declared: Any dog without a collar with the registration tag attached or which had not been registered, is hereby declared a public nuisance and shall be immediately impounded.

D. Number of Dogs per Residence:

1. Specified: No person or persons at any one residence within the jurisdiction of this chapter, shall at any one time own, keep or harbor, board, license or maintain more than two (2) dogs, six (6) months or older.

2. Permits Required: Any person maintaining, keeping, harboring or boarding four (4) or more dogs, six (6) months or older, within the town limits shall be required to have an additional dog permit. Payment of the annual additional dog permit fee shall entitle such owner to license up to six (6) dogs annually. All applications for said permits shall be submitted in writing upon printed forms provided by the town officer. Upon approval, the town recorder shall issue a permit upon payment of the required fee, as set forth in the town fee schedule, which is subject to amendment by the town council by resolution. The regular license fee shall also be charged for each dog. Owners shall be subject to all provisions of this chapter.

5.05.104: DOGS AT LARGE:

It shall be unlawful for any dog to be allowed, either negligently or with specific intent, to run “at large”, as defined in section 5.05.102 of this chapter. Any dog so found is hereby declared to be a nuisance and a menace to the public health and safety, and shall be taken up and impounded as provided herein. Whenever possible, the owner shall be notified. The owner or keeper may be cited.

5.05.105: DANGEROUS AND/OR VICIOUS ANIMAL:

A. Possession of Potentially Dangerous Animal: Any person who owns or maintains a potentially dangerous animal shall use all reasonable means at his/her disposal to restrict a potentially dangerous animal from injuring any person or other animal. The town may from time to time impose specific restrictions regarding the housing of potentially dangerous animals.

B. Failure to Properly Confine Potentially Dangerous Animal; Penalty: Any owner of any potentially dangerous animal who willfully allows it to go at large or who fails to hold the same in the manner specified for such an animal, by the town is guilty of a class B misdemeanor, subject to penalty as provided in section 1.04.101 of this code.

C. Possession of Dangerous Animal:

1. Any dangerous animal while on the owner’s property must be securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure for a dangerous animal shall have secure sides and top and shall also provide protection from the elements for the animal. The pen or structure shall be such that the animal cannot burrow or dig under the sides of the enclosure.

2. Dangerous animals, when outside the enclosure, must be under the immediate control of a responsible adult by means of an adequate “restraint device”, as

defined in section 5.05.102 of this chapter, and muzzled. The muzzle shall be made in such a manner that it will not cause injury to the animal or interfere with its vision or respiration, but shall prevent it from biting any person or animal.

3. The officer may take into immediate possession any dangerous animal if the officer determines:

A. That the animal is not maintained in proper enclosure; or

B. That the animal is outside of the owner's dwelling or outside of a proper enclosure and not under physical restraint; or

C. If there are any further violations of any legal restrictions previously placed on such animal provided in this section.

D. Declaration and Disposal of Vicious Animals: If the officer determines, as a result of a witnessed incident, that an animal is potentially a danger or dangerous and finds that the animal is in violation of such restrictions as the town has deemed necessary for the safety of persons and/or animals in the community, the animal may be declared a vicious animal. The officer may immediately take possession of the vicious animal and place said animal in a proper quarantine facility and thereafter destroy the animal in an expeditious and humane manner if the owner or custodian, after having received notice of such, fails to make a request in writing to the quarantine facility to delay said action.

1. Holding Period; Request for Hearing: It is determined that a proper holding period for any vicious animal shall be three (3) working days. In the event the owner or custodian of the vicious animal fails to request, in writing, a formal hearing within the three (3) day holding period the holding facility is authorized to destroy the vicious animal in a humane manner. The holding period shall be extended to meet state and local regulations for quarantine for animals needing rabies evaluation.

2. Hearing: Any owner or custodian who files a written request shall be afforded a hearing before the town council. It shall be the responsibility of the town council to determine whether the animal should be returned to the owner or custodian to be destroyed.

A. At any hearing under this subsection, the officer making the declaration of a vicious animal shall appear and testify, under oath, regarding the facts which led to the required findings. The officer shall be subject to cross examination by the owner, custodian or authorized representative.

B. The officer may also present any additional evidence or sworn testimony supporting his/her decision. The owner or custodian of the animal may likewise present evidence or sworn testimony in support of his/her position. The hearing shall be informal, but shall be recorded.

C. The animal shelter shall not order the destruction of the animal until a decision is rendered and the town council notifies the shelter, in writing, of a decision.

5.05.106: NUISANCE ANIMALS:

A. Animals Declared Nuisance; Penalty: Any person having custody of a dog shall exercise proper care and control of his/her animal in order to prevent it from becoming a public nuisance. Any owner or possessor of an animal who keeps such animal contrary to the provisions of this section shall be guilty of a Class C misdemeanor and subject to penalty as provided in section 1A.04.101 of this code. An animal shall be deemed to be a “public nuisance” if the animal

1. Causes damage to, damages or destroys property of anyone other than the animal’s owner.
2. Causes unreasonable odors.
3. Causes unsanitary conditions.
4. By loud, continued or frequent barking, howling or yelping, shall annoy, disturb or endanger the health and welfare of any person or neighborhood, attested to by more than one complaint.
5. Chases any person, vehicle, bicycle or other animal that is properly restrained.
6. Bites, attacks, chases or worries a person or domestic animal. The owner in violation of this provision shall be strictly liable for damages to any person injured or to the owner of any animal injured or destroyed thereby. Exception: A dog shall not be considered a public nuisance under this provision if it bites a person who is wrongfully assaulting the dog or the dog’s owner, or if it bites a person upon the premises owned or occupied by the dog’s owner after being provoked by that person.
7. Scatters garbage.
8. Urinates or defecates on property of another.
9. Is an animal which has been impounded for being at large, or its owner or possessor has been convicted for a dog being at large on three (3) separate occasions within a twelve (12) month period.
10. Is an animal previously declared potentially dangerous or dangerous and is found in violation of restrictions placed on that dog by the town.

11. If the dog trespasses on private property of a person other than the dog's owner.

B. Abatement of Public Nuisance Animals:

1. "Abatement" shall be defined to include either relocating or euthanizing the animal.

2. When it reasonably appears to the town that an animal is a "public nuisance", as defined in subsection A of this section, and that such nuisance should be abated, the officer shall first attempt to get written consent of the animal's owner to abate the animal.

3. If the animal owner's consent cannot be readily obtained, the town may file with the governing court a charge of maintenance of a public nuisance. The charge shall set forth the facts, according to the best information, indicating that the owner is maintaining a public nuisance, and the nuisance should be abated. Until such time as the owner may be summoned to appear before the court, the animal may be impounded, and held pending a decision by the court.

4. If the charge is denied, a hearing will be set pursuant to the normal procedure of the governing court. If the court finds that the charge of maintaining a public nuisance has been proven, the court shall issue an order setting out the method of abatement.

5. Abatement, by relocation, shall not be an option if the animal represents a continuing threat or serious harm, such as in the case of a vicious dog.

6. If relocation is ordered, the court may set whatever conditions are necessary to guarantee that the animal shall not constitute a nuisance in the future.

7. In the event the court determines that, in fact, the animal is a public nuisance, the owner shall pay the cost of all impoundment fees, maintenance fees, or any other fees may be incurred by the town as a result of such impoundment.

5.05.107: RABIES CONTROL AND ANIMAL BITE:

A. Vaccination Requirements: All dogs shall be vaccinated by a duty licensed veterinarian or at a rabies clinic. Every dog shall be revaccinated every two (2) years thereafter (see also subsection 5.05.103A7b of this chapter). Any unvaccinated dog over six (6) months of age, adopted or brought into the jurisdiction, must likewise be vaccinated initially. Thereafter valid protection must be maintained.

B. Impoundment of Animals without Valid Rabies Vaccination Tag:

1. An owner may reclaim any vaccination animal impounded because of lack of a rabies vaccination tag by furnishing proof of a rabies vaccination, within seventy two (72) hours of release.
2. Any unvaccinated animal may be reclaimed prior to disposal by payment of impound fees and by obtaining or providing proof of a rabies vaccination, within seventy two (72) hours of release.
3. Any animal not reclaimed within the prescribed period of time shall be disposed of pursuant to this chapter

C. Rabid Animal Reports: Any person having knowledge of the whereabouts of an animal known to have been exposed to or suspected of having rabies, or of an animal or person bitten by such a suspected animal, shall notify town or county health department

D. Quarantine and Disposition of Biting Animal:

1. An animal that has rabies or shows signs of having rabies and every animal bitten by another animal affected with rabies or that has been exposed to rabies shall be reported by the owner as set forth in subsection C of this section, and shall immediately be confined in a secure place by the owner. The owner shall turn over the animal in question to the town officer or designated agent upon demand.
2. The owner of any animal that has been bitten by another animal known to be capable of harboring the rabies virus shall surrender the animal to an authorized official upon demand. Any person authorized to enforce this chapter may enter upon private property to seize the animal if the owner refuses to surrender the animal (see subsection 5.05.110A of this chapter).
3. Any animal subject to rabies that bites a person or animal or is suspected of having rabies may be seized and quarantined for observation for a period of not less than fourteen (14) days by the animal shelter. The owner of the animal shall bear the cost of confinement. The animal shelter shall be the normal place for such quarantine, but other arrangements, including confinement by the owner, may be made by the officer if the animal has current rabies vaccinations at the time the bite is inflicted or if there are other special circumstances justifying an exemption. A person who has custody of an animal under quarantine shall immediately notify the town if the animal shows any sign of sickness or abnormal behavior, or if the animal escapes confinement. It is unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer or representative of the health department to make an inspection or examination during the period of quarantine.

4. If the animal dies within fourteen (14) days from the date of the bite, the person having custody shall immediately notify the officer in order that they may have the head immediately removed and delivered to the state health department.

5. If at the end of the fourteen (14) day period an investigating officer of the town or animal shelter examines the animal and finds no sign of rabies, the animal may be released to the owner. In the case of a stray it shall be disposed of as provided in this chapter.

6. In the case of an unvaccinated animal known to have been bitten by a known rabid animal, such bitten or exposed animal shall be immediately destroyed.

E. Bites; Duty to Report:

1. Any person having knowledge of any individual or dog having been bitten by an animal subject to rabies shall report the incident immediately to the Wasatch County sheriff department.

2. The owner of the dog that bites a person and any person bitten by a dog shall report the bite the Wasatch County sheriff department within twenty four (24) hours of the bite.

3. A physician or other medical personnel who renders professional treatment to a person bitten by a dog shall report the fact that he/she has rendered professional treatment to the Wasatch County sheriff department within twenty four (24) hours of the first professional attendance. He shall report the name, sex and address of the person bitten, as well as the type and location of the bite. If known, he shall give the name and address of the owner of the dog that inflicted the bite, and any other facts that may assist the Wasatch County sheriff department.

4. Any person treating an animal bitten, injured or mauled by another animal shall report the incident to the Wasatch County sheriff department. The report shall contain the name and address of the owner of the wounded, injured or bitten animal, the name and address of the owner and description of the animal that caused the injury, and the location of the incident.

5. Any person not conforming to the requirements of this subsection shall be in violation of this chapter.

5.05.108: NONCONFORMING OWNERS:

An owner who is “nonconforming”, will stay as such until such time that they come into compliance by reducing the number of dogs due to death, selling or giving away of their current dogs, after such time they will be held to the terms of this chapter.

5.05.109: IMPOUNDMENT:

A. Shelter Provided: the town has contracted with Wasatch County animal shelter where impounded animals will be adequately housed and fed.

B. Authorized; Conditions:

1. All animals taken into custody shall be placed in an adequate shelter which the town has contracted for this purpose.

2. The following animals may be taken into custody and impounded as deemed necessary

A. Any dog being kept or maintained contrary to the provisions of this chapter

B. Any dog running at large, with any reasonable means used to immobilize.

C. Any dog which is not licensed. A dog not wearing a tag shall be presumed to be unlicensed for the purpose of this section.

D. Any abandoned or neglected dog whose safety may be threatened should the animal not be readily placed into protective custody.

E. Dogs which are not vaccinated for rabies in accordance with the requirements of this chapter.

F. Any animal needing to be quarantined.

G. Any potentially dangerous or dangerous animal not properly confined as required by this chapter.

C. Redemption of Animals:

1. The owner of an impounded animal or this authorized representative may redeem such animal before disposition, provided he/she pays:

A. The impound fees;

B. The daily board charges;

C. Any veterinary costs incurred during the impoundment period;

D. Transportation fee, if any;

E. Any other expenses incurred to impound an animal in accordance with state or local laws.

2. Fees for impound and boarding shall be set from time to time by the agency contracted for impounding of animals by the town.

D. Terms of Impoundment, Destruction and Disposal Of Animals:

1. Animals shall be impounded for a minimum of three (3) working days before further disposition.

2. Reasonable effort shall be made to notify the owner of any animal wearing a license or other identification during that time. Notice shall be deemed given when sent to the last known address of the listed owner.

3. Any animal voluntarily relinquished to the animal control facility by the owner thereof for destruction or other disposition need not be kept for the minimum holding period before release or other disposition, as herein provided.

4. All animals, except those quarantined or confined by court order or those subject to Utah Code Annotated section 4-25-4, which are held longer than the minimum impoundment period and all animals voluntarily relinquished to the impound facility, may be destroyed. Any healthy dog may be sold at the discretion of the animal shelter.

5. Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention may, at the discretion of the animal shelter, be released to the care of a veterinarian with or without the consent of the owner.

6. When, in the judgment of the animal shelter, it is determined that an animal should be destroyed for humane reasons or to protect the public from imminent danger to person or property, such animal may be destroyed without regard to any time limitation otherwise established in this chapter and without a court order.

5.05.110: ENFORCEMENT:

A. Right of Entry: In the enforcement of this chapter, all officers designated by the town council and mayor are hereby authorized to enter onto the open premises of any person or entity to take possession of any animal in violation of this chapter.

B. Interference with Officer Prohibited: It shall be unlawful for any person to interfere, molest, hinder or obstruct the officer or any of this authorized representatives in the discharge of their duties as herein prescribed.

C. Investigation: The Wasatch County sheriff department or the officers may enter upon privately owned land to investigate reports of vicious animals, rabies and other contagious animal disease and to investigate violations of and enforce the provisions of this chapter.

5.05.111: CITATION FOR MISDEMEANOR:

A. The town council, designated officer or any public official charged with the enforcement of laws of this town, in lieu of taking a person into custody, may issue and deliver a citation requiring any person subject to arrest or prosecution on a misdemeanor charge to appear at the court of the magistrate before whom the person could be taken pursuant to law, if the person had been arrested.

B. If a citation is issued, the town council or designated officer shall issue one copy to the person cited and shall within five (5) days file a duplicate copy with the court specified in the citation.

5.05.112: PENALTY:

Unless otherwise specifically provided, a violation of any provision of this chapter shall be punished as a class B misdemeanor.