

ORDINANCE NO. 18-07

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

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

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

WHEREAS, the Master HOA (Community Preservation Association) has more restrictive provisions than does the Town, the Town would like to align with the Master HOA's provisions, and would like to extend and define construction and noise provisions for Saturdays, Sundays and Holidays;

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

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 If any provisions of the Town's Code heretofore adopted are inconsistent herewith they are hereby repealed.

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

Hours of Construction Work: It shall be unlawful for any person to perform or cause to be performed, any construction work on any construction site under his control (or at which he is employed) outside of the hours of 7:00 am to 7:00 pm Monday through Friday; or outside of the hours of 8:00 am to 7:00 pm on any Saturday, Sunday or federal holiday.

Construction equipment and/or construction trailers may only be moved within the Town during those same hours.

Definitions: Construction work shall be defined as any building activity for which a permit shall be required under Town Code. A construction site is all area within the legal property boundary on which construction work is taking place.

Exception: The Mayor, Town Council or Town Engineer may authorize extended hours for construction operations or procedures which, by their nature, require continuous operation, or modify or waive the hours of work on projects located in generally isolated areas where the extended hours do not impact on adjoining property occupants. Such extension authorizations must be provided in writing.

Construction Noise: Some loud noise is inherent in construction work. During permitted construction hours on any Saturday, Sunday or federal holiday, noise



resulting from construction work must not measure more than 60 decibels 25 feet outside the property boundary of the construction site.

SECTION III: Enforcement. Enforcement responsibility will reside with the Police Department, the Code Enforcement Officer, and the Mayor. The Police Department, the Code Enforcement Officer or the Mayor may, upon discovery or report of a violation or violations of this Ordinance, issue a written citation for the violation requiring an appearance in court to answer the charges; or may file a report with the Wasatch County Prosecutor's Office for review and issuance of an information and summons to court to answer the charges. Each day such violation is committed shall constitute a separate violation.

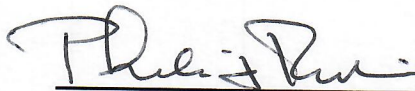
At the Mayor's discretion, repeated violations may result in the revocation of Building Permits (resulting in a complete work stoppage). This revocation may be applied to any or all construction projects managed or operated by the entity responsible for the violation.

SECTION IV: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

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

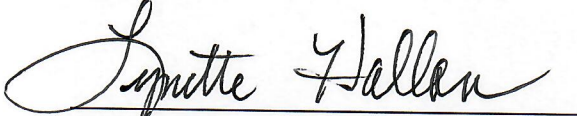
PASSED AND ADOPTED by the Town Council of Hideout, Utah, this 13th day of September, 2018.

TOWN OF HIDEOUT



Philip Rubin, Mayor

Attest:



Lynette Hallam, Town Clerk

