

TITLE 11-000.

TRANSPORTATION, STREETS AND PUBLIC WAYS.

CHAPTER 11-100. RESERVED.

CHAPTER 11-200. RESERVED.

CHAPTER 11-300. STREETS AND PUBLIC WAYS.

PART 11-310. SUPERINTENDENT OF STREETS.

11-311. DEPARTMENT - SUPERINTENDENT OF STREETS.

- A. There is hereby created a department of streets which shall have general supervision of streets, sidewalks, bridges, and other public ways.
- B. The department shall be under the direction and control of the superintendent of streets.

11-312. POWERS AND DUTIES OF STREET DEPARTMENT. The department shall:

- A. Have charge of the construction, maintenance and repair of streets, sidewalks, bridges, curbs, gutters, culverts, drains, waterways and other public ways. It shall have control of all waters flowing on the streets, sidewalks and public ways whether originating from storm, flood, drainage or irrigation waters.
- B. Keep a record of and promptly investigate all complaints of defective streets, culverts, drains, ditches, sidewalks, and other public ways and, when proper, repair, replace or take such action as deemed best, and shall record the action taken on each complaint.
- C. Enforce the provisions of this chapter 11-300 and all other ordinances relating to the maintenance and use of streets, culverts, drains, ditches, waterways, curbs, gutters, sidewalks and other public ways.
- D. Repair, or cause to be repaired, all defects coming to the department's attention and take responsible precautions to protect the public from injuries due to such defects pending their repair.

PART 11-320. STREETS - TRAFFIC CONTROL.

11-321. ADOPTION OF UNIFORM TRAFFIC CODE. The Utah Traffic Code-Rules of the Road, 1983 edition-as compiled, prepared and published as a code in book form by the Utah Department of Public Safety three copies of which have been filed for use and examination by the public in the office of the recorder, hereby is approved and adopted as the traffic code for this city, except as such code may be altered or modified by the ordinances of this city.

11-322. DEFINITIONS CONTAINED IN CODE. Unless the context otherwise requires, all references in the traffic code to:

- A. The State Road Commission or State Department of Transportation shall mean this city and its officers, departments, agencies, and agents.

- B. Local Authorities shall mean the city council of this city.
- C. The Department of Public Safety of the State of Utah shall mean the chief of police of this city or his agent.
- D. Magistrate shall mean the justice of the peace or judge of this city.

11-323. PRIMA FACIE SPEED - DESIGNATED STREETS.

A. When appropriate street signs giving notice of the maximum permitted speed thereon are erected, the prima facie speed limits designated in the appropriate appendix of this code shall apply to the appropriate streets listed therein.

B. Unless otherwise provided in this part or in any other ordinance of this city, the prima facie speed limits on the streets of this city shall be 25 miles per hour.

11-324. ANGLE PARKING. Angle parking shall be permitted upon the streets or parts of streets described in the appropriate appendix of this code. The chief law enforcement officer shall mark or sign such streets or parts of streets and also indicate the angle of such parking.

11-325. THROUGH STREETS DESIGNATED. Those streets and parts of streets described in the appropriate appendix are hereby declared to be through streets.

11-326. AUTHORITY TO ERECT STOP OR YIELD SIGNS. Whenever any ordinance of this city designates and describes a through street, it shall be the duty of the chief law enforcement officer or the superintendent of streets to place and maintain a stop sign or, where safety and efficiency require at any intersection, a yield sign on each and every street intersecting such through street unless traffic at such intersection is controlled at all times by traffic control signals. However, at the intersection of two through streets or at the intersection of a through street and a heavily traveled street, stop signs shall be erected at approaches to either streets as determined by the chief law enforcement officer on the basis of an engineering and traffic study.

11-327. PENALTIES. Any person violating, causing or permitting violation of any provisions of this part shall be guilty of a misdemeanor. Notwithstanding other language or provisions in the "Utah Traffic Code - Rules of the Road, 1983" hereby adopted. Any violator of this part, upon conviction, shall be punished by a fine of not more than \$299.00, or by a jail sentence not to exceed six months, or by both a fine and jail sentence.

PART ANIMALS ON STREETS

11-331. DRIVING ANIMALS ON STREETS.

A. Every person who drives any herd of sheep or band of horses, cattle or other animals upon any public street or highway without first obtaining a permit from the chief of police to do so is guilty of an infraction.

B. No person shall drive livestock through this city upon streets not designated for that purpose except upon permission and according to the direction of the chief of police.

C. 6th west shall be designated stocktrail.

PART

11-340. PARKING REGULATIONS.

11-341. PARKING OR BLOCKING STREETS OR HIGHWAYS. In addition to the parking provisions contained in the Utah Traffic Code, as adopted by this city, it shall be a class B misdemeanor for any person to:

- A. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereon.
- B. Willfully remain standing, lying or sitting on any street or highway in such manner for more than one minute after being requested to move by any police officer.
- C. Willfully remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property having access to such street or highway.

11-342. SIGNS. The city council may authorize or direct any person employed by the city to erect or install any sign or traffic control device required to enforce the provisions of this part.

11-343. NO PARKING. It shall be a class B misdemeanor to park or leave standing at any time a motor vehicle, as defined in the "Utah Traffic Code - Rules of the Road, 1983" as adopted by this city, except when necessary to avoid interference with other traffic or in compliance with the directions of a policeman or traffic control device.

11-344. UNLAWFUL PARKING.

- A. Parking at curb. No motor vehicle shall be parked with the left side of the vehicle next to the curb, except on one way streets. It shall be unlawful to stand or park any motor vehicle in a street other than parallel with the curb and with the two right wheels of the vehicle within twelve inches of the regularly established curb line except on those streets which have been marked for angle parking; then vehicles shall be parked at the angle to the curb indicated by such marks.
- B. Vehicles for sale. It shall be unlawful to park any vehicle on any street for the purpose of displaying it for sale, or to park any vehicle from which merchandise is peddled on any business street.
- C. Loading Zone. When so posted, it shall be unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than is permitted by the posted sign for the loading or unloading of passengers, or for the driver to stand or park any freight carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such.
- D. Parking Prohibited. It shall be unlawful for any person, except physicians on emergency calls or designated emergency vehicles when properly posted, to park any motor vehicle on any street in violation of the posted restrictions.
- E. Alleys. No person shall park a motor vehicle within an alley in such manner or under such conditions as to leave less than ten feet of the width of the roadway available for the free movement of vehicular traffic. No person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

- F. Cab Stands - Bus Stands. No motor vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a taxicab stand and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone.
- G. Parking Prohibited. It shall be an infraction for any person to park or leave standing on any public road, street, alley or city property any motor vehicle for 48 or more consecutive hours, and any vehicle so parked or left standing may be impounded or removed by the chief of police. For purposes of impoundment and removal, the chief of police may impound and remove any motor vehicle which reasonably appears to have remained unmoved for 48 consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle.

PART

11-350. CONSTRUCTION AND REPAIR OF STREETS AND SIDEWALKS.

11-351. CONSTRUCTION BY PERSONS. It shall be unlawful for any person either as owner, agent, servant, contractor, or employee to construct a street or sidewalk which does not conform to specification established by the city engineer or other authorized representative of the city, unless special permission to deviate from such specification is first obtained from the city council.

11-352. PERMIT REQUIRED - SUPERVISION.

- A. No person, either as owner, agent, servant, contractor, or employee, shall construct any permanent sidewalk with first obtaining from the recorder a permit so to do. The permit shall specify that the sidewalk to be constructed of cement, the character and quality of the cement, the consistent parts of the mixture, and the thickness of the walk.
- B. It shall be unlawful to construct a sidewalk in violation of the specifications given by a proper city official.
- C. All sidewalks shall be constructed under the inspection of the superintendent of streets or his duly authorized representative.

11-353. CONSTRUCTION OF DRIVEWAYS OR CHANGES OF CONSTRUCTION. It shall be unlawful for any person to construct a driveway across a sidewalk, or cut or change the construction of sidewalk, curb, or gutter without first making written application and obtaining from the recorder a permit to do so. The acceptance of such permit shall be deemed an agreement on the part of such person to construct said driveway in accordance with specification furnished by the city.

11-354. BUILDING MATERIALS IN STREET-PERMIT. It shall be unlawful for any person to occupy or use any portion of the public streets when erecting or repairing any building upon land abutting thereon, without first making application to and receiving from the city council a permit for the occupation or use of such portions of streets for such periods of time and under such limitations and restrictions as may be required by the city council. Any such permit may be revoked by the city council at any time when the holder thereof fails to comply with any rule or regulation under which it is granted, or when, in the opinion of the city council, the public interest requires such revocation.

11-355. PLACING OR MIXING SAND OR GRAVEL ON PAVED STREET OR SIDEWALK. Unless a permit from the superintendent has been obtained, it shall be unlawful to:

- A. Place or pile, or permit to be placed or piled, any sand, gravel, lime, cement, mortar, plaster, concrete, or any like substance or mixture, or allow the same to remain on any portion of any paved street or sidewalk.
- B. Make or mix or permit to be made or mixed any mortar, plaster, concrete or any like substance or mixture on any portion of any paved street or sidewalk.

11-356. OVERFLOWING OF WATER ON PUBLIC PROPERTY. It shall be unlawful for any person to allow water to overflow from any ditch, canal, well, or irrigation stream onto the streets, sidewalks or property of the city.

11-357. IRRIGATION DITCHES ACROSS SIDEWALKS. All owners or occupants of lots in this city who require water from a main ditch for irrigation or other purposes shall dig ditches, erect flumes, lay pipes and install culverts, as needed, and maintain the same to convey water under sidewalks to or from their respective lots. All culverts, ditches, pipes and flumes conveying water under sidewalks shall meet such reasonable standards and specifications as may be established by the superintendent of streets.

PART

11-360. SIDEWALK REGULATIONS.

11-361. REMOVAL OF SNOW.

- A. It shall be unlawful for the owner, occupant, lessor, or agent of any property, abutting on a paved sidewalk to fail to remove, or have removed from such paved sidewalk, all hail, snow, or sleet thereon within a reasonable time after such snow, hail, or sleet has fallen. In the case of a storm between the hours of 5 p.m. and 6 a.m. such sidewalk shall be cleaned before 9 a.m. of the same day.
- B. It shall be unlawful for any person removing snow from the sidewalk, to deposit snow, dirt, leaves, or any other material in the gutter so as to clog or prevent the free flow of water therein.

11-362. PLACING TRASH OR OTHER OBSTRUCTION IN STREETS, GUTTERS, SIDEWALKS. It shall be unlawful for any person owning, occupying or having control of any premise to place, or permit to be placed upon or in the sidewalk, parking area, gutter, or on the half of the street next to such premise:

- A. Any broken ware, glass, filth, rubbish, sweepings, refuse matter, ice, snow, water, garbage, ashes, tin cans or other like substances.
- B. Any wagons, lumber, wood boxes, fencing, building material, dead trees, tree stumps, merchandise or other thing which shall obstruct such public street, gutter, parking area or sidewalk, or any part thereof, except as expressly authorized by ordinance, without the permission of the city council first had and obtained.
- C. Any permanent or temporary structure, mechanism, device, vehicle, or other thing of any kind or character except trees planted pursuant to the provisions of applicable ordinance.

11-363. OPENINGS IN STREET.

- A. It shall be unlawful for the owner or occupant of any building having a cellar which opens upon any street or sidewalk to fail to keep the door or other covering in good

repair and safe for the passage of the customary traffic on the street or sidewalk. If the owner or occupant of any such building shall neglect or refuse to repair properly any such door or covering within 24 hours after notice for the superintendent of streets to do so, the superintendent shall forthwith cause such repairs to be made at the expense of the owner or occupant.

B. It shall be unlawful to construct or maintain coal holes or other openings in streets or sidewalks, except with the special permission of the city council, and under the direction and supervision of the superintendent of streets.

11-364. DOORS OPENING INTO STREETS. It shall be unlawful for any person, firm, or corporation owning or having the control or management of any alley, road, or passageway to construct or hang gates or doors to such alley, road, or passageway so that the gates or doors thereto, when open, shall project outwardly more than two feet over or upon the sidewalk or beyond the property line.

11-365. DISCHARGE OF WATER ON STREET. It shall be unlawful for any person owning, occupying, or having control of any premise to fail, refuse or neglect to prevent water from the roof or eaves of any house, building, or other structure, or from any other source under the control of such person to be discharged upon the surface of any sidewalk.

11-366. CROSSING AT INTERSECTIONS. It shall be unlawful for any person to drive or park a self-propelled vehicle or lead, drive, or ride any animal upon any sidewalk except across a sidewalk at established crossings.

11-367. BUSINESS TO KEEP SIDEWALK CLEAN. It shall be unlawful for any owners or occupants of any place of business to refuse, neglect or fail to cause the sidewalk abutting thereon to be swept or cleaned each morning before the hour of 9 a.m.

11-368. PLACING GOODS ON SIDEWALKS FOR SALE OR SHOW. No goods, wares, or merchandise shall be placed, maintained or permitted for sale or show in or on any parking area, street, or sidewalk beyond two feet from the front line of the lot, without first obtaining the written approval of the city council. Such approval shall be granted only when such sale or show shall be a promotional activity not exceeding 48 hours and when participated in by a majority of firms seeking approval in their business areas. The city council's written approval shall specifically provide that no goods, wares, or merchandise shall be placed in such a manner as to leave less than a six-foot passageway for pedestrians.

11-369. PLACING GOODS ON SIDEWALKS FOR RECEIPT OR DELIVERY. It shall be unlawful for any person to place, or suffer to be placed or kept upon any sidewalk, any goods, wares or merchandise which he may be receiving or delivering, without leaving a foot passageway upon such sidewalk. It shall be unlawful for any person receiving or delivering such goods, wares or merchandise to suffer the same to be or remain on such sidewalk for a longer period than 2 hours.

11-370. PLAYING ON SIDEWALKS. Every person who obstructs the sidewalk or street by playing any game or engaging in any activity which obstructs the free travel thereon is guilty of an infraction.

11-371. CONGREGATING ON SIDEWALKS. It is an infraction for any person or persons to congregate about or upon any sidewalks, stairway, doorway, window or in front of any business or dwelling house, theater, lecture room, church or elsewhere and by so doing to obstruct or interfere with the free passage of persons entering, leaving or occupying such building or premises.

PART

11-380. EXCAVATIONS.

11-381. PERMIT FRANCHISE REQUIRED.

- A. No person shall make an excavation in any street, lane, or alley, or remove any pavement or other material from any street or improvement thereon without first obtaining a permit from the superintendent of streets or other authorized representative of the city.
- B. No person shall excavate any sidewalk without first obtaining a permit from the superintendent of streets or other authorized personnel.
- C. Nothing contained in this part shall be construed to waive the franchise required for any person by the ordinances of this city or laws of Utah.

11-382. EXCLUDED EXCAVATION. The following types of excavations do not come within the scope of this part:

- A. Excavations of any kind in city streets in projects designed, contracted for, and inspected by the city engineer or other authorized personnel of the city.

B. _____

11-383. SUBJECT EXCAVATIONS. The following types of excavations are subject to the provisions of this part:

- A. Excavations for installation or repair of water lines, sewer lines, gas lines, electrical cable and conduits, telephone cable and conduits, and all other excavations for any other purpose within the street rights-of-way of the city or in other public places.

B. _____

11-384. PREPARATION. The pavement, sidewalk, driveway, or other surface shall be cut vertically along the lines forming the trench in such a manner as to not damage the adjoining pavement or hardsurfacing. An undercut bevel at the rate of one inch per foot of thickness will be provided at the proposed junction between the old and new surfaces. The portion to be removed shall be broken up in a manner that will not cause damage to the pavement outside the limits of the trench. However, any pavement damaged by operations outside the limits of the trench shall be removed immediately from the site of the work.

11-385. BACKFILL.

- A. Materials for backfill will be of select nature. All broken concrete, peat, decomposed vegetable matter and similar materials obtained from excavation will be removed from the site prior to beginning of backfilling. All backfill will be placed in layers not over eight inches loose measure in thickness. Compaction will be obtained by mechanical rollers, mechanical tampers or similar means. Material for backfilling will have optimum moisture to insure compaction to a degree equivalent to that of the undisturbed ground in which the trench was dug. Jetting or internal vibrating methods of compacting sand fill or similar methods of compacting sand or similar granular free draining materials will be permitted.
- B. The density (dry) of the backfill under pavements, sidewalks, curbs, or other structures will be not less than that existing prior to excavation. The fill shall be restored and placed in a good condition which will prevent settling.

11-386. RESTORATION OF SURFACES.

- A. General.** All street surfacing, curbs, gutters, sidewalks, driveways, or other hard surfaces falling in the line of the excavation which must be removed in performance of the work shall be restored in kind by the excavator, unless otherwise directed by the city council, in accordance with the specifications contained herein governing the various types of surfaces involved.
- B. Protection of Paved Surfaces.** In order to avoid unnecessary damage to paved surfaces, track equipment shall use pavement pads when operating on or crossing paved surfaces.
- C. Time.** In traffic lanes of paved streets, the excavator shall provide temporary gravel surfaces or cold mulch in good condition immediately after backfill has been placed, and shall complete permanent repairs on the street, sidewalk, curb, gutter, driveway and other surfaces, within five days from the date of completion of the backfill except for periods:
 - 1. When permanent paving material is not available.
 - 2. When weather conditions prevent permanent replacement.
 - 3. When an extension of time is granted by the superintendent of streets.
- D. Temporary Repair.** If temporary repair has been made on paved street with gravel and a permanent repair cannot be made within the time specified above due to any of the above-mentioned conditions, then the excavator shall be required to replace the gravel with cold mulch as soon as possible.

11-387. RESTORING BITUMINOUS. Concrete or asphalt street surfaces.

- A. Temporary grade surface.** Where excavations are made in paved areas, the surface shall be replaced with a temporary gravel surface. The gravel shall be placed deep enough to provide a minimum of six inches below the bottom of the bituminous or concrete surface. Normally, this will require nine inches of gravel for bituminous surfaces, twelve inches of gravel for concrete, and concrete base for asphalt wearing surfaces. The gravel shall be placed in the trench at the time it is backfilled. The temporary gravel surface shall be maintained by blading, sprinkling, rolling, adding gravel, to maintain a safe, uniform surface satisfactory to the inspector until the final surface is laid. Excess material shall be removed from the premises immediately. Material for use on temporary gravel surfaces shall be obtained from sound, tough, durable gravel or rock meeting the following requirements for gradings:

Passing 1-inch sieve	100%
Passing 3/4-inch sieve	85%-100%
Passing No. 4 sieve	45%-65%
Passing No. 10 sieve	30%-50%
Passing No. 200 sieve	5%-10%

- B. Bituminous surface.** The exposed edges of existing pavement shall be primed with Type MC-1 bituminous material. The type, grade, and mixture of the asphalt to be

used for street surface replacement shall be approved by the superintendent of streets. The thickness shall be equal to the adjacent surface thickness but not less than three inches. The complete surface shall not deviate more than one-half inch between old and new work.

11-388. CONCRETE SURFACES. The sub-base for concrete surfaces shall be sprinkled just before placing the concrete. Joints and surfaces shall be made to match the original surfaces. The thickness of concrete shall be equal to the adjacent concrete but in no case less than six inches thick. The mixing, cement, water content, proportion, placement, and curing of the concrete will be approved by the superintendent of streets. In no case shall the concrete have less compressive strength than 3,000 pounds per square inch at the end of 28 days.

11-389. CONCRETE BASE, BITUMINOUS WEARING SURFACES. This type of surfacing shall be constructed as above described.

11-390. GRAVEL SURFACES. Trenches excavated through gravel-surfaced area, such as gravel roads and shoulders and unpaved driveways, shall have the gravel restored and maintained as described in part 11-388 of this part, except that the gravel shall be a minimum of one inch more than the thickness of the existing gravel.

11-391. PROTECTION OF PUBLIC DURING EXCAVATION PROJECT. Excavation operations shall be conducted in such a manner that a minimum amount of interference or interruption of street traffic will result. Inconvenience to residents and businesses fronting on public streets shall be minimized. Suitable, adequate and sufficient barricades shall be available and used where necessary to prevent accidents involving property or persons. Barricades must be in place until all the excavator's equipment is removed from the site and excavation has been backfilled and proper temporary gravel surface is in place. From sunset to sunrise all barricades and excavations must be clearly outlined by acceptable warning lights, lanterns, flares, and other devices. Police and fire departments shall be notified at least 24 hours in advance of any planned excavation requiring street closures or detour.

11-392. RELOCATION AND PROTECTION OF UTILITIES. An excavator shall not interfere with any existing utility without the written consent of the city council and without advance notice to the owner of the utility. If it becomes necessary to relocate an existing utility, it shall be done by its owner unless the owner otherwise directs. No utility, whether owned by city or private enterprise, shall be moved to accommodate the permittee unless the cost of such work be borne by the permittee or an expressly written agreement is made whereby the utility owner and the excavator make other arrangements relating to such cost. The permittee shall support and protect by timbers or otherwise all pipes, conduits, poles, wires, or other apparatus which may be in any way affected by the excavation work, and shall do everything necessary to support, sustain and protect them under, over, along, or across the work. In case any of the pipes, conduits, poles, wires, or apparatus should be damaged (and for this purpose pipe coating or other encasement or devices are considered as part of a substructure), they shall be repaired by the agency or person owning them, but the utility owner shall be reimbursed for the expense of such repairs by the permittee. It is the intent of this part that the permittee shall assume all liability for damage to substructures, and any resulting damage or injury to anyone because of such substructure damage and such assumption of liability shall be deemed a contractual obligation which the permittee accepts upon acceptance of an excavation permit. The city need not be made a party to any action because of this part. The permittee shall inform itself as to the existence and location of all underground utilities and protect the same against damage.

11-393. JETTING PIPE. Jetting pipe by means of water under pressure, or compressed air, is permitted only when approved by the city.

11-394. INSPECTION AND ACCEPTANCE.

A. In order to insure proper backfill and restoration of surface, the permittee shall deposit a surety bond or cash deposit with the recorder payable to the city, except that a public utility operating or using any of the streets under a franchise from the city will not be required to furnish such bond, providing such franchise obligates the holder thereof to restore the streets and to hold the city harmless in the event of any injury to any person or damage to any property due to negligence of such holder in conducting excavation and restoration operations under such franchise. The required surety bond must be:

1. With good and sufficient surety.
2. By a surety company authorized to transact business in the state.
3. Satisfactory to the city attorney in form and substance.
4. Conditions upon the permittee's compliance with this part in order to secure and hold the city and its officers harmless against any and all claims, judgments, or other costs arising from the excavation and other work covered by the excavation permit or for which the city, the city council or any city office may be made liable by reason of any accident or injury to any person or property through the fault of the permittee arising out of failure to properly guard the excavation or for any other negligence of the permittee.
5. Conditioned to fill up, restore and place in good and safe condition, as near as may be to its original condition, and to the satisfaction of the city, all opening and excavations made in streets, and to maintain any street where excavation is made in as good condition for the period of 24 months after the work shall be done, usual wear and tear excepted, as it was before the work shall have been done.

B. The amount of the surety bond or cash deposit shall be established by resolution and may be changed from time to time, but until such resolution is passed the amount of surety or cash deposit shall be \$ 250.00 and \$ 8.00 for each foot of street the permittee shall excavate.

11-395. APPLICATION FOR STREET EXCAVATION PERMIT. It shall be unlawful for any person to break, excavate, tunnel, undermine, or in any manner affect the surface or base of any street or to place, deposit or leave upon any street any earth or any other excavated material obstructing or tending to interfere with the free use of the street, unless such persons shall first have obtained an excavation permit therefor from the recorder. Any public utility regulated by the state of Utah or holding a franchise from the city which in the pursuit of its calling has frequent occasion to open or make excavations in streets, may, upon application, receive a general permit from the city to cover all excavations such utilities may make within the streets of the city. All permits shall be subject to revocation and the city may refuse to issue a permit for failure of the permittee or applicant to abide by the terms and conditions of this part. Excavation permits will not be requested prior to excavation in case of emergency endangering life or property, providing the city is notified as soon as practicable and a permit is applied for upon the next working day following the emergency.