



HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-4100

CITY COUNCIL AGENDA

363 West Independence Blvd

August 27, 2019

"In accordance with the Americans with Disabilities Act, the City of Harrisville will make reasonable accommodations for participation in the meeting. Request for assistance can be made by contacting the City Recorder at 801-782-4100, providing at least three working days advance notice of the meeting."

7:00 P.M. CITY COUNCIL MEETING

Presiding: Mayor Michelle Tait

Mayor Pro Tem: Grover Wilhelmsen

MAYOR:

Michelle Tait

COUNCIL MEMBERS:

Grover Wilhelmsen
Gary Robinson
Ruth Pearce
Clark Beecher
Steve Weiss

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE & OPENING CEREMONY [Mayor Tait]

3. CONSENT ITEMS

- a. Approve the minutes of July 9, 2019 as presented.

4. RECOGNITION AWARDS [Chief Wilson]

5. CONVENE AS THE BOARD OF CANVASSERS

- a. Discussion/possible action to approve Harrisville City Resolution 19-13; a Resolution approving the Canvass of the 2019 Municipal Primary Election. [Jennie Knight]

6. OATH OF OFFICE

- a. Dennis Moore, Harrisville Police Lieutenant
- b. Glen Gammell, Harrisville Police Sergeant
- c. Randy Hammock, Harrisville Police Officer

7. BUSINESS ITEMS

- a. Discussion/possible action to grant Final Acceptance for C. Cara Bassett Subdivision. [Sean Lambert]
- b. Discussion/possible action to approve surplus items. [Sean Lambert]
- c. Discussion/possible action to approve 2019 Storm Water Projects. [Sean Lambert]
- d. Discussion/possible action to approve Harrisville Resolution 19-12; Open Railway Crossings.[Bill Morris]
- e. Discussion/possible action to approve Harrisville Ordinance 502; Inspection and Clean Up. [Bill Morris]

8. PUBLIC COMMENTS - (3 minute maximum)

9. MAYOR/COUNCIL FOLLOW-UP:

10. CLOSED EXECUTIVE SESSION: Utah State Code §52-4-205(1)(a): The Council may consider a motion to enter into Closed Executive Session for the purpose of discussion of character, professional competence, or physical or mental health of individual(s).

11. ADJOURN

DATE POSTED: August 22, 2019

BY: Jennie Knight, City Recorder

I, Jennie Knight, certify that I am the City Recorder of Harrisville City, Utah, and that the foregoing City Council agenda was faxed to the Ogden Standard Examiner, Weber County Library, and neighboring cities. The agenda was also posted at the following locations: City hall, on the City's website www.cityofharrisville.com and the State Public Meeting Notice website at <http://pmn.utah.gov>.

**MINUTES OF HARRISVILLE CITY
CITY COUNCIL MEETING
July 9, 2019
363 West Independence Blvd
Harrisville, UT 84404**

Present: Mayor Michelle Tait, Council Member Grover Wilhelmsen, Council Member Gary Robinson, Council Member Ruth Pearce, Council Member Clark Beecher, Council Member Steve Weiss.

Staff: Bill Morris, City Administrator, Jennie Knight, City Recorder,

Visitors: Blake Leonelli, Nathan & Rosemarie Averill, Jacob Schlegel, Austin Moffitt, Kevin Shakespeare.

6:00 P.M. CITY COUNCIL WORK SESSION

Mayor and Council Members participated in a tour of the Weber County Animal Shelter located at 1373 Fairgrounds Drive, Ogden UT 84404.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

Mayor Tait called the meeting to order and welcomed all visitors.

2. Opening Ceremony.

Council Member Weiss led the pledge of allegiance and conducted the opening ceremony.

3. Consent Items.

- a. Approve the minutes of June 25, 2019 as presented.

MOTION: Council Member Weiss motioned to approve the minutes of June 25, 2019 as presented. Council Member Pearce seconded the motion. All Council Members voted aye. Motion passed.

4. Business Items.

a. Waste Management Presentation on Recyclables

Blake Leonelli introduced himself to Council and thanked them for the opportunity to present. He is over all public entity accounts and encouraged Council to have a conversation or discussion on recyclable materials. He reviewed the diversion report for 2018; 10% diversion was processed as recyclables, which constitutes 245 tons that were recycled and diverted from waste facilities.

Past history of recycling included capturing items and increase participation which made the stream less desirable. They are now trying to educate the acceptable materials to eliminate the amount of waste being included in recyclable materials. Recyclable materials include clean cardboard, paper, plastic bottles, and metal containers. Plastic

bags gum up the system creating a very labor intensive process. Historically China was taking the bulk of recyclable materials but this has changed and now cities are taking a hard look at recycling programs. Local services have hired more people to sort and clean up the material. There has been an increase in domestic buyer and paper mills and additional avenues for local opportunities. Quality of the recyclable materials impacts the price as well. They educate through social media and other resources to encourage people to recycle often. Additionally bad information is circulating as well. They suggest when in doubt, throw it out; as well as getting back to the basics of recycling.

Council Member Beecher asked if stickers could be added to the recycling containers outlining the acceptable materials. Outreach programs have been explored and cities can work together with Waste Management to help educate through social media, bill inserts, or even tagging contaminated material with cards. He encouraged Council to consider what the best approach would be for our city. Landfills will always have a need, but recycling is very important. They also have a national ad campaign to help educate. Recycle often, recycle right is their campaign, rorr.com. He can also email myth buster information to Council to help distribute accurate information.

Council Member Weiss asked about the Deseret News article that stated recycling companies are just dumping the waste into landfills. Blake Leonelli responded he can only address how Waste Management processes recyclables. He confirmed some materials that are too far contaminated are eventually sent to landfills; but the materials that do get processed have avenues and outlets. Sometimes the commodity does not have value and they must dispose of the material. They work directly with Recycled Earth in Ogden.

Council Member Robinson asked what the saturation level is of paper or card board. Blake Leonelli responded what is not damaged beyond what is usable. Food is an absolute contamination; for example, pizza boxes. The goal is to get the cleanest materials. Council Member Robinson asked about steel cans. Blake Leonelli asked for individuals to make their best effort to clean those cans before recycling.

Mayor Tait asked if material is contaminated by being dumped into the same truck. Blake Leonelli explained this is not ideal but for the most part does not contaminate the other materials. Mayor Tait asked for specifics on plastic bags. Mr. Leonelli said no plastic bags should be put into recycle containers; whether bags themselves, or used to collect multiple recyclables. They unfortunately cause too much effort with the machinery; ultimately slowing down the system.

Council Member Weiss asked if they could attend Heritage Days and have an area displaying items that can be recycled. Mr. Leonelli stated he cannot promise to attend this year with such short notice but could consider future attendance options. Council Member Weiss asked for educational material that could be distributed. Mr. Leonelli said he could provide what is available. He would be interested in a community outreach with enough advance notice. Council Member Wilhelmsen asked if these notices could be uploaded to the website. Staff will follow up with the website.

Mr. Leonelli said he cannot speak for other waste companies but Waste Management is the largest recycler in the United States and they would like to avoid items taking the long way around to the landfill at all costs. His recycling message is changing back to how we used to recycle.

b. Discussion/possible action to approve 2019 Polling Location and Poll Workers for 2019 Municipal Primary and General Elections.

Jennie Knight explained the 2019 Polling Locations and Poll Workers must be approved by Council before the primary election on August 13, 2019. Because the election is held by vote by mail, registered voters are allowed to drop off their ballot or cast their vote in person at any vote center throughout Weber County.

MOTION: Council Member Pearce motioned to approve the 2019 Polling Location and Poll Workers for 2019 Municipal Primary and General Elections. Council Member Wilhelmssen seconded the motion. All Council Members voted aye. Motion passed.

5. Public Comments - (3 minute maximum)

No public comments were offered.

6. Mayor/Council Follow-Up:

Council Member Weiss said he has been approached by numerous neighbors who are concerned about the fire hazard at the Ben Lomond Golf Course. Bill Morris said Planning Commission will be reviewing a new Mixed Use Ordinance in August which will then be sent on for Council approval after. Additionally the Annexation Policy is complete and ready to be presented to Planning Commission. Mayor Tait said there is a farmer bailing the grass. Council Member Weiss asked if they can turn the water back on. Bill Morris said that is up to the owners of the golf course. Consideration will need to be made during development to protect the downstream water users who are affected. Council Member Robinson asked about liability if this causes an issue. Bill Morris said home owners insurance covers these items and holds the responsible party accountable.

Council Member Robinson asked if there would be an increase in the Waste Management rate. Bill Morris said he does not a proposal at this time, but this will be reviewed if there is not enough to cover the costs. We try to buffer the costs to cover inflation.

Council Member Robinson said in his opinion the park fencing project has not gone well. There was miscommunication between the contractor and Bryan on the mow strip. He has talked to other fence providers and discovered the above ground mow strips are common. His concern is with this blocking water drainage. He said this is not the best workmanship. Bill Morris said he will pass on the information to staff.

Council Member Beecher asked about the splash pad. Staff does not have an update on the part that was ordered.

Council Member Pearce said she is concerned about the neighbor building across the street from her. They are installing a gate on the fence between commercial and residential. Bill Morris said staff will follow up on that.

Jennie Knight asked any members of Council who are available to help with the Rise N Shine breakfast or cover an hour of Bingo. Council Member Weiss asked if donations for the animal shelter could be included and advertised at Heritage Days.

7. Adjourn.

Mayor Tait declared the meeting adjourned at 7:46 p.m.

ATTEST:

MICHELLE TAIT

Mayor

JENNIE KNIGHT

City Recorder

Approved this 27th day of August, 2019

**HARRISVILLE CITY
RESOLUTION 19-13**

**A RESOLUTION APPROVING THE CANVASS OF THE
2019 HARRISVILLE CITY
MUNICIPAL PRIMARY ELECTION**

WHEREAS, on August 13, 2019, the regular Municipal General Election was held; and

WHEREAS, on August 27, 2019, the City Council convened as the Board of Canvassers, to canvass the returns of the said Municipal Primary Election; and

WHEREAS, the City Council, during the canvass of the ballots, inspected the ballot results by precinct including any absentee ballots received by Election Day; and

WHEREAS, the City Council has determined that the election and voting were conducted in compliance with the law,

NOW, THEREFORE, be it resolved by the City Council of Harrisville City, Utah, as follows:

Section 1: The City Council, as the official Board of Canvassers, hereby accepts and approves the reports entitled “Election Summary Results Report” and “Statement of Votes Cast” for the 2019 Harrisville City Municipal Primary Election held on August 13, 2019.

Section 2: The following candidates are declared to have received the number of votes indicated:

<u>City Council Seat</u>	
Grover Wilhelmsen	476
Richard S. Hendrix	353
Brenda Nelson	286
Blair Christensen	265
Austin Tracy Moffitt	200
Heidi Wahlen	193
Kevin Shakespeare	132

Section 3: The following candidates, having qualified by number of votes, will run for a four-year term at the Municipal General Election, November 5, 2019, as Council Member Candidates:

<u>City Council Seat</u>	
Grover Wilhelmsen	
Richard S. Hendrix	
Brenda Nelson	
Blair Christensen	
Austin Tracy Moffitt	
Heidi Wahlen	

Section 4. The City Recorder shall furnish a certified copy of this Resolution and copies of the Election Summary Report and Statement of Votes Cast to the Lieutenant Governor’s Office on or before the third Friday following the Municipal Primary Election.

Section 5. This Resolution shall be effective immediately upon passage and adoption.

PASSED AND ADOPTED this 27th day of August, 2019.

HARRISVILLE CITY:

MICHELLE TAIT,
Mayor

ATTEST:

JENNIE KNIGHT, City Recorder

CITY COUNCIL VOTE AS RECORDED:

	YES	NO
Council Member Wilhelmsen:	_____	_____
Council Member Robinson:	_____	_____
Council Member Pearce:	_____	_____
Council Member Beecher:	_____	_____
Council Member Weiss:	_____	_____
(In event of a tie vote of the Council)		
Mayor Tait:	_____	_____



MEMORANDUM

CONSULTING ENGINEERS

To: Harrisville City Mayor and City Council

From: Matthew Robertson, P.E. - City Engineer 

CC: Bill Morris, City Administrator
Sean Lambert, Public Works Director
Jennie Knight, City Recorder
Andrew Bassett

Date: August 22, 2019

Subject: **C. CARA BASSETT SUBDIVISION – FINAL ACCEPTANCE**

The referenced subdivision received conditional acceptance and began the one-year guarantee period on December 18, 2017. Sean Lambert and I have recently completed an inspection of the improvements in the subdivision and found them to be completed satisfactorily and in accordance with Harrisville City standards and the approved plans. We therefore recommend final acceptance of this subdivision.

We also recommend the release of the remaining funds in the escrow account including the contingency amount. This amount is \$5,576.18 and is shown on the attached Escrow Release form.

If you have any questions, please feel free to contact me.

ESCROW RELEASE SUMMARY

City: Harrisville City Subdivision: C. Cara Bassett Subdivision Developer: Andrew Bassett Estimate #: 3 (FINAL)	Address: Date: August 22, 2019									
Gross Earnings Including Materials	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">PREVIOUS</th> <th style="width: 33%;">THIS RELEASE</th> <th style="width: 33%;">TO DATE</th> </tr> </thead> <tbody> <tr> <td style="text-align: right;">\$12,976.50</td> <td style="text-align: right;">\$5,576.18</td> <td style="text-align: right;">\$18,552.68</td> </tr> <tr> <td style="text-align: right;">\$12,976.50</td> <td style="text-align: right;">\$5,576.18</td> <td style="text-align: right;">\$18,552.68</td> </tr> </tbody> </table>	PREVIOUS	THIS RELEASE	TO DATE	\$12,976.50	\$5,576.18	\$18,552.68	\$12,976.50	\$5,576.18	\$18,552.68
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		\$5,576.18								
TIME ELAPSED -	PERCENT BILLED	100%								
Total Escrow Amount -	\$18,552.68									
with: Construction Initiation Date -										
Improvement Completion Deadline -										
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Engineer Approval</th> <th style="width: 50%;">City Approval</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: center;">  Matthew Robertson City Engineer - Jones & Associates </td> <td style="width: 20%; text-align: center; vertical-align: middle;"> 08-22-19 </td> </tr> </table> </td> <td style="vertical-align: top;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: center;"> Harrisville City </td> <td style="width: 20%; text-align: center;"> date </td> </tr> </table> </td> </tr> </tbody> </table>	Engineer Approval	City Approval	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: center;">  Matthew Robertson City Engineer - Jones & Associates </td> <td style="width: 20%; text-align: center; vertical-align: middle;"> 08-22-19 </td> </tr> </table>	 Matthew Robertson City Engineer - Jones & Associates	08-22-19	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: center;"> Harrisville City </td> <td style="width: 20%; text-align: center;"> date </td> </tr> </table>	Harrisville City	date		
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ESCROW RELEASE DETAIL SHEET

City: Harrisville City	Estimate #: 3
Subdivision: C. Cara Bassett Subdivision	Date: August 22, 2019
Developer: Andrew Bassett	Page: Sheet 2 of 2

ITEM NO.	LINE ITEM DESCRIPTION	QUANTITY	UNIT PRICE	CURRENT UNITS OR % COMPLETE	TO DATE UNITS OR % COMPLETE	CURRENT BILLING	TOTAL BILLED TO DATE
	<u>SEWER IMPROVEMENTS</u>						
1	Place a marker on the end of the 4" lateral on Lot 1	1 each	\$200.00	each	1 each		\$200.00
	<u>STREET IMPROVEMENTS</u>						
2	4' Sidewalk with 4" roadbase under	303 lf	\$18.00	lf	303 lf		\$5,454.00
3	Stop Sign	1 each	\$300.00	each	1 each		\$300.00
4	Seal coat (chip & seal)	729 sy	\$2.50	sy	729 sy		\$1,822.50
5	Furnish and install survey monument with concrete collar	1 each	\$500.00	each	1 each		\$500.00
6	Furnish and install light pole	1 each	\$3,000.00	each	1 each		\$3,000.00
7	Remove existing irrigation head gate located on the east property line by the south r-o-w line of 2550 North	1 each	\$1,000.00	each	1 each		\$1,000.00
8	Remove existing rain gutter drain from under sidewalk on the west line of Lot 3	1 each	\$200.00	each	1 each		\$200.00
	<u>SWPPP IMPROVEMENTS</u>						
9	BMP's maintenance	1 ls	\$1,000.00	0.5 ls	1 ls	\$500.00	\$1,000.00
	10% contingency (based on original construction cost)	1 l.s.	\$5,076.18	1 l.s.	1 l.s.	\$5,076.18	\$5,076.18
						\$5,576.18	\$18,552.68
						\$5,576.18	\$18,552.68

**HARRISVILLE CITY
RESOLUTION 19-12**

OPEN RAILROAD CROSSINGS

**A RESOLUTION OF HARRISVILLE CITY, UTAH, SUPPORTING STATE
LEGISLATION AND EFFORTS TO AID IN KEEPING RAILROAD CROSSINGS
OPEN FOR MOTOR VEHICLE TRAFFIC AND PREVENT CROSSINGS FROM
BEING BLOCKED BY TRAINS**

WHEREAS, Harrisville City (hereafter “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah;

WHEREAS, the City is impacted by multiple railroad crossings used by trains, residents, businesses, and first responders in the greater community;

WHEREAS, trains are increasingly blocking railroad intersections for long periods resulting in significant traffic congestion, and presenting a danger to public health, safety, and welfare;

WHEREAS, residents and business have been cut off from access putting public health and safety at risk as such waiting, sometimes hours, from trains to clear blocked railroad crossings;

WHEREAS, law enforcement is unable to reach portions of the City blocked by trains at railroad crossing for extended periods of time;

WHEREAS, first responders during emergencies are unable to access residents in distress because trains have blocked intersections;

WHEREAS, Representative Joel Ferry sponsored House Bill 205 in the 2019 General Session of the Utah State Legislature to address blocked railroad crossings and find solutions;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Harrisville City, Utah, supports the efforts and legislation proposed by Representative Joel Ferry to implement solutions that keep trains moving and railroad crossing open. This Resolution takes effect immediately.

PASSED AND ADOPTED by the City Council on this 27th day of August, 2019.

Roll Call Vote is as follows:

_____	Council Member Wilhelmsen	Yes	No
MICHELLE TAIT	Council Member Robinson	Yes	No
Mayor	Council Member Pearce	Yes	No
	Council Member Beecher	Yes	No
ATTEST:	Council Member Weiss	Yes	No

JENNIE KNIGHT
City Recorder

**HARRISVILLE CITY
ORDINANCE 502**

INSPECTION AND CLEANING

AN ORDINANCE OF HARRISVILLE CITY, UTAH, REPEALING AND RE-ENACTING CHAPTER 4.01 TO BE ENTITLED “INSPECTION AND CLEANING” AS UPDATED BY STATE LAW; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Harrisville City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84, 1953 as amended, grants municipalities broad authority to provide for safety and preserve health, and promote prosperity, improve morals, peace and good order, comfort, convenience, and for the protection of property;

WHEREAS, *Utah Code Annotated* §10-8-60, 1953 as amended, grants municipalities broad authority to declare what shall be a nuisance, abate the same, and to impose fines for the such nuisances;

WHEREAS, *Utah Code Annotated* §10-11-1, et seq., authorizes the City Council to adopt this Ordinance;

WHEREAS, noxious weeds, garbage, refuse, and unsightly or deleterious object or structures are detrimental to the interests of the public; affect property values; endanger the health, safety and welfare of the community; and are injurious to the quality of life within the City;

NOW, THEREFOR, be it ordained by the Council of Harrisville City as follows:

- Section 1:** Repealer. Any word, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.
- Section 2:** Repeal and Re-enact. Chapter 4.01 of the *Harrisville Municipal Code* is hereby repealed. Chapter 4.01 of the *Harrisville Municipal Code* to be entitled “Inspection and Cleaning” is hereby re-enacted to read as follows:

**Chapter 4.01
Inspection and Cleaning**

Sections:

- 4.01.010** **Inspection and Cleaning.**
- 4.01.020** **Definitions.**
- 4.01.030** **Nuisance Declared.**
- 4.01.040** **Nuisance Prohibited.**
- 4.01.050** **Occupant Duty.**
- 4.01.060** **Administration.**
- 4.01.070** **Neglect of Property Owners to Comply.**
- 4.01.080** **Non-exclusive Remedy.**
- 4.01.090** **Penalty.**

4.01.010 Inspection and Cleaning.

This Chapter shall be known as “Inspection and Cleaning” adopted as authorized by Utah Code §10-11-1, et seq., 1953 as amended.

4.01.020 Definitions.

The following terms, as used in this chapter, shall mean as follows:

1. “Abandoned” means any nuisance left unattended upon public or private property.
2. “Abate or abatement” means to repair, replace, rehabilitate, remove, destroy, demolish, correct or otherwise remedy a condition that constitutes a public nuisance.
3. “City” means the Harrisville City, Utah.
4. “Inoperable” means a motor vehicle, boat, recreational vehicle, or trailer not currently licensed in accordance with state law and not operable for the use for which it was intended, in excess of the number allowed and manner set by the municipal code.
5. “Illegal object or structure” means a object that does not comply with the municipal code or any other law, or any structure that does not comply with the municipal code, building codes, Hazardous Building Abatement Code, rules and regulations of the applicable health or fire department, where illegal drug activity may have occurred, or other violations of law.
6. “Garbage or refuse” means debris, trash, weeds, or junk that is spent, useless, or discarded materials and includes: used tires; parts of vehicles or machinery; old or unused machinery, appliances or parts thereof; waste or weed plant materials, trimmings, either growing or dead; litter; scrap building materials; waste food products; dead animals; unused or discarded bicycles, tricycles, or other types of equipment or parts thereof; scrap metal; wastepaper products, or lumber; accumulations of dirt, gravel, ashes or fire remains; salvage material or any other waste materials.
7. “Notice” means the written notice in accordance with UCA §10-11-2 served upon the owner or occupant of land where there is located noxious weeds, garbage, refuse, or unsightly or deleterious objects or buildings.
8. “Noxious weeds” means weeds defined by Rule R68-9 entitled “Utah Noxious Weed Act” and any other weeds determined to be an invasive species.
9. “Property” means a lot, parcel or plot of ground, whether occupied or not, and any premise including a building or structure, or the premises on which a building or structure is located, or undeveloped land.
10. “Public nuisance” means conditions that create a fire hazard; hazardous material or objects; a source of pollution of any kind; conditions that foster rodents, insects, or other forms of life deleterious to human habitation; unsightly or deleterious structures or surroundings; lack of sanitation or conditions that foster disease; conditions that may involve illegal drug use; conditions that may injure public health or safety, conditions that are in violation of law.

4.01.030 Nuisance Declared.

The following is hereby declared to be a nuisance subject to abatement:

1. The growth and spread of injurious and noxious weeds.
2. Garbage and refuse.
3. A public nuisance.
4. An illegal object or structure.

4.01.040 Nuisance Prohibited.

It is unlawful and a violation of this Chapter for the owner or occupant of real property or estate, or its agent, to cause or permit upon such property, or right-of-way adjacent thereto, any nuisance under this Chapter.

4.01.050 Occupant Duty.

In accordance with Utah Code §10-11-2(2)(a)(ii)(B), in addition to the owner of record of any real property, the City hereby imposes a duty upon any occupant or other person who is not the owner of record of any real property to maintain the real property free of any nuisance set forth in this Chapter.

4.01.060 Administration.

1. Municipal Inspector. The Legislative Body hereby delegates authority to the Mayor to appoint or designate one or more municipal inspectors to administer the provisions of this Chapter.
2. Administration. Each municipal inspector is authorized to:
 - a. Examine and investigate real property for a declared nuisance.
 - b. If an inspector conducts an examination and investigation, the inspector is to deliver written notice of the examination and investigation in accordance with Utah Code §10-11-2 (2).
 - c. Provide a reasonable period abatement, which is deemed to be not more than thirty (30) days.
 - d. The municipal inspector cannot abate conditions solely associated with the interior of a structure, unless required for the demolition and removal of the structure.
 - e. For a notice of injurious and noxious weeds, the municipal inspector is not required to make more than one (1) notice for each annual season of weed growth for weeds growing on a property.
 - f. Eradicate nuisances in violation of this Chapter, initiate suit or other remedies allowed by law, and/or assess costs in accordance with Utah Code §10-11-3 and §10-11-4.

4.01.070 Neglect of Property Owners to Comply.

In accordance with Utah Code §10-11-3, if an owner of, occupant of, or other person responsible for real property described in the notice delivered in accordance with Utah Code §10-11-2 fails to comply the municipal inspector may:

1. Removal by City. At the expense of the City, employ necessary assistance to enter the property and destroy or remove an item identified in a written notice. Prepare an itemized statement and mail to the owner of record according to the records of the county recorder a copy of the statement demanding payment within thirty (30) days after the day on which the statement is post-marked.
2. Lien. The City may file a notice of a lien, including a copy of the statement described above or a summary of the statement, in the records of the county recorder.
3. Court. The City may file an action in district court.
4. County Treasurer Recovery. The City may certify the past due costs and expenses to the county treasurer in accordance with Utah Code §10-11-4.

4.01.080 Non-exclusive Remedy.

This Chapter shall not be construed to exclude any other remedy provided by law or equity.

4.01.090 Penalty.

In accordance with Utah Code §10-3-703, the following penalties apply:

